



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 30 July 2018 at 5:02 pm**

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## ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 30 July 2018  
at 5:02 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**ALDERMEN**

Lord Mayor Christie  
Deputy Lord Mayor Sexton  
Zucco  
Cocker  
Thomas  
Reynolds  
Harvey

**PRESENT:** Alderman J R Briscoe (Chairman), Aldermen H C Burnet, T M Denison, the Deputy Lord Mayor Alderman Dr P T Sexton, Aldermen A M Reynolds and W F Harvey.

**APOLOGIES:**

Alderman E R Ruzicka.

**LEAVE OF ABSENCE:** Nil.

The Deputy Lord Mayor was co-opted to the Committee for items 1 to 6, 8.2 and retired from the meeting at 5:19 pm.

Alderman Burnet declared an interest in item 7.2.6, left the meeting at 5:20 pm and returned at 5:23 pm.

Alderman Burnet declared an interest in item 7.2.1, left the meeting at 5:35 pm and returned at 6:14 pm.

Alderman Reynolds was co-opted to the Committee.

Alderman Harvey was co-opted to the Committee for items 7.2.1 to 8.1, 8.3 to 10 and the closed portion of the meeting.

Alderman Harvey left the meeting at 6:40 pm and returned at 6:41 pm.

Alderman Harvey left the meeting at 7:18 pm and returned at 7:18 pm.

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

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**BURNET**

That the Deputy Lord Mayor be co-opted to the Committee for items 1 to 6 and 8.2 and Alderman Reynolds be co-opted to the Committee.

**MOTION CARRIED**

**VOTING RECORD**

**AYES**

Briscoe  
Burnet  
Denison

**NOES**

## **2. CONFIRMATION OF MINUTES**

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### **BURNET**

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 16 July 2018](#), be confirmed as an accurate record.

MOTION CARRIED

### **VOTING RECORD**

#### **AYES**

#### **NOES**

Briscoe  
Burnet  
Denison  
Deputy Lord Mayor Sexton  
Alderman Reynolds

The minutes were signed.

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

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

### **Recommendation**

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

No supplementary items were received.

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

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

Aldermen 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.

1. Alderman Burnet - item 7.2.1 and item 7.2.6.

## 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 General Manager 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.

REYNOLDS

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

Briscoe  
Burnet  
Denison  
Deputy Lord Mayor Sexton  
Reynolds

REYNOLDS

That item 8.2 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Deputy Lord Mayor Sexton  
Reynolds

Item 8.2 was then taken.

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## **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 General Manager 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.

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

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#### **7.1.1 1 - 3 Elizabeth Street and 3 Morrison Street, Hobart - Signage PLN-18-368 - File Ref: F18/82930**

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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 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Reynolds  
Harvey

**COMMITTEE RESOLUTION:**

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for signage at 1-3 Elizabeth Street and 3 Morrison Street, Hobart for the reasons outlined in the officer's report, attached to item 7.1.1 of the Open City Planning Committee agenda of 30 July 2018, 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-18-368 1-3 ELIZABETH STREET AND 3 MORRISON STREET HOBART TAS 7000 Final Planning Documents except where modified below.

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: 5627 dated 19 June 2018, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The sign is only approved while the Mawson's Hut Replica Museum use is in operation. The sign must be removed within three months of that use ceasing to operate.



*Advice:*

*The Mawson's Hut Replica Museum has planning approval until 28 February 2019 pursuant to PLN161065.*

*The intent of this condition is to ensure that the sign is removed at the same time that the Mawson's Hut Replica Museum is removed, when that use ceases to operate.*

Reason for condition

To ensure that the temporary structure is removed at the expiration of the permit and the site restored to its original condition.

ENG 1

The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

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

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

Reason for condition

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

## ENV 1

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

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

### Reason for condition

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

### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, bylaws, 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*.

### DIAL BEFORE YOU DIG

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

**Delegation: Council**

Item 7.2.5 was then taken.

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

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Alderman Burnet declared an interest in item 7.2.1 and left the meeting at 5:35 pm and returned at 6:14 pm.

Mr Monty East of design.East together with Mr Kim Morgan (Applicant) addressed the Committee in relation to item 7.2.1.

### **7.2.1 26 Swan Street, North Hobart - Partial Demolition, Alterations and Multiple Dwellings PLN-18-19 - File Ref: F18/83826**

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#### **PROCEDURAL MOTION**

REYNOLDS

That the matter be deferred to allow for further discussions between the Applicant and Council Officers to investigate the possibility of further reducing the number of car parking spaces.

PROCEDURAL MOTION LOST

#### **VOTING RECORD**

AYES	NOES
Reynolds	Briscoe
Harvey	Denison

DENISON

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and multiple dwellings at 26 Swan Street, North Hobart 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-18-19 26 SWAN STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/00070-HCC dated 08/03/2018 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**PLN 1**

**Screening with a maximum height of 1.8m above the finished floor level of the deck must be installed and maintained along the north eastern edge of the upper level, south eastern deck of Unit A prior to first occupation.**

Reason for condition

To provide reasonable opportunity for privacy for dwellings, whilst minimising visual bulk and massing.

**PLN s2**

**Amended plans, showing a garbage storage area with an area of at least 7.5m<sup>2</sup> and with 1.2m high screening located between the existing dwelling and the proposed new driveway must be submitted to Council prior to the commencement of work.**

**The amended plans must be submitted and approved, prior to the issue of a building permit for the proposed works. The amended plans must:**

- 1. Include details of the proposed location, dimension and screening for the garbage bin storage area, to satisfy the above requirement.**

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

*Advice:*

*Once the (type of document) have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

Reason for condition

**ENG sw6**

**All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure via gravity prior to first occupation. Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity. All costs associated with works required by this condition are to be met by the owner.**

Reason for condition

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

**ENG 2a**

**Vehicular barriers compliant with the Australian Standard AS1170.1 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:*

- Council do 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.*

Reason for condition

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

#### **ENG 2b**

**A certified vehicle barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified Engineer, compliant with Australian Standard AS1170.1, must be submitted to Council prior to the issue of any approval under the Building Act 2016, or the commencement of works on site. All works, required by this condition must be undertaken in accordance with certified design.**

*Advice:*

- *Once the certification has been accepted, Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *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.*

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 Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS1170.1.**

*Advice: Once the certification has been accepted, Council will issue a 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 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 council stormwater system 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 on the site is seven (7), constituting:**

- **Two (2) visitor car parking spaces (P1 and P2 on Design East Drawing 5233 Sheet 15/17 Rev B), and**
- **Five (5) residence car parking spaces (P3-P7 on Design East Drawing 5233 Sheet 15/17 Rev B)**

**Prior to first occupation or commencement of use (whichever occurs first):**

- **All new / modified 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. Car parking spaces P3-P6 must be line marked as 5.4m long x 2.65m wide.**
- **Turning Bay next to car parking space P3 must be outlined with unbroken lines 80 to 100 mm wide on all sides and marked with diagonal stripes 150 to 200 mm wide with spaces 200 to 300 mm between stripes. The stripes shall be at an angle of 45 +/- 10 degrees to the side of the space, and**
- **Turning Bay next to car parking space P3 must include pavement messaging indicating TURNING BAY in accordance with AS1742.11 Section 7.3, or equivalent Council approved alternative.**

*Advice:*

- *Car parking spaces P3-P6 are required to be 5.4m long x 2.65m wide to allow approval of a 5.6m wide aisle (narrower than the 5.8m requirement of AS2890.1 Fig 2.2 for User Class 1A). Typically User Class 1A parking spaces are required to be 2.4m wide, but the additional width of 2.65m allows for a narrower aisle to be approved.*
- *It is advised that Council City Infrastructure Traffic Unit have indicated that onstreet residential parking permits will not be available for this site.*

Reason for condition

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

**ENG 11**

**Prior to the commencement of the use, the proposed crossover to the Swan Street highway reservation must be designed and constructed in general accordance with:**

1. **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing and Footpath - Urban Roads Footpaths TSD-R11-v1, or**
2. **A design to the satisfaction of Council City Infrastructure Division**

*Advice:*

- A road opening permit may be required for works to be undertaken within the highway reservation. Please contact Council's City Infrastructure to initiate an application for a Road Opening Permit if required.
- The existing abandoned crossover near the proposed location for the new driveway may require alterations / partial abandonment in order to comply with this condition

Reason for condition

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



## **ENG 1**

**The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council. Any damage must be immediately reported to 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 10**

**The proposed new access driveway design must provide a 1m x 1m pedestrian sight triangle between user vehicles, cyclists and pedestrians on either side of the access driveway.**

Reason for condition

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

## **ENV 2**

**Sediment and erosion control measures, sufficient to prevent sediment leaving the site and 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 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: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

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.

## **HER 18**

**The trees identified as Tree 1, Tree 2 and Tree 3 in the report by Jerry Romanski of Tree Inclined dated 20 February 2018 must be protected throughout excavation, during construction and post construction.**

**The proposed driveway is to be constructed above ground and supported by piers in order to protect the copse of trees identified as Tree 1. The minimum distance between the driveway and the south-western boundary is to be 1.8 metres, to avoid the removal of large stems. Amended drawings showing the proposed construction must be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**Temporary irrigation is to be provided to Tree 2 and the copse of trees identified as Tree 1 to encourage rapid modification of existing root architecture. Details of the proposed irrigation technique are to be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**The footings of Unit B long the south-eastern wall are to be 'pier and beam' to minimise impact upon roots of Tree 3. Amended drawings showing the proposed construction must be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**The removal of scaffold branches and the pruning of mid and upper crown branches is to be undertaken before any building works, by a qualified arborist (minimum AQF level 3), using the techniques outlined in AS 4373-2007 Pruning of amenity trees.**

**Permanent supplementary irrigation is to be provided within the remnant garden space below the crown of Tree 3. Details of the proposed irrigation technique are to be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**In the event that excavation for pier footings uncovers large tree roots (greater than 50mm diameter), damage to the roots within the structural root zone must be avoided. Where damage cannot be avoided outside the structural root zone, large roots must be cleanly cut with a hand saw, rather than torn by excavators. The excavation for footings along the south-eastern wall of unit B and its deck is to be undertaken manually and supervised by a qualified arborist.**

**A project arborist is to be engaged to provide on-site advice about minimisation of potential for physical damage to below and above ground tree parts, as well as limiting potential soil compaction and contamination within the tree's root zones. A report of the arborist, outlining the progress of works and measures taken, is to be submitted for approval prior to first occupation.**

Reason for condition

To ensure that the identified trees are not unnecessarily harmed and are managed in a way that maintains their health and appearance, and to ensure that development at 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 a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's online services e-planning

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.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied). Detailed instructions can be found [here](#).

### **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 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 Infrastructure Division to initiate the application process for your new service connection.

## **WORK WITHIN THE HIGHWAY RESERVATION**

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

## **REDUNDANT CROSSOVERS**

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. [Click here for more information.](#)

## **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 by the Council or by a private contractor, 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.](#)

## **MOTION CARRIED**

### **VOTING RECORD**

<b>AYES</b>	<b>NOES</b>
Briscoe	Reynolds
Denison	
Harvey	

## **COMMITTEE RESOLUTION:**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and multiple dwellings at 26 Swan Street, North Hobart 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-18-19 26 SWAN STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/00070-HCC dated 08/03/2018 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**PLN 1**

**Screening with a maximum height of 1.8m above the finished floor level of the deck must be installed and maintained along the north eastern edge of the upper level, south eastern deck of Unit A prior to first occupation.**

Reason for condition

To provide reasonable opportunity for privacy for dwellings, whilst minimising visual bulk and massing.

**PLN s2**

**Amended plans, showing a garbage storage area with an area of at least 7.5m<sup>2</sup> and with 1.2m high screening located between the existing dwelling and the proposed new driveway must be submitted to Council prior to the commencement of work.**

**The amended plans must be submitted and approved, prior to the issue of a building permit for the proposed works. The amended plans must:**

- 1. Include details of the proposed location, dimension and screening for the garbage bin storage area, to satisfy the above requirement.**

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

*Advice:*

*Once the (type of document) have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

Reason for condition

**ENG sw6**

**All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure via gravity prior to first occupation. Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity. All costs associated with works required by this condition are to be met by the owner.**

Reason for condition

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

**ENG 2a**

**Vehicular barriers compliant with the Australian Standard AS1170.1 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:*

- Council do 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.*

Reason for condition

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

## **ENG 2b**

**A certified vehicle barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified Engineer, compliant with Australian Standard AS1170.1, must be submitted to Council prior to the issue of any approval under the Building Act 2016, or the commencement of works on site. All works, required by this condition must be undertaken in accordance with certified design.**

*Advice:*

- *Once the certification has been accepted, Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *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.*

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 Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS1170.1.**

*Advice: Once the certification has been accepted, Council will issue a 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 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 council stormwater system 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 on the site is seven (7), constituting:**

- **Two (2) visitor car parking spaces (P1 and P2 on Design East Drawing 5233 Sheet 15/17 Rev B), and**
- **Five (5) residence car parking spaces (P3-P7 on Design East Drawing 5233 Sheet 15/17 Rev B)**

**Prior to first occupation or commencement of use (whichever occurs first):**

- **All new / modified 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. Car parking spaces P3-P6 must be line marked as 5.4m long x 2.65m wide.**
- **Turning Bay next to car parking space P3 must be outlined with unbroken lines 80 to 100 mm wide on all sides and marked with diagonal stripes 150 to 200 mm wide with spaces 200 to 300 mm between stripes. The stripes shall be at an angle of 45 +/- 10 degrees to the side of the space, and**
- **Turning Bay next to car parking space P3 must include pavement messaging indicating TURNING BAY in accordance with AS1742.11 Section 7.3, or equivalent Council approved alternative.**

*Advice:*

- *Car parking spaces P3-P6 are required to be 5.4m long x 2.65m wide to allow approval of a 5.6m wide aisle (narrower than the 5.8m requirement of AS2890.1 Fig 2.2 for User Class 1A). Typically User Class 1A parking spaces are required to be 2.4m wide, but the additional width of 2.65m allows for a narrower aisle to be approved.*
- *It is advised that Council City Infrastructure Traffic Unit have indicated that onstreet residential parking permits will not be available for this site.*

Reason for condition

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

**ENG 11**

**Prior to the commencement of the use, the proposed crossover to the Swan Street highway reservation must be designed and constructed in general accordance with:**

- 3. Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing and Footpath - Urban Roads Footpaths TSD-R11-v1, or**
- 4. A design to the satisfaction of Council City Infrastructure Division**

*Advice:*

- A road opening permit may be required for works to be undertaken within the highway reservation. Please contact Council's City Infrastructure to initiate an application for a Road Opening Permit if required.
- The existing abandoned crossover near the proposed location for the new driveway may require alterations / partial abandonment in order to comply with this condition

Reason for condition

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

**ENG 1**

**The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council. Any damage must be immediately reported to 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 10**

**The proposed new access driveway design must provide a 1m x 1m pedestrian sight triangle between user vehicles, cyclists and pedestrians on either side of the access driveway.**

Reason for condition

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

#### **ENV 2**

**Sediment and erosion control measures, sufficient to prevent sediment leaving the site and 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 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: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

#### 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.

#### **HER 18**

**The trees identified as Tree 1, Tree 2 and Tree 3 in the report by Jerry Romanski of Tree Inclined dated 20 February 2018 must be protected throughout excavation, during construction and post construction.**

**The proposed driveway is to be constructed above ground and supported by piers in order to protect the copse of trees identified as Tree 1. The minimum distance between the driveway and the south-western boundary is to be 1.8 metres, to avoid the removal of large stems. Amended drawings showing the proposed construction must be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**Temporary irrigation is to be provided to Tree 2 and the copse of trees identified as Tree 1 to encourage rapid modification of existing root architecture. Details of the proposed irrigation technique are to be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**The footings of Unit B along the south-eastern wall are to be 'pier and beam' to minimise impact upon roots of Tree 3. Amended drawings showing the proposed construction must be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**The removal of scaffold branches and the pruning of mid and upper crown branches is to be undertaken before any building works, by a qualified arborist (minimum AQF level 3), using the techniques outlined in AS 4373-2007 Pruning of amenity trees.**

**Permanent supplementary irrigation is to be provided within the remnant garden space below the crown of Tree 3. Details of the proposed irrigation technique are to be submitted for approval prior to the issue of any approval under the *Building Act 2016*.**

**In the event that excavation for pier footings uncovers large tree roots (greater than 50mm diameter), damage to the roots within the structural root zone must be avoided. Where damage cannot be avoided outside the structural root zone, large roots must be cleanly cut with a hand saw, rather than torn by excavators. The excavation for footings along the south-eastern wall of unit B and its deck is to be undertaken manually and supervised by a qualified arborist.**

**A project arborist is to be engaged to provide on-site advice about minimisation of potential for physical damage to below and above ground tree parts, as well as limiting potential soil compaction and contamination within the tree's root zones. A report of the arborist, outlining the progress of works and measures taken, is to be submitted for approval prior to first occupation.**

Reason for condition

To ensure that the identified trees are not unnecessarily harmed and are managed in a way that maintains their health and appearance, and to ensure that development at 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 a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's online services e-planning

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.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied). Detailed instructions can be found [here](#).

### **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 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 Infrastructure Division to initiate the application process for your new service connection.

### **WORK WITHIN THE HIGHWAY RESERVATION**

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

### **REDUNDANT CROSSOVERS**

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

### **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 by the Council or by a private contractor, 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: Council**

Ms Emma Gunn (Representor) addressed the Committee in relation to item 7.2.2.

Mr Matt Evans of Evans Planning together with Ms Lisa Kelly - Optus National Regulatory & Engagement Manager (Applicant) addressed the Committee in relation to item 7.2.2.

### **7.2.2 127 - 127A Cascade Road, South Hobart - Mobile Base Station Facility (Re-Advertised) PLN-18-25 - File Ref: F18/84084**

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#### **HARVEY**

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 24 July 2018, be adopted, as amended by the following:

1. The words *and maximum effort must be taken* be inserted after the word *implemented* in clause ENV 10.
2. The words *five (5) trees* be inserted after the word *those* in clause ENV 10.
3. The addition of Condition PLN s2 to read as follows:

“PLN s2

**The colours of the monopole, the compound and all associated equipment must be of muted colours to the satisfaction of the City's Director City Planning.**

**Drawings and/or details satisfying the above requirement must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first.**

**All work required by this condition must be undertaken in accordance with the approved drawings and/or details.**

*Advice:*

*Once the drawings and/or details have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

Reason for condition

To minimise the visibility of the monopole, compound and all associated equipment.

4. That the advice regarding *Wire Mesh Fencing and Bird Collision* be deleted and replaced by Condition ENV s2 to read as follows:

**ENV s2**

**The security fencing of the compound must be amended to aesthetically camouflage the compound and reduce the risk of bird collisions by incorporating brush into the construction of the fencing to the satisfaction of the City's Director City Planning.**

**Drawings satisfying the above requirement must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first.**

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

*Advice: Once the drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*



Reason for condition

To aesthetically camouflage the compound and reduce the risk of bird collisions with compound fencing.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Burnet
Denison	Reynolds
Harvey	

**COMMITTEE RESOLUTION:**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a mobile base station facility (re-advertised) at 127-127A Cascade Road, South Hobart for the reasons outlined in the officer's report, attached to item 7.2.2 of the Open City Planning Committee agenda of 30 July 2018, 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-18-25 - 127-127A CASCADE ROAD SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s2

**The colours of the monopole, the compound and all associated equipment must be of muted colours to the satisfaction of the City's Director City Planning.**

**Drawings and/or details satisfying the above requirement must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first.**

**All work required by this condition must be undertaken in accordance with the approved drawings and/or details.**

*Advice:*

*Once the drawings and/or details have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

Reason for condition

To minimise the visibility of the monopole, compound and all associated equipment.

ENV 9

Prior to the granting of any consent under the *Building Act 2016* or the commencement of works (whichever occurs first), the owner(s) must enter into a Part 5 Agreement with Council pursuant to section 71 of the *Land Use and Planning Approvals Act 1993*.

The Agreement must:

1. Include a map that identifies and delineates a conservation area that includes all of the '*Eucalyptus tenuiramis* woodland on sediments' vegetation community on the property outside of the approved development area, based on a survey by a suitably qualified person; and
2. Specify that no activities are to be undertaken or knowingly allowed to occur by the owner(s) of the land, without the written consent of the planning authority, that will compromise the biodiversity values of the area including harvesting of trees or timber, clearing or disturbance of native vegetation, removal or significant disturbance to rock or soil, use of chemicals, dumping of any biotic or abiotic materials, introduction of exotic species, grazing or the lighting of fires.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

*Advice: Please contact Council's Environmental Development Planner to initiate preparation of the Agreement.*

Reason for condition

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

ENV 10

No trees may be removed other than those identified for removal in the Natural Values Assessment by North Barker Ecosystem Services dated 30 April 2018. Measures must be implemented and maximum effort must be taken during the works to ensure trees other than those five (5) trees identified for removal are not damaged or destroyed (e.g. temporary fencing/flagging of work area).

Reason for condition

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

ENV 11

An approved weed management plan for the '*Eucalyptus tenuiramis* woodland on sediments' (DTO) vegetation community on the property outside of the approved development area must be implemented if declared or environmental woody weeds are present within this community.

If declared or environmental woody weeds are present within this community, a weed management plan prepared by a suitably qualified person must be submitted and approved, prior to the granting of any consent under the *Building Act 2016* or the commencement of works (whichever occurs first). The weed management plan must:

1. Identify and illustrate the distribution of the declared and environmental weeds within the DTO community;

2. Set out a program for eradicating these weeds including appropriate disposal;
3. Include a section clearly identifying and detailing actions to be taken, the area to be targeted, the timing of each action and the persons/parties responsible for undertaking all actions; and
4. Include prescriptions to minimize impacts on native vegetation and minimize soil disturbance.

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

Reason for condition

To ensure the remaining moderate and high biodiversity values on the site are retained and improved

ENV 15

All construction vehicles and machinery must be effectively cleaned of soil before entering the property.

Soil cleaned from construction vehicles and machinery must not be allowed, either directly or indirectly, to enter waterways or the Council's stormwater system.

*Note: further information on effective measures for wash-down can be found [here](#).*

Reason for condition

To minimize the spread of weeds and pathogens

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the development areas 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.

## **ENV s2**

**The security fencing of the compound must be amended to aesthetically camouflage the compound and reduce the risk of bird collisions by incorporating brush into the construction of the fencing to the satisfaction of the City's Director City Planning.**

**Drawings satisfying the above requirement must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first.**

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

*Advice: Once the drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*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.*

Reason for condition

To aesthetically camouflage the compound and reduce the risk of bird collisions with compound fencing

## **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.

#### 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.

**Delegation: Council**

Item 7.2.3 was then taken.

Mr Graham Vertigan and Mr Andrew Ball (Representors) addressed the Committee in relation to item 7.2.3.

Mr David Menzies of M2 Architecture addressed the Committee in relation to item 7.2.3 on behalf of the Applicant.

**7.2.3 35 Derwentwater Avenue, Sandy Bay - Subdivision (Boundary Adjustment) and Multiple Dwellings  
PLN-18-103 - File Ref: F18/84148**

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DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 20 July 2018, be adopted, as amended by the addition of the following advice clause:

“LANDSCAPING

That the Applicant be encouraged to retain all current plantings where possible and increase the number of existing species if appropriate.”

MOTION LOST

VOTING RECORD

AYES  
Denison

NOES  
Briscoe  
Burnet  
Reynolds  
Harvey

HARVEY

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for subdivision (boundary adjustment) and Multiple Dwellings at 35 Derwentwater Avenue, Sandy Bay the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the development will not *have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints.*
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because *the siting and scale of the proposed dwellings causes an unreasonable loss of amenity by:*

- (i) *visual impacts caused by the apparent scale, bulk or proportions of the dwellings when viewed from an adjoining lot; and*
  - (ii) *separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area is not provided.*
- 3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the number of on-site car parking spaces is not sufficient to meet the reasonable needs of users, having regard to:*
  - (a) *car parking demand;*
  - (b) *the availability of on-street and public car parking in the locality;*
  - (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
  - (d) *the availability and likely use of other modes of transport;*
  - (e) *the availability and suitability of alternative arrangements for car parking provision.*
- 4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the design of the vehicle access point will not be safe, efficient and convenient, due to:*
  - (a) *not avoiding conflicts between users including vehicles, cyclists and pedestrians;*
  - (b) *not avoiding unreasonable interference with the flow of traffic on adjoining roads;*
  - (c) *its unsuitability for the type and volume of traffic likely to be generated by the use or development;*
  - (d) *difficulty of accessibility and recognition for users.*
- 5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.3 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *vehicular passing areas are not provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient.*
- 6. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.5 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the layout of car parking spaces, access aisles, circulation roadways and ramps are not safe and do not ensure ease of access, egress and manoeuvring on-site.*



MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Denison
Burnet	
Reynolds	
Harvey	

**COMMITTEE RESOLUTION:**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for subdivision (boundary adjustment) and Multiple Dwellings at 35 Derwentwater Avenue, Sandy Bay the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the development will not *have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints.*
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because *the siting and scale of the proposed dwellings causes an unreasonable loss of amenity by:*
  - (i) *visual impacts caused by the apparent scale, bulk or proportions of the dwellings when viewed from an adjoining lot; and*
  - (ii) *separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area is not provided.*
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the number of on-site car parking spaces is not sufficient to meet the reasonable needs of users, having regard to:*
  - (a) *car parking demand;*
  - (b) *the availability of on-street and public car parking in the locality;*
  - (c) *the availability and frequency of public transport within a 400m walking distance of the site;*

- (d) *the availability and likely use of other modes of transport;*
  - (e) *the availability and suitability of alternative arrangements for car parking provision.*
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the design of the vehicle access point will not be safe, efficient and convenient, due to:*
- (a) *not avoiding conflicts between users including vehicles, cyclists and pedestrians;*
  - (b) *not avoiding unreasonable interference with the flow of traffic on adjoining roads;*
  - (c) *its unsuitability for the type and volume of traffic likely to be generated by the use or development;*
  - (d) *difficulty of accessibility and recognition for users.*
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.3 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *vehicular passing areas are not provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient.*
6. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.5 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because *the layout of car parking spaces, access aisles, circulation roadways and ramps are not safe and do not ensure ease of access, egress and manoeuvring on-site.*

**Delegation: Council**

The meeting adjourned at 7:40 pm for a comfort break.

The meeting reconvened at 7:44 pm and item 8.1 was then taken.

Mr Frazer Read of All Urban Planning addressed the Committee in relation to item 7.2.4 on behalf of the Applicant.

**7.2.4 391 Sandy Bay Road, Sandy Bay - Alterations (Re-roofing)**  
**PLN-18-322 - File Ref: F18/81885**

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**PROCEDURAL MOTION**

HARVEY

“That the matter be deferred to a subsequent City Planning Committee meeting to allow for further discussions to be undertaken between the Applicant and Council Officers to ascertain if an appropriate roof sheeting can be sourced which would be sympathetic to the dwelling and an extension of time is granted by the Applicant.”

PROCEDURAL MOTION CARRIED

**VOTING RECORD**

AYES

NOES

Briscoe  
Burnet  
Denison  
Reynolds  
Harvey

**COMMITTEE RESOLUTION:**

That the matter be deferred to a subsequent City Planning Committee meeting to allow for further discussions to be undertaken between the Applicant and Council Officers to ascertain if an appropriate roof sheeting can be sourced which would be sympathetic to the dwelling and an extension of time is granted by the Applicant.

**Delegation: Committee**

Item 7.2.1 was then taken.

**7.2.5 10 Selfs Point Road, New Town - Lighting Upgrade**  
**PLN-17-680 - File Ref: F18/83062**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 16 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Reynolds  
Harvey

**COMMITTEE RESOLUTION:**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a lighting upgrade at 10 Selfs Point Road, New Town for the reasons outlined in the officer's report, attached to item 7.2.5 of the Open City Planning Committee agenda of 30 July 2018, 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-17-680 - 10 SELFS POINT ROAD NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by 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 any damage caused to the Council's infrastructure during

construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ENVHE 1

Recommendations in the report Rugby Park, 10 Selfs Point Road, New Town Tasmania, Environmental Site Assessment Report for Tasmanian Rugby Union, 30 November 2017 - Final - Project 5007.002 and the Rugby Park, 10 Selfs Point Road, New Town, Excavated Soil Management Plan for Tasmanian Rugby Union Inc, Project No: 5007.002, 18 May 2018 (Rev 1) must be implemented, for the duration of the excavation works.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

## 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

Building permit 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*.

## 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.

## PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

## 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.

### Delegation: Council

Item 8.3 was then taken.

Alderman Burnet declared an interest in item 7.2.6, left the meeting at 5:20 pm and returned at 5:23 pm.

Mr Frazer Read of All Urban Planning (Applicant) together with Mr Ben Moloney – Project Manager – Royal Hobart Hospital Re-Development addressed the Committee in relation to item 7.2.6.

### **7.2.6 48 Liverpool Street, Hobart - Temporary Hospital Accommodation Facility PLN-18-415 - File Ref: F18/83066**

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#### DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 19 July 2018, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Briscoe  
Denison  
Reynolds  
Harvey

### COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a temporary hospital accommodation facility at 48 Liverpool Street Hobart TAS 7000 for the reasons outlined in the officer's report, attached to item 7.2.6 of the City Planning Committee agenda of 30 July 2018 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-18-415 - 48 LIVERPOOL STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

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: 5640 dated 18 July 2018, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

## HER s1

The proposed temporary removal and consequential reinstatement of the sandstone figure heads, balcony handrails and door openings to Building C must be undertaken in accordance with the recommendations contained within the memorandum dated 13 April 2015 addressed to Stuart Jones (Royal Hobart Hospital) from Peter Bartlett (Lyons Architects) – reference 150410 Liverpool Street Memorandum (2 pages). Reinstatement of building fabric detailed in that memorandum must occur within six months of the temporary hospital accommodation facility approved by this permit having been removed from the site.

*Advice: This replicates condition 5 on planning permit PLN-15-00460-01.*

Reason for condition

To ensure the appropriate care and retention of heritage integrity at the site.



HER s2

The removal of the sandstone figure heads must occur at the existing joint around chest level.

*Advice: This replicates condition 6 on planning permit PLN-15-00460-01.*

Reason for condition

To ensure the appropriate care and retention of heritage integrity at the site.

HER s3

The temporary hospital accommodation (J Block) facility is approved until 31 March 2025 and must be removed from the site within six months of that date.

Reason for condition

To clarify the scope of the permit.

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.

**Delegation: Council**

Item 7.2.4 was then taken.

## 8. REPORTS

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Mr Chris Merridew addressed the Committee in relation to item 8.1.

### 8.1 Historic Urban Landscape and Franklin Square Offices File Ref: F18/78451

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HARVEY

- That:
1. Clauses 2 and 4 of the recommendation be adopted.
  2. Clauses 1 and 3 be deferred for further investigation of other significant sites which have recently been listed on the National Heritage List.

MOTION CARRIED

### VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Reynolds		
Harvey		

### COMMITTEE RESOLUTION:

- That:
- A. 1. The State Government be invited to participate in and jointly fund the formulation of a Master Plan for the area bounded by Murray, Macquarie, Campbell and Davey Streets.

2. The Council write to the Tasmanian Heritage Council to encourage it to formally endorse the Conservation Management Plan for the Franklin Square Offices, prepared by Graeme Corney, dated 23 February 2017 as a basis for considering future works applications for the site.
- B. Further action in respect to the following matters be deferred:
- (i) Formal adoption of the UNESCO Historic Urban Landscape (HUL) approach.
  - (ii) Nomination of the Franklin Square Offices for listing as a National Heritage Place, pending investigation of other significant sites which have been recently nominated for the National Heritage List.

**Delegation: Council**

Item 7.1.1 was then taken.

**8.2 Tangible - Intangible Heritage(s) Conference - University of East London - 13 to 15 June 2018**  
**File Ref: F18/83368**

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DEPUTY LORD MAYOR

That the recommendation contained in the memorandum of the General Manager of 23 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Deputy Lord Mayor Sexton	
Alderman Reynolds	

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

BURNET

That Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Reynolds

Item 7.2.6 was then taken.

**8.3 Delegated Decisions Report (Planning)**  
**File Ref: F18/82823**

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HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 24 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Burnet  
Denison  
Reynolds  
Harvey

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 24 July 2018 be received and noted.

**Delegation: Committee**

#### **8.4 City Planning - Advertising List** **File Ref: F18/83373**

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HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 24 July 2018, be adopted.

MOTION CARRIED

#### VOTING RECORD

	AYES	NOES
Briscoe		
Burnet		
Denison		
Reynolds		
Harvey		

#### **COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled 'City Planning – Advertising List' of 24 July 2018 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 Reynolds - 11 Stoney Steps Road Application** **File Ref: 13-1-10**

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Question: Could the Director please provide an update on how the application for 11 Stoney Steps Road is progressing and when this development application is expected to be tabled for consideration by the City Planning Committee?

Answer: The Director City Planning advised that the applicant has lodged further information however the applicant is currently trying to extricate the applicable engineering documentation. The Director further advised that he is satisfied that all reasonable effort is being undertaken by the applicant to provide this information.

**9.2 Alderman Burnet - Report on Smoking Compliance**  
**File Ref: 13-1-10**

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Question: Could the Director please advise when it is expected that a report is tabled in relation to compliance in smoking compliance areas?

Answer: The Director City Planning advised that a compliance report on this issue will be tabled once the Manager Environmental Health has returned from recreation leave.

**9.3 Alderman Reynolds - Garrington Park Sub-Division**  
**File Ref: 13-1-10**

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Question: Could the Director please advise when the final inspection will be taking place on the Garrington Park sub-division to ensure that the sub-division is compliant before it is handed over to Council?

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

**10. 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:

- Possible legal action to be taken by, or involving the Council.

The following items were discussed:-

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council 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

Briscoe  
Burnet  
Denison  
Reynolds  
Harvey

**Delegation: Committee**

There being no further business the open portion of the meeting closed at 8:14 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
13<sup>TH</sup> DAY OF AUGUST 2018.

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**CHAIRMAN**