



CITY OF HOBART

# MINUTES

PLANNING COMMITTEE MEETING

OPEN PORTION

WEDNESDAY, 8 MAY 2024 AT 5.05 PM



City of **HOBART**

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## ORDER OF BUSINESS

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**Planning Committee Meeting (Open Portion) held on Wednesday, 8 May 2024 at 5.05 pm in the Council Chamber, Town Hall.**

**COMMITTEE MEMBERS**

Councillor M Dutta (Chairperson)  
Lord Mayor Councillor A M Reynolds  
Deputy Lord Mayor Cr Dr Z Sherlock  
Alderman M Zucco  
Councillor W F Harvey  
Councillor J Kelly  
Councillor L Elliot  
Alderman L Bloomfield  
Councillor R Posselt  
Councillor B Lohberger  
Councillor W Coats  
Councillor G Kitsos

Councillor Kelly arrived at the meeting at 5.06pm.

The Lord Mayor left the meeting at 5.42pm, returning at 5.43pm.

Alderman Zucco retired from the meeting at 7.05pm and was not present for items 6.1.1 to 6.2.1 and items 7.1 to 9.

**PRESENT:** The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor Dr Z Sherlock, Alderman M Zucco, Councillors W F Harvey, J Kelly, L Elliot, Alderman L Bloomfield, Councillors B Lohberger, and G Kitsos.

Councillor Elliot left the meeting at 7.08pm, returning at 7.10pm.

**APOLOGIES:**

Councillor R Posselt  
Councillor W Coats

**LEAVE OF ABSENCE:**

Councillor M Dutta

HARVEY

That the Deputy Lord Mayor chair the meeting in the absence of the Chairperson.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

NOES

The Chairperson provided an acknowledgement to Country.

## 1. CONFIRMATION OF MINUTES

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HARVEY

The minutes of the Open Portion of the Planning Committee meeting held on [Wednesday, 24 April 2024](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	
Lord Mayor Reynolds	
Zucco	
Harvey	
Kelly	
Elliot	
Bloomfield	
Lohberger	
Kitsos	

The minutes were signed.

## 2. CONSIDERATION OF SUPPLEMENTARY ITEMS

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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.

### **3. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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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.

### **4. TRANSFER OF AGENDA ITEMS**

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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.

### **5. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS**

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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.

HARVEY

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	
Lord Mayor Reynolds	
Zucco	
Harvey	
Kelly	
Elliot	
Bloomfield	
Lohberger	
Kitsos	

## **6. COMMITTEE ACTING AS PLANNING AUTHORITY**

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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.

Item 6.2.2 was then taken.

## 6.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

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### 6.1.1 57-63 Macquarie Street, Hobart - Partial Change of Use to Shop and Signage PLN-24-155 - File Ref: F24/39990

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Manager Development Appraisal of 30 April 2024, be adopted.

MOTION CARRIED

#### VOTING RECORD

##### AYES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

##### NOES

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for a Partial Change of Use to Shop and Signage at 57-63 MACQUARIE STREET HOBART TAS 7000 for the reasons outlined in the officer's report attached to item 6.1.1 of the Open Planning Committee agenda of 8 May 2024 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-24-155 57-63 MACQUARIE STREET HOBART TAS 7000 – Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

HER 4

The sign to the window on Market Place must include a transparent/clear background.

Reason for condition

To ensure the size, design and siting of signs complements and does not impact on the cultural heritage significance of a heritage listed place.

**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*.

**FEES AND CHARGES**

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

**Delegation: Committee**

Item 6.2.1 was then taken.

**6.1.2 Davey Street, Hobart - Alterations (Bus Stop) and Signage  
PLN-24-79 - File Ref: F24/40590**

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LOHBERGER

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 1 May 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Harvey  
Kelly  
Elliot

NOES



Bloomfield  
Lohberger  
Kitsos

**COMMITTEE RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for Alterations (Bus Stop) and Signage at Davey Street, Hobart for the reasons outlined in the officer's report attached to item 6.1.2 of the Open Planning Committee agenda of 8 May 2024 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-24-79 - DAVEY STREET HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s2

The bus shelters are to be relocated within the footpath such that they are a uniform offset from the boundary to 34 Davey Street, and from the archway and door that they surround, prior to the commencement of work.

Revised plans must be submitted and approved as a Condition Endorsement, prior to commencement of works. The revised plans must:

1. Demonstrate a uniform setback of 1.5m from the back of the bus shelters to the boundary with 34 Davey Street; and
2. Demonstrate a uniform minimum 1.2m offset from the outside face of the archway of the door of the adjacent building at 34 Davey Street to satisfy 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.*

ENG sw1

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

*Advice:*

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

Reason for condition

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

ENG 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 guidance, please see the TEER & DEP (2023) Erosion and Sediment Control guideline documents available from the Derwent Estuary Program's [website](#).*

#### 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](#).

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 will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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.

#### CBD AND HIGH VOLUME FOOTPATH CLOSURES

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

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

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

For more information about this requirement please contact the Council's Mobility Unit on 62382711.

#### WASTE DISPOSAL

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

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### **Delegation: Committee**

Item 6.1.1 was then taken.

## 6.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

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### 6.2.1 30 McRobies Road, South Hobart - Outbuilding PLN-24-136 - File Ref: F24/40200

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 1 May 2024, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	
Lord Mayor Reynolds	
Harvey	
Kelly	
Elliot	
Bloomfield	
Lohberger	
Kitsos	

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for an outbuilding at 30 McRobies Road South Hobart TAS 7004 for the reasons outlined in the officer's report attached to item 6.2.1 of the Open Planning Committee agenda of 8 May 2024 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-24-136 30 MCROBIES ROAD SOUTH HOBART TAS 7004 – 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 3

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

The works must be 1m clear of the nearest external surface of the infrastructure as per the planning permit application documents.

Reason for condition

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

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 revegetated.

*Advice:*

*For guidance, please see the TEER & DEP (2023) Erosion and Sediment Control guideline documents available from the Derwent Estuary Program's website.*

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, bylaws, regulations, codes or standards that will apply to your development



under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### **Delegation: Committee**

Item 7.1 was then taken.

#### **6.2.2 210-218 Argyle Street, North Hobart and 208 Argyle Street North Hobart - Partial Demolition, Alterations and Communal Residence PLN-24-157 - File Ref: F24/40582**

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#### HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Manager Development Appraisal of 30 April 2024, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	Zucco
Lord Mayor Reynolds	Kelly
Harvey	Elliot
Kitsos	Bloomfield
	Lohberger

ELLIOT

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, refuses the application for Partial Demolition, Alterations, and Communal Residence, at 208 and 210-218 Argyle Street, North Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause D23.4.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal's building height exceeds 15m and four storeys, and is not compatible with the scale of nearby buildings.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal provides 23 on site parking spaces which is insufficient to meet the reasonable needs of users, having regard to: car parking demand; and the availability of on-street and public car parking in the locality.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E5.5.1 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the proposed access to Argyle Street will have an increase to the existing daily vehicle movements that is more than 20% and 40 vehicle movements, and which increase is not safe and will unreasonably impact on the efficiency of Argyle Street, having regard to: the increased in traffic caused by the proposal; the nature of the traffic generated by the proposal; the nature and efficiency of the access or junction; and the nature of the Argyle Street.

MOTION CARRIED

VOTING RECORD

AYES

Zucco  
Kelly  
Elliot  
Bloomfield  
Lohberger

NOES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Harvey  
Kitsos

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, refuses the application for Partial Demolition, Alterations, and Communal Residence, at 208 and 210-218 Argyle Street, North Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause D23.4.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal's building height exceeds 15m and four storeys, and is not compatible with the scale of nearby buildings.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal provides 23 on site parking spaces which is insufficient to meet the reasonable needs of users, having regard to: car parking demand; and the availability of on-street and public car parking in the locality.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E5.5.1 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the proposed access to Argyle Street will have an increase to the existing daily vehicle movements that is more than 20% and 40 vehicle movements, and which increase is not safe and will unreasonably impact on the efficiency of Argyle Street, having regard to: the increased in traffic caused by the proposal; the nature of the traffic generated by the proposal; the nature and efficiency of the access or junction; and the nature of the Argyle Street.

**Delegation: Committee**

**6.2.3 259 Sandy Bay Road, 267 Sandy Bay Road, Sandy Bay and  
Adjacent Road Reserve - Change of Use to Hotel Industry (Bottle  
Shop), Alterations, Carpark and Signage  
PLN-23-109 - File Ref: F24/40480**

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ZUCCO

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 1 May 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Zucco  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for a change of use to hotel industry (bottle shop), alterations, carpark, and signage at 259 and 267 Sandy Bay Road, Sandy Bay, for the reasons outlined in the officer's report attached to item 6.2.3 of the Open Planning Committee agenda of 8 May 2024 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-23-109 - 259 SANDY BAY ROAD 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 Submission to Planning Authority Notice, Reference No. TWDA 2023/00858-HCC dated 13/7/2023 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 14

Any recommendations made in the Noise Assessment provided by Noise Vibration Consulting (dated 30 November 2022) must be implemented. Specifically, the following measures must be implemented:

1. Commercial vehicle movements (including loading and unloading and garbage removal) to or from the site must not occur outside of the hours between 7am and 7pm.
2. a noise barrier must be installed surrounding any roof top plant. The noise barrier must have the minimum dimensions and construction methods specified in the Noise Assessment. The noise barrier must be maintained throughout the life of the development.

*Advice:*

*It is noted that a noise barrier in accordance with the Noise Assessment is shown on the approved plans.*

Reason for the condition

To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.

PLN 17

External lighting on the site must be turned off between 11:00 pm and 6:00 am, except for security lighting.

Security lighting must be baffled to ensure that it does not cause emission of light beyond the site.

Reason for condition

To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.

PLN 6

The approved hours of operation for the use are:

Daylight Saving periods:

Monday - Saturday 9am - 9pm,

Sundays 10am to 7pm.

Non-Daylight Saving periods:

Monday - Wednesday, 9am to 8pm,

Thursday - Saturday 9am - 9pm,

Sundays 10am to 6pm.

Any change to these operating hours may require further approval. Office and administrative tasks may be carried out on the site outside of these hours.

Reason for condition

To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.

PLN s1

Any external colours used upon surfaces on the south and west elevations of the building on the site, including the external surfaces of a noise barrier required for any roof top plant, must have a light reflectance value that is not greater than 40%.

The external colours "Dan Murphy's Pick Up Light Lime" and "Dan Murphy's Pick Up Mid Lime" shown on the south elevation of the building on the signage plans prepared by Red Jelly are not approved. These colours must be replaced with colours that have a light reflectance value that is not greater than 40%.

Reason for condition

To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.

PLN s2

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), a landscaping plan for the soft and hard landscaping of the site prepared by a suitably qualified landscape expert must be submitted and approved as a Condition Endorsement. The landscaping plan must:

- Demonstrate how the areas indicated on the approved site plan (drawing: Proposed Site Plan A101-A, prepared by S Group) adjacent to the site's Sandy Bay Road frontage and its southern boundary will be landscaped consistent with the planning scheme objective listed below as the reason for this condition; and
- Include a species list and details regarding ongoing maintenance arrangements.

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

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

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

*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 large parking and circulation areas are landscaped to:

- (a) relieve the visual impact on the streetscape of large expanses of hard surfaces;
- (b) screen the boundary of car parking areas to soften the amenity impact on neighbouring properties;
- (c) contribute to the creation of vibrant and liveable places;

- (d) reduce opportunities for crime or anti-social behaviour by maintaining clear sightlines.

PLN s3

The area of the window signs, sign D and sign I, must be reduced to be no greater than 25% of the area of the window upon which they would be placed. Prior to installation of these signs, revised plans must be submitted and approved as a Condition Endorsement that demonstrate likely compliance with this condition.

*Advice:*

*The area of the text and infographic upon signs D and I relating to the "Direct to Boot" service may be maintained - i.e. a proportionate reduction in the area of this part of the respective sign is not required provided that a reduction in the overall area is achieved.*

*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 design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.

ENG 12

A construction waste management plan must be implemented throughout construction.

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

The construction waste management plan must include:

- Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and
- Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

All work required by this condition must be undertaken in accordance with



the approved construction waste management plan.

*Advice:*

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

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

Reason for condition

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

ENG sw1

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

*Advice:*

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

*Any pipes servicing third-party land discovered during construction must be reported to Council immediately. Works within 1m of third-party private pipes requires separate consent under s73 of the Building Act 2016.*

Reason for condition

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

SW 1

Prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first), a pre-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure within/adjacent to the proposed development, including the piped rivulet, must be submitted to the City of Hobart as a Condition Endorsement.

The condition assessment must include at least:

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

The pre-construction condition assessment will be relied upon to establish the extent of any damage caused to Hobart City Council's stormwater infrastructure during construction. If the owner/developer fails to provide the City of Hobart with an adequate pre-construction condition assessment then any damage to the City of Hobart's infrastructure identified in the post-construction condition assessment will be the responsibility of the owner/developer.

*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.*

SW 2

Prior to occupancy or the commencement of the approved use (whichever occurs first), a post-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure within/adjacent to the proposed development, including the piped rivulet and new public pipework, must be submitted to the City of Hobart.

The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on the City of Hobart's plans shall be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition

assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and

3. photos of any existing drainage structures connected to or modified as part of the development.

The post-construction condition assessment will be relied upon to establish the extent of any damage caused to the Hobart City Council's stormwater infrastructure during construction. If the owner/developer fails to provide the City of Hobart with an adequate pre-construction condition assessment then any damage to the Hobart City Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner/developer.

### SW 3

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

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed design must be submitted and approved as a Condition Endorsement. The detailed design must be prepared by a suitably qualified expert and must demonstrate how the design will ensure the protection of, and provide access to, the Hobart City Council's stormwater main.

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

*Advice:*

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

### SW 5

Construction of the development must not adversely impact the Council's stormwater infrastructure, particularly the piped Ashfield Rivulet.

A brief construction management plan (CMP) must be submitted and approved prior to commencement of works. The CMP must be prepared by a suitably qualified and experienced engineer and must:

1. detail the proposed construction methodology and identify all potential risks to the piped Ashfield Rivulet during construction including but not limited to construction loading, traffic loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm;
2. provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks;
3. include a monitoring regime.

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

*Advice:*

*Please note Ashfield Rivulet is piped through the site as a grouted brick arch, not DN800 RCP pipe.*

SW 6

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

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

1. be substantially in accordance with the Local Government Association of Tasmania: Tasmanian Municipal Standard Drawings (May 2020), as varied by the City of Hobart's published departures from those Drawings, and the Local Government Association of Tasmania, Tasmanian Subdivision Guidelines (October 2013);
2. clearly distinguish between public and private infrastructure to suit the final Lot boundaries;
3. show in both plan and long-section the proposed public stormwater branch, including but not limited to, connections, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, manhole design, class D trafficable lids, easements and inspection openings;
4. detail connection to the DN800 arch piped 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. Under s20 of the Urban Drainage Act 2013, private pipes must be contained within the property boundary.*

SW 9

Prior to commencement of the approved use or issue of completions (whichever occurs first), stormwater pre-treatment and 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 of the proposed treatment train, including final estimations of contaminant removal;
2. include detailed design and supporting calculations of any stormwater detention required showing:
  - detention volume sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
  - the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  - the discharge rates and emptying times; and all assumptions must be clearly stated;
3. 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.*

SW 11

Measures to minimise adverse impact from flooding on third-party property and mitigate flood risk from the critical 1% AEP at 2100 event must be installed prior to commencement of use or issue of any completion (whichever occurs first).

Detailed engineering drawings must be submitted 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). These must include (but are not limited to):

1. certification from an accredited and qualified structural engineer that all proposed structures within the flood zone are designed to resist inundation, erosion, undermining and likely forces from a flood event (including debris loading);
2. details of the works including but not limited to hydraulically permeable vehicle barriers, bollards, fencing, detention cells and inlet pits in general accordance with the submitted modelling and drawings, including any measures to minimise risk of blockage;
3. a supporting maintenance plan that 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 permit must be undertaken and maintained in accordance with the approved detailed drawings and report.

All recommendations of Flussig Engineers' *Flood Inundation Report* dated 22/2/24, such as vehicle containment and signage, must be undertaken and maintained.

*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.*

SW 16

Prior to this permit being acted upon, the owner(s) of the property must enter into an agreement with the planning authority pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*. The agreement must:

1. prohibit any development, works or use of the land which alters the level of the land, reduces inlet capacity, or interferes with the free flow of water within the identified flood extent beyond that approved under this planning permit without the written consent of Council's Manager Waterways;
2. require the owner(s) to adequately maintain the underground detention cells and their inlets;
3. require the owner(s) to comply with the recommendations contained within the Flussig Engineering's *Flood Inundation Report* dated 22/2/24 and *Flood Inundation Risk Management Plan* dated 17/3/24; and
4. indemnify Council against any costs or claims arising from the works within the identified 1% AEP flood extent;

The cost of preparing the agreement and registration with the Land Titles Office is to be met by the applicant. ENG 13

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

A waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site. The waste management plan must include provisions for commercial waste services for the handling, storage, transport, and disposal of waste and recycle bins from the development.

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

*Advice:*

*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 solid waste management from the site meets the Council's requirements and standards.

ENG tr2

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

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

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

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

*Advice:*

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



Reason for condition

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

ENG 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

Prior to the issue of any approval under the *Building Act 2016* or commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with the proposed location(s) of installation) must be submitted to Council. 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 and AS/NZS 1170.1:2002, if possible; and
3. show dimensions and levels, and other details as Council deem necessary to satisfy the above requirement.

The vehicle barriers must be installed in accordance with the approved detailed designs prior to 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, 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 access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must be submitted to and approved by Council, prior to the issuing of any approval under the *Building Act 2016*.

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

1. Be prepared and certified by a suitably qualified and experienced Engineer;

2. Be in accordance with the Australian Standard AS/NZS2890.1:2004, AS/NZS2890.2:2002 and AS 2890.3:2015, if possible;
3. Where the design deviates from AS/NZS2890.1:2004,
4. AS/NZS2890.2:2002 and AS 2890.3:2015 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use;
5. Show traffic management controls within the access and carpark areas;
6. Show traffic management controls at the Sandy Bay Road access to ensure that vehicles are restricted to an egress with left turn out only (no right turn out);
7. Show signage and pavement marking;
8. Show pedestrian bollards for egress to/from doorways;
9. Show delineation of pedestrian pathways;
10. Show traffic calming devices within the car park circulating area in accordance with AS/NZS2890.1:2004;
11. Show car, bicycle, motorcycle parking spaces and loading/unloading bays; and,
12. Show dimensions, levels, gradients & transitions, and other details as
13. Council deems necessary.

*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.*

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

Reason for condition

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

### ENG 3c

Prior to the commencement of use, a suitably qualified engineer must certify that the access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycles parking spaces, motorcycle parking spaces and loading/unloading areas 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.*

*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, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

#### Reason for condition

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

### ENG 5

The number of car parking spaces approved on the site is forty six (46), unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design, submitted and approved prior to the issuing of any approval under the *Building Act 2016*.

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

Reason for condition

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

#### ENG 6

The minimum number of bicycle parking spaces to be provided on the site is four (4), unless approved otherwise by Council. All bicycle parking spaces must be designed in accordance with Australian Standards AS 2890.3:2015 or a Council approved alternate design, submitted and approved prior to the issuing of any approval under the *Building Act 2016*.

All bicycle parking spaces must be installed in accordance with Australian Standard AS/NZS 2890.3:2015, prior to commencement of use.

Reason for condition

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

#### ENG 7

The minimum number of motorcycle parking spaces approved to be used on the site is two (2), unless approved otherwise by Council. All motorcycle parking spaces must be designed in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design, submitted and approved prior to the issuing of any approval under the *Building Act 2016*.

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

Reason for condition

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

## ENG 8

All loading/unloading areas must be designed in accordance with Australian Standard AS/NZS 2890.2:2002 or a Council approved alternate design, submitted and approved prior to the issuing of any approval under the *Building Act 2016*.

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

Reason for condition

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

## ENG 9

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

Reason for condition

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

## ENG 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 Sandy Bay Road and Flinders Lane highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v3 – Urban Roads Driveways and TSD R14-v3 Type KC vehicular crossing, without invert lip in the gutter
- Commercial Urban- TSD-R09-v3 – Urban Roads Driveways and TSD R16-v3 Type KCR and B1 or Type KCRB and B1;
- Footpath - Urban Roads Footpaths TSD-R11-v3.

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/footpath within the Sandy Bay Road highway reservation;
2. Detail any services or infrastructure (i.e., light poles, pits, awnings) at or near the proposed driveway crossover;
3. Show detailed design for the pedestrian refuge in Sandy Bay Road highway reservation
4. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings;
5. Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template) and AS 2890.2:2002 (for expected delivery vehicles);
6. 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 and AS 2890.2:2002 Appendix A), can access the driveway from the road pavement into the property without scraping the vehicle's underside;

7. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004;
8. 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 s1

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

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

1. Show the relocation/removal or alteration to any existing services or infrastructure;
2. Include a detailed signage and pavement marking plan;
3. Include removal of traffic island and reinstatement of pavement details;



4. Show the reinstate of kerb and channel at redundant crossovers and pram ramps;
5. Show available clear width of the footpath (including any user road footpath);
6. Show traffic island, pram ramps and footpath details; and
7. Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirements.

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

*Advice:*

*Local Government Association (LGAT) Tasmanian Standard Drawings (TSD)*

*can be viewed electronically via the [LGAT Website](#).*

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

*Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*

*Please contact Council City Infrastructure Unit/City Mobility Unit to discuss approval of alternate designs.*

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

*A permit to construct public infrastructure may be required.*

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

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

Reason for condition

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

ENG s2

All changes to the existing Council road infrastructure (traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be constructed in accordance with the approved design drawings required by Condition ENG s1.

Prior to the commencement of use, documentation by a suitably qualified Engineer certifying that all changes to the existing Council road infrastructure has been constructed in accordance with the above drawings must be lodged with Council.

*Advice:*

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

Reason for condition

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

ENV 2

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

A SWMP must be submitted and approved 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 *Erosion And Sediment Control, The Fundamentals for Development in Tasmania* and associated guideline documents (TEER &DEP, 2023), available from the Derwent Estuary Program's [website](#).

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

*Advice:*

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

Reason for condition

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

HER 9

Prior to the commencement of works (including any excavation and ground leveling), all workers and site managers must be briefed on the cultural heritage values of the heritage listed c1840s convict brick wall along the boundary of 267 Sandy Bay Road and 271 Sandy Bay Road, and the need to protect these values during construction of the development, as part of a site induction. This briefing must be undertaken by a suitably qualified heritage practitioner.

Documents containing protocols for the protection of the wall must be submitted to Council and approved, prior to the issue of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). Construction documentation must contain protocols and recommendations as necessary to protect the heritage values of the wall, such as, but not limited to, the provision of temporary fencing, barrier tape, and bollards.

Reason for condition

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

SUB s1

The titles comprising the development site (CT 129184/1 and CT 118030/1) must be adhered in accordance with the provisions of Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

*Advice:*

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

Reason for condition

To ensure compliance with statutory provisions

#### 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.

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

#### BUILDING OVER AN EASEMENT

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

#### PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

#### 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.

#### STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

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

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's

Infrastructure by law. Click [here](#) for more information.

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's

Infrastructure By law. Click [here](#) for more information.

## ACCESS

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

## CROSS OVER CONSTRUCTION

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

## STORM WATER / ROADS / ACCESS

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

## TITLE ADHESION

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

## WORK PLACE HEALTH AND SAFETY

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

## PROTECTING THE ENVIRONMENT

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

## LEVEL 1 ACTIVITIES

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

## NOISE REGULATIONS

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

## WASTE DISPOSAL

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

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

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

## **Delegation: Committee**

Item 6.1.2 was then taken.

## 7. REPORTS

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### 7.1 Planning - Advertised Applications Report File Ref: F24/39841

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HARVEY

That the recommendation contained in the memorandum of the Acting Director City Life of 2 May 2024, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	
Lord Mayor Reynolds	
Harvey	
Kelly	
Elliot	
Bloomfield	
Lohberger	
Kitsos	

#### **COMMITTEE RESOLUTION:**

That the information contained in the 'Planning - Advertised Applications Report', be received and noted.

**Delegation: Committee**

### 7.2 Delegated Decision Report (Planning) File Ref: F24/39873

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HARVEY

That the recommendation contained in the memorandum of the Acting Director City Life of 1 May 2024, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Sherlock	
Lord Mayor Reynolds	
Harvey	



Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

**COMMITTEE RESOLUTION:**

That the information contained in the 'Delegated Decision Report (Planning)', be received and noted.

**Delegation: Committee**

**8. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**8.1 Occupation Licences - Televisions**  
**File Ref: F24/7682; 13-1-10**

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Memorandum of the Acting Director City Life of 2 May 2024.

**8.2 Occupation Licences - Gambling**  
**File Ref: F24/7685; 13-1-10**

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Memorandum of the Acting Director City Life of 30 April 2024.

**8.3 Occupation Licenses - Signage**  
**File Ref: F24/7688**

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Memorandum of the Acting Director City Life of 1 May 2024.

**8.4 Bluestone Rise Development Lenah Valley**  
**File Ref: F24/32671; 13-1-10**

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Memorandum of the Acting Director City Life of 1 May 2024.

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

**Delegation: Committee**

## **9. QUESTIONS WITHOUT NOTICE**

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

### **9.1 Councillor Harvey - Bus Stop - Prototype** **File Ref: 13-1-10**

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Question: Can the Acting Director provide an update on the status of the bus stop prototype that was to be displayed at Mawsons Place?

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

## **10. CLOSED PORTION OF THE MEETING**

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HARVEY

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

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

The following items were discussed:-

Item No. 1 Minutes of the last meeting of the Closed Portion of the Committee Meeting  
Item No. 2 Consideration of supplementary items to the agenda  
Item No. 3 Indications of pecuniary and conflicts of interest

Item No. 4      Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Sherlock  
Lord Mayor Reynolds  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Kitsos

**Delegation: Committee**

There being no further business the Open portion of the meeting closed at 7.20pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
5<sup>TH</sup> DAY OF JUNE 2024.

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**CHAIRMAN**