



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 1 May 2017 at 5:00 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1.	CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY	3
2.	CONFIRMATION OF MINUTES.....	4
3.	CONSIDERATION OF SUPPLEMENTARY ITEMS	4
4.	INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	4
5.	TRANSFER OF AGENDA ITEMS.....	5
6.	PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS	5
7.	COMMITTEE ACTING AS PLANNING AUTHORITY	7
7.1	APPLICATIONS UNDER THE BATTERY POINT PLANNING SCHEME 1979	7
7.1.1	70 Macquarie Street, Hobart - Public Art (Installation)	7
7.2	APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	9
7.2.1	89 Doyle Avenue, Lenah Valley - Demolition	9
7.2.2	26 Murray Street, Hobart - Alterations (Awnings).....	11

SUPPLEMENTARY ITEM

7.2.3	126 Bathurst Street, Hobart - Demolition, New Building for 30 Multiple Dwellings, Car Parking, Food Services, General Retail and Hire and Business and Professional Services Signage and Landscaping.....	13
8	REPORTS	27
8.1	Delegated Decisions Report (Planning).....	27
8.2	City Planning - Advertising List	27
8.3	Affordable Housing Australia, Sydney- 17 and 18 May 2017 - Aldermanic Nominations	28
9.	RESPONSES TO QUESTIONS WITHOUT NOTICE.....	28
10.	QUESTIONS WITHOUT NOTICE	29
11.	CLOSED PORTION OF THE MEETING.....	30

**City Planning Committee Meeting (Open Portion) held on Monday, 1 May 2017
at 5.00 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Denison (Acting Chairman)
Briscoe
Ruzicka
Burnet

ALDERMEN

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

PRESENT: Alderman T M Denison
(Acting Chairman), Aldermen
E R Ruzicka, P S Cocker, A M Reynolds
and W F Harvey.

APOLOGIES: Nil.

Alderman Cocker was an ex-officio
member of the Committee.

LEAVE OF ABSENCE:

Alderman J R Briscoe
Alderman H C Burnet

Aldermen Reynolds and Harvey were co-
opted to the Committee

RUZICKA

That Alderman Denison chair the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Ruzicka
Cocker

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

RUZICKA

That Alderman Reynolds and Alderman Harvey be co-opted to the
Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Ruzicka
Cocker

2. CONFIRMATION OF MINUTES

RUZICKA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 10 April 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RUZICKA

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
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

REYNOLDS

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Ruzicka
Cocker
Reynolds
Harvey

Supplementary item 7.2.3 was then taken.

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

7.1 APPLICATIONS UNDER THE BATTERY POINT PLANNING SCHEME 1979

7.1.1 70 Macquarie Street, Hobart - Public Art (Installation) PLN-17-103 - File Ref: F17/40627

RUZICKA

That the recommendation contained in the report of the Development Appraisal planner and the Manager Development Appraisal of 12 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Public Art (Installation) at 70 Macquarie Street, HOBART for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning agenda of 1 May 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the

documents and drawings that comprise PLN-17-103 - 70 MACQUARIE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5258 dated 3 April 2017, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

TEMPORARY PARKING PERMITS

Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

DIAL BEFORE YOU DIG

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

Delegation: Council

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 89 Doyle Avenue, Lenah Valley - Demolition PLN-17-127 - File Ref: F17/40897

COCKER

That the recommendation contained in the report of the Development Appraisal planner and the Manager Development Appraisal of 18 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition at 89 Doyle Avenue, Lenah Valley for the reasons outlined in the officer's report attached to item 7.2.1 of the Open City Planning agenda of 1 May 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-127 - 89 DOYLE AVENUE LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The construction waste management plan must include:

- Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

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

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 can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

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 – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

If 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 [here](#).

BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

WASTE DISPOSAL

Click [here](#) for information regarding waste disposal.

Delegation: Council

7.2.2 26 Murray Street, Hobart - Alterations (Awnings) PLN-16-00441-01 - File Ref: F17/41113

RUZICKA

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Alterations (Awnings) at 26 Murray Street, Hobart, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00441-01 - 26 MURRAY STREET except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5238 dated 6 April 2017, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

MOTION CARRIED

VOTING RECORD

	AYES		NOES
Denison		Harvey	
Ruzicka			
Cocker			
Reynolds			

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Alterations (Awnings) at 26 Murray Street, Hobart, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00441-01 - 26 MURRAY STREET except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5238 dated 6 April 2017, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

Delegation: Council

SUPPLEMENTARY ITEM

Mr and Mrs Robin and Jan Cooper, Ms Kate Loveday together with Ms Kate McBain and Mr Christopher Merridew addressed the Committee in relation to supplementary item 7.2.3.

Mr David Martin and Mr Clint Hare addressed the Committee in relation to supplementary item 7.2.3, on behalf of the applicant.

**7.2.3 126 Bathurst Street, Hobart - Demolition, New Building for 30 Multiple Dwellings, Car Parking, Food Services, General Retail and Hire and Business and Professional Services Signage and Landscaping
PLN-17-70 - File Ref: F17/41314**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 20 April 2017, be adopted, amended by the following:

The addition of the following Advice Clause:

CONSULTATION WITH NEIGHBOURING PROPERTIES

The applicant is strongly encouraged to liaise with nearby property owners and business operators to minimise impacts associated with the development and maximise the visibility of signage on nearby businesses during construction.

MOTION CARRIED

VOTING RECORD

AYES

Denison
Ruzicka
Cocker
Reynolds
Harvey

NOES

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Demolition, New Building for 30 Multiple Dwellings, Car Parking, Food Services, General Retail and Hire and Business and Professional Services, Signage and Landscaping at 126 Bathurst Street, HOBART for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the

documents and drawings that comprise PLN-17-70 - 126 BATHURST STREET 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 2017/00160-HCC dated 08/03/2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 13

All construction methods to mitigate noise emissions, identified in the correspondence received from Core Collective on 2 March 2017, must be implemented. Details of these methods are to be provided to the satisfaction of Council's Director City Planning prior to the issuing of a building permit.

Reason for condition

To ensure the construction methods proposed adequately responds to the potential amenity impact of late night music venue noise on the sensitive use.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The construction waste management plan must include:

- Provisions for commercial waste services for the handling, storage,

transport and disposal of post-construction solid waste and recycle bins from the development.

- Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

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

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 can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

ENG sw5

The new stormwater infrastructure must be constructed and existing connections(s) to be abandoned must be sealed by Council at the owner's expense, prior to the issue of a completion certificate.

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

1. Be certified by a qualified and experienced engineer.
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances from services and street trees, cover, gradients, sizing, material, pipe class and inspection openings.
3. Show the existing stormwater connections and notate their

abandonment/sealing.

4. The proposed stormwater main extension must be DN300.
5. Clearly distinguish between public and private infrastructure
6. Be substantially in accordance with the LGAT drawings

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

Advice: Once the engineering 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 Council's hydraulic infrastructure meets acceptable standards.

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 4

The driveway and car parking area 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 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.

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 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. Any damage must be immediately reported to 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 r1

The retaining wall supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates of the retaining wall supporting the Watchorn Street highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer
2. Not undermine the stability of the highway reservation
3. Be designed in accordance with AS4678 and specify design life of wall.
4. Take into account any additional surcharge loadings as required by relevant Australian Standards.
5. Take into account and reference accordingly any Geotechnical findings.
6. Detail any mitigation measures required.
7. The structure certificated and drawings should note accordingly

the above.

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

Advice: Once the design 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 that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGR 3

Prior to the commencement of use, the proposed driveway crossover within the Watchorn Street highway reservation must be constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
- Footpath - Urban Roads Footpaths TSD-R11-v1

Reason for condition

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

ENV 2

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 such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A soil and water management plan (SWMP) must be submitted and approved prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available from [here](#).

All work must be undertaken in accordance with this condition and the approved soil and water management plan (SWMP).

Advice: Once the soil and water management plan (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; and to comply with relevant State legislation.

HER 6

All onsite excavation and disturbance within the zone indicated as orange in figure 7.1 on page 53 of the Praxis Environment Report titled "Statement of Historical Archaeological Potential, Former Whale Fishery/Duke of Edinburgh" March 2017 must be monitored by an historical archaeologist. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. The qualified archaeologist engaged to monitor the excavation must provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 1 days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 5 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

HER s1

An Archaeological Impact Statement and, if necessary, an Archaeological Method Statement must be prepared prior to the commencement of work. That work must be in accordance with industry standard such as the Tasmanian Heritage Council's Practice Note 2 - Managing Historic Archaeological Significance in Works Application Process. The recommendations within the report/s must be implemented prior to the excavation for construction. In addition, the Archaeological Impact Statement and, if necessary, an Archaeological Method Statement must be submitted and approved by Council prior to the commencement of works.

Advice: Once the Archaeological Impact Statement and, if necessary, an Archaeological Method Statement have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement)

Reason for condition

To ensure building, works and demolition at a place of archaeological potential is planned and implemented in a manner that seeks to appropriately manage significant archaeological evidence.

ENVHE 4

A construction management plan must be implemented throughout the construction works.

A construction management plan must be submitted and approved prior to the issuing of any building permit under the *Building Act 2000*. The plan must include but is not limited to the following:

1. Identification and disposal of any potentially contaminated waste and asbestos;
2. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
3. Proposed hours of construction;
4. Identification of potentially noisy construction phases, such as operation of rock- breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
5. Control of dust and emissions during working hours;
6. Proposed screening of the site and vehicular access points during work; and
7. Procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

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

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

Reason for condition

To ensure minimal impact on the amenity of adjoining properties and members of the public during the construction period.

SURV 8

Encroachments over Roads Section 75 CA *Conveyancing and Law of Property Act 1884*.

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 the balcony encroachments over Bathurst and Watchorn Streets, prior to the issue of a completion certificate.

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 Bathurst and Watchorn Streets are formalised in accordance with statutory provisions.

Part 5 r1

Part 5 1 The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to the protection of the retaining wall adjacent to the Watchorn Street highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Watchorn Street highway reservation or any retaining structure adjacent to the Watchorn Street highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

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

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

Note: Further information with respect to the preparation of a part 5 agreement can be found [here](#).

Reason for condition

To ensure the protection of Council are retained.

SUB s1

The titles comprising the development site (CT 63969/1, CT 63968/2 and CT 46961/1) are to be adhered in accordance with the provisions of Section 110 of the *Local Government Building & Miscellaneous Provisions Act 1993*, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

Advice: The application for an adhesion order to the Council has a fee of \$220. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

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 the Council's [website](#) for further information.

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

CONDITION ENDORSEMENT

If a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition, via the Condition Endorsement Submission on Council's online 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 [here](#).

BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

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). Click [here](#) for more information.

Road closure permits for construction or special event. Click [here](#) for more information.

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

WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's

Highways By law. Click [here](#) for more information.

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's

Highways By law. Click [here](#) for more information.

ACCESS

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

TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

WASTE DISPOSAL

Click [here](#) for information regarding waste disposal.

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.

RESIDENT PARKING PERMITS

It should be noted that the residents of this new building are not eligible for any form of resident parking permits under the Council's current policy.

CONSULTATION WITH NEIGHBOURING PROPERTIES

The applicant is strongly encouraged to liaise with nearby property owners and business operators to minimise impacts associated with the development and maximise the visibility of signage on nearby businesses during construction.

Delegation: Council

Item 7.1.1 was then taken.

8 REPORTS

8.1 Delegated Decisions Report (Planning) File Ref: F17/40753; 16/117

RUZICKA

That the recommendation contained in the report of the Director City Planning of 24 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.2 City Planning - Advertising List File Ref: F17/40778; 16/117

RUZICKA

That the recommendation contained in the report of the Director City Planning of 24 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

**8.3 Affordable Housing Australia, Sydney- 17 and 18 May 2017 -
Aldermanic Nominations
File Ref: F17/41273**

COCKER

That the recommendation contained in the report of the General Manager of 27 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

- That:
1. The Council consider Aldermanic representation at the Affordable Housing Australia, to be held in Sydney, New South Wales on 17 and 18 May 2017.
 2. The cost of attendance estimated at \$4,000 per person, be attributed to the general Aldermanic conferences allocation within the City Government Function of the 2016/2017 Annual Plan.

Delegation: Council

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

**9.1 Smoke Arising from Hazard Reduction Burns
File Ref: F17/38751; 13-1-10**

Memorandum of the Director Parks and City Amenity of 1 May 2017.

Delegation: Committee

RUZICKA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Ruzicka		
Cocker		
Reynolds		
Harvey		

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Cocker - Fragrance Hotel **File Ref: 13-1-10**

Question: Could the Director please advise if there has been any discussions with the Fragrance Company concerning its land in Elizabeth Street?

Answer: The Director City Planning advised that he was unaware of any discussions having been undertaken with the proponent in relation to that site.

10.2 Alderman Reynolds - Construction Management Plans **File Ref: 13-1-10**

Question: (i) Can a memo be provided which outlines the regulatory basis for Construction Management Plans (CMPs)?

(ii) Could Hobart City Council introduce its own bylaw for CMPs that would outline when they are to be used and some of the standard provisions? Could Council take steps to standardise and promote CMP guidelines like many Councils in Victoria have done?

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

10.3 Alderman Denison - Waiving Fees for Signage
File Ref: 13-1-10

Question: Could the Director please advise as to whether fees incurred by the surrounding businesses who will be required to erect new signage in relation to the development in Bathurst Street could have these fees waived?

Answer: The Director City Planning advised that the waiving of fees would be a matter for the Council.

11. CLOSED PORTION OF THE MEETING

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 City Acting as Planning Authority
- Item No. 6 Questions Without Notice

RUZICKA That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Ruzicka
Cocker
Reynolds
Harvey

The Chairman adjourned the meeting at 6:24 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6:29 pm.

Item 11 was then taken.

There being no further business the meeting closed at 6:29 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
15TH DAY OF MAY 2017.

CHAIRMAN