



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 3 August 2020 at 5:00pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1.	CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY	4
2.	CONFIRMATION OF MINUTES.....	4
3.	CONSIDERATION OF SUPPLEMENTARY ITEMS	5
4.	INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	5
5.	TRANSFER OF AGENDA ITEMS.....	6
6.	PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS.....	6
7.	COMMITTEE ACTING AS PLANNING AUTHORITY	7
7.1	APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	7
7.1.1	26 Lower Jordan Hill Road, West Hobart - Partial Demolition, Five Multiple Dwellings, Landscaping and Fencing	7
7.1.2	851B, 873, 873A and 875 Sandy Bay Road, Sandy Bay - Change of Access and Alterations to Driveway	29
7.1.3	18-24 Letitia Street, North Hobart Adjacent Road Reserve - Partial Demolition and New Development for Eight Multiple Dwellings.....	30
7.1.4	8 Minallo Avenue, West Hobart - Partial Demolition, Extension and Alterations	51
7.1.5	15 Marieville Esplanade, Sandy Bay - Alterations.....	56
8.	REPORTS	60
8.1	Delegated Decisions Report (Planning).....	60
9.	RESPONSES TO QUESTIONS WITHOUT NOTICE.....	60
10.	QUESTIONS WITHOUT NOTICE	61
11.	CLOSED PORTION OF THE MEETING.....	62
	SUPPLEMENTARY ITEMS	63

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

12. 14 Byron Street, 8-8A Byron Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Extension, Alterations, Change of Use to Boarding House and Associated Works in the Road Reserve 63

REPORTS

13. City Planning - Advertising Report..... 65

City Planning Committee Meeting (Open Portion) held on Monday, 3 August 2020 at 5:00 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: The Deputy Lord Mayor Councillor H Burnet (Chairman), Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta and W Coats.

Alderman Behrakis left the meeting at 6.04pm, returning at 6.05pm.

Councillor Coats left the meeting at 6.04pm, returning at 6.06pm.

APOLOGIES: Nil.

Councillor Dutta left the meeting at 6.40pm, returning at 6.41pm.

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, 20 July 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*.

DUTTA

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	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

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.

DUTTA

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

Mr Stephen Donovan, Ms Carol Lynch, Mr Luke Chamberlain, Ms Carolyn Graham and Mr Keith Westbrook addressed the Committee in relation to item 7.1.1.

7.1.1 26 Lower Jordan Hill Road, West Hobart - Partial Demolition, Five Multiple Dwellings, Landscaping and Fencing PLN-19-179 - File Ref: F20/79594

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 28 July 2020, be adopted as amended by a revised condition ENG 5 to read as follows:

“ENG 5

The number of car parking spaces approved on the site, for use is fourteen (14).

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

Reason for condition

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

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 partial demolition, five multiple dwellings, landscaping and fencing at 26 Lower Jordan Hill Road, West Hobart for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 3 August 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-19-179 - 26 LOWER JORDAN HILL ROAD WEST 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 2019/00520-HCC dated 29/05/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

A detailed landscaping plan including a species list must be submitted, with particular emphasis on the screening qualities of the planting along the eastern boundary and buffer planting along the western boundary.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition, excavation and works up to the ground floor slab), revised plans must be submitted and approved to the satisfaction of the Director City Planning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans. Prior to occupancy, confirmation from the landscape architect who prepared the approved landscaping plan that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Reason for condition

In the interest of the 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 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 or issue of any consent under the *Building Act 2016* (whichever occurs first).

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 prior to issue of any Completion or first occupancy (whichever occurs first).

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 sw3

The proposed driveway must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved prior to construction. The detailed design must:

1. Include a cross-section of the proposed driveway showing any cut or fill within 2 metres of the stormwater main.
2. Any council's stormwater manhole must be raised to surface.
3. Include cross-sections clearly showing the relationship both vertically and horizontally between existing or proposed council's stormwater main and the proposed driveway footings. This should not impose any additional loads onto the main and that the structure will be fully independent of the main and its trenching.
4. Evidence from a suitably qualified person that the proposed works (including but not limited to driveway columns) within the modelled flood area, must be designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation.

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

Advice:

The applicant is required 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 requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw4

The development (including hardstand) must be drained to Council infrastructure. Any new stormwater connection required must be constructed, and any existing redundant connections be abandoned and sealed. The connection works must be done by Council at the owner's expense prior to the issue of any completion or first occupancy (whichever occurs first).

Detailed engineering drawings must be submitted and approved, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development; and
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity.

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

Advice:

A single connection for each Lot is required under the Urban Drainage Act 2013.

Once the engineering drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Once approved the applicant will need to submit an [application for a new stormwater connection](#) with Council's City Amenity Division. Should the applicant wish to have their contractor install the connection, an [Application to Construct Public Infrastructure](#) is required.

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 sw8

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the Building Act 2016 or commencement of works (whichever occurs first). The stormwater management report and design must:

1. be prepared by a suitably qualified engineer;
2. include detailed design of the proposed treatment train, including final estimations of contaminant removal;
3. include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding. All assumptions must be clearly stated. The design drawings must include the layout, the inlet and outlet (including long section), outlet size, overflow, discharge rate and emptying time; and
4. include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

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

It is advised that documentation for condition endorsement is lodged well before a building / plumbing permit is required, as failure to address design requirements until building / plumbing permit stage may result in unexpected delays.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure and to avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

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 2b

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

Advice:

If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.

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

Reason for condition

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

ENG 2c

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

Advice:

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

Reason for condition

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

ENG 3a

The access driveway, 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.

Reason for condition

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

ENG 3b

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

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

1. Be prepared by a suitably qualified engineer and certified by a suitably qualified traffic engineering practitioner,
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 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 traffic engineering practitioner certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site, for use is fourteen (14).

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

Reason for condition

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

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.

This must be done within 30 days of completion, or as required by Council (whichever is first). Any damage must be immediately reported to Council.

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

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

Reason for condition

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

ENG 13

The development must allow adequate sight distance between user vehicles, cyclists and pedestrians on Lower Jordan Hill Road.

Amended drawings must be prepared by a suitably qualified engineer, submitted and approved, prior to the commencement of work. The amended drawing must demonstrate how the area of land either side of the driveway provides for adequate sight distance between user vehicles, cyclists and pedestrians in accordance with the following:

1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off- street car parking AS/NZS 2890.1: 2004 Fig 3.3;
2. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provided a safe and efficient access and enable safe, easy and efficient use; and
3. The relocation of the bin enclosure to be clear of the of the pedestrian safety sight triangle of AS/NZS 2890.1:2004 Fig 3.3

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

Advice:

Once the design has been approved, then Council will issue a condition endorsement [see general advice on how to obtain condition endorsement and for fees and charges]).

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

Reason for condition

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

ENGR 3

Prior to the issue of a Ceritificate of Completion, or first occupation (whichever occurs first), the proposed driveway crossover and footpath works within the highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type;

- KC vehicular crossing;
- Footpath - Urban Roads Footpaths TSD-R11-v1; or
- A Council approved alternate design.

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;
3. Be designed for the expected vehicle loadings;
4. Show swept path templates in accordance with AS/NZS 2890.1 2004 for B85 vehicle or B99 vehicle, depending on use, and demonstrate all vehicle movements to and from the site are fully contained within the extents of the crossover and clear of on-street parking areas in Lower Jordan Street;
5. Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD's;
6. Show vehicular and pedestrian sight lines in accordance with AS/NZS 2890.1:2004. Where sight distances in accordance with AS/NZS 2890.1:2004 can not be achieved then any measures to improve sight distances are to be shown; and
7. Be prepared by a suitable qualified engineer and certified by a suitably qualified traffic engineering practitioner, 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.

Works undertaken as part of this condition will require to open up and occupy the highway reservation prior to commencing works within the highway reservation. Contact Council's City Amenity Road Services Workgroup on (03) 6238 2586 or coh@hobartcity.com.au for information regarding permits.

Reason for condition

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

ENG s1

The free flow of flood water onto, through and from the site must not be restricted.

The proposed solid raised-bases of the fences shown on the Arcadia landscaping plans (such as in Section E on p9) are not approved within the identified 1% AEP (as at 2100) flood extent.

Detailed design drawings, including sections, of any works (such as raised driveway columns or short section of wall on the eastern boundary) within the modelled 1% AEP flood extent must be submitted to and approved by Council prior to commencement of works. These must:

1. show no alteration of natural ground level that would alter the flow of water onto, through or from the site; and

2. include certification from an accredited and qualified structural engineer that all proposed structures within the flood zone are designed to resist erosion, undermining and likely forces from a flood event (including debris loading).

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

Reason for condition

To prevent adverse impact on neighbouring properties

ENG s2

Approval from Council's City Planning Division must be obtained prior to issue of any consent under the *Building Act 2016* (excluding demolition or excavation) for any changes to the existing on street parking arrangements in Lower Jordan Hill Road.

Advice:

Any changes to the existing on street parking arrangements in Lower Jordan Hill Road do not form part of the planning approval and will require approval from Council's City Planning Division Manager City Mobility in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's City Planning Division Manager City Mobility with regard to the application process for any changes to the on street parking arrangements in Lower Jordan Hill Road.

Reason for condition

To ensure that relevant approvals are obtained.

ENV 8

Prior to the granting of building consent and prior to the commencement of works, a landslide risk management report in accordance with the Australian Geomechanics Society Practice Note *Guidelines for Landslide Risk Management* (2007c) must be submitted and approved. The landslide risk management report must:

1. include a risk assessment that determines whether the landslide risk associated with the works for the development will be acceptable or tolerable (using the recommended tolerable risk criteria in the AGS Guidelines) without risk mitigation measures being applied;
2. include a schedule of risk mitigation measures required to reduce the estimated risk to tolerable levels, if risk mitigation measures are required to reduce the estimated risk to tolerable levels; and
3. be prepared by:
 1. a geotechnical engineer or an engineering geologist as specified in the Director of Building Control's determination *Certificates of Specialists or Other Persons* that can complete a landslide risk assessment; or
 2. a civil engineer.

If the approved landslide risk management report includes recommended risk mitigation measures required to reduce the estimated risk to tolerable levels, all recommendations must be implemented.

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, sufficient to prevent sediment leaving the site and 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.

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 or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require an occupational licence for use of Hobart City Council highway reservation (e.g. outdoor seating, etc). Click [here](#) for more information.

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

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

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

BUILDING OVER AN EASEMENT

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

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

NEW SERVICE CONNECTION

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

STORM WATER

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

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

Separate approval is required for the works over and adjacent to Council's stormwater infrastructure under s73 of the Building Act 2016 and s13 of the Urban Drainage Act. To discuss, please contact the Council's City Amenity Division.

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.

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.

WASTE DISPOSAL

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

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


FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Attachment

A. Mr Luke Chamberlain - 26 Lower Jordan Hill Road - Supporting Information ⇨ 

Delegation: Council

Ms Victoria McDonald, Ms Penny McDonald, Ms Elizabeth Pain, Mr James Morrison, Mrs Jackie Salathe and Mr Quentin Hendry addressed the Committee in relation to item 7.1.2

**7.1.2 851B, 873, 873A and 875 Sandy Bay Road, Sandy Bay - Change of Access and Alterations to Driveway
PLN-20-132 - File Ref: F20/79341**

PROCEDURAL MOTION

BEHRAKIS

That the matter be deferred to enable legal advice to be sought on issues involving use rights over the Right of Way.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
	Dutta
	Coats

DUTTA

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for change of access and alterations to driveway at 851B, 873, 873A & 875 Sandy Bay Road, Sandy Bay for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.7.2 A1 or P1, in particular because the vehicle access points are not safe, efficient or convenient, having regard to all of the following:
 - (a) Avoidance of conflicts between users including vehicles, cyclists and pedestrians;
 - (b) Avoidance of unreasonable interference with the flow of traffic on adjoining roads;
 - (c) Suitability for the type and volume of traffic likely to be generated by the use or development;
 - (d) Ease of accessibility and recognition for users.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Behrakis
Briscoe	Coats
Harvey	
Dutta	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for change of access and alterations to driveway at 851B, 873, 873A & 875 Sandy Bay Road, Sandy Bay for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.7.2 A1 or P1, in particular because the vehicle access points are not safe, efficient or convenient, having regard to all of the following:
 - (a) Avoidance of conflicts between users including vehicles, cyclists and pedestrians;
 - (b) Avoidance of unreasonable interference with the flow of traffic on adjoining roads;
 - (c) Suitability for the type and volume of traffic likely to be generated by the use or development;
 - (d) Ease of accessibility and recognition for users.

Delegation: Council

Supplementary item 12 was then taken.

**7.1.3 18-24 Letitia Street, North Hobart Adjacent Road Reserve - Partial Demolition and New Development for Eight Multiple Dwellings
PLN-20-15 - File Ref: F20/79236**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 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 partial demolition and new development for eight multiple dwellings at 18-24 Letitia Street, North Hobart for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 3 August 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-20-15 - 18-24 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/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00235-HCC dated 28/04/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

A demolition waste management plan must be implemented throughout demolition. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

Advice:

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

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

PLN 8

The front fence along the Letitia Street frontage boundary must be no more than 1.7m in height above natural ground level (unless a lesser height is nominated on the plan, in which case the lesser height prevails) and be no less than 25% transparent.

Reason for condition

To provide reasonable opportunity for privacy for dwellings, and to maintain the streetscape.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, g 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 sw2.1

Council's piped Rivulet within the site must be accurately located, and a pre- construction structural condition assessment and visual record (eg video and photos) of this infrastructure must be submitted to Council prior to the commencement of work or issue of consent under the *Building Act 2016* (whichever occurs first).

The condition assessment must include at least:

A site plan clearly showing the location of the inspection, with access points and all segments and nodes shown and labelled. Assets found to have a different alignment from that shown on Council's plans shall be clearly marked on the ground and on the plan;

A digital recording of a CCTV Inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The recording must be in a 'Wincan' compatible format
Photos of any existing drainage structures connected to or modified as part of the development

The post-construction condition assessment will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner fails to provide Council with an adequate pre- construction condition assessment then any damage to Council's infrastructure identified in the post-construction condition assessment will be the responsibility of the person carrying out the development.

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 sw3

The proposed works, including driveways, walls, footings and raised garden beds, must be designed and constructed to ensure the protection of and access to the Council's stormwater main.

A detailed design 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 design must:

1. Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching;
2. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main;
3. Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated; and
4. Be certified by a suitably qualified engineer

Prior to commencement of use and/or any completion under the *Building Act 2016* (whichever occurs first), a suitably qualified engineer must confirm the installation of the works within two metres of Council's stormwater is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice:

The alignment shown on the plans does not fully agree with Council records. The Council's piped rivulet is not a round DN1050 RCP, but has been piped in a variety of structures (including brick arch and rectangular culvert). Council has identified this section of pipe as requiring upgrade works within the expected lifetime of the proposed works. Works must demonstrate adequate access to carry out these works, and sufficient protection for both the existing pipe and any replacement main.

Separate consent under s73 Building Act 2016 and s13 Urban Drainage Act 2013 is required for the proposed works, including a signed indemnity.

Some of the proposed works, including the proposed block courtyard wall, are unlikely to receive this consent based on the currently shown alignment. A mains diversion may be required at the Developers cost to carry out all the intended works, including full engineering design and drawings.

The applicant is required 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 requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw4

Council's stormwater manhole within the proposed garage must have a lock- down lid installed, and any new stormwater connection required must be constructed and existing redundant connections be abandoned and sealed at the owner's expense, prior to occupancy or the commencement of the approved use (whichever occurs first).

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 connections and all existing connections;
2. The size and design of the connection such that it is appropriate to safely service the development; and
3. Long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity driven.

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

Advice:

A single connection for the property is required under the Urban Drainage Act 2013.

Existing connections must be identified from the pre-works CCTV.

Once the engineering drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Once approved the applicant will need to submit an [application for a new stormwater connection](#) with Council's City Amenity Division. Should the applicant wish to have their contractor install the connection, an [Application to Construct Public Infrastructure](#) is required.

The stormwater service connection may be required to have been approved prior to any plumbing permits being issued for private plumbing works.

Reason for condition

To ensure the site is drained adequately.

ENG sw7

Stormwater treatment for stormwater discharges from the development must be installed prior to occupancy or the commencement of the approved use (whichever occurs first)

A stormwater management report and design must be submitted and approved, prior to commencement of work or issue of any consent under the *Building Act 2016* (whichever occurs first). The stormwater management report and design must:

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

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

Advice:

Once the report 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 tr2

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

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

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

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

Advice:

Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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

ENG 3a

The access driveway, circulation roadways and parking module (parking spaces, aisles and manoeuvring areas) 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 and parking module (parking spaces, aisles and manoeuvring areas) must be constructed in accordance with the Tim Penny Architecture + Interiors documentation received by the Council on the 19th June 2020.

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site, for use is sixteen (16). Of these, two (2) must be dedicated for visitor parking only.

All parking spaces except those located within garages (Unit 6, 7 and 8) must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to first occupation.

Reason for condition

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

ENG 5b

The garages for Unit 6, 7, and 8 must have a minimum internal width of 5400mm.

Advice:

To access these spaces, a reversing manoeuvre may only be possible.

Reason for condition

To ensure that parking areas for cars are designed and constructed to enable safe, easy and efficient use.

ENG 6

All visitor car parking spaces must be delineated.

Appropriate linemarking and signage, approved by Council, in accordance with Australian Standards AS/NZS1742.11:2016, must be erected at each visitor parking space to indicate the parking spaces are for "Visitor Parking Only", prior to the first occupation.

Reason for condition

To ensure that parking areas for cars are located, designed and constructed to enable safe, easy and efficient use.

ENG 7

The access provisions at the Wellington Street frontage must be constructed in accordance with the Milan Prodanovic Traffic Engineering & Road Safety documentation received by the Council on the 4th March 2020.

The design measures must include;

1. Construction of a road hump placed in the driveway at a point 2.0m from the back of the footpath. The proposed type of hump is as detailed in AS 2890.1 – Figure 4.4 (b); and
2. The placement of a sign "CAUTION - VEHICLES EXISTING" to be positioned at height at 0.75m (top of sign above ground level) on the left of the driveway (for exiting vehicles) and as near as practical to the footpath, with the sign facing to the east towards approaching pedestrians.

All work required by this condition must be undertaken prior to the first occupation.

Reason for condition

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

ENG 11

Prior to the first occupation, the proposed modification to the existing crossover within the Letitia Street highway reservation must be designed and constructed substantially in accordance with:

1. LGAT Standard Drawing - TSD-R09-v2 – Urban Roads Driveways - Single width crossover (3.6m wide excluding wings) located centrally to the entry access point; and
2. LGAT Standard Drawing - TSD R14-v2 - Approved Concrete Kerbs and Channels Profile Dimensions - Open Wedge Vehicular Crossing.

Advice:

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

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.

Please contact the Council's City Amenity Division to discuss approval of alternate designs. Based on a site specific assessment, the Council's City Amenity Division's, Road Engineer may permit extending non-approved concrete slab crossover, and where non-standard kerb and channel exists a concrete plinth to Council standards may be permitted for construction at the gutter.

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 12

Prior to the first occupation, the reinstatement of the existing redundant crossovers (and any aprons) to footpath, kerb and gutter within the Letitia Street and Wellington Street highway reservations must be constructed in accordance with the Tim Penny Architecture Interiors documentation received by the Council on the 19th June 2020 and constructed substantially in accordance with:

1. LGAT Standard Drawing - TSD R11-v2 - Urban Roads Footpaths - ASPHALT; and
2. LGAT Standard Drawing - TSD R14-v2 - Approved Concrete Kerbs and Channels Profile Dimensions - TYPE KC.

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.

Any damage must be immediately reported to Council.

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

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

Reason for condition

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

ENG s1

Measures to mitigate flood risk from the critical 1% AEP at 2100 inundation event must be installed in accordance with the accepted JMG June 2020 Stormwater Report, including flood-resistant boundary walls, doors, and buildings, and the raised driveway entrance from Wellington Street, prior to occupancy or issue of any completion (whichever occurs first).

All structures within the flood zone (including a 300mm vertical freeboard) including buildings and flood mitigation measures must be inspected by a suitably qualified and accredited engineer.

Certification from a suitably qualified and accredited engineer that the works have been designed and constructed to resist inundation, erosion, undermining and likely forces from a flood event (including debris loading such as vehicle impacts) must be provided to Hobart City Council prior to occupancy or commencement of use (whichever occurs first).

Advice:

Council notes the Finished Floor Level of Unit 5 does not have 300mm freeboard above the 1% AEP at 2100 flood level.

Reason for condition

To ensure that the risks identified in the Flood Report for Planning Approval are adequately managed.

ENG s2

Certification from a registered surveyor that the Finished Floor Levels and the top of the raised driveway entrance from Wellington Street are at or above the relevant minimum levels shown on drawing DA03 Rev E contained within the accepted JMG June 2020 Stormwater Report must be provided to Hobart City Council prior to occupancy or commencement of use (whichever occurs first).

Reason for condition

To ensure that the risks identified in the Flood Report for Planning Approval are adequately managed.

ENG s3

Construction of the works must not adversely impact Council's stormwater infrastructure (piped Park St Rivulet)

A Construction Management Infrastructure Protection Report and Plan must be submitted and approved prior to commencement of works. The report must:

1. Be prepared by a suitably qualified and experienced engineer
2. Detail the proposed construction methodology and identify all potential risks to the piped Rivulet during construction including but not limited to demolition, construction loading, traffic loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm
3. Provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks
4. Include a monitoring regime

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

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENV 2

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

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

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

Advice:

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

Reason for condition

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

HER 12

Original and early fabric of the building must be protected and conserved. Prior to the issue of any approval under the *Building Act 2016*, documentation must be submitted and approved which details how unpainted brickwork (on the front and side elevations) above awning level, of the former shopfront on Wellington Street is to be retained as is, in accordance with the above requirement.

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

Reason for condition

To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct.

HER 17a

The palette of exterior colours and materials must reflect the palette of materials within the local streetscape and precinct.

The Architects have proposed front doors finished in copper, hardwood timber screens, Island Paver Ebony Premium Bricks and areas of planting. These specific finishes/products/details must be installed.

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

Reason for condition

To ensure that development at a heritage precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

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 or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

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

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*.

NEW SERVICE CONNECTION

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

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 of the *Building Act 2016*.

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.

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.

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.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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

7.1.4 8 Minallo Avenue, West Hobart - Partial Demolition, Extension and Alterations
PLN-20-23 - File Ref: F20/79193

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 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 partial demolition, extension and alterations at 8 Minallo Avenue West Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 3 August 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-20-23 - 8 MINALLO AVENUE WEST 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 2020/00066-HCC dated 28/1/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation 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 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 8

Prior to the commencement of works and prior to the granting of building consent, a landslide risk management report with regard to the proposed excavation within the Landslide Hazard Area, in accordance with the Australian Geomechanics Society *Practice Note Guidelines for Landslide Risk Management* (2007c), must be submitted and approved prior to the commencement of works and prior to the granting of building consent.

The landslide risk management report must:

1. include a risk assessment concluding that the excavation would have an acceptable or tolerable level of landslide risk;
2. include a schedule of risk mitigation measures if required to reduce the risk to tolerable levels; and
3. be prepared by:
 - a. a geotechnical engineer or an engineering geologist as specified in the Director of Building Control's determination Certificates of Specialists or Other Persons that can complete a landslide risk assessment; or
 - b. a civil engineer.

If a landslide risk management report includes landslide risk mitigation measures required to reduce the risk to tolerable levels, all mitigation measures must be included on the design drawings submitted for building consent, and all mitigation measures must be implemented.

Advice:

Once the landslide risk management report has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is 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 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.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City 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.

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: Committee

7.1.5 15 Marieville Esplanade, Sandy Bay - Alterations PLN-20-364 - File Ref: F20/77139

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 July 2020, be adopted.

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 alterations at 15 Marieville Esplanade Sandy Bay TAS 7005 for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 3 August 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-20-364 - 15 MARIEVILLE ESPLANADE 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.

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.

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

8.1 Delegated Decisions Report (Planning) File Ref: F20/79018

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 29 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

Supplementary item 13 was then taken.

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 Cable Car Development Application - Status Update File Ref: F20/73405; 13-1-10

Memorandum of the Director City Planning of 20 July 2020.

9.2 Bicycle Spaces - Development Applications File Ref: F20/73425; 13-1-10

Memorandum of the Director City Planning of 15 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

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Behrakis - Building Approvals - 2019 - 2020
File Ref: 13-1-10

Question: Can the Director advise what the total value of the development applications that were refused by the Council in the 2019/20 financial year?

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

10.2 Alderman Behrakis - Planning Scheme Amendments - PSA 19-1
File Ref: 13-1-10

Question: Can the Director advise when the scheme amendments PSA 19-1 are formally to come into effect and would these amendments have made approval more difficult for development applications that have recently been approved and constructed such as the Batch House Apartments or Melville Street development applications?

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

10.3 Councillor Harvey - Boarding Houses
File Ref: 13-1-10

Question: Can the Director advise how many boarding house applications we have had in 2020 and are there any emerging issues with these types of applications from a planning perspective?

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

10.4 Alderman Briscoe - Building Heights - Precinct Plan
File Ref: 13-1-10

Question: Can the Director advise what is the anticipated date for the report back to the Council on the CBD building heights issue being investigated as part of the inner Hobart precincts plan?

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

11. CLOSED PORTION OF THE MEETING

BRISCOE

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
- Question 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

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

Delegation: Committee

SUPPLEMENTARY ITEMS

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr Yvan Dufour addressed the Committee in relation to supplementary item 12

- 12. 14 Byron Street, 8-8A Byron Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Extension, Alterations, Change of Use to Boarding House and Associated Works in the Road Reserve
PLN-19-640 - File Ref: F20/79553**

DUTTA

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, extension, alterations, change of use to boarding house and associated works in the road reserve at 14 Byron Street, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.7.2 A1 or P1, in particular because the vehicle access points are not safe, efficient or convenient, having regard to all of the following:
 - (a) Avoidance of conflicts between users including vehicles, cyclists and pedestrians;
 - (b) Avoidance of unreasonable interference with the flow of traffic on adjoining roads;
 - (c) Suitability for the type and volume of traffic likely to be generated by the use or development;
 - (d) Ease of accessibility and recognition for users.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.6.1 A1 or P1, in particular because the number of on-site car parking spaces are not sufficient to meet the reasonable needs of users, having regard to the matters in P1.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Behrakis
Briscoe	
Harvey	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, extension, alterations, change of use to boarding house and associated works in the road reserve at 14 Byron Street, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.7.2 A1 or P1, in particular because the vehicle access points are not safe, efficient or convenient, having regard to all of the following:
 - (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;
 - (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;
 - (c) suitability for the type and volume of traffic likely to be generated by the use or development;
 - (d) ease of accessibility and recognition for users.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 6.6.1 A1 or P1, in particular because the number of on-site car parking spaces are not sufficient to meet the reasonable needs of users, having regard to the matters in P1.

Delegation: Council

Item 7.1.3 was then taken.

REPORTS

13 City Planning - Advertising Report
File Ref: F20/79669

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 30 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

Item 9 was then taken.

There being no further business the meeting closed at 7.23pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
17TH DAY OF AUGUST 2020.

CHAIRMAN