



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 31 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	3
2. CONFIRMATION OF MINUTES.....	3
3. CONSIDERATION OF SUPPLEMENTARY ITEMS	4
4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	4
5. TRANSFER OF AGENDA ITEMS.....	4
6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS.....	5
7. COMMITTEE ACTING AS PLANNING AUTHORITY	6
7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	6
7.1.1 5-7 Sandy Bay Road, Sandy Bay and Adjacent Road Reserve - Demolition and New Building for 45 Multiple Dwellings, Food Services and Associated Works within the Adjacent Road Reserve	6
7.1.2 26 Fitzroy Place Sandy Bay, 2 Montgomery Court, Sandy Bay - Partial Demolition, Extension and Alterations to Visitor Accommodation Use, Car Parking and Boundary Adjustment	33
7.1.3 1-5 Ryde Street, North Hobart - Partial Demolition, Alterations (Lift), and Associated Works	34
8. REPORTS	36
8.1 Delegated Decisions Report (Planning).....	36
8.2 City Planning - Advertising Report.....	36
9. RESPONSES TO QUESTIONS WITHOUT NOTICE.....	37
10. QUESTIONS WITHOUT NOTICE	38
11. CLOSED PORTION OF THE MEETING.....	38

City Planning Committee Meeting (Open Portion) held on Monday, 31 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, Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta, W Coats and Z Sherlock.

Councillor Sherlock arrived at the meeting at 5.04pm during the discussion of item 7.1.2.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

HARVEY

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 17 August 2020](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

BEHRAKIS

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

Item 7.1.2 was then taken.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.1.1 5-7 Sandy Bay Road, Sandy Bay and Adjacent Road Reserve - Demolition and New Building for 45 Multiple Dwellings, Food Services and Associated Works within the Adjacent Road Reserve PLN-19-706 - File Ref: F20/93200

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 19 May 2020, be adopted as amended by the following revised advice clause:

“Advice

Council encourages the provision of bicycle parking over and above the requirements of the Hobart Interim Planning Scheme 2015. It is also encouraged to accommodate ebikes and ecar power points (for ebike and ecar charging) into the final design.”

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Harvey
Behrakis
Coats

NOES

Deputy Lord Mayor Burnet
Dutta

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new building for 45 multiple dwellings, food services and associated works within the adjacent road reserve at 5-7 Sandy Bay Road, Hobart and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 31 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-19-706 - 5-7 SANDY BAY ROAD 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 2019/01747-HCC dated 04/12/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6101 dated 04 May 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition.

A demolition waste management plan must be submitted and approved, prior to commencement of work on the site. 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.

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

Advice:

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

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

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

Reason for condition

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

PLN s1

The palette of exterior colours and materials must be provided.

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, and montages and samples where appropriate, must be submitted and approved to the satisfaction of the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Reason for condition

In the interest of the streetscape and townscape values of the surrounding area.

PLN s2

A public artwork program is to be submitted for the Sandy Bay Road frontage facade wall.

Prior to the issue of any relevant approval for the artworks under the *Building Act 2016*, or prior to above ground works commencing on site, whichever occurs first, detail must be submitted and approved to the satisfaction of the Director City Planning in accordance with the above requirement with final details to be provided no later than prior to the issue of an occupancy permit for the proposed development.

All work required by this condition must be undertaken in accordance with the approved plans and be operational within 3 months of the completion of the development.

Reason for condition

In the interest of the streetscape.

PLN s3

A landscape plan must be prepared for the soft and hard landscaping of the site by a suitably qualified landscape architect.

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 of the space.

ENG 12

A construction waste management plan must be implemented throughout construction (including demolition).

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

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

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

Advice:

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

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

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

Reason for condition

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

ENG sw4

The development (including hardstand) must be drained to Council infrastructure with sufficient receiving capacity. Any new stormwater connection(s) must be constructed and existing redundant connections sealed by the Council at the owner's expense, prior to issue of a Certificate of Completion, first occupation or commencement of use, whichever occurs first.

Detailed engineering design drawings must be submitted and approved, prior to issue of any consent under the *Building Act 2016* (excluding demolition or excavation). The detailed engineering design drawings must be certified by a qualified and experience civil engineer and include:

1. the location of the existing and proposed connection(s);
2. the size and design of the connection appropriate to satisfy the needs of the development;

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; and
4. A clear distinction between public and private stormwater drainage infrastructure.

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

Advice:

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

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater manhole must be constructed at the owner's expense and prior to issue of a Certificate of Completion, first occupation, or commencement of the use, whichever occurs first.

Detailed engineering design drawings must be submitted and approved, prior to issue of any consent under the *Building Act 2016* (excluding demolition or excavation). The detailed engineering design drawings must:

1. Be certified by a qualified and experienced civil engineer;
2. Be substantially in accordance with LGAT Drawings (TSD-SW02-v1, TSD-SW03-v1);
3. Be designed to suit the profile of the existing DN300 stormwater main.

Post-construction photos of the Council's new stormwater manhole as part of the development, must be submitted to council upon completion of work.

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

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 endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to issue of a Certificate of Completion, first occupation or commencement of use (whichever occurs first). All costs associated with works required by this condition are to be met by the owner.

Detailed engineering design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved, prior to issue of any consent under the *Building Act 2016* (excluding demolition or excavation). The detailed engineering design drawings and calculations must:

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

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

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.

Reason for condition

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

ENG sw7

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion, first occupation, or commencement of use, whichever occurs first. All costs associated with works required by this condition are to be met by the owner.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the *Building Act 2016* (excluding demolition or excavation). 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 such that flows are limited to the receiving capacity of the infrastructure. All assumptions must be clearly stated.

4. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.
5. Clarification of the emptying times and outlet size.
6. Include supporting maintenance plan.
7. 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 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.
5. Nominate a superintendant, 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 issue of a Certification of Completion, first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 3a

Prior to the issue of a Certificate of Completion, first occupation or commencement of use (which occurs first), the access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), and bicycle parking spaces must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 and AS2890.3:2015 (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, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area) and bicycle parking spaces design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* (excluding demolition or excavation).

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

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004 and AS 2890.3:2015;
3. Demonstrate safe and efficient access, and use, where the design deviates from AS/NZS2890.1:2004 or AS 2890.3:2015;
4. Show all user class 1A car parking spaces;
5. Show the locations of all structural columns and obstructions with regard to car parking spaces and provide clearance in accordance with Figure 5.2 AS/NZS 2890.1:2004;
6. Show signage and pavement marking;
7. Show delineation of pedestrian pathways;
8. Show all bicycle parking spaces;
9. Show pedestrian bollards for egress to/from lifts and doorways;
10. Show jockey parking spaces are associated with the same domestic unit and are suitably marked (pavement marking or signed);
11. Show any small car parking spaces to be suitably marked (pavement marking or signed);
12. Show any visitor car parking spaces to be suitably marked (pavement marking or signed); and
13. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

Jockey parking spaces must not be associated with visitor parking spaces.

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

ENG 3b.

Prior to the issue of a Certificate of Completion, first occupation or commencement of use, whichever occurs first, documentation by a suitably qualified engineer certifying that the access driveway, parking module and bicycle parking 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 issue of a Certificate of Completion, first occupation, commencement of use, whichever occurs first.

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 is eighty six (86) (User Class 1A), including seven (7) car parking spaces in jockey configuration, unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standard AS/NZS 2890.1:2004 or a Council approved alternate design.

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

Advice:

The jockey parking space is to be allocated to the same domestic unit as the parking space that prevents vehicle exit manoeuvre when occupied. Jockey parking spaces must not be associated with any visitor parking spaces

Reason for condition

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

ENG 6

The minimum number of bicycle parking spaces to be provided on the site is two (2), unless approved otherwise by Council. All bicycle parking spaces must be designed in accordance with the Australian Standard AS/NZS 2890.3:2015 or a Council approved alternate design and provided prior to issue of a Certificate of Completion, first occupation, commencement of use, whichever occurs first.

Advice:

Council encourages the provision of bicycle parking over and above the requirements of the Hobart Interim Planning Scheme 2015. It is also encouraged to accommodate ebikes and ecar power points (for ebike and ecar charging) into the final design.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to issue of a Certificate of Completion, first occupation, or commencement of the use, whichever occurs first.

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.

This must be done within 30 days of the completion of the development or any demand from Council (whichever occurs first). Any damage must be reported immediately 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 (including demolition).

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

Reason for condition

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

ENG r1

The excavation and/or earth-retaining structures supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the excavations and retaining structures adjacent the highway reservation must be submitted and approved, prior to the commencement of work (including demolition or excavation) and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Show that the stability of the highway reservation will not be undermined;
3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works;
4. Take into account any additional surcharge loadings as required by relevant Australian Standards;
5. Take into account and reference accordingly any Geotechnical findings;
6. Detail any mitigation measures required;
7. Detail the design and location of the footing adjacent to Wilmot St and Sandy Bay Road highway reservation;

8. Include structure certificate which notes the driveway slab will not transfer additional loads onto any existing retaining wall(s); and
9. Detail any protection measures required during construction.

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

Advice:

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

Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Payment of an Infrastructure Protection Bond will be required prior to commencement of works

Reason for condition

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

ENG r3

Prior to issue of a Certificate of Completion, first occupation or commencement of use (whichever occurs first), the proposed driveway crossovers and footpath works within the highway reservation must be designed and constructed in 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 any approval under the *Building Act 2016* (excluding demolition or excavation). 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. Show the reinstatement of kerb at redundant crossover in accordance with TSD R14-v1 Type KC;
4. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings;
5. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);
6. Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD; and
7. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

Advice:

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

Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Works undertaken as part of this condition will require a permit to open up and occupy the highway reservation prior to commencing work within the highway reservation. Contact the City's City Amenity Road Services Workgroup on (03) 628 2108 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

Gates and doors must not open in such a way as to encroach upon any road reservation. The entire gate and/or door (in any position) including all associated mechanisms must be fully contained within the boundaries of the subject property.

Advice:

Gates and doors that encroach upon road reservation are in contravention of section 52 of the Local Government (Highways) Act 1982.

Reason for condition

For the safety of all road reservation users.

ENG s2

All stairs or ramps associated with pedestrian access to the development must be fully contained within the boundaries of the subject property and not encroach upon any road reservation.

Advice:

Any adjustment to footpath levels necessary to suit the design of any proposed stairs or ramps will require separate agreement from the City'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.

Reason for condition

For the safety of all road reservation users.

ENV 2

An approved demolition and construction environmental management plan, prepared by suitably qualified persons, must be implemented.

A demolition and construction environmental management plan must be submitted and approved prior to the commencement of works and prior to the granting of any building consent.

The plan must include, but is not limited to, the following:

1. Details of the proposed demolition and construction methodology and expected likely time frames.
2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site).
3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water).
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
 1. A noise and vibration management plan generally consistent with *AS 2436-2010 - Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:
 1. identification of potentially noisy or vibration-causing construction activities;
 2. procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and
 3. details of monitoring measures and triggers for corrective actions.

2. A soil and water management plan including:
 1. measures to minimise erosion and the discharge of contaminated stormwater off-site;
 2. measures to minimise dust emissions from the site;
 3. measures to manage the disposal of surface and groundwater from excavations; and
 4. measures to prevent soil and debris being carried onto the street.

5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved demolition and construction environmental management plan forms part of this permit and must be complied with.

Advice:

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

Reason for condition

To minimise the potential for environmental impacts from the construction works

HER 6

The recommendations and methodology contained within Chapter 6 – Archeological Impact Assessment and Method Statement of ‘Heritage Impact Assessment Fragrance Development 5-7 Sandy Bay Road, Hobart Tasmania’ prepared by Brad Williams of Praxis Environment (July 2019) are to be implemented in full.

Reason for condition

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

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of the underground car park associated walls supporting and adjacent to the Sandy Bay Road and Wilmot Street highway reservation prior to commencement of work (including demolition or excavation).

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

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

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

Advice:

For further information with respect to the preparation of a Part 5 Agreement please contact the City's Development Engineering staff.

Reason for condition

To ensure the protection of Council assets.

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 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.

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 City of Hobart's City Amenity Division to initiate the permit process).

NEW SERVICE CONNECTION

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

PLANNING

Given that the nature of the Stage 2 development remains unclear, including its potential impact, especially on the heritage listed properties on the site, early pre- application consultation with the Urban Design Advisory Panel and relevant City of Hobart officers is strongly encouraged.

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.

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 or 74 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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

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

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

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

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSOVERS

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

RESIDENTIAL PARKING PERMIT ELIGIBILITY

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

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.

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

Item 7.1.3 was then taken.

Mr Nik Masters (Representor) and Mr Dermot Crean (Applicant) addressed the Committee in relation to item 7.1.2.

7.1.2 26 Fitzroy Place Sandy Bay, 2 Montgomery Court, Sandy Bay - Partial Demolition, Extension and Alterations to Visitor Accommodation Use, Car Parking and Boundary Adjustment PLN-19-918 - File Ref: F20/92946

PROCEDURAL MOTION

DUTTA

That the item be deferred to enable further consultation with the applicant on heritage and traffic issues.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That the item be deferred to enable further consultation with the applicant on heritage and traffic issues.

Delegation: Committee

**7.1.3 1-5 Ryde Street, North Hobart - Partial Demolition, Alterations
(Lift), and Associated Works
PLN-20-389 - File Ref: F20/89448**

DUTTA

That the recommendation contained in the report of the development Appraisal Planner and the Senior Statutory Planner of 6 August 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, alterations (lift), and associated works at 1 - 5 Ryde 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 31 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-20-389 - 1-5 RYDE STREET NORTH HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

BUILDING PERMIT

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

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

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.

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](#).

DIAL BEFORE YOU DIG

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

Delegation: Council

8. REPORTS

8.1 Delegated Decisions Report (Planning) File Ref: F20/92530

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 26 August 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

8.2 City Planning - Advertising Report File Ref: F20/92720

DUTTA

That the recommendation contained in the memorandum of the Director City Planning of 26 August 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 *City Planning - Advertising Report* be received and noted.

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 55 Mount Stuart Road - Development Status
File Ref: F20/30683; 13-1-10

Memorandum of the Director City Planning of 25 August 2020.

BRISCOE

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

No questions were asked at the meeting.

11. CLOSED PORTION OF THE MEETING

HARVEY

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:

- Planning appeal mediation

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	Planning Authority Items – Consideration of Items with Deputations
Item No. 5	City Acting as Planning Authority
Item No. 5.1	Applications under the Hobart Interim Planning Scheme 2015
Item No. 5.1.1	PLN-20-186 - 14 Stoke Street, New Town - Multiple Dwellings (One Existing, One New) - Appeal - Mediation LG(MP)R 15(4)(a)
Item No. 6	Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

Delegation: Committee

There being no further business the Open portion of the meeting closed at 6.01pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
14TH DAY OF SEPTEMBER 2020.

CHAIRMAN