



CITY OF HOBART

MINUTES

Special City Planning Committee Meeting

Open Portion

Monday, 23 September 2019 at 4:50 pm

ORDER OF BUSINESS

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**Special City Planning Committee Meeting (Open Portion) held on Monday,
23 September 2019 at 4:50 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, Councillors M Dutta, H Ewin
and Z Sherlock.

Councillor Ewin arrived at the meeting at
4:53 pm during the discussion of item
2.1.1.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

No Elected Members were co-opted to the Committee.

1. 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.

2. 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.

2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

2.1.1 346-352 Elizabeth Street, and Adjacent Road Reserve, North Hobart - Partial Demolition, Alterations and Partial Change of Use to General Retail and Hire File Ref: F19/124758; PLN-19-298

BRISCOE

That the recommendation contained in the memorandum of the Manager Development Appraisal of 19 September 2019, be adopted, as amended by the following advice clause to read as follows:

“COMMERCIAL DELIVERIES

In the event that it is not possible for a 6 tonne medium rigid truck to access the site via Condell Place and Little Arthur Street, alternative arrangements for all deliveries to be made by van should be made.”

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Denison
Harvey
Behrakis

NOES

Deputy Lord Mayor Burnet

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and partial change of use to general retail and hire at 346-352 Elizabeth Street and adjacent road reserve, North Hobart for the reasons outlined in the officer's report attached to item 2.1.1 of the Special Open City Planning Committee agenda of 23 September 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-19-298 346-352 ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 6

The use must not be open to the public outside of the following hours:

- (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;
- (b) 7.00 am to 9.00 pm Sundays and Public Holidays;

except for office and administrative tasks.

Reason for condition

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

PLN s1

Commercial vehicle movements, (including loading and unloading and garbage removal) must not be undertaken outside of the following hours:

- (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;
- (b) 7.00 am to 9.00 pm Sundays and public holidays.

Reason for condition

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

PLN s2

No signage is approved by this permit.

Advice: Any signage for the proposed use will require a separate planning permit.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

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

Reason for condition

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

ENG s2

Prior to the commencement of use, the proposed driveway crossovers, footpath, and other alterations to the highway reservation must be designed and constructed in general accordance with the Tasmanian Standard Drawings to the satisfaction of Council's Manager Road and Environmental Engineering.

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

1. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed works.
2. Relocation of any services.
3. Long sections and cross sections of the footpath.
4. Protection of public infrastructure.
5. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

Advice:

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

As you are proposing works in the highway reservation you will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

WORK WITHIN THE HIGHWAY RESERVATION

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

COMMERCIAL DELIVERIES

In the event that it is not possible for a 6 tonne medium rigid truck to access the site via Condell Place and Little Arthur Street, alternative arrangements for all deliveries to be made by van should be made.

Delegation: Council

There being no further business the meeting closed at 5:03 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
30TH DAY OF SEPTEMBER 2019.

CHAIRMAN