



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 5 September 2022 at 5:00pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 5 September 2022 at 5:00 pm in the Council Chamber, Town Hall.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 31 March 2022 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

COMMITTEE MEMBERS

Deputy Lord Mayor Councillor H Burnet
(Chairman)
Alderman J R Briscoe
Councillor W F Harvey
Alderman S Behrakis
Councillor M Dutta
Councillor W Coats

NON-MEMBERS

Lord Mayor Councillor A M Reynolds
Alderman M Zucco
Alderman Dr P T Sexton
Alderman D C Thomas
Councillor J Fox
Councillor Dr Z Sherlock

PRESENT: The Deputy Lord Mayor Councillor H Burnet (Chairman), Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillor M Dutta and the Lord Mayor Councillor A M Reynolds.

Alderman Briscoe arrived at 5.03pm and was not present for items 1 to 7 inclusive.

Alderman Behrakis left the meeting at 5.50pm, returning at 5.51pm.

The Lord Mayor arrived at 5.01 and was co-opted for items 7 to 10.

APOLOGIES:

Councillor W Coats

LEAVE OF ABSENCE: Nil.

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

No elected members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

DUTTA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 22 August 2022](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Members of the Committee 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 Committee has resolved to deal with.

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

BEHRAKIS

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Harvey Behrakis Dutta	

BEHRAKIS

That the Lord Mayor be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Harvey Behrakis Dutta	

7. COMMITTEE 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 Committee 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 Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee 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.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Jane Edwards, Ms Sue Haines (Representors) and Ms Cathlene Saul (Applicant) addressed the Committee in relation to item 7.1.1.

7.1.1 7 Cane Street, West Hobart - Change of Use to Visitor Accommodation PLN-22-457 - File Ref: F22/87352

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 7 Cane Street, West Hobart, 7000, pursuant to the *Hobart Interim Planning Scheme 2015*, for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the provision of no onsite car parking will not meet the reasonable needs of users having regard to car parking demand and the availability of on-street and public car parking in the locality.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe

NOES

Harvey
Behrakis
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That the Council refuse the application for a change of use to visitor accommodation at 7 Cane Street, West Hobart, 7000, pursuant to the *Hobart Interim Planning Scheme 2015*, for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the provision of no onsite car parking will not meet the reasonable needs of users having regard to car parking demand and the availability of on-street and public car parking in the locality.

Delegation: Council

Item 8.1 was then taken.

**7.1.2 215 Churchill Avenue, Sandy Bay - Change of Use to Visitor
Accommodation
PLN-22-277 - File Ref: F22/87596**

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 24 August 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Harvey	Dutta
Behrakis	Lord Mayor Reynolds

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 215 Sandy Bay Road, Sandy Bay, 7005, pursuant to the *Hobart Interim Planning Scheme*

2015 and Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes, for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of *Planning Directive No. 6* because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Dutta	Harvey
Lord Mayor Reynolds	Behrakis

COMMITTEE RESOLUTION:

In the absence of a decision from the City Planning Committee the item is referred to the Council for determination.

Delegation: Council

**7.1.3 1/273 Churchill Avenue, Sandy Bay and Common Land of Parent Title - Change of Use to Visitor Accommodation
PLN-22-482 - File Ref: F22/88518**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 26 August 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Harvey	Dutta
Behrakis	Lord Mayor Reynolds

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 1/273 Churchill Avenue, Sandy Bay, 7005, pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Dutta	Harvey
Lord Mayor Reynolds	Behrakis

COMMITTEE RESOLUTION:

In the absence of a decision from the City Planning Committee the item is referred to the Council for determination.

Delegation: Council

7.1.4 16 Wayne Avenue, Sandy Bay and Adjacent Road Reserve - Partial Demolition and Alterations to Pedestrian and Vehicle Access, Driveway and Parking
PLN-22-256 - File Ref: F22/87432

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 23 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	

Briscoe
Harvey
Behrakis
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition and alterations to pedestrian and vehicle access, driveway, and parking, at 16 Wayne Avenue and adjacent road reserve, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 5 September 2022 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-22-256 - 16 WAYNE AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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 or 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 3a

Prior to first occupation or commencement of use (whichever occurs first), the parking area (domestic driveway & parking space) must be constructed in accordance with the plans which form part of this permit, prepared by *iC21 design* titled *Retaining Walls, Stairs, Driveway Upgrade* registered 15/7/2022 with the City of Hobart.

Any departure from the approved design documentation, and any works which are not detailed, must either be:

1. approved by the Director City Life, via a Condition Endorsement application, or
2. be designed and constructed in accordance with the Australian Standard AS/NZ 2890.1:2004.

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 parking area (domestic driveway and parking space) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers, or equivalent Council approved) and surface(s) 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 total number of off-street car parking spaces approved for use on site, by this permit, is One (1).

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 r3

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

- Urban - TSD-R09-v3 – Urban Roads Driveways and TSD R14-v3 Type KC 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 Program Leader Road Services 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.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

EXISTING VEGETATION

Care should be taken to minimise any unnecessary damage to or removal of existing boundary line hedging and vegetation not otherwise approved to be removed (either side of the driveway access) as part of this permit.

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.

NOISE REGULATIONS

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

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.

Delegation: Committee

Item 8.2 was then taken.

7.1.5 24-26 Weld Street, South Hobart and Adjacent Road Reserve - Flood Mitigation Works, Stormwater Works, Associated Works in the Road Reserve and Signage PLN-22-352 - File Ref: F22/88576

BRISCOE

That the recommendation contained in the report of the Senior Statutory Planner and the manager Development Appraisal of 29 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City

Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for flood mitigation works, stormwater works, associated works in the road reserve and signage at 24-26 Weld Street 7004 and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 5 September 2022 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-22-352 - 24-26 WELD STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

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 City Resilience 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: ag drains and impervious surfaces) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Reason for condition

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

SW 3

The proposed works including foundations must be designed to ensure the protection and access to the Hobart City Council's stormwater infrastructure.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed design must be submitted and approved as a Condition Endorsement. The detailed design must be prepared and certified by a suitably qualified engineer and must:

- a. Demonstrate how the design will provide adequate access to the stormwater main and manhole, impose no additional loads onto the infrastructure and that the structure will be fully independent of the infrastructure and its trenching.
- b. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.

All work required by this condition must be undertaken in accordance with the approved detailed 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. You will need specific permission from Council's Stormwater

Unit under s73 of the Building Act 2016 and s13 of the Urban Drainage Act for the final certified detailed design plans.

SW 6

The alterations to the public stormwater infrastructure must be designed and constructed prior to occupancy or the commencement of the approved use (whichever occurs first).

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted and approved as a Condition Endorsement. The detailed engineering drawings must be certified by a suitably qualified and experienced civil engineer and must:

1. be substantially in accordance with the Local Government Association of Tasmania: Tasmanian Municipal Standard Drawings (May 2020), as varied by the City of Hobart's published departures from those Drawings, and the Local Government Association of Tasmania, Tasmanian Subdivision Guidelines (October 2013);
2. clearly distinguish between public and private infrastructure;
3. show in both plan and long-section relocation of the existing stormwater branches shown servicing external Lots through the McKenzie St carparking area such that they connect to the main with a minimum of new public pits. These plans must include but not be limited to, pit design, clearances, cover, gradient, sizing, material, pipe class, and inspection openings;
4. detail alterations to the stormwater manhole lid affected by the proposal

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

Council does not wish to take over multiple assets in this area - the connections must connect directly to the pit at the head of the main if possible.

Works to the public stormwater infrastructure will require a Permit to

Construct Public Infrastructure.

SW 11

The flood mitigation measures shown in Mitigation Option 6, including but not limited to the proposed private stormwater pits, walls (Anglesea St, McKenzie St and shared boundary with 28 Weld St), raised crossing and gate, must be installed and maintained by the owner in accordance with the approved detailed drawings and reports.

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:

1. Be prepared by a suitably qualified person.
2. Consider temporary parking spaces while works are impacting the existing parking provisions.
3. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
4. Include a start date and finish dates of various stages of works.
5. Include times that trucks and other traffic associated with the works will be allowed to operate.
6. Nominate a superintendent, or the like, to be responsible for the implementation of the approved traffic management plan and available as a direct contact to Council and/or members of the community regarding day to day construction traffic operations at the site, including any immediate traffic issues or hazards that may arise.

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 5

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

In the interests of vehicle 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:

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 r1

Detailed design drawings, structural certificates of the wall within the Anglesea Street highway reservation must be submitted and approved as a Condition Endorsement, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation;
3. Be designed in accordance with AS 4678, with a design life in accordance with table 3.1 typical application major public infrastructure works;
4. Take into account any additional surcharge loadings as required by relevant Australian Standards;
5. Take into account and reference accordingly any Geotechnical findings;
6. Detail any mitigation measures required;
7. Detail the design and location of the footing adjacent to the Anglesea Street highway reservation; and
8. Include a structural certificate which notes the driveway slab will not transfer additional loads onto the existing retaining wall.

The structure certificated and/or drawings should note accordingly the above

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

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.

Permit to Construct Public Infrastructure will need to be applied at least 14 days prior starting the works.

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENV 2

Sediment and erosion control measures, sufficient to prevent sediment leaving the site and 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.

ENVHE 1

Recommendations in the report 'Environmental Site Assessment South Hobart Primary School 24-26 Weld Street dated Amended December 2016' must be implemented, prior to, during, and post construction, as appropriate.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

OPS 3

Installation and maintenance of the shrub and grass plantings within the planter wall section of the flood wall remain the on-going responsibility of the Department of Education.

Reason for condition:

To ensure that the amenity of the Anglesea Street streetscape is maintained or enhanced.

OPS 4

Removal of one street tree, a *Liriodendron tulipifera* (Tulip Tree) in Anglesea Street, is approved on condition that a fee for a replacement tree is paid, being \$880. This fee must be paid prior to the tree's removal. The applicant is also responsible for all tree removal costs and works including stump removal.

To arrange payment of the fee, please contact the City's Arboriculture and Nursery Unit on 6238 2807.

Reason for condition

To maintain the amenity value of street trees as per the City of Hobart Street Tree Strategy.

OPS 5

The *Liriodendron tulipifera* (Tulip Tree) street tree to be retained in Anglesea Street must be protected from damage to the satisfaction of the Director City Life. No vehicular access or parking, excavation, placement of fill, storage of materials or soil disturbance is to occur within 2.2 m of the tree, and fencing is to be placed around the tree that extends from the kerb on Anglesea Street to the edge of the new concrete path north-east of the tree, and at least 2.5 m either side along the grass verge. There must be no pruning, lopping or damage to the street tree, including its trunk and roots.

Details of the tree protection fencing must be clearly shown on any plans submitted to the Council under the *Building Act 2016*.

Advice:

Before works commence on-site but after the tree protection measures have been put in place, the applicant is to inform the City's Arboriculture and Nursery Unit on 6238 2807, so that a site inspection can occur. After satisfactory tree protection measures have been installed, the City will issue a condition endorsement. It is recommended that documentation for condition endorsement be submitted well before submitting documentation for other approvals. Failure to address condition endorsement requirements may result in unexpected delays.

Reason for condition:

To ensure that works are undertaken in accordance with the City of Hobart Street Tree Strategy 2017 and Australian Standard AS 4970 Protection of Trees on Development Sites.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

You may require a road closure permit for construction or special event. Click [here](#) for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a permit to construct public infrastructure, with a 12 month maintenance period and bond (please contact the Hobart City Council's City Life Division to initiate the permit process).

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.

STORM WATER / ROADS / ACCESS

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

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.

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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.

HERITAGE

It is recommended that should any unanticipated archaeological material or features be found during excavation and ground disturbance, a suitably qualified archaeologist is engaged to provide advice to the applicant.

Delegation: Committee

Item 7.1.2 was then taken.

8. REPORTS

Ms Catherine Nicholson addressed the Committee in relation to item 8.1.

8.1 Proposal for a new kunanyi/Mount Wellington Cultural Landscape Precinct File Ref: F22/84388

LORD MAYOR REYNOLDS

That the recommendation contained in the memorandum of the Development Planner and the Director City Life of 30 August 2022, be adopted, as amended by the addition of a clause 2 and 3 to read as follows:

- “2. *The matter be referred to the appropriate Committee for consideration once the appropriate information has been received from the applicant to satisfy the lodgement of the application.*
3. *Any Council decision on this matter will only provide guidance to the Chief Executive Officer, who has a statutory obligation and power to approve / reject applications for consent to lodge planning applications on Council land.”*

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

- That:
1. The memorandum regarding a proposal for a new kunanyi/Mount Wellington Cultural Landscape Precinct be received and noted.
 2. The matter be referred to the appropriate Committee for consideration once the appropriate information has been received from the applicant to satisfy the lodgement of the application.
 3. Any Council decision on this matter will only provide guidance to the Chief Executive Officer, who has a statutory obligation and power to approve / reject applications for consent to lodge planning applications on Council land.

Delegation: Committee

Item 7.1.5 was then taken.

8.2 Monthly Building Statistics - 1 July - 31 July 2022
File Ref: F22/85962

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 31 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the building statistical report of the Director City Life be received and noted:

During the period 1 July 2022 to 31 July 2022, 37 permits were issued to the value of \$33,650,680 which included:

- (i) 19 for extensions/alterations to dwellings to the value of \$2,317,550;
- (ii) 3 new dwellings (2 ancillary dwellings) to the value of \$560,000;
- (iii) 26 multiple dwellings to the value of \$12,400,000; and
- (iv) 3 major projects:
 - (a) 87-91 Campbell Street, Hobart – New Commercial Building (26 New Multiple Dwellings) – \$12,400,000;
 - (b) 94 Barrack Street, Hobart – Demolition, Alterations and Additions – \$5,388,000;
 - (c) 36 Davey Street, Hobart – Commercial Internal Alterations – \$5,000,000;

During the period 1 July 2021 to 31 July 2021, 50 permits were issued to the value of \$47,662,084 which included:

- (i) 34 for extensions/alterations to dwellings to the value of \$5,595,385;
- (v) 4 new dwellings to the value of \$1,365,000;
- (vi) 75 new multiple dwellings to the value of \$32,437,499; and

(vii) 4 major projects:

- (a) 62 Patrick Street, Hobart - Multiple New Dwellings - 68 Apartments - \$29,195,499;
- (b) 26 Lower Jordan Hill Road, West Hobart - Multiple New Dwellings x 5 - \$3,212,000;
- (c) 410 Sandy Bay Road, Sandy Bay - Commercial Internal Alterations - \$2,800,000;
- (d) 33 Argyle Street - Hobart - Commercial Internal Alterations - \$2,348,000;

Delegation: Council

8.3 Monthly Planning Statistics - 1 July - 31 July 2022
File Ref: F22/85978

HARVEY

That the recommendation contained in the memorandum of the Director City Life of 31 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the planning statistical report of the Director City Life be received and noted:

During the period 1 July 2022 to 31 July 2022, 64 permits were issued to the value of \$14,358,773 which included:

- (i) 8 new single dwellings to the value of \$3,493,900;
- (ii) 7 multiple dwellings to the value of \$5,000,000;
- (iii) 28 extensions/alterations to dwellings to the value of \$5,082,067;

- (iv) 5 extensions/alterations to commercial properties to the value of \$460,000;
- (v) 1 major project;
 - (a) 345 Sandy Bay Road, Sandy Bay - Demolition, New Building for 7 Multiple Dwellings and Associated Works - \$5,000,000;

During the period 1 July 2021 to 31 July 2021, 61 permits were issued to the value of \$10,800,580 which included:

- (i) 5 new single dwellings to the value of \$1,510,000;
- (ii) 2 multiple dwellings to the value of \$580,000;
- (iii) 27 extensions/alterations to dwellings to the value of \$4,229,000;
- (iv) 7 extensions/alterations to commercial properties to the value of \$4,209,980;
- (v) 1 major project:
 - (a) 180 Harrington Street, Hobart - Partial Demolition, Alterations and Extension - \$4,000,000;

This report includes permits issued, exempt and no permit required decisions.

Delegation: Council

8.4 City Planning - Advertising Report
File Ref: F22/85809

HARVEY

That the recommendation contained in the memorandum of the Director City Life of 24 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Briscoe

NOES

Harvey
Behrakis
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled - *City Planning - Advertising Report* - be received and noted.

Delegation: Committee

8.5 Delegated Decision Report (Planning)
File Ref: F22/87127

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 29 August 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled - *Delegated Decision Report (Planning)* - be received and noted.

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015.*
File Ref: 13-1-10

9.1 Cat-Free Areas

File Ref: F22/50405; 13-1-10

Memorandum of the Director City Life of 15 August 2022.

9.2 COVID-19 Emergency Provisions

File Ref: F22/81275

Memorandum of the Manager Legal and Governance of 30 August 2022.

DUTTA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Lord Mayor Reynolds

Delegation: Committee

10. CLOSED PORTION OF THE MEETING

BEHRAKIS

That the Committee resolve by 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:

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion

The following items were discussed:-

Item No. 1 Minutes of the last meeting of the Closed Portion of the
 Committee Meeting
Item No. 2 Consideration of supplementary items to the agenda

Item No. 3 Indications of pecuniary and conflicts of interest

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Lord Mayor Reynolds	

Delegation: Committee

There being no further business the Open portion of the meeting closed at 6.43pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
19TH DAY OF SEPTEMBER 2022.

CHAIRMAN