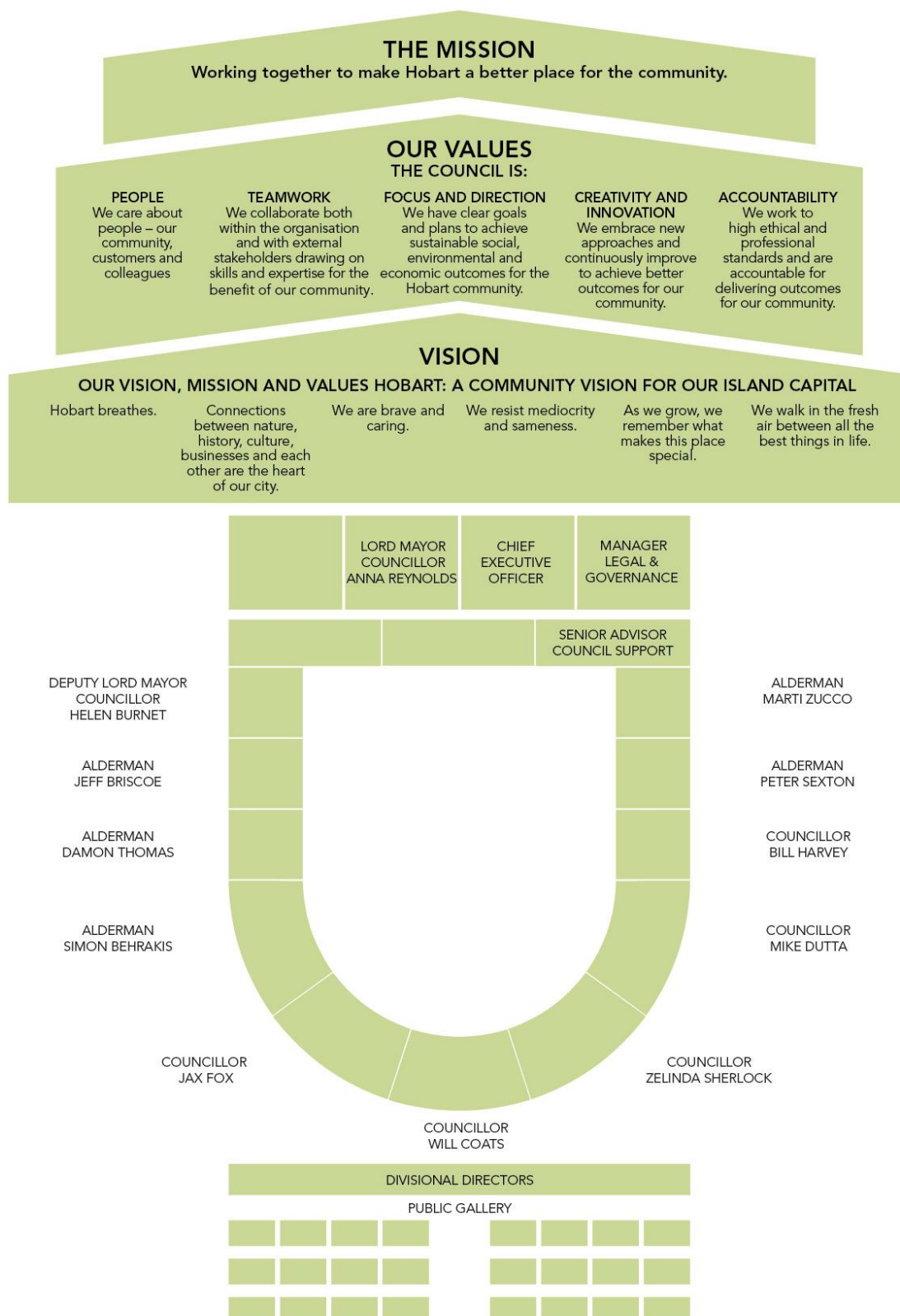




CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 11 OCTOBER 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 MONDAY, 11 OCTOBER 2021 AT
5:00 PM.**

Kelly Grigsby
Chief Executive Officer

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).

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 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 Fox
Councillor Dr Z E Sherlock
Councillor W N S Coats

APOLOGIES:

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, 20 September 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 no Council workshops have been conducted since the last ordinary meeting of the Council.

5. PUBLIC QUESTION TIME

Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 16/119-001

5.1 Public Questions

5.2 Responses to Public Questions Taken On Notice

"In accordance with the procedures approved in respect to Public Questions Time, the following responses to questions taken on notice are provided to the Council for information.

The Council is reminded that in accordance with Regulation 31(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response."

5.1 Public Question Time Questions **File Ref: F21/98384**

Report of the Senior Advisor Council Support of 11 October 2021.

RECOMMENDATION

That the following responses to public questions taken on notice, be received and noted.

Meeting date:	20 September 2021
Raised by:	Alderman Jeff Briscoe
Response Author:	Kelly Grigsby
Topic:	PUBLIC QUESTION TIME QUESTIONS

Questions:

1. Is there a professional expectation by the City of Hobart (legal and or moral) or just politeness that questions asked by members of public are answered rather than just a response given?
2. Does the City of Hobart have a policy or policies to make sure that communication is professional and not contain legal threats as in the response to the questions asked as an example that was published in our agenda tonight?
3. Should there be a checking process to make sure the above is adhered to so as to avoid Code of Conduct complaints which is quite expensive to council?

Response:

The City has a number of documents that guide how staff communicate with the public including a Language Style Guide and Employee Code of Conduct. Every effort is made by staff to provide a response that is professional, meaningful and answers the questions asked. Depending on the level of detail or research required, some questions may be taken on notice rather than being responded to at a meeting to ensure the best, most fulsome answer is provided. It should be noted however, that there may be instances where a question cannot be answered in its entirety for confidentiality reasons.

Whilst in most cases questions asked during the Public Question Time forum are operationally focused and a response prepared by a member of staff, in some cases, questions are directed directly to elected members. In these instances it is a matter for the elected member as to how and when they respond to the questions.

Council Officers as a matter of course, provide guidance and advice to elected members in respect of elected member policies, conduct and communications with the public. It is a matter for the elected member as to how they act on such advice.

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 Chief Executive Officer 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 Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

9.1 Special Delegation to Determine Temporary Installations and Signage for the Arrival of the RSV Nuyina File Ref: F21/97879; PLN-21-638

Ref: Open [CPC 7.1.1](#), 4/10/2021

That pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993* the Council delegate to the Director City Planning the functions and powers to approve the application PLN-21-638 for temporary installations and signage at 3 Argyle Street and lot 1 Franklin Wharf.

9.2 2 Sayer Crescent , 2A Sayer Crescent, 54 Marievile Esplanade and 52 Marievile Esplanade, Sandy Bay and Adjacent Road Reserve - Demolition, New Building for 14 Multiple Dwellings, and Associated Works PLN-20-868 - File Ref: F21/98709

Ref: Open [CPC 7.2.1](#), 4/10/2021
Application Expiry Date: 12 October 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for demolition, new building for 14 multiple dwellings, and associated works, including works within the road reserve, at 2 Sayer Crescent, 2A Sayer Crescent, 52 Marievile Esplanade, and 54 Marievile Esplanade; Sandy Bay and the adjacent road reserve for the following reasons:

- (i) The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the proposed site area per dwelling is less than 200sqm and the development does not contribute to a range of dwelling types and sizes appropriate to the locality, and does not provide for a specific accommodation need.
- (ii) The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because it is outside the prescribed building envelope and will cause an unreasonable loss of amenity by reduction in sunlight to a habitable room (other than a bedroom) of dwellings on adjoining lots, by overshadowing of the private open spaces of dwellings on adjoining lots, and by visual impacts cause by the apparent scale, bulk and proportions of the proposal when viewed from adjoining lots.

9.3 66 Burnett Street, North Hobart - Extension to Previously Approved Development Including Eight Additional Multiple Dwellings
File Ref: F21/98540

Ref: Open [CPC 7.2.2](#), 4/10/2021

Application Expiry Date: 13 October 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for an extension to a previously approved development including eight additional multiple dwellings at 66 Burnett Street, North Hobart TAS 7000, on the basis that the scheme requirements are met including the performance criteria outlined E6.6.1, subject to the following conditions and restrictions:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-475 - 66 Burnett Street North Hobart TAS 7000 - Final Planning Documents.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01206-HCC dated 2/8/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG s1

Increased bicycle parking that meets the requirements of the Australian Standard must be provided to the satisfaction of the Director City Planning.

Reason for condition

To ensure sufficient parking options are provided.

ENG sw1

All stormwater from the proposed development must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first). The stormwater must drain via the stormwater treatment system shown on JMG drawing H03 Rev BA2.

The new stormwater connection shown on JMG drawing C02 Rev BA4 must be installed prior to issue of any completion, or commencement of use (whichever occurs first).

All works must be undertaken and maintained in accordance with the submitted drawings.

Reason for condition

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

ENG 6

The number of bicycle parking spaces approved on the site is a minimum of forty two (42).

Detailed engineering drawings must be submitted and approved by the Director City Planning by way of condition endorsement, showing the bicycle parking areas.

To the extent possible, the bicycle parking areas must be designed to be compliant with the Australian Standards AS/NZS 2890.3:2015. To the extent it is not possible for the design to be compliant with the Australian Standards, the design must otherwise provide safe, obvious and easy access for cyclists and be sufficient to conveniently, efficiently and safely serve users without conflicting with vehicular or pedestrian movements or the safety of building occupants.

The bicycle parking areas must not obstruct any exit or entry (pedestrian or vehicular) to the building.

The approved detailed design of the bicycle parking areas must be installed and constructed prior to the issue of the occupancy permit(s) for the development approved by this permit.

Advice:

This condition supersedes condition ENG 6 upon the Planning Permit issued for PLN-19-227.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

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.

ENV s1

A detailed design must be submitted and approved as a Condition Endorsement prior to the issuing of any approval under the *Building Act 2016*. The detailed design must demonstrate that:

Units 60, 61 and 62 on Levels 5 and 6 would have:

- concrete panel external walls;
- bi-fold doors sufficient to allow complete or partial enclosure of their balconies;
- inoperable windows where practicable;
- casement or awning windows, with good acoustic seals on the entire perimeter that are positively engaged when shut;
- minimum 6/12/6 double glazing with laminated panes for all window and door glazing (excluding balconies); and,
- minimum 6mm laminated glazing for all balcony glazing.

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

Reason for condition

To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm.

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](#).
- 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.

STORM WATER

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

FEES AND CHARGES

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

PARKING

The applicant is encouraged to consider an online booking system for visitor parking.

**9.4 51 Bay Road, New Town - Two Multiple Dwellings (One Existing, One New)
PLN-21-182 - File Ref: F21/97838**

Ref: Open [CPC 7.2.3](#), 4/10/2021
Application Expiry Date: 12 October 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for two multiple dwellings (one existing, one new), at 51 Bay Road, New Town 7008 for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 4 October 2021, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-182 - 51 Bay Road New Town TAS 7008 - Final Planning Documents except where modified below.

Reason for condition
To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00465-HCC dated 30/03/2021 as attached to the permit.

Reason for condition
To clarify the scope of the permit.

PLN 2

Screening with no more than 25% uniform transparency and a minimum height of 1.7m above surface level, must be installed and maintained along the northern side of the upper level deck prior to the first occupation.

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

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

Advice:

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

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

PLN s2

The upper level bedroom window in the northern elevation of the dwelling must be modified to reduce the potential for direct views to the habitable room windows of the adjacent property to the north.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing:

1. the upper level bedroom window in the northern elevation having a sill height of not less than 1.7m above the floor level or the application of fixed obscure glazing (with full details of such) extending to a height of not less than 1.7m above the floor level on this window.

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

Advice:

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

Reason for condition

To reduce the potential for privacy impact upon the adjoining property.

ENG sw1

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

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 sw6

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

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

All impervious areas which can be drained via gravity (including charged systems) must be drained via gravity. The pump system must be limited to capture stormwater only from areas which cannot be drained via gravity. All pump rising main discharges must occur to a private dispersion pit such that only gravity flow from the property to the Council stormwater connection occurs. 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;
3. address all requirement under the City guideline for " Private Stormwater Pumping System"

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

Advice:

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

Reason for condition

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

SW 9

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

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

1. include detailed design and supporting calculations of the detention tank showing:
 - (i) detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - (ii) the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - (iii) the discharge rates and emptying times; and
 - (iv) all assumptions must be clearly stated;
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

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

ENG 2a

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

Advice:

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

Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the circulation roadway (domestic driveway), 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 and physical controls 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 3c

The circulation roadway (domestic driveway), and parking module (parking spaces, aisles, and manoeuvring area) must be constructed in accordance with the Planning DWG No B001 Rev 1, B101 Rev 1, B201 Rev 1, and H010 Rev 1.

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved to be used on the site is Four (4).

Prior to first occupation or commencement of use (whichever occurs first), 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.

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.

ENV 1

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

Advice:

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

Reason for condition

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

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.

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.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

9.5 315 Elizabeth Street, North Hobart - Partial Change of Use to Food Services

PLN-21-505 - File Ref: F21/97719

Ref: Open [CPC 7.2.4](#), 4/10/2021
Application Expiry Date: 11 October 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial change of use to food services at 315 Elizabeth Street, North Hobart TAS 7000 on the basis that the scheme requirements are met, including the performance criteria outlined in both clause 9.1.1 and clause 9.5, subject to the following conditions:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-505 - 315 Elizabeth Street North Hobart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 6

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

Venue, courtyard and deck areas:

- 8:00am to 12:00 midnight, Monday - Saturday
- 8:00am to 11:00pm, Sunday

Rear Garden Area

- 8:00am to 6:00pm (8:00pm during daylight savings), Monday - Sunday

Reason for condition

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

PLN s1

Prior to the commencement of the approved use of the Rear Garden Area, a Management Plan for the operation of the Rear Garden Area must be submitted and approved as a Condition Endorsement, to the satisfaction of the City of Hobart's Director City Planning. The Management Plan must include measures to minimise detrimental impacts on adjoining uses and the amenity of the locality. These measures must include, but are not limited to, the following requirements:

1. The hours of operation of the Rear Garden Area being confined to 8:00am to 6:00pm(8:00pm during daylight savings), Monday - Sunday;
2. Details of how any amplified music will be located and/or managed within the Rear Garden Area to minimise impacts upon adjoining uses and the amenity of the locality;
3. Details of how any open fires, including fire pots, will be located and/or managed within the Rear Garden Area to minimise impacts upon adjoining uses and the amenity of the locality;
4. Details of how any lighting will be located and/or managed within the Rear Garden Area to minimise impacts upon adjoining uses and the amenity of the locality;
5. The side gate between the Rear Garden Area and the Right of Way to Elizabeth Street being closed after 6:00pm every day, with access to the venue after 6:00pm only being via the front door onto Elizabeth Street unless patrons are accompanied by a staff member;
6. The name/s and the phone number/s of the person/s responsible for the management of the operation of the Food Services use being provided, so that nearby residents have a 24 hour point of contact in relation to any complaints regarding the impact of the Rear Garden Area upon adjoining uses and the amenity of the locality. If the property is sold the Management Plan must be updated with new contact details;

7. The operators of the Food Services use actively managing the behaviour of patrons within the Rear Garden Area to minimise impacts upon adjoining uses and the amenity of the locality, including that the Rear Garden Area is staffed at all time while in use; and
8. That no parking will occur in the Rear Garden Area.

Once approved by the City of Hobart's Director City Planning, the Management Plan must be provided, at a minimum, to all owners/occupiers of all adjoining properties by the operators of the Food Services use within 14 days of being approved. If the property is sold, the updated Management Plan (in accordance with 6. above) must be provided to all owners/occupiers of all adjoining properties within 10 business days of settlement.

Once approved, the Management Plan must be implemented prior to the commencement of the approved use of the Rear Garden Area, and must be maintained for as long as the use is in operation.

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.

The Management Plan approved under the previous planning permit PLN-19-103 still applies to the area referred to as the New Decking Area and must be complied with in accordance with the requirements of that permit.

Reason for condition

To minimise detrimental impacts to adjoining uses and the amenity of the locality

ENG 5

No parking is approved on-site under this permit.

Reason for condition

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

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*.

RIGHT OF WAY

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

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

NOISE REGULATIONS

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

FEES AND CHARGES

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

9.6 327 Argyle Street, North Hobart - Partial Demolition, Alterations and Extension
PLN-21-348 - File Ref: F21/99077

Ref: Supplementary Open [CPC 12](#), 4/10/2021
Application Expiry Date: 11 October 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, and extension at 327 Argyle Street, North Hobart 7000 for the reasons outlined in the officer's report attached to supplementary item 12 of the Open City Planning Committee agenda of 4 October 2021, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-348 - 327 Argyle Street North Hobart TAS 7000 - CPC Agenda Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 14

Noise emissions measured at the boundary of the site must not cause environmental harm.

Reason for the condition

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

PLN 17

Any external security lighting 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 6

The approved hours of operation are 10am to 10pm seven days a week.

Advice:

Hours of operation are defined as the hours that a use is open to the public or conducting activities related to the use, not including routine activities normally associated with opening and closing or office and administrative tasks.

Reason for condition

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

PLN 8

The proposed front fences and gates on the George Street and Argyle Street frontages must be no more than 1.8m in height above existing ground level.

Reason for condition

In the interest of the streetscape.

PLN s1

No outdoor seating or dining is approved by this permit.

Reason for condition

To clarify the scope of the permit.

PLN s2

The proposed storage shed must comply with the building envelope under *Part D 11.4.2 Setbacks and building envelope for all dwellings* of the Hobart Interim Planning Scheme 2015.

Reason for condition

To confirm compliance with the building envelope provisions.

PLN s3

Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:

(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;

(b) 9.00 am to 12 noon Saturdays;

(c) nil on Sundays and Public Holidays.

Reason for condition

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

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas 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 3a

The access driveway and delivery area (service and manoeuvring area) must be designed and constructed in general accordance with Australian Standard AS/NZS 2890.2:2002, or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Reason for condition

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

ENG 3c

The access driveway and delivery area (service and manoeuvring area) must be constructed in accordance with the Hubble Traffic and Philp Lighton Architects documentation received by the Council on the 26th July 2021.

Prior to the commencement of use, documentation by a suitably qualified engineer certifying that the access driveway and delivery area 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 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.

ENV 1

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

Advice:

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

Reason for condition

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

HER 9

The chimney stack (not shown on plans) and fireplace below (as shown in drawing Level 2 Floor level - Proposed DA300 Rev C, dated 16/07/21) on the southern part of the site must be retained as is and in situ.

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

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

Advice:

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

Reason for condition

To ensure that demolition in whole or part of a building in a heritage precinct does not result in the loss of historic cultural heritage values.

HER 11

No unpainted brickwork is to be painted.

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). 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.

SECTION 52 OF THE LOCAL GOVERNMENT HIGHWAYS ACT 1982

Pursuant to Section 52 of the *Local Government Highways Act 1982* no part of a window and/or door (gate) is to open onto or over the Council Road reservation.

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.

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.

HERITAGE

It is suggested that the property be nominated as a Listed Place as per Table E 13.1 of the *Hobart Interim Planning Scheme 2015*.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

The motion below has been submitted directly to the Council for consideration.

10. Parking Meters in the City
File Ref: F21/97448; 13-1-9

Alderman Zucco

Motion

1. That the Hobart City Council re-evaluate on street parking meters in Salamanca & the CBD business districts as per any impact that the meters may have either in General or the recent parking fee increases on the relevant business areas and a report be forthcoming.
2. That the CEO be provided delegated Authority to consult with business owners & traders as per the current on street parking requirements and implement their needs as per signage and as part of the re-evaluation in accordance with Councils engagement/communications policy.
3. That the CEO also investigate the possibility of a “Shop and Save” incentive similar to “Victoria Gardens” whereby shoppers swipe their receipt and receive discounts on parking.
4. That the CEO also provide a report that evaluates the re-establishment of a “parking fund” similar to previous and prior to changes to the Local Government Act.
 - a. This could be that the entire parking or a percentage being used for Parking & Park and Ride purposes rather than consolidated revenue.

Rationale:

It is obvious that the current Covid 19 crises is affecting businesses and the general public in Hobart Tasmania with Salamanca and the CBD being impacted by the pandemic.

Understanding that the HCC has provided a range of business support under Covid there seems to also have been an impact due to the increasing cost of parking to shop in these areas.

Notwithstanding that it's been noted that "other" capital cities parking is far more expensive than Hobart the issue is that the City of Hobart is surrounded by three well established Local Governments that boast free parking that is relative in close proximity to the Hobart CBD. Any comparisons must take into account the local situation and not compare what "other" far more larger Cities maybe charging.

It is evident that the recent increases in on street parking has impacted on businesses in these areas and that an evaluation and consultation with business is imperative and good customer service for the HCC

Traders have expressed their concerns and it's been brought the attention of the HCC and an evaluation would demonstrate that the HCC is listening.

I have personally spoken to a vast number of traders who are frustrated and concerned.

My understanding is that on street parking meters were originally installed to encourage parking spaces are "turned over" rather than see valuable car parking being used for all day or extended parking.

It is my understanding that the "newly installed" sensors are able to detect any such over parking and based on that there is no other reason for on street car parking other than revenue that is used for other purposes than parking.

A reintroduction of a parking fund would see the reinvestment in this domain as the reality is its being paid for by those who use these services.

Providing the CEO the delegation to act and to provide a further report on a parking fund will demonstrate to the HCC "Customers" that the HCC is listening to issues that have been raised.

As per the parking incentives on shop and save through receipts that provide discounts on parking for say purchases over say \$20 similar to "Victoria Gardens" I have suggested this in parking workshops for over 3 years without actions and now formally put this forward for consideration.

I urge elected members to support our businesses and traders as the CBD is the heart of the City and Salamanca an imperative component to help it beat. These are areas that provide huge rates for the general rate base and we must consider the ultimate benefits to the City with a vibrant business centre.

CITY INFRASTRUCTURE COMMITTEE

11. Plastic Waste Reduction Initiative - Hobart Waterfront Tourism Sector
File Ref: F21/91780

Ref: Open [CIC 6.1](#), 22/09/2021

That the Chief Executive Officer be authorised to explore collaborative opportunities to reduce the consumption of single use plastic water bottles within the Hobart waterfront precinct.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

12. City of Hobart Grants Program - Annual Program 2021

Recommendations

File Ref: F21/90896; 20/69-0003

Ref: Open [CCEC 6.2](#), 23/09/2021

That: 1. The Council approve the following grants as listed to a total value of \$395,000 under the 2021–22 City of Hobart Grants Program.

(i)	MCO215 Tasmanian Symphony Orchestra	\$25,000
(ii)	MCO213 Tasmanian Museum and Art Gallery	\$35,000
(iii)	MCO211 Theatre Royal	\$35,000
(iv)	EP2113 Festival of Voices	\$85,000
(v)	EP2104 Tasmanian Museum and Art Gallery	\$44,000
(vi)	EP2105 Australian Antarctic Festival	\$60,000
(vii)	EP2107 Australian Institute of Architects – Tasmanian Chapter	\$33,000
(viii)	EP2109 Beaker Street	\$43,000
(ix)	EP2101 Vandemonian Touring Pty Ltd	\$35,000

2. In accordance with the Grants Program Policy, the Council approve the unallocated amount of \$5,000 to remain in the Creative Hobart Grant stream and be made available to the Creative Hobart Small and Medium grants.
3. The funding for the approved grants be attributed to the Grants and Assistance Accounts Budget Function provided in the City of Hobart's 2021-22 Annual Plan.
4. The total grant provision be recorded in the 'Grants, Assistance and Benefits provided' section of the City of Hobart's 2021-22 Annual Report.
5. The Council endorse the development of a City of Hobart events strategy with a draft to be provided to Council for endorsement before wider community engagement.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

13. Antarctic Cities Project Completion

File Ref: F21/87765

Ref: Open [EDCC 6.1](#), 23/09/2021

- That: 1. The Antarctic Cities Project Final Report as detailed in item 6.1 of the Open Economic Development and Communications Committee meeting of 23 September 2021 be noted.
2. The City of Hobart recognises the need for its role in supporting the Antarctic sector to broaden, arising as a result of the City Deal and recommendations made in the Antarctic Cities Project Final Report.
3. The City of Hobart commits to reconsidering and developing its strategic role in supporting Antarctica which may include:
- (i) Leading and driving discussions with the other Antarctic Gateway Cities of Cape Town, Christchurch, Punta Arenas and Ushuaia about how the cities may collaborate.
 - (ii) Supporting the Antarctic Youth Coalition to become a sustainable member organisation for young people across the gateway cities.
 - (iii) Evaluating the changing nature of Hobart's relationship with Antarctica and whether the term 'custodian' is more representative of this relationship than 'gateway'.
 - (iv) How the City will fulfil its role as a partner in the City Deal in delivering an Antarctic and Science Precinct at Macquarie Point.
 - (v) How the City engages with other key stakeholders in the sector through bodies such as the Tasmanian Antarctic Gateway Advisory Committee.
 - (vi) Reconsidering how the City engages with the community on Antarctic matters based on feedback through the two surveys conducted as part of the Antarctic Cities Project.
 - (vii) Engage with the relevant State Government Minister to ascertain the governments further commitment to the Antarctic sector.
4. A report be brought back to the Council highlighting proposals to more strategically align the City's activities with respect to its link to Antarctica and the Antarctic industry in Tasmania.
- (i) The report to also include the financial implications associated with the proposal.

14. 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 a Closed Meeting
- Leave of absence

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