



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 14 January 2019 at 5:00 pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 14 January 2019 at 5:00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

PRESENT: Alderman S Behrakis (Acting Chairman), The Deputy Lord Mayor Councillor H Burnet, Aldermen J R Briscoe, T M Denison, Councillor W F Harvey, the Lord Mayor Councillor A M Reynolds, and Councillor M Dutta

APOLOGIES: Nil

LEAVE OF ABSENCE: Nil.

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

Alderman Behrakis chaired the meeting.

The Deputy Lord Mayor left the meeting at 6.25 pm and returned at 6.27 pm.

The Lord Mayor was present for items 1 to 7 and 7 2 1, retiring from the meeting at 5.40 pm.

Councillor Dutta left the meeting at 6.21 pm and returned at 6.26 pm.

BRISCOE

That Alderman Behrakis chair the meeting.

MOTION CARRIED

VOTING RECORD

AYES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

NOES

BRISCOE

That the Mercury newspaper be granted permission to take still photographs during the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

HARVEY

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 10 December 2018](#) and the Special City Planning Committee meeting held on [Monday, 17 December 2018](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

DEPUTY LORD MAYOR

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
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

HARVEY

That item 7.2.1 be taken first.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the 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.

DEPUTY LORD MAYOR

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

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

Item 7.2.1 was then taken

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

The Committee is reminded that in order to comply with Regulation 25(2), the 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.

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

Mr Alan Frost of Citta Property Group (Applicant) addressed the Committee in relation to item 7.1.1.

7.1.1 34 Davey Street, Hobart - Partial Demolition, Alterations and Extension to Previously Approved Development PLN-18-798 - File Ref: F18/154094

BRISCOE

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Partial Demolition, Alterations and Extension to Previously Approved Development at 34 Davey Street, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-798 - 34 DAVEY STREET HOBART TAS 7000 - Advertised 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: 5766 dated 11 December 2018, as attached to the permit.

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 (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.

HER 17

The exterior colours of the framing and other external elements (excepting glazing) must minimise the prominence of the development approved by this permit.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved by the Council's Director City Planning showing exterior colours in accordance with the above requirement.

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

Reason for condition

To ensure that the prominence of the development is minimised.

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

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.](#)

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.](#)

WASTE DISPOSAL

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

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

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

MOTION CARRIED

VOTING RECORD

AYES

Behrakis
Briscoe
Denison

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Partial Demolition, Alterations and Extension to Previously Approved Development at 34 Davey Street, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-798 - 34 DAVEY STREET HOBART TAS 7000 - Advertised 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: 5766 dated 11 December 2018, as attached to the permit.

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 (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.

HER 17

The exterior colours of the framing and other external elements (excepting glazing) must minimise the prominence of the development approved by this permit.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved by the Council's Director City Planning showing exterior colours in accordance with the above requirement.

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

Reason for condition

To ensure that the prominence of the development is minimised.

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

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.](#)

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.](#)

WASTE DISPOSAL

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

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

Attachments

A Deputation Supporting Information - Mr Alan Frost ⇒ 

Delegation: Council

Supplementary item 12 was then taken.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr Brian Corr, President Hobart Not Highrise (Representor) addressed the Committee in relation to item 7.2.1

Mr Peter Black (Representor) addressed the Committee in relation to item 7.2.1

Mr Andrew Edwards (Representor) addressed the Committee in relation to item 7.2.1

Mr Samuel Haberle, Director and Mr Jit Sheng Gan of S Group (Applicant) addressed the Committee in relation to item 7.2.1

7.2.1 2 Collins Street and Adjacent Road Reserve Hobart - Demolition and New Development for Visitor Accommodation, Function Centre and Associated Facilities PLN-16-1133 - File Ref: F19/2281

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 31 December 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey

NOES

Behrakis
Denison

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for demolition and new development for visitor accommodation, function centre and associated facilities at 2 Collins Street and adjacent road reserve, HOBART for the following reasons:

1. The proposed function centre does not meet the Objectives of Clause 15.2 of the *Sullivans Cove Planning Scheme 1997*, as it:
 - a) Fails to ensure that the building masses and facades appropriately relate to the spaces they form.
 - b) Fails to ensure that the proposed non-residential use is based on the amenity and characteristics of specific sites.
 - c) Fails to ensure that the amenity of or the potential for adjacent residential development will not be diminished.

and is therefore considered to be prohibited under clause 15.3.4 of the *Sullivans Cove Planning Scheme 1997*.

2. The proposal does not meet the performance standards of clause 22.5.5 of the *Sullivans Cove Planning Scheme 1997*, as:
 - a) It will dominate adjacent places of cultural significance when viewed from the street or any other public space, and will be more prominent in the street than the adjacent places of cultural significance contrary to the Cultural Resource Principles (Cultural Heritage and Urban Character) of the *Sullivans Cove Planning Scheme 1997* espoused in clause 7.3.2.
 - b) The area of the facade of the new building will exceed that of the buildings on adjacent places of cultural significance and the visual impact of the apparent disparity of scale is significant and historic precedent does not warrant the scale disparity.
 - c) The proposal fails to complement and contribute to the specific character and appearance of adjacent places of cultural significance and the historic character of the Cove generally.
 - d) The location, bulk and appearance of the proposed building will adversely affect the heritage values of adjacent and nearby places of cultural significance, by creating an incongruous backdrop out of scale with the present visual setting.

3. The proposal exceeds the 'deemed to comply' height, alignment, plot ratio, apparent size and building surfaces standards of clause 23.6.1A and 23.7.1 of the *Sullivans Cove Planning Scheme 1997* and in turn fails to meet the objectives of clause 23.2, in that:
 - a) It fails to conserve the traditional urban pattern of the Cove.
 - b) Its bulk and height does not reflect the natural topography of the Sullivans Cove Planning Area, the amphitheatre sloping down to the Cove and the Macquarie Street and Regatta Point Ridges.
 - c) It does not promote a respectful relationship between buildings and to buildings of identified cultural significance within a street.
 - d) The building will be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation.
 - e) The building does not facilitate the creation of 'secondary spaces' on lots in the Cove.

4. The proposal exceeds the maximum 'permitted' height standards and exceeds the standards for apparent size of clause 23.6.1A of the *Sullivans Cove Planning Scheme 1997* and does not meet the corresponding discretionary provisions of clause 23.6.2, as it will be more prominent in the streetscape than adjacent Places of Cultural Significance, by strong contrast of scale, height, colour and tone.

5. The proposal does not meet the provisions of clause 28.5 and clause 28.6 of the *Sullivans Cove Planning Scheme 1997*, as it involves the demolition of a building which (a) contributes to the urban character of the Activity Area, and (b) is capable of continued beneficial use. The proposed demolition will have a detrimental impact on the character of the Activity Area.

Delegation: Council

Item 7.1.1 was then taken

7.2.2 58 Goulburn Street - Change of Use to Residential (Communal Residence) - PLN-18-565
File Ref: F19/470

HARVEY

That the recommendation contained in the memorandum of the Manager Development Appraisal of 8 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for change of use to residential (communal residence) at 58 Goulburn Street, Hobart for the reasons outlined in the officer report of 5 December 2018 as shown in Attachment A to item 7.2.2 of the Open City Planning Committee agenda of 14 January 2019 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-18-565 - 58 GOULBURN STREET HOBART TAS 7000 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

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

This is a Permitted Planning Permit issued in accordance with section 58 of the *Land Use Planning and Approvals Act 1993*.

Delegation: Council

Supplementary item 13 was then taken.

7.2.3 1 - 5 Ryde Street, North Hobart - Partial Demolition and Alterations for Kiosk, and New Building for Coaches and Media Boxes PLN-18-738 - File Ref: F19/770

DEPUTY LORD MAYOR

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 2 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and alterations for kiosk, and new building for coaches and media boxes at 1-5 Ryde Street NORTH HOBART for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 14 January 2019 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-18-738 - 1-5 RYDE STREET NORTH HOBART TAS 7000 - 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 2018/01801-HCC dated 19 November 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s2

The walls of the north elevation of the coaches/media box must be coloured using colours with a light reflectance value not greater than 40 percent prior to the first occupation of the coaches/media box.

Revised plans or details satisfying this requirement must be submitted and approved, prior to the issue of any approval under the *Building Act 2016*.

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

Advice:

Once the revised plans 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 building design contributes positively to adjoining land in a residential zone

ENG sw2.1

The Council's stormwater infrastructure adjacent to / within the subject site must be protected from damage during the construction of the development.

Digital copies of a pre and post construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to Council:

1. Prior to issue of any consent under the *Building Act 2016* / the commencement of work, and
2. After completion of all work but prior to the issue of any Certificate of Completion.

The pre and post construction work CCTVs will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner fails to provide to the Council a pre-construction works CCTV video of the Council's

infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

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 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.

ENG sw3

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

A detailed design certified by a suitably qualified engineer must be submitted and approved prior to issue of any consent under *Building Act 2016*. The detailed design must:

1. Demonstrate how the design will ensure the protection of and provide access to the Council's stormwater main.
2. Include certification by a suitably qualified engineer (that the works do not impose any loads on the storm water main and the structure is entirely independent of the main and its trenching).
3. Demonstrate how adequate access to the main is maintained.
4. Demonstrate that no additional loads are imposed on the stormwater main.
5. Demonstrate that the structure is entirely independent of the main and its trenching.
6. Include (but not be limited to) details of cross-sections, minimum separation, adequate cover.

Prior to issue of any Certificate of Completion a suitably qualified engineer must confirm the installation of the works within two metres of Council's stormwater main is in accordance with the approved drawings

and complies 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 design.

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

As the proposal does not demonstrate the developers intention around the public stormwater infrastructure this condition is required if works are to occur over or within 2 metres of the public stormwater infrastructure. Relaxation of this condition can only be granted by the environmental engineering unit.

Reason for condition

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

ENG sw4

The development must be drained to Council infrastructure. Any new stormwater connection required must be constructed, and existing redundant connections must be sealed at the owner's expense prior to issue of a Certificate of Completion or first occupation whichever comes first.

Detailed design drawings showing both existing and proposed services must be submitted and approved, prior to issue of any consent under the Building Act 2016 / commencement of work. The detailed design drawings must include:

1. The location of the proposed connections and all existing connections;
2. The size and design of the connection(s) such that they are appropriate to safely service the development given the limited receiving capacity of Council infrastructure;

3. Long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure;
4. Clearly distinguish between public and private infrastructure; and
5. Be checked and certified by a qualified and experienced engineer.

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

Advice: Once the detailed 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 initiate an application for service connection.

Any proposed public stormwater infrastructure will require detailed engineering drawings, which must be checked and certified by a qualified and experienced civil engineer. The construction of public infrastructure will require a Permit to Construct Public Infrastructure.

Reason for condition

To ensure the site is drained adequately

ENG sw5

The new stormwater infrastructure must be constructed and any existing infrastructure made redundant prior to issue of a completion certificate or first occupation, whichever occurs first.

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

1. Be certified by a qualified and experienced engineer.
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material,

pipe class, adequate working platforms around manholes, easements and inspection openings.

3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Clearly distinguish between public and private infrastructure.
5. Be substantially in accordance with the LGAT drawings.

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

Advice: Once the engineered drawings has 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 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.

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

Site survey drawings must be submitted and approved, prior to any consent granted under the *Building Act 2016*. The Survey drawings must:

1. Be certified by a qualified and experienced surveyor.
2. Show a site plan of stormwater mains, including but not limited to, location of main and connections, surface levels, invert levels, material, pipe size, manholes, easements and inspection openings.
3. Clearly distinguish between public and private infrastructure.
4. Show all other infrastructure in the area both private and public, clearly distinguish between public and private.

All work required by this condition must be undertaken prior to the removal of existing infrastructure or approval of new infrastructure.

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

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure, and ensure the continued operation and service of the current stormwater infrastructure.

ENG s2

The cost of any alterations to the Council's or third-party infrastructure, including the site's service connection points, incurred as a result of the proposed development works must be met by the owner / developer.

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 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 reports *Preliminary Environmental Site Assessment (PSEA) Report* prepared by EM&C and dated 26 August 2018 and *Construction and Environmental Management Plan* prepared by EM&C and dated 27 November 2018 must be implemented.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

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.

SPECIAL CONNECTION PERMIT

You may need a Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. 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 Infrastructure Division to initiate the permit process).

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your [new stormwater connection](#).

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

**7.2.4 3 Erindale Place & 163 Strickland Avenue, South Hobart - Dwelling
and Associated Vegetation Clearing
PLN-18-493 - File Ref: F19/1264**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 4 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for dwelling and associated vegetation clearing at 3 Erindale Place & 163 Strickland Avenue, South Hobart for the reasons outlined in the officer's report, attached to item 7.2.4 of the Open City Planning Committee agenda of 14 January 2019 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-18-493 3 ERINDALE PLACE SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s3

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

Reason for condition

To clarify the scope of the permit.

ENG sw4

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

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

1. the location of the proposed connection; and

2. the size of the connection appropriate to satisfy the needs of the development.

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*
- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to the Council.

Advice:

- *If the development's building approval includes the need for a Building Permit from the Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application. If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the*

planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

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

Reason for condition

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

ENG 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 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 10

No native vegetation may be removed from 3 Erindale Place more than 16m from the southern edge of the dwelling, unless required for the installation of the sewer line.

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, 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.

Particular attention must be given to managing erosion and sedimentation risk when establishing the bushfire hazard management area on the adjacent Council land.

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.

OPS 2

A Bushfire Hazard Management Area (BHMA) must be established on the Council reserve Strickland Avenue no. 5, as specified in the approved Bushfire Hazard Management Plan, prior to occupancy. All

costs associated with the establishment of the BHMA will be borne by the applicant.

Upon establishment of the BHMA to the satisfaction of the Council, the Council will assume responsibility for the ongoing maintenance of the BHMA, as part of the urban firebreaks program.

Reason for condition

To ensure that the approved Bushfire Hazard Management Plan is implemented in a timely manner, and to the satisfaction of the Council, providing for the safety of inhabitants of the proposed dwelling.

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.

- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

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 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.

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.

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.

PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to a Part 5 Agreement with Hobart City Council (C935042) that requires the owner(s) to:

- Implement the approved Bushfire Management Plan in relation to the land (superseded);
- Refrain from removing any tree on the land which has a circumference of more than 400mm measured one metre above the adjacent ground level unless that tree is within three metres of the outer wall of any building on the land that is approved by the Planning Authority or removal of the tree is necessary for safety reasons as determined and approved in writing by the Planning Authority (trees proposed to be removed on plans approved);
- Ensure no habitable building development occurs below the High Terrace
- Embankment Area on the land (proposal complies); and

- Ensure that any dwelling or fence on the land is constructed in accordance with the guidelines and recommendations of the document *Minimising the Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design*.

With regard to compliance with the swift parrot collision guidelines, it is recommended that the following occurs to avoid breaching the Agreement:

- low-reflectivity glass (<10% visible light reflectivity) is used wherever possible; and
- the clear glass balustrades are treated in accordance with the guidelines (frosted, tinted, patterned etc) or substituted with an alternative balustrade design (e.g. tension wire).

Copies of the Part 5 Agreement are available from The LIST website (www.thelist.tas.gov.au) via the 'Scanned Dealings' section.

COUNCIL RESERVES

This permit does not authorise any works (other than for bushfire hazard management or stormwater connection as approved) on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. The by-law is available [here](#).

Delegation Council

Item 8.2 was then taken.

8. REPORTS

Mr Frazer Read, All Urban Planning and Ms Mary Massina, Macquarie Point Development Corporation addressed the Committee in relation to item 8.1.

8.1 Sullivans Cove Planning Scheme 1997 - Macquarie Point Site Development Plan - Proposed Amendments File Ref: F17/56953; 32-3-93

BRISCOE

That the recommendation contained in the report of the Manager Planning Policy and Heritage and the Director City Planning of 9 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

COMMITTEE RESOLUTION:

- That:
1. Pursuant to section 39G(4) of the *Macquarie Point Development Corporation Act 2012*, Council advise the Board of the Macquarie Point Development Corporation that it supports the proposed request to the Minister for State Growth and the draft amendments to the Sullivans Cove Planning Scheme 1997 as shown in Attachment B of item 8.1 of the Open City Planning Committee agenda of 14 January 2019.
 2. Council recommend to the Board that an additional amendment be included which applies standard A2/P2 in Planning Directive No 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes to visitor accommodation use.
 3. Council delegate to the General Manager the authority to give notice to the Minister under section 39H(4) of the MPDC Act that Council intends to seek representations from the public in relation to the proposed amendments.

Delegation: Council

Item 7.2.2 was then taken

**8.2 Local Government (Meeting Procedures) Regulations 2015 -
Review of Meeting Times
File Ref: F18/152771; 13-1-2**

DEPUTY LORD MAYOR

That in accordance with Regulation 6(2) of the *Local Government (Meeting Procedures) Regulations 2015*, the commencement time of 5:00 pm for ordinary meetings of the City Planning Committee be approved.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

COMMITTEE RESOLUTION:

That in accordance with Regulation 6(2) of the *Local Government (Meeting Procedures) Regulations 2015*, the commencement time of 5:00 pm for ordinary meetings of the City Planning Committee be approved.

Delegation: Committee

**8.3 City Planning Division - Revised Fees and Charges - 2018/2019
Financial Year - Development Compliance
File Ref: F19/2045; 17/41**

BRISCOE

That the recommendation contained in the memorandum of the Manager Development Compliance of 9 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis Deputy Lord Mayor Burnet Briscoe Denison Harvey	

COMMITTEE RESOLUTION:

That the Council approve the following amended fees for 2018/2019 pursuant to section 205 of the *Local Government Act 1993*:

1. Application for a building certificate – class 1 and 10 buildings - \$800 plus \$200 per hour of assessment per application.
2. Application for a building certificate – class 2 - 9 buildings - \$1200 plus \$200 per hour of assessment per application.

Delegation: Council

**8.4 City Planning - Advertising Report
File Ref: F19/1589**

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 9 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis Deputy Lord Mayor Burnet Briscoe Denison Harvey	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'City Planning – Advertising Report' of 9 January 2019 be received and noted.

Delegation: Committee

**8.5 Delegated Decisions Report (Planning)
File Ref: F19/1818**

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 9 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 9 January 2019 be received and noted.

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

**9.1 Application for Extended Hours of Licensed Premises
File Ref: F18/153112; 13-1-10**

DENISON

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Briscoe - Planning Application Advice
File Ref: 13-1-10

Question: What advice does the Council give to applicants in circumstances where their application is likely to generate many grounds of refusal under the prevailing planning scheme?

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

10.2 Councillor Harvey - 173 Macquarie Street - Planning Approval
"Green Wall"
File Ref: 13-1-10

Question: Noting that the original proposal for the Ibis Hotel at 173 Macquarie Street included a 'green wall', and that the as-built hotel doesn't include a 'green wall', are there any compliance issues and, if not, was the process documented?

Answer: The Director City Planning indicated that the applicant had applied to vary the originally approved drawings and that that process was documented.

10.3 Deputy Lord Mayor Burnet - Planning Applications Consultation and Proposed Scheme Amendment File Ref: 13-1-10

Question: Noting the recommendations of Nicola Webb made as part of her deputation earlier in the meeting regarding PLN-18-573 for 19 Lillie Street, Glebe that:

- Planning applications include a period of respectful, committee and documented consultation between developers and local residents regarding their proposal, the design and the intended use of the site; and
- That the provisions within clause E13.8.3 of the *Hobart Interim Planning Scheme 2015* that apply to subdivision within Heritage Precincts be amended to state that "...residential properties must not be subdivision other than for boundary adjustments that do not increase the development potential of lots"
what is the appropriate way for those recommendations to be considered by Council?

Answer: The Director City Planning indicated that given the nature of the recommendations they would be best dealt with through a notice of motion which the Director was happy to discuss further with the Deputy Lord Mayor.

11. CLOSED PORTION OF THE MEETING

DEPUTY LORD MAYOR

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:

- legal action taken or involving the Council

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 City Acting as Planning Authority
Item No. 5.1 Applications under the City of Hobart Planning Scheme
Item No. 5.1.1 1 Shepherd Street & 3 Shepherd Street & 3A Shepherd Street &
1/3A Shepherd Street & 2/3A Shepherd Street, Sandy Bay -
Multiple Dwellings - PLN-16-1022 - Appeal - Mediation
LG(MP)R 15(4)(a)
Item No. 6 Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

SUPPLEMENTARY ITEMS

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Nicola Webb (Representor) addressed the Committee in relation to supplementary item 12.

Mr David Button, Senior Architect Jaws Architects addressed the Committee in relation to supplementary item 12.

- 12 19 Lillie Street, Glebe and Adjoining Right Of Way - Partial Demolition, Alterations and Extension and Two Multiple Dwellings (One New, One Existing)
PLN-18-573 - File Ref: F19/3154**
-

PROCEDURAL MOTION

BRISCOE

That the item be deferred for a two week period to enable further discussions with the applicant.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

COMMITTEE RESOLUTION:

That the item be deferred for a two week period to enable further discussions with the applicant.

Attachments

A Deputation Supporting Information - Ms Nicola Webb ⇨ 

Delegation: Committee

Item 8.1 was then taken.

**13 59 Grosvenor Street & 61 Grosvenor Street & 2 Churchill Avenue, Sandy Bay - Partial Demolition, Alterations and 13 Multiple Dwellings (Two Existing, 11 New)
PLN-18-760 - File Ref: F19/2780**

DENISON

That the recommendation contained in the report of the Acting Senior Statutory Planner and the Manager Development Appraisal of 7 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and 13 multiple dwellings (two existing, 11 new) at 59 and 61 Grosvenor Street and 2 Churchill Avenue, Sandy Bay for the reasons outlined in the officer's report, attached to supplementary item 13 of the Open City Planning Committee agenda of 14 January 2019 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-18-760 59 & 61 GROSVENOR STREET AND 2 CHURCHILL AVENUE SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01934-HCC dated 04/12/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

The development (including hardstand) must be drained to a piped system. The new private stormwater connection must be constructed, and any existing connections be abandoned and sealed at the owner's expense prior to occupation.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

1. The location of the proposed connection and all existing connections to be abandoned;

2. The size and design of the connection such that it is appropriate to safely service the development;
3. Written permission for the works outside 59 and 61 Grosvenor Street; and
4. Certify that the receiving stormwater pipe has sufficient capacity.

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

Advice: The applicant is advised to submit detailed design drawings as part of the plumbing permit application in this instance as the receiving stormwater pipe which your development is proposing to connect to is actually a private stormwater main owned by University of Tasmania on University of Tasmania land. (The University of Tasmania main connects to Council's stormwater system near Sandy Bay Road and the system upstream of this point has been considered as a shared private stormwater system).

Reason for condition

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

ENG sw7

Stormwater pre- treatment for storm water discharges from the development must be installed prior to commencement of use.

The stormwater pre-treatment system must incorporate a treatment system of a size and design sufficient to achieve the stormwater quality targets in accordance with the State Stormwater Strategy 2010.

The stormwater pre-treatment system must be maintained during the life of the development.

Advice: Failure to ensure consistency between the stormwater treatment system proposed in the planning application documentation and plumbing permit application documentation may result in delays in the issue of any approval under the Building Act 2016.

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG sw8

A 3,400 litre stormwater detention system must be installed to limit stormwater discharges from the development to 14.8 L/s for a 5 minute 5% AEP storm event, prior to first occupation.

A detailed detention design must be submitted and approved by Council, prior to the issuing of any plumbing approval under the *Building Act 2016*. The design must:

1. Be prepared by a suitably qualified engineer,
2. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.
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:

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

- *Once the stormwater management report and design has been approved the Council will issue a condition endorsement.*
- *It is advised that documentation for condition endorsement is lodged well before a Building / Plumbing Permit is required, as failure to address design requirements until Building / Plumbing Permit stage may result in unexpected delays.*

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 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, prior to any approval under the *Building Act 2016* (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 advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

Advice:

- *Once the construction traffic and parking management plan 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 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 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required) with the exception of the following:

1. The blind aisle end widening for car parking space 01 to be a minimum of 700mm wide, with an aisle width of 6.0m.
2. The maximum aisle gradient within the site to be 6.5%
3. The minimum side clearance for the design envelope for 61 Grosvenor Street car parking space to be 250mm.

Advice:

- *It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*

Reason for condition

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

ENG 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with Condition ENG 3a.

Prior to the first occupation, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

- *Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement). It is noted that the certification is not to ensure structural integrity but rather to ensure compliance with AS2890.1 (and relaxations associated with Condition ENG 3a).*

Reason for condition

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

ENG 4

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

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 parking spaces approved on the site is:

1. Fourteen (14) User Class 1A car parking spaces
2. A minimum number of Class B (AS2890.3) bicycle parking spaces of six (6) [secure tenant parking]
3. A minimum number of Class C (AS2890.3) bicycle parking spaces of two (2) [visitor parking]

Prior to first occupation:

- All car 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.
- All bicycle parking spaces must be installed in accordance with AS/NZS 2890.3 2015.
- Install signage (in accordance with AS1742.11 2009 or Council approved equivalent) at the entrance to the main car parking area indicating that the parking area is for residents only;

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 2

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

A SWMP must be submitted 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.

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please

contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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 Infrastructure Division to initiate the permit process).

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.

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.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

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.

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

Item 7.2.3 was then taken.

There being no further business the open portion of the meeting closed at 7:31 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF JANUARY 2019.

CHAIRMAN
