



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Tuesday, 12 March 2019 at 5:00 pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Tuesday, 12 March 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 and T M Denison,
Councillor W F Harvey and
Alderman S Behrakis.

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 [Monday, 25 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.

BRISCOE

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

Dr Shane Dorney and Mr Leon Doyle (Representors) addressed the Committee in relation to item 7.1.1.

Mr Cam Brett – Director of Sullivans Cove Apartments addressed the Committee in relation to item 7.1.1 on behalf of the Applicant.

7.1.1 37/1 Collins Street, Hobart - Change of Use to Visitor Accommodation PLN-19-30 - File Ref: F19/25862

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 28 February 2019, be adopted, with the following amendments:

1. Condition PLN s1 to be substituted with the following:

“Prior to the commencement of the approved use, whoever acts on this permit must provide to the Council a management plan for the operation of the visitor accommodation. The management plan must be to the satisfaction of the Council's Director City Growth and must contain measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. The management plan and its measures must include, but are not limited to, the following:

 - a) to limit, manage, and mitigate noise generated as a result of the visitor accommodation;
 - b) to limit, manage, and mitigate behavioural issues caused as a result of the visitor accommodation;

- c) to maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities;
- d) to specify that the maximum permitted occupancy of the visitor accommodation is 5 people;
- e) to specify that guests using the visitor accommodation must not use the site's common areas (with the exception of those that provide access to the subject unit), including the pool or gymnasium;
- f) a copy of the management agreement between the property owner and the agency managing the visitor accommodation (currently Sullivan's Cove Apartments);
- g) details of how rubbish and recycling associated with the visitor accommodation is managed to avoid impacting the amenity of long term residents;
- h) a contact phone number providing 24 hour a day phone access to the manager of the visitor accommodation.

Once accepted by the Council, the management plan:

- i) must be circulated by the property owner to the site's Body Corporate and all residents of Building B, 37 Collins Street;
- ii) must be implemented prior to the commencement of the approved use; and
- iii) must be maintained for as long as the visitor accommodation is in operation.

Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity."

2. The deletion of the following advice clause:

"PLANNING

Whoever acts upon this permit should provide a contact telephone number for the manager of the visitor accommodation to the body corporate of the building within which it would be located. It is recommended that the operator of the visitor accommodation liaise with the body corporate regarding improving signage and line marking in the shared garage that would be used by guests."

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Denison
Behrakis

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for a change of use to visitor accommodation at 37/1 Collins Street, Hobart for the reasons outlined in the officer's report, attached to item 7.1.1 of the Open City Planning Committee agenda of 12 March 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 PLN1930 371 COLLINS STREET HOBART TAS 7000 Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

Prior to the commencement of the approved use, whoever acts on this permit must provide to the Council a management plan for the operation of the visitor accommodation. The management plan must be to the satisfaction of the Council's Director City Growth and must contain measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. The management plan and its measures must include, but are not limited to, the following:

- a) to limit, manage, and mitigate noise generated as a result of the visitor accommodation;
- b) to limit, manage, and mitigate behavioural issues caused as a result of the visitor accommodation;
- c) to maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities;
- d) to specify that the maximum permitted occupancy of the visitor accommodation is 5 people;

- e) to specify that guests using the visitor accommodation must not use the site's common areas (with the exception of those that provide access to the subject unit), including the pool or gymnasium;
- f) a copy of the management agreement between the property owner and the agency managing the visitor accommodation (currently Sullivan's Cove Apartments);
- g) details of how rubbish and recycling associated with the visitor accommodation is managed to avoid impacting the amenity of long term residents;
- h) a contact phone number providing 24 hour a day phone access to the manager of the visitor accommodation.

Once accepted by the Council, the management plan:

- i) must be circulated by the property owner to the site's Body Corporate and all residents of Building B, 37 Collins Street;
- ii) must be implemented prior to the commencement of the approved use; and
- iii) must be maintained for as long as the visitor accommodation is in operation.

Reason for condition

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

ADVICE

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

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

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#). In all cases, check with your insurance company that you have adequate cover.

Delegation: Council

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Kellie Martin (Representor) addressed the Committee in relation to item 7.2.1.

Mr Alex Hill – Principal of Oramatis addressed the Committee in relation to item 7.2.1.

7.2.1 241 New Town Road, New Town - Partial Demolition and Two Multiple Dwellings (One Existing, One New) - PLN-18-465 File Ref: F19/23349

HARVEY

That the recommendation contained in the memorandum of the Manager Development Appraisal of 5 March 2019, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Harvey	Briscoe Denison Behrakis

DENISON

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and two multiple dwellings (one existing, one new) at 241 New Town Road, New Town for the reason that the proposal does not result in detriment to the historic cultural heritage significance of Heritage Precinct New Town 1 as listed in Table E13.2, 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-18-465 - 241 NEW TOWN ROAD NEW TOWN TAS 7008 – Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01186-HCC dated 24/07/2018 as attached to the permit.

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 stormwater infrastructure prior to first occupation.

Reason for condition

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

ENG sw2.1

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

Digital copies of a pre-construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to Council prior to issue of any consent under the *Building Act 2016*.

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: 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 sw2.2

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

Digital copies of a post-construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to the Council 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: 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 sw4

The development must be drained to the Council's stormwater infrastructure taking into account the limited receiving capacity of Council's infrastructure. Any new stormwater connection(s) required must be constructed, 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 and calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The detailed design drawings must:

1. Be certified by a qualified and experienced engineer.
2. Include the location of the proposed connections and all existing connections.
3. Clearly delineate the separation of services from the new dwelling and existing.
4. Include 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.
5. Include long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure.
6. Clearly distinguish between public and private infrastructure.

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).*
- *Once approved the applicant will still need to submit an [application for a new stormwater connection](#) with Council City Infrastructure Division.*

Reason for condition

To ensure the site is drained adequately

ENG sw8

Stormwater detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion or first occupancy, whichever comes first.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The stormwater management report and design must be prepared by a suitably qualified engineer and include:

1. Detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events. All assumptions must be clearly stated.
2. Design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.
3. Clarification of the emptying times and outlet size.
4. A Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

- *Once the stormwater management report and design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *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 the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG 3a

The parking module (parking spaces 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), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

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 4

The parking module (car parking spaces 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 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.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). 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](#).

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.

WORKS INVOLVING, OR IN PROXIMITY OF EXISTING DRAINS

The plans show that part of the deck at the rear of the proposed new dwelling is located within 1 metre of Council's stormwater main that runs through 241 New Town Road.

Section 73 of the Building Act 2016 requires that a person must not perform any building work over an existing drain or within one metre from the edge of an existing drain measured horizontally, unless the owner of the building obtains written consent from the general manager of the council for the municipal area where the work is performed.

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

Briscoe
Denison
Behrakis

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and two multiple dwellings (one existing, one new) at 241 New Town Road, New Town for the reason that the proposal does not result in detriment to the historic cultural heritage significance of Heritage Precinct New Town 1 as listed in Table E13.2, 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-18-465 - 241 NEW TOWN ROAD NEW TOWN TAS 7008 – Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01186-HCC dated 24/07/2018 as attached to the permit.

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 stormwater infrastructure prior to first occupation.

Reason for condition

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

ENG sw2.1

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

Digital copies of a pre-construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to Council prior to issue of any consent under the *Building Act 2016*.

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: 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 sw2.2

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

Digital copies of a post-construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to the Council 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: 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 sw4

The development must be drained to the Council's stormwater infrastructure taking into account the limited receiving capacity of Council's infrastructure. Any new stormwater connection(s) required must be constructed, 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 and calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The detailed design drawings must:

1. Be certified by a qualified and experienced engineer.
2. Include the location of the proposed connections and all existing connections.
3. Clearly delineate the separation of services from the new dwelling and existing.
4. Include 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.
5. Include long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure.
6. Clearly distinguish between public and private infrastructure.

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).*
- *Once approved the applicant will still need to submit an [application for a new stormwater connection](#) with Council City Infrastructure Division.*

Reason for condition

To ensure the site is drained adequately

ENG sw8

Stormwater detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion or first occupancy, whichever comes first.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The stormwater management report and design must be prepared by a suitably qualified engineer and include:

1. Detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events. All assumptions must be clearly stated.
2. Design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.
3. Clarification of the emptying times and outlet size.
4. A Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

- *Once the stormwater management report and design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *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 the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG 3a

The parking module (parking spaces 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), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

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 4

The parking module (car parking spaces 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 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.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). 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](#).

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.

WORKS INVOLVING, OR IN PROXIMITY OF EXISTING DRAINS

The plans show that part of the deck at the rear of the proposed new dwelling is located within 1 metre of Council's stormwater main that runs through 241 New Town Road.

Section 73 of the Building Act 2016 requires that a person must not perform any building work over an existing drain or within one metre from the edge of an existing drain measured horizontally, unless the owner of the building obtains written consent from the general manager of the council for the municipal area where the work is performed.

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

Ms Janet Henderson, Ms Diana Michalek, Mr Scott Christensen, Mr Shaun Brooks and Ms Dawn Brosnan (Representors) addressed the Committee in relation to item 7.2.2.

Mr Tim Cox – Director of Leary & Cox Pty Ltd addressed the Committee in relation to item 7.2.2 on behalf of the Applicant.

7.2.2 269, 270A, 300 and 306A Lenah Valley Road Lenah Valley and Adjacent Road Reserve - Subdivision (21 Lots) and Associated Works
PLN-18-82 - File Ref: F19/26934

PROCEDURAL MOTION

BRISCOE

That the item be deferred to a subsequent City Planning Committee meeting to allow time for a conciliation session to be convened between the Applicant and Representors to see if a satisfactory solution can be reached in relation to the concerns raised by the Representors.

PROCEDURAL MOTION CARRIED




VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Denison
Briscoe	
Harvey	
Behrakis	

COMMITTEE RESOLUTION:

That the item be deferred to a subsequent City Planning Committee meeting to allow time for a conciliation session to be convened between the Applicant and Representors to see if a satisfactory solution can be reached in relation to the concerns raised by the Representors.

Attachments

- A Deputation Documentation - Ms Diana Michalek ⇨ 
- B Deputation Documentation - Ms Dawn Brosnan ⇨ 
- C Deputation Documentation - Mr Scott Christensen ⇨ 

Delegation: Committee

BRISCOE

That the meeting be adjourned for a comfort break.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

The meeting was then adjourned for a comfort break.

8. REPORTS

8.1 Monthly Building Statistics - 1 February 2019 - 28 February 2019 File Ref: F19/25241

HARVEY

That the recommendation contained in the report of the Director City Growth of 5 March 2019, be adopted, as amended by the addition of the following clause to read as follows:

“C. A media release be issued at the appropriate time.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

COMMITTEE RESOLUTION:

That the information be received and noted.

The Director City Growth reports:

- A. 1. During the period 1 February 2019 to 28 February 2019, 50 permits were issued to the value of \$64,030,867 which included:

- (i) 22 for Extensions/Alterations to Dwellings to the value of \$4,192,867;
 - (ii) 10 New Dwellings to the value of \$4,064,500; and
 - (iii) 4 Major Projects:
 - (a) 34 Davey Street, Hobart - Commercial Extension (Parliament Square) - \$46,300,000;
 - (b) 2 Churchill Avenue, Sandy Bay - New Commercial Building (University of Tasmania, Base Building Only) - \$4,000,000;
 - (c) 42 Argyle Street, Hobart - Commercial Internal Alterations (New Lift), \$1,600,000;
 - (d) 11 Franklin Wharf, Hobart - Commercial Internal Alterations (Night Club), \$1,500,000.
2. During the period 1 February 2018 to 28 February 2018, 47 permits were issued to the value of \$10,618,406 which included:
- (i) 27 Extensions/Alterations to Dwellings to the value of \$2,990,410
 - (ii) 14 New Dwellings to the value of \$2,675,210; and
 - (iii) 1 Major Projects:
 - (a) 48 Liverpool Street (RHH), Hobart - Commercial Internal Alterations (ICU Ceiling Replacement) - \$1,137,560.
- B. 1. In the twelve months ending 28 February 2019, 657 permits were issued to the value of \$541,936,072; and
2. In the twelve months ending 28 February 2018, 707 permits were issued to the value of \$325,255,055.
- C. A media release be issued at the appropriate time.

Delegation: Council

8.2 City Planning Advertising Report
File Ref: F19/25037

HARVEY

That the recommendation contained in the memorandum of the Director City Growth of 5 March 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 Report' of 5 March 2019 be received and noted.

Delegation: Committee

8.3 Delegated Decisions Report (Planning)
File Ref: F19/25114

BRISCOE

That the recommendation contained in the memorandum of the Director City Growth of 5 March 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 5 March 2019 be received and noted.

Delegation: Committee

9. COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report **File Ref: F19/25857**

HARVEY

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 Briscoe - Land Zoning Change **File Ref: 13-1-10**

Question: Could the Director please advise when the land zoning at 269, 270A, 300 and 306A Lenah Valley Road Lenah Valley changed from rural to residential and was this re-zoning considered by the Council?

Answer: The Director City Growth advised that the zoning change was considered and approved by the Council in January 2014.

10.2 Alderman Briscoe - Value of Land
File Ref: 13-1-10

Question: Could the Director please advise if when re-zoning occurs as in the case of 269, 270A, 300 and 306A Lenah Valley Road Lenah Valley from rural to residential and the value of the land increases, does the Council capture the new value of the land?

Answer: The Director City Growth advised that the new value of the land due to re-zoning is not being captured by the Council at this point in time.

10.3 Deputy Lord Mayor Burnet - Significant Trees on Private Land
File Ref: 13-1-10

Question: If a street tree is on private land and deemed as significant, and the allotted area is then developed into a sub-division consisting of private and public land, could the Director advise if there is any impost on the developer?

Answer: The Director advised that it would depend if the tree was declared a significant tree under the relevant planning scheme. If it was declared a significant tree under the planning scheme then removing the tree would require prior Council consent and public notification. If the tree was not formally recognised under the planning scheme then there may not be any impost for the developer to retain it.

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:

- Legal action involving the Council.

The following items were discussed:-

- | | |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Committee Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Questions Without Notice |

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

The Chairman adjourned the meeting at 7:31 pm for a comfort break.

The meeting reconvened at 7:37 pm.

Item 8.1 was then taken.

There being no further business the open portion of the meeting closed at 7:45 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
25TH DAY OF MARCH 2019.

CHAIRMAN