



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 13 May 2019 at 5:00 pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 13 May 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 and Councillor M Dutta.

Alderman Behrakis left the meeting at  
5:26pm after declaring an interest in item  
7.1.3, returning at 5:58pm.

Councillor Dutta was co-opted to the  
Committee for item 7.1.3.

**APOLOGIES:** Nil.

**LEAVE OF ABSENCE:** Nil.

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

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No Elected Members were co-opted to the Committee.

**2. CONFIRMATION OF MINUTES**

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BEHRAKIS

The minutes of the Open Portion of the City Planning Committee meeting held  
on [Monday, 29 April 2019](#) and the Special City Planning Committee meeting  
held on [Monday, 6 May 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.

BRISCOE

That item 2 be recommitted for determination.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey  
Behrakis

BRISCOE

That the minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 29 April 2019](#) and the Special City Planning Committee meeting held on [Monday, 6 May 2019](#), be confirmed as an accurate record save for amending the voting record of item 8.1 of the Open City Planning Committee Meeting minutes of 29 April 2019 to reflect that Alderman Denison voted against the motion.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey  
Behrakis

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

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

#### **Recommendation**

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

No supplementary items were received.

#### **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

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.

The following interest was indicated:

1. Alderman Behrakis - item 7.1.3.

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

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

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

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

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

No items were transferred.

#### **6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS**

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In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

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**

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

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

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

Item 7.1.2 was then taken.

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

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#### **7.1.1 8 Flint Avenue, New Town - Carport PLN-19-167 - File Ref: F19/52290**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 1 May 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 refuse the application for Carport at 8 Flint Avenue, New Town, Tas, 7008 for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the setback of the carport does not have regard to streetscape qualities or assist the integration of the carport into the streetscape;
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.2 A2 and P2 of the *Hobart Interim Planning Scheme 2015* because the setback of the carport does not provide separation from the frontage that complements or enhances the existing streetscape; and
3. The proposal does not meet the acceptable solution or the performance criteria with respect to clause 13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed carport, by reason of its location forward of the front building line, would have a detrimental impact upon those features which contribute to the historic cultural significance of the Flint Avenue Heritage Precinct (NT12) as set out in table E.13.2.

**Delegation: Council**

Item 8.1 was then taken.

Mr Ben van der Veer (Representor) addressed the Committee in relation to item 7.1.2.

Mr George Walker of 6ty° Pty Ltd (Applicant) addressed the Committee in relation to item 7.1.2 via telephone conferencing.

**7.1.2 209-213 and 215-217 Harrington Street, Hobart and Adjacent Road Reserve - Demolition and New Building for 39 Multiple Dwellings, Food Services and General Retail and Hire  
PLN-18-770 - File Ref: F19/53211**

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BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 6 May 2019, be adopted, as amended by the following:

PLN s1

Internal access must be provided between the two retail tenancies and the ground floor garbage area prior to the commencement of use, and must be maintained for the life of the building.



Reason for condition

To avoid the operators of the retail tenancies using public footpaths and streets to access the ground floor garbage area

PLN s2

The palette of exterior colours and materials must reflect those within the local streetscape to the satisfaction of the Council's Director City Planning.

Prior to the issue of any approval under the *Building Act 2016* (excluding demolition), plans showing exterior colours and materials in accordance with the above requirement must be submitted and approved.

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

Reason for condition

To ensure that the development is undertaken in a manner that is sympathetic with the local streetscape.

PLN s3

The outdoor area at first floor level adjacent to the rear (northwestern) boundary of 81-83 Patrick Street must be landscaped to the satisfaction of the Council's Director City Planning prior to the commencement of the residential use of the building.

A landscaping plan must be submitted and approved by the Council's Director City Planning prior to the issue of any building permit (excluding demolition). The landscaping plan must:

1. show the species and location of proposed trees and shrubs, and other structures, finishes, and the like for the outdoor area.

All work required by this condition must be undertaken in accordance with the approved landscaping plan and maintained by the building owners for the life of the building.

*Advice:*

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To provide landscaping on an area of the building with an unspecified use.

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 demolition and new building for 39 Multiple Dwellings, food services and general retail and hire at 209-217 Harrington Street, HOBART and adjacent road reserve for the reasons outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 13 May 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-18-770 209-217 HARRINGTON STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01768-HCC dated 14/12/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

Internal access must be provided between the two retail tenancies and the ground floor garbage area prior to the commencement of use, and must be maintained for the life of the building.

Reason for condition

To avoid the operators of the retail tenancies using public footpaths and streets to access the ground floor garbage area

PLN s2

The palette of exterior colours and materials must reflect those within the local streetscape to the satisfaction of the Council's Director City Planning.

Prior to the issue of any approval under the *Building Act 2016* (excluding demolition), plans showing exterior colours and materials in accordance with the above requirement must be submitted and approved.

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

Reason for condition

To ensure that the development is undertaken in a manner that is sympathetic with the local streetscape.

PLN s3

The outdoor area at first floor level adjacent to the rear (northwestern) boundary of 81-83 Patrick Street must be landscaped to the satisfaction of the Council's Director City Planning prior to the commencement of the residential use of the building.

A landscaping plan must be submitted and approved by the Council's Director City Planning prior to the issue of any building permit (excluding demolition). The landscaping plan must:

1. show the species and location of proposed trees and shrubs, and other

structures, finishes, and the like for the outdoor area.

All work required by this condition must be undertaken in accordance with the approved landscaping plan and maintained by the building owners for the life of the building.

*Advice:*

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To provide landscaping on an area of the building with an unspecified use

ENG 12

A construction waste management plan must be implemented throughout construction.

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

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

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

*Advice:*

- *Once the construction waste management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *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.*
- *It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).*

Reason for condition

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

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, gully drains, retaining wall gully 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

The development must be drained to Council infrastructure taking into account the limited receiving capacity of Council's infrastructure. Any new stormwater connection(s) required must be constructed, and existing redundant connections must be sealed, by the Council at the owner's expense prior to issue of a Certificate of Completion / first occupation/ sealing of the final plan, 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 be checked and certified by a qualified and experienced engineer and include:

1. The location of the proposed connections and all existing connections;
2. The size and design of the connection(s) such that they are appropriate to safely service the development given the limited receiving capacity of Council infrastructure (e.g backflow prevention, temporary stormwater storage, overflows);
3. Long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure; and
4. A clear distinction 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).*
- *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.*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to initiate an application for service connection.*

Reason for condition

To ensure the site is drained adequately.

ENG sw7

Stormwater pre- treatment from the development car park must be installed prior to issue of a certificate of completion or first occupancy.

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:

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

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

*Advice:*

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

OR

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:

1. Be prepared by a suitably qualified engineer; and
2. Include detailed design of the car park area draining to sewer, including approval from Taswater.

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).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for condition

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

#### 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 16 l/s for a worst case 5% AEP storm event. All assumptions must be clearly stated;
2. Design drawings of the detention tank showing the layout, the inlet and outlet (including long section), and the overflow mechanism;
3. Clarification of the emptying times and outlet size;
4. A supporting maintenance plan; and
5. A Stormwater Management Summary Plan that outlines the obligation for future property owners to stormwater management.

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).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG 13

An ongoing waste management plan for all commercial and domestic waste and recycling must be implemented post construction.

A waste management plan must be submitted and approved, prior to commencement of work on the site. The waste management plan must include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.

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

*Advice:*

- *Once the waste management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building*

*approval may result in unexpected delays.*

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition).

The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person;
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
3. Include a start date and finish dates of various stages of works;
4. Include times that trucks and other traffic associated with the works will be allowed to operate; and
5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

*Advice:*

- *Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

- *A separate construction traffic and parking management plan may be submitted for each stage of the proposed development (i.e. demolition, excavation, construction).*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 3a

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

Reason for condition

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

ENG 3b

The access driveway and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;
3. Demonstrate safe and efficient access, and use, where the design deviates from AS/NZS2890.1:2004;
4. Show all class 1A car parking spaces;
5. Show the locations of all structural columns and obstruction with regard to car parking spaces and provide clearance in accordance with Figure 5.2 of AS/NZS 2890.1:2004;

6. Show all bicycle parking spaces; and
7. Show dimensions, levels, gradients & transitions, and other details as Council deem necessary to satisfy the above requirement.

*Advice:*

- *A minimum of one (1) bicycle parking space must be provided that is accessible to the customers and a minimum of three (3) bicycle spaces must be provided that is accessible for employees of the commercial use component of the development.*
- *The maximum number of bicycle parking spaces should be provided to offset the deficiency in car parking spaces. Bicycle parking spaces accessible by visitors of the residential component of the development should be provided and may be located in areas such as lobby and/or entrance alcoves, however should not create a hazard for pedestrians or obstruct pedestrian access. Bicycle parking spaces for residents for the residential component of the development should be provided and may be located in any available spaces accessible by residents such as the on-site car park, however should not impact on any of the car parking spaces. All areas that can practically provide for bicycle parking spaces are to be utilised and clearly shown on the design.*
- *All bicycle parking spaces are to be fully contained within the property boundaries of the subject site and not to encroach on to the highway reservation. A statement should also be provided describing the amount and location of the bicycle parking spaces to be provided.*
  
- *There is no requirement to provide an on-site carparking space for people with disabilities for the residential use component of the development. The on-site car park will only be able to provide car parking for the residents and there will be no on-site car parking for customers or employees of the commercial component of the development. There is no on-site car parking for customers or employees of the commercial component of the development and therefore no requirement to provide an on-site car parking space for*

*people with disabilities for the commercial component of the development. The car parking space for people with disabilities may be removed to accommodate the minimum number of class 1A car parking spaces to be provided.*

- *Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

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

*Advice:*

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

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and

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

Reason for condition

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

ENG 5

The minimum number of class 1A car parking spaces to be provided on the site for the residential use component of the development is thirty nine (39), unless approved otherwise by Council. All car parking spaces must be in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design.

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1:2004, prior to first occupation.

*Advice:*

- *There is no requirement to provide an on-site car parking space for people with disabilities for the residential use component of the development. The on-site car park will only be able to provide car parking for residents and there will be no on-site car parking for customers or employees of the commercial component of the development. There is no on-site car parking for customers or employees of the commercial component of the development and therefore no requirement to provide an on-site car parking space for people with disabilities for the commercial component of the development. The car parking space for people with disabilities may be removed to accommodate the minimum number of class 1A car parking spaces to be provided.*

Reason for condition

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

ENG 6

The minimum number of bicycle parking spaces to be provided on the site for the commercial use (general retail and hire, and food services) component of the development is four (4), unless approved otherwise by Council. A minimum of one (1) bicycle parking space must be accessible to the customers and a minimum of three (3) bicycle spaces must be accessible for employees of the commercial use component of the development.

All bicycle parking spaces must be in accordance with Australian Standards AS 2890.3: 2015 or a Council approved alternate design and provided prior to commencement of use.

*Advice:*

- *The maximum number of bicycle parking spaces should be provided on site to offset the deficiency in car parking spaces. Bicycle parking spaces accessible by visitors of the residential component of the development should be provided and may be located in areas such as lobby and/or entrance alcoves, however should not create a hazard for pedestrians or obstruct pedestrian access. Bicycle parking spaces for residents of the residential component of the development should be provided and may be located in any available spaces accessible by residents such as the on-site car park, however should not impact on any of the car parking spaces. All areas that can practically provide for bicycle parking spaces are to be utilised. All bicycle parking spaces are to be fully contained within the property boundaries of the subject site and not to encroach on to the highway reservation.*

Reason for condition

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

ENG 11

Prior to the first occupation, the driveway crossovers to be abandoned must be reinstated and the proposed crossover on the Patrick Street highway reservation must be designed and constructed in general accordance with the following Tasmanian Standard Drawings:

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

*Advice:*

- *Any deviation from the Tasmanian Standard Drawings will require Council City Amenity Division approval.*
- *Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By-law.*
- *You will require a Permit to Open Up and Temporarily Occupy a Highway (for works within the road reserve) in order to reinstate the existing and construct the proposed crossovers.*

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.

ENG s1

An adequate overland flow path must be maintained through the site, such that flows are excluded from the dwelling and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event.

Plans certified by a suitably qualified and experienced engineer as meeting the above requirement must be submitted prior to issue of any consent under the *Building Act 2016* or commencement of works (whichever occurs first).

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

*Advice:*

- *Overland flow paths will need to demonstrate the excess flows caused from 1% AEP with climate change comply with the above condition, and are direct to public infrastructure.*

Reason for condition

To ensure that the risks associated with inundation are adequately managed.

ENG s2

A loading zone on Harrington Street (or equivalent Council approved location) must be installed prior to the commencement of use of the commercial use (general retail and hire, and food services) components of the development.

*Advice:*

- *Approval will be required from Council's City Planning Division Manager Traffic Engineering in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's City Planning Division Manager Traffic Engineering with regard to the application for any proposed loading zone and/or other changes to on-street parking.*

Reason for condition

To ensure facilities for commercial vehicles are provided within 50m of the site.

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

*Advice:*

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

HER 6

All onsite excavation and disturbance must be monitored by a qualified archaeologist. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately;
2. The qualified archaeologist must provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance;
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full;
4. All features and/or deposits discovered must be reported to the Council with five days of the discovery; and
5. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within five days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

## HER 7

In the event of the Statement of Archaeological Potential (see HER s3 below) confirming the likelihood of nineteenth century structures remaining on the site, archival quality annotated photographs and drawings of the building and features to be demolished must be recorded prior to commencement of work.

The photographs and drawings must be submitted and approved, prior to the commencement of work. The photographs and drawings must include:

1. Each elevation of the building;
2. The interior of the building;
3. Architectural design detailing of the building;
4. Both electronic and hard copy colour images;
5. Photographs of any detail that may be of historical or architectural interest; and
6. Cross referencing of all photographs to an “as existing” plan showing the location and orientation of the camera.

### *Advice:*

- *Once the annotated photographs and drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

### Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

## HER 8

Salvage must be undertaken to ensure the protection and/or reuse of heritage fabric.

Documentation must be submitted and approved, prior to the commencement of work. The documentation must outline the proposed salvage, retrieval and recycle options of the following building fabric, to satisfy the above requirement.

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

*Advice:*

- *Once the documentation has been approved the Council, will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstance.

HER s3

A certified Statement of Archaeological Potential, a certified Archaeological Impact Assessment, and a certified Archaeological Method Statement, all prepared by a suitably qualified archaeologist, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with the certified Archaeological Method Statement.

Reason for condition

To ensure that the works is done to the satisfaction of the Council, and to comply

with Clause E13.10, requiring protection of historical archaeological values.

HER s4

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing:

1. Compliance with all recommendations of the Archaeological Method Statement.
2. Any design amendments required to mitigate impact upon historical archaeological values, in accordance with the Archaeological Method Statement.

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

Reason for condition

To comply with clause E13.10, by protecting historical archaeological values.

ENVHE 1

Recommendations in the report *Environmental Site Assessment 209 - 215 Harrington Street, Hobart September 2018* by *Geo Environmental Solutions* must be implemented, for the duration of the building works.

Reason for condition

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

SURV 8

The applicant, at no cost to the Council, must have prepared, entered into, and have registered at the Land Titles Office, a deed pursuant to Section 75CA of the *Conveyancing and Law of Property Act 1884* for the awning encroachments over Harrington and Patrick Streets, prior to the issue of a completion certificate.

*Advice:*

- A Section 75CA Conveyancing & Law of Property Act 1884 certificate for the occupation of a Highway requires that the encroachment is a minimum

2.40 metres above the footpath or 4.25 metres above the road carriageway. A 600mm set back from the back of kerb may also be required.

- The applicant must prepare and forward the required instrument pursuant to section 75CA Conveyancing & Law of Property Act 1884, including a survey plan of the encroachment (certified by a registered surveyor), the associated \$230 Council application fee and the Land Titles Office registration fee, to the Council for execution and subsequent registration within the Land Titles Office.

Reason for condition

To ensure that the proposed or existing building encroachments over Harrington and Patrick Streets are formalised in accordance with statutory provisions.

SUB s1

The titles comprising the development site (CT 197488/1, CT 247958/1, CT 203787/1, CT 232390/1, CT 52395/1 and CT 52394/1) must be adhered in accordance with the provisions of section 110 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council prior to the issue of any occupancy permit.

*Advice:*

- *The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.*

Reason for condition

To ensure compliance with statutory provisions.

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](#).

### CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

These fees are additional to building and plumbing fees charged under the



## Building and Plumbing Regulations.

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

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

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

#### BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

#### PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a permit to construct public infrastructure, with a 12 month maintenance period and bond (please contact the Hobart City Council's City Infrastructure Division to initiate the permit process).

#### NEW SERVICE CONNECTION

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

#### 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.

#### STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please

contact the Council's City Infrastructure Division.

#### WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

#### CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

#### DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

#### REDUNDANT CROSSOVERS

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

#### ACCESS

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

## CROSS OVER CONSTRUCTION

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

## STORM WATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

## TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

## 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.

## PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

## 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.

## RESIDENTIAL PARKING PERMITS ELIGIBILITY

It is advised that this development will not be eligible for residential parking permits for on-street parking.

## URBAN DESIGN ADVISORY PANEL

The Council's Urban Design Advisory Panel considered this application at its meeting of 22 March 2019 and made the following recommendations which are provided for the applicant's consideration:

- The protection of residential amenity (setback) with the balconies and windows located on the boundary of the site. The Panel raised concern that the design is unlikely to comply with the Building Code of Australia and that the applicant should seek advice from a building surveyor before proceeding further with the Application.
- The Panel felt that the design of the lobby was awkward as it lacked a linkage to the stairs. It was also noted that the split floor levels incorporating steps leading to alternate fire exits may raise concerns around the adequacy of disability access and fire safety.
- The first floor of the proposal above the car park shows an outdoor area of vacant space. The Panel raised the opportunity for landscaping within this space and suggested this could be utilised as a common area for residents.
- The ground floor shows no internal access to garbage disposal area. The Panel felt that there should be an internal connection to the garbage disposal area for both residents and the occupiers of the retail space.
- The Panel notes that the proposal includes no external common spaces or landscaping and suggests that consideration be given to the provision of

outdoor dining, landscaping and greenery that would encourage interaction from the street and where possible with neighbouring properties. The canopy/awning projection over the footpath was also noted as being very shallow.

- The Panel did consider the elevational treatment patterns to be an improvement on the previous application however believes that the lobby / entrance section to the north-west end of the building could be improved with a glazed panel or similar for additional natural light.
- Concerns were raised regarding the colour palette and finishes. The Panel believed that the black, white and grey concrete finishes were particularly austere for a prominent residential complex in this location.

### **Attachment**

A. Deputation Documentation - Mr Ben van der Veer ⇒ 

**Delegation: Council**

Alderman Behrakis declared an interest in item 7.1.3, left the meeting at 5:26pm and returned at 5:58pm.

DENISON

That Councillor Dutta be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	

Mr Graeme Wells (Representor) addressed the Committee in relation to item 7.1.3.

Mr Alex Hill – Principal of Oramatis Studio addressed the Committee in relation to item 7.1.3 on behalf of the Applicant.

**7.1.3 55 Mount Stuart Road, Mount Stuart - Deferral - PLN-18-716**  
**File Ref: F19/53467**

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HARVEY

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Denison	Dutta
Harvey	

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for four multiple dwellings and works in road reserve at 55 Mount Stuart Road, Mount Stuart and adjacent road reserve for the reasons outlined in the officer's report, attached to item 7.1.3 of the Open City Planning Committee agenda of 13 May 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-18-716 - 55 MOUNT STUART ROAD MOUNT STUART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

## TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00266-HCC dated 1/3/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

## PLN s3

Parking and vehicle circulation roadways and pedestrian paths must be provided with lighting to a standard which satisfies all of the following:

1. Enables easy and efficient use of the area;
2. Minimises potential for conflicts involving pedestrians, cyclists and vehicles;
3. Prevents unreasonable impact on the amenity of adjoining users through light overspill; and
4. Is appropriate to the hours of operation of the use.

Prior to the issue of any approval under the *Building Act 2016*, plans demonstrating compliance with this condition must be submitted and approved by the Council's Director City Planning.

Once the plans are approved, the approved lighting must be installed prior to the issue of a Certificate of Occupancy, and must be maintained in place in accordance with the approved plans by the owners of the property.

Reason for condition

To ensure parking and vehicle circulation roadways and pedestrian paths are provided with lighting to a standard which: Enables easy and efficient use; Promotes the safety of users; Minimises opportunities for crime or anti-social behaviour; and Prevents unreasonable light overspill impacts.



PLN s4

The first floor kitchen/office area window on the eastern elevation of Townhouse 1, must be in accordance with that shown in the shading studies, not the highlight window shown on plan A19.

Prior to the issue of any approval under the *Building Act 2016* revised plans showing the kitchen window in accordance with the above requirement must be submitted and approved.

All work required by this condition must be undertaken prior to occupancy of Townhouse 1 in accordance with the approved revised plans.

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

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

1. The location of the proposed connection;
2. The size of the connection appropriate to satisfy the needs of the development; and
3. A long section of the connection showing the cover on the pipe.

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 sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed and a Treatment Train Maintenance Contract entered into prior to the commencement of use.

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

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

Reason for condition

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

ENG sw8

Prior to first occupation or commencement of use (whichever occurs first), an onsite stormwater detention system must be installed to limit stormwater discharge from the site to the pre-development level. The permissible site discharge for a 1:20 Average Recurrence Interval (ARI) storm event of any duration is 12 L/s.

Prior to any approval under the *Building Act 2016*, a stormwater management report and detention design must be submitted and approved by Council. The stormwater management report and detention design must be prepared by a suitably qualified engineer and include:

1. Detailed design and supporting calculations of the detention tank, sized such that the permissible site discharge of 12 L/s is not exceeded for all

duration 1:20 ARI storm events. All assumptions must be clearly stated;

2. Design drawings of the detention tank showing the layout, the inlet and outlet (including how outflows will be limited), the overflow mechanism; and
3. 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:*

- *If the parking module is proposed to be free draining from the site, this condition can be met by providing a single 6000L tanks with a maximum driving head of 1.75m and 45mm sharp edged orifice plate outlet. If the developer wishes to utilise four (4) of 1500 Litre detentions tanks (one for each dwelling positioned in parallel), it is recommended to plumb these into a single flow restriction pit with a single flow limiting device (as four individual orifice plate flow restrictors [one on each dwelling's tank] will be too small diameter to be practical).*
- *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 and the associated fees).*
- *It is advised that documentation for condition endorsement is lodged well before a building / plumbing permit is required, as failure to address design requirements until building / plumbing permit stage may result in unexpected delays.*

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be

submitted and approved, prior to any approval under the *Building Act 2016* or commencement of work on site (whichever occurs first). A plan may be provided for each individual stage or the whole development. The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.
5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

*Advice:*

- *Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

*Advice:*

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

Reason for condition

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

ENG 2b

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

*Advice:*

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*
- *If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENG 2c

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

*Advice: certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice*

*on how to obtain condition endorsement)*

Reason for condition

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

ENG 3a

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required) with the following exception that the maximum gradient for the centreline of turning areas is to be 15%.

Reason for condition

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

ENG 3b

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;
3. Include within the design mechanism to provide protection to the heritage wall;
4. Demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, where the design deviates from AS/NZS2890.1:2004; and
5. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

*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.*

- *Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG 3c

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

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

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

Reason for condition

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

ENG 4

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

Reason for condition

To ensure the safety of users of the access driveway and parking module, and

that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

#### ENG 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.

#### ENG 13

The front wall/fencing and gate at the Mount Stuart Road and Byard Street vehicular accesses must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Amended drawings must be submitted and approved, prior to the commencement of work. The amended drawing must demonstrate how the fence either side of the driveway/s provides for adequate sight distance between user vehicles, cyclists and pedestrians by one of the following methods:

1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off-street car parking AS/NZS 2890.1: 2004 Fig 3.3;
2. Increasing the gate width of the driveway(s) to 5m; or
3. Increasing the transparency of fencing for at least 1m on each side of driveway/s so that those sections of fencing are greater than 50% transparent; or



4. Reducing the wall/fence height to a maximum of 1.2m for a distance 1.5m either side of the access.

All work required by this condition must be undertaken prior to the commencement of use in accordance with the approved drawings.

*Advice:*

- *The applicant may submit amended drawings to satisfy this condition as either part of an application for building approval, or alternatively via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]).*
- *Failure to address condition requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

ENG R3

Prior to the commencement of use, the proposed driveway crossovers within the Mount Stuart Road and Byard Street highway reservations, and the proposed footpath realignment on Mount Stuart Road, must be designed and constructed in accordance with:

- TSD-R09-v1 – Urban Roads Driveways, TSD-R14-v1 Type KC vehicular crossing and TSD-R11-v1 Urban Roads Footpaths; or
- A Council City Amenity approved alternate design.

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016*. The design drawing must:

1. Show the cross and long section (both wheel paths) of the driveway crossover within the highway reservation and onto the property.
2. Show the cross and long section of the proposed footpath realignment within the highway reservation.
3. Detail any services, infrastructure (e.g. light poles, pits, awnings) or street trees at or near the proposed driveway crossover / footpath realignment.
4. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.
5. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template).

6. Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the car's underside ,if the design deviates from the requirements of the TSD.
7. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004 or as approved under conditions of this permit.
8. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

*Advice:*

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

Reason for condition

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

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

*Advice:*

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

- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for Condition

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

#### HER 20

The developer must provide and plant an Irish Yew (*Taxus baccata* 'Aurea') and a Bay Tree (*Laurus nobilis*) on the site to replace the significant trees that will be removed. Prior to the issue of any approval under the *Building Act 2016*, a landscaping plan demonstrating compliance with this condition must be submitted to and approved by the Council's Director City Planning.

The landscaping plan must show:

1. the location of an Irish Yew (*Taxus baccata* 'Aurea') and a Bay Tree (*Laurus nobilis*) on the site;
2. the location of the stone footings at the base of the southern wall of the remains of the original dwelling on the site, required to be retained by condition HER s1;
3. a scale, dimensions and north point;
4. all proposed buildings and impervious surfaces, including details of surface finishes of pathways and driveways
5. all buildings and trees (including botanical names) on neighbouring properties within three metres of boundaries shared with the subject site.

The planting of the Irish Yew (*Taxus baccata* 'Aurea') and Bay Tree (*Laurus nobilis*) required by this condition must be completed in accordance with the approved landscaping plan prior to first occupation of the development. The trees must be maintained by the property owners, and replacement vegetation must be planted if any is lost.

#### Reason for condition

To replace significant trees that would be removed as a result of the development.

#### HER s1

Demolition of the stone footings at the base of the southern wall of the remains of the original dwelling on the site (i.e. not that of the enclosed sunroom addition) is not approved. The stonework and any structures up to floor level

within this elevation must be retained and protected. Any development above or adjacent to the footings must allow the footings to be visible from the adjacent section of Mount Stuart Road, and from the adjacent part of the proposed driveway.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing how the above footings will be:

1. Incorporated into the design of the development in accordance with the above requirements; and
2. Protected during construction of the development; and
3. Protected once construction of the development is complete, including how the parts of the footings adjacent to the driveway would be protected from vehicle impact.

All work required by this condition must be undertaken in accordance with the approved plans, and must be maintained in accordance with the approved plans by the owners of the property.

Reason for condition

To ensure that development at a heritage place is:

- (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and
- (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.

#### ADVICE

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

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

#### CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging

a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

#### NEW SERVICE CONNECTION

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

## STORM WATER

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

## REDUNDANT CROSSOVERS

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

## ACCESS

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

## CROSS OVER CONSTRUCTION

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

## STREET LIGHTING

The relocation of a light pole must be in accordance with TasNetworks and Hobart City Council requirements. Click [here](#) for more information.

## WEED CONTROL

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

## NOISE REGULATIONS

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

## 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.

### **Attachment**

A. Deputation Documentation - Mr Graeme Wells ⇨ 

**Delegation: Council**

Item 7.1.1. was then taken.

## **8. REPORTS**

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### **8.1 2019-20 Fees and Charges - City Planning Division File Ref: F19/48470**

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DENISON

The attached schedule of fees and charges be endorsed for the City Planning Division for the 2019-20 financial year, marked as Attachments A-M and as referenced below:

- Development Compliance (Attachment A)
- Public Health Infringements (Attachment B)
- Public Health Registrations / Licences (Attachment C)
- Public Health Services – Other (Attachment D)
- City Inspector (Attachment E)
- Development Compliance Infringements (Attachment F)
- Development Compliance Plumbing (Attachment G)
- Legal and Animal Management (Attachment H)
- City Planning Publications (Attachment I)
- Scheme Amendments (Attachment J)
- Development Appraisal (Attachment K)
- Development Appraisal Engineering (Attachment L)
- 3D GIS Services (Attachment M)

MOTION CARRIED

### VOTING RECORD

AYES  
Deputy Lord Mayor Burnet

NOES

Briscoe  
Denison  
Harvey  
Behrakis

### **COMMITTEE RESOLUTION:**

The attached schedule of fees and charges be endorsed for the City Planning Division for the 2019-20 financial year, marked as Attachments A-M and as referenced below:

- Development Compliance (Attachment A)
- Public Health Infringements (Attachment B)
- Public Health Registrations / Licences (Attachment C)
- Public Health Services – Other (Attachment D)
- City Inspector (Attachment E)
- Development Compliance Infringements (Attachment F)
- Development Compliance Plumbing (Attachment G)
- Legal and Animal Management (Attachment H)
- City Planning Publications (Attachment I)
- Scheme Amendments (Attachment J)
- Development Appraisal (Attachment K)
- Development Appraisal Engineering (Attachment L)
- 3D GIS Services (Attachment M)

### **Attachments**

- A. Omitted City Planning Division Fees and Charges Schedule - Public Health Infringements ⇒ 
- B. Omitted City Planning Division Fees and Charges Schedule - Public Health Infringements - Public Health Registrations / Licences ⇒ 
- C. Omitted City Planning Division Fees and Charges Schedule - Public Health Services - Other ⇒ 
- D. Omitted City Planning Division Fees and Charges Schedule - City Inspector ⇒ 
- E. Omitted City Planning Division Fees and Charges Schedule - Development Compliance Infringements ⇒ 
- F. Omitted City Planning Division Fees and Charges Schedule - Development Compliance Plumbing ⇒ 
- G. Omitted City Planning Division Fees and Charges Schedule - Legal and Animal Management ⇒ 
- H. Omitted City Planning Division Fees and Charges Schedule - City Planning Publications ⇒ 
- I. Omitted City Planning Division Fees and Charges Schedule - Scheme Amendments ⇒ 
- J. Omitted City Planning Division Fees and Charges Schedule - Development Appraisal ⇒ 
- K. Omitted City Planning Division Fees and Charges Schedule - Development Appraisal Engineering ⇒ 



- L. Omitted City Planning Division Fees and Charges Schedule - 3D GIS Services ⇒ 

**Delegation: Council**

**8.2 Penalties for Illegal Demolition**  
**File Ref: F19/52253; 16/117**

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HARVEY

That the recommendation contained in the report of the Manager Development Compliance and the Director City Planning of 8 May 2019, be adopted, as amended by the insertion of a sub-clause to read as follows:

- (i) The Council write to the Local Government Association of Tasmania to seek support in lobbying the State Government to implement the legislative amendment as stipulated in Clause 1.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**COMMITTEE RESOLUTION:**

That: 1. The Council write to the State Government requesting a legislative amendment to increase the penalties in the *Land Use Planning and Approvals Act 1993* for unlawful use or development and introduce alternative sentencing options consistent with the provisions introduced in NSW as set out in Attachment B to item 8.2 of the Open City Planning Committee agenda of 13 May 2019.

- (i) The Council write to the Local Government Association of Tasmania to seek support in lobbying the State Government to implement the legislative amendment as stipulated in Clause 1.

**Delegation: Council**

**8.3 Affordable Housing Inclusionary Zoning - Consideration of Deferred Item**  
**File Ref: F19/51945; 17/167**

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HARVEY

That Council:

- (i) Further consider the options for the provision of affordable housing and long term rental housing through the planning system when the Minister for Planning formally consults with planning authorities when drafting the Settlement and Liveable Communities and the Infrastructure Tasmanian Planning Policies;
- (ii) Obtain further advice from Mr McElwaine in relation to the ability of planning schemes to contain provisions related to affordable housing given the recent amendments to *Land Use Planning and Approvals Act 1993* in relation to Tasmanian Planning Policies; and
- (iii) Consider the need to commission an economic and development feasibility study to determine whether or not planning incentives such as inclusionary zoning, density or height bonuses would act to provide more affordable housing and long term rental housing in the Hobart housing market when the process for making the Settlement and Liveable Communities and the Infrastructure Tasmanian Planning Policies has been completed.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey  
Behrakis

NOES

**COMMITTEE RESOLUTION:**

That Council:

- (i) Further consider the options for the provision of affordable housing and long term rental housing through the planning system when the Minister for Planning formally consults with planning authorities when drafting the Settlement and Liveable Communities and the Infrastructure Tasmanian Planning Policies;
- (ii) Obtain further advice from Mr McElwaine in relation to the ability of planning schemes to contain provisions related to affordable housing given the recent amendments to *Land Use Planning and Approvals Act 1993* in relation to Tasmanian Planning Policies; and
- (iii) Consider the need to commission an economic and development feasibility study to determine whether or not planning incentives such as inclusionary zoning, density or height bonuses would act to provide more affordable housing and long term rental housing in the Hobart housing market when the process for making the Settlement and Liveable

Communities and the Infrastructure Tasmanian Planning Policies has been completed.

**Delegation: Council**

**8.4 Monthly Building Statistics - 1 April 2019 - 30 April 2019**  
**File Ref: F19/50209**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 8 May 2019, be adopted.

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 Planning reports:

- A. 1. During the period 1 April 2019 to 30 April 2019, 35 permits were issued to the value of \$11,543,331 which included:
  - (i) 19 for Extensions/Alterations to Dwellings to the value of \$5,513,115;
  - (ii) 14 New Dwellings to the value of \$4,457,201; and
  - (iii) 3 Major Projects:
    - (a) 92-96 Argyle Street, Hobart - Commercial Internal Alterations to office and retail - \$2,400,000;
    - (b) 128 Strickland Avenue, South Hobart - Demolition, Five Multiple Dwellings and Associated Works - \$2,000,000;
    - (c) 40 Melville Street, Hobart - Staged Application - Student accommodation early works (up to the completion of LG slab only) - \$1,545,328.

2. During the period 1 April 2018 to 30 April 2018, 71 permits were issued to the value of \$24,016,869 which included:
  - (i) 37 Extensions/Alterations to Dwellings to the value of \$5,122,271
  - (ii) 18 New Dwellings to the value of \$6,626,025; and
  - (iii) 3 Major Projects:
    - (a) 2 Melville Street, Hobart - Commercial Fit Out (IVF Clinic) - \$5,000,000;
    - (b) 85-89 Collins Street, Hobart - Commercial Internal Alterations (H&M Fitout) - \$3,060,000;
    - (c) 14 Stephanie Close, Sandy Bay - New House - \$1,750,000.
- B.
  1. In the twelve months ending April 2018, 695 permits were issued to the value of \$420,913,820; and
  2. In the twelve months ending April 2019, 610 permits were issued to the value of \$335,262,071.

**Delegation: Council**

**8.5 COP24 - Katowice Poland - 4 to 14 December 2018**  
**File Ref: F19/52904; 13-1-10**

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HARVEY

That the recommendation contained in the memorandum of the General Manager of 8 May 2019, be adopted, as amended by the following:

1. Councillor Harvey's report titled 'COP24 Katowice Poland – 4 to 14 December 2018' dated 11 April 2019, section titled 'Outcomes' be amended by the deletion of the following dot point:
  - Council officers continue to mentor smaller regional councils located in the south of Tasmania with the development of appropriate climate change initiatives."
2. The insertion of an additional clause to read as follows:
  2. *Council officers be officially acknowledged for their important work with both mitigating and adapting to climate change regionally and locally.*

MOTION CARRIED

VOTING RECORD

AYES  
Deputy Lord Mayor Burnet


NOES

Briscoe  
Denison  
Harvey  
Behrakis

**COMMITTEE RESOLUTION:**

- That: 1. The information contained in the report, titled COP24 Katowice Poland – 4 to 14 December 2018 dated 11 April 2019, be received and noted, as amended by the deletion of the following dot point from the section titled ‘Outcomes’:
- Council officers continue to mentor smaller regional councils located in the south of Tasmania with the development of appropriate climate change initiatives.
2. *Council officers be officially acknowledged for their important work with both mitigating and adapting to climate change regionally and locally.*
3. A media release communicating the outcomes as outlined in Councillor Harvey’s report titled COP24 Katowice Poland – 4 to 14 December 2018 dated 11 April 2019, be issued at the appropriate time.

**Attachment**

- A. COP24 Katowice Poland – 4 to 14 December 2018 dated 11 April 2019 - Amended Report ⇨ 

**Delegation: Council**

**8.6 Delegated Decisions Report (Planning)  
File Ref: F19/52250**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 8 May 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES  
Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey

NOES

Behrakis

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 8 May 2019 be received and noted.

**Delegation: Committee**

**8.7 City Planning - Advertising Report**  
**File Ref: F19/52628**

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HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 8 May 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 8 May 2019 be received and noted.

**Delegation: Committee**

**9. COMMITTEE ACTION STATUS REPORT**

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**9.1 Committee Actions - Status Report**  
**File Ref: F19/52570**

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BRISCOE

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**

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

### **10.1 Deputy Lord Mayor Burnet - Lift Incorporation** **File Ref: 13-1-10**

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Question: Could the Director please advise under what circumstances are lifts not required in multi-storey commercial / residential building?

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

### **10.2 Alderman Briscoe - Stormwater Outlet** **File Ref: 13-1-10**

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Question: Could the Director please advise why it was possible for the University of Tasmania developer in Melville Street to demolish the stormwater outlet which will now impact 12 properties within Elizabeth Street?

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

## **11. CLOSED PORTION OF THE MEETING**

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BEHRAKIS

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 matter 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	Responses to Questions Without Notice
Item No. 4.1	14 Goulburn Street - Compliance LG(MP)R 15(4)(b)
Item No. 5	Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**Delegation: Committee**

There being no further business the open portion of the meeting closed at 6:39 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
27<sup>TH</sup> DAY OF MAY 2019.

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**CHAIRMAN**