



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 6 June 2022 at 5:00pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 6 June 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 31 March 2022 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: Alderman S Behrakis
(Chairman), Alderman J R Briscoe,
Councillors W F Harvey and M Dutta

APOLOGIES:

Councillor W Coats

LEAVE OF ABSENCE:

Deputy Lord Mayor Councillor H Burnet

BRISCOE

That Alderman Behrakis chair the meeting in the absence of the Chairman.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Harvey
Behrakis
Dutta

NOES

Alderman Behrakis assumed the chair.

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

No elected members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

DUTTA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 23 May 2022](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Behrakis		
Briscoe		
Harvey		
Dutta		

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

BRISCOE

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

7. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Committee to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the 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.

Item 7.1.2 was then taken.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr Damian Messer, Ms Ashley van der Veer, Mr Ben van der Veer (Representors), Mr George Walker and Mr Steve Chau (Applicant) addressed the Committee in relation to item 7.1.1.

7.1.1 209-213 Harrington Street, 215-217 Harrington Street, Hobart - Demolition, New Building for Food Services, Signage, Subdivision (Lot Consolidation), and Associated Works PLN-20-651 - File Ref: F22/52410

BRISCOE

That the City Planning Committee recommends that the Council refuse the application for demolition, new building for food services, signage, subdivision (lot consolidation), and associated works at 209–213 Harrington Street and 215–217 Harrington Street, Hobart 7000 for the following reasons:

1. The proposed use of a restaurant, which is discretionary, is inappropriate for this location and is inconsistent with the zone purpose statements.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E5.5.1 Existing road accesses and junctions, because the increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, is not safe and unreasonably impacts on the efficiency of the road, having regard to paragraphs (a) to (g).
3. The proposal does not meet the acceptable solution or the performance

criterion with respect to clause E6.6.1 Number of parking spaces, because the acceptable solution requires 39 spaces and only 20 are proposed; and The number of onsite car parking spaces must be sufficient to meet the reasonable needs of users, having regard to the specific matters listed in P1 (a) to (e).

MOTION CARRIED

VOTING RECORD


AYES	NOES
Briscoe Harvey Dutta	Behrakis

COMMITTEE RESOLUTION:

That the Council refuse the application for demolition, new building for food services, signage, subdivision (lot consolidation), and associated works at 209–213 Harrington Street and 215–217 Harrington Street, Hobart 7000 for the following reasons:

1. The proposed use of a restaurant, which is discretionary, is inappropriate for this location and is inconsistent with the zone purpose statements.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E5.5.1 Existing road accesses and junctions, because the increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, is not safe and unreasonably impacts on the efficiency of the road, having regard to paragraphs (a) to (g).
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 Number of parking spaces, because the acceptable solution requires 39 spaces and only 20 are proposed; and The number of onsite car parking spaces must be sufficient to meet the reasonable needs of users, having regard to the specific matters listed in P1 (a) to (e).

Attachments

A Ben van der Veer - Deputation Supporting Information - 209-213
Harrington Street ⇒ 

Delegation: Council

Item 7.1.6 was then taken.

Ms Jill Hickie (Representor), Mr Frazer Read and Ms Sarah Lindsay (Applicant) addressed the Committee in relation to item 7.1.2.

**7.1.2 156 New Town Road, New Town - Demolition, Subdivision (Lot Consolidation) and New Building for 19 Multiple Dwellings and Fitness Centre (Sports and Recreation)
PLN-22-272 - File Ref: F22/52554**

PROCEDURAL MOTION

BRISCOE

That the item be deferred to allow further consultation between the representors and the applicant.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

COMMITTEE RESOLUTION:

That the item be deferred to allow further consultation between the representors and the applicant.

Attachments

A Jill Hickie - Deputation Supporting Information - 156 New Town Road ⇒ 

Delegation: Committee

**7.1.3 136 Wentworth Street and 112 Cascade Road and 106 Cascade Road, South Hobart - Temporary Housing
PLN-22-133 - File Ref: F22/52386**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 30 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for temporary housing at 136 Wentworth Street and 112 Cascade Road and 106 Cascade Road, South Hobart 7004 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 6 June 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-22-133 - 136 WENTWORTH STREET & 112 CASCADE ROAD & 16 CASCADE ROAD, SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit is valid for a maximum period for three years from 25 June 2020, on which date the occupancy permit was issued in accordance with Part 17 of the *Building Act 2016*. At the completion of this period and not more than 6 month after the date on which the permit lapses, all development associated with this permit must be removed and the site made good to the satisfaction of the Director City Life.

Reason for condition

To clarify the scope of the permit in accordance with the application documentation and Planning Directive 7.

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.

COUNCIL RESERVES

There is an existing lease agreement for occupation of a portion of Wellesley Park for this development. The lease expires on 31st December 2022. Therefore, it will need to be extended to cover the extended planning permit period. The terms will be negotiated separately to this planning permit.

NOISE REGULATIONS

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

Delegation: Council

**7.1.4 32 Commercial Road, North Hobart - Partial Demolition, New
Parking Space & Front Fencing
PLN-22-19 - File Ref: F22/51905**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, new parking space and front fencing at 32 Commercial Road North Hobart 7000 for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 6 June 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-22-19 - 32 COMMERCIAL ROAD NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SW 3

The proposed demolition works and new fence (including footings) must be designed to ensure the protection and access to the Hobart City Council's stormwater infrastructure on Commercial Lane.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed demolition plan and fence 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.

ENG 3a

The access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: PLN-22-19 -

32 COMMERCIAL ROAD NORTH HOBART TAS 7000 - Detail - Additional Information - AIS-22-785 (received by the Council on the 5th of May 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 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 / commencement of use.

Reason for condition

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

ENG 5

The number of car parking spaces approved under this permit on the site is one (1).

Reason for condition

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

ENG 13

The fencing and gate at the rear of 32 Commercial Road (Commercial Lane) must allow adequate sight distance between user vehicles, cyclists and pedestrians.

To enable the fence either side of the driveway to provide adequate sight distance between user vehicles, cyclists and pedestrians, the fence and gate proposed on Commercial Lane is restricted to at a maximum height of 1.2m for a minimum 2m either side of the driveway.

Alternatively, any fence greater than 1.2m in height must have a transparency greater than 50% for the portion above 1.2m in height, such that a pedestrian, vehicle and cyclists cannot be obscured from view.

Any departure from the above restrictions must be approved via Condition Endorsement prior to the commencement of work. If so, the amended drawing must demonstrate how the fence either side of the driveway/s provides for adequate sight distance between user vehicles, cyclists and pedestrians by one of the following methods:

1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off-street car parking AS/NZS 2890.1: 2004 Fig 3.3;
2. Increasing the gate width of the driveway(s) to 5m;
3. Increasing the transparency of fencing for at least 1.5m on each side of driveway/s so that those sections of fencing are largely transparent; or
4. Setting driveway(s) gates back 1m from front fence line to achieve increased sight lines.

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

Advice:

This condition only requires further information to be submitted as a Condition Endorsement if the design has any departure from the restriction. If so, refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

ENG r3

Prior to the commencement of use, the proposed driveway crossover on the Commercial Lane highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v3 – Urban Roads Driveways and TSD R14-v3 Type KC vehicular crossing;
- Footpath - Urban Roads Footpaths TSD-R11-v3 concrete.

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

1. Show the cross and long sections of the driveway crossover within the highway reservation and onto the property;
2. Show the cross section of the front boundary, the concrete strip needs to be falling towards the road.
3. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;
4. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);
5. If the design deviates from the requirements of the TSD, then demonstrate that a B85 vehicle or a B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2), can access the driveway from the road pavement into the property without scraping the vehicle's underside;
6. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
7. Be prepared and certified by a suitable qualified person, to satisfy the above requirements.

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

Advice:

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

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Program

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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

A fee of 2% of the value of the works for new public assets (stormwater

infrastructure, roads and related assets) will apply for the condition endorsement application.

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

ACCESS

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

CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken subject to Council approval of the design. 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

Item 8.2 was then taken.

Ms Catherine Minnucci addressed the Committee in relation to item 7.1.5

7.1.5 1 Bell Street, New Town - Upgrading of Existing Telecommunications Facility and Associated Works PLN-21-823 - File Ref: F22/52191

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 31 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	Dutta
Briscoe	
Harvey	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for upgrading of existing telecommunications facility and associated works at 1 Bell Street New Town 7008 for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning

Committee agenda of 6 June 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-21-823 - 1 BELL STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/00045-HCC dated 2/5/2022 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Advice:

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

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The pre-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main 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 Council upon completion of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw3

The proposed works must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved as a Condition Endorsement prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. Demonstrate how the design will ensure the protection and provide

access to the 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.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

SW 13

All structures within the flood zone including buildings and flood mitigation measures must be inspected by a suitably qualified and accredited engineer.

Certification from a suitably qualified and accredited engineer that the installation has been constructed in accordance with the approved design must be provided to the City of Hobart prior to occupancy or commencement of use (whichever occurs first).

ENG 1

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

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

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

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

will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ENVHE 2

A contamination Environmental Site Assessment report prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) as amended 2013 must be submitted prior to commencement of work. The report must conclude:

- Whether any site contamination presents a risk to workers involved in redevelopment of the site, or future users of the site, as a result of proposed excavation of the site.
- Whether any site contamination presents an environmental risk from excavation conducted during redevelopment of the site.
- Whether any specific remediation and/or protection measures are required to ensure proposed excavation does not adversely impact human health or the environment before excavation commences.
- Based on the results of the Environmental Site Assessment that the excavation as part of the planned works will not adversely impact on

human health or the environment (subject to implementation of any identified remediation and/or protection measures as required).

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted prior to commencement of work. Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil or stormwater.

Advice:

The Environmental Site Assessment Report prepared by Greencap, dated February 2022 (J176373) and submitted by the applicant on 23 March 2022, meets this condition, and no further report is required to be submitted.

Reason for condition

To determine the level of site contamination, and to identify any recommended remediation/management practices/safeguards which need to be followed/put in place during any excavations/ground disturbance on, or for use of the site, to provide for a safe living environment.

OPS s1

The developer must have a build schedule in place to ensure that the removal of the flood light panels do not disrupt any hockey games. Prior to the removal of the flood lights the developer must prepare a build schedule in consultation with Hockey Tasmania and Council. The removal of the flood lights must be undertaken in accordance with the build schedule.

Advice:

Please contact the Council's Parks and Recreation Program Leader on 6238 2956 in relation to this condition.

Reason for condition

To maintain the functionality of the adjacent sports fields.

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.

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*.

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Life Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

STREET LIGHTING

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's City Resilience 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: Council

Item 8.1 was then taken.

Ms Ashley van der Veer, Mr Ben van der Veer (Representors), Mr George Walker and Mr Steve Chau (Applicant) addressed the Committee in relation to item 7.1.6.

7.1.6 ETA-21-158 - 209-213 Harrington Street, Hobart - Demolition and New Building for 39 Multiple Dwellings, Food Services and General Retail and Hire
File Ref: F22/49954

BRISCOE

That the recommendation contained in the memorandum of the Manager Development Appraisal of 27 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

COMMITTEE RESOLUTION:

- That:
1. The Council approve the application for an extension of time in which to substantially commence planning permit PLN-18-770.
 2. The Council delegates the power to grant a further extension of time to substantially commence planning permit PLN-18-770 pursuant to section 53 of the *Land Use Planning and Approvals Act 1993* to the Director City Life.

Delegation: Council

Item 7.1.5 was then taken

8. REPORTS

8.1 Amendment PSA-21-4 - Enterprise Road Rezoning - Report on Representations File Ref: F22/42681

BRISCOE

That the recommendation contained in the report of the Development Planner and the Director City Life of 24 May 2022, be adopted.

MOTION CARRIED


VOTING RECORD

	AYES	NOES
Behrakis		
Briscoe		
Harvey		
Dutta		

COMMITTEE RESOLUTION:

- That:
1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report marked as item 8.1 of the Open City Planning Committee agenda of 6 June 2022 as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft PSA-21-4 amendment.
 2. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-21-4 amendment to the *Hobart Interim Planning Scheme 2015* be approved as certified.

Attachments

- A Peter Sibly - Deputation Supporting Information - Enterprise Road Rezoning ⇒ 

Delegation: Council

8.2 Amendment to Planning Legislation (Major Projects) File Ref: F22/44598

BRISCOE

That the recommendation contained in the report of the Manager Development Appraisal of 24 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

COMMITTEE RESOLUTION:

That the Council endorse the response to the proposed amendments to the *Land Use Planning and Approvals Act 1993* for major projects, dated 12 May 2022, and shown as Attachment A to item 8.2 of the Open City Planning Committee agenda of 6 June 2022.

Delegation: Council

Item 7.1.3 was then taken.

8.3 City Planning - Advertising Report
File Ref: F22/48968

HARVEY

That the recommendation contained in the memorandum of the Director City Life of 25 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

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

Delegation: Committee

8.4 Delegated Decision Report (Planning)
File Ref: F22/50720

BRISCOE

That the recommendation contained in the memorandum of the Director City Life of 30 May 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Harvey
Behrakis
Dutta

COMMITTEE RESOLUTION:

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

Delegation: Committee

9. QUESTIONS WITHOUT NOTICE

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

9.1 Alderman Briscoe - UTas Sandy Bay Rezoning - Request for Further Information
File Ref: 13-1-10

Question: Can the Director advise if the University has provided the extra information requested by Council Officers for their rezoning application for the Sandy Bay campus?

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

9.2 Alderman Behrakis - Social / Affordable Housing
File Ref: 13-1-10

Question: Can the Director advise of the status of a previous motion that the Council would investigate stock and Council properties that may be able to be utilised for social and affordable housing?

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

The following motion was put by Councillor Harvey and accepted by the Chairman pursuant to regulation 16 of the *Local Government (Meeting Procedures) Regulations 2015*.

MOTION

HARVEY

That an invitation be extended to Julie Collins MP Minister for Housing Homelessness and Small Business to address the Council in relation to the future of housing and what the federal government may have in mind for possible solutions.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Briscoe
Harvey
Dutta

10. CLOSED PORTION OF THE MEETING

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

The following items were discussed:-

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

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Behrakis		
Briscoe		
Harvey		
Dutta		

Delegation: Committee

The Chairman adjourned the meeting at 6.42 pm for a comfort break.

The meeting was reconvened at 6.48 pm.

Item 7.1.5 was then taken.

There being no further business the Open portion of the meeting closed at 7.34pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
20TH DAY OF JUNE 2022.

CHAIRMAN