



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 18 January 2021 at 5:00pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 18 January 2021 at 5:00 pm in the Council Chamber, Town Hall.

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 the Lord Mayor
Councillor A M Reynolds.

Alderman Behrakis left the meeting at
6.13pm, returning at 6.14pm.

The Lord Mayor arrived at the meeting at
5.37pm and retired from the meeting at
7.03pm.

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

BEHRAKIS

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 14 December 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	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.

Item 7.2.1 was then taken.

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

7.1.1 34 Davey Street, Hobart and Adjacent Road Reserve - Signage PLN-20-708 - File Ref: F21/2376

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 8 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for signage at 34 Davey Street, Hobart for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 18 January 2021 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-20-708 - 34 DAVEY STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6418 dated 5 January 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG s3

The flags and any associated projection onto the highway must have a minimum vertical clearance of 2.5 metres.

Once the signage and flags are installed, contact the City Infrastructure Inspector to inspect and confirm compliance with the above requirement.

Reason for condition:

To ensure that the works carried out to the satisfaction of the Council.

HER 11

The interpretive signs P3, P4, P5 and P6 must reference the source or collection of the historic image being used and appropriate permissions must be obtained for the reproduction of the image on the interpretation signs.

Reason for condition

To ensure that the historic cultural heritage significance of the place and all sources of information are acknowledged and are historically accurate.

HER 3

No new holes are to be drilled into the face of sandstone blocks for the installation of signs listed below under (1.). No new holes are to be drilled into the face of sandstone blocks for the rope fixings for the signs listed below under (2.). The signs listed in 1. and 2. below must be installed in existing mortar joints and holes. All fixings for all signs must use non-corrosive fixings.

1. EXID-3-03, EXID-3-01, EXID-4-01, P3, P4, P5, P6 and WF-2
2. EXID-1 01 and EXID-1-02

If the size and position of any of the signs listed above in (1.) and (2.) have to be modified to enable the metal subframe to be fixed to existing sandstone mortar joints, revised plans must be submitted and approved by the Council.

Prior to the issue of any approval under the *Building Act 2016*, documentation must be submitted and approved which shows how the signs are to be fixed into the existing mortar joints in accordance with the above requirements.

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

Reason for condition

To ensure the fixing of signs does not impact on the cultural heritage significance of heritage places as described under clause 25.11 of the *Sullivans Cove Planning Scheme 1997*.

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*.

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 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.

Delegation: Committee

**7.1.2 34 Davey Street, Hobart and Adjacent Road Reserve - Partial
Demolition, Alterations to Footpath and Carparking and
Landscaping
PLN-20-630 - File Ref: F21/2387**

HARVEY

That the recommendation contained in the report of the Development
Appraisal Planner and the Senior Statutory Planner of 11 January 2021, 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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations to footpath and carparking, and landscaping, at 34 Davey Street, Hobart and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 18 January 2021 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-20-630 - 34 DAVEY STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SW 1

Prior to the commencement of work on the site, a pre-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure within/adjacent to the proposed development which will not be renewed must be submitted to the City of Hobart.

The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on the City of Hobart's plans to be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition

assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and

3. photos of any existing drainage structures connected to or modified as part of the development.

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

Advice:

Council notes post-work CCTVs required by the applicant's contractor under previous Road Opening Permits have not yet been submitted, however pre-works CCTVs show both that the main must be replaced, and does not have the straight alignment shown on Council's maps and the concept plans submitted.

SW 2

Prior to commencement of the approved use, a post-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure (new and existing) 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 the City of Hobart.

The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on the City of Hobart's plans shall be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and
3. 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 the Hobart City Council's stormwater infrastructure during construction. If the owner/developer fails to provide the City of Hobart with an adequate post-construction condition assessment then any damage to the Hobart City Council's infrastructure identified in the post- construction CCTV will be deemed to be the responsibility of the owner/developer.

SW 3

The proposed works, including tree pits, must be designed to ensure the protection and access to the Hobart City Council's stormwater infrastructure.

Prior to commencement of works, a detailed design must be submitted and approved. The final detailed design must be prepared by a suitably qualified expert and must:

1. Demonstrate how the design will ensure the protection of and provide long-term access to the Hobart City Council's stormwater main.
2. Include a cross-section clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works, including drip zone and root barriers, and stating the minimum setbacks from the works to the nearest external surface of the main.

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

Advice:

Council notes the location of the gas main shown on JMG drawing P04 Rev DA2 appears to clash with the tree pits.

SW 6

Council's stormwater infrastructure within the area of works must be renewed as directed by Council. The new stormwater infrastructure must be designed and constructed prior to commencement of the approved use.

Prior to commencement of works, detailed engineering drawings must be

submitted and approved. The detailed engineering drawings must be certified by a suitably qualified and experienced civil engineer and must:

1. be substantially in accordance with the Local Government Association of Tasmania: Tasmanian Municipal Standard Drawings (May 2020), as varied by the City of Hobart's published departures from those Drawings, and the Local Government Association of Tasmania, Tasmanian Subdivision Guidelines (October 2013);
2. clearly distinguish between public and private infrastructure;
3. show in both plan and long-section the proposed stormwater infrastructure, including but not limited to, surface drainage, connections, flows, velocities, hydraulic grade lines, clearances (including from existing and proposed services, works, structures and surface applications), cover, gradients, sizing, material, pipe class, and inspection openings;
4. include a construction program demonstrating how services to external land will be maintained.
5. show surface drainage designed to flow to Council infrastructure. The proposed trench grates in the footpath at the Davey/ Murray Street intersection are not accepted.
6. show the new main as DN450 RCP Class 4.

Council will contribute to the cost of the stormwater infrastructure replacement. The cost must be agreed upon in writing prior to commencement of work.

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

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 r1

The works within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

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 the commencement of use, the proposed work within the highway reservation must be designed and constructed in general accordance with the City's requirements, including but not limited to:

- TSD-R09-v3 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
- TSD-R06-v3 - Urban Roads
- Footpath - Urban Roads Footpaths TSD-R11-v3

Design drawings must be submitted and approved prior to any approval to commence works. The design drawing must:

1. Be in accordance with the approved plans, with sufficient detail for construction
2. Show existing infrastructure and linemarking
3. Show the cross and long section of the driveway crossover within the highway reservation and onto the property
4. Show the long and cross section the road and footpath
5. Detail all new and existing services or infrastructure (ie light poles, pits, awnings)
6. Detail proposed surface finishes and landscaping
7. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.
8. Show swept path templates, including for a 19m and 24m B-Double at Davey Street intersection
9. If the design deviates from the requirements of the TSD then the drawings must 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
10. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
11. Be prepared and certified by a suitable qualified person, to satisfy the above requirement, and accompanied by the City's detailed design checklist

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 construction approval may result in unexpected delays.

A Permit to Construct Public Infrastructure will be required.

Reason for condition

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

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](#), and any recommendations in a contaminated site

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 11

The proposed structures/post/planters on either side of the Murray Street hotel entrance shown on drawing SK201013.6a dated 13/10/20 are not approved.

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works, whichever occurs first, revised plans must be submitted and approved without these structures or planters.

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

Reason for condition

To ensure that development at a heritage place 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.

BUILDING PERMIT

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

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 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.

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).

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.

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.

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

Item 7.2.2 was then taken.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Paul Tomaszewski, Rebecca Heath, Cassandra Pybus (Representors) and Michael and Pip Cooper (Applicant) addressed the Committee in relation to item 7.2.1.

7.2.1 2 Castray Esplanade, Battery Point - Partial Demolition, Alterations, Extension and Partial Change of Use to Two Multiple Dwellings PLN-20-316 - File Ref: F21/2639

BRISCOE

That the recommendation contained in the report of the Development

Appraisal Planner and the Senior Statutory Planner of 12 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe Harvey Behrakis Coats	Deputy Lord Mayor Burnet Dutta

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference and the special delegation of the Council of 26 October 2010, approve the application for partial demolition, alterations, extension and partial change of use to two multiple dwellings, at 2 Castray Esplanade, Battery Point for the reasons outlined in the officer's report attached to item 7.2.1 of the Open City Planning Committee agenda of 18 January 2021 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-20-316 2 CASTRAY ESPLANADE BATTERY POINT TAS 7004 - 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 2020/00748-HCC dated 16/06/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

The fixed screening to a height of 1.7m above the walkway floor level, with no more than 25% uniform transparency as shown on the approved plans must be installed and maintained along the western side of the third floor level prior to first occupation.

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. 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 sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to a legal point of discharge with sufficient receiving capacity prior to 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.

Design drawings and calculations of the proposed stormwater drainage from the site must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. be prepared by a suitably qualified person;
2. extend to the point of discharge to the River Derwent;
3. demonstrate any private or private shared stormwater system passing through third-party land has sufficient receiving capacity;
4. clearly show ownership of stormwater infrastructure.

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

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.

Council has no record of how the site drains lawfully and efficiently to the River Derwent.

Council also notes the requirements of s81 of the Building Regulations 2016. Plans for any plumbing approval must clearly state the pool type (ie standard chlorine), show filter backwash to sewer, and state the

proposed maximum discharge rate (<240L/min) and total chlorine concentration (<1.2mg/L) for emptying the pool as a maintenance action.

Reason for condition

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

ENG 13

An ongoing waste management plan for all commercial and domestic waste and recycling must be implemented post construction.

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

1. include provisions for commercial waste services for the handling, storage, transport and disposal of commercial and domestic waste and recycle bins from the development.

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

Advice:

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

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

Reason for condition

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

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 3a

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

Advice:

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

Reason for condition

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

ENG 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 8

The number of parking spaces approved on the site, for use is:

- Two (2) user class 1A car parking spaces allocated to the

- residential dwellings (one space per dwelling); and
- Two (2) user class 1A car parking spaces allocated to the offices.

Prior to the first occupation or commencement of use (whichever occurs first):

1. 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;
2. The two (2) parking spaces allocated to the residential dwellings must each have a sign on the adjacent wall clearly stating the apartment number that the parking space is allocated to; and
3. The two (2) parking spaces allocated to the offices must each have a sign on the adjacent wall clearly stating 'Reserved - Employee Parking Only'.

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.

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.

OPS s2

All the trees adjacent to the property that are owned by the City of Hobart must be protected from damage using temporary fencing. The fencing must be erected and inspected to the satisfaction of the Director City Amenity, prior to any machinery or materials being brought onto the site and prior to the commencement of work.

The fencing must:

1. define and protect the Tree Protection Zones, as defined in the

Australian Standard AS 4970 – 2009 Protection of trees on developments site.

2. be constructed of star pickets and brightly coloured plastic meshing.
3. Include signs identifying the tree protection areas must be visible from the parts of the site where there will be construction or construction traffic.

No vehicular or pedestrian access, excavation, placement of fill, storage of materials, parking or soil disturbance is to occur within the Tree Protection Zones.

Advice:

Once the temporary fencing has been inspected and approved by the Council's Program Leader Arboriculture & Nursery (6238 2807), the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

As building approval is also required, it is recommended that the fencing inspection for condition endorsement be undertaken 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 that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

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 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 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*.

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*.

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 Council's Traffic Engineering Unit on 6238 2804.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in

respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

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.

Attachments

- A Michael Cooper - Deputation Supporting Information - 2 Castray Esplanade ⇒ 

Delegation: Committee

Item 7.1.1 was then taken.

7.2.2 52 Melville Street, Hobart - Partial Demolition, Alterations, Extension, Signage and Change of Use to Community Meeting and Entertainment PLN-20-635 - File Ref: F21/2291

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 11 January 2021, be

adopted, with a revised condition PLN s1 to read as follows:

“PLN s1

The proposed circular wall sign is to have a maximum area of 2m² and must not be illuminated between the hours of 10pm-7am.”

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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations, extension, signage and change of use to community meeting and entertainment at 52 Melville Street, Hobart for the reasons outlined in the officer’s report attached to item 7.2.2 of the Open City Planning Committee agenda of 18 January 2021 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-20-635 - 52 MELVILLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6366 dated 15 December 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The proposed circular wall sign is to have a maximum area of 2m² and must not be illuminated between the hours of 10pm-7am.

Reason for condition

In the interest of residential amenity

HER 9

The painting of the unpainted brick exterior return elevation is not approved. The brickwork must remain unpainted.

Reason for condition

To ensure that there is no loss of historic cultural heritage values of this heritage listed site.

HER 13

No internal fittings, fixtures and fabric of historic and architectural value other than those shown on the approved plans are to be removed.

Reason for condition

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

HER 6

All onsite excavation and disturbance within the area of High Archaeological Potential identified within the Praxis Conservation Management Policy, Heritage Impact Assessment and Statement of Compliance Report dated August 2020 must be monitored by a suitably qualified archaeologist practitioner. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and

2. The qualified archaeologist must provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 2 days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 5 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

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.

HER s4

A photographic record must be made of the building, and a high-resolution digital copy of this record must be provided to the Council prior to the commencement of any works. For areas that will be affected by the works, the record must comprise -

1. at least one photograph of each interior space and external elevation; and
2. photographs of any detail or finish that may be of historical, archaeological or architectural interest; and
3. cross referencing of all photographs to “as existing” floor plans, showing the location and orientation of the camera.

Reason for condition

To record items of historical, archaeological and/or architectural interest, and document the evolution of this important heritage place in accordance with the heritage provisions of the *Hobart Interim Planning Scheme 2015*.

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 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 Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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 Council's Traffic Engineering Unit on 6238 2804.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

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.

Delegation: Committee

7.2.3 109-113 Liverpool Street, Hobart - Signage PLN-20-698 - File Ref: F20/136469

HARVEY

That the recommendation contained in the report of the development Appraisal Planner and the Senior Statutory Planner of 14 December 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*, and section 39(10) of the *Historic Cultural Heritage Act 1995*, the Council refuse the application for signage, at 109-113 Liverpool Street, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E17.7.2 P1 of the *Hobart Interim Planning Scheme 2015* because the above awning sign is of a size, design, location, has modern trademarks, has fixings and is illuminated in a manner that does not complement the heritage character of the place.
2. Because the application has been refused by the Tasmanian Heritage Council pursuant to section 39(6)(c) of the *Historic Cultural Heritage Act 1995*. Refer Notice of Heritage Decision reference 6378 dated 10 December 2020 marked as Attachment B to item 7.2.3 of the Open city Planning Committee agenda of 18 January 2021.

Delegation: Council

**7.2.4 326 Strickland Avenue, South Hobart and Adjacent Road Reserve - Dwelling
PLN-20-644 - File Ref: F21/2197**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 4 January 2021, be adopted as amended by the inclusion of the following advice clause:

“Advice:

The owner is encouraged to plant a Eucalyptus globulous tree on their property to replace the tree which is being removed, if there is a suitable site which is appropriate within the bushfire management plan.”

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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for a dwelling at 326 Strickland Avenue, South Hobart and adjacent road reserve for the reasons outlined in the officer’s report attached to item 7.2.4 of the Open City Planning Committee agenda of 18 January 2021 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-20-644 - 326 STRICKLAND AVENUE SOUTH HOBART TAS 7004 - 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 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 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

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

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

Reason for condition

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

ENG 3a

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

use.

Advice:

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

Reason for condition

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

ENG 3b

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

1. Be prepared and certified by a suitably qualified engineer.
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004.
3. 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.
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 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 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 9

No vegetation removal has been approved under this permit other than removal of the *Eucalyptus globulosa* tree on the north-western boundary for the purpose of erecting a boundary fence as shown on Site Plan LPA 1906.SK01.B.

Advice:

The owner is encouraged to plant a *Eucalyptus globulosa* tree on their property to replace the tree which is being removed, if there is a suitable site which is appropriate within the bushfire management plan.

Advice:

The clearing and modification of vegetation on the land must be no greater than that approved under planning permit PLN-16-936 (other than the abovementioned tree) and must be in accordance with the Bushfire Management Plan and Natural Values Management Plan referred to in Part 5 Agreement E99872.

Reason for condition

To clarify the scope of the permit

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](#).

The SWMP must include management of vegetation clearing to establish bushfire hazard management areas, particularly within the waterway protection area.

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.

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

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.

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.

PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to Part 5 Agreement E99872 that requires the owner(s) to:

- implement and maintain the relevant requirements of the Bushfire Management Plan in relation to the property, prior to the occupation of any dwelling; and
- implement and comply with the recommendations and requirements of the Natural Values Management Plan in relation to the property.

In particular, establishment and maintenance of the bushfire hazard management area must:

- prioritise removal of woody weed species rather than native species;
- include retention of trees and clusters of native understorey vegetation;
- retain low riparian species such as ferns within the waterway protection area;
- target the removal of wattle or stringybark trees in priority to blue gum trees;
- be undertaken by hand tools rather than machinery within the waterway protection area.

Please ensure you are familiar with the requirements of the Site Development Plan and that the Site development Plan is complied with.

Copies of the Part 5 Agreement are available from The LIST website (www.thelist.tas.gov.au) via the 'Scanned Dealings' section.

Delegation: Committee

7.3 COMMITTEE ACTING AS PLANNING AUTHORITY

Mr Mat Clark JMG Engineers & Planners addressed the Committee in relation to item 7.3.1

7.3.1 Amendment PSA-20-2 - Hobart Interim Planning Scheme 2015 - 321-323A to 325 Elizabeth Street and 16A Lefroy Street File Ref: F20/134169

BEHRAKIS

That the recommendation contained in the report of the Development Planner and the Director City Planning of 12 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

- That: 1. Pursuant to Section 34(1) (a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to modify the Inner Residential Zone Use Table to include Vehicle Parking as a discretionary use with the qualification "only if at 321-323A Elizabeth Street (CT 137808/1 and 2); or 325 Elizabeth Street (CT 176661/1 and CT 137807/1); or 16A Lefroy Street (CT 112639/1 and CT 112639/2)", as indicated in the revised Inner Residential Use Table provided in Attachment B to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.
2. The applicant submit landowner consent from the City of Hobart General Manager as landowner of 16A Lefroy Street (CT

112639/1 and CT 112639/2) and the Director of Housing as landowner of 45A Burnett Street (CT 121837/1) prior to public exhibition of the amendment.

3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the amendment to the Hobart Interim Planning Scheme 2015 PSA-20-2 meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification marked as Attachment E to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.
4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place Amendment PSA-20-2 to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.

Delegation: Council

8. REPORTS

8.1 Southern Tasmania Regional Land Use Strategy - Proposed Review Process and Draft New Policy - Submission to the Minister for Planning **File Ref: F21/324**

BEHRAKIS

That the recommendation contained in the report of the Development Planner and the Director City Planning of 13 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

That the Council endorse the submission to the Minister for Planning, in response to a roadmap for review of the Southern Tasmania Regional Land Use Strategy 2010-2035 and a proposed new interim policy relating to urban zoning beyond the Urban Growth Boundary, as shown in Attachment A to item 8.1 of the Open City Planning Committee agenda of 18 January 2021.

Delegation: Council

8.2 Monthly Building Statistics - 1 December - 31 December 2020
File Ref: F21/1139

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 6 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the report of the Director City Planning be received and noted:

During the period 1 December 2020 to 31 December 2020, 56 building permits were issued to the value of \$11,649,479 which included:

- (i) 31 for Extensions/Alterations to Dwellings to the value of \$4,509,648;
- (ii) 7 New Dwellings to the value of \$2,567,000; and
- (iii) 2 Major Projects:
 - (a) 21-27 Elizabeth Street, Hobart - Commercial Internal Alterations - \$1,167,381;
 - (b) 7 Wilks Road, Lenah Valley - New Commercial Building -

\$1,100,000;

During the period 1 December 2019 to 31 December 2019, 61 building permits were issued to the value of \$32,977,425 which included:

- (i) 35 for Extensions/Alterations to Dwellings to the value of \$3,869,310;
 - (ii) 37 New Dwellings to the value of \$15,935,615; and
 - (iii) 3 Major Projects:
 - (a) 110 Giblin Street, New Town - Multiple New Dwellings - \$12,000,000;
 - (b) 15-17 Liverpool Street, Hobart - Brooker Highway Pedestrian Bridge - \$6,500,000;
 - (c) 254-286 Liverpool Street, Hobart - Commercial Internal Alterations - \$4,200,000;
1. In the twelve months ending December 2020, 641 building permits were issued to the value of \$180,406,244 and
 2. In the twelve months ending December 2019, 621 building permits were issued to the value of \$341,462,108.

Delegation: Council

**8.3 Delegated Decision Report (Planning)
File Ref: F21/2178**

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 12 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

COMMITTEE RESOLUTION:

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

Delegation: Committee

**8.4 City Planning - Advertising Report
File Ref: F21/2329**

COATS

That the recommendation contained in the memorandum of the Director City Planning of 12 January 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

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 Bicycle Parking Provisions **File Ref: F20/114587; 13-1-10**

Report of the Director City Planning of 18 January 2021.

9.2 Design of Vehicle Access **File Ref: F20/114526; 13-1-10**

Report of the Director City Planning of 18 January 2021.

9.3 Overshadowing Protection **File Ref: F20/114589; 13-1-10**

Report of the Director City Planning of 18 January 2021.

9.4 55 Mount Stuart Road - Overlooking **File Ref: F20/124661; 13-1-10**

Report of the Director City Planning of 18 January 2021.

9.5 Building Permits - Timeframe **File Ref: F20/130582; 13-1-10**

Report of the Director City Planning of 18 January 2021 and attachments.

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

10.1 Alderman Briscoe - Parliament Square - Appeal **File Ref: 13-1-10**

Question: Can the Director advise on the status of the appeal on the Parliament Square development regarding disability access and going forward could the Council be kept informed of the developments?

Answer: The Manager Development Compliance advised that the appeal doesn't involve the Council but the understanding is that the disability advocates were successful at the Full Court and there is an appeal to the High Court pending.

10.2 Councillor Harvey - Potential Development Sites - Rail Corridor **File Ref: 13-1-10**

Question: With regards the reports completed on the potential development sites along the rail corridor can the Director advise what action or further advancement on the recommendations from the report have been initiated?

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

10.3 Councillor Dutta - Building Height Report **File Ref: 13-1-10**

Question: Can the Director provide an update on the height report matter?

Answer: The Director City Planning advised that a brief in relation to the height matter has been drafted for a consultant to undertake the economic, social and environmental impacts of the various building form options and we anticipate this being commissioned and completed in time for a report back to the Council in May/June 2021.

10.4 Deputy Lord Mayor Burnet - Parking Permits - Battery Point **File Ref: 13-1-10**

Question: Can the Director advise how many residential parking permits are issued and how does that correlate to the

number of car parks available?

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

10.5 Alderman Briscoe - Lyndon Dadswell - Sculpture
File Ref: 13-1-10

Question: Can the Director advise in relation to the removal of the Lyndon Dadswell bas-relief sculpture situated in the Commonwealth Bank building in Elizabeth Street. Why wasn't the sculpture heritage listed in the interests of Hobart being a heritage city and being one of Australia's most significant sculptures. Where is the sculpture now ?

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

11. CLOSED PORTION OF THE MEETING

BEHRAKIS

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Planning Appeal – Mediation

The following items were discussed:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council 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-19-640 - 14 Byron Street, Sandy Bay - 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 7.08pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
1ST DAY OF FEBRUARY 2021.

CHAIRMAN