



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 31 May 2021 at 5:03 pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 31 May 2021 at 5:03 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, Councillors M Dutta and W Coats.

Councillor Harvey declared an interest in item 8.1, retired from the meeting at 5:42 pm and was not present for items 8.1 to 11.

**APOLOGIES:** Nil.

**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, 17 May 2021](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

The minutes were signed.

### **3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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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.

The following interest was indicated:

1. Councillor Harvey - item 8.1.

### **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?

DUTTA

That item 6.1 titled *Representor Concerns* from the closed portion of the meeting, be transferred to the open portion and be minuted as item 9.5.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Behrakis  
Dutta  
Coats

## 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.

BEHRAKIS

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

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

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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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Ms Winnie Song and Ms Shirin Rumjahn addressed the Committee on behalf of Ms Yasmin Rumjahn in relation to item 7.1.1.

Mr Troy Sutcliffe (Owner) addressed the Committee in relation to item 7.1.1.

#### **7.1.1 1 Enterprise Road, Sandy Bay - Partial Demolition and Alterations PLN-21-225 - File Ref: F21/48837**

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BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 May 2021, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition and Alterations at 1 Enterprise Road, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 31 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-21-225 - 1 ENTERPRISE ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

Landscaping is to be undertaken and maintained along the frontage of the property, adjoining proposed retaining wall. The landscaping is to be completed within 60 days of the completion of the retaining wall.

Reason for condition

In the interest of the streetscape.

ENG sw1

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

*Advice:*

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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



## ENV 1

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

### *Advice:*

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

### Reason for condition

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

### ADVICE

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

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

### BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## STORM WATER

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

## COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council reserve, Bicentennial Park. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

## **Delegation: Committee**

Item 7.1.3 was then taken.

**7.1.2 38A Nicholas Drive, 1A Enterprise Road, 24 Gardenia Grove,  
Sandy Bay, Nicholas Drive (CT 48805/8) and Nicholas Drive (CT  
48805/9) Sandy Bay - Shared Use Trail Realignment  
PLN-21-193 - File Ref: F21/48197**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 14 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Shared Use Trail Realignment, at 38A Nicholas Drive, 1A Enterprise Road, 24 Gardenia Grove and Nicholas Drive (CT 48805/8 and CT 48805/9), Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 31 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-21-193 - 38A NICHOLAS DRIVE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENV 8

An approved Rockfall Risk Management Plan must be implemented during construction works.

Prior to the commencement of works, a Rockfall Risk Management Plan for construction works within the Landslide Hazard Area must be submitted and approved. The Rockfall Risk Management Plan must be prepared by, or endorsed by, a suitably qualified geotechnical practitioner.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENV 9

Once works have commenced, public access to the track must not be allowed until after the geotechnical assessment required by condition ENV10 has been completed and all recommendations have been implemented.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

ENV 10

Following completion of the works, and prior to allowing public access to the site, a suitably qualified geotechnical practitioner must assess the risk of rock fall/rock roll to users of the track within the Landslide Hazard Area. If the assessment determines that risk would be unacceptable without risk treatments being applied, all recommended risk treatment measures must be implemented so that the resultant risk is tolerable, prior to allowing public access to the track.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

#### ENV 11

Clearing of native vegetation and soil disturbance must not exceed a 2m wide strip along the track route, except where associated with an approved borrow pit or where the vegetation has been assessed as an unacceptable safety risk for users of the track by a suitably qualified person using an accepted best-practice assessment methodology (e.g. QTRA, VALID).

#### Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values

#### ENV 12

Trees with a diameter at breast height (DBH) of greater than 20cm must not be removed, except where a tree has been assessed as an unacceptable safety risk for users of the track by a suitably qualified person using an accepted best-practice assessment methodology (e.g. QTRA, VALID).

#### Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values

#### ENV 14

No works may occur within 2m of the trunks of the six mature trees shown on 'Map 1 – Sly Grog Track Reroute', except where a tree has been assessed as an unacceptable safety risk for users of the track by a suitably qualified person using an accepted best-practice assessment methodology (e.g. QTRA, VALID).

#### Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values

## ENV 15

The location, design and rehabilitation of any borrow pits, must be approved by the planning authority prior to any borrow pits being constructed.

### Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values.

## ENV 16

An approved weed management plan (WMP) must be implemented.

Prior to the commencement of works, a weed management plan prepared by a suitably qualified person must be submitted and approved as a Condition Endorsement. The WMP must:

- address the area within 40m of the track on titles 48805/7, 48805/8, 48805/9 and 137356/1;
- identify and map the declared and environmental weeds in the area;
- set out an environmentally-appropriate methodology and program for eradicating, or minimising, the identified weeds (including appropriate disposal);
- include clear and detailed actions, the area to be targeted, the timing of each action and the persons/parties responsible for undertaking all actions; and
- include prescriptions to minimise impacts on native vegetation and minimise soil disturbance.

### *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 use/development does not result in unnecessary or unacceptable loss of priority biodiversity values

ENV 1

An approved Construction Environmental management Plan (CEMP) must be implemented.

Prior to the commencement of works, a CEMP must be submitted and approved as a Condition Endorsement. The CEMP must:

- detail the proposed construction methodology (particularly where works may have environmental impacts);
- identify all potential environmental impacts associated with the works including (as relevant) noise, odours, air pollution, water pollution, land contamination, erosion, land instability, changes to hydrology, habitat degradation and impacts upon flora and fauna; and
- include measures to adequately avoid or mitigate all identified environmental risks.

To be approved, the CEMP must:

- specify that works will progress from the north-western end of the track to the south-eastern end of the track;
- include measures to ensure that no works will occur within 2m of the six mature trees shown on 'Map 1 – Sly Grog Track Reroute';
- include soil and water management measures;
- specify that soils will not be imported onto the site, unless approved by the planning authority;
- include weed and pathogen hygiene measures; and
- specify that if evidence of raptor nesting, swift parrot nesting or marsupial denning is observed, work must stop immediately, and appropriate management measures, approved by the planning authority, must be implemented.

*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 minimise the potential for environmental impacts from the construction works

HER s1

The name of the track 'Sly Grog Track' is not approved. An alternative name for the proposed shared use track is required that reflects and responds to the history of the site as set out in the Historic Heritage Assessment Final report (Gondwana Heritage Solutions, February 2021).

Reason for condition

To ensure the heritage and historical significance of the place are accurately reflected in the naming of the track.

HER s2

All recommendations outlined in the 'Proposed Sly Grog Track Reroute, Historic Heritage Assessment Final Report' by Gondwana Heritage Solutions, February 2021, Section 8, pp 57-59 must be implemented.

Reasons for condition

To ensure identified heritage values are recognised and protected.

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.

#### ENVIRONMENTAL MANAGEMENT AND COMMUNICATIONS PLAN

Rerouting of the Sly Grog Track must be done in a manner that avoids impact to the mature eucalypts and minimises other environmental impact, is safe for the construction crew and the reserve-visiting public and minimises inconvenience for the public.

A Public Spaces By-law permit will be required for the trackworks. You can apply for the permit [here](#).

As part of the by-law permit, an Environmental Management and Communications Plan will be required, prepared by the contractor to the satisfaction of the Director City Amenity.

A template for an Environmental Management and Communications Plan can be provided by the Open Space Planning Team, call 03 6238 2488. This plan must be made specific for the works that will occur within Bicentennial Park and must incorporate the recommendations from the values assessment reports prepared for the reroute planning.

**Delegation: Council**

Item 7.1.4 was then taken.

Mr Hugh Clement of PDA Surveyors (Applicant) addressed the Committee in relation to item 7.1.3.

**7.1.3 607 - 627 Nelson Road, Mount Nelson - Subdivision (9 Additional Lots, Road, Lot, Public Open Space Lot and Balance) - ETA-21-27  
File Ref: F21/48126**

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HARVEY

That the recommendation contained in the memorandum of the Acting Director City Planning of 26 May 2021, be adopted.

**AMENDMENT**

BRISCOE

The addition of a new clause to read as follows:

*That the Council approve a fee waiver in respect to the costs associated with the submission of a new development application in regards to 607-627 Nelson Road, Mount Nelson – Subdivision (9 Additional Lots, Road, Lot, Public Open Space Lot) at the discretion of the Director City Planning.*

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

SUBSTANTIVE MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

BEHRAKIS

That the Council approve to grant the extension of time in which to substantially commence planning permit PLN-14-01177-01.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

**COMMITTEE RESOLUTION:**

That the item be referred to the Council without recommendation.

**Delegation: Council**

Item 7.1.2 was then taken.

**7.1.4 19 Bluestone Rise, Lenah Valley - Dwelling  
PLN-21-207 - File Ref: F21/48194**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 14 May 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for a Dwelling at 19 Bluestone Rise Lenah Valley Tas 7008 for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 31 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-21-207 19 BLUESTONE RISE LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Natural runoff from the undeveloped upslope catchment must be safely conveyed through the site without causing any nuisance to third-party land by concentrating or relocating the flows.

*Advice:*

*Council notes that the private plumbing and landscaping design should take the natural runoff and springs known in the area into consideration, to avoid damage and nuisance to the development.*

Reason for condition

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

SW 9

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

A stormwater management report and design must be submitted and approved as a Condition Endorsement, 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 and revised supporting calculations of the detention tank showing:
  1. detention tank sizing such that the maximum flow rate from the development is 2.5L/s up to the 5% AEP event, as per the registered dealing on the title;
  2. the layouts, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  3. the discharge rates and emptying times; and
  4. all assumptions must be clearly stated;
2. 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:*

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

#### ENG 3a

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

*Advice:*

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

#### Reason for condition

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

#### ENG 4

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, ramps, 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 11

Prior to first occupation or commencement of use (whichever occurs first), the proposed crossover between 19 Bluestone Rise and the City highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways;
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11- v1; or
3. A Council City Infrastructure Division approved alternate design.

*Advice:*

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

*It is advised that designers consider the detailed design of the crossover, 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.*

*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 the Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*

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

*You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

Reason for condition

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

ENG 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 2

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

A SWMP must be submitted as a Condition Endorsement 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:*

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

## ADVICE

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

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

## CONDITION ENDORSEMENT

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 Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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.

#### 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.

#### STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. 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.

## PART 5 AGREEMENT

The planning authority consents to the owner(s) not implementing and maintaining the Bushfire Management Plan referred to in Part 5 Agreement E192106 provided that the submitted bushfire hazard management plan certified by J Blowfield dated 24 September 2020 is implemented and complied with.

**Delegation: Committee**

## 8. REPORTS

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Councillor Harvey declared an interest in item 8.1 and retired from the meeting.

### 8.1 Draft Southern Tasmanian Regional Cat Management Strategy File Ref: F21/47669; 17/65

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#### COATS

That the recommendation contained in the report of the Manager Development Compliance of 26 May 2021, be adopted, as amended by an additional clause to read as follows:

- An invitation be extended to the Executive Officer of Ten Lives Cat Centre, to present to Elected Members in relation to cat management within the City of Hobart.*

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

**COMMITTEE RESOLUTION:**

- That: 1. The Council endorse the Southern Tasmania Regional Cat Management Strategy 2021-2026 noting that endorsement is provided on the basis that:
- (i) The Strategy does not bind the City of Hobart to particular actions; and
  - (ii) Implementation of the actions not already delivered by the City of Hobart will only be undertaken when resource levels are increased through financial assistance or other forms of support from the State Government or through on-going and recurrent revenue streams introduced under the *Cat Management Act 2009*.
2. An invitation be extended to the Executive Officer of Ten Lives Cat Centre, to present to Elected Members in relation to cat management within the City of Hobart.

**Delegation: Council**

**8.2 Delegated Decision Report (Planning)**  
**File Ref: F21/47941**

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BRISCOE

That the recommendation contained in the memorandum of the Acting Director City Planning of 26 May 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 titled 'Delegated Decisions Report (Planning)' of 26 May 2021 be received and noted.

**Delegation: Committee**

### 8.3 City Planning - Advertising Report File Ref: F21/48428

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BEHRAKIS

That the recommendation contained in the memorandum of the Acting Director City Planning of 26 May 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 titled 'City Planning - Advertising Report' of 26 May 2021 be received and noted.

**Delegation: Committee**

## 9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

### 9.1 Lyndon Dadswell - Sculpture File Ref: F21/5517; 13-1-10

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Memorandum of the Director City Planning of 19 May 2021.

### 9.2 Planning Schemes - Urban Design Guidelines File Ref: F21/41378; 13-1-10

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Memorandum of the Development Planner and the Acting Director City Planning of 26 May 2021.

### 9.3 Auxiliary Dwellings File Ref: F21/28539; 13-1-10

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Memorandum of the Acting Director City Planning of 26 May 2021.

### 9.4 55 Mount Stuart Road - Trees File Ref: F21/41372; 13-1-10

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Memorandum of the Acting Director City Planning of 26 May 2021.

**9.5 Representor Concerns**  
**File Ref: F21/41373; 13-1-10**

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Memorandum of the Acting Director City Planning of 26 May 2021.

BRISCOE

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

**Attachment**

A. Response to Question Without Notice – Item 9.5 - Representor Concerns



**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

**10.1 Deputy Lord Mayor - City of Hobart Planning Portal**  
**File Ref: 13-1-10**

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Question: Could the Director please advise if there has been any issues or problems raised in relation to access to the City of Hobart planning portal or representations which are being submitted not being directed correctly?

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

## 11. CLOSED PORTION OF THE MEETING

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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:

- Planning Appeal - Mediation

The following items were discussed:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Committee Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Planning Authority Items – Consideration of Items with Deputations
Item No. 5	City Acting as Planning Authority
Item No. 5.1	Applications under the Hobart Interim Planning Scheme 2015
Item No. 5.1.1	PLN-19-319 63 Davey Street Hobart TAS 7000 - Appeal - Mediation LG(MP)R 15(4)(a)
Item No. 6	Responses to Questions Without Notice
Item No. 6.1	Representor Concerns LG(MP)R 15(2)(i)
Item No. 7	Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Behrakis	
Dutta	
Coats	

**Delegation: Committee**



There being no further business the Open portion of the meeting closed at 5:59 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
15<sup>TH</sup> DAY OF JUNE 2021.

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**CHAIRMAN**