



CITY OF HOBART

MINUTES

PLANNING COMMITTEE MEETING

OPEN PORTION

WEDNESDAY, 17 JULY 2024 AT 5.00PM



City of **HOBART**

ORDER OF BUSINESS

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**Planning Committee Meeting (Open Portion) held on Wednesday, 17 July 2024
at 5.00 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

Cr Lohberger arrived at the meeting at
5.01pm

Deputy Lord Mayor Dr Z Sherlock arrived
at the meeting at 5.03pm and was not
present for items 1 and 2.

PRESENT: Councillor M Dutta
(Chairperson), the Deputy Lord Mayor
Councillor Dr Z Sherlock, Alderman M
Zucco, Councillors W F Harvey, J Kelly, L
Elliot, Alderman L Bloomfield, Councillors
R Posselt, B Lohberger and G Kitsos.

Alderman Zucco and Councillor Elliot
retired from the meeting at 7.01pm and
were not present for item 6.1.1, 6.1.4 and
items 7 to 9.

APOLOGIES:

Lord Mayor Councillor A M Reynolds
Councillor W Coats

LEAVE OF ABSENCE: Nil.

1. CONFIRMATION OF MINUTES

HARVEY

The minutes of the Open Portion of the Planning Committee meeting held on [Wednesday, 3 July 2024](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Zucco
Harvey
Kelly
Elliot
Bloomfield
Posselt
Lohberger
Kitsos

The minutes were signed.

2. 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.

3. 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.

4. 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.

5. 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.

SHERLOCK

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

Dutta
Deputy Lord Mayor Sherlock
Zucco
Harvey
Kelly
Elliot
Bloomfield
Posselt
Lohberger
Kitsos

6. 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.

Item 6.1.2 was then taken.

6.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

6.1.1 1 Marieville Esplanade, 7 Marieville Esplanade Sandy Bay and Adjacent Area of River Derwent, Hobart - Floating Pontoon PLN-24-214 - File Ref: F24/65415

HARVEY

That the recommendation contained in the report of the Development Appraisal Planning and the Acting Senior Statutory Planner of 10 July 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Deputy Lord Mayor Sherlock
Harvey
Kelly
Bloomfield
Posselt
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 floating pontoon, at 1 and 7 Marieville Esplanade, Sandy Bay and the adjacent area of the River Derwent for the reasons outlined in the officer's report, marked as item 6.1.1 of the Open Planning Committee Agenda of 17 July 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-24-214 - 1 MARIEVILLE ESPLANADE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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 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 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](#); and the Waterways and Wetlands Works Manual (DPIWE, 2003).

All work must be undertaken in accordance with the approved SWMP and the recommendations in s4.4 of the Marine Solutions 'Marine Ecological Assessment and Construction Environmental Management Plan' dated July 2023 submitted as part of this application.

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.

ENV s1

All mitigation measures in section 4 of the Marine Ecological Assessment & Construction Environmental Management Plan by Marine Solutions Tasmania P/L dated July 2023 must be implemented.

Reason for condition

To minimise the impact of construction works on the environment

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*.

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.

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).

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.

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.

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 6.1.4 was then taken

Ms Kim Woodcock (Applicant) addressed the committee in relation to item 6.1.2

**6.1.2 51 Smith Street, North Hobart - Change of Use to Visitor
Accommodation
PLN-24-270 - File Ref: F24/65431**

POSSELT

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 10 July 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Dutta
Zucco
Harvey
Kelly
Elliot
Bloomfield
Posselt
Lohberger
Kitsos

NOES

Deputy Lord Mayor Sherlock

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 Change of Use to Visitor Accommodation at 51 Smith Street, North Hobart for the reasons outlined in the officer's report, marked as item 6.1.2 of the Open Planning Committee Agenda of 17 July 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-24-270 - 51 SMITH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. To limit, manage, and mitigate noise generated as a result of the visitor accommodation.
2. To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation.
3. To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.
4. To specify the maximum permitted occupancy of the visitor accommodation (four persons).
5. To specify that no parking is provided on site and guests should be discouraged from bringing vehicles and parking in nearby streets.
6. To provide a name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.
7. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 6. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

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 visitor accommodation does not cause an unreasonable loss of residential amenity.

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.

NOISE REGULATIONS

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

FEES AND CHARGES

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

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2711.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.

Delegation: Committee

Dr Dianne Snowden (Friends of the Orphan Schools), Mr Scott Carlin (National Trust) Representatives, Mr Rick Sassin, Simon Dunn, Mr Damian Rogers and Mr Matt Clark (Applicant) addressed the committee in relation to item 6.1.3

**6.1.3 12 St Johns Avenue, New Town - Hospital Services, Carparking,
Tree Removal and Associated Works
PLN-24-84 - File Ref: F24/65449**

LOHBERGER

That the recommendation contained in the report of the Development Appraisal Planner and Acting Senior Statutory Planner of 9 July 2024, be adopted, as amended by the addition of the following within the advice clauses:

‘Consultation

The applicant is strongly encouraged to have broad consultation with the community, particularly Tasmanian Aboriginal community, in the preparation of the interpretation which is required in condition 2 of the Tasmanian Heritage Council’s Notice of Heritage Decision.’

‘Conservation Management Plan

The applicant is strongly encouraged to prepare an updated Conservation Management Plan for the broader site. It is highly recommended that future master plans and development are carried out in accordance with that updated Plan.’

MOTION CARRIED

VOTING RECORD

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

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegation contained in its terms of reference, approves the application for Hospital Services, Car Parking, Tree Removal and Associated Works at 12 ST JOHNS AVENUE NEW TOWN TAS 7008 for the

reasons outlined in the officer's report, marked as item 6.1.3 of the Open Planning Committee Agenda of 17 July 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-24-84 - 12 ST JOHNS AVENUE NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00218-HCC dated 4/03/2024 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 8371 dated 21 June 2024, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s4

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

1. landscaping around the car parking area and maintained in conjunction

with the rest of landscaping to be installed;

2. details of the procedures to be implemented for the on-going monitoring and protection of the mature Eucalypts in the temporary car park adjacent to the St Johns Park Bowls Club;
3. a landscaping plan for the temporary car park, to be prepared in conjunction with Council's Cultural Heritage Officers.

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

Advice:

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

Reason for condition

To meet the requirements of E 6.7.8 of the *Hobart Interim Planning Scheme 2015*.

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).

Prior to occupancy or the commencement of the approved use (whichever occurs first), silt trap(s) for stormwater discharges from any gravel carparking area must be installed. The silt trap(s) must be designed, installed, and maintained in accordance with best practices for stormwater management.

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.

A silt trap is required to prevent any matter other than stormwater, including sediment and debris, from entering the stormwater connection from the gravel carpark.

Reason for condition

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

SW 8

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

A revised 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 either:

1. include detailed design of the proposed treatment train, including final estimations of contaminant removal meeting State Stormwater Strategy Targets and the supporting MUSIC model; and
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.

OR

A cost estimate for the provision and installation of a system that meet the State Stormwater Strategy targets for the whole proposed development must

be provided and agreed upon. A sum equivalent to the cost estimate is to be paid to the Council in accordance with Councils Stormwater Policy. If this option is selected the contribution must be paid prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). Payment of this contribution will be considered to meet the stormwater treatment requirements under the Hobart Interim Planning Scheme.

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 submit the MUSIC model in a MUSIC-X compatible format via email. Council notes a cost contribution avoids the ongoing costs of maintenance and may reduce excavation costs.

Council notes the gravel carpark has been described as temporary, and treatment via a swale may be an option. The current plans and report submitted how differing surface type and stormwater treatment proposals for this area.

Reason for condition

To avoid the possible pollution of drainage system and natural watercourses and to comply with relevant state legislation.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), 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:
 - 1.1. 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;

- 1.2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - 1.3. the discharge rates and emptying times; and
 - 1.4. 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.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

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. A waste management plan must:

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

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

approved waste management plan.

Advice:

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 3a

The access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: BSPM Architects - Ground Floor plan - Sheet DA 008 - Dated 05/03/2024 (received by the Council on 03/04/2024).

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 3c

Prior to the first commencement of use, 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 3a and ENG s1

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, 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 by this permit is sixty-five (65). The sixty-five (65) parking spaces must be maintained for the life of the permit.

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

Reason for condition

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

ENG 9

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG s1

The temporary access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: Gandy and Roberts Consulting Engineer - Temporary Carpark Drawings C010, C250, C300 and C701 Revision D - Dated - 28/03/2024 (received by the Council on 03/04/2024).

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 s2

Prior to commencement of use:

1. The permeable pavement (TRUEGRID Erosion Control System) of the access driveway (within the property) and manoeuvring area for the Temporary parking area adjacent to the bowls club approved by this permit must be constructed in accordance with the Manufacturer's recommendations; and
2. Documentation must be submitted to Council by a suitably qualified engineer certifying that the permeable pavement (TRUEGRID Erosion Control System) has been constructed in accordance with the Manufacturer's recommendations.

Advice:

Certification may be submitted to Council 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 that it does not detract from the amenity of users, adjoining occupiers, or the environment by preventing dust, mud and sediment transport.

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 17c

The external colours, materials and finishes of the approved development must be substantially in accordance with the approved plans. Any substantial change in the colours, materials and finishes requires further approval via a condition endorsement.

Advice:

The Urban Design Advisory Panel has recommended a reduced range of materials, treatments, and colours.

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 place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 18

The trees identified in the report by Tree Inclined (dated 12 May 2023) and numbered 3, 4, 5, 6 and 7 must be protected throughout excavation and post construction in accordance with all tree protection measures contained within that report.

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

Reason for condition

To ensure that significant trees are not unnecessarily destroyed and are managed in a way that maintains their health and appearance.

HER 19

All advice and recommendations within the report by Tree Inclined dated 2 April 2024 and titled 'Impact of development on existing trees at St Johns Park, New Town Addendum - Temporary parking facilities', must be implemented.

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

Reason for condition

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

HER 20

The landscape concept plan by Play Street, dated May 2024 must be revised to include at least 2 *Eucalyptus viminalis* specimens planted in a location that will ensure they become established and maintain ongoing vigour and viability. The written advice of a suitably qualified arborist must be obtained.

A revised landscaping plan and the written advice of an arborist must be submitted and approved as a Condition Endorsement, prior to the landscaping works commencing.

All work required by this condition must be undertaken in accordance with the approved landscaping 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 development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER s3

All advice and recommendations within the report letter from Praxis Environment to BPSM Architects dated 27 March 2024 regarding the temporary proposed carpark area in the vicinity of the parsonage must be followed and implemented. The report includes advice and recommendations on the removal and reinstatement of the natural topography to the front of parsonage within 5 years of the occupancy of the new clinic building.

Reason for condition

To ensure that development at a heritage place 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.

CONSULTATION

The applicant is strongly encouraged to have broad consultation with the community, particularly Tasmanian Aboriginal community, in the preparation of the interpretation which is required in condition 2 of the Tasmanian Heritage Council's Notice of Heritage Decision.

CONSERVATION MANAGEMENT PLAN

The applicant is strongly encouraged to prepare an updated Conservation Management Plan for the broader site. It is highly recommended that future master plans and development are carried out in accordance with that updated Plan.

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.

PLANNING

The Applicant is strongly encouraged to include and collaborate with Aboriginal and other interested St Johns Park community groups in the location, identification and treatment of any discovered graves and human remains.

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

**6.1.4 365 Macquarie Street, South Hobart - Partial Demolition and Alterations to Car Parking
PLN-23-498 - File Ref: F24/65489**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 5 July 2024, be adopted as amended by the addition of following advice clause:

'ADVICE

Boundary Fence

The applicant is encouraged to discuss the replacement of the boundary fence with the owners of the neighbouring land.'

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Deputy Lord Mayor Sherlock
Harvey
Kelly
Bloomfield
Posselt
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 Partial Demolition and Alterations to Car Parking at 365 Macquarie Street South Hobart. for the reasons outlined in the officer's report, marked as item 6.1.4 of the Open Planning Committee Agenda of 17 July 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-23-498 - 365 MACQUARIE

STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 8254 dated 28 June 2024, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 17

Any proposed lighting must operate in accordance with Australian Standard AS 4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

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

PLN s1

The proposed parking spaces are for the occupants of the dwellings and tenants of the shops at 365 Macquarie Street.

The five on site car parking spaces must not be used for commercial parking purposes without a further planning application being submitted and approved by Council.

Reason for condition

To clarify the extent of the permit.

PLN s2

The car parking area must be sealed within 3 months of the issue of the planning permit.

Reason for condition

To ensure that the works are done to the satisfaction of the Council.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, g drains, retaining wall g 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.

Prior to occupancy or the commencement of the approved use (whichever occurs first), silt trap for stormwater discharges from the gravel carparking area must be installed. The silt trap must be designed, installed, and maintained in accordance with best practices for stormwater management.

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.

A silt trap is required to prevent any matter other than stormwater, including sediment and debris, from entering the stormwater connection from the gravel carpark.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet and to avoid the possible pollution of drainage system and natural watercourses.

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 3b

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be submitted to and approved by Council, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first).

The access driveway, and parking module (parking spaces, aisles, and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified Engineer;
2. Be in accordance with the Australian Standard AS/NZS2890.1:2004, if possible;
3. Where the design deviates from AS/NZS2890.1:2004, the designer

must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use;

4. Show traffic management controls within the access and carpark areas where applicable;
5. Show signage and pavement markings;
6. Show traffic calming devices within the car park circulating area in accordance with AS/NZS2890.1:2004; and
7. Show dimensions, levels, gradients & transitions, and other details as 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 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.

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 (bitumen 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 to be used on the site is five (5), unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standard 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

The use of the car parking spaces is restricted to User Class 1A (residential, domestic and employee parking) in accordance with Australian Standards AS/NZS 2890.1 2004 Table 1.1.

Signage, approved by council, and in accordance with Australian Standards AS/NZS 1742.11:2016, must be erected along the western property boundary to indicate no car parking is allowed along the western property boundary of the site and must be installed prior to commencement of 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.

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.

ENVHE 1

Recommendations in the report by GES- Environmental Site Assessment - 365 Macquarie Street, South Hobart, Tasmania - September 2023 must be implemented, for the duration of the use.

Specifically:

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.

ENVHE s1

Recommendations in the report by GES- Environmental Site Assessment - 365 Macquarie Street, South Hobart, Tasmania - September 2023 must be implemented, for the duration of the use.

Specifically:

Excavated Material: The soil on site is classified as Level 3 Material (Contaminated Soil) as per the EPA Tasmania's IB105. Underlying clay subsoil is considered Level 1 Material (Clean Fill). It is understood that there are no plans for excavation of material.

For any future excavation of soil at the site, all excavated material should be tested and classified according to the EPA Tasmania's IB105 classification and should be transported by a licenced contractor to a suitable landfill facility that accepts contaminated material. For any future excavation of soil, we also recommend leachate testing which may reduce the overall IB105 classification.

Reason for condition

To provide for a safe living environment.

ENVHE s2

Recommendations in the report by GES- Environmental Site Assessment - 365 Macquarie Street, South Hobart, Tasmania - September 2023 must be implemented, for the duration of the use.

Specifically:

Environment Soil at the site has elevated levels of zinc, benzo(a)pyrene and TRH Fraction 3, and has the potential to pose a risk to ecological receptors. However, the soil is contained below a gravel hardstand, and no risk of movement of soil to ecological receptors have been identified.

For any future disturbance of soil including excavation, a Soil and Water Management Plan (SWMP) will be required to be put in place to minimise soil mobilisation offsite from machinery movement or through stormwater drains.

Reason for condition

To provide for a safe living environment.

ENVHE s3

Recommendations in the report by GES- Environmental Site Assessment - 365 Macquarie Street, South Hobart, Tasmania - September 2023 must be implemented, for the duration of the use.

Specifically:

Statement of Suitability: The findings from this investigation confirm that there is no current risk to Human Health or the Environment as part of the ongoing commercial land use at the site.

If site use changes in the future to a more sensitive land use then more site specific management measures shall be required to be submitted such as a SWMP, for any excavation or disturbance of soil to prevent movement of soil and sediments towards ecological receptors, and a CMP will be required for any change of land use in the area of car parking that could be considered residential land use.

Reason for condition

To provide for a safe living environment.

ADVICE

Boundary Fence

The applicant is encouraged to discuss the replacement of the boundary fence with the owners of the neighbouring land.

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.

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.

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

7. REPORTS

7.1 State of Play - Southern Tasmanian Regional Land Use Strategy File Ref: F24/55533

SHERLOCK

That the recommendation contained in the report of the Manager Land Use and Development Planning and Director City Futures of 12 July 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Deputy Lord Mayor Sherlock
Harvey
Kelly
Bloomfield
Posselt
Lohberger
Kitsos

COMMITTEE RESOLUTION:

That the Planning Committee note the beginning of stakeholder consultation on the State of Play report and the comprehensive review and update to the Southern Tasmanian Regional Land Use Strategy (STRLUS).

Delegation: Committee

7.2 Planning - Advertised Applications Report
File Ref: F24/65468

SHERLOCK

That the recommendation contained in the memorandum of the Acting Director City Life of 12 July 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Dutta	
Deputy Lord Mayor Sherlock	
Harvey	
Kelly	
Bloomfield	
Posselt	
Lohberger	
Kitsos	

COMMITTEE RESOLUTION:

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

Delegation: Committee

7.3 Delegated Decision Report (Planning)
File Ref: F24/65495

HARVEY

That the recommendation contained in the memorandum of the Acting Director City Life of 12 July 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Deputy Lord Mayor Sherlock
Harvey
Kelly
Bloomfield
Posselt
Lohberger
Kitsos

COMMITTEE RESOLUTION:

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

Delegation: Committee

8. QUESTIONS WITHOUT NOTICE

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

8.1 Councillor Posselt - St Johns Park - Planning Controls **File Ref: 13-1-10**

Question: Can the Acting Director advise what levers, policy options, planning controls etc does the council have at its disposal under the relevant acts to investigate the entirety of the St Johns Park precinct as bordered by Creek Road, Maria Street and New Town Road to ensure we have compliance with the Burra Charter that we get the best development outcomes on this site going forward?

Answer: The Acting Director City Life advised that in the next financial year there will hopefully be an item included in the Annual Plan for a Structure Plan for the New Town precinct. Its hoped this will allow us to take a very broad approach about what sort of development that is appropriate and desired by the community and implement those planning controls as in the New Town area.

Question: Can the Acting Director provide in writing available options outside of structural planning exercise that may be more expeditious to development within the St Johns Park precinct?

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

8.2 Alderman Bloomfield - Development Applications - Calling In **File Ref: 13-1-10**

Question: Can the Acting Director advise that given this evenings debate on 51 Smith Street, I note that on the previous Planning Committee agenda that this development application was to be determined by the Director. There is nothing that indicated (at that time) that we were to know whether there were the required representations to require it to be determined by the Committee?

Answer: The Acting Director advised that this matter was listed on the advertising list for the previous planning meeting. At that point of time, we were not aware of how many representations had been received as this advertising

period was yet to expire. However Councillor Dutta had requested that this application be called in to the Committee. Elected Members would only be aware of the number of representations to a development applications when the agenda is published.

Question: So in fairness, an application which has more than five representations would go to Committee and it wouldn't state Director delegation, is this correct?

Answer: The Acting Director advised that when the advertising list is compiled, if there is an obvious trigger (e.g. major development), for an application to be determined by the Planning Committee, that will be stated on the list. Otherwise, it is noted as delegated to the Director because at the time the list is produced, we don't know how many representations there are. If the number of representations exceed 5 then it would be referred to the Committee.

9. CLOSED PORTION OF THE MEETING

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:

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

Dutta
Deputy Lord Mayor Sherlock
Harvey
Kelly
Bloomfield
Posselt
Lohberger
Kitsos

Delegation: Committee

There being no further business the Open portion of the meeting closed at 7.11pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
31ST DAY OF JULY 2024.

CHAIRPERSON