



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 12 December 2016**

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**Minutes of the City Planning Committee Meeting (Open Portion) held on Monday, 12 December 2016 at 5:00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**ALDERMEN**

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

**PRESENT:**

Alderman J R Briscoe (Chairman),  
Aldermen E R Ruzicka, H C Burnet,  
T M Denison and A M Reynolds.

**APOLOGIES:** Nil.

Alderman Reynolds was co-opted to the committee.

**LEAVE OF ABSENCE:** Nil.

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

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BURNET

That Alderman Reynolds be co-opted to the committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison

**2. CONFIRMATION OF MINUTES**

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BURNET

That the minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 28 November 2016](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
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*.

REYNOLDS

**Recommendation**

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

Briscoe  
Ruzicka  
Burnet  
Denison  
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*.

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.

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.

### **BURNET**

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  |      |      |
| Ruzicka  |      |      |
| Burnet   |      |      |
| Denison  |      |      |
| Reynolds |      |      |

## **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.

Supplementary item 7.1.3 was then taken.

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

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#### **7.1.1 34 Argyle Street, 38 Argyle Street and Adjacent Road Reserve, Hobart - Alterations to Previously Approved Development (PLN-14-00952-01) Signage and Partial Change of Use to Visitor Accommodation (including Restaurant, Bar and Conference Facilities) and Offices PLN-16-1069 - File Ref: F16/135569**

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BURNET

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 28 November 2016, be adopted.

MOTION CARRIED

#### VOTING RECORD

| AYES    | NOES     |
|---------|----------|
| Briscoe | Reynolds |
| Ruzicka |          |
| Burnet  |          |
| Denison |          |

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to previously approved development (PLN-14-00952-01), signage and partial change of use to visitor

accommodation (including restaurant, bar and conference facilities) and offices at 34 and 38 Argyle Street and adjacent road reserve, Hobart, for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 12 December 2016, 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-16-1069 - 34 Argyle Street & 38 Argyle Street & Adjacent Road Reserve, 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 2016/01598-HCC dated 1 November 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit is subject to and conditional on substantial commencement of the development approved by planning permit PLN-14-00952-01. This permit will lapse if planning permit PLN-14-00952-01 does not take effect.

Reason for condition

To clarify the scope of the permit.

PLN s2

No signage is approved by this permit. Any proposed signage requiring planning approval must be the subject of a separate planning application, submitted to and approved by the Hobart City Council.



Reason for condition

To clarify the scope of the permit.

ENG sw s1

Any existing stormwater mains to be made redundant as a result of the development must be formally abandoned as Council infrastructure at the developer's cost, prior to the commencement of work.

An in-pipe CCTV inspection of any of the Council's infrastructure to be abandoned must be undertaken by a Council-approved contractor at the developer's cost, to locate and identify all connections.

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

Reason for condition

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

ENG sw3

The proposed development must be designed to ensure the long term protection and access to the Council's storm water infrastructure, including the protection of any infrastructure that is to be temporarily retained and abandoned later.

A detailed engineering design must be submitted and approved prior to commencement of works. The detailed design must:

1. Demonstrate, including sections, how the design will ensure the protection of and access to Council's stormwater main(s).
2. Be certified by a suitably qualified and experienced engineer.

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

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

Reason for condition

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

ENG sw s2

Safe and efficient drainage of the site and surrounds must be maintained throughout the construction of the development.

A Construction Sequence Plan (CSP) must be submitted and approved prior to the commencement of work. The CSP must detail:

The construction sequence for the works, with any necessary contingency options, including but not limited to:

1. The existing and future surface levels in Kemp Street.
2. The abandonment of any existing public infrastructure, or temporary retention (and protection) of any existing public infrastructure.
3. Reconnection of any private services effected by the development.

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

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

Reason for condition

To ensure that the site and surrounding land is adequately drained.

ENG sw5

The proposed alterations to the public stormwater infrastructure must be designed and constructed prior to the commencement of use.

Engineering drawings must be submitted and approved (along with supporting calculations and catchment analysis), prior to commencement

of work. The engineering drawings must:

1. Be certified by a qualified and experienced engineer.
2. Include both plan, long and cross sections of the proposed mains, including the finished surface levels for the right of way, the road reserve in both Kemp and Argyle Street, and hotel floor levels.
3. Include any existing stormwater mains to be abandoned.
4. Include all other services and potential clashes.
5. Include detailed design of the connection into the Hobart Rivulet (including minimisation of hydraulic intrusion and scour protection).
6. Include details of sizing, cover, grade, pipe material and class, connections, velocities, clearances to structures and services, easements.
7. Demonstrate how the system will accommodate flows associated with a 1% AEP rainfall event at 2100 (i.e. including a loading for climate change). The system incorporates both the piped system and designated overland flow paths.
8. Demonstrate that the proposed alterations to the stormwater infrastructure do not adversely impact any third party properties.
9. Include consideration of the flood levels in the Hobart Rivulet and their impact on receiving drainage capacity.

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

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

*Any construction of public infrastructure (which will be taken over by the Council) must be carried out either by the Council or by a Council-approved private contractor with a Permit to Construct Public Infrastructure. A maintenance period of 12 months will apply, and a Maintenance Bond equal to 5% of the contract value of the works must be lodged with the Council in the form of a cash deposit or bank guarantee from an approved financial institution. This bond will be released at the end of the 12 months maintenance period should no maintenance works on public infrastructure be required. This will be demonstrated by a final inspection by the Council, and submission of a recorded CCTV inspection and associated report of all new public stormwater infrastructure taken no more than one month before the end of the maintenance period. Where*

*remedial works are to be undertaken, the bond will not be released until the works are completed to the satisfaction of the Council's Director Infrastructure Services.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including roofed areas and runoff from the right of way) must be discharged via gravity to the Council's infrastructure prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings (including supporting calculations) of the proposed stormwater drainage and connection(s) to Council infrastructure must be submitted and approved prior to the commencement of work. The design drawings must:

1. Be prepared by a suitably qualified person.
2. Provide a single connection to Council infrastructure for each final lot, separate to each lot, sized to meet the needs of the development.
3. Clearly distinguish between public and private infrastructure.
4. Identify any existing connections to be made redundant.
5. Incorporate consideration of the limited receiving capacity of the downstream system.
6. Include long section(s), levels, and grades to the point of discharge.

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

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

Reason for condition

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

ENG sw s3

The proposed development and new public infrastructure works must not adversely impact the Hobart Rivulet.

A Construction Management Plan (CMP) must be submitted and approved prior to commencement of works. The CMP must:

- Detail the methodology for installing the connection into the Hobart Rivulet
- Detail how the Rivulet will be protected, with consideration of (but not limited to):
  1. Likely forces associated with the construction, including vibration, traffic loading, etc.
  2. Extent and duration of excavation next to the rivulet.
  3. Risk treatment plan for all reasonably possible risks, e.g. flood, collapse of Rivulet wall, undermining, environmental damage to the waterway, project delays, unknown Rivulet construction or condition, etc.
  4. Be prepared by a suitably qualified and experienced person.

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

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

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work. The construction

traffic and parking management plan must:

1. Be prepared by a suitably qualified person, by the Council;
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
3. Include a start date and finish dates of various stages of works;
4. Include times that trucks and other traffic associated with the works will be allowed to operate; and
5. Nominate a superintendant or like to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

*Advice: Once the construction traffic and parking management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 1

The cost of repair of any damage to the Council 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 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 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENGR 3

The proposed driveway access within the Argyle Street and Kemp Street highway reservation must be designed and constructed in accordance with the drawings submitted and the Tasmanian Standard Drawings and other relevant standards, guidelines and codes prior to the commencement of the use.

Design drawing must be submitted and approved prior to the commencement of work. The design drawing must:

- Show cross and long section of the driveway access within the highway reservation, into the property and along the footpath.
- Detail the standard the access, including road pavement, kerbs and footpath will be design and constructed too.
- Detail the location and level of any services or infrastructure at or near the proposed driveway access.
- The access to be designed for heavy vehicle loadings.
- Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use).
- All works should be in accordance with the Tasmanian Standard Drawings.
- Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

the approved drawings.

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

Reason for condition

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

ENGR s1

The pavers within the Argyle Street, Collins Street and Kemp Street highway reservation that will be effected by the construction must be removed and replaced with a temporary asphalt seal at the developers cost prior to the commencement of work. The pavers must not be damaged during the process and stored off site. The pavers are to be reinstated at end of the development at the developers cost and to the satisfaction of the Director City Infrastructure.

Reason for condition

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

ENGR s2

Provide details on the widening of the footpath on Argyle Street, the reinstatement of existing footpath on Argyle Street and new footpath within Kemp Street, prior to the commencement of work.

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

- Show the location of new and existing footpaths within the highway reservation.
- Show cross and long section of the new and existing footpaths within the highway reservation Note: that the agreement of the Council's is required to adjust footpath levels.
- Detail the standard the footpaths and associated infrastructure such as ramps and kerbs will be design and constructed to.



- Detail the location and level of any services or infrastructure at or near the proposed and existing footpaths.
- All works should be in accordance with the Tasmanian Standard Drawings and other relevant standards, guidelines and codes.
- Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

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

Reason for condition

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

ENGR s3

The traffic signal box and street bin on Argyle Street are to be relocated to the back of the footpath along the building line or removed/placed underground at the developers cost, prior to first occupation.

Reason for condition

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

ENGR s4

A street lighting design for roads, footways and driveway access which the City has an interest in, surrounding the development site must be submitted and approved prior to the commencement of work. The street lighting design must be:

- in accordance with AS/NZS 1158 series to the requirements of Tas Network and Council.
- include Tas Networks standard supplied poles and energy-efficient road light fittings if lighting in the highway reservation be certified

by a qualified person.

All work required by this condition must be undertaken in accordance with the approved street lighting design. The on-going maintenance of the lighting of the driveway access will be at the owners cost.

*Advice: Once the street lighting design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENV 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted and approved, prior to the commencement of work. The SWMP must:

- a. be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008).  
[http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guideline](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guideline)  
[All work required by this condition must be undertaken in accordance with the SWMP.](#)

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

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.

## SURV 8

The applicant, at no cost to the Council shall have prepared, entered into, and have registered at the Land Titles Office, a deed pursuant to Section 75CA of the *Conveyancing and Law of Property Act 1884* for any building encroachments over the Argyle and Kemp Street highway, prior to the issue of a certificate of occupancy.

*Advice: A Section 75CA Conveyancing & Law of Property Act 1884 certificate for the occupation of a Highway requires that the encroachment is a minimum 2.40 metres above the footpath or 4.25 metres above the road carriageway. A 600mm set back from the back of kerb may also be required.*

*The applicant must prepare and forward the required instrument pursuant to section 75CA Conveyancing & Law of Property Act 1884, including a survey plan of the encroachment (certified by a registered surveyor), the associated \$220 Council application fee and the Land Titles Office registration fee, to the Council for execution and subsequent registration within the Land Titles Office.*

### Reason for condition

To ensure that the proposed building encroachments over Argyle and Kemp Streets are formalised in accordance with statutory provisions.

## SUB s1

A Right of Way, service easement and floodway easement in favour of the Hobart City Council over the driveway and footpath from Argyle through to Kemp Street must be provided to the satisfaction of the Council's Director City Infrastructure and Director City Planning prior to the issue of any certificate of occupancy for the development. The Right of Way, service easement and floodway easement are to be created by Transfer of Easements under section 58 of the Land Titles Act 1980. All costs associated with the creation of these easements are to be paid by the applicant.

### Reason for condition

To ensure that there is no impediment to public access from Argyle Street to Kemp Street, to enable maintenance of Council's infrastructure and ensure that overland flow path through the site remains unobstructed at all times.

## SUB s2

Road widening must be provided along Kemp and Argyle Streets within land currently comprised in certificates of title 164485/1 and 164485/0 as shown on the Hobart City Council's plan S-194-41 Revision A dated 23/11/2016 or otherwise determined. The extent of the road widening must be to the satisfaction of the Council's Director City Infrastructure. The road widening must be dedicated as road on the final plan of survey associated with PLN-14-00952-01 and transferred to the Hobart City Council. Please refer to the Final Plan of Survey advice clause.

### Reason for condition

To ensure that the title to the road lots issue in the Hobart City Council.

## SUB s3

An amendment to strata plan 164485 must be submitted concurrently with the final plan of survey associated with PLN-14-00952-01 for the boundary adjustment and approved by the Council in accordance with the requirements of Sections 19 and 31 of the Strata Titles Act 1998 prior to the sealing of the final plan for the boundary adjustment associated with PLN-14-00952-01. The amendment to strata plan 164485 is to reflect the proposed boundary adjustment and the road widening required along Kemp and Argyle Streets.

### Reason for condition

To ensure compliance with statutory provisions.

## 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 [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 e-service portal.

Once approved, the Council will respond to you via email that the condition(s) has been endorsed (satisfied). Detailed instructions can be found [at: http://www.hobartcity.com.au/Development/Planning/How\\_to\\_obtain\\_a\\_condition\\_endorsement](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement)

## BUILDING PERMIT

Building permit in accordance with the *Building Act 2000*;

<http://www.hobartcity.com.au/Development/Building>

## PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

## OCCUPATION OF THE PUBLIC HIGHWAY

Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc).

[http://www.hobartcity.com.au/Transport/Permits/Construction\\_Activities\\_Special\\_Events\\_in\\_the\\_Road\\_Reservation](http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation)

Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve).

[http://www.hobartcity.com.au/Transport/Lighting\\_Roads\\_Footpaths\\_and\\_Street\\_Cleaning/Roads\\_and\\_Footpaths](http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths)

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By-law

<http://www.hobartcity.com.au/Council/Legislation>

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## FINAL PLAN OF SURVEY

The applicant will need to prepare and arrange for the execution of a Land Titles Office transfer and partial discharge of mortgage (if required) for the road lots, attend to the assessment and payment of Stamp Duty with the Commissioner of Taxes and forward the stamped instruments together with the associated Land Titles Office registration fees (cheque made payable to the Recorder of Titles for \$200.43 (transfer) and \$162.18 (partial discharge of mortgage) and a completed notice of sale, to the Council's Manager Surveying Services prior to the sealing of the final plan of survey.

## HERITAGE

Should any brick or sandstone material be excavated during the installation of the stormwater pipe into the Hobart Rivulet, work is to cease and Council's Cultural Heritage Officer is to be notified. Please contact Sarah Waight on 6238 2175.

## CONSISTENCY WITH PLANNING APPROVAL PLN-14-00952-01

The applicant is encouraged to contact the Council to discuss amending the original approval for the site to remove any conditions on the 2014 permit that are superseded by or in conflict with the conditions imposed by this permit. Please contact the Council's Senior Statutory Planner in the first instance on 6238 2715 to initiate this discussion.

**Delegation: Council**

**7.1.2 Hobart Interim Planning Scheme 2015 - Planning Scheme  
Amendment 8/2016 and S43A Permit Application - 1 Folder Street  
and 5 Tew Terrace Rezoning and Boundary Adjustment  
File Ref: F16/99289**

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RUZICKA

That the recommendation contained in the report of the Manager Planning Policy and Heritage of 7 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

- That: 1. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate amendments to the *Hobart Interim Planning Scheme 2015* to:
- (i) rezone part of the property at 1 Folder Street to Environmental Management and part of the property at 5 Tew Terrace, Sandy Bay to Low Density Residential, as indicated on the plans, marked as Attachment A to item 7.1.2 of the Open City Planning Committee agenda of 12 December 2016;
  - (ii) add the area rezoned to Environmental Management to the Biodiversity Protection Area Overlay and remove the area rezoned to Low Density Residential from the Biodiversity Protection Area Overlay, as indicated on the plans, marked as Attachment A to item 7.1.2 of the Open City Planning Committee agenda of 12 December 2016;
  - (iii) remove the Certificate of Title number reference from the heritage listing for 1 Folder Street under Table E13.1 of the Historic Heritage Code (listing reference number 1159).
2. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the 8/2016 Amendment to the *Hobart Interim Planning Scheme 2015* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the

Instrument of Certification marked Attachment C to item 7.1.2 of the Open City Planning Committee agenda of 12 December 2016.

3. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the 8/2016 Amendment to the *Hobart Interim Planning Scheme 2015* on public exhibition for a 28 day period following certification.
4. Pursuant to Section 43A of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council grant a permit for Subdivision (Boundary Adjustment) at 1 Folder Street and 5 Tew Terrace, Sandy Bay for the reasons outlined in the officers report marked Attachment B to item 7.1.2 of the Open City Planning Committee agenda of 12 December 2016, and a permit containing the conditions specified in Attachment B to that report, be issued.

**Delegation: Council**

Item 7.1.5 was then taken.

**SUPPLEMENTARY ITEM**

Mr Mathew Healey and Mr Mark Drury (Architect) addressed the Committee in relation to item 7.1.3, on behalf of the applicant.

**7.1.3 107 Lansdowne Crescent, West Hobart - Partial Demolition,  
Extension and Alterations  
PLN-16-00285-01 - File Ref: F16/135061**

DENISON

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for the partial demolition, extension and alterations at 107 Lansdowne Crescent, West Hobart for the reason that it complies with the *Hobart Interim Planning Scheme 2015*, and a permit containing the following conditions be issued:

GENERAL

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00285-01 - 107 Lansdowne Crescent – 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 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 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 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 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. Sediment controls must be maintained until all areas of disturbance have been stabilized or re vegetated.

*Advice: For further guidance in preparing a Soil and Water Management Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to: [http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines)*

Reason for condition

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

HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be recorded.

The photographs and drawings must be submitted and approved, prior to the commencement of work.

The photographs and drawings must include:

- Each elevation of the building;
- The interior of the building;
- Architectural design detailing of the building;
- Both electronic and hard copy colour images;
- Photographs of any detail that may be of historical or architectural interest; and
- Cross referencing of all photographs to “as existing” plans showing the location and orientation of the camera.

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

Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

#### 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 [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 2000;

<http://www.hobartcity.com.au/Development/Building>

#### PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for the partial demolition, extension and alterations at 107 Lansdowne Crescent, West Hobart for the reason that it complies with the *Hobart Interim Planning Scheme 2015*, and a permit containing the following conditions be issued:

GENERAL

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00285-01 - 107 Lansdowne Crescent – 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 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 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 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 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. Sediment controls must be maintained until all areas of disturbance have been stabilized or re vegetated.

*Advice: For further guidance in preparing a Soil and Water Management Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to: [http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines)*

Reason for condition

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

HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be recorded.

The photographs and drawings must be submitted and approved, prior to the commencement of work.

The photographs and drawings must include:

- Each elevation of the building;
- The interior of the building;
- Architectural design detailing of the building;
- Both electronic and hard copy colour images;
- Photographs of any detail that may be of historical or architectural interest; and
- Cross referencing of all photographs to "as existing" plans showing the location and orientation of the camera.

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

*condition endorsement).*

Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

#### 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 [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 2000;

<http://www.hobartcity.com.au/Development/Building>

#### PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

Item 7.1.4 was then taken.

**Delegation: Council**

### SUPPLEMENTARY ITEM

Mr Martin Beck addressed the Committee in relation to item 7.1.4.

Mrs Sue Carter addressed the Committee in relation to item 7.1.4.

Mr Chris Scott addressed the Committee in relation to item 7.1.4, on behalf of the applicant.

**7.1.4 732a Sandy Bay Road, Sandy Bay - Dwelling  
PLN-16-762 - File Ref: F16/137101**

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DENISON

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 6 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES    | NOES     |
|---------|----------|
| Briscoe | Ruzicka  |
| Burnet  | Reynolds |
| Denison |          |

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling at 732a Sandy Bay Road, Sandy Bay for the reasons outlined in the officer's report attached to supplementary item 7.1.4 of the Open City Planning Committee agenda of 12 December 2016, and a permit containing the following conditions be issued:

GEN

The use and development must be substantially in accordance with the documents and drawings that comprise PLN-16-762 for a dwelling at 732A Sandy Bay Road, Sandy Bay - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS/ NZS 1170.1 must be installed prior to the first occupation.

A certified design/report prepared by a suitably qualified Engineer, to satisfy the above requirements, must be provided to the Council prior to the issuing of any permit under the *Building Act 2000*.

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

Reason for condition

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

ENG 4

The driveway and car parking areas approved by this permit must be constructed to a sealed standard and surface drained prior to the first occupation.

Reason for condition

To ensure safe access is provided for the use.

ENG 11

The proposed crossover on the Sandy Bay Road highway reservation must be designed and constructed in general accordance with the following Municipal Standard Drawings, to the satisfaction of the Council's Director City Infrastructure, prior to the commencement of the use:

1. Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing, or
2. Non-standard K&C- a concrete plinth to Councils standards shall be constructed at the gutter, contact Council's Road Services Engineer for details.

*Advice: It appears that a non-standard crossover is required at this location. Designer should consult Council's Road Services Engineer for further advice.*

Reason for condition

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

### ENG 3

The driveway, car parking and maneuvering areas must be constructed in accordance with certified driveway design drawings, prior to the first occupation.

The design of these areas must:

1. Be prepared by a suitably qualified engineer, who must also certify that the design is in accordance with the Australian Standards AS/NZS 2890.1 or that the design provides for a safe and efficient access.

Upon completion of the driveway & garage, documents signed by a suitably qualified engineer, certifying the driveway has been constructed in accordance with the certified design drawings must be lodged with the Council.

Reason for condition

To ensure that the safety of users of the driveway/parking.

### ENG 14

Parking, access and turning areas must be generally designed and constructed in accordance with the Australian Standard Parking facilities, Part 1: Off-Street Carparking, AS 2890.1 – 2004, prior to the first occupation.

Design drawings must be submitted and approved, prior to commencement of work. The amended design drawings must:

1. show dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.

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

*Advice: The designers should ensure that adequate maneuvering space will be provided so that all B85 vehicles can turn around onsite and exit in a forward direction. Once the design drawing has been approved Council will issue a condition endorsement (see general advice on how to obtain condition*



*endorsement*).

Reason for condition

To ensure that the access and parking layout for the development is to accepted standards.

ENG 1

The cost of repair of any damage to the Council 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 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 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 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 front fencing and gate at 732A Sandy Bay Road must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Amended drawings must be submitted and approved, prior to the commencement of work. The amended drawing must demonstrate how the fence/wall either side of the driveway entry provides for adequate sight distance between user vehicles, cyclists and pedestrians by one of the

following methods:

1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off-street car parking AS/NZS 2890.1: 2004 Fig 3.3;
2. Increasing the gate width of the driveway to ensure that it has a minimum clear opening width of 5.0m;
3. Increasing the transparency of fencing for at least 1m on each side of driveway/s so that those sections of fencing are largely transparent; or
4. Setting driveway(s) gates back 1m from front fence line to achieve increased sight lines.

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

*Advice: The designers can contact the Council's Development Engineer on 62382858 for further advice on this matter. Once the amended drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENV1

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

*Advice: For further guidance in preparing a Soil and Water Management Plans (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to [www.hobartcity.com.au/development-engineering-standards-and-guidelines](http://www.hobartcity.com.au/development-engineering-standards-and-guidelines).*

Reason for condition

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

## ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 e-service portal.

Once approved, the Council will respond to you via email that the condition(s) has been endorsed (satisfied). Detailed instructions can be found [at: http://www.hobartcity.com.au/Development/Planning/How\\_to\\_obtain\\_a\\_condition\\_endorsement](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement).

## BUILDING PERMIT

Building permit in accordance with the Building Act 2000

<http://www.hobartcity.com.au/Development/Building>

## PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

## NOISE REGULATIONS

The following link provides information with respect to noise nuisances in residential areas.

[http://www.hobartcity.com.au/Environment/Environmental\\_Health/Environmental](http://www.hobartcity.com.au/Environment/Environmental_Health/Environmental)

[\\_Management\\_and\\_Pollution\\_Control](#)

WASTE DISPOSAL - TOP TEN TIPS

[http://www.hobartcity.com.au/Environment/Recycling\\_and\\_Waste](http://www.hobartcity.com.au/Environment/Recycling_and_Waste)

FEES AND CHARGES

[http://www.hobartcity.com.au/Council/Fees\\_and\\_Charges](http://www.hobartcity.com.au/Council/Fees_and_Charges)

DIAL BEFORE YOU DIG

[www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au)

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 62382715 for assistance.

**Delegation: Council**

Supplementary item 7.2.1 was then taken.

**SUPPLEMENTARY ITEM**

**7.1.5 11 Chessington Court, Sandy Bay and Adjacent Road Reserve -  
Partial Demolition, Alterations, Extensions, Deck, Fencing,  
Outbuilding, Landscaping and Associated Hydraulic Infrastructure  
PLN-16-861 - File Ref: F16/137341**

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DENISON

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 7 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extensions, deck, fencing, outbuilding, landscaping and associated hydraulic infrastructure at 11 Chessington Court, Sandy Bay and adjacent road reserve for the reasons outlined in the officer's report attached to supplementary item 7.1.5 of the Open City Planning Committee agenda of 12 December 2016, 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-16-861 - 11 CHESSINGTON COURT 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 2016/01186-HCC dated 17 November 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw3

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

A detailed engineering design must be submitted and approved prior to commencement of works. The detailed design must:

- a. Demonstrate how the design will ensure the protection of and

provide access to the Council's stormwater main.

- b. Include cross-sections which clearly indicate the relationship between the works (including footings and relocated sewer main) and the main, stating minimum proposed setbacks from the outside edge of the main.

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

*Advice: Once the detailed design drawings has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Council requires access for activities such as CCTV or jetting the main – a manhole is not necessary.*

Reason for condition

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

ENG 2

Vehicle safety barriers where required by Australian Standard AS/NZS2890.1:2004, compliant with AS/NZS1170.1:2002 must be installed prior to the commencement of use.

A certified vehicle crash barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified engineer, to satisfy the above requirements, must be submitted and approved by Council prior to the issuing of any permit under the Building Act 2000. All works, required by this condition must be undertaken in accordance with certified design.

Prior to the issuing of any Completion Certificate under the Building Act 2000, barriers must be inspected by a qualified engineer and a certification submitted to Council, confirming that the installed barriers comply with the above requirement.

*Advice:*

*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: <http://www.abcb.gov.au/Resources/NCC>.*

*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.*

*The drop from the proposed driveway to the below courtyard should be considered when assessing vehicular barrier requirements.*

Reason for condition

To ensure the safety of users of the driveway / parking / highway reservation / adjacent properties and compliance with the relevant Australian Standard and the National Construction Code.

ENG 11

Any alterations to crossover Chessington Court highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing; and
2. LGAT Standard Drawing - Footpath - TSD-R11-v1 - Urban Roads Footpaths;

prior to the commencement of the use.

*Advice: Local Government Association Tasmania (LGAT) Standard Drawings can be viewed electronically via the LGAT website at:*  
[www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)

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 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 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 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 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. Sediment controls must be maintained until all areas of disturbance have been stabilized or re vegetated.

*Advice: For further guidance in preparing a Soil and Water Management Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to [www.hobartcity.com.au/development-engineering-standards-and-guidelines](http://www.hobartcity.com.au/development-engineering-standards-and-guidelines).*

#### Reason for condition

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

#### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 e-service portal.

Once approved, the Council will respond to you via email that the condition(s) has been endorsed (satisfied). Detailed instructions can be found [at:](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement)  
[http://www.hobartcity.com.au/Development/Planning/How\\_to\\_obtain\\_a\\_condition\\_endorsement](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement)

#### BUILDING PERMIT

Building permit in accordance with the *Building Act 2000*;

<http://www.hobartcity.com.au/Development/Building>

#### PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

#### OCCUPATION OF THE PUBLIC HIGHWAY

Road closure permits for construction or special event.

[http://www.hobartcity.com.au/Transport/Permits/Application\\_Forms\\_-\\_Construction\\_Activities\\_Special\\_Events\\_in\\_the\\_Road\\_Reservation](http://www.hobartcity.com.au/Transport/Permits/Application_Forms_-_Construction_Activities_Special_Events_in_the_Road_Reservation)

Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve).

[http://www.hobartcity.com.au/Transport/Lighting\\_Roads\\_Footpaths\\_and\\_Street\\_Cleaning/Roads\\_and\\_Footpaths](http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths)

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By -law:

<http://www.hobartcity.com.au/Council/Legislation>

The gate for the swimming pool must not encroach onto the Chessington Court highway reservation as per Section 52 of the Local Government (Highways) Act 1982 and must open entirely within the property.

Landscaping within the Chessington Court highway reservation is not approved.

## REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By -law

<http://www.hobartcity.com.au/Council/Legislation>

## WASTE DISPOSAL - TOP TEN TIPS

[http://www.hobartcity.com.au/Environment/Recycling\\_and\\_Waste](http://www.hobartcity.com.au/Environment/Recycling_and_Waste)

## FEES AND CHARGES

[http://www.hobartcity.com.au/Council/Fees\\_and\\_Charges](http://www.hobartcity.com.au/Council/Fees_and_Charges)

## DIAL BEFORE YOU DIG

[www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au)

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 62382715 for assistance.

**Delegation: Council**

## SUPPLEMENTARY ITEM

### **7.1.6 15 Marieville Esplanade, Sandy Bay - Demolition and Replacement Outbuilding PLN-16-1047 - File Ref: F16/137651**

RUZICKA

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 8 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and replacement outbuilding at 15 Marieville Esplanade, Sandy Bay for the reasons outlined in the officer's report attached to supplementary item 7.1.6 of the Open City Planning Committee agenda of 12 December 2016, 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-16-1047 - 15 MARIEVILLE ESPLANADE SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

BUILDING PERMIT

Building permit in accordance with the *Building Act 2000*;

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the *Tasmanian Plumbing Regulations 2014*;

<http://www.hobartcity.com.au/Development/Plumbing>

**Delegation: Council**

**SUPPLEMENTARY ITEM**

**7.1.7 456 Macquarie Street, 458 Macquarie Street, 462 Macquarie Street,  
South Hobart - Partial Demolition, Alterations, Extension and  
Change of Operating Hours for Service Industry and Partial  
Change of Use to Business and Professional Services, and  
General Retail Hire  
PLN-16-00357-01 - File Ref: F16/137732**

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REYNOLDS

That the matter be deferred to a Special City Planning Committee meeting, for the purpose of obtaining further information from Council officers regarding pedestrian access and landscaping.

PROCEDURAL MOTION CARRIED

VOTING RECORD

| AYES     | NOES   |
|----------|--------|
| Briscoe  | Burnet |
| Ruzicka  |        |
| Denison  |        |
| Reynolds |        |

**COMMITTEE RESOLUTION:**

That the matter be deferred to a Special City Planning Committee meeting, for the purpose of obtaining further information from Council officers regarding pedestrian access and landscaping.

**Delegation: Committee**

Item 8.1 was then taken.

**SUPPLEMENTARY ITEM**

Ms Irene Duckett (Ireneinc. Planning) and Mr Patrick Stanton addressed the Committee in relation to item 7.2.1, on behalf of the applicant.

**7.2 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING  
SCHEME 1997**

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**7.2.1 Franklin Wharf, Hobart - Partial Demolition, Extension, Alterations,  
Signage and Change of Use to Eating Establishment and Unlisted  
Use (Bar)  
PLN-16-800 - File Ref: F16/137461**

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BURNET

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 7 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES     | NOES    |
|----------|---------|
| Briscoe  | Denison |
| Ruzicka  |         |
| Burnet   |         |
| Reynolds |         |

**COMMITTEE RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for partial demolition, extension, alterations, signage and change of use to eating establishment and unlisted use (bar) at Franklin Wharf, Hobart for the following reasons:

1. The proposal fails to satisfy objective (e) and its corresponding performance criteria at clause 21.2 of the *Sullivans Cove Planning Scheme 1997* because it will not further develop the Activity Area as an attractive, comfortable and interesting place for pedestrians, it will not enhance pedestrian amenity, safety, comfort and movement across the floor of the Cove, and it will not provide additional opportunities for pedestrians to access and view the water's edge.
2. The proposal fails to satisfy the Public Urban Space Specific Precinct Guidelines at clause 24.4.8B, the Public Urban Space Function for Franklin Wharf at clause 24.4.10A and the Public Urban Space objectives at clause 24.2 of the *Sullivans Cove Planning Scheme 1997* because the extension will compromise the flat fill character of the Cove, does not create a comfortable and aesthetically pleasing pedestrian environment and does not facilitate pedestrian access to the waterfront.
3. The proposed awning sign to the northern elevation does not comply with the performance criteria at clause 25.14 and table 25.1 of the *Sullivans Cove Planning Scheme 1997* because the size of the lettering exceeds 0.25m.

**Delegation: Council**

Item 7.1.1 was then taken.

## **8 REPORTS**

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### **8.1 Infill Development Pilot Project File Ref: F16/134516; S32-013-04**

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BURNET

That the recommendation contained in the report of the Manager Planning Policy and Heritage of 8 December 2016, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

#### **COMMITTEE RESOLUTION:**

That the Council note the outcomes of the Infill Development Pilot Project and endorse the release of the project reports prepared by Emma Riley and Associates Pty Ltd, marked as Attachments B and C to item 8.1 of the Open City Planning Committee agenda of 12 December 2016, to the landowners of the three priority sites identified in Hobart:

- (i) 27-35 Tasman Street, North Hobart;
- (ii) 66 Burnett Street, North Hobart; and
- (iii) 143-145 new Town Road, New Town.

**Delegation: Council**

### **8.2 Battery Point Advisory Committee - Re-appointment of Expiring Memberships File Ref: F16/128862; 32-2-5**

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BURNET

That the recommendation contained in the report of the Director City Planning of 1 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

- That: 1. The following members of the Battery Point Advisory Committee, whose terms are due to expire on 31 December 2016, be re-appointed for a further two year period, or until such time as the Battery Point Planning Scheme 1979 ceases to exist, whichever occurs first:
- (i) Mr Warwick Oakman, being a nominee of the National Trust of Australia (Tas) Inc; and
  - (ii) Mr Bruce Churchill, being a person with expertise in town planning or architecture or landscape planning or urban history or related fields.
2. The Council note the vacancy of the position held by Mr Brendan Connolly, being a resident of that part of the "District" south of Quayle Street, as of 1 January 2017.
3. The Council note that upon the determination of the last of the validly received applications under the Battery Point Planning Scheme 1979, the Battery Point Advisory Committee will cease to exist.

**Delegation: Council**

**8.3 Petition – Traffic Hazard -  
47 Fisher Avenue, Sandy Bay - PLN-16-00658-01  
File Ref: F16/135101**

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DENISON

That the recommendation contained in the report of the Manager Development Appraisal of 7 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

- That: 1. The information be received and noted.  
2. The petitioner be advised of the outcome of the appeal.

**Delegation: Council**

**8.4 City Planning - Advertising List  
File Ref: F16/136568**

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RUZICKA

That the recommendation contained in the report of the Director City Planning of 7 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

**8.5 Delegated Decisions Report (Planning)  
File Ref: F16/136978**

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RUZICKA

That the recommendation contained in the report of the Director City Planning of 7 December 2016, be adopted.



MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

**SUPPLEMENTARY ITEM**

**8.6 Application to Extend Time - ETA-16-135 - 31 Beddome Street,  
Sandy Bay - New House and Ancillary Flat  
File Ref: F16/137188**

RUZICKA

That the recommendation contained in the report of the Senior Statutory Planner of 9 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That the Council approve the extension of time request lodged under Section 53(5)(b) of the *Land Use Planning and Approvals Act 1993* in respect of PLN-14-00961-01.

**Delegation: Council**

**SUPPLEMENTARY ITEM**

**8.7 Professional Development Reporting - Global Compact of Mayor,  
Carbon Disclosure Project Asia and Workshop  
File Ref: F16/125556; 17-50-23**

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RUZICKA

That the matter be deferred to a City Planning Committee meeting in January 2017.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That the matter be deferred to a City Planning Committee meeting in January 2017.

**Delegation: Committee**

**SUPPLEMENTARY ITEM**

**8.8 New Fees Associated with Building Act 2016  
File Ref: F16/136948**

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DENISON

That the recommendation contained in the report of the Acting Manager Development Compliance of 9 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That the Council approve the following fees under the Building Act 2016 and associated regulations, to apply from 1<sup>st</sup> January 2017:

- (i) Demolition permit - \$200.
- (ii) Notifiable building work - \$150.
- (iii) Notifiable plumbing work - \$350.

**Delegation: Council**

**SUPPLEMENTARY ITEM**

**8.9 Heritage Advisory Committee**  
**File Ref: F16/135223; 13-1-9 & 32-2-30**

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REYNOLDS

That a workshop regarding the application of heritage precincts under the *Hobart Interim Planning Scheme 2015* be conducted prior to any decision being made with regard to the establishment of a Heritage Advisory Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

**COMMITTEE RESOLUTION:**

That a workshop regarding the application of heritage precincts under the *Hobart Interim Planning Scheme 2015* be conducted prior to any decision being made with regard to the establishment of a Heritage Advisory Committee.

**Delegation: Council**

**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 Denison - Consideration of Matters Relevant to  
Subdivision Applications  
File Ref: 13-1-10**

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Alderman Denison

Can Council consider the location of easements and rights of ways in the future as part of subdivision applications, to facilitate access to sunlight and reduce impacts on privacy for neighbouring properties?

The Director City Planning took the question on notice.

**9.2 Alderman Reynolds - Cruise Ship Emissions - Update from the  
EPA  
File Ref: 13-1-10**

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Alderman Reynolds

Has further advice been received from the EPA (with reference to the memorandum of March 2016) which said that the EPA would be conducting modelling on the potential impact of the emissions generated by the cruise ships visiting Hobart burning heavy diesel / bunker fuel? If no, can a follow-up letter be sent requesting an update?

The Director City Planning took the question on notice, and confirmed that the matter will be followed up.

**10. CLOSED PORTION OF THE MEETING**

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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 | Planning Authority Items – Consideration of Items with Deputations       |
| Item No. 5 | Questions without notice – File Ref: 13-1-10                             |

BURNET

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison  
Reynolds

The Chairman adjourned the meeting at 7.27 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 7.32 pm.

Item 10 was then taken.

There being no further business the meeting closed at 7.32 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
16<sup>TH</sup> DAY OF JANUARY 2016.

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**CHAIRMAN**