



# CITY OF HOBART

## MINUTES

OPEN PORTION  
MONDAY, 25 MAY 2020  
AT 5:28 PM

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



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## **ORDER OF BUSINESS**

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### **PRESENT, APOLOGIES AND LEAVE OF ABSENCE**

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**PRESENT:**

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

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Councillor Dutta joined the meeting at 5.34 pm and was not present for items 1 to 8 inclusive.

Councillor Harvey joined the meeting at 5.35pm and was not present for items 1 to 8 inclusive.

Councillor Coates joined the meeting at 5.37pm and was not present for items 1 to 8 inclusive.

Deputy Lord Mayor Burnet left the meeting at 5.38pm, returning at 5.39pm.

Councillor Harvey left the meeting at 5.42, returning at 5.43pm.

Alderman Zucco left the meeting at 5.41pm, returning at 5.43pm.

Councillor Harvey left the meeting at 5.45pm, returning at 5.47pm.

Deputy Lord Mayor Burnet left the meeting at 5.50pm, returning at 5.51pm.

Councillor Coats left the meeting at 5.55pm, returning at 5.57pm.

Councillor Dutta left the meeting at 6.05pm, returning at 6.07pm.

Councillor Coats left the meeting at 6.14pm, returning at 6.15pm.

Councillor Dutta left the meeting at 7.15pm, returning at 7.19pm.

Deputy Lord Mayor Burnet left the meeting at 7.20pm, returning at 7.21pm and was not present for item 13.

## **1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 27 April 2020](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Monday, 18 May 2020](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

THOMAS  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

#### NOES

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

The minutes were signed.

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

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

No items were transferred.

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

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No communication was received.

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

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

## **5. PUBLIC QUESTION TIME**

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No questions were received.

## **6. PETITIONS**

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No petitions were received.

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

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

BURNET  
EWIN

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

MOTION CARRIED  
BY ABSOLUTE MAJORITY

### VOTING RECORD

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

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

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

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

No interest was indicated.

## **CITY PLANNING COMMITTEE**

## **9. COUNCIL ACTING AS PLANNING AUTHORITY**

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

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

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

### **9.1 10 Evans Street - Adjacent Road Reserve - Adjoining Council Land (CT 163943/1 and CT 163944/1), Hobart - New Road and Associated Works PLN-19-746 - File Ref: F20/49996**

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Application Expiry Date: 28 June 2020

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for new road and associated works at 10 Evans Street, adjacent road reserve, and adjoining Council land (CT. 163943/1 and CT. 163944/1) for the reasons outlined in the officer's report, marked as Attachment A to item 9.1 of the Open Council agenda of 25 May 2020, 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-19-746 - 10 EVANS STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw2.1

A pre-construction structural condition assessment and visual record within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work or issue of consent under the Building Act (whichever occurs first).

The post-construction condition assessment will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with adequate pre-construction condition assessment then any damage to Council's infrastructure identified in the post-construction condition assessment will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction structural condition assessment and visual record (eg video and photos) of the Council's stormwater infrastructure within/adjacent to the proposed development (ie Hobart Rivulet tunnel within 10m of the proposed works, mouth and floating litter trap), 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 work.

The post-construction condition assessment will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with adequate pre-construction condition assessment then any damage to Council's infrastructure identified in the post-construction condition assessment will be deemed to be the responsibility of the owner.



#### Reason for condition

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

#### ENG sw5

The development must be drained to Council infrastructure. The proposed new stormwater system must be constructed prior to issue of any Completion or first use (whichever occurs first).

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

1. Be certified by a qualified and experienced Engineer.
2. Show in both plan and long-section the proposed stormwater system, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, pit types, easements and inspection openings.
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a future fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Provide for future development within the catchment to be adequately and efficiently serviced, noting outfall restrictions.
5. Clearly address climate change, including modelled tailwater level, outfall above HAT as at 2100, and any required backflow prevention.
6. Detail, including sections, of the outfall to the Rivulet mouth. These must include clearance from and any potential impact on the floating litter trap, level of outfall above the HAT as at 2100, and sufficient erosion protection.
7. Minimise impact on the Hobart Rivulet. Include a cross-section showing the extent of excavation in relation to the Hobart Rivulet.
8. Clearly distinguish between public and private infrastructure as at time of completion of the works, and in the future.

9. Be substantially in accordance with the LGAT drawings

A CCTV of all pipework to become public stormwater assets, taken no more than 1 month prior to the end of the maintenance period, must be submitted to Council prior to Council accepting the mains as public infrastructure.

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

*Advice:*

*The applicant is encouraged to provide the information required above and obtain all inspections etc for all private stormwater which would need to be taken over by Council when/ if the road becomes public highway. Until that time, only the section outside the site's property boundary will be Council owned (i.e. from MHSW106 to outfall, and the existing Council pits in the Brooker turn-off). Private assets not demonstrated to be constructed to Council standards may not be taken over.*

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

*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. Infrastructure protection bonds, maintenance period bond and CCTV will be required, along with additional holdpoints addressing the deep excavation adjacent to the Hobart Rivulet.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

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

A stormwater management report and design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer.
2. Include detailed design of the proposed treatment train, demonstrating the system will reduce hydrocarbons and achieve the best practice removal targets of 80% total suspended solids, 45% total nitrogen and 45% total phosphorous.
3. Demonstrate low life cycle costs.
4. Demonstrate adequate access for maintenance
5. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout 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 report and plan.

*Advice:*

*Once the report 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 tr2

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

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

*The construction traffic and parking management plan to be submitted to the Council via a condition endorsement (see general advice on how to obtain condition endorsement).*

*Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement.*

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

Reason for condition

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

ENG 5b

This permit does not approve the "interconnector road to Evans Street" or "Building A", as referenced in the submitted Pitt and Sherry Traffic Impact Assessment (in particular at page 17 of that document).

Reason for condition

To clarify the scope of the permit.

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.

Any damage must be reported to Council immediately.

A photographic record of the Council's infrastructure adjacent to and within 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. Rivulet tunnel, mouth (including walls and base), floating litter trap, 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 s4

Detailed engineering design drawings must be submitted for approval prior to the commencement of construction works.

Design drawing must be submitted and approved prior to the issuing of any permit to construct public infrastructure, any approval under the Building Act 2016 or commencement of works (which ever occurs first). The design drawing must include:

1. A scaled and labelled site plan showing the location of new and proposed public infrastructure and boundaries in general accordance with TSD-R06-v1. The plan must clearly show the extent of land to be transferred to Council in the short or long term.
2. A pavement design, including CBR test results, in accordance with Austroads Guide to Pavement Technology.
3. Detail of how the new and old road and footways will connect, including removal of redundant vehicle crossings and kerb ramps.
4. Provision for bicycles and continuity with the existing shared path arrangement.
5. All traffic signs, signals and linemarking.
6. Available sight distance at all proposed accesses and intersections.
7. Swept paths for a 19m articulated bus must be shown at all intersections and curves
8. Trees and landscaping to the City's satisfaction.
9. All services or infrastructure to become City assets must be in accordance with the requirements of the relevant division.

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

Advice:

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

*Prior to construction of any alterations to signage and infrastructure on the City of Hobart public highway reservation, the applicant must prepare a detailed design plan and accompanying documentation for the separate approval of the General Manager under Clause 30(1) and 30(2) of the Local Government (Highways) Act 1982. This plan must be accompanied by a road safety audit of the proposed design prepared by a suitably qualified provider.*

Reason for condition

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

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must:

1. be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

2. be in accordance with any Site Contamination reports or requirements.
3. identify potential environmental impacts associated with the works, and identify measure to avoid or mitigate these risks.

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

*Advice:*

*The SWMP to be submitted to the Council via a condition endorsement (see general advice on how to obtain condition endorsement).*

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

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

Reason for condition

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

HER 6

All onsite excavation and disturbance with the two areas identified in figure 20 on page 22 and described as Proposed Monitoring Areas of the Macquarie Point Access Road Archaeological Sensitivity Report, by Austral Tasmania, dated 29 May 2019, must be monitored and managed in accordance with section 4.4 Management Recommendations on page 20 of the above report. Further assessment must be undertaken on the excavation and disturbance associated with the stormwater connection into the Hobart Rivulet as shown on Drainage and Services Sheet 4 by Pitt and Sherry (drawing HB18477- C1204, Revision B) to ensure the proposed stormwater does not impact negatively on the significance of the Hobart Rivulet Diversion Tunnel (Domain Diversion Tunnel site ref.90). Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:



In addition,

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 2 days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 30 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

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

HER 7

Contractors are to be made aware of the location of the Diversion Tunnel and other adjacent heritage features in site briefings and to take due care and avoid impacts during construction.

Reason for condition

To ensure recognition and protection of a place of archaeological significance and heritage features.

OPS s1

Compensation must be paid for the loss of the two *Eucalyptus globulus* (blue gums). The applicant must pay the amenity value of these two trees and also pay for two replacement trees, prior to their removal. The amenity value will be calculated by Council. The developer must also pay for the trees removal. To arrange payment of the fees, please contact Council's Open Space Planning Team on 6238 2488.

Reason for condition

To maintain the amenity value of street trees as per the City of Hobart Street Tree Strategy and the amenity value calculation method endorsed by a meeting of the full Council on the 18th February 2019.

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction. Click [here](#) for more information.

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

## 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 Amenity Division to initiate the permit process).

## NEW SERVICE CONNECTION

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

## STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

Works within 10m of the Hobart Rivulet will require separate consent under section 13 of the *Urban Drainage Act 2013*.

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure 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.

## DEDICATION OF ROAD AS HIGHWAY

The method of road dedication as highway is to be determined as part of the Stage 2 development application.

## TEMPORARY TURNING HEAD

As the application is proposing only a temporary road turning head that encroaches substantially onto Lot 2 on Sealed Plan 176538 with the turning head proposed to be removed as part of the Stage 2 development, should Stage 2 not proceed, the encroachment will need to be legalised by means of a further subdivision or boundary adjustment.

## 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.

## HERITAGE

The Unanticipated Discovery Plan for managing Aboriginal heritage (as specified in the Austral Report) should form part of the Project Specifications.

## BURNET SHERLOCK

That the recommendation be adopted with the inclusion of the following additional conditions:

### ENV s1

The development must be carried out in accordance with the prescriptions of the latest version of the Site Environmental Management Plan - Macquarie Point Development Project by AECOM Australia P/L.

Reason for condition

To minimise the risk of environmental harm

### ENV s2

An approved Construction Environmental Management Plan, prepared by suitably qualified persons, must be implemented.

A Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the Building Act 2016.

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

1. Details of the proposed construction methodology and expected likely timeframes.
2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions.
3. Details of potential environmental impacts associated with the development works including noise and pollution (air, land and water).
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
  - a. A soil and water management plan including:
    - i. measures to minimise erosion and the discharge of contaminated stormwater off-site;
    - ii. measures to minimise dust emissions from the site;
    - iii. management of potentially-contaminated soil and groundwater; and
    - iv. measures to prevent soil and debris being carried onto the street.
5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The plan must be consistent with the latest version of the Site Environmental Management Plan - Macquarie Point Development Project by AECOM Australia P/L, unless remediation of the area has been completed.

The approved Construction Environmental Management Plan forms part of this permit and must be complied with.

*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 minimise the risk of environmental harm.

**AMENDMENT**

HARVEY  
BEHRAKIS

That the following advice statement be included:

It is acknowledged that the Applicant has reconfirmed a commitment to the northern transit corridor, which is currently protected pursuant to the *Macquarie Point Development Corporation Act 2012, through the Macquarie Point Site Development Plan under the Sullivans Cove Planning Scheme 1997* and through an easement registered on the title to land which is the subject of the application.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for new road and associated works at 10 Evans Street, adjacent road reserve, and adjoining Council land (CT. 163943/1 and CT. 163944/1) for the reasons outlined in the officer's report, marked as Attachment A to item 9.1 of the Open Council agenda of 25 May 2020, 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-19-746 - 10 EVANS STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw2.1

A pre-construction structural condition assessment and visual record within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work or issue of consent under the Building Act (whichever occurs first).



The post-construction condition assessment will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with adequate pre-construction condition assessment then any damage to Council's infrastructure identified in the post-construction condition assessment will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction structural condition assessment and visual record (eg video and photos) of the Council's stormwater infrastructure within/adjacent to the proposed development (ie Hobart Rivulet tunnel within 10m of the proposed works, mouth and floating litter trap), 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 work.

The post-construction condition assessment will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with adequate pre-construction condition assessment then any damage to Council's infrastructure identified in the post-construction condition assessment will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw5

The development must be drained to Council infrastructure. The proposed new stormwater system must be constructed prior to issue of any Completion or first use (whichever occurs first).

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

1. Be certified by a qualified and experienced Engineer.
2. Show in both plan and long-section the proposed stormwater system, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, pit types, easements and inspection openings.
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a future fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Provide for future development within the catchment to be adequately and efficiently serviced, noting outfall restrictions.
5. Clearly address climate change, including modelled tailwater level, outfall above HAT as at 2100, and any required backflow prevention.
6. Detail, including sections, of the outfall to the Rivulet mouth. These must include clearance from and any potential impact on the floating litter trap, level of outfall above the HAT as at 2100, and sufficient erosion protection.
7. Minimise impact on the Hobart Rivulet. Include a cross-section showing the extent of excavation in relation to the Hobart Rivulet.
8. Clearly distinguish between public and private infrastructure as at time of completion of the works, and in the future.
9. Be substantially in accordance with the LGAT drawings.

A CCTV of all pipework to become public stormwater assets, taken no more than 1 month prior to the end of the maintenance period, must be submitted to Council prior to Council accepting the mains as public infrastructure.

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

*Advice:*

*The applicant is encouraged to provide the information required above and obtain all inspections etc for all private stormwater which would need to be taken over by Council when/ if the road becomes public highway. Until that time, only the section outside the site's property boundary will be Council owned (i.e. from MHSW106 to outfall, and the existing Council pits in the Brooker turn-off). Private assets not demonstrated to be constructed to Council standards may not be taken over.*

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

*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. Infrastructure protection bonds, maintenance period bond and CCTV will be required, along with additional holdpoints addressing the deep excavation adjacent to the Hobart Rivulet.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

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

A stormwater management report and design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer.

2. Include detailed design of the proposed treatment train, demonstrating the system will reduce hydrocarbons and achieve the best practice removal targets of 80% total suspended solids, 45% total nitrogen and 45% total phosphorous.
3. Demonstrate low life cycle costs.
4. Demonstrate adequate access for maintenance
5. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout 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 report and plan.

*Advice:*

*Once the report 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 tr2

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

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

*The construction traffic and parking management plan to be submitted to the Council via a condition endorsement (see general advice on how to obtain condition endorsement).*

*Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement.*

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

Reason for condition

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

ENG 5b

This permit does not approve the "interconnector road to Evans Street" or "Building A", as referenced in the submitted Pitt and Sherry Traffic Impact Assessment (in particular at page 17 of that document).

Reason for condition

To clarify the scope of the permit.

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.

Any damage must be reported to Council immediately.

A photographic record of the Council's infrastructure adjacent to and within 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. Rivulet tunnel, mouth (including walls and base), floating litter trap, 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 s4

Detailed engineering design drawings must be submitted for approval prior to the commencement of construction works.

Design drawing must be submitted and approved prior to the issuing of any permit to construct public infrastructure, any approval under the Building Act 2016 or commencement of works (which ever occurs first). The design drawing must include:

1. A scaled and labelled site plan showing the location of new and proposed public infrastructure and boundaries in general accordance with TSD-R06-v1. The plan must clearly show the extent of land to be transferred to Council in the short or long term.
2. A pavement design, including CBR test results, in accordance with Austroads Guide to Pavement Technology.
3. Detail of how the new and old road and footways will connect, including removal of redundant vehicle crossings and kerb ramps.
4. Provision for bicycles and continuity with the existing shared path arrangement.
5. All traffic signs, signals and linemarking.
6. Available sight distance at all proposed accesses and intersections.
7. Swept paths for a 19m articulated bus must be shown at all intersections and curves
8. Trees and landscaping to the City's satisfaction.
9. All services or infrastructure to become City assets must be in accordance with the requirements of the relevant division.

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

*Advice:*

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

*Prior to construction of any alterations to signage and infrastructure on the City of Hobart public highway reservation, the applicant must prepare a detailed design plan and accompanying documentation for the separate approval of the General Manager under Clause 30(1) and 30(2) of the Local Government (Highways) Act 1982. This plan must be accompanied by a road safety audit of the proposed design prepared by a suitably qualified provider.*

Reason for condition

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

ENV 2

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

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must:

1. be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).
2. be in accordance with any Site Contamination reports or requirements.
3. identify potential environmental impacts associated with the works, and identify measure to avoid or mitigate these risks.

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

*Advice:*

*The SWMP to be submitted to the Council via a condition endorsement (see general advice on how to obtain condition endorsement).*



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

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

Reason for condition

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

HER 6

All onsite excavation and disturbance with the two areas identified in figure 20 on page 22 and described as Proposed Monitoring Areas of the Macquarie Point Access Road Archaeological Sensitivity Report, by Austral Tasmania, dated 29 May 2019, must be monitored and managed in accordance with section 4.4 Management Recommendations on page 20 of the above report. Further assessment must be undertaken on the excavation and disturbance associated with the stormwater connection into the Hobart Rivulet as shown on Drainage and Services Sheet 4 by Pitt and Sherry (drawing HB18477- C1204, Revision B) to ensure the proposed stormwater does not impact negatively on the significance of the Hobart Rivulet Diversion Tunnel (Domain Diversion Tunnel site ref.90). Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

In addition,

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 2 days of the discovery; and

5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 30 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

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

HER 7

Contractors are to be made aware of the location of the Diversion Tunnel and other adjacent heritage features in site briefings and to take due care and avoid impacts during construction.

Reason for condition

To ensure recognition and protection of a place of archaeological significance and heritage features.

OPS s1

Compensation must be paid for the loss of the two *Eucalyptus globulus* (blue gums). The applicant must pay the amenity value of these two trees and also pay for two replacement trees, prior to their removal. The amenity value will be calculated by Council. The developer must also pay for the trees removal. To arrange payment of the fees, please contact Council's Open Space Planning Team on 6238 2488.

Reason for condition

To maintain the amenity value of street trees as per the City of Hobart Street Tree Strategy and the amenity value calculation method endorsed by a meeting of the full Council on the 18th February 2019.

#### ENV s1

The development must be carried out in accordance with the prescriptions of the latest version of the Site Environmental Management Plan - Macquarie Point Development Project by AECOM Australia P/L.

Reason for condition

To minimise the risk of environmental harm

#### ENV s2

An approved Construction Environmental Management Plan, prepared by suitably qualified persons, must be implemented.

A Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the Building Act 2016.

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

6. Details of the proposed construction methodology and expected likely timeframes.
7. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions.
8. Details of potential environmental impacts associated with the development works including noise and pollution (air, land and water).
9. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
  - a. A soil and water management plan including:
    - (i) measures to minimise erosion and the discharge of contaminated stormwater off-site;
    - (ii) measures to minimise dust emissions from the site;
    - (iii) management of potentially-contaminated soil and groundwater; and
    - (iv) measures to prevent soil and debris being carried onto the street.
10. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The plan must be consistent with the latest version of the Site Environmental Management Plan - Macquarie Point Development Project by AECOM Australia P/L, unless remediation of the area has been completed.

The approved Construction Environmental Management Plan forms part of this permit and must be complied with.

*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 minimise the risk of environmental harm

## ADVICE

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

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

## CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction. Click [here](#) for more information.

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

## 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 Amenity Division to initiate the permit process).

## NEW SERVICE CONNECTION

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

## STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

Works within 10m of the Hobart Rivulet will require separate consent under section 13 of the *Urban Drainage Act 2013*.

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure 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.

## DEDICATION OF ROAD AS HIGHWAY

The method of road dedication as highway is to be determined as part of the Stage 2 development application.

## TEMPORARY TURNING HEAD

As the application is proposing only a temporary road turning head that encroaches substantially onto Lot 2 on Sealed Plan 176538 with the turning head proposed to be removed as part of the Stage 2 development, should Stage 2 not proceed, the encroachment will need to be legalised by means of a further subdivision or boundary adjustment.

## 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.

## HERITAGE

The Unanticipated Discovery Plan for managing Aboriginal heritage (as specified in the Austral Report) should form part of the Project Specifications.

## TRANSIT CORRIDOR

It is acknowledged that the Applicant has reconfirmed a commitment to the northern transit corridor, which is currently protected pursuant to the *Macquarie Point Development Corporation Act 2012*, through the Macquarie Point Site Development Plan under the *Sullivans Cove Planning Scheme 1997* and through an easement registered on the title to land which is the subject of the application.

**9.2 5-7 Sandy Bay Road and Adjacent Road Reserve, Hobart - Demolition and New Building for 55 Multiple Dwellings, Food Services and Associated Works within the Adjacent Road Reserve  
PLN-19-706 - File Ref: F20/50303**

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Application Expiry Date: 26 May 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for demolition and new building for 55 multiple dwellings, food services and associated works within the adjacent road reserve at 5-7 Sandy Bay Road, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause Building Height - Part D 15.4.1 P1 (b) of the *Hobart Interim Planning Scheme 2015* because the proposed larger western apartment tower is not compatible with the scale of nearby buildings.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause Part D 15.4.1 P1 (d) of the *Hobart Interim Planning Scheme 2015* because the proposed larger western apartment tower does not allow for a transition in height between adjoining buildings.

BURNET  
EWIN

That the recommendation be adopted.

**PROCEDURAL MOTION**

THOMAS  
BRISCOE

That the matter be deferred for further discussion with the applicant and their approval to grant an extension of time be noted.

PROCEDURAL MOTION CARRIED

**VOTING RECORD**

**AYES**

Lord Mayor Reynolds  
Zucco  
Briscoe  
Sexton  
Thomas  
Behrakis  
Ewin  
Sherlock  
Coats

**NOES**

Deputy Lord Mayor Burnet  
Harvey  
Dutta



**COUNCIL RESOLUTION:**

That the matter be deferred for further discussion with the applicant and their approval to grant an extension of time be noted.

**9.3 9 Sandy Bay Road and Adjacent Road Reserve, Hobart - Demolition and New Building for 28 Multiple Dwellings and Associated Works within Adjacent Road Reserve  
PLN-19-641 - File Ref: F20/50044**

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Application Expiry Date: 26 May 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new building for 28 multiple dwellings and associated works within adjacent road reserve at 9 Sandy Bay Road, Hobart for the reasons outlined in the officer's report marked as Attachment A to item 9.3 of the Open Council agenda of 25 May 2020 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-19-641 - 9 SANDY BAY ROAD HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Amended Submission to Planning Authority Notice, Reference No. TWDA2019/01572-HCC dated 09/04/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition.

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

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

*Advice:*

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

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

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

Reason for condition

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

PLN s1

An amended Landscaping Plan prepared by a suitably qualified person for the landscaped spaces, private open space areas and other areas of planting around the site must be submitted and approved by the Council's Director City Planning prior to the issue of any consent under the *Building Act 2016*, excluding for demolition and excavation.

The Landscaping Plan must include (in addition to that already proposed):

1. More consideration to the provision and nature of additional landscaping in Wilmot Street to reinforce a transition to that street's residential scale and character - further opportunities should be pursued for additional hard and soft landscaping in Wilmot Street around the main entry and by extending the Level 3 landscaping over the adjacent façade.
2. More consideration to the provision of private open space for the ground level apartments on Sandy Bay Road.

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 Planning prior to commencement of use.

The trees and landscaping must be maintained, and replacement trees and landscaping in accordance with the approved Landscaping Plan must be planted if any is lost.

Confirmation by the person who prepared the landscaping plan that the landscaping has been completed in accordance with the approved landscaping plan must be submitted to the Council to the satisfaction of the Director City Planning, prior to commencement of use. Once this has been received, and 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 Planning, the Council will issue a statement confirming satisfactory planting of all trees and landscaping.

Reason for condition

To ensure that the development achieves a high standard of public amenity and to ensure appropriate landscaping close to the property boundary.

PLN s2

The exterior of the building must be finished to a high quality standard, substantially in accordance with that shown on the approved plans, and prior to first use.

Full details of all external materials must be submitted and approved, prior to construction works occurring (excluding construction works for demolition and excavation of the site), in accordance with the above requirement and to the satisfaction of the Council's Directory City Planning.

The documentation must:

1. Detail each external material, its form and finish, as well as detailing its longevity and maintainability, to satisfy the above requirement.

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

*Advice:*

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

Reason for condition

To ensure the building is finished to a high standard ensuring a positive contribution to the streetscape and townscape.

ENG 12

A construction waste management plan must be implemented throughout construction.

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

Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development (refer also condition ENG 13 below); and Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement (refer also to condition PLN 15 above).

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

*Advice:*

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

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

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

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, 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 recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

#### Reason for condition

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

#### ENG sw4

The development (including hardstand) must be drained to Council infrastructure with sufficient receiving capacity. The new stormwater connection must be constructed and all existing kerb connections to be abandoned must be removed and reinstated by the Council at the owner's expense, prior to the first occupation.

Detailed engineering drawings must be submitted and approved, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first but excluding for demolition and excavation). The detailed engineering drawings must include:

1. the location of the proposed connection.
2. the size and design of the connection appropriate to satisfy the needs of the development.
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity.

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

*Advice:*

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

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater manhole must be constructed prior to the commencement of the use.

Engineering drawings must be submitted and approved, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first but excluding for demolition or excavation). The engineering drawings must:

1. Be certified by a qualified and experienced civil engineer
2. Be substantially in accordance with LGAT Drawings (TSD-SW02-v1, TSD-SW03-v1).
3. Be designed to suit the profile of the existing DN300 stormwater main.
4. A post-construction photos of the Council's new stormwater manhole as part of the development, must be submitted to council upon completion of work.

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

*Advice:*

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

*Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work (excluding for demolition and excavation). The design drawings and calculations must:

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

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



*Advice:*

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

Reason for condition

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

ENG sw8

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the Building Act 2016 or commencement of work (whichever occurs first but excluding for demolition or excavation). The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer.
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.
3. Include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events and such that flows are limited to the receiving capacity of the infrastructure. All assumptions must be clearly stated.
4. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.
5. Clarification of the emptying times and outlet size.
6. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout 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 and maintained in accordance with the approved stormwater management report and design.

*Advice:*

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

*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 13

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

A waste management plan must be submitted and approved, prior to any approval under the *Building Act 2016* (excluding for demolition and excavation). The waste management plan must:

1. Include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.
2. Demonstrate that all commercial domestic waste collection processes can be undertaken wholly within the boundaries of the property.

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

*Advice:*

*Once the waste management 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.*

*The Council will not permit roadside bin collection from the Wilmot Street highway reservation for the proposed development.*

Reason for condition

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

ENG tr2

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

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

*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 3a

The access driveway, ramps and parking module (parking spaces, aisles, manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

*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, as failure to do so may result in difficulty complying with this condition.*

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 driveway, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* (excluding for demolition and excavation).

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

1. Be prepared and certified by a suitably qualified engineer.
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use.
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

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

#### Reason for condition

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

### ENG 3c

The access driveway, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

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

#### *Advice:*

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

#### Reason for condition

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

### ENG 4

The access driveway and parking 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.

#### 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 7

The number of car parking spaces approved for the development is twenty-two (22). Each car parking space must be allocated to an individual apartment, and the minimum number of apartments allocated a car parking space(s) is eighteen (18).

Plans and specifications must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* (excluding for demolition and excavation). The plans and specifications must:

1. Show the layout of the car parking for the 22 spaces in accordance with the Australian Standards AS/NZS 2890.1 2004, to satisfy the above requirement.
2. Demonstrate that each of the car parking spaces can be independently accessed as appropriate (refer Condition ENG 9).
3. Include line-marking details with the car parking spaces delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004.
4. Include signage details with a sign for each car parking space that clearly displays the apartment number the space is allocated to.
5. Include signage details with a sign, approved by Council, and in accordance with Australian Standards AS/NZS1742.11:2016 at the entry of the basement parking access to indicate the parking area is a private car park for residents only.

All work required by this condition must be undertaken in accordance with the approved plans and specifications prior to the first occupation.

*Advice:*

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

Reason for condition

To ensure safe and efficient parking adequate to provided for the use.

ENG 8

The use of the car parking spaces is restricted to User Class 1A (residential, domestic) in accordance with Australian Standards AS/NZS2890.1 2004 Table 1.1.

A sign, approved by council, and in accordance with Australian Standards AS/NZS1742.11:2016, must be erected at the entry of the parking access to indicate the parking area is for residents only prior to first occupation.

Reason for condition

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

ENG 9

The car parking stackers must be fitted and operating on the site prior to the first occupation. The car parking stackers must:

Provide independent access to each space where the stacker is shared between more than one apartment.

Reason for condition

To clarify the scope of the permit and to ensure safe and efficient parking adequate to provided for the use.

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.

This must be done within 30 days of the completion of the development or any demand from Council (whichever occurs first). Any damage must be reported immediately to Council.

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



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

*Advice:*

*An infrastructure protection bond will be taken by Council for the works associated with this permit and returned upon satisfactory reinstatement and repair of public infrastructure.*

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 excavation and/or earth-retaining structures and/or footings within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the retaining walls supporting the Wilmot Street and Sandy Bay Road highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer.
2. Not undermine the stability of the highway reservation.
3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
4. Take into account any additional surcharge loadings as required by relevant Australian Standards.

5. Take into account and reference accordingly any Geotechnical findings.
6. Detail any mitigation measures required.
7. Detail the design and location of the footing adjacent to the highway reservation.
8. The structure certificated and/or drawings should note accordingly the above.

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

*Advice:*

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

*Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENGR 3

Prior to the commencement of use, the proposed driveway crossover Wilmot Street highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.
- Footpath - Urban Roads Footpaths TSD-R11-v1.

Design drawings must be submitted and approved prior to the issue of a building permit (excluding for demolition and excavation). The design drawing must:

1. Show the cross and long section of the Wilmot Road footpath and driveway within the highway reservation and onto the property.
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover.
3. The existing footpath and kerb and channel along the full length of the Wilmot Street frontage must be removed and reconstructed with all redundant stormwater connections removed.
4. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template)
5. If the design deviates from the requirements of the TSD then the drawings must demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside.
6. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
7. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

*Advice:*

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

*A permit to construct public infrastructure will be required for the works to satisfy this condition.*

*A Traffic Management Permit will be required for the works including footpath closure. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

## ENV 2

An approved Demolition and Construction Environmental Management Plan, prepared by suitably qualified persons, must be implemented.

A Demolition and Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the *Building Act 2016*.

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

1. Details of the proposed construction methodology and expected likely timeframes.
2. The proposed days and 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. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water).
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
  - a. A noise and vibration management plan including:
    - (i) identification of potentially noisy or vibration-causing construction activities;
    - (ii) procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the management plan; and
    - (iii) details of neighbor consultation, complaint handling and response, monitoring measures and triggers for corrective actions.
  - b. A soil and water management plan including:
    - (i) measures to minimise erosion and the discharge of contaminated stormwater off-site;
    - (ii) measures to minimise dust emissions from the site;
    - (iii) measures to manage the disposal of surface and groundwater from excavations; and
    - (iv) measures to prevent soil and debris being carried onto the street.

5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved Demolition and Construction Environmental Management Plan forms part of this permit and must be complied with.

*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 minimise the potential for environmental impacts from the construction works

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

## OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

## PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a permit to construct public infrastructure. (please contact the Hobart City Council's City Amenity Division to initiate the permit process).

## NEW SERVICE CONNECTION

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

## BICYCLE PARKING

You are encouraged to consider in greater detail the provision of increased bicycle parking and security facilities for the occupants of the property.

## 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 Infrastructure By law. Click [here](#) for more information.

## STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division.

## WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's

Infrastructure By law. Click [here](#) for more information.

## CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## REDUNDANT CROSSTOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure 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.

## TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

## 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.

BURNET  
EWIN

That the recommendation be adopted.

EWIN  
BURNET

That Councillor Sherlock be granted an additional 1 minute to address the meeting.

MOTION CARRIED



VOTING RECORD

AYES

NOES

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Ewin  
Sherlock  
Coats

Deputy Lord Mayor Burnet  
Dutta

**9.4 654A Sandy Bay Road, Sandy Bay - Partial Demolition, Alterations and Extension**  
**PLN-20-122 - File Ref: F20/49901**

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Application Expiry Date: 25 May 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension at 654A Sandy Bay Road, Sandy Bay for the reasons outlined in the officer's report marked as Attachment A to item 9.4 of the Open Council agenda of 25 May 2020 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-20-122 - 654A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to commencement of use.

*Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.*

Reason for condition

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

ENG 3a

The parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

*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.*

Reason for condition

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

ENG 4

The access driveway and parking 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.

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 5

The number of car parking spaces approved on the site is two (2).

Reason for condition

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

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 r3

Prior to the commencement of use, the proposed driveway crossover in the highway reservation must be designed and constructed generally in accordance with:

Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016*. The design drawing must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property.
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover and how these will be relocated if necessary.

3. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.
4. Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template).
5. If the design deviates from the requirements of the TSD then the drawings must demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside.
6. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
7. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

*Advice:*

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

*Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays*

*Where the Infrastructure By-law applies a permit will be required to undertake works within the highway reservation. Please ensure you have approved design drawings prior to applying for a Road Opening Permit.*

Reason for condition

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

ENV 1

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

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

#### Reason for condition

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

#### ADVICE

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

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

#### CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

As your proposal involves a new crossover you will require a permit to open up the road and undertake works under the Infrastructure By-Law.

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

## STORMWATER

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

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## 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.

## PRIVATE COVENANTS

Please be advised that this property is subject to covenants contained within the schedule of easements.

The approved development may require consent and/or a modification to the covenant to ensure it is undertaken lawfully. You must not act on this planning permit until you have obtained any necessary consent or modification to the covenant which is required for the approved development.

If you proceed with the development inconsistent with the terms of the covenant, the parties with the benefit of the covenant may be entitled to make an application in the Courts to restrain a breach. The grant of this planning permit does not constitute a waiver, modification or release of the terms of the covenant nor approval under the terms of the covenant to undertake the proposed development.



## COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

## WEED CONTROL

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

## WORK PLACE HEALTH AND SAFETY

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

## NOISE REGULATIONS

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

## WASTE DISPOSAL

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

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

## 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.

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**SPECIAL REPORTS – GENERAL MANAGER**

**10. Financial Report and Covid-19 - City of Hobart Response (2)**  
**File Ref: F20/51605; 16/119**

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SEXTON  
THOMAS

That the recommendation contained in the memorandum of the General Manager of 22 May 2020, amended by the following, be adopted:

That clause 11 be amended to read:

The Council not proceed with the Taste of Tasmania in its current format for the 2020/21 year. Further the Council delegate to the General Manager the development and delivery of an alternative New Year's Eve and a modified Taste-style event over the Christmas / New Year period, should Covid-19 restrictions make such an event practical. To that end, an allocation of \$300,000 be included in the 2020/21 draft Estimates and the Council request the General Manager to hold urgent discussions with State Government representatives and any other parties interested or involved in the Taste of Tasmania, regarding additional funding of such an event.

**AMENDMENT**

DUTTA  
EWIN

That clause 6 be deleted and clause 14 be amended to replace the words 'remain suspended' to 'be reinstated as required'.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

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

**AMENDMENT**

BRISCOE  
COATS

That clause 11 be amended to include a part (b) as follows:

- (b) Should the General Manager meet with the Premier to discuss the Taste of Tasmania, the Finance and Governance Chairperson also form part of the meeting.

AMENDMENT LOST

**VOTING RECORD**

AYES

NOES

Zucco  
Briscoe  
Sexton  
Thomas  
Behrakis  
Coats

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Harvey  
Dutta  
Ewin  
Sherlock

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. That the information be received and noted.
2. The Council note the Financial Report as at 31 March 2020 and approve the changes to the 2019/20 Estimates listed in tables 2,3,6 and 10 of Attachment A to item 10 of the Open Council agenda of 25 May 2020, the financial impacts of which are to decrease the underlying result by \$7.64M to a deficit of \$9.53M
  3. The Council note actions taken by the General Manager since the last regular Council meeting on 27 April 2020 in responding to the Covid-19 emergency, as well as those other significant Council activities outlined in this report.
  4. The Council note amendments to the Council approved 2019/20 capital works program as outlined at Attachment B to item 10 of the Open Council agenda of 25 May 2020.
  5. The Council continue to authorise the General Manager to take all further actions necessary to address the Covid-19 pandemic for the period from 26 May to 22 June 2020 inclusive.
  6. The Council note the information provided in this report regarding preparation of the Estimates for 2020/21 and note that a workshop on the Estimates will be held on 28 May 2020 for Elected Members to receive an initial briefing.

7. The Council approve the proposed 2020/21 capital works program as outlined in Attachment E of item 10 of the Open Council agenda of 25 May 2020 for inclusion in the 2020/21 draft Estimates noting additional projects which could be progressed subject to securing external grants (marked as Attachment F to item 10 of the Open Council agenda of 25 May 2020).
8. Officers progress the preparation of a Recovery and Resilience Plan for the organisation with the support of the Council's internal auditors, including a structural review of the City's business model, including revenues, expenses, assets and liabilities. The aim will be to develop a sustainable business model which enables the Council to build financial resilience and be more able to cope with future shocks.
9. The General Manager undertake a process to inform and explain the Council's budgetary position to its community and engage with its community through 2020/21 regarding the long term recovery strategy.
10. The Council not proceed with the Taste of Tasmania in its current format for the 2020/21 year. Further the Council delegate to the General Manager the development and delivery of an alternative New Year's Eve and a modified Taste-style event over the Christmas / New Year period, should Covid-19 restrictions make such an event practical. To that end, an allocation of \$300,000 be included in the 2020/21 draft Estimates and the Council request the General Manager to hold urgent discussions with State Government representatives and any other parties of interest or involved in the Taste of Tasmania, regarding additional funding of such an event.
11. The Council resolve that for the 2021 Dark MOFO, should it proceed, no cash sponsorship be payable and that the event organisers be offered the free use of the Taste of Tasmania equipment in lieu. This decision be reviewed in December 2020.
12. The Council authorise the General Manager to participate in making a joint submission to the Premier's Economic and Social Recovery Advisory Council with the other three Hobart metropolitan councils providing information and input relevant to issues in Greater Hobart.
13. The Council note that the next scheduled Council meeting will be 22 June 2020 and that Council Committee meetings be reinstated as required.

**11. Responses to Questions Without Notice**  
**File Ref: F20/49537**

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SHERLOCK  
EWIN

That the recommendation contained within the memorandum of the General Manager of 20 May 2020, be adopted.

MOTION CARRIED

VOTING RECORD

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

**COUNCIL RESOLUTION:**

That the information be received and noted.

Supplementary item 13 was then taken.

**12. CLOSED PORTION OF THE MEETING**

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

- Leave of absence; and
- A matter relating to financial hardship.

The following items were discussed:-

- Item No. 1 Minutes of the last meeting of the Closed Portion of the Council Meeting
- Item No. 2 Communication from the Chairman
- Item No. 3 Leave of Absence
- Item No. 4 Consideration of supplementary Items to the agenda
- Item No. 5 Indications of pecuniary and conflicts of interest

**Supplementary Item**

- Item No. 6 Financial Hardship - Rates Remission Request  
LG(MP)R 15(2)(j)

BEHRAKIS  
DUTTA

That the recommendation be adopted.

MOTION CARRIED  
BY ABSOLUTE MAJORITY

**VOTING RECORD**

**AYES**

**NOES**

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

**SUPPLEMENTARY ITEM**

**SPECIAL REPORT – GENERAL MANAGER**

**13. Code of Conduct Determination Report**  
**File Ref: F20/51210; 15/130-003**

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EWIN  
DUTTA

That the recommendation contained in the memorandum of the General Manager of 21 May 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

**COUNCIL RESOLUTION:**

That the Council receive and note the Code of Conduct Determination Report shown as Attachment A to item 10 of the Open Council agenda of 25 May 2020.

Item 12 was then taken.

There being no further business the meeting closed at 7:21 pm.

TAKEN AS READ AND SIGNED AS A  
CORRECT RECORD THIS  
22<sup>ND</sup> DAY OF JUNE 2020.

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**CHAIRMAN**