



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 17 May 2021 at 5:00 pm**

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## ORDER OF BUSINESS

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### APOLOGIES AND LEAVE OF ABSENCE

<b>1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY .....</b>	<b>4</b>
<b>2. CONFIRMATION OF MINUTES.....</b>	<b>4</b>
<b>3. CONSIDERATION OF SUPPLEMENTARY ITEMS .....</b>	<b>5</b>
<b>4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST .....</b>	<b>5</b>
<b>5. TRANSFER OF AGENDA ITEMS.....</b>	<b>6</b>
<b>6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS .....</b>	<b>6</b>
<b>7. COMMITTEE ACTING AS PLANNING AUTHORITY .....</b>	<b>7</b>
<b>7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015 .....</b>	<b>7</b>
7.1.1 1 Risdon Road, New Town - Partial Demolition, Alterations, Signage, and Partial Change of use to Food Services.....	7
7.1.2 100 Liverpool Crescent, West Hobart - Dwelling.....	11
7.1.3 16 Romilly Street, South Hobart - Partial Demolition, Alterations and Extension .....	18
7.1.4 431 Elizabeth Street, North Hobart - Alterations and Extension to Previously Approved Development .....	24
7.1.5 23-25 Melville Street, Hobart - Partial Demolition, Alterations, Signage and Partial Change of Use to Hotel Industry .....	29
<b>7.2 COMMITTEE ACTING AS PLANNING AUTHORITY .....</b>	<b>34</b>
7.2.1 Planning Directive 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions - Submission to the Tasmanian Planning Commission .....	34
<b>8. REPORTS .....</b>	<b>34</b>
8.1 2021 - 22 Fees and Charges - City Planning.....	34
8.2 Delegated Decision Report (Planning) .....	35
8.3 City Planning - Advertising Report.....	36
8.4 Building Statistics - 1 April 2021 - 30 April 2021 .....	36
8.5 Planning Permits Statistics - 1 April 2021 – 30 April 2021.....	38

<b>9. COMMITTEE ACTION STATUS REPORT .....</b>	<b>39</b>
9.1 Committee Actions - Status Report.....	39
<b>10. QUESTIONS WITHOUT NOTICE .....</b>	<b>40</b>
<b>11. CLOSED PORTION OF THE MEETING.....</b>	<b>40</b>

**City Planning Committee Meeting (Open Portion) held on Monday, 17 May 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*.**

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

**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 and Councillor M Dutta.

Councillor Harvey left the meeting at 5.01 pm, returning at 5.02 pm and was not present for item 1.

**APOLOGIES:** Councillor W Coats.

**LEAVE OF ABSENCE:** Nil.

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

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No Elected Members were co-opted to the Committee.

**2. CONFIRMATION OF MINUTES**

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BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 3 May 2021](#) and the Special City Planning Committee meeting held on [Monday, 10 May 2021](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES  
Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

NOES

The minutes were signed.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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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 Chief Executive Officer.

No supplementary items were received.

**4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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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**

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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**

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In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer 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

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

NOES

## **7. COMMITTEE ACTING AS PLANNING AUTHORITY**

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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 Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

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

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Mr Nick Craven addressed the Committee in relation to item 7.1.1.

#### **7.1.1 1 Risdon Road, New Town - Partial Demolition, Alterations, Signage, and Partial Change of use to Food Services PLN-21-157 - File Ref: F21/40786**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 11 May 2021, be adopted, as amended by the inclusion of the following condition and advice clauses:

*“PLN 8*

*The use must not be open to the public outside of the following hours:*

- *Sunday to Wednesday: 8am to 10pm*
- *Thursday: 8am to 11pm*
- *Friday and Saturday: 8am to 1am*

*Advice – Waste Collection*

*It is recommended that the applicant work closely with the operator of the New Town Plaza to ensure that waste generated from takeaways from this site is disposed of adequately and promptly.”*

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

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, signage, and partial change of use to food services, at 1 Risdon Road, New Town for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 17 May 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-21-157 - 1 RISDON ROAD NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 8

The use must not be open to the public outside of the following hours:

- Sunday to Wednesday: 8am to 10pm
- Thursday: 8am to 11pm
- Friday and Saturday: 8am to 1am

ENVHE s1

Following their installation and commissioning, the proposed rooftop plant and equipment must be tested and an acoustic report detailing the results must be prepared by a suitably qualified environmental noise specialist.



The acoustic report must be submitted as a Condition Endorsement prior to the commencement of the use and to the satisfaction of the Director City Planning.

The acoustic report must demonstrate substantial compliance with the estimated noise emissions report by Noise Vibration Consulting, titled, Dominos New Town Plaza – Noise Assessment, dated 23 February 2021.

All work required by this condition must be undertaken in accordance with the submitted acoustic report, for the life of the use.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Results demonstrating levels in excess of those set out in the Acceptable Solution clause D15.3.1 A2 will not be considered to be in substantial compliance with the report: Noise Vibration Consulting, titled, Dominos New Town Plaza – Noise Assessment, dated 23 February 2021.

Reason for condition

To ensure plant and equipment noise and vibration does not affect the health and amenity of the local community, and to ensure compliance with the *Hobart Interim Planning Scheme 2015*.

Advice – Waste Collection

It is recommended that the applicant work closely with the operator of the New Town Plaza to ensure that waste generated from takeaways from this site is disposed of adequately and promptly.

## 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.

## PUBLIC HEALTH

Plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards are to be submitted. Click [here](#) for more information.

## FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

**Delegation: Committee**

**7.1.2 100 Liverpool Crescent, West Hobart - Dwelling  
PLN-20-458 - File Ref: F21/40825**

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BRISCOE

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
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, approve the application for dwelling at 100 Liverpool Crescent, West Hobart for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 17 May 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-20-458 - 100 LIVERPOOL CRESCENT WEST HOBART TAS 7000 - 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 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 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.

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 modules (parking spaces, 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.

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 modules (parking spaces, and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, issuing of any approval under the *Building Act 2016* (whichever occurs first).

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/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:*

*This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

#### Reason for condition

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

### ENG 3c

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

Prior to first occupation or commencement of use (whichever occurs first), 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 modules (parking spaces, 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 first occupation or commencement of use (whichever occurs first).

Reason for condition

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

ENG 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 commencement of use, the proposed driveway crossover 100 Liverpool Crescent highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. The design drawing must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover
3. Be designed for the expected vehicle loadings
4. 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
5. 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:*

*This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

Reason for condition

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

#### 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.

#### OCCUPATION OF THE PUBLIC HIGHWAY

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.

#### SUBDIVISION

The Restrictive Building Envelope Covenant (a) in relation to Lot 1 on Sealed Plan 155760 must be amended under the provisions of section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* so that it reads "(a) not to erect, any dwelling, building or structure other than within the building envelope marked ABCD as shown on the plan unless planning approval for such dwelling, building or structure outside the building envelope has been granted by Hobart City Council". The amendment to Sealed Plan 155760 must be made prior to the commencement of work on the dwelling, building or structure.

## 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.

**Delegation: Committee**

### **7.1.3 16 Romilly Street, South Hobart - Partial Demolition, Alterations and Extension PLN-21-136 - File Ref: F21/40856**

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## BRISCOE

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

MOTION CARRIED

### VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

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 and extension at 16 ROMILLY STREET SOUTH HOBART TAS 7004 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 17 May 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-21-136 16 ROMILLY STREET SOUTH HOBART TAS 7004 except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

This approval is for a single dwelling only.

Reason for condition

To clarify the scope of this permit.

PLN s2

The eastern eaves must be no higher than RL: 103.963 and the western eaves must be no higher than RL: 102.936.

*Advice:*

*The plans submitted to Council on 23 April 2021 are considered to satisfy the above condition.*

Reason for condition

To clarify the scope of this permit.

PLN s3

The translucent roof over the rear deck is not approved.

*Advice:*

*The plans submitted to Council on 23 April 2021 are considered to satisfy the above condition.*

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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

*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 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 (or kerbs) 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:*

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

Reason for condition

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

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, ramp and parking module (parking space, and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for physical controls where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Reason for condition

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

ENG 4

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, ramp, and parking module (parking spaces, 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.

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 1

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

### *Advice:*

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

#### Reason for condition

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

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### PLANNING

The applicant is encouraged to erect a solid side fence along the eastern boundary in the vicinity of the dwelling on 14 Romilly Street, to assist in screening and privacy for both properties once the garage is removed.

## 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.

## WASTE DISPOSAL

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

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

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

**Delegation: Committee**

### **7.1.4 431 Elizabeth Street, North Hobart - Alterations and Extension to Previously Approved Development PLN-21-205 - File Ref: F21/41013**

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## BEHRAKIS

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

MOTION CARRIED



VOTING RECORD

AYES	NOES
Briscoe Harvey Behrakis	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, approve the application for alterations and extension to previously approved development, at 431 Elizabeth Street, North Hobart for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 17 May 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-21-205 - 431 ELIZABETH STREET NORTH HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit is subject to and conditional upon substantial commencement of the development approved by planning permit PLN-18-745.

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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

*Advice:*

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

Reason for condition

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

ENG 1

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

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

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

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

#### Reason for condition

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

#### ENV 1

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

#### *Advice:*

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

#### Reason for condition

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

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### 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.

#### NOISE REGULATIONS

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

#### WASTE DISPOSAL

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

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

**Delegation: Committee**

**7.1.5 23-25 Melville Street, Hobart - Partial Demolition, Alterations,  
Signage and Partial Change of Use to Hotel Industry  
PLN-21-85 - File Ref: F21/41672**

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BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 12 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
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, approve the application for a partial demolition, alterations, signage and partial change of use to hotel industry at 23-25 Melville Street Hobart TAS 7000, for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 17 May 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-21-85 - 23-25 MELVILLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00221-HCC dated 26/2/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6491 dated 4 May 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

*Advice:*

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

Reason for condition

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

## ENG 1

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

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

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

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

### Reason for condition

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

## ENV 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.

ENVHE 1

Recommendations in the report GES ENVIRONMENTAL SITE ASSESSMENT 23-25 Melville Street, Hobart March 2021 13.3.3 Soil Disposal. Recommendations must be implemented. Specifically:

- In terms of IB105, the soil in the areas tested on site is classified as Level 2 Material. Any soil disposal off site must be in accordance with IB105 and the controlled waste regulations.

Reason for condition

Any soil disposal off site must be in accordance with IB105 and the controlled waste regulations.

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: Committee**

## **7.2 COMMITTEE ACTING AS PLANNING AUTHORITY**

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### **7.2.1 Planning Directive 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions - Submission to the Tasmanian Planning Commission File Ref: F21/41167**

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DUTTA

That the recommendation contained in the report of the Development Planner and the Director City Planning of 11 May 2021, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

#### **COMMITTEE RESOLUTION:**

That the Council endorse the submission to the Tasmanian Planning Commission in response to Planning Directive 8 – Exemptions, Application Requirements, Special Provisions and Zone Provisions, marked as Attachment A to item 7.2.1 of the Open City Planning Committee agenda of 17 May 2021.

**Delegation: Council**

## **8. REPORTS**

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### **8.1 2021 - 22 Fees and Charges - City Planning File Ref: F21/35446**

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BEHRAKIS

That the recommendation contained in the report of the Director City Planning of 12 May 2021, be adopted, as amended by the inclusion of the following fees under the Development Compliance section:

*“Building Permit Applications, cost of work over \$7,500,001, (\$1,500 per application.)*

*Permit of Substantial Compliance Applications, cost of work over \$7,500,001, (\$3,000 per application.)”*

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

**COMMITTEE RESOLUTION:**

That the schedule of fees and charges for the City Planning Division marked as Attachment A to item 8.1 of the Open City Planning Committee agenda of 17 May 2021, be adopted for the 2021-2022 financial year, as amended by inclusion of the following fees under the Development Compliance section:

Building Permit Applications, cost of work over \$7,500,001, (\$1,500 per application.)

Permit of Substantial Compliance Applications, cost of work over \$7,500,001, (\$3,000 per application.)

**Delegation: Council**

**8.2 Delegated Decision Report (Planning)**  
**File Ref: F21/40876**

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BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 11 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

**8.3 City Planning - Advertising Report**  
**File Ref: F21/41115**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 11 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

**8.4 Building Statistics - 1 April 2021 - 30 April 2021**  
**File Ref: F21/41416**

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DUTTA

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

**COMMITTEE RESOLUTION:**

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

During the period 1 April 2021 to 30 April 2021, 37 permits were issued to the value of \$11,355,532 which included:

- (i) 20 for extensions/alterations to dwellings to the value of \$3,354,503;
- (ii) 1 new dwelling to the value of \$359,689;
- (iii) 18 new multiple dwellings to the value of \$5,400,000; and
- (iv) 1 major project:
  - (a) 32 Romilly Street, South Hobart - 9 Multiple Dwellings - \$3,800,000;

During the period 1 April 2020 to 30 April 2020, 51 permits were issued to the value of \$11,998,695 which included:

- (i) 26 for extensions/alterations to dwellings to the value of \$3,819,695;
- (ii) 11 new dwellings to the value of \$2,969,000;
- (iii) 10 new multiple dwellings to the value of \$2,125,000; and
- (iv) 1 major project:
  - (a) 102 Patrick Street, Hobart - Commercial Extension - \$1,400,000

In the twelve months ending April 2021, 718 permits were issued to the value of \$205,409,514; and

In the twelve months ending April 2020, 603 permits were issued to the value of \$250,777,218

**Delegation: Council**

**8.5 Planning Permits Statistics - 1 April 2021 – 30 April 2021**  
**File Ref: F21/41442**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 11 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

**COMMITTEE RESOLUTION:**

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

During the period 1 April 2021 to 30 April 2021, 56 permits were issued to the value of \$31,718,510 which included:

- (i) 19 new single dwellings to the value of \$8,900,000;
- (ii) 13 multiple dwellings to the value of \$5,255,000;
- (iii) 23 extensions/alterations to dwellings to the value of \$5,969,000;
- (iv) 8 extensions/alterations to commercial properties to the value of \$18,689,000;
- (v) 1 major project:
  - (a) 125 Bathurst Street, Hobart - Partial Demolition, Alterations and New Building for Visitor Accommodation, Hotel Industry and Food Services 68 Rooms - \$17,000,000;

During the period 1 April 2020 to 30 April 2020, 51 permits were issued to the value of \$10,982,600 which included:

- (i) 2 new single dwellings to the value of \$635,000;
- (ii) 21 multiple dwellings to the value of \$5,675,000;
- (iii) 20 extensions/alterations to dwellings to the value of \$3,215,100;
- (iv) 9 extensions/alterations to commercial properties to the value of \$1,106,000;
- (v) 1 major project:
  - a) 14 Kooyong Glen, South Hobart - 11 Multiple Dwellings, Front Fencing, Tree Removal, and Associated Works in the Road Reservation - \$3,000,000;

**Delegation: Council**

## **9. COMMITTEE ACTION STATUS REPORT**

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### **9.1 Committee Actions - Status Report** **File Ref: F21/41392**

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BRISCOE

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

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta

#### **COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

## 10. QUESTIONS WITHOUT NOTICE

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

No questions were asked at the meeting.

## 11. CLOSED PORTION OF THE MEETING

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BEHRAKIS

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

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

The following items were discussed:-

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Committee Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda                         |
| Item No. 3 | Indications of pecuniary and conflicts of interest                         |
| Item No. 4 | Questions Without Notice   |

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

**Delegation: Committee**

There being no further business the Open portion of the meeting closed at 5.47 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
31<sup>ST</sup> DAY OF MAY 2021.

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**CHAIRMAN**