



CITY OF HOBART

MINUTES

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



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, The Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, Dr P T Sexton, D C Thomas, T M Denison, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta, H Ewin and Z Sherlock.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Alderman Zucco left the meeting at 5.08 pm, returning at 5.11 pm and was not present for items 7 and 8.

Alderman Sexton left the meeting at 5.51 pm, returning at 5.53 pm.

Alderman Behrakis left the meeting at 6.24 pm, returning at 6.26 pm.

Alderman Briscoe and Councillor Harvey declared an interest in item 14 after being nominated as a member of the Trust and left the meeting at 6.28 pm.

Alderman Briscoe and Councillor Harvey returned to the meeting at 6.31 pm after the vote for the member had been concluded.

The Deputy Lord Mayor declared an interest in item 14 after being nominated as a deputy member of the Trust to Alderman Briscoe and left the meeting at 6.35 pm.

The Deputy Lord Mayor returned to the meeting at 6.35 pm after the vote for deputy member to Alderman Briscoe had been concluded.

Alderman Denison and Councillor Sherlock declared an interest in item 14 after being nominated as a deputy member of the Trust to Alderman Thomas and left the meeting at 6.38 pm.

Alderman Denison and Councillor Sherlock returned to the meeting at 6.41 pm after the vote for deputy member of the Trust to Alderman Thomas had concluded.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 22 October 2018](#), the minutes of the meeting of the Open Portion of the Special Council meeting held on [Monday, 29 October 2018](#), and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Monday, 12 November 2018](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DEPUTY LORD MAYOR BURNET
SEXTON

That the recommendation be adopted, as amended by the deletion of Alderman Harvey from the substantive voting record of item 5 of the Special Council Meeting minutes of the 12 November 2018.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 2018 Workplace Conference - Future Work Challenges Conference File Ref: 16/119

The Lord Mayor presented an award received by the City of Hobart the 2018 Worksafe Conference.

The City of Hobart was a finalist for the category of 'excellence in work health and safety through the implementation of an integrated systems approach' and recognises the City of Hobart's 'demonstrated commitment to continuous improvement in work health and safety through the implementation of an integrated systems approach'.

3.2 Community Partnership Award File Ref: 16/119

The Lord Mayor presented an award received by the City of Hobart at the recent Colony 47 Community Partnership Awards presentation evening.

The award acknowledged the support provided by Council for a new initiative through the 'U Make the Team' staff health and wellness program for corporate volunteering opportunities for the City of Hobart staff at Colony 47's Mara House facility

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

5. PUBLIC QUESTION TIME

5.1 Mr Ben Lohberger

Mr Ben Lohberger put the following question and was provided with the corresponding response by the Lord Mayor on behalf of the Council.

Question:

If a neighbour's aggressive dog repeatedly jumped our 6ft boundary fence and chased me out of my backyard, then subsequently attacked my wife and bit her on the face, the dog would be destroyed. But if my neighbour is an urban beekeeper and their bees cause exactly the same problem, there appears to be no such comeback available. I have three questions:

Bee stings kill far more Australians than dog attacks, so why are the regulations governing dog owners in Hobart more prescriptive than those governing urban beekeepers?

DPIPWE has developed a Code of Practice for urban beekeeping in southern Tasmania - can the HCC please amend its current Environmental Health by-law to reflect this Code of Practice, especially section 7.12 that deals with the safety of neighbours when the beekeeper is working their hives?

Can the HCC also amend the by-law to give neighbours the right to veto beekeeping next door if there are regular bee attacks, or if a neighbour has an allergy to bee stings?

[I understand the move to allow urban beekeeping in Hobart was informed by a public consultation process, but I question how people in the city would know about the downsides when urban beekeeping was not allowed previously.]

Code of Practice for Urban Beekeeping in Southern Tasmania,
DPIPWE, June 2014:

<https://dPIPWE.tas.gov.au/Documents/Code%20of%20Practice%20for%20Urban%20Beekeeping.pdf>

Response:

The Council considers bee keeping as an important activity in food production and if done correctly should not pose a risk to people.

The Code of Practice for urban beekeeping was used to inform the by-law provisions with respect to hive densities, location and barriers.

Consideration was given to the adoption of the entire Code, however many of the provisions could not be adopted due to the inability to describe them as offences. For example, section 7.12 offers best practice advice but any breach would be difficult for council officers to substantiate.

Complaints are followed up by council officers and where necessary expert advice is sought to remedy ongoing concerns. To date, all bee keepers referred to council as a result of neighbourhood concerns have cooperated and achieved mutually agreeable solutions for both parties.

Council receives on average 2 complaints per year about the keeping of bees on private land. Council also receives notification of bee swarms on public land from time to time and refers to the southern beekeepers association for handling and collection.

Council officers are monitoring the effectiveness of the new Environmental Health By-Law 2018 and if there is evidence that the bee keeping provisions are not providing sufficient protection for people then further amendments will be considered.

Mr Lohberger then asked the following supplementary question which the Lord Mayor took on notice.

How many complaints has the City of Hobart received in relation to bees within the past 8 weeks?

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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*.

DEPUTY LORD MAYOR BURNET
SEXTON

That the recommendation be adopted.

MOTION CARRIED
BY ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

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.

9.1 607-627 Nelson Road, Mount Nelson and Adjacent Road Reserve - Subdivision (9 Additional Lots, Road Lot, Public Open Space Lot and Balance) PLN-14-01177-01 - File Ref: F18/127663

Ref: Open [CPC 2.1.1](#), 13/11/2018
Application Expiry Date: 20 November 2018
Extension of Time: Not applicable

That: Pursuant to the *City of Hobart Planning Scheme 1982*, the Council approve the application for subdivision (9 additional lots, road lot, public open space lot and balance) at 607 to 627 Nelson Road, Mount Nelson and adjacent road reserve for the reasons outlined in the officer's report, attached to item 2.1.1 of the Special Open City Planning Committee agenda of 13 November 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-14-01177-01 - 607-627 Nelson Road - MOUNT NELSON – 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 2014/01071-HCC dated 18 June 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw2

Where all approved works have been completed and prior to the sealing of the final survey plan, the developer must submit a recorded CCTV inspection and associated report of any new public stormwater infrastructure, taken no more than one month prior to commencement of the maintenance period. A maintenance period of 12 months (roads, piped infrastructure) or 24 months (vegetated stormwater infrastructure) will apply. 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 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 security bond.

Reason for condition

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

ENG sw4

The new storm water connections for the existing lots fronting Nelson Road must be constructed and existing abandoned connections sealed at the owner's expense, prior to the sealing of the final plan.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include the location and size of the proposed connections

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

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Unit to initiate an application for service connection.

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater system must be constructed prior to the sealing of the final plan. All costs associated with works required by this condition are to be met by the owner.

Engineering design plans in accordance with the relevant standards and specifications must be submitted and approved prior to the commencement of works. The engineering design plans must:

1. Be certified by a suitably qualified and experienced engineer.

2. Show the direction of stormwater run-off.
3. Include independent drainage and a point of discharge for each lot.
4. Show in both plan and longitudinal section the proposed stormwater infrastructure 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.
5. Include the associated calculations and catchment area plans. The stormwater system must be designed using the major/minor concept with the major system catering for 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment, and the minor (underground pipe) system sized to accommodate 5% AEP flows from a fully-developed catchment.
6. Provide sufficient detail to demonstrate that overland flow from the 1% AEP storm event is contained and safely conveyed within the proposed overland flow path (and drainage easement).
7. Detail suitable erosion and scour protection at the drainage outfall points.
8. Provide details of infrastructure to convey stormwater from Nelson Road to Lambert Rivulet via the proposed public open space.

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

Advice:

- The proposed drainage outfalls should discharge as near as practicable to the defined rivulet centreline.
- Drainage from Nelson Rd passing through the public open space must be conveyed formally in public infrastructure.
- Once the engineering design drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).
- Please note that once the condition endorsement has been issued you

will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

Construction of the proposed infrastructure must not adversely impact the Lambert Rivulet. A Construction Management Plan must be submitted and approved prior to commencement of works. The plan must:

1. Be prepared by a suitably qualified and experienced person.
2. Detail the proposed works and construction methodology including the machinery expected to be used in the vicinity of the rivulet, the potential adverse environmental impacts of the construction activity and suitable methods of mitigating those impacts.
3. Include a relevant impact monitoring system and schedule.

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

Reason for condition

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

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.

ENG 3b

The design of the access driveways must be submitted and approved, prior to the commencement of work.

The design must:

1. Be prepared and certified by a suitably qualified engineer.
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Where it deviates from AS/NZS2890.1:2004, demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use.
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement, including showing:
 - a. Long sections for the driveways onto each lot.
 - b. Practical access onto each lot. I.e. construction vehicles must be able to access and park within the lots.
 - c. A sealed driveway up to the front boundary of each lot, noting that driveways must be sealed where subject to a right of way.
 - d. A separate long section along the inside wheel track where there

is a bend in a driveway with a centerline gradient exceeding 20%.

- e. A long section along the centerline for the driveway onto lot 4 (where separate from shared driveway to lot 5) demonstrating acceptable gradients. Refer to Advice clause immediately below.

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

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

Access onto lot 4 should branch off the shared driveway with lot 5 before the bend north towards lot 5, that is, try to avoid turning left then right with steep gradients.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3c

The access driveways must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to the sealing of the final plan, documentation by a suitably qualified engineer certifying that the driveways have been constructed in accordance with the above drawings must be lodged with Council.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

The access driveway to each lot approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the satisfaction of the

Council's Director City Infrastructure prior to the sealing of the final plan.

Reason for condition

To ensure the safety of users of the access driveway, and so that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG r7

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

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

1. Be in accordance with AS/NZS 1158.3.1 category P4 series to the requirements of Tas Networks and Council;
2. Include Tas Networks light standard supplied poles and energy-efficient road light fittings; and
3. Be certified by a qualified person.

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

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

Reason for condition

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

ENG r8

The subdivision must provide adequate services to meet future development.

Engineering drawings must be submitted and approved prior to

commencement of work on the site. The engineering drawings must:

1. Be prepared and certified by a suitable qualified professional and experienced engineer.
2. Be in accordance with LGAT-Tasmania Standard Drawings and Subdivision Guidelines 2013, the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures or to the approval of the Director City Infrastructure.
3. Show long and cross sections of the footpaths, footway and driveways onto each lot and concept landscaping plan.
4. Show the existing and new driveway access design onto the existing lots 3, 5 and 7 Hargrave Place.
5. Show the existing and new intersection design from Hargrave Place onto the new road and include the location of the power pole and stay-wire with any modifications required.
6. Show location of fences, barriers or landscaping required adjacent to footpaths due to slope of land.
7. Show parking restrictions in particular No Stopping around cul-de-sac and on one side of the road when less than 7m wide to allow fire trucks to gain access.
8. Show any embankment easements.
9. Include designs of any excavation and/or any batter fill and/or any earth-retaining structures (i.e. embankments, cuttings, fills, retaining walls) and associated structures certificates for any structures. The design must:
 - a. Show the batter filling be designed in accordance with AS1289 and/or earth retaining structure be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
 - b. Take into account any additional surcharge loadings as required by relevant Australian Standards and any Geotechnical findings.

- c. Detail any mitigation measures required.
 - d. The structure certificated and/or design should note accordingly the above.
10. Include design and certification 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/or the (IPWEA) LGAT - Tasmania 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.
11. Include a safe design of structures assessment in accordance with the Safe Design of Structures Code of Practice (as adopted under section 274 of the *Work Health and Safety Act 2012*) and supply to the Council any documentation for the ongoing maintenance and replacement of any structures within the Highway Reservation.

All work required by this condition must be constructed 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).

Reason for condition

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

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 and Miscellaneous Provisions) Act 1993.

Reason for condition

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

SURV 3

The final plan and schedule of easements must be submitted and approved under section 89 *Local Government (Building and Miscellaneous Provisions) Act 1993*.

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.
2. Over any existing or proposed overland flow paths in favour of the Hobart City Council.
3. Over any existing or proposed private right of ways, drainage and/or service easements in favour of the lots they are required to serve.
4. Over any existing, proposed or required road embankments or road batters in favour of the Hobart City Council.
5. Over the proposed right of way and services easement in favour of the Hobart City Council.

Advice: Easement widths should be in general accordance with the LGAT (2013) Tasmanian Subdivision Guidelines.

Reason for condition

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

SURV 5

The proposed Road and Public Open Space lots are to be transferred in fee simple to the Council at nominal consideration.

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

Reason for condition

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

SURV 12

Lots 5, 6, 7, and 8 on the final plan are to be notated in accordance with the provisions of section 83(5)(a)(ii) of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal for the parts of the lots on the north-eastern and eastern side of the of the proposed Pipeline and Services Easement 3.00 Wide passing through the lots.

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

Reason for condition

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

SURV 13

The final plan is to be notated in accordance with the provisions of section 83(7) (b) of the Local Government (Building and Miscellaneous Provisions) Act 1993 to the effect that the Tasmanian Water and Sewerage Corporation cannot provide a means of gravity reticulated

sewerage disposal from lots 5, 6, 7 and 8 on the north-eastern and eastern side of the proposed Pipeline and Services Easement 3.00 Wide passing through the lots.

The final plan must be submitted for approval by Council.

The final plan must be notated to the satisfaction of the Council.

Reason for condition

To ensure that the limitation in TasWater's ability to provide a means of gravity reticulated sewerage disposal from Lots 5, 6, 7 and 8 is noted on the final plan.

SUB s1

An amendment to Sealed Plan No. 12788 to delete the Rights of Drainage (appurtenant to Lots 1 to 5 on Sealed Plan No. 12788) over the Drainage Easement marked A. B. C. on SP 127888 and (appurtenant to Lots 6, 7 and 8 on Sealed Plan No. 127888) marked D.B.C. on SP 127888 burdening C.T. 250967/1 is to be lodged concurrently at the Land Titles Office with the sealed final plan of survey for the subdivision.

Reason for condition

To ensure that redundant rights of drainage are not brought forward to burden lots in the subdivision.

SUB s2

The Highway Reservation area at the cul-de-sac must be minimised while still providing frontage to the properties. The engineering plans must be amended to reduce the amount of land to be dedicated as Highway Reservation to the satisfaction of the Director City Infrastructure prior to commencement of work on the site. Any other associated plans affected must be amended accordingly prior to commencement of work on the site.

Reason for condition

To reduce the amount of Highway Reservation that would be required to be maintained by the City.

OPS 1

The title boundary shared between the Public Open Space lot as shown on the final plan of subdivision, and the adjoining lots (Lots 4, 5, 6, 7, and 8 and the Balance) must be clearly marked by the owner on the ground before any works commence.

Reason for condition

To protect the riparian and recreational values of the Public Open Space lot.

OPS 4

The lot notated as Public Open Space (1.95ha) on the final plan of subdivision must be transferred to the Council in fee simple for nominal consideration, prior to the sealing of the final plan.

The final boundaries of the Public Open Space must be modified along the eastern boundary to the satisfaction of the Director Parks and City Amenity.

Advice: It is noted that the amended boundary is to be in accordance with that agreed 29 October 2018 during the site meeting.

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The land acquired will contribute to Hobart City Council's open space network for recreational use.

ENV 2

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

A SWMP must be submitted and approved, prior to the commencement of work. The SWMP must be prepared in accordance with:

1. The Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available here; and
2. The Waterways and Wetlands Works Manual (DPIWE, 2003).

The SWMP must detail remediation works.

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

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

Reason for condition

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

ENV 9

No vegetation clearing or disturbance may occur other than the minimum necessary to facilitate the essential subdivision works (i.e. construction of road, driveways and provisions of services).

Reason for condition

To clarify the scope of the permit

ENV 12

An approved Weed Management Plan (WMP) for Lots 1 to 9, 101 and the public open space lot, must be implemented.

A WMP must be submitted and approved prior to the commencement of works.

The WMP must:

1. Identify and illustrate the woody environmental weeds on the site;
2. Set out an environmentally-appropriate methodology and program for eradicating these weeds (including appropriate disposal) based on

defined management zones (noting that eradication of many species will require follow-up treatments for several years, however weed management prescriptions for the public open space lot must be limited to primary works only);

3. Include a concise action table that provides clear and detailed actions, the area to be targeted, the timing of each action and the persons/parties responsible for undertaking all actions;
4. Include requirements to notify the Council in writing of progress in implementation of the plan;
5. Include a simple map of the property that defines the management zones for specific actions;
6. Include prescriptions to minimise impacts on native vegetation and minimise soil disturbance; and
7. Include a prohibition on the planting of potentially invasive species listed in Council's Restricted Plant List;
8. Specify that no soil is to be imported onto the site unless it is certified weed propagule free in accordance with Australian Standard AS4419 Soils for Landscaping and Garden Use; and
9. Be clear and concise so that follow-up treatments can be easily implemented by future landowners (however the bulk of primary weed control works must be scheduled to occur as part of the subdivision works).

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

Reason for condition

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

ENV 3

The hazard management areas shown on the bushfire hazard

management plan by Geo-Environmental Solutions dated June 2018 (MRH10690v3) are not approved and must not be implemented.

Reason for condition

To clarify the scope of the permit

ENV 4

The public road and fire-fighting water supply system must be designed and constructed in accordance with prescriptions of the bushfire report and bushfire hazard management system by Geo-Environmental Solutions dated June 2018 (MRH10690v3).

Reason for condition

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

ENV 5

Prior to sealing of the final plan, certification from a suitably qualified person must be submitted to the Council confirming that the public road and fire-fighting water supply system have been designed and constructed in accordance with prescriptions of the bushfire report and bushfire hazard management system by Geo-Environmental Solutions dated June 2018 (MRH10690v3).

Reason for condition

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

ENV s1

An approved Construction Environmental Management Plan (CEMP) must be implemented.

A CEMP must be submitted and approved prior to the commencement of works.

The CEMP must:

1. Show all areas of proposed subdivision works, including ground disturbance and vegetation clearing, in relation to the vegetation communities, swift parrot foraging trees, watercourses and drainage lines;
2. Show all swift parrot foraging trees proposed to be removed, or likely to have their root zones disturbed;
3. Specify the proposed works methodology, particularly for vegetation clearing and soil disturbance, and particularly for proposed works within the public open space lot;
4. Demonstrate that vegetation clearing, vegetation disturbance and soil disturbance has been minimised as far as practicable, and that vegetation and soil disturbance will be the minimum necessary to facilitate the essential subdivision works;
5. Include proposed measures to help ensure that vegetation and soil disturbance is compliant with the approved CEMP, particularly works in proximity to swift parrot foraging trees, the Eucalyptus ovata dry forest/woodland vegetation community and the watercourse/drainage lines;
6. Include measures to minimise the risk of erosion and sediment transport;
7. Include measures to minimise the risk weed introductions/transfers (including machinery and vehicle washdown and management of any imported soil);
8. Include measures to rehabilitate area of temporary disturbance, including replacement of removed vegetation; and
9. Identify responsible persons, monitoring and maintenance measures.

All measures and works required by this condition must be undertaken in accordance with the approved CEMP.

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

Reason for condition

To minimise the potential for impacts to vegetation and watercourses from the construction works.

ENV s2

A Part 5 Agreement pursuant to section 71 of the Land Use Planning and Approvals Act 1993 must be registered on the new Titles for lots 1 to 9 at the time of issue.

The Agreement must specify that unless the written consent of the Council is obtained:

1. The approved Weed Management Plan must be implemented and complied with;
2. No removal of native vegetation may occur;
3. All development must be generally in accordance with the WWF-Australia publication Minimising The Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design (2008); and
4. The owner(s) (Owner A) must allow the owner(s) (Owner B) of an adjacent lot to establish and maintain a bushfire hazard management area on the land owned by Owner A, in accordance with a bushfire hazard management plan based on BAL-19 or lesser separation distances certified by an accredited bushfire hazard practitioner, and approved as part of a permit granted under the Building Act 2016, at any time the land owned by Owner A that is within the hazard management area under the approved bushfire hazard management plan of Owner B is not in accordance with the prescriptions for the hazard management area as specified in the approved bushfire hazard management plan.

The Council will have its solicitors prepare the Agreement for signing by 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 is to be met by the applicant. Please contact the Development Appraisal Planner on 6238 2715 to initiate preparation of the Agreement.

Reason for condition

To ensure future development on the lots can achieve an acceptable level of bushfire risk.

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 PLANNING

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.

CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering

drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

Up to \$20,000: \$150 per application.

Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the Online Service Development Portal, if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (i.e. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

BUILDING PERMIT

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

PLUMBING PERMIT

Plumbing permit in accordance with the Building Act 2016, Building Regulations 2016 and the National Construction Code. [Click here for more information.](#)

OCCUPATION OF THE PUBLIC HIGHWAY

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

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

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

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

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.](#)

STORM WATER / ROADS / ACCESS

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

COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause damage to Council's land may be in breach of the Council's Parks, Recreation and Natural Areas Bylaw and penalties may apply. The by law is available here.

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.

PART 5 AGREEMENT

This property possesses conservation values which may be of national environmental significance (habitat for the endangered Swift Parrot). The proposed development includes activities that may adversely impact on these values (removal of Eucalyptus globulus and Eucalyptus ovata trees), and therefore may be subject to the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. It is therefore recommended that the applicant refer the proposal to the Commonwealth Environment Minister for determination as to whether the development requires approval under the Environment Protection and Biodiversity Conservation Act 1999. For more information on how to make a referral visit Environment Australia's [website](#).

SUBDIVISION ADVICE

All conditions imposed by this permit are in accordance with the Local Government Building and Miscellaneous Provisions) Act 1993 and the Conveyancing and Law of Property Act 1884. Refer to www.thelaw.tas.gov.au.

For information regarding standards and guidelines for subdivision works click [here](#).

A permit to construct public infrastructure must be obtained for any public infrastructure works and includes a 12 month maintenance period (please contact the Council City Infrastructure Divisions to initiate the permit process).

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

Naming of new roads is undertaken by Council as per the Rules for Place Names in Tasmania by the Nomenclature Board of Tasmania. New roads should be named before the final plan of subdivision is approved by Council. The road naming process takes at least three months. Please contact Council's Road Services Engineer for advice on naming new roads.

DEPUTY LORD MAYOR BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

**9.2 55 Runnymede Street Battery Point - Partial Change of Use to Visitor
Accommodation
PLN-18-616 - File Ref: F18/126308**

Ref: Open [CPC 2.2.1](#), 13/11/2018
Application Expiry Date: 7 December 2018
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial change of use to visitor accommodation at 55 Runnymede Street, BATTERY POINT for the reasons outlined in the officer's report, attached to item 2.2.1 of the Special Open City Planning Committee agenda of 13 November 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-18-616 - 55 RUNNYMEDE STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

DEPUTY LORD MAYOR BURNET
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Behrakis
Ewin
Sherlock

NOES

Lord Mayor Reynolds
Harvey
Dutta

**9.3 211 Churchill Avenue, Sandy Bay - Partial Demolition and Two Multiple Dwellings (One Existing, One New)
PLN-18-603 - File Ref: F18/127271**

Ref: Open [CPC 2.2.2](#), 13/11/2018
Application Expiry Date: 26 November 2018
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and two multiple dwellings (one existing, one new) at 211 Churchill Avenue, Sandy Bay for the reasons outlined in the officer's report, attached to item 2.2.2 of the Special Open City Planning Committee agenda of 13 November 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-18-603 - 211 CHURCHILL AVENUE SANDY BAY TAS 7005 - Advertised 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 2018/01513-HCC dated 18/09/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This planning permit approves two multiple dwellings only, for one existing dwelling and one new dwelling.

Advice: Any proposal to further divide either of the dwellings approved by this permit into multiple dwellings will require further and separate planning approval.

Reason for condition

To clarify the scope of the permit.

PLN s2

No more than one laundry is approved in the new multiple dwelling.

Prior to the issue of any plumbing permit, revised plans must be submitted and approved showing the new dwelling with no more than one laundry.

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

Reason for condition

To clarify the scope of the permit.

ENG sw2.1

A pre-construction CCTV video of the Council stormwater main that runs under the driveway on the western side of the site must be undertaken and submitted to Council prior to the commencement of work.

The post-construction CCTV 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

pre-construction CCTV video of the Council's infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV video of the Council stormwater main that passes through the site must be undertaken and submitted to Council on completion of all work.

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

Reason for condition

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

ENG sw3

The proposed building and structures including foundations and overhangs must be designed to ensure the protection and access to the Council's stormwater main.

Design drawings must be submitted and approved prior to the issuing of any approval under the *Building Act 2016*.

The design drawings must:

1. Show the location of the building and structures clear of any easement

and 1m from any stormwater main (measured horizontally to the nearest external surface of the pipe).

2. Include a typical cross-section drawing showing the relationship both vertically and horizontally between the structure (including foundations and including any retaining wall) and the mains which demonstrates that:
 1. No additional loads are imposed on the stormwater main;
 2. The structure is entirely independent of the main and its trenching; and
 3. Sufficient cover over the stormwater main will be maintained to withstand any proposed vehicular loading.

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

Advice:

- *The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Failure to address condition requirements prior to submitting for building approval may result in unexpected delays.*
- *Adequate cover for residential vehicular loading shall be defined as either 750mm or the depth determined from embedment calculations. Note that a reinforced concrete slab over the main will help to spread the loads and reduce pressure on mains.*
- *All work required by this condition must be undertaken in accordance with the approved design drawings.*

Reason for condition

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

ENG sw4

The new storm water connection to Council's infrastructure must be constructed and any existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation/new use.

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

1. The location of the proposed connection; and
2. The size of the connection appropriate to satisfy the needs of the development.

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*
- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG sw5

If a new stormwater main is required, it must be designed and constructed prior to the first occupation/new use.

Engineering drawings must be submitted and approved, prior to commencement of work. 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. Include the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings; and
4. Include a construction program and method for the proposed diversion of the stormwater main, to satisfy the above requirement.

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

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

Design drawings and calculations of the proposed stormwater drainage

system and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. Be prepared by a suitably qualified person; and
2. Include long section(s)/levels and grades to the point of discharge, as required.

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

Advice: The applicant is advised to submit detailed design drawings and calculations as part of their [Plumbing Permit Application](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) 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 parking and turning areas approved under the 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 in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 2b

If a vehicular safety barrier is required under condition ENG 2a, then prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

Advice:

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*
- *If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. 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 standard.

ENG 3b

The design of the access driveway, parking and turning areas must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The design must:

1. Be prepared and certified by a suitably qualified engineer.
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Where it deviates from AS/NZS2890.1:2004, demonstrate that it will provide a safe and efficient access, and enable safe, easy and efficient use.
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.
5. Show the proposed vehicle turning area in front of House B (as shown on site plan, dwg 101, dated 30/8/18) having a larger radius turn, similar to those in front of House A. This will require an amendment to the design of the retaining wall and stairs at the southwest corner of House B.
6. Include certification from a suitably qualified engineer that the layout of the driveway, parking and turning areas will allow B85 vehicles to get in/out of the parking spaces with no more than a 3-point turn.

Advice:

- *It is advised that designers consider the detailed design of the access and parking areas prior to finalising the Finished Floor Level (FFL) of the parking spaces, as failure to do so may result in difficulty complying with this condition.*
- *Once the design 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 users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3c

The driveway, parking and turning areas must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to the first occupation / commencement of use, documentation by a suitably qualified engineer certifying that the driveway has been constructed in accordance with the above drawings must be lodged with Council.

Advice: Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

The access driveway and parking areas approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation/commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 11

If a new or altered driveway crossover is required, then prior to the first occupation/new use, the proposed crossover to the Churchill Avenue

highway reservation must be designed and constructed in general accordance with LGAT/ IPWEA standard drawings:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing;
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11- v1; or
3. A Council City Infrastructure Division approved alternate design.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *Please contact Council City Infrastructure Division to discuss approval of alternate designs. Based on a site specific assessment, Council City Infrastructure Division Road Engineer may permit extending non-approved concrete slab crossover, and where non-standard kerb and channel exists a concrete plinth to Council standards may be permitted for construction at the gutter.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

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.

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 13

Any new front fencing or driveway gate at 211 Churchill Avenue (on the Churchill Avenue frontage) must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Amended drawings must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*. The drawings must demonstrate how the fence either side of the driveway provides for adequate sight distance between user vehicles, cyclists and pedestrians by one or more of the following methods:

1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off-street car parking AS/NZS 2890.1: 2004 Fig 3.3;
2. Ensuring the gate width of the driveway is at least 5.0m;
3. Ensuring the height of fence/gate is low;
4. Setting driveway(s) gates back 1m from front fence line to achieve increased sight lines (at least 1m sight triangles either side of a 3m wide driveway);
5. A combination of the above, to the satisfaction of the Council's Director City Planning.

All work required by this condition must be undertaken in accordance with

the approved drawings.

Advice:

- *The applicant may submit amended drawings to satisfy this condition as either part of a Building Application, or alternatively via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]).*
- *Failure to address condition 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 of pedestrians and traffic in the vicinity.

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.

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

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.

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

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your [new stormwater connection](#).

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.

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](#).

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](#).

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.

DEPUTY LORD MAYOR BURNET
DENISON

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Lord Mayor Reynolds
Zucco	Briscoe
Thomas	Sexton
Denison	Behrakis
Harvey	Dutta
	Ewin
	Sherlock

BRISCOE
SHERLOCK

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition and Two Multiple Dwellings (One Existing, One New) at 211 Churchill Avenue, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal does not have a setback

from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints.

2. The proposal does not meet the acceptable solution or the performance criteria with respect to clause 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the siting and scale of the proposal causes an unreasonable loss of amenity by:
 - (i) a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot;
 - (iii) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;and does not provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

3. The proposal does not meet the acceptable solution or the performance criteria with respect to clause 10.4.3 A2 and P2 of the *Hobart Interim Planning Scheme 2015* because the proposal does not have private open space that includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is conveniently located in relation to a living area of the dwelling, and is orientated to take advantage of sunlight.

4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.4 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal is not sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

AMENDMENT

ZUCCO
THOMAS

That the General Manager provide written advice to the Council of the cost of defending the Council's decision at the Planning Tribunal should it be appealed.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Denison
Briscoe	Harvey
Sexton	Thomas
Behrakis	
Dutta	
Ewin	
Sherlock	

COUNCIL RESOLUTION:

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition and Two Multiple Dwellings (One Existing, One New) at 211 Churchill Avenue, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal does not have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints.

2. The proposal does not meet the acceptable solution or the performance criteria with respect to clause 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the siting and scale of the proposal causes an unreasonable loss of amenity by:
 - (i) a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot;
 - (iii) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;and does not provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.
3. The proposal does not meet the acceptable solution or the performance criteria with respect to clause 10.4.3 A2 and P2 of the *Hobart Interim Planning Scheme 2015* because the proposal does not have private open space that includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is conveniently located in relation to a living area of the dwelling, and is orientated to take advantage of sunlight.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.4 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposal is not sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).
5. The General Manager provide written advice to the Council of the cost of defending the Council's decision at the Planning Tribunal should it be appealed.

9.4 6 / 15 Lansdowne Crescent, West Hobart - Partial Change of Use to Visitor Accommodation
PLN-18-706 - File Ref: F18/126993

Ref: Open [CPC 2.2.4](#), 13/11/2018
Application Expiry Date: 21 November 2018
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, the Council refuse the application a partial change of use to visitor accommodation at 6/15 Lansdowne Crescent West Hobart TAS 7000 for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1 (e) A2 and P2 of *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes* because the visitor accommodation is within a strata scheme and will cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme due to: a reduction in privacy; an increase in noise; a diminution of the residential functioning of the strata scheme; the location and layout of lots with respect to the location of the visitor accommodation; the lack of other non-residential uses in the strata scheme; and the deleterious impact on the shared access and common property of the strata scheme.

DEPUTY LORD MAYOR BURNET
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Denison
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

**9.5 29 Pottery Road, Lenah Valley - Partial Demolition and Two Multiple Dwellings (One Existing, One New)
PLN-18-142 - File Ref: F18/127690**

Ref: Open [CPC 2.2.6](#), 13/11/2018

Application Expiry Date: 20 November 2018

Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and two multiple dwellings (one existing, one new) at 29 Pottery Road LENA VALLEY for the reasons outlined in the officer's report 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-18-142 - 29 POTTERY ROAD LENA VALLEY TAS 7008 - 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 2018/00380-HCC dated 23 March 2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

Screening to a height of 1.7m above floor level, with no more than 25% uniform transparency must be installed and maintained along the northern edge of the upper level deck prior to first occupation.

Reason for condition

To provide reasonable opportunity for privacy for the neighbouring property.

PLN 2

The bedroom window on the upper floor of the southern elevation must have a sill height of at least 1.7m above the upper floor finished floor level or be glazed entirely of translucent glass.

Reason for condition

To provide reasonable opportunity for privacy of the neighbouring property.

ENG sw4

If a new stormwater connection to Council infrastructure (kerb & gutter in Pottery Road) is required, it must be constructed and any existing connections to be abandoned sealed by the Council at the owner's expense, prior to the new use/ first occupation.

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

1. The location of the proposed connection; and
2. The size of the connection appropriate to satisfy the needs of the development (note that if a larger impervious area is going to be drained, a larger connection may be required).

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*

- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater runoff from the proposed development (including hardstand runoff) must be discharged either to the Council's stormwater infrastructure or to a Council-approved disposal system prior to new use/ first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and disposal systems and connections to the Council's stormwater infrastructure must be submitted and approved prior to the issuing of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first). The drawings and calculations must:

1. Be prepared or certified by an engineer.
2. Include long section(s)/levels and grades to the point of discharge, as required.
3. All stormwater runoff which can reach the kerb & gutter connection by gravity (either free-draining or charged systems) must be allowed to do so, this includes roof areas and some paved areas close to the road (a grated trench across the driveway not too far from the footpath could drain a large part of the driveway towards the road - i.e. avoid draining the entire driveway into a soakage trench).
4. Design must clearly distinguish between surface areas which will drain to road and any areas which will drain to a soakage trench.
5. The design of the proposed stormwater soakage trench must be

based on an actual site investigation and excavation to determine the depth to bedrock (the proposed 900mm depth of trench may not be achievable if soil is shallow) as well as the permeability of the soil onsite. The design must clearly state that it is based on a site investigation.

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

Advice:

- *The applicant is advised to submit detailed design drawings and calculations as part of their [Plumbing Permit Application](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking area 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 parking and turning areas approved under the 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 in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 3c

The access driveway, parking and turning areas must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

Prior to the first occupation / new use (or the approval of any strata subdivision), documentation by a suitably qualified engineer certifying that the driveway, parking and turning areas have been built in accordance with the approved design drawings must be lodged with Council. If not built entirely as per the approved drawings, an engineer must certify that the as-built driveway, parking and turning areas comply with AS2890.

Advice:

- *It is advised that designers consider the detailed design of the access and parking areas prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*
- *Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access and parking areas, and compliance with the relevant Australian Standard.

ENG 4

The access driveway and parking areas approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or

equivalent Council approved) and surface drained to the Council's stormwater infrastructure or Council approved disposal system prior to the first occupation / new use.

Reason for condition

To ensure the safety of users of the access driveway and parking areas, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 11

Prior to the first occupation / new use, the existing driveway crossover to the Pottery Road highway reservation must be widened on the uphill or southern side to line up with the proposed wider (about 5.5m) driveway. The crossover must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11- v1.
3. Or a Council City Infrastructure Division approved alternate design.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *Please contact Council City Infrastructure Division to discuss approval of any alternate designs.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

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.

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.

OPS 1

The title boundary shared between the Council' neighbouring land and the applicant's property must be clearly marked by the owner on the ground before any works commence. No works are approved in the reserve.

Reason for condition

To protect the values of the Council's neighbouring Lenah Valley public reserve.

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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

Up to \$20,000: \$150 per application.

Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

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.

You may require a Permit to Open Up and Temporarily Occupy a Highway

(for work in the road reserve by a private contractor). Click [here](#) for more information.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for a new stormwater service connection.

COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause damage to Council's land may be in breach of the Council's Parks, Recreation and Natural Areas Bylaw and penalties may apply. The by law is available [here](#).

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

WASTE DISPOSAL

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.

DEPUTY LORD MAYOR BURNET
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

Supplementary item 9.6 was then taken.

**9.6 3 Raymont Terrace Mount Stuart - Alterations
PLN-18-227 - File Ref: F18/126300**

Ref: Open [CPC 2.2.5](#), 13/11/2018
Application Expiry Date: 30 November 2018
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations at 3 Raymont Terrace Mount Stuart for the reasons outlined in the officer's report, attached to item 2.2.5 of the Special Open City Planning Committee agenda of 13 November 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-18-227 - 3 Raymont Terrace Mount Stuart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

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*.

DEPUTY LORD MAYOR BURNET
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

10. Macquarie Point Development Corporation Amendment Bill 2018 - Site Development Plan

File Ref: F18/127219; 17/167

Ref: Open [CPC 3.1](#), 13/11/2018

- That
1. The information contained in the report of the Manager Planning Policy and Heritage and the Director City Planning titled *Macquarie Point Development Corporation Amendment Bill 2018 – Site Development Plan* of 8 November 2018 outlined in item 3.1 on the Special City Planning Committee agenda of 13 November 2018 be received and noted.
 2. The Minister for State Growth be advised of the Council's concerns with the Bill, namely that;
 - a. it does not afford sufficient time for public comment on the site development plan and any subsequent amendments allowed for under the Bill; and
 - b. the case for the Minister to be given the sole authority to approve the site development plan and exclude this planning scheme amendment from the process specified within the Land Use Planning and Approvals Act 1993 has not been sufficiently made by the Minister.
 3. The Minister for State Growth also be invited to outline his plan as to how he intends to realise the funding and construction of the Truth and Reconciliation Art Park and what is the intended time for its realisation.
 4. Both Mona (Leigh Carmichael) and the CEO of the Macquarie Point Development Corporation, be given an opportunity to present their views on the *Macquarie Point Development Corporation Amendment Bill 2018* and the proposed Site Development Plan.

DEPUTY LORD MAYOR BURNET
THOMAS

That part 1 of the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

AMENDMENT

BEHRAKIS
ZUCCO

That the Council request of the Macquarie Point Development Corporation a site visit as soon as practicable to give the Council greater perspective on the proposed development at Macquarie Point.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

DEPUTY LORD MAYOR BURNET
THOMAS

That parts 2 to 4 of the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

COUNCIL RESOLUTION:

- That
1. The information contained in the report of the Manager Planning Policy and Heritage and the Director City Planning titled *Macquarie Point Development Corporation Amendment Bill 2018 – Site Development Plan* of 8 November 2018 outlined in item 3.1 on the Special City Planning Committee agenda of 13 November 2018 be received and noted.
 2. The Minister for State Growth be advised of the Council's concerns with the Bill, namely that;
 - a. it does not afford sufficient time for public comment on the site development plan and any subsequent amendments allowed for under the Bill; and
 - b. the case for the Minister to be given the sole authority to approve the site development plan and exclude this planning scheme amendment from the process specified within the Land Use Planning and Approvals Act 1993 has not been sufficiently made by the Minister.
 3. The Minister for State Growth also be invited to outline his plan as to how he intends to realise the funding and construction of the Truth and Reconciliation Art Park and what is the intended time for its realisation.
 4. Both Mona (Leigh Carmichael) and the CEO of the Macquarie Point Development Corporation, be given an opportunity to present their views on the *Macquarie Point Development Corporation Amendment Bill 2018* and the proposed Site Development Plan.
 5. That the Council request of the Macquarie Point Development Corporation a site visit as soon as practicable to give the Council greater perspective on the proposed development at Macquarie Point.

SPECIAL REPORT – GENERAL MANAGER

11. Local Government (Meeting Procedures) Regulations 2015 - Review of Meeting Times
File Ref: F18/136122; 13-1-2

That in accordance with Regulation 6(2) of the Local Government (Meeting Procedures) Regulations 2015, the Council confirm the commencement time of 5:00 pm for ordinary meetings of the Council.

DEPUTY LORD MAYOR BURNET
HARVEY

That the recommendation the General Manager be adopted.

AMENDMENT

BRISCOE
DUTTA

That the Council meetings start at 5.30 pm.

MOTION LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Sexton
Briscoe	Thomas
Dutta	Denison
Ewin	Harvey
Sherlock	Behrakis

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Briscoe
Deputy Lord Mayor Burnet	Dutta
Zucco	Ewin
Sexton	Sherlock
Thomas	
Denison	
Harvey	
Behrakis	

12. TasWater - Appointment of Owner's Representative
File Ref: F18/125419; 13-1-2

SEXTON
ZUCCO

That Alderman Denison be appointed to the position of TasWater Owner's Representative for the City of Hobart for a maximum term of 3 years.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

COUNCIL RESOLUTION:

That Alderman Denison be appointed to the position of TasWater Owner's Representative for the City of Hobart for a maximum term of 3 years.

13. Local Government Association of Tasmania - Aldermanic Nominations for Voting Delegates
File Ref: F18/136061; 13-1-2

SEXTON
DUTTA

That the Lord Mayor be appointed as the Council's voting delegate for the Local Government Association of Tasmania as at the 19 November 2018 for a two year period and the Deputy Lord Mayor and Alderman Behrakis be appointed as proxies.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

COUNCIL RESOLUTION:

That the Lord Mayor be appointed as the Council's Voting Delegate for the Local Government Association of Tasmania as at the 19 November 2018 for a two year period and the Deputy Lord Mayor and Alderman Behrakis be appointed as Proxies.

Alderman Briscoe and Councillor Harvey declared an interest in item 14 after being nominated as a member of the Trust and left the meeting at 6.28 pm.

Alderman Briscoe and Councillor Harvey returned to the meeting at 6.31 pm after the vote for the member had been concluded.

The Deputy Lord Mayor declared an interest in item 14 after being nominated as a deputy member of the Trust to Alderman Briscoe and left the meeting at 6.35 pm.

The Deputy Lord Mayor returned to the meeting at 6.35 pm after the vote for deputy member to Alderman Briscoe had been concluded.

Alderman Denison and Councillor Sherlock declared an interest in item 14 after being nominated as a deputy member of the Trust to Alderman Thomas and left the meeting at 6.38 pm.

Alderman Denison and Councillor Sherlock returned to the meeting at 6.41 pm after the vote for deputy member of the Trust to Alderman Thomas had concluded.

14. Wellington Park Management Trust - Appointment of Aldermanic Members
File Ref: F18/136118; 13-1-2

DEPUTY LORD MAYOR BURNET
SHERLOCK

That Alderman Briscoe and Councillor Harvey be nominated to fill the membership vacancy on the Wellington Park Management Trust for a period of up to three years.

ZUCCO
DUTTA

That, there being only one vacancy, the election of the nominee be conducted by a secret ballot.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Ewin
Sexton	
Thomas	
Denison	
Behrakis	
Dutta	
Sherlock	

The ballot was conducted and the Lord Mayor declared Alderman Briscoe elected.

SEXTON
ZUCCO

That the following nominations for the two positions of deputy members be considered by the Council:

- Deputy Lord Mayor; Deputy member for Alderman Briscoe
- Alderman Denison and Councillor Sherlock; Deputy member for Alderman Thomas.

There being only one nomination for deputy member to Alderman Briscoe, the Lord Mayor declared the Deputy Lord Mayor elected.

ZUCCO
BRISCOE

That, there being only one remaining deputy member vacancy, the election of the nominee be conducted by secret ballot.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	

The ballot was conducted and the Lord Mayor declared Alderman Denison elected.

BRISCOE
ZUCCO

That the following appointments to the Wellington Park Management Trust be noted:

1. Alderman Briscoe – member
2. The Deputy Lord Mayor – deputy member to Alderman Briscoe
3. Alderman Denison – deputy member to Alderman Thomas

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Briscoe
Sexton
Thomas
Denison
Harvey
Behrakis
Dutta
Ewin
Sherlock

COUNCIL RESOLUTION:

That the following appointments to the Wellington Park Management Trust be noted:

1. Alderman Briscoe – member
2. The Deputy Lord Mayor – deputy member to Alderman Briscoe
3. Alderman Denison – deputy member to Alderman Thomas

Supplementary item 16 was then taken.

15. CLOSED PORTION OF THE MEETING

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Leave of absence
- Legal action to be taken by, or involving the Council.

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 Southern Cross Care v Hobart City Council - Rates Objection
LG(MP)R 15(2)(i)

DEPUTY LORD MAYOR BURNET
SEXTON

That the recommendation be adopted.

MOTION CARRIED
BY ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

SUPPLEMENTARY ITEMS

SPECIAL REPORT – GENERAL MANAGER

16. Elected Member Terminology
File Ref: F18/136003

EWIN
SEXTON

That:

Pursuant to section 25 (2) of the *Local Government Act 1993*, elected representatives of the City of Hobart each be given their own choice of title between “councillor” and “alderman”.

ZUCCO
DENISON

That Alderman Zucco be granted an additional one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Dutta
Briscoe	Ewin
Sexton	Sherlock
Thomas	
Denison	
Harvey	
Behrakis	

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Denison
Briscoe	Behrakis
Sexton	
Thomas	
Harvey	
Dutta	
Ewin	
Sherlock	

COUNCIL RESOLUTION:

That pursuant to section 25 (2) of the *Local Government Act 1993*, elected representatives of the City of Hobart each be given their own choice of title between “councillor” and “alderman”.

Item 15 was then taken.

There being no further business the open portion of the meeting closed at 7.12 pm.

TAKEN AS READ AND SIGNED AS A
CORRECT RECORD THIS
3RD DAY OF DECEMBER 2018.

CHAIRMAN