



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 9 October 2017 at 5:00 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

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**APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME
2015**

12 15-17 Liverpool Street, 61 Brooker Avenue, 71 Brooker Avenue, CT
160498/2, Brooker Avenue Road Reservation, Bathurst Street Road
Reservation, Hobart - Shared Use Bicycle and Pedestrian Bridge 28

City Planning Committee Meeting (Open Portion) held on Monday, 9 October 2017 at 5.00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Briscoe (Chairman)
Ruzicka
Burnet
Denison

ALDERMEN

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

PRESENT: Alderman T M Denison
(Acting Chairman), Alderman H C Burnet,
the Lord Mayor Alderman S L Hickey,
Aldermen P S Cocker and W F Harvey.

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

APOLOGIES: Nil.

The Lord Mayor arrived at the meeting at
5:04 pm and was co-opted to the
Committee for items 7.1.1 to 7.2.1 and
7.2.3 to supplementary item 12.

LEAVE OF ABSENCE:

Alderman J R Briscoe (Chairman).
Alderman E R Ruzicka.

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

Alderman Harvey was co-opted to the
Committee.

BURNET

That Alderman Denison chair the meeting.

MOTION CARRIED

VOTING RECORD

AYES

Burnet
Denison
Cocker

NOES

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

Denison
Burnet
Cocker

BURNET

That the Lord Mayor be co-opted to the Committee for items 7.1.1 to 7.2.1 and 7.2.3 to supplementary item 12.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey

2. CONFIRMATION OF MINUTES

BURNET

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 25 September 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

BURNET

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

MOTION CARRIED

VOTING RECORD

| | AYES | NOES |
|---------|------|------|
| Denison | | |
| Burnet | | |
| Cocker | | |
| Harvey | | |

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

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

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

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

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

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

BURNET

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey

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.

Item 7.2.2 was then taken.

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

7.1.1 16-20 Davey Street and 3 Argyle Street, Hobart - Hydraulic Infrastructure PLN-17-615 - File Ref: F17/135844

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Hydraulic Infrastructure at 16-20 Davey Street and 3 Argyle Street HOBART for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 9 October 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-17-615 - 16-20 DAVEY STREET AND 3 ARGYLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/01348-HCC dated 29 August 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5401 dated 22 September 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

HER 6

All onsite excavation and disturbance must be monitored. If any features or deposits of an archaeological nature are discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist 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; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with one (1) days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with (2) above must be provided to Council within three (3) 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 as required in the *Sullivans Cove Planning Scheme 1997*.

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

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.

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

DIAL BEFORE YOU DIG

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

Delegation: Council

7.1.2 1-3 Elizabeth Street, Hobart - Public Art (Installation) **PLN-17-603 - File Ref: F17/135872**

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 20 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

| | AYES | NOES |
|-------------------|------|------|
| Denison | | |
| Burnet | | |
| Cocker | | |
| Harvey | | |
| Lord Mayor Hickey | | |

COMMITTEE RESOLUTION:

Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for Public Art (Installation) at 1-3 Elizabeth Street, Hobart for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 9 October 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-17-603 - 1-3 ELIZABETH STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/01316-HCC dated 23/08/2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5395 dated 13 September 2017, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN S1

The statue is only approved while the Mawson's Hut Replica Museum use is in operation. The statue must be removed within three months of that use ceasing to operate.

Advice:

The Mawson's Hut Replica Museum has planning approval until 28 February 2019 pursuant to PLN-16-1065.

The intent of this condition is to ensure that the statue is removed at the same time that the Mawson's Hut Replica Museum is removed, when that use

ceases to operate.

Reason for condition

To ensure that the temporary structure is removed at the expiration of the permit and the site restored to its original condition.

ADVICE

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

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

BUILDING PERMIT

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

DIAL BEFORE YOU DIG

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

Delegation: Council

7.1.3 29 Morrison Street, Hobart Outdoor Dining - PLN-17-614 File Ref: F17/135813

HARVEY

That the recommendation contained in the memorandum of the Manager Development Appraisal of 4 October 2017, be adopted.

AMENDMENT

BURNET

1. The addition of **PART B** to read as follows:

“PART B

That the City Infrastructure Committee request an investigation into the possible removal of three car parking spaces located in front of 29 Morrison Street.”

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Burnet
Cocker
Harvey

Denison
Lord Mayor Hickey

COMMITTEE RESOLUTION:

PART A

That pursuant to the Sullivans Cove Planning Scheme 1997, the Council refuse the application for outdoor dining at 29 Morrison Street Hobart and adjacent road reserve for the following reasons:

1. The proposal does not meet clause 22.4.5 ‘Discretionary’ 'Building or works' in Schedule 1 – Conservation of Cultural Heritage Values of the Sullivans Cove Planning Scheme 1997 because the location, bulk and appearance of the proposal would dominate the Place of Cultural Significance and fail to complement and contribute to its character and appearance; and would therefore adversely affect the heritage values of the Place of Cultural Significance.

PART B

That the City Infrastructure Committee request an investigation into the possible removal of three car parking spaces located in front of 29 Morrison Street.

Delegation: Council

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 10 David Avenue, Sandy Bay - Partial Demolition and Front Fencing PLN-17-142 - File Ref: F17/135841

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------|-------------------|
| Burnet | Lord Mayor Hickey |
| Cocker | Denison |
| Harvey | |

LORD MAYOR

PART B

That the Council significantly promote the risk of building front fences without appropriate Council approval and for this information to be promoted in writing to the architectural community and via suitable media platforms such as City News and social media.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|-------------------|------|
| Denison | |
| Burnet | |
| Cocker | |
| Harvey | |
| Lord Mayor Hickey | |

COMMITTEE RESOLUTION:

PART A

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition and Front Fencing at 10 David Avenue SANDY BAY for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the partial demolition of the existing front fence results in the loss of fabric or landscape elements that contribute to the historic cultural heritage significance of Heritage Precinct Sandy Bay 9 and the following do not apply: (i) there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; (ii) there are no prudent or feasible alternatives and (iii) the replacement fence is more complementary to the heritage values of Heritage Precinct Sandy Bay 9.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.8.2 A4 and P4 of the *Hobart Interim Planning Scheme 2015* because the new front fence and gates are not sympathetic in design (including height, form, scale and materials), and setback to the style, period and characteristics of Heritage Precinct Sandy Bay 9.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.7 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the new front fence and gates do not provide mutual passive surveillance between the road and the dwelling and are not compatible with the height and transparency of fences in the street.

PART B

That the Council significantly promote the risk of building front fences without appropriate Council approval and for this information to be promoted in writing to the architectural community and via suitable media platforms such as City News and social media.

Delegation: Council

Item 7.2.3 was then taken.

Mr Colin Trevena (Representor) addressed the Committee in relation to item 7.2.2.

Mr Michael Parsons (Applicant) addressed the Committee in relation to item 7.2.2.

7.2.2 43 Runnymede Street, Battery Point - Change of Use to Visitor Accommodation
PLN-17-589 - File Ref: F17/135852

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 26 September 2017, be adopted, amended by the following:

1. The addition of the following advice clause to read as follows:

“PARKING LIMITATIONS:

That the Applicant consider encouraging guests to explore other modes of transport apart from a motor vehicle whilst utilising the visitor accommodation due to the limited public parking spaces within the vicinity.”

MOTION CARRIED

VOTING RECORD

| | AYES | NOES |
|---------|-------------|-------------|
| Denison | | Harvey |
| Burnet | | |
| Cocker | | |

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a partial change of use to visitor accommodation at 43 Runnymede Street, Battery Point for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 9 October 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-17-589 - 43 RUNNYMEDE STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

VISITOR ACCOMMODATION

Building approval is required for investment property dwellings or residential premises (which are not occupied by the owner).

If building work is required then both planning and building approval may be required.

You should consult with your insurance provider to ensure appropriate insurance coverage.

More information on visitor accommodation can be found [here](#).

PARKING LIMITATIONS:

That the Applicant consider encouraging guests to explore other modes of transport apart from a motor vehicle whilst utilising the visitor accommodation due to the limited public parking spaces within the vicinity.

Delegation: Council

Item 7.2.4 was then taken.

**7.2.3 162 Macquarie Street, Hobart and Adjacent Road Reserve -
Alterations and Signage
PLN-17-661 - File Ref: F17/135848**

BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and signage at 162 Macquarie Street, Hobart and Adjacent Road Reserve for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 9 October 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-17-661 - 162 MACQUARIE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

HER 5

The illuminated wall sign at fourth floor level to the Macquarie Street elevation is not approved.

Prior to the commencement of works, amended drawings must be

submitted and approved, which do not show the illuminated wall sign at fourth floor level to the Macquarie Street elevation to satisfy the above requirement.

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

Advice:

Once the amended 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 the size, design and siting of signs complements and does not impact on the cultural heritage significance of the City Centre Heritage Precinct as listed in the Historic Heritage code.

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.

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 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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

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](#).

Delegation: Council

Item 8.1 was then taken.

Mr Ted Lefroy (Representor) and Ms Jo Boornemissza (Representor) addressed the Committee in relation to item 7.2.4.

Ms Kate Loveday addressed the Committee in relation to item 7.2.4 on behalf of the Applicant.

7.2.4 80 Nelson Road, Mount Nelson - Fencing, Retaining Wall and Landscaping
PLN-17-679 - File Ref: F17/135850

LORD MAYOR

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 29 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|-------------------|--------|
| Denison | Burnet |
| Cocker | Harvey |
| Lord Mayor Hickey | |

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for fencing, retaining wall and landscaping at 80 Nelson Road, Mount Nelson for the reasons outlined in the officer's report attached to item 7.2.4 of the Open City Planning Committee agenda of 9 October 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-17-679 - 80 NELSON ROAD MOUNT NELSON TAS 7007 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. 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.

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.

NOISE REGULATIONS

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

DIAL BEFORE YOU DIG

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

Delegation: Committee

The Chairman adjourned the Open Portion of the meeting and the Closed Portion of the meeting was then taken.

8 REPORTS

8.1 Building Height Standards Review - Hobart Interim Planning Scheme 2015 - Sullivans Cove Planning Scheme 1997 - Project Brief **File Ref: F17/126151; 17/167**

BURNET

That the recommendation contained in the report of the Manager Planning Policy and Heritage and the Director City Planning of 3 October 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

That the Council endorse the project brief provided marked as Attachment A to item 8.1 of the Open City Planning Committee agenda of 9 October 2017 and invite Leigh Woolley - Architect and Urban Design Consultant to submit a quotation to undertake the project.

Delegation: Council

8.2 City Planning - Advertising List
File Ref: F17/135714

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 3 October 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.3 Delegated Decisions Report (Planning)
File Ref: F17/135720

BURNET

That the recommendation contained in the memorandum of the Director City Planning of 3 October 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

9 RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 Changed Conditions of Approved Development Applications **File Ref: F17/86644; 13-1-10**

HARVEY

That the information be received and noted.

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

No questions were asked at the meeting.

12. 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 | Questions Without Notice |

Supplementary Item

- | | |
|------------|---|
| Item No. 5 | 186 Bathurst Street, Hobart Planning Appeal - Mediation - PLN-16-701 LG(MP)R 15(4)(a) |
|------------|---|

BURNET

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

SUPPLEMENTARY ITEM

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

**12 15-17 Liverpool Street, 61 Brooker Avenue, 71 Brooker Avenue, CT 160498/2, Brooker Avenue Road Reservation, Bathurst Street Road Reservation, Hobart - Shared Use Bicycle and Pedestrian Bridge
PAM-17-183 - File Ref: F17/137714**

COCKER

That the recommendation contained in the report of the Senior Statutory Planner and the Manager Development Appraisal of 5 October 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison
Burnet
Cocker
Harvey
Lord Mayor Hickey

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a shared use bicycle and pedestrian bridge at 15-17 Liverpool Street, 61 Brooker Avenue, 71 Brooker Avenue, CT 160498/2, Brooker Avenue Road Reservation, Bathurst Street Road Reservation, Hobart for the reasons outlined in the officer's report attached to the supplementary item 6.1.4 of the Open City Planning Committee agenda of 4 July 2016 and a permit containing the following conditions be issued:

GENERAL

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00386-01 - 15-17 Liverpool Street - 61 Brooker Avenue - 71 Brooker Avenue - CT 160498-2 - Brooker Avenue Road Reservation - Amended (s56) Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

Note: Condition 1 amended pursuant to section 56 of the Land Use Planning and Approvals Act 1993 and approved by the Council on 23 October 2017.

TASWATER

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 2016/00479-HCC dated 26/04/2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

HERITAGE

HERs1

The recommendations detailed in Section 9 of the Kostoglou/Watton Statement of Historical Archaeological Significance (submitted as part of the application documentation) must be implemented throughout the construction works.

A report on the findings of those archaeological works must be submitted to the planning authority within six months of the completion of works.

Reason for condition

To protect the heritage values of the area.

HERs2

The recommendations of the Arborist Impact Assessment (Romanski 27/11/15 as submitted with the application) for trees 1 and 2 as identified in that document must be implemented throughout the construction works.

Reason for condition

To protect the heritage values of the area.

ENVIRONMENTAL

ENV1

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 revegetated.

Advice:

For further guidance in preparing Soil and Water Management Plans 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.

ENV2

The landslide risk mitigation measures recommended in the letter from Terroir Pty Ltd dated 16 May 2016 must be implemented during the works.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENGINEERING

ENG1

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

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 strip, 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.

ENGsw

The cost of any alterations to the Council's or third-party infrastructure incurred as a result of the proposed development works must be met by 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.

ENGsw1

The Council's stormwater infrastructure within five metres of the proposed works must be protected from damage during the construction of the development.

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.

ENGsw3

The proposed works (including footings and overhangs) must be designed to ensure the long term protection of and access to the Council's stormwater infrastructure.

A detailed design certified by a suitably qualified engineer must be submitted and approved prior to issue of any consent under the Building Act 2000. The detailed design must:

- Demonstrate that no additional loads are imposed on the stormwater main;
- Demonstrate that the structure is entirely independent of the main and its trenching;
- Demonstrate how adequate access to the main is maintained for both maintenance and future capacity upgrade works;
- Include cross-sections which clearly state minimum separation; and
- Include certification by a suitably qualified engineer that the works do not impose any loads on the stormwater main and the structure is entirely independent of the main and its trenching.

Prior to issue of any Certificate of Completion a suitably qualified engineer must confirm the installation of the works within five metres of Council's stormwater main is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice:

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

In this case, Council will accept a minimum separation of 3m from footings on the western side of Park Street Rivulet, with any works within this zone to be

demountable.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw4

Council stormwater infrastructure must be carefully and accurately located onsite, and marked on the ground.

Prior to construction of the footings, the stormwater pipe and clearance must be inspected and confirmed by the Council's Project and Development Inspector to ensure the minimum separation is achieved.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw5

Construction of the works must not adversely impact Park Street Rivulet.

A Construction Management Infrastructure Protection Report must be submitted and approved prior to commencement of works. The report must:

- Be prepared by a suitably qualified and experienced engineer;
- Detail the proposed construction methodology and identify all potential risks to the Rivulet during construction including but not limited to construction loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm;
- Provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks; and
- Include a monitoring regime.

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

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw7/8

The development must be drained to Council infrastructure. Any new public stormwater infrastructure required, including connections, must be constructed prior to issue of a Certificate of Completion.

Detailed design drawings showing both existing and proposed services must be submitted and approved, prior to issue of any consent under the Building Act 2000.

The detailed design drawings must include:

- The title boundaries, with each Lot serviced separately by Council infrastructure and all private plumbing contained within each Lot;
- The location, size and design of the connection(s);
- Long-sections of the proposed infrastructure clearly showing any nearby services, cover, size, material, access points (including safe working space); gradients;
- The public piped stormwater infrastructure must be sized to accommodate at least the 5% AEP flows from the catchment;
- Clearly distinguish between public and private infrastructure, and the ownership of any private plumbing; and
- 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 Infrastructure Division to initiate an application for service connection.

The construction of public infrastructure will require a Permit to Construct Public Infrastructure.

Reason for condition

To ensure the site is drained adequately.

ENGtr1

The proposed bridge and associated infrastructure 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 bridge and associated infrastructure within the Brooker Avenue and Bathurst 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;
- Demonstrate that the bridge will not undermine the stability of the highway reservation;
- Take into account and reference accordingly any geotechnical findings;
- Show the location of existing and proposed services and infrastructure;
- Include a lighting design in accordance with AS 1158 standards;
- Show any changes to traffic lanes and parking in detail;
- Show the construction of any new footpath in accordance with the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Include design and certification of any pedestrian and vehicle barriers in accordance with the Department of State Growth Specifications Guidelines and procedures, Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Be in accordance with the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures; and
- Include a safe design of structures assessment in accordance with the Safe Design of Structures Code of Practice (as adopted under section 274 of the Work Health and Safety Act 2012) and supply to the Council any documentation from the norm for the ongoing maintenance and replacement of any structures within the Highway Reservation.

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

Once the works have been completed, the as constructed drawings must be submitted to the Council.

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.

ENGtr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work. The construction traffic and parking management plan must:

- (a) Be prepared by a suitably qualified person, by the Council;
- (b) Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
- (c) Include a start date and finish dates of various stages of works;
- (d) Include times that trucks and other traffic associated with the works will be allowed to operate;
- (e) Nominate a superintendant or like to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

Advice:

Once the construction traffic and parking management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

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.

If a condition endorsement is required by a planning condition above, please forward documentation required to satisfy the condition to rfiinformation@hobartcity.com.au, clearly identifying the planning permit number, address and the condition to which the documentation relates.

Once approved, the Council will respond to you via email that the condition/s has been endorsed (satisfied). Detailed instructions can be found at [www.hobartcity.com.au/Development/Planning/How to obtain a condition endorsement](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement).

- Building permit in accordance with the Building Act 2000;
www.hobartcity.com.au/Development/Building
- Plumbing permit under the Tasmanian Plumbing Regulations 2014;
www.hobartcity.com.au/Development/Plumbing..
- Permit for the occupation of the public highway for construction e.g. placement of crane, scissor lift etc)
[http://www.hobartcity.com.au/Transport/Permits/Construction Activities Special Events in the Road Reservation](http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation).
- Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve)
[http://www.hobartcity.com.au/Transport/Lighting Roads Footpaths and Street Cleaning/Roads and Footpaths](http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths).
- 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).
- Any damage to council's infrastructure must be reported to Council's

compliance area. Please note the developer is liable for any damage to property or person due to unsafe and/or damaged infrastructure within or supporting the highway reservation and the developer should review their insurance.

- Please note development must be in accordance with the Council's Highways By –law <http://www.hobartcity.com.au/Council/Legislation>.
- Fees and charges http://www.hobartcity.com.au/Council/Fees_and_Charges
- Dial before you dig www.dialbeforeyoudig.com.au.
- If you do not have access to the Council's electronic webpage, please phone the Council (City Planning) on 6238 2715 for assistance.
- The date that this planning permit took effect was 11 July 2017 and you have two years from this date to substantially commence the development/use, before the permit lapses, pursuant to section 53(5) of the *Land Use Planning and Approvals Act 1993*. The Council may grant extensions to this period if requested in writing at any time before the end of the period of six months from the day on which the permit has lapsed.

Note: Advice added pursuant to section 56 of the Land Use Planning and Approvals Act 1993 and approved by Council on 23 October 2017.

Delegation: Council

Item 7.1.1 was then taken.

The Chairman adjourned the meeting at 6:00 pm to conduct the closed portion of the meeting.

The meeting reconvened at 7:11 pm.

Supplementary Item 12 was then taken.

There being no further business the meeting closed at 7:40 pm.

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

CHAIRMAN