



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Tuesday, 11 June 2019 at 5:00 pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Tuesday, 11 June 2019 at 5:00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

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

The Lord Mayor arrived at the meeting
at 5:15 pm during the discussion of
7.1.1 and retired from the meeting at
7:15 pm.

Councillor Ewin arrived at the meeting
at 5:03 pm, left at 6:07 pm and
returned at 6:11 pm.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 27 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.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

BRISCOE

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

BRISCOE

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr James Hampton (Applicant) addressed the Committee in relation to item 7.1.1.

7.1.1 349 Elizabeth Street, North Hobart - Partial Demolition, Alterations, Extension, Signage and Partial Change of Use to Hotel Industry PLN-19-137 - File Ref: F19/69874

BRISCOE

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, signage and partial change of use to hotel industry at 349 Elizabeth Street, North Hobart for the reasons that the application satisfies the acceptable solutions in respect to the following performance criteria:

1. Historic Heritage Code – Listed Place, Heritage Precinct North Hobart and
2. North Hobart Specific Area Plan,

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-19-137 - 349 ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00350-HCC dated 22 March 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5867 dated 9 May 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 14

The noise generated by the use (hotel industry) must not cause environmental harm when measured at the boundary of the adjacent inner residential zone.

Reason for the condition

To ensure noise emissions do not cause environmental harm, and do not have an unreasonable impact on residential amenity.

PLN 6

The use (hotel industry) must not be open to the public outside of the following hours:

- **Monday to Sunday 7am - 12am (midnight)**

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

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 1

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

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

HER 9

All replacement windows on the western and eastern elevation must be traditional timber glazed sash windows.

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved providing further details of the windows in accordance with the above requirement, to the satisfaction of the Council's Director City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 10

The existing window at first floor in the southern elevation of the existing building must be retained.

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 6

Salvage/retrieval/recycle must be undertaken to ensure the reuse of the following heritage fabric:

- 1. The original timber cupboard/joinery in the living room (as described in Existing Upper Level Plan PERR-R-07 dated 9/4/19),**
- 2. The five six-panel doors, and**
- 3. All original skirting boards and architraves.**

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing how proposed salvage/retrieval/recycle of the above heritage fabric is to be achieved in accordance with the above requirement.

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

Reason for Condition

To ensure that demolition is whole or part of a heritage place does not result in the loss of historic cultural heritage values.

HER 7

Archival quality annotated photographs and drawings of the internal building 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. The interior of the building, including but not limited to skirting boards, doors, architraves, and cupboards/joinery;**
- 2. Both electronic and hard copy colour images;**
- 3. Photographs of any detail that may be of historical or architectural interest; and**
- 4. Cross referencing of all photographs to “as existing” plan showing the location and orientation of the camera.**

Reason for condition

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

HER s1

The solid to void ratio of the first floor western elevation (facing Elizabeth Street) must be increased to 75% (solid) to 25% (void).

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved showing a solid to void ratio in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER s2

The first floor western elevation (facing Elizabeth Street) must be setback from the front boundary by a minimum of 2.1m.

Prior to the issue of any consent under the *Building Act 2016 (including demolition)*, revised plans must be submitted and approved showing a setback in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

SPECIAL CONNECTION PERMIT

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

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

OCCUPATION OF THE PUBLIC HIGHWAY

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

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.

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, signage and partial change of use to hotel industry at 349 Elizabeth Street, North Hobart for the reasons that the application satisfies the acceptable solutions in respect to the following performance criteria:

1. Historic Heritage Code – Listed Pace, Heritage Precinct North Hobart and
2. North Hobart Specific Area Plan,

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-19-137 - 349 ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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Reason for the condition

To ensure noise emissions do not cause environmental harm, and do not have an unreasonable impact on residential amenity.

PLN 6

The use (hotel industry) must not be open to the public outside of the following hours:

- **Monday to Sunday 7am - 12am (midnight)**

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

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 1

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

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

HER 9

All replacement windows on the western and eastern elevation must be traditional timber glazed sash windows.

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved providing further details of the windows in accordance with the above requirement, to the satisfaction of the Council's Director City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 10

The existing window at first floor in the southern elevation of the existing building must be retained.

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 6

Salvage/retrieval/recycle must be undertaken to ensure the reuse of the following heritage fabric:

- 1. The original timber cupboard/joinery in the living room (as described in Existing Upper Level Plan PERR-R-07 dated 9/4/19),**
- 2. The five six-panel doors, and**
- 3. All original skirting boards and architraves.**

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing how proposed salvage/retrieval/recycle of the above heritage fabric is to be achieved in accordance with the above requirement.

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

Reason for Condition

To ensure that demolition is whole or part of a heritage place does not result in the loss of historic cultural heritage values.

HER 7

Archival quality annotated photographs and drawings of the internal building 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. The interior of the building, including but not limited to skirting boards, doors, architraves, and cupboards/joinery;**
- 2. Both electronic and hard copy colour images;**
- 3. Photographs of any detail that may be of historical or architectural interest; and**
- 4. Cross referencing of all photographs to “as existing” plan showing the location and orientation of the camera.**

Reason for condition

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

HER s1

The solid to void ratio of the first floor western elevation (facing Elizabeth Street) must be increased to 75% (solid) to 25% (void).

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved showing a solid to void ratio in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER s2

The first floor western elevation (facing Elizabeth Street) must be setback from the front boundary by a minimum of 2.1m.

Prior to the issue of any consent under the *Building Act 2016 (including demolition)*, revised plans must be submitted and approved showing a setback in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

SPECIAL CONNECTION PERMIT

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

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

OCCUPATION OF THE PUBLIC HIGHWAY

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

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.

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.

Delegation: Council

Item 7.1.3 was then taken.

7.1.2 71 Letitia Street, North Hobart - Partial Demolition, Subdivision (One Additional Lot) and Alterations to Carparking PLN-19-79 - File Ref: F19/71709

HARVEY

That the recommendation contained in the report of the Consultant Planner and the Manager Development Appraisal of 3 June 2019, be adopted, as amended by the following:

Clause ENG 3c to be substituted with the following:

“ENG 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Pitt & Sherry Proposed Parking Lot design drawing received by the Council on the 19th February 2019, except that the parking module must be amended to the satisfaction of the Director City Planning to include:

- motorcycle parking to satisfy clause E.6.6.3 A1 of the *Hobart Interim Planning Scheme 2015*; and
- bicycle parking to satisfy the requirements of Table E6.2 of the *Hobart Interim Planning Scheme 2015* for ‘Business and Professional Services’.

Prior to the sealing of the final plan, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above condition 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.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, subdivision (one additional lot) and alterations to carparking at 71 Letitia Street, North Hobart for the reasons outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 11 June 2019 and a permit containing the following conditions be issued:

GEN

The use and development must be substantially in accordance with the documents and drawings that comprise PLN-19-79 - 71 LETITIA STREET NORTH HOBART TAS 7000 - FINAL PLANNING DOCUMENTS, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00225-HCC dated 17 April 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5845 dated 22 May 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the sealing of the final plan.

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

1. The location of the proposed connection; and
2. The size of the connection appropriate to satisfy the needs of the development.

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

Advice:

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

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to sealing of the final plan. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. Prepared by a suitably qualified person; and
2. Include long section(s)/levels and grades to the point of discharge.

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

Advice:

- *The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. 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 obtain a plumbing permit for the works.*

Reason for condition

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

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.
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 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Pitt & Sherry Proposed Parking Lot design drawing received by the Council on the 19th February 2019, except that the parking module must be amended to the satisfaction of the Director City Planning to include:

- motorcycle parking to satisfy clause E.6.6.3 A1 of the *Hobart Interim Planning Scheme 2015*; and
- bicycle parking to satisfy the requirements of Table E6.2 of the *Hobart Interim Planning Scheme 2015* for 'Business and Professional Services'.

Prior to the sealing of the final plan, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above condition 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 sealing of the final plan.

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 car parking spaces (including two accessible parking spaces for people with a disability) approved on the site for use, is sixty two (62).

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 sealing of the final plan.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 2

The final plan and schedule of easements must be submitted and approved in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

ENG 14

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot in order to ensure that they are contained wholly within the lots served (or appropriate easements).

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ENG15

In order to satisfy condition ENG 14 on the separation of services, the developer must verify compliance by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

Advice:

- *Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" must be a Professional Engineer or Professional Surveyor or other persons acceptable to Council.*

Reason for condition

To ensure that the Developer provides the Council with clear written confirmation that the separation of services is complete.

Part 5 1

Prior to the commencement of work, the owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* and which provides for the following:

1. That Lot 1 is designated for multiple dwelling use and development only.

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

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

Advice:

- *Please contact the Council's Development Appraisal Unit on 6238 2715 to request the Part 5 Agreement process be started. Once the request to start the process has been made, the Council will have its solicitors prepare the Part 5 Agreement for signing by property owners. Council will then lodge the Agreement with the Lands Titles Office to be placed on the title of the property. The cost of preparing the Part 5 and registration with the Recorder of titles is to be met by the applicant.*
- *Where building approval is also required, it is recommended that the Part 5 Agreement process be started well before submitting documentation for building approval. Failure to start the Part 5 Agreement process prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To clarify the intended future use and development of the lot and to ensure compliance with the requirements of Table 11.1 of the *Hobart Interim Planning Scheme 2015* with regard to acceptable lot size.

OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lot 1, in lieu of the provision of public open space within the subdivision.

Advice:

- *The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.*

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.

SUB s1

The existing brick building straddling the south-eastern boundary of Lot 1 is to be removed, prior to the sealing of the final plan.

Reason for condition

To ensure that there are no building encroachments over the boundary of Lot 1.

SUB s2

A stormwater drainage design must be submitted and approved, prior to the commencement of use.

To satisfy the above requirement, the stormwater drainage design must:

1. Be prepared by a suitably qualified person;
2. Accommodate a storm with an average recurrence interval (ARI) of 20 years; and
3. Ensure that stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

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

Advice:

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

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

TREES

Works are to ensure that any impact on the three trees on Letitia Street along the frontage of the balance lot is minimised. For example, there should be no storage of materials, parking of cars or compaction within the Tree Protection Zone.

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.

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.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#).

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

Delegation: Council

Item 7.1.4 was then taken.

Ms Jacqui Blowfield of Ireneinc addressed the Committee in relation to item 7.1.3 on behalf of the Applicant.

7.1.3 66 Burnett Street, North Hobart - Alterations to Previously Approved Development for Two Additional Visitor Accommodation Units and Alterations to Parking PLN-19-227 - File Ref: F19/72029

BEHRAKIS

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to previously approved development for two additional visitor accommodation units and alterations to parking at 66 Burnett Street, North Hobart as the change in allocation of Car/Bike/bicycle spaces satisfies the Council that the development meets its requirements for parking and traffic management and that the proposed parking spaces would adequately service the building, 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-19-227 66 BURNETT STREET NORTH HOBART TAS 7000 – Final Planning Documents.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposal 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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Reason for condition

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

ENG sw4

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; and**
- 2. The size of the connection appropriate to satisfy the needs of the development.**

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

Advice:

The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division application for a new stormwater connection. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.

Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building / plumbing approval. Failure to address planning condition requirements prior to submitting for building / plumbing approval may result in unexpected delays.

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main must be designed and constructed prior to the commencement of the use.

- 1. Be certified by a qualified and experienced civil engineer;**
- 2. Include a plan and long-section of the proposed stormwater main;**
- 3. Include the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings; and**
- 4. Include a construction program and method for the proposed diversion of the stormwater main, to satisfy the above requirement.**

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

Advice:

The applicant is required to submit detailed design documentation to satisfy this condition via the 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 Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

- 1. Prepared by a suitably qualified person; and**
- 2. Include long section(s)/levels and grades to the point of discharge.**

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

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. 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 obtain plumbing permit for the works.

Reason for condition

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

ENG sw7

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

- 1. Be prepared by a suitably qualified person;**
- 2. The detention tank must be sized such that there is no increase in flows from the developed site up to the 20 year ARI storm event. All assumptions must clearly stated;**
- 3. Include supporting maintenance plan; and**
- 4. Include a storm water management plan.**

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

Advice: Once the treatment 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 avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 5

The number of car parking spaces approved on the site, for us is seventy three (73), including two (2) parking spaces for people with disabilities.

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 2001 AS/NZS 2890.6: 2009, prior to first occupation.

Advice: this condition supersedes condition ENG 5 upon the Planning Permit issued for PLN-17_1066.

Reason for condition

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

ENG 6

The number of bicycle parking spaces approved on the site is a minimum of twenty four (24).

The bicycle parking areas must be constructed on the site compliant with the Australian Standards AS/NZS 2890.3:2015 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 6 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENG 7

The number for motorbike parking spaces approved on the site is minimum of twenty four (24). The motorcycle parking areas must be constructed on the site compliant with Australian Standards AS/NZS 2890.1:2004 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 7 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENVHE 1

- (a) **The advice and recommendations made in the Environment Site Assessment (GeoEnvironmental Solutions 66 Burnett Street, North Hobart dated December 2017 Amended 11 January 2018), must be implemented prior to commencement of construction of the proposed new development.**

Reports for subsequent environmental site assessments must be submitted to Council and must be to the satisfaction of Council's Environmental Health Officer.

- (b) **The Contamination Management Plan (GeoEnvironmental Solutions 66 Burnett Street North Hobart December 2017) must be implemented and if new information becomes available during the subsequent environmental site assessment undertaken prior to construction, that it be updated and implemented accordingly.**

Reason for condition

To ensure the subject land is capable of supporting the proposed development and future use in terms of site contamination issues.

PLN s1

This permit is subject to and conditional upon substantial commencement of Planning Permit PLN-17-1066. If that Planning Permit lapses, this Planning Permit will also lapse. This Planning Permit is also subject to the conditions contained in that Planning Permit, except where this Planning Permit provides otherwise.

Reason for condition

To clarify the scope of the permit.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Denison
Behrakis

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to previously approved development for two additional visitor accommodation units and alterations to parking at 66 Burnett Street, North Hobart as the change in allocation of Car/Bike/bicycle spaces satisfies the Council that the development meets its requirements for parking and traffic management and that the proposed parking spaces would adequately service the building, 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-19-227 66 BURNETT STREET NORTH HOBART TAS 7000 – Final Planning Documents.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposal 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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Reason for condition

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

ENG sw4

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; and**
- 2. The size of the connection appropriate to satisfy the needs of the development.**

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

Advice:

The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division application for a new stormwater connection. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.

Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building / plumbing approval. Failure to address planning condition requirements prior to submitting for building / plumbing approval may result in unexpected delays.

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main must be designed and constructed prior to the commencement of the use.

- 1. Be certified by a qualified and experienced civil engineer;**
- 2. Include a plan and long-section of the proposed stormwater main;**
- 3. Include the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings; and**
- 4. Include a construction program and method for the proposed diversion of the stormwater main, to satisfy the above requirement.**

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

Advice:

The applicant is required to submit detailed design documentation to satisfy this condition via the 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 Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

- 1. Prepared by a suitably qualified person; and**
- 2. Include long section(s)/levels and grades to the point of discharge.**

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

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. 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 obtain plumbing permit for the works.

Reason for condition

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

ENG sw7

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

- 1. Be prepared by a suitably qualified person;**
- 2. The detention tank must be sized such that there is no increase in flows from the developed site up to the 20 year ARI storm event. All assumptions must clearly stated;**
- 3. Include supporting maintenance plan; and**
- 4. Include a storm water management plan.**

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

Advice: Once the treatment 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 avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 5

The number of car parking spaces approved on the site, for us is seventy three (73), including two (2) parking spaces for people with disabilities.

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 2001 AS/NZS 2890.6: 2009, prior to first occupation.

Advice: this condition supersedes condition ENG 5 upon the Planning Permit issued for PLN-17_1066.

Reason for condition

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

ENG 6

The number of bicycle parking spaces approved on the site is a minimum of twenty four (24).

The bicycle parking areas must be constructed on the site compliant with the Australian Standards AS/NZS 2890.3:2015 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 6 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENG 7

The number for motorbike parking spaces approved on the site is minimum of twenty four (24). The motorcycle parking areas must be constructed on the site compliant with Australian Standards AS/NZS 2890.1:2004 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 7 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENVHE 1

- (a) The advice and recommendations made in the Environment Site Assessment (GeoEnvironmental Solutions 66 Burnett Street, North Hobart dated December 2017 Amended 11 January 2018), must be implemented prior to commencement of construction of the proposed new development.**

Reports for subsequent environmental site assessments must be submitted to Council and must be to the satisfaction of Council's Environmental Health Officer.

- (b) The Contamination Management Plan (GeoEnvironmental Solutions 66 Burnett Street North Hobart December 2017) must be implemented and if new information becomes available during the subsequent environmental site assessment undertaken prior to construction, that it be updated and implemented accordingly.**

Reason for condition

To ensure the subject land is capable of supporting the proposed development and future use in terms of site contamination issues.

PLN s1

This permit is subject to and conditional upon substantial commencement of Planning Permit PLN-17-1066. If that Planning Permit lapses, this Planning Permit will also lapse. This Planning Permit is also subject to the conditions contained in that Planning Permit, except where this Planning Permit provides otherwise.

Reason for condition

To clarify the scope of the permit.

Delegation: Council

Supplementary item 13 was then taken.

**7.1.4 25 Hill Street, West Hobart - Alterations, Signage and Change of Use to Service Industry
PLN-17-291 - File Ref: F19/72005**

PROCEDURAL MOTION

HARVEY

That the item be deferred at the request of the Applicant to allow more time to prepare additional documentation in support of the proposal.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That the item be deferred at the request of the Applicant to allow more time to prepare additional documentation in support of the proposal.

Delegation: Committee

**7.1.5 4 Glover Drive, Sandy Bay Adjacent Road Reserve - Dwelling
PLN-19-135 - File Ref: F19/71234**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 29 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 approve the application for dwelling at 4 Glover Drive, Sandy Bay, Tas, 7005 and adjacent road reserve for the reasons outlined in the officer's report, attached to item 7.1.5 of the Open City Planning Committee agenda of 11 June 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-19-135 4 GLOVER DRIVE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's 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 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 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 that the design will provide a safe and efficient access, and enable safe, easy and efficient use, where the design deviates from AS/NZS2890.1:200.
4. 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 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 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 r1

The earth-retaining structures (ie embankments, cuttings, retaining walls) and footings and driveway within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the retaining walls, footing and driveway within or supporting the Glover Drive highway reservation highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified and experienced engineer.
2. Not undermine the stability of the highway reservation.
3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
4. Take into account any additional surcharge loadings as required by relevant Australian Standards.
5. Take into account and reference accordingly any Geotechnical findings.
6. Include pedestrian handrails on all retaining walls greater than 900mm located within the highway reservation.
7. Detail any mitigation measures required.

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

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

ENGR 3

Prior to the commencement of use, the proposed alteration to the driveway crossover Glover Drive highway reservation must be designed and constructed generally in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.

Design drawings must be submitted and approved prior to the commencement of work. The design drawings must:

1. Demonstrate that a B85 vehicle (AS/NZS 2890.1:2004) can access the driveway from the road pavement into the property without scraping the underside of the B85 vehicle if the design deviates from the requirements of the TSD.
2. 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.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

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 8

The following landslide risk mitigation measures must be implemented and maintained for the life of the development:

1. Fill material required for the car parking area must be benched and keyed into the slope, with a suitably designed retaining wall on the downhill side.
2. All structures must have foundations extending into the underlying bedrock (pier footings recommended).
3. The natural slope must remain undisturbed at the existing slope angle, or if cuts are to be carried out, engineered retaining structures must be used.
4. Development must be in accordance with the guidelines for hillside construction in Appendix G of the *Practice Note Guidelines for Landslide Risk Management* (Australian Geomechanics Society, 2007).

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

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.

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection retaining wall, building adjacent to the Glover Drive highway reservation prior to the commencement of work.

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

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

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

Advice: For further information with respect to the preparation of a part 5 agreement please contact Council's Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

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*.

STORMWATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

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.

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.

FEEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

8. REPORTS

8.1 Monthly Building Statistics - 1 May 2019 - 31 May 2019 File Ref: F19/71901

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 4 June 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 May 2019 to 31 May 2019, 64 permits were issued to the value of \$16,804,671 which included:
- (i) 34 for Extensions/Alterations to Dwellings to the value of \$4,773,650;
 - (ii) 11 New Dwellings to the value of \$3,935,946; and
 - (iii) 1 Major Project:
 - (a) 218 Macquarie Street (St. Michael's Collegiate) - Alterations - Stage 1 Science Block - \$4,460,000
2. During the period 1 May 2018 to 31 May 2018, 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; and

- (c) 40 Melville Street, Hobart - Staged Application - Student Accommodation Early Works (up to the completion of LG slab only) - \$1,545,328
- B. 1. In the twelve months ending May 2019, 618 permits were issued to the value of \$336,329,552; and
- 2. In the twelve months ending May 2018, 610 permits were issued to the value of \$335,262,071

Delegation: Council

**8.2 Resolutions Arising from the Public Meeting into Building Heights
- Held 16 April 2019
File Ref: F19/69396; 17/167**

BRISCOE

That the recommendation contained in the report of the Manager Planning Policy and the Director City Planning of 5 June 2019, be adopted.

BEHRAKIS

That each clause of the recommendation be taken separately.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

BRISCOE

That: 1. The report attached to item 8.2 of the Open City Planning Committee meeting of the 11 June 2019 be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

BRISCOE

2. The Council note that the issues raised in the resolutions relating to building heights and design will be examined as part of the proposed Central Hobart Precincts Plan project.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey

Denison
Behrakis

COMMITTEE RESOLUTION:

- That:
1. The report attached to item 8.2 of the Open City Planning Committee meeting of the 11 June 2019 be received and noted.
 2. The Council note that the issues raised in the resolutions relating to building heights and design will be examined as part of the proposed Central Hobart Precincts Plan project.

Delegation: Council

Item 8.4 was then taken.

8.3 Proposed Council Policy - Public Open Space Contribution
File Ref: F19/69925

BURNET

That the recommendation contained in the report of the Park Planner, the Manager Bushland and Director City Amenity of 5 June 2019, be adopted, as amended by the additional two clauses to read as follows:

- "2. Council officers further investigate and report on how other jurisdictions require public open space contributions for multi dwelling developments other than subdivisions.

- (i). Following consideration of the report, the Council lobby the State Government to change the legislation in relation to public open space contributions for multi dwelling developments other than subdivisions.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

- That: 1. The Draft Council Policy ‘Open Space Contributions’, marked as Attachment A to item 8.3 of the Open City Planning Committee agenda of 11 June 2019, be approved.
2. Council officers further investigate and report on how other jurisdictions require public open space contributions for multi dwelling developments other than subdivisions.
- (i). Following consideration of the report, the Council lobby the State Government to change the legislation in relation to public open space contributions for multi dwelling developments other than subdivisions.

Delegation: Council

Item 7.1.2 was then taken.

8.4 Delegated Decisions Report (Planning)
File Ref: F19/70926

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 4 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 4 June 2019 be received and noted.

Delegation: Committee

8.5 City Planning - Advertising Report
File Ref: F19/70505

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 4 June 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 4 June 2019 be received and noted.

Delegation: Committee

Item 10 was then taken.

9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

9.1 Climate and Biodiversity Emergency
File Ref: F19/71938; 13-1-9

HARVEY

That in accordance with Council's policy, the following Notice of Motion which was adopted by the City Planning Committee at its meeting of 11 June 2019, be considered by the Council.

AMENDMENT

BRISCOE

- “1. The words *by supporting the declaration of a climate and biodiversity emergency* after the word *leadership* in the first paragraph of the motion be deleted.
2. That paragraph 2 and 3 of the motion be deleted.
3. The fourth paragraph of the motion be substituted with the following:
Include acknowledgement of the importance of Climate Change action and biodiversity protection in the Council’s new strategic plan.”

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Briscoe Denison Behrakis	Deputy Lord Mayor Burnet Harvey

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Briscoe Denison Behrakis	Harvey

Motion:

“That the City of Hobart:

Affirms its commitment to future generations in addressing catastrophic climate change and biodiversity loss through its on-going policies, strategies and leadership.

Include acknowledgement of the importance of Climate Change action and biodiversity protection in the Council’s new strategic plan.”

Delegation: Council

BEHRAKIS

That item 8.3 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

Item 8.3 was then taken.

10. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

10.1 Neighbouring Solar Access - Planning Schemes
File Ref: F19/34999; 13-1-10

Memorandum of the Director City Planning of 5 June 2019.

10.2 Stormwater Outlet
File Ref: F19/67189; 13-1-10

Memorandum of the Director City Planning of 5 June 2019.

BRISCOE

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

Delegation: Committee

11. QUESTIONS WITHOUT NOTICE

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

11.1 Deputy Lord Mayor Burnet - Born in Brunswick – Solid to Void Ratio File Ref: 13-1-10

Question: Could the Director please advise if the solid to void ratio in relation to the property known as Born In Brunswick located at 410 Elizabeth Street, North Hobart is compliant?

Answer: The Manager Development Appraisal advised that the property located at 410 Elizabeth Street, North Hobart was only subject to a change of use approval and no physical changes were undertaken, therefore the solid to void ratio was not required to be assessed.

12. CLOSED PORTION OF THE MEETING

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:

- To confirm the Closed Minutes; and
- Questions Without Notice in the Closed Portion.

The following items were discussed:-

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

Delegation: Committee

SUPPLEMENTARY ITEM

REPORT

13. Delegation Review - Emergency Delegation
File Ref: F19/71819; 17/52

HARVEY

That the recommendation contained in the memorandum of the Manager Development Compliance and the Acting Director City Planning of 7 June 2019, be adopted, as amended by an additional clause to read as follows:

- “3. Officers investigate the development of guidelines for determining when a change to an application requires a new application to be lodged and that such investigation occur after the Resource Management and Planning Appeal Tribunal hands down its decision in relation to 2 Castray Esplanade, Battery Point and 256 Brooker Avenue, North Hobart.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That: 1. The delegation from the Council pursuant to Section 6(3) of the *Land Use Planning and Approvals Act 1993* to the General Manager, Director City Planning, Manager Development Appraisal, the Manager Planning Policy and Heritage and the Senior Statutory Planner, to determine applications in circumstances where the applicant has refused to grant an extension of time in accordance with section 57(6)(b) and 57(6A) of the *Land Use Planning and Approvals Act 1993* to enable the application to be considered at a scheduled meeting of the full Council; be amended to include reference to a special meeting of the Council as follows:

To determine applications in circumstances where the applicant has refused to grant an extension of time in accordance with section 57(6)(b) and 57(6A) of the Land Use Planning and Approvals Act 1993 to enable the application to be considered at a scheduled meeting of the Council or a special meeting of the Council.

2. A note be included in the Delegations Register that any duly authorised delegate determining applications under the *Land Use Planning and Approvals Act 1993* must take in into account the matters in section 51 of the Act including consideration of the matters set out in representations.
3. Officers investigate the development of guidelines for determining when a change to an application requires a new application to be lodged and that such investigation occur after the Resource Management and Planning Appeal Tribunal hands down its decision in relation to 2 Castray Esplanade, Battery Point and 256 Brooker Avenue, North Hobart.

Delegation: Council

There being no further business the open portion of the meeting closed at 7.26 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
24TH DAY OF JUNE 2019.

CHAIRMAN