



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

**Monday, 23 May 2022 at 5.00pm
Council Chamber, Town Hall**

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 23 May 2022 at 5:00 pm in the Council Chamber, Town Hall.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

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

COMMITTEE MEMBERS

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

NON-MEMBERS

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

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

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

For the purpose of more effective meeting procedure, the Deputy Lord Mayor who was in attendance via Zoom, vacated the chair.

BRISCOE

That Alderman Behrakis assume the Chair for this meeting.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

Alderman Behrakis assumed the Chair.

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 9 May 2022](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

No deputation requests were received for any items on the agenda.

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.1.1 4 Mitah Crescent, Sandy Bay - Change of Use to Visitor Accommodation PLN-22-200 PLN-22-200 - File Ref: F22/44596

BRISCOE

That the recommendation contained in the report of the Senior Statutory Planner and the Manager Development Appraisal of 11 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

HARVEY

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 4 Mitah Crescent, Sandy Bay pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of *Planning Directive No. 6* because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 due to the parking which the proposal will require.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

COMMITTEE RESOLUTION:

That the item be referred to the Council without recommendation

Delegation: Council

**7.1.2 5 Clarendon Street, New Town - Dwelling and Front Fencing
PLN-21-793 - File Ref: F22/46455**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 16 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for a dwelling and front fencing, at 5 Clarendon Street, New Town 7008 for the reasons outlined in the officer's report 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-21-793 - 5 CLARENDON STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Advice:

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

Reason for condition

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

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

1. include detailed design and supporting calculations of the detention tank showing:
 1. 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;
 2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 3. the discharge rates and emptying times; and
 4. 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 3a

The access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: Engineering Plus drawing number 27621 A01 revision B received by the Council on 6 April 2022).

Any departure from that documentation and any works which are not detailed in the documentation must be either:

- (a) approved by the Director City Life, via a condition endorsement application; or
- (b) designed and constructed in accordance with Australian Standard AS/NZ 2890.1:2004.

The works required by this condition must be completed prior to first occupation.

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 1

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

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

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

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

the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG r4

All gates must not encroach (open or closed) onto the road reservation as per section 52 of the *Local Government (Highways) Act 1982*. The entire gate (open or closed) and all mechanisms associated with any gates must be fully contained within the boundaries of the subject property.

Reason for condition

To ensure the development meets statutory requirements and does not present a hazard to pedestrians on the public footpath.

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 15

The front fence along the Clarendon Street boundary must be no more than 1.5 meters in height above natural ground level and have a uniform transparency of no less than 30%.

Reason for condition

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

HER 17a

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

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

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

Advice:

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

Reason for condition

To ensure that development at a heritage 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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

STORMWATER

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

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

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.

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Committee

**7.1.3 26 Rosehill Crescent Lenah Valley - Partial Demolition, Alterations, Extension, Swimming Pool, Garage and Alterations to Driveway
PLN-21-771 - File Ref: F22/45017**

DEPUTY LORD MAYOR

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 11 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations, extension, swimming pool, garage and alterations to driveway, at 26 Rosehill Crescent, Lenah Valley 7008 for the reasons outlined in the officer's report 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-21-771 - 26 ROSEHILL CRESCENT LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces

such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

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

Advice:

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

Reason for condition

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

ENG sw4

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

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

1. the location of the proposed connection;
2. the size of the connection appropriate to satisfy the needs of the development; and
3. the long section of the proposed connection into the public SW infrastructure

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

Advice:

The applicant is advised to submit detailed design drawings via a Council City Life Division [application for a new stormwater connection](#). If detailed

design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Life Division.

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

Reason for condition

To ensure the site is drained adequately.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 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

Further detailed designs are required for vehicle barriers in the following locations:

1. Driveway.

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 1170.1:2002, if possible; and
3. show dimensions, levels, and other details as Council deem necessary to satisfy the above requirement.
4. show the extent of proposed vehicle safety barriers, where required to satisfy AS/NZS 2890.1:2004 Section 2.4.5.3, clearly specifying heights of drops from the driveway / parking area to lower levels where vehicle safety barriers and/or wheelstops are not required.

The vehicle barriers must be installed in accordance with the approved detailed designs prior to the commencement of use.

Advice:

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

Reason for condition

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

ENG 2c

Prior to 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/NZS1170.1:2002.

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 and parking module must be constructed in accordance with the following documentation which forms part of this permit: JSA Consulting Engineers documentation received by the Council on the 31 March 2022.

Any departure from that documentation and any works which are not detailed in the documentation must be either:

- (a) approved by the Director City Planning, via a condition endorsement application; or
- (b) (b) designed and constructed in accordance with Australian Standard AS/NZ 2890.1:2004.

The works required by this condition must be completed prior to first occupation.

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 parking module (parking spaces and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3a.

Prior to the first occupation / 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 first occupation / 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 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.

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.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Life 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.

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

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.

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.

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Committee

7.1.4 590 Nelson Road, Mount Nelson and Adjacent Road Reserve - Partial Demolition, Alterations, Extension, Front Fencing, Alterations to Driveways and Works in the Road Reserve PLN-21-598 - File Ref: F22/46500

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 16 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations, extension, front fencing, alterations to driveways, and works in the road reserve at 590 Nelson Road, Mount Nelson and adjacent road reserve, for the reasons outlined in the officer's report 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-21-598 - 590 NELSON ROAD MOUNT NELSON TAS 7007 - Final Planning Documents.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Advice:

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

Reason for condition

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

ENG 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 a parking area where the drop from the edge of the trafficable area to a lower level is 600mm or greater, wheel stops must be installed for drops between 150mm and 600mm, and kerbs for drops less than 150mm. Physical controls installed must;

1. not limit the parking area approved by this permit, and
2. be in accordance with the Australian Standard AS/NZS 2890.1:2004.

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 access driveway and parking area (domestic driveway and garage) must be constructed in accordance with the plans approved by this permit.

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

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

Reason for condition

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

ENG 4

Prior to first occupation or commencement of use (whichever occurs first), the access driveway and parking area (domestic driveway and garage) 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.

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 off-street car parking spaces approved for use on site, approved by this permit, is Two (2).

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG r1

The excavation within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and associated geotechnical assessments of the embankment excavation within the Broughton Avenue highway reservation must be submitted and approved as a Condition Endorsement, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation;
3. Take into account and reference accordingly any Geotechnical findings;
4. Detail any mitigation measures required;
5. Geotechnical report is required to demonstrate if the proposed nature batter will be sufficient to hold up the embankment, any extra works to stabilize the bank recommended in geotechnical report will need to be reflected in the Condition Endorsement drawings.

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

Advice:

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

Reason for condition

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

ENV 9

The Tree Management Plan 21E10-11 C01 Revision B dated 7 March 2022 must be implemented and complied with.

Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values

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.

OCCUPATION OF THE PUBLIC HIGHWAY

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

STORMWATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

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.

Delegation: Committee

**7.1.5 78 Alexander Street, 12 French Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Alterations, Two Multiple Dwellings (One Existing, One New) and Associated Hydraulic Infrastructure
PLN-21-763 - File Ref: F22/44948**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 11 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, two multiple dwellings (one existing, one new), associated hydraulic infrastructure in Council Reserve, at 78 Alexander Street, 12 French Street, Sandy Bay 7005 and adjacent road reserve, for the reasons outlined in the officer's report 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-21-763 78 ALEXANDER STREET SANDY BAY TAS 7005 - 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 Amended Submission to Planning Authority Notice, Reference No. TWDA 2022/00114-HCC dated 18/2/2022 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Advice:

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

Reason for condition

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

SW 6

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

The new stormwater connection within the French St Reserve / Proctors Rivulet riparian zone must be extended to a new headwall with adequate erosion control. These works must be designed and constructed prior to the commencement of the approved use or issue of any completion (whichever occurs first).

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

1. be substantially in accordance with the Local Government Association of Tasmania: Tasmanian Municipal Standard Drawings (December 2020), as varied by the City of Hobart's published departures from those Drawings;
2. the size and design of the connection such that it is appropriate to safely service the development:

3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure (Plan C05 shows infrastructure on public land as private);
4. include a long section of the pipe and headwall
5. detail adequate erosion and scour protection at the drainage outfall point, including measures to ensure the outfall complements the natural values of the rivulet.

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

Advice:

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

The construction of the stormwater connection from the rear boundary to the headwall will require a permit from the open space planning team. Please contact them for details via 6238 2711.

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 Code 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

Further detailed designs are required for vehicle barriers in the following locations:

1. Driveway
2. Parking areas (where required)

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 1170.1:2002, if possible;
3. show [dimensions, levels, gradients and transitions], and other details as Council deem necessary to satisfy the above requirement; and
4. show the extent of proposed vehicle safety barriers, where required to satisfy AS/NZS 2890.1:2004 Section 2.4.5.3, clearly specifying heights of drops from the driveway / parking area to lower levels where vehicle safety barriers and/or wheelstops are not required.

The vehicle barriers must be installed in accordance with the approved detailed designs prior to first occupation / commencement of use.

Advice:

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

Reason for condition

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

ENG 2c

Prior to the first occupation, a suitably qualified engineer must certify that the vehicle barriers have been installed in accordance design drawings approved by Condition ENG 2b.

Advice:

An example certificate is available on our [website](#).

Reason for condition

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

ENG 3b

The following aspects of the access driveway and parking areas require further detailed designs:

1. Plan view and long section along the proposed driveway centreline and inside wheel paths from the highway reservation to each parking space, showing the gradient and elevation finished surface level and existing natural surface level; including transitions at change of grades, where required to comply with AS/NZS 2890.1:2004 Section 2.5.3(d);
2. Plan view showing standard single turn B85 swept paths (including 300mm manoeuvring clearance) into and out of all the proposed car parking space(s), ensuring swept paths do not conflict with adjacent parking spaces, structures or fixed objects (e.g. retaining walls / vehicular barriers);
3. Plan view showing the extent of proposed vehicle safety barriers, where required to satisfy AS/NZS 2890.1:2004 Section 2.4.5.3, clearly specifying heights of drops from the driveway / parking area to lower levels where vehicle safety barriers and/or wheelstops are not required; and

4. Plan view showing car parking space widths abutting walls or obstructions indicating a further 300 mm clearance for door opening.

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 2890.1:2004, if possible;
3. where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use; and
4. show [dimensions, levels, gradients and transitions], and other details as Council deem necessary to satisfy the above requirement.

The access driveway and parking area must be constructed in accordance with the approved detailed designs prior to first occupation.

Reason for condition

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

ENG 3c

Prior to the first occupation / commencement of use, a suitably qualified engineer must certify that the access driveway and parking areas have been constructed in accordance with design drawings approved by Condition ENG

3b.

Advice:

We strongly encourage you to speak to your engineer before works begin so that you can discuss the number and nature of the inspections they will need to do during the works in order to provide this certification. It may be necessary for a surveyor to also be engaged to ensure that the driveway will be constructed as approved.

The reason this condition has been imposed as part of your planning permit is that the driveway is outside the Australian Standard gradients or design parameters. If the driveway is not constructed as it has been approved then this may mean that the driveway will either be unsafe or will not function properly.

An example certificate is available on our [website](#).

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, aisle and manoeuvring areas) 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 first occupation / 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 number of car parking spaces approved to be used on the site is four (4).

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 8

All recommended risk mitigation measures in the landslide risk assessment by Geo-Environmental Solutions dated March 2022 must be implemented including:

- All cuts must be retained with suitably engineered and drained retaining walls with topography and neighbouring properties taken into consideration. Foundations of retaining walls should extend into the underlying natural materials with bearing capacities in exceedance of 100kPa. This must be checked by a geotechnical engineer, engineering geologist or the site engineer at the time of construction.
- All retaining walls must account for upslope drainage above the walls and a grate drain immediately below the walls must be constructed to avoid saturation of site soils below the wall foundations.
- Use of fill must be limited at the site.
- All earthworks on site must comply with *AS3798-2007 Guidelines on earthworks for commercial and residential developments* and a sediment and erosion control plan must be implemented on site during and after construction.

- The proposed development must be constructed generally in accordance with the Australian Geomechanics Society (2007) *Guidelines for Good Hillside Construction Practices* and must be founded within/adequately anchored to the underlying weathered dolerite rock. Stormwater from both the existing and proposed new dwellings must be connected to reticulated systems, and connected as soon as possible during construction.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENV 2

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

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

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

Advice:

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require 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.

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.

COUNCIL RESERVES

A Public Spaces By-law permit will be required for installation of the new stormwater outfall into French Street Reserve. Information about these permits, and the application form to undertake works in a public space, can be found [here](#).

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

RESIDENTIAL PARKING PERMITS

Multiple dwelling use is not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed use would not entitle the property to a residential parking permit.

Delegation: Council

7.1.6 424 Strickland Avenue, South Hobart and Adjacent Road Reserve - Dwelling
PLN-22-65 - File Ref: F22/45088

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner of 6 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee approve the application for a dwelling at 424 Strickland Avenue South Hobart 7004 and Adjacent Road Reserve for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-22-65 - 424 STRICKLAND AVENUE SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw6

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

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

1. prepared by a suitably qualified person;
2. include long section(s)/levels and grades to the point of discharge;
3. The proposed headwall must be located within the property boundary and outside of 1%AEP flood level. The headwall maintenance is undertaken by the owner; and
4. The outfall must minimize any hydraulic intrusion at the discharge point into the creek with acceptable erosion and full scour control downstream the headwall using standard outlet headwalls (TSD and City of Hobart Departures).

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 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 Code 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 2c

Prior to the first occupation, a suitably qualified engineer must certify that the vehicle barriers have been installed in accordance design drawings submitted by KAY Consulting on the 8th of April 2022.

Advice:

An example certificate is available on our [website](#).

Reason for condition

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

ENG 3b

The following aspects of the access driveway and parking area require further detailed designs:

1. Transitions and change of grades for all wheel paths, with a minimum clearance of 50mm for a B85 vehicle template from the garage to

Strickland Avenue.

2. Safe and efficient access.

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 2890.1:2004, if possible;
3. where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use; and
4. show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

The access driveway and parking area must be constructed in accordance with the approved detailed designs prior to first occupation.

Reason for condition

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

ENG 3c

Prior to the first occupation, a suitably qualified engineer must certify that the access driveway and parking area has been constructed in accordance with design drawings approved by Condition ENG 3b.

Advice:

We strongly encourage you to speak to your engineer before works begin so that you can discuss the number and nature of the inspections they will need to do during the works in order to provide this certification. It may be necessary for a surveyor to also be engaged to ensure that the driveway will be constructed as approved.

The reason this condition has been imposed as part of your planning

permit is that the driveway is outside the Australian Standard gradients or design parameters. If the driveway is not constructed as it has been approved then this may mean that the driveway will either be unsafe or will not function properly.

An example certificate is available on our [website](#).

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.

ENG r3

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

- Rural – TSD-R04-v3 – Rural Roads Typical Driveway Profile and TSD R03-v3 Rural Roads Typical Property Access;

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;
3. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);
4. If the design deviates from the requirements of the TSD, then demonstrate that a B85 vehicle or a B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2), can access the driveway from the road pavement into the property without scraping the vehicle's underside;
5. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
6. Be prepared and certified by a suitable qualified person, to satisfy the above requirements.

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

Advice:

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

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

drawings to ensure that contractors are made aware of this requirement.

Reason for condition

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

ENG r4

Vehicle crash barriers within the Strickland Avenue highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT –Tasmanian Standard Drawings must be installed or modified as per the plans prior to the first occupation.

A certified design/report prepared by a suitably qualified engineer, to satisfy the above requirements, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

ENV 2

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

A SWMP must be submitted as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the

Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

Advice:

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

Reason for condition

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

OPS s1

Prior to any works commencing and any machinery being brought on to the subject lot, the amenity value is to be paid for the eucalypts within the adjacent road reserve that are to be removed for construction of the driveway.

In reference to the Arboricultural Impact Assessment and Tree Protection Specification plan tree numbers, the amenity value of tree 10 has been calculated at \$2,639. No amenity value will be charged for trees 7, 8 or 9 due to their poor health and structural condition. Two additional smaller trees will require removal that are not shown on the arborist assessment plan. These two trees have a combined amenity value of \$1,031. This will result in a combined amenity fee of \$3,670 that is required to be paid prior to any tree removal.

To arrange payment of this fee, please contact Council's Open Space Planning Team on 6238 2488 and quote the development application number PLN-22-65.

The developer will bear the cost of the tree removals in the road reservation.

Reason for condition

To maintain the amenity value of street trees as per the City of Hobart Street Tree Strategy and the amenity value calculation method endorsed by a meeting of the full Council on the 18th February 2019.

OPS s2

In reference to the Arboricultural Impact Assessment and Tree Protection Specification plan tree numbers, T6 is the most significant tree on the road reserve (a *Eucalyptus obliqua*, stringbark). This tree will have >10% encroachment into the Tree Protection Zone from the proposed driveway. This impact must be avoided by:

- The driveway being constructed above grade, on posts or piles, as detailed in the arborist specification; and
- Digging for the posts/piles is to be undertaken by hand; and
- The works being overseen by a project arborist; and
- Any roots encountered greater than 50mm in diameter being avoided, and the pile/post location moved.

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

Conservation of areas of significant vegetation or individual trees that have important aesthetic, heritage and environmental values.

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

ACCESS

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

CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken subject to Council approval of the design. 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.

Delegation: Committee

**7.1.7 368 Macquarie Street, South Hobart - Change of Use to Visitor
Accommodation
PLN-22-216 - File Ref: F22/46315**

COATS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 16 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

DEPUTY LORD MAYOR BURNET

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 368 Macquarie Street, South Hobart pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

COMMITTEE RESOLUTION:

That the item be referred to the Council without recommendation.

Delegation: Council

**7.1.8 370 Macquarie Street. South Hobart – Change of Use to Visitor
Accommodation
PLN-22-217 – File Ref: F22/46210**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 16 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES

Briscoe
Behrakis
Coats

NOES

Deputy Lord Mayor Burnet
Harvey
Dutta

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 370 Macquarie Street, South Hobart pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

MOTION LOST

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Harvey
Dutta

NOES

Briscoe
Behrakis
Coats

COMMITTEE RESOLUTION:

That the item be referred to the Council without recommendation.

Delegation: Council

8. REPORTS

8.1 Proposal to amend the Southern Tasmania Regional Land Use Strategy by extending the Urban Growth Boundary at Droughty Point ('Skylands') File Ref: F22/41943

HARVEY

That the recommendation contained in the report of the Development Planner and the Director City Life of 17 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Behrakis
Briscoe	Coats
Harvey	
Dutta	

COMMITTEE RESOLUTION:

- That:
1. Council not support at this time the proposal for an amendment to the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to extend the Urban Growth Boundary to include approximately 58ha of land at Droughty Point. Rather, the Council support the consideration of this proposal as part of the 30-Year Greater Hobart Plan and ultimately a wider review of the STRLUS.
 2. Should the Minister agree to determine the proposal at this time then the following considerations be taken into account:
 - (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan;
 - (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
 - (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.
 3. Any future requests to provide feedback about amendments to the Southern Tasmania Regional Land Use Strategy 2010-2035 are delegated to the Chief Executive Officer to provide the following standard feedback:

Should the Minister for Planning determine the proposal prior to completion of the review of the Southern Tasmania Regional Land Use Strategy 2010-2035, then the following considerations be taken into account:

- (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan project;
- (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
- (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.

Delegation: Council

8.2 City Planning - Advertising Report

File Ref: F22/43866

HARVEY

That the recommendation contained in the memorandum of the Director City Life of 17 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

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

Delegation: Committee

8.3 Delegated Decision Report (Planning)

File Ref: F22/46421

HARVEY

That the recommendation contained in the memorandum of the Director City Life of 18 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

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

Delegation: Committee

9. COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions – Status Report
File Ref: F22/41758

BRISCOE

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

10.1 Councillor Coats - Hotel Rooms - Update File Ref: 13-1-10

Question: Can the Director provide an update to the number of hotel rooms that are currently off the market to accommodate covid quarantining?

Answer: The Director City Life took the question on notice.

11. CLOSED PORTION OF THE MEETING

BRISCOE

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

- Minutes of a Closed Committee Meeting
- Responses to Closed Questions Without Notice
- Closed Questions Without Notice

The following items were discussed:-

- | | |
|--------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Committee Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Planning Authority Items – Consideration of Items with Deputations |
| Item No. 5 | City Acting as Planning Authority |
| Item No. 6 | Responses to Questions Without Notice |
| Item No. 6.1 | 1 Trumpeter Street - Compliance Complaint
LG(MP)R 15(4)(a) |
| Item No. 6.2 | Tribunal Appeals
LG(MP)R 15(4)(a) |
| Item No. 6.3 | Tribunal Appeals - Modifications
LG(MP)R 15(4)(a) |
| Item No. 6.4 | Cable Car - Tribunal Appeal
LG(MP)R 15(4)(a) |
| Item No. 7 | Questions Without Notice |

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

Delegation: Committee

There being no further business the Open portion of the meeting closed at 5.48pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
6TH DAY OF JUNE 2022.

CHAIRMAN