



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 25 February 2019 at 5:00 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

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City Planning Committee Meeting (Open Portion) held on Monday, 25 February 2019 at 5:00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

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

The Lord Mayor arrived at the meeting at 5:58 pm during the discussion of item 7.2.3 and retired from the meeting at 7:09 pm.

Councillor Dutta left the meeting at 7:25 pm and returned at 7:29 pm.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Tuesday, 12 February 2019](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

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?

No items were transferred.

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.

HARVEY

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

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

Ms Christine Neely and Mr Simon Yates (Representors) addressed the Committee in relation to item 7.1.1.

Mr Paul Davies of Paul Davies Pty Ltd addressed the Committee in relation to item 7.1.1 on behalf of the Applicant.

7.1.1 106 Salamanca Place, Battery Point - Partial Demolition, Alterations and Multiple Dwelling - PLN-17-1041 File Ref: F19/19021

DENISON

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for partial demolition, alterations and multiple dwelling at 106 Salamanca Place, Battery Point as the proposal does not adversely affect the heritage values or the cultural significance of the listed place, its setting or the wider group of cottages in which it stands 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-17-1041 - 106 SALAMANCA PLACE, BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5505 dated 20 August 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw6

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice: For 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.

HER 17

The palette of exterior colours must reflect the palette of materials within the local streetscape and precinct.

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

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

Advice: While a recessive external cladding colour is supported, it is recommended that that colour be a shade of grey rather than black.

Reason for condition

To ensure that development at a (select relevant) heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's website for further information.

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

CONDITION ENDORSEMENT PLANNING

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 portal.

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.

STRATA AMENDMENT

You will be required to amend the strata plan pursuant to the provisions of section 19A of the *Strata Titles Act 1998* in order to reflect the completed development works. Click here for more information.

The proposed development may require the approval of the Strata Body Corporate in accordance with section 6. Appearance of Lots of the Strata Change of By-Laws that apply to Strata Corporation No. 59694.

NOISE REGULATIONS

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's 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.](#)

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|-------------------------------|-------------------------------------|
| Denison Harvey Behrakis | Deputy Lord Mayor Burnet Briscoe |

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for partial demolition, alterations and multiple dwelling at 106 Salamanca Place, Battery Point as the proposal does not adversely affect the heritage values or the cultural significance of the listed place, its setting or the wider group of cottages in which it stands 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-17-1041 - 106 SALAMANCA PLACE, BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5505 dated 20 August 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw6

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice: For 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.

HER 17

The palette of exterior colours must reflect the palette of materials within the local streetscape and precinct.

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

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

Advice: While a recessive external cladding colour is supported, it is recommended that that colour be a shade of grey rather than black.

Reason for condition

To ensure that development at a (select relevant) heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's website for further information.

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

CONDITION ENDORSEMENT PLANNING

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 portal.

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.

STRATA AMENDMENT

You will be required to amend the strata plan pursuant to the provisions of section 19A of the *Strata Titles Act 1998* in order to reflect the completed development works. Click here for more information.

The proposed development may require the approval of the Strata Body Corporate in accordance with section 6. Appearance of Lots of the Strata Change of By-Laws that apply to Strata Corporation No. 59694.

NOISE REGULATIONS

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's 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.](#)

Attachments

- A. PLN-17-1041 - 106 SALAMANCA PLACE BATTERY POINT TAS 7004 - Planning Committee or Delegated Report - Attachment A ⇒ 
- B. PLN-17-1041 - 106 SALAMANCA PLACE BATTERY POINT TAS 7004 - Planning Referral Officer Cultural Heritage Report - Attachment C ⇒ 

Delegation: Council

Item 7.2.2 was then taken.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 29 Lochner Street West Hobart and Adjoining Right Of Way - Partial Demolition, Alterations and Extension PLN-18-834 - File Ref: F19/18910

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 12 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension at 29 Lochner Street WEST HOBART and adjoining right of way for the reasons outlined in the officer's report attached to item 7.2.1 of the Open City Planning Committee agenda of 25 February 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-18-834 - 29 LOCHNER STREET WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

The turning area must achieve a minimum dimension as shown on plan A03.

Reason for condition

To ensure that the development meets the minimum requirement under the Parking and Access Code of the *Hobart Interim Planning Scheme 2015*.

ENG sw1

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

Reason for condition

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

ENG sw4

If a new stormwater connection is required for draining stormwater from the right of way, this connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

If a new stormwater connection is required for draining stormwater from the right of way, 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 4

The access driveway within the property boundary, the vehicle turning area within the right of way, and parking spaces approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice:

For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles (e.g. residential zones). 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.

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.

DIAL BEFORE YOU DIG

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

Delegation: Council

Item 8.2 was then taken.

Ms Janeane Ingram (Representor) addressed the Committee in relation to item 7.2.2.

7.2.2 12 Washington Street, South Hobart - Partial Demolition, Alterations and Extension PLN-18-804 - File Ref: F19/18961

PROCEDURAL MOTION

HARVEY

That the item be deferred to a subsequent City Planning Committee meeting to enable the Applicant the opportunity to provide further information to the Representor with the intent of seeking a satisfactory resolution in regards to the Representors concerns.

PROCEDURAL MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

That the item be deferred to a subsequent City Planning Committee meeting to enable the Applicant the opportunity to provide further information to the Representor with the intent of seeking a satisfactory resolution in regards to the Representors concerns.

Delegation: Committee

Ms Gabi Mocatta (Representor) addressed the Committee in relation to item 7.2.3.

Mr Peter Kopra (Applicant) addressed the Committee in relation to item 7.2.3.

**7.2.3 58-60 Hall Street, Ridgeway - Dwelling
PLN-18-779 - File Ref: F19/19752**

DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 19 February 2019, be adopted, as amended by the insertion of the words *to the satisfaction of the City of Hobart's Director City Growth* after the word *requirement* in the second paragraph to Clause PLN 17.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for dwelling at 58-60 HALL STREET RIDGEWAY TAS 7054 for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 25 February 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-18-779 - 58-60 HALL STREET RIDGEWAY TAS 7054 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's water course via the private easement over 60 Hall Street prior to first occupation or commencement of use (whichever occurs first).

Reason for condition

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

ENG 3a

The access, driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 prior to first occupation.

Reason for condition

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

ENG 11

Prior to the first occupation, the proposed crossover to the Hall Street highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Rural – TSD-R04-v1 – Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access.
2. Or a Council City Infrastructure Division approved alternate design.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *Please note that the first six (6) metres of the access will be required to be sealed in accordance with TSD-R03-v1*
- *You will require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

Reason for condition

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

ENG 1

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

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

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

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

provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice:

For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

PLN 17

The palette of exterior colours and materials must be coloured using colours with a light reflectance value not greater than 40 percent.

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

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

Reason for condition

To ensure that the location and appearance of buildings and works minimises adverse impact on the landscape.

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 PLANNING

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

An application and approval for a Plumbing Permit is required prior to the commencement of building works of the proposed dwelling. This application must be accompanied with the site & soil evaluation report titled Geo-Environmental Assessment 58 Hall Street Ridgeway November 2017.

A Plumbing Permit application form and further information regarding Plumbing Permits can be located on Council's [website](#).

OCCUPATION OF THE PUBLIC HIGHWAY

As you are constructing a new driveway access on the Highway Reservation, you will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

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.

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](#).

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

8. REPORTS

Mr Brian Corr – President of Hobart Not Highrise Inc addressed the Committee in relation to item 8.1.

**8.1 Central Hobart Building Height Standards Review Project -
Environmental, Economic and Social Impact Assessment - Project
Brief
File Ref: F19/17273; 17/167**

PROCEDURAL MOTION

DENISON

- That:
1. The item be deferred for Officers to investigate and provide further information in relation to widening the scope currently being captured by the Project Brief; and
 2. A Council Workshop to be convened at an appropriate time thereafter for Officers to provide the Elected Members with the outcomes.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES

Denison
Behrakis

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey

HARVEY

- That: 1. The Council not proceed with the project brief for an assessment of the potential environmental, social and economic impacts of applying various building height standards in central Hobart, provided in Attachment A to item 8.1 of the Open City Planning Committee agenda of 25 February 2019.
2. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate the amendments provided in Attachment B to item 8.2 of the Open City Planning Committee agenda of 10 December 2018 to the *Hobart Interim Planning Scheme 2015* and the *Sullivans Cove Planning Scheme 1997*.
3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instruments of Certification (Attachment I to item 8.2 of the Open City Planning Committee agenda of 10 December 2018).
4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* on public exhibition for a 28 day period following certification.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|----------|
| Deputy Lord Mayor Burnet | Denison |
| Briscoe | Behrakis |
| Harvey | |

COMMITTEE RESOLUTION:

- That: 1. The Council not proceed with the project brief for an assessment of the potential environmental, social and economic impacts of applying various building height standards in central Hobart, provided in Attachment A to item 8.1 of the Open City Planning Committee agenda of 25 February 2019.

2. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate the amendments provided in Attachment B to item 8.2 of the Open City Planning Committee agenda of 10 December 2018 to the *Hobart Interim Planning Scheme 2015* and the *Sullivans Cove Planning Scheme 1997*.
3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instruments of Certification (Attachment I to item 8.2 of the Open City Planning Committee agenda of 10 December 2018).
4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* on public exhibition for a 28 day period following certification.

Delegation: Council

HARVEY

That item 11 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

Item 11 was then taken.

**8.2 Review of Planning Directive No. 1 (Bushfire-Prone Areas Code)
and the Building Regulations 2016 for Bushfire-Prone Areas
File Ref: F19/17550; 15/97**

HARVEY

That the recommendation contained in the report of the Environment Development Planner and the Manager Planning Policy and Heritage of 20 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

- That:
1. Council officers continue to monitor compliance with the bushfire-prone area regulations of the *Building Regulations 2016* and the vegetation clearing requirements of the *Hobart Interim Planning Scheme 2015*;
 2. Regular audits of building application compliance continue, but with a focus on developments that were not subject to the planning approvals process;
 3. Detected instances of significant errors or non-compliance be referred to the Tasmania Fire Service (including those detected as part of the latest audit); and
 4. The Tasmania Fire Service be provided with a copy of the report marked as item 8.2 of the Open City Planning Committee agenda of 25 February 2019 for their information.

Delegation: Council

8.3 City Planning - Advertising List
File Ref: F19/18390

BRISCOE

That the recommendation contained in the memorandum of the Director City Growth of 20 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'City Planning – Advertising List' of 20 February 2019 be received and noted.

Delegation: Committee

8.4 Delegated Decisions Report (Planning)
File Ref: F19/18972

BRISCOE

That the recommendation contained in the memorandum of the Director City Growth of 20 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 20 February 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 Upgrade to the Molle and Collins Street Intersection **File Ref: F18/146198; 13-1-10**

Memorandum of the Director City Growth of 20 February 2019.

9.2 Welfare Institutions **File Ref: F19/12583; 13-1-10**

Memorandum of the Director City Growth of 20 February 2019.

BEHRAKIS

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Denison - Development Character Description **File Ref: 13-1-10**

Question: Is there a way that communities which exhibit clear and consistent themes in their development, could choose to prepare a "development character description" to assist new developments which voluntarily wish to maintain the values of the community's character?

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

11. CLOSED PORTION OF THE MEETING

HARVEY

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

- Matters relating to actual or possible litigation taken, or to be taken by or involving the council or an employee of 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 | Questions Without Notice |

Supplementary Item

- | | |
|------------|--|
| Item No. 5 | 58 Goulburn Street - Change of Use to Residential (Communal Residence) - PLN-18-565 - Appeal LG(MP)R 15(4)(a) |
|------------|--|

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Denison | |
| Harvey | |
| Behrakis | |

Delegation: Committee

The Chairman adjourned the meeting at 7:09 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 7:21 pm.

Item 7.2.1 was then taken.

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

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
12TH DAY OF MARCH 2019.

CHAIRMAN