



CITY OF HOBART

AGENDA

City Planning Committee Meeting

Open Portion

Monday, 14 October 2019

at 5:00 pm

Lady Osborne Room, Town Hall

SUPPLEMENTARY ITEMS

ORDER OF BUSINESS

COMMITTEE ACTING AS PLANNING AUTHORITY 3

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

13. 306a, 300, 270a and 269 Lenah Valley Road and Adjacent Road
Reserve, Lenah Valley - Subdivision (21 Lots) and Associated Works
- Conciliation - PLN-18-82 4

REPORT

14. Climate Youth Support Conference of Parties No. 25, Santiago,
Chile, 29 November to 13 December 2019 219

The General Manager reports:

“That in accordance with the provisions of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, these supplementary matters are submitted for the consideration of the Committee.

Pursuant to Regulation 8(6), I report that:

- (a) information in relation to the matter was provided subsequent to the distribution of the agenda;
- (b) the matter is regarded as urgent; and
- (c) advice is provided pursuant to Section 65 of the Act.”

COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Committee to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

- 13. 306a, 300, 270a and 269 Lenah Valley Road and Adjacent Road Reserve, Lenah Valley - Subdivision (21 Lots) and Associated Works - Conciliation - PLN-18-82
File Ref: F19/133868**
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Memorandum of the Manager Development Appraisal of 10 October 2019 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

306a, 300, 270a and 269 Lenah Valley Road and Adjacent Road Reserve, Lenah Valley - Subdivision (21 Lots) and Associated Works - Conciliation - PLN-18-82

1. Introduction

- 1.1. This memorandum relates to planning application PLN-18-82 proposing Subdivision (21 Lots) and associated works at 306A, 300, 270A and 269 Lenah Valley Road and adjacent road reserve, Lenah Valley.
- 1.2. The application was considered by the Council's City Planning Committee at their meeting of 12 March 2019, where the Committee resolved as follows:

That the item be deferred to a subsequent City Planning Committee meeting to allow time for a conciliation session to be convened between the Applicant and Representors to see if a satisfactory solution can be reached in relation to the concerns raised by the Representors.
- 1.3. Following that resolution, conciliation facilitated by an independent mediator and involving the proponent, representors, consultants representing the proponent and Council officers has been undertaken. This memorandum details that conciliation and presents the planning application back to the City Planning Committee and Council for determination.

2. Background

- 2.1. Planning application PLN-18-82 proposes a 21 lot subdivision, principally at 306A Lenah Valley Road, Lenah Valley. A new road to service the lots is also proposed, as are ancillary works, some of which are on other properties and in the Lenah Valley Road road reservation to provide sufficient servicing for the proposed lots. The application also includes the retention of the existing dwelling on 306A Lenah Valley Road and the removal of three small outbuildings from the parent property. More detail of the proposal can be found in the officer report that forms Attachment A to this memorandum.

- 2.2. The proposal generates discretion under the *Hobart Interim Planning Scheme 2015* in relation to the General Residential Zone Subdivision Standards (Lot Design, Roads, Ways and Public Open Space, and Services), Public and Fire Fighting Access, Design of Vehicular Access, Stormwater Drainage and Disposal, and Buildings and Works within a Waterway Protection Area.



Figure 1: The location of the site where new lots are to be created is highlighted in yellow. Other lots relied upon for servicing this proposed subdivision are not highlighted in the above.

- 2.3. The proposal was publicly advertised between 4 and 19 February 2019. Thirty three (33) representations objecting to the proposal were received within the statutory advertising period, raising concerns broadly including traffic, roads, the number and size of proposed lots, vegetation and habitat removal, impact upon neighbourhood character, bushfire management, stormwater, noise, the possible precedent that approval of the proposal may set, privacy, public open space, impacts associated with excavation and construction, the previous change to the site's zoning, deficiencies of and inconsistency with the planning scheme, notification of the application, heritage, and the unlikelihood of Council adequately enforcing compliance. More detail of the content within the submitted representations can be found in the officer report that forms Attachment A to this memorandum.

- 2.4. The report at Attachment A to this memorandum contains the officer assessment of the proposal against the *Hobart Interim Planning Scheme 2015* and recommends approval subject to conditions.

3. Conciliation

- 3.1. Following deferral by the City Planning Committee at its meeting on 12 March 2019, the proponent was contacted and subsequently indicated a willingness to participate in conciliation. An independent mediator was then engaged by the City of Hobart to facilitate conciliation between the proponent and representors.
- 3.2. All 33 representors were then sent an email or letter advising that an independent mediator had been engaged, and asking whether they wished to be involved with conciliation in relation to the application. All representors were advised that irrespective of whether they chose to participate in conciliation or not, the Council would still be required to make a decision in relation to the application, and all representors would retain a right of appeal in relation to the application.
- 3.3. Of the 33 representors, 16 indicated that they wanted to participate in conciliation, some via a proxy.
- 3.4. While the proponent had previously indicated a willingness to participate in conciliation, they indicated a preference for the 16 representors to be represented at the conciliation meeting by a smaller number of representatives who could speak for the interests of those not attending.
- 3.5. Prior to the conciliation meeting, a meeting was held to give the 16 representors involved in conciliation an opportunity to meet the independent mediator and Council officers, and to ask questions about the conciliation process in the absence of the proponent. Of the 16, 7 representors and one proxy representing 2 other representors attended that meeting. In addition to advice provided by the mediator and Council officers, the representors that attended were also advised that they could seek independent advice of their own if they wished, including potentially via the list of consultants willing to provide initial planning advice at no cost maintained by the Resource Management and Planning Appeal Tribunal.
- 3.6. The conciliation meeting was then held on 28 May 2019 at the City of Hobart's offices. It was facilitated by the independent mediator, and attended by the proponent, the proponent's planning consultant, surveyor and two engineers, four representors representing the 16 who chose to be involved in conciliation, three other representors who attended as silent observers, and three Council officers. In broad terms, representors detailed their concerns with the proposed subdivision and discussed possible ways that those concerns could be addressed with the proponent.

- 3.7. Following the meeting, a summary of the meeting's outcomes and the aspects of the proposal that the proponent agreed to consider amending was forwarded to the 16 representors involved in conciliation and the proponent.
- 3.8. After considering those matters, the proponent provided an amended plan of subdivision (Figure 3 and Attachment B below) and a written response (Attachment C below). Each of the matters and the proponent's response is detailed below:

- 3.8.1 Consolidating and relocating the proposed 'battleaxe' access strips to Lots 1, 2 and 3 into one central 'laneway' (that wouldn't be public road) located away from shared boundaries with downhill lots;

Response

The amended subdivision plan has rearranged lots 1 to 5 with a centralised access strip and reciprocal right of way. This achieves the objective to locate the access away from the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road.

- 3.8.2 'Splitting' Lot 1 into two to reduce its current size of 1837m²;

Response

The applicant did not agree as part of the conciliation session to split Lot 1 but rather investigate whether it was practical to relocate this larger multi-unit lot away from the common boundary with the neighbours.

Under the amended subdivision plan attached, Lot 1 has been relocated away from the boundary with neighbouring residential lots at 318A to 320 Lenah Valley Road.

- 3.8.3 Omitting Lot 12 and redistributing its area among other lots on the lower side of the proposed road;

Response

The amended subdivision plan has deleted the former lot 12 and redistributed that area between the lots along the bottom side of the road at the eastern end of the subdivision. This has increased the size of lots as follows:

	Proposed	Amended
Lot 6	750m ²	851m ²
Lot 7	804m ²	887m ²
Lot 8	851m ²	971m ²
Lot 9	851m ²	963m ²
Lot 10	778m ²	951m ²
Lot 11	757m ²	974m ²

- 3.8.4 Relocating any larger lots so that they are located on the upper side of the parent title, away from downhill neighbouring lots;

Response

The amended subdivision plan relocates the two larger lots (Lot 1 of 1800m² and Lot 16 of 1520m² that is to accommodate the existing dwelling).

- 3.8.5 Checking the location of the existing Eucalyptus tree in the parent lot's access strip (between 316 and 318A Lenah Valley Road) to enable investigation of its potential retention, potentially with the assistance of tunnelling (rather than trenching) to lay services associated with the subdivision;

Response

The accompanying tree retention plan has been prepared following investigation of the physical requirements for installation of required road and service infrastructure. Unfortunately, it is not possible to retain the requested tree in this location due the intervention required to install the road batter, sewer main and road formation with required clearances.

- 3.8.6 Agreeing to Council imposing a condition on any planning permit issued requiring the submission of a Construction Management Plan that required the developer to adhere to practices that utilised construction methods that minimised damage to neighbouring land, vibration, dust, etc;

Response

The proponent agrees to an additional condition to be applied to the planning permit requiring submission of a construction and environmental management plan for the approval of Council's Director City Planning prior to commencement of work. It is suggested that the condition could be along the lines of the following:

A construction management plan must be implemented throughout the construction works.

A construction management plan must be submitted and approved prior to the commencement of works. The plan must include but is not limited to the following:

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

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

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

Reason for condition

To ensure minimal impact on the amenity of adjoining properties during the construction period.

- 3.8.7 Preparing a Tree Retention Plan that identified existing trees that could be retained on site during and until the end of the subdivision's civil construction period (where the road and services for any approved subdivision were constructed), so that any subsequent purchaser of any resultant lots could see those trees and at least have the choice of whether to retain them or not (recognising that Council has no ability under the provisions of the Hobart Interim Planning Scheme 2015 to require such trees to be retained if subsequent owners choose to remove them from private lots);

Response

As the parties are aware, the trees are not subject to a Biodiversity or Scenic Protection Overlay under the Planning Scheme. Nevertheless, the applicant understands that the parties were keen for tree removal to be minimised and therefore that trees that do not have to be removed to facilitate the construction of roads and services would ideally be retained. The idea discussed at conciliation was that a future owner of each lot could then determine whether they would like to retain and work around the respective trees on their lots.

The accompanying tree retention plan shows the trees to be removed at the construction phase for installation of the road formation, batters, accesses to lots and services. The plan also includes removal of trees that are considered incompatible with future development and would be problematic to remove once the land is subdivided to smaller lots.

On close consideration, the majority of the radiata pines are very large and incompatible with likely future development of the lots in terms of safety, overshadowing, and their physical size.

They would be significantly more difficult and expensive to remove once the lots are created and in separate ownership.

Unfortunately, retention of these very large trees on a residential sized lot would be impractical to retain and will need to be removed.

Native trees have been retained where practical.

Further detail on proposed landscaping with the road reserve is discussed below under item 8.

3.8.8 Preparing a Landscaping Plan detailing the planting of street trees and vegetation within the road reservation.

Response

The accompanying tree retention plan also shows areas within the road reservation that are considered suitable for low vegetation planting and other potential vegetation areas that would be suited to larger plantings. It is considered that a detailed landscaping plan will be developed for the landscaped areas of the road reservation shown on the plan as a condition of approval prior to commencement of works. The landscaping plan would have regard to the following advice provided by Council's Roads and Parks sections:

Council's Roads section advice is that tree planting is:

- preferred to be 1m clear distance from the back of kerb or footpath to facilitates less risk with future replacement of public infrastructure;
- to be clear of street lighting to ensure mature canopy coverage does not impact adequate illumination of the footpath / pavement;
- to be a min of 3m clear of driveway aprons to ensure no line of sight and potential root intrusion issues;
- given the significantly sized retaining wall at the cul-de-sac and the higher volume of driveway aprons, only low level planting if any would be practical in this area.
- There is also the issue of underground services in the southern naturestrip which would need to be considered in relation to the placement of any landscaping

Council's Parks section advice is that ideally a grass verge would be provided on the top side of the road and dense planting of shrubs on the lower side of the roads.

Council's arborist's advice is that tree planting should be small native trees such as Callistemons or small growing eucalypts with care taken in the landscaping plan to detail the soil conditions.

3.8.9 Conclusions

The applicant appreciates the parties' cooperative approach to the conciliation session and thanks Ms Debbie Dunn and Council for facilitating. Although time consuming we consider that the process has been worthwhile particularly if the parties feel that their concerns have been heard and accommodated where possible.

Subject to the parties acceptance of this offer, the applicant would be willing on a without prejudice basis, to accept additional/ modified conditions on the permit to reflect the above amended subdivision proposal plan and the commitments in relation to preparation of a construction management plan and landscaping plan for the road reserve as outlined above.

- 3.9. The proponent's written response and the amended plan of subdivision, landscaping and tree retention plan and amended plan of subdivision (civil) were then forwarded to the 16 representors involved in conciliation for their comment. Those representors were invited to provide feedback in relation to those documents. Ten responses were received, with the feedback provided in those responses detailed in the table below:

Have the Proposed Amendments Addressed Concerns with the Proposal:
The proposed amendments to this plan do little to improve the subdivision. There are still absurdly high retaining walls which will tower over neighbours and the valley. Trees and habitat will be lost. The presumption that the purchasers of the blocks will want to remove all the trees is fallacious. Locals (including me) plant and retain trees in their gardens because they enjoy a natural landscape. This development will destroy the valley completely.
Some improvement in the layout has been achieved but the plan does not significantly address the concerns regarding the impact on habitat and landscape particular to this part of Lenah Valley.
The revised plans submitted by the developer make no concessions addressing my previous concerns, and this entire episode originates from mismanaged rezoning of the site by the Council a decade ago.
There is no doubt that the current plan is an improvement on the last one. I am disappointed that more of our suggestions (particularly in relation to green open space, density and the placement of the road) were not adopted. I ask that the Hobart City Council ensures that significantly more trees are retained than have been identified on the plan.
I think the research and response of the developer is quite thorough. I still have concerns relating to the storm water, and urge Council to further research the impacts of the proposed development.
We accept that the revised layout is an improvement on the original proposal with reduced impacts on the neighbours and habitat.
Impact on Character:
I regret to say that from Central Europe, where cities have been planned, developed and following dreadful destruction of the Second World War, restored, I can only feel shame for the current destruction of Hobart's natural and built heritage that seems now to be the policy of state and local government.
I think this development is yet another nail in the coffin for Hobart and its unique landscape. It is clear that within the next few years there will be no skyline on which there are not crowded dwellings and more and more people living like ants in a city which cannot sustain them or their movement through it.
As a long term resident of Lenah Valley Road, and previously Pottery Road where similar developments ruined the environment, I am deeply disappointed in this short term money grabbing perspective and sincerely wish that the planning committee consider what is best for Hobart now and forever, as the European planners have done.

Please give due consideration to the collective wisdom of the ratepayers and reject this subdivision.
This site is not an open pasture area, but part of the bush area leading up the lower sections of the mountain. Buyers to this area will value the bush setting and retention of the trees is vital and essential to retain these qualities.
I implore the Council and the developer to review the plans and provide an application which is more in keeping with the local area.
This new plan does nothing to address the severe impacts this proposal will have on the character or aesthetic values of Upper Lenah Valley.
I could get behind a lower-density development of this block, but this proposal will permanently degrade the Upper Lenah Valley.
It is 2019, and buyers seeking to live in upper Lenah Valley will value landscape and habitat over vacant open sites that have been destroyed like those in most poor quality subdivisions.
I would also like it noted that this development is being anticipated by me with deep concern for physical and financial loss, and the relaxing sounds of the birds are about to be replaced with "silent spring" at sunrise and in the evening and the jackhammering and pile driving noises actually which last time were vibrating through the floor of my home and into my chest and created unwellness and extremely high blood pressure not able to be controlled with medication. My dog has developed an anxiety condition since last year and has become fearful on walks (racing home if someone drops a plank of wood - this was worsened recently by someone dropping a skip on the concrete but began during the past development down the road) and I am thinking she may need to live elsewhere if medication does not work, which will be a sad loss.
We implore Hobart Council's planners and councillors to uphold their planning scheme and protect the landscape character of upper Lenah Valley. This site is not a vacant farm plot in the midlands of Tasmania. It is a precedent for what Council allows to march up the hills in this beautiful valley that is home to people and significant wildlife.
Flora and Fauna/Habitat:
I wish to make a submission regarding birds in Australia report in relation to impacts of development.
The cutting down of such a significant number of trees in a bush area will have a detrimental effect on the wildlife as well as the overall ecology of the area.
The significant native tree at the base of the access will still be destroyed to facilitate this development.
The Tree Retention Plan is extremely disappointing. It proposes the retention of only one tree out of every 33 currently on the site. This really does not look like a retention plan. Trees give this part of Lenah Valley its character. They also provide habitat for our birds and wildlife; they retain water in the soil, sequester carbon and provide shade and protection from wind. Many of the trees on this plan which have been marked for destruction do not impact on the infrastructure

and are on the perimeter or outside the probable building areas for future residences. The accompanying letter cites callistemons as a species which will be planted. These are lovely, plants – but they are an understorey species. They complement the upper storey of eucalyptus and acacias rather than provide a substitute.

In June 2019, Hobart and Sydney became the first capital cities in Australia to declare a climate emergency. The simplest and most implementable climate mitigation strategy is the retention of mature trees (and the next is planting trees). This proposed subdivision provides the Hobart City Council with an ideal opportunity to demonstrate that it is serious about this declaration and ensure that as many mature trees as possible are retained.

I refer to the page [Trees and Green Infrastructure](#) on the Hobart City Council's website:

- More than just beauty, trees and green vegetation play an important role in the well-being of our community.

The page lists the benefits of trees (which I have summarised):

- Environmental benefits
 - cooling
 - reducing stormwater in the system
 - taking in carbon dioxide and producing oxygen
 - providing habitat
- Economic benefits
 - Contributing to higher property values
 - reducing energy costs (shading)
- Community benefits
 - Improves health and well being
 - reduces stress levels
 - improves mental health
 - provides a connection with nature, seasonality and sense of place

This page also mentions that remnant native vegetation can be highly significant for biodiversity conservation. The developers are at pains to emphasise that there is no significant biodiversity on the site – however, there can be no doubt that there will be more biodiversity with trees than without.

From previous meetings, a collective concern centred around the loss of the magnificent trees on that development site and loss of the large eucalypt on the access road. This does not appear to have been remotely addressed. It is one of the biggest concerns for the residents in this beautiful part of Hobart.

<p>I personally feel it would be desirable to maintain the Eucalypt tree along the access road, as this is a beautiful landmark along Lenah Valley Road. I fear this may not be possible due its future growth and Council planning restrictions referred to in the developers cover letter ("investigation of the physical requirements for installation of required road and service infrastructure, the intervention required to install the road batter, sewer main and road formation with required clearances"). However, if at all possible, I hope the significant Eucalypt on the access road is retained.</p>
<p>The tree retention plan is not consistent with the developer's claim that they 'do not want to cut down all the trees'. It is not consistent with the habitat and landscape character of upper Lenah Valley and the expectations of the community. We implore the developer and their consultants to improve on the tree retention plan.</p>
<p>There is no need to destroy the 220 trees shown in the developers plan. We implore the developer to let his buyers decide what trees they would like to keep or remove. Trees offer important ecology, habitat, oxygen, sub protection, water retention, soil retention, privacy screening, landscape character, and decades of life and rural memory. They distinguish this valley from the treeless suburbs that fill other cities and parts of ours.</p>
<p>Please refer to the attached drawings (Attachment F to this memorandum) that illustrate the terrible impact of the tree removal proposed, and include a revised tree retention plan that will reduce this impact and improve the habitat and liveability of the subdivision with no reduction in the developer's profits.</p>
<p>Can Council please confirm whether there are any environmental management policies that can be imposed to ensure the tree removal is done carefully without fire and smoke impacts on the neighbouring properties. Local residents have witnessed the developer using fires to remove trees he has cut down.</p>
<p>We implore Council and the developer to retain this magnificent tree. The developer's engineer admitted that they could work around this tree in the conciliation meeting. Good arborist advice, sensitive engineering, and tunnelling rather than trenching for the small adjacent pipe could save this tree.</p>
<p>We are concerned about vegetation habitat loss, including the macrocarpas. Whilst understanding a requirement by the developer to remove these trees, we are requesting a detailed tree removal plan, as custom and practise in the past has been to drop trees and burn them over several days. We believe this is no longer accepted practise.</p>
<p>Could the developer provide evidence that potential buyers need a vegetation-cleared block.</p>

Previous Rezoning of Site
<p>The proposal is a result of the Council's rezoning of the land in 2009, which was not made public until nearly 5 years later (Lenah Valley Zoning Review 2013). The report states, at the time this planning process occurred, only one representation was made against it. This clearly indicates grossly inadequate public notification of that process proven by the contracting significant number of representations made to this current development application. I reject the rezoning document's statement <i>'further subdivision of the lot will not compromise any natural values of the area'</i>. Clearly this process did not consider the aesthetic values of the area, nor the consistent character of one house off the street, and Low Density Residential beyond that (or the significant remnant native grassland on this parcel). This subdivision, built on a 24% gradient, will tower over the valley and harshly impact the aesthetic value and visual amenity of the entire area.</p>
Traffic/Roads/Access
<p>There are no concessions to address traffic impacts beyond the immediate boundary of the subdivision, especially in the event of an emergency.</p>
<p>Currently the subject site has a small drive way for a couple of cars that occupy the sole property on the proposed development. If this development goes ahead it is going to create a new junction and wider road with my property at the very intersection, with increased traffic volume, noise, and car lights, not to speak of the disruption that will inevitably occur during development.</p>
<p>I have concerns about the increased traffic on Lenah Valley Road, as it is already a narrow access road when cars are parked on either side of the road.</p>
<p>There is no mention of roadside protection to the fence and property at 316 Lenah Valley Road.</p>
Stormwater
<p>There are ongoing concerns regarding the stormwater management and these have not been fully addressed.</p>
<p>In relation to the Stormwater Code – Hobart Interim Planning Scheme 2015 -we are requesting a more detailed Stormwater Assessment Report giving serious consideration to the following references giving consideration to holistic dissipation of surface water:</p> <ol style="list-style-type: none"> 1. Water Sensitive Urban Design- Principles- Southern Councils. 2. Stormwater and crossings- Department of Primary Industries, Parks, Water and the Environment. 3. Stormwater Management Plan- a model for Hobart Regional Councils- a focus on the New Town Rivulet Catchment. 4. Environmental Best Practise Guidelines. 5. Manual 1. Legislative and Policy Requirements for protecting Waterways and Wetlands when Undertaking Works.

Further reference was made by the proponent to either or both hydrology or geomorphology assessments in relation to sub surface water courses and springs on the property. We request copies of these reports.
I remain deeply disappointed that the management of stormwater on this site has been approached as an engineering problem to direct and dump this water into the creek, rather than an opportunity to capture a valuable resource to use to support and enhance the natural values of this area and to retain as a safety precaution in the event of fire.
What guarantees can the Planners/Developers give regarding the placement of the stormwater/run off drainage which will run directly towards my property down the new proposed access road? I was witness to the intense weather event of May last year and within a very short period of time my garden and garage was inundated with large volumes of water (I have video footage). Large amounts of water came from directly down the driveway of 306A Lenah Valley Road, the gutter and drain and also along from the western end of Lenah Valley Road. The drain directly outside my property overflowed dramatically leading to water entering both my property and 313 Lenah Valley Road. I am aware that this was described as a "once in a generation" event but with a new development above and to the south of my property with loss of soil/trees and increased catchment from new dwellings, I am not satisfied with the plan to run a storm drain straight at my property and around the west of my property. Would the developers live in my house?
The notion of water collection tanks originally to be placed on the corner of block 316 which might then overflow in times of rain, were decided to be turned into very specifically described large pipes to go down alongside 317 to the rivulet.
As mentioned in several Council meetings and emails since, we are still waiting for the developers and Council to explain why a low internal stormwater catchment of 38% is considered adequate, and to explain the overflow design to protect 317 Lenah Valley Road. Would the developer's stormwater engineer want to live at 317 Lenah Valley Road after this development directs most of the site water towards this property. Several community members have great concern about stormwater impacts of turning this site from trees to concrete and rooftops, and the resultant impacts on neighbouring properties and the rivulet.
Potential for Damage to Adjacent Houses
We think it is essential that the developer meets this promise to ensure that structural impacts on the neighbouring properties are minimised.
The concern that the concrete block dwelling (home) at 316 (and a few of those buildings adjacent on this hill which had experienced structural damage (repaired at owners' cost) last time there was jackhammering would be cared for preventively in the following way: a) a structural engineer would be provided to inspect just prior to jackhammering (I actually would like this person to be accompanied by one also employed by me, to ensure clear understanding of any

existing damage at the outset)

b) given the evidence that due to rock formation there was seismic (transmigratory vibration travelling through rocks and given some of these homes are sitting on this joined rock) then a “soft” form of more protected jackhammering and pile driving would be used.

c) any water flow increase caused through homes on the lower side that was caused by the removal of the trees which are currently consuming a great deal of the water and which was flowing at deeper rock levels than the laid pipes would be considered a damage caused to neighbours from a neighbours activity.

This is a legitimate request given the science of tree water absorption and in regard to the historical knowledge and visual evidence that water seepage sometimes referred to as springs has been occurring since the time these homes were built in the 1950s and 1960s to minimal level of damage because the water was basically already being stopped from flowing by the huge water intake of these trees, which past neighbour stated clearly as a horrified witness of events, remained standing and the 60’s fire went round them and took the house out.

d) a metal barrier along the footpath will be provided adjacent to the corner of my lounge room (1.3m from the fence as house is offset on block). there was discussion that there will be a drop of quarter to half a metre to the road from the footpath which will stop impact but I have lived on a road which had a corner and then downward slope and have witnessed a car out of control and rolling and this could happen if someone came down from the top too fast in bad conditions.

e) That my full grown hedge which acts as a wind block to winds coming from mount wellington, and the fence line along where a footpath and road is now intended will not be damaged

f) we particularly asked that a different contractor be used than the one on 270 Lenah Valley Road due to many complaints by neighbours of their behaviour.

In relation to the question ‘Who will have to pay my repairs’, the response was I would have to return to the council. Therefore in next weeks I asked a number of people who will remain unnamed and I was told jokingly that “the poor home owner goes around and around burning legal costs and the responsibility is passed from one to the other and no one pays and the home owner finally runs out of money”. Therefore I spoke to my legal firm and was directed to someone in the field and was told that a lawyer would only become necessary at pre-commencement stage, if the person requesting/funding the development in the first place or maybe it was the owner of the property (not necessarily the same by time of actions) denied future responsibility, or no one accepted taking responsibility for damage due to development. Therefore I ask the very reasonable question, Does the developer accept that responsibility? and if not does the person employing all workers and directing the project accept responsibility. Any damage claims would depend on pre and post evaluations (which of course will be expensive for me as well and hopefully a post evaluation will never be needed because there will be no damage).

Use of Small Excavation Machinery
The developer's engineers mentioned that small excavation machinery could be used to minimise the structural impacts of rock breaking on neighbouring properties. This is not yet mentioned in the construction management plan.
Assurance That a Good Quality Contractor Will Be Used
In the conciliation meeting, the community described many of the problems of damage, trespass and structural failures that have occurred on the Ancanthe subdivision. The developer's representative mentioned that 'a quality construction company' would be used for this development. We would like an assurance in writing that it will not be the same construction company that has built the Ancanthe subdivision.
Potential Effect on Health
There are also a couple of points that need to be mentioned here about NBN that were not even considered by us or others. We need to ensure that NBN which traverses under the entrance to the proposed road is not accidentally cut. It enters 316 from close to the corner at front or near post box noted 316A (entrance road to 270 actually) or closer to corner but will lay beneath the entrance of the new road. When it enters the 316 building it is converted into ethernet due to my blood pressure reactions to EMR (medically validated) which means in past I have had to work consistently in buildings that do not have radiated wifi router connection. Therefore if the NBN company is in communication with the developers at the time of wires being laid and suggest a node junction to be positioned adjacent to 316 I would like the health concerns to be noted and to be part of the discussion of positioning of a node it that is the method to be used and planned for this new group of houses behind.
General
I would like to acknowledge the Hobart City Council for organising mediation and the developers for participating and making some changes to the plans.
I appreciate the research and alterations the developer has made, and the effort of all my neighbours to together improve the proposed development and our neighbourhood!
As a resident I urge you to study this plan closely relating to stormwater, possible retention of the significant tree on the access road, and access and road capacity.
There was an undertaking to provide geotechnical reports and detailed design at the conciliation.
We very much appreciate that the developer was willing to meet us to hear our concerns and improve the proposal. We also appreciate that it takes a lot of thought and work and cost to produce every drawing on a project of this size.

I would like the council planning committee to think hard as they look at the other sites where they can cram houses up towards mount wellington. This is in my opinion an ill-conceived and callous way to treat long term residents amenity and a new town close to airport and a fast rail to the city should have been considered for the growing population. Also given the Acting Chief Fire Officer's comments on television last week that *"it's not if but when there will be an even more catastrophic fire"*, that claims that adjacent roads and the purpose and capacity of those roads are not currently considered when developing new house subdivisions, (to which at this point in the meeting earlier in the year the committee had little laughs and said we had better consider it next time) seemed reckless. One neighbour afterwards said, "well we have already made our plan, and we know we cannot take the car, we will walk out!!! I have since been told off the record that "nothing can be done force changes to enhance fire brigade access because there is a precedence, i.e. there are equally badly designed areas in Hobart like some roads around ...Salvatore or Liverpool? St". However surely we should not be copying bad actions because they were done before. (The State Government needs to be told A happy community has lower medical and policing costs and insurance costs).

4. Discussion

- 4.1. The application as proposed is for a subdivision creating 21 Lots principally at 306A Lenah Valley Road. The plan of subdivision for the application is shown in Figure 2 above. The application was publicly advertised in February 2019 and received 33 objections. The Council officer assessment of that proposal is contained within the report dated 28 February 2019 (Attachment A to this memorandum). It recommends conditional approval of the 21-lot proposal.
- 4.2. As a result of conciliation, the proponent has put forward a revised plan of subdivision, shown in Figure 3 above. Compared to the proposed plan of subdivision, the amended plan shows:
 - 20 lots (rather than 21);
 - Lot 12 as shown on the proposed plan of subdivision (Figure 2) has been omitted and its area redistributed between the lots along the bottom (northern side) of the proposed road;
 - Lots 1-5 being rearranged with a centralised access strip and reciprocal right of way, locating the access away from the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road;
 - The larger lot (Lot 1) previously located adjacent to the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road has also been relocated away from those rear boundaries.
- 4.3. While the officer recommendation is for approval of the publically advertised plan of subdivision that forms part of the application (shown at Figure 2), if Elected Members would prefer to approve the application on the basis of the amended plan of subdivision (shown at Figure 3), the following condition could be included into any approval issued:

PLN s2

The Final Plan of Subdivision for both stages must be amended to incorporate the following:

- 1. The total number of residential lots must be reduced from 21 to 20;**
- 2. Lot 12 must be omitted from the Final Plan of Subdivision and its area redistributed between the lots along the bottom (northern side) of the proposed road;**
- 3. Lots 1-5 must be rearranged to be accessed via a centralised access strip with reciprocal rights of way, so that no vehicular accesses to those lots are located adjacent to the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road;**
- 4. Lot 1 must be relocated so that it is not located adjacent to the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road.**

The Final Plan of Subdivision for both stages must be amended to comply with this condition to the satisfaction of the Director City Planning prior to the sealing of the Final Plan of Subdivision for either stage.

Reason for condition

To provide a number and location of lots that better reflects the character of the area and minimises potential impacts from proposed accesses upon existing residential amenity

- 4.4. The proponent has also provided a Landscaping and Tree Retention Plan (Attachment D to this memorandum). The landscaping shown is supported by the Council's Program Leader Arboriculture and Nursery subject to further detail being provided post any approval of the application.
- 4.5. The Landscaping and Tree Retention Plan also shows (in red) trees to be removed as part of the construction phase of the subdivision to allow installation of the road, batters, accesses to lots and services. It also shows the removal of trees considered to be incompatible with future development that would be problematic to remove once the land is subdivided into smaller lots, including the existing conifers.
- 4.6. The trees shown in green would be retained by the developer until after completion of the subdivision construction phase, allowing future owners of subdivided lots to determine whether they would like to continue to retain those trees and design future development to incorporate them. As the *Hobart Interim Planning Scheme 2015* does not regulate the removal of trees/vegetation on the subject site, there is no ability to condition a planning permit issued for the subdivision to retain trees/vegetation.

- 4.7. If Elected Members would prefer to incorporate the Landscaping and Tree Retention Plan shown at Attachment D to this memorandum into any approval issued for this application, the wording of recommended condition OPS s3 could be amended to read as follows:

OPS s3

A Detailed Landscaping Plan detailing the planting of street trees and landscaping within the approved road reservation must be submitted and approved by the City of Hobart's Director City Amenity prior to the commencement of work. The Plan must be consistent with the General Landscaping Plan (Drawing No. 1707-SK010, titled 'General Arrangement Plan Landscaping and Tree Retention', submitted to the City of Hobart on 3 September 2019) to the satisfaction of the Director City Amenity.

The Detailed Landscaping Plan must include:

- **Street trees and landscaping planted within the road reservation to the satisfaction of the Director City Amenity;**
- **The species and size at planting of all vegetation to the satisfaction of the Director City Amenity;**
- **The location of footpaths, crossovers, street lighting and any proposed or existing underground infrastructure.**

All trees and landscaping must be planted and installed in accordance with the approved Detailed Landscaping Plan to the satisfaction of the Director City Amenity prior to commencement of use.

Upon completion of planting of all street trees and vegetation on the approved Detailed Landscaping Plan, the subdivider must arrange for an Installation Inspection by the City of Hobart. Once all vegetation shown on the approved Plan has been planted in accordance with the approved Plan to the satisfaction of the Director City Amenity, the City of Hobart will issue a statement confirming satisfactory planting of all vegetation.

All street trees and vegetation must then be watered and maintained in a healthy state by the subdivider for a period of 2 years from the date of that statement.

Advice: For further information regarding satisfaction of this condition, and to arrange an Installation Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.

Reason for condition

To ensure that the subdivision provides a high standard of residential amenity and provides road reservations with shade and optimal environmental performance

- 4.8. The proponent has indicated that they support the imposition of a condition requiring the submission of a Construction and Environmental Management Plan for the approval of the City of Hobart's Director City Planning prior to the commencement of work. If Elected Members support the inclusion of such a condition into any approval of the application, the City's Environmental Development Planner has suggested the following wording:

ENVHE 4

A Construction Environmental Management Plan must be implemented.

A Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the granting of building consent.

The plan must include, but is not limited to, the following:

- 1. Details of the proposed construction methodology (including site preparation and excavation) and expected likely timeframes;**
- 2. The proposed hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site);**
- 3. Identification of potentially noisy construction phases, and proposed means to minimise impact on the amenity of neighbouring properties;**
- 4. A soil and water management plan including:**
 - 1. measures to minimise erosion and the discharge of contaminated stormwater off-site;**
 - 2. measures to minimise dust emissions from the site;**
 - 3. measures to manage the disposal of surface and groundwater from excavations; and**
 - 4. measures to prevent soil and debris being carried onto the street;**
- 5. Proposed screening of the site and vehicular access points during work.**

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

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

A single demolition and construction management plan that covers more than one stage may be submitted, provided it clearly states which stages it covers and encompasses issues relating to all relevant stages.

Reason for condition

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

5. Conclusion

- 5.1. The report at Attachment A to this memorandum contains the officer assessment of the application as formally submitted and publicly advertised against the *Hobart Interim Planning Scheme 2015*, and recommends approval subject to conditions.
- 5.2. Although the application was scheduled to expire on 18 April 2019 when the application was previously considered by the City Planning Committee, the application is now due to expire on 14 November 2019 following extensions of time granted by the applicant.
- 5.3. Due to the number of representations received, delegation to determine the application rests with full Council.
- 5.4. As requested by the City Planning Committee's deferral of the application on 12 March 2019, conciliation between the applicant and representors was undertaken. Although there is considered to be appreciation from both representors and the proponent regarding the willingness of parties to participate in conciliation in relation to the proposal, and while the amendments put forward by the proponent are considered an improvement by at least some of the representors, many of the concerns raised by representors have been unable to be resolved.
- 5.5. The application as formally submitted and publicly advertised in February 2019 has been assessed against the provisions of the *Hobart Interim Planning Scheme 2015* and is recommended for approval subject to conditions. That recommendation is detailed below.
- 5.6. If Elected Members would prefer to incorporate the amendments discussed in Section 4 above, appropriate conditions have been suggested. If those amendments are preferred, it is also recommended that any approval of the application include that lot numbers and drawing numbers included in the recommendation below be updated to reflect the amended plans.

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve planning application PLN-18-82 for subdivision (21 Lots) and associated works at 306A, 300, 270A and 269 Lenah Valley Road and adjacent road reserve, Lenah Valley for the reasons outlined in the officer's report (Attachment A to this memorandum) 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-18-82 - 269, 270A, 300, AND 306A LENA VALLEY ROAD LENA VALLEY TAS 7008, AND ADJACENT ROAD RESERVE - 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 2018/00228-HCC dated 20 Feb 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater runoff from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as roads, footpaths, driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to sealing of the final plan of survey for each stage.

Advice: This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council stormwater main in Lenah Valley Road adjacent to the proposed intersection, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The post-construction CCTV 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 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 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 recording of the Council stormwater main in Lenah Valley Road adjacent to the proposed intersection, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of all work.

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

Reason for condition

To ensure that any 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

Construction of the proposed drainage must not adversely impact the Newtown Rivulet.

A Construction Management Plan for works adjacent to the Rivulet must be submitted and approved prior to commencement of works. The plan must:

- 1. Be prepared by a suitably qualified and experienced engineer.**

2. Detail the proposed construction methodology and identify all potential risks to the Rivulet during construction including but not limited to construction loading, traffic loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm.
3. Provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks.
4. Include a monitoring regime.

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

Advice:

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). A single Construction Management Plan may be submitted which covers both stages, or two plans submitted (one for each stage) which address issues relevant to each stage.

Reason for condition

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

ENG sw4

The new storm water connections for each stage must be constructed, and all redundant existing infrastructure/connections sealed and/or removed as appropriate prior to sealing of the final plan of survey for the relevant stage.

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

1. The location of the proposed connections.
2. The size of the connections appropriate to satisfy the needs of the development.
3. Include longitudinal section(s)/levels with pipe size, class and grade clearly labelled.

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

Advice:

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.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater infrastructure must be designed and constructed for each stage prior to sealing of the final plan of survey for the relevant stage.

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

- 1. Be certified by a qualified and experienced civil engineer.**
- 2. Include layout plans and longitudinal sections of the proposed stormwater mains and associated infrastructure. These should include, but not be limited to: connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings.**
- 3. Include all relevant calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.**
- 4. Include provision for future development within the catchment to be adequately and efficiently serviced, i.e via appropriate easements.**
- 5. Include clear, notated delineations between public and private infrastructure.**
- 6. Be substantially in accordance with the LGAT drawings.**
- 7. Include a construction management plan.**

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

Advice:

Once the 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 Division to obtain a Permit to Construct Public Infrastructure.

Please note that any stormwater main proposed as part of the 270A Lenah Valley Road subdivision which is relied upon for this planning permit will need to (a) have been handed over to Council as their asset prior to detailed design of proposed stormwater mains associated with this planning permit being approved, or (b) be included in the detailed design of proposed stormwater mains associated with this planning permit.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

Overland flow paths for the 1% AEP as at 2100 (including climate change loading) storm event must be maintained through the site such that flows are wholly contained within the proposed road reserve and/or drainage easements. Plans certified by a suitably qualified and experienced engineer must be submitted and approved prior to commencement of work. The plans must:

- 1. Show the location and extent of overland flow paths including supporting cross sections and flow calculations.**
- 2. Be designed to accommodate a storm with a 1% AEP plus climate change loading.**
- 3. Demonstrate no diversion of the overland flows onto third-party property unless wholly contained within an appropriately sized easement.**

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

Reason for condition

To ensure that the risks associated with inundation are adequately managed.

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to sealing of the final plan of survey for Stage 1. The stormwater treatment system must be designed to achieve the "Best Practice Environmental Guidelines" stormwater quality (Victorian Stormwater Committee, 1999) and be constructed in accordance with plans and specifications to the satisfaction of the Council.

A stormwater management plan and design must be submitted and approved, prior to commencement of work on the site for Stage 1. The stormwater management plan and design must:

- 1. Be prepared by a suitably qualified person.**
- 2. Be sized to accommodate ultimate construction of the subdivision.**
- 3. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.**
- 4. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management.**
- 5. Include a Maintenance Plan which describes the operational and maintenance requirements to ensure the ongoing effective operation of all systems, such as: inspection frequency; clean-out procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

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

Advice:

Once the design and plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

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

ENG tr1

Traffic management within the proposed roadway must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking plan), must be submitted and approved, prior to commencement of work for each stage. The design drawing(s) must be in accordance with AS1742.2 2009, AS1742.11 1999, IPWEA LGAT Tasmanian Standard Drawings and Subdivision Guildelines 2013, or any other relevant standard.

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

Advice:

Once the traffic management design drawings have been approved 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.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

Reason for condition

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

ENG tr2

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

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work or any approval under the *Building Act 2016* (including demolition) for each stage. The construction traffic and parking management plan must:

- 1. Be prepared by a suitably qualified person.**
- 2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.**
- 3. Include a start date and finish dates of various stages of works.**
- 4. Include times that trucks and other traffic associated with the works will be allowed to operate.**
- 5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.**

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

Advice:

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

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). A construction traffic management plan may be submitted that covers both stages, or a separate plan for each stage as required.

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

Reason for condition

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

ENG 2a

Prior to sealing of the final plan of subdivision, 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.

Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first) for the relevant stage, a certified vehicle barrier design (including site plan with proposed location(s) of installation for each lot access) 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).

Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.

Reason for condition

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

ENG 2c

Prior to the sealing of the final plan of subdivision for each stage, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

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

Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

Reason for condition

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

ENG 3a

Prior to the sealing of the final plan of subdivision for each Stage, the access and circulation roadways for Lot 1, 2 and 4, and Lot 3 and 5, and the access, driveway and parking module for Lot 17 must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required) with the following exception:

- 1. Gradients within the highway reservation must comply with IPWEA LGAT Tasmanian Standard Drawing TSD-R09.**

Advice:

It is advised that designers consider the detailed design of the access and parking module 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.

Please note that any private plumbing works associated with the circulation roadway, driveway or parking module will require plumbing approvals under the Building Act 2016. This is separate to any endorsement of planning conditions.

Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.

The circulation roadway (driveway) must be constructed along the Right of Way (access strip) to the lot proper as part of this condition.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

Reason for condition

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

ENG 3b

The access and circulation roadways design for Lot 1, 2 and 4, and Lot 3 and 5, and the access, driveway and parking module design for Lot 17 must be submitted and approved, prior to the commencement of work on the relevant stage.

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

- 1. Be prepared and certified by a suitably qualified engineer.**
- 2. Be in accordance with the Australian Standard AS/NZS2890.1:2004 (except where permitted by Condition ENG 3a).**
- 3. Where the access design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will comply with IPWEA LGAT TSD-09-v1.**
- 4. Show dimensions, levels, gradients, transitions, and other details as Council deems necessary to satisfy the above requirement.**

Advice:

It is advised that designers consider the detailed design of the access and parking module 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.

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

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

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 / circulation roadway and parking module (car parking spaces, aisles and manoeuvring area) 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 commencement of use.

Advice:

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

Please note that any private plumbing works associated with private driveway and/or parking module will require plumbing approvals under the Building Act 2016. This is separate to any endorsement of planning conditions.

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

Prior to the sealing of the final plan of subdivision for the relevant Stage, the proposed access to Lot 1, 2 and 4, Lot 3 and 5, and Lots 14 to 21 inclusive must be designed and constructed in 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](#).

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).

Reason for condition

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

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

- 1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or**
- 2. Be repaired and reinstated by the owner to the satisfaction of 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 R1

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 (for any stage). The engineering drawings must:

- 1. Be prepared and certified by a suitable qualified person and experienced engineer.**

2. Be in accordance with LGAT -Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following:

Road Infrastructure:

1. Design driveway access onto the lots with gradients that comply with AS2890 and LGAT drawings.
2. Long and cross sections of the road, footpaths, walkways and driveways onto each lot and concept landscaping plan.
3. Clearly show that there is 2m behind the retaining wall either by road reservation or embankment easement.
4. Include designs of any excavation and/or any earth-retaining structures (e.g. embankments, cuttings, retaining walls) and associated structural certificates for any structures.

The design must:

1. Be in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
2. Take into account any additional surcharge loadings as required by relevant Australian Standards.
3. Take into account and reference accordingly any Geotechnical findings.
4. Detail any mitigation measures required.
5. The structure certificated and/or design should note accordingly the above.
6. 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 –Tasmanian Standard Drawings. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.
7. Be in accordance with the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures.
8. Include a safe design of structures assessment in accordance with the Safe Design of Structures Code of Practice (as adopted under section 274 of the Work Health and Safety Act 2012) and supply to the Council any documentation from the norm for the ongoing maintenance and replacement of any structures within the Highway Reservation.

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

Advice:

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

A minimum of 2m needs to be maintained behind the retaining wall for the City to undertake maintenance of the wall. Thus where the road reservation distance between the wall and property boundary is less than 2m then an embankment is required. The other option is to adjust the road reservation to align with the wall with a consistent 2m embankment easement behind it or extend the road reservation to 2m behind the wall.

Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by the Council for the proposed works.

Please note that Council road engineers are supportive of a staged development, but that the detailed design for the entire proposed road is required prior to commencement of stage 1 works. If staged, the applicant is required to demonstrate how temporary turning area will operate once Stage 1 has had the final plan of subdivision sealed.

Construction joints for the retaining wall must be positioned to facilitate the cutout of accesses to Lot 8-12. This will require the ability for a four (4) metre section of wall to be removed in order to construct accesses to these lots (including sight distance). The applicant is required to indicate the likely location for the accesses and ensure construction joints marry up with the accesses. As future purchasers may wish to construct accesses in alternate locations the applicant is required to indicate how the retaining wall can be cut and demonstrate how small sections of the wall will remain structurally adequate as a vehicular barrier.

LGAT guidelines and standards are available [here](#).

Reason for condition

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

ENG R3

Residential underground power and fibre ready facilities (pit and pipe that can hold optical telecommunication fibre line) 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 be:

- 1. In accordance with AS/NZS 1158 series to the requirements of Tas Network and Council.**
- 2. Include Tas Networks standard supplied poles and energy-efficient road light fittings.**
- 3. Be certified by a suitably qualified person.**

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

Advice:

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

Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Please refer to the general advice for a link to the fees and charges.

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

Reason for condition

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

ENG R4

Vehicle crash barriers with the proposed highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings must be installed prior to the sealing of the final plan of subdivision for each stage.

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

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Advice:

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

Separate to Council public infrastructure approval, approvals under the Building Act 2016 will be required and completion documentation required prior to Council taking ownership of this infrastructure.

This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). Vehicular barriers will be required for the relevant stages.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

ENG s1

Prior to the sealing of the final plan for Stage 2, private sewer, stormwater and water services/connections are to be entirely separate to each lot and contained entirely within the lots served.

The developer must verify compliance of the separation of services by supplying the Council with an as-built services plan, clearly indicating the location and details of all relevant services, prior to the sealing of the final plan for Stage 2.

The services plan must be accompanied by certification from a suitably qualified person that any engineering work required by this permit has been completed.

Advice:

Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that any work required by this condition has been completed.

A “qualified person” must be a professional engineer or professional surveyor or other persons acceptable to Council.

Council's main concern are the existing services for the existing house and how these will be abandoned or re-purposed for use by Lot 17.

Reason for condition

To ensure that each lot is serviced separately.

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, addressing all areas of ground disturbance other than that within Council's New Town Rivulet linear park, must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

Advice:

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

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

Reason for condition

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

ENV 3

The public road, private accesses and firefighting water supply system must be designed and constructed in accordance with the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05), including:

1. The cul-de-sac carriageway must have a minimum outer radius of 9m;
2. The cul-de-sac must have a mountable kerb and 1.8m wide (minimum) footpath with a minimum load rating of 20 tonnes;
3. No signage or other road furniture is to be installed within the trafficable turning area or within 1m of the back of the footpath; and
4. No standing line markings must be installed within the cul-de-sac.

Reason for condition

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

ENV 4

Prior to sealing of the final plan, certification from a suitably qualified person must be submitted confirming that the public road, constructed private accesses and the firefighting water supply system have been designed and constructed in accordance with the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05).

Reason for condition

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

ENV 5

Compliance with the the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05) must be required via a Part 5 Agreement pursuant to section 71 of the *Land Use Planning and Approvals Act 1993*. The Agreement must be registered on the Titles of lots 1 to 21 at the time of issue.

The Agreement must require the BHMP to be implemented prior to occupation of the first new habitable building on the lots, and to be maintained for the life of all habitable buildings on the lots.

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 developer.

Advice: Please contact Council's Environmental Development Planner (6238 2715) to initiate preparation of the Agreement when required.

Reason for condition

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

OPS s1

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

The open space contribution is equal to 5% of the undeveloped value of Lots 1 to 21, excluding Lot 17, comprised in the Subdivision Proposal Plan: Proposed Lot Layout: Ref 9446 Rev F, Dated 24/5/2018, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. To initiate the valuation process please contact the Council's Development Appraisal Planner (6238 2715).

Reason for condition

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

OPS s2

All works within New Town Rivulet Linear Park must be undertaken in accordance with an Environmental Management and Communications Plan, prepared by the developer to the satisfaction of the Director Parks and City Amenity. This plan must be in accordance with the Recommendations in the Lark & Creese Flora Assessment Proposed Stormwater Outlet - New Town Rivulet Linear Park, Lenah Valley dated 6th December 2018.

Advice:

A template for the Environmental Management and Communications Plan can be provided by the Open Space Planning Team (6238 2488). This plan must be made specific for the stormwater outfall works that will occur within the reserve.

Reason for condition

The new stormwater outfall will be located in a public reserve in a sensitive environment. Works must be planned so that environmental impacts can be minimised, public safety is ensured and the site is rehabilitated on completion of works.

OPS s3

A landscaping plan detailing the planting of street trees within the approved road reservation must be submitted and approved by the Council's Director City Amenity prior to the sealing of the final plan of subdivision for Stage 1.

The Landscaping Plan must include:

- **Street trees planted within the road reservation on a 1 tree per new lot basis;**
- **The species and size at planting of each tree to the satisfaction of the Council's Director City Amenity;**
- **The location of footpaths, crossovers, street lighting and any proposed or existing underground infrastructure.**

All trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Director City Amenity prior to commencement of use.

Upon completion of planting of all street trees on the approved Landscaping Plan, the subdivider must arrange for an Installation Inspection by the Council. Once all trees shown on the approved landscaping plan have been planted in accordance with the approved plan to the satisfaction of the Council's Director City Amenity, the Council will issue a statement confirming satisfactory planting of all street trees.

All street trees must then be watered and maintained in a healthy state by the subdivider for a period of 2 years from the date of that statement.

Advice:

For further information regarding satisfaction of this condition, and to arrange an Installation Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.

Reason for condition

To ensure that the subdivision provides a high standard of residential amenity and provides road reservations with shade and optimal environmental performance

OPS s4

Prior to the sealing of the final plan of subdivision for Stage 1, a bond to the amount of \$400 for every street tree on the Landscaping Plan approved in accordance with condition OPS s3 must be paid to the Council.

The bond will be released following a Final Inspection by the Council that confirms to the satisfaction of the Council's Director City Amenity that all street trees have been watered and maintained in a healthy state by the subdivider. The Final Inspection will be conducted by the Council's Director City Amenity or their delegate, and must be conducted a minimum of 2 years from the date the Council issued a statement confirming satisfactory planting of all street trees in accordance with condition OPS s3.

Advice:

For further information regarding satisfaction of this condition, and to arrange a Final Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.

Reason for condition

To ensure that the subdivision provides a high standard of residential amenity and provides road reservations with shade and optimal environmental performance

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 3

The final plan and schedule of easements must be submitted and approved under section 89 of the *Local Government (Building & 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 storm water, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater (minimum width of 2m, or 3m if they cover two pipes).**
- 2. Over any existing or proposed private rights of way, drainage and/or service easements in favour of the lots they are required to serve.**
- 3. Over any existing, proposed or required road embankments or road batters in favour of the Hobart City Council.**

Reason for condition

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

SURV 5

The proposed Road lot is to be transferred in fee simple to the Council at nominal consideration.

Prior to the sealing of the final plan an executed and stamp duty assessed Land Titles Office transfer instrument, Partial Discharge of Mortgage and completed Notice of Sale for the Road lot 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 title to the proposed Road lot issues in the Council.

SUB s1

The proposed stormwater main passing through Lot 1 on SP 175675 (No. 7 Ancanthe Road) must be located within the 2.00 wide Drainage Easement adjacent to the western boundary of this property. Alternatively a wider Drainage Easement containing the stormwater main over Lot 1 on SP 175675 is to be created on the final plan of survey to the satisfaction of the Council.

Reason for condition

To ensure that the stormwater main is contained within a drainage easement that is to the favour of Hobart City Council.

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.

It is strongly advised that the developer discuss plumbing and building approval requirements for the proposed works under the Building Act 2016 with a building surveyor, as these are separate approvals to planning condition endorsement.

BUILDING PERMIT

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

Building approvals are separate to any condition endorsement of engineering planning conditions.

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.

Plumbing approvals are separate to any condition endorsement of engineering planning conditions.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a 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).

Obtaining a permit to construct public infrastructure does not preclude/negate the need for plumbing or building approvals under the Building Act 2016. It is strongly advised to consult a building surveyor to determine what approvals under the *Building Act 2016* will be required.

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.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings.

Click [here](#) for more information.

CROSS OVER CONSTRUCTION

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

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. 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](#).

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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.

COUNCIL RESERVES

This permit does not authorise any works on nearby Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit under this by-law will be required for the new stormwater outfall within New Town Rivulet Linear Park. You can apply [here](#) for a permit.

SUBDIVISION ADVICE

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

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Rohan Probert
**MANAGER DEVELOPMENT
APPRAISAL**

Date: 10 October 2019
File Reference: F19/133868

- Attachment A: Officer Report dated 28 February 2019 for PLN-18-82 ↓
Attachment B: Amended Plan of Subdivision Showing Possible Alternate Layout (Drawing 9446 dated 29/5/19) ↓
Attachment C: Letter dated 29 July 2019 from the Proponents Planning Consultant Responding to the Matters Raised at the Conciliation Meeting ↓
Attachment D: Landscaping and Tree Retention Plan ↓
Attachment E: Amended Plan of Subdivision (Civil) ↓
Attachment F: Revised Tree Retention Plan Suggested by One Representor ↓
Attachment G: CPC Agenda Documents ↓
Attachment H: DA-19-9026 PLN-18-82 - 269, 270a, 300, and 306a Lenah Valley Road Lenah Valley Tas 7008, and Adjacent Road Reserve - CPC Supporting Documents (Supporting information)

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Council:	18 March 2019
Expiry Date:	18 April 2019
Application No:	PLN-18-82
Address:	306 A LENA VALLEY ROAD , LENA VALLEY 300 LENA VALLEY ROAD , LENA VALLEY 270 A LENA VALLEY ROAD , LENA VALLEY 269 LENA VALLEY ROAD , LENA VALLEY ADJACENT ROAD RESERVE
Applicant:	LEARY & COX PTY LTD 4/40 MOLLE STREET
Proposal:	Subdivision (21 Lots) and Associated Works
Representations:	Thirty three (33)
Performance criteria:	General Residential Zone Subdivision Standards; Bushfire Prone Areas Code; Road and Railway Assets Code; Parking and Access Code; Stormwater Management Code; and Inundation Prone Areas Code

1. Executive Summary

- 1.1 Planning approval is sought for subdivision (21 lots) and associated works, primarily on 306A Lenah Valley Road.
- 1.2 More specifically the proposal includes:
 - Removal of three small outbuildings on the parent property.
 - Retention of the existing dwelling on the site.
 - Creation of 21 new residential lots, and one new road.
 - Ancillary works on 270A and 269 Lenah Valley Road, and in the Lenah Valley Road road reservation, to provide sufficient servicing for the proposed residential lots.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 General Residential Zone Development Standards for Subdivision - Lot Design, Roads, Ways and Public Open Space, and Services

- 1.3.2 Bushfire-Prone Areas Code - Public and Fire Fighting Access
 - 1.3.3 Parking and Access Code - Design of Vehicular Access
 - 1.3.4 Stormwater Management Code - Stormwater Drainage and Disposal
 - 1.3.5 Waterway and Coastal Protection Code - Buildings and Works within a Waterway and Coastal Protection Area
- 1.4 Thirty three (33) representations objecting to the proposal were received within the statutory advertising period between 4 and 19 February 2019.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The application site is a 2.306ha internal lot on the southern side of Lenah Valley Road. The lot is to the rear of properties between 298 and 320 Lenah Valley Road. There are two access points to the property, the first being a narrow access strip of approximately 3m between 306 and 308 Lenah Valley Road, and the second being approximately 15m wide between 316 and 318A Lenah Valley Road, which is currently used to access the existing dwelling on site.

The land has a north-facing aspect, with an average slope of approximately one in five (20%). There are scattered trees and shrubs throughout much of the site, an existing dwelling located in the south eastern portion of the site, and several small outbuildings scattered around the property.

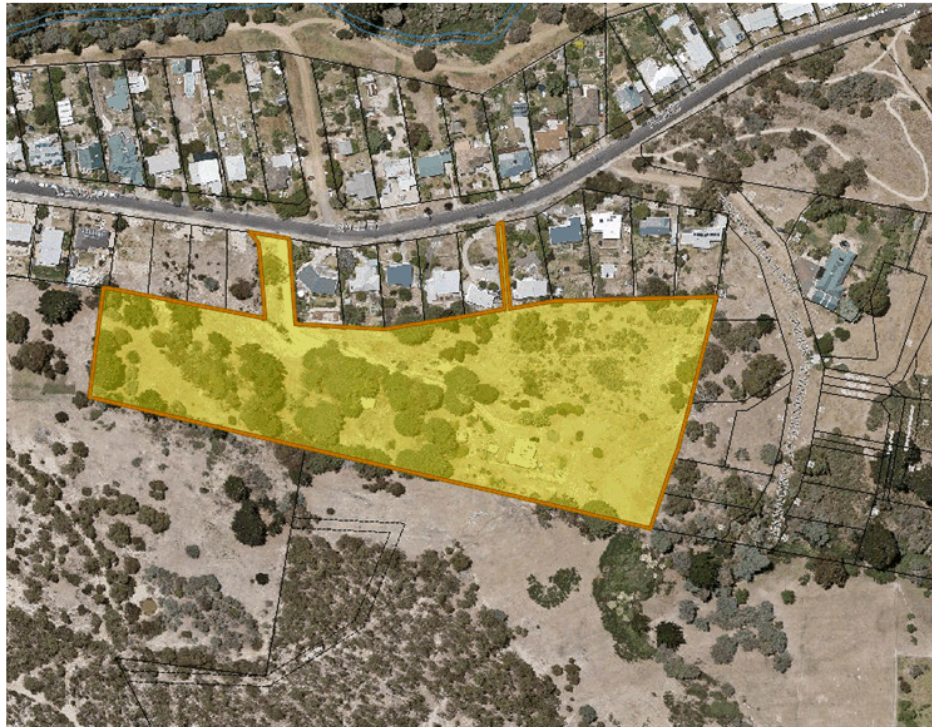


Figure 1: The location of the site where new lots are to be created is highlighted in yellow. Other lots relied upon for servicing this proposed subdivision are not highlighted in the above.

3. Proposal

3.1 Planning approval is sought for subdivision (21 lots) and associated works, primarily on 306A Lenah Valley Road.

3.2 More specifically the proposal is for:

- Removal of three small outbuildings on the parent property.
- Retention of the existing dwelling on the site.
- Creation of 21 new residential lots, and one new road.
- The residential lots will range in size from 750m² to 1837m².
- Ancillary works to provide servicing for the proposed residential lots. This will include services running through adjacent and nearby properties to the main application site on which the new lots will be created, namely on 270A and 269 Lenah Valley Road, and in the Lenah Valley Road road reservation.

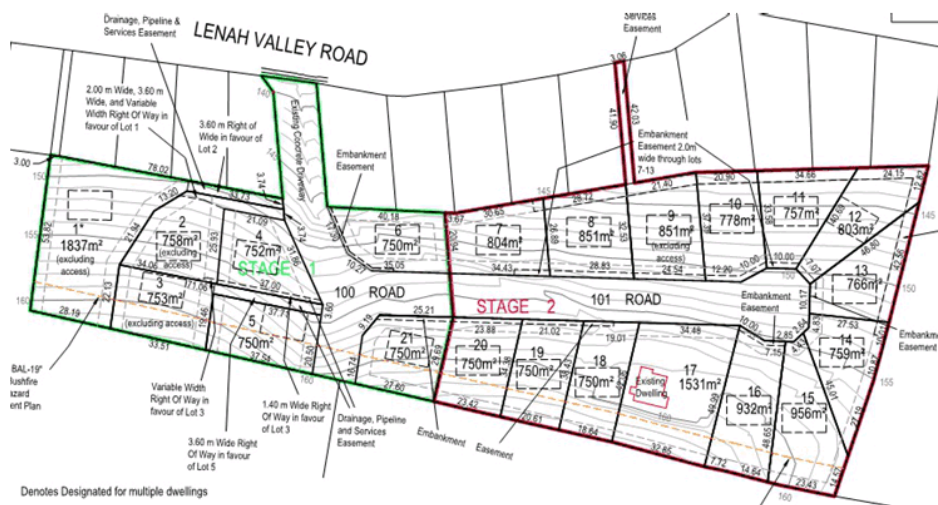


Figure 2: Proposal plan showing proposed lot configuration and staging.

4. Background

4.1 The Council's General Manager provided consent to lodge the planning application on 25 July 2018, because the proposal included the following works on Council owned land: stormwater infrastructure and intersection works. The Council owned land in question is 269 Lenah Valley Road (New Town Rivulet Linear Park) and the Lenah Valley Road road reservation.

5. Concerns raised by representors

- 5.1 Thirty three (33) representations objecting to the proposal were received within the statutory advertising period between 4 and 19 February 2019.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Traffic:
One representor is concerned that the subdivision will result in an unreasonable increase of traffic accessing Lenah Valley Road from between 316 and 318A Lenah Valley Road.
Representors are concerned that there will be an increase in traffic along Lenah Valley Road, and some question whether the road has capacity for these extra vehicles.
Representors are concerned that there will not be sufficient road width for safe passing of vehicles, or for service vehicles.
Several representors are concerned that the increased traffic from the subdivision will result in decreased pedestrian and bicycle safety along Lenah Valley Road.
Roads:
Several representors are concerned that the proposed road width is not sufficient to provide for on-street car parking for visitors to the lots.
One representor has requested traffic calming measures to be installed in Lenah Valley Road to protect vulnerable road users and to provide opportunities for them to cross the road.
One representor has requested that a bike / walking track be installed along Lenah Valley Road to enable a safe passage for cyclists and pedestrians commuting along the road.
One representor has requested that street trees be included in the new road to offset those removed for the development, and to assist in passive cooling and aesthetics for the subdivision.
One representor has requested a hold line, and stop sign at the junction of the new road and Lenah Valley Road, as well as mirrors to assist drivers to see oncoming traffic.
One representor is not happy with the location of the proposed road, and has requested that access be granted through Ancanthe Drive instead.
One representor has indicated that the height of the retaining walls necessary to enable the cul-de-sac construction are excessive and will have a negative impact on the amenity of the created and surrounding existing properties.

One representor has requested that the speed limit of Lenah Valley Road be reduced to improve the safety and amenity for users other than those in cars. They have suggested that this will make the road safer for walkers, riders and native animals.
Several representors have requested that changes, such as removing car parking, and decreasing the speed limit, be made to Lenah Valley Road to improve the safety for pedestrians and cyclists.
Number / Size of Lots:
Representors are concerned that there are too many lots proposed, given the location and topography of the site.
A number of representors are concerned that the size of the proposed lots will result in multiple dwellings on the lots. Given the number of lots, they are unhappy with the potential number of dwellings that can be created in the subdivision, and have asked that the number of dwellings per lot be restricted to only one.
Representors are concerned that the gradients of the proposed lots will result in poor designs for future dwellings.
Vegetation / Habitat Removal:
Representors are disappointed by the vegetation removal required to facilitate this subdivision and future lot development.
Representors are concerned that there will be a loss of habitat for birds that live in the area, such as the cockatoos, rosellas, pardalotes, eagles, and magpies.
Representors are concerned that there will be a loss of habitat for the native animals that live in the area, such as wallabies, pademelons, potoroos, bettongs, bandicoots, quolls, echidnas, wombats and Tasmanian devils.
One representor is concerned that the increased vehicles on the road will result in an increase in wildlife deaths on Lenah Valley Road.
One representor has asked why the trees are being allowed to be removed from the site, and the road be created too narrow to retain the existing trees or plant replacements when Council is in the process of seeking suggestions for locations for the planting of new trees in public spaces, such as road reserves.
Several representors are disappointed that a large eucalypt tree will be removed to allow for the road access between 316 and 318 Lenah Valley Road.

Neighbourhood Character:
Representors are concerned that the area is characterised by 'houses in bushland setting' and the proposed subdivision will detract from this.
Representors are concerned that the natural ambience of the area will be lost as a result of the proposed additional lots and their subsequent future development.
Representors are concerned that the density of the subdivision is out of character with the surrounding lots.
Several representors have commented that the largely vacant bush land directly behind the strip of houses along Lenah Valley Road is a significant component of the character of the neighbourhood, and will be lost through the creation of the proposed lots.
One representor is concerned that the change from a vegetated hillside to one with additional housing will have a negative impact on the character and amenity of the area for both residents and visitors.
One representor has indicated a long standing pattern of development around Hobart whereby ridgelines are not built upon to preserve the skylines of areas. The representor has indicated the belief that the proposal will result in construction of new dwelling on the ridgeline, altering the character and amenity of the area for existing residents and visitors.
Several representors have indicated that the lack of a character statement for the area in the planning scheme does not negate the character of the area. As such, the representors feel that the proposal is out of character with the area, and as such should not be supported.
Bushfire Management:
Several representors are concerned that the water pressure to the site is not sufficient for bushfire fighting purposes, as per the bushfire hazard management plan.
Representors are concerned that there is not an appropriate means of evacuation from the site in the event of a bushfire.
Stormwater:
Representors are concerned that the extent of hardstand resulting from the proposal will cause harm to the New Town Rivulet.

Several representors are concerned that there is no water sensitive urban design proposed for the proposed road.
Several representors are concerned that the increase in overland flow from the new hardstand areas will cause water to flow through their property and into their house, causing damage.
Several representors are concerned that the proposed increase in stormwater disposal into the New Town Rivulet will cause harm to the ecosystem within the rivulet.
Noise:
Representors are concerned that the topography of the area (in a valley) will result in an unreasonable increase in noise for existing residents, both during construction and from the increased density of dwellings in the created lots.
One representor has requested advanced warning of any noisy works that will occur during the construction of the subdivision to assist surrounding residents in planning their time around disturbance.
One representor has complained that the state government, through the <i>Environmental Management and Pollution Control Act 1993</i> , fails to adequately consider the impacts of noise on neighbourhoods by allowing for extensive noise Monday to Friday through the day.
Precedent:
A number of representors are concerned that the proposal will set a precedent for more high density residential development in the area.
Privacy:
Representors are concerned that the increased dwelling density in that location will result in a loss of privacy for existing dwellings.
Public Open Space:
Representors are concerned that there is no provision of communal / park spaces for residents. They have indicated that this will result in a loss of community spirit.
Excavation / Construction:

Several representors are concerned that the excavation necessary for the road and future dwelling development of the lot will cause damage to existing dwellings in the area due to the material to be excavated.
Representors are concerned that the subdivision, and then the subsequent development of the lots, will result in them living in a construction site, with associated noise, dust and vibration for many years into the future.
Several representors have requested that the developer undertake pre and post subdivision development assessments of the nearby dwellings to ensure that there is no damage to their structural integrity, and if there is, that the subdivider repairs the damage, not the individual home owner.
One representor has asked that Council impose conditions in any approval to require the use of only electric powered machinery during the construction phase, rather than petrol or diesel powered machinery. They have also requested that conditions be placed on the created lots allowing only for pre-fabricated dwellings, so as to reduce the construction time for each future dwelling and therefore, the noise impost on the surrounding properties.
Zoning:
One representor has indicated that they bought their property with the understanding that the application site was rural zoned. They have asked when this was changed and why they were not consulted.
One representor has expressed disappointment at the process undertaken to zone the application site General Residential. They have suggested that the officer was unduly hasty in changing the zone of the site, and in so doing, failed to consider the character of the area.
Planning Scheme:
Representors have questioned why there is no character statement in the planning scheme for this area of Lenah Valley.
One representor has indicated that the proposal does not meet Planning Scheme requirements for subdivision.
Developer:

One representor is concerned that the developer for this development is the same as a developer for a nearby site. The representor has indicated dissatisfaction with their interactions with the developer in the past and is concerned that future interactions will not be any different.
Notification:
One representor has indicated that the site notices were not adequate, and that a site notice was observed on the ground at the entrance to the application site.
One representor has suggested procedural bias in the notification process. The representor has suggested that 14 days is not sufficient time to respond to a large subdivision, particularly given the time the applicant has likely put into preparing the application.
One representor has suggested that the notification process should extend to all people who might have an interest in the proposal, rather than following the statutory process of notifying only owners and occupants of adjoining properties.
Heritage:
Several representors are concerned that this proposal is not in keeping with the vision Lady Jane Franklin had for the area, and does not respect the heritage values of Ancanthe Park.
Application Documentation:
One representor is aggrieved that the application documentation is so detailed and does not include an executive summary for any interested parties to rely upon to better understand the proposal.
Public Interest:
One representor is concerned that they have been unable to identify a public interest test in the assessment of the proposal, and feels that the onus of proof is therefore resting with representors should they feel that the proposal is inappropriate.
One representor is concerned that Council will not enforce its policies, and where they are breached, will not follow due compliance processes requiring the developer to correct their breach of the regulations. As compliance with permits cannot be guaranteed, the representor has indicated that Council should refuse the application.

Alternate Design:
One representor has provided a potential alternate design for the proposed subdivision, which reduces the number of lots to eighteen. The representor has suggested that their amended proposal will result in less vegetation loss, provision of some public open space, and less cut, fill, and retaining walls for the proposed road.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*. (The new stormwater main proposed between 306A Lenah Valley Road and New Town Rivulet is on land in the Open Space Zone.)
- 6.3 The existing use is a single dwelling on a large lot, which is a no permit required use in the zone. The use is not proposed to change, and the lots are for residential use.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Part D - 10 General Residential Zone
 - 6.4.2 Part D - 19 Open Space Zone
 - 6.4.3 Part E - E1.0 Bushfire Prone Areas Code
 - 6.4.4 Part E - E5.0 Road and Railway Assets Code
 - 6.4.5 Part E - E6.0 Parking and Access Code
 - 6.4.6 Part E - E7.0 Stormwater Management Code
 - 6.4.7 Part E - E11.0 Waterway and Coastal Protection Code

- 6.4.8 Part E - E15.0 Inundation Prone Areas Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone Development Standards for Subdivision:-
- Lot Design - Clauses 10.6.1 P2, P4 and P5*
Roads - Clause 10.6.2 P1
Ways and Public Open Space - Clause 10.6.3 P1
Services - Clauses 10.6.4 P4 and P5
- 6.5.2 Bushfire-Prone Areas Code:-
- Subdivision: Public and Fire Fighting Access - Clause E1.6.2 P1*
- 6.5.3 Parking and Access Code:-
- Sight Distances at Accesses, Junctions and Level Crossings - clause E5.6.4 P1*
Design of Vehicular Access - Clause E6.7.2 P1
- 6.5.4 Stormwater Management Code: -
- Stormwater Drainage and Disposal - clause E7.7.1 P2*
- 6.5.5 Waterway and Coastal Protection Code:-
- Buildings and Works - Clause E11.7.1 P1*
- 6.6 Each performance criterion is assessed below.
- 6.7 Lot Design - Part D 10.6.1 P2
- 6.7.1 The acceptable solution at clause 10.6.1 A2 requires the average slope of created lots to be no more than 1 in 5, and requires subdivision proposals not to include land that is covered by Codes.
- 6.7.2 The proposal includes lots 1-12 and 17-21 with an average slope greater than 1 in 5. The proposal also includes land that is affected by the Bushfire Prone Areas Code, the Road and Railway Assets Code, the Parking and Access Code, the Stormwater Management Code, the Waterways and Coastal Protection Code and the Inundation Prone Areas Code.

6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.7.4 The performance criterion at clause 10.6.1 P2 provides as follows:

The design of each lot must contain a building area able to satisfy all of the following:

(a) be reasonably capable of accommodating residential use and development;

(b) meets any applicable standards in codes in this planning scheme;

(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;

(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;

(e) provides for sufficient useable area on the lot for both of the following;

(i) on-site parking and manoeuvring;

(ii) adequate private open space.

6.7.5 All lots are of a size that it is reasonably possible to design a dwelling to provide for residential use and development.

6.7.6 All lots are capable of satisfying the relevant standards of the Codes applicable to the parent title. Where the proposal relies on performance criteria to satisfy a Code, the assessment is provided below at paragraphs 6.14 to 6.17.

6.7.7 The application site is generally a north facing slope, and all lots have been demonstrated to provide a 10m by 15m building envelope with the long side facing in a northerly direction. As such the lots are all capable of achieving maximum solar access.

6.7.8 The lots are of sufficient size, ranging from 750m² to 1837m², to enable the construction of dwellings with minimal earthworks, retaining walls and the like, beyond those proposed for the construction of the road. Driveway and car parking access can be achieved with minimal

disturbance on most of the lots, noting that individual designs of future developments on the lots will vary.

6.7.9 The land area for all lots is sufficient to enable on-site parking, as well as adequate private open space for the use of the future occupants.

6.7.10 The proposal complies with the performance criterion.

6.8 Lot Design - Part D 10.6.1 P4

6.8.1 The acceptable solution at clause 10.6.1 A4 requires no proposed lot to be an internal lot.

6.8.2 The proposal includes three internal lots.

6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause 10.6.1 P4 provides as follows:

An internal lot must satisfy all of the following:

(a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;

(b) it is not reasonably possible to provide a new road to create a standard frontage lot;

(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;

(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;

(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;

(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;

(g) passing bays are provided at appropriate distances to service

the likely future use of the lot;

(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;

(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.

(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

- 6.8.5 The proposal has been assessed by Council's Development Engineer, who has advised that:

It is not reasonably possible to provide a new road to service this land without being internal lots and it is the only reasonable way to subdivide the rear of an existing lot, and this will result in the more efficient utilisation of residential land.

The lots have access via an access strip of at least 3.6m in width which has passing bays and is proposed to be sealed.

- 6.8.6 The three internal lots, lots 1, 2 and 3, are not considered likely to have an unacceptable impact on neighbouring residential land. Lot 2 will be setback from its northern neighbours which front Lenah Valley Road. Lot 3 is set behind lot 2 and backs onto a large piece of land (332 Lenah Valley Road), which has an existing dwelling sited well away from the proposed lot. Lot 1 is relatively large, and the indicative building area is sited away from its northern and western neighbours.

- 6.8.7 The proposal complies with the performance criterion.

6.9 Lot Design - Part D 10.6.1 P5

- 6.9.1 The acceptable solution at clause 10.6.1 A5 requires subdivisions to be no greater than three lots.
- 6.9.2 The proposal includes a subdivision resulting in 21 lots.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

- 6.9.4 The performance criterion at clause 10.6.1 P5 provides as follows:

Arrangement and provision of lots must satisfy all of the following;

(a) have regard to providing a higher net density of dwellings along;

(i) public transport corridors;

(ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;

(iii) within 200m of business zones and local shops;

(b) will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;

(c) staging, if any, provides for the efficient and ordered provision of new infrastructure;

(d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;

(e) is consistent with any applicable Local Area Objectives or Desired Future.

- 6.9.5 The junction of the proposed new road with Lenah Valley Road is approximately 470m from the nearest bus stop, at the eastern entrance to Ancanthe Park. It is almost directly opposite the access to the New Town Rivulet between 313 and 317 Lenah Valley Road, and it is approximately 150m from the western entrance to Ancanthe Park. As such, it is considered that the proposed new subdivision has reasonable proximity to recreational and public transport facilities to support the resultant increase in density. It is noted that the nearest local shops are some distance away at the corner of Creek and Augusta Roads.

- 6.9.6 The proposal represents complete subdivision of the parent title, and as such does not fetter the future development of the land. The size of the lots proposed meet the permitted lot sizes, and as such it is reasonable to conclude that the density of the subdivision accords with the density envisaged by the planning scheme for the site.

- 6.9.7 The proposed staging will include all servicing and infrastructure necessary for each of the two stages at the appropriate time. It will also enable adjacent properties to connect into the new infrastructure, should this prove more efficient for their use and development.

- 6.9.8 There are no public spaces provided in, or directly adjacent to the application site and as such this clause is not applicable.
- 6.9.9 There are no Local Area Objectives or Desired Future Character Statements for the General Residential Zone.
- 6.9.10 The proposal complies with the performance criterion.
- 6.10 Roads - Part D 10.6.2 P1
- 6.10.1 The acceptable solution at clause 10.6.2 A1 requires subdivision not to include the creation of new roads.
- 6.10.2 The proposal includes a new road.
- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion at clause 10.6.2 P1 provides as follows:
- The arrangement and construction of roads within a subdivision must satisfy all of the following:*
- (a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;*
- (b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;*
- (c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;*
- (d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;*
- (e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;*
- (f) connectivity with the neighbourhood road network is maximised;*

(g) the travel distance between key destinations such as shops and services is minimised;

(h) walking, cycling and the efficient movement of public transport is facilitated;

(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;

(j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.

6.10.5 The proposal has been assessed by Council's Senior Development Engineer, who has advised that a cul-de-sac is the only feasible way to subdivide the application site, and as this is what is proposed, the proposal is supported. Although zoned Environmental Living under the *Hobart Interim Planning Scheme 2015*, potential future road access to the land to the south is also facilitated by the proposed road design.

6.10.6 The proposal complies with with the performance criterion.

6.11 Ways and Public Open Space - Part D 10.6.3 P1

6.11.1 There is no acceptable solution at clause 10.6.3 A1.

6.11.2 The proposal includes no public open space provision.

6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause 10.6.3 P1 provides as follows:

The arrangement of ways and public open space within a subdivision must satisfy all of the following:

(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;

(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;

(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;

(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;

(e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;

(f) provides for a legible movement network;

(g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;

(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.

(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:

(i) the width of the way;

(ii) the length of the way;

(iii) landscaping within the way;

(iv) lighting;

(v) provision of opportunities for 'loitering';

(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).

6.11.5 The proposal has been assessed by Council's Parks Planner, who has advised that there is no requirement for a land contribution for public open space in this subdivision, but that a cash contribution in lieu of land would be more beneficial to Council to enable improvements to the public open space networks in the area.

6.11.6 The proposal complies with the performance criterion.

6.12 Services - Part D 10.6.4 P4

6.12.1 The acceptable solution at clause 10.6.4 A4 requires subdivisions not to include new roads.

6.12.2 The proposal includes a new road.

6.12.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.12.4 The performance criterion at clause 10.6.4 P4 provides as follows:

The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.

6.12.5 The proposal has been assessed by Council's Senior Development Engineer, who has advised that there is adequate road reservation width to enable the services to be located below ground, and as such a condition has been included in the recommendation requiring this.

6.12.6 The proposal complies with the performance criterion.

6.13 Services - Part D 10.6.4 P5

6.13.1 The acceptable solution at clause 10.6.4 A5 requires each lot to have a frontage to a road with a minimum width of 15m.

6.13.2 The proposal includes lots fronting a road with a reservation width ranging between 12m and 15m.

6.13.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.13.4 The performance criterion at clause 10.6.4 P5 provides as follows:

Each lot must front a road which has adequate width to provide access for refuse vehicles, emergency services vehicles and the future construction and maintenance of streets and to facilitate the construction and maintenance of public and private service infrastructure.

6.13.5 The proposal has been assessed by Council's Senior Development Engineer who has advised that:

The applicant wishes to construct a subdivision on a large rear lot off of Lenah Valley Road which is quite steep and gains access from Lenah Valley Road via a narrow access strip which is slightly sub-standard for today's requirements for a highway reservation. It is noted that this width

met the highway reservation width required at the time that three lots were subdivided from it a number of years ago and on this basis Council Road Engineers are supportive of a slightly narrower highway reservation than normally allowed.

Further, the proposal is supported under performance criteria on the provision that no car parking will be allowed in the narrow section of the road to ensure that there is adequate access for emergency and service vehicles to access the lots within the subdivision, and that future maintenance and servicing of infrastructure can be accommodated within the 12m reservation width in this circumstance.

6.13.6 The Senior Development Engineer also advises:

Representors were concerned that the narrow road width proposed will not provide for visitor parking on the proposed road. The design has been reviewed with this in mind, and it is not recommended that parking is provided on the initial part of the proposed road due to the gradient, and this will be conditioned to be no parking. As such, the width is not a concern for onstreet parking. Onstreet parking can be achieved further into the cul-de-sac where there is (1) greater width and (2) flatter road profile conducive for parking.

6.13.7 The proposal complies with the performance criterion.

6.14 Subdivision: Public and Fire Fighting Access - Part E E1.6.2 P1

6.14.1 The acceptable solution at clause E1.6.2 A1 requires subdivision design to be either in accordance with specified standards or approved by the Tasmanian Fire Service, or a suitably qualified and accredited person.

6.14.2 The proposal includes a design that fails to meet the standards for cul-de-sac radius.

6.14.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.14.4 The performance criterion at clause E1.6.2 P1 provides as follows:

A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:

- (a) appropriate design measures, including:*
 - (i) two way traffic;*
 - (ii) all weather surfaces;*
 - (iii) height and width of any vegetation clearances;*
 - (iv) load capacity;*
 - (v) provision of passing bays;*
 - (vi) traffic control devices;*
 - (vii) geometry, alignment and slope of roads, tracks and trails;*
 - (viii) use of through roads to provide for connectivity;*
 - (ix) limits on the length of cul-de-sacs and dead-end roads;*
 - (x) provision of turning areas;*
 - (xi) provision for parking areas;*
 - (xii) perimeter access; and*
 - (xiii) fire trails;*
- (b) the provision of access to:*
 - (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and*
 - (ii) fire fighting water supplies; and*
- (c) any advice from the TFS.*

- 6.14.5 The proposal has been assessed by Council's Environmental Development Planner, who has provided the following comment:

With regard to E1.6.2 (public and fire fighting access), the proposal does not comply with acceptable solution A1 because the proposed road cul-de-sac would not have the minimum outer radius of 12m as specified in Table E1 of the Code. Instead, a 9m radius carriageway together with mountable kerb and a trafficable 1.8m wide footpath is proposed to allow turning for fire trucks. The Bushfire Hazard Management Plan (BHMP) also specifies that 'no standing' markings be applied to the cul-de-sac and traffic signs and road furniture are at least 1m behind the footpath. All other aspects of the proposed public road design comply with the specifications in Table E1.

The related performance criterion, P1, states the following:

A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:

- (a) appropriate design measures, including:*
 - (i) two way traffic;*
 - (ii) all weather surfaces;*
 - (iii) height and width of any vegetation clearances;*
 - (iv) load capacity;*
 - (v) provision of passing bays;*
 - (vi) traffic control devices;*
 - (vii) geometry, alignment and slope of roads, tracks and trails;*
 - (viii) use of through roads to provide for connectivity;*
 - (ix) limits on the length of cul-de-sacs and dead-end roads;*
 - (x) provision of turning areas;*
 - (xi) provision for parking areas;*
 - (xii) perimeter access; and*
 - (xiii) fire trails;*
- (b) the provision of access to:*
 - (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and*
 - (ii) fire fighting water supplies; and*
- (c) any advice from the TFS.*

The proposed public road and private accesses comply with all of the specifications of Tables E1 and E2 (as per the acceptable solution) except for the cul-de-sac. Given the general compliance with Tables E1 and E2, and the fact that the BHMP has been certified by the TFS, the proposed public and private access arrangements are deemed acceptable and compliant with the performance criterion.

6.14.6 The proposal complies with the performance criterion.

6.15 Design of Vehicular Access - Part E E6.7.2 P1

6.15.1 The acceptable solution at clause E6.7.2 A1 requires that *the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.*

6.15.2 The proposal includes a range of access designs, as detailed below.

6.15.3 The proposal does not comply with the acceptable solution; therefore

assessment against the performance criterion is relied on.

6.15.4 The performance criterion at clause E6.7.2 P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;

(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;

(c) suitability for the type and volume of traffic likely to be generated by the use or development;

(d) ease of accessibility and recognition for users.

6.15.5 The proposal has been assessed by Council's Senior Development Engineer, who has provided the following comments:

The applicant has proposed different access arrangements for different lots.

Lot 1, 2 & 4, and Lot 3 & 5:

- *Shared Access gradient does not comply with AS2890.1 across the property boundary, but complies with Council adopted LGAT Tasmanian Standard Drawings so supported under Performance Criteria.*
- *Likely to require vehicular barriers so condition for detailed design of these.*
- *Location and vehicular sight distances meet AS2890.1.*
- *The pedestrian sight distances to the north of Lot 1, 2 & 4 Access do not meet the Acceptable Solution due to the proximity of the access to the boundary with 318A Lenah Valley Road. Given no footpath is proposed on this side of the proposed ROAD1, sight distances are not necessary and as such Council Senior Development Engineer (SDE) supports approval without sight distance.*
- *Pedestrian sight distances for Lot 3&5 access meet AS2890.1*
- *The width of the accesses are proposed to be 6m wide. AS2890.1 stipulates 5.5m wide max for that class of access. Council SDE supports a slightly wider access as it will mitigate conflict between users even further.*

Lot 6, 7 & 13:

- *Individual accesses have a gradient does not comply with AS2890.1 across the property boundary, but complies with Council adopted LGAT Tasmanian Standard Drawings so supported under Performance Criteria.*
- *Likely to require vehicular barriers so condition for detailed design of these.*
- *Location, pedestrian and vehicular sight distances meet AS2890.1.*

Lot 8, 9, 10, 11, 12:

- *Does not propose access on to the lot and has demonstrated that a slab on ground driveway is not feasible due to the gradient of the lot and the presence of highway reservation retaining walls.*
- *Applicant has demonstrated that a suspended parking area is feasible but does not propose to construct this as part of the development.*
- *As no access is proposed, this does not meet the Acceptable Solution for design, but is supported by Council SDE and Council Roads Engineers on the basis that the design of the retaining wall / vehicle barrier within the highway reservation provides a cutout sections of retaining wall such that purchasers of the lots are able to construct accesses off of the retaining wall in the future.*
- *Pedestrian sight distances are a challenge when cutouts of retaining walls are proposed. Council SDE supports the proposal for no access subject to the cutouts being wide enough to support some sight distances. Advice has been added to ENG R1 condition to this effect.*

Lot 14, 15, 16,, 17, 18, 19, 20 and 21:

- *Shared Access gradient does not comply with AS2890.1 across the property boundary, but complies with Council adopted LGAT Tasmanian Standard Drawings so supported under Performance Criteria.*
- *Location, pedestrian sight distances and vehicular sight distances meet AS2890.1.*

6.15.6 The proposal complies with the performance criterion.

6.16 Stormwater Drainage and Disposal - Part E E7.7.1 P2

6.16.1 The acceptable solution at clause E7.7.1 A2 requires the design for stormwater disposal from new development to include water sensitive urban design principles for the treatment and disposal of stormwater.

6.16.2 The proposal does not incorporate any water sensitive urban design principals.

6.16.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.16.4 The performance criterion at clause E7.7.1 P2 provides as follows:

A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.

6.16.5 The proposal has been assessed by Council's Senior Development Engineer, who has advised that the *"Applicant proposes a mechanical means of meeting the Performance Criteria P1, and have provided a MUSIC model output that demonstrates the stormwater treatment targets can be met"*.

6.16.6 The proposal complies with the performance criterion.

6.17 Buildings and Works within a Waterway and Coastal Protection Area - Part E
E11.7.1 P1

6.17.1 The acceptable solution at clause E11.7.1 A1 requires all works to be within a building area as designated on the certificate of title for lots approved under the current planning scheme.

6.17.2 The proposal includes works on a lot that pre-dates the current planning scheme.

6.17.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.17.4 The performance criterion at clause E11.7.1 P1 provides as follows:

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

(a) avoid or mitigate impact on natural values;

(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;

(c) avoid or mitigate impacts on riparian or littoral vegetation;

(d) maintain natural streambank and streambed condition, (where it exists);

(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;

(f) avoid significantly impeding natural flow and drainage;

(g) maintain fish passage (where applicable);

(h) avoid landfilling of wetlands;

(i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and 'Tasmanian Coastal Works Manual' (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.

- 6.17.5 The proposal has been assessed by Council's Environmental Development Planner, who has provided the following comment:

The proposed works within the Rivulet park are considered exempt from the Code standards pursuant to exemption clause E11.4.1(c) (ii), being within a public garden or park. However, approximately 10m of the proposed new stormwater main within the waterway protection area would be located within the reserved road off Lenah Valley Road where the exemption does not apply.

For the non-exempt works, the standards under clause E11.7.1 'Buildings and Works' apply. The proposal does not comply with acceptable solution A1 as the works would not be within a building area on a plan of subdivision approved under the Hobart Interim Planning Scheme 2015. The related performance criterion, P1, states the following:

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*
- (g) maintain fish passage (where applicable);*
- (h) avoid landfilling of wetlands;*
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

The non-exempt works would be set back approximately 30m from New Town Rivulet in a location that supports a gravel road and pasture, with minimal natural values. Given the separation distance from the Rivulet, erosion, sedimentation and runoff are not expected to impact the natural values closer to the Rivulet. There would be no impact upon riparian vegetation, streambank or streambed condition, in-stream habitat, natural flow and drainage, fish passage or wetlands. The works would comply with the Wetlands and Waterways Works Manual which is more concerned with in-stream and riparian works.

The proposal is considered compliant with the performance criterion.

6.17.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for subdivision (21 lots) and associated works, primarily on 306A Lenah Valley Road.
- 7.2 The application was advertised and received thirty three (33) representations. The representations raised concerns including Traffic, Number / Size of Lots, Vegetation / Habitat Removal, Neighbourhood Character, Stormwater, Roads, Bushfire Management, Noise, Precedent, Privacy, Public Open Space, Excavation / Construction, Zoning, Planning Scheme, Developer Behaviour, Notification, Heritage, Application Documentation, Public Interest, Alternate Design.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Senior Development Engineer, Environmental Development Planner, Open Space Planner, Cadastral Surveyor, Civil Engineer, and Manager Traffic Engineering. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed subdivision (21 lots) and associated works at 269, 270A, 300 and 306A Lenah Valley Road, Lenah Valley, and adjacent road reservation satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (21 lots) and associated works at 269, 270A, 300 and 306A Lenah Valley Road, Lenah Valley, and adjacent road reservation 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-18-82 - 269, 270A, 300, AND 306A LENA VALLEY ROAD LENA VALLEY TAS 7008, AND ADJACENT ROAD RESERVE - 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 2018/00228-HCC dated 20 Feb 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater runoff from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as roads, footpaths, driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to sealing of the final plan of survey for each stage.

Advice: This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council stormwater main in Lenah Valley Road adjacent to the proposed intersection, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The post-construction CCTV 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 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 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 recording of the Council stormwater main in Lenah Valley Road adjacent to the proposed intersection, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of all work.

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

Reason for condition

To ensure that any 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

Construction of the proposed drainage must not adversely impact the Newtown Rivulet.

A Construction Management Plan for works adjacent to the Rivulet must be submitted and approved prior to commencement of works. The plan must:

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

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

Advice:

- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). A single Construction Management Plan may be submitted which covers both stages, or two plans submitted (one for each stage) which address issues relevant to each stage.*

Reason for condition

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

ENG sw4

The new storm water connections for each stage must be constructed, and all redundant existing infrastructure/connections sealed and/or removed as appropriate prior to sealing of the final plan of survey for the relevant stage.

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

- 1. The location of the proposed connections.**
- 2. The size of the connections appropriate to satisfy the needs of the development.**
- 3. Include longitudinal section(s)/levels with pipe size, class and grade clearly labelled.**

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

Advice:

- *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.*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)*

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater infrastructure must be designed and constructed for each stage prior to sealing of the final plan of survey for the relevant stage.

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

1. **Be certified by a qualified and experienced civil engineer.**
2. **Include layout plans and longitudinal sections of the proposed stormwater mains and associated infrastructure. These should include, but not be limited to: connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings.**
3. **Include all relevant calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.**
4. **Include provision for future development within the catchment to be adequately and efficiently serviced, i.e via appropriate easements.**
5. **Include clear, notated delineations between public and private infrastructure.**
6. **Be substantially in accordance with the LGAT drawings.**

7. Include a construction management plan.

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

Advice:

- *Once the 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 Division to obtain a Permit to Construct Public Infrastructure.*
- *Please note that any stormwater main proposed as part of the 270A Lenah Valley Road subdivision which is relied upon for this planning permit will need to (a) have been handed over to Council as their asset prior to detailed design of proposed stormwater mains associated with this planning permit being approved, or (b) be included in the detailed design of proposed stormwater mains associated with this planning permit.*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20)*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

Overland flow paths for the 1% AEP as at 2100 (including climate change loading) storm event must be maintained through the site such that flows are wholly contained within the proposed road reserve and/or drainage easements. Plans certified by a suitably qualified and experienced engineer must be submitted and approved prior to commencement of work. The plans must:

- 1. Show the location and extent of overland flow paths including supporting cross sections and flow calculations.**
- 2. Be designed to accommodate a storm with a 1% AEP plus climate change loading.**
- 3. Demonstrate no diversion of the overland flows onto third-party property unless wholly contained within an appropriately sized easement.**

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

Reason for condition

To ensure that the risks associated with inundation are adequately managed.

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to sealing of the final plan of survey for Stage 1. The stormwater treatment system must be designed to achieve the “Best Practice Environmental Guidelines” stormwater quality (Victorian Stormwater Committee, 1999) and be constructed in accordance with plans and specifications to the satisfaction of the Council.

A stormwater management plan and design must be submitted and approved, prior to commencement of work on the site for Stage 1. The stormwater management plan and design must:

- 1. Be prepared by a suitably qualified person.**
- 2. Be sized to accommodate ultimate construction of the subdivision.**
- 3. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.**
- 4. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management.**
- 5. Include a Maintenance Plan which describes the operational and maintenance requirements to ensure the ongoing effective operation of all systems, such as: inspection frequency; clean-out procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

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

Advice:

- Once the design and plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG tr1

Traffic management within the proposed roadway must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking plan), must be submitted and approved, prior to commencement of work for each stage. The design drawing(s) must be in accordance with AS1742.2 2009, AS1742.11 1999, IPWEA LGAT Tasmanian Standard Drawings and Subdivision Guidelines 2013, or any other relevant standard.

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

Advice:

- *Once the traffic management design drawings have been approved 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.*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*

Reason for condition

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

ENG tr2

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

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work or any approval under the *Building Act 2016* (including demolition) for each stage. The construction

traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.
5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

Advice:

- *Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). A construction traffic management plan may be submitted that covers both stages, or a separate plan for each stage as required.*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG 2a

Prior to sealing of the final plan of subdivision, 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.*
- *Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.*

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first) for the relevant stage, a certified vehicle barrier design (including site plan with proposed location(s) of installation for each lot access) 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).
- *Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.*

Reason for condition

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

ENG 2c

Prior to the sealing of the final plan of subdivision for each stage, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

- *Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).*
- *Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*

Reason for condition

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

ENG 3a

Prior to the sealing of the final plan of subdivision for each Stage, the access and circulation roadways for Lot 1, 2 and 4, and Lot 3 and 5, and the access, driveway and parking module for Lot 17 must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required) with the following exception:

1. **Gradients within the highway reservation must comply with IPWEA LGAT Tasmanian Standard Drawing TSD-R09.**

Advice:

- *It is advised that designers consider the detailed design of the access and*

parking module 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.

- Please note that any private plumbing works associated with the circulation roadway, driveway or parking module will require plumbing approvals under the Building Act 2016. This is separate to any endorsement of planning conditions.*
- Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.*
- The circulation roadway (driveway) must be constructed along the Right of Way (access strip) to the lot proper as part of this condition.*
- This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*

Reason for condition

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

ENG 3b

The access and circulation roadways design for Lot 1, 2 and 4, and Lot 3 and 5, and the access, driveway and parking module design for Lot 17 must be submitted and approved, prior to the commencement of work on the relevant stage.

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

- 1. Be prepared and certified by a suitably qualified engineer.**
- 2. Be in accordance with the Australian Standard AS/NZS2890.1:2004 (except where permitted by Condition ENG 3a).**
- 3. Where the access design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will comply with IPWEA LGAT TSD-09-v1.**
- 4. Show dimensions, levels, gradients, transitions, and other details as Council deems necessary to satisfy the above requirement.**

Advice:

- It is advised that designers consider the detailed design of the access and*

parking module 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.

- *Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*

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 / circulation roadway and parking module (car parking spaces, aisles and manoeuvring area) 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 commencement of use.

Advice:

- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*
- *Please note that any private plumbing works associated with private driveway and/or parking module will require plumbing approvals under the Building Act 2016. This is separate to any endorsement of planning conditions.*

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

Prior to the sealing of the final plan of subdivision for the relevant Stage, the proposed access to Lot 1, 2 and 4, Lot 3 and 5, and Lots 14 to 21 inclusive must be designed and constructed in 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](#).*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20).*

Reason for condition

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

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. **Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or**
2. **Be repaired and reinstated by the owner to the satisfaction of 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 R1

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 (for any stage). The engineering drawings must:

1. Be prepared and certified by a suitable qualified person and experienced engineer.
2. Be in accordance with LGAT -Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following:

Road Infrastructure:

1. Design driveway access onto the lots with gradients that comply with AS2890 and LGAT drawings.
2. Long and cross sections of the road, footpaths, walkways and driveways onto each lot and concept landscaping plan.
3. Clearly show that there is 2m behind the retaining wall either by road reservation or embankment easement.
4. Include designs of any excavation and/or any earth-retaining structures (e.g. embankments, cuttings, retaining walls) and associated structural certificates for any structures.

The design must:

1. Be in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
2. Take into account any additional surcharge loadings as required by relevant Australian Standards.
3. Take into account and reference accordingly any Geotechnical findings.
4. Detail any mitigation measures required.
5. The structure certificated and/or design should note accordingly the above.
6. 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 –Tasmanian Standard Drawings. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.
7. Be in accordance with the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures.

8. **Include a safe design of structures assessment in accordance with the Safe Design of Structures Code of Practice (as adopted under section 274 of the Work Health and Safety Act 2012) and supply to the Council any documentation from the norm for the ongoing maintenance and replacement of any structures within the Highway Reservation.**

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

Advice:

- *Once the engineering construction drawings have been approved the Council will issue a condition endorsement.*
- *A minimum of 2m needs to be maintained behind the retaining wall for the City to undertake maintenance of the wall. Thus where the road reservation distance between the wall and property boundary is less than 2m then an embankment is required. The other option is to adjust the road reservation to align with the wall with a consistent 2m embankment easement behind it or extend the road reservation to 2m behind the wall.*
- *Please note that any vehicular barriers, retaining walls or other building works (private or public) are likely to require approval under the Building Act 2016. This is an entirely separate process to any endorsement by Council for the proposed works.*
- *Please note that Council Road Engineers are supportive of a staged development, but that the detailed design for the entire proposed road is required prior to commencement of stage 1 works. If staged, the applicant is required to demonstrate how temporary turning area will operate once Stage 1 has had the final plan of subdivision sealed.*
- *Construction joints for the retaining wall must be positioned to facilitate the cutout of accesses to Lot 8-12. This will require the ability for a four (4) metre section of wall to be removed in order to construct accesses to these lots (including sight distance). The applicant is required to indicate the likely location for the accesses and ensure construction joints marry up with the accesses. As future purchasers may wish to construct accesses in alternate locations the applicant is required to indicate how the retaining wall can be cut and demonstrate how small sections of the wall will remain structurally adequate as a vehicular barrier.*
- *LGAT guidelines and standards are available [here](#).*

Reason for condition

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

ENG R3

Residential underground power and fibre ready facilities (pit and pipe that can hold optical telecommunication fibre line) 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 be:

- 1. In accordance with AS/NZS 1158 series to the requirements of Tas Network and Council.**
- 2. Include Tas Networks standard supplied poles and energy-efficient road light fittings.**
- 3. Be certified by a suitably qualified person.**

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

Advice:

- *Once the street lighting design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Engineering approvals and inspections fees will apply and are required to be paid prior to the issue of condition endorsement. Please refer to the general advice for a link to the fees and charges.*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG R4

Vehicle crash barriers with the proposed highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings must be installed prior to the sealing of the final plan of subdivision for each stage.

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

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Advice:

- *Once the engineering construction drawings have been approved the Council will issue a condition endorsement.*
- *Separate to Council public infrastructure approval, approvals under the Building Act 2016 will be required and completion documentation required prior to Council taking ownership of this infrastructure.*
- *This condition permits the staging of the development into two stages, Stage 1 (Lot 1-6 & 21) and Stage 2 (Lot 7-20). Vehicular barriers will be required for the relevant stages.*

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

ENG s1

Prior to the sealing of the final plan for Stage 2, private sewer, stormwater and water services/connections are to be entirely separate to each lot and contained entirely within the lots served.

The Developer must verify compliance of the separation of services by supplying the Council with an as-built services plan, clearly indicating the location and details of all relevant services, prior to the sealing of the final plan for Stage 2.

The services plan must be accompanied by certification from a suitably qualified person that any engineering work required by this permit has been completed.

Advice:

- *Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that any work required by this*

condition has been completed.

- *A “qualified person” must be a Professional Engineer or Professional Surveyor or other persons acceptable to Council.*
- *Council's main concern are the existing services for the existing house and how these will be abandoned or re-purposed for use by Lot 17.*

Reason for condition

To ensure that each lot is serviced separately.

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, addressing all areas of ground disturbance other than that within Council's New Town Rivulet linear park, must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

Advice:

- *Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for Condition

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

ENV 3

The public road, private accesses and firefighting water supply system must be designed and constructed in accordance with the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05), including:

1. The cul-de-sac carriageway must have a minimum outer radius of 9m;
2. The cul-de-sac must have a mountable kerb and 1.8m wide (minimum) footpath with a minimum load rating of 20 tonnes;
3. No signage or other road furniture is to be installed within the trafficable turning area or within 1m of the back of the footpath; and
4. No standing line markings must be installed within the cul-de-sac.

Reason for condition

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

ENV 4

Prior to sealing of the final plan, certification from a suitably qualified person must be submitted confirming that the public road, constructed private accesses and the firefighting water supply system have been designed and constructed in accordance with the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05).

Reason for condition

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

ENV 5

Compliance with the the prescriptions of the bushfire report by Lark & Creese P/L dated December 2018 (document number 16631-05) and the bushfire hazard management plan by Lark & Creese P/L dated 12 December 2018 (document number 16331-05) must be required via a Part 5 Agreement pursuant to section 71 of the *Land Use Planning and Approvals Act 1993*. The Agreement must be registered on the Titles of lots 1 to 21 at the time of issue. The Agreement must require the BHMP to be implemented prior to occupation of the first new habitable building on the lots, and to be maintained for the life

of all habitable buildings on the lots.

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 Developer.

Advice: Please contact Council's Environmental Development Planner (6238 2715) to initiate preparation of the Agreement when required.

Reason for condition

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

OPS s1

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

The open space contribution is equal to 5% of the undeveloped value of Lots 1 to 21, excluding Lot 17, comprised in the Subdivision Proposal Plan: Proposed Lot Layout: Ref 9446 Rev F, Dated 24/5/2018, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. To initiate the valuation process please contact the Council's Development Appraisal Planner (6238 2715).

Reason for condition

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

OPS s2

All works within New Town Rivulet Linear Park must be undertaken in accordance with an Environmental Management and Communications Plan, prepared by the developer to the satisfaction of the Director Parks and City Amenity. This plan must be in accordance with the Recommendations in the Lark & Creese Flora Assessment Proposed Stormwater Outlet - New Town Rivulet Linear Park, Lenah Valley dated 6th December 2018.

Advice: a template for the Environmental Management and Communications Plan can be provided by the Open Space Planning Team (6238 2488). This plan must be made specific for the stormwater outfall works that will occur within the reserve.

Reason for condition

The new stormwater outfall will be located in a public reserve in a sensitive environment. Works must be planned so that environmental impacts can be minimised, public safety is ensured and the site is rehabilitated on completion of works.

OPS s3

A landscaping plan detailing the planting of street trees within the approved road reservation must be submitted and approved by the Council's Director City Amenity prior to the sealing of the final plan of subdivision for Stage 1.

The Landscaping Plan must include:

- **Street trees planted within the road reservation on a 1 tree per new lot basis;**
- **The species and size at planting of each tree to the satisfaction of the Council's Director City Amenity;**
- **The location of footpaths, crossovers, street lighting and any proposed or existing underground infrastructure.**

All trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Director City Amenity prior to commencement of use.

Upon completion of planting of all street trees on the approved Landscaping Plan, the subdivider must arrange for an Installation Inspection by the Council. Once all trees shown on the approved landscaping plan have been planted in accordance with the approved plan to the satisfaction of the Council's Director City Amenity, the Council will issue a statement confirming satisfactory planting of all street trees.

All street trees must then be watered and maintained in a healthy state by the subdivider for a period of 2 years from the date of that statement.

Advice: For further information regarding satisfaction of this condition, and to arrange an Installation Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.

Reason for condition

To ensure that the subdivision provides a high standard of residential amenity and provides road reservations with shade and optimal environmental performance

OPS s4

Prior to the sealing of the final plan of subdivision for Stage 1, a bond to the amount of \$400.00 for every street tree on the Landscaping Plan approved in accordance with condition OPS s3 must be paid to the Council.

The bond will be released following a Final Inspection by the Council that confirms to the satisfaction of the Council's Director City Amenity that all street trees have been watered and maintained in a healthy state by the subdivider. The Final Inspection will be conducted by the Council's Director City Amenity or their delegate, and must be conducted a minimum of 2 years from the date the Council issued a statement confirming satisfactory planting of all street trees in accordance with condition OPS s3.

Advice: For further information regarding satisfaction of this condition, and to arrange a Final Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.

To ensure that the subdivision provides a high standard of residential amenity and provides road reservations with shade and optimal environmental performance

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 3

The final plan and schedule of easements must be submitted and approved under section 89 of the *Local Government (Building & 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 storm water, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater (minimum width of 2m, or 3m if they cover two pipes).**
2. **Over any existing or proposed private rights of way, drainage and/or service easements in favour of the lots they are required to serve.**
3. **Over any existing, proposed or required road embankments or road batters in favour of the Hobart City Council.**

Reason for Condition

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

SURV 5

The proposed Road lot is to be transferred in fee simple to the Council at nominal consideration.

Prior to the sealing of the final plan an executed and stamp duty assessed Land Titles Office transfer instrument, Partial Discharge of Mortgage and completed Notice of Sale for the Road lot 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 title to the proposed Road lot issues in the Council.

SUB s1

The proposed stormwater main passing through Lot 1 on SP 175675 (No. 7 Ancanthe Road) must be located within the 2.00 wide Drainage Easement adjacent to the western boundary of this property. Alternatively a wider Drainage Easement containing the stormwater main over Lot 1 on SP 175675 is to be created on the final plan of survey to the satisfaction of the Council.

Reason for condition

To ensure that the stormwater main is contained within a drainage easement that is to the favour of Hobart City Council.

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.

It is strongly advised that the developer discuss plumbing and building approval requirements for the proposed works under the Building Act 2016 with a building surveyor, as these are separate approvals to planning condition endorsement.

BUILDING PERMIT

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

Building approvals are separate to any condition endorsement of engineering planning conditions.

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.

Plumbing approvals are separate to any condition endorsement of engineering planning conditions.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a 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).

Obtaining a permit to construct public infrastructure does not preclude/negate the need for plumbing or building approvals under the Building Act 2016. It is strongly advised to consult an building surveyor to determine what approvals under the Building Act 2016 will be required.

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.

ACCESS

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

CROSS OVER CONSTRUCTION

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

STORM WATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. 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](#).

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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.

COUNCIL RESERVES

This permit does not authorise any works on nearby Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit under this by-law will be required for the new stormwater outfall within New Town Rivulet Linear Park. You can apply [here](#) for a permit.

SUBDIVISION ADVICE

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

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.



(Helen Ayers)

Development Appraisal Planner

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



(Ben Ikin)

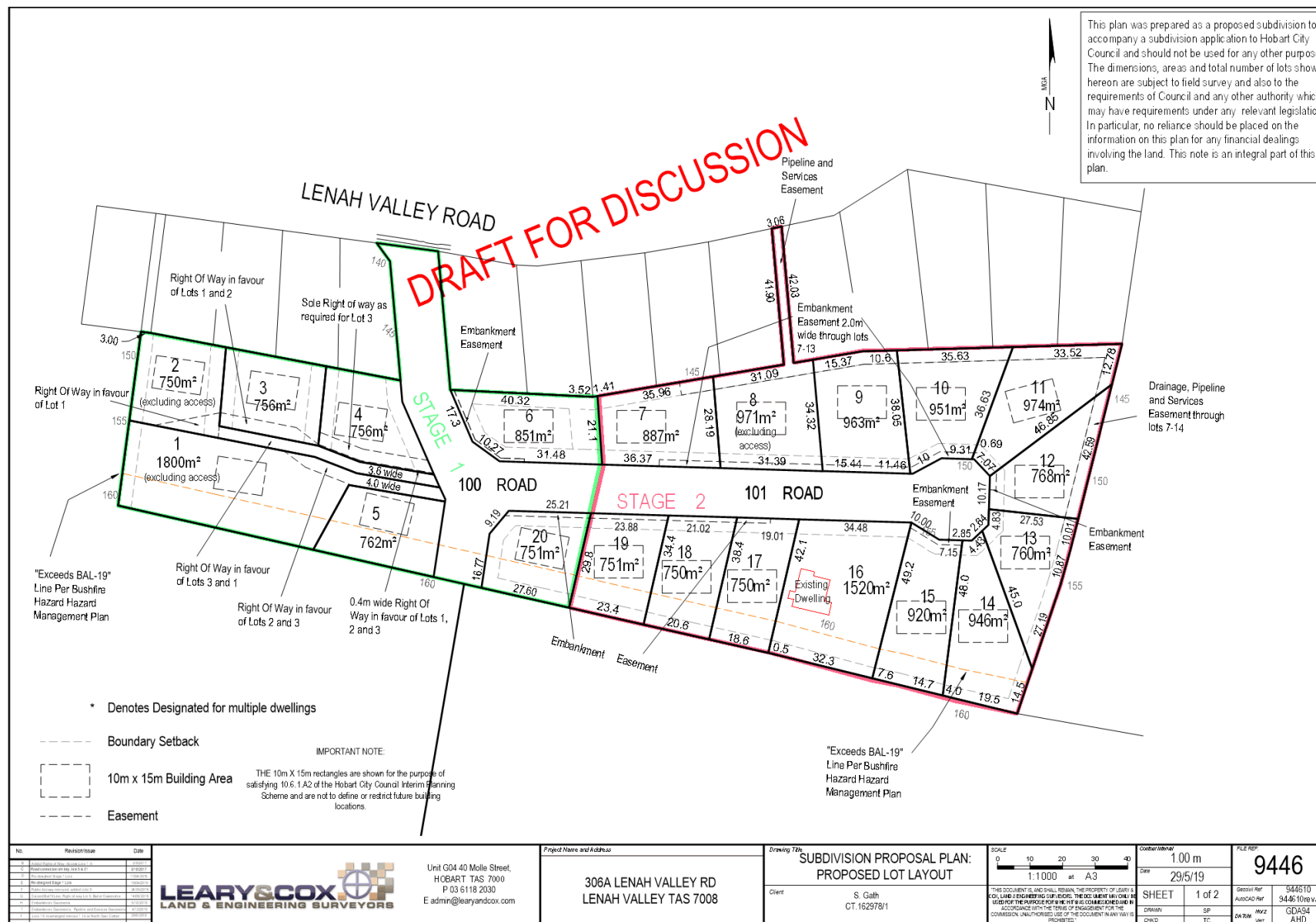
Senior Statutory Planner

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 28 February 2019

Attachment(s):

Attachment B - CPC Agenda Documents





29 July 2019

Debbie Dunn
C/- Rohan Probert
Hobart City Council

Dear Debbie

Without Prejudice

306A Lenah Valley Road: Response to Conciliation matters 28 May 2019

I refer to our conciliation session in relation to the application for subdivision and respond to each of the matters that arose.

After careful consideration, unfortunately it has not been possible to accommodate all matters requested. However, it is hoped that the parties will appreciate the genuine efforts and modifications that have now been included.

Many of the changes go beyond matters relevant under the planning scheme and are offered in the spirit of conciliation.

1. *Consolidating and relocating the proposed 'battleaxe' access strips to Lots 1, 2 and 3 into one central 'laneway' (that wouldn't be public road) located away from shared boundaries with downhill lots;*

Response

The amended subdivision plan has rearranged lots 1 to 5 with a centralised access strip and reciprocal right of way. This achieves the objective to locate the access away from the rear boundaries of properties to the north at 318A to 320 Lenah Valley Road.

2. *'Splitting' Lot 1 into two to reduce its current size of 1837m²;*

Response

The applicant did not agree as part of the conciliation session to split Lot 1 but rather investigate whether it was practical to relocate this larger multi-unit lot away from the common boundary with the neighbours.

Under the amended subdivision plan attached, Lot 1 has been relocated away from the boundary with neighbouring residential lots at 318A to 320 Lenah Valley Road.

3. *Omitting Lot 12 and redistributing its area among other lots on the lower side of the proposed road;*

Response

The amended subdivision plan has deleted the former lot 12 and redistributed that area between the lots along the bottom side of the road at the eastern end of the subdivision. This has increased the size of lots as follows:

	Proposed	Amended
Lot 6	750m ²	851m ²
Lot 7	804m ²	887m ²
Lot 8	851m ²	971m ²
Lot 9	851m ²	963m ²
Lot 10	778m ²	951m ²
Lot 11	757m ²	974m ²

4. *Relocating any larger lots so that they are located on the upper side of the parent title, away from downhill neighbouring lots;*

Response

The amended subdivision plan relocates the two larger lots (Lot 1 of 1800m² and Lot 16 of 1520m² that is to accommodate the existing dwelling).

5. *Checking the location of the existing Eucalyptus tree in the parent lot's access strip (between 316 and 318A Lenah Valley Road) to enable investigation of its potential retention, potentially with the assistance of tunnelling (rather than trenching) to lay services associated with the subdivision;*

Response

The accompanying tree retention plan has been prepared following investigation of the physical requirements for installation of required road and service infrastructure. Unfortunately, it is not possible to retain the requested tree in this location due the intervention required to install the road batter, sewer main and road formation with required clearances.

6. *Agreeing to Council imposing a condition on any planning permit issued requiring the submission of a Construction Management Plan that required the developer to adhere to practices that utilised construction methods that minimised damage to neighbouring land, vibration, dust, etc.*

Response

The proponent agrees to an additional condition to be applied to the planning permit requiring submission of a construction and environmental management plan for the approval of Council's Director City Planning prior to commencement of work. It is suggested that the condition could be along the lines of the following:

A construction management plan must be implemented throughout the construction works.



A construction management plan must be submitted and approved prior to the commencement of works. The plan must include but is not limited to the following:

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

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

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

Reason for condition

To ensure minimal impact on the amenity of adjoining properties during the construction period.

7. *Preparing a Tree Retention Plan that identified existing trees that could be retained on site during and until the end of the subdivision's civil construction period (where the road and services for any approved subdivision were constructed), so that any subsequent purchaser of any resultant lots could see those trees and at least have the choice of whether to retain them or not (recognising that Council has no ability under the provisions of the Hobart Interim Planning Scheme 2015 to require such trees to be retained if subsequent owners choose to remove them from private lots);*

Response

As the parties are aware, the trees are not subject to a Biodiversity or Scenic Protection Overlay under the Planning Scheme. Nevertheless, the applicant understands that the parties were keen for tree removal to be minimised and therefore that trees that do not have to be removed to facilitate the construction of roads and services would ideally be retained. The idea discussed at conciliation was that a future owner of each lot could then determine whether they would like to retain and work around the respective trees on their lots.

The accompanying tree retention plan shows the trees to be removed at the construction phase for installation of the road formation, batters, accesses to lots and services. The plan also includes removal of trees that are considered incompatible with future development and would be problematic to remove once the land is subdivided to smaller lots.

On close consideration, the majority of the radiata pines are very large and incompatible with likely future development of the lots in terms of safety, overshadowing, and their physical size.



They would be significantly more difficult and expensive to remove once the lots are created and in separate ownership.

Unfortunately, retention of these very large trees on a residential sized lot would be impractical to retain and will need to be removed.

Native trees have been retained where practical.

Further detail on proposed landscaping with the road reserve is discussed below under item 8.

8. Preparing a Landscaping Plan detailing the planting of street trees and vegetation within the road reservation.

Response

The accompanying tree retention plan also shows areas within the road reservation that are considered suitable for low vegetation planting and other potential vegetation areas that would be suited to larger plantings. It is considered that a detailed landscaping plan will be developed for the landscaped areas of the road reservation shown on the plan as a condition of approval prior to commencement of works. The landscaping plan would have regard to the following advice provided by Council's Roads and Parks sections:

Council's Roads section advice is that tree planting is:

- preferred to be 1m clear distance from the back of kerb or footpath to facilitates less risk with future replacement of public infrastructure;
- to be clear of street lighting to ensure mature canopy coverage does not impact adequate illumination of the footpath / pavement;
- to be a min of 3m clear of driveway aprons to ensure no line of sight and potential root intrusion issues;
- given the significantly sized retaining wall at the cul-de-sac and the higher volume of driveway aprons, only low level planting if any would be practical in this area.
- There is also the issue of underground services in the southern naturestrip which would need to be considered in relation to the placement of any landscaping

Council's Parks section advice is that ideally a grass verge would be provided on the top side of the road and dense planting of shrubs on the lower side of the roads.

Council's arborist's advice is that tree planting should be small native trees such as Callistemons or small growing eucalypts with care taken in the landscaping plan to detail the soil conditions.

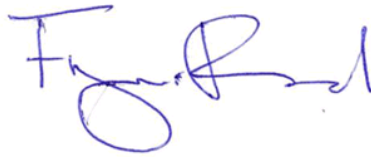
Conclusions

The applicant appreciates the parties' cooperative approach to the conciliation session and thanks Ms Debbie Dunn and Council for facilitating. Although time consuming we consider that the process has been worthwhile particularly if the parties feel that their concerns have been heard and accommodated where possible.

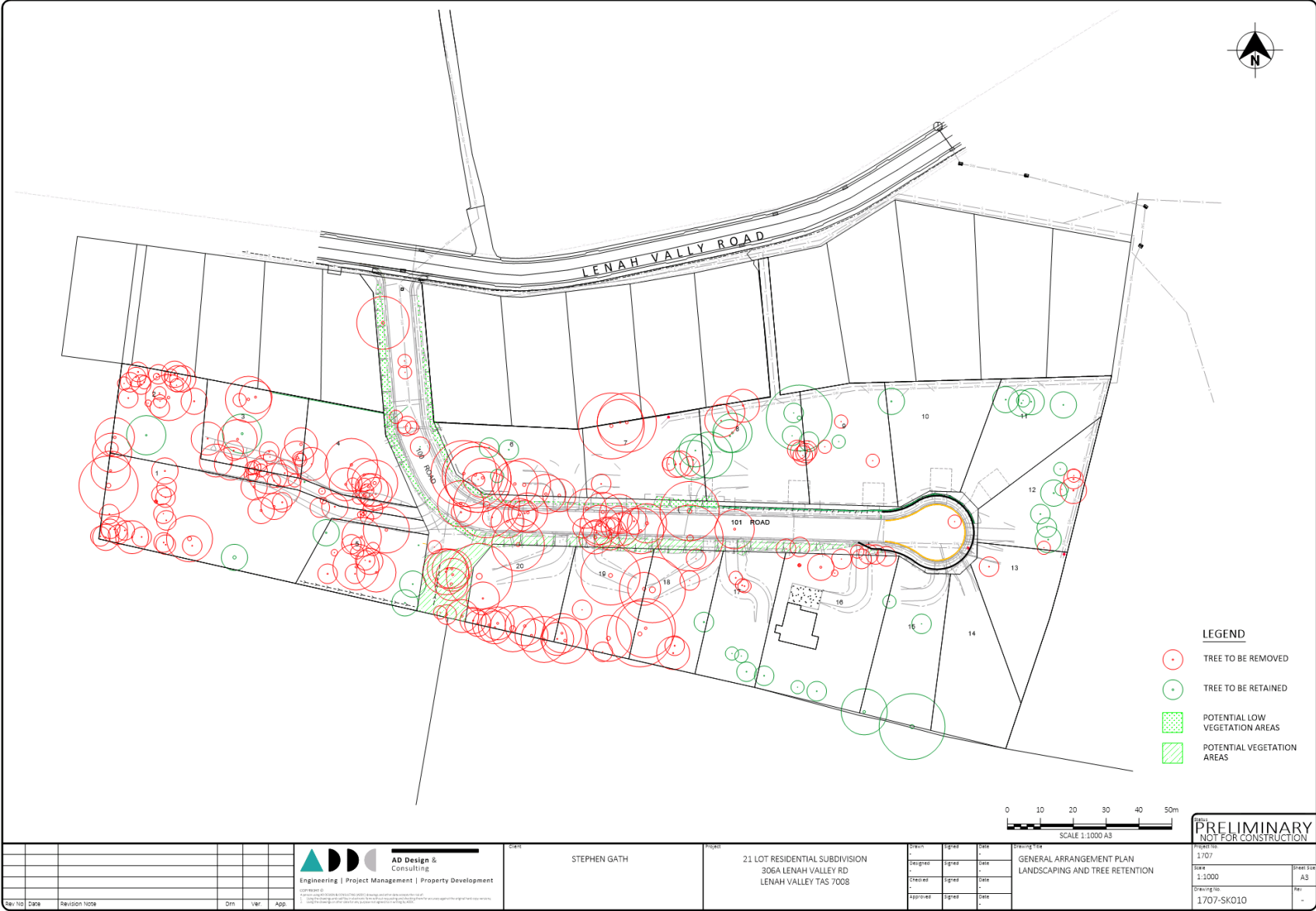
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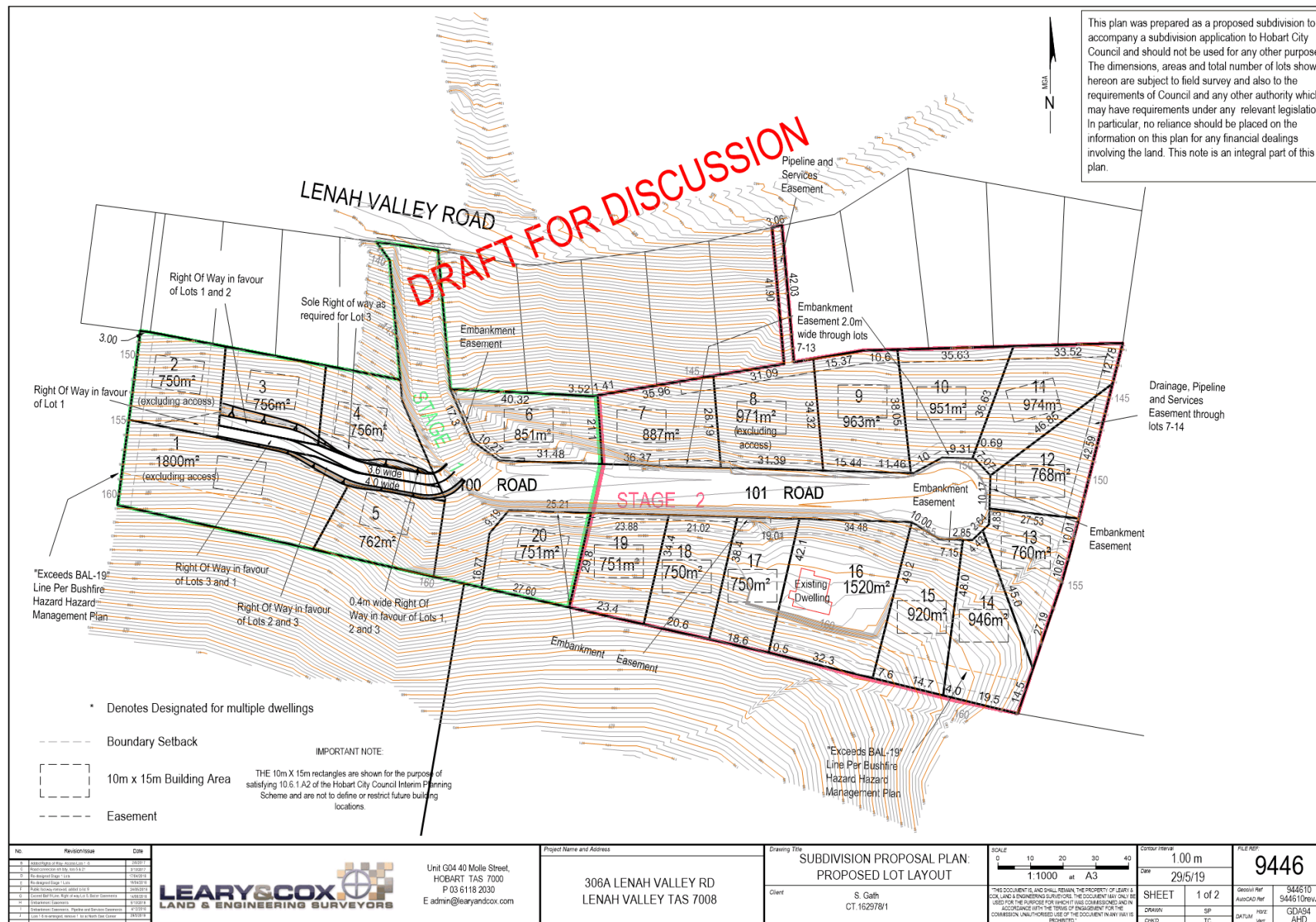
Subject to the parties acceptance of this offer, the applicant would be willing on a without prejudice basis, to accept additional/ modified conditions on the permit to reflect the above amended subdivision proposal plan and the commitments in relation to preparation of a construction management plan and landscaping plan for the road reserve as outlined above.

Yours sincerely

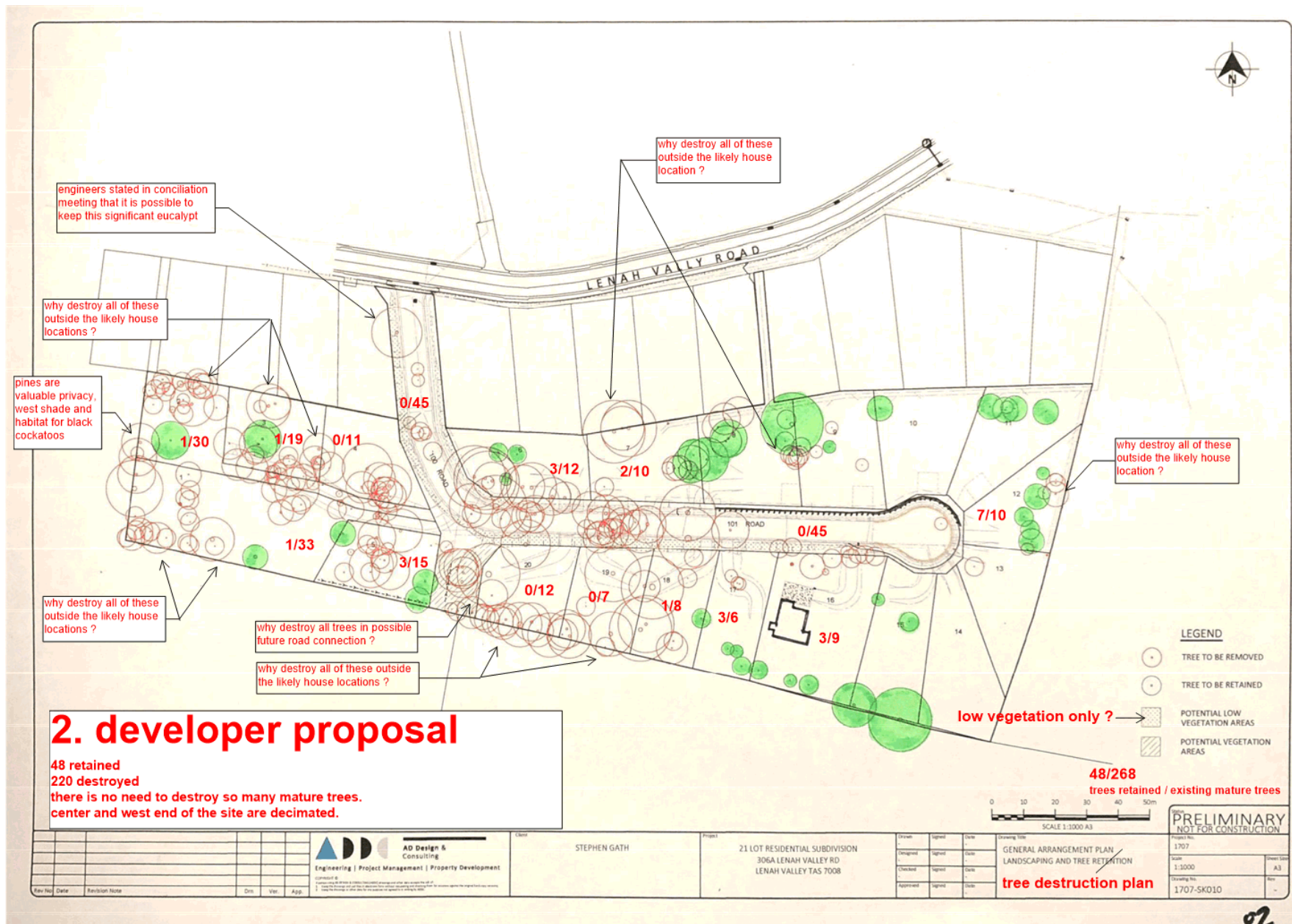


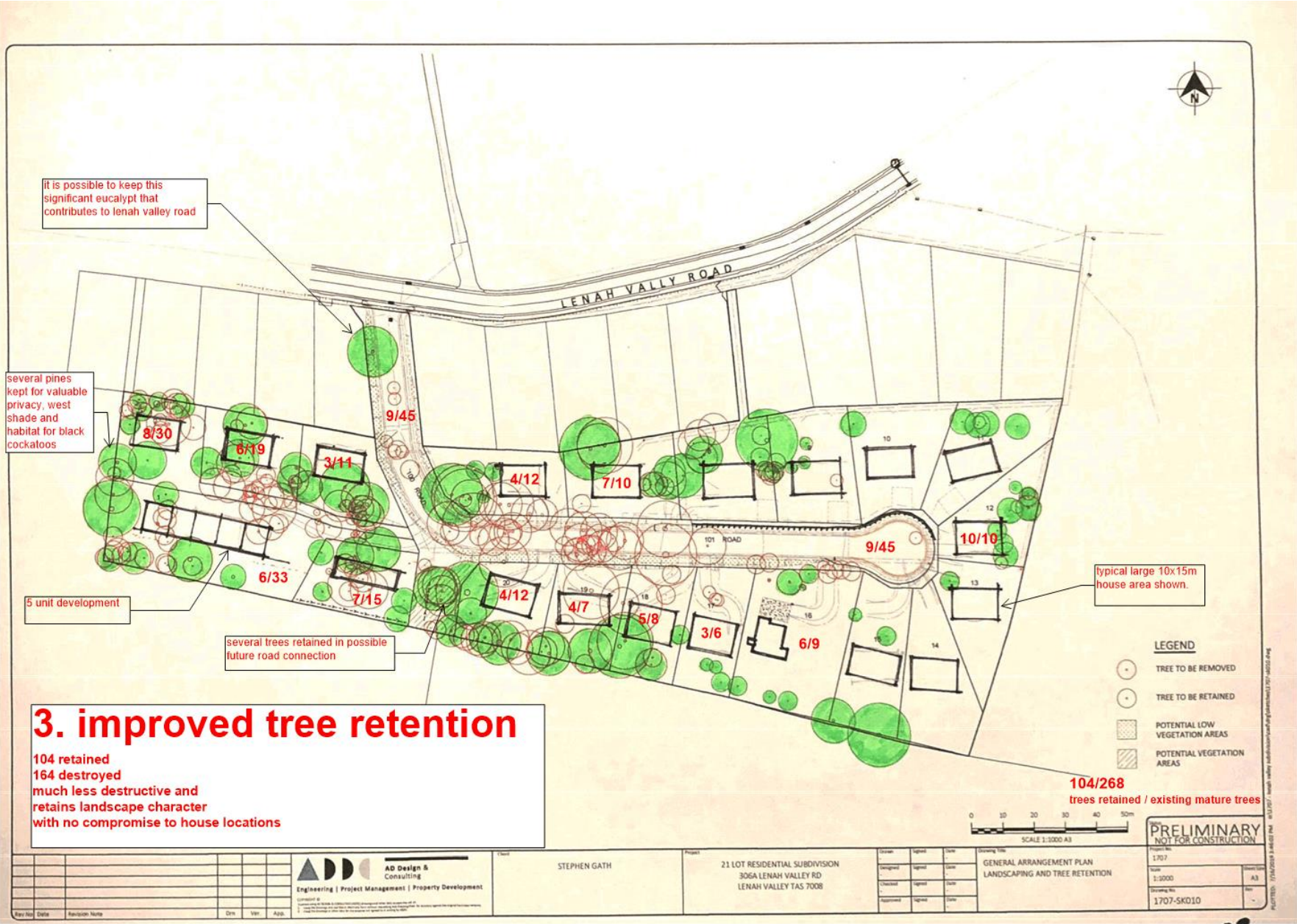
Frazer Read
Principal
All Urban Planning Pty Ltd

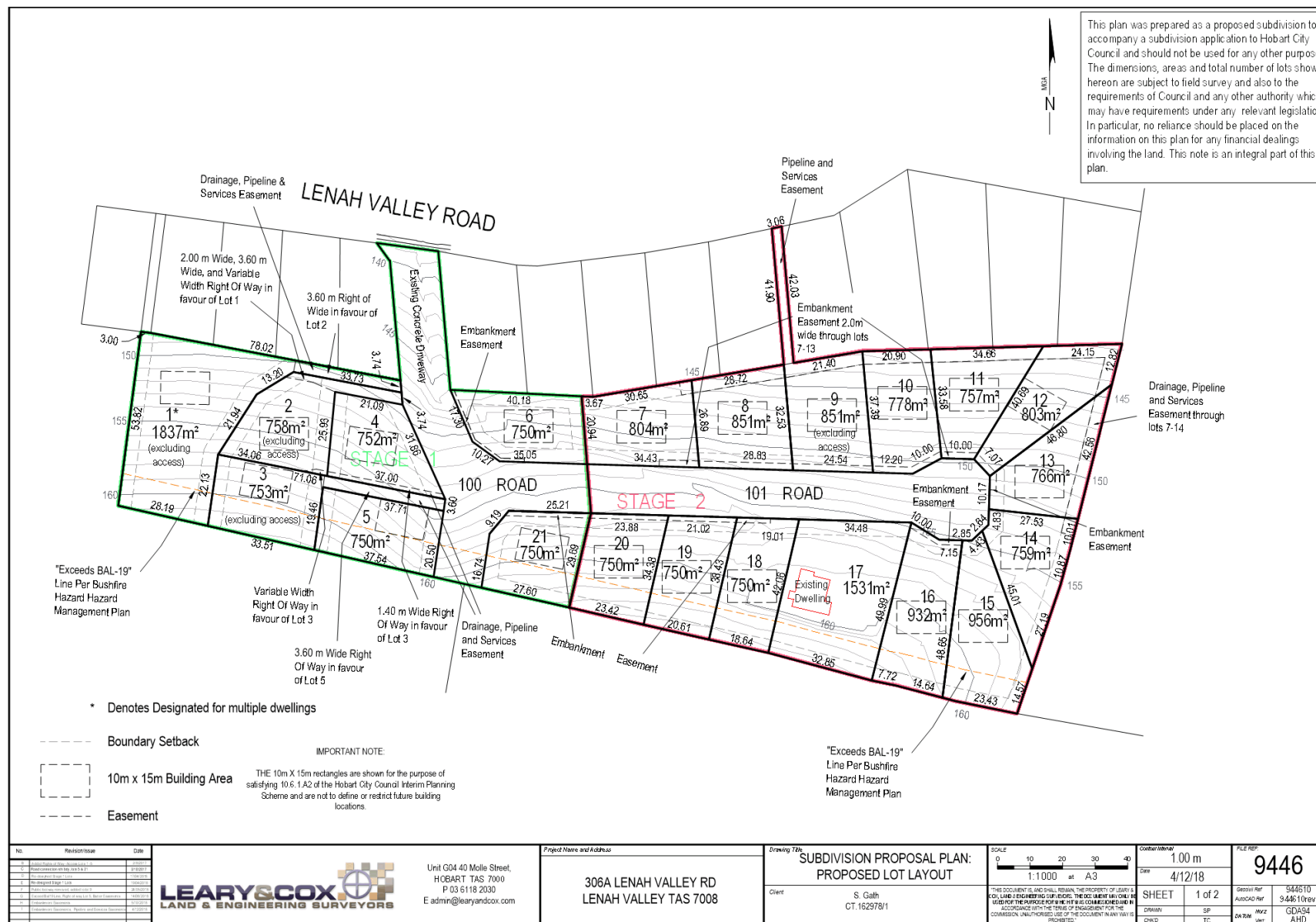


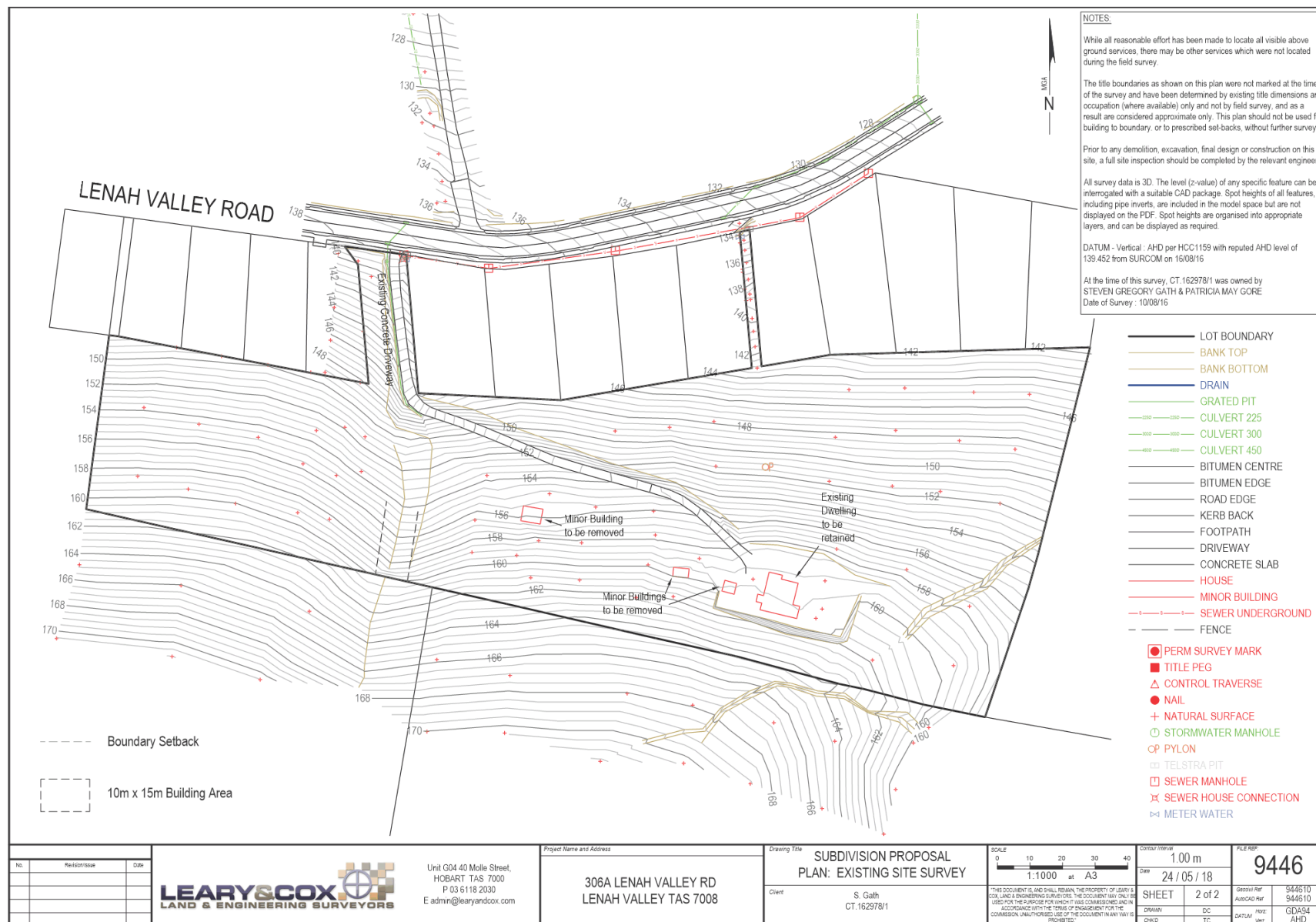






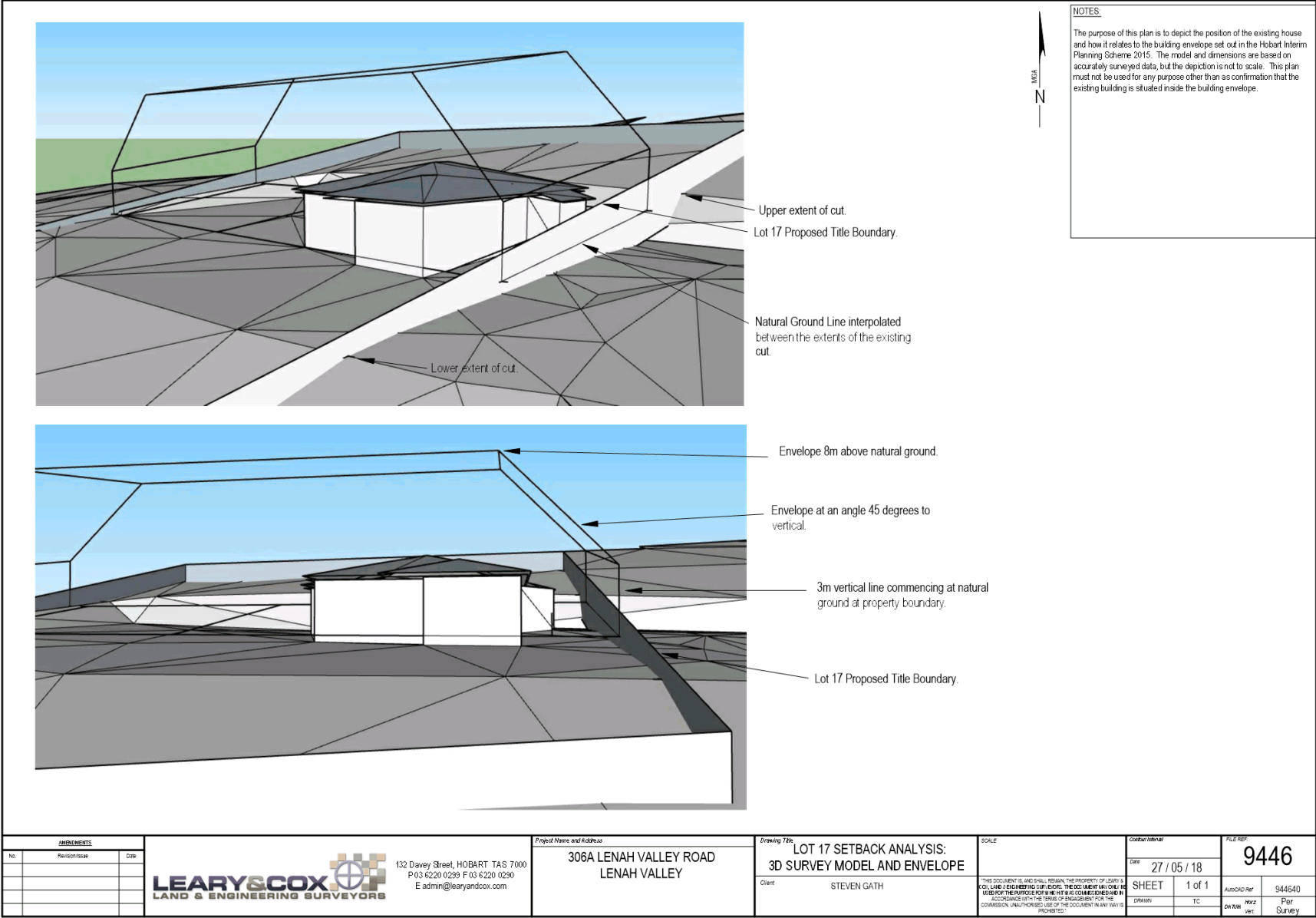








ALIGNMENTS			 LEARY&COX LAND & ENGINEERING SURVEYORS	132 Davey Street, HOBART TAS 7000 P 03 6220 0299 F 03 6220 0290 E admin@learyandcox.com	Project Name and Address 306A LENA VALLEY ROAD LENA VALLEY	Drawing Title LOT 17 ELEVATIONS AND BUILDING ENVELOPES	 SCALE 0 1 2 3 4 6 8 1:200 at A3	Contract Interval Date 10 / 8 / 18	FILE REF. 9446	
No.	Revision	Date								
			THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF LEARY & COX, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORIZED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED.							
			Client	STEVEN GATH						
			SHEET 1 of 1		AuxCAD Ref 944640					
			DRAWN TC		DATA HAZ VERL		Per Surveyor			



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 162978	FOLIO 1
EDITION 1	DATE OF ISSUE 03-Nov-2011

SEARCH DATE : 15-Feb-2018

SEARCH TIME : 04.37 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 162978

Being the land described in Assent No. 51/6261

Excepting thereout Lot 7 on S.P. No. 19955; Conv No. 53/5780

P617 D.O. & Lots 1-4 (SP162923) 2822m2

Derivation : Part of 34A-0R-17Ps. Granted. to John Mezger.

Prior CT 20169/1

SCHEDULE 1

B934424 TRANSFER to STEVEN GREGORY GATH and PATRICIA MAY GORE
Registered 10-Apr-1996 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BURDENING EASEMENT: such Rights of Carriageway as has been
created by the respective conveyances of the lots on
Deeds Registry Plan No. 617 (also being shown as Plan
No. 15597 on the Diagram No. 20169) over the Roadways
shown on the said diagram and over the Roads marked
A.B.C.D.E.F. and G.H.J.K. on Plan No. 162978

B934421 MORTGAGE to Trust Bank Registered 10-Apr-1996 at 12.
01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

REORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER S G GATH & P M GORE FOLIO REFERENCE CT 20169 - 1 GRANTEE: PART OF 34a Or 17p GTD TO JOHN MEZGER	PLAN OF TITLE CITY OF HOBART CONVERTED BY PLAN No. D 20169 COMPILED BY NOEL LEARY & ASSOCIATES SCALE 1 : 1500 LENGTHS IN METRES	REGISTERED NUMBER <h1 style="margin: 0;">P162978</h1> APPROVED - 3 NOV 2011 <small>Recorder of Titles</small>
MAPSHEET MUNICIPAL CODE No. 114 (5225-41)	LAST UPI No. HRY49	LAST PLAN No. D 20169
		ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

SKETCH BY WAY OF ILLUSTRATION ONLY

LENGTHS IN BRACKETS IN LINKS

"EXCEPTED LANDS"

LOT 7 SP19955 110m²

CONV. 53 - 5780 P 617 7284m²

LOTS 1 to 4 SP162973 2812m²

BALANCE PLAN

The sketch illustrates a complex land parcel arrangement. Key features include:

- Roads:** NEW TOWN RIVULET, VALLEY ROAD, and several unnamed roads.
- Parcels:** Lots 1-27, with some labeled as 'EXCEPTED LANDS'. Areas are measured in links (e.g., 110m, 7284m²) and hectares (e.g., 2.306 ha).
- Boundaries:** Clearly defined by lines and bearings (e.g., N 11° 13' E, S 78° 02' W).
- Legal References:** Various survey numbers and plan references are noted throughout the map.

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 15597	FOLIO 28
EDITION 2	DATE OF ISSUE 30-Jun-2015

SEARCH DATE : 05-Oct-2018
SEARCH TIME : 05.56 PM

DESCRIPTION OF LAND

City of HOBART
Lot 28 on Plan 15597
Being the land described in Conveyance No. 53/5780
Derivation : Part of 34A-0R-17Ps. Gtd. to John Mezgar
Prior CT 4652/75

SCHEDULE 1

HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

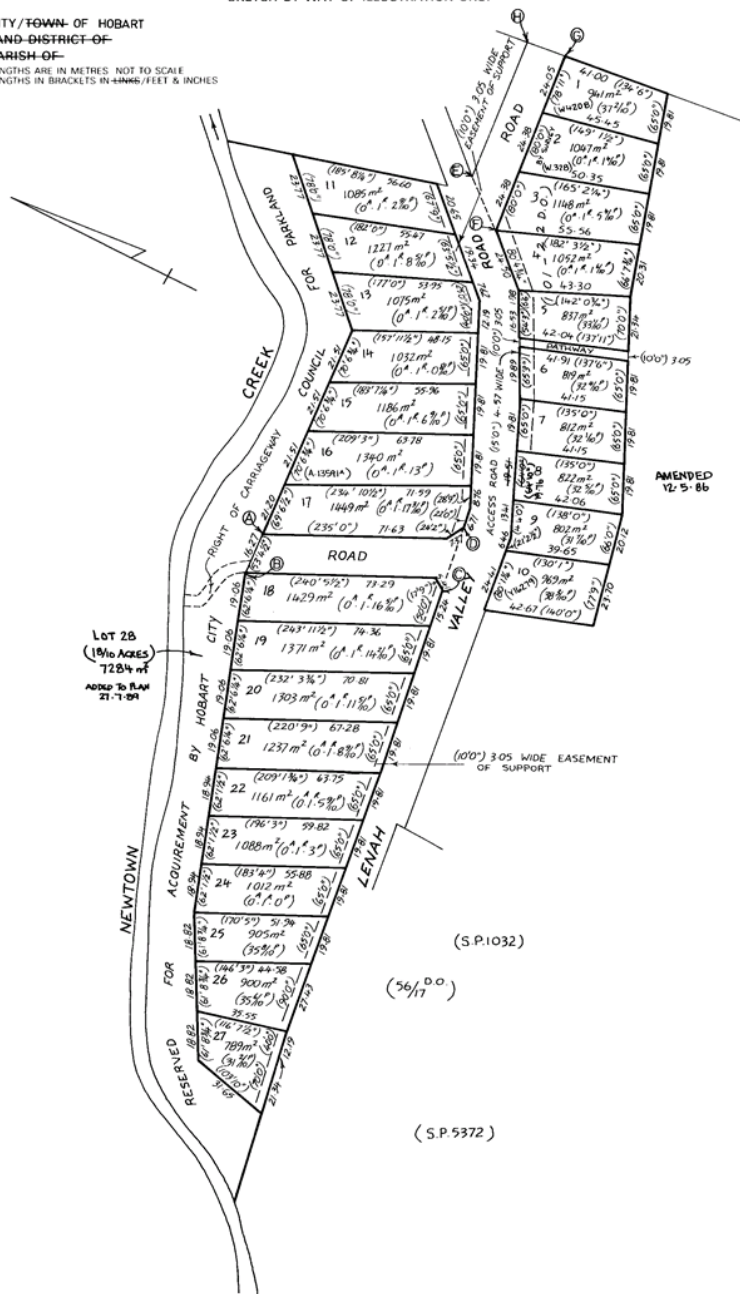
Issued Pursuant to the Land Titles Act 1980



APPROVED FROM 	CONVERSION PLAN	REGISTERED NUMBER P.15597
FILE NUMBER Z.997 (Lot 22)	GRANTEE PART OF 34° 0' 17" GRANTED TO JOHN MEZGAR	DRAWN

SKETCH BY WAY OF ILLUSTRATION ONLY

CITY/TOWN OF HOBBART
LAND-DISTRICT OF
PARISH OF
LENGTHS ARE IN METRES NOT TO SCALE
LENGTHS IN BRACKETS IN FEET & INCHES



LETTERS A,B,C,D,E,F,G,H
ADDED ON 24/1/19

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 175675	FOLIO 1
EDITION 1	DATE OF ISSUE 10-Sep-2018

SEARCH DATE : 05-Oct-2018
SEARCH TIME : 06.02 PM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Sealed Plan 175675
Derivation : Part of 34A-0R-17P Granted to John Mezger
Prior CT 172457/1

SCHEDULE 1

E2189 TRANSFER to REDLANDS TRADING PTY LTD Registered
06-Jan-2017 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP175675 EASEMENTS in Schedule of Easements
SP175675 COVENANTS in Schedule of Easements
SP175675 FENCING PROVISION in Schedule of Easements
SP175675 WATER SUPPLY RESTRICTION
SP165008 & SP172457 COVENANTS in Schedule of Easements
SP144655, SP153196, SP165008 & SP172457 FENCING PROVISION in
Schedule of Easements
SP172457 SEWERAGE AND/OR DRAINAGE RESTRICTION
SP144655 COUNCIL NOTIFICATION under Section 83(5) of the Local
Government (Building and Miscellaneous Provisions)
Act 1993.
C663527 INSTRUMENT Creating Restrictive Covenants
Registered 07-Oct-2005 at noon
E105522 MORTGAGE to National Australia Bank Limited
Registered 03-Nov-2017 at 12.01 PM
E149830 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
10-Sep-2018 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER: REDLANDS TRADING PTY LTD		PLAN of SURVEY		REGISTERED NUMBER SP175675
FOLIO REFERENCE: C.T.172457/1		BY SURVEYOR: NICHOLAS GRIGGS of Nick Griggs & Co. 295 Elizabeth Street, North Hobart, 7000 Ph: 6234 5022 Fax: 6231 2412		APPROVED EFFECTIVE FROM: 10 SEP 2018
GRANTEE: Part of 34A-OR-17P Granted to John Mezger.		LOCATION: CITY OF HOBART		<i>Alice Kawa</i> Recorder of Titles
SCALE: 1: 750		LENGTHS IN METRES		
MAPSHEET MUNICIPAL CODE No. 114 (5225)	LAST UPI No.	LAST PLAN No. SP.172457	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN.	

INDEX PLAN

30-8-2018
DATE

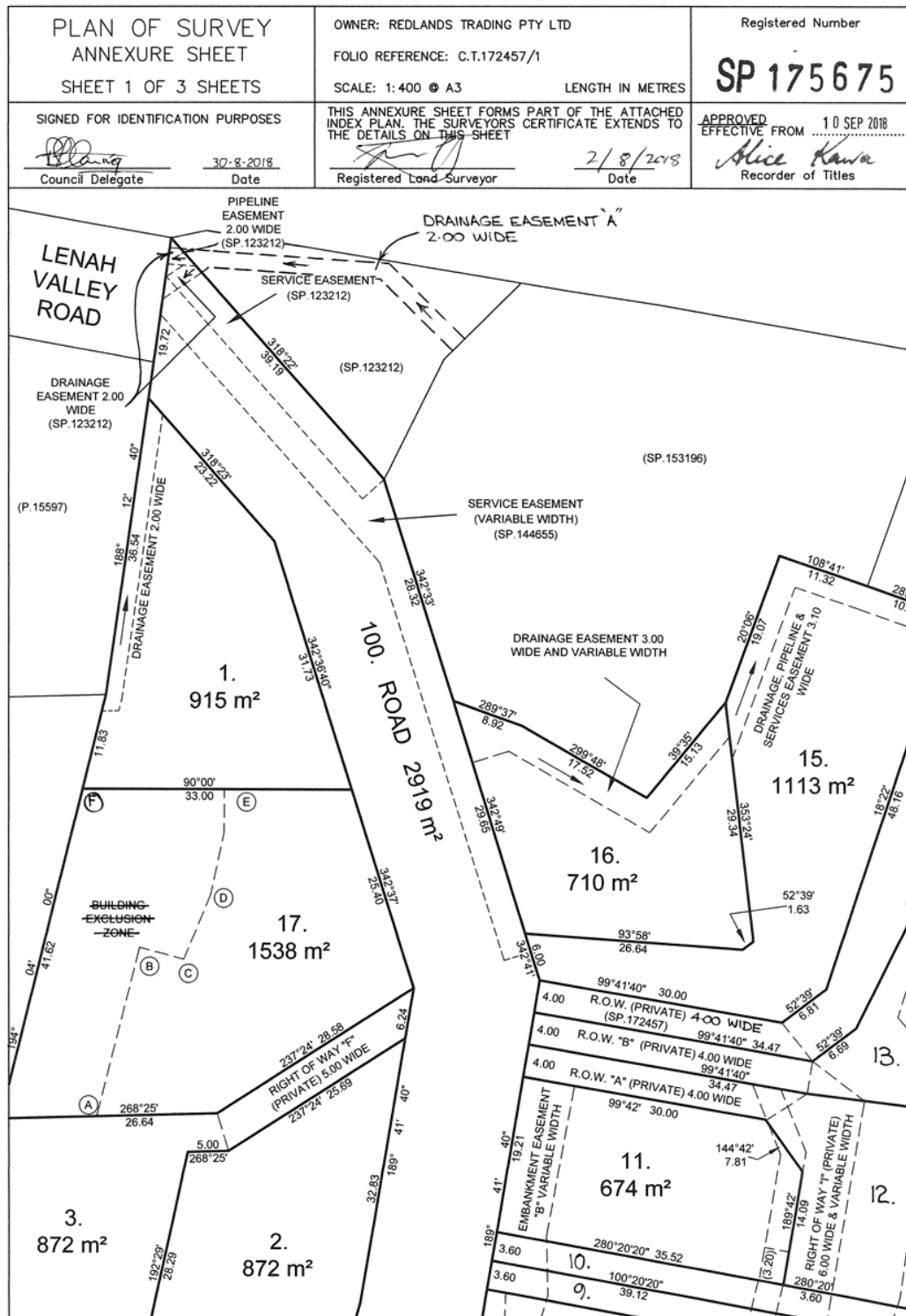
COUNCIL DELEGATE



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

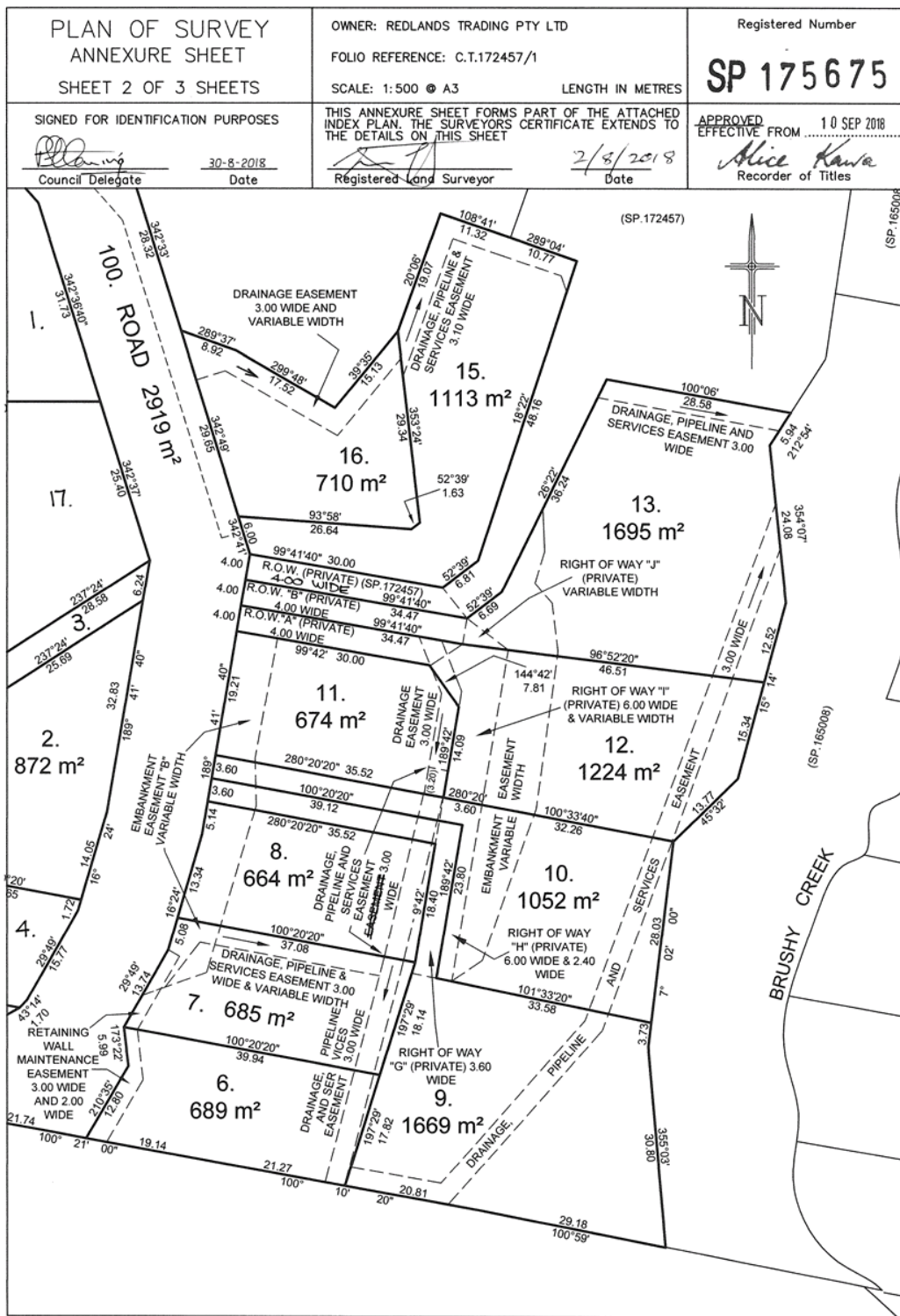




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

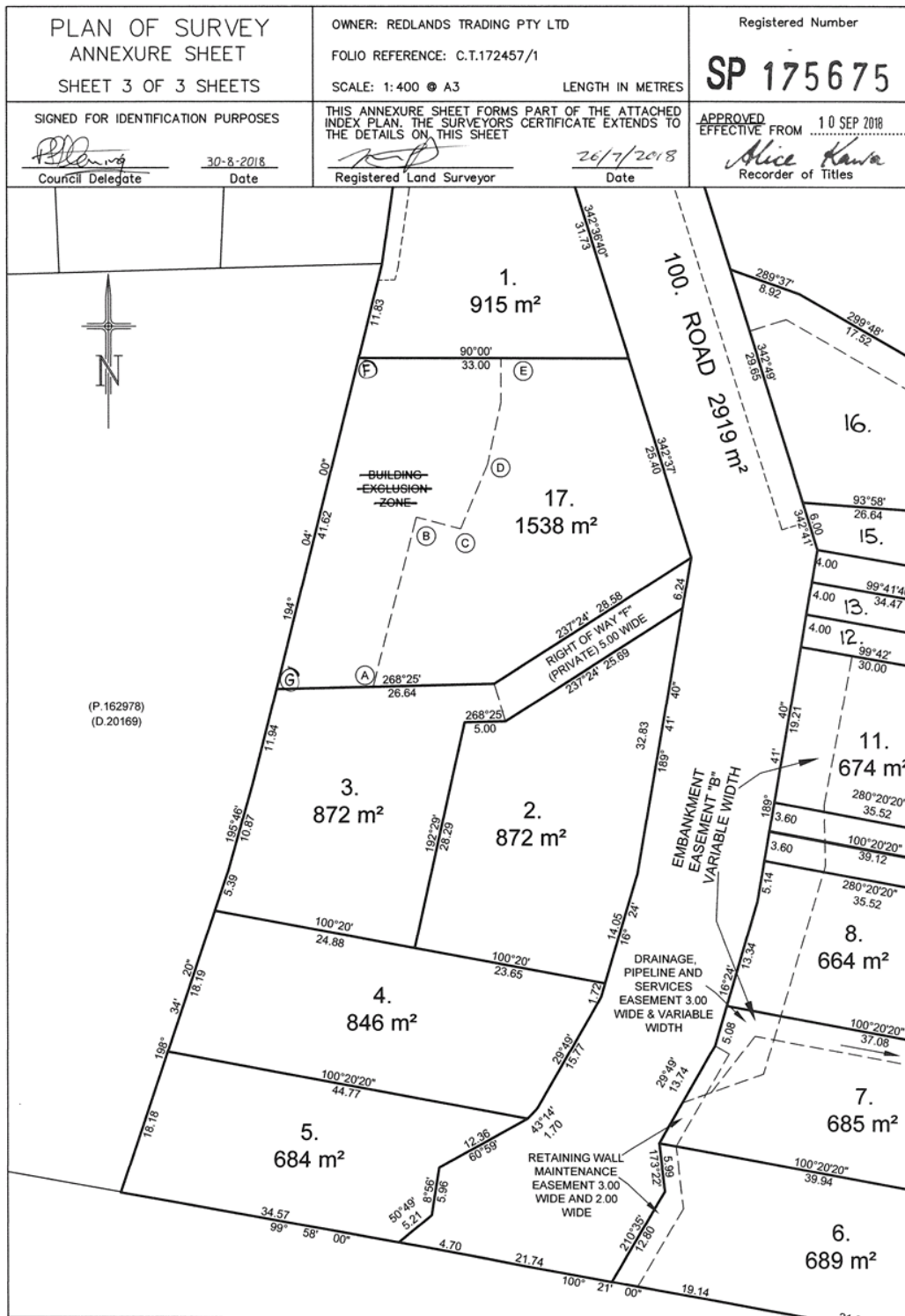




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 175675	FOLIO 100
EDITION 1	DATE OF ISSUE 10-Sep-2018

SEARCH DATE : 05-Oct-2018
SEARCH TIME : 06.03 PM

DESCRIPTION OF LAND

City of HOBART
Lot 100 on Sealed Plan 175675
Derivation : Part of 34A-0R-17P Granted to John Mezger
Prior CT 172457/1

SCHEDULE 1

M692203 TRANSFER to HOBART CITY COUNCIL Registered
10-Sep-2018 at 12.03 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP175675 EASEMENTS in Schedule of Easements
SP175675 COVENANTS in Schedule of Easements
SP175675 FENCING PROVISION in Schedule of Easements
SP175675 WATER SUPPLY RESTRICTION
SP165008 & SP172457 COVENANTS in Schedule of Easements
SP144655, SP153196, SP165008 & SP172457 FENCING PROVISION in
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Act 1993.
C663527 INSTRUMENT Creating Restrictive Covenants
Registered 07-Oct-2005 at noon

UNREGISTERED DEALINGS AND NOTATIONS

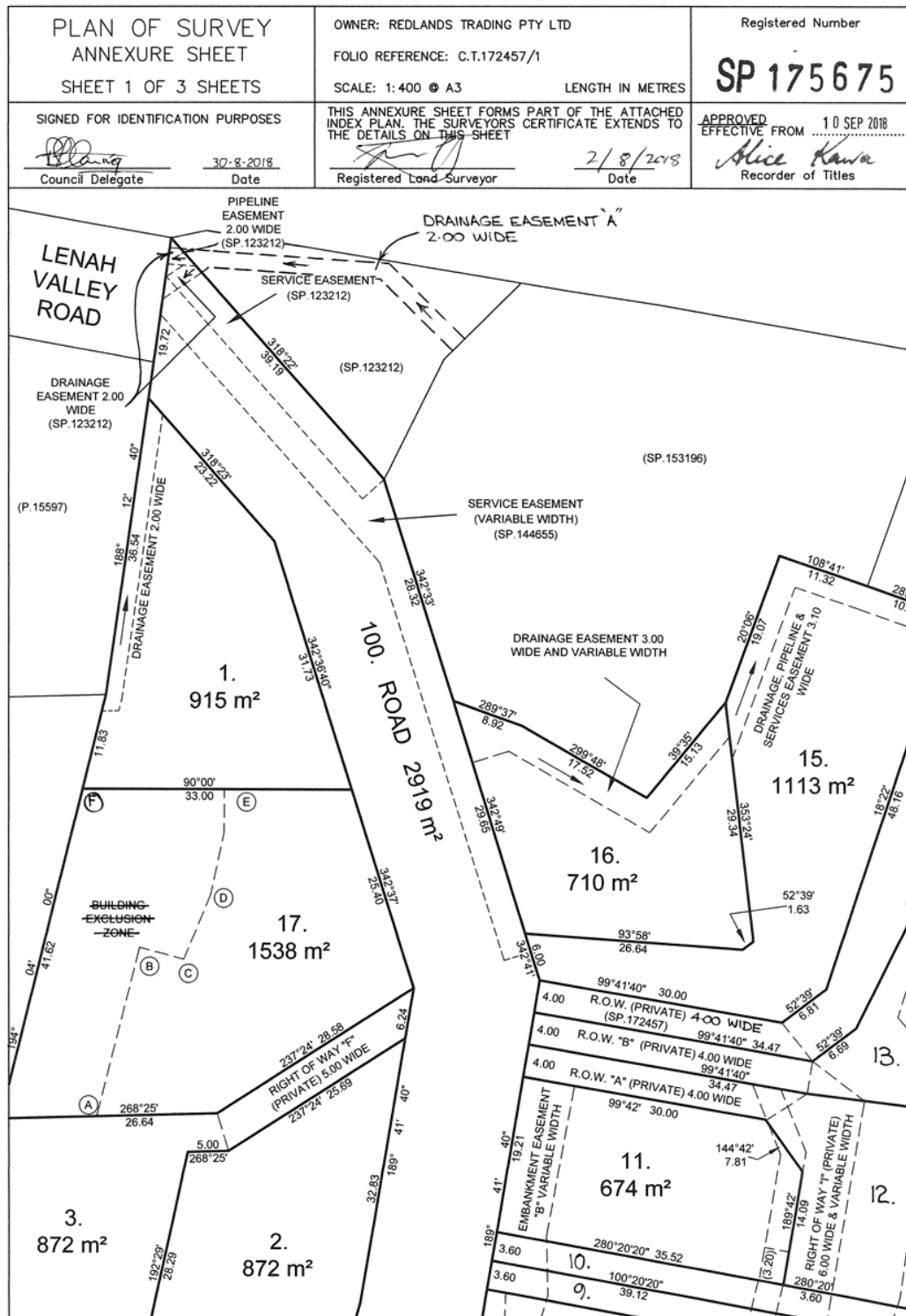
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

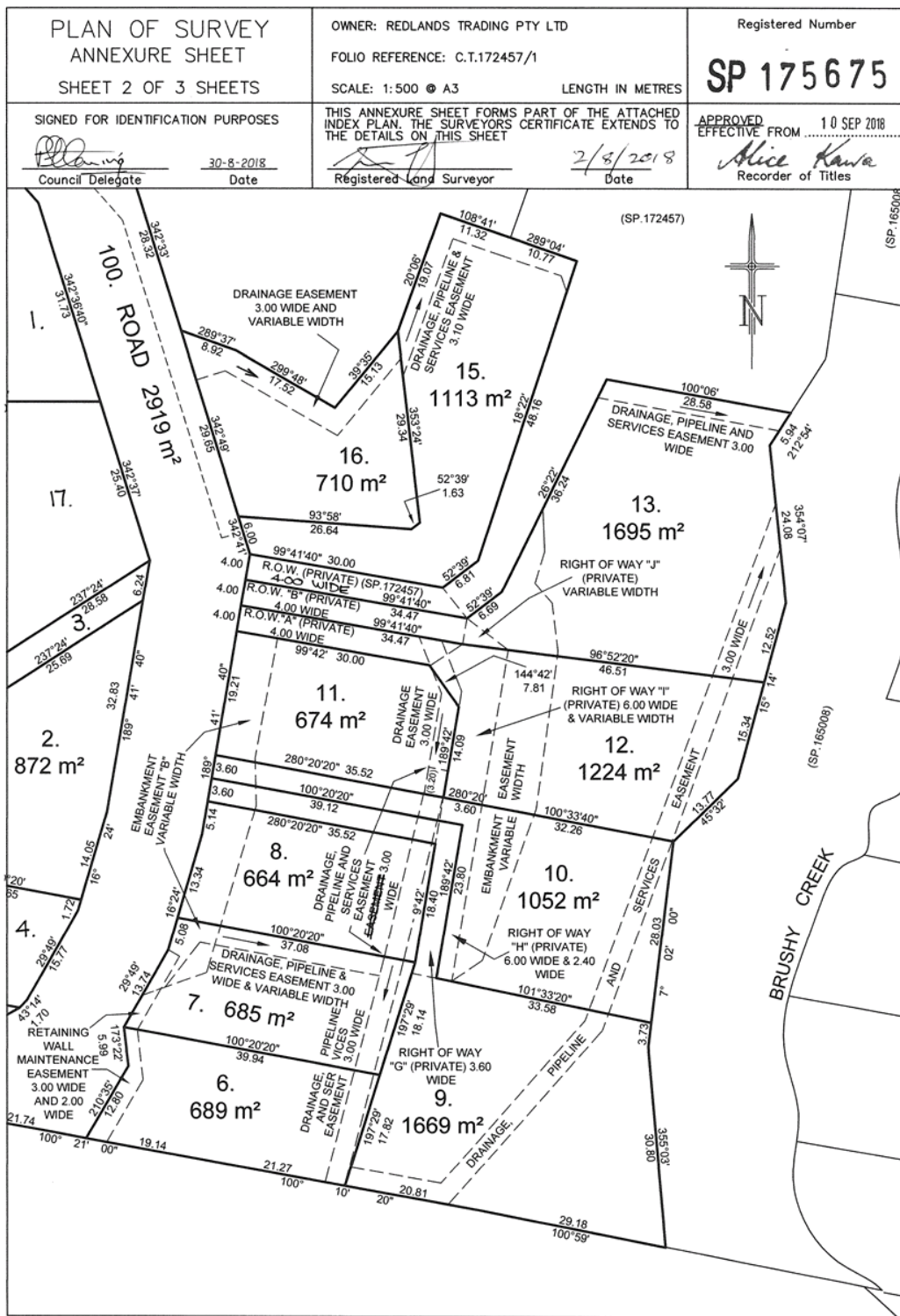




FOLIO PLAN

RECORDER OF TITLES

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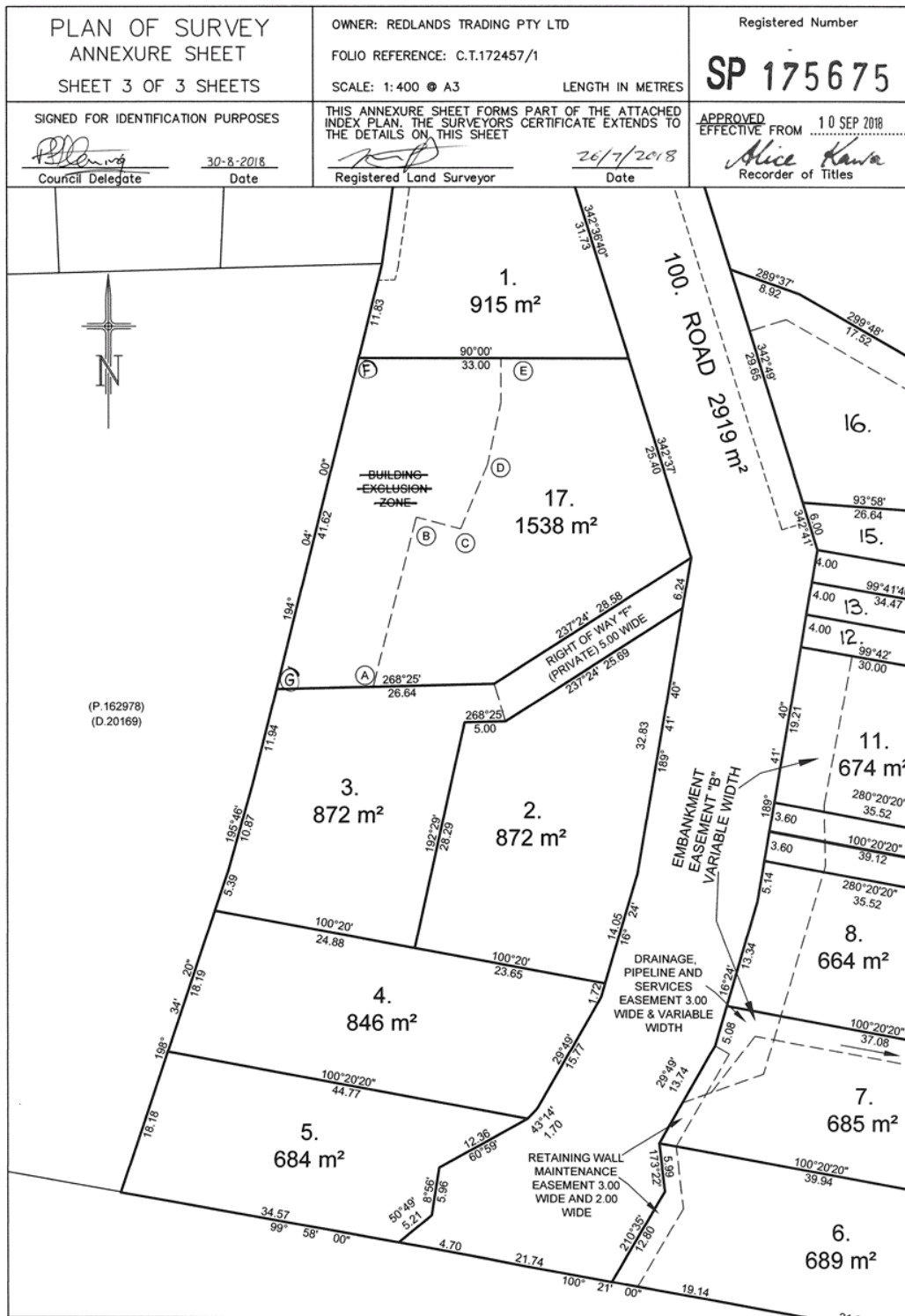




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 175675

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EXISTING EASEMENTS CARRIED FORWARD FROM SEALED PLAN 172457

Lot 100 on the plan is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 123212 over the strips of land marked DRAINAGE EASEMENT 2.00 WIDE and PIPELINE EASEMENT 2.00 WIDE on the plan.

Lot 100 on the plan is subject to a pipeline easement (more particularly defined in Sealed Plan 123212) appurtenant to Lot 1 on Sealed Plan 123212 over the strip of land marked PIPELINE EASEMENT 2.00 WIDE on the plan.

All of the lots on the plan are together with a right of drainage over the DRAINAGE EASEMENT 2.00 WIDE shown on plan 153932, the Plan.

Lot 100 on the plan is subject to a service easement (more particularly described in SP 144655) appurtenant to Lot 1 on Sealed Plan 144655 over the strip of land marked SERVICE EASEMENT (VARIABLE WIDTH) (SP. 144655) and SERVICE EASEMENT (SP. 123212) on the plan.

Lot 100 on the plan is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 144655 over the strip of land marked DRAINAGE EASEMENT 2.00 WIDE on the plan.

Lot 13 on the plan is subject to a right of carriage way appurtenant to Lot 14 on Sealed Plan 172457 over the strip of land marked R.O.W "B" (PRIVATE) 4.00 Wide on the plan.

All of the Lots on the plan are together with a right of carriage way over that part of Lot 14 on Sealed Plan 172457 as is marked RIGHT OF WAY (PRIVATE) 4.00 WIDE on Sealed Plan 172457 (SP172457) on the Plan.

NEW EASEMENTS CREATED

Lots 6, 7, 8, 9, 10, 11, 12 and 13 on the Plan (the "Lot") are SUBJECT TO a **PIPELINE AND SERVICES EASEMENT** in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the strips of land marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.00 WIDE on the plan ("the Easement Land").

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REF: Volume: 172457 Folio 1 SOLICITOR & REFERENCE: MURDOCH CLARKE (LNG 1800271)	PLAN SEALED BY: HOBART CITY COUNCIL DATE: 30.8.2018 00620.20/05 REF NO.	 Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.		



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 2 OF 10 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 175675</p>
<p>SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1</p>	

Lot 7 on the Plan (the "Lot") is SUBJECT TO a **PIPELINE AND SERVICES EASEMENT** in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the strip of land passing through the Lot marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.00 WIDE & VARIABLE WIDTH on the plan ("the Easement Land").

Lot 15 on the Plan (the "Lot") is SUBJECT TO a **PIPELINE AND SERVICES EASEMENT** in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the strip of land passing through the Lot marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.10 WIDE on the plan ("the Easement Land").

Lots 6, 7, 8, 9, 10, 11, 12 and 13 on the plan are subject to a right of drainage in gross in favour of the Hobart City Council over the strips of land respectively passing through those lots marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.00 WIDE on the plan.

Lot 1 on the plan is subject to a right of drainage in gross in favour of the Hobart City Council over the strip of land passing through Lot 1 marked DRAINAGE EASEMENT 2.00 WIDE on the plan.

Lots 11 and 12 on the plan are subject to a right of drainage in gross in favour of the Hobart City Council over the strips of land respectively passing through those lots marked DRAINAGE EASEMENT 3.00 WIDE on the plan.

Lot 7 on the plan is subject to a right of drainage in gross in favour of the Hobart City Council over the strip of land passing through Lot 7 marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.00 WIDE & VARIABLE WIDTH on the plan.

Lot 15 on the plan is subject to a right of drainage in gross in favour of the Hobart City Council over the strip of land passing through lot 15 marked DRAINAGE, PIPELINE AND SERVICES EASEMENT 3.10 WIDE on the plan.

Lot 16 on the plan is subject to a right of drainage in gross in favour of the Hobart City Council over the strip of land passing through Lot 16 marked DRAINAGE EASEMENT 3.00 WIDE AND VARIABLE WIDTH on the plan.

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	

Lot 3 on the plan is subject to a right of carriage way appurtenant to Lot 2 on the plan over the strip of land marked RIGHT OF WAY "F" (PRIVATE) 5.00 WIDE on the plan.

Lot 2 on the plan is together with a right of carriage way over the strip of land marked RIGHT OF WAY "F" (PRIVATE) 5.00 WIDE shown passing through Lot 3 on the plan.

Lot 9 on the plan is subject to a right of carriage way appurtenant to Lot 10 on the plan over the strip of land marked RIGHT OF WAY "G" (PRIVATE) 3.60 WIDE on the plan.

Lot 10 on the plan is together with a right of carriage way over the strip of land marked RIGHT OF WAY "G" (PRIVATE) 3.60 WIDE shown passing through Lot 9 on the plan.

Lot 10 on the plan is subject to a right of carriage way appurtenant to Lot 9 on the plan over the strip of land marked RIGHT OF WAY "H" (PRIVATE) 6.00 WIDE & 2.40 WIDE on the plan.

Lot 9 on the plan is together with a right of carriage way over the strip of land marked RIGHT OF WAY "H" (PRIVATE) 6.00 WIDE & 2.40 WIDE shown passing through Lot 10 on the plan.

Lot 12 on the plan is subject to a right of carriage way appurtenant to Lots 9, 10 and 11 on the plan over the strip of land marked RIGHT OF WAY "I" (PRIVATE) 6.00 WIDE & VARIABLE WIDTH shown passing through Lot 12 on the plan.

Lots 9, 10 and 11 on the plan are together with a right of carriage way over the strip of land marked RIGHT OF WAY "I" (PRIVATE) 6.00 WIDE & VARIABLE WIDTH shown passing through Lot 12 on the plan.

Lot 13 on the plan is subject to a right of carriage way appurtenant to Lots 9, 10, 11 and 12 on the plan over the strip of land marked RIGHT OF WAY "J" (PRIVATE) VARIABLE WIDTH shown passing through Lot 13 on the plan.

Lots 9, 10, 11 and 12 on the plan are together with a right of carriage way over the strip of land marked RIGHT OF WAY "J" (PRIVATE) VARIABLE WIDTH shown passing through Lot 13 on the plan.

Lot 13 on the plan is subject to a right of carriage way appurtenant to Lots 9, 10, 11 and 12 on the plan over the strip of land marked R.O.W "B" (PRIVATE) 4.00 Wide on the plan.

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 4 OF 10 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 175675</p>
<p>SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1</p>	

Lots 9, 10, 11 and 12 on the plan are together with a right of carriage way over the strip of land marked R.O.W "B" 4.00 (PRIVATE) Wide shown passing through Lot 13 on the plan.

Lot 12 on the plan is subject to a right of carriage way appurtenant to Lots 9, 10, 11 and 13 on the plan over the strip of land marked R.O.W "A" (PRIVATE) 4.00 Wide on the plan.

Lots 9, 10, 11 and 13 on the plan are together with a right of carriage way appurtenant over the strip of land marked R.O.W "A" (PRIVATE) 4.00 Wide shown passing through Lot 12 on the plan.

Lot 10 on the plan is subject to an Embankment Easement (as hereinafter defined) appurtenant to Lot 9 on the plan over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 10 on the plan.

Lot 9 on the plan is together with an Embankment Easement (as hereinafter defined) over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 10 on the plan.

Lot 12 on the plan is subject to an Embankment Easement (as hereinafter defined) appurtenant to Lots 9, 10, 11 and 13 on the plan over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 12 on the plan.

Lots 9, 10, 11 and 13 on the plan are together with an Embankment Easement (as hereinafter defined) over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 12 on the plan.

Lot 13 on the plan is subject to an Embankment Easement (as hereinafter defined) appurtenant to Lots 9, 10, 11 and 12 on the plan over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 13 on the plan.

Lots 9, 10, 11 and 12 on the plan are together with an Embankment Easement (as hereinafter defined) over the strip of land marked EMBANKMENT EASEMENT VARIABLE WIDTH shown passing through Lot 13 on the plan.

Lots 6 and 7 on the plan are subject to a Retaining Wall Maintenance Easement (as hereinafter defined) in gross in favour of the Hobart City Council over the strips of land respectively passing through those lots marked RETAINING WALL MAINTENANCE EASEMENT 3.00 WIDE AND 2.00 WIDE on the plan.

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	

Lots 7, 8, 9, 10 and 11 on the plan are subject to an Embankment Easement B (as hereinafter defined) in gross in favour of the Hobart City Council over the strips of land respectively passing through those lots marked EMBANKMENT EASEMENT "B" VARIABLE WIDTH on the plan.

EXISTING COVENANTS CARRIED FORWARD FROM INSTRUMENT CREATING RESTRICTIVE COVENANTS C663527

All of the lots on the plan are affected by the restrictive covenant set forth in instrument C663527.

NEW FENCING PROVISION CREATED

In respect to the lots on the plan the Vendor Redlands Trading Pty Ltd shall not be required to fence.

NEW COVENANTS CREATED

The owner or owners for the time being of Lot 15 on the plan covenant with the Hobart City Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof shall benefit the Hobart City Council to observe the following stipulation:

- (a) Not to construct, erect or place or permit to be constructed, erected or placed any dwelling, building or structure within 8 metres of the northern boundary of Lot 15 without the prior written approval of the Hobart City Council.

The owner or owners for the time being of Lot 17 on the plan covenant with the Hobart City Council to the intent that the burden of these covenants may run with and bind the covenantors lot and every part thereof and that the benefit thereof shall benefit the Hobart City Council to observe the following stipulation:

- (a) Not to construct, erect or place or permit to be constructed, erected or placed any dwelling, building or structure within that part of Lot 17 as is marked ~~Building Exclusion Zone~~ A B C D E, on the plan without the prior written consent of the Hobart City Council. FG

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	

INTERPRETATION

Embankment Easement means THE FULL AND FREE RIGHT for any person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every other person authorised by such person to maintain or renew the embankment which provides stability to the roadway/accessway which is adjacent to the said lands with THE FULL AND FREE RIGHT for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof which with the right shall be capable of enjoyment, and every other person authorised by such person to enter on the servient land with or without workmen materials and vehicles for the purposes of maintaining or renewing the embankment exercising such right causing as little damage and inconvenience as reasonably practicable in so doing and making good immediately any damage caused to the servient land but not precluding the servient tenements, subject to approval of the local authority, from constructing or erecting any structure on the land as required to provide access to any part of, or to maintain stability of the servient lots.

"Embankment Easement B" means the full and free right and liberty for the Hobart City Council its heirs assigns and employees, contractors and agents to enter upon the land to carry out any works from time to time that may be necessary to retain and maintain the earthworks and drainage associated with the local highway (as defined by the Local Government Highway Act 2002) but not precluding the servient tenements, subject to approval of the local authority, from constructing or erecting any structure on the land as required to provide access to any part of, or to maintain stability of the servient lots.

"Retaining Wall Maintenance Easement" means the full and free right and liberty at all times for the Hobart City Council its heirs assigns and employees, contractors and agents to rest, support, intrude, excavate, maintain, repair, replace or renew any highway infrastructure, including walls, and other structural improvements protruding into, upon or adjacent to that part of the servient tenement shown on the Plan including carry on works on the servient tenement for the purpose of inspecting, repairing, maintaining, renewing and replacing a highway retaining wall, within the local highway (as defined by the Local Government Highways Act 1982) or any part of the wall, and for that purpose to bring upon the servient tenement any material, machinery and other things, but so as to cause as little inconvenience and damage as reasonably possible to the servient tenement, and provided that any damage occasioned in doing so must be made good and the servient tenement shall not without the written consent of the Hobart City Council first had and obtained:-

- i. Alter or permit to be altered the ground level of the said land;

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)

by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 7 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	


- ii. Erect or permit to be erected any building or structure on or in the said land; but not precluding the servient tenement(s), subject to approval of the Hobart City Council, from constructing or erecting any structure on the land as required to provide access to any part of the servient lot(s);
- iii. Do or permit to be done any manner of things which shall damage or be likely to cause damage to the highway retaining wall or other infrastructure owned by the Hobart City Council on the said land or adjacent land;
- iv. In any way prevent or interfere with the proper exercise and benefit of this easement by the Hobart City Council or its workmen, servants, contractors, agents and all other persons duly authorised by it; or
- v. Place any obstruction which would unreasonably restrict access to the said land.


PIPELINE AND SERVICES EASEMENT is defined as follows:-

THE FULL RIGHT AND LIBERTY for the Taswater at all times to:

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;
- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (1) without doing unnecessary damage to the Easement Land; and
 - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
 by authority of its Directors
 in accordance with Section 127 of the Corporations Act:


 Timothy Henry Jenkins
 (Director)


 Susan Jenkins
 (Director/Secretary)

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 8 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	

undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and

- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
- (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
 - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
 - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
 - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
 - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
 - (f) permit or allow any action which the Owner must not do or acquiesce in that action.

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
by authority of its Directors
in accordance with Section 127 of the Corporations Act:

.....
Timothy Henry Jenkins
(Director)

.....
Susan Jenkins
(Director/Secretary)

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 9 OF 10 PAGES	Registered Number SP 175675
SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1	

- (2) TasWater is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
 - (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
 - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
 - (a) reinstate the ground level of the Easement Land; or
 - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (c) replace anything that supported, protected or covered the Infrastructure.

Signed by REDLANDS TRADING PTY LTD (ACN 122 571 028)
 by authority of its Directors
 in accordance with Section 127 of the Corporations Act:

.....
 Timothy Henry Jenkins
 (Director)

.....
 Susan Jenkins
 (Director/Secretary)

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 10 OF 10 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 175675</p>
<p>SUBDIVIDER: REDLANDS TRADING PTY LTD FOLIO REFERENCE: VOLUME 172457 FOLIO 1</p>	

EXECUTED BY **NATIONAL AUSTRALIA BANK LIMITED** as Mortgagee
pursuant to Mortgage No. E105522:

Dated this 28th day of August 2018
 Executed by the **NATIONAL AUSTRALIA BANK LIMITED**)
 by its Attorney Grey Buggones)
 who holds the position of Level 3 Attorney)
 under Power of Attorney No. PA 18631)
 (who declares that he/she has received no notice)
 of revocation of the said Power) in the presence of:)

STEPHEN BUGG
Business Banking Manager

Signed by **REDLANDS TRADING PTY LTD (ACN 122 571 028)**)
 by authority of its Directors)
 in accordance with Section 127 of the Corporations Act:)

Timothy Henry Jenkins
 (Director)

Susan Jenkins
 (Director/Secretary)

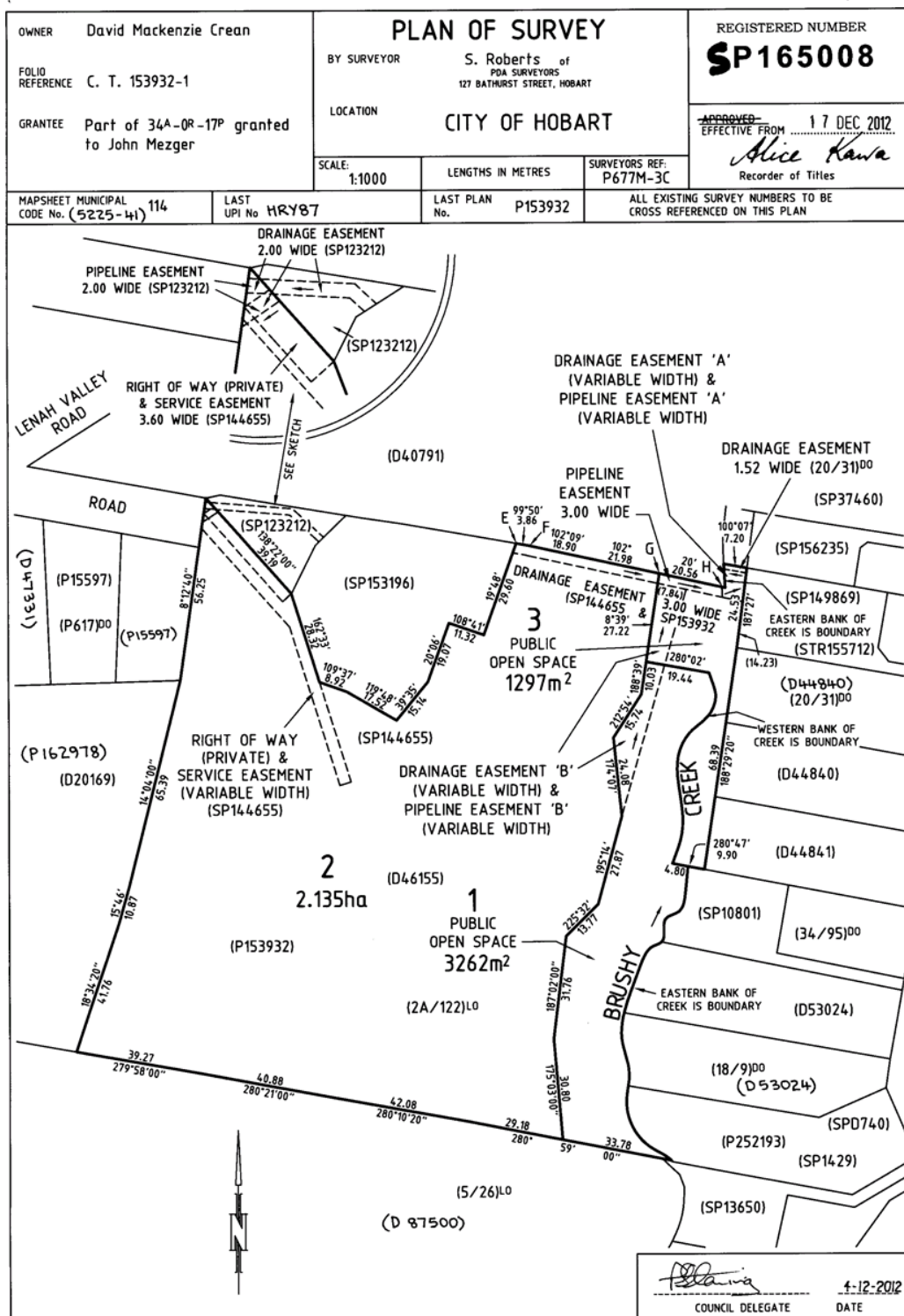
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FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP165008

PAGE 1 OF 7 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS

Lot 3 is subject to a Drainage Easement (as defined) in gross in favour of the Hobart City Council over the DRAINAGE EASEMENT 'A' (VARIABLE WIDTH) and DRAINAGE EASEMENT 'B' (VARIABLE WIDTH) on the Plan.

Lot 3 is subject to a Southern Water Pipeline Easement (as defined) in gross in favour of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited over the PIPELINE EASEMENT 'A' (VARIABLE WIDTH) and PIPELINE EASEMENT 'B' (VARIABLE WIDTH) on the Plan.

Lot 1 is subject to a Drainage Easement (as defined) in gross in favour of the Hobart City Council over the DRAINAGE EASEMENT 'B' (VARIABLE WIDTH) on the Plan.

Lot 1 is subject to a Southern Water Pipeline Easement (as defined) in gross in favour of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited over the PIPELINE EASEMENT 'B' (VARIABLE WIDTH) on the Plan.

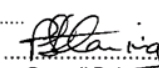
Lot 2 is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 123212 over the DRAINAGE EASEMENT 2.00 WIDE on the Plan.

Lot 2 is subject to a right of carriageway appurtenant to Lot 1 on Sealed Plan 123212 over the RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT 3.60 WIDE on the Plan.



 David Mackenzie Crean

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: David Mackenzie Crean FOLIO REF: 153932/1 SOLICITOR & REFERENCE: David Shelley (DAS 121609)	PLAN SEALED BY: Hobart City Council DATE: 4-12-2012 620-20 REF NO.	 Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.		

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 2 OF 7 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP165008</p>
<p>SUBDIVIDER: David Mackenzie Crean</p> <p>FOLIO REFERENCE: 153932/1</p>	

Lot 2 is subject to a Pipeline Easement (more particularly defined in SP123212) appurtenant to Lot 1 on Sealed Plan 123212 over the PIPELINE EASEMENT 2.00 WIDE on the Plan.

Lot 2 is together with a right of drainage over the Drainage Easement 2.00 wide shown on Plan 153932. & shown on the Plan.

Lot 2 is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 144655 over the DRAINAGE EASEMENT 3.00 WIDE 'FG' on the Plan.

Lot 3 is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 144655 over the DRAINAGE EASEMENT 3.00 WIDE 'GH' on the Plan.

Lot 3 is subject to a Southern Water Pipeline Easement (as defined) in gross in favour of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited over the PIPELINE EASEMENT 3.00 WIDE on the Plan.

Lot 2 is subject to a right of carriageway appurtenant to Lot 1 on Sealed Plan 144655 over the RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) and RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT 3.60 WIDE on the Plan.

Lot 2 is subject to a Service Easement (more particularly described in SP144655) appurtenant to Lot 1 on Sealed Plan 144655 over the RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT 3.60 WIDE and RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) on the Plan.

Lot 2 is subject to a right of drainage appurtenant to Lot 2 on Sealed Plan 153196 over the DRAINAGE EASEMENT 3.00 WIDE 'EF' on the Plan.

EASEMENTS CONTINUED ON PAGE 7**FENCING PROVISION**

In respect of the Lots shown on the Plan, the Vendor (David Mackenzie Crean) shall not be required to fence.


.....
David Mackenzie Crean

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 7 PAGES	Registered Number SP165008
SUBDIVIDER: David Mackenzie Crean FOLIO REFERENCE: 153932/1	

COVENANTS

Lot 1, 2 and 3 on the Plan, which comprised Lot 1 on Plan 153932, are affected by the restrictive covenants set forth in instrument C663527.

DEFINITIONS

"Drainage Easement" means a right of drainage (including the right of construction of drains) for Hobart City Council with which the right shall be capable of enjoyment for the purpose of carrying away stormwater and other surplus water from any land over or under the land herein indicated as the land over which the right is to subsist, and through all sewers and drains which may hereafter be made or passing under, through, and along the last-mentioned land and the right for Hobart City Council and its employees, agents and contractors from time to time and at all times hereafter if it or they should think fit to enter into and upon the last-mentioned land and to inspect, repair, cleanse, and amend any such sewer or drain without doing unnecessary damage to the said land.

"Southern Water Pipeline Easement" means THE FULL RIGHT AND LIBERTY for Southern Water and its successors and employees, contractors, agents and all other persons duly authorised by it at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that Southern Water is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage and water through and along the Infrastructure;



 David Mackenzie Crean

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

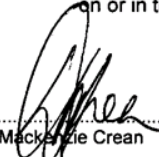


ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 7 PAGES	Registered Number SP 165008
SUBDIVIDER: David Mackenzie Crean FOLIO REFERENCE: 153932/1	

- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
- (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities, with or without machinery, vehicles, plant and equipment
- enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, Southern Water reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (1) The Owner must not without the written consent of Southern Water first had and obtained and only in compliance with any conditions which form the consent:
- (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
 - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
 - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
 - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;



 David Mackenzie Crean

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 7 PAGES	Registered Number SP165008
SUBDIVIDER: David Mackenzie Crean FOLIO REFERENCE: 153932/1	

- (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by Southern Water or its employees, contractors, agents and all other persons duly authorised by it; or
- (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) Southern Water is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
 - (a) the Owner must provide Southern Water with a key to any lock which would prevent the opening of the gate; and
 - (b) if the Owner does not provide Southern Water with that key or the key provided does not fit the lock, Southern Water may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to Southern Water of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, Southern Water may:
 - (a) reinstate the ground level of the Easement Land; or
 - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (c) replace any thing that supported, protected or covered the Infrastructure.

Interpretation:

In this definition of Southern Water Pipeline Easement:



 David Mackenzie Crean

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 7 PAGES	Registered Number SP165008
SUBDIVIDER: David Mackenzie Crean FOLIO REFERENCE: 153932/1	

"Easement Land" means the land which is subject to this easement.

"Infrastructure" means infrastructure owned or for which Southern Water is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (e) any thing reasonably required to support, protect or cover any of the Infrastructure;
- (f) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water through the Easement Land or monitoring or managing that activity; and
- (g) where the context permits, any part of the Infrastructure.

"Owner" means the registered proprietors of the Lot in the folio of the Register from time to time.

"Southern Water" means Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited.

.....
David Mackenzie Crean

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 7 OF 7 PAGES	Registered Number SP165008
SUBDIVIDER: David Mackenzie Crean FOLIO REFERENCE: 153932/1	

Signed by **DAVID MACKENZIE CREAN** as registered proprietor
of the land comprised in Folio of the Register Volume 153932
Folio 1 in the presence of:

Witness Signature

ROY ADAIR

Witness Print Name

CEO
Witness Occupation

1, SECHERON ROAD
Witness Address BATTERY POINT,
TASMANIA

EASEMENTS CONTINUED

Lot 2 on the Plan is subject to a right of drainage (appurtenant to Lot 1 on SP144655)
over the Drainage Easements 2.00 wide shown passing through such lot.

Lot 3 on the Plan is subject to a right of drainage in gross in favour of the Hobart City
Council over the Drainage Easement 1.52 wide shown passing through such lot.

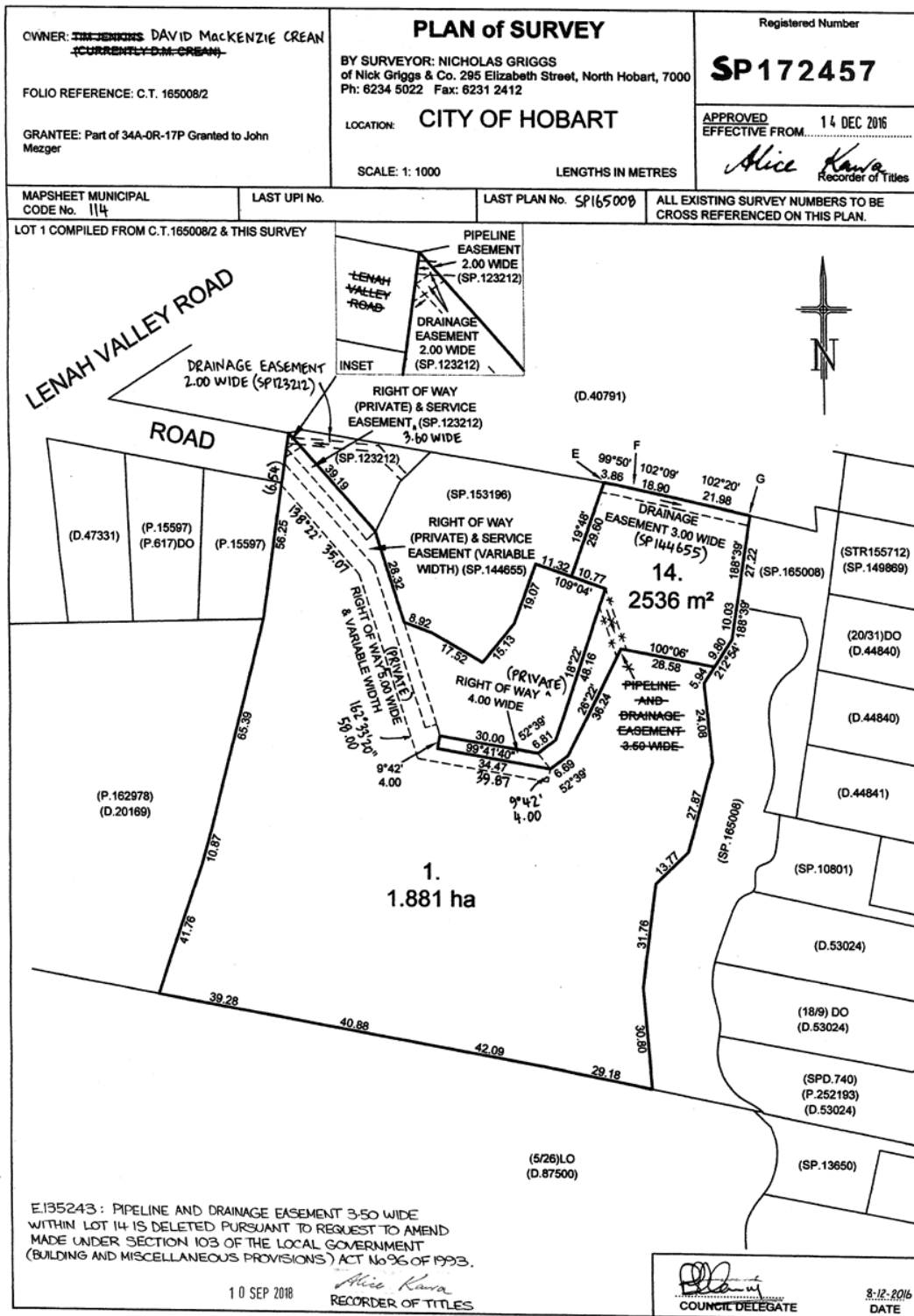
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FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 172457

EASEMENTS AND PROFITS

PAGE 1 OF 6 PAGES

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EXISTING EASEMENTS CARRIED FORWARD FROM SEALED PLAN 165008

Lot 1 on the plan is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 123212 over the strips of land marked DRAINAGE EASEMENT 2.00 WIDE ~~and PIPELINE EASEMENT 2.00 WIDE~~ on the plan.

Lot 1 on the plan is subject to a right of carriage way appurtenant to Lot 1 on Sealed Plan 123212 over the strip of land marked RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT_A (SP. 123212) on the plan.

3.60 wide

Lot 1 on the plan is subject to a pipeline easement (more particularly defined in Sealed Plan 123212) appurtenant to Lot 1 on Sealed Plan 123212 over the strips of land marked PIPELINE EASEMENT 2.00 WIDE ~~and DRAINAGE EASEMENT 2.00 WIDE~~ on the plan.

Lots 1 and 14 on the plan are together with a right of drainage over the DRAINAGE EASEMENT 2.00 WIDE shown on plan 153932 & shown on the Plan.

Lot 14 on the plan is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 144655 over the strip of land marked DRAINAGE EASEMENT 3.00 WIDE 'FG' on the plan.

Lot 1 on the plan is subject to a right of carriage way appurtenant to Lot 1 on Sealed Plan 144655 over the strips of land marked RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) (SP. 144655) and RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT_A (SP. 123212) on the plan.

3.60 wide

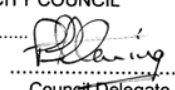
Lot 1 on the plan is subject to a service easement (more particularly described in SP 144655) appurtenant to Lot 1 on Sealed Plan 144655 over the strips of land marked RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) (SP. 144655) and RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT_A (SP. 123212) on the plan.

3.60 wide

Lot 1 on the plan is subject to a right of drainage appurtenant to Lot 1 on Sealed Plan 144655 over the strips of land marked DRAINAGE EASEMENT 2.00 WIDE ~~and PIPELINE EASEMENT 2.00 WIDE~~ on the plan.

Lot 14 is subject to a right of drainage appurtenant to Lot 2 on Sealed Plan 153196 over the strip of land marked DRAINAGE EASEMENT 3.00 WIDE "EF" on the plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REF: 165008/2 SOLICITOR & REFERENCE: LNG 1601330	PLAN SEALED BY: HOBART CITY COUNCIL DATE: 8-12-2016 820.20 STR-16:24... REF NO.
 Council Delegate	
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 6 PAGE/S 6	Registered Number SP 172457
SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REFERENCE: 165008/2	

Right of drainage and pipeline easement hereon deleted by me pursuant to Request to Amend No. E135243 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

NEW EASEMENTS CREATED

Alice Kawa 10 SEP 2018
Recorder of Titles Date

~~Lot 14 on the plan is subject to a right of drainage and a Pipeline Easement (as hereinafter defined) appurtenant to Lot 1 on the plan over the strip of land marked PIPELINE AND DRAINAGE EASEMENT 3.50 WIDE on the plan.~~

~~Lot 1 on the plan is together with a right of drainage and a Pipeline Easement (as hereinafter defined) over the strip of land marked PIPELINE AND DRAINAGE EASEMENT 3.50 WIDE shown passing through Lot 14 on the plan.~~

Lot 1 on the plan is subject to a right of carriage way appurtenant to Lot 14 on the plan over the strips of land marked RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) (SP. 144655), RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (SP. 123212) and RIGHT OF WAY, 5.00 WIDE & VARIABLE WIDTH on the Plan. 3.60 wide (Private)

Lot 14 on the plan is together with a right of carriage way over the strips of land marked RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (VARIABLE WIDTH) (SP. 144655), RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT (SP. 123212) and RIGHT OF WAY, 5.00 WIDE & VARIABLE WIDTH shown passing through Lot 1 on the plan. 3.60 wide (Private)

Lot 14 on the plan is subject to a right of carriage way appurtenant to Lot 1 on the plan over the strip of land marked RIGHT OF WAY, 4.00 WIDE on the plan. (Private)

Lot 1 on the plan is together with a right of carriage way over the strip of land marked RIGHT OF WAY, 4.00 WIDE shown passing through Lot 14 on the plan. (Private)

EXISTING COVENANTS CARRIED FORWARD FROM INSTRUMENT CREATING RESTRICTIVE COVENANTS C663527

The lots on the plan are affected by the restrictive covenant set forth in instrument C663527.

NEW COVENANTS CREATED

The owner or owners for the time being of Lot 14 on the plan covenant with the Hobart City Council to the intent that the burden of these covenants may run with and bind the covenanted lot and every part thereof and that the benefit thereof shall benefit the Hobart City Council to observe the following stipulations:

- (a) Not to undertake any further development (as defined in the *Land Use Planning Approvals Act 1993*) on Lot 14 until Lot 14 is connected to sewerage and stormwater infrastructure;
- (b) Not to construct, erect or place or permit to be constructed, erected or placed any dwelling, building or structure within 20 metres of the northern boundary of Lot 14 without the prior written approval of the Hobart City Council;

Signed by DAVID MACKENZIE CREAN

[Signature]

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 6 PAGE/S	Registered Number SP 172457
SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REFERENCE: 165008/2	

- (c) Not to breach, or allow to be breached, any landscape plan approved by the Hobart City Council in accordance with condition 3 of Planning Permit PLN-11-00457-01 and not to allow any vegetation required to be maintained under the landscape plan to be lost without it being replaced with a similar species.

NEW FENCING PROVISION CREATED

In respect to the lots on the plan neither, David Mackenzie Crean or Redlands Trading Pty Ltd shall be required to fence. the Vendor

INTERPRETATION

Pipeline Easement means THE FULL AND FREE RIGHT for any person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every other person authorised by such person to the uninterrupted passage of water, sewerage and other services to and from the land herein indicated as the dominant tenement through over and along the pipes, drains, mains, channels, gutters, watercourses, sewers and all other conducting media which are now or are to be laid in over or under the servient land for the use and enjoyment of the land herein indicated as the dominant tenement but not for any other purpose together with THE FULL AND FREE RIGHT for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof which with the right shall be capable of enjoyment, and every other person authorised by such person to enter on the servient land with or without workmen materials and specialist services for the purposes of laying, installing, repairing, maintaining, renewing, and relaying or removing any such pipes, drains, mains, channels, gutters, watercourses, sewers and all other conducting media the person exercising such right causing as little damage and inconvenience as reasonably practicable in so doing and making good immediately any damage caused to the servient land.

Signed by **DAVID MACKENZIE CREAN**
in the presence of:

WITNESS SIGN:

FULL NAME:

ADDRESS:

[Signature]
DIANE SCHASSAR
Level 2, 179 Murray St
HOBART TAS 7000

Signed by **DAVID MACKENZIE CREAN**

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 4 OF 6 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP 172457</p>
<p>SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REFERENCE: 165008/2</p>	

Additional New Easements created in Gross

Lot 14 on the Plan (the "Lot") is SUBJECT TO a **PIPELINE AND SERVICES EASEMENT** in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assignors ("TasWater") over the strip of land marked PIPELINE AND DRAINAGE EASEMENT 3.50 WIDE on the plan ("the Easement Land").

Lot 14 on the Plan is SUBJECT TO a right of drainage in gross in favour of the Hobart City Council over the strip of land marked PIPELINE AND DRAINAGE EASEMENT 3.50 WIDE on the Plan ("the Easement Land").

Interpretation;

PIPELINE AND SERVICES EASEMENT is defined as follows:-

THE FULL RIGHT AND LIBERTY for the Taswater at all times to:

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;
- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (1) without doing unnecessary damage to the Easement Land; and
 - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for

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**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 5 OF 6 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP 172457</p>
<p>SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REFERENCE: 165008/2</p>	

the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and

- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
- (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
 - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
 - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
 - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
 - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or

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<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 6 OF 6 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP 172457</p>
<p>SUBDIVIDER: DAVID MACKENZIE CREAN FOLIO REFERENCE: 165008/2</p>	

- (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
- (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
 - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
- (a) reinstate the ground level of the Easement Land; or
 - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (c) replace any thing that supported, protected or covered the Infrastructure.

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FOLIO PLAN

REORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER DAVID MacKENZIE CREAN FOLIO REFERENCE C.T. 123256 / 1 GRANTEE Part of 34.0.17, granted to John Mezger	<h2 style="margin: 0;">PLAN OF SURVEY</h2> BY SURVEYOR Anthony Owen Carrick Brooks Lark & Carrick, Surveyors 175 Collins Street Hobart LOCATION <h3 style="margin: 0;">City of Hobart</h3> SCALE: 1:500	REGISTERED NUMBER <h1 style="margin: 0;">SP144655</h1> APPROVED - 7 OCT 2005 EFFECTIVE FROM <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114 (5225-41)	LAST UPI No. FD543	LAST PLAN NO. P123256
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		

1.
3519m²

(D40791)

(P. 144657)

(SP123212)

(P15597)

(P. 144657)
(P123256)

Planning 5/9/2005
COUNCIL DELEGATE

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 144655

PAGE 1 OF 1 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
 (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
 (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 1 on the Plan is:-

Together with a Right of carriage way over the Rights of Way ("Private") marked "A" (Variable Width) and 3.60 wide on the Plan.

Together with a Right of drainage over the Drainage Easements 2.00 wide and 3.00 wide shown on the Plan.

Together with a Service Easement (as herein defined) over the Service Easements 3.60 wide and (Variable Width) shown on the plan.

Service Easement means:-

The right for the owner for the time being of Lot 1 on the plan with or without workers, agents, contractors or representatives of Hobart City Council, Telstra Corporation Limited or Aurora Energy Pty Ltd or any

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: D. M. Crean	PLAN SEALED BY: Hobart City Council
FOLIO REF: 123256/1	DATE: 5TH SEPTEMBER 2005
SOLICITOR & REFERENCE: Page Seager Mr. R. Brown	62012 REF NO. Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGES	Registered Number SP144655
SUBDIVIDER: D. M. Crean FOLIO REFERENCE: 123256/1	

person, corporation or statutory body which provides services similar to or in substitution for the aforementioned Hobart City Council, Telstra Corporation Limited or Aurora Energy Pty Ltd to lay and maintain pipes valves and fittings for the passage of water, drainage or sewerage and waste products and to install telecommunications cables with such ancillary items as may be necessary for the provisions of telecommunication services of any type and also to install cables, wires and such ancillary items as may be necessary for the provision of electrical power or energy to such lot together also with the right to enter upon such Service Easements for such purposes and the right to inspect, cleanse, repair, replace or renew all such items and ancillary items as may be necessary in, under, above and upon the pieces of land marked Service Easement on the plan.

Fencing Provision:-

In respect to the Lot shown on the Plan the Vendor (David McKenzie Crean) shall not be required to fence.

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 3 PAGES	Registered Number SP144655
SUBDIVIDER: D. M. Crean FOLIO REFERENCE: 123256/1	

Signed by **DAVID MacKENZIE CREAN**)
 the registered proprietor of the land in Folio)
 of the Register Volume 123256 Folio 1 in the)
 presence of:)

R. A. Brown
R. A. Brown
LAWYER
162 Macquarie St
Hobart

Executed by **AUSTRALIA AND NEW**)
ZEALAND BANKING GROUP LIMITED)
 As Mortgagee pursuant to Mortgage Nos)
 C125831 and C125832 by its duly Constituted)
 Attorney whose name appears opposite under the)
 Provisions of Power of Attorney No.68/7581)
 And who hereby certifies that no notice of revocation)
 Thereof has been received in the presence of:)

EXECUTED BY
 AUSTRALIA AND NEW ZEALAND
 BANKING GROUP LIMITED by BEING
 Signed by its Attorney **AUSTRALIA AND NEW ZEALAND**
Stephen Noel Miller **BANKING GROUP LIMITED**
 (who hereby certifies that By its Attorney
 he has received no notice
 of revocation of POWER
 OF ATTORNEY NO. 68/7581
 under which this instrument
 is signed in the presence of
[Signature]
 Bank Officer, 40 Elizabeth Street, Hobart

[Signature]
 Name: *[Signature]*
 Date: *[Signature]*
 Title: *[Signature]*

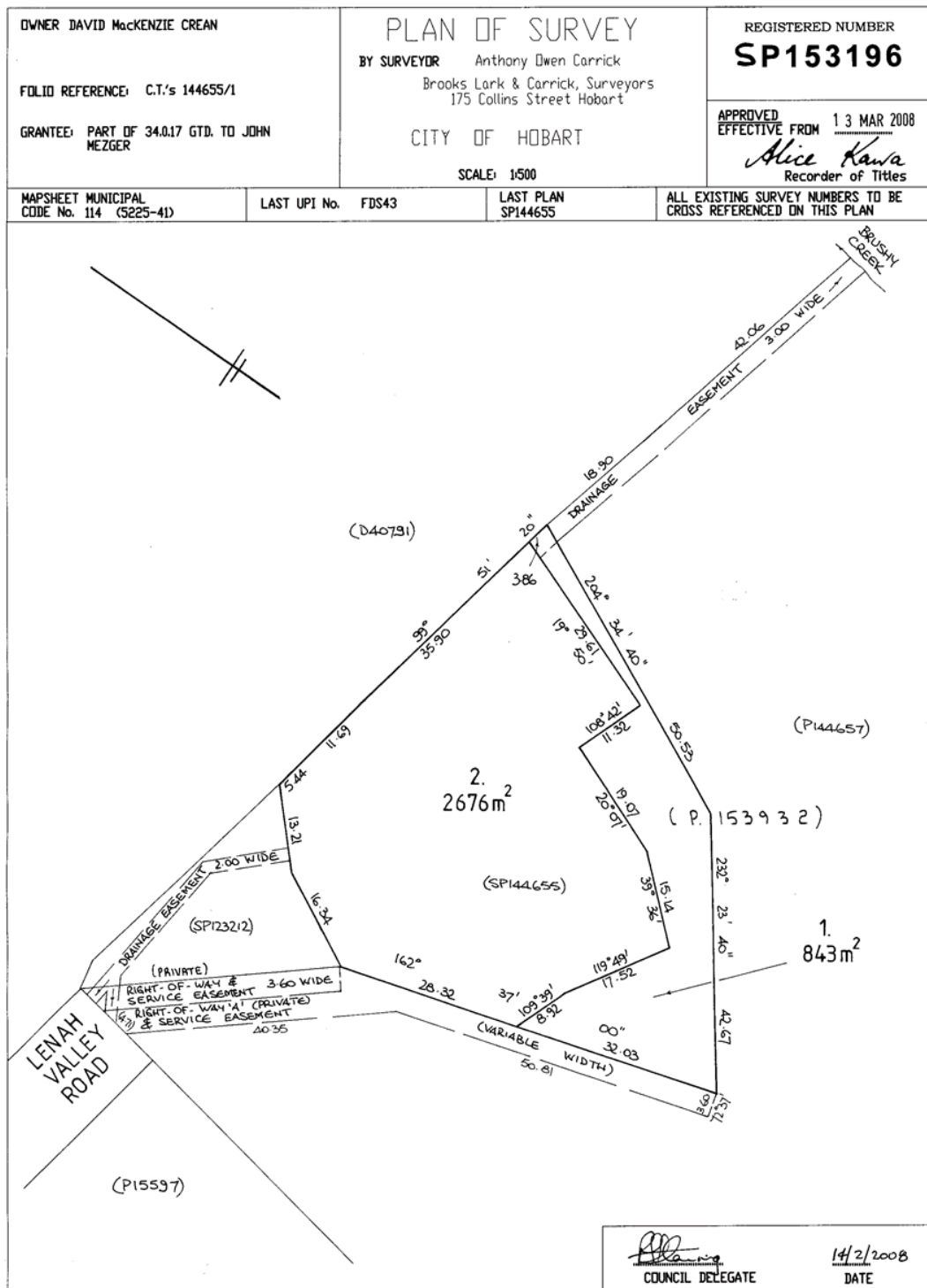
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FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 153196

PAGE 1 OF 2 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 2 on the Plan is:-

Together with a Right of carriage way over the Rights of Way ("Private") marked "A" (Variable Width) and 3.60 wide on the Plan.

Together with a Right of drainage over the Drainage Easements 2.00 wide and 3.00 wide shown on the Plan.

Together with a Service Easement (as herein defined) over the Service Easements 3.60 wide and (Variable Width) shown on the plan.

Lot 1 on the Plan is:-

Subject to a Right of drainage as appurtenant to Lot 2 over the Drainage Easement 3.00 wide. shown passing through such lot.

Service Easements means:-

The right for the owner for the time being of Lot 2 on the plan with or without workers, agents, contractors or representatives of Hobart City Council, Telstra Corporation Limited or Aurora Energy Pty Ltd or any

D. M. Crean

ANZ Attorney

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: D. M. Crean

FOLIO REF: 133256/1

SOLICITOR

& REFERENCE: Page Seager - Ray Brown

PLAN SEALED BY: Hobart City Council

DATE: 14/2/2008

620-12

REF NO.

Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 2 PAGES	Registered Number SP 153 196
SUBDIVIDER: D. M. Crean FOLIO REFERENCE: 123256/1 <i>146655</i>	

person, corporation or statutory body which provides services similar to or in substitution for the aforementioned Hobart City Council, Telstra Corporation Limited or Aurora Energy Pty Ltd to lay and maintain pipes valves and fittings for the passage of water, drainage or sewerage and waste products and to install telecommunications cables with such ancillary items as may be necessary for the provisions of telecommunication services of any type and also to install cables, wires and such ancillary items as may be necessary for the provision of electrical power or energy to such lot together also with the right to enter upon such Service Easements for such purposes and the right to inspect, cleanse, repair, replace or such items and ancillary items as may be necessary in, under, above and upon the pieces of land marked Service Easement on the plan.

Fencing Provision:-

In respect to Lot 2 shown on the Plan the Vendor (David McKenzie Crean) shall not be required to fence.

Signed by **DAVID MACKENZIE CREAN**)
 the registered proprietor of the land in Folio)
 of the Register Volume 123256 Folio 1 in the)
 presence of:)

162 Regency St Hobart

Executed by **AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED**)

As Mortgagee pursuant to Mortgage Nos C5831 and C125832)

Attorney whose name appears opposite under the Provisions)

No.68/7581 and who hereby certifies that no notice of revocation of this)

in the presence of:

EXECUTED BY
 AUSTRALIA AND NEW ZEALAND
 BANKING GROUP LIMITED BY BEING
 Signed by **STEPHEN NOEL MILLER** AUSTRALIA AND NEW ZEALAND
 BANKING GROUP LIMITED
 he has received no notice
 of revocation of POWER
 OF ATTORNEY NO. PA9653
 under which this instrument
 is signed) in the presence of:
ALLAN BATCHELOR
 Bank Officer, 40 Elizabeth Street, Hobart

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

TASMANIAN LAND TITLES OFFICE

Instrument Creating
Restrictive Covenants in Gross
Section 102 Land Titles Act 1980.

C663527

DESCRIPTION OF LAND			
Servient Folio/s of the Register			
Volume	Folio	Volume	Folio
123256	1	Title for the Balance thereof to issue following acceptance of Sealed Plan No. 44655 lodged herewith	

I/We David MacKenzie Crean
of 270 Lenah Valley Road, Lenah Valley in Tasmania
being the registered proprietor/s of the land comprised in the above servient folio/s of the Register (herein
called the servient land) hereby covenant/s with The Hobart City Council
of
to the intent that the burden of the covenant/s may run with and bind each and every part of, the servient
land and that the benefit thereof may be created in favour of Hobart City Council
to observe the following stipulations:- contained in attached Annexure Page.
1.

In witness whereof we David MacKenzie Crean
~~and~~
have hereunto this day set our hands and seals
Dated this 5th day of SEPTEMBER ~~xxx~~ 2005

Signed sealed and delivered by
~~in the presence of~~ David MacKenzie
Crean in the presence of:

P.A. Brown
P.A. Brown - Lawyer
162 Macquarie St Hobart

Signed sealed and delivered by
in the presence of

Land Titles Office Use Only

CIG



THE BACK OF THIS FORM MUST NOT BE USED

Stamp Duty

PIN OR STAPLE HERE
DO NOT GUM THIS
FORM TO THE INSTRUMENT

ANNEXURE PAGE

PAGE 1 OF 1 PAGES
Vol.123256 Fol. 1

Restrictive Covenants

1. Not without the written consent of the Hobart City Council to undertake any development on such land which could preclude the future extension of any road. The area is that shown on the attached plan labelled 'proposed future road access' and shown hatched.
2. Not without the written consent of the Hobart City Council to erect or permit to be erected on such land any building or structure or carry out any landscaping that may change the contours of such land or restrict the free flow of water over such land or cause erosion within 20 metres of the centreline of Brushy Creek.

Signed Sealed and Delivered by

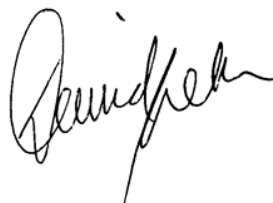
DAVID MACKENZIE CREAN

the registered proprietor of the land in Folio
of the Register Volume 123256 Folio 1 in the
presence of:



*R. A. Brown - LAMULE
162 Macquarie St Hobart*

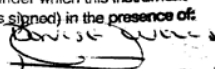
)
)
)
)
)



Executed by **AUSTRALIA AND NEW**

ZEALAND BANKING GROUP LIMITED

As Mortgagee pursuant to Mortgage Nos
C125831 and C125832 by its duly Constituted
Attorney whose name appears opposite under the
provisions of Power of Attorney No. 68/7581
and who hereby certifies that not notice of revocation
thereof has been received in the presence of:

EXECUTED BY
AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED by BEING
Signed by its Attorney
STEPHEN NEAL
(who hereby certifies that
he has received no notice
of revocation of POWER
OF ATTORNEY NO. 68/7581
under which this instrument
is signed) in the presence of:

Bank Officer, 40 Elizabeth Street, Hobart

)

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Version 1

THE BACK OF THIS PAGE MUST NOT BE USED

14-04-'05 10:26 FROM-HCC City Services

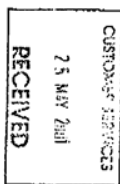
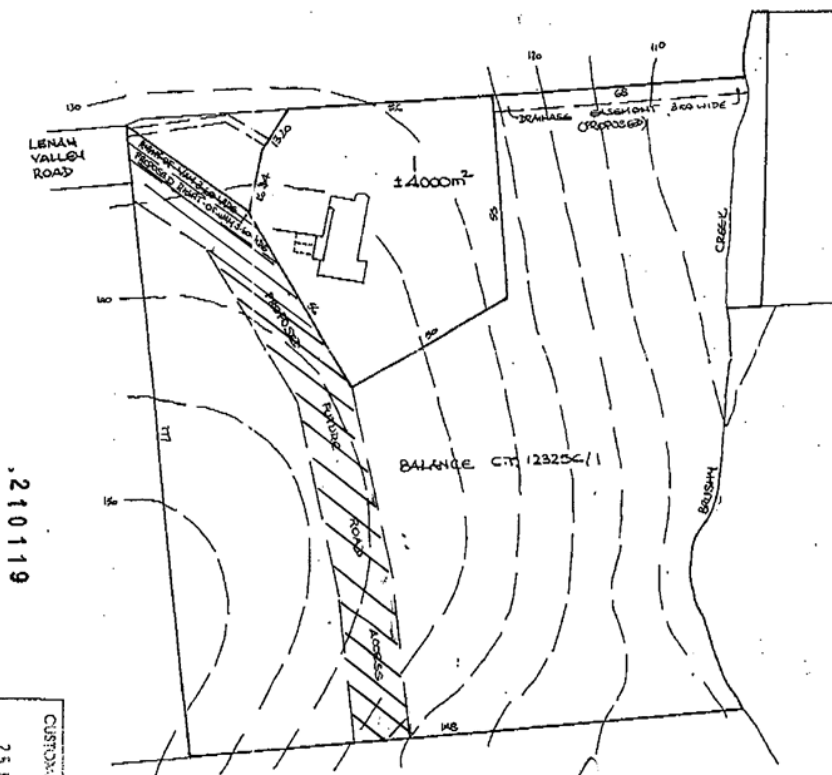
62349757

T-805 P002/002 F-250

Owner: David Mackenzie CREAN	Brooks Lark & Carrick LAND & ENGINEERING SURVEYORS 175 Collins Street Hobart 7000 Telephone:(03) 62 311333 Fax:(03) 62 312493 Email address: blcarrick@h130.aone.net.au	
Folio Reference: C.T. 123256-1		
Grantee: Part of 34.0.17, gtd. to John Mezger		
Date: May 23rd 2001 UPR#: 2107133		
SCALE: 1:1000	Measurements in Metres	Council: HOBART

PROPOSED SUBDIVISION

(* REDUCED COPY *)



(1) This Plan was prepared for the purpose and exclusive use of for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation. Brooks Lark & Carrick accept no responsibility for any loss or damage suffered by any person or corporation who may use or rely on this plan in contravention of the terms of this clause.

(2) The contours on this plan are suitable only for the purpose of this plan. No reliance should be placed upon such contours other than for the purpose of this application for subdivisional approval.

(3) Measurements and areas are subject to Final Survey.

(4) This plan may not be copied unless this note is included.



Enquiries to: Jill Hickie and Emily Burch

☎: (03) 6238 2887 / 2108

✉: coh@hobartcity.com.au

5506975R; 620

DA-18-34755

EB:JAH

25 July 2018

Via Email: tim@learyandcox.com

Dear Tim

**NOTICE OF LAND OWNER CONSENT TO
LODGE A PLANNING APPLICATION**

Site Address: 269 Lenah Valley Road, Lenah Valley (New Town
Rivulet Linear Park) and Lenah Valley Road
Highway Reservation at 306A Lenah Valley Road

Description of Proposal: Stormwater infrastructure for 306A Lenah Valley
Road 21 Lot Subdivision within 269 Lenah Valley
Road and Lenah Valley Road Highway Reservation

Intersection work on Lenah Valley Road Highway
Reservation to the new subdivision road

Applicant Name: Tim Cox (Leary and Cox)

PLN: PLN-18-82

I write to advise that pursuant to Section 52 of the *Land Use Planning and Approvals Act 1993*, I grant my consent on behalf of the Hobart City Council as the owner/administrator of the above land for you to make application to the City for a planning permit for the development described above and as per the attached documents.

Please note that the granting of the consent is only for the making of the application and in no way should such consent be seen as prejudicing any decision the Council is required to make as the statutory planning authority or as the owner/administrator of the land.

Yours faithfully


(N D Heath)
GENERAL MANAGER

Attachment: Land Owner Consent

City of **HOBART**5506975R; 620
DA-18-34755
EB:JAH**LAND OWNER CONSENT TO
LODGE A PLANNING APPLICATION**

Site Address: **269 Lenah Valley Road, Lenah Valley (New Town Rivulet Linear Park) and Lenah Valley Road Highway Reservation at 306A Lenah Valley Road**

Description of Proposal: **Stormwater infrastructure for 306A Lenah Valley Road 21 Lot Subdivision within 269 Lenah Valley Road and Lenah Valley Road Highway Reservation**
Intersection work on Lenah Valley Road Highway Reservation to the new subdivision road

Applicant Name: **Tim Cox (Leary and Cox)**

PLN: **PLN-18-82**

The land indicated above is owned or is administered by the Hobart City Council.

The applicant proposes to lodge an application for a permit, pursuant to the *Land Use Planning and Approvals Act 1993*, in respect to the proposal described above.

Part or all of the application proposes use and/or development on land owned or administered by the City located at 269 Lenah Valley Road, Lenah Valley (New Town Rivulet Linear Park) and Lenah Valley Road Highway Reservation at 306A Lenah Valley Road (as shown on the attached plans).

Being and as General Manager of the Hobart City Council, I provide written permission to the making of the application pursuant to Section 52(1B)(b) of the *Land Use Planning and Approvals Act 1993*.

(N D Heath)
GENERAL MANAGER

Date: 31/7/18

This consent is for the making of a planning application only, and does not constitute landlord consent for the development to occur.

Attachments/Plans: **306A Lenah Valley Road PLN-18-82 request for LLC for stormwater infrastructure developer letter and plans**

Engineering · Renewable Energy · Project Management

**AD Design &
Consulting**

9/07/2018

City of Hobart
Roads and Park Unit
coh@hobartcity.com.au

Attention: General Manager City of Hobart

Dear Sir,

**RE: APPLICATION NO. PLN1882 - 21 LOT SUBDIVISION - 306A LENA VALLEY ROAD, LENA VALLEY
GENERAL MANAGER'S CONSENT FOR WORKS WITHIN LENA VALLEY ROAD RESERVE AND NEW
TOWN RIVULET LINEAR PARK.**

I would like to request the consent from the General Manager of the Hobart City Council, to undertake works within Lenah Valley Road Reserve and New Town Rivulet Linear Park.

Works within Lenah Valley Road Reserve:

It is proposed to construct a new intersection onto Lenah Valley Road to provide access to service the development. The location of the intersection is consistent with the positioning of the current access into 306A Lenah Valley Road (between lot 318A and 314). Please refer to AD Design and Consulting drawing C030 for further details.

Works to facilitate a new stormwater culvert under Lenah Valley Road is also required. This stormwater main is necessary to drain flows from the development into New Town Rivulet. The works are located at the proposed intersection for the development. The main crosses Lenah Valley Road and continues within council land between lot 313 and 317, discharging at New Town Rivulet. Please refer to AD Design and Consulting drawings C030 and C032 for further details.

Works within New Town Rivulet Linear Park:

It is proposed that a new stormwater main is constructed from the development to New Town Rivulet to facilitate stormwater drainage from the site. Part of this works requires the installation of a new main and headwall within the New Town Rivulet Linear Park. The headwall will be positioned adjacent to the rivulet's embankment between lot 317 and 313. The alignment for the proposed stormwater main utilizes the available council land between lot 317 and 313 Lenah Valley Road and is the most direct path to the Rivulet. The existing infrastructure was not able to be utilized in this case due to the capacity of the existing infrastructure. The existing DN300 stormwater main within the same corridor will be abandoned and its flows diverted to the new main. Please refer to AD Design and Consulting's drawings C030 and C032 for further details.

Should you have any further queries, please contact me on the telephone number or email noted below.

Engineering · Renewable Energy · Project Management

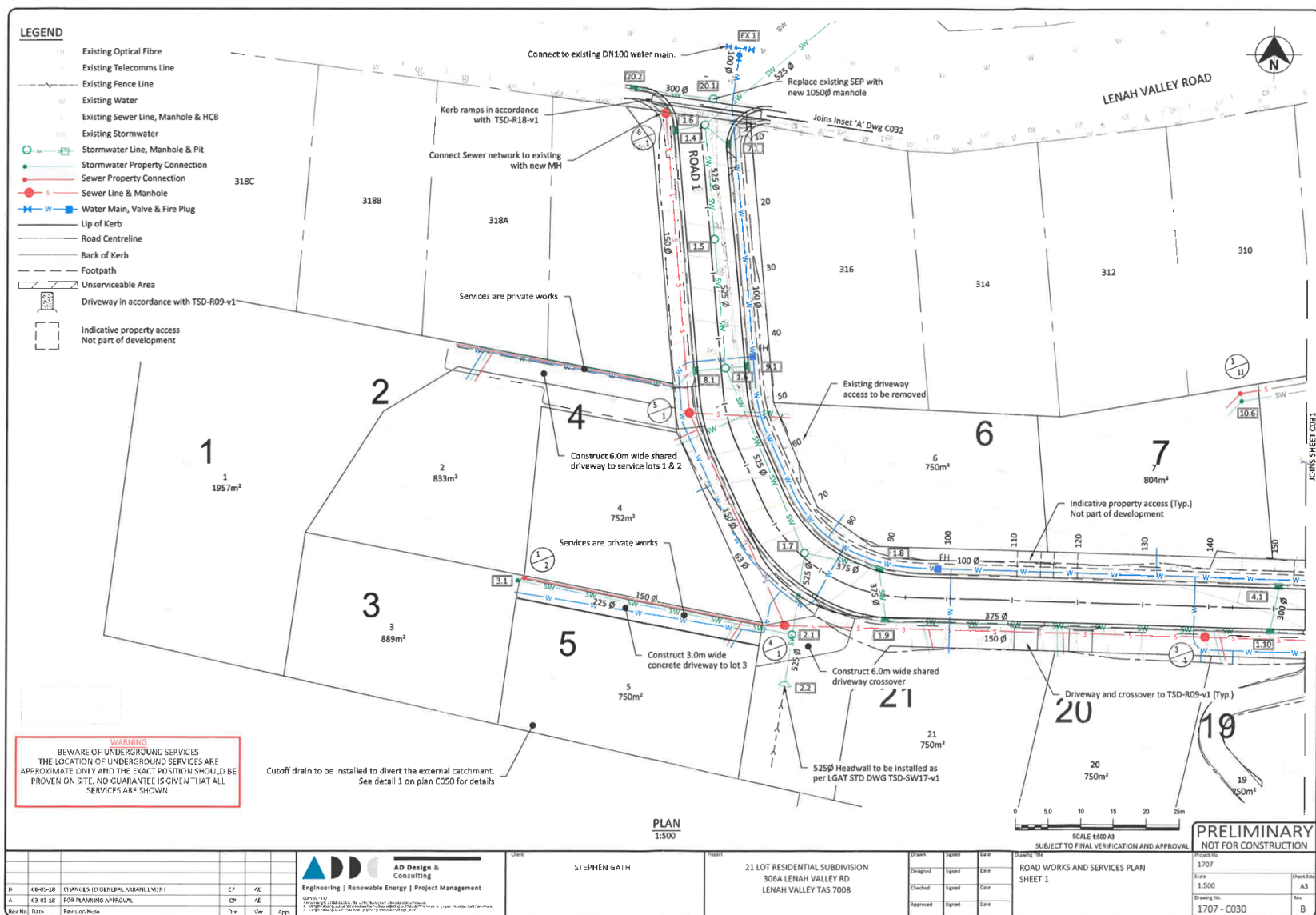


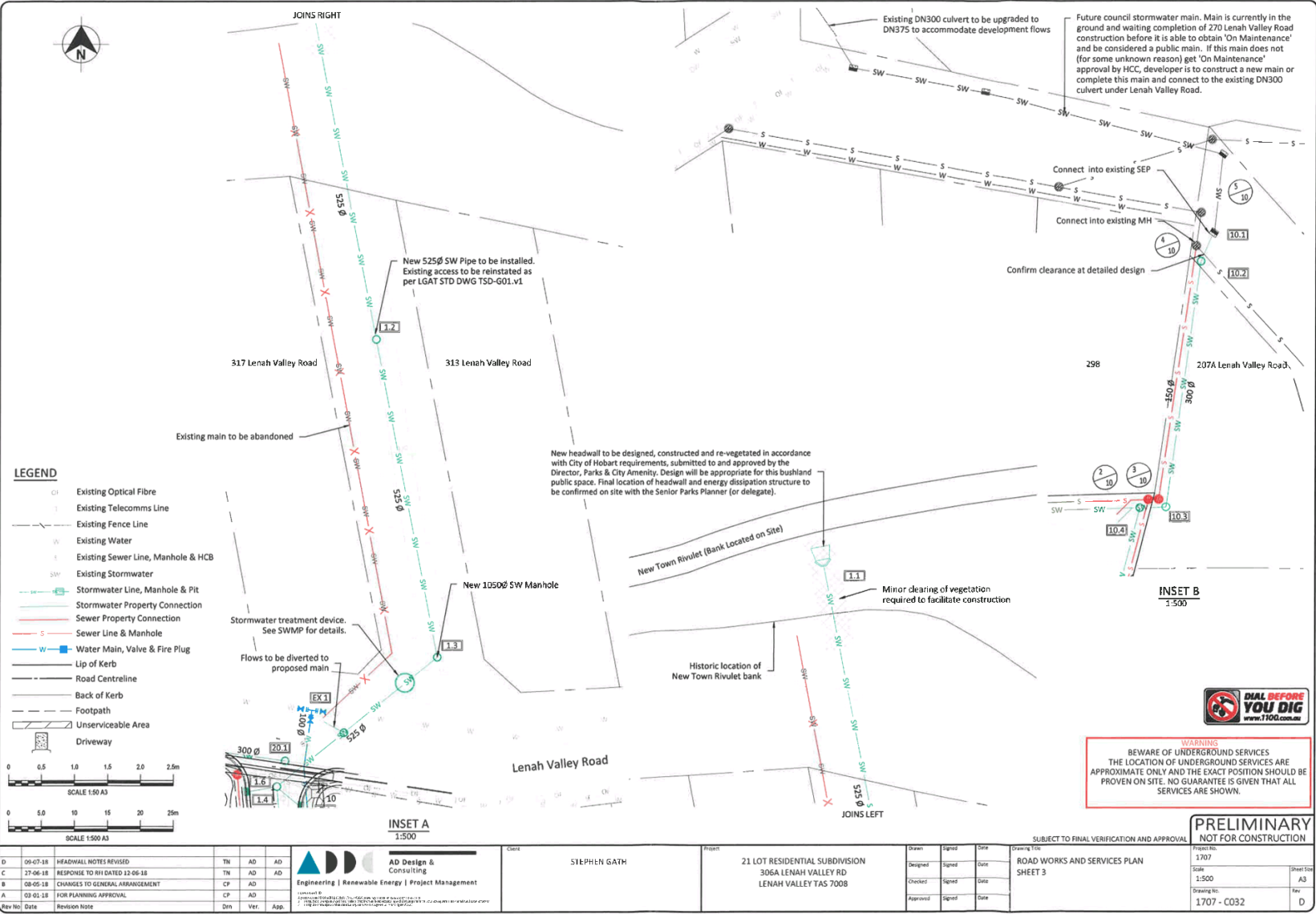
**AD Design &
Consulting**

Yours sincerely,

Tom Norman
Civil Engineer

AD Design & Consulting Pty Ltd
tom@addconsulting.com.au
0402 592 454







16 February 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

APPLICATION FOR PLANNING PERMIT: SUBDIVISION OF 306A LENA VALLEY ROAD

Lodged herewith in the HCC planning application portal, please find the following documents:

- Existing Title and Title Plans
- Subdivision Proposal Plan
- Concept Servicing Plan
- Traffic Impact Assessment
- Bushfire Management Plan

Appended to this letter are the following emails for your reference:

- Email from Andrew Welling (Enviro-dynamics) advising that a Natural Values Assessment should not be required
- Email from Wei Ting (HCC) providing pre-application engineering advice

Lot Design and Planning Scheme Compliance

Lots 6-16 and 18-21 all meet the acceptable solutions of Hobart Interim Planning Scheme 10.6.1 A1-A4 with the exception of the frontage of lots 11-15. These frontages are constrained by the cul-de-sac in length, but meet the performance criteria 10.6.1 P3.

I note that the grade of the site requires a minimum lot size of 750m²

Lot 17 has an area greater than the acceptable solution set out in 10.6.1 A1 but meets the performance criteria P1 as follows:

- a) The site is constrained by the existence of an established house and associated landscaping and infrastructure. The lot has been designed to encompass existing earthworks associated with the residence.
- b) There are no Local Area Objectives or Desired Future Character Statements for this zone

Lots 1-5 meet the acceptable solutions of Hobart Interim Planning Scheme 10.6.1 A1-A4 with the exception of lots 1-3. Lots 1-3 are internal lots and do not meet the acceptable solution 10.6.1 A4.

Lots 1-3 meet the performance criteria 10.6.1 P4 as follows:

- a) The narrow shape of the western end of the existing parcel, CT.162978, creates a situation whereby a full width road reserve and cul-de-sac would be unfeasible. Site constraints therefore make an internal lot configuration the only reasonable option to efficiently utilise this portion of the land.
- b) See (a) above
- c) See (a) above
- d) See (a) above
- e) The amenity of neighbouring land will not be impacted by internal lots 1-3.
- f) All fee simple access strips comply as they are 3.6m wide
- g) A 5.5m wide sealed driveway access will be provided in accordance with the Concept Servicing Plan submitted with this application. This negates the need for passing bays.
- h) There are a total of 3 combined access strips, less than the allowable maximum of 4.
- i) See (g) above
- j) The width of the combined access maximises passive surveillance of the proposed public roadway.

Yours faithfully
LEARY & COX


TIM COX

Leary and Cox Pty Ltd Mail - RFQ 306a Lenah Valley Road

<https://mail.google.com/mail/u/0/?ui=2&ik=d5de55f28d&jsver=OOjH...>Tim Cox <tim@learyandcox.com>

RFQ 306a Lenah Valley Road

Andy Welling <andy.welling@enviro-dynamics.com.au>
To: Tim Cox <tim@learyandcox.com>

21 March 2017 at 12:34

Hi Tim,

Thanks for the email.

I had a look at the subdivision proposal and the relevant zoning and overlays from the Planning Scheme.

It is my understanding that for a property zoned as General Residential with no biodiversity protection overlay a natural values assessment is not required. I looked at a similar subdivision proposal in Dynnyrne which was zoned GR with no BPA and council did not require an assessment.

I'll make a call to one of the planners to check this if you like.

Regards

Andrew

Andrew Welling

Director

Enviro-dynamics Pty. Ltd.

0400 151 205

andy.welling@enviro-dynamics.com.au



From: Tim Cox [<mailto:tim@learyandcox.com>]
Sent: Tuesday, March 21, 2017 11:41 AM
To: andrew@wellingconsulting.com.au
Subject: RFQ 306a Lenah Valley Road

Leary and Cox Pty Ltd Mail - RFQ 306a Lenah Valley Road

<https://mail.google.com/mail/u/0/?ui=2&ik=d5de55f28d&jsver=OOjH...>

Hi Andrew,

Alan Darwin provided this referral.

I would like a quotation for a flora/fauna assessment to support a subdivision application.

A draft plan is attached for your reference.

Kind Regards,

Tim Cox

B.Giom (UTAS)

Registered Land Surveyor
tim@learyandcox.com

Unit G04 40 Mole Street

HOBART TAS 7000

PH 6220 0299

FX 6220 0290

MOB 0408 400 854

Leary and Cox Pty Ltd Mail - RE: 306A Lenah Valley Road - propose... <https://mail.google.com/mail/u/0/?ui=2&ik=d5de55f28d&jsver=OOjH...>



Tim Cox <tim@learyandcox.com>

RE: 306A Lenah Valley Road - proposed subdivision

Ting, Wei <tingw@hobartcity.com.au>

27 September 2017 at 08:54

To: Tim Cox <tim@learyandcox.com>, "Alan Darwin (ADDC)" <alan@addconsulting.com.au>

Cc: "Holmes, John" <holmesj@hobartcity.com.au>, "Montes, Sergio" <montess@hobartcity.com.au>, "Cooper, Robin" <cooperro@hobartcity.com.au>, "Burch, Emily" <burche@hobartcity.com.au>

Hi Tim,

In response your enquiry regarding the width of the Council reservation, I advise that Council is prepared to accept a 15m highway reservation width for the proposed subdivision.

However, the width of the constructed road from CH 0 to CH 70 will need be 8.1m (F.O.K to F.O.k), and 7.2m (F.O.K to F.O.K) from CH70 to the end of the proposed cul-de-sac.

As previously advised, Council will also require an access link from your subdivision to the property immediately south (332 Lenah Valley Rd). This link will be dedicated as roadway in between lots 5 and 21. This access will provide for a future pedestrian and cycleway link (as well as fire vehicle emergency access) to Brushy Creek Rd and other potential sub-division developments further up Lenah Valley Rd. It's unlikely we will require any construction of the access as part of your sub-division development.

The proposed layout for lots 1,2,3,4 and 5 is of concern. The layout as proposed, provides poor amenity for on-street parking and less than desirable access for garbage collection etc. We'd recommend you to show the propose share driveway on the plan for our assessing.

Regards,

Wei TING

Road Services Engineer | City Infrastructure

16 Elizabeth Street, Hobart, Tasmania, Australia, 7000 | hobartcity.com.au

Telephone (03) 6238 2108

From: Tim Cox [<mailto:tim@learyandcox.com>]

Sent: Friday, 1 September 2017 12:16 PM

To: Ting, Wei <tingw@hobartcity.com.au>; Alan Darwin (ADDC) <alan@addconsulting.com.au>

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Engineering · Renewable Energy · Project Management

**AD Design &
Consulting**

9/05/2018

City of Hobart
GPO Box 503, Hobart
Tasmania 7000

Attention: Manager of Development Services

Dear Sir/ Madam,

**REQUEST FOR FURTHER INFORMATION – APPLICATION NO. PLN1882
21 LOT SUBDIVISION - 306A LENA VALLEY ROAD, LENA VALLEY**

In reference to your request for further information dated 5th March 2018 regarding the above-mentioned subdivision application, please refer to the attached table following to view our response to the matters raised.

Should you have any further queries, please contact me on the telephone number or email noted below.

Yours sincerely,

Alan Darwin – Managing Director
AD Design & Consulting Pty Ltd

alan@addconsulting.com.au
0419 391 743

ITEM	QUESTION	RESPONSE
Fi 1. 1	Request for scaled and dimensioned site plan with elevations showing location of existing buildings in relation to proposed lot boundaries and confirmation of buildings being retained or removed	Refer to Leary & Cox supporting documentation
Fi 1. 2	Elevation and floor plans of retained buildings for assessment against Planning Scheme provisions	Refer to Leary & Cox supporting documentation
Fi 2	Statement indication proposed total volume of excavated rock and gravel associated with the subdivision works in any 12-month period	<p>We can confirm that the total bulk excavation for both Stage 1 and 2 are as following:</p> <p>Total Cut: -1, 933m³ Total Fill: + 1, 123m³</p> <p>The road pavement will be approximately 300mm thick, average 7.5m wide, length 220m = 495m³ of road gravel.</p> <p>The services are approximately 1500m combined, average 0.6m wide trench by 0.7m deep = 588m³</p> <p>Total quantities combined total 4, 139m³ or 4, 552.9m³ with a 10% contingency.</p> <p>This demonstrates given the staging requirements for this project being two stages of 10 lots we can confirm that we will not exceed the 5000m³ per a year limit and therefore will not required an EPA assessment for Level 2 activities.</p>
TW	Provision of concept servicing plan for water supply and sewerage infrastructure	Drawings provided indicate water and sewer layout.
TW	Assessment report acceptable to Southern Water for all water supply and sewerage infrastructure including infrastructure external to the development that would be impacted upon by the development	The water and sewer design and connection points together with flows are provided. Taswater will assess downstream infrastructure and advise.
TW	<p>3. To allow TasWater to determine potential hydraulic service capacity limitations, please provide the following:</p> <p>a) Calculations of the number of Equivalent Tenements. b) Average dry weather sewage flow c) Peak dry weather sewage flow d) Total sewage flow</p>	<p>Equivalent Tenements = 21 dwellings ADWF = 0.132L/s PDWF = 0.464L/s Total sewerage flow – as above</p>

TW	<p>A preliminary hydraulic network analysis for water supply in EPANET format is required as follows:</p> <p>a) Two scenarios to be submitted, one for peak flow day and one for fire flow superimposed on peak flow day. Both scenarios must be extended period analysis using appropriate TasWater diurnal demand patterns;</p> <p>b) The model should be carried out using a constant-head reservoir set to the total head at the boundary.</p> <p>c) The boundary conditions that are to be used will be provided by TasWater on request; Note that:</p> <p>i) The demands calculation within the proposed subdivision must comply with TasWater criteria and be allocated across all junctions within the subdivision; and</p> <p>ii) The Hazen-Williams coefficient value should be as adopted by TasWater.</p>	<p>These TasWater items have been resolved with Greg Claussen on the 14th of April.</p> <p>Responses from TasWater: There will be no works external. Subdivision water supply boundary head will be 185m. From what I can see, subdivision road is about 155m, meaning there is 30m residual.</p> <p>Note: the rear boundary along this development runs along RL 161m resulting in 24m residual.</p>
D.1	Plan of subdivision, incl lot numbers, existing and proposed title boundaries, dimension and balance lot	Refer to Leary & Cox supporting documentation
D.2	New title boundaries to be clearly differentiated from existing, i.e new shown as a heavy outline with existing shown as lighter outline ;	Refer to Leary & Cox supporting documentation
D.3	General levels and contours at maximum 1m intervals and datum for the same (State datum should be used) ;	Refer to Leary & Cox supporting documentation
D.4	Location of roads, streets and ways, both public and private, indicating whether they are existing or proposed;	Refer to Leary & Cox supporting documentation
D.5	Location of any easements, building envelopes, restrictive covenants or other encumbrance on the land indicating whether they are existing or propose.	Refer to Leary & Cox supporting documentation
D.6	Location of telephone, NBN or electric power lines and easements.	All NBN and power services will be provided in the road reserve and will not require easements.
D.7	Location of buildings on adjacent lots within 3 metres of the boundaries.	The closest dwelling on 306 Lenah Valley road is some 4.5m off the mutual boundary.
D.8	Location of adjoining land in the same ownership.	Refer to Leary & Cox supporting documentation
D.9	Location of embankment easements on all lots that will have fill on private property that will be supporting the road and footpath on the road reserve the embankment easement must be clear of the proposed building envelopes.	Please refer to Earthworks Plan (1707-C020), Typical Cross Section (1707-C050 and C051) and which indicate the extent of earthworks for this development.
D.10	A concept servicing plan clearly distinguishing existing and proposed infrastructure for proposed lots, private and public infrastructure for all lots	All infrastructure will be public installed as part of the subdivision works;

	location of existing and proposed hydraulic service connections, water, sewer and stormwater and how lots connect to TasWater and/or council infrastructure Area of lots unable to drain to stormwater connection Lots to drain through neighboring 270a Lenah Valley Road easement	Plans 1707- C030, C031 and C032 set out location of proposed services and connect to TasWater and Council infrastructure. All proposed lots are serviceable via gravity mains. Lots 7-14 are proposed to drain through the adjacent property 270A Lenah Valley Rd.
R.1	Shows existing and proposed vehicle access, crossovers and parking areas for proposed lots	There is no existing access to be retained. All lots will be provided with access as shown on plans 1707- C030, C031 to Council standard.
R.2	Provide indicative long sections along proposed driveways for Lots 6-13 and 15-21 demonstrating compliance with AS2890	Please refer to plans 1707- C100 which provides typical long sections for driveways above and below the proposed road. Given the relatively constant slope across the lots, it is considered unnecessary to provide individual lot long sections at the DA stage.
R.3	Where a proposed driveway will cut into the embankment easement, show on the site plan the approximate likely extent of retaining structure that will be required to support the easement, and provide driveway cross section(s) showing the location of typical retaining structures	Please refer to Plan 1707-C030 and C031. The retaining wall along the boundary on previous plans has been removed.
R.4	Clarify the existing/proposed location of parking for the existing house at lot 17. Will this house require a new driveway and new parking area (as existing appears to end up in Lot 18)? Will any existing sheds be retained in lot 18 or any other lots other than lot 17?	Please refer to Plan 1707-C031. New driveway and parking area will be provided. Existing sheds (outbuildings) shown on lots 18 and 19 to be removed.
T.1	The estimate of traffic generation from the proposed subdivision assumes only 1 dwelling per lot for each of the 21 lots. The planning scheme only requires 325 m2 per dwelling. It is possible that up to 47 dwellings could be built on the 21 proposed lots. The TIA needs to be revised to take into account the possibility that many of the proposed lots could have multiple dwellings. Will the conclusions of the TIA remain unchanged if as many as 47 dwellings were to be built in this subdivision?	Refer to response from Midson Traffic.
SW.1	Provide an updated servicing plan demonstrating how stormwater from the proposed development will be disposed of via gravity to public stormwater infrastructure, including: a) clearly differentiating between public and private infrastructure (in particular the servicing of Lot 3 and cut off drains).	a) Stormwater drainage is provided in plans 1707-C030 and C031. The proposed cut off drain will be privately owned unless included in an easement. b) Subsoil drainage is indicated cross section plans and will be directed to pits at intervals as indicated on plans 1707-C050 and C050

	<p>b) show subsoil drainage of the road and any road retaining walls, clarifying how they will connect to the public system.</p> <p>c) define the drainage of the private shared driveways and accesses.</p> <p>d) locations of the Lot connections such that all the Lot (including driveways) can be serviced by gravity, particularly Lot 17 & 20.</p> <p>e) provide a cross section for the cul de sac and associated kerb long section, which clearly demonstrate the location of the sag point and that minimal ponding would not send water down driveways/ over embankment.</p> <p>f) Private drainage must be contained within the property boundaries and only service that lot</p>	<p>c) The driveways and kerb are private and the drainage will be collected in a public pit/manhole where it meets the road.</p> <p>d) Refer to 1707-C030 and C031</p> <p>e) The road has been regraded to ensure the sag point in the culdesac has been removed and free drains. A Kerb profile has been provided 1707 – C091 and typical section on 1707 – C051.</p> <p>f) Amended.</p>
SW.2	<p>Public Main - Provide prelim engineering plans for the proposed public stormwater main(s), which include the following:</p> <p>a) indicative long sections which demonstrate appropriate cover and grade can be achieved. Include indicative sizing.</p> <p>b) indicative cross sections which define clearances of any works proposed over or within one metre of the proposed stormwater mains, such as stairs, embankments and retaining works.</p> <p>Please note there is a proposed easement along the boundary of 270A Lenah Valley Rd, which may help in the provision for stormwater and sewer infrastructure.</p>	<p>a) Refer to Drawing 1707-C080, C081, C082 and C083</p> <p>b) Refer to Drawing 1707-C050 and C051</p>
SW.3	<p>Treatment</p> <p>Provide a report and amended plans, including supporting calculations by a suitably qualified and experienced engineer, which demonstrate how the proposed stormwater system for the developed catchment will achieve the State Stormwater Strategy targets. If this treatment cannot be achieved, demonstrate why it is not feasible.</p>	Refer to SWMP
SW.4	<p>Receiving Infrastructure Upgrade / Detention</p> <p>Provide plans and supporting calculations demonstrating that the relevant existing public infrastructure has sufficient receiving capacity to service the development, and clearly identify any works required by the subdivision that involves third party land, such as upgrades to existing infrastructure and erosion protection. The piped stormwater system must be sized to handle at least the 20yr ARI event based on a possible future fully developed catchment, with the overall drainage system (including suitable overland flow paths) catering for the 100yr ARI events (including 30% loading for climate change).</p>	Refer to SWMP and drawing 1707-C011, C030, C031, C032, C080, C081, C082 and C083
SW.5	Overland Flow	Refer to SWMP and drawings 1707-C011, C030, C032

	Provide plans and supporting calculations which demonstrate how the 1% AEP overland flow (with allowance for climate change) will reach Council's major stormwater drainage system with sufficient receiving capacity.	
	Bushfire Prone Area Code	By Others
	<p>To ensure protection of Council's public infrastructure, please provide</p> <p>a) Detail of the proposed type A kerb ramps near main road and show on plan how the new footpath will connect to match the exiting footpath in accordance with the TSDR11v1</p> <p>b) Show on plan the dimension of proposed driveways and vehicle crossover in accordance with TSDR09v1</p> <p>c) Show indicative driveway design onto each lot, ensuring that access can be achieved</p> <p>d) Provide long and cross sections of the driveway onto each lot and show the boundary line on long section plan</p> <p>e) Show any associated infrastructure such as retaining walls supporting the proposed road, footpath or driveway within the new highway reservation</p> <p>f) Notate on plan the proposed batter slopes to be designed and constructed in accordance with TSDR06v1</p> <p>g) Show and label that kerb & channel 'type KC' to be constructed at both sides of the road from CH86.00 to CH 234.439 include cul de sac</p> <p>h) The proposed type A kerb ramps near cul de sac is not required</p> <p>i) Demonstrate swept path of vehicle at proposed driveway access from lot 15 into proposed road in accordance with AS/NZ 2890.1</p>	<p>a) Kerb ramps will comply with the standard.</p> <p>b) Refer Plan 1707C030 and C031 provided driveway locations</p> <p>c) Refer Plans 1707- C100 provides a typical long section for lot driveways</p> <p>d) Refer Plans 1707- C100</p> <p>e) Refer Plans 1707-C051</p> <p>f) Refer Plans 1707-C050</p> <p>g) Refer Plans 1707-C050 and C051</p> <p>h) Design changes culdesac has mountable kerb and channel refer Plan 1707-C051</p> <p>i) A driveway will be constructed to allow access to the lot given the restricted frontage, the practical location for a house is towards the rear of the lot when the boundary opens. This will be addressed during detailed design.</p>
	Please provide an amended Plan of Subdivision and an amended Concept Servicing Plan with a revised layout for Lots 1 to 5. Each of lots 1 to 5 could potentially have multiple dwellings in future and Lot 1 on the Plan of Subdivision is designated on the plan as being for multiple dwellings.	Refer to Leary & Cox supporting documentation

29th May 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO REQUEST FOR INFORMATION: SUBDIVISION OF 306A LENA
VALLEY ROAD**

I refer to Hobart City Council's RFI dated 5/3/2018.

Lodged herewith in the HCC planning application portal, please find the following documents:

- Subdivision Proposal Plan Rev F
- Lot 17 Setback Analysis
- Letter and table of items addressed from AD Design and Consulting
- Revised Engineering Concept Plan from AD Design and Consulting
- Stormwater Management Plan Document from AD Design and Consulting
- Updated Bushfire Risk Assessment, Bushfire Hazard Management Plan and Planning Certificate by Lark and Creese.
- Letter of Response from Midson Traffic

The table by AD Design and consulting clearly lists each item addressed, with the exception of the following:

Fi 1.1:	Refer to Subdivision Proposal Plan Rev F
Fi 1.2:	Refer to Lot 17 Setback Analysis
D.1 –D.5	Refer to Subdivision Proposal Plan Rev F
D.8	There is no adjoining land in common ownership
SURVFi1	Refer to Subdivision Proposal Plan Rev F

Yours faithfully
LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox'.
TIM COX



15th August 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO COUNCIL'S LETTER REQUESTING MANAGER CONSENT AND
FORESHADOWING A FURTHER REQUEST FOR INFORMATION**

I refer to Hobart City Council's RFI dated 12/6/2018.

Lodged herewith in the HCC planning application portal, please find the following documents:

- Letter of General Manager's Consent
- Subdivision Proposal Plan Rev G (Supersedes previous versions)
- Lot 17 Elevations and Building Envelopes
- Letter and table of items addressed from AD Design and Consulting
- Revised Engineering Concept Plan from AD Design and Consulting (Rev C 27/6/18)
- Updated Bushfire Risk Assessment, Bushfire Hazard Management Plan and Planning Certificate by Lark and Creese. (Dated 13/7/18)

The table by AD Design and consulting clearly lists each item addressed, with the exception of the following:

Fi 1.1: Refer to Subdivision Proposal Plan Rev G

Fi 1.2: Refer to Lot 17 Setback Analysis (already submitted) and "Lot 17 Elevations and Building Envelope" submitted in the planning portal 15/8/18.

BPAC2 Refer to Bushfire Risk Assessment Sheet 21

BC1 Obtaining General management consent in accordance with Councils request required a note on the Engineering Plan (See C032) "Final location of headwall and energy dissipation structure to be confirmed on site with the Senior Parks Planner (or delegate)." For this reason, the precise route is to be determined and a vegetation assessment will be of no value until the route is determined. When the final route is determined on site, the Senior Parks Planner, on inspection, may indeed deem that a vegetation assessment is not necessary.

Engr Fi3.9 Refer to Subdivision Proposal Plan Rev G. The walkway has been allocated to lot 9. No easement is necessary through this strip of land as there is no proposed stormwater or sewer infrastructure.

Yours faithfully
LEARY & COX

A handwritten signature in black ink, appearing to read 'Tim Cox', written over a horizontal line.

TIM COX

UNIT G04, 40 MOLLE STREET, HOBART

PHONE: 03 6118 2030

EMAIL: admin@learyandcox.com

ABN: 23 164 511 620

Engineering · Renewable Energy · Project Management

**AD Design &
Consulting**

27/06/2018

City of Hobart
GPO Box 503, Hobart
Tasmania 7000

Attention: Manager of Development Services

Dear Sir/ Madam,

RE: REQUEST FOR FURTHER INFORMATION – APPLICATION NO. PLN1882
21 LOT SUBDIVISION - 306A LENA VALLEY ROAD, LENA VALLEY

In reference to your request for further information dated 12th June 2018 regarding the above-mentioned subdivision application, please refer to the attached table following to view our response to the matters raised.

Should you have any further queries, please contact me on the telephone number or email noted below.

Yours sincerely,

Tom Norman – Civil Engineer
AD Design & Consulting Pty Ltd

tom@addconsulting.com.au
0402 592 454

ITEM	QUESTION	RESPONSE
Fi 1. 1	The location of all existing buildings on site in relation to the proposed lot boundaries, and confirmation of whether the buildings are to be removed or retained. It is noted that there are a number of outbuildings located around the property, the intentions for which remain unclear on the proposal plans.	Refer to Leary & Cox supporting documentation
Fi 1. 2	Where buildings are to be retained, please provide sufficient plans, including elevations and floor plans, and setbacks to proposed boundaries to enable assessment against Planning Scheme provisions.	Refer to Leary & Cox supporting documentation
BPAC1	<p>To enable the Council to assess the application against the relevant provisions of the Bushfire Prone Areas Code of the Hobart Interim Planning Scheme 2015 please provide either:</p> <p>(a) amended engineering drawings showing:</p> <ul style="list-style-type: none"> -The cul-de-sac having a minimum outer radius of at least 12m; -Property accesses for Lots 1 and 3 of at least 4m in carriageway width; -0.5m horizontal clearance areas on either side of the proposed property access carriageway for Lot 3; <p>or</p> <p>(b) An amended Bushfire Report, Bushfire Hazard Management Plan and Certificate of Compliance consistent with the submitted engineering drawings.</p> <p>Advice: The submitted Bushfire Hazard Management plan requires roads to be constructed in accordance with Table E1 of the Code and property accesses to be constructed in accordance with Table E2 of the Code.</p>	<p>Lot 1 and 3 access have been amended to 4.0m. Right of way easement has been proposed over lot 2,4 and 5 to accommodate the increased width.</p> <p>Refer to Leary & Cox supporting documentation and AD Design and Consulting Drawing C030 for Lot 1 and 3 access amendments.</p>
BPAC2	Confirmation from a hydraulic engineer that the proposed fire hydrant system will comply with all relevant requirements of the TasWater Supplement to Water Supply Code of Australia WSA 03 - 2011-3.1 MRWA Edition V2.0.	Refer to Leary & Cox supporting documentation
BC1	Details (including the total area) of any native vegetation (including ground covers) proposed to be removed within the Council land associated with the proposed new stormwater main.	Refer to Leary & Cox supporting documentation
SURVF11	Detailed proposal plans showing any access crossovers for Lots 4 and 8 to 14 on any of the plans. The proposed means of providing access to these lots should be shown on the Road Works and Services Plan.	Refer to ENGr Fi3 for response
Sw 1	Provide an updated servicing plan demonstrating how stormwater from the proposed development will be disposed of via gravity to public stormwater infrastructure, including:	<p>a) Completed in previous RFI.</p> <p>b) This is beyond planning and will not be provided. Subsoil drainage to be considering during detailed design.</p>

	<p>a) clearly differentiating between public and private infrastructure (in particular the servicing of Lot 3 and cut-off drains).</p> <p>b) show subsoil drainage of the road and any road retaining walls, clarifying how they will connect to the public system.</p> <p>c) define the drainage of the private shared driveways and accesses.</p> <p>d) locations of the Lot connections such that all the Lot (including driveways) can be serviced by gravity, particularly Lot 17 & 20.</p> <p>e) provide a cross-section for the cul-de-sac and associated kerb long-section, which clearly demonstrate the location of the sag point and that minimal ponding would not send water down driveways/ over embankment.</p> <p>f) Private drainage must be contained within the property boundaries and service only that Lot. The proposed cut-off drains crossing lot boundaries will not be approved.</p> <p>Advice for plans submitted 29 May:</p> <p>g) Please show public connections for Lot 2 and 5 to their frontages.</p>	<p>c) Private driveways will be drained to the road reserve.</p> <p>d) Completed in previous RFI.</p> <p>e) Completed in previous RFI.</p> <p>f) Completed in previous RFI.</p> <p>g) Please refer to amended drawing C030 for amended stormwater connections for lot 2 and 5.</p>
Sw 2	<p>Public Main</p> <p>Provide preliminary engineering plans for the proposed public stormwater main(s), which include the following:</p> <p>a) indicative long-sections which demonstrate appropriate cover and grade can be achieved. Include indicative sizing.</p> <p>b) indicative cross-sections which define clearances of any works proposed over or within one metre of the proposed stormwater mains, such as stairs, embankments and retaining works.</p> <p>Please note there is a proposed easement along the boundary of 270A Lenah Valley Rd, which may help in the provision for stormwater and sewer infrastructure.</p> <p>Advice for plans submitted 29 May:</p> <p>c) The pit and downstream stormwater infrastructure within 270A Lenah Valley has not yet been picked up by Council. Please show how the proposed infrastructure connects to existing public infrastructure (ie the installed drainage from SW10.1 to the existing road crossing).</p>	<p>a) Provided in previous RFI</p> <p>b) Please see drawing C050 and C051 for details</p> <p>c) Please see amended drawing C032 for details. An extensive note has been added to the drawing to clarify the issue.</p> <p>d) Please see amended drawing C032 for details. As per discussion with Sarah Zehmeister on the 19/06/18, no further information will be shown on the long section as this is now considered a detailed design issue and beyond planning scope. The clearance between services has been checked against 270A Lenah Valley design drawing and it sufficient.</p> <p>e) Please refer to amended drawing C032 for details.</p> <p>f) Flows from the existing DN300 pipe are now diverted to the proposed DN525 main. Please refer to amended drawing C030 and C032 for details.</p>

	<p>d) Show on the long-sections any other infrastructure which may clash with the proposed main, especially that potentially between SW 10.1 and SW 10.2</p> <p>e) The proposed DN525 pipe to New Town Rivulet must extend to the bank of the Rivulet and have adequate scour control. Please show this on the plan and long- section.</p> <p>f) Council will not accept parallel public pipes and outfalls - please show the existing DN300 main as to be abandoned, and the drainage consolidated into the new main.</p>	
Sw 3	<p>Treatment</p> <p>Provide a report and amended plans, including supporting calculations by a suitably qualified and experienced engineer, which demonstrate how the proposed stormwater system for the developed catchment will achieve the State Stormwater Strategy targets. If this treatment cannot be achieved, demonstrate why it is not feasible. The report and plans must:</p> <p>a) provide preliminary drawings which sufficiently detail the proposed public system and accompanying vehicular access for maintenance/installation purposes.</p> <p>b) demonstrate that the treatment installed at subdivision stage is maximised to a practical extent.</p> <p>c) provide indicative life-cycle costs and maintenance burden of any proposed infrastructure.</p> <p>Please note it may be possible to take a cost contribution instead – please contact Council’s Stormwater and Waterways Engineer to discuss. However please be aware that the preliminary information outlined above will still be required to form the basis of the cost contribution.</p> <p>Advice for plans submitted 29 May:</p> <p>d) Please show an indicative location for the treatment (with adequate access) on the engineering plans. Council’s preference would be for the treatment to be located in the land between 313 and 317 Lenah Valley Rd (such that road drainage could also be treated at Council’s cost).</p>	<p>a) Developer wishes to pay contribution in lieu of installing stormwater treatment. See stormwater management plan for equivalent water treatment device details. Please see drawing C032 for treatment device location.</p> <p>b) Developer wishes to pay contribution in lieu of installing stormwater treatment. See stormwater management plan for equivalent water treatment device details.</p> <p>c) Developer wishes to pay contribution in lieu of installing stormwater treatment. See stormwater management plan for equivalent water treatment device details.</p> <p>d) Developer wishes to pay contribution in lieu of installing stormwater treatment. See stormwater management plan for equivalent water treatment device details. Please see drawing C032 for treatment device location.</p>
Sw 4	<p>Receiving Infrastructure Upgrade / Detention</p> <p>Provide plans and supporting calculations demonstrating that the relevant existing public infrastructure has sufficient receiving capacity to service the development, and clearly identify any works required by the subdivision that</p>	<p>a) Detention is not proposed. Please refer to stormwater management plan</p> <p>b) Detention is not proposed. Please refer to stormwater management plan</p>

	<p>involves third-party land, such as upgrades to existing infrastructure and erosion protection. The piped stormwater system must be sized to handle at least the 20yr ARI event based on a possible future fully- developed catchment, with the overall drainage system (including suitable overland flow paths) catering for the 100yr ARI events (including 30% loading for climate change).</p> <p>a) demonstrate that the upgrade and detention works to be carried out at subdivision stage is maximised.</p> <p>b) any proposed private detention demonstrated to be unavoidable, must include an indicative tank sizing, discharge rate and installation costs.</p> <p>c) show the location of any proposed public detention infrastructure on the plan, demonstrating adequate vehicular access will be provided for maintenance.</p> <p>d) provide an indicative life-cycle costs and maintenance burden concerning any proposed public detention infrastructure. Council notes the future fully developed lots should be taken as the maximum non-discretionary impervious cover allowed under the Planning Scheme.</p> <p>Note that should any works be required outside the property boundaries, the third party land must form part of the application. All proposed works must be shown on the concept engineering drawings.</p> <p>Advice for plans submitted 29 May:</p> <p>e) Please clarify the actual spare receiving capacity of the road crossing utilised by 270A Lenah Valley in a 20yr ARI event versus the proposed flows.</p> <p>f) Please clarify the catchment used to determine the capacity calculations does this rely upon the existing private channel on third-party land?</p>	<p>c) Detention is not proposed. Please refer to stormwater management plan</p> <p>d) Detention is not proposed. Please refer to stormwater management plan</p> <p>e) An assessment of total discharge into the existing DSN300 culvert has been undertaken. This includes 270 Lenah Valley Road and Lot 7 to 14 of the proposed development. Total discharge into the existing DN300 culvert is 178 L/s for a 5% AEP storm event. The capacity of the existing DN300 culvert is 138L/s before surcharging onto Lenah Valley Road. It is therefore proposed to upgrade the existing culvert with a new DN375 culvert with a capacity of 227L/s. See workings below.</p> <p>f) Please refer to drawing C120 for catchment</p>
Sw 5	<p>Overland Flow</p> <p>Provide plans and supporting calculations by a suitably qualified and experienced engineer, which demonstrate how the 1% AEP overland flow (with allowance for climate change) will reach Council's major stormwater drainage system with sufficient receiving capacity.</p> <p>a) provide a site plan which define the overland flow paths and volumes prior to development of the site, including any defined paths/channels entering from neighbouring land.</p> <p>b) provide a plan which shows all overland flow paths and volumes for the developed site, demonstrating that they avoid private property as</p>	<p>a) Please see drawing C011 for existing case overland flow paths and Stormwater management plan for discharge volumes.</p> <p>b) Please see drawing C011 for developed case overland flow paths Stormwater management plan for discharge volumes.</p> <p>c) There are no anticipated maintenance burdens</p>

	<p>far as practicable, and how they will be contained within appropriate easements. Include preliminary detail (including a cross-section) for any associated works required to safely convey the flows, discussing any potential obstacles and hazards (including geotechnical risks).</p> <p>c) provide comment concerning any maintenance burdens of any proposed works.</p> <p>Please note Council will not accept public cut-off drains except for in the road reserve between Lots 5 and 21. Council will not accept an above ground overland flow path through private Lots- the piped infrastructure will need to be sized to capture the full 1% AEP flows.</p> <p>Please note Council will not allow private cut-off drains which are not contained fully within the Lot boundaries. Should any works be required outside the property boundaries, the third party land must form part of the application.</p> <p>Advice for plans submitted 29 May:</p> <p>d) Please clarify the capacity for the overland flow within the road given the flat gradient and one-way crossfall.</p> <p>e) Please clarify what is proposed for the existing cut-off drain through Lots 16-14</p> <p>f) Council will not accept the reliance upon the existing private channel on third-party land, given there is no ability to obtain easements over this and no guarantee of it remaining. Please account for all overland flow into the site for both 20yr and 100yr ARI (including climate change) events.</p> <p>g) Please clarify the capacity of the proposed private bund within Lot 5, noting the requirements of Planning and Building Acts to provide 300mm freeboard.</p>	<p>d) Road crossfall as been amended to 3% to increase capacity and to aid in vehicle movements on steeper slopes. The road capacity has been calculated using Manning's equation to be 397L/s. The Road catchment's discharge has been calculated to be 274L/s. See workings below</p> <p>e) Cut-off drain has been assumed to be removed in the future due to building works and had not been relied upon for the stormwater management strategy</p> <p>f) Catchments have been calculated based on the assumption that upstream external cut off drains have been filled/remove. See stormwater management plan for details.</p> <p>g) Capacity of the bund within lot 5 has been calculated by the manning's equation. The capacity of the bund has been found to be 206 L/s with 300mm freeboard to top of bund. The bund's catchment discharges 201L/s to the lot 5 boundary. See workings below</p>
ENGr Fi3	To ensure protection of Council's public infrastructure, please provide:	
1.	Provide detail of the proposed type A kerb ramps near main road and how on plan how the new footpath will connect to match the exiting footpath in accordance with the TSD-R11-v1. Please note that the current location of the kerb ramps would not meet sight line requirements and need to be placed at the intersection, in accordance with TSD-R18-v1.	Kerb ramps have been moved to the intersection of Road 1 and Lenah Valley Rd. Please see drawing 1701-C030 for amendment. All kerb ramps are to be designed in accordance with TSD-R18-v1.

2.	<p>a) Show on plan the dimension of proposed driveways and vehicle crossover in accordance with TSD-R09-v1.</p> <p>b) Lots 8 to 13 have no driveway access shown as (we assume) it is envisaged that suspended decks will be utilised with access via the KMC2 (mountable) kerb as per TSD-R14-v1 outside the properties and in the cul-de-sac. For this to be approved, we need to be shown the likely location of the driveways and a long section. Alternatively, the developer can explain and/or justify not providing access onto the lots. Driveway access to lot 4 and 14 is not shown on the plans and needs to be shown.</p>	<p>a) Indicative property access locations have been shown on drawing 1707 – C030 and C031. These property accesses have been shown to indicate where future access may be located only. They do not form part of the development permit and will not be constructed with the development. It will be the responsibility of future property owners to provide their own access based on their design requirements.</p> <p>b) A worst case typical section of the suspended garage and drive has been shown on drawing 1707-C032. This arrangement will be required for lots 6 to 12 and has been indicated on drawing C030 and C031.</p> <p>c) Property access has not been provided for lots 6-12. It has been shown on plan indicative location of the access. As these properties are on the low side of the road, it will be necessary that the driveway and garage for these properties be suspended. Due to the nature of suspended driveways and garage the location of these is highly dependent of the Architectural design of the homes and is best to construct these later.</p> <p>d) Driveways have been notes to be in accordance with TSD-R09-v1. Please refer to amended drawings C030 and C031.</p>
3.	<p>Show indicative driveway design onto each lot (with the possible exception of some lots on the lower side of the road, see item 2 above), ensuring that access can be achieved.</p>	<p>a) Driveway access for lot 19 has been shown in drawing C033. Lot 19 was determined to be the worst-case access scenario. It has been demonstrated that access to lot 19 cab be achieved and subsequently all other properties can be access.</p> <p>b) It has been noted that driveways are to be designed and constructed to standard drawings TSD-R09-v1</p>

4.	Provide long and cross sections of the driveway onto each lot and show the boundary line on long section plan. A "typical" driveway long section is not sufficient.	<p>a) Driveway access for lot 19 has been shown in drawing C033. Lot 19 was determined to be the worst-case access scenario. It has been demonstrated that access to lot 19 can be achieved and subsequently all other properties can be accessed.</p> <p>b) It has been noted that driveways are to be designed and constructed to standard drawings TSD-R09-v1</p>
5.	Show any associated infrastructure such as retaining walls supporting the proposed road, footpath or driveway within the new highway reservation. This refers to driveways as cross sections are still yet to be provided.	a) Please see amended drawings C030 and C031.
6.	Demonstrate swept path of vehicle at proposed driveway access from lot 1-5 into proposed road in accordance with AS/NZ 2890.1. Due to the changes this now relates to access to lot 3 and 5.	a) Swept paths have been shown for lot 2 and 5 access please see drawing C034 for details.
7.	The slope of the road from chainage 0 to 86 from kerb to kerb is 5%. Due to the gradient of the road in this section being 20% and the curvature of the road, this is not acceptable and needs to be in accordance with the TSD-R06-v1.	a) Road 1 has been amended to 3% crossfall
8.	Retaining wall and associated hand rail is noted as being undertaken "by others". This needs to be removed as the developer is responsible for its construction. Detailed design not required at this stage.	a) Please see amended drawing C031, C050 and C051
9.	The laneway between number 308 and 306 Lenah Valley Rd needs to be an easement (stormwater and sewage, etc) and the area between lots 8 & 9 adjoined to one of the lots. Council does not want this area.	Please refer to Leary & Cox supporting documentation
10.	Location of embankment easement is not shown - please add or clarify.	a) Please refer to amended drawing C030 and C031 for details.
11.	The developer must justify and explain the proposed new alignment at the intersection of "road 1" and the road lot between lots 5 & 21. Council may prefer the previous alignment where the new road goes straight "up the hill" with the road ending in the culdesac being a t-junction. This may be preferable in the long term to suit a larger number of future lots further up the hillside. The latest design for the road alignment has the road lot between lots 5 & 21 (and possible future road to extend further up the hill) as a "t-junction" to the culdesac – which in the future may end up as a minor side road. Discussion with Council's Road Engineer is required before the road re-alignment is acceptable.	a) As discussed with Emily B. on the 18/06/18. The alignment of road is satisfactory. An indicative future road connection has been shown on drawing C033 which demonstrated that with minor works the culdesac branch can be changed to the minor road. This future road is not part of the development permit. It has been shown for information only.

Calculations

Colebrook - White Culvert Capacity		
Culvert ID	Existing	Proposed
Pipe Dia	0.300	0.375
Length	6.760	6.76
US HGL	126.800	126.8
DS HGL	126.540	126.54
Gross Head	0.260	0.260
Friction Loss	0.105	0.087
MH Loss	0.156	0.216
Velocity	1.950	2.057
Flow	138	227

Bund Capacity	
n	0.035
A	0.193
P	2.000
S	0.032
Q	206
Catchment Area	
Bund Catchment	2.10
External Catchment 1	6.20
Flow	
External Catchment 1	596
Bund Flow	202
Note	
1. Bund flow is calculated as proportional flow based on flows obtained from SWMP	

Road Capacity 3%	
n	0.013
A	0.406
P	5.317
S	0.005
Q	397
Catchment Areas	
Road Catchment	2.75
External Catchment 1	6.20
External Catchment 2	2.00
Flow	
External Catchment 1	596
External Catchment 2	222
Flow in Road 1	274
Note	
1. Road flow is calculated as proportional flow based on flows obtained from SWMP	

Culvert Flows					
Catchment	Area (ha)	Tc (min)	Int. (mm/hr)	Coeff.	Q (L/s)
Lot 7 (Roof)	0.02	5	103	0.95	5.436111
Lot 8 (Roof)	0.02	5	103	0.95	5.436111
Lot 9 (Roof)	0.02	5	103	0.95	5.436111
Lot 10 (Roof)	0.02	5	103	0.95	5.436111
Lot 11 (Roof)	0.02	5	103	0.95	5.436111
Lot 12 (Roof)	0.02	5	103	0.95	5.436111
Lot 13 (Roof)	0.02	5	103	0.95	5.436111
Lot 14 (Roof)	0.02	5	103	0.95	5.436111
270 Lenah Valley					134.303
Total Flow					177.7919

Note:

1. Average roof size taken as 200m²
2. 270 Lenah Valley flow taken from design drawings
3. Overland flow from lot 7 - 14 does not enter the pipe system

Engineering · Renewable Energy · Project Management

**AD Design &
Consulting**

3/10/2018

City of Hobart
GPO Box 503, Hobart
Tasmania 7000

Attention: Manager of Development Services

Dear Sir/ Madam,

RE: REQUEST FOR FURTHER INFORMATION – APPLICATION NO. PLN1882
21 LOT SUBDIVISION - 306A LENA VALLEY ROAD, LENA VALLEY

In reference to your request for further information dated 4th September 2018 regarding the above-mentioned subdivision application, please refer to the attached table following to view our response to the matters raised.

Should you have any further queries, please contact me on the telephone number or email noted below.

Yours sincerely,

Tom Norman – Civil Engineer
AD Design & Consulting Pty Ltd

tom@addconsulting.com.au
0402 592 454

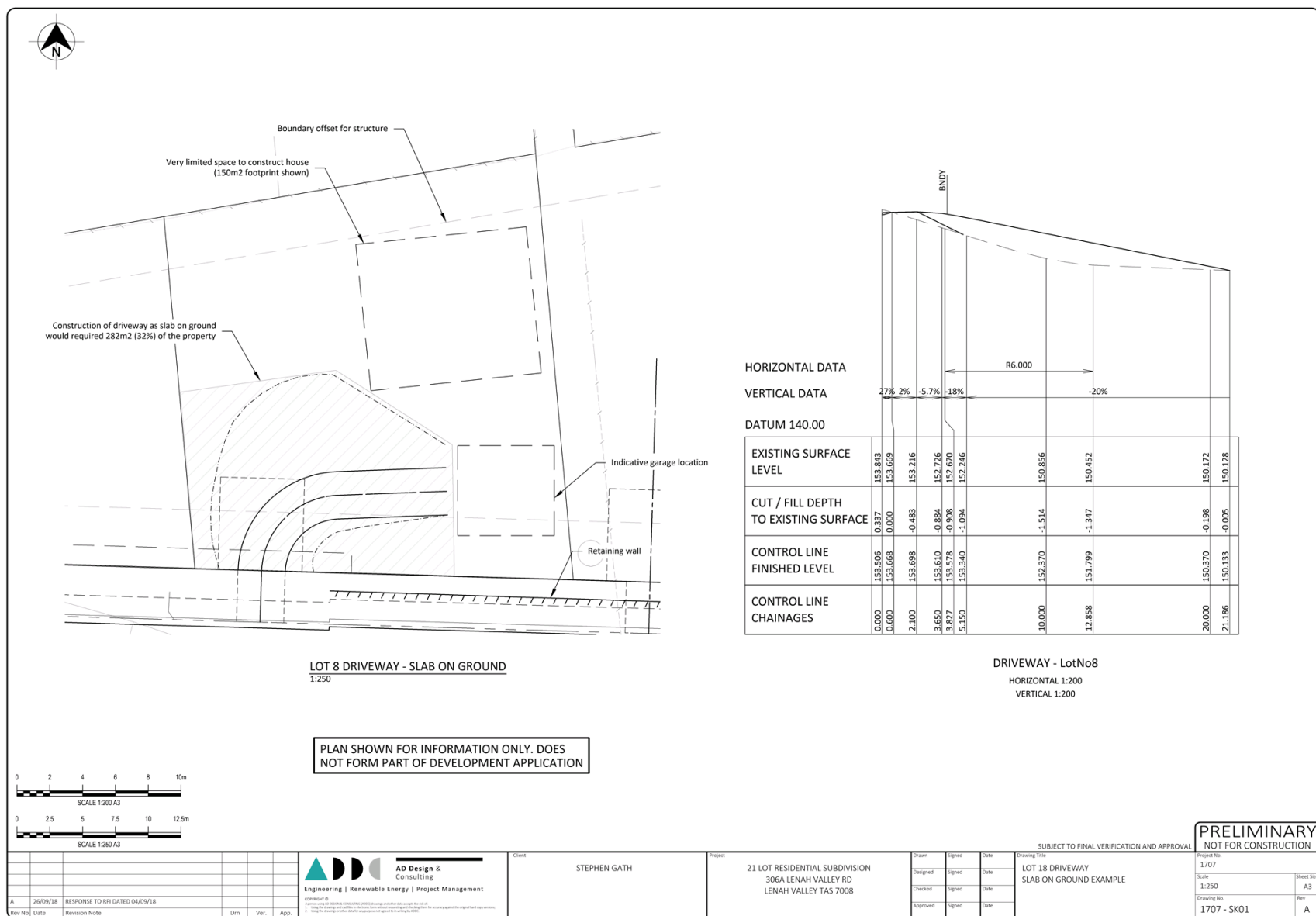
Item	Request for Information	Response
BPAC1	<p>Either:</p> <p>(a) amended engineering drawings showing: the cul-de-sac having a minimum outer radius of at least 12m property accesses for Lots 1 and 3 of at least 4m in carriageway width and 0.5m horizontal clearance areas on either side of the proposed property access carriageway for Lot 3 or</p> <p>(b) an amended Bushfire Report, Bushfire Hazard Management Plan and Certificate of Compliance consistent with the submitted engineering drawings.</p> <p>Advice: The Certificate of Compliance must certify compliance with E1.6.2 P1 of the Bushfire Code rather than E1.6.2 A1(b)</p>	Please refer to Leary and Cox Documentation
BPAC2	<p>Confirmation from a hydraulic engineer that the proposed fire hydrant system will comply with all relevant requirements of the TasWater Supplement to Water Supply Code of Australia WSA 03 - 2011-3.1 MRWA Edition V2.0.</p> <p>Advice: The submitted Bushfire Hazard Management plan requires fire hydrants to comply with Table E4 of the Code, however it has not been demonstrated that the proposed hydrants can comply with these requirements.</p>	<p>TasWater have indicated that the available head at the subdivision boundary along Lenah Valley Rd is 185m AHD. The highest property RL at the boundary is 156m AHD. This gives an available pressure head of 29m before losses. An analysis using Hazen-Williams indicates losses to be around 2m at 10L/s. As such, it is estimated that 27m of residual head will be available at the property boundary for firefighting requirements. This is in line with TasWater Specifications.</p> <p>In addition to the above, hydrant spacing and location will comply with Table E4 of the bushfire management code. All building will be within 120m of a fire hydrant, measured by hose lay.</p>
OSU1	A vegetation assessment of the area for the stormwater outfall in New Town Rivulet Linear Park is outstanding to cover the general area for outfall (even though the applicant has conveyed that at this point it is his view is that it is not needed). This needs to identify the species the overstorey and understorey the quality and health of vegetation and make recommendations on the preferred location of outfall to minimize impact on the identified values	Please refer to Leary and Cox Documentation
SURVF11	<p>The additional information provided on 15/08/18 still doesn't show any access crossover for Lot 4 on any of the plans.</p> <p>Drawing 1707 - C033 Rev A shows a worst case typical section illustrating how a suspended garage and deck could provide access for Lots 6 to 12 at the time of construction of dwellings on these lots and it is noted that no access crossovers will be provided during the subdivision civil works for these lots. The Road Works and Services plan should show on which lot the worst case section is located.</p>	<p>Lot 4 crossover has been shown.</p> <p>The worst case suspended garage is lot 10. The section has been shown on drawing C031 (rev D) for clarity.</p>

SW1	<p>Servicing Provide an updated servicing plan demonstrating how stormwater from the proposed development will be disposed of via gravity to public stormwater infrastructure, including:</p> <ul style="list-style-type: none"> a) clearly differentiating between public and private infrastructure (in particular the servicing of Lot 3 and cut-off drains). b) show subsoil drainage of the road and any road retaining walls, clarifying how they will connect to the public system. c) define the drainage of the private shared driveways and accesses. d) locations of the Lot connections such that all the Lot (including driveways) can be serviced by gravity, particularly Lot 17 & 20. e) provide a cross-section for the cul-de-sac and associated kerb long-section, which clearly demonstrate the location of the sag point and that minimal ponding would not send water down driveways/ over embankment. Private drainage must be contained within the property boundaries and service only that Lot. The proposed cut-off drains crossing lot boundaries will not be approved. <p>Advice for plans submitted 16 August: Please confirm the road retaining walls will be able to drain to the proposed public stormwater system via gravity.</p>	<p>Please refer to updated drawing C031 (rev D) showing retaining wall subsoil drainage connection to public stormwater main. The road retaining wall can be drained to the proposed stormwater system.</p>
SW2	<p>Public Main Provide preliminary engineering plans for the proposed public stormwater main(s), which include the following:</p> <ul style="list-style-type: none"> a) indicative long-sections which demonstrate appropriate cover and grade can be achieved. Include indicative sizing. b) indicative cross-sections which define clearances of any works proposed over or within one metre of the proposed stormwater mains, such as stairs, embankments and retaining works. Please note there is a proposed easement along the boundary of 270A Lenah Valley Rd, which may help in the provision for stormwater and sewer infrastructure. <p>Advice for plans submitted 16 August: The long-sections of the proposed main through 270A Lenah Valley appear to show inadequate vertical clearance from the proposed sewer main and inadequate grade, with limited flexibility to dodge any other clashing infrastructure. Surface level has not been shown - cover over the proposed mains is required at this stage. Please provide amended indicative long-sections for these works. Also please provide an indicative long-section for the</p>	<p>The stormwater main from pit 10.4 to 10.1 has been updated to agree with 270A Lenah Valley Road's stormwater design. The invert level of the connection at pit 10.1 has been taken from the 'For Construction' drawings of 270A Lenah Valley Road.</p> <p>At this time, we don't have survey of the surface levels between pit 10.4 and 10.1. However due to the steep grade of the site, we do not expect any issues with providing the adequate cover or grade for the proposed stormwater main.</p> <p>The existing cover of the culvert running under Lenah Valley Road is approximately 300mm. Due to the existing downstream infrastructure lowering this culvert is not possible without extensive work to the public stormwater main within 299 Lenah Valley Road.</p> <p>As it is required to increase the capacity of this culvert, it is proposed that the existing culvert be upgraded to a</p>

	culvert upgrade under Lenah Valley Rd, demonstrating adequate cover can be achieved.	300mm (H) x 450mm (W) box culvert. The new invert levels and cover will be close to the current culvert's IL and cover. Box culverts are designed for loadings specified by AS5100 and can be safely trafficked at zero cover.
SW4	<p>Receiving Infrastructure Upgrade / Detention Provide plans and supporting calculations demonstrating that the relevant existing public infrastructure has sufficient receiving capacity to service the development, and clearly identify any works required by the subdivision that involves third-party land, such as upgrades to existing infrastructure and erosion protection. The piped stormwater system must be sized to handle at least the 20yr ARI event based on a possible future fully-developed catchment, with the overall drainage system (including suitable overland flow paths) catering for the 100yr ARI events (including 30% loading for climate change).</p> <p>a) demonstrate that the upgrade and detention works to be carried out at subdivision stage is maximised.</p> <p>b) any proposed private detention demonstrated to be unavoidable, must include an indicative tank sizing, discharge rate and installation costs.</p> <p>c) show the location of any proposed public detention infrastructure on the plan, demonstrating adequate vehicular access will be provided for maintenance.</p> <p>d) provide an indicative life-cycle costs and maintenance burden concerning any proposed public detention infrastructure. Council notes the future fully developed lots should be taken as the maximum non-discretionary impervious cover allowed under the Planning Scheme. Note that should any works be required outside the property boundaries, the third party land must form part of the application. All proposed works must be shown on the concept engineering drawings.</p> <p>Advice for plans submitted 16 August: Please clarify the actual spare receiving capacity of the road crossing utilized by 270A Lenah Valley in a 20yr ARI event versus the proposed flows. The submitted calculations do not appear to reflect the existing flows to the culvert as reported by 270A Lenah Valley, apply appropriate impervious areas to the future Lots or agree with culvert capacity.</p>	<p>It is unclear what further information is required for this RFI. Mark Smith was unable to expand on the requirements to satisfy this RFI either.</p> <p>To reiterate, the 'For Construction' drawings of 270A Lenah Valley show that with their development, 134L/s will be flowing within the existing culvert under Lenah Valley Road. This flow rate was taken directly from the 'For Constructions' drawings which have been approved by HCC.</p> <p>Given an acceptable freeboard of 150mm and the flows from 270A Lenah Valley Rd taken into consideration, the existing culvert is already over capacity. This however has been approved by council.</p> <p>A further 44L/s of runoff is required to be drained via this culvert under Lenah Valley Rd due to the development at 306A Lenah Valley Rd. An upgrade to this culvert it is therefore required. The proposed upgrade is a 300mm (H) x 450mm (W) box culvert with a capacity of 252L/s. This is well above the 178L/s required.</p>

ENGr Fi3	<p>Item 2a Driveway access to lot 4 is not shown on plans C030.</p> <p>Item 2b A suspended deck is likely to be feasible for lots 9 to 12 where the retaining wall is location along all the frontage of the property. A dimensioned long section (as outlined in plan C033) needs to show the variable height of the wall, the variable distance of the wall to the property boundary and the slope of the land. The City needs to ensure that a suspended deck is the most likely form of access and that a garage can be reasonable built within the property without undue expense to the owner. To reduce the distance the owner has to span a deck the City may require an embankment easement behind the wall instead of road reservation in which the owner can place a carport in an embankment easement. To make this determination we require the above information. Lots 6, 7 and 8 require more justification on why this should be a suspended deck arrangement and not a standard driveway. Plan C100 shows lots 6 and 7 as being achievable as a standard driveway and I envisage lot 8 to be similar. Cross and long sections of a standard driveways compared to a long section of a suspended deck is required.</p> <p>Item 4 On plan C100 the long sections need to show the boundary lines, chainage and existing and new surface levels as a minimum (refer to long section for road). Long sections are not shown for lots 8, 13, 14, 15, 16 and 18. This is required. Cross sections and long sections along the centreline of the driveway onto each lot are required, or the worst case for similar driveways. Please note that the driveway to the property boundary is required to be constructed by the developer apart from where a suspended deck (with mountable kerb) is the most feasible option. If there is substantial works required within the property to gain driveway access onto the lot then we can require that the developer to undertake this, thus it is important for cross section to be provided for driveway access so we can assess this.</p> <p>Item 8 Retaining wall and associated handrail noted as by others needs to be removed on plan C091.</p>	<p>Lot 4 driveway has been shown. Please refer to amended plan C030 (rev D) for details.</p> <p>Lot 6 and 7 have been changed to slab on ground driveways, please refer to amended drawing C030 (rev D) for details.</p> <p>Our investigation show that it is unfeasible for Lot 8 to be a slab on ground driveway. This is due to the extensive fill it would require to support the pavement, impacting on the useable area of the property. Construction of a slab on ground driveway for Lot 8 would consume 32% of the property's area rendering it unusable. The acceptable solution is therefore to allow Lot 8 to be access via a suspend driveway and garage, location to be determined at time of building design. Drawing SK01 (enclosed within response) has been produced outlining the above points.</p> <p>All driveway long sections have been shown on drawings C0100 (rev B) to C0106 (rev A). These clearly show which lot accesses are to be suspended and which are to be slab on ground.</p> <p>Retaining Wall Layout Plan C035 (rev A) has been produced showing the retaining wall offset from the property boundary and variable height of the wall. The 2.0m offset from the wall face has also been shown indicating the proposed embankment easement for retaining wall maintenance.</p> <p>'By Others' note on drawing C091 has been removed.</p> <p>Embankment easements on the high side have been removed, please refer to amended drawing C030 (rev D) and C031(rev D) for details.</p>
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	<p>Item 10</p> <p>A minimum of 2m needs to be maintained behind the retaining wall for the City to undertake maintenance of the wall. Thus where the road reservation distance between the wall and property boundary is less than 2m then an embankment easement is required. The other option is to adjust the road reservation to align with the wall with a consistent 2m embankment easement behind it or extend the road reservation to 2m behind the wall. The determination of this will depend on item 2b. Please clearly show on plan C031 that there is 2m behind the retaining wall either by road reservation or embankment easement.</p> <p>There is an embankment easement on the high side of the road reservation outside properties 16 and 18 to 21. Please explain the reason for this or amend.</p>	
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5th October 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO COUNCIL'S LETTER REQUESTING ADDITIONAL CERTIFICATES OF
TITLE AND FORESHADOWING A FURTHER REQUEST FOR INFORMATION**

I refer to Hobart City Council's RFI dated 4/9/2018.

Lodged herewith in the HCC planning application portal, please find the following documents:

- Certificate of titles and plans for New Town Rivulet Linear Park and 270A Lenah Valley Road
- Subdivision Proposal Plan Rev H (Supersedes previous version and contains updated batter easements to reflect engineering revisions)
- Letter and Table of items addressed from AD Design and Consulting
- Revised Engineering Concept Plan from AD Design and Consulting (Rev D 27/9/18)
- Updated Bushfire Documentation by Lark and Creese.
- Flora Assessment by Lark and Creese

The table by AD Design and consulting clearly lists each item addressed, with the exception of the following:

BPAC1: Refer to amended Bushfire Documentation (Typographical error now fixed).

OSU1: Refer to the Flora Assessment now provided.

Yours faithfully

LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox', written over a horizontal line.

TIM COX



31th October 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO COUNCIL'S LETTER REQUESTING ADDITIONAL CERTIFICATES OF
TITLE AND FORESHADOWING A FURTHER REQUEST FOR INFORMATION**

I refer to Hobart City Council's notice of Invalid Application and RFI dated 4/9/2018.

Lodged herewith in the HCC planning application portal, please find the following documents:

- PDF containing Schedules of easements for SP165008, SP172457, SP144655, SP153196 and dealing number C66527

A response to the issues that the letter dated 29/10/18 foreshadows will require further information is currently being prepared by the team of consultants and will be submitted in due course.

Yours faithfully

LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox', written over the printed name.

TIM COX



4th December 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

RESPONSE TO COUNCIL'S REQUEST FOR INFORMATION

I refer to Hobart City Council's RFI dated 1/11/2018.

Lodged herewith in the HCC planning application portal, please find the following documents:

- Subdivision Proposal Plan Rev I (Supersedes previous version and contains updated batter easements to reflect engineering revisions)
- Letter and Table of items addressed from AD Design and Consulting
- Revised Engineering Concept Plan from AD Design and Consulting (Rev E 15/11/18)
- Updated Bushfire Documentation by Lark and Creese.
- Flora Assessment by Lark and Creese, addressing the new proposed alignment of the stormwater discharge to the New Town Rivulet.

The table by AD Design and consulting clearly lists each item addressed, with the exception of the following:

BPAC1: Refer to amended Bushfire Documentation

Yours faithfully

LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox', written over a horizontal line.

TIM COX



7th December 2018

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO COUNCIL'S REQUEST FOR INFORMATION
PLN-18-82 - 306A LENA VALLEY ROAD**

I refer to Christine Corbett's recent correspondence with Doug Summers, Environmental Officer.

As per Christine's request, the Flora Assessment has been updated and is included with this portal lodgement.

Yours faithfully

LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox', written over a horizontal line.

TIM COX



24th January 2019

Ref No 9446

The General Manager
Hobart City Council
Via Planning Application Portal
<https://apply.hobartcity.com.au/>

Dear Sir

**RESPONSE TO COUNCIL'S REQUEST FOR INFORMATION 12/12/18
PLN-18-82 - 306A LENA VALLEY ROAD**

I refer to Council's RFI dated 12/12/18

The following are included with this portal lodgement.

- Busfire Hazard Management Plan- lot layout amended
- Bushfire Risk Assessment – various updates
- Bushfire Planning Certificate – amended references to documents relied upon

Yours faithfully

LEARY & COX

A handwritten signature in black ink, appearing to be 'Tim Cox', written over a horizontal line.

TIM COX



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-18-82	Council notice date	18/06/2018
TasWater details			
TasWater Reference No.	TWDA 2018/00228-HCC	Date of response	20 Feb 2019
TasWater Contact	Greg Clausen	Phone No.	(03) 6237 8242
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	306A LENA VALLEY RD, LENA VALLEY	Property ID (PID)	3142231
Description of development	21 lot subdivision		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
AD Design & Consulting	Road Works and Services Plan Sheet 1	E	15/11/18
AD Design & Consulting	Road Works and Services Plan Sheet 2	E	15/11/18
AD Design & Consulting	Road Works and Services Plan Sheet 3	F	15/11/18
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Prior to commencing construction of the subdivision, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
<ol style="list-style-type: none"> 3. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 4. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction. 5. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. 6. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements. 7. Prior to the issue of a Consent to Register a Legal Document, all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the schedule of drawings are to be constructed at the expense of the 			



developer to the satisfaction of TasWater, with live connections performed by TasWater.

8. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
9. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
10. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
13. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

14. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
15. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.

**DEVELOPMENT ASSESSMENT FEES**

16. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
- \$675.71, for development assessment; and
 - \$149.20 for Consent to Register a Legal Document
- The payment is required within 30 days of the issue of an invoice by TasWater.
17. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice**General**

For information on TasWater development standards, please visit
<http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

A copy of the GIS is included in email with this notice and should aid in updating of the documentation. The location of this infrastructure as shown on the GIS is indicative only.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by
Jason Taylor

Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

**14. Climate Youth Support Conference of Parties No. 25, Santiago,
Chile, 29 November to 13 December 2019
File Ref: F19/133347**

Memorandum of the Senior Climate Change Officer and the Director City
Innovation of 10 October 2019.

Delegation: Council



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Climate Youth Support Conference of Parties No. 25, Santiago, Chile, 29 November to 13 December 2019

The City of Hobart has received a request for a financial contribution towards the attendance of climate youth leaders to the United Nations Conference of Youth (COY) and Conference of Parties climate negotiations meeting 25, (COP 25), Santiago, Chile from 29 November to 13 December 2019.

The Tasmanian youth delegation will consist of up to four students and accompanying 2 adults, depending on funds raised. The total costs are estimated to be \$35,000. An Inspiring Australia grant for \$20,000 has been applied for, the outcome will be known in late October. In addition to the grant, fund raising efforts are underway to raise the additional \$15,000 which includes a reception hosted by the Lord Mayor at which the students will coordinate an auction to raise funds.

Currently the delegation is led by Toby Thorpe, Huonville High School and Bryher McKeown, Hobart College, accompanied by two adults. If the Inspiring Grant is successful then an additional two students will be invited to participate.

In 2018 the City provided a funding contribution of \$15,000 for Tasmanian youth delegation to attend COY and COP 24 held in Katowice, Poland. This aligned with the City's participation in the European Union's World Cities program with the City of Katowice and its subsequent invitation to participate in the Katowice international delegation and Marrakesh Partnership program that formed part of the COP 24. The City of Hobart and Katowice also coordinated peer to peer visits between the Tasmanian youth delegation and the Katowice high school students.

The City is not participating in the current COP 25 to be held in Chile and there is no funding allocation in the current Annual budget.

The Tasmanian youth delegations participation in COP 25 provides a networking platform for the students, as representatives of Tasmania and Australia, and provides an opportunity to promote Tasmania as a renewable energy state and our students as forward and innovative thinkers who are taking action for the future.

It is recommended that consideration be given to the request for funding towards the Tasmanian youth delegation participating in COP 25.

RECOMMENDATION***That:***

- 1. The Council give consideration to the request for funding from the Tasmanian youth delegation to attend the United Nations Conference of Youth and Conference of Parties climate negotiations meeting number 25, to be held in Santiago Chile from 29 November to 13 December 2019.***
- 2. Due to no allocation of funds, any approval of funds to support this request be attributed to the Smart and Sustainable City budget function in the 2019-20 financial year, noting that this would result in an overspend.***
- 3. Should funding be granted, the amount be recorded in the 'Grants, Assistance and Benefits provided' section of the City of Hobart's Annual Report.***

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Katrina Graham
SENIOR CLIMATE CHANGE OFFICER



Peter Carr
DIRECTOR CITY INNOVATION

Date: 10 October 2019
File Reference: F19/133347