



CITY OF HOBART

MINUTES

Special City Planning Committee Meeting

Open Portion

Monday, 18 September 2017 at 4:22 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

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- 2. COMMITTEE ACTING AS PLANNING AUTHORITY 4**
 - 2.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING
SCHEME 19974**
 - 2.1.1 1 / 63 Salamanca Place, Battery Point and adjacent Road
Reserve - Outdoor Dining4**

Special City Planning Committee Meeting (Open Portion) held on Monday, 18 September 2017 at 4:22 pm in the Lady Osborne Room.

COMMITTEE MEMBERS

Briscoe (Chairman)
Ruzicka
Burnet
Denison

ALDERMEN

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

PRESENT: Alderman J R Briscoe (Chairman), Aldermen E R Ruzicka, H C Burnet, T M Denison, the Lord Mayor Alderman S L Hickey, the Deputy Lord Mayor Alderman R G Christie, Aldermen M Zucco, P T Sexton, P S Cocker, D C Thomas and W F Harvey.

The Lord Mayor was co-opted to the Committee.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

BURNET

That the Lord Mayor be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Lord Mayor Hickey

1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

2. 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.

2.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

2.1.1 1 / 63 Salamanca Place, Battery Point and adjacent Road Reserve - Outdoor Dining PLN-17-537 - File Ref: F17/109418

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 7 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Burnet	Briscoe
Denison	Ruzicka
Lord Mayor Hickey	

COMMITTEE RESOLUTION:

Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Outdoor Dining and 63 Salamanca Place and Adjacent Road Reserve, Battery Point for the reasons outlined in the officer's report attached to item 2.1.1 of the Special Open City Planning Committee agenda of 18 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-537 - 1/63 SALAMANCA PLACE AND ADJACENT ROAD RESERVE BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 3

The umbrella structure, must be constructed in accordance with approved certified design drawings, prior to the commencement of use.

Upon completion of the works, documents signed by a suitably qualified engineer, certifying that the umbrella structure has been constructed in accordance with the approved certified design drawings, must be lodged with the Council.

Reason for condition

To ensure the safety of users.

ENG 14

Design drawings of the umbrella structure and gas connection point must be submitted and approved, prior to commencement of work.

The design drawings must:

1. Be prepared and certified by a suitable qualified engineer.
2. Show footing details of the umbrella structure including cross sections that identifies the method of connection between the umbrella structure and footing such that the umbrella structure can be detached from the footing.
3. Show that the top surface of the footing is flush with the footpath surface when the umbrella structure is detached from the footing and no objects protrude above the footpath surface.
4. Show details of the gas connection point including cross sections that

shows that the top surface of the gas connection point is flush with the footpath surface when the gas fire place is removed and no objects protrude above the footpath surface.

5. Show the extent of the removal of existing footpath pavers and details of the reinstatement of existing footpath pavers to minimise the loss of pavers.
6. Show a notation that excess footpath pavers must be returned to Council.

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

Advice:

Once the design drawings 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 the Council infrastructure is protected and the structure is provided in accordance acceptable 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 s1

The entire umbrella structure above ground level must be removed from the site and the site made good when the use of the property associated with the umbrella structure ceases. The footpath must be left in a neat and tidy condition without hazard to any highway reservation users. The works shall be undertaken at no cost to Council.

Reason for condition

To protect Council infrastructure at no cost to Council.

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

PLUMBING PERMIT

Plumbing permit 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

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.

Occupational licence for use of Hobart City Council highway reservation (outdoor seating, etc). Click [here](#) for more information.

Occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

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

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

TEMPORARY PARKING PERMITS

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

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.

STORM WATER / ROADS / ACCESS

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

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.

OUTDOOR DINING AND UMBRELLA INFRASTRUCTURE GUIDELINES

For your information, you are advised that until such time as the Council resolves the future direction for the management of the southern footpath on Salamanca Place between Montpelier Retreat and the Silos, the following guidelines apply:

- The City of Hobart as highway authority only consider requests for the installation of additional fixed or permanent umbrellas on the southern footpath if the installation of those umbrellas would not conflict with the future provision of:
 1. A 3 metre clear pedestrian path (that may only be covered by temporary umbrellas) adjacent to the building line;
 2. A 1.5 metre wide clear pedestrian path (that may only be covered by temporary umbrellas) between outdoor dining furniture and parked cars;and
 3. A 1.2 metre wide clear pedestrian path between outdoor dining areas.
- The City of Hobart as highway authority only consider requests for the installation of tables, chairs and barriers to facilitate outdoor dining that can be removed from the public footpath when not in use.
- Subject to the recommendations above, in relation to request for new or adjusted occupation licences for outdoor dining on the Salamanca Place southern footpath between Kennedy Lane and Wooby's Lane, the City of Hobart as highway authority permit the installation of removable tables, chairs and barriers to facilitate outdoor dining on the equivalent alignment to those currently in front of the businesses Maldini, Jack Greene, Cargo and Grape.
- The General Manager advise any applicant considering the purchase and installation of furniture on the Salamanca Place footpath of the above recommendations, and further advise that until such time that the Council considers and resolves its future direction for the management

of that footpath, that any furniture purchased and installed that is not compatible with the future direction may need to be removed at the applicant's cost.

- When the Council implements changes to the regulations in this area, the applicants must ensure compliance with the new regulations at their own cost.

Delegation: Council

There being no further business the meeting closed at 4:34 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
25TH DAY OF SEPTEMBER 2017.

CHAIRMAN