



CITY OF HOBART

# AGENDA

OPEN PORTION OF THE COUNCIL MEETING

MONDAY 21 MARCH 2016

AT 5.00 PM

## THE MISSION

Our mission is to ensure good governance of our capital City.

## THE VALUES

**The Council is:**

**about people**

We value people – our community, our customers and colleagues.

**professional**

We take pride in our work.

**enterprising**

We look for ways to create value.

**responsive**

We're accessible and focused on service.

**inclusive**

We respect diversity in people and ideas.

**making a difference**

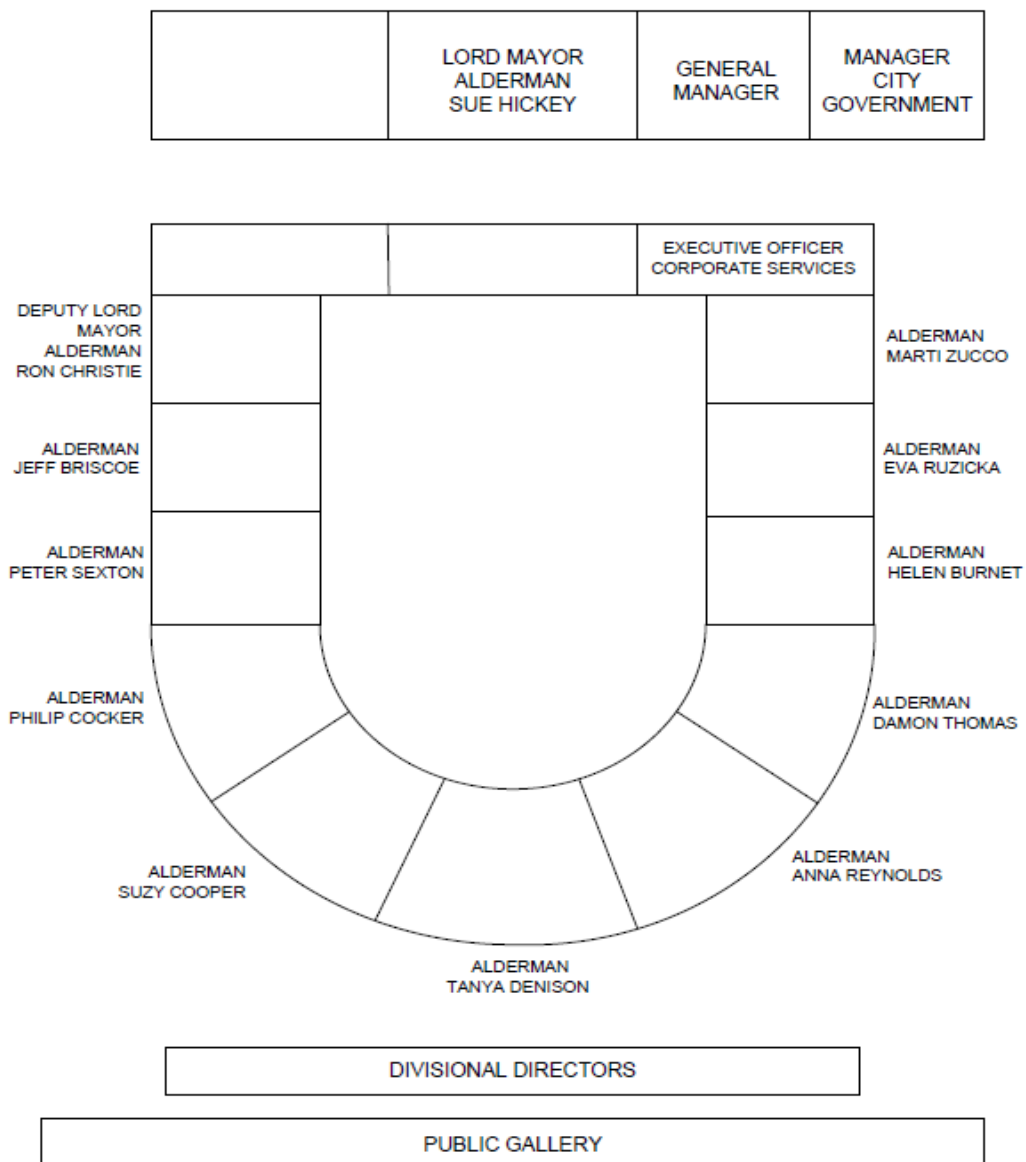
We recognise that everything we do shapes Hobart's future.

**HOBART 2025 VISION**

In 2025 Hobart will be a city that:

- Offers opportunities for all ages and a city for life
- Is recognised for its natural beauty and quality of environment
- Is well governed at a regional and community level
- Achieves good quality development and urban management
- Is highly accessible through efficient transport options
- Builds strong and healthy communities through diversity, participation and empathy
- Is dynamic, vibrant and culturally expressive

## LAYOUT OF THE COUNCIL CHAMBER



PRESENT

APOLOGIES

LEAVE OF ABSENCE

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# OPEN COUNCIL AGENDA

Lord Mayor Hickey  
Deputy Lord Mayor Christie  
Aldermen  
Zucco  
Briscoe  
Ruzicka  
Sexton  
Burnet  
Cocker  
Thomas  
Cooper  
Reynolds  
Denison

**A meeting (Open Portion) of the Council will be held in the Council Chamber, Town Hall on Monday 21 March 2016, at 5.00 pm.**

**N D HEATH  
GENERAL MANAGER**

**PRESENT:**

**APOLOGIES:**

Alderman A M Reynolds.

**LEAVE OF ABSENCE:**

The Lord Mayor  
Alderman S L Hickey and  
Alderman H C Burnet.

## ACKNOWLEDGEMENT OF COUNTRY

### 1. MINUTES OF THE LAST MEETING (OPEN PORTION) OF THE COUNCIL HELD ON MONDAY 7 MARCH 2016

The Chairman reports that he has perused the minutes of the last meeting (Open Portion) of the Council held on 7 March 2016, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

### 2. TRANSFER OF AGENDA ITEMS

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

### **3. COMMUNICATION FROM THE CHAIRMAN**

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### **4. NOTIFICATION OF COUNCIL WORKSHOPS**

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In accordance with the requirements of Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that the following Council workshop has been conducted since the last ordinary meeting of the Council:

Date: Wednesday 16 March 2016  
Purpose: Capital Works Program

### **5. PUBLIC QUESTION TIME**

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### **6. PETITIONS**

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### **7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

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In accordance with the requirements of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

#### **RECOMMENDATION**

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

## **8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

In accordance with Part 2 Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Aldermen to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

In addition, in accordance with the Council's resolution of 14 April 2008, Aldermen are requested to indicate any conflicts of interest in accordance with the Aldermanic Code of Conduct adopted by the Council.

Accordingly, Aldermen are requested to advise of pecuniary or conflicts of interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.



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**REPORTS OF COMMITTEES**

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<b>CITY PLANNING COMMITTEE</b>
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**9. COUNCIL ACTING AS PLANNING AUTHORITY**

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In accordance with the provisions of Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council 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 Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council 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.

**9.1 168 WARWICK STREET, HOBART - DEMOLITION AND 5  
MULTIPLE DWELLINGS - (RE-ADVERTISED -  
ADMINISTRATIVE ERROR) - PLN-15-01342-01 -  
FILE REF: 5561720 & P/168/902  
Ref. Open CPC 6.1.2, 15/3/2016  
Application Expiry Date: 17/3/2016  
(Extension of time granted to 28/4/2016)**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and five multiple dwellings - (re-advertised-administrative error) at 168 Warwick Street, Hobart for the reasons outlined in the officer's report attached to item 6.1.2 of the Open City Planning Committee agenda of 15 March 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 the Planning Application No. PLN-15-01342-01 outlined in attachment A to this permit except where modified below.

***Reason for condition***

***To clarify the scope of the permit.***

cont.../

Item No. 9.1 continued**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 2015/01783-HCC dated 16 November 2016 as attached to the permit.

***Reason for condition***

***To clarify the scope of the permit.***

**PLANNING**

PLNs1 The development must not allow for vehicles to enter and exit the site from Henry Street, and a physical barrier must be installed and maintained adjacent to the Henry Street frontage of the site to prevent vehicle access to and from Henry Street both during and after construction of the development.

Design drawings demonstrating compliance with the above requirements must be submitted and approved prior to the issue of any building permit.

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

***Reason for condition***

***To clarify the applicant's intent to not use Henry Street for any form of vehicular access***

**ENVIRONMENTAL**

ENV2 Sediment and erosion control measures must be installed prior to the disturbance of the site and maintained until such time as all disturbed areas have been stabilised using vegetation and/or restored or sealed to the Council's satisfaction.

A Soil and Water Management Plan (SWMP) must be submitted and approved, prior to the commencement of work. The SWMP must:

cont.../

Item No. 9.1 continued

- Be prepared in accordance with Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available from [http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).

Once approved the plan will form part of this permit and must be complied with.

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

**ENGINEERING**

**ENG1a** The cost of any alterations to the Council's or third-party infrastructure, including the site's service connection points, 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.***

**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.

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Item No. 9.1 continued

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.***

ENG 3

The driveway, car parking and manoeuvring area, must be constructed in accordance with certified driveway design drawings, prior to the first occupation.

The driveway car parking and manoeuvring area, design must be submitted to the Council, prior to the issuing of any permit under the Building Act 2000.

The driveway car parking and manoeuvring area, design must:

- Be prepared and certified by a suitably qualified engineer that the design is in accordance with the Australian standards AS/NZS 2890.1 or that the design provides for a safe and efficient access.
- Upon completion of the driveway car parking and manoeuvring area, documents signed by a suitably qualified engineer, certifying the driveway has been constructed in accordance with the certified design drawings must be lodged with the Council.

***Reason for condition***

***To ensure the safety of users of the driveway/parking.***

cont.../

Item No. 9.1 continued

ENG 4 The driveway, turning and car parking area approved by this permit must be constructed to a sealed standard and surface drained prior to the first occupation or the commencement of use.

***Reason for condition***

***To ensure safe access is provided for the use.***

ENGr8 Any excavation and/or earth-retaining structures (ie embankments, cuttings, retaining walls) within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation.

Detailed design drawings and structural certificates of the retaining wall supporting the Henry Street highway reservation must be submitted and approved, prior to the commencement of work. The detailed design drawing must:

- Be prepared by a suitable qualified person and experienced engineer.
- Not undermine the stability of the highway reservation.
- Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
- Take into account any additional surcharge loadings as required by relevant Australian Standards.
- Take into account and reference accordingly any Geotechnical findings.
- Detail any mitigation measures required.
- The structure certificated should note accordingly the above.

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

cont.../

Item No. 9.1 continued***Reason for condition***

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

- Part 5 1: The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the retaining wall adjacent to the Henry Street highway reservation prior to the commencement of work.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner. The owner must comply with the Part 5 Agreement which will be placed on the property title.

- Note: Further information with respect to the preparation of a part 5 agreement can be found [http://www.hobartcity.com.au/Development/Planning/Part\\_5\\_agreements](http://www.hobartcity.com.au/Development/Planning/Part_5_agreements).

***Reason for condition***

***To ensure that Council is indemnified against any costs or claims arising from the proposed excavation, construction and on-going maintenance adjacent to the Henry Street highway reservation are retained and to ensure that structural support to the highway reservation is maintained.***

- ENGsw7 Any new stormwater connection required must be constructed and existing connections to be abandoned must be sealed by the Council at the owner's expense, prior to the first occupation or issue of a Certificate of Completion (whichever occurs first).

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

- (a) the location of the proposed connection and all existing connections, including one to drain the driveway at the Warwick St frontage; and

cont.../

Item No. 9.1 continued

- (b) the size of the connection appropriate to satisfy the needs of the development; and
- (c) a longsection of the proposed connection clearly showing all potential clashes; and
- (d) material of the connection; and
- (e) clearly distinguishing public vs private.

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 Project and Development Inspector to initiate an application for service connection.

***Reason for condition***

***To ensure the site is drained adequately.***

ENGsw8 The new stormwater system (including a defined overland flow path) must be designed and constructed prior to the commencement of the use.

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

- (a) Be certified by a qualified and experienced Civil Engineer.
- (b) Show in both plan and long-section the proposed stormwater main and overland flow path through the site, including, but not limited to, direction of fall of the hardstand, calculations, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
- (c) Include a construction program and method for the proposed diversion of the stormwater main to maintain provision of services. Any affected third-party properties must be reconnected to the diverted main at the developer's cost.

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Item No. 9.1 continued

- (d) Include a detailed cost breakdown of the main replacement. Council will contribute to the cost of the new main upstream of the proposed connection point (at the body of the Lot). The final cost apportionment between Council and the developer must be agreed upon prior to the commencement of works.

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

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Unit to obtain a permit to construct public infrastructure.

***Reason for condition***

***To ensure Council's hydraulic infrastructure meets acceptable standards.***

ENGsw10 Stormwater pre- treatment for stormwater discharges from the development must be installed prior to commencement of use or issue of a Certificate of Completion (whichever occurs first).

A stormwater management report and design must be submitted and approved, prior to commencement of work on the site. The stormwater management report and design must:

- (a) be prepared by a suitably qualified engineer;
- (b) include detailed design of the proposed treatment train, including estimations of contaminant removal and a maintenance plan;

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Item No. 9.1 continued

- (c) outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirement, ie. including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement.

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

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

***Reason for condition***

***To avoid the possible pollution of drainage systems and natural watercourses, 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](http://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.

Item No. 9.1 continued

- If a condition endorsement is required by a planning condition above, please forward documentation required to satisfy the condition to [rfi-information@hobartcity.com.au](mailto:rfi-information@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](http://www.hobartcity.com.au/Development/Building).
- Plumbing permit under the *Tasmanian Plumbing Regulations 2014*;  
[www.hobartcity.com.au/Development/Plumbing](http://www.hobartcity.com.au/Development/Plumbing).
- 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).
- Permit to construct Council infrastructure with a 12 month maintenance period (please contact the Council City Infrastructure Divisions to initiate the permit process).

Works must be contained wholly within the property boundary. If works cannot be contained within the property boundary the approval of the Director City Infrastructure is required prior to the issue of a building permit – detailed plans indicating the extent of works outside the property boundary will be required.

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 over the road reservation and the developer should review their insurance.

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Item No. 9.1 continued

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Telephone 1100, Dial Before You Dig, or visit [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

The applicant should give consideration to facilitating public pedestrian access through the site from Henry Street to Warwick Street within any Strata Title Body Corporate provisions relating to the site.

**9.2 95 HAMPDEN ROAD, ADJACENT STOWELL AVENUE ROAD RESERVATION, BATTERY POINT - SUBDIVISION (ONE ADDITIONAL LOT) AND ASSOCIATED HYDRAULIC INFRASTRUCTURE (RE-ADVERTISED – ADMINISTRATIVE ERROR) - PLN-15-00367-01 - FILE REF: 5576930 & P/95/550**  
Ref. Open CPC 6.1.3, 15/3/2016  
**Application Expiry Date: 28/3/2016**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a subdivision (one additional lot) and associated hydraulic infrastructure (re-advertised – administrative error) at 95 Hampden Road, adjacent Stowell Avenue road reservation, Battery Point for the reasons outlined in the officer's report attached to item 6.1.3 of the Open City Planning Committee agenda of 15 March 2016 and a permit containing the following conditions be issued:

cont.../

Item No. 9.2 continued**GENERAL**

GEN The use and/or development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-15-00367-01 outlined in attachment A to this permit except where modified below.

***Reason for condition***

*To clarify the scope of the permit.*

**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 2015/00509-HCC dated 27 January 2016 as attached to the permit.

***Reason for condition***

*To clarify the scope of the permit.*

**TASMANIAN HERITAGE COUNCIL**

THC The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, Works Application No. 4718 dated 6 February 2016, as attached to the permit.

***Reason for condition***

*To clarify the scope of the permit.*

**SURVEY**

SURV 1 The applicant is to submit to the Council a copy of the Surveyor's survey notes at the time of lodging the final plan.

***Reason for condition***

*To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.*

cont.../

Item No. 9.2 continued

SURV 2 The final plan and schedule of easements must be submitted for approval by the Council in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

***Reason for condition***

***To ensure that the subdivision/boundary adjustment is carried out in accordance with the Councils requirements under the provisions of Part 3 of the Local Government (Building & Miscellaneous Provisions) Act 1993.***

SURV 12 Lot 2 on the final plan is to be notated in accordance with the provisions of section 83(5)(a)(ii) of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal below the level of the invert of the stormwater connection at the body of the Lot.

The final plan must be submitted for approval by Council. The final plan must be notated to the satisfaction of Council.

Any specified reduced level that may be required is to be provided by the owner's Registered Land Surveyor who must supply the invert level (on State Datum) of the stormwater connection constructed to serve Lot 2.

***Reason for condition***

***To ensure that the restriction in the Council's ability to provide a means of gravity reticulated stormwater disposal is noted on the final plan.***

**OPEN SPACE**

OPS 1 The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

Item No. 9.2 continued

The open space contribution is equal to 5% of the undeveloped value of Lot 2 comprised in the final plan, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. The attached request must be completed to enable the valuation to be undertaken.

***Reason for condition***

***Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.***

## 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](http://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.***

## 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.

cont.../

Item No. 9.2 continued

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.***

ENG 14 Services to each lot must be designed and installed to meet the needs of future development, prior to the sealing of the final plan.

Engineered drawings must be submitted and approved prior to commencement of work on the site. The engineered drawings must:

- (a) Be generally in accordance with LGAT- IPWEA – Tasmanian Standard Drawings and subdivision guidelines 2013 or relevant standard.
- (b) Be prepared by a suitably qualified engineer.

Note: The standards are available at:

[http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).

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

Advice: Once the construction drawings have been approved Council will issue a condition endorsement.

cont.../

Item No. 9.2 continued

It is noted that stormwater connections will be required to service each lot.

***Reason for condition***

***To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.***

**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](http://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 [rfi-information@hobartcity.com.au](mailto:rfi-information@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](http://www.hobartcity.com.au/Development/Building).
- Plumbing permit under the *Tasmanian Plumbing Regulations 2014*;  
[www.hobartcity.com.au/Development/Plumbing](http://www.hobartcity.com.au/Development/Plumbing).

cont.../



Item No. 9.2 continued

- 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).
- New service connection (please contact the Council City Infrastructure Divisions to initiate the application process).
- Subdivision  
[http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).
- Dial before you dig  
[www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au).

**9.3 28-32 ELIZABETH STREET AND ADJOINING ELIZABETH STREET AND TRAFALGAR PLACE ROAD RESERVES, HOBART - DEMOLITION AND NEW DEVELOPMENT FOR HOTEL, RESTAURANT, BARS, FUNCTION FACILITIES AND CAFE - PLN-15-01162-01 - FILE REF: 7162977 & P/28-32/470**  
Ref. Open CPC 6.1.5, 15/3/2016  
**Application Expiry Date: 27/1/2016**  
**(Extension of time granted to 23/3/2016)**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new development for hotel, restaurant, bars, function facilities and cafe at 28-32 Elizabeth Street and adjoining Elizabeth Street and Trafalgar Place road reserves, Hobart for the reasons outlined in the officer's report attached to item 6.1.5 of the Open City Planning Committee agenda of 15 March 2016 and a permit containing the following conditions be issued:

cont.../

Item No. 9.3 continued**GENERAL**

GEN The use and/or development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-15-01162-01 outlined in attachment A to this permit except where modified below.

***Reason for condition***

*To clarify the scope of the permit.*

**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 2015/01576-HCC dated 08/10/2015 as attached to the permit.

***Reason for condition***

*To clarify the scope of the permit.*

**HERITAGE**

HERs1 The facade treatment of the podium element must be generally in accordance with the detail provided by the applicant on the 17 February 2016 that introduced the thin cut sandstone panels and other treatment. Further modification to the facade treatment to actively enhance the character of the heritage precinct prior to the first occupation must be undertaken.

Design drawing must be submitted and approved prior to the issuing of any permit under the Building Act 2000.

The design drawing must include:

- Reflect the details provided on 17 February 2016 and other information to satisfy the above requirement.

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

cont.../

Item No. 9.3 continued***Reason for condition***

***To ensure the proposal meet the requirements of 13.8.2 of the Hobart Interim Planning Scheme 2015.***

**ENVIRONMENTAL**

ENV2 Sediment and erosion control measures in accordance with an approved soil and water management plan (SWMP) must be installed, prior to the disturbance of the site and maintained until such time as all disturbed areas have been stabilised using vegetation and/or restored or sealed to the Council's satisfaction.

A Soil and Water Management Plan (SWMP) must be submitted and approved, prior to the commencement of work. The SWMP must:

- Be prepared in accordance with Soil and Water Management on Building and Construction Sites fact sheets (2008). Derwent Estuary Program., available from <http://www.hobartcity.com.au/Development/EngineeringStandardsandGuidelines>.

All work required by this condition must be undertaken in accordance with the approved soil and water management plan (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 adjoining properties, roads, drains and natural watercourses that could be caused by erosion and runoff from the development.***

ENVs1 A contamination environmental site assessment report and any associated remediation's or management plan recommended by that report must be submitted to the Council prior to any building work post demolition of the existing building.

cont.../

Item No. 9.3 continued

The containment environmental site assessment report must;

- (a) be prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM);
- (b) indicate whether the site is suitable for the proposed use/development (either with or without remediation and/or management); and
- (c) indicate whether any site contamination presents an occupational health and safety risk to workers involved in redevelopment of the site.

Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil and stormwater.

All works, required by this condition must be undertaken in accordance with the contamination Environmental Site Assessment report remediation and/or management plan.

***Reason for condition***

***To determine the level of site contamination, and to identify any recommended remediation/management practices/safeguards which need to be followed/put in place during any excavations/ground disturbance on, or for use of the site, to provide for a safe living environment.***

**PLANNING**

PLN 16 A demolition and construction management plan must be implemented throughout the construction works.

A demolition and construction management plan must be submitted and approved prior to the issuing of any building permit under the Building Act 2000. The plan must include but is not limited to the following:

cont.../

Item No. 9.3 continued

- (a) Identification and disposal of any potentially contaminated waste and asbestos;
- (b) Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
- (c) Proposed hours of construction;
- (d) Identification of potentially noisy construction phases, such as operation of rock- breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
- (e) Control of dust and emissions during working hours;
- (f) Proposed screening of the site and vehicular access points during work; and
- (g) Procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

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

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

***Reason for condition***

***To ensure minimal impact on the amenity of adjoining properties and members of the public during the construction period.***

**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.

cont.../

Item No. 9.3 continued

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.***

ENG4 The driveway access car parking and turning areas must be constructed to a sealed standard and surface drained prior to the first occupation.

Note any coloured or textured surface construction must not extend beyond the back of footpath.

Advice: Prior to pouring/paving the driveway access, the owner should contact the Council's Project and Development Inspector giving a minimum of 24 hours notice, on 6238 2967 to inspect the proposed slab/paving levels in relation to the footpath. A note to this effect should appear on the Construction Drawings for the site and/or on other relevant engineering drawings to ensure that contractors are made aware of this requirement.

***Reason for condition***

***In the interest of the amenity of the development and the locality.***

ENG 6 Car parking spaces 17, 28 and 38 shown on the plans submitted by JAWS Architects drawings, 1514\_DA05 – DA07 Revision "A", received by the Council on 27 November 2015 are not approved under this permit.

cont.../

Item No. 9.3 continued***Reason for condition***

***To ensure that parking areas for cars are located, designed and constructed to enable safe, easy and efficient use.***

- ENGs1 Car parking spaces 12, 16, 18, 23, 27, 29, 34, 37 and 39 shown on the plans submitted by JAWS Architects drawings, 1514\_DA05 – DA07 Revision “A”, received by the Council on 27 November 2015. to be reserved for “Staff Only” and be delineated and/or signposted accordingly.

***Reason for condition***

***To ensure that parking areas for cars are located, designed and constructed to enable safe, easy and efficient use.***

- ENG12 A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The A construction waste management plan must:

1. Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development.
2. Provisions for the handling transport and disposal of demolition material, including any contaminated waste, to satisfy the above requirement

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

- Advice: Once the construction waste 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 that solid waste management from the site meets the Council’s requirements and standards.***

ENGtr1 Traffic management within the car parking area must be installed prior to the commencement of the use.

Traffic management design drawing(s) of the proposed traffic management within the car park (including signage and linemarking), must be submitted and approved, prior to commencement of the use. The design drawing and management plan must show:

- (a) Road hump located at the car park exit to ensure low vehicle speeds when exiting onto Trafalgar Place.
- (b) Traffic calming devices within the car park circulating area to ensure that traffic speeds are low for vehicles circulating within the car park.
- (c) Warning devices (both active and static) at the car park exit to alert drivers and pedestrians on Trafalgar Place that a vehicle is exiting the car park.
- (d) Signage and other warning devices within the car park advising that vehicles travelling up the ramps should give way to vehicles travelling down.
- (e) Warning devices on the approaches to the service lift doors on all levels of the car park advising drivers that they may encounter a pedestrian at the lift.

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

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

***Reason for condition***

***In the interests of user safety and the amenity of the occupiers of the development.***

ENG tr2 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 documentation must be submitted and approved, prior to commencement work. The construction traffic and parking management must:

cont.../



Item No. 9.3 continued

- (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) Start date and finish dates of various stages of works.
- (d) 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.

The approved construction traffic and parking management plan must be operable during all phases of the construction of the development (including demolition).

Advice: Once the traffic management design drawings 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.***

ENGr1 Earth-retaining structures within or supporting the Trafalgar Place Highway Reservation must not compromise the structural integrity of the highway reservation.

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

- Be prepared by a suitable qualified person and experienced engineer;
- The design must take into account the additional surcharge loading as required by relevant Australian Standard;

cont.../

Item No. 9.3 continued

- Include a structural certification, to satisfy the above requirement.

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

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 structural integrity of the Council's highway reservation is not compromised by the development.***

ENGr3 The proposed vehicle entrance must be designed and constructed in accordance with (IPWEA) LGAT – Tasmanian Standard Drawing TSD-R09-v1 – Urban Roads - Driveways and TSD R14-v1 - prior to the commencement of the use.

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

- (a) Be prepared by a suitable qualified person, to satisfy the above requirement.

Note: That the agreement of the Council's Manager Road & Environmental Engineering is required to adjust footpath/road pavement levels to suit the design of any proposed floor levels or entrances to the development.

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

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

***Reason for condition***

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

Item No. 9.3 continued

ENGsw3 A recorded CCTV inspection and associated report of any new public stormwater infrastructure, must be undertaken within 1 month from completion of the 12 month maintenance period.

In the event the CCTV or report identifies remedial work is required, such work must be undertaken within 30 days at the owners cost.

Advice: Upon the expiry of the 12 maintenance period, please contact the Council to arrange inspection.

***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.***

ENGsw8 The new stormwater main must be designed and constructed prior to the commencement of the use.

Engineered drawing must be submitted and approved, prior to commencement of work. The engineered drawing must:

- certified by a qualified and experienced civil engineer;
- plan and long-section of the proposed stormwater main;
- the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings; and
- construction programme and method for the proposed diversion of the stormwater main, to satisfy the above requirement.

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

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

cont.../

Item No. 9.3 continued***Reason for condition******To ensure Council's hydraulic infrastructure meets acceptable standards.***

ENGsw9 All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to Council infrastructure must be submitted and approved prior to the commencement of work. The design drawing must:

- (a) prepared by a suitably qualified person;
- (b) include long section(s)/levels and grades to the point of discharge.

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

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 stormwater from the site will be discharged to a suitable Council approved outlet.***

ENGsw10 Stormwater pre- treatment for stormwater discharges from the development must be installed prior to the issue of a permit to construct public infrastructure - certificate of substantial completion.

A stormwater management report and design must be submitted and approved, prior to commencement of work on the site. The stormwater management report and design must:

Item No. 9.3 continued

- (a) be prepared by a suitably qualified person;
- (b) detailed design of the proposed treatment train, including estimations of contaminant removal and a maintenance plan;
- (c) outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, ie. Including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement; Estimation of the life cycle cost that includes maintenance cost, to satisfy the above requirement.

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

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

***Reason for condition***

***To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State Legislation.***

ENGsws1 The building and its foundations must be constructed to ensure the protection and access to the Council's stormwater main and ensure the structure is entirely independent of the stormwater main and its trenching.

Design drawings for the structural foundation must be submitted and approved prior to the issuing of any permit *under the Building Act 2000.*

The design drawing must include:

- (a) foundation bridging detail for the works over the stormwater main.
- (b) be accompanied by a structural certificate issued by a suitably qualified engineer.

cont.../

Item No. 9.3 continued

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

***Reason for condition***

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

ENGsws2 The footings over or within 1m of the Council's stormwater main must be inspected to ensure no additional load from the building/structure is imposed on the stormwater main, prior to occupancy.

The inspection must be carried out by a suitable qualified engineer and a certificate submitted to the Council, certifying compliance with the above.

***Reason for condition***

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

**SURVEY**

SURV 8 The applicant, at no cost to the Council shall have prepared, entered into, and have registered at the Land Titles Office, a deed pursuant to Section 75CA of the Conveyancing and Law of Property Act 1884 for the for the awning, bay windows and facade encroachment over Elizabeth Street highway reserve, prior to the issue of a completion certificate.

***Reason for condition***

***To ensure that the proposed or existing building encroachment over Elizabeth Street is formalised in accordance with statutory provisions.***

**PART 5**

Part 5 1 Prior to the commencement of work the owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to the following:

cont.../

Item No. 9.3 continued

- 1) Not to undertake any works at any time (including building and excavation) that will have any effect of the integrity of the retaining structure adjacent to the Trafalgar Place highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: Further information with respect to the preparation of a part 5 agreement can be found at [http://www.hobartcity.com.au/Development/Planning/Part\\_5\\_agreements](http://www.hobartcity.com.au/Development/Planning/Part_5_agreements).

***Reason for condition***

***To ensure that the the Council infrastructure is not impacted on by current or future works on the site.***

**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](http://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 [rfi-information@hobartcity.com.au](mailto:rfi-information@hobartcity.com.au), clearly identifying the planning permit number, address and the condition to which the documentation relates.

cont.../

Item No. 9.3 continued

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](http://www.hobartcity.com.au/Development/Building).
- Plumbing permit under the Tasmanian Plumbing Regulations 2014;  
[www.hobartcity.com.au/Development/Plumbing](http://www.hobartcity.com.au/Development/Plumbing).
- Permit to construct public infrastructure with a 12 month maintenance period and bond (please contact the Council City Infrastructure Divisions to initiate the permit process).
- New service connection (please contact the Council City Infrastructure Divisions to initiate the application process).
- 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).
- Occupational license for use of Hobart City Council highway reservation in accordance with conditions to be established by the Council.  
[http://www.hobartcity.com.au/Environment/Occupational\\_Licence](http://www.hobartcity.com.au/Environment/Occupational_Licence).

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).

cont.../



Item No. 9.3 continued

LGAT – Tasmanian standard drawings

[http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).

Street lighting

The relocation of the light pole must be in accordance with TasNetworks and Hobart City Council requirements.

Environmental Health

Any emission from plant and/or machinery or activity associated with the use/development is to be in accordance with the Environmental Management and Pollution Control Act 1994, and is to avoid causing environmental nuisance to nearby properties.

Noise, dust, fumes, light in the form of electromagnetic radiation in the form of visible light and other pollutants emitted must not cause any disturbance or annoyance to owners/occupiers in the vicinity and shall comply with the Environmental Management and Pollution Control Act 1994 and subsequent regulations.

Detailed building plans showing all elevations, materials and specifications for food premises fit out are to be submitted to Council's Environmental Health Unit. These plans must comply with the provisions of the National Construction Code - Building Code of Australia Tas Part H102 for food premises and have regard to the FSANZ Food Safety Standards.

Application for registration of a food business must be made and subsequent written approval must be obtained from Council's Environmental Health Unit in accordance with the Food Act 2003. The business is to be registered prior to operation.

Appropriate work health and safety (WHS) measures should be employed during any earthworks to minimise human exposure to potentially-contaminated soil, water, dust and vapours. Work Safe Tasmania or a suitably experienced and qualified WHS practitioner should be consulted for advice if required.

cont.../

Item No. 9.3 continued

Contaminated soil and water are likely to be 'controlled wastes' under the Environmental Management and Pollution Control (Waste Management) Regulations 2010. Any 'controlled waste' must be managed, transported and disposed of in accordance with the Regulations. Advice regarding the regulations should be sought from EPA Division of the Department of Primary Industries, Parks, Water and Environment. Information regarding requirements under the Regulations for the disposal of contaminated soil can be found in the EPA Information Bulletin 105 Classification and Management of Contaminated Soil for Disposal.

Public swimming pools or spa pools are to be operated within the requirements of the Recreational Water Quality Guidelines 2007 under the Public Health Act 1997. Notification is to be provided to the Council's Environmental Health Unit of the operation of a public swimming pool or spa pool prior to operation.

The applicant is encouraged to negotiate an agreed outcome with the owners and occupiers of the adjacent building at 22 Elizabeth Street regarding the operation and location of the microwave network infrastructure atop that building.

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 62382715 for assistance.

- 9.4 851 SANDY BAY ROAD AND 851A SANDY BAY ROAD, SANDY BAY - 7 MULTIPLE DWELLINGS AND ASSOCIATED ACCESS, PARKING AND LANDSCAPING - PLN-15-00515-01 - FILE REF: 5645879 & P/851/820**  
Ref. Open CPC 6.1.6, 15/3/2016  
**Application Expiry Date: 23/2/2016**  
**(Extension of time granted to 4/4/2016)**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for 7 multiple dwellings and associated access, parking and landscaping at 851 Sandy Bay Road and 851A Sandy Bay Road, Sandy Bay for the reasons outlined in the officer's report attached to item 6.1.6 of the Open City Planning Committee agenda of 15 March 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 the Planning Application No. PLN-15-00515-01 outlined in attachment A to this permit except where modified below.

*Reason for condition*

*To clarify the scope of the permit.*

#### **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 2015/00883-HCC dated 19 June 2015 as attached to the permit.

*Reason for condition*

*To clarify the scope of the permit.*

#### **ENVIRONMENTAL**

- ENV2 Sediment and erosion control measures 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.

cont.../

Item No. 9.4 continued

A soil and water management plan (SWMP) must be submitted and approved, prior to the commencement of work. The SWMP must:

- (a) Be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (*Derwent Estuary Program, 2008*).

[http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guideline](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guideline) All work required by this condition must be undertaken in accordance with the approved SWMP.

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

***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.***

ENV4 An amended bushfire hazard management plan must be implemented prior to the first occupation and must be maintained for the life of the buildings.

An amended bushfire hazard management plan must be submitted and approved, prior to the first occupation. The amended bushfire hazard management plan must:

- (a) specify that the removal of any trees exceeding 10m in height and 250mm in diameter is not required; and
- (b) show private access to hardstand areas within 3m of all static water supply points.

All work required by this condition must be undertaken in accordance with the approved bushfire hazard management plan.

Advice: Once the amended bushfire hazard management plan has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

cont.../

Item No. 9.4 continued***Reason for condition***

***To ensure the use and/or development is consistent with the provisions of the Bushfire-Prone Areas Code and/or that the Bushfire Report and Bushfire Hazard Management Plan are consistent.***

- ENVs1 Prior to the commencement of works, a tree retention plan must be submitted and approved identifying trees to be retained and protected. The plan must:
- (a) identify the location and species of trees within the biodiversity protection area of the development site that are to be retained and protected;
  - (b) reflect the tree removal/retention plan shown in Figure 5 of the natural values assessment dated 26 February 2016; and
  - (c) be clear and legible in black and white at A4 size.

***Reason for condition***

***To ensure trees to be retained are clearly identified and that the plan is suitable for inclusion in a Part 5 Agreement, for the benefit of future owners.***

- ENV10 No works (including earthworks) or development, other than the treatment of environmental weeds or bushfire management in accordance with the approved bushfire hazard management plan, may occur within the drip line of the trees identified for retention in the tree retention plan specified in condition ENVs1 above.

The drip line of these trees must be marked out with flagging tape prior to the commencement of works and development and must remain in place until completion of the works and development. All persons participating in the development must be instructed to ensure that no disturbance occurs within these areas.

***Reason for condition***

***To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values.***

cont.../

Item No. 9.4 continued

ENV14 Plant species listed in the Council's Restricted Plant List: Potentially Invasive Species Generally Unsuitable for Planting in or Adjacent Bushland, Riparian and Coastal Areas (July 2014) must not be planted within the area of the development site subject to the biodiversity protection overlay of the *Hobart Interim Planning Scheme 2015* (copy attached).

***Reason for condition***

***To ensure the development does not contribute to the spread of weeds.***

ENV15 All construction vehicles and machinery must be effectively cleaned of soil both before entering and before leaving the property.

Soil cleaned from construction vehicles and machinery must not be allowed to either directly or indirectly enter waterways or the Council's stormwater system.

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 at [www.dpiw.tas.gov.au](http://www.dpiw.tas.gov.au).

***Reason for condition***

***To ensure the development does not contribute to the spread of weeds and pathogens.***

ENV12 An approved weed management plan for the conservation area specified in condition ENVs2 must be implemented.

A weed management plan prepared by a suitably qualified and experienced person must be submitted and approved, prior to the commencement of work.

The weed management plan must:

- (a) target the eradication of all individuals of Boneseed, Canary Broom, Cotoneaster and Blackberry;

cont.../

Item No. 9.4 continued

- (b) illustrate the general location of the weeds;
- (c) include descriptions and/or illustrations of the weeds to assist with identification of the weeds on the ground;
- (d) set out an environmentally-appropriate methodology and program for eradicating these weeds (including appropriate disposal) based on defined management zones (noting that eradication of many species will require follow-up treatments for several years);
- (e) include a concise action table that provides clear and detailed actions, the area to be targeted, the timing of each action and the persons/parties responsible for undertaking all actions;
- (f) include a simple map of the property that defines the management zones for specific actions (if relevant); and
- (g) include prescriptions to minimise impacts on native vegetation and minimise soil disturbance.

All work required by this condition must be undertaken in accordance with the approved weed management plan.

Advice: Once the weed management plan 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 remaining priority biodiversity values on the land are retained and/or improved.***

ENVs2 No activities may be undertaken or allowed to occur within the area of the lot outside the approved development area (i.e. the 'conservation area') that will compromise the biodiversity values or soil stability of the area including harvesting of trees or timber, clearing or disturbance of native vegetation, removal or significant disturbance to rock or soil, disturbance of fauna, use of chemicals, dumping of any rubbish or other materials, introduction of exotic species, grazing or lighting of fires without the prior written consent of the planning authority unless consistent with the requirements of the approved weed management plan referred to in condition ENV12.

cont.../

Item No. 9.4 continued***Reason for condition******To ensure that the remaining priority biodiversity values on the land are retained and/or improved.***

- Part 5 1 The owner(s) of the land must enter into an agreement with the Planning Authority pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 prior to the commencement of work. The Agreement must:
- (a) specify that the bushfire hazard management plan referred to in condition ENV4 must be implemented prior to the first occupation and must be maintained for the life of the buildings;
  - (b) specify that no works, other than the treatment of environmental weeds or bushfire management in accordance with the approved bushfire hazard management plan, may occur within the drip line of the trees identified for retention in the tree retention plan referred to in condition ENVs1 (a copy of the plan must be included);
  - (c) specify that plant species listed in the Council's Restricted Plant List: Potentially Invasive Species Generally Unsuitable for Planting in or Adjacent Bushland, Riparian and Coastal Areas (July 2014) must not be planted within the area of the development site subject to the biodiversity protection overlay of the Hobart Interim Planning Scheme 2015 (copy attached);
  - (d) include a basic map of the 'conservation area' referred to in condition ENVs2;
  - (e) specify that the conservation area weed management plan referred to in condition ENV12 must be implemented and complied with; and specify that no activities may be undertaken or allowed to occur within the conservation area that will compromise the biodiversity values or soil stability of the area including harvesting of trees or timber, clearing or disturbance of native vegetation, removal or significant disturbance to rock or soil, disturbance of fauna, use of chemicals, dumping of any rubbish

cont.../



Item No. 9.4 continued

or other materials, introduction of exotic species, grazing or lighting of fires without the prior written consent of the planning authority unless consistent with the requirements of the approved weed management plan referred to in condition ENV12.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner(s).

The owner(s) must comply with the Part 5 Agreement which will be placed on the property title(s).

Note: Further information with respect to the preparation of a part 5 agreement can be found at [http://www.hobartcity.com.au/Development/Planning/Part\\_5\\_agreements](http://www.hobartcity.com.au/Development/Planning/Part_5_agreements).

***Reason for condition***

***To ensure that use and development of the land is consistent with the Bushfire-Prone Areas Code and the Biodiversity Code.***

ENVs3 The storage of more than 45,000L of water within the landslide hazard area specified in the Landslide Code of the Hobart Interim Planning Scheme 2015 is prohibited.

***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.

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Item No. 9.4 continued

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.***

ENG2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS/NZS 1170.1 must be installed prior to the first occupation.

A certified design or report prepared by a suitably qualified engineer, to satisfy the above requirements, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with certified design or report. Upon completion the 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:

Once the certified design or report 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 safety of users of the driveway, car parking and manoeuvring areas and compliance with the standard.***

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Item No. 9.4 continued

ENG3 The driveway, car parking and manoeuvring areas, must be constructed in accordance with certified driveway, car parking and manoeuvring areas design drawings, prior to the first occupation.

The driveway, car parking and manoeuvring areas design must be submitted to the Council, prior to the issuing of any permit under the *Building Act 2000*.

The driveway, car parking and manoeuvring areas design must:

- Be prepared and certified by a suitably qualified engineer that the design is in accordance with the Australian standards AS/NZS 2890.1 or that the driveway, car parking and manoeuvring areas design provides for a safe and efficient access.

Upon completion of the driveway, car parking and manoeuvring areas, documents signed by a suitably qualified engineer certifying the driveway has been constructed in accordance with the certified design drawings, must be lodged with the Council.

***Reason for condition***

***To ensure that the safety of users of the driveway, car parking and manoeuvring areas.***

ENG4 The driveway, car parking and manoeuvring areas approved by this permit must be constructed to a sealed standard and surface drained prior to the first occupation.

***Reason for condition:***

***To ensure safe access is provided for the use.***

ENGsw10 Stormwater pre- treatment for stormwater discharges from the development must be installed prior to commencement of use.

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Item No. 9.4 continued

A stormwater management report and design must be submitted and approved, prior to commencement of work on the site. The stormwater management report and design must:

- (a) be prepared and certified by a suitably qualified engineer;
- (b) provide detailed design of the proposed treatment train, including bypass capacity, estimations of contaminant removal and a maintenance plan;
- (c) outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirement, i.e. including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement.

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

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

***Reason for condition***

***To avoid the possible pollution of drainage systems and natural watercourses, 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](http://www.hobartcity.com.au) for further information.

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Item No. 9.4 continued

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 [rfi-information@hobartcity.com.au](mailto:rfi-information@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](http://www.hobartcity.com.au/Development/Building).
- Plumbing permit under the Tasmanian Plumbing Regulations 2014;  
[www.hobartcity.com.au/Development/Plumbing](http://www.hobartcity.com.au/Development/Plumbing).
- 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).

**9.5 11 BEAUMONT ROAD, LENA VALLEY - SUBDIVISION (46 LOTS) - PLN-15-00245-01 - FILE REF: 2541636 & P/11/336**  
Ref. Open CPC 6.2.1, 15/3/2016  
**Application Expiry Date: 24/4/2016**

That: A. Pursuant to the *City of Hobart Planning Scheme 1982*, the Council approve the application for a subdivision (46 Lots) at 11 Beaumont Road, Lenah Valley for the reasons outlined in the officer's report attached to item 6.2.1 of the Open City Planning Committee agenda of 15 March 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 the Planning Application No. PLN-15-00245-01 outlined in attachment A to this permit except where modified below.

*Reason for condition*

*To clarify the scope of the permit.*

**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 2015/0035- HCC dated 26/11/15 as attached to the permit.

*Reason for condition*

*To clarify the scope of the permit.*

**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 three months of the completion of the development or as otherwise determined by the Council.

Item No. 9.5 continued

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 streetlights, 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 during and 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.***

ENG14 Services to each lot must be designed and installed to meet the needs of future development, prior to the sealing of the final plan.

Engineered drawings must be submitted and approved prior to commencement of work on the site. The engineered drawings must;

- (a) be prepared by a suitable qualified person and experienced engineer;
- (b) be generally in accordance with [LGAT](#) - IPWEA - Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following;

Road infrastructure

- Long and cross sections of the road, footpaths, walkways and driveways to each lot and a concept landscaping plan.
- Show the footpath to be extended from the end of the turning circle to the boundary of the site, to facilitate access to the existing public future open space (1500sqm).

cont.../

Item No. 9.5 continued

- Details of the road widening for access to the Gross Pollutant Trap and detention pit.
- All sealed walkways to be 1.5m wide.

## Stormwater

- Clearly distinguish between public and private infrastructure.
- Specify lot connection sizes appropriate for the developable area of each lot.
- Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained.

## Additional road infrastructure requirements:

- (c) Include designs and structural certificates of any excavation and/or any earth-retaining structures (i.e. embankments, cuttings, retaining walls). The design must:
- be in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure;
  - take into account any additional surcharge loadings as required by relevant Australian Standards;
  - take into account and reference accordingly any Geotechnical findings;
  - detail any mitigation measures required; and
  - the structure certificated should note accordingly the above.
- (d) Include design of pedestrian and vehicle barriers in accordance with the Department of State Growth Specifications Guidelines and Procedures and additional relevant standards.
- (e) Include a safe design of structures assessment in accordance with the Safe Design of Structures Code of Practice.

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Item No. 9.5 continued

## Additional stormwater infrastructure requirements

- (f) The new stormwater system design must include:
- Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
  - Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
  - Include provision for future development within the catchment to be adequately and efficiently serviced, i.e. via appropriate easements.
  - Clearly distinguish between public and private infrastructure.

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

Note: The guidelines and standards are available at [http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).

Advice: Once the engineering drawings have been approved the Council will issue a condition endorsement.

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure and an application for new stormwater connection.

***Reason for condition***

***To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.***

cont.../

Item No. 9.5 continued

ENGr7 Residential underground power and street lighting must be installed prior to the sealing of the final plan.

A street lighting design for all roads and footways must be submitted and approved, prior to sealing of the final plan. The street lighting design must:

- (a) be in accordance with AS/NZS 1158 series to the requirements of TasNetworks and Council;
- (b) include standard TasNetworks supplied poles and standard TasNetworks energy-efficient road light fittings;
- (c) be certified by a qualified person.

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

Advice: Once the street lighting design 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 subdivision of land provides adequate services to meet the projected needs of future development.***

ENGsws1 Stormwater management must be installed and implemented prior to sealing of the final plan.

A stormwater management report and design and stormwater management plan must be submitted and approved, prior to commencement of work on the site.

Treatment system

The stormwater report and design for the stormwater treatment system must either:

- (a) be prepared by a suitably qualified engineer;
- (b) provide detailed design of the final proposed treatment train, including estimations of contaminant removal in comparison with the State Stormwater Strategy targets;

cont.../

Item No. 9.5 continued

- (c) outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirement, ie. including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement; estimation of the life cycle cost including maintenance costs;
- (d) Include a supporting maintenance plan;

OR

- (e) A cost estimate is to be provided for the design and construction of a system on site that would meet the State Stormwater Strategy targets for the proposed subdivision. A sum equivalent to the cost estimate is to be paid to the Council as a contribution for the construction/upgrade of existing infrastructure offsite as an alternative to the onsite system.

Stormwater detention system

The stormwater management plan must demonstrate how runoff from the site is managed with the majority of the detention to be contained within the public detention tank as far as feasibly possible due to physical constraints. The stormwater management plan must:

- (f) provide details and supporting calculations of the public detention tank including (but not limited to) the following:
- The detention tank size, which must be such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding in Brushy Creek and New Town Creek. All assumptions must be clearly stated;
  - The design and layout, including long-sections of the inlet and outlet and details of how the installed system operates;
  - How overflow from the tank is safely managed;
  - The outlet size and emptying times;
  - Access details for maintenance;
  - Estimation of the asset life and life cycle cost including maintenance costs;

cont.../

Item No. 9.5 continued

- Operational and maintenance measures to check and ensure the ongoing effective operation of the system, including inspection frequency, cleanout procedures;
- Supporting maintenance plans for the public detention tanks; and
- Structural and geotechnical certification from an appropriately qualified engineer(s) for the design and installation.

(g) Discharge rate at the boundary of the lot.

For the balance of the stormwater that cannot be accommodated within the public detention tank, provide details and supporting calculations of the discharge rate at the boundary of each lot that will ensure sufficient stormwater management for the site. Note the discharge rate for each lot will be attached to a Part 5 agreement for each lot.

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

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

***Reason for condition***

***To ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.***

**ENVIRONMENTAL**

ENV2 Sediment and erosion control measures 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 soil and water management plan (SWMP) must be submitted and approved, prior to the commencement of work. The SWMP must:

cont.../

Item No. 9.5 continued

- (a) be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008).

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

All work required by this condition must be undertaken in accordance with the approved soil and water management plan (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.***

ENV 12 An approved weed management plan must be implemented throughout construction.

A weed management plan must be submitted and approved, prior to the commencement of work. The weed management plan must:

- (a) prepared by a suitably qualified and experienced person;
- (b) include measures to minimise soil erosion and sediment transfer associated with the management of weeds.

All work required by this condition must be undertaken in accordance with the approved weed management plan.

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

cont.../

Item No. 9.5 continued***Reason for condition***

***To ensure the development does not contribute to the spread of weeds and to offset the biodiversity impacts associated with the development.***

**OPEN SPACE**

OPS1 The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of all new lots (excluding Lots 31, 39 and 40) comprised in the final plan, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. The attached request must be completed to enable the valuation to be undertaken.

***Reason for condition***

***Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.***

**SURVEY**

SURV 1 The applicant is to submit to the Council a copy of the Surveyor's survey notes at the time of lodging the final plan.

***Reason for condition***

***To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.***

SURV 2 The final plan and schedule of easements must be submitted for approval by the Council in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

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Item No. 9.5 continued***Reason for condition***

***To ensure that the subdivision/boundary adjustment is carried out in accordance with the Councils requirements under the provisions of Part 3 of the Local Government (Building & Miscellaneous Provisions) Act 1993.***

SURV 3 The final plan and schedule of easements must be submitted for approval by the Council under section 89 *Local Government (Building & Miscellaneous Provisions) Act 1993.*

The final plan and schedule of easements must provide easements to the satisfaction of the Council:

- Over any proposed or existing storm water, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater;
- Over any overland flow paths or watercourses passing through the lots in favour of the Hobart City Council;
- Over any existing or proposed private right of ways, drainage and/or service easements in favour of the lots they are required to serve;
- Over any existing, proposed or required road embankment easements or road batter easement in favour of the Hobart City Council; and
- Over any public infrastructure located within any lot on the final plan, in favour of the Hobart City Council.

***Reason for condition***

***To ensure that there are no impediments to the provision of public and private services and access to the lots.***

SURV 5 The proposed Road and Footways are to be transferred in fee simple to the Council at nominal consideration.

Prior to the sealing of the final plan an executed and stamp duty assessed Land Titles Office transfer instrument is to be forwarded to the Council together with a cheque made payable to the Land Titles Office for the associated Land Titles Office registration fees.

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Item No. 9.5 continued***Reason for condition******To ensure that titles to the proposed road and footway lots issue in the Council.***

SURV 9 Any lots on the final plan created from the addition of sub minimal lots on the plan of subdivision are to be notated on the final plan.

The final plan must include notations in accordance with section 111 of the Local Government (Building and Miscellaneous Provisions) Act 1993, in relation to lots 11, 12, 13, 28, 38, 39, 40 & 41 to satisfy the above requirement.

***Reason for condition******To ensure compliance with statutory provisions.***

B. The Council include the following advice to the applicant:

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](http://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 [rfi-information@hobartcity.com.au](mailto:rfi-information@hobartcity.com.au), clearly identifying the planning permit number, address and the condition to which the documentation relates.



Item No. 9.5 continued

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).

- As approval is required for the use/development under the Building Act 2000, approval of the working drawings is required prior to the commencement of any works or the occupancy of the premises.
- An application for a plumbing permit must be lodged in accordance with the Building Act 2000 and Tasmanian Plumbing Regulations 2014, and a permit issued prior to the commencement of any plumbing work on site.
- 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).
- Permit to construct public infrastructure with a 12 month maintenance period including bond (please contact the Council City Infrastructure Divisions to initiate the permit process).
- New service connection (please contact the Council City Infrastructure Divisions to initiate the application process).

## 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 at <http://dpiuwe.tas.gov.au/invasive-species/weeds/weed-hygiene/washdown-guidelines>.

## Subdivision

[http://www.hobartcity.com.au/Development/Engineering Standards and Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines).

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Item No. 9.5 continued

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

**9.6 63 SALAMANCA PLACE, BATTERY POINT - OUTDOOR DINING FURNITURE AND SIGNAGE -PLN-16-00092-01 - FILE REF: 5672316 & P/63/817**  
Ref. Open CPC 6.3.1, 15/3/2016  
**Application Expiry Date: 23/3/2016**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for outdoor dining furniture and signage at 63 Salamanca Place, Battery Point for the reasons outlined in the officer's report attached to item 6.3.1 of the Open City Planning Committee agenda of 15 March 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 the Planning Application No. PLN-16-00092-01 outlined in attachment A to this permit except where modified below.

***Reason for condition***

***To clarify the scope of the permit.***

#### **HERITAGE**

HERs1 All outdoor furniture approved under this permit (chairs, tables and screens) must not be permanently fixed to the highway reservation. This permit grants the placement of the outdoor furniture on the highway reservation between 10am and 10pm, Monday to Sunday.

cont.../

Item No. 9.6 continued*Reason for condition*

*To ensure that the outdoor dining furniture other than that reasonably required to be attached to the public highway remains temporary in both appearance and nature on the basis that the permanent installation of such 'ephemeral' features would fail to be in keeping with the characteristics and the historical and cultural significance of this and neighbouring Heritage Listed sites, in compliance with the objectives of Schedule 1 of 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 [www.hobartcity.com.au](http://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 City of Hobart:

- Occupational licence for use of the City of Hobart highway reservation (outdoor seating, etc).  
[http://www.hobartcity.com.au/Environment/Occupational\\_Licence](http://www.hobartcity.com.au/Environment/Occupational_Licence).

**10. TASMANIA'S DRAFT CLIMATE CHANGE ACTION PLAN 2016 – 2021 – FILE REF: 17-50-23**

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Ref: Open CPC 7, 15/3/2016

- That:
1. The Council provide feedback to the Tasmanian Government, under a covering letter from the Lord Mayor, on the 'Embracing Climate Challenge - Tasmania's Draft Climate Change Action Plan 2016 – 2021, in accordance with the responses detailed at Clause 4 of the officer's report and Attachment B, to item 7 of the Open City Planning Committee agenda of 15 March 2016.
  2. The Council feedback include a request that additional information be included in the Plan regarding transport mitigation areas and better access to public transport.

**11. APPLICATIONS APPROVED UNDER THE BUILDING REGULATIONS 2014 AND BUILDING ACT 2000 – FILE REF: 30-1-17**

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Ref: Open CPC 9, 15/3/2016

That it be received for information that:

- A.
  1. During the period 1 February 2016 to 29 February 2016, 47 permits were issued to the value of \$6,726,200 which included:
    - (i) 34 extensions/alterations to dwellings to the value of \$4,737,900;
    - (ii) 5 new dwellings to the value of \$2,552,000; and
    - (iii) 1 major project:
      - (a) House at 718 Sandy Bay Road and 718A Sandy Bay Road - \$1,000,000.
  2. During the period 1 February 2015 to 28 February 2015, 46 permits were issued to the value of \$8,787,294 which included:

cont.../

Item No. 11 continued

- (i) 28 extensions/alterations to dwellings to the value of \$2,332,762;
  - (ii) 4 new dwellings to the value of \$1,423,232; and
  - (iii) 1 major project:
    - (a) New apartments at 571 Nelson Road - \$2,273,700.
- B.
1. In the twelve months ending 29 February 2016, 678 permits were issued to the value of \$134,961,935; and
  2. In the twelve months ending 28 February 2015, 624 permits were issued to the value of \$87,176,798.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION  
16(5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES)  
REGULATIONS 2015**

In accordance with Council Policy 2.01 the following Notice of Motion, which was lost at the Community, Culture and Events Committee, be considered by the Council.

**12. AFL GAMES IN HOBART – FILE REFS: 13-1-9; 10-2-29**

Ref. Open CCEC 11, 9/3/2016

- |                |       |   |
|----------------|-------|---|
| ALDERMAN ZUCCO | That: | <ol style="list-style-type: none"> <li>1. An urgent report be prepared to provide options for the Council to consider what role the Council will play in the future of AFL games in Hobart.</li> <li>2. The report address the 2015 IPM Report into the Socio-Economic Value of AFL Games in Hobart and the benefits to the City of Hobart.</li> <li>3. A tentative date be provided for a workshop regarding AFL Games in Hobart.</li> </ol> |
|----------------|-------|---|

cont.../

Item No. 12 continued**Rationale:**

The Hobart City Council has been involved in the delivery of AFL games in Hobart. The current arrangement is due to expire at the end of the current season. Based on that, the Council should be considering options as per its future involvement and what that may be, to ensure that the socio-economic benefits of AFL Games in Hobart are maintained.

**The General Manager reports:**

“In accordance with Clause 5 of the Notices of Motions procedures, I provide the following qualification as to whether the substance of this Notice of Motion resides within the jurisdiction of the Hobart City Council:

The matter resides within the jurisdiction of the Hobart City Council as it considers the Council’s future involvement with AFL games in Hobart, and the continuation of the positive socio-economic benefits that such games bring to the municipal area.”

**13. ELECTRIC CAR CHARGING STATION – FILE REFS: 13-1-9;  
35-7-32**

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Ref. Open FC Supp. 13, 16/3/2016

The motion will be distributed under separate cover.

**14. BICYCLE HIRE AND LOAN SCHEMES – FILE REFS: 13-1-9;  
37-1-1**

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Ref. Open FC Supp 14, 16/3/2016

The motion will be distributed under separate cover.

**15. STRATEGIES TO ALLEVIATE PEAK TRAFFIC ISSUES – FILE REFS: 13-1-9; 36-1-1**

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Ref. Special Open GC 2, 21/3/2016

The motion will be submitted to the meeting.

<b>PARKS AND RECREATION COMMITTEE</b>
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**16. REVIEW OF THE THREE RIVULET MASTER PLANS – FILE REFS: 70-76-1; 70-46-2; 41-10-2**

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Ref. Open PRC 6, 10/3/2016

- That:
1. The report titled *Three Rivulet Plans - Prioritisation of Key Projects for Implementation*, marked as Attachment B to item 6 of the Open Parks and Recreation Committee agenda of 10 March 2016, be endorsed as the basis for implementation, subject to funds being available in the City's Capital Works Program.
  2. Consideration be given to the allocation of funding in the City's Capital Works Program to enable the delivery of key projects identified.
  3. The outstanding actions identified in the report titled *Review of the Three Rivulet Plans*, marked as Attachment A to item 6 of the Open Parks and Recreation Committee agenda of 10 March 2016, be considered upon completion of key projects contained in the Implementation Plan.

**17. DOG PARK EXERCISE FACILITIES – FILE REF: 16-50-12**

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Ref. Open PRC 7, 10/3/2016

- That:
1. A fenced dog exercise area be provided in the lower section of John Turnbull Park in Lenah Valley.

cont.../

Item No. 17 continued

2. Detailed design work and community/stakeholder consultation be undertaken on the provision of the dog exercise area, with works to be scheduled for 2017/2018.
3. The cost of developing the dog park, estimated at \$150,000, be included for consideration in the Five Year Works Program.
4. Establishment of the fenced area at Wentworth Street (below Wellesley Park Oval) be further considered upon establishment and operation of the John Turnbull Park facility.
5. Landlord approval be granted, should a development application be required.

**18. HOCKEY TASMANIA – REQUEST FOR EXTENSION OF GRANT  
– TASMANIAN HOCKEY CENTRE – FILE REF: 72-24-1**

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Ref. Open PRC 8, 10/3/2016

- That:
1. An annual grant of \$63,860 be provided to Hockey Tasmania to assist with the maintenance of the Tasmanian Hockey Centre for the 2016/2017 and 2017/2018 financial years, to be funded from the respective Recreation and Projects Management Function.
    - (i) The value of the grant be indexed annually by CPI.
  2. Hockey Tasmania be required to provide an annual acquittal of the grant to confirm its use in meeting maintenance needs of the Tasmanian Hockey Centre.
  3. In recognition of the financial assistance provided, the General Manager negotiate with Hockey Tasmania appropriate acknowledgement of the City's support on the Association's website and in other relevant collateral.
  4. A review of the grant be undertaken in 2017/2018, along with similar grants provided to the lessees of the Hobart Netball and Sports Centre and the Domain Tennis Centre, to assess the value of the assistance provided.
  5. The total of the grant be recorded in the 'Grants, Assistance and Benefits Provided' section of the City of Hobart's Annual Report.



<b>FINANCE COMMITTEE</b>
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**19. CIVIC SQUARE MASTER PLAN – FILE REFS: 32-20-8; P/10-14/437**

Ref. Open FC 5, 16/3/2016

A recommendation will be distributed under separate cover.

**20. TASMANIAN HEADSTONE PROJECT – GRANT – FILE REF: 14-50-1**

Ref. Open FC 6, 16/3/2016

A recommendation will be distributed under separate cover.

**21. CITY OF HOBART RATING AND VALUATION STRATEGY –  
FILE REF: 22-1-8**

Ref. Open FC 9, 16/3/2016

A recommendation will be distributed under separate cover.

**22. REVIEW OF COUNCIL POLICY – RATES EXEMPTION FOR  
CHARITABLE PURPOSES – FILE REF: 22-1-1**

Ref. Closed FC 5, 16/3/2016

A recommendation will be distributed under separate cover.

**COMMUNITY, CULTURE AND EVENTS COMMITTEE****23. 2016 CITY OF HOBART ART PRIZE – FILE REF: 14-3-10**

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Ref: Open CCEC 5, 9/3/2016

- That:
1. The City of Hobart Art Prize not be staged in 2016 due to the unavailability of the Tasmanian Museum and Art Gallery.
  2. The Council endorse a review of the City of Hobart Art Prize including detailed research and community engagement to determine potential new models for the Art Prize to align with the Creative Hobart Strategy.
  3. The review be undertaken in early 2016 with a report back to the Council in mid 2016.
  4. The \$30,000 in prize money associated with the 2016 City of Hobart Art Prize be reallocated to the August 2016 round of the Council's cultural grants program

**24. HOBART TOWN (1804) FIRST SETTLERS ASSOCIATION  
REQUEST - SITE FOR STATUE HONOURING DAVID COLLINS –  
FILE REF: 14-50-1**

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Ref: Open CCEC 6, 9/3/2016

That the Council not support the request from the Hobart Town (1804) First Settlers Association for a Dunn Place site for a bronze statue of Lieutenant - Governor David Collins, given the uncertainty regarding future development of this site, the lack of support from the Tasmanian Museum and Art Gallery's Aboriginal Advisory Council for the project, and the potential for an alternative location for the statue in the St David's Cathedral Close, which has a meaningful connection to David Collins.

**25. FOOTSTEPS TO FREEDOM PUBLIC ART PROJECT –  
FILE REF: 30-1-13**

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Ref: Open CCEC 7, 9/3/2016

That the Council confirm approval of the payment of \$60,000 to Footsteps Towards Freedom Inc for the creation of one of three confirmed bronze sculptures, to be installed as part of the Footsteps to Freedom public art project, located in the forecourt of the new hotel at Macquarie Wharf No. 1.

**26. SALE OF CITY OF HOBART HISTORICAL PUBLICATIONS AT  
SALAMANCA MARKET – FILE REF: 14-60-13**

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Ref: Open CCEC 8, 9/3/2016

That no further sales of City of Hobart historical publications, excluding the Salamanca Market book, take place through the Salamanca Market Information Point.

**27. CLOSED PORTION OF THE COUNCIL MEETING**

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The following items were discussed:-

- Item No. 1 Minutes of the Last Meeting of the Closed Portion of the Council Meeting
- Item No. 2 Communication from the Chairman
- Item No. 3 Leave of Absence – File Ref: 13-2-2  
LG(MP)R 15(2)(h)
- Item No. 4 Consideration of Supplementary Items to the Agenda
- Item No. 5 Indications of Pecuniary and Conflicts of Interest
- Item No. 6 Land Review – File Ref: 7-1-19  
LG(MP)R 15(2)(f)
- Item No. 7 Legal Matter Regarding Retaining Wall – File Refs: 5577879;  
P/1334/437; 1633205; P/12B/641  
LG(MP)R 15(2)(i)