



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 4 April 2022 at 5:00pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 4 April 2022 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 Councillor H Burnet  
(Chairman)  
Alderman J R Briscoe  
Councillor W F Harvey  
Alderman S Behrakis  
Councillor M Dutta  
Councillor W Coats

**NON-MEMBERS**

Lord Mayor Councillor A M Reynolds  
Alderman M Zucco  
Alderman Dr P T Sexton  
Alderman D C Thomas  
Councillor J Fox  
Councillor Dr Z Sherlock

**PRESENT:** The Deputy Lord Mayor  
Councillor H Burnet, Alderman J R  
Briscoe, Councillor W F Harvey,  
Alderman S Behrakis, Councillors M  
Dutta and W Coats.

**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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DUTTA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 21 March 2022](#) be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES  
Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

The minutes were signed.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

BEHRAKIS

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  
Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

**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.

BEHRAKIS

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe

Harvey  
Behrakis  
Dutta  
Coats

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

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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.

Supplementary item 11 was then taken.

### **7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997**

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#### **7.1.1 8/9 Sackville Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation PLN-22-86 - File Ref: F22/29273**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 23 March 2022, be adopted.

MOTION LOST

#### VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

#### **COMMITTEE RESOLUTION:**

That in the absence of a decision from the City Planning Committee, this application will be determined by the Director City Life pursuant to a delegation under section 6(3) of the *Land Use Planning and Approvals Act 1993*, as set out below:

To exercise the power of the Council as planning authority pursuant to Section 59 (7) of the *Land Use Planning and Approvals Act 1993* to determine applications where no request to make a decision has been lodged with the Resource Management and Appeal Tribunal.

**Delegation: Committee**

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

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### **7.2.1 720 Sandy Bay Road, Sandy Bay - Alterations (Chimneys) PLN-21-627 - File Ref: F22/23803**

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BRISCOE

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for alterations (chimneys) at 720 Sandy Bay Road, Sandy Bay 7005 , for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 12.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because the siting and scale of a development will cause unreasonable loss of amenity by resulting in: a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; and overshadowing of the private open space of a dwelling on an adjoining lot; and visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Harvey
Briscoe	Behrakis
Dutta	
Coats	

**COMMITTEE RESOLUTION:**



That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for alterations (chimneys) at 720 Sandy Bay Road, Sandy Bay 7005 , for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 12.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because the siting and scale of a development will cause unreasonable loss of amenity by resulting in: a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; and overshadowing of the private open space of a dwelling on an adjoining lot; and visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.

**Delegation: Council**

**7.2.2 5 Montrivale Rise, Dynnryne and Adjacent Road Reserve - Three Multiple Dwellings  
PLN-22-21 - File Ref: F22/29155**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 23 March 2022, 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 three multiple dwellings at 5 Montrivale Rise Dynnryne TAS 7005 for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 4 April 2022 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-22-21 5 MONTRIVALE RISE DYNNYRNE TAS 7005 & 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 2022/00070-HCC dated 21/01/2022 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 4

Vegetation screening that will grow to a mature height of approximately three (3) metres must be planted along the northern boundary, and in the north eastern corner between the vehicle access retaining wall and the stormwater easement, prior to first occupation.

The vegetation must be maintained, and replacement vegetation must be planted if any is lost.

A landscaping plan prepared by an appropriately qualified person must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016*. The landscaping plan must:

- provide details of the vegetation screening to meet the above requirement, including location of the plantings, number of plantings, type of plantings, and height of plantings when planted and at maturity; and
- specify means of protection of plants from browsing animals; and
- include a notation that vegetation must be maintained, and replacement vegetation must be planted if any is lost.

Once the vegetation has been planted, and prior to first occupation, the person who prepared the landscaping plan, or another appropriately qualified person, must provide written confirmation to Council that the vegetation has been planted in accordance with the approved landscaping plan.

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

Reason for condition

To provide additional screening/privacy to adjoining properties.

*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.*

PLN s1

The multiple dwellings are approved as three single occupancy dwellings. The first and second floors of the units are not approved to be used as separate dwellings.

Reason for condition

To clarify the scope of this permit.

PLN s2

Prior to first occupation the western windows in the living space for Unit 1 must be screened with a uniform transparency of no more than 30% to a height of 1.7m above floor level, or the sill height be raised to no less than 1.7m above floor level.

Reason for condition

To comply with privacy provisions of the *Hobart Interim Planning Scheme 2015*.

*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.*

SW 1

Prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first), a pre-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure within/adjacent to the proposed development must be submitted to the City of Hobart as a Condition Endorsement.

The condition assessment must include at least:

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

2. a digital recording of a CCTV inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and
3. photos of any existing drainage structures connected to or modified as part of the development.

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

*Advice:*

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

SW 2

Prior to occupancy or the commencement of the approved use (whichever occurs first), a post-construction structural condition assessment and visual record (eg video and photos) of the Hobart City Council's stormwater infrastructure within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to the City of Hobart.

The condition assessment must include at least:

1. a site plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled, with assets found to have a different alignment from that shown on the City of Hobart's plans shall be marked on the ground and on the plan;
2. a digital recording of a CCTV inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia, in a 'Wincan' compatible format; and
3. photos of any existing drainage structures connected to or modified as part of the development.

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

#### SW 3

The proposed structures, including retaining wall footings, must be designed to ensure the protection and access to the Hobart City Council's stormwater main.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed design must be submitted and approved as a Condition Endorsement. The detailed design must be prepared by a suitably qualified expert and must:

1. Demonstrate how the design will ensure the protection of and provide access to the Hobart City Council's stormwater main.

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

#### SW 4

Recommendations in the *Design Memorandum – Stormwater Quantity and Quality – Revision 1* by ADDC must be included in the civil design to be approved prior to commencement of works. All stormwater management and treatment devices must be installed prior to occupancy.

*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 2b

Detailed designs are required for vehicle barriers. Documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 1170.1:2002, if possible; and
3. show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

The vehicle barriers must be installed in accordance with the approved detailed designs prior to first occupation.

*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, a suitably qualified engineer must certify that the vehicle barriers have been installed in accordance design drawings approved by Condition ENG 2b.

*Advice:*

*An example certificate is available on our [website](#).*

Reason for condition

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

ENG 3a

The access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: Oramatis Studio drawings C01 to C06 received by the Council on 18 January 2022.

Any departure from that documentation and any works which are not detailed in the documentation must be either:

- a) approved by the Director City Life, via a condition endorsement application; or
- b) designed and constructed in accordance with Australian Standard AS/NZ 2890.1:2004.

The works required by this condition must be completed prior to first occupation.

Reason for condition

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

ENG 3c

Prior to the first occupation, a suitably qualified engineer must certify that the access driveway and parking area has been constructed in accordance with design drawings approved by Condition ENG 3a.

*Advice:*

*We strongly encourage you to speak to your engineer before works begin so that you can discuss the number and nature of the inspections they will need to do during the works in order to provide this certification. It may be necessary for a surveyor to also be engaged to ensure that the driveway will be constructed as approved.*

*The reason this condition has been imposed as part of your planning permit is that the driveway is outside the Australian Standard gradients or design parameters. If the driveway is not constructed as it has been approved then this may mean that the driveway will either be unsafe or will not function properly.*

*An example certificate is available on our [website](#).*

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved to be used on the site is eight (8). All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, 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.

ENG r1

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

Geotechnical assessments of the embankment within the Montrivale Rise 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;
3. Take into account and reference accordingly any Geotechnical findings;



4. Detail any stabilizing approaches required
5. Include a structural certificate which notes the driveway slab will not transfer additional loads onto the existing retaining wall.

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 s1

All earthworks must comply with AS 3798-2007 "guidelines on earthworks for commercial and residential developments" and a safety plan with particular reference to management of liberated boulders must be implemented on site during all construction prior to the commencement of work.

Reason for condition

To ensure the safety of sight workers, general public and neighboring property and infrastructure

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.

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

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

#### 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.

#### 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.

#### WEED CONTROL

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

#### NOISE REGULATIONS

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to Part 5 Agreement D128963 that requires the owner(s) to comply with the Site Development Plan (March, 2014).

The Site Development Plan requires the owners to:

- implement the relevant requirements of the approved bushfire hazard management plan (November 2013) in relation to the property;
- implement the relevant recommendations of the geotechnical assessment report (October 2010), geotechnical addendum (January 2011) and geotechnical addendum No. 2 (October 2015);
- comply with the Weed and Hygiene Management Strategy – Post Construction
- Addendum (Feb 2014); and
- design buildings to be consistent with the WWF bird collision guidelines.

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

**Delegation: Committee**

## **8. REPORTS**

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### **8.1 City Planning - Advertising Report File Ref: F22/27088**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 23 March 2022, 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 - *City Planning - Advertising Report* - be received and noted.

**Delegation: Committee**

**8.2 Delegated Decision Report (Planning)  
File Ref: F22/28291**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 28 March 2022, 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 - *Delegated Decision Report (Planning)* - be received and noted.

**Delegation: Committee**

**9. QUESTIONS WITHOUT NOTICE**

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Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.

File Ref: 13-1-10

**9.1 Alderman Briscoe - Old Forestry Building - Development  
Application  
File Ref: 13-1-10**

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Question: Can the Director advise when the Melville Street, old Forestry building development application will come before this Committee?

Answer: The Director City Life advised that it is envisaged the application will come before the Committee on the 26<sup>th</sup> April 2022.

**9.2 Councillor Harvey - Old Forestry Building - Old Freedom Building**  
**File Ref: 13-1-10**

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Question: Can the Director advise if the old Freedom building forms part of the development application for the old Forestry building?

Answer: The Director City Life advised that the old Freedom building does form part of the application.

**10. CLOSED PORTION OF THE MEETING**

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BEHRAKIS

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

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

The following items were discussed:-

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

NOES

Delegation: Committee

## **SUPPLEMENTARY ITEM**

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

Ms Sam East addressed the Committee in relation to supplementary item 11.

**11 7 South Street, Battery Point - Partial Demolition, Alterations and Extension**  
**PLN-22-125 - File Ref: F22/30595**

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BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 1 April 2022, be adopted as amended by the inclusion of an additional clause PLN s1 to read as follows:

*“PLN s1*

*The height of the external wall immediately adjacent to the boundary between 7 South Street and 9 South Street must be reduced in height so that it is the minimum allowed by the National Construction Code and to the satisfaction of the Director City Life.”*

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 7 South Street Battery Point 7004 for the reasons outlined in the officer’s report attached to supplementary item 11 of the Open City Planning Committee agenda of 4 April 2022 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-22-125 - 7 SOUTH STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

The height of the external wall immediately adjacent to the boundary between 7 South Street and 9 South Street must be reduced in height so that it is the minimum allowed by the National Construction Code and to the satisfaction of the Director City Life.

ENG sw1

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

*Advice:*

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

Reason for condition

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

ENG sw6

All stormwater from the proposed development (including hardstand runoff) 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. Meet the requirements of Australian Standard AS 3500 (including pumped system) or a Council approved alternative;
3. Include long section(s)/levels and grades to the point of discharge;and
4. Include gravity discharge to Council's public infrastructure.



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

*Advice:*

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

Reason for condition

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

ENG 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.

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

#### NEW SERVICE CONNECTION

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

#### STORMWATER

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

#### WORK WITHIN THE HIGHWAY RESERVATION

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

#### 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.

#### 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**

Item 7.1.1 was then taken.

There being no further business the Open portion of the meeting closed at 5.36pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
26<sup>TH</sup> DAY OF APRIL 2022.

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**CHAIRMAN**