



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Tuesday, 14 March 2017**

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**City Planning Committee Meeting (Open Portion) held on Tuesday, 14 March 2017 at 5.51 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**APOLOGIES:** Nil

**LEAVE OF ABSENCE:** Nil

**PRESENT:**

Alderman J R Briscoe (Chairman),  
Aldermen E R Ruzicka, H C Burnet,  
T M Denison, M Zucco, P S Cocker,  
A M Reynolds and W F Harvey.

**ALDERMEN**

Lord Mayor Hickey  
Deputy Lord Mayor Christie  
Zucco  
Sexton  
Cocker  
Thomas  
Reynolds  
Harvey

Alderman Zucco was co-opted to the Committee for items 2-7, supplementary item 7.2.2, supplementary 7.2.3 and item 9.1.

Alderman Zucco retired from the meeting at 6.30 pm.

Alderman Cocker was co-opted to the meeting for items 7.1.1, 7.2.1, 8.1, 8.2, supplementary item 9.2, 10 and 11.

The Chairman adjourned the meeting at 5.52 pm in order to conclude the adjourned Council meeting..

The Chairman reconvened the meeting at 6.13 pm.

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

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BURNET

That Alderman Zucco be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES  
Briscoe  
Ruzicka  
Burnet  
Denison

NOES

## **2. CONFIRMATION OF MINUTES**

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RUZICKA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 27 February 2017](#), and the Special City Planning Committee meeting held on [Monday, 6 March 2017](#), be confirmed as an accurate record.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Briscoe

Ruzicka

Burnet

Denison

Zucco

The minutes were signed.

## **3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

RUZICKA

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Briscoe

Ruzicka

Burnet

Denison

Zucco

## **4. 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*.

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

No interest was indicated.

## **5. TRANSFER OF AGENDA ITEMS**

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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.

RUZICKA

That item 9.1 be taken after consideration of the planning authority items with deputations.

MOTION CARRIED

### VOTING RECORD

AYES

Briscoe

Ruzicka

Burnet

Denison

Zucco

NOES

## **6. 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 General Manager 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.

RUZICKA

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

Briscoe

Ruzicka

Burnet

Denison

Zucco

NOES

## **7. 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 General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

Supplementary item 7.2.2 was then taken.

### **7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997**

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#### **7.1.1 50 Macquarie Street, Hobart - Alterations (Solar Panels) PLN-17-13 - File Ref: F17/18653**

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RUZICKA

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 February 2017, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Briscoe

Ruzicka

Burnet

Denison

Cocker

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for alterations (solar panels) at 50 Macquarie Street, Hobart for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 14 March 2017, 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-17-13 - 50 Macquarie Street, Hobart, TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

## 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.

## BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

**Delegation: Council**

## **7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

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### **7.2.1 80 Liverpool Street, Hobart - Alterations (New Heat Pump Units) PLN-16-1019 - File Ref: F17/20961**

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#### BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 24 February 2017, be adopted, with the addition of the following advice clause:



“ADVICE

The applicant is encouraged to liaise with the Council’s Cultural Heritage Officer (ph: 6238 2715) to find an alternative location for the heat pump units that doesn’t have an unacceptable impact on the significant visual characteristics of the heritage listed place.”

MOTION CARRIED

VOTING RECORD

AYES

Briscoe

Ruzicka

Burnet

Denison

Cocker

NOES

**COMMITTEE RESOLUTION:**

- That: 1. Pursuant to the *Land Use Planning and Approvals Act 1993* and the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for alterations (new heat pump units) at 80 Liverpool Street, Hobart for the following reasons:
- (i) The proposal does not meet the acceptable solution or the performance criterion with respect to clause 22.4.3 of the *Hobart Interim Planning Scheme 2015* because the proposed alterations will have an unacceptable impact on the significant visual characteristics of the heritage listed place.
  - (ii) The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 of the *Hobart Interim Planning Scheme 2015* because the proposed alterations will have an unacceptable impact on the significant visual characteristics of the heritage listed place.
2. Pursuant to the *Land Use Planning and Approvals Act 1993* and section 39(10) of the *Historic Cultural Heritage Act 1995*, the Council must refuse the application for alterations (new heat pump units) at 80 Liverpool Street, Hobart for the following reasons provided by the Tasmanian Heritage Council:
- (i) The proposed alterations will have an unacceptable impact on the significant visual characteristics of the place.

- (ii) The proposed alterations are contrary to the appropriate outcomes for heating and cooling services in section 11 of the Tasmanian Heritage Council's Works Guidelines for Historic Heritage Places (November 2015).

ADVICE

The applicant is encouraged to liaise with the Council's Cultural Heritage Officer (ph: 6238 2715) to find an alternative location for the heat pump units that doesn't have an unacceptable impact on the significant visual characteristics of the heritage listed place.

**Delegation: Council**

Item 8.1 was then taken.

**SUPPLEMENTARY ITEMS**

Mr Richard Gilmour (Director Portfolio and Supply Unit, Housing Tasmania), Mr David Button (JAWS Architect), and Ms Janet Saunders (CEO, Hobart Women's Shelter) addressed the Committee in relation to supplementary item 7.2.2, on behalf of the applicant.

**7.2.2 112 Cascade Road, South Hobart - Demolition, Communal Residences and Fencing  
PLN-16-1303 - File Ref: F17/23981**

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 6 March 2017, be adopted, with the addition of the following advice clause:

"It is recommended that all proposed outdoor air conditioning units be suitably shielded and screened to minimise potential noise and visual impacts upon neighbouring properties."

MOTION CARRIED

VOTING RECORD

AYES  
Briscoe  
Ruzicka  
Burnet  
Denison  
Zucco

NOES

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, communal residences and fencing at 112 Cascade Road, South Hobart for the reasons outlined in the officer's report attached to supplementary item 7.2.2 of the Open City Planning Committee agenda of 14 March 2017, 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-16-1303 - 112 Cascade Road, South Hobart TAS 7004 - 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 2017/00027- HCC dated 09/01/2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The construction waste management plan must include:

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

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

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

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

Reason for condition

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

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

A photographic record of the Council 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 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENGR 3

Prior to the commencement of use, the proposed driveway crossover in Cascade Road highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
- Footpath - Urban Roads Footpaths TSD-R11-v1

Design drawings must be submitted and approved prior to the commencement of work. The design drawing must:

1. Show that vehicular and pedestrian sight lines are met as per AS/NZS2890.1 2004.

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

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

Reason for condition

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

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. Sediment controls must be 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 4

A construction management plan (CMP) must be implemented throughout the construction works, including demolition.

The CMP must be submitted and approved prior to the issuing of any building consent under the *Building Act 2016, including demolition*. The CMP must include (but is not limited to) the following:

1. Identification and disposal of any potentially contaminated waste and asbestos.

2. Proposed hours of work.
3. Proposed hours of construction (including demolition).
4. Identification of potentially noisy construction phases, and proposed means to minimise impact on the amenity of neighbouring buildings.
5. Control of dust and emissions during working hours.
6. Proposed screening of the site and vehicular access points during work.
7. Procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

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

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

Reason for condition

To ensure minimal impact on the amenity of adjoining properties and members of the public during the construction period.

OPS 1

The title boundary shared between the Council's neighbouring land and the applicant's property must be clearly marked by the owner on the ground before any works commence.

Reason for condition

To protect the values of the Council's neighbouring Wellesley Park.

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 a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition, via the Condition Endorsement Submission on Council's online e-service portal.

Once approved, the Council will respond to you via email that the condition(s) has been endorsed (satisfied). Detailed instructions can be found [here](#).

#### BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

#### PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

#### OCCUPATION OF THE PUBLIC HIGHWAY

Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

Road closure permits for construction or special event. Click [here](#) for more information.

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

#### WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By law. 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.

#### COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause damage to Council's land may be in breach of the Council's Parks, Recreation and Natural Areas Bylaw and penalties may apply. The by law is available [here](#).

#### WASTE DISPOSAL

Click [here](#) for information regarding waste disposal.

#### 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.

It is recommended that all proposed outdoor air conditioning units be suitably shielded and screened to minimise potential noise and visual impacts upon neighbouring properties.

### Delegation: Committee

#### **7.2.3 85 Athleen Avenue, Lenah Valley - Four Multiple Dwellings PLN-16-00678 - File Ref: F17/24125**

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RUZICKA

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 8 March 2017, be adopted, with the inclusion of the following new condition:

“PLNs1

The existing eucalyptus tree located in the rear, southwestern corner of the site must be retained and protected throughout and following construction of the approved development.

Reason for condition

To enable the tree's amenity and habitat values to be retained.”

MOTION CARRIED

#### VOTING RECORD

AYES

Briscoe  
Ruzicka  
Burnet  
Denison  
Zucco

NOES

### COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for four multiple dwellings at 85 Athleen Avenue,



Lenah Valley for the reasons outlined in the officer's report attached to supplementary item 7.2.3 of the Open City Planning Committee agenda of 14 March 2017, 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-16-00678-01 - 85 Athleen Avenue,- Lenah Valley - 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 2016/01021-HCC dated 28/09/2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

#### PLNs1

The existing eucalyptus tree located in the rear, southwestern corner of the site must be retained and protected throughout and following construction of the approved development.

Reason for condition

To enable the tree's amenity and habitat values to be retained.

#### ENG sw2

The Council's stormwater infrastructure within the subject site and in the road reserve fronting the subject site must be protected from damage during the construction of the development.

1. Digital copies of a pre construction CCTV video and report of the Council stormwater infrastructure must be undertaken and submitted to Council prior to the issue of any consent under the *Building Act 2016* or commencement of work (whichever occurs first).
2. Digital copies of a post construction CCTV video and report of the Council stormwater infrastructure must be undertaken and submitted to Council after the completion of work but prior to the issuing of an occupancy permit under the *Building Act 2016*.

The pre and post construction work CCTVs will be relied upon to establish the extent of any damage caused to the Council stormwater infrastructure during construction.

In the event that the owner fails to provide to the Council a pre construction works CCTV video of the Council stormwater infrastructure, then any damage to the Council stormwater infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

If the pipe is found to be in poor condition (i.e. would need to be replaced within the expected lifespan of the works over the pipe, and Council deems it necessary), then the pipe must be replaced before the construction of the works. The developer must pay a proportion of the cost of the pipe replacement, with the Council paying the rest.

The size of the developer's contribution will be based on the age, condition and life expectancy of the pipe. If a pipe replacement is deemed necessary, then the actual apportionment of these costs must be agreed upon by both the Council and the developer prior to the issuing of any consent under the *Building Act 2016* or the commencement of works (whichever occurs first).

*Advice: Due to the diameter of the main, a tractor camera will be required to obtain adequately clear footage.*

Reason for condition

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

ENG sw3

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

A detailed engineering design must be submitted and approved prior to the issue of consent under the *Building Act 2016* or commencement of work, whichever occurs first.

The detailed engineering design must:

1. Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching
2. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the

proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.

3. Include a long-section showing all alterations of surface level over the main, and supporting evidence demonstrating the resulting cover over the main is appropriate (including construction traffic loading).
4. Be certified by a suitably qualified engineer.

Prior to the issue of an occupancy permit under the *Building Act 2016*, a suitably qualified engineer must confirm that the installation of the works within two metres of Council's stormwater is in accordance with the approved detailed engineering design and is in compliance with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

*Advice: Once the detailed engineering design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the protection of Council stormwater infrastructure.

ENG sw5

The alterations to Council's stormwater infrastructure must be constructed prior to issue of an occupancy permit under the *Building Act 2016*.

Engineering design drawings must be submitted and approved, prior to commencement of works or the issue of any consent under the *Building Act 2016* (whichever occurs first).

The engineering design drawings must:

1. Be certified by a qualified and experienced Engineer.
2. Show in both plan and long-section the proposed stormwater infrastructure including, but not limited to, a DN1200 manhole at SW1/2 on Aldanmark drawing C08 RevD.
3. Be substantially in accordance with the LGAT drawings.

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

*Advice: Once the engineering design drawings have been approved the*

*Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to issue of a certificate of completion under the *Building Act 2016*.

A stormwater management report and design must be submitted and approved, prior to commencement of works.

The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer.
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.
3. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

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

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, to comply with relevant State legislation, and to ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

## ENG 2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS/ NZS 1170.1 must be installed prior to first occupation.

A certified design/report prepared by a suitably qualified Engineer, to satisfy the above requirements, must be provided to the Council prior to the issuing of any permit under the *Building Act 2016*.

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

Reason for condition

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

## ENG 4

The driveway and car parking areas approved by this permit must be constructed to a sealed standard and surface drained prior to first occupation.

Reason for condition

To ensure safe access is provided for the use.

## ENG 3

The driveway, car parking and manoeuvring areas must be constructed in accordance with certified driveway design drawings, prior to first occupation.

The design of the driveway, car parking and manoeuvring areas must be submitted to the Council, prior to the issuing of any permit under the *Building Act 2016*.

The design of these areas must:

1. Be prepared by a suitably qualified engineer who must also certify that the design is in accordance with the Australian Standards AS/NZS 2890.1 or that the design provides for a safe and efficient access.

Upon completion of the driveway, car parking and manoeuvring areas, documents signed by a suitably qualified engineer, certifying that the driveway has been constructed in accordance with the certified design drawings must be lodged with the Council.

Reason for condition

To ensure that the safety of users of the driveway/parking.

ENG 14

Parking, access and turning areas must be generally designed and constructed in accordance with the Australian Standard Parking facilities, Part 1: Off-Street Carparking, AS 2890.1 – 2004, prior to first occupation.

Design drawings must be submitted and approved, prior to commencement of work. The design drawings must show:

1. Dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.
2. The driveway entrance having a clear opening width of at least 3m at the front boundary.
3. The gradient of vehicle turning areas not exceeding 10%.

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

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

Reason for condition

To ensure that the access and parking layout for the development is to accepted standards.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council. Any damage must be immediately reported to Council.

A photographic record of the Council 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 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 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, prior to the commencement of work. 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: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

#### 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.

#### ENV s1

The development must be designed and undertaken in accordance with the following requirements:

- All earthworks must comply with AS 3798 - Guidelines on earthworks for commercial and residential developments.
- Site specific soil assessment is required to determine appropriate foundation design for all structures in accordance with AS 2870 -Residential slabs and footings.

- Construction must be based upon thorough investigation, reporting and design by suitably qualified persons.
- All stormwater on site must be immediately directed to council mains upon the construction of hard surfaces to minimise the potential for uncontrolled stormwater flows affecting slope stability.
- All design and construction must be undertaken in accordance with The Australian GeoGuides for Slope Management and Maintenance (Australian Geomechanics Society, 2007e) except where modified by a condition of the planning permit PLN-12-00214 or where structures are founded in underlying competent weathered gravels.
- All design and construction must be undertaken in accordance with condition 10 of planning permit PLN-12-00214 which specifies that:
  - all seepage waters encountered during the construction of excavations are to be collected and directed to the Council stormwater drainage system or an approved stormwater disposal system;
  - all natural vegetation must be retained wherever practicable;
  - all natural contours must be retained wherever practicable;
  - all areas requiring fill must be prepared by stripping the vegetation and topsoil from the proposed fill area and by benching or keying the surface to receive the fill into the natural slope prior to filling;
  - only clean fill materials may be used and all fill material must be adequately compacted; and
  - boulders exposed during excavation operations must be assessed by a suitably qualified person to determine slope stability risk and any boulders at risk of instability must be stabilised.
- All permanent cutting and/or filling must be constructed with batter slopes certified by an engineer or a drained retaining wall designed by an appropriately qualified person and must be constructed in accordance with condition 11 of planning permit PLN-12-00214 which requires:
  - for all permanent cutting or filling up to a height of 1m, cut and fill batters with a height no greater than 1m to be constructed with a batter slope certified by a suitably qualified engineer;
  - where certified batter slopes are not possible, or where cutting



and filling will exceed 1m in height, a drained retaining wall designed by suitably qualified engineer constructed to retain the excavation or fill materials as soon as possible after the cut/fill operation;

- retaining wall drainage to be directed to the Council stormwater drainage system or an approved stormwater disposal system; and
  - retaining wall drainage to be designed to include a graded floor to a trench constructed adjacent to the retaining wall footing. The trench must contain a slotted agricultural pipe wrapped in geotextile filter material and be surrounded by appropriate screened and sized filter materials such as coarse sand or crushed rock. The filter material must be continued from the base of the retaining structure to the top of the retaining structure.
- All surface drainage upslope of site fill must be connected to council approved stormwater system or an approved stormwater management system to divert surface water away from any site fill.

*Advice: The proposed cuts are considered consistent with The Australian GeoGuides for Slope Management and Maintenance where designed, constructed and certified by a civil engineer and consistent with the other requirements of this permit condition.*

Reason for condition

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

ENV s2

Prior to the commencement of works, comprehensive and detailed engineering designs documents for the development (including drainage, foundations, earthworks and retaining structures), prepared by an accredited civil engineer, must be submitted and approved. The design documents must demonstrate compliance the requirements of ENV s1.

The submitted engineering design documents must be certified by a civil engineer as being in full accordance with all requirements of ENV s1 and certify that all requirements of ENV s1 have been fully incorporated into the engineering design documents.

*Advice: Once the engineering documents have been approved, the Council*

*will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENV s3

Following completion of works for the development, but prior to the issue of an occupancy permit or a certificate of completion under the *Building Act 2016*, certification by a civil engineer that all requirements of ENV s1 have been fully complied with must be submitted and approved.

*Advice: Once the engineering certification has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure that geotechnical risks to and from the development are minimised and managed.

## 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 a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition, via the Condition Endorsement Submission on Council's online e-service portal.

Once approved, the Council will respond to you via email that the condition(s) has been endorsed (satisfied). Detailed instructions can be found [here](#).

## BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

#### PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

#### PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

Permit to construct public infrastructure with a 12 month maintenance period and bond (please contact the Hobart City Council's City Infrastructure 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](#).

#### 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 9.1 was then taken.

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## **8 REPORTS**

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### **8.1 Delegated Decisions Report (Planning)** **File Ref: F17/22506; 16/117**

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RUZICKA

That the recommendation contained in the report of the Director City Planning of 8 March 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Cocker	

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

**8.2 City Planning - Advertising List  
File Ref: F17/22773**

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COCKER

That the recommendation contained in the report of the Director City Planning of 8 March 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Cocker	

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

Item 9.2 was then taken.

## **9 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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### **9.1 Illegal Demolition under Planning Scheme File Ref: F17/24004; 13-1-10**

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ZUCCO

That in accordance with Council's policy, the following Notice of Motion which was adopted by the City Planning Committee, be considered by the Council, as amended below:

1. Clause 1 be amended by including the words "and the removal of significant and listed trees" after the words "illegal demolition"; and
2. A new clause 5 be included, which reads as follows:  
  
"5. The report also provide an overview of penalties relating to demolition of heritage listed buildings and other significant heritage sites."

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Zucco

### **COMMITTEE RESOLUTION:**

Motion

"That:

1. An urgent report be prepared to review the proposed new Tasmanian planning scheme as it relates to demolition works - and in particular illegal demolition and the removal of significant and listed trees.
2. The report also provide the current status as to what penalties are able to be enforced for illegal demolition works, and what the new legislation will impose.
3. The report also consider a minimum range of penalties as per an example in the rationale.
4. The report also consider options to lobby the government to impose criminal penalties when illegal demolitions occur that may endanger

lives.

5. The report also provide an overview of penalties relating to demolition of heritage listed buildings and other significant heritage sites.”

**Delegation: Council**

Alderman Zucco retired from the meeting.

BURNET

That Alderman Cocker be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	

Item 7.1.1 was then taken.

**9.2 Air BnB Properties - Proposed Research Project**  
**File Ref: F17/24746; 13-1-9**

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COCKER

That in accordance with Council’s policy, the following Notice of Motion which was adopted by the City Planning Committee , be considered by the Council, as amended below:

1. Clause 1 be amended to read “Air BnB and similar accommodation”;  
and
2. A new clause 6 be included, to read:  
“That Officers consider round table discussions with key stakeholders following the production of any research.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Cocker	

## COMMITTEE RESOLUTION:

Motion

“That a report be prepared:

1. In light of the potential growth of Air BnB and similar accommodation properties in the city of Hobart and as part of the ongoing MOU with UTAS, the council initiate discussions with the University of Tasmania to undertake a joint research project that will identify housing (home owner) and rental housing demand and prices. The project will inform council on demand and supply and pricing with a view to understanding the housing market and in particular rental needs and demand. The project would provide annual updates to inform Council policy and to be shared with stakeholders.
2. That in light of the importance of adequate rental properties in Hobart, the Council investigate the potential for differential rating for Air Bnb properties and look at different compliance regimes being applied around the world.
3. That the Council examine ways of encouraging residential development including rezonings, rate differentials, and rate holidays.
4. The HCC examine its current property holdings to explore any potential for utilising them for residential development.
5. The report examines the roles and powers available to body corporates to protect residential uses.
6. That Officers consider round table discussions with key stakeholders following the production of any research.

**Delegation: Council**

## 10. QUESTIONS WITHOUT NOTICE

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

### 10.1 UTAS Accommodation - Sub-Letting Arrangements File Ref: 13-1-10

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Alderman Burnet

Regarding the UTAS accommodation 157 Elizabeth Street - does the Director know of any subletting arrangements that have been put in place?

The Director City Planning took the question on notice.

**10.2 Taxes on Premises Vacant for 6 Months or More**  
**File Ref: 13-1-10**

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Alderman Cocker

Vancouver and Melbourne have either introduced or in the process of introducing taxes on premises vacant for more than six months. How many premises in the Hobart City Council municipality were vacant for at least six months in 2016? Compared to the previous three years (2013-2015), has the vacancy rate increased in the HCC municipality? It would be appreciated if this could be broken down by number of vacant premises per calendar year.

If the HCC does not have this information, how could this be obtained?

The Director City Planning took the question on notice.

**11. CLOSED PORTION OF THE MEETING**

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The following items were discussed:-

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda                       |
| Item No. 3 | Indications of pecuniary and conflicts of interest                       |
| Item No. 4 | Planning Authority Items – Consideration of Items with Deputations       |
| Item No. 5 | Questions without notice – File Ref: 13-1-10                             |

RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe

Ruzicka

Burnet

Denison

Cocker

NOES



The Chairman adjourned the meeting at 6.58 pm to conduct the closed portion of the meeting.

The meeting reconvened at 7.00 pm.

Item 11 was then taken.

There being no further business the meeting closed at 7.01 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
27<sup>TH</sup> DAY OF MARCH 2017.

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**CHAIRMAN**