



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 20 July 2020 at 5:29pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 20 July 2020 at 5:29 pm.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Harvey
Behrakis
Dutta
Coats

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

PRESENT: Deputy Lord Mayor Councillor H Burnet (Chairman), Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta and W Coats.

The Deputy Lord Mayor vacated the Chair for item 8.1.

Alderman Behrakis assumed the Chair for item 8.1.

APOLOGIES: Nil.

Alderman Briscoe left the meeting at 5.56pm, returning at 6.03pm, left the meeting at 6.29pm, returning at 6.30pm.

LEAVE OF ABSENCE: Nil.

Councillor Dutta left the meeting at 5.57pm, returning at 6.00pm.

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, 29 June 2020](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

HARVEY

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

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

Steven and Robyn Lewis, Mercia Bresnehan, Barbara Smith, John Vella, Sonia Toson, Nic Moore and Jerimah Dwyer addressed the Committee in relation to item 7.1.1

7.1.1 10 Whelan Crescent, West Hobart - Partial Demolition, Alterations, Extension, Carport and Front Fencing PLN-20-340 - File Ref: F20/74251

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 7 July 2020, be adopted as amended by the addition of the following condition:

“P s3

Prior to the issue of any approval under the Building Act 2016 (excluding for demolition) or the commencement of work on the site (whichever occurs first), a landscaping plan for the landscaping of the site must be submitted and approved. The landscaping plan must show:

- 1. retention of the olive trees along the side boundaries of the site, except where they are required to be removed in order to carry out the development approved by this permit; and*
- 2. retention of the walnut tree on the site.*

All work required by this condition must be undertaken in accordance with the approved landscaping plan. In particular, all trees shown as retained on the approved landscaping plan must not be removed during the development.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a partial demolition, alterations, extension, carport and front fencing at 10 Whelan Crescent West Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 20 July 2020 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-20-340 - 10 WHELAN CRESCENT WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

Planning approval under this planning permit is on the basis of a single dwelling development of the site only.

Reason for condition

To clarify the scope of the permit

PLN s2

All works are to be fully contained within the property boundaries of No.10 Whelan Crescent.

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).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw4

The 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 the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). 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 must submit detailed design drawings via the planning condition endorsement process, and once approved an application for a new stormwater connection must be completed.

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

Reason for condition

To ensure the site is drained adequately.

ENG sw7

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

Plans and specifications to the satisfaction of the responsible authority for the stormwater detention system, must be submitted and approved prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The plans and specifications must:

1. Be prepared by a suitably qualified person
1. Include a detention system that limits flows from the site to a PSD of 3.5 L/s

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

Advice:

Once the plans have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

To ensure the capacity of the Council's drainage network is not exceeded

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 and parking module 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 3b

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

The access driveway and parking module 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. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show the crossover as 5.5m wide, and 7.5m wide including transitions

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 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 commencement of use.

Reason for condition

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

ENG 11

Prior to the commencement of use, the proposed crossover to the Whelan Crescent highway reservation must be designed and constructed in general accordance with:

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

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the LGAT Website.

It is advised that designers consider the detailed design of the crossover, 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.

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.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). [Click here for more information.](#)

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

P s3

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), a landscaping plan for the landscaping of the site must be submitted and approved. The landscaping plan must show:

1. retention of the olive trees along the side boundaries of the site, except where they are required to be removed in order to carry out the development approved by this permit; and
2. retention of the walnut tree on the site.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. In particular, all trees shown as retained on the approved landscaping plan must not be removed during the 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.

NEW SERVICE CONNECTION

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

STORMWATER

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

REDUNDANT CROSSOVERS

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

STORMWATER / ROADS / ACCESS

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

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

PROTECTING THE ENVIRONMENT

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

NOISE REGULATIONS

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

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

7.1.2 409 Argyle Street, New Town - Front Fencing and Alterations to Access
PLN-20-233 - File Ref: F20/71890

BRISCOE

That the recommendation contained in the report of the development Appraisal Planner and the Senior Statutory Planner of 2 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for front fencing at 409 Argyle Street, New Town for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 20 July 2020 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-20-233 - 409 ARGYLE STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 13

The fence taper (from 1.75m to 1.2m over the first 1.5m in length) must be installed within 60 days of the date of this permit.

Reason for condition

To ensure the safety of pedestrians whilst vehicles are entering and leaving the 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.

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*.

Delegation: Council

7.1.3 32 De Witt Street, Battery Point - Parial Demolition, Alterations and Extension
PLN-20-102 - File Ref: F20/71933

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 2 July 2020, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

BEHRAKIS

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension at 32 De Witt Street Battery Point Tas 7004. The Council is satisfied that the proposal meets the requirements of the Scheme, specifically clauses E13.7.1 P1 of the Historic Heritage Code, in relation to the proposed demolition of the original rear structural wall. 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-20-102 32 DE WITT STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6185 dated 07 April 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

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*.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

COMMITTEE RESOLUTION:

That in the absence of a recommendation from the City Planning Committee the matter be referred to the Council for determination.

Delegation: Council

7.1.4 324 Davey Street, South Hobart - Alterations (Deck) to Previously Approved Development PLN-20-304 - File Ref: F20/71987

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 3 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations (deck) to previously approved development at 324 Davey Street, South Hobart for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 20 July 2020 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-20-304 - 324 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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*.

NOISE REGULATIONS

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

Delegation: Committee

7.1.5 22 Byron Street, Sandy Bay - Outbuilding PLN-20-336 - File Ref: F20/73650

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 7 July 2020, be adopted as amended by the inclusion of the following advice clause:

“ADVICE

The owner of the property is encouraged to consider landscaping between the outbuilding and the fence which would reduce any glare caused by the roof of the outbuilding to neighbouring properties.”

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for an outbuilding at 22 Byron Street, Sandy Bay for the reasons outlined in the officer’s report attached to item 7.1.5 of the Open City Planning Committee agenda of 20 July 2020 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-20-336 - 22 BYRON STREET 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).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ADVICE

The owner of the property is encouraged to consider landscaping between the outbuilding and the fence which would reduce any glare caused by the roof of the outbuilding to neighbouring properties.

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.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

8. REPORTS

BRISCOE

That Alderman Behrakis Chair the meeting for item 8.1

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

The Deputy Lord Mayor vacated the Chair and Alderman Behrakis assumed the Chair.

8.1 Proposed Changes to Delegations to Determine Development Applications File Ref: F20/72893

DEPUTY LORD MAYOR BURNET

That the recommendation contained in the memorandum of the Manager Development Appraisal and the Director City Planning of 15 July 2020, be adopted as amended by the deletion of the letter "B" after the word "*Attachment*" and substituted by the letter "C".

MOTION LOST

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Harvey
Dutta

Behrakis
Briscoe
Coats

BRISCOE

That the recommendation contained in the memorandum of the Manager Development Appraisal and the Director City Planning of 15 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Harvey	Dutta
Behrakis	
Coats	

COMMITTEE RESOLUTION:

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate the functions and powers as detailed in Attachment B to item 8.1 of the Open City Planning Committee agenda of 20 July 2020.

Delegation: Council

The Deputy Lord Mayor resumed the Chair.

8.2 Visitor Accommodation Mapping - 1 January 2020 - 30 June 2020
File Ref: F20/74303

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 15 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled *Visitor Accommodation Mapping - 1 January 2020 - 30 June 2020* be received and noted.

Delegation: Committee

8.3 City Planning - Advertising Report
File Ref: F20/74127

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 14 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled *City Planning – Advertising Report* be received and noted.

Delegation: Committee

8.4 Delegated Decisions Report (Planning)
File Ref: F20/74232

BRISCOE

That the recommendation contained in the report of the Director City Planning of 14 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That the information contained in the memorandum *Delegated Decision Report (Planning)* be received and noted.

Delegation: Committee

9. COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report
File Ref: F20/73641

DUTTA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

Delegation: Committee

10. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

10.1 City Planning Committee - Decisions
File Ref: F20/21960; 13-1-10

Memorandum of the Director City Planning of 13 July 2020.

BEHRAKIS

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

Delegation: Committee

11. QUESTIONS WITHOUT NOTICE

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

11.1 Alderman Briscoe - Cable Car - Development Application
File Ref: 13-1-10

Question: Can the Director provide an update on the extra information requested for the cable car development application and whether it had been received?

Answer: The Director City Planning advised that we have not received the extra information requested and there will be a further response to a previously related Question Without Notice from Councillor Dutta which will appear on the next Committee agenda.

11.2 Deputy Lord Mayor Burnet - Wood Smoke - Pollution
File Ref: 13-1-10

Question: Can the Director advise if there have been any breaches in relation to wood smoke from fires and have there been any reports regarding wood smoke?

Answer: The Director City Planning took the question on notice

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:

- Confirm the minutes of the Closed portion of the meeting
- 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	
Harvey	
Behrakis	
Dutta	
Coats	

Delegation: Committee

There being no further business the Open portion of the meeting closed at 7.30pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
3RD DAY OF AUGUST 2020.

CHAIRMAN