



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 16 January 2017

ORDER OF BUSINESS

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Minutes of the City Planning Committee Meeting (Open Portion) held on Monday, 16 January 2017 at 5.00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Briscoe (Chairman)
Ruzicka
Burnet
Denison

APOLOGIES: Nil

LEAVE OF ABSENCE: Nil

PRESENT:

Alderman J R Briscoe (Chairman),
Aldermen E R Ruzicka, H C Burnet,
T M Denison and W F Harvey.

ALDERMEN

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

Alderman Ruzicka retired at 5.27 pm
after declaring an interest in item 7.2.3
and returned at 5.28 pm.

Alderman Harvey was co-opted to the
Committee.

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

BURNET

That Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison

2. CONFIRMATION OF MINUTES

DENISON

That the minutes of the Open Portion of the City Planning Committee meeting held on 12 December 2016, and a Special City Planning Committee meeting held on 19 December 2016, be confirmed as accurate records.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RUZICKA

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

The following interest was indicated:

1. Alderman Ruzicka - item 7.2.3.

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.

RUZICKA

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

Item 7.2.1 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

7.1.1 Salamanca Square, Battery Point - Public Art PLN-16-1203 - File Ref: F16/143912

RUZICKA

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 29 December 2016, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for public art at Salamanca Square, Battery Point for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 16 January 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1203 Salamanca Square, 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 www.hobartcity.com.au for further information.

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

BUILDING PERMIT

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

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

Delegation: Council

7.1.2 Salamanca Place, Battery Point - Road Works PLN-16-1170 - File Ref: F17/1469

HARVEY

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 4 January 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for road Works at Salamanca Place, 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 16 January 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1170 - Salamanca Place Battery Point TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/01659-HCC dated 17 November 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

HER s1

Any unexpected archaeological finds must be assessed by an historical archaeologist for significance and managed in accordance with the Tasmanian Heritage Council's Practice Note 2.

Reason for condition

To ensure archaeological material is identified and assessed within an area

of archaeological sensitivity.

HER s2

Any excavations which exceed 500mm in depth in the orange area shown on page 34 of the Praxis Environment report must be monitored by an historical archaeologist, assessed for significance and managed in accordance with the Tasmanian Heritage Council's Practice Note 2.

Reason for condition

To ensure archaeological material is identified, assessed and managed within an area of archaeological sensitivity.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Spec

[ial_Even ts_in_the_Road_Reservation.](#)

Occupational licence for use of Hobart City Council highway reservation.

[http://www.hobartcity.com.au/Environment/Occupational_Licence.](http://www.hobartcity.com.au/Environment/Occupational_Licence)

Road closure permits for construction or special event.

http://www.hobartcity.com.au/Transport/Permits/Application_Forms_-_Constr
[uction_Activities_Special_Events_in_the_Road_Reservation.](#)

Permit to Open Up and Temporarily Occupy a Highway.

http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Stre
[et_Cleaning/Roads_and_Footpaths.](#)

TEMPORARY PARKING PERMITS

Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones.

[http://www.hobartcity.com.au/Transport/Permits/Parking_Permits.](http://www.hobartcity.com.au/Transport/Permits/Parking_Permits)

STORM WATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT- – standard drawings.

http://www.hobartcity.com.au/Development/Engineering_Standards_and_Gui
[delines.](#)

WASTE DISPOSAL - TOP TEN TIPS

[http://www.hobartcity.com.au/Environment/Recycling_and_Waste.](http://www.hobartcity.com.au/Environment/Recycling_and_Waste)

FEES AND CHARGES

[http://www.hobartcity.com.au/Council/Fees_and_Charges.](http://www.hobartcity.com.au/Council/Fees_and_Charges)

DIAL BEFORE YOU DIG

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

Delegation: Council

Item 7.2.3 was then taken.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 Hobart Interim Planning Scheme 2015 - Planning Scheme Amendment 7/2016 and S43A Permit Application - 4 Lefroy Street, North Hobart - Consideration of Representations File Ref: F16/135470

BURNET

That the recommendation contained in the report of the Manager Planning Policy and Heritage of 9 January 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Ruzicka
Burnet
Denison
Harvey

NOES

COMMITTEE RESOLUTION:

- That: 1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report attached to item 7.2.1 of the Open City Planning Committee agenda of 16 January 2017, as the formal statement of its opinion as to the merit of the representation received during the exhibition of the draft 7/2016 amendment and S43A permit.
2. Pursuant to Section 39 (2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the 7/2016 Amendment to the Hobart Interim Planning Scheme 2015 and combined S43A permit, be approved as certified.

Delegation: Council

Item 7.2.2 was then taken.

Ms Joy Marat (representor) addressed the Committee in relation to item 7.2.2.

Mr Daniel Lane and Mr Benn Turner addressed the Committee in relation to item 7.2.2, on behalf of the applicant.

**7.2.2 362 Liverpool Street, West Hobart Adjacent Road Reserve -
Dwelling
PLN-16-1123 - File Ref: F17/1159**

BURNET

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 6 January 2017, be adopted, with the addition of the following new conditions:

PLN s1

The overall height of the dwelling, excluding car port, must be reduced by 0.710m. Prior to the issue of any building consent under the *Building Act 2016* revised plans must be submitted and approved in compliance with this requirement.

Reason for condition

To clarify the scope of the permit, to accord with the stated intent of the applicant, and to meet the requirements of Tasnetworks.

PLN s2

The lower deck must be setback from the eastern boundary (shared with 360 Liverpool Street) a minimum of 1.5m. Prior to the issue of any building consent under the *Building Act 2016* revised plans must be submitted and approved in compliance with this requirement.

Reason for condition

To clarify the scope of the permit, to accord with the stated intent of the applicant, and to allow for adequate onsite drainage.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling at 362 Liverpool Street and adjacent Road Reserve, West Hobart for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 16 January 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1123 362 Liverpool Street West Hobart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/01586-HCC dated 28 October 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

Prior to first occupation, screening with no more than 25% transparency must be installed and maintained along the eastern edges of the lower

and upper level decks (adjacent to the side boundary with 360 Liverpool Street) to a height of 1.7m above the finished floor level of each deck.

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

PLN s1

The overall height of the dwelling, excluding car port, must be reduced by 0.710m. Prior to the issue of any building consent under the *Building Act 2016* revised plans must be submitted and approved in compliance with this requirement.

Reason for condition

To clarify the scope of the permit, to accord with the stated intent of the applicant, and to meet the requirements of Tasnetworks.

PLN s2

The lower deck must be setback from the eastern boundary (shared with 360 Liverpool Street) a minimum of 1.5m. Prior to the issue of any building consent under the *Building Act 2016* revised plans must be submitted and approved in compliance with this requirement.

Reason for condition

To clarify the scope of the permit, to accord with the stated intent of the applicant, and to allow for adequate onsite drainage.

ENG sw4

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

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

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

3. Include the material of the proposed stormwater connection;
4. Identify the interface between Council and private stormwater infrastructure; and
5. Show the location of Taswater Water Mains and the clearance between stormwater connection and water mains.

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

Advice:

Once the engineered drawing 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 Infrastructure Unit to initiate an application for service connection.

Reason for condition

To ensure the site is drained adequately.

ENG 2

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

A certified vehicle crash barrier design, prepared by a suitably qualified Engineer, to satisfy the above requirements, must be submitted and approved by Council prior to the issuing of any permit under the *Building Act 2000*. All works, required by this condition must be undertaken in accordance with certified design.

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

Advice:

- *If vehicle safety barriers are not required due to a drop of less than*

600mm, the designers should make this clear on the drawings to help avoid unnecessary delays in building approval.

- *If wheelstops (i.e kerb 90 to 110mm high) are not required due to a drop of less than 150mm, the designers should make this clear on the drawings to help avoid unnecessary delays in building approval.*
- *Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required:
<http://www.abcb.gov.au/Resources/NCC>.*
- *Council do not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3*

Reason for condition

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

ENG 14

The driveway access must be constructed in accordance with certified driveway detailed design drawings, prior to the first occupation.

The driveway access design must be submitted and approved by Council, prior to the issuing of any permit under the *Building Act 2000*.

The driveway access design must:

- Be prepared and certified by a suitably qualified engineer that the design is in accordance with the Australian Standard AS/NZS 2890.1:2004 (including the requirement for retaining walls, and vehicular safety barriers), or that the design provides for a safe and efficient access.
- Show dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.
- Detail how the driveway access will transition into the road pavement Demonstrate that a B85 vehicle (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside.

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

Prior to the issuing of any Completion Certificate under the *Building Act 2000*, documents signed by a suitably qualified engineer, certifying the driveway / parking area / manoeuvring area has been constructed in accordance with the certified design drawings must be lodged with the Council.

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

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENG r1

The excavation, retaining walls and construction of the driveway and steps within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the retaining walls for the driveway and details of the construction of the steps within Liverpool Street highway reservation must be submitted and approved, prior to the commencement of work and must:

- Be prepared and certified by a suitable qualified person and experienced engineer;
- Not undermine the stability of the highway reservation;
- Take into account and reference accordingly any Geotechnical findings;
- Detail the design and location of the steps in accordance with TSD-R34-v1; and
- The structure certificated should note accordingly the above.

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

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

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENV 2

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

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

The SWMP must be prepared in accordance with the [Soil and Water Management on Building and Construction Sites fact sheets](#) (Derwent Estuary Program, 2008).

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

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

Reason for condition

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

OPS s1

The applicant must bear all costs associated with the removal and replacement of the tree located in the road reserve marked for removal on Plan A00-00.

Advice:

The removal and replacement of the tree will be facilitated by Council's Program Leader Arboriculture and Nursery. Contact the Parks and City Amenity Division on (03) 6238 2886 prior to commencement of development works. The TasNetworks power lines located in close proximity to the tree will need to be disconnected during the works to remove the tree. There is a minimum 12 week waiting period with TasNetworks for line disconnections. The applicant will be issued with an invoice at the completion of works.

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 www.hobartcity.com.au for further information.

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

CONDITION ENDORSEMENT

If a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition, via the Condition Endorsement Submission on Council's online e-service portal.

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

Plumbing permit under the *Tasmanian Plumbing Regulations 2014*;

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

OCCUPATION OF THE PUBLIC HIGHWAY

An occupational licence for the use of the Hobart City Council highway reservation as detailed in the development proposal plan for the steps within the Liverpool Street highway reservation, in accordance with conditions established by the Council is required. The occupation licence must be obtained and maintained for occupancy of the area of highway reservation as detailed in the development plans.

http://www.hobartcity.com.au/Environment/Occupational_Licence.

Permit to Open Up and Temporarily Occupy a Highway (for work in the

highway reservation).

[http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_S
treet_Cleaning/Roads_and_Footpaths](http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_S
treet_Cleaning/Roads_and_Footpaths).

WORK WITHIN THE HIGHWAY RESERVATION

Work within the Highway Reservation - please note development must be in accordance with the Hobart City Council's Highways By-law and Acts.

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

STORM WATER / ROADS / ACCESS

Infrastructure to be designed and constructed in accordance with the (IPWEA) LGAT— Tasmanian Standard Drawings. (TSD).

http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines.

FEES AND CHARGES

http://www.hobartcity.com.au/Council/Fees_and_Charges.

DIAL BEFORE YOU DIG

www.dialbeforeyoudig.com.au.

ELECTRONIC ACCESS

If you do not have access to the Council's electronic web page, please phone the Hobart City Council's City Planning Division on 6238 2715 for assistance.

Delegation: Council

Item 7.1.1 was then taken.

Alderman Ruzicka declared an interest in item 7.2.3 and retired.

7.2.3 1 Carriage Drive, Hobart - Partial Demolition, Alterations and Extensions
PLN-16-1229 - File Ref: F17/1513

DENISON

That the recommendation contained in the report of the Senior Statutory Planner and the Development Appraisal Planner of 4 January 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extensions at 1 Carriage Drive, Hobart for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 16 January 2017, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1229 - 1 Carriage Drive Hobart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other

legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit www.hobartcity.com.au for further information.

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

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

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](#).

WASTE DISPOSAL

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

ELECTRONIC ACCESS

If you do not have access to the Council's electronic web page, please

phone the Hobart City Council's City Planning Division on 6238 2715 for assistance.

8 REPORTS

8.1 City Planning - Advertising List File Ref: F16/133474

RUZICKA

That the recommendation contained in the report of the Director City Planning of 10 January 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.2 Delegated Decisions Report (Planning) File Ref: F17/2245

RUZICKA

That the recommendation contained in the report of the Director City Planning of 11 January 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

**8.3 Hobart City Council v Picone -10 Birngana Avenue, Sandy Bay –
Decision of the Full Court of the Supreme Court of Tasmania
File Ref: F17/3439**

DENISON

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

- That:
1. The Council write to the Minister for Planning, the Honourable Mr Peter Gutwein MP, in line with the letter marked as Attachment C to item 8.3 of the Open City Planning Committee agenda of 16 January 2017.
 2. The Council send a copy of the letter to Minister Gutwein to the Local Government Association of Tasmania (LGAT) and request that LGAT's members support the Council in pursuing the Government to amend Section 57(5) of the *Land Use Planning and Approvals Act 1993*.

Delegation: Council

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

The General Manager reports:-

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response.”

9.1 Progress of Hobart Interim Planning Scheme 2015 - Tasmanian Planning Commission
File Ref: F16/137802; 16/117

Report of the Manager Planning Policy and Heritage of 16 January 2017.

9.2 Nurses Federation Building - 180 Macquarie Street
File Ref: F16/139232; 13-1-10

Report of the Director City Planning of 16 January 2017.

9.3 Cruise Ship Emissions - EPA Update
File Ref: F16/139444; 13-1-10

Report of the Director City Planning of 16 January 2017.

9.4 Notification of Affected Parties regarding Development Application - 337 Churchill Avenue, Sandy Bay
File Ref: F17/507; 13-1-10

Report of the Director City Planning of 16 January 2017.

9.5 Wellington Park Management Trust - Report on Pinnacle Zone Amendment
File Ref: F17/539

Report of the Director City Planning of 16 January 2017.

9.6 Increase of Development Applications - PD4
File Ref: F17/558

Report of the Director City Planning of 16 January 2017.

RUZICKA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

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 - Impact of the New Building Act and Regulations **File Ref: 13-1-10**

Alderman Briscoe

What implications are there for the planning department as a result of the new rules with respect to building permits?

The Director City Planning took the question on notice.

11. CLOSED PORTION OF THE MEETING

The following items were discussed:-

- | | |
|--------------|--------------------------------------------------------------------------------------------|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Planning Authority Items – Consideration of Items with Deputations |
| Item No. 5 | Reports |
| Item No. 5.1 | Planning Notices Issued Under Land Use Planning and Approvals Act 1993
LG(MP)R 15(2)(i) |
| Item No. 6 | Responses to Questions Without Notice |
| Item No. 6.1 | Potential Purchase of Land at McKellar Street
LG(MP)R 15(2)(f) |
| Item No. 7 | Questions without notice – File Ref: 13-1-10 |

RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

The Chairman adjourned the meeting at 5.34 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 5.35 pm.

Item 11 was then taken.

There being no further business the meeting closed at 5.36 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
30TH DAY OF JANUARY 2017.

CHAIRMAN