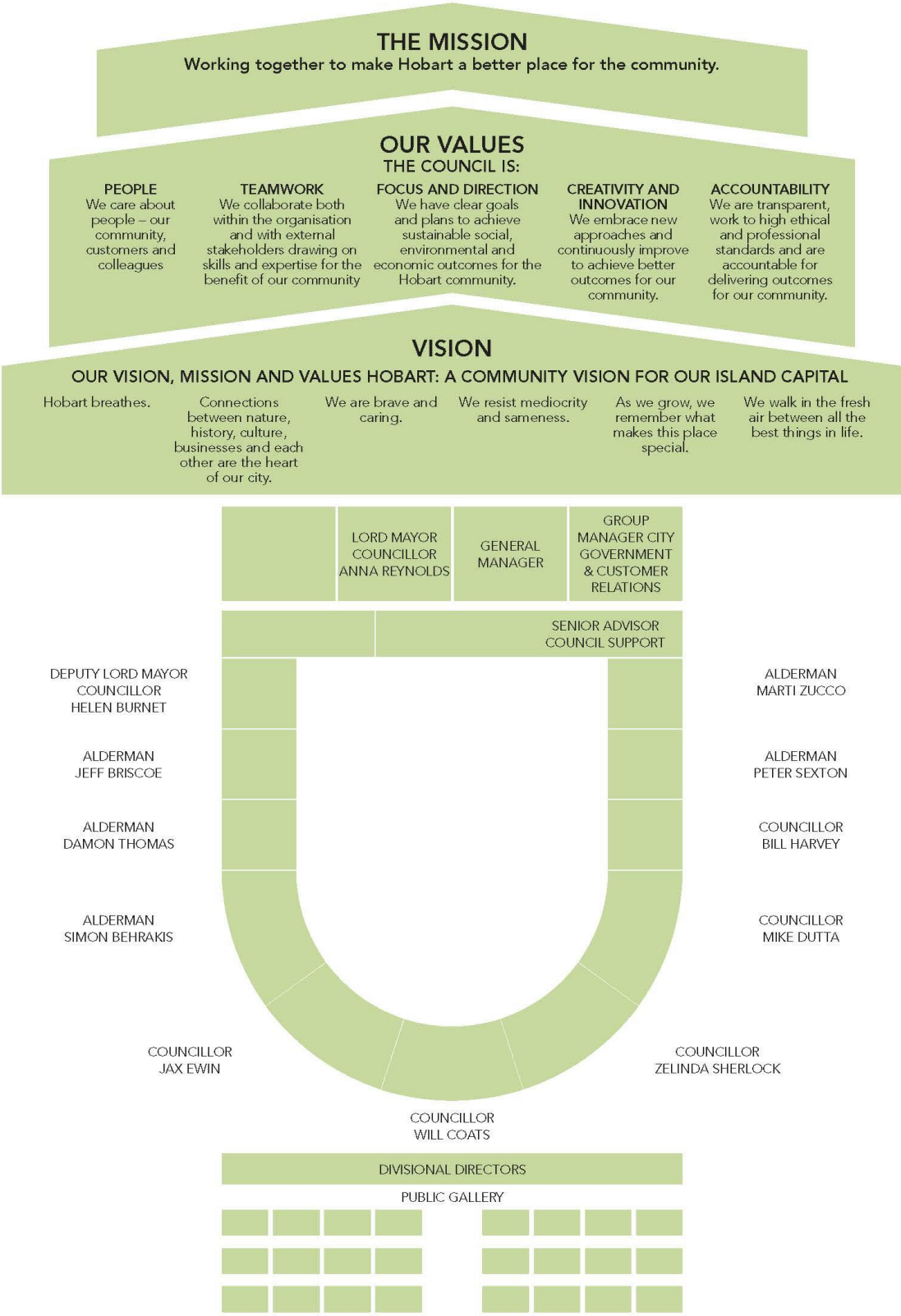




CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
TUESDAY, 9 MARCH 2021
AT 5:00 PM





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A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON TUESDAY, 9 MARCH 2021 AT 5:00 PM.

**N D Heath
General Manager**

This meeting of the Council is held 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*.

ELECTED MEMBERS:

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

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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, 22 February 2021](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Tuesday, 23 February 2021](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

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*?

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that the following workshop has been conducted since the last ordinary meeting of the Council.

Date: 2 March 2021
Purpose: Budget Briefing 2021-22

5. PUBLIC QUESTION TIME

6. PETITIONS

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 General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

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 conflict 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.

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 General Manager 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 48-50 New Town Road and 52 New Town Road and 46 New Town Road and 7A Clare Street, New Town and Adjacent Road Reserve - Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works
PLN-20-795 - File Ref: F21/15437

Ref: Open [CPC 7.1.1](#), 1/03/2021
Application Expiry Date: 10 March 2021

PART A

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, new building for hospital services, business and professional services, and general retail and hire, signage, and associated works at 46, 48-50 and 52 New Town Road and 7A Clare 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 1 March 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-20-795 - 46, 48-50 AND 52 NEW TOWN ROAD AND 7A CLARE 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 2020/01986-HCC dated 04/12/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

Signage panel 1 and signage panel 3 must not be illuminated. Only signage panel 2 may be illuminated. This illumination must be internal and must not flash.

The sign can only be illuminated between 7am and 8pm, and must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To clarify the scope of the permit and to ensure that the non-residential use does not unreasonably impact residential amenity.

PLN 14

The noise generated by the plant and equipment, both within the building and on the rooftop, must not cause environmental harm when measured at any boundary of the site.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLN 12

All of the proposed signage must be individual letters and / or symbols attached directly to the building facade within the nominated signage envelopes, in colours and / or tones that are similar to and compliment rather than contrast the colour of the building facade to which they are attached, to the satisfaction of the Council's Director City Planning.

Drawings must be submitted and approved, prior to the commencement of works (excluding demolition and / or decontamination).

The drawings must:

1. Show the size, location, materials and method of attachment of the signage to satisfy the above requirement.
2. Show the proposed colour scheme for each of the signage to satisfy the above requirement.

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

Advice:

Once the revised plans have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

Reason for condition

To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located and do not cause an unreasonable loss of residential amenity to nearby residential properties.

PLN 17

The lighting of the building, both internal and external, must not cause environmental harm. Lighting for the building must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

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

PLN 4

Prior to the issue of any approval under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), a landscaping plan for the soft and hard landscaping prepared by a suitably qualified landscape expert must be submitted and approved. The landscaping plan must be substantially in accordance with that approved by this permit, but it should include further consideration (e.g. faster growing species and evergreen species) to ensure a successful buffer is achieved between the building and neighbouring properties.

Prior to occupancy or the commencement of the use (whichever occurs first), confirmation from a suitably qualified landscape expert that all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Director City Planning.

The vegetation which is planted on the site pursuant to the landscaping plans must be maintained and must not be disturbed. If any vegetation dies or is destroyed, replacement vegetation of a similar size must be planted within 30 days of the death or destruction.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and provides a visual break from land in a residential zone.

PLN 5

The proposed gas valves are to be relocated to the southwestern side of the frontage, and rotate to sit along the boundary so as to reduce their visual impact when viewed from the road. The area where the gas valves were proposed is to be landscaped consistent with the remainder of the proposed frontage landscaping. The vegetation must be maintained, and replacement vegetation must be planted if any is lost.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

PLN 6

The portion of the building utilised by the hospital use must not be open to the public (other than overnight in-patients) outside of the following hours:

- Monday to Sunday - 7am to 8pm

The remainder of the building must not be open to the public outside the following hours:

- Monday to Friday (excluding public holidays) - 8:30am to 5pm
- Saturday - 8am to 2pm

Reason for condition

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

PLN s1

The approved use of the hospital component of the development is limited to day surgery with overnight ward rooms only. No emergency department or emergency services are approved as part of this permit.

Reason for condition

To clarify the scope of the permit and to ensure that the commercial use of the site does not unreasonably impact the surrounding residential amenity.

PLN s2

A plan showing the palette of exterior colours and materials must be prepared. Prior to the issue of any approval under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), the plan showing exterior colours and materials must be submitted and approved, to the satisfaction of the Director City Planning. Samples and revised montages may be required to be submitted in support of the proposed plan.

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

Advice:

The applicant is encouraged to consider exploring a broader range of materials and colour palate together with further breaking up and reining the appearance of the facade.

Reason for condition

To ensure the building makes a positive contribution to the streetscape and does not have an unreasonable impact on residential amenity.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, 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:

Once the construction waste management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

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, 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 sw2.1

A pre-construction structural condition assessment and visual record (eg video and photos) of all Council's stormwater infrastructure within the site must be submitted to Council prior to issue of any approval under the *Building Act 2016* or commencement of work (whichever occurs first). The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format;
3. clearly identify all third-party connections; and
4. photos of any existing drainage structures connected to or modified as part of the development

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

To ensure any Council infrastructure affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENG sw2.2

Prior to occupancy or the commencement of the approved use or completion of any stage (whichever occurs first), post-construction structural condition assessments and visual record (eg video and photos) of all Council's stormwater infrastructure constructed as part of this development and all Council's stormwater infrastructure within the site must be submitted to Council.

The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and
3. photos of any existing drainage structures connected to or modified as part of the development.

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards, and that any Council infrastructure affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENG sw3

The proposed works, including foundations and overhangs, must be designed to ensure the protection of and access to the Council's stormwater infrastructure (existing and proposed).

A detailed design must be submitted to and approved by the Council prior to the issuing of any consent under the *Building Act 2016* or commencement of works (excluding demolition and / or decontamination) on site (whichever occurs first). The detailed design must:

1. Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching;
2. Include multiple cross-sections (including at the worst cases) 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; and
3. Be certified by a suitably qualified engineer

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

Advice:

Separate consent under s73 Building Act 2016 and s13 Urban Drainage Act 2013 is required.

The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016. 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 requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw4

The development must be drained to Council stormwater drainage infrastructure taking into account the limited receiving capacity of Council's stormwater drainage infrastructure, and services to third-party land must be maintained.

Any new stormwater connection required must be constructed and existing redundant connections abandoned and sealed by the Council at the owner's expense, prior to the commencement of use or completion of any relevant stage (whichever occurs first).

Detailed engineering drawings for each stage must be submitted to and approved by Council, prior to issue of any consent under the *Building Act 2016* or commencement of works on site (whichever occurs first). The detailed design drawings must be prepared and certified by a suitably qualified and experienced engineer and include:

1. The location of the proposed connection and all existing connections;
2. The size and design of the connection such that the connection is appropriate to safely service the development, and connection is free-flowing gravity discharge; and
3. Long-section of the proposed connection clearly showing any nearby services, cover, grade, size, material and delineation of public and private infrastructure.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings and at the owner's expense.

Advice:

Once the detailed design drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to initiate an application for service connection

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The proposed new public stormwater infrastructure must be constructed prior to the commencement of use or issue of occupancy (whichever occurs first).

Engineering design drawings must be submitted to and approved by Council, prior to the issue of any consent under the *Building Act 2016* or commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The engineering drawings must:

1. Be prepared and certified by a suitably qualified and experienced engineer;
2. Include plans and long-sections of the proposed stormwater infrastructure, including but not limited to, connections, hydraulic grade lines, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, and easements. The material and pipe class must reflect the reduced access to the mains. Adequate clearance from TasNetwork assets must be demonstrated;
3. Connections for all potentially affected third-party land must be clearly identified and detailed. Any existing connections must be reinstated to Council standards. Provisions for servicing all titles draining towards the replaced mains must be included;
4. Include calculations demonstrating that all stormwater mains are sized to accommodate a minimum 5% AEP (Annual Exceedance Probability) event flows from a fully-developed catchment, including an allowance for any future relining where setbacks less than the Tasmanian Subdivision Guideline standard easements will occur. The overall drainage system (including defined overland flow paths) must cater for the 1% AEP event as at 2100 (ie including climate change loading). Calculations and long-sections demonstrating this must extend upstream of the proposed realignment, demonstrating no reduction below 5% AEP capacity upstream of the works. The proposed stormwater network layout must be demonstrated to be as hydraulically efficient as practicable;
5. Clearly distinguish between public and private infrastructure;
6. Be substantially in accordance with LGAT's Tasmanian Municipal Standard Drawings (noting Council's departures) and Tasmanian Subdivision Guidelines; and
7. Include a construction program demonstrating how services to external land will be maintained, and the new mains will be protected during construction of the development.

A digital recording of a CCTV inspection and written condition assessment report and site map must be submitted prior to Practical Completion.

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

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#). Hobart City Council's departures from them can be viewed [here](#).

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

A permit to construct public infrastructure will be required, including a 12 month maintenance period, bonds and CCTVs. Written permission from landowners will be required. Click [here](#) for more information

The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.

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

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

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 occupation or completion of any stage (whichever occurs first). 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 for each stage must be submitted and approved prior to the issue of any consent under the Building Act or 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.

ENG sw7

Stormwater pre-treatment and detention for stormwater discharges from the development must be installed prior to commencement of use.

A stormwater management report and design must be submitted to and approved by Council, prior to the issue of any approvals under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The stormwater management report and design must:

1. Be prepared and certified by a suitably qualified engineer;
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal;
3. Include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site for the worst case 5% AEP (Annual Exceedance Probability) storm event. All assumptions must be clearly stated. The design drawings

must include the layout, the inlet and outlet (including long section), outlet size, overflow, discharge rate and emptying time; and

4. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and 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:

Once the stormwater management report and design has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 13

An ongoing waste management plan for all 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 (excluding demolition and / or decontamination). A waste management plan must:

1. include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.

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

Advice:

Once the waste management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

Reason for condition

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

ENG tr1

Approval from Council's Manager City Mobility City Planning Division must be obtained prior to issue of any approvals under the *Building Act 2016* (excluding demolition and / or decontamination) for any changes to the existing on street parking arrangements in New Town Road and Clare Street.

Advice:

Any changes to the existing on street parking arrangements in New Town Road and Clare Street do not form part of the planning approval and will require approval from Council's Manager City Mobility in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's Manager City Mobility City Planning Division with regard to the application process for any changes to the on street parking arrangements in New Town Road and Clare Street. Any request to temporarily or permanently remove any sensor requires a written application to be submitted to the Parking Operations Unit.

<https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial- Before-You-Dig-Parking-Sensors>

Reason for condition

To ensure that relevant approvals are obtained.

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, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person;
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
3. Include a start date and finish dates of various stages of works;
4. Include times that trucks and other traffic associated with the works will be allowed to operate; and
5. 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:

Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

A separate construction traffic and parking management plan may be submitted for each stage of the proposed development (i.e. demolition, excavation, construction).

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 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 (excluding demolition and / or decontamination) 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.

Advice:

If the development's building approval includes the need for a building permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the building application.

If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the

certification has been accepted, the Council will issue a 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 standard.

ENG 2c

Prior to the commencement of use, 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

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, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must be submitted to and approved by Council, prior to the issuing of any approval under the *Building Act 2016* (excluding demolition and / or decontamination).

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must:

1. Be prepared and certified by a suitably qualified and experienced engineer;
2. Be in accordance with the Australian Standard AS/NZS2890.1:2004, AS 2890.2:2002 and AS 2890.3:2015;
3. Show the location of all structural columns and obstructions with regard to car parking spaces and provide clearance in accordance with Figure 5.2 of AS/NZS 2890.1:2004;
4. Show signage and pavement marking;
5. Show pedestrian bollards for egress to/from lifts and doorways;
6. Show delineation of pedestrian pathways;
7. Show traffic calming devices within the car park circulating area in accordance with AS/NZS2890.1:2004;
8. Show car, bicycle, motorcycle parking spaces and loading/unloading bays;
9. Show staff parking spaces to be suitable marked (pavement marking or signed) as staff parking; and
10. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary.

Advice:

Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

The number of jockey parking space is to be minimized and only to be used for staff parking.

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, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas must be constructed in accordance with the approved design drawings required by Condition ENG 3b.

Prior to the commencement of use, 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

The access driveway and parking module (car 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 prior to the commencement of use.

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 minimum number of car parking spaces to be provided on the site is two hundred and forty eight six (248), unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design.

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 6

The minimum number of bicycle parking spaces to be provided on the site is sixty four (64), unless approved otherwise by Council. All bicycle parking spaces must be designed in accordance with Australian Standards AS 2890.3:2015 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure that bicycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 7

The minimum number of motorcycle parking spaces to be provided on the site is twenty nine (29) unless approved otherwise by Council. All motorcycle parking spaces must be designed in accordance with Australian Standard AS/NZS 2890.1:2004 or a Council approved alternate design.

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 Standard AS/NZS 2890.1:2004, prior to the commencement of the use.

Reason for condition

To ensure that motorcycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 8

All loading/unloading areas must be designed in accordance with Australian Standard AS 2890.2:2002 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure loading/unloading areas are located, designed and constructed to enable safe, easy and efficient use.

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 11

Prior to the commencement of the use, the kerb and channel and footpaths located at driveway crossovers to be abandoned must be reinstated and all new or altered crossovers within highway reservation must be designed and constructed generally in accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways, TSD R14-v1 Type KC vehicular crossing, TSD-R15-v1 Type KC and TSD-R16-v1 Type KCR & B1 (heavy vehicles) or Type KCRB & B1 (heavy vehicles) and LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1, or
2. A Council approved alternate design.

Design drawings must be submitted to and approved by the Council prior to the issue of any approval under the *Building Act 2016* (excluding demolition and / or decontamination). The design drawing must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Show the width of the driveway crossover is in accordance with AS/NZS 2890.1:2004;

3. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover including any proposed relocation of infrastructure;
4. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings;
5. Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template, including swept path for the largest anticipated emergency vehicle to access the property.);
6. Demonstrate on the drawings that a B85 vehicle or 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 cars underside if the design deviates from the requirements of the TSD;
7. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004; and
8. Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirement.

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).

It is advised that designers consider the detailed design of the crossover, access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces as failure to do so may result in difficulty complying with this condition.

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.

Please contact Council City Amenity Division to discuss approval of alternate designs.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.

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

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.

Any damage must be reported to Council immediately.

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

The excavation and/or earth-retaining structures (ie embankments, cuttings, retaining walls) and/or footings and/or driveway deck within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the structures supporting or within the New Town Road highway reservation must be submitted to and approved by Council, prior to the issue of any approvals under the *Building Act 2016* (excluding demolition) 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 AS4678, 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 New Town Road Highway reservation; and
8. The structural certificate and/or drawings should note accordingly the above.

All work required by this condition must be undertaken in accordance with the approved certified design drawings, structural certificates, and at the Owner's expense.

Advice:

The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition

endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.

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

Reason for condition

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

ENG s1

Prior to the commencement of use or completion of any stage (whichever occurs first), safe and adequate overland flow paths must be provided through the site that contain the flows for the 1% AEP (Annual Exceedance Probability) storm event as at 2100 (including climate change loading).

Detailed design drawings, report and supporting calculations for each stage prepared and certified by a suitably qualified and experienced engineer that meet the above requirement must be submitted to and approved by Council prior to issue of any consent under the *Building Act 2016* or commencement of works on site (whichever occurs first).

These must include (but are not limited to):

1. Certification from an accredited and qualified engineer that all proposed structures within the flood zones are designed to resist inundation, erosion, undermining and likely forces from a flood event;
2. Details of measures to prevent sediment transport and erosion from the inundated land;
3. Details of the overland flow paths (eg swale, bunds and pits) in general accordance with the JSA reports and engineering plans lodged at planning stage;
4. Details of management of the flood zones including measures to prevent blockage of the overland flow paths;
5. A Flood Management Summary Plan from a qualified and experienced person that outlines the obligations for future property owners to flood and overland flow management, including;
6. The flood risk to the site, including depth, extent and hazard ratings for the 1% AEP at 2100 event;
7. Identification of all measures to convey the overland flow path through the site and their maintenance, including noting no future works or landscaping which may alter the flow of water to be carried out without approval by Council; and

8. Identification of all flood management measures and their required maintenance, including but not limited to: waterproofed basement levels, flood resistant doors, swale, bunds, hydraulically permeable fencing, signage, bollards.

All work required by this condition must be undertaken and maintained in accordance with the approved drawings and report at the Owner's expense.

Advice:

The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is separate process to any building approval under the Building Act 2016.

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

Reason for condition

To ensure that the risks associated with inundation are adequately managed.

ENG s2

The overland flow path, ground floor level and flood protection measures must be inspected by a suitably qualified engineer.

Certification from a suitably qualified engineer that these have been constructed in accordance with the approved certified design (including dimensions and grade of the swale and bunds) must be provided to Hobart City Council prior to commencement of use or completion of any stage (whichever occurs first).

Reason for condition

To ensure that the identified flood risks are adequately managed.

ENG s3

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be designed generally in accordance with the relevant Australian Standards and Local Government Association Tasmania Standard Drawings or a Council approved alternative, prior to the commencement of use.

Design drawings must be submitted to and approved by Council prior to the issue of any approval under the *Building Act 2016* (excluding demolition and / or decontamination). The design drawings must:

1. Show the relocation/removal or alteration to any existing services or infrastructure;
2. Include a detailed signage and pavement marking plan;
3. Include removal of traffic island and reinstatement of pavement details;
4. Show the reinstate of kerb and channel at redundant crossovers and pram ramps;
5. Show available clear width of the footpath (including any user road footpath);
6. Show traffic island, pram ramps and footpath details; and
7. Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirements.

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).

The developer must consult with Metro Tasmania with regard to the relocation of the bus stop and comply with all requirements of Metro Tasmania. Written confirmation is to be provided to Council that all the requirements of Metro Tasmania has been complied with.

The developer must consult with the relevant Authority with regard to relocation/removal or alterations to existing services or infrastructure. 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.

Please contact Council City Amenity Division to discuss approval of alternate designs.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

- *A permit to construct public infrastructure may be required.*
- *The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG s4

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be constructed in accordance with the approved design drawings required by condition ENG s3.

Prior to the commencement of use, documentation by a suitably qualified Engineer certifying that all changes to the existing Council road infrastructure 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.

ENV 9

1m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the north-western and south-western sides of the air handling unit deck prior to operation of the mechanical plant.

Reason for condition

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

ENV 10

The access strip off Clare Street must be lined on each side by solid fencing with a surface mass of greater than 15kg/m². The fencing must be a height of 1.5m above ground level for the first 4.5m in from the street boundary, and a height of 2.1m above ground level for the remainder.

Reason for condition

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

ENV 11

Commercial vehicles, other than ambulances, are prohibited from the site outside of the following hours:

- 7.00 am to 5.00 pm Monday to Friday inclusive;
- 8.00 am to 5.00 pm Saturday; and
- 9.00 am to 12 noon Sunday and Public Holidays.

Reason for condition

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

ENV 12

Ambulance sirens must not be operated on the site.

Reason for condition

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

ENV 14

Hard waste (including, but not limited to, bottles, cans, and jars) must only be deposited into recycling bins within the hours of 8 am to 6 pm unless screening approved by the planning authority is installed.

Reason for condition

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

ENV 2

An approved demolition and construction environmental management plan, prepared by suitably qualified persons, must be implemented.

A demolition and construction environmental management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the *Building Act 2016*.

The plan must include, but is not limited to, the following:

1. Details of the proposed construction methodology and expected likely timeframes;
2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site);
3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water);
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
 - a. A noise and vibration management plan generally consistent with AS 2436-2010 - *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:
 - i. identification of potentially noisy or vibration-causing construction activities;
 - ii. procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during

- operation of the construction management plan; and
- iii. details of monitoring measures and triggers for corrective actions.
- b. A soil and water management plan including:
- i. measures to minimise erosion and the discharge of contaminated stormwater off-site;
 - ii. measures to minimise dust emissions from the site;
 - iii. measures to manage the disposal of surface and groundwater from excavations; and
 - iv. measures to prevent soil and debris being carried onto the street.
 - v. maintenance requirements of these measures, and any staging; and
5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved demolition and construction environmental management plan forms part of this permit and must be complied with.

Advice:

Once the plan has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To minimise the potential for environmental impacts from the construction works.

ENV s1

The new electrical transformers must be housed within a concrete-walled structure so that noise emissions from the transformers (substation) do not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s2

The diesel generator and housing must be designed and constructed so that noise emissions from the generator does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s3

The car park exhaust system must be designed and constructed so that noise emissions from the exhaust system does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s4

A 2.7m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the western and northern edges of the plant room deck, with an opening to the north for air flow, prior to operation of the mechanical plant.

Reason for condition

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

HER 11

A construction management plan must be provided for that part of the application site of 46 New Town Road and along the northern boundary of that property, to ensure that the heritage listed house and its foundations are not negatively impacted on by vehicular movements, excavation, construction and vibration.

Prior to the issue of any approval under the *Building Act 2016*, a construction management plan must be submitted and approved by Council showing how construction and excavation will be undertaken without causing damage to the heritage listed house and its foundations. It must examine vehicular movement, excavation, construction and vibration and any other relevant or applicable construction method.

Reason for condition

To ensure that development is undertaken in a manner that does not cause loss or damage fabric of historic cultural heritage significance.

VHE 1

Recommendations in the report "Environmental Site Assessment - Version 6, 48-50 New Town Road, New Town", dated November 2020, must be implemented, for the duration of the development and use.

Reason for condition

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

Part 5 1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to maintenance of the overland flow path and flood mitigation measures in accordance with the plans and management report approved under ENGs1 prior to the commencement of work.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a Part 5 agreement please contact the Council Development Engineering Staff.

Reason for condition

To ensure that the flood path and levels are retained.

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of (ie retaining wall, anchors, building) adjacent to the New Town Road highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the New Town Road highway reservation or any retaining structure adjacent to New Town highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a part 5 agreement please contact the Council Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

SUB s1

The titles comprising the development site (CT 252465/1 and CT 198029/1) are to be adhered in accordance with the provisions of Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

Advice:

The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

Reason for condition

To ensure compliance with statutory provisions

SUB s2

Drainage Easements in favour of the Hobart City Council over any proposed or existing public stormwater mains passing and overland flow paths through the property at 48 to 52 New Town Road are to be created by transfer of easement in accordance with the *Land Titles Act 1980* to the satisfaction of Council. These drainage easements must be created prior to the issue of any building completion certificate under the *Building Act 2016*.

Advice:

The applicant is to be responsible for all survey and legal costs involved in the registration of the drainage easements.

Reason for condition

To ensure that any existing or proposed public stormwater mains are protected by drainage easements in favour of the Council.

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.

SPECIAL CONNECTION PERMIT

You may need a Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. 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 a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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.

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

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 Amenity Division to initiate the permit process).

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Amenity Division to initiate the application process for your [new stormwater connection](#).

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

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.

METRO BUS STOP RELOCATION

Please note that Metro Tasmania must be consulted regarding the relocation of the existing bus stop and seat.

It is the developer's responsibility to ensure that all relevant approvals are obtained regarding the proposal.

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 CROSSEOVERS

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.

CROSSOVER 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.

TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

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.

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.

PART B

- That:
1. The City Infrastructure Committee be requested to consider commuter parking and traffic issues in the surrounding residential areas of New Town Road, Jennings Street, Seymour Street, Clare Street and Augusta Road.
 2. An active travel plan for the site be developed with a focus on the overall traffic movements, ingress and egress from the site at 48-50 New Town Road.

**10. Local Government Association of Tasmania General Meeting Motion –
Planning Authorities
File Ref: F21/16876**

Ref: Supplementary Open [CPC 12](#), 1/03/2021

That the Council not support the motion regarding Planning Authorities which is to be considered at the Local Government Association of Tasmania general meeting to be held on the 12 March 2021 which is marked as Attachment A to supplementary item 12 of the Open City Planning Committee agenda 1 March 2021.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015**

**11. A Commemoration to the Late Ali Sultan
File Ref: F21/17881; 13-1-9**

Alderman Zucco

Motion:

“The General Manager, in consultation with Sultan Holdings and the Sultan family, advise on the most appropriate location in the city to commemorate the immense contribution made to the city over many years by the late Ali Sultan.”

Rationale:

“Ali Sultan made a significant contribution to Hobart through a range of developments including the Wellington Centre, the Market Place Car Park, the Savoy Hotel and Baths Complex and the Mantra Hotel on Collins Street.

Suitable recognition of this contribution is considered appropriate.”

CITY INFRASTRUCTURE COMMITTEE

**12. Request for Speed Limit Reduction 490 to 601 Huon Road South Hobart
File Ref: F21/8583**

Ref: Open [CIC 6.1](#), 24/02/2021

That: 1. The General Manager be authorised to make application on behalf of the City of Hobart to the Transport Commission for speed limit changes broadly in keeping with the proposed changes described in Attachment B item 6.1 of the Open City Infrastructure Committee agenda of 24 February 2021.

**13. State Government Waste Announcements - Container Refund Scheme and Waste to Landfill Levy
File Ref: F21/11118; 2016-0192**

Ref: Open [CIC 6.4](#), 24/02/2021

That: 1. The report on the State Government Waste Announcements - Container Refund Scheme and Waste to Landfill Levy, be noted.

2. The following feedback be provided to the Local Government Association of Tasmania on the proposed implementation of a Container Refund Scheme and the draft Waste and Resource Recovery Bill.

Container Refund Scheme

- (i) The implementation of the Scheme is supported on the basis that:
 - (a) The operational model has split responsibility between the administration and finance of the Scheme and the network operator; and
 - (b) There be a broad range of accessible collection points for the containers to be returned.

Draft Waste and Resource Recovery Bill

- (ii) The Draft Bill is supported on the basis that:
 - (a) The funding collected through the imposition of a Waste to Landfill Levy be fully re-invested for use in waste management and minimisation;
 - (b) Funding collected from the imposition of the Levy be used to reimburse regions for the loss of waste levies currently in place, and reimburse Councils who have

invested in regional waste initiatives where an existing levy is not in place;

- Such reimbursements should reflect population and waste tonnage within the regions.
- (c) Consideration be given to the implementation of the Levy at an initial rate of \$20 per tonne, increasing annually by \$10 per tonne (to a maximum of \$60 per tonne) rather than a \$20 increase every second year, as currently proposed; and
- (d) The proposed commencement of the Levy on 1 November 2021 be noted, however kerbside collection of waste to landfill be excluded from the Levy until the 1 July 2022 (to align with Councils' annual rates notices).

COMMUNITY, CULTURE AND EVENTS COMMITTEE

14. Community Inclusion and Equity Framework

File Ref: F21/12054; 17/237

Ref: Open [CCEC 6.1](#), 25/02/2021

- That: 1. The Council endorse the draft *Hobart: a City for All - Community Inclusion and Equity Framework* marked as Attachment A to item 6.1 of the Community, Culture and Events Committee agenda of 25 February 2021, for broad community engagement.
2. A further report be provided detailing the outcome of the community engagement and the final document for Council approval.

15. In-Kind Support for the Arts Sector

File Ref: F21/13699

Ref: Open [CCEC 6.2](#), 25/02/2021

- That: 1. In recognition of the current significant financial impact of COVID-19 on the local arts sector, the Council approve use of the community venue hire rate for applicants from the arts sector for use of the Town Hall, Underground, City Hall and Waterside Pavilion.
2. This in-kind assistance be provided until the end of the 2020-21 financial year and subject to review thereafter.
3. The value of the in-kind assistance be recorded in the City's Annual Report in accordance with the Council's policy with respect to grants and benefits.

16. Local Government Association of Tasmania General Meeting Motions

File Ref: F21/14533

Ref: Supplementary Open [CCEC 10](#), 25/02/2021

That in accordance with Attachment A to supplementary item 10 of the Community Culture and Events Committee agenda of 25 February 2021, the Council support the motions related to gaming which will be considered at the Local Government Association of Tasmania general meeting to be held on Friday 12 March 2021.

17. Safe Space - Utilisation of YouthARC for Night Program
File Ref: F21/796; 17/239

Ref: Special Open [CCEC 4.1](#), 9/03/2021

A recommendation will be submitted to the meeting.

SPECIAL REPORT – GENERAL MANAGER

18. Annual General Meeting
File Ref: F21/17925

Memorandum of the General Manager of 3 March 2021.

Delegation: Council

City of **HOBART****MEMORANDUM: COUNCIL****Annual General Meeting**

The City's Annual General Meeting was held on Monday 22 February 2021.

A number of questions were asked in respect to the 2019-20 Annual Report with responses provided at the meeting or taken on notice.

Section 72B(6) of the *Local Government Act 1993* (the Act) states:

A motion passed at an Annual General Meeting is to be considered at the next meeting of the council.

In accordance with this requirement, the following motions which were unanimously adopted at the meeting, are provided for the Council's consideration:

- a) *The minutes of the Annual General Meeting held on Monday, 2 December 2019, be confirmed as an accurate record.*
- b) *That the City of Hobart Annual Report for 2019-20 be adopted.*

RECOMMENDATION

That: 1. The information be received and noted.

- 2. In accordance with Section 72B of the Local Government Act 1993, the Council note the following two motions adopted unanimously at the City of Hobart Annual General Meeting of 22 February 2021:***

- a) The minutes of the Annual General Meeting held on Monday, 2 December 2019, be confirmed as an accurate record.***
- b) That the City of Hobart Annual Report for 2019-20 be adopted.***

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

N D Heath
GENERAL MANAGER

Date: 3 March 2021
File Reference: F21/17925

19. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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 the Closed Meeting;
- Leave of Absence;
- Legal Action involving the Council.

The following items are listed for discussion:-

- | | |
|--------------|---|
| 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-20-705 - 19 View Street, Sandy Bay - Partial Demolition, Alterations, Extension and Front Fencing - Appeal LG(MP)R 15(4)(a) |