



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 26 March 2018 at 5:00 pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 26 March 2018 at 5:00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**ALDERMEN**

Lord Mayor Christie  
Zucco  
Sexton  
Cocker  
Thomas  
Reynolds  
Harvey

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

Alderman Cocker and Alderman Harvey were co-opted to the Committee.

**APOLOGIES:** Nil.

**LEAVE OF ABSENCE:**

Alderman E R Ruzicka.

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

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BURNET

That Alderman Cocker and Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe  
Burnet  
Denison

NOES

**2. CONFIRMATION OF MINUTES**

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HARVEY

The minutes of the Open Portion of the City Planning Committee meeting held on [Tuesday, 13 March 2018](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Cocker		
Harvey		

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*.

**Recommendation**

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

No supplementary items were received.

**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.

BURNET

That item 7 be now taken.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Cocker  
Harvey

Item 7 was then taken.

## 6. GENERAL DEPUTATION

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Mr Robert Vincent provided the City Planning Committee with a deputation in relation to how a Precinct Information Modelling (PIM) tool could assist Council Officers, together with the City Planning Committee in assessing and determining what impact a potential development application could impose by way of providing a visual perspective of the potential development and surrounds.

Item 8.1.2 was then taken.

## 7. 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.

### BURNET

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

Briscoe  
Burnet  
Denison  
Cocker  
Harvey

## **8. 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.

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

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Mr Neil Shephard of Neil Shephard & Associates together with Mr Benjamin van der Veer and Ms Margaret Johnston (Representors) addressed the Committee in relation to item 8.1.1.

Mr George Walker, Planning Consultant of 6ty° (Applicant) together with Mr Steve Yannarakis addressed the Committee in relation to item 8.1.1.

#### **8.1.1 209-213 Harrington Street, 215-217 Harrington Street, Adjacent Road Reserve, Hobart - Demolition and New Building for Multiple Dwelling, General Retail and Hire and Food Services, and Minor Associated Road Works PLN-17-967 - File Ref: F18/25672**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 19 March 2018, be adopted.

#### **PROCEDURAL MOTION**

BURNET

That the matter be deferred to a Special City Planning meeting, prior to the Council meeting scheduled for 9 April 2018, to allow for further discussions between Council Officers and the Applicant in relation to a possible ceiling height reduction and further scope for a greater transition in height with the adjacent residential properties.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Denison
Burnet	Harvey
Cocker	

**COMMITTEE RESOLUTION:**

That the matter be deferred to a Special City Planning meeting, prior to the Council meeting scheduled for 9 April 2018, to allow for further discussions between Council Officers and the Applicant in relation to a possible ceiling height reduction and further scope for a greater transition in height with the adjacent residential properties.

**Attachment**

A Deputation Documentation - Mr Neil Shephard of Neil Shephard & Associates ⇒ 

**Delegation: Council**

Item 6 was then taken.

**8.1.2 286 Strickland Avenue, South Hobart - Dwelling  
PLN-17-910 - File Ref: F18/24841**

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BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 20 March 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Cocker	
Harvey	

**COMMITTEE RESOLUTION:**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling at 286 Strickland Avenue, South Hobart for the reasons outlined in the officer's report, attached to item 8.1.2 of the Open City Planning Committee agenda of 26 March 2018 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-17-910 - 286 STRICKLAND AVENUE SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 2

A front door / pedestrian entry via a deck or walkway, adjacent to the garage wall/eastern elevation, must be provided and maintained to the dwelling proper, prior to the approved use commencing.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the front door/pedestrian entry and deck/walkway in the eastern elevation of the dwelling proper (as opposed to or as well as into the garage) in accordance with the above requirement.

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

Reason for condition

To provide integration of the new development into the streetscape and reasonable opportunity for passive surveillance between the dwelling and the street.

ENG sw4

The new stormwater connection must be constructed at the owner's expense and all existing connections abandoned and sealed by Council at the owner's expense, prior to the issue of any approval under the *Building Act 2016*.

Prior to the commencement of work engineering drawings must be submitted and approved detailing adequate scour and erosion control measures. All work required by this condition must be undertaken in accordance with the approved engineering drawings.

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

*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.*

*A stormwater service connection must be approved by Council's City Infrastructure Division prior to construction of the stormwater service connection. Once condition endorsement has been issued, please contact Council's City Infrastructure Division to initiate an application for a stormwater service connection. Please note that the stormwater service connection may be required to have been approved and constructed prior to any plumbing permits being issued for private plumbing works. Please also note that the Council's City Infrastructure Division are unlikely to approve a new connection to the open watercourse - connection to the piped section will be preferred.*

Reason for condition

To ensure the site is drained adequately.

## ENG 2a

Vehicular barriers compliant with the Australian Standard AS1170.1 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:*

- *Council do not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*
- *Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required.*

### Reason for condition

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

## ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be the constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent council approved) and surface drained to the Council's stormwater system prior to the first occupation.

### Reason for condition

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

#### ENG 5

The number of car parking spaces approved on the site for use is one (1).

Reason for condition

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

#### ENG 14

The existing driveway access for the property must be abandoned and the highway reservation reinstated to match existing generally in accordance with LGAT Tasmanian Standard Drawing TSD-R02-v1 or equivalent Council approved standard.

Reason for condition

To ensure that only a single access is provided for the property.

#### ENG 1

The cost of repair of any damage to the Council's 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's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

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

Reason for condition

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

ENG r1

The footings and driveway deck within or supporting the Strickland Avenue highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments for the footings within Strickland Avenue highway reservation must be submitted and approved by the Council's Director City Infrastructure, prior to the issue of any approval under the *Building Act 2016* and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer.
2. Demonstrate that the footings and driveway deck within or supporting the Strickland Avenue highway reservation will not undermine the stability of the highway reservation.
3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
4. Take into account and reference accordingly any geotechnical findings.
5. Detail any mitigation measures required.
6. Ensure that the structure certificated and/or drawings are noted in accordance with the above.

All work required by this condition must be undertaken in accordance with the approved detailed design drawings, structural certificates and associated geotechnical assessments.

*Advice: Once the detailed design drawings, structural certificates and associated geotechnical assessments have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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

ENV 10

All native trees on the site must be retained and protected, other than the five *Eucalyptus* species trees in the north-western corner of the site.

Reason for condition

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

ENV 15

All construction vehicles and machinery must be effectively cleaned of soil both before entering and before leaving the property.

Soil cleaned from construction vehicles and machinery must not be allowed, either directly or indirectly, to enter waterways or the Council's stormwater system.

*Note: further information on effective measures for washdown can be found [here](#).*

Reason for condition

To minimise the spread of weeds and pathogens.

## ENV 2

Sediment and erosion control measures sufficient to prevent sediment 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 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: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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

### Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of the footings of the suspended driveway slab within the Strickland Avenue highway reservation, prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Strickland Avenue highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

*Advice: For further information with respect to the preparation of the Part 5 Agreement please contact Council Development Engineering Staff.*

Reason for condition

To ensure the protection of Council are retained.

#### 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 services e-planning](#)

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.

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

#### NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your new stormwater service connection.

#### STORM WATER

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

## REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

## ACCESS

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

## CROSS OVER CONSTRUCTION

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

## WEED CONTROL

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

## 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.

## DIAL BEFORE YOU DIG

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

**Delegation: Council**

## 9. REPORTS

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### 9.1 Annual Development Data File Ref: F18/24958

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BURNET

That the recommendation contained in the memorandum of the Director City Planning of 21 March 2018, be adopted.

MOTION CARRIED

#### VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Cocker		

#### **COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'Annual Development Data' of 21 March 2018, be received and noted.

**Delegation: Committee**

### 9.2 City Planning - Advertising List File Ref: F18/24586

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BURNET

That the recommendation contained in the memorandum of the Director City Planning of 20 March 2018, be adopted.

MOTION CARRIED

#### VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Cocker		
Harvey		

#### **COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'City Planning – Advertising List' of 20 March 2018 be received and noted.

**Delegation: Committee**

**9.3 Delegated Decisions Report (Planning)**  
**File Ref: F18/24595**

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**BURNET**

That the recommendation contained in the memorandum of the Director City Planning of 20 March 2018, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Cocker		
Harvey		

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 20 March 2018 be received and noted.

**Delegation: Committee**

**10. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**10.1 Observation of Urban Design Advisory Panel Meetings by Aldermen**  
**File Ref: F18/18963; 13-1-9**

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Memorandum of the Director City Planning of 20 March 2018.

**10.2 Approval of the Opteon Property Group Neon Sign**  
**File Ref: F18/18965; 13-1-10**

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Memorandum of the Director City Planning of 20 March 2018.

**10.3 Mount Wellington Cable Car Company Approval for Works Permit**  
**File Ref: F18/18967; 13-1-10**

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Memorandum of the Director City Planning of 20 March 2018.

**HARVEY**

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Cocker  
Harvey

**Delegation: Committee**

**11. QUESTIONS WITHOUT NOTICE**

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

**11.1 Alderman Burnet - Investigation into a Precinct Information Modelling (PIM) System**  
**File Ref: 13-1-10**

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Question: Could the Director please advise if there is any merit to further investigate the possible implementation of a Precinct Information Modelling (PIM) tool as per the points raised by Mr Vincent's general deputation in item 6?

Answer: The Director City Planning advised that a Notice of Motion would need to be instigated to further progress an investigation into the possible implementation of a PIM tool.

**11.2 Alderman Reynolds - The Removal of Important and Significant Trees**  
**File Ref: 13-1-10**

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Question: Could the Director please advise if the important and significant trees found in Hobart's bushland reserves are fully protected or could they be removed without need for a planning permit?

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

**11.3 Alderman Reynolds - Significant Tree Nominations**  
**File Ref: 13-1-10**

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Question: Could the Director please advise if the significant trees in Council reserves should be nominated for the City of Hobart's Significant Tree Register?

Answer: The Director City Planning advised that if there are trees in Council reserves that meet the criteria in relation to the City of Hobart's Significant Tree Register, then yes they should be nominated for inclusion.

**11.4 Alderman Reynolds - Bulk and Scale Learnings - 9 Sandy Bay Road**  
**File Ref: 13-1-10**

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Question: Could the Director please advise of the learning outcomes in relation to the decision regarding 9 Sandy Bay Road, Sandy Bay, in respect to bulk and scale?

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

**12. 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 Item No. 6 Responses to Questions Without Notice
- Item No. 4.1 Changed Conditions of Approved Development Applications - Overturning of Recommendations  
LG(MP)R 15(2)(i)
- Item No. 5 Questions Without Notice

HARVEY

That the items be noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Cocker		
Harvey		

**Delegation: Committee**

The Chairman adjourned the meeting at 6:54 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6:55 pm.

Item 12 was then taken.

There being no further business the meeting closed at 6:55 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
16<sup>TH</sup> DAY OF APRIL 2018.

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**CHAIRMAN**