



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 29 April 2019 at 5:01 pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 29 April 2019 at 5:01 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

PRESENT: The Deputy Lord Mayor
Councillor H Burnet, Aldermen
J R Briscoe, T M Denison, Councillor
W F Harvey, Alderman S Behrakis and
Councillor M Dutta.

Alderman Behrakis retired from the
meeting at 7:45 pm and was not
present for items 7.1.3, 7.1.5 to 10.

Councillor Dutta was co-opted to the
Committee for items 7.1.3, 7.1.5 to 10.

APOLOGIES: Nil.

Councillor Dutta left the meeting at
7:04 pm and returned at 7:10 pm.

LEAVE OF ABSENCE: Nil.

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 8 April 2019](#) and the Special City Planning Committee meeting held on [Monday, 15 April 2019](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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.

BRISCOE

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

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

NOES

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 HOBART INTERIM PLANNING SCHEME 2015

Mr Mark and Ms Merryn O'Brien, Ms Jane Wilson, Mr Dorian Jakszewicz and Ms Heather Bindoff (Representors) addressed the Committee in relation to item 7.1.1.

Mr Nathan Gray (Applicant) together with Mr Frazer Read – Principal of All Urban Planning addressed the Committee in relation to item 7.1.1 on behalf of the Applicant.

7.1.1 720 Sandy Bay Road and 718A Sandy Bay Road, Sandy Bay - Demolition and Two Multiple Dwellings **File Ref: F19/44102**

DENISON

That Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for demolition and multiple dwellings at 720 Sandy Bay Road and 718A Sandy Bay Road, Sandy Bay for the following reasons:

1. The proposal does not meet performance criteria with respect to clause 12.4.2 P3 of the Hobart Interim Planning Scheme 2015 because the proposal will cause unreasonable loss of amenity by:
 - (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;
 - (ii) Overshadowing of the private open space of a dwelling on an adjoining lot; and
 - (iii) Visual impacts caused by the apparent scale, bulk and proportions of the dwellings when viewed from an adjoining lot.

PROCEDURAL MOTION

BEHRAKIS

That the item be deferred to a subsequent City Planning Committee meeting for the purposes of seeking further advice to ascertain if a reduction in the ceiling heights of the proposed dwelling at 720A Sandy Bay Road would reduce the impact of overshadowing upon the neighbouring property to the south.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That the item be deferred to a subsequent City Planning Committee meeting for the purposes of seeking further advice to ascertain if a reduction in the ceiling heights of the proposed dwelling at 720A Sandy Bay Road would reduce the impact of overshadowing upon the neighbouring property to the south.

Attachment

A. Deputation Supporting Information - Mr Frazer Read of All Urban Planning



Delegation: Committee

BEHRAKIS

That the meeting be adjourned for a comfort break.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

The meeting was adjourned at 7:04 pm for a comfort break.

The meeting reconvened at 7:07 pm and item 7.1.2 was then taken. Dr Rob Gasperini (Representor) addressed the Committee in relation to item 7.1.2.

**7.1.2 23 Quayle Street, Sandy Bay and 1 A Crelin Street, Battery Point - Partial Demolition, Multiple Dwellings (One Existing, Four New) and Front Fencing
PLN-18-789 - File Ref: F19/43973**

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 12 April 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Harvey
Briscoe	
Denison	
Behrakis	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, multiple dwellings (one existing, four new) and front fencing at 23 Quayle Street Sandy Bay and 1A Crelin Street Battery Point for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 29 April 2019 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-789 - 23 QUAYLE STREET SANDY BAY & 1A CRELIN STREET BATTERY POINT TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Amended Submission to Planning Authority Notice,

Reference No. TWDA 2018/01810-HCC dated 19 March 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The roof colour must be of a mid to darker tone so as not cause a glare problem to neighbours. Prior to the commencement of work, details of the proposed roof colour in accordance with this condition must be lodged with the Council.

Reason for condition

To protect the amenity of neighbouring properties.

ENG sw1

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

Reason for condition

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

ENG sw2.1

A pre CCTV video of the Council stormwater main within the subject site must be undertaken and submitted to Council prior to the commencement of work.

The post construction CCTV 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 pre construction CCTV video of the Council's infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post CCTV video of the Council stormwater main within the subject site must be undertaken and submitted to the Council on completion of all work.

The post construction CCTV 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 pre construction CCTV video of the Council's infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw4

The development must be drained to Council infrastructure taking into account the limited receiving capacity of Council's infrastructure. Any new stormwater connection(s) required must be constructed, and existing redundant connections must be sealed, by the Council at the owner's expense prior to issue of a Certificate of Completion or first occupation, whichever comes first.

Detailed design drawings showing both existing and proposed services and calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*.

The detailed design drawings must include:

1. The location of the proposed connections and all existing connections;

2. The size and design of the connection(s) such that they are appropriate to safely service the development given the limited receiving capacity of Council infrastructure;
3. Long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure;
4. Clearly distinguish between public and private infrastructure; and
5. Be checked and certified by a qualified and experienced engineer.

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

Advice:

- *Once the detailed design drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to initiate an application for service connection.*
- *Any proposed public stormwater infrastructure will require detailed engineering drawings, which must be checked and certified by a qualified and experienced Civil Engineer.*
- *Consideration must be given to the location of stormwater connections: these should be positioned at the most practicable location to adequately and economically drain the majority of the lot including the driveway.*

Reason for condition

To ensure the site is drained adequately.

ENG sw6

The new stormwater infrastructure must be constructed prior to issue of a completion certificate or first occupation, whichever comes first.

Engineering design drawings must be submitted and approved, prior to issue of any consent under the *Building Act 2016*.

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, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings;
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment;
4. Clearly distinguish between public and private infrastructure;
5. Be substantially in accordance with the LGAT drawings; and
6. Provide a construction management plan clearly defining the process of the removal, reinstatement and protection of the new main, this should include but not be limited to: construction methodology, risk assessment, mitigation measures and proposal of how the construction company intends to keep existing services live during construction.

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

Advice:

- *Once the engineered drawings has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to obtain a Permit to Construct Public Infrastructure.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion.

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

1. Be prepared by a suitably qualified engineer;
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal;
3. Include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events. All assumptions must be clearly stated;
4. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism;
5. Provide clarification of the emptying times and outlet size; and
6. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

- *Once the stormwater management report and design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

- *Contaminant removal targets should align with the State Stormwater Strategy Guidelines.*

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, to comply with relevant State legislation, and to ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

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 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Gandy and Roberts Consulting Engineers design drawings received by the Council on the 6th March 2019.

Prior to the first occupation, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

- *Certification may be submitted to 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 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 car parking spaces approved on the site for use is six (6).

Advice:

- *Please note that the residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on- street.*

Reason for condition

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

ENG 8

The use of car parking space 2 as shown on the design drawings received by the Council on the 8th February 2019 is restricted to Visitor Parking Only.

A sign, approved by council, and in accordance with Australian Standards AS/NZS1742.11:2016, must be erected within the car parking module to indicate the car parking space is for Visitor Parking Only prior to first occupation.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG 13

Any fencing and enclosures within 3 metres of the frontage must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Amended drawings must be submitted and approved, prior to the commencement of work. The amended drawings must show fences and enclosures within 3 metres of the frontage less than or equal to 1.2m in height in order to provide adequate sight distance between user vehicles, cyclists and pedestrians.

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

Advice:

- *The applicant may submit amended drawings to satisfy this condition as either part of a Building Application, or alternatively 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]).*
- *Failure to address condition requirements prior to submitting for building approval may result in unexpected delays.*

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 17

The colouration of exterior materials must be recessive, and cladding must reflect the palette of materials within the local streetscape and precinct with particular emphasis on the use of timber cladding in visual locations.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved 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 at a heritage place and precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

ADVICE

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

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

CONDITION ENDORSEMENT 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 for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). 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.

BUILDING OVER AN EASEMENT

In order to build over an existing drain or within one metre from the edge of an existing drain, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 73 and 74 of the *Building Act 2016*.

Section 73 of the *Building Act 2016* requires that a person must not perform any building work over an existing drain or within one metre from the edge of an existing drain measured horizontally, unless the owner of the building obtains written consent from the general manager of the council for the municipal area where the work is performed.

Section 74 of the *Building Act 2016* requires that a person must not perform any building work over or within a service easement unless the person obtains written consent to do so from the person on whose behalf the service easement was created.

RESIDENTIAL PARKING PERMITS

Residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on-street.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

RIGHT OF WAY

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

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

RESIDENTIAL PARKING PERMITS

The residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on-street.

Delegation: Council

Item 7.1.4 was then taken.

HARVEY

That Councillor Dutta be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey

NOES

**7.1.3 Runnymede Street, Battery Point and Road Reserve - Tree
Removal and Replacement
PLN-19-122 - File Ref: F19/42376**

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 8 April 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Dutta

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for tree removal and replacement at Runnymede Street, BATTERY POINT & road reserve for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 29 April 2019 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-122 - RUNNYMEDE STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

OPS s1

Within 90 days of the dead tree being removed, another tree of the same species must be planted in the same area, to the satisfaction of the Director City Amenity.

Reason for condition

To maintain the amenity of Arthur Circus Park.

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.

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.

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

Delegation: Council

Item 7.1.5 was then taken.

Mr Carl Jackson (Applicant) addressed the Committee in relation to item 7.1.4.

**7.1.4 170 - 174 New Town Road, New Town - Signage (Re - Advertised)
PLN-18-861 - File Ref: F19/42636**

PROCEDURAL MOTION

BRISCOE

That the item be deferred to enable further discussions between Council Officers, the Tasmanian Heritage Council and the Applicant, regarding the potential acceptability of an alternative proposal involving fewer signs of amended colouration and design.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Behrakis

COMMITTEE RESOLUTION:

That the item be deferred to enable further discussions between Council Officers, the Tasmanian Heritage Council and the Applicant, regarding the potential acceptability of an alternative proposal involving fewer signs of amended colouration and design.

Delegation: Committee

Item 7.1.3 was then taken.

**7.1.5 Elizabeth Street, Hobart and Road Reserve - Partial Demolition,
Alterations, New Bus Shelters, Street Trees, Lighting, Street
Furniture and Associated Works
PLN-18-882 - File Ref: F19/44573**

HARVEY

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 16 April 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Denison
Harvey
Dutta

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, new bus shelters, street trees, lighting, street furniture and associated works at Elizabeth Street and Road Reserve (also known as Elizabeth Street Bus Mall) for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 29 April 2019 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise DA-19-12574 PLN-18-882 - ELIZABETH STREET ROAD RESERVE (BUS MALL) 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 2018/02014-HCC dated 14/12/2018 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 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 1

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

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

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

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

Reason for condition

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

HER 6

All onsite excavation and disturbance below 0.8m in depth must be monitored by a qualified archaeologist. Should any features or deposits of an archaeological nature be discovered on the site during any excavation or disturbance:

1. All excavation and/or disturbance must stop immediately;
2. A qualified archaeologist if not already on site must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance;
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full;
4. All features and/or deposits discovered must be reported to the Council with 3 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 2 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.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

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.

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

STORMWATER

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.

STRUCTURES CLOSE TO COUNCIL'S STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division.

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.

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 Council.

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

Delegation: Council

8. REPORTS

8.1 COP24 - Katowice Poland - 4 to 14 December 2018 File Ref: F19/46825

HARVEY

That the recommendation contained in the report of the Acting General Manager of 24 April 2019, be adopted, as amended by the following:

1. An additional clause to read as follows:
 - “2. A media release communicating the outcomes as outlined in Councillor Harvey’s report titled ‘COP24 Katowice Poland – 4 to 14 December 2018’ dated 11 April 2019 be issued at the appropriate time.”
2. Councillor Harvey’s report titled ‘COP24 Katowice Poland – 4 to 14 December 2018’ dated 11 April 2019, section titled ‘Outcomes’ be amended with the addition of the following dot point:
 - “• Council officers continue to mentor smaller regional councils located in the south of Tasmania with the development of appropriate climate change initiatives.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Denison
Briscoe	
Harvey	
Dutta	

COMMITTEE RESOLUTION:

- That: 1. The information contained in the report, as amended, titled *COP24 Katowice Poland – 4 to 14 December 2018* dated 11 April 2019 and marked as Attachment A to item 8.1 of the Open City Planning Committee meeting minutes of 29 April 2019, be received and noted.
2. A media release communicating the outcomes as outlined in Councillor Harvey’s report titled *COP24 Katowice Poland – 4 to 14 December 2018* dated 11 April 2019, be issued at the appropriate time.

Attachment

- A. COP24 Katowice Poland - 4 to 14 December 2018 - Amended Version ⇔



Delegation: Council

8.2 City Planning - Advertising Report
File Ref: F19/46261

BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 24 April 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Dutta	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'City Planning - Advertising Report' of 24 April 2019 be received and noted.

Delegation: Committee

8.3 Delegated Decisions Report (Planning)
File Ref: F19/46310

DUTTA

That the recommendation contained in the memorandum of the Director City Planning of 24 April 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Dutta	

COMMITTEE RESOLUTION:

That the information contained in the memorandum titled 'Delegated Decisions Report (Planning)' of 24 April 2019 be received and noted.

Delegation: Committee

9. QUESTIONS WITHOUT NOTICE

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

9.1 Alderman Briscoe - Advertising Signage File Ref: 13-1-10

Question: Could the Director please advise if it is an offence to remove the statutory signage required to be placed on sites during the public notification period of discretionary planning applications, and whether that signage incorporates wording advising the public to that effect?

Answer: The Director City Planning advised that it is an offence to remove the statutory signage required to be placed on sites during the public notification period of discretionary planning applications, and that appropriate wording advising the public to that effect will be incorporated on that signage going forward.

10. CLOSED PORTION OF THE MEETING

DENISON

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

- To confirm the Closed Minutes; and
- Questions Without Notice in the Closed Portion.

The following items were discussed:-

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Dutta	

Delegation: Committee

The Chairman adjourned the meeting at 7:04 pm for a comfort break.

The meeting was reconvened at 7:07 pm.

Item 7.1.2 was then taken.

There being no further business the open portion of the meeting closed at 8:02 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
13TH DAY OF MAY 2019.

CHAIRMAN