



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 15 March 2021 at 5:00 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1.	CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY	4
2.	CONFIRMATION OF MINUTES.....	5
3.	CONSIDERATION OF SUPPLEMENTARY ITEMS	5
4.	INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	6
5.	TRANSFER OF AGENDA ITEMS.....	6
6.	PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS	6
7.	COMMITTEE ACTING AS PLANNING AUTHORITY	7
7.1	APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997	8
7.1.1	51/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation.....	8
7.1.2	PLN-18-351 20 Runnymede Street Battery Point - Appeal	8
7.2	APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	10
7.2.1	7 Nixon Street, Sandy Bay - Partial Demolition, Alterations, Extension and Front Fencing - PLN-20-460.....	10
7.2.2	118 York Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Subdivision (One Additional Lot), and Associated Work	19
7.2.3	26 Tabart Street, New Town - Two Multiple Dwellings.....	34
7.2.4	41 Beaumont Road, Lenah Valley - Five Multiple Dwellings	35
7.2.5	249A Elizabeth Street, North Hobart - Signage.....	49
7.2.6	410 Elizabeth Street, North Hobart - Park Upgrade including Partial Demolition, Alterations, Landscaping, Furniture and Lighting	52
8.	REPORTS	56
8.1	Building Statistics - 1 February 2021 - 28 February 2021	56
8.2	Annual Development Data 2020.....	57
8.3	Planning Statistics - 1 February 2021 - 28 February 2021	58

8.4	City Planning - Advertising Report.....	59
8.5	Delegated Decision Report (Planning)	60
9.	RESPONSES TO QUESTIONS WITHOUT NOTICE.....	60
10.	QUESTIONS WITHOUT NOTICE	61
11.	CLOSED PORTION OF THE MEETING.....	61

City Planning Committee Meeting (Open Portion) held on Monday, 15 March 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 (Chairman), 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 5.43 pm, returning at 5.45 pm.

Alderman Behrakis declared an interest in item 7.2.3 and left the meeting at 7.33 pm, returning at 7.35 pm.

APOLOGIES: Councillor W F Harvey.

The Lord Mayor was co-opted to the Committee and was present for items 1 to 7, 7.1.2, 7.2.1 and 7.2.2 retiring from the meeting at 7.17 pm.

LEAVE OF ABSENCE: Nil.

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

BRISCOE

That the Lord Mayor be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Behrakis
Dutta
Coats

NOES

2. CONFIRMATION OF MINUTES

DUTTA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 1 March 2021](#) and the Special City Planning Committee meeting held on [Tuesday, 9 March 2021](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	
Lord Mayor Reynolds	

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

BEHRAKIS

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	
Lord Mayor Reynolds	

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.

1. Alderman Behrakis - item 7.2.3

5. TRANSFER OF AGENDA ITEMS

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

BRISCOE

That supplementary item 6 of the Closed portion of the meeting be transferred to the Open portion of the meeting and be taken as item 7.1.2.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Behrakis
Dutta
Coats
Lord Mayor Reynolds

NOES

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.

BRISCOE

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
Behrakis
Dutta
Coats
Lord Mayor Reynolds

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 51/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation PLN-21-63 - File Ref: F21/20621

PROCEDURAL MOTION

BRISCOE

That the item be deferred to a special meeting prior to Council on the 22 March 2021 to enable deputations to be received.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the item be deferred to a special meeting prior to Council on the 22 March 2021 to enable deputations to be received

Delegation: Committee

Item 7.2.3 was then taken.

Mr Andrew Edwards, Mr Graeme Corney, Mr Neil Shephard (Representors), Mr David Quinn and Mr Lloyd Clark (Applicant) addressed the Committee in relation to item 7.1.2.

7.1.2 PLN-18-351 20 Runnymede Street Battery Point - Appeal File Ref: F21/20051; PLN-18-351

BRISCOE

That the recommendation contained in the report of the Legal Officer and the Acting Director City Planning of 16 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Behrakis
Briscoe	Coats
Dutta	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the Council oppose approval of the plans amended by the Resource Management Planning Appeal Tribunal on 4 February 2021 for application for partial demolition, new building for residential hotel, restaurant/cafe, unlisted use (bar) and shops, subdivision (one additional road lot), alterations to carparking, and associated works in the road reserve at 20 Runnymede Street Battery Point and adjacent road reserve, for the following reason:

1. The proposal does not meet the 'permitted' standards of clause 23.6.1 (Building Form) of the *Sullivans Cove Planning Scheme 1997* and fails to meet with the objectives of clause 23.2, which must be considered in the exercise of discretion under clause 23.6.2, because it fails to conserve the traditional urban pattern of Sullivans Cove, it fails to reflect the natural topography of the planning area and it will be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation.

Attachments

A Original Report - 20 Runnymede Street ⇒ 

Delegation: Council

BRISCOE

That the Committee adjourn for a 10 minute comfort break.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

Item 7.2.6 was then taken.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Sarah Kimber (owner) addressed the Committee in relation to item 7.2.1.

7.2.1 7 Nixon Street, Sandy Bay - Partial Demolition, Alterations, Extension and Front Fencing - PLN-20-460 File Ref: F21/20055

DUTTA

That the recommendation contained in the report of the Acting Director City Planning of 9 March 2021, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Dutta	Deputy Lord Mayor Burnet Briscoe Behrakis Coats Lord Mayor Reynolds

BEHRAKIS

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and front fencing, at 7 Nixon Street, Sandy Bay because it complies with the relevant provisions of the planning scheme, in particular clauses E13.8.1 P1, E13.8.2 P1 and E13.8.2 P3, 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-20-460 - 7 Nixon Street Sandy Bay TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 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.

HER 14

All brick and sandstone elements must be retained and reused on site.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the retention and reuse of all bricks and sandstone elements in accordance with the above requirement.

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 precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 16

The front fence along the Nixon Street boundary must be no more than 1.2 metres in height above natural ground level. The fence along Marsden Street must be no higher than 1.2 metres at the corner with Nixon Street and be no more than 2.3 metres in height (including the concrete base) at the point where the fence is adjacent to 1 Marsden Street.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the front fence in accordance with the above requirement.

Reason for condition

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

HER 17a

The external materials and finishes of the approved development must be substantially in accordance with the approved plans, except for the colour of the roof. Any substantial change in the materials and finishes requires further approval. The colour of the roof, both new and existing, requires further approval.

All exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing all exterior colours, materials and finishes in accordance with the above requirement.

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

Reason for condition

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

HER 17b

The final colour of the roof of the entire building must be approved.

Prior to the issue of any approval under the *Building Act 2016*, revised plans detailing the roof colour of the building must be submitted and approved to the satisfaction of the Council's Director City Planning.

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

Reason for condition

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

ADVICE

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

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

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.

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.

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and front fencing, at 7 Nixon Street, Sandy Bay because it complies with the relevant provisions of the planning scheme, in particular clauses E13.8.1 P1, E13.8.2 P1 and E13.8.2 P3, 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-20-460 - 7 Nixon Street Sandy Bay TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 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.

HER 14

All brick and sandstone elements must be retained and reused on site.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the retention and reuse of all bricks and sandstone elements in accordance with the above requirement.

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 precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 16

The front fence along the Nixon Street boundary must be no more than 1.2 metres in height above natural ground level. The fence along Marsden Street must be no higher than 1.2 metres at the corner with Nixon Street and be no more than 2.3 metres in height (including the concrete base) at the point where the fence is adjacent to 1 Marsden Street.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the front fence in accordance with the above requirement.

Reason for condition

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

HER 17a

The external materials and finishes of the approved development must be substantially in accordance with the approved plans, except for the colour of the roof. Any substantial change in the materials and finishes requires further approval. The colour of the roof, both new and existing, requires further approval..

All exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing all exterior colours, materials and finishes in accordance with the above requirement.

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

Reason for condition

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

HER 17b

The final colour of the roof of the entire building must be approved.

Prior to the issue of any approval under the *Building Act 2016*, revised plans detailing the roof colour of the building must be submitted and approved to the satisfaction of the Council's Director City Planning.

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

Reason for condition

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

ADVICE

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

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

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.

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

Ms Margaret Hawke, Ms Bernadette Proemse, Mr Andrew Bowie, Mr Ian Johnson (Representors), Mr Craig Terry and Mr Peter Van Dal (Applicant) addressed the Committee in relation to item 7.2.2.

7.2.2 118 York Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Subdivision (One Additional Lot), and Associated Work PLN-20-259 - File Ref: F21/20536

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 30 November 2020, be adopted, as amended by the inclusion of the words “*and landscaping*” after the word “*boundary*” in condition HER s1.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and subdivision (one additional lot) at 118 York Street, Sandy Bay for the reasons outlined in the officer’s report attached to item 7.2.2 of the Open City Planning Committee agenda of 15 March 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-20-259 - 118 York Street Sandy Bay TAS 7005 - CPC Agenda 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 2020/00590-HCC dated 11 May 2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. 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 and connections to the Council's stormwater infrastructure 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; 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 3a

The access driveway and parking module (parking spaces 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, as failure to do so may result in difficulty complying with this condition.

Reason for condition

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

ENG 3c

The access driveway and parking module (parking spaces and manoeuvring area) must be constructed in strict accordance with the PDA Surveyors documentation received by the Council on the 18th October 2020 prior to sealing of the final plan.

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 sealing of the final plan.

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.

ENG r3

Prior to the sealing of the final plan, the proposed driveway crossover within the York Street highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v2 – Urban Roads Driveways;
- Non-standard K&C- a concrete plinth to Councils standards shall be constructed at the gutter, contact the Council's Road Services Engineer for details; and
- Footpath - Urban Roads Footpaths TSD-R11-v2.

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016* or commencement of works on site (whichever occurs first). The design drawing(s) 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 (i.e. light poles, pits, awnings) at or near the proposed driveway crossover, show proposed location of the power pole as approved by TasNetworks.

3. If the design deviates from the requirements of the TSD, then the drawings must demonstrate that a B85 vehicle (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
4. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
5. Not show a grated wedge, asphalt wedge or the standard open wedge driveway crossover. Grated wedges are permitted on highly used bike routes and details of the grate (i.e. mass) will be required. The design drawings should show access via a concrete plinth to Councils standards to be constructed at the gutter. A drawing of a standard concrete plinth can be obtained from Councils Road Services Engineer. Note: that the agreement of the Council's is required to adjust footpath levels.
6. 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.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

HER s1

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* to limit the height, location, and boundary, and landscaping treatments of any future development of Lot 1 in accordance with the Plan of Subdivision dated 24 February 2021, PDA reference 44832CT-1E. More specifically all future building works must be located within the building envelope labelled ABCD on that Plan, and must not exceed a maximum height of 72.5AHD (4.5m above natural ground level).

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.

Note:

For further information with respect to the preparation of a Part 5 agreement please contact the City Planning Staff

Reason for condition

To ensure that any future development of the plot hereby approved would not lead to significantly large and visible residential development including associated boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.

HER s2

No fencing is approved for a distance of 7.5m from the front boundary on the western side of the Lot 1 driveway.

Reason for condition

To ensure that any future development of the plot hereby approved would not lead to significantly large and visible residential development including associated boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.

HER s3

The proposed fence and proposed gate shown on the Plan of Subdivision dated 24 February 2021 must be 1.8m high and sited no closer than 7.5m from the front boundary.

The fence must be installed prior to the sealing of the final plan.

Reason for condition

To ensure that any future development of the plot hereby approved would not lead to visible boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 2

The final plan and schedule of easements must be submitted and approved in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

ENG 14

Services to each lot must be designed and installed to meet the needs of future development, prior to the sealing of the final plan.

Engineered drawings must be submitted and approved prior to commencement of work on the site. The engineered drawings must:

- a) be prepared by a suitable qualified person and experienced engineer;
- b) be generally in accordance with LGAT - IPWEA - Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following:
 - 1) Clearly distinguish between public and private infrastructure.
 - 2) Specify lot connection sizes appropriate for the developable area of each lot.
 - 3) Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained.

- 4) The new stormwater system design must include:
- i. prepared by a suitably qualified person; and
 - ii. include long section(s)/levels and grades to the point of discharge
 - iii. Size, material and grade of the new connection

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

Advice:

Once the engineering drawings have been approved the Council will issue a condition endorsement.

Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to obtain a Permit to Construct Public Infrastructure and an application for new stormwater connection.

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ENG 16

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot and contained wholly within the lots served.

Reason for condition

To ensure that each lot is services separately.

ENG 17

Prior to the sealing of the final plan, the developer must verify compliance with condition ENG 16 by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as- installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

Advice:

Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a suitably qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A 'suitably qualified person' must be a professional engineer or professional surveyor or other persons acceptable to Council.

Reason for condition

To ensure that the developer provides the Council with clear written confirmation that the separation of services is complete.

OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lot 1 in the final plan, in lieu of the provision of public open space within the subdivision.

Advice:

The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.

SUB s1

The existing outbuildings at the rear of the existing dwelling on the balance lot are to be demolished, prior to the sealing of the final plan.

Reason for condition

To ensure that the new boundary does not pass through the outbuildings.

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

You may require a road closure permit for construction. 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.

NEW SERVICE CONNECTION

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

STORMWATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

STREET LIGHTING

The relocation of a light pole must be in accordance with TasNetworks and Hobart City Council requirements. Click [here](#) for more information.

STORM WATER / ROADS / ACCESS

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

EXISTING BURDENING EASEMENT

Lot 1 and the Balance of CT 121081/1 are subject to an existing burdening easement in favour of Co-operative Estates Limited and its successors in title owners or occupiers for the time being of Lot 105 and the balance of Lots 103 and 104 or any of them shown on Plan No. 767 of making and laying sewers and drains and of using all sewers and drains now or hereafter to be made in or over the land marked A B C D on Plan No. 121081 with power at any time upon giving reasonable notice to enter upon the land marked A B C D on Plan No. 121081 to make lay repair cleanse and maintain any pipes or drains the person or persons entering to make good all damage to the surface occasioned thereby.

It would appear that this is a historical easement that may now be redundant. The application should consider applying to the Recorder of Titles to have this easement extinguished prior to the sealing of the final plan in order that it does not burden Lot 1 on the final plan.

When a future owner wishes to build on Lot 1 it appears that the provisions of section 74 of the *Building Act 2016* will be applicable:

74. Works involving, or in proximity of, service easements A person must not perform any building work over or within a service easement unless the person obtains written consent to do so from the person on whose behalf the service easement was created.

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.

UTILITIES

The designer must ensure that the needs of all affected authorities, ie TasNetworks, Telstra and NBN Co., are catered for both in the design and construction of the works, in particular adjustments to any underground cables or other infrastructure.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#). All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

Delegation: Council

Item 7.1.2 was then taken.

Alderman Behrakis declared an interest in item 7.2.3 and left the meeting at 7.33 pm, returning at 7.35 pm.

7.2.3 26 Tabart Street, New Town - Two Multiple Dwellings PLN-20-563 - File Ref: F21/20415

DUTTA

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 4 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for two multiple dwellings at 26 Tabart Street New Town TAS 7008 for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause Part D 10.4.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the density of the proposal is not compatible with the density of the surrounding area.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause Part D 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the visual impact caused by the bulk and scale of the proposal when viewed from the western adjoining lot will cause an unreasonable loss of amenity.

Delegation: Council

**7.2.4 41 Beaumont Road, Lenah Valley - Five Multiple Dwellings
PLN-20-479 - File Ref: F21/20190**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 3 March 2021, be adopted, as amended by the inclusion of the following advice clause:

“ADVICE

LANDSCAPING PLAN

The applicant must provide a landscaping plan to the satisfaction of the Council’s Director City Planning, prior to the commencement of works on site. All work depicted in the approved landscaping plan must be implemented prior to the completion of the development.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
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 five (5) multiple dwellings at 41 Beaumont Road Lenah Valley TAS 7008 for the reasons outlined in the officer’s report attached to item 7.2.4 of the Open City Planning Committee Meeting agenda of 15 March 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-20-479 - 41 BEAUMONT ROAD LENA VALLEY TAS 7008 - 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 2020/01155-HCC dated 11/08/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

Prior to first occupation, the west facing window in the upper floor living room for Units 2, 3, 4 and 5 must have a sill height of no less than 1.7m above floor, or other screening treatment with a transparency no greater than 25%.

Reason for condition

To ensure privacy requirements are met.

PLN s2

The roof pitch for Unit 1 must slope down to the south.

Reason for condition

To ensure residential amenity is adequately protected.

PLN s3

Prior to first occupation, screening devices must be installed in front of the master bedroom windows for Units 3, 4 and 5 to protect these windows from vehicles accessing the adjacent garages for Units 2, 3 and 4 respectively to minimise detrimental impacts of vehicle noise and light intrusion. The screening devices must be maintained for the life of the use.

Reason for condition

To ensure compliance with privacy requirements of the General Residential zone.

PLN s4

Prior to occupancy, the eastern side of decks for Units 1 and 4 must be screened to a height of 1.7m above the finished floor level of the deck, and with a uniform transparency of no more than 25%. The screening must be maintained for the life of the use.

Reason for condition

To provide reasonable opportunity for privacy for the occupants of the proposed multiple dwellings.

ENG sw1

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

Advice:

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

Reason for condition

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

ENG sw6

All stormwater from the proposed development (including hardstand runoff, g drains and tank overflow) must be discharged to the Council's stormwater infrastructure 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 and connections to the Council's stormwater infrastructure must be submitted and approved prior to issue of any consent under the *Building Act 2016* or the commencement of work (whichever occurs first). The 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, demonstrating gravity-driven drainage.

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

Reason for condition

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

ENG sw7

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater pre-treatment and detention for stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. include detailed design of the proposed treatment train, including final estimations of contaminant removal;
2. include detailed design and supporting calculations of the detention tanks showing:
 - a) detention tank sizing such that there is no increase in flows from the developed site up to the 5% AEP event for an assumed initial runoff coefficient of 0.4;
 - b) the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c) the discharge rates and emptying times; and
 - d) all assumptions must be clearly stated;
3. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

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

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

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 1170.1:2002, must be submitted to Council.

Advice:

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

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

Reason for condition

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

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS 1170.1:2002.

Advice:

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

Reason for condition

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

ENG 3a

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

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

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

1. Be prepared and certified by a suitably qualified engineer,

2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

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

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

Reason for condition

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

ENG 3c

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to the first occupation, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site, for use is eleven (11). All parking spaces not contained within garages must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to first occupation.

Advice:

All parking spaces associated within the same jockey parking arrangement are to be associated with one dwelling only. Any future strata titling of the dwellings are to show the parking spaces associated with each dwelling are included in the strata title for the relevant dwelling and any visitor parking space/s are to be shown in common property.

Reason for condition

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

ENG 5b

Visitor parking spaces must be clearly marked as visitor parking by either pavement marking or sign posted prior to the first occupation.

Reason for condition

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

ENG 1

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

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

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.

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 2

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

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

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

Advice:

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

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

Reason for condition

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

ADVICE

LANDSCAPING PLAN

The applicant must provide a landscaping plan to the satisfaction of the Council's Director City Planning, prior to the commencement of works on site. All work depicted in the approved landscaping plan must be implemented prior to the completion of the development.

ADVICE

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

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

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

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.

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.

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.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Committee

7.2.5 249A Elizabeth Street, North Hobart - Signage
PLN-20-612 - File Ref: F21/20225

BEHRAKIS

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 9 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
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 signage at 249A Elizabeth Street, North Hobart for the reasons outlined in the officer's report attached to item 7.2.5 of the Open City Planning Committee agenda of 15 March 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-20-612 - 249A ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 12

The awning fascia sign on the western elevation must not be illuminated internally or externally at any time.

Reason for condition

To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.

HER 4

The vertical projecting wall sign must not be illuminated internally or externally at any time.

Reason for condition

To ensure the design and siting of signs complements and does not impact on the cultural heritage significance of the heritage listed place and the North Hobart 6 Heritage Precinct, listed in the Historic Heritage code.

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*.

PLANNING

Please be aware that the under awning strip lighting must be turned off between 10:00pm and 6:00am, except for security lighting. If the lighting is to operate during these hours then further planning approval will be required.

Please also be aware of the responsibilities under the *Environmental Management and Pollution Control Act 1994* and that any external lighting must not be considered to be an environmental nuisance, specifically it must not interfere and cause unnecessary and undue distraction to drivers or any persons enjoyment of the nearby environment.

NOISE REGULATIONS

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

FEES AND CHARGES

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

HERITAGE

The applicant is advised that in the view of the Council, where internally illuminated signage is composed of individual letters (including business logo) set against a non- illuminated solid fascia background, the overall dimensions of the internally illuminated signage shall be calculated by measuring the perimeter enclosing the letters and/or logo with the encompassed area being considered the total sign area. As such, those areas of fascia beyond those perimeters do not constitute the internally illuminated 'sign'.

Delegation: Committee

Item 8.1 was then taken

**7.2.6 410 Elizabeth Street, North Hobart - Park Upgrade including Partial Demolition, Alterations, Landscaping, Furniture and Lighting
PLN-21-31 - File Ref: F21/20487**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 1 March 2021, be adopted, as amended by the inclusion of the following advice clause:

“Advice

That in consultation with the property owner consideration be given to the naming of the park.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
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 park upgrade including partial demolition, alterations, landscaping, furniture, and lighting at 410 Elizabeth Street, North Hobart for the reasons outlined in the officer's report attached to item 7.2.6 of the Open City Planning Committee agenda of 15 March 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-21-31 - 410 ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

OPS s1

The two street trees adjacent to the park must be retained and protected from damage during the works. The street trees must not be removed or damaged. No vehicular access or parking, excavation, placement of fill, storage or stockpiling of materials or soil disturbance is to occur within the Tree Protection Zones. There must be no pruning, lopping or damage to the street trees, including their trunks and roots.

Reason for condition

To maintain the amenity value of street trees as per the City of Hobart Street Tree Strategy.

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.

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.

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 City Mobility Unit on 6238 2804.

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.

ADVICE

That is consultation with the property owner consideration be given to the naming of the park.

Delegation: Committee

Item 7.1.1 was then taken

8. REPORTS

8.1 Building Statistics - 1 February 2021 - 28 February 2021 File Ref: F21/18966

DUTTA

That the recommendation contained in the memorandum of the Acting Director City Planning of 9 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

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

1. During the period 1 February 2021 to 28 February 2021, 46 permits were issued to the value of \$17,062,645 which included:
 - (i) 32 for extensions/alterations to dwellings to the value of \$8,743,350;
 - (ii) 7 new dwellings to the value of \$2,693,149; and
 - (iii) 2 Major Projects:
 - (a) 431 Elizabeth Street, North Hobart - new commercial building - \$3,950,000;
 - (b) 59 Sandy Bay Road, Sandy Bay - new commercial building - \$3,000,000;
2. During the period 1 February 2020 to 29 February 2020, 37 permits were issued to the value of \$6,405,825 which included:
 - (i) 22 for extensions/alterations to dwellings to the value of \$2,446,825;

- (ii) 7 new dwellings to the value of \$1,900,000; and
 - (iii) No major projects:
3. In the twelve months ending February 2021, 655 permits were issued to the value of \$188,166,806; and
 4. In the twelve months ending February 2020, 599 permits were issued to the value of \$243,723,952.

Delegation: Council

8.2 Annual Development Data 2020

File Ref: F21/19433

BRISCOE

That the recommendation contained in the memorandum of the Acting Director City Planning of 10 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the information contained in the memorandum Annual Development Data 2020 be received and noted.

Delegation: Committee

8.3 Planning Statistics - 1 February 2021 - 28 February 2021
File Ref: F21/19886

BEHRAKIS

That the recommendation contained in the memorandum of the Acting Director City Planning of 9 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

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

Planning Statistical Report:

1. During the period 1 February 2021 to 28 February 2021, 52 permits were issued to the value of \$10,987,100 which included:
 - (i) 28 extensions/alterations to dwellings to the value of \$6,025,000;
 - (ii) 10 new single dwellings to the value of \$3,680,000;
 - (iii) 2 multiple dwellings to the value of \$420,000;
 - (iv) 9 extensions/alterations to commercial properties to the value of \$862,000; and
 - (v) 1 major project:
 - (a) 2 Cross Street, New Town - demolition, addition and alterations to the value of \$2,500,000.

2. During the period 1 February 2020 to 29 February 2020, 67 permits were issued to the value of \$41,737,040 which included:
- (i) 38 extensions/alterations to dwellings to the value of \$7,573,040;
 - (ii) 6 new single dwellings to the value of \$1,890,000;
 - (iii) 79 multiple dwellings to the value of \$33,610,000;
 - (iv) 14 extensions/alterations to commercial properties to the value of \$2,484,000; and
 - (vi) 1 major project:
 - (a) 179-191 Murray Street, Hobart – 68 multiple dwellings to the value of \$30,000,000.

This report includes permits issued, exempt and no permit required developments

Delegation: Committee

8.4 City Planning - Advertising Report **File Ref: F21/20096**

BEHRAKIS

That the recommendation contained in the memorandum of the Acting Director City Planning of 9 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Briscoe
Behrakis
Dutta
Coats

NOES

COMMITTEE RESOLUTION:

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

Delegation: Committee

8.5 Delegated Decision Report (Planning)
File Ref: F21/20103

BEHRAKIS

That the recommendation contained in the memorandum of the Acting Director City Planning of 9 March 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the information contained in the memorandum *Delegated Decision Report (Planning)* 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 Potential Development Sites - Rail Corridor
File Ref: F21/5513; 13-1-10

Memorandum of the Director City Planning of 9 March 2021.

BRISCOE

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
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 - Golf Links Estate - Possible Subdivision **File Ref: 13-1-10**

Question: Can the Acting Director advise how many residential lots in the Golf Links Estate could be possibly subdivided?

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

11. CLOSED PORTION OF THE MEETING

BRISCOE

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

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion
- Planning appeal

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 Questions Without Notice
- Item No. 6 PLN-18-351 20 Runnymede Street Battery Point - Appeal LG(MP)R 15(4)(a)

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Behrakis
Dutta
Coats

Delegation: Committee

The Chairman adjourned the meeting at 7.18 pm for a comfort break.

The meeting was reconvened at 7.28 pm.

Item 7.2.6 was then taken.

There being no further business the meeting closed at 7.44 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF MARCH 2021.

CHAIRMAN