



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 9 AUGUST 2021
AT 5:00 PM
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, Dr P T Sexton, D C Thomas, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Ewin, Dr Z E Sherlock and W N S Coats.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Councillor Ewin joined the meeting at 5.09pm and wasn't present for items 1 to 5 inclusive.

Alderman Behrakis left the meeting at 5.42pm, returning at 5.43pm.

Councillor Sherlock left the meeting at 6.20pm, returning at 6.23pm.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 26 July 2021](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Tuesday, 27 July 2021](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Sherlock	
Coats	

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Taste of Summer Event

The Lord Mayor reported that on Saturday 31 July 2021 at the request of the Premier, she participated in a media event announcing the private consortium who were appointed by the State Government to run a Taste-style event on the waterfront this Christmas / New Year period.

The State Government is providing use of PW1 free of charge and contributing \$1.4 million to the consortium.

Pinpoint (a group of experienced tourism, hospitality and event management people) will run the "Taste of Summer".

Officers will work with Pinpoint to determine how Council can best support the event though an in-kind contribution.

Council Officers met with Pinpoint on Friday who will release further details of the event following further planning and we will seek a briefing from them in the coming weeks.

This is a great outcome for Council, the State Government and everyone who enjoys taking part in the Taste each year.

3.2 RISE Funding

The Lord Mayor acknowledged that on 30 July 2021, the Council received a letter advising that the City has been successful in receiving \$120,000 in grant funding from the Australian Government as part of the Restart Investment to Sustain and Expand (RISE) grant funding program.

The Lord Mayor alerted Council officers of this opportunity following a meeting with the Federal Minister for Arts The Hon Paul Fletcher MP in Canberra in May 2021 during CCCLM.

Officers submitted a successful application for the CityPILOTS public art project – a project aimed at providing an opportunity for local artists to gain experience and build capacity working in public space.

Eight commissions will be delivered in the non-festival months of April and September 2022. The works will be temporary in nature and build upon smaller, initiatives where the level of public engagement has reflected the success of temporary artworks in activating the city and generating discussion.

3.3 LGAT Motion

The Lord Mayor reported that at the LGAT General Meeting on 5 August 2021, the City of Hobart motion for *LGAT to call on the State Government to commission a review of the workplace health and safety of the Local government sector for elected representatives* passed 52 votes to 6.

The State Government recently announced an independent review into workplace harassment and practices and procedures in the State Parliament which is good news and, as the regulators of our sector, it is appropriate that the State Government take the lead on a similar review for Local Government.

The Lord Mayor noted the overwhelming majority of Councils support a safer and more respectful workplace for all elected representatives in local government.

3.4 LGAT Award for Excellence

At last week's LGAT conference, the City of Hobart received a Highly Commended Award in the LGAT Awards of Excellence for the City's Aboriginal Commitment and Action Plan (ACAP).

The citation for the award acknowledged that:

- *Hobart has broken new ground for Tasmanian councils with the state's first local government Reconciliation Action Plan,*
- *It is an outstanding example of innovation by modifying the reconciliation action plan framework based on honest conversations with Tasmanian Aboriginal people.*
- *It met the challenge head on with respect and an open heart and this is reflected in the feedback they provided from the Aboriginal community.*

- *The process itself is a step towards reconciliation and better understanding, and delivery of the plan of the next few years will only strengthen this.*

The Lord Mayor congratulated City of Hobart Officers and others involved for their great work on this strategy.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

6.1 Petition - Removal of Parking Metres in Elizabeth Street, North Hobart

The Chief Executive Officer tabled a petition from Ms Lisa Martin of North Hobart, calling for the Hobart City Council to remove the parking meters recently installed in Elizabeth Street, North Hobart and the adjoining side streets and return free 30-minute parking. They further requested that the 30-minute limit only be enforceable between 9.00am and 6.00pm with unrestricted parking at all other times.

There were 1205 signatories to the petition.

BURNET
ZUCCO

That the petition be received and noted and referred to the appropriate Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Dutta
Ewin
Sherlock
Coats

Attachments

- A Petition - Removal of Parking Metres in Elizabeth Street, North Hobart ⇨ 

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Elected members are requested to indicate where they may have any pecuniary or conflicts of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with.

No interest was indicated.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council is reminded that in order to comply with Regulation 25(2), the Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

9.1 43A Pirie Street, 43 Pirie Street New Town and Adjacent Road Reserve - Demolition, Six Multiple Dwellings, Front Fencing, and Associated Works PLN-21-200 - File Ref: F21/73342

Ref: Open [CPC 7.1.1](#), 2/08/2021
Application Expiry Date: 9 August 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, six multiple dwellings, front fencing, and associated works at 43a Pirie Street, New Town, TAS 7008 for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 2 August 2021 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-200 - 43A PIRIE STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice,

Reference No. TWDA 2021/00511-HCC dated 13/04/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

A demolition waste management plan must be implemented throughout demolition. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

Advice:

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards

PLN s1

The approved building must be contained within the building envelope prescribed by clause 11.4.2 A3 of the *Hobart Interim Planning Scheme 2015* (version 38).

Revised plans must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016*, that clearly demonstrate compliance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In accordance with the applicant's planning report

PLN s2

Each dwelling must be provided with a north facing deck at first floor level that is at least 20sqm in area, with a minimum horizontal dimension of 3m, and a north facing deck at second floor level that is at least 10sqm in area (except the westernmost unit which can have an 8sqm deck).

Prior to the issue of any approval under the *Building Act 2016*, excluding for demolition, revised plans must be submitted and approved as a Condition Endorsement, demonstrating compliance with the above.

All work required by this condition must be undertaken in accordance with the approved revised plans, prior to first occupation.

Advice:

The plans submitted to Council on 6 July are considered to satisfy the requirements of this condition.

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the future occupants of the dwellings have an area of private open space that affords them a reasonable level of amenity

PLN s3

A landscape plan must be prepared for the soft and hard landscaping of the site, by a suitable qualified landscape designer/architect.

Prior to the issue of any approval under the *Building Act 2016*, a landscape plan must be submitted and approved as a Condition Endorsement, in accordance with the above requirement. The landscaping plan must include:

1. Details of the landscaping of the front gardens of the dwellings, paying particular attention to the area within one metre of the road reservation.
2. Details of the landscaping (hard and soft) proposed within the communal garden area

3. The species and size at planting of each tree.
4. The location of footpaths, lighting and any proposed or existing underground infrastructure within the Communal garden.
5. A maintenance schedule sufficient to ensure the long term viability of the landscaping. The maintenance schedule must include provision for routine maintenance including irrigation servicing, pest control and replacement of failed plantings where necessary and appropriate.

All landscaping must be planted and installed in accordance with the approved landscaping plan. Prior to occupancy, confirmation from the landscape designer/architect who prepared the approved landscaping plan (or another suitably qualified landscape designer/architect) that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Once planted and installed, the landscaping must be maintained in accordance with the maintenance schedule.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that the development provides landscaping of the site that will afford a reasonable level of amenity for the future occupants of the dwelling, and be complementary to the streetscape

ENG sw1

Prior to first occupation or commencement of use (whichever occurs first), all stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains, and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure.

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

Detailed engineering drawings must be submitted and approved as part of an application for a new stormwater connection, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed engineering drawings must include:

1. the location of the proposed connection; and
2. the size of the connection appropriate to satisfy the needs of the development.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings.

Advice:

The applicant is advised to submit detailed design drawings via a Council City Amenity Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Amenity Division.

Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. prepared by a suitably qualified person; and
2. include long section(s)/levels and grades to the point of discharge.

All work required by this condition must be undertaken in accordance with the approved design drawings and calculations.

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater pre-treatment for stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. include detailed design of the proposed treatment train, including final estimations of contaminant removal
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the

NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 1170.1:2002, must be submitted to Council as a Condition Endorsement.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS 1170.1:2002.

Advice:

Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, circulation roadways, ramps, and parking module (parking spaces, aisles and, manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3b

The access driveway, circulation roadways, ramps, and parking module (parking spaces, aisles, and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, and issuing of any approval under the *Building Act 2016*.

The access driveway, circulation roadways, ramps, and parking module (parking spaces, aisles, and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standards, AS/NZS 2890.1:2004;
3. Where the design deviates from AS/NZS2890.1:2004, the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use;

4. Show dimensions, levels, gradients and transitions, and any other details as Council deem necessary to satisfy the above requirement; and
5. Have a minimum vertically clear driveway width of 3 meters and provide sufficient headroom to comply with Section 5.3 of AS/NZS 2890.1:2004

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.

It is advised that designers consider the minimum vertical clearances (headroom) with respect to small and medium rigid vehicle classifications, as failure to do so may result in difficulty complying with this condition.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3c

The access driveway, circulation roadways, ramps, and parking module (parking spaces, aisles, and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to first occupation or commencement of use (whichever occurs first), documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement)

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, and parking module (parking spaces, aisles, and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 5

The number of car parking spaces approved to be used on the site is Thirteen (13).

The approved visitor car parking space must be clearly sign marked as such.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths,

driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENG 13

The frontage fencing for 43A Pirie Street must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

ENG r3

Prior to the commencement of use, the proposed driveway crossover on the Roope Street highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v3 Type Open wedge vehicular crossing.

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. The design drawings must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;
3. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);

4. If the design deviates from the requirements of the TSD, then demonstrate that a B85 vehicle or a B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2), can access the driveway from the road pavement into the property without scraping the vehicle's underside;
5. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
6. Be prepared and certified by a suitable qualified person, to satisfy the above requirements.

All work required by this condition must be undertaken in accordance with the approved drawings.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Reason for condition

To ensure that works will comply with the Council's standard requirements.

ENV 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

All work required by this condition must be undertaken in accordance with the approved SWMP.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

HER 9

A construction management plan must be prepared and contain protocols and recommendations for all contractors working in close proximity to the stone foundations along the boundary of 31 Pirie Street (Flint House) to be briefed on the heritage values of the heritage listed site and for the need to protect the structure whilst undertaking the proposed works to upgrade infrastructure.

Prior to the commencement of works (including demolition and excavation), all workers and managers must be briefed on the importance of the cultural heritage values of the site as part of a site induction. This must be undertaken by a suitably qualified heritage practitioner.

Prior to the issue of any approval under the Building Act 2016, the construction management plan must be submitted and approved as a Condition Endorsement in accordance with the above requirements. All works must be undertaken in accordance with the approved construction management plan.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that there is no loss or damage to the heritage values or significant fabric of the site.

HER 11

The turning circle at 43 Pirie Street must be retained and the curve to the right of way shown on drawing DA02 must be implemented.

Prior to the issue of any approval under the *Building Act 2016*, plans must be submitted and approved as a Condition Endorsement showing the retention of the turning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 12

The palette of exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first), revised plans and details (including a materials board if appropriate) must be submitted and approved as a Condition Endorsement showing exterior colours, materials and finishes in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved plans and details.

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

HER 17a

The works within the right of way off Roope Street must be constructed with an exposed aggregate finish and be of a cream / sandstone colour.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the proposed right of way in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved plans.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 18

The English Oak Tree noted as T4 at 43 Pirie Street must be protected throughout excavation and post construction in accordance with the Arboricultural Impact Assessment and Tree Protection Specification report and in accordance with AS 4970-2009 Protection of Trees on Development Sites. All recommendations must be complied with.

Prior to the issue of any approval under the *Building Act 2016*, plans must be submitted and approved as a Condition Endorsement showing Tree Protection Zones and all recommendations in the above report.

Reason for condition

To ensure that significant trees on the adjoining and subject site are not unnecessarily destroyed and are managed in a way that maintains their health and appearance.

SUB s1

The existing Right of Way burdening 43A Pirie Street, (CT 107319/1) in favour of 43 Pirie Street, (CT 199999/1) is to be extinguished and a new replacement Right of Carriageway is to be created to the satisfaction of the Council over the new concrete driveway that will provide access for both properties, prior to the first occupation of the Units on 43A Pirie Street.

Reason for condition

To ensure that the property at 43 Pirie Street will continue to have legal access via an unobstructed Right of Way through 43A Pirie Street.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Dutta
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Ewin	
Sherlock	
Coats	

9.2 35 Melville Street, Hobart - Alterations to Previously Approved Development PLN-21-351 - File Ref: F21/73423

Ref: Open [CPC 7.1.3](#), 2/08/2021
Application Expiry Date: 10 August 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for alterations to the previously approved development at 35 Melville Street, Hobart, TAS 7000 for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 (a) of the *Hobart Interim Planning Scheme 2015* because it will result in the loss of historic cultural heritage significance to the place through its incompatible design including its height, scale, bulk, form, siting, colours and finishes.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 P2 (a) to (d) of the *Hobart Interim Planning Scheme 2015* because it will not be subservient and complementary to the listed place due to its scale, bulk, built form, setback from frontage, siting with respect to listed elements.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Lord Mayor Reynolds
Harvey	Zucco
Dutta	Briscoe
	Sexton
	Thomas
	Behrakis
	Ewin
	Sherlock
	Coats

COATS
THOMAS

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to the previously approved development at 35 Melville Street, Hobart, TAS 7000 on the basis that the requirements of the Scheme are met, particularly including E13.7.2 P1 and E13.7.2 P2, subject to conditions.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Dutta
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Ewin	
Sherlock	
Coats	

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to the previously approved development at 35 Melville Street, Hobart, TAS 7000 on the basis that the requirements of the Scheme are met, particularly including E13.7.2 P1 and E13.7.2 P2, subject to the following conditions:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-351 - 35 MELVILLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 6

The use must not be open to the public outside of the following

hours: Monday – Sunday

Garden Bar: 11:00am –

10:00pm Lounge: 11:00am –

12:00am Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity

PLN s1

The commencement of this permit is also reliant on the use, development and relevant conditions approved under PLN-20-723.

Reason for condition

To clarify the scope of the permit

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site. The construction waste management plan must include:

Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and

Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

All work required by this condition must be undertaken in accordance with the approved construction waste management plan.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG 13

An ongoing waste management plan for all insert commercial waste and recycling must be implemented post construction.

A waste management plan must be submitted and approved, prior to commencement of work on the site. A waste management plan must:

include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development; and
show screening of the waste bins to the satisfaction of the Director City Planning.

All work required by this condition must be undertaken in accordance with the approved waste management plan.

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

Be prepared by a suitably qualified person.

Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.

Include a start date and finish dates of various stages of works.

Include times that trucks and other traffic associated with the works will be allowed to operate.

Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 3a

The access driveway, and loading/unloading areas must be designed and constructed in accordance with Australian Standard AS2890.2:2002, or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 5

The minimum number of bicycle parking spaces approved on the site, for use is sixteen (16). All sixteen (16) bicycle parking spaces must be provided prior to the commencement of use.

Bicycle parking facilities are to be provided in accordance with Australian Standards AS/NZS 2890.3 or a Council City Planning Division approved alternate design, prior to commencement of use.

Advice:

Please contact Council's Traffic Engineer Unit to discuss approval of alternate designs.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

ENG 11

Prior to the commencement of the use, any bollards located within the loading/unloading area must be provided and installed in general accordance with:

LGAT Standard Drawing - TSD-R31-v3 – Barriers/Guard Rail Rigid Bollards or TSD-R32-v3 - Barriers/Guard Rail Lockable Bollards; or A Council approved alternate design.

Reason for condition

In the interests of user safety and the amenity of the development.

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

HER 11

The stone wall and capping stones along the Melville Street frontage, either side of the pedestrian entry and returns on the south west and north east must be retained and conserved in situ to the highest standard using lime rich mortar. Any nearby excavation or demolition must not damage the stone wall. Temporary and permanent bracing must be installed to ensure the stone wall does not collapse during or post construction.

Prior to the issue of any approval (excluding Stage 1 works) under the *Building Act 2016*, revised plans must be submitted and approved showing all conservation works and temporary and permanent bracing in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved documentation.

Advice:

The conservation of the wall must be to the highest standard. The construction method and of the wall degree of stability of the wall is not certain, such that all excavation must be undertaken with the supervision of a suitably qualified historic heritage expert. Should any variance to the design be required due to unexpected finds or site conditions, the entry and access should be redesigned. A separate planning approval may be required.

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 6

All onsite excavation and disturbance between the front stone wall and the existing building and elsewhere on site (as shown on drawing site Works Plan, drawing A004, Rev C, dated 8/6/21), must be monitored by a suitably qualified archaeologist.

Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 1 days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with 2. above must be provided to Council within 60 days of receipt of the advice, assessment and recommendations and prior to the issue of a certificate of occupancy.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

HER 20

The site must be landscaped with plants appropriate to the growing conditions and the historic setting. All landscaping shown in the landscaping plan (as shown in drawing A103, Rev L, dated 15/3/21) must be undertaken prior to completion and must be substantially in accordance with the approved plan. Any substantial change in the plants, growing conditions and irrigations system requires further approval.

Reason for condition:

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER s3

The exterior cladding of the lift is not approved. Revised and detailed plans must be prepared and submitted for the exterior of the lift that are sympathetic to and more compatible with the historic character of the place as well as respond to and reflect the character of the proposed timber balustrade to the front timber deck.

Revised and detailed plans must be prepared and submitted by a suitably qualified person in historic heritage for the new front steps,

landings, handrail and balustrade to be sympathetic and subservient to the historic cultural heritage significance of the place.

Prior to the issue of any approval (excluding Stage 1 works) under the Building Act 2016, revised plans must be submitted and approved in accordance with the above requirement. All work required by this condition must be undertaken in accordance with the approved plans.

Advice: Materials such as the timber battens shown in the vertical balustrade/screen on the proposed elevations and horizontal timber screen both with an oiled finish and 25% transparency (drawing A105, Rev C) would be considered appropriate for the exterior of the lift and for the handrail/balustrade to the front steps.

Reason for condition:

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address

condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's [website](#).

FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

9.3 3/68-70 Forster Street, 72 Forster Street, New Town - Alterations and Subdivision (Boundary Adjustment) PLN-21-321 - File Ref: F21/73319

Ref: Open [CPC 7.1.4](#), 2/08/2021
Application Expiry Date: 10 August 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and subdivision (boundary adjustment), at 3/68-70 Forster Street and 72 Forster Street, New Town, TAS 7008 for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 2 August 2021 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-321 - 3/68-70 FORSTER STREET NEW TOWN TAS 7008 - Advertised Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 5

No off-street parking is approved on the site as part of this development.

Reason for condition

To clarify the scope of the permit.

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 3

The final plan and schedule of easements must be submitted and approved under section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

The final plan and schedule of easements must provide easements to the satisfaction of the Council:

Over any existing private rights of way and drainage easements in favour of the lots they are required to serve.

Reason for condition

To ensure that there are no impediments to the provision of private services and access to the lots.

SURV 9

Any lots on the final plan created from the addition of sub minimal lots on the plan of subdivision are to be notated on the final plan.

The final plan must include notations in accordance with section 111 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, in relation to the lot on the final plan for the boundary adjustment to satisfy the above requirement.

Reason for condition

To ensure compliance with statutory provisions.

SUB s1

An amendment to Strata Plan 143071 must be submitted with the final plan for the boundary adjustment and approved by Council in accordance

with the requirements of sections 19 and 31 of the Strata Titles Act 1998, concurrently with the sealing of the final plan for the boundary adjustment.

Reason for condition

To enable Lot 100 on the Plan of Subdivision to be added to Lot 3 of the Strata Scheme at 68, 70 and 70A Forster Street.

SUB s2

The Benefiting Easement in favour of CT 40781/1: Right to pass and repass over the land marked ABCD on Diagram No. 40781 shall be extinguished prior to the sealing of the final plan for the boundary adjustment.

Advice:

This right of way has not been exercised for many years and when the boundary adjustment has occurred the right of way will no longer touch Council land.

Reason for condition

To ensure that this right of way is not brought forward onto the sealed plan for the boundary adjustment.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

STRATA AMENDMENT

You will be required to amend the strata plan pursuant to the provisions of the *Strata Titles Act 1998* in order to reflect the completed development works. Click [here](#) for more information.

COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#).

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Dutta
Ewin
Sherlock
Coats

9.4 28 Davey Street. 30 Davey Street, Hobart and Adjacent Road Reserve - Demolition, New Building for Visitor Accommodation, Function Centre, and Eating Establishments, Bar, and Shop, Lot Consolidation, and Associated Works in the Road Reserve including Removal of Carparking Spaces, Relocation of Public Street Furniture, Lighting and new Stairs PLN-20-499 - File Ref: F21/74888

Ref: Supplementary Open [CPC 11](#), 2/08/2021
Application Expiry Date: 10 August 2021

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for demolition, new building for visitor accommodation, function centre, and eating establishments, bar, and shop, lot consolidation, and associated works in the road reserve including removal of car parking spaces, relocation of public street furniture, lighting and new stairs, at 28 and 30 Davey Street, Hobart, TAS 7000 and the adjacent road reservations for the following reasons:

1. The proposal does not meet objective (a) and the associated performance criteria with respect to clause 16.2 of the *Sullivans Cove Planning Scheme 1997* because it fails to respect the cultural heritage and character of the Activity Area and fails to demonstrably contribute to, and enhance, the cultural heritage, built form (bulk, height, volume, urban detail) and spatial characteristics of the Activity Area.

2. The proposal does not meet objective (c) and the associated performance criteria with respect to clause 16.2 of the *Sullivans Cove Planning Scheme 1997* because it fails to facilitate safe pedestrian circulation within the Cove.
3. The proposal does not meet the permitted standard at clause 22.5.4 and fails to meet the associated discretionary standard at clause 22.5.5 of the *Sullivans Cove Planning Scheme 1997* because: it dominates and is more prominent than adjacent places of cultural significance; is of a disparate scale resulting in significant visual impact; does not complement and contribute to adjacent places of cultural significance and is of a bulk and appearance that adversely affects the heritage values of adjacent places of cultural significance.
4. The proposal does not meet the 'permitted' standards at clauses 23.6.1 (Building Form) and 23.7.1 (Building Surfaces) and also fails to meet the associated discretionary standards at clause 23.6.2 (Building Form) and 23.7.2 (Building Surfaces) of the *Sullivans Cove Planning Scheme 1997* because it fails to conserve the traditional urban pattern of Sullivans Cove, it does not have a respectful relationship to buildings of identified cultural significance, and it will be individually prominent in terms of contrast with neighbouring buildings, by being significantly higher or having a larger apparent size when viewed in street elevation.
5. The proposal does not meet the Public Urban Space Function for Brooke Street at clause 24.4.10A of the *Sullivans Cove Planning Scheme 1997* because the new stair does not prioritise improving the safe movement of pedestrians.
6. The proposal does not meet the Principles of development control at clause 26.2(a), (c), (e), and (f), or the Matters to be Considered at clause 26.5 of the *Sullivans Cove Planning Scheme 1997* because it will not facilitate mutual compatibility of public and private transport, it will create traffic flows and movements that are detrimental to safety and amenity, it does not make adequate provisions for the direction, access, turning and parking of vehicular traffic, it does not provide for pedestrian movement, and it will not minimise footpath crossovers and disruption to footpath movements.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Behrakis
Briscoe	
Sexton	
Thomas	
Harvey	
Dutta	
Ewin	
Sherlock	
Coats	

**10. Southern Tasmania Regional Land Use Strategy Amendment Proposal -
Cygnet Township
File Ref: F21/72190**

Ref: Open [CPC 8.1](#), 2/08/2021

That the Council advises the Huon Valley Council that it has no objection to Huon Valley Council's proposal to amend the growth management strategy for the Cygnet township under the Southern Regional Land Use Strategy 2010-2035.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

COMMUNITY, CULTURE AND EVENTS COMMITTEE

11. Summer Activation Program

File Ref: F21/68356

Ref: Open [CCEC 6.2](#), 29/07/2021

- That: 1. The Council endorse the proposed 2021-22 summer activation program for the period between 15 January and 3 April 2022 that includes activities:
- (i) A waterfront weekend on Parliament Lawns in January to celebrate the Salamanca Market 50th anniversary and a community day on the Sunday.
 - (ii) A 'food truck palooza' that invites the businesses in the City of Hobart Food Truck program to come together in one place for the community to enjoy their offerings.
 - (iii) 'Seven speakers over seven days' held in the late afternoon at Salamanca plaza in February and highlights the diverse range of public speech and oration from our Speakers' Corner program.
 - (iv) 'Busking in the street and voices in the park'. Featuring pop-up performances and participatory sessions performed by buskers and street performers from the City's program. Scheduled in our parks and urban spaces over a week in February.
 - (v) 'Host your own street party' provides the tools to the community to come together to host their own party.
2. The Festive Season Charitable Quick Response Grant be offered again in 2021, open for applications from September 2021, for projects that are delivered in the period from 15 November to 25 December 2021. The grant round would close once the funding pool has been fully allocated or on 11 December, whatever comes first.
3. The Council delegate to the Chief Executive Officer finalisation of the specific dates, venues, programming and budget for the 2021-22 summer activation program with the overall program not to exceed \$200,000 sourced from a reallocation of funds from the 2021-22 Taste of Tasmania budget.

SHERLOCK
DUTTA

That the recommendation be adopted.

AMENDMENT

ZUCCO
BEHRAKIS

That a comprehensive consultation program be developed to undertake with traders, which includes appropriate site identification, for the 'food truck palooza' event.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

COUNCIL RESOLUTION:

- That: 1. The Council endorse the proposed 2021-22 summer activation program for the period between 15 January and 3 April 2022 that includes activities:
- (i) A waterfront weekend on Parliament Lawns in January to celebrate the Salamanca Market 50th anniversary and a community day on the Sunday.
 - (ii) A 'food truck palooza' that invites the businesses in the City of Hobart Food Truck program to come together in one place for the community to enjoy their offerings.
 - a) A comprehensive consultation program be developed to undertake with traders, which includes appropriate site identification, in organising this event.
 - (iii) 'Seven speakers over seven days' held in the late afternoon at Salamanca plaza in February and highlights the diverse range of public speech and oration from our Speakers' Corner program.
 - (iv) 'Busking in the street and voices in the park'. Featuring pop-up performances and participatory sessions performed by buskers and street performers from the City's program. Scheduled in our parks and urban spaces over a week in February.
 - (v) 'Host your own street party' provides the tools to the community to come together to host their own party.
2. The Festive Season Charitable Quick Response Grant be offered again in 2021, open for applications from September 2021, for projects that are delivered in the period from 15 November to 25 December 2021. The grant round would close once the funding pool has been fully allocated or on 11 December, whatever comes first.
3. The Council delegate to the Chief Executive Officer finalisation of the specific dates, venues, programming and budget for the 2021-22 summer activation program with the overall program not to exceed \$200,000 sourced from a reallocation of funds from the 2021-22 Taste of Tasmania budget.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

12. 2021-22 Fees and Charges Adjustment - Tasmanian Travel and Information Centre - Community Life
File Ref: F21/70139

Ref: Open [EDCC 6.2](#), 29/07/2021

That the schedule of fees and charges for the Tasmanian Travel and Information Centre, Community Life Division, marked as Attachment A to item 12 of the Open Council Agenda of 9 August 2021, be adopted for the 2021-22 financial year.

THOMAS
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Dutta
Ewin
Sherlock
Coats

SPECIAL REPORT – DEPUTY LORD MAYOR

13. Elected Member Professional Development Plan - Lord Mayor Councillor Anna Reynolds
File Ref: F21/76391

BURNET
HARVEY

That the recommendation contained in the Special Report of the Deputy Lord Mayor, marked as item 13 of the Open Council agenda of 9 August 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Dutta
Ewin
Sherlock
Coats

COUNCIL RESOLUTION:

That the professional development plan for Lord Mayor Councillor Anna Reynolds, as attached to the Open Council Agenda of 9 August 2021, be received and noted.

14. CLOSED PORTION OF THE MEETING

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Minutes of a Closed meeting
- Leave of Absence
- Matter relating to legal action

The following items were discussed:-

Item No. 1 Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2 Communication from the Chairman
Item No. 3 Leave of Absence
Item No. 4 Consideration of supplementary Items to the agenda
Item No. 5 Indications of pecuniary and conflicts of interest

Item No. 6.1 PLN-20-750 33 Mary Street North Hobart TAS 7000 - Appeal -
Mediation
LG(MP)R 15(4)(a)

BURNET
SEXTON

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Dutta
Ewin
Sherlock
Coats

There being no further business the Open portion of the meeting closed at
6.35pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
23RD DAY OF AUGUST 2021.

CHAIRMAN