



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 25 November 2019 at 5:00pm**

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## ORDER OF BUSINESS

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

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**City Planning Committee Meeting (Open Portion) held on Monday,  
25 November 2019 at 5:00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Deputy Lord Mayor Burnet (Chairman)  
Briscoe  
Denison  
Harvey  
Behrakis

**NON-MEMBERS**

Lord Mayor Reynolds  
Zucco  
Sexton  
Thomas  
Dutta  
Ewin  
Sherlock

**PRESENT:** The Deputy Lord Mayor  
Councillor H Burnet (Chairman),  
Aldermen J R Briscoe, T M Denison,  
Councillor W F Harvey, Alderman  
S Behrakis, the Lord Mayor Councillor  
A M Reynolds and Councillor M Dutta.

**APOLOGIES:** Nil.

**LEAVE OF ABSENCE:** Nil.

Alderman Briscoe arrived at the meeting  
at 5.27pm during the discussion of item  
7.1.1 and was not present for items 1 to 7  
and 7.1.2.

The Lord Mayor was co-opted to the  
meeting for items 2 to 7, 7.1.1 and 7.1.2,  
retired from the meeting at 7.19pm.

Councillor Dutta retired from the meeting  
at 8.20pm after supplementary item 13.

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

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HARVEY

That the Lord Mayor be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Denison  
Harvey  
Behrakis

NOES

## **2. CONFIRMATION OF MINUTES**

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BEHRAKIS

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 11 November 2019](#), be confirmed as an accurate record.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Denison  
Harvey  
Behrakis  
Lord Mayor 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*.

DENSION

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

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Denison  
Harvey  
Behrakis  
Lord Mayor Reynolds

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

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

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

No interest was indicated.

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

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Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

#### **6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS**

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In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the 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.

DENISON

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Denison  
Harvey  
Behrakis  
Lord Mayor Reynolds

NOES

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

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

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

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

Item 7.1.2 was then taken

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

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Mr David Reilly, Mr Chris Clinton, Mr Glenn Woodfall, Dr Allison Turnock, Ms Vicki Tabor and Ms Danielle Gray of Gray Planning (Representors) addressed the Committee in relation to item 7.1.1

Ms Irene Duckett – Director of Ireneinc Planning and Urban Design, Mr Matthew Raven – Architect of Swanbury Penglase Architects, Mr Geoff Schaedel – Business Development Director of Nexus, Dr Paul McCartney – Ophthalmic Surgeon, Dr Josh Petterwood – Orthopaedic Surgeon and Ms Yasmine Healy – Owner/Neighbour of Healy Orthodontics and Dental Imaging Plus addressed the Committee on behalf of the Proponent.

#### **7.1.1 46,48-50-52 New Town Road and 7A Clare Street and Adjacent Road Reserve, New Town - Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works - Deferral File Ref: F19/149442**

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HARVEY

That the recommendation contained in the report of the Manager Development Appraisal of 21 November 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Denison
Harvey	Behrakis
Lord Mayor Reynolds	

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works at 46, 48-50, and 52 New Town Road, and 7A Clare Street, New Town for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed hours of operation of the 24 hour hospital component of the development will have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P4 of the *Hobart Interim Planning Scheme 2015* because the potential timing of commercial vehicle movements could result in unreasonable adverse impact upon residential amenity.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not consistent with the built form of the surrounding buildings, offers little or no transition between the site and its surrounds, does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P2 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not compatible with the built form of the surrounding buildings.
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.2 P2 of the *Hobart Interim Planning Scheme 2015* because it does not prevent unreasonable adverse impacts on residential amenity by overshadowing, overlooking, and visual impact from adjoining Inner Residential Zoned Properties.

6. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.5 P1 of the *Hobart Interim Planning Scheme 2015* because the extent, location and proposed species for the landscaping of the site is not sufficient to enhance the appearance of the development, or to avoid unreasonable adverse impact on the visual amenity of adjoining land in the Inner Residential Zone.

### Attachments

- A Dr Allison Turnock - Tabled Information ⇨ 
- B Vicki Tabor - Tabled Information ⇨ 
- C Matthew Raven - Swanbury Penglase Architects - Presentation ⇨ 
- D Chris Clinton - Tabled Information - Facade Greening ⇨ 
- E David Reilly - Tabled Presentation ⇨ 

### Delegation: Council

Supplementary item 13 was then taken.

Ms Linda Burgess, Mr Glenn Burgess and Mr Daniel Lane (Preston Lane Architects) address the Committee in relation to item 7.1.2.

### **7.1.2 21 Gregory Street, Sandy Bay - Partial Demolition, Alterations and Extension** **PLN-19-478 - File Ref: F19/149227**

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### **PROCEDURAL MOTION**

DENISON

That the matter be deferred to enable officers to take into consideration the new information provided by the applicant in relation to the likely impact of the proposal upon the heritage values of the site and heritage precinct and the proposed use of Monier roof tiles.

MOTION CARRIED

### **VOTING RECORD**

AYES

NOES

Deputy Lord Mayor Burnet  
Denison  
Harvey  
Behrakis  
Lord Mayor Reynolds

### **COMMITTEE RESOLUTION:**

That the matter be deferred to enable officers to take into consideration the new information provided by the applicant in relation to the likely impact of the proposal upon the heritage values of the site and heritage precinct and the

proposed use of Monier roof tiles.

### Attachments

A 21 Gregory Street - Preston Lane - Tabled Information ⇨ 

### Delegation: Committee

Item 7.1.1 was then taken.

### **7.1.3 636 Sandy Bay Road, Sandy Bay and 636A & B Sandy Bay Road, Sandy Bay - Demolition and Two Multiple Dwellings PLN-19-359 - File Ref: F19/149890**

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DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Acting Senior Statutory Planner of 20 November 2019, be adopted.

MOTION CARRIED

### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and two multiple dwellings at 636 and 636 A + B Sandy Bay Road for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 25 November 2019 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-19-359 - 636 AND 636A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00881-HCC dated 23/08/2019 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).

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 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 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 foundations and overhangs must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved prior to construction. The detailed design must:

1. Demonstrate how the design will ensure the protection to the Council's stormwater main.

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

approved detailed design.

*Advice:*

*Detailed design must include indicative plans and cross-sections, clearly indicating the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings and overhangs). These drawings must demonstrate that no loading will be imposed on Council's infrastructure, that the Council stormwater infrastructure will be outside the zone of influence of the footings, and that the structure will be fully independent of the main and its trenching.*

*The applicant is required to submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*

*Failure to address condition requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG sw4

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

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

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

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

*Advice:*

*Under Urban drainage act 2013 - Part 4 Connections, property owners are only allowed to have a single connection point to a public stormwater system.*

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

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

Reason for condition

To ensure the site is drained adequately.  
ENG sw7

Stormwater detention for stormwater discharges from the development must be installed prior to commencement of use.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the Building Act 2016 or construction. The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer
2. Provide details and supporting calculations of the detention tank sized such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding. All assumptions must be clearly stated.

3. Show layout, of the inlet and outlet including long-section.
4. Details of the overflow mechanism.
5. Clarification of the emptying times and outlet size.
6. Include supporting maintenance plan
7. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken in accordance with the approved stormwater management report and design.

*Advice: Once the stormwater management report and design has been approved 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 possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG tr1

Traffic management within the access driveway must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking), must be submitted and approved, prior to commencement of the use. The design drawing(s) must include (but not be limited to):

1. Be prepared by a suitably qualified person.
2. Signs each side of the driveway entry/exit (adjacent to, and 2m above the pedestrian path in Sandy Bay Road) with the text `caution - vehicles

exiting' clearly displayed.

3. A road hump located at the car park exit to ensure low vehicle speeds when crossing the pedestrian path and exiting onto Sandy Bay Road;

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

*Advice:*

- *Once the traffic management design drawings have been approved 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

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

ENG 3a

The access driveway and parking module must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Reason for condition

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

ENG 3b

The access driveway and parking module design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway and parking module design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004,
3. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients & transitions, and other details as Council deem necessary to satisfy the above requirement.

*Advice:*

- *Once the design 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 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 approved by this permit must be constructed to a sealed standard and surface drained to the Council's stormwater infrastructure prior to the 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 on the site for use is two (2).

All parking spaces must be delineated by means of yellow lines 80mm to 100mm wide in accordance with Australian Standards AS/NZS

2890.6 2009. The shared area between the two parking spaces must be marked with non-slip yellow, 45deg diagonal stripes 150mm-200mm wide, with spaces 200mm-300mm between each stripe.

All line-marking must be completed prior to commencement of use.

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENV 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.

ENV s1

The finished floor level of the apartments must be 2.5m AHD or higher.

Reason for condition

To ensure that risk from coastal inundation is appropriately managed

ENV s2

Any filling of the site must not raise the existing ground level by more than 0.5m.

Reason for condition

To ensure that landfill does not unreasonably increase the risk from coastal inundation

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238

2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

## 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.

## NEW SERVICE CONNECTION

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

## STORM WATER

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

## 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 Amenity Division.

## RIGHT OF WAY

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

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

## NOISE REGULATIONS

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

## WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing

and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### **Delegation: Council**

Item 8.1 was then taken.

#### **7.1.4 Amendment PSA-19-1 - Hobart Interim Planning Scheme 2015 - Amenity Standards in the Central Business and Commercial Zones File Ref: F19/136163; PSA-19-1**

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#### BRISCOE

That the recommendation contained in the report of the Development Planner and the Manager Planning Policy & Heritage of 20 November 2019, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

#### **COMMITTEE RESOLUTION:**

That: 1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council endorse the report marked as item 7.1.4 of the Open City Planning Committee agenda of 25 November 2019, as the formal

statement of its opinion as to the merit of the representation received during the exhibition of the draft PSA-19-1 Amendment.

2. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council recommend to the Tasmanian Planning Commission that the PSA-19-1 Amendment to the *Hobart Interim Planning Scheme 2015* be finally approved, as modified in Attachment B to item 7.1.4 of the Open City Planning Committee agenda of 25 November 2019.

**Delegation: Council**

Item 7.1.3 was then taken.

## **8. REPORTS**

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### **8.1 Monthly Building Statistics and Graphs File Ref: F19/149422**

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BRISCOE

That the recommendation contained in the report of the Director City Planning of 19 November 2019, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

#### **COMMITTEE RESOLUTION:**

That the information be received and noted:

The Director City Planning reports:

1. During the period 1st October 2019 to 31st October 2019, 45 permits were issued to the value of \$7,160,709 which included:
  - (i) 24 for Extensions/Alterations to Dwellings to the value of \$2,578,700;
  - (ii) 6 New Dwellings to the value of \$2,089,913; and

- (iii) 0 Major Projects
2. During the period 1 October 2018 to 31 October 2018, 63 permits were issued to the value of \$26,573,560 which included:
- (i) 39 Extensions/Alterations to Dwellings to the value of \$5,905,250
  - (ii) 11 New Dwellings to the value of \$4,466,810 and
  - (iii) 5 Major Projects:
    - (a) 34 Argyle Street – New Building (Hotel - Stage 2 Structural Works) - \$7,500,000;
    - (b) 191 New Town Road - Commercial Extension (Dan Murphy's) - \$4,400,000;
    - (c) 324 Davey Street, South Hobart - Multiple Dwellings x 2 - \$1,500,000;
    - (d) 1A Brisbane Street, Hobart - Commercial Internal Alterations (DJ Mitsubishi) - \$1,500,000;
    - (e) 410 Sandy Bay Road, Sandy Bay (Wrest Point Hotel Casino) - Commercial Internal Alterations - \$1,200,000
1. In the twelve months ending 31st October 2019, 617 permits were issued to the value of \$298,788,537; and
2. In the twelve months ending 30st October 2018, 661 permits were issued to the value of \$437,085,095.

**Delegation: Council**

## **8.2 City Planning - Advertising Report**

**File Ref: F19/149504**

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BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 19 November 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

**8.3 Delegated Decisions Report (Planning)  
File Ref: F19/149615**

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BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 20 November 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**COMMITTEE RESOLUTION:**

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

**Delegation: Committee**

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

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### **9.1 Committee Actions - Status Report** **File Ref: F19/150053**

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BEHRAKIS

That the information be received and noted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**Delegation: Committee**

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

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

### **10.1 New Whole Homes - Change of Use - Short Stay Accommodation** **File Ref: F19/81082; 13-1-10**

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Memorandum of the Director City Planning of 19 November 2019.

HARVEY

That the information be received and noted.

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

**Delegation: Committee**

## **11. QUESTIONS WITHOUT NOTICE**

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

### **11.1 Councillor Harvey - Visitor Accommodation** **File Ref: 13-1-10**

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Question: With regards to visitor accommodation approved in the last few years, have we requested the Office of the Valuer General to undertake a supplementary valuation to review the values and property classification code? (House to Holiday Apartment?)

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

### **11.2 Councillor Harvey - State Cinema North Hobart - Parking Spaces** **File Ref: 13-1-10**

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Question: How many parking spaces are provided by the state cinema for their business? Does the state cinema meet the planning scheme for the required number of parking spaces provided for this scale of development?

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

### **11.3 Councillor Harvey - 8 Wynyard Street - Public Path - Open Space Contribution** **File Ref: 13-1-10**

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Question: What happened with the planned public path to be attached to the Giameos development in South Hobart? What open space contribution was made as part of this development?

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

**11.4 Deputy Lord Mayor Burnet - 24 Gregory Street - Change of Use  
File Ref: 13-1-10**

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Question: Can the Director advise if the following conditions are being adhered to:

- 1) The heritage condition requiring special attention to ensure the building exterior and grounds of the property are maintained, including, but not limited to gardening, pruning and removal of rubbish, to protect its heritage character and that of the heritage precinct?
- 2) The change of use including tenancy?

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

**12. CLOSED PORTION OF THE MEETING**

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BEHRAKIS

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

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

The following items were discussed:-

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

MOTION CARRIED

VOTING RECORD

AYES  
Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey  
Behrakis

NOES

**Delegation: Committee**

## **SUPPLEMENTARY ITEM**

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

Mr Duncan Meerding and Ms Rosanne Wardrop (Representors) addressed the Committee in relation to supplementary item 13.

Mr Chris Cooper and Mr Philip Zakaria (Applicants) addressed the Committee in relation to supplementary item 13.

#### **13 315 Elizabeth Street, North Hobart - Partial Demolition, Alterations, Fencing and Partial Change of Use to Food Services PLN-19-103 - File Ref: F19/150259**

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### **PROCEDURAL MOTION**

BRISCOE

That the matter be deferred to a special City Planning Committee meeting prior to Council on 2 December 2019 to enable officers time to liaise with the two representors that made deputations at the City Planning Committee meeting of 25 November 2019 and the applicant regarding the wording of potential conditions of approval that include the following:

- Limiting the life of a possible planning permit to one year
- Requiring the operators to submit a Management Plan that stipulates how the site, particularly the external areas of the site to the rear of the existing building, will be managed to minimise detrimental impacts to adjoining uses and the amenity of the locality, and that considers matters including but not limited to:
  - Noise attenuation and possible boundary fence alterations with neighbouring properties
  - Minimising light spill to neighbouring properties
  - Hours of operation
  - Rear access provisions
  - Contact numbers of the business manager

MOTION CARRIED

### **VOTING RECORD**

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Denison  
Harvey  
Behrakis

**COMMITTEE RESOLUTION:**

That the matter be deferred to a special City Planning Committee meeting prior to Council on 2 December 2019 to enable officers time to liaise with the two representors that made deputations at the City Planning Committee meeting of 25 November 2019 and the applicant regarding the wording of potential conditions of approval that include the following:

- Limiting the life of a possible planning permit to one year
- Requiring the operators to submit a Management Plan that stipulates how the site, particularly the external areas of the site to the rear of the existing building, will be managed to minimise detrimental impacts to adjoining uses and the amenity of the locality, and that considers matters including but not limited to:
  - Noise attenuation and possible boundary fence alterations with neighbouring properties
  - Minimising light spill to neighbouring properties
  - Hours of operation
  - Rear access provisions
  - Contact numbers of the business manager

**Delegation: Committee**

Item 7.1.4 was then taken

The Chairman adjourned the meeting at 7.19pm for a comfort break and reconvened the meeting at 7.24 pm.

Supplementary item 13 was then taken.

There being no further business the Open portion of the meeting closed at 8.34 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
9<sup>TH</sup> DAY OF DECEMBER 2019.

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**CHAIRMAN**