



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 19 July 2021 at 5:00pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 19 July 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,  
Councillors M Dutta and W Coats.

Alderman Behrakis left the meeting at  
6.09pm, returning at 6.11pm.

Councillor Coats arrived at the meeting at  
5.01pm and was not present for item 1.

**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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BEHRAKIS

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 28 June 2021](#) and the Special City Planning Committee meeting held on [Monday, 5 July 2021](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

The minutes were signed.

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

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

COATS

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

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

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

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

No interest was indicated.

## **5. TRANSFER OF AGENDA ITEMS**

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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.

DUTTA

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**7. COMMITTEE ACTING AS PLANNING AUTHORITY**

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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 David Reid, Ms Danielle Gray (Representors) and Ms Rebecca Harrison (Applicant) addressed the meeting in relation to item 7.1.1.

**7.1.1 354 Davey Street, 5 Lynton Avenue, 3A Lynton Avenue, South Hobart - Two Multiple Dwellings (One Existing, One New)  
PLN-21-13 - File Ref: F21/67755**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 12 July 2021, be adopted, as amended by the deletion of condition PLNs4:

“PLN s4

*Prior to the issue of any approval under the Building Act 2016, revised plans must be submitted and approved as a Condition Endorsement showing that the floor level of the development would be no higher than the level of the existing adjacent driveway to the north-west.*

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

*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 clarify the scope of the permit.”*

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 two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart TAS 7004, for the reasons outlined in the officer’s report attached to item 7.1.1 of the Open City Planning Committee agenda of 19 July 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-21-13 - 354 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.



Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the Amended Submission to Planning Authority Notice, Reference No. TWDA 2021/00077-HCC dated 21/06/2021 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: 6509 dated 9 July 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site. The construction waste management plan must include:

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

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

*Advice:*

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

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

Reason for condition

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

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

Detailed engineering drawings must be submitted and approved as part of an application for a new stormwater connection, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed engineering drawings must include:

1. the location of the proposed connection; and
2. the size of the connection appropriate to satisfy the needs of the development.

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

*Advice:*

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

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

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

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

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

*Advice:*

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

Reason for condition

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

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), a detention system 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 supporting calculations of the detention tank showing:
  - detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
  - the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  - the discharge rates and emptying times; and
  - 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.

#### 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.

#### *Advice:*

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

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

Reason for condition

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

ENG 2b

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

*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 driveway and parking module and compliance with the standard.

ENG 2c

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

*Advice:*

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

Reason for condition

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

ENG 3a

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

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

*Advice:*

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

Reason for condition

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

ENG 3b

The access driveway (if required under condition ENG 4) parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.

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

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/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.*

*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 3c

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

Prior to the first occupation 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 parking module (car parking spaces, aisles and manoeuvring area) and entire passing bay approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation or commencement of use (whichever occurs first).

If more than 40% of strip driveway either side of the passing bay is required to be removed, a fully sealed driveway compliant with current Australian Standards must replace that section.

Reason for condition

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

ENG 5

The number of car parking spaces approved to be used on the site is four (4).

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standard AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

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

ENG 1

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

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

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

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



Reason for condition

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

ENV 8

All recommendations of the Geotechnical Assessment by Doyle Soil Consulting dated March 2021 must be implemented including that footings must be founded on the sandstone bedrock.

Reason for condition

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

ENV 1

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

*Advice:*

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

Reason for condition

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

HER 14

A construction management plan (CMP) must be prepared for the development. The CMP must contain protocols and recommendations for all contractors working operating vehicles, in close proximity to the stone walling along the ROW from Lynton Avenue. The contractors must be briefed on the heritage values of the walling and for the need to protect the structure while undertaking the proposed works.

Prior to the commencement of works (including excavation), all workers

and managers must be briefed on the importance of the cultural heritage values of the site as part of a site induction.

Prior to the issue of any approval under the *Building Act 2016*, the CMP must be submitted and approved as a Condition Endorsement in accordance with the above requirements. All works must be undertaken in accordance with the approved CMP.

*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 there is no loss or damage to the heritage values or significant fabric of the site.

HER 17a

Prior to the issue of any approval under the *Building Act 2016*, a full schedule of proposed exterior colours and materials must be submitted to Council's Heritage Unit and approved as a Condition Endorsement.

The exterior colours and materials of the development must be in accordance with the approved schedule.

*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 development within a heritage place and precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your

development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

#### 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 for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. [Click here](#) for more information.

You may require a road closure permit for construction or special event. [Click here](#) for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). [Click here](#) for more information.

#### BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

#### NEW SERVICE CONNECTION

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

#### STORMWATER

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

#### RIGHT OF WAY

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

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

#### FEES AND CHARGES

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


#### DIAL BEFORE YOU DIG

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

### Attachments

A Mr David Reid - Deputation Supporting Information - 354 Davey Street ⇨



B Ms Rebecca Harrison - Deputation Supporting Information - 354 Davey Street ⇨ 

**Delegation: Council**

Item 7.1.4 was then taken.

### **7.1.2 76 Liverpool Crescent and 78 Liverpool Crescent, West Hobart and Adjacent Road Reserve - Temporary Dwelling, Dwelling and Associated Works PLN-21-335 - File Ref: F21/64955**

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BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 2 July 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 temporary dwelling, dwelling, and associated works at 76 Liverpool Crescent West Hobart TAS 7000, 78 Liverpool Crescent West Hobart TAS 7000 and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 19 July 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-21-335 76 Liverpool Crescent West Hobart TAS 7000, 78 Liverpool Crescent West Hobart TAS 7000 and adjacent road reserve - 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 2021/00823-HCC dated 02/06/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The use and construction works for the development must be carried out in accordance with the two stages listed below:

Stage 1:

- conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder;
- construction of two car parking spaces within No.76;
- cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation; and
- other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMCO railing.

Stage 2:

- construction of a new two bedroom house.
- once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.

Reason for condition

To allow the applicant to inhabit the outbuilding for the period of time required to construct the proposed new dwelling, by clarify the timing for conditions of the permit.

PLN s2

Within six (6) weeks of the date of the conclusion of Stage 1, the following works must be completed pertaining to the outbuilding;

1. removal of the kitchen and laundry facilities,
2. submission of photographic evidence demonstrating the removal of the kitchen and laundry facilities.

Reason for the condition

To ensure that the development complies with the definition of Residential - Single Dwelling.

PLN s3

Stage 2 must be completed within two (2) years of the date of this permit.

*Advice:*

*This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the Land Use Planning Approvals Act 1993 are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.*

Reason for condition

To ensure the temporary occupancy of the outbuilding for residential purposes.

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/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.

*Advice:*

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

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

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 170.1:2002, must be submitted to Council as



a Condition Endorsement.

*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 driveway and parking module and compliance with the standard.

ENG 2c

Prior to the first occupation or commencement of use (whichever occurs first), vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

*Advice:*

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

Reason for condition

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

ENG 3a

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

*Advice:*

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

*condition.*

Reason for condition

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

ENG 3b

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

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

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/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.*

*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.*

*The parking module plans for 78 Liverpool Crescent submitted to the Council on 31/01/2012 by Aldanmark (09E02-9 01, C02 and c03) have previously been approved and would be deemed suitable.*

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

Prior to the first occupation 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 module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation 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 5

The number of car parking spaces approved to be used on the site is two (2).

Reason for condition

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

### ENG 1

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

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

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

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

Reason for condition

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

ENG r1

The excavation and/or earth-retaining structures (i.e. embankments, cuttings, retaining walls) and/or footings and/or driveway deck) within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the vehicle barriers within the Liverpool Crescent highway reservation must be submitted and approved as a Condition Endorsement, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation; and
3. Take into account any additional surcharge loadings as required by relevant Australian Standards.

The structure certificated and/or drawings should note accordingly the above.

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

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

ENG r4

Vehicle crash barriers with the Liverpool Crescent highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings must be installed or modified as per the plans prior to the first occupation.

A certified design/report prepared by a suitably qualified engineer, to satisfy the above requirements, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

ENV 8

All risk mitigation recommendations in section 7 of the Landslide Risk Assessment report by Geo-Environmental Solutions P/L dated December 2020 and received by the Planning Authority on 18 May 2021 must be implemented including:

- Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock

materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This must be confirmed by the site engineer.

- Foundations must be designed to account for the highly reactive clays on site (Ys values of 40-60mm).
- Stormwater from the proposed development must be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway).
- All cuttings >0.5m on site must be retained by suitably designed retaining walls. Cuts < 0.5m should have batter angles not exceeding
- 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits.
- All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction.
- Aggregate toe drains must be included into the design along the base of all cuttings. A cut-off drain must be installed above the development to intercept surface water away from the residential development and any cutting/retaining wall faces.
- Due to the steep site slopes, fill placed on site should not exceed 0.5m in height and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls.
- Prior to placement of fill all topsoil should be stripped from the fill pad footprint and benches should be keyed into the slope.
- The proposed development must be constructed in accordance with the Australian Geomechanics Society (2007) *Guidelines for Good Hillside Construction Practices*.

Reason for condition

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

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.

OPS s1

Prior to the issuing of any approval under the *Building Act 2016* or works commencing on-site, whichever occurs first, an arborist assessment and tree protection plan must be prepared by a suitably qualified and experienced person. The tree protection plan must specify all measures required to prevent significant damage to the two eucalypts within the road reserve adjacent to the driveway. The tree protection plan must be submitted and approved as a Condition Endorsement. All works must be undertaken in accordance with the approved Tree Protection Plan.

*Advice:*

*Once the tree protection plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). It is recommended that the tree protection plan 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.*

*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 the amenity of the area is maintained and that works are undertaken in accordance with the City of Hobart Street Tree Strategy 2017 and Australian Standard AS 4970 *Protection of Trees on Development Sites*.

#### 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.

## PLANNING

This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the *Land Use Planning Approvals Act 1993* are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.

## 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.

## RIGHT OF WAY

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

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

## 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**

### **7.1.3 115 Patrick Street, West Hobart and Adjacent Road Reserve - Partial Demolition, Alterations and Extension PLN-21-93 - File Ref: F21/65011**

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#### BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 28 June 2021, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street road reserve for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 19 July 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-21-93 - 115 Patrick Street 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 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.

HER 9

Original doors and window noted to be demolished must be carefully salvaged, labelled and stored onsite for possible future reuse. Items must be stored with a plan showing the original location of items.

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

#### 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.

#### WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

## NOISE REGULATIONS

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

## WASTE DISPOSAL

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

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

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

### **Delegation: Committee**

Mr Ian Crawford, Mr Brett Doubleday (Representors), Mr Daniel Lane (Applicant) addressed the Committee in relation to item 7.1.4.

#### **7.1.4 31 Faraday Street, West Hobart - Partial Demolition, Alterations and Extension PLN-21-290 - File Ref: F21/67350**

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## BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 8 July 2021, be adopted, as amended by the inclusion of the following advice clause:

*“ADVICE*

### *WINDOWS*

*The owner is encouraged to consider using non-reflective glass in the 3 windows on the western elevation above the kitchen and also the 3 windows on the northern elevation above the living room, to reduce glare for the*

*surrounding properties.*

*The owner is also encouraged to install and use blinds on those windows at night to reduce light-spill which could impact the surrounding properties.”*

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and extension at 31 Faraday Street West Hobart for the reasons outlined in the officer’s report attached to item 7.1.4 of the Open City Planning Committee agenda of 19 July 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-21-290- 31 FARADAY STREET 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).

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.

HER 10

The demolition of the four chimney stacks is not approved. The four chimney stacks must be retained.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the retention of the four chimney stacks in accordance with the above requirement.

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

*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 demolition in whole or part of a heritage precinct does not result in the loss of historic cultural heritage values.

HER 17a

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

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

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

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

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

You may require a road closure permit for construction or special event.  
Click [here](#) for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

#### PLANNING

Consideration to be made to protecting the existing hedge along the rear boundary throughout excavation and construction.

#### WINDOWS

The owner is encouraged to consider using non-reflective glass in the 3 windows on the western elevation above the kitchen and also the 3 windows on the northern elevation above the living room, to reduce glare for the surrounding properties.

The owner is also encouraged to install and use blinds on those windows at night to reduce light-spill which could impact the surrounding properties.

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### **Attachments**

A Mr Daniel Lane - Deputation Supporting Information - 31 Faraday Street ⇨



**Delegation: Committee**

**7.1.5 331 Davey Street, South Hobart - Outbuilding (Pergola)  
PLN-21-339 - File Ref: F21/68147**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 13 July 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 outbuilding (pergola) at 331 Davey Street, South Hobart for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 19 July 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-21-339 - 331 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas and impervious surfaces such as paved areas) must be drained to the Council's stormwater infrastructure or an approved Council system prior to commencement of use.

*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.

#### 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.

#### 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**

Supplementary item 13 was then taken

## **8. REPORTS**

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### **8.1 Monthly Planning Statistics - 1 June - 30 June 2021** **File Ref: F21/64749**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 5 July 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

### **COMMITTEE RESOLUTION:**

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

During the period 1 June 2021 to 30 June 2021, 72 permits were issued to the value of \$24,788,712 which included:

- (i) 5 new single dwellings to the value of \$2,340,000;
- (ii) 72 multiple dwellings to the value of \$15,950,000;
- (iii) 32 extensions/alterations to dwellings to the value of \$3,516,032;
- (iv) 14 extensions/alterations to commercial properties to the value of \$10,363,300;
- (v) 2 major projects:
  - (a) 199 Macquarie Street, Hobart - Partial Demolition, Alterations, Partial Change of Use to Office and Two Multiple Dwellings, New Building for 45 Multiple Dwellings, Signage and Associated Works -

\$8,000,000;

- (b) 98 Argyle Street - Hobart - Demolition and New Building for 20 Multiple Dwellings - \$6,500,000;

During the period 1 June 2020 to 30 June 2020, 61 permits were issued to the value of \$15,312,758 which included:

- (i) 6 new single dwellings to the value of \$1,801,488;
- (ii) 39 multiple dwellings to the value of \$6,777,000;
- (iii) 46 extensions/alterations to dwellings to the value of \$8,471,258;
- (iv) 15 extensions/alterations to commercial properties to the value of \$6,841,500;
- (v) 1 major project:
  - (a) 283-287 Liverpool Street, Hobart - Demolition and New Building for 25 Multiple Dwellings - \$4,950,000

**Delegation: Council**

**8.2 Monthly Building Statistics - 1 June - 30 June 2021**  
**File Ref: F21/64782**

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BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 5 July 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**COMMITTEE RESOLUTION:**

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

During the period 1 June 2021 to 30 June 2021, 77 permits were issued to the value of \$24,577,711 which included:

- (i) 42 for extensions/alterations to dwellings to the value of \$15,064,851;
- (ii) 7 new dwellings to the value of \$3,278,370;
- (iii) 4 new multiple dwellings to the value of \$2,000,000; and
- (iv) 2 major projects:
  - (a) 66 Burnett Street, North Hobart - Stage 2 - Structural only - \$9,000,000;
  - (b) 1 Burnett Street, North Hobart - New commercial residential building x4 - \$2,000,000;

During the period 1 June 2020 to 30 June 2020, 101 permits were issued to the value of \$28,271,003 which included:

- (i) 47 for extensions/alterations to dwellings to the value of \$6,296,969;
- (ii) 16 new dwellings to the value of \$6,410,832;
- (iii) 0 new multiple dwellings; and
- (iv) 6 major projects:
  - (a) 1 Risdon Road, New Town - Internal Refurbishment, Stage 1 - \$3,292,985
  - (b) 22-26 Elizabeth Street, Hobart - Alterations - \$2,458,400;
  - (c) 96 Bathurst Street, Hobart - Alterations, Level 1 to 6 - \$2,000,000;
  - (d) 200 Collins Street, Hobart - Alterations - \$1,600,000;
  - (e) 34 Davey Street, Hobart - Alterations - \$1,500,000;
  - (f) 5 Dresden Street, Sandy Bay - New Building - \$1,000,000;

In the twelve months ending June 2021, 662 permits were issued to the value of \$198,957,830; and

In the twelve months ending June 2020, 620 permits were issued to the value of \$223,597,790.

**Delegation: Council**



**8.3 Delegated Decision Report (Planning)**  
**File Ref: F21/67745**

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DUTTA

That the recommendation contained in the memorandum of the Director City Planning of 13 July 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

**8.4 City Planning - Advertising Report**  
**File Ref: F21/67991**

---

DUTTA

That the recommendation contained in the memorandum of the Director City Planning of 14 July 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

**8.5 Visitor Accommodation Map  
File Ref: F21/68163**

---

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 14 July 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'Visitor Accommodation Approvals – 01 August 2014 - 30 June 2021' be received and noted.

**Delegation: Committee**

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

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### **9.1 Committee Actions - Status Report** **File Ref: F21/65190**

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BRISCOE

That the information be received and noted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**Delegation: Committee**

## **10. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

### **10.1 Multiple Dwellings - Bulk** **File Ref: F21/9431; 13-1-10**

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Memorandum of the Director City Planning of 13 July 2021.

### **10.2 Local Planning Schemes** **File Ref: F21/59110; 13-1-10**

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Memorandum of the Director City Planning of 12 July 2021.

### **10.3 Special Meeting Format - Cable Car Development Application** **File Ref: F21/64980; 13-1-10**

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Memorandum of the Director City Planning of 12 July 2021.

DUTTA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**Delegation: Committee**

## **11. QUESTIONS WITHOUT NOTICE**

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

### **11.1 Alderman Briscoe - Cable Car Development Application - Bushfire Assessment** **File Ref: 13-1-10**

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Question: Can the Director advise if the Council obtained an independent bushfire assessment for the proposal ?

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

### **11.2 Alderman Biscoe - Cable Car Development Application - Noise Assessment** **File Ref: 13-1-10**

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Question: Can the Director advise if the Council obtained an independent noise assessment for the proposal ?

Answer: The Director City Planning advised that an independent noise assessment was obtained for the proposal.

## 12. CLOSED PORTION OF THE MEETING

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HARVEY

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

- Confirm the minutes if the Closed portion of the meeting
- Question without notice response

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. 6	Responses to Questions Without Notice
Item No. 6.1	Cable Car Development Application - Cost LG(MP)R 15(4)(b)
Item No. 7	Questions Without Notice

MOTION CARRIED

### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

**Delegation: Committee**

## SUPPLEMENTARY ITEM

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### APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

**13. 646A Sandy Bay Road, Sandy Bay - Partial Demolition, Alterations, and Partial Change of Use to Food Services  
PLN-21-368 - File Ref: F21/69383**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 8 July 2021, be adopted, as amended by the inclusion of the following advice clause:

“*ADVICE*

*COLLECTION OF COMPOSTABLE PRODUCTS*

*The operator of the kiosk is encouraged to provide a receptacle for the collection of compostable products which have been provided to customers.”*

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005 for the reasons outlined in the officer’s report attached to supplementary item 13 of the Open City Planning Committee agenda of 19 July 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-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS 7005 - 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 2021/00901-HCC dated 9th June 2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

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 s1

Prior to commencement of use, any proposed bollards are to be provided and installed in accordance with Australian Standard AS/NZS 2890.1:2004 and Tasmania Standard Drawings TSD-R31-v3 or TSD-R32-v3 or a Council approved alternative.

#### Reason for condition

To ensure pedestrian safety and compliance with the standards. The bollards are to be located such that vehicles manoeuvring within the adjacent public car park will be prevented from encroaching into pedestrian ways.

#### HER 9

The proposed changes to the north/east (entry) and the north/west (coffee servery) as shown on drawings Floor Plan 21.04\_DA02, dated 29/04/21 and Elevations 21.04\_DA03, dated 29/04/21 are not approved. Revised drawings must be submitted to include the following:

- Hardwood vertical board panelling to match the existing,
- The reuse of the existing metal framed screens (either fixed or hinged)
- The north/east (entry) must have 3 equal vertical divisions above the vertical board panelling
- The north/west (coffee servery) must have 2 equal divisions above the vertical board panelling
- The external colours of the frames and panelling, must be differentiated and reflect the original contrasting colour scheme from the 1960s.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement in accordance with the above requirements.

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

#### *Advice:*

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

*The drawing submitted on 12 July 2021 and described as: Elevations - Revised, 21.04\_DA03, dated 09/07/21, reflects an outcome that would satisfy this condition.*

*Works to the refurbishment of the sliding door on the north-east elevation should occur prior to the kiosk works.*

#### Reason for condition

To ensure that demolition and new work at a heritage place does not result in the loss of historic cultural heritage values.



## 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.

## COLLECTION OF COMPOSTABLE PRODUCTS

The operator of the kiosk is encouraged to provide a receptacle for the collection of compostable products which have been provided to customers.

## 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.

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

**Delegation: Council**

Item 7.1.2 was then taken.

There being no further business the Open portion of the meeting closed at 6.31pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
2<sup>ND</sup> DAY OF AUGUST 2021.

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**CHAIRMAN**