



# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 19 FEBRUARY 2018  
AT 5:00 PM  
COUNCIL CHAMBER, TOWN HALL



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## ORDER OF BUSINESS

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### ORDER OF BUSINESS

#### PRESENT, APOLOGIES AND LEAVE OF ABSENCE

1. CONFIRMATION OF MINUTES.....	4
2. TRANSFER OF AGENDA ITEMS.....	5
3. COMMUNICATION FROM THE CHAIRMAN .....	5
4. NOTIFICATION OF COUNCIL WORKSHOPS.....	6
5. PUBLIC QUESTION TIME .....	6
6. PETITIONS .....	6
7. CONSIDERATION OF SUPPLEMENTARY ITEMS .....	6
8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST .....	6
REPORTS OF COMMITTEES .....	7

#### CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY .....	7
399 Macquarie Street, South Hobart - Partial Demolition, Alterations and Intensification of Food Services Use .....	7
9.1 399 Macquarie Street, South Hobart - Partial Demolition, Alterations and Intensification of Food Services Use .....	7
1/160 Elizabeth Street, 2/160 Elizabeth Street, 3/160 Elizabeth Street, 4/160 Elizabeth Street, 79 Brisbane Street and Adjacent Road Reserve, Hobart - Partial Demolition, Alterations, Extension and Change of Use to Multiple Dwellings, and New Building for Multiple Dwellings, General Retail and Hire Food Services and Signage .....	10
9.2 1/160 Elizabeth Street, 2/160 Elizabeth Street, 3/160 Elizabeth Street, 4/160 Elizabeth Street, 79 Brisbane Street and Adjacent Road Reserve, Hobart - Partial Demolition, Alterations, Extension and Change of Use to Multiple Dwellings, and New Building for Multiple Dwellings, General Retail and Hire Food Services and Signage .....	10
38 Argyle Street, Hobart - Partial Demolition, Two Waste Compactor Units and Landscaping .....	25

9.3	38 Argyle Street, Hobart - Partial Demolition, Two Waste Compactor Units and Landscaping.....	25
66	Summerhill Road and 51 Summerhill Road, West Hobart and Adjacent Road Reserve - Subdivision (9 Additional Lots), Fire Trail Realignment, and Associated Services and Works .....	30
9.4	66 Summerhill Road and 51 Summerhill Road, West Hobart and Adjacent Road Reserve - Subdivision (9 Additional Lots), Fire Trail Realignment, and Associated Services and Works .....	30
83	Melville Street, Hobart - Partial Demolition and Alterations - PLN-17-822 .....	60
9.5	83 Melville Street, Hobart - Partial Demolition and Alterations - PLN-17-822.....	60
<b>10</b>	<b>Building Statistics - 1 January - 31 January 2018 .....</b>	<b>63</b>
<b>MOTIONS OF WHICH NOTICE HAS BEEN GIVEN</b>		
<b>11</b>	<b>Franklin Square.....</b>	<b>65</b>
<b>FINANCE AND GOVERNANCE COMMITTEE .....</b>		<b>66</b>
<b>12</b>	<b>Purchasing Card Policy .....</b>	<b>66</b>
<b>13</b>	<b>Annual Review of Loan and Investment Portfolios - 31 December 2017 .....</b>	<b>68</b>
<b>14</b>	<b>Financial Report as at 31 December 2017 .....</b>	<b>69</b>
<b>15</b>	<b>Review of Parking - North Hobart (Update on actions).....</b>	<b>69</b>
<b>16</b>	<b>Property Insurance .....</b>	<b>72</b>
<b>17</b>	<b>Climate Leadership Conference - 15-16 March 2018.....</b>	<b>73</b>
<b>PARKS AND RECREATION COMMITTEE .....</b>		<b>74</b>
<b>18</b>	<b>Swan Street, North Hobart - Replacement Public Toilets.....</b>	<b>74</b>
<b>19</b>	<b>kunanyi / Mount Wellington - Proposed Expression of Interest for an All-Weather Shuttle Bus Transport Service .....</b>	<b>74</b>
<b>SPECIAL REPORT – GENERAL MANAGER.....</b>		<b>76</b>
<b>20</b>	<b>Proposal to Combine Community Culture and Events and Economic Development and Communications Committees.....</b>	<b>76</b>
<b>21.</b>	<b>CLOSED PORTION OF THE MEETING.....</b>	<b>79</b>

**PRESENT:**

The Acting Lord Mayor Alderman R G Christie, Aldermen M Zucco, J R Briscoe, P T Sexton, H C Burnet, P S Cocker, D C Thomas, A M Reynolds, T M Denison and W F Harvey.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

The Lord Mayor Alderman S L Hickey  
Alderman E R Ruzicka

Alderman Briscoe left the meeting at 6.35 pm and returned at 6.36 pm.

Alderman Sexton left the meeting at 6.37 pm and returned at 6.39 pm.

Alderman Harvey left the meeting at 6.56 pm and returned at 7.06 pm.

Alderman Reynolds left the meeting when it adjourned at 7.24 pm and was not present for item 21.

**1. CONFIRMATION OF MINUTES**

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The Chairman reported that he had perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 5 February 2018](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET  
ZUCCO

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

The minutes were signed

## **2. TRANSFER OF AGENDA ITEMS**

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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*?

No items were transferred.

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

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### **3.1 Gifts received for presentation to Council**

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The Acting Lord Mayor presented the following gifts to Council;

A plaque and medallion received by the Acting Lord Mayor from the Commanding Officer of HMAS Hobart, Captain John Stavridis on Friday 9 February 2018.

A Souvenir Baton and “Borobi”, the Blue Koala, the official mascot for the 2018 Gold Coast Commonwealth Games received by the Acting Lord Mayor 9 February 2018.

At a function at Government House on 19 February 2018, Alderman Thomas received a plaque marking the first season of the new French Ice-breaker L’Astrolabe from the ships captain, Captain Francois Trystram.

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

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In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that the following workshops have been conducted since the last ordinary meeting of the Council:

Date: Monday 19 February 2018

Purpose: Budget 2018/19

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

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No questions were received.

#### **6. PETITIONS**

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No petitions were received.

#### **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

##### **RECOMMENDATION**

That the Council resolve 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*.

No supplementary items were received.

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

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

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

No interest was indicated

## REPORTS OF COMMITTEES

### CITY PLANNING COMMITTEE

#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the 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.

##### 9.1 399 Macquarie Street, South Hobart - Partial Demolition, Alterations and Intensification of Food Services Use PLN-17-810 - File Ref: F18/8217

Ref: Open [CP 7.1.2](#), 13/02/2018  
Application Expiry Date: 3 March 2018  
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and intensification of food services use at 399 Macquarie Street, South Hobart for the reasons outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 13 February 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-810 - 399 MACQUARIE STREET SOUTH HOBART TAS 7004 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 6

The use must not be open to the public outside of the following hours: Monday to Sunday: 8am to 5pm.

Reason for condition

To clarify the scope of the permit and to ensure that non-residential use does not unreasonably impact on residential amenity.

ENG 1

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

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

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

*Advice: The photographic record can be emailed to [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)*

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.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you

may need to obtain an approval. Visit the Council's [website](#) for further information.

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

#### WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

#### NOISE REGULATIONS

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

#### WASTE DISPOSAL

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

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

## DIAL BEFORE YOU DIG

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

BRISCOE  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

#### NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**9.2 1/160 Elizabeth Street, 2/160 Elizabeth Street, 3/160 Elizabeth Street, 4/160 Elizabeth Street, 79 Brisbane Street and Adjacent Road Reserve, Hobart - Partial Demolition, Alterations, Extension and Change of Use to Multiple Dwellings, and New Building for Multiple Dwellings, General Retail and Hire Food Services and Signage  
PLN-17-920 - File Ref: F18/11527**

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Ref: Open [CP 7.1.3](#), 13/02/2018  
Application Expiry Date: 20 February 2018  
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and change of use to multiple dwellings, and new building for multiple dwellings, general retail and hire, food services and signage at 1/160 Elizabeth Street, 2/160 Elizabeth Street, 3/160 Elizabeth Street, 4/160 Elizabeth Street 160 Elizabeth Street, 79 Brisbane Street and adjacent road Reservation for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 13 February 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance

with the documents and drawings that comprise PLN-17-920 - 160 ELIZABETH STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/01846-HCC dated 23 November 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5479 dated 31 January 2018, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition.

A demolition waste management plan must be submitted and approved, prior to commencement of work on the site. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

*Advice:*

*Please also note condition HER 8 which requires salvage to be undertaken to ensure the protection and/or reuse of heritage fabric.*

*Once the demolition waste management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

*It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).*

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

ENG sw5

The new public stormwater infrastructure must be designed and constructed prior to the commencement of the use or the issue of any completion certificate (whichever occurs first).

Engineering drawings must be submitted and approved, prior to commencement of work or issue of any approval under the *Building Act 2016* (whichever occurs first). The engineering drawings must:

1. Be certified by a qualified and experienced civil engineer;
2. Include a plan and long-section of the proposed stormwater main.
3. These should include, but not be limited to, connections,

flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings.

4. Be substantially in accordance with the LGAT Standard Drawings and
5. Tasmanian Subdivision Guidelines.
6. Clearly distinguish between public and private infrastructure.
7. Clearly show the main being a minimum size of DN300.

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

*Advice: Once the engineering drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

*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. A post-work CCTV and bond for the maintenance period will be required.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG 13

An ongoing waste management plan for all domestic and commercial waste and recycling must be implemented post construction.

An ongoing waste management plan must be submitted and approved, prior to commencement of work on the site. The ongoing waste management plan must include provisions for commercial waste services for the handling, storage, transport and

disposal of domestic and commercial waste and recycle bins from the development.

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

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

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

1. Be prepared by a suitably qualified person.
2. Include a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include the start date and finish dates of the various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.

5. Nominate a superintendent or the like to advise the Council of the progress of works in relation to the traffic and parking management, including regular meetings during the works.

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

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG 5

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standard AS/NZS 2890.1 2004, prior to first occupation.

Reason for condition

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

ENG 6

The car parking spaces shown on the plans submitted on 22 December 2017 may not comply with the Australian Standard AS/NZS 2890.1:2004.

A revised car parking and manoeuvring area design must be submitted and approved, prior to the issue of any approval under the *Building Act 2016*.

The car parking and manoeuvring area design must be signed by a suitably qualified engineer, certifying (unconditionally) that the parking area/manoeuvring area/access/crossover are in accordance with the Australian standards AS/NZS 2890, or that the car parking and manoeuvring area design provides for a safe and efficient access.

All work required by this condition must be undertaken in accordance with the approved car parking and manoeuvring area design.

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

*A landowner may be faced with all costs for removal of a building or improvements and any associated damages resulting from the unauthorised location of building or improvements on land that is subject to an easement.*

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENG s1

The new works fronting onto the right of way must be certified by a suitably qualified engineer as designed and constructed to resist floodwaters.

Reason for condition

To mitigate risks associated with flooding.

ENV 2

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

A SWMP must be submitted and approved, prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

HER 6

The recommendations of the Heritage Management Plan must be followed. Specifically:

1. The applicant must provide an archaeological impact assessment for any development which requires excavation.
2. The applicant must provide an archaeological method statement if impact is determined to be likely. That method statement must be in accordance with the Tasmanian Heritage Council's Practice Note 2 – Managing Historical Archaeological Significance in the Works Application Process (and/or any other accepted industry standard).
3. The applicant must implement the recommendations of that method statement ahead of/during the works program subject to the recommendations of the archaeologist in consultation with the construction crews.
4. Interpretation of the archaeological and heritage values must

be incorporated in the new development.

#### Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

#### HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be recorded prior to commencement of demolition works.

The archival quality annotated photographs and drawings must be submitted and approved, prior to the commencement of demolition works. The archival quality annotated photographs and drawings must be in both electronic and hard copy format and include:

1. Each elevation of the building;
2. The interior of the building;
3. Architectural design detailing of the building;
4. Photographs of any detail that may be of historical or architectural interest; and
5. Cross referencing of all photographs to an “as existing” plan showing the location and orientation of the camera.

#### *Advice:*

*Once the archival quality annotated photographs and drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for condition

To ensure recognition of the historic cultural heritage significance of

the place.

#### HER 8

Salvage must be undertaken to ensure the protection and/or reuse of heritage fabric.

Documentation must be submitted and approved, prior to the commencement of work. The documentation must outline the proposed salvage, retrieval and recycle options of the existing sandstone perimeter fence base, to satisfy the above requirement.

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

#### *Advice:*

*Once the documentation has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for condition

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstance

#### ENVEH 3

An amended Environmental Site Assessment report 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) as amended 2013 must be submitted and approved prior to the issue of any approval under the *Building Act 2016*.

The report must include:

1. A review of the land use classification for the ground floor residential component of the development and the access to soil via the landscaped forecourt.

2. Reference to clause E2.5 'Use' of the Potentially Contaminated Land Code of the *Hobart Interim Planning Scheme 2015*, including any specific remediation and protection measures required to be implemented before any use commences and a statement that the land is suitable for the intended use(s).
3. Further detail and clarification with respect to groundwater investigation.

Once approved, the amended Environmental Site Assessment report must be complied with.

Reason for condition

To provide for a safe living environment.

SURV 8

The applicant, at no cost to the Council, must have prepared, entered into, and registered at the Land Titles Office, a deed pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884* for the awning encroachment over the Brisbane Street road reservation, prior to the issue of a completion certificate.

*Advice: A section 75CA Conveyancing and Law of Property Act 1884 certificate for the occupation of a highway requires that the encroachment is a minimum 2.40 metres above the footpath or 4.25 metres above the road carriageway. A 600mm set back from the back of kerb may also be required.*

*The applicant must prepare and forward the required instrument pursuant to section 75CA Conveyancing and Law of Property Act 1884, including a survey plan of the encroachment (certified by a registered surveyor), the associated \$220 Council application fee and the Land Titles Office registration fee, to the Council for execution and subsequent registration within the Land Titles Office.*

Reason for condition

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

SUB s1

A right of carriageway to the satisfaction of the Council must be registered over the property at 79 Brisbane Street (CT. 198304/1) to facilitate the legal operation of the car parking (in accordance with the certified design of the parking area/manoeuvring area/access required by condition ENG 6 of this permit), prior to the issue of any approval under the *Building Act 2016*.

Reason for condition

To ensure that the car parking can be legally accessed.

#### ADVICE

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

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

#### CONDITION ENDORSEMENT

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

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

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

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

#### WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

#### REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

#### ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

#### CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

#### RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded

in any way, and all beneficiaries must have complete and unrestricted access at all times.

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

#### STRATA AMENDMENT

You will be required to amend the strata plan pursuant to the provisions of section 19A of the *Strata Titles Act 1998* in order to reflect the completed development works. Click [here](#) for more information.

The proposed development will require the approval of the Strata Body Corporate in accordance with sections 1(3)(a) and (b) of the Strata Model By-Laws that apply to Strata Plan 144699.

#### WASTE DISPOSAL

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

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

BRISCOE  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**9.3 38 Argyle Street, Hobart - Partial Demolition, Two Waste Compactor Units and Landscaping  
PLN-17-858 - File Ref: F18/9815**

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Ref: Open [CP 7.1.4](#), 13/02/2018  
Application Expiry Date: 4 March 2018  
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, two waste compactor units and landscaping at 38 Argyle Street, Hobart for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 13 February 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-858 - 38 ARGYLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

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

Notice, Reference No. TWDA 2017/01772-HCC dated 13 November 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

Reason for condition

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

ENG s1

No discharge from the waste compactor units must drain to the Council's stormwater infrastructure.

Reason for condition

To avoid the pollution of natural watercourses that could be caused by discharge from the development.

## ENV 1

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

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

### Reason for condition

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

## HER 6

Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with one (1) day of the discovery; and
5. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to the Council within 30 days of receipt of the advice, assessment and recommendations. Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

#### Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

#### HER s1

An induction and briefing of all excavation workers on site must be given on the importance of the cultural heritage values of the site prior to the commencement of work on the site. The induction must be given by a suitably qualified/experience heritage practitioner or archaeologist.

#### Reason for condition

To ensure any excavation is undertaken in a manner to appropriately manage any archaeological evidence should it be found.

#### ENVHE 1

The advice and recommendations made in the site contamination assessment report, prepared by Geo-Environmental Solutions and titled Limited Scope Environmental Site Assessment For Underground Compactors, dated 13 December 2017, must be implemented.

#### Reason for condition

To ensure the subject land is capable of supporting the proposed development and future use in terms of site contamination issues.

#### ADVICE

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

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

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

## WASTE DISPOSAL

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

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

## DIAL BEFORE YOU DIG

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

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**9.4 66 Summerhill Road and 51 Summerhill Road, West Hobart and Adjacent Road Reserve - Subdivision (9 Additional Lots), Fire Trail Realignment, and Associated Services and Works  
PLN-16-1296 - File Ref: F18/10246**

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Ref: Open [CP 7.1.5](#), 13/02/2018  
Application Expiry Date: 20 February 2018  
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (9 additional lots), fire trail realignment, and associated services and works at 66 Summerhill Road and 51 Summerhill Road, West Hobart and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 13 February 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1296 - 66 SUMMERHILL ROAD WEST HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

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

Notice, Reference No. TWDA 2017/00017-HCC dated 17 January 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw2

The Council's stormwater infrastructure adjacent to/within the subject site must be protected from damage during the construction of the development. This includes the section of public main located from the headwall at the southern boundary of 1 Bimbadeen Court through to 43 Summerhill Road.

Digital copies of a pre and post-construction work CCTV video and associated report(s) for any Council stormwater main within two metres of the works, must be submitted to the Council:

1. Prior to commencement of work on site, and
2. After completion of all work but prior to the issue of any certificate of completion.

The pre- and post-construction work CCTV videos will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner fails to provide to the Council a preconstruction works CCTV video of the Council's infrastructure, then any damage to the Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Advice:

*The CCTV videos can be submitted to [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au).*

Reason for condition

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

ENG sw2.1

Once all approved works have been completed, and prior to the sealing of the final plan for lots 1-9 and 100, the developer must

submit a recorded CCTV inspection and associated report of any new public stormwater infrastructure.

The CCTV inspection must be taken no more than one month prior to commencement of the maintenance period. A maintenance period of 12 months (for roads, and piped infrastructure) or 24 months (for vegetated stormwater infrastructure) will apply. The Council will perform a final inspection at the end of the maintenance period. Should any rectification works be required, these must be done at the developer's cost within a time frame specified by the Council, and an additional 12 month maintenance period may be applied.

Advice:

*A maintenance bond of 5% of the contract value of the works will be required by the Council. Upon the expiry of the maintenance period, please contact the Council's Project and Development Inspector on telephone 6238 2967 to arrange the final inspection prior to the release of the maintenance bond.*

Reason for condition

To ensure that the Lots are serviced by adequate public infrastructure.

ENG sw3

The proposed works (including footings) must be designed to ensure the long term protection of and accessibility to the existing and proposed public stormwater infrastructure.

Detailed engineering design drawings must be submitted and approved prior to commencement of works.

The detailed engineering design drawings must:

1. Demonstrate how the design will accommodate future maintenance/replacement of the infrastructure, minimise future costs to the Council and protect Council's infrastructure.
2. Demonstrate that the proposed structures within 66 Summerhill Road will not impose any loads onto the infrastructure and that they will be fully independent of the Council's infrastructure and its trenching.

3. Include cross-sections clearly showing the relationship both vertically and horizontally between the main and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.
4. Be certified by a suitably qualified engineer.

Prior to sealing of the final plan for lots 1-9 and 100, a suitably qualified engineer must confirm that the installation of the works within two metres of the main is in accordance with the approved detailed engineering design drawings and is compliant with the above requirements. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice:

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

*Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG sw4

Overland flow from the current western bush catchment of 66 Summerhill Road must be adequately directed to the Council's stormwater infrastructure with sufficient receiving capacity. Detailed engineering drawings and report must be submitted and approved prior to commencement of works.

The detailed engineering drawings and report must include:

1. Engineering design drawings for construction purposes, which detail the necessary drainage works for the overland flow to be safely conveyed to the public system.
2. Supporting calculations which demonstrate that the engineering design has capacity to accommodate a 1:100 AEP event, including climate change and sufficient freeboard.
3. A supporting geotechnical investigation and report (including an assessment of any increased risk of landslip), for the proposed engineering design. The engineering design and installation must comply with the recommendations of that report.

Should the drainage works not be completed prior to sealing of the plans for Stage 1, temporary private diversion works in order to protect lots 1-3 must be installed prior to sealing of the final plan for Stage 1. A detailed design (including a maintenance program) must be submitted to and approved prior to its installation.

Written confirmation from a suitably qualified person that the works have been carried out in accordance with the geotechnical recommendations must be submitted within six weeks of completion of the drainage works.

All work required by this condition must be undertaken and maintained in accordance with the approved detailed engineering drawings and report.

Advice:

*Once the detailed engineering drawings and report have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Engineering approvals and Inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*The approved detailed engineering drawings and report will be utilised as the basis for the bond amount referred to in condition SUBs3.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure lots are not subject to inundation risk.

ENG sw6

The new stormwater system must be constructed prior to the sealing of the final plan for lots 1-9 and 100.

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

1. Be certified by a qualified and experienced engineer.
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Include provision for future development within the catchment to be adequately and efficiently serviced, i.e. via appropriate easements.
5. Clearly distinguish between public and private infrastructure, minimising the extent of public infrastructure outside of the highway reservation where practicable.
6. Be substantially in accordance with the LGAT drawings and Tasmanian Subdivision Guidelines.

7. Show the final lot boundaries, with each lot serviced separately by the Council's infrastructure and all private plumbing contained within each lot;
8. Specify lot connection sizes appropriate for the developable area of each lot.
9. Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained.

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

Advice:

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

*Engineering approvals and Inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*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.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG sw7

Stormwater pre-treatment and detention for stormwater discharge

from the development must be provided to the satisfaction of Council's City Infrastructure Division prior to the sealing of the final plan for lots 1-9 and 100.

A stormwater management report and design must be submitted and approved, prior to commencement of works on the site. The stormwater management report and design must be prepared by a suitably qualified engineer and:

EITHER:

Treatment system:

1. Provide detailed design of the final proposed treatment train, including estimations of contaminant removal in comparison with the State Stormwater Strategy targets.
2. Provide detailed construction drawings for the installation of the treatment system and associated works.

Detention System:

1. Provide details and supporting calculations of the public detention tank sized such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding. All assumptions must be clearly stated.
2. Show layout, of the inlet and outlet including long-section.
3. Provide details of the overflow mechanism.
4. Provide clarification of the emptying times and outlet size.

Treatment and Detention Systems:

1. Ensure the location of the systems is agreed upon by the Council's City Infrastructure Division. Location must take into consideration access, minimising future maintenance/replacement costs and overflow path risk.
2. Provide sufficient construction details for any relocation of

services required to accommodate installation of the systems. Note that associated agreements with Utility Providers may need to be obtained to enable the relocation of services.

3. Include a supporting maintenance plan that outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirements, e.g. including but not limited to: inspection frequency and criteria for inspections; component lifespans; details on component replacement / periodic maintenance procedures; and estimation of the life cycle cost including maintenance costs.

OR:

Provide a realistic cost estimate agreed upon with the Council's City Infrastructure Division, based on a preliminary design for the construction of system(s) on site that would meet the State Stormwater Strategy targets and satisfy the detention requirement, for the proposed subdivision. The equivalent of the cost estimate must be paid to the Council as a contribution for the upgrade of existing/proposed infrastructure offsite.

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).*

*Engineering approvals and Inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for condition

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

#### ENG 2a

Vehicular barriers compliant with the Australian Standard AS1170.1 must be installed to prevent vehicles running off the edge of the shared access driveway servicing lots 5-9 within the right of way on lots 5-9, where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or turning areas approved under this permit.

#### Advice:

*The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*

*Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required.*

#### Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

#### ENG 2b

A certified vehicle barrier design (including site plan with proposed location(s) of installation within the right of way on lots 5-9), prepared by a suitably qualified engineer, compliant with Australian Standard AS1170.1, must be submitted to the Council prior to the issue of any approval under the *Building Act 2016*, or the commencement of works on site. All works, required by this condition must be undertaken in accordance with certified vehicle barrier design.

Advice:

*Once the certified vehicle barrier design has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Please note that works may need various permits under the Building Act 2016 as well as Council City Infrastructure approval.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the sealing of the final plan for Stage 2, vehicular barriers within the right of way on lots 5-9 must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS1170.1.

Advice:

*Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 4

The access driveways approved by this permit must be constructed to a sealed standard and surface drained prior to the sealing of the final plan for lots 1-9 and 100. The access driveways must be constructed and sealed to provide practical access for vehicles into the body of each lot, including internal lots where access is subject to a right of way.

Reason for condition

To ensure safe access is provided for the use.

ENG 1

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

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

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

Reason for condition

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

ENV 8

Soil disturbance when establishing and maintaining the bushfire hazard management area on the south-eastern side of the subdivision is to be kept to the minimum practicable.

Reason for condition

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

ENV 9

Clearing of native vegetation within the Biodiversity Protection Area overlay of the *Hobart Interim Planning Scheme 2015* to establish and maintain bushfire hazard management areas must be the minimum required to achieve compliance with the hazard management area requirements in Table 1 of the bushfire report by Johnstone McGee and Gandy P/L dated December 2017.

Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values, and to reduce the risk to life and property, and the cost to the community, caused by landslides.

ENV 10

The trees shown in Figure 1 and listed in Table 1 of the vegetation impact statement by Enviro-dynamics P/L dated 22 December 2017 within the Biodiversity Protection Area overlay of the *Hobart Interim Planning Scheme 2015* must be retained.

Reason for condition

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

ENV 2

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

A SWMP must be submitted and approved, prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

Advice:

*Once the SWMP has been approved, the Council will issue a*

*condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

#### Reason for Condition

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

#### ENV 3

Prior to sealing of the final plan for any stage of the subdivision, an amended bushfire hazard management plan and/or bushfire report by Johnstone McGee and Gandy P/L dated December 2017 must be submitted and approved.

The amendments must include:

1. A clear plan showing the extent of the interim hazard management area for lots 1 to 3; and
2. A requirement for the new fire hydrant to be installed prior to sealing of the final plan for lots 1 to 3, unless an alternative fire-fighting water supply arrangement is proposed for these lots that complies with the Bushfire-Prone Areas Code of the *Hobart Interim Planning Scheme 2015* and is certified as complying with the Bushfire-Prone Areas Code by the Tasmania Fire Service or an accredited bushfire hazard practitioner with the appropriate scope of work accreditation.

The approved amended bushfire hazard management plan and/or bushfire report must be implemented in accordance with the following:

1. The interim hazard management area for lots 1 to 3 must be implemented prior to the issue of titles for lots 1 to 3 and maintained until the issue of titles for lots 4 to 9.
2. The new fire hydrant must be installed prior to the issue of titles

for lots 1 to 3, unless an alternative fire-fighting water supply arrangement has been approved.

3. The public road and private accesses (including required signage) must be constructed in accordance with the approved amended bushfire hazard management plan and bushfire report prescriptions, prior to the issue of titles for lots 4 to 9, and maintained in accordance with the approved amended bushfire hazard management plan and bushfire report prescriptions in perpetuity.
4. The new fire hydrant must be installed prior to the issue of titles for lots 4 to 9.
5. The final hazard management area must be implemented prior to the issue of titles for lots 4 to 9, and maintained in perpetuity.

Advice:

*Once the amended bushfire hazard management plan and/or bushfire report have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENV 4

Following completion of the Summerhill Road road extension (lot 100) and construction of the private accesses to lots 5 to 9, and prior to the issue of titles for these lots, written certification that the works comply with the access requirements of the bushfire hazard management plan and bushfire report from the Tasmania Fire Service or an accredited bushfire hazard practitioner with the appropriate scope of work accreditation must be submitted.

Advice:

*Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENV s1

Any fire trail upgrade works must be carried out in accordance with the recommendations and specifications of the report *Weerona Fire Trail, Knocklofty: Geotechnical investigations and construction specifications for upgrade* by William C Cromer dated 26 October 2017, unless alternative design specifications are approved in writing by the Council.

Advice:

To be approved, any alternative design must be certified by a suitably qualified person that the works as specified in the design documents will not increase the risk of landslide.

Reason for condition

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

ENV s2

For any fire trail upgrade works that are undertaken, written certification from a suitably qualified person that the works have been carried out in accordance with the recommendations and specifications of the report *Weerona Fire Trail, Knocklofty: Geotechnical investigations and construction specifications for upgrade* by William C Cromer dated 26 October 2017, or in accordance with any alternative design specifications approved under condition ENV s1, must be submitted within six weeks of the works being completed.

Advice:

*Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition*

*endorsement*).

Reason for condition

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

SURV 1

The applicant must 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 and approved 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 Council's 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 provide easements to the satisfaction of the Council:

1. Over any proposed or existing stormwater, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater. (Minimum width of 2m, or 3m if they cover 2 pipes.)
2. Over any existing or proposed private rights of way, drainage and/or service easements in favour of the lots they are required to serve.
3. Over any existing, proposed or required road embankment easements or road batter easements 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 lot is to be transferred in fee simple to the Council at nominal consideration.

Prior to the sealing of the final plan for lots 1-9 and 100 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.

#### Advice:

*The applicant will need to prepare and arrange for the execution of a Land Titles Office transfer and partial discharge of mortgage (if required) for the road and public open space lots, attend to the assessment of duty at the State Revenue Office and forward the stamped instruments together with the associated Land Titles Office registration fees (cheque made payable to the Recorder of Titles for \$200.43 (transfer) and \$162.18 (partial discharge of mortgage)) and a completed notice of sale, to the Council's Manager Surveying Services prior to the sealing of the final plan of survey.*

#### Reason for condition

To ensure that titles to the proposed road, footway and public open space lots issue in the Council.

#### SUB s6

A right of way burdening lot 9 to the benefit of lot 8 must be provided, to the satisfaction of the Council, to facilitate vehicular egress from lot 8 in a forwards direction.

A right of way burdening lot 5 to the benefit of lot 6 must be provided, to the satisfaction of the Council, to facilitate vehicular egress from lot 5 in a forwards direction.

The rights of way must be shown on the final plan and schedule of easements submitted for approval by the Council under section 89

*Local Government (Building & Miscellaneous Provisions) Act 1993.*

Reason for condition

To ensure safe and efficient access for all users.

ENG 14

Prior to the commencement of works on site, detailed road and access engineering drawings must be submitted and approved.

The detailed road and access engineering drawings must be prepared by a suitably qualified and experienced engineer, and be generally in accordance with the LGAT - IPWEA -Tasmanian Standard Drawings and Subdivision Guidelines 2013.

The detailed road and access engineering drawings must:

1. Include designs of any excavation and/or batter fill and/or any earthretaining structures (e.g. embankments, cuttings, retaining walls) and associated structures certificates for any structures.  
The design must:
  - Demonstrate that the stability of the highway reservation will not be undermined.
  - Show any earth retaining structures to be designed in accordance with AS4678, with a design life in accordance with table 3.1 for typical application major public infrastructure works.
  - Show batter filling to be designed in accordance with AS1289. Take into account any additional surcharge loadings as required by the relevant Australian Standards.
  - Take into account and reference accordingly any geotechnical findings.
  - Detail any mitigation measures required.
  - The structure certificated and/or designed should note accordingly the above.

2. Include design of pedestrian and vehicle barriers in accordance with the Department of State Growth Specifications Guidelines and procedures, Australian/New Zealand Standard AS / NZS 1170.1 and the (IPWEA) LGAT – Tasmanian Standard Drawings. 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.
3. Include a safe design of structures assessment in accordance with the SafeDesign of Structures Code of Practice (as adopted under section 274 of the *Work Health and Safety Act 2012*).
4. Show that proposed driveway crossover within Summerhill Road highway reservation must be designed and constructed in general accordance with TSD-R14-v1 and TSD-R09-v1 or a Council approved alternate design, clear from any public infrastructure (TasNetworks).
5. Show that vehicular sight lines at the cul de sac entering/exiting driveway from lots 5-9 are met as per AS/NZS 2890.1 2004.
6. Show typical cross section at entering/existing driveway from lots 5-9 within the highway reservation including any infrastructure associated with driveway such as retaining wall and embankments.

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

Advice:

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

*Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*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.*

*Please note that any works may need various permits under the Building Act 2016 as well as Council City Infrastructure approval. Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

*Please note that lot 2 access will need to be 2 metres clear of the existing TasNetwork pole, or the pole relocated at the developer's expense.*

Reason for condition

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

ENG 15

The access driveway associated with the shared right of way access to lots 5-9 must be constructed in accordance with JMG drawings J163033PH P01 (rev P8), P02 (rev P5), P03 (rev P5), P04 (rev P6), P10 (rev P5) and P11 (rev P2) submitted to the Council on 6/12/17, or a Council approved alternative design. The alternative design must include pedestrian and vehicle barriers in accordance with the National Construction Code of Australia, Australian/New Zealand Standard AS / NZS 1170.1, AS / NZ 2890.1 and the (IPWEA) LGAT – Tasmanian Standard Drawings.

The access driveway must be designed and constructed to a sealed standard prior to the sealing of the final plan for these lots.

Once constructed, the access driveway must be inspected by a suitably qualified engineer and a certification submitted to the Council that it has been constructed in accordance with the JMG drawings or the approved design, prior to the sealing of the final plan for these lots.

Reason for condition

To ensure that the driveway for the development is constructed to ensure public safety standards.

Part 5 1

Prior to the sealing of the final plan for lots 1-9 and 100, the owner(s) of the property must enter into a Part 5 Agreement with the Council pursuant to a section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement must:

1. Require implementation and maintenance of the approved amended bushfire hazard management plan (BHMP) and bushfire report, for the owners of lots 1 to 9 and balance (refer condition ENV 3);
2. Require that soil disturbance when establishing and maintaining the bushfire hazard management area on the south-eastern side of the subdivision is to be kept to the minimum practicable;
3. Require the clearing of native vegetation within the Biodiversity Protection Area overlay of the *Hobart Interim Planning Scheme 2015* to maintain bushfire hazard management areas must be the minimum required to achieve/maintain compliance with the hazard management area requirements of the bushfire report by Johnstone McGee and Gandy P/L dated December 2017, unless the written approval of the Council is obtained;
4. Require the trees shown in Figure 1 and listed in Table 1 of the vegetation impact statement by Enviro-dynamics P/L dated 22 December 2017 within the Biodiversity Protection Area overlay of the *Hobart Interim Planning Scheme 2015* be retained, unless the written approval of the Council is obtained;
5. Require that native species within the 'Eucalyptus globulous dry forest and woodland' (DGL) community (as shown in Figure 1 of the vegetation impact statement by Enviro-dynamics P/L dated 22 December 2017) outside the bushfire hazard management area (as shown on the bushfire hazard management plan by Johnstone McGee and Gandy P/L dated December 2017) must be retained unless written consent of the Council is obtained;  
and
6. Include copies of the approved amended BHMP and bushfire report (refer condition ENV 3), and the vegetation impact statement by Envirodynamics P/L dated 22 December 2017.

The Part 5 Agreement must be registered on the titles of lots 1 to 9 and balance at the time of issue, and must be complied with by the property owner(s).

The Council will have its solicitors prepare the Agreement for signing by the property owner(s). The Council will then lodge the Agreement with the Lands Titles Office. The cost of preparing the Agreement and registration with the Land Titles Office must be met by the applicant.

Advice:

*Please contact the Council on 6238 2715 to initiate preparation of the Agreement when required.*

Reason for condition

To ensure the use/development does not result in unnecessary or unacceptable loss of priority biodiversity values, to reduce the risk to life and property, and the cost to the community, caused by landslides, and to reduce the risk to life and property, and the cost to the community, caused by bushfires.

ENG r7

Residential underground power and fibre ready facilities (pit and pipe that can hold optical fibre line) to each lot and street lighting must be installed prior to the sealing of the final plan for lots 1-9 and 100. A street lighting design must be submitted and approved, prior to sealing of the final plan for Stgae 2. The street lighting design must:

1. Be in accordance with AS/NZS 1158 series Cat P4.
2. Include TasNetworks light standard and energy-efficient road light fittings; and
3. Be certified by a suitably 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).*

*Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

SUB s5

The access driveway associated with the shared right of way access to lots 59 is approved for right hand turn exit only.

Prior to the sealing of the final plan for lots 1-9 and 100, 'No Left Turn' signage in accordance with JMG drawing J163033PH P10 (rev P5) must be installed.

Reason for condition

To ensure safe and efficient access for all users.

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 for lots 1-9 and 100.

The open space contribution is equal to 5% of the undeveloped value of lots 1-9 and the exclusion of the balance lot comprised in the final plan notated MILLK02 - 5/12/2017, 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. A Cash in Lieu Valuation Request Form must be completed and returned to the Council to enable the valuation to be undertaken. Contact the Council's City Planning Division on 6238 2715 to request a copy of the form.*

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.

SUB s1

Lots 1 and 2 on the proposed plan of survey P. 173296 must be adhered to certificate of title 199596/1 in accordance with section 110 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council, prior to the sealing of the final plan for Stage 1 of the subdivision.

Reason for condition

To ensure that the Bushfire Hazard Management Plan for Stage 1 can legally be implemented.

SUB s2

Drainage easements in favour of the Hobart City Council over the stormwater drainage and overland flow from the fire trail passing adjacent to lots 5 to 9 and the balance lot and through 51 Summerhill Road must be registered on the title for 51 Summerhill Road and the balance lot, prior to the sealing of the final plan of survey for lots 1-9 and 100. The drainage easements must be to the satisfaction of the Council.

Reason for condition

To ensure that the stormwater run off and overland flow from the fire trail adjacent to the western boundaries of lots 5 to 9 and the balance lot can be legally drained to a Council stormwater system.

SUB s3

The works referred to in condition ENGsw4 (addressing the overland flow from the current western bush catchment of 66 Summerhill Road):

EITHER:

Must be completed prior to the sealing of the final plan for lots 1-9 and 100;

OR

A monetary bond for the completion of these works must be provided by the owner to the Council prior to the sealing of the final plan for lots 1-9 and 100.

The owner must provide a realistic cost estimate agreed upon by the Council for undertaking these drainage works, based on the approved engineering drawings (condition ENG sw4). The bond is to be an amount 1.5 times this estimated cost, and be either a cash deposit or bank guarantee from an approved financial institution.

If bonded, the works must be completed within six months after the sealing of the final plan for any lots or such further period as agreed to in writing by the Council's City Infrastructure Division. If the works are not completed within this timeframe, the Council will complete the outstanding works and recover the cost from the bond.

The balance of the bond will be released once the works are completed as per the approved engineering drawings (ENG sw4).

Advice:

*Once the works are completed, please contact the Council's Project and Development Inspector on telephone (03) 6238 2967 to arrange an inspection prior to the release of the bond.*

*The Council's Project and Development Inspector must be contacted at least 24 hours prior to the commencement of any works to locate and inspect public infrastructure within and adjacent to the development site.*

Reason for Condition

To ensure inundation protection for the future lots.

SUB s4

A parking signage and line marking plan within the Council's highway reservation must be submitted, approved, and installed at the developer's cost, prior to the sealing of the final plan for lots 1-9 and 100.

The parking signage and line marking plan must be in accordance with AS1742.2 2009, AS1742.11 1999, LGAT - IPWEA -Tasmanian Standard Drawings and Subdivision Guidelines 2013, or any other relevant standards.

All work required by this condition must be undertaken in accordance with the approved parking signage and line marking plan.

Advice:

*Once the parking signage and line marking plan has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Click [here](#) for information on the Council's fees and charges.*

*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.*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the proposed road adequately accommodates safe vehicular traffic.

ADVICE

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

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

## CONDITION ENDORSEMENT

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

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

## BUILDING PERMIT

Some structures such as retaining walls and vehicular barriers (proposed either in the proposed highway reservation or proposed Right of Way) may require permits in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a discretionary planning permit issued pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*.

## OCCUPATION OF THE PUBLIC HIGHWAY

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

## PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

Permit to construct public infrastructure with a 12 month maintenance period and bond (please contact the Hobart City Council's City Infrastructure Division to initiate the permit process).

## NEW SERVICE CONNECTION

New service connection (please contact the Hobart City Council's City Infrastructure Division to initiate the application process).

## STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Hydraulic Services By law. Click [here](#) for more information.

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

## ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

## CROSS OVER CONSTRUCTION

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

## STREET LIGHTING

The relocation of a light pole must be in accordance with TasNetworks and Hobart City Council requirements. Click [here](#) for more information.

## STORM WATER / ROADS / ACCESS

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

## RIGHT OF WAY

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

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

## TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your

solicitor or a registered land surveyor to initiate the 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](#).

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#). All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

#### VOTING RECORD

##### AYES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

##### NOES

**9.5 83 Melville Street, Hobart - Partial Demolition and Alterations - PLN-17-822**

**File Ref: F18/13213**

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Ref: Open [CP 2.1.1](#), 19/02/2018

That: Pursuant to the Hobart Interim Planning Scheme 2015, the Council approve planning application PLN-17-822 for partial demolition and alterations at 83 Melville Street, Hobart for the reasons outlined in the officer's report dated 8 February 2018, attached to item 2.1.1 of the Special Open City Planning Committee agenda of 19 February 2018 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-822 - 83 MELVILLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5455 dated 13 February 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event

that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

#### Reason for condition

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

#### ENV 1

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

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

#### Reason for condition

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

#### HER s4

The new entrance must be relocated to allow retention of façade brickwork and window to Melville Street façade. Prior to the issue of any approval under the Building Act 2016, revised plans must be submitted and approved showing:

1. Retention of the heritage listed 1920s building façade, with windows and brickwork; and
2. Revised location of the new entrance, for example on the return (side) wall.

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

#### Reason for condition

To comply with E.13.7.1 of the Hobart Interim Planning Scheme 2015 which requires that demolition does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

#### ADVICE

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

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

#### CONDITION ENDORSEMENT

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

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

#### STORM WATER

Please note that in addition to a building and/or plumbing permit,

development must be in accordance with the Hobart City Council's Hydraulic Services By law. Click [here](#) for more information.

#### WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

#### WASTE DISPOSAL

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

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

#### ADVICE

Consideration be given to increasing the transparency of the cladding to the atrium.

BRISCOE  
THOMAS

That the recommendation be adopted.

#### MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	Sexton
Zucco	Burnet
Briscoe	Reynolds
Cocker	
Thomas	
Denison	
Harvey	

#### 10. Building Statistics - 1 January - 31 January 2018 File Ref: F18/11123

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Ref: Open [CP 8.1](#), 13/02/2018

That it be received for information that:

- A. 1. During the period 1 January 2018 to 31 January 2018, 39 permits were issued to the value of \$82,425,503 which included:

- (i) 20 for Extensions/Alterations to Dwellings to the value of \$1,950,100
  - (ii) 4 New Dwellings to the value of \$1,768,923 and
  - (iii) 3 Major Projects:
    - a) 19-27 Campbell Street, Hobart (RHH- New Building/Main Stage) - \$73,000,000;
    - b) 48 Liverpool Street, Hobart (RHH Service Tunnel) - Alterations and Additions \$4,000,000;
    - c) 5 Dresden Street, Sandy Bay - New Building and Structure \$1,000,000
2. During the period 1 January 2017 to 31 January 2017, 42 permits were issued to the value of \$7,398,321 which included:
- (i) 17 Extensions/Alterations to Dwellings to the value of \$2,272,655
  - (ii) 8 New Dwellings to the value of \$2,682,100 and
  - (iii) No Major Projects:
- B. 1. In the twelve months ending January 2018, 711 permits were issued to the value of \$331,603,833 and
2. In the twelve months ending January 2017, 686 permits were issued to the value of \$206,850,769

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT  
(MEETING PROCEDURES) REGULATIONS 2015**

**11. Franklin Square**

**File Ref: F18/10166; 13-1-9**

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Ref: Open [PR 7.1](#), 8/02/2018

Motion:

“That the Council requests a report seeking advice on whether the following interventions to further activate Franklin Square would be effective, affordable and in keeping with the 2014 Master Plan:

- modifications to the area on the top of the toilets to create a more permanent and fit for purpose stage / performance space,
- installation of community engagement facilities such as a ‘People’s Piano’,
- and the provision of a free WiFi hotspot in the Square.”

REYNOLDS  
BRISCOE

That the motion be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

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**FINANCE AND GOVERNANCE COMMITTEE**

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**12. Purchasing Card Policy**

**File Ref: F18/2511**

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Ref: Open [FG 6.1](#), 14/02/2018

- That:
1. The Purchasing Card Policy, shown as Attachment F to item 6.1 of the Finance and Governance Committee agenda of 14 February 2018, be approved.
  2. The General Manager be authorised to make any minor amendments and finalise the Purchasing Card Policy.
  3. A proactive communications strategy be developed around the new Purchasing Card framework proposal.
  4. The revised policy be communicated widely to Council officers thereafter, and made available from the Council's website.

THOMAS  
SEXTON

That the recommendation be adopted.

**AMENDMENT**

COCKER  
BURNET

That the policy provisions include the regular auditing of a sample of  
(statistically relevant) transactions.

AMENDMENT CARRIED

**VOTING RECORD**

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

**COUNCIL RESOLUTION:**

- That:
1. The Purchasing Card Policy, shown as Attachment F to item 6.1 of the Finance and Governance Committee agenda of 14 February 2018, be approved.
  2. The General Manager be authorised to make any minor amendments and finalise the Purchasing Card Policy.
  3. A proactive communications strategy be developed around the new Purchasing Card framework proposal.
  4. The revised policy be communicated widely to Council officers thereafter, and made available from the Council's website.
  5. That the policy provisions include the regular auditing of a sample of (statistically relevant) transactions.

**13. Annual Review of Loan and Investment Portfolios - 31 December 2017**  
**File Ref: F18/3832**

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Ref: Open [FG 6.2](#), 14/02/2018

That the Council not pursue refinancing of its Commonwealth Bank loan.

THOMAS  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**14. Financial Report as at 31 December 2017**

**File Ref: F18/8875; 21-1-1**

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Ref: Open [FG 6.3](#), 14/02/2018

That the Council approve the changes to the 2017/2018 Estimates listed in tables 4, 5, 7 and 9 of Attachment A to item 6.3 of the Open Finance and Governance agenda of 14 February 2018, the financial impacts of which are no net change to the underlying surplus, and to increase the cash balance by \$0.78M.

THOMAS  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**15. Review of Parking - North Hobart (Update on actions)**

**File Ref: F18/10600**

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Ref: Open [FG 6.4](#), 14/02/2018

- That
1. Approval be granted to extend the patrolled operating hours of the Condell Place and Lefroy Street Car Parks to 7.00pm daily.
  2. The results of the recent North Hobart parking survey be released to the North Hobart Traders Association and other interested parties for their review and comment, for a period not exceeding 30 days.
  3. Following the finalisation of the consultation, a Council workshop be held to review all data collected and to consider all options, and potential costs, including;
    - (e) additional on-street car parking spaces;
    - (f) additional metered parking spaces;
    - (g) better utilisation of existing City of Hobart car parks; and

(h) development of the Condell Place car park.

THOMAS  
HARVEY

That the recommendation be adopted.

**AMENDMENT**

REYNOLDS  
COCKER

That the Council workshop be open to the public.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**AMENDMENT**

SEXTON  
BRISCOE

Prior to the conduct of the workshop, the matter be referred back to the Finance and Governance Committee to seek details of further issues it wishes to have pursued by Council Officers for presentation and discussion at the open workshop.

AMENDMENT CARRIED

VOTING RECORD

Acting Lord Mayor Christie	Burnet
Zucco	Cocker
Briscoe	Reynolds
Sexton	Harvey
Thomas	
Denison	

SUBSTANTIVE MOTION  
CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

**COUNCIL RESOLUTION:**

- That
1. Approval be granted to extend the patrolled operating hours of the Condell Place and Lefroy Street Car Parks to 7.00pm daily.
  2. The results of the recent North Hobart parking survey be released to the North Hobart Traders Association and other interested parties for their review and comment, for a period not exceeding 30 days.
  3. Following the finalisation of the consultation, a Council workshop open to the public be held to review all data collected and to

consider all options, and potential costs, including;

- (a) additional on-street car parking spaces;
- (b) additional metered parking spaces;
- (c) better utilisation of existing City of Hobart car parks; and
- (d) development of the Condell Place car park.

4. Prior to the conduct of the workshop, the matter be referred back to the Finance and Governance Committee to seek details of further issues it wishes to have pursued by Council Officers for presentation and discussion at the open workshop.

**16. Property Insurance**  
**File Ref: F18/10297; 16/182**

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Ref: Open [FG 6.7](#), 14/02/2018

- That:
1. The Council decision, of June 1999, to exclude all public conveniences from the insurable asset listing be revoked.
  2. Public toilets be included on future insured asset declarations, commencing in the 2018/2019 insurance year.

THOMAS  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**17. Climate Leadership Conference - 15-16 March 2018**

**File Ref: F18/11733**

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Ref: Open [FG 6.8](#), 14/02/2018

- That:
1. The Council approve Alderman Cocker's attendance, subject to his availability, and invite further Aldermanic nominations for the Climate Leadership Conference 2018 to be held in Sydney from 15 to 16 March 2018.
  2. The estimated cost of \$4,035 per person be attributed to the Conference Attendance allocation within the Aldermanic Allowances and Expenses function of the 2017-18 Annual Plan with a corresponding off-set from the Study Assistance line item in the People and Capability function for any expenditure in excess of the existing budget in accordance with s82 of the Local Government Act 1993.
  3. City of Hobart officers approach the organisers of the Conference and request to make a presentation based on the City of Hobart's Climate Change Strategy.

THOMAS  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

## **PARKS AND RECREATION COMMITTEE**

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### **18. Swan Street, North Hobart - Replacement Public Toilets** **File Ref: F17/163539**

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Ref: Open [PR 6.1](#), 8/02/2018

That the General Manager be authorised to finalise the design of the proposed new replacement public toilet facility, located in Swan Street, North Hobart, to secure all statutory permits and approvals and to negotiate and secure a new licence from Australia Post to accommodate the new facility on its land.

REYNOLDS  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

#### VOTING RECORD

##### AYES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

##### NOES

### **19. kunanyi / Mount Wellington - Proposed Expression of Interest for an All-Weather Shuttle Bus Transport Service** **File Ref: F18/6666**

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Ref: Open [PR 6.2](#), 8/02/2018

- That:
1. The General Manager liaise with the Wellington Park Management Trust to enable expressions of interest to be called for licenced private operators to provide to kunanyi / Mount Wellington an all-weather shuttle bus transport service all year round.
  2. The Council gauge the interest of the State Government in seeking a potential partnership opportunity in relation to the proposal and whether *Project 2018 Public Transport Bus Service Procurement* may assist in facilitating this service.
  3. A further report be provided to the Council to advise on the outcomes of the expression of interest process.

REYNOLDS  
HARVEY

That the recommendation be adopted.

**AMENDMENT**

DENISON  
THOMAS

1. That clause 2 be deleted.
2. The expression of interest process be conducted to attract the widest possible audience, rather than targeted respondents, not specifying key stops and considering multiple permits, services and operators.

ZUCCO  
BRISCOE

That Alderman Denison be granted an additional two minutes to address the meeting.

MOTION CARRIED

**VOTING RECORD**

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

AMENDMENT CARRIED

**VOTING RECORD**

AYES	NOES
Acting Lord Mayor Christie	Burnet
Zucco	Reynolds
Briscoe	
Sexton	
Cocker	
Thomas	
Denison	
Harvey	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**COUNCIL RESOLUTION:**

- That: 1. The General Manager liaise with the Wellington Park Management Trust to enable expressions of interest to be called for licenced private operators to provide to kunanyi / Mount Wellington an all-weather shuttle bus transport service all year round.
2. The expression of interest process be conducted to attract the widest possible audience, rather than targeted respondents, not specifying key stops and considering multiple permits, services and operators.
3. A further report be provided to the Council to advise on the outcomes of the expression of interest process.

**SPECIAL REPORT – GENERAL MANAGER**

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**20. Proposal to Combine Community Culture and Events and Economic Development and Communications Committees**  
**File Ref: F18/13180**

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That:

1. The Council not proceed with the proposal to combine the Community, Culture and Events and Economic Development and Communications Committees at this time on the basis that it does not align with the current Strategic Plan.

2. The matter be further considered as part of the review of Committee structure more generally after the outcomes of the community visioning exercise are known.
3. The Council consider whether it wishes to modify the Council and Committee Meeting Schedule to provide for these two committees to occur consecutively on the same night of each month, providing the opportunity for the freed up meeting time to be used for more effective scheduling of Council workshops.

ZUCCO  
BRISCOE

That the recommendation be adopted and the Council not modify the existing arrangements in respect to the scheduling of the Community, Culture and Events and Economic Development and Communications Committee's.

**AMENDMENT**

HARVEY  
REYNOLDS

That the Council modify the arrangements around the Community, Culture and Events and Economic Development and Communications Committee's as outlined in clause 3 of the General Manager's recommendation.

AMENDMENT LOST

**VOTING RECORD**

**AYES**

Burnet  
Cocker  
Thomas  
Reynolds  
Harvey

**NOES**

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Denison

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**COUNCIL RESOLUTION:**

That:

1. The Council not proceed with the proposal to combine the Community, Culture and Events and Economic Development and Communications Committees at this time on the basis that it does not align with the current Strategic Plan.
2. The matter be further considered as part of the review of Committee structure more generally after the outcomes of the community visioning exercise are known.
3. The Council not modify the Council and Committee Meeting Schedule to provide for these two committees to occur consecutively on the same night of each month, providing the opportunity for the freed up meeting time to be used for more effective scheduling of Council workshops.

## **21. CLOSED PORTION OF THE 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   |
| Item No. 4 | Consideration of supplementary Items to the agenda   |
| Item No. 5 | Indications of pecuniary and conflicts of interest   |
| Item No. 6 | Contract Extension - Contract No. 5750 - Panel of Providers for Provision of Marketing Design Services<br>LG(MP)R 15(2)(d) |

THOMAS  
HARVEY

That the items be noted.

MOTION CARRIED

### VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Denison	
Harvey	

The Chairman adjourned the meeting at 7.24 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 7.29 pm.

Item 21 was then taken.

There being no further business the meeting closed at 7.30 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
5<sup>TH</sup> DAY OF MARCH 2018.

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**CHAIRMAN**