



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 26 November 2018 at 5:00 pm

ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday,
26 November 2018 at 5:00 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

ALDERMEN & COUNCILLORS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

PRESENT: Alderman T M Denison
(Acting Chairman), Alderman J R Briscoe,
Councillor W F Harvey, Alderman S Behrakis,
the Lord Mayor Councillor A M Reynolds and
Councillor M Dutta.

APOLOGIES: Nil.

LEAVE OF ABSENCE:

Deputy Lord Mayor Councillor H Burnet
(Chairman).

Alderman Denison chaired the meeting in
the absence of the Chairman.

Alderman Briscoe arrived at the meeting
at 5:17 pm during the discussion of
supplementary item 17 and was not
present for items 1 to 6.

Alderman Harvey left the meeting at
8:00 pm and returned at 8:02 pm.

Alderman Behrakis left the meeting at
5:41 pm and returned at 5:42 pm.

Alderman Behrakis declared an interest in
supplementary items 12 and 13, left the
meeting at 6:49 pm and returned at
7:24 pm.

The Lord Mayor Councillor Reynolds was
co-opted to the Committee.

Councillor Dutta was co-opted to the
Committee for items 2 to 6 and
supplementary items 12 to 13 and 17.

Councillor Dutta left the meeting at
7:29 pm and returned at 7:32 pm.

HARVEY

That Alderman Denison chair the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Harvey
Behrakis

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

HARVEY

That the Lord Mayor and Councillor Dutta be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Harvey		
Behrakis		

2. CONFIRMATION OF MINUTES

HARVEY

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 29 October 2018](#) and the Special City Planning Committee meeting held on [Tuesday, 13 November 2018](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Harvey		
Behrakis		
Lord Mayor Reynolds		
Dutta		

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

HARVEY

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
Harvey
Behrakis
Lord Mayor Reynolds
Dutta

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.

Alderman Behrakis: Supplementary items 13 and 14.

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.

HARVEY

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

Denison
Harvey
Behrakis
Lord Mayor Reynolds
Dutta

NOES

HARVEY

That supplementary item 17 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

Denison
Harvey
Behrakis
Lord Mayor Reynolds
Dutta

NOES

Supplementary item 17 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 SULLIVANS COVE PLANNING SCHEME 1997

Mr Stephen Block, Mr Simon Yates and Ms Christine Neely (Representors) addressed the Committee in relation to item 7.1.1.

Mr Dean Coleman – Managing Director of Solutionswon Group Pty Ltd and Mr Mat Clark of JMG Engineers and Planners addressed the Committee in relation to item 7.1.1 on behalf of the Applicant.

**7.1.1 20 Runnymede Street and Adjacent Road Reserve, Battery Point - Partial Demolition, New Building for Residential Hotel, Restaurant/Cafe, Unlisted Use (Bar) and Shops, Subdivision (One Additional Road Lot), Alterations to Carparking, and Associated Works in the Road Reserve
PLN-18-351 - File Ref: F18/115656**

PROCEDURAL MOTION

BRISCOE

That the item be deferred to a subsequent City Planning Committee meeting to allow for further discussions to be undertaken between Council Officers and the Applicant in relation to concerns raised by the Aldermen and Councillors in regards to the development.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Denison
Harvey	
Behrakis	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the item be deferred to a subsequent City Planning Committee meeting to allow for further discussions to be undertaken between Council Officers and the Applicant in relation to concerns raised by the Aldermen and Councillors in regards to the development.

Delegation: Committee

Supplementary item 12 was then taken.

**7.1.2 70 Macquarie Street, Hobart - Tree Removal
PLN-18-447 - File Ref: F18/136927**

LORD MAYOR REYNOLDS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 20 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Briscoe	
Harvey	
Behrakis	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Tree Removal at 70 Macquarie Street HOBART for the reasons outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-447 - 70 MACQUARIE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

HER 6

Any excavation over 300mm for the planting of a tree replacement must be monitored by a suitably qualified 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 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 day 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 30 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.

Delegation: Council

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 18 Mckellar Street, South Hobart 46-48 Molle Street, West Hobart Adjacent Road Reserve - Path Extension and Associated Works and Landscaping PLN-18-261 - File Ref: F18/137220

LORD MAYOR REYNOLDS

That the recommendation contained in the report of the Development Appraisal Planner of 9 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Briscoe	
Harvey	
Behrakis	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for path extension and associated works and landscaping at 18 McKellar Street & 46-48 Molle Street & adjacent road reserve for the reasons outlined in the officer's report, attached to item 7.2.1 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-261 - 18 MCKELLAR STREET & 46-48 MOLLE STREET & ADJACENT ROAD RESERVE - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

Reason for condition

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

ENG s2

Prior to the commencement of works within the McKeller Street Highway Reservation detail plans must be submitted and approved by the Director City infrastructure showing the following:

1. Details of the fall and slope on the path and matching into existing, in accordance with the Tasmanian Standard Drawings.
2. Details of the proposed driveway access, in accordance with the Tasmanian Standard Drawings.

3. Location of vegetation and landscaping, including the removal of the obsolete gravel ramp.
4. Details of ownership of the electrical conduit and meter along with how it will be placed Dial Before You Dig.

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

Advice:

- *Once the plans have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#). The SWMP must also demonstrate how the rivulet bank and wall will be protected from inappropriate loading during construction.

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

Advice:

- *Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

HER s1

The sandstone block wall within the former garden of 18 McKellar Street must be retained in its entirety or re-used within the site to make a positive contribution to the heritage values of the site.

Documentation must be submitted and approved, prior to the commencement of work. The documentation must set out the proposed retention of the sandstone block wall within the former garden of 18 McKellar Street in its entirety or provide details of the re-use of the sandstone blocks within the site in such a way that it makes a positive contribution to the ability of the precinct to reflect its built industrial heritage.

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

Advice: Once the documents have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure that works and landscaping within Heritage Precinct Hobart Rivulet 1 do not result in the loss of historic cultural heritage values.

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

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

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

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

CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once

that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

BUILDING PERMIT

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

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

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

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.

DIAL BEFORE YOU DIG

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

Delegation: Council

8. REPORTS

8.1 Local Government (Meeting Procedures) Regulations 2015 - Review of Meeting Times File Ref: F18/136740; 13-1-2

PROCEDURAL MOTION

HARVEY

That due to the absence of the Chairman, that the matter be deferred to the next ordinary meeting of the City Planning Committee meeting scheduled for Monday 10 December 2018 for determination.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Briscoe	
Harvey	
Behrakis	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That due to the absence of the Chairman, that the matter be deferred to the next ordinary meeting of the City Planning Committee meeting scheduled for Monday 10 December 2018 for determination.

Delegation: Committee

8.2 Monthly Building Statistics - 1 October 2018 - 31 October 2018
File Ref: F18/137214

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 16 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Briscoe	
Harvey	
Behrakis	
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the information be received and noted:

The Director City Planning reports:

- A. 1. During the period 1 October 2018 to 31 October 2018, 63 permits were issued to the value of \$26,573,560 which included:
 - (i) 39 for Extensions/Alterations to Dwellings to the value of \$5,905,250;

- (ii) 11 New Dwellings to the value of \$4,466,810; and
 - (iii) 5 Major Projects:
 - a) 34 Argyle Street – New Building (Hotel - Stage 2 Structural Works) - \$7,500,000;
 - b) 191 New Town Road - Commercial Extension (Dan Murphy's) - \$4,400,000;
 - c) 324 Davey Street, South Hobart - Multiple Dwellings x 2 - \$1,500,000;
 - d) 1A Brisbane Street, Hobart - Commercial Internal Alterations (DJ Mitsubishi) - \$1,500,000;
 - e) 410 Sandy Bay Road, Sandy Bay (Wrest Point Hotel Casino) - Commercial Internal Alterations - \$1,200,000;
2. During the period 1 October 2017 to 31 October 2017, 61 permits were issued to the value of \$13,403,272 which included:
- (i) 9 Extensions/Alterations to Dwellings to the value of \$6,117,600;
 - (ii) 15 New Dwellings to the value of \$3,453,300; and
 - (iii) 3 Major Projects:
 - a) 90 Davey Street, Hobart - Office Fit Out (Department of Health and Human Services) \$3,209,600;
 - b) 48 Liverpool Street, Hobart - Alterations (RHH Emergency Department) \$1,054,000;
 - c) 4 Lefroy Street, North Hobart - Multiple Dwellings x 4 - \$1,000,000;
- B. 1. In the twelve months ending 31 October 2018, 676 permits were issued to the value of \$513,478,304; and
2. In the twelve months ending 31 October 2017, 708 permits were issued to the value of \$238,404,393.

Delegation: Council

8.3 City Planning - Advertising Report
File Ref: F18/138264

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 20 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Briscoe		
Harvey		
Behrakis		
Lord Mayor Reynolds		

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'City Planning – Advertising Report' of 20 November 2018 be received and noted.

Delegation: Committee

8.4 Delegated Decisions Report (Planning)
File Ref: F18/138288

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 20 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Briscoe		
Harvey		
Behrakis		
Lord Mayor Reynolds		

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 20 November 2018 be received and noted.

Delegation: Committee

9. COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report File Ref: F18/138571

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Denison		
Briscoe		
Harvey		
Behrakis		
Lord Mayor Reynolds		

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Briscoe - Licenced Premises in Salamanca File Ref: 13-1-10

Question: Could the Director please confirm how many premises in the vicinity of Salamanca Place are currently licenced?

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

11. CLOSED PORTION OF THE MEETING

HARVEY

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

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

The following items were discussed:-

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

Delegation: Committee

SUPPLEMENTARY ITEMS

Alderman Behrakis declared an interest in supplementary items 12 and 13, left the meeting at 6:49 pm and returned at 7:24 pm.

HARVEY

That Councillor Dutta be co-opted for supplementary items 12 and 13.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Briscoe
Harvey
Lord Mayor Reynolds

APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

Mr Joe Zucco of Bub Banc Group Pty Ltd (Applicant) and Mr Ian Vaughan addressed the Committee in relation to supplementary item 12.

12. 47 - 51 Salamanca Place, Battery Point - Change of Operating Hours PLN-18-754 - File Ref: F18/139597

BRISCOE

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 20 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Denison
Briscoe
Harvey

NOES

Lord Mayor Reynolds
Dutta

COMMITTEE RESOLUTION:

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for change of operating hours at 47-51 Salamanca Place, Battery Point for the reasons outlined in the officer's report attached to supplementary item 12 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-754 - 47-51 SALAMANCA PLACE BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

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.

NOISE REGULATIONS

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

FEES AND CHARGES

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

Delegation: Council

Mr Ian Vaughan addressed the Committee in relation to supplementary item 13 on behalf of the Applicant.

**13. 47 - 51 Salamanca Place, Battery Point - Change of Operating Hours
PLN-18-755 - File Ref: F18/139959**

BRISCOE

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 20 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Briscoe
Harvey
Lord Mayor Reynolds
Dutta

COMMITTEE RESOLUTION:

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for change of operating hours at 47-51 Salamanca Place, Battery Point for the reasons outlined in the officer's report, attached to supplementary item 13 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-755 - 47-51 SALAMANCA PLACE BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

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.

NOISE REGULATIONS

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

FEES AND CHARGES

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

Delegation: Council

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Jane Addison and Mr Matthew Brennan (Representors) addressed the Committee in relation to supplementary item 14.

Ms Jen Welsh – Planner at Ireneinc & Smith Street Studio Planning and Urban Design and Mr Hanz Lee of JAWS Architects addressed the Committee on behalf of the Applicant.

**14. 34 Church Street (CT173355/1) and 34 Church Street (CT173355/2), North Hobart - Multiple Dwellings
PLN-18-407 - File Ref: F18/139527**

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 15 November 2018, be adopted, as amended by the following:

1. The addition of clause HER 17 to read as follows:

“HER 17

The palette of exterior colours and materials must reflect the palette of materials within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved by the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Reason for condition

To ensure that development is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.”

2. The addition of Part B to read as follows:

“PART B

That shadow diagrams of the September/March equinox be provided by the Applicant to be distributed under separate cover to Aldermen and Councillors prior to the ordinary Council meeting scheduled for 3 December 2018, demonstrating the impact of the overshadowing to the courtyard located at 16 Church Street, North Hobart.”

MOTION CARRIED

VOTING RECORD

AYES

Denison
Briscoe
Harvey
Behrakis
Lord Mayor Reynolds

NOES

COMMITTEE RESOLUTION:

PART A

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for multiple dwellings at 34 Church Street (CT173355/1 and CT173355/2), NORTH HOBART for the reasons outlined in the officer’s report, attached to supplementary item 14 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-407 - 34 CHURCH STREET (CT173355/1 and CT173355/2) NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01054-HCC dated 05 July 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5638 dated 17 August 2018, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Reason for condition

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

ENG 3a

The driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004.

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.

Reason for condition

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

ENG 5

The number of parking spaces approved on the site is:

- Lot 1 (28 Church Street): four (4) user class 1A car parking spaces, one for each dwelling.
- Lot 1 (28 Church Street): two (2) motorcycle parking spaces
- Lot 1 (28 Church Street): four (4) bicycle parking spaces (designed to Australian Standard AS/NZS 2890.3:2015 Class C), one for each dwelling.
- Lot 2 (32 Church Street): three (3) user class 1A car parking spaces, minimum one for each dwelling.
- Lot 2 (32 Church Street): two (2) bicycle parking spaces (designed to Australian Standard AS/NZS 2890.3:2015 Class C), one for each dwelling.

All parking spaces on Lot 2 (32 Church Street) must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to first occupation.

Advice: On-street residential parking permits are unlikely to be approved by Council for this development.

Reason for condition

To ensure the provision of parking for the use is safe and efficient, and that the deficiency of parking is distributed across all dwellings.

ENG 8

The use of the car parking spaces is restricted to User Class 1A (residential parking) in accordance with Australian Standards AS/NZS2890.1 2004 Table 1.1.

A sign in accordance with Australian Standards AS/NZS1742.11:2016, must be erected at the entry of the parking accesses (both Lot 1 and Lot 2) to indicate the parking area is for residents only prior to first occupation.

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENG 13

The front fencing/wall (including any gate and screening vegetation) at both Lot 1 (28 Church Street) and Lot 2 (32 Church Street) must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Adequate sight distance between user vehicles, cyclists and pedestrians may be achieved by one of the following methods:

- Compliance with Australian/NZ Standard, Parking facilities Part 1: Off-street car parking AS/NZS 2890.1: 2004 Fig 3.3, or
- The front fencing/wall and screening vegetation to be maintained at less than 1.2m in height for a distance 2.0m either side of the access driveway.

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

Advice:

- *A very slight chamfer to the study wall on Unit 2 Lot 2 (32 Church Street) would allow the second car parking space to be able to turn around on site. This would increase the amenity, ease of use and sight distance for exiting vehicles.*

Reason for condition

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

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

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

Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

HER 11

The existing sandstone walling fronting Church Street must be retained.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the retention of the sandstone walling in accordance with the above requirement.

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

Reason for condition

To ensure that development within a heritage precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 17

The palette of exterior colours and materials must reflect the palette of materials within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved by the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Reason for condition

To ensure that development is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

BUILDING OVER AN EASEMENT

In order to build within an easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

STORM WATER

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

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

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.

PART B

That shadow diagrams of the September/March equinox be provided by the Applicant to be distributed under separate cover to Aldermen and Councillors prior to the ordinary Council meeting scheduled for 3 December 2018, demonstrating the impact of the overshadowing to the courtyard located at 16 Church Street, North Hobart.

Delegation: Council

Ms Jen Welsh – Planner at Ireneinc & Smith Street Studio Planning and Urban Design and Mr John Button of HBV Architecture addressed the Committee in relation to supplementary item 15 on behalf of the Applicant.

**15. 111 - 115 Macquarie Street, Hobart - Partial Demolition, Alterations, Extension and Partial Change of Use to Food Services and Hotel Industry and Signage
PLN-18-361 - File Ref: F18/139605**

HARVEY

That the recommendation contained in the report of the Senior Statutory Planner and the Manager Development Appraisal of 14 November 2018, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Harvey	Denison
Lord Mayor Reynolds	Briscoe
	Behrakis

BRISCOE

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and partial change of use to food services and hotel industry and signage at 111-115 Macquarie Street, Hobart for the reason that the siting, bulk and design of the development will not significantly impact on the townscape of the surrounding area and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-361 - 111-115 MACQUARIE 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 2018/00971-HCC dated 03/09/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

No signage is approved by this permit. Any signage requiring planning approval must be the subject of a further and separate planning application.

Reason for condition

To clarify the scope of the permit.

PLN 6

The hours of operation for the Hotel Industry (Sky Bar) must be within 7.00am to 12.00am.

Advice: Hours of operation are defined as the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing for business.

Reason for condition

To clarify the scope of the permit, in accordance with the applicant's stated intentions, and to ensure that impacts on the amenity of surrounding areas resulting from late night operation of hotel industry uses are kept to a minimum.

ENG 1

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

HER 11

The proposed cladding of the facade to the proposed plant room and parapet as shown on drawings Elevations 01 (drawing A11), 02 (drawing A12) and 03 (drawing A13), all dated Nov 17 must match the existing panels exactly in colour and material.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved, in accordance with the above requirement to the satisfaction of the Council's Director City Planning.

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

Reason for condition

To ensure that development at a heritage precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

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

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

THE COPYRIGHT ACT

Please note your obligations under the *Copyright Act 1968*, which requires that anyone who wishes to alter or demolish a building (where the architect or designer is still alive or who died less than 50 years ago) must provide the architect or designer (or their representative) a written notice, advising of their intention to alter or demolish the building, and must provide an opportunity for the architect or designer to access the building, to make a record of the work, and to consult with the owner about the proposed alteration / demolition. The architect / designer may (within 3 weeks) seek access to the building, and may (within a further period of 3 weeks) be given reasonable access to the building for these purposes.

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). [Click here for more information.](#)

You may require a road closure permit for construction or special event. [Click here for more information.](#)

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. [Click here for more information.](#)

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

MOTION CARRIED

VOTING RECORD

AYES

Denison
Briscoe
Behrakis

NOES

Harvey
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and partial change of use to food services and hotel industry and signage at 111-115 Macquarie Street, Hobart for the reason that the siting, bulk and design of the development will not significantly impact on the townscape of the surrounding area and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-361 - 111-115 MACQUARIE 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 2018/00971-HCC dated 03/09/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

No signage is approved by this permit. Any signage requiring planning approval must be the subject of a further and separate planning application.

Reason for condition

To clarify the scope of the permit.

PLN 6

The hours of operation for the Hotel Industry (Sky Bar) must be within 7.00am to 12.00am.

Advice: Hours of operation are defined as the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing for business.

Reason for condition

To clarify the scope of the permit, in accordance with the applicant's stated intentions, and to ensure that impacts on the amenity of surrounding areas resulting from late night operation of hotel industry uses are kept to a minimum.

ENG 1

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

HER 11

The proposed cladding of the facade to the proposed plant room and parapet as shown on drawings Elevations 01 (drawing A11), 02 (drawing A12) and 03 (drawing A13), all dated Nov 17 must match the existing panels exactly in colour and material.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved, in accordance with the above requirement to the satisfaction of the Council's Director City Planning.

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

Reason for condition

To ensure that development at a heritage precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

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

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

THE COPYRIGHT ACT

Please note your obligations under the *Copyright Act 1968*, which requires that anyone who wishes to alter or demolish a building (where the architect or designer is still alive or who died less than 50 years ago) must provide the architect or designer (or their representative) a written notice, advising of their intention to alter or demolish the building, and must provide an opportunity for the architect or designer to access the building, to make a record of the work, and to consult with the owner about the proposed alteration / demolition. The architect / designer may (within 3 weeks) seek access to the building, and may (within a further period of 3 weeks) be given reasonable access to the building for these purposes.

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). [Click here for more information.](#)

You may require a road closure permit for construction or special event. [Click here for more information.](#)

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. [Click here for more information.](#)

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

16. 29 Zomay Avenue, Dynnryne And Adjacent Road Reserve - Dwelling PLN-18-658 - File Ref: F18/139935

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Briscoe
Harvey
Behrakis
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling at 29 Zomay Avenue Dynnyrne TAS 7005 and adjacent road reserve for the reasons outlined in the officer's report, attached to supplementary item 16 of the Open City Planning Committee agenda of 26 November 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-658 - 29 ZOMAY AVENUE AND ADJACENT ROAD RESERVE DYNNYRNE TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Reason for condition

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

ENG sw4

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

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

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

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*
- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

- *The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*

- *Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.*

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

Advice:

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*
- *If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENG 2c

Prior to the first occupation or commencement of use (whichever occurs first), vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice: Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG 3a

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

Advice: It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation or commencement of use (whichever occurs first).

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENGR 3

Prior to the commencement of use, the proposed driveway crossover to the Zomay Avenue highway reservation must be designed and constructed in generally accordance with:

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

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property

2. Detail any services or infrastructure (ie stormwater connections or vehicle barrier) at or near the proposed driveway crossover, including if these will be removed and how area will be reinstated / rehabilitated.
3. Be designed for the expected vehicle loadings including the requirement for vehicular barriers. A structural certificate for vehicular barriers will be required.
4. If the design deviates from the requirements of the TSD, demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the underside of the vehicle.
5. 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:

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve such as new driveway crossover or stormwater connection). Click [here](#) for more information.

NEW SERVICE CONNECTION

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

STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Hydraulic Services By law. 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.

CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

STORM WATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT standard drawings. Click [here](#) for more information.

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

Item 7.1.2 was then taken.

SUPPLEMENTARY REPORT

Mr Leigh Carmichael – Creative Director of MONA and Ms Mary Massina – Chief Executive Officer of the Macquarie Point Development Corporation, together with Mr Frazer Read – Principal of All Urban Planning addressed the Committee in relation to supplementary item 17.

17. Macquarie Point Development Corporation Bill 2018 and Site Development Plan
File Ref: F18/139875

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 22 November 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Harvey
Behrakis
Lord Mayor Reynolds
Dutta

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

Item 7 was then taken.

There being no further business the open portion of the meeting closed at 8:45 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
10TH DAY OF DECEMBER 2018.

CHAIRMAN