



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 11 September 2017 at 5:00 pm

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**City Planning Committee Meeting (Open Portion) held on Monday,
11 September 2017 at 5.00 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Briscoe (Chairman)
Ruzicka
Burnet
Denison

ALDERMEN

Lord Mayor Hickey
Deputy Lord Mayor Christie
Zucco
Sexton
Cocker
Thomas
Reynolds
Harvey

PRESENT: Alderman J R Briscoe
(Chairman), Aldermen E R Ruzicka,
H C Burnet, T M Denison and
W F Harvey.

Alderman Harvey was co-opted to the
Committee.

Alderman Burnet declared an interest in
item 7.1.2 and left the meeting at
5:36 pm and returned at 5:40 pm.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A
VACANCY**

RUZICKA

That Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison

2. CONFIRMATION OF MINUTES

BURNET

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 28 August 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RUZICKA

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

The following interest was indicated:

1. Alderman Burnet – Item 7.1.2.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

RUZICKA

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

Item 7.1.3 was then taken.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.1.1 1 Fisher Lane, Sandy Bay - Partial Demolition, Alterations, Extension and Signage PLN-17-521 - File Ref: F17/107380

BURNET

That the recommendation contained in the report of the Senior Statutory Planner and the Manager Development Appraisal of 28 August 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations, Extension and Signage at 1 Fisher Lane, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 11 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-521 - 1 FISHER LANE SANDY BAY TAS 7005 - CPC Agenda Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA TWDA 2017/01117-HCC dated 19 July 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Application No. 5369 dated 22 August 2017, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

Prior to the issue of any building consent (except for demolition) under the *Building Act 2016*, revised plans must be submitted and approved in relation to the proposed annex extension showing the following:

1. The louvres deleted and replaced with a mechanical exhaust
2. The high level glazing to be laminated glass
3. The internal annex ceiling to be acoustically treated

All work must be undertaken in accordance with the approved revised plans.

Reason for condition

In the interests of ensuring noise emissions do not unreasonably impact on residential amenity.

ENG sw3

The proposed gym annex must be designed to ensure the protection and access to the Council's storm water infrastructure.

A detailed design must be submitted and approved prior to construction. The detailed design must demonstrate how the design will ensure the protection and provide access to the Council's stormwater structure.

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

Advice: Once the detailed 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 protection of the Council's hydraulic infrastructure.

ENG 1

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

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

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

then any damage to the Council infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

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

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation

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

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

BUILDING PERMIT

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

PLUMBING PERMIT

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

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the consent of the Hobart City Council in accordance with section 161 of the *Building Act 2000* and Regulation 34 *Plumbing Regulations 2004*.

STORM WATER

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

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 Infrastructure Division.

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.

Delegation: Committee

Alderman Burnet declared an interest in item 7.1.2 and left the meeting at 5:36 pm and returned at 5:40 pm.

7.1.2 391 Elizabeth Street, North Hobart - Demolition and New Building for General Retail and Hire, Food Services and Multiple Dwellings PLN-16-02000 - File Ref: F17/107779

DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 29 August 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Denison
Harvey

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Demolition and New Building for General Retail and Hire, Food Services and Multiple Dwellings at 391 Elizabeth Street, North Hobart for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 11 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-00200-01 - 391 ELIZABETH STREET - HOBART - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/00262-HCC dated 09/03/2016 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 14

The noise generated by the operation of the mixed use development must not cause environmental harm when measured at the boundary of the adjacent residential zone.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLN 17

All external lighting, including security lighting for the building must operate in accordance with Australian Standard AS4282- Control of the Obtrusive Effects of Outdoor Lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

PLN 7

The 'Al Fresco' outdoor dining area must not be used after 10:00pm.

Reason for condition

To reduce the likelihood of any unreasonable impact upon the amenity of nearby residential properties through noise emissions, and to ensure compliance with the non-residential use standards in the *Hobart Interim Planning Scheme 2015*.

PLN s1

The walls of the building facing the north-western side boundary (where the site faces the Inner Residential Zone) must be coloured using colours with a light reflectance value not greater than 40 percent.

Reason for condition

To ensure that building design for non-residential uses contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.

PLN s2

Additional landscaping and/or planting must be provided.

Space for additional landscaping and/or planting features along the Elizabeth Street frontage of the site must be incorporated into the design of the overall development.

Drawings demonstrating compliance with this requirement must be submitted and approved, prior to the first occupation of any of the approved uses.

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

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 enhance the appearance of the site within the local streetscape.

ENG sw4

Where a new stormwater service connection is required, the new stormwater connection must be constructed at the owner's expense and all existing connections abandoned and sealed by Council at the owner's expense, prior to first occupation or commencement of use (whichever occurs first).

Reason for condition

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

ENG sw5

If a new stormwater service connection is required, an application for a new stormwater service connection must be submitted and approved prior to the issue of a plumbing permit under the *Building Act 2016*.

Reason for condition

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

ENG sw6

The development (including all impervious areas) must be drained to Council stormwater infrastructure, prior to first occupation and/or commencement of use (whichever occurs first).

Reason for condition

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

ENG 7

The number of car parking spaces approved on the site is twelve (12) and all vehicular entry/exit from the property is required to be in a forwards direction. The use of the car parking spaces is restricted to User Classes in accordance with Australian Standards AS/NZS2890.1 2004 Table 1.1 as follows:

1. Five (5) User Class 1A (employee) within the Commercial Car Park; and
2. Seven (7) User Class 1A (residential) within the Residential Car Park.

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS2890.1 2004 and/or AS/NZS2890.6: 2009 (including installation of bollard(s)) prior to first occupation or commencement of use (whichever occurs first).

Advice:

1. *It is recommended that the aisle extension in both the Residential and Commercial Car Park is widened by 300mm on each side of the aisle. This would greatly facilitate manoeuvres into and out of parking spaces.*
2. *It is recommended that the applicant consults with a building surveyor to determine the disabled parking requirements for the restaurant and retail component of the development. A revised car parking layout to accommodate the disabled parking requirements of the restaurant and retail component of the development may require further planning approvals.*
3. *Approval is based upon vehicles undertaking up to three point turning manoeuvres upon exit such that vehicles always exit the property in a forward direction. This is only permitted for User Class 1A parking spaces in accordance with AS2890.1:2004 Table 1.1. None of the car parking spaces are approved for User Class 2 (Building Code of Australia Class 1b or 3 Building).*

Reason for condition

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

ENG 8

The two parking areas must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian Area (Category P) Lighting.

Reason for condition

To ensure parking and vehicle circulation roadways and pedestrian paths used outside daylight hours are provided with lighting to an acceptable standard.

ENG 10

Prior to the issuing of any Completion or Occupancy Certificate under the *Building Act 2016*, documents signed by a suitably qualified engineer, certifying that the driveway / parking area / manoeuvring area / access / crossover has been constructed in accordance with the approved planning permit drawings, must be lodged with the Council.

Reason for condition

To ensure the safety of users of the access / parking / highway reservation / adjacent properties.

ENG 11

Prior to the first occupation or commencement of the use, the redundant crossovers to the Commercial Road and Elizabeth Street highway reservations must be reinstated to match the surrounding kerb and gutter.

Prior to first occupation, or commencement, of any of the approved uses (whichever occurs first), the proposed crossovers to the Commercial Road highway reservation must be designed and constructed in general accordance with:

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

Advice

Local Government Association Tasmania (LGAT) Standard Drawings can be viewed electronically via the [LGAT website](#).

The applicant may wish to contact the Council's City Infrastructure Division ((03) 6238 2711) to request a loading zone between the two crossovers. This is through an application process that is separate from the planning application.

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENG r1

The excavation and earth-retaining structures (i.e. embankments, cuttings, retaining walls) 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 private retaining wall(s) adjacent to the Elizabeth Street highway reservation must be submitted and approved, prior to the issuing of any consent under the *Building Act 2016* 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 Elizabeth Street highway reservation;
8. Include structure certificate which notes the retaining wall(s) will not transfer any loads onto the highway reservation; and
9. The detailed design drawings and structural certificates should be notated in accordance with the above.

All work required by this condition must be undertaken in accordance with the approved detailed design drawings, structural certificates and associated geotechnical assessments.

Advice:

Once the detailed design drawings, structural certificates and associated geotechnical assessments have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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

ENG s1

A total of seven (7) bicycle parking spaces must be provided on site, in accordance with the following:

1. Two (2) of these must comply with Class A or Class B of AS2890.3:2015 and are to be provided for staff of the mixed-use commercial businesses.

2. Five (5) of these must comply with Class A or Class B of AS2890.3:2015 and are to be provided for residential use.

Drawings demonstrating compliance with the above requirement must be submitted and approved prior to the first use of any of the approved uses.

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

Advice:

The area north of and adjacent to Residential Car Parking Space R1 would be a suitable location for the five (5) residential bicycle parking spaces.

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

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

Reason for condition

To ensure enough bicycle parking is provided to meet the needs of likely users and by so doing to encourage cycling as a healthy and environmentally friendly mode of transport for commuter, shopping and recreational trips

ENV 2

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

A SWMP must be submitted and approved, prior to the commencement of work or issuing of any Certificate of Likely Compliance under the *Building Act 2016* (whichever occurs first). The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

Reason for condition

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

ENV s1

All external windows of the dwellings must be double-glazed.

Reason for condition

To ensure the new sensitive uses do not conflict with, interfere with or constrain an existing use with the potential to cause environmental harm.

ENV s2

The external walls of the dwellings must be designed and constructed to minimise external noise intrusion.

Drawings detailing the proposed design of the external walls of the dwellings, including features to minimise external noise intrusion, must be submitted and approved, prior to the commencement of works.

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

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

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

Reason for condition

To ensure the new sensitive uses do not conflict with, interfere with or constrain an existing use with the potential to cause environmental harm

ENVHE s1

The site must be sealed to minimise risk from site contamination to future site users.

Prior to the issue of the Certificate of Occupancy and/or Certificate of Completion for Building Works (whichever is issued first), a suitably qualified person must provide written certification to the Council that the site has been suitably sealed.

Reason for condition

To demonstrate all mitigation measures have been undertaken to ensure the site is safe for the proposed use prior to the commencement of use occurring.

Part 5 r1

The owner(s) of the property must enter into a Part 5 Agreement with the Council pursuant to the *Land Use Planning and Approvals Act 1993* with respect to the protection of the structural integrity of the highway reservation (via private retaining wall(s) adjacent to the Elizabeth Street highway reservation) prior to the commencement of work.

The owner must not undertake any works at any time (including demolition, excavation and construction) that will have any effect on the structural integrity of the Elizabeth Street highway reservation, any retaining structure adjacent to Elizabeth Street highway reservation, or the road formation itself.

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

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

Advice

Please contact Council's Senior Development Engineer ((03) 6238 2715) to start the Part 5 Agreement process.

Where building approval is also required, it is recommended that the Part 5 Agreement process be started well before submitting documentation for building approval. Failure to start the Part 5 Agreement process prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the protection of Council Highway Infrastructure.

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

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

BUILDING PERMIT

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

PLUMBING PERMIT

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

SPECIAL CONNECTION PERMIT

Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

OCCUPATION OF THE PUBLIC HIGHWAY

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

Occupational licence for use of Hobart City Council highway reservation (outdoor seating, etc). Click [here](#) for more information.

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

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

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

NEW SERVICE CONNECTION

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

STORM WATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSEVERS

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

STORM WATER / ROADS / ACCESS

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

WEED CONTROL

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

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.

BICYCLE AND MOTORCYCLE PARKING

Consideration should be given to the provision of additional on-site bicycle and motorcycle parking facilities for customers of the proposed commercial uses. Any inclusion of such facilities should be discussed with the Council's Senior Development Engineer (03) 6238 2715) prior to the submission of plans for building approval.

Delegation: Council

Item 7.1.4 was then taken.

Mr Michael Gregg (Representor) addressed the Committee in relation to item 7.1.3.

Mr Ben Wilson - Chief Executive Officer, Wilson Homes, addressed the Committee in relation to item 7.1.3, on behalf of the Applicant.

7.1.3 1 Shepherd Street, 3 Shepherd Street, 3A Shepherd Street, 1 / 3A Shepherd Street, 2 / 3A Shepherd Street, Sandy Bay - Multiple Dwellings PLN-16-1022 - File Ref: F17/108004

DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 August 2017, be adopted, amended by the following:

1. The addition of Part B to read as follows:

"PART B

That the management of parking and rubbish collection in relation to Shepherd Street in the vicinity of this development be referred onto the City Infrastructure Committee for review and further investigation."

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Burnet
Ruzicka	
Denison	
Harvey	

COMMITTEE RESOLUTION:

PART A

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Multiple Dwellings at 1 Shepherd Street, 3 Shepherd Street, 3A Shepherd Street, 1 / 3A Shepherd Street, 2 / 3A Shepherd Street, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning agenda of 11 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1022 - 1 SHEPHERD STREET SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWD 2016/01418-HCC dated 16/06/2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw2

A pre CCTV video of the existing Council stormwater main that traverses the subject property and is located within two metres of the proposed works must be undertaken and submitted to Council prior to the commencement of work.

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

Advice:

Due to the diameter of the main, a tractor camera will be required to obtain adequately clear footage.

Once the pre CCTV video has been submitted and accepted by Council then a condition endorsement will be issues (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG sw2.1

A post CCTV video of the existing Council stormwater main that traverses the subject property and is located within two metres of the proposed works must be undertaken and submitted to Council upon completion of all works.

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

Advice:

Due to the diameter of the main, a tractor camera will be required to obtain adequately clear footage.

Once the post CCTV video has been submitted and accepted by Council then a condition endorsement will be issued (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG sw3

The proposed works must be designed to ensure the protection of and access to the Council's storm water main. Any proposed foundations including retaining wall footings to be located within two metres of Council infrastructure (measured horizontally to the nearest external surface of the pipe) must be clear of the Council's stormwater main, and be designed such that no additional loads are imposed on the stormwater main.

Detailed design drawings must be submitted and approved prior to commencement of construction. The detailed design drawings must:

1. Demonstrate how the design will ensure the protection of and provide access to the Council's stormwater main. (See advice section of permit.)
2. Include cross-sections clearly showing the relationship both vertically and horizontally between the Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.
3. Be certified by a suitably qualified engineer.

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

Advice:

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

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

Reason for condition

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

ENG sw4

Any new or upgrading of existing storm water connections must be constructed and any redundant stormwater connections must be sealed 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. The detailed engineering drawings must include:

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

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

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

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

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The Council stormwater mains must be carefully and accurately located onsite via hand excavated test holes.

Prior to construction of the footings, the exposed stormwater main and clearance from the footing set-out must be inspected and confirmed by the Council's Project and Development Inspector to ensure the minimum separation distances are achieved.

Advice: The Council's Project and Development Inspector, must be contacted on (03) 6238 2967 at least twenty four hours prior to the commencement of any works. Once verification has been obtained, Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the protection of the Council's infrastructure.

ENG 2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS/ NZS 1170.1 must be installed prior to the first occupation where the fill batter slope from the edge of the driveway/parking area is greater (steeper) than 1 vertical in 4 horizontal.

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

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

Advice: Once the engineer certified design/report has been approved, the Council will issue a condition endorsement with regard to the vehicle crash barrier design. Upon completion of the works and following submission of the engineers certification, the Council will issue a condition endorsement with regard to the completed vehicle crash barrier construction (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG 4

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

Reason for condition

To ensure safe access is provided for the use.

ENG 1

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

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

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

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be maintained until all areas of disturbance have been stabilized or 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 www.hobartcity.com.au for further information.

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

CONDITION ENDORSEMENT

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

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation

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

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

BUILDING AND PLUMBING PERMIT

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

TEMPORARY PARKING PERMITS

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

NEW SERVICE CONNECTION

New service connection (please contact the Hobart City Council's City Infrastructure Division to initiate the application process, (03) 6238 2711).

STORM WATER

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

STRUCTURES CLOSE TO COUNCIL'S 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 Infrastructure Division.

STORM WATER / ROADS / ACCESS

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

RIGHT OF WAY

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

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

WEED CONTROL

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

NOISE REGULATIONS

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

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.

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PART B

That the management of parking and rubbish collection in relation to Shepherd Street in the vicinity of this development be referred onto the City Infrastructure Committee for review and further investigation.

Delegation: Council

Item 7.1.5 was then taken.

7.1.4 108 Regent Street, Sandy Bay - Partial Demolition, Alterations and Extension
PLN-17-590 - File Ref: F17/107799

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 28 August 2017, be adopted.

PROCEDURAL MOTION

DENISON

That the matter be deferred to a subsequent City Planning Committee meeting to enable further discussion with the Applicant.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Denison
Harvey

Briscoe
Burnet

COMMITTEE RESOLUTION:

That the matter be deferred to a subsequent City Planning Committee meeting to enable further discussion with the Applicant.

Delegation: Committee

Supplementary Item 7.1.6 was then taken.

7.1.5 52 Hamilton Street, West Hobart - Multiple Dwelling
PLN-17-371 - File Ref: F17/108010

PROCEDURAL MOTION

RUZICKA

That the matter be deferred to a subsequent City Planning Committee meeting at the request of the Applicant.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That the matter be deferred to a subsequent City Planning Committee meeting at the request of the Applicant..

Delegation: Committee

Mr Brian Corr – Hobart Not Highrise Inc, addressed the Committee in relation his concerns over the height of developments within the City of Hobart.

HARVEY

That the briefing be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

Item 7.1.1 was then taken

SUPPLEMENTARY ITEM

**7.1.6 39 Brushy Creek Road and 270A Lenah Valley Road and 268 Lenah Valley Road and 268B Lenah Valley Road, Lenah Valley - Subdivision (12 Additional Lots) and Associated Hydraulic Services
PLN-17-198 - File Ref: F17/109069**

DENISON

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 6 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

The item was recommitted.

RUZICKA

That the item be recommitted to consider TasWater's Notice of Approval in relation to planning application PLN-17-198 for the subdivision (12 additional lots) at 39 Brushy Creek Road, Lenah Valley.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

RUZICKA

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 6 September 2017, be adopted, amended by the following:

1. The TW Clause to be substituted with the following:

“TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/00407-HCC dated 8 September 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Burnet
Ruzicka	
Denison	
Harvey	

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (12 additional lots) and associated hydraulic services at 39 Brushy Creek Road and 268A, 268B, and 270A Lenah Valley Road for the reasons outlined in the officer’s report attached to supplementary item 7.1.6 of the Open City Planning agenda of 11 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-198 - 39 BRUSHY CREEK ROAD LENA VALLEY - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/00407-HCC dated 8 September 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw3

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

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

The detailed engineering design drawings must:

1. Demonstrate how the design will accommodate future maintenance/replacement of the main, not impede overland flow and impose no loads onto the main and that the structure will be fully independent of the main and its trenching.
2. Include cross-sections clearly showing the relationship both vertically and horizontally between the main and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.
3. Include a long-section of the main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated.
4. Be certified by a suitably qualified engineer.

Prior to sealing of final plan, a suitably qualified engineer must confirm the installation of the works within two metres of the main is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice:

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

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

Reason for condition

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

ENG sw4

The developer is responsible for the cost for the construction of a stormwater drainage system, sized to accommodate the 1 in 100 AEP flow based on flows from the current catchment conditions and the future fully-developed subdivision.

If a larger system is required to accommodate the future fully developed catchment due to limited access to a legal point of discharge or more efficient lifecycle costing, then the Council will pay the additional cost.

The actual apportionment of these costs is to be agreed on by both the Council and the developer prior to the commencement of construction works for the stormwater drainage system.

Reason for condition

To ensure a fair allocation of costs for the construction of the stormwater drainage system.

ENG sw5

The new stormwater system must be constructed prior to the sealing of the final plan.

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

1. Be certified by a qualified and experienced engineer.
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Provide sufficient detail that demonstrates the overland flow is contained and safely conveyed within the defined overland flow path, taking into consideration flow velocities.
5. Include a maintenance plan for all required measures, including clear design drawings and inspection frequencies.
6. Demonstrate that outfall erosion, scouring and hydraulic intrusion are minimised.
7. Clearly distinguish between public and private infrastructure.
8. Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

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

Advice:

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure.

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

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG 2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS / NZS 1170.1 must be installed where required for the driveway access(s), prior to the sealing of the final plan.

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

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

Advice:

Vehicular safety barriers where the drop from a driveway/access to a lower level exceeds 600mm and a wheel stop (i.e. kerb 90 – 110mm high) where

the drop is less than 600mm but exceeds 150mm in accordance with AS/NZS 2890.1:2004 Section 2.4.5.3. Please indicate on your drawings the height of the drop from the driveway / parking area / turning area and show on the drawings where vehicular safety barriers / wheel stops are required and that they will be designed in accordance with AS/NZS 1170.1:2002. Council do not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3.

Reason for condition

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

ENG 4

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

Reason for condition

To ensure safe access is provided for the use.

ENG 14

Parking, access and turning areas must be generally designed and constructed in accordance with the Australian Standard Parking facilities, Part 1: Off-Street Carparking, AS 2890.1 – 2004, prior to the first occupation.

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

1. Show dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.
2. Provide exact location of the vehicular access at each individual lot.
3. Provide one vehicular access to service lots 4, 5, 6 and 7.

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

Advice:

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

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

Reason for condition

To ensure that the access and parking layout for the development is to accepted standards.

ENG 1

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

Prior to the Council issuing approved engineering drawings or the commencement of work onsite (whichever occurs first), a dilapidation report for road infrastructure which will be directly impacted by the construction of the development must be submitted to the Council. The dilapidation report must include photographs of any pre-existing damage, and must include Brushy Creek and Lenah Valley Roads.

In addition, a photographic record of the Council's infrastructure adjacent to the subject site must be submitted to the Council prior to the 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 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

All retaining structures and embankments 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 proposed the retaining structures and embankments supporting or within the highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitably qualified person and experienced engineer.
2. Demonstrate that the stability of the highway reservation will not be undermined.
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 the design and location of the footing adjacent and/or within the proposed highway reservation.

- 7 Be notated in accordance with the above.

All work required by this condition must be undertaken in accordance with the approved detailed design drawings, structural certificates and associated geotechnical assessments.

Advice:

Once the detailed design drawings, structural certificates and associated geotechnical assessments have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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

ENGR 3

Prior to the sealing of the final plan, the proposed driveway crossover(s) must be designed and constructed in accordance with the following relevant standards:

- 1 Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing;
- 2 Footpath - Urban Roads Footpaths TSD-R11-v1; and
3. Australian Standard 2890.

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto each of the properties.

- 2 Detail any services or infrastructure (i.e. light poles, pits, awnings) at or near the proposed driveway crossover.
- 3 Show swept path for a B85 vehicle in accordance with AS/NZS 2890.1 2004.
4. If the design deviates from the requirements of the Tasmanian Standard Drawings 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 vehicle's underside.
- 5 Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
6. 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 design drawings.

Advice:

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

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

Reason for condition

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

ENGR 4

Vehicle crash barriers within the highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings must be installed or modified as per the plans prior to the sealing of the final plan.

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

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

Reason for condition

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

ENG s1

Passing bays must be installed along the length of the shared driveway for lots 4, 5, 6 and 7.

The vehicle passing bays must:

1. Be 6m long, 5.5m wide, and taper to the width of the driveway;
2. Have the first passing bay constructed at the kerb; and
3. Be at intervals of no more than 30m along the access.

Design drawings must be submitted and approved prior to the commencement of work, demonstrating compliance with the above requirements.

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

Advice:

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

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

Reason for condition

To ensure that: (a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists; and (b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.

ENV 2

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

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

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

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

Advice:

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

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

Reason for condition

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

ENV 3

Prior to commencement of works and prior to sealing of the final plan, an amended bushfire hazard management plan, bushfire report and certificate of compliance must be submitted and approved.

The bushfire hazard management plan dated 20 June 2017 must be amended to:

1. Not show the indicative 10m by 15m building areas;
2. Include an amended note 2 that is consistent with the notation on the plan relating to the shared driveway serving lots 4 to 7;
3. Clarify and clearly show the extent of required hazard management areas (particularly for lots 1, 6 and 7);
4. Include specific hazard management area prescriptions for lots 1, 6 and 7 that ensure no impact on existing significant native vegetation or existing vegetation within the waterway protection area; and
5. Show the no build area and fire trail as shown on subdivision plan.

The bushfire report dated 20 June 2017 must be amended to:

1. Show the final subdivision layout as shown on the subdivision plan dated 17028 dated 30 June 2017 in images 7 and 14;

2. Clarify and clearly show the extent of required hazard management areas (particularly for lots 1, 6 and 7); and
- 3 Include specific hazard management area prescriptions for lots 1, 6 and 7 that ensure no impact upon existing significant native vegetation or existing vegetation within the waterway protection area.

The amended certificate of compliance must refer to the amended bushfire report and bushfire hazard management plan and include a correct description of the development in section 2 of the certificate.

Reason for condition

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

ENV 4

The final approved bushfire hazard management plan (BHMP) must be implemented prior to occupation of the first new habitable building on lots 2 to 14, and must be maintained for the life of all habitable buildings on these lots.

Compliance with the BHMP for future lot owners must also be required via a Part 5 Agreement pursuant to section 71 of the *Land Use Planning and Approvals Act 1993*. The Agreement must be registered on the Titles of all lots at the time of issue. The Agreement must require the BHMP to be implemented prior to occupation of the first new habitable building on lots 2 to 14, and must be maintained for the life of all habitable buildings on these lots

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

Reason for condition

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

ENV s1

Prior to the commencement of works, a Construction Environmental Management Plan must be submitted and approved.

The Construction Environmental Management Plan must:

- 1 Detail the proposed construction methodology, particularly with regard to ground disturbance and vegetation clearing; and
- 2 Include measures (including timing and duration) to avoid or mitigate risks associated with erosion and sedimentation (including the potential presence of dispersive soils), the spread of weeds (including any imported soil and vehicle hygiene) and the risk of contamination of any imported soil.

All work required by this condition must be undertaken in accordance with the approved Construction Environmental Management Plan.

Advice:

Once the approved Construction Environmental 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 minimise the potential for environmental impacts from the construction works

OPS s1

In accordance with Section 117 of the Local Government (*Building and Miscellaneous Provisions*) Act 1993 and prior to the sealing of the final plan, the boundary of Lot 6 (Public Open Space) must be amended to remove the strip between Lots 5 and 7, and be replaced with a right of way in favour of the Council (similar to that approved for access to Lots 4, 5 and 7).

Advice: The final area and configuration of Lot 6 (Public Open Space) is to be approved by the Council's Director Parks and City Amenity prior to sealing of the final plan.

Reason for condition

The amendment is necessary to provide a regular lot boundary, and to ensure a more effective use of public open space contributions.

OPS s2

Prior to the sealing of the final plan, the boundary of Lot 6 (Public Open Space) must be amended to include the riparian land on the western side of Brushy Creek along the length of Lot 7, between the existing fence and Brushy Creek.

Advice: The final area and configuration of Lot 6 (Public Open Space) is to be approved by the Council's Director Parks and City Amenity prior to sealing of the final plan.

Reason for condition

The land is required for riparian management, and will not be developed for recreational track purposes.

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

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

SURV 3

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

The final plan and schedule of easements must provide easements:

1. Over any proposed or existing stormwater, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater.
2. Over any overland flow paths through the lots on the final plan in favour of the Hobart City Council.
3. Extending through proposed Lot 11, along the eastern boundary to 41 Brushy Creek Road.
4. Over any existing or proposed private rights of way, drainage and/or service easements in favour of the lots they are required to serve.
5. Over any existing, proposed or required road embankment or road batters in favour of the Hobart City Council.

Reason for condition

To ensure that there are no impediments to the provision of public and private services and access to the lots; and for the efficient provision of stormwater drainage, and to ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

SURV 5

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

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

Reason for condition

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

SURV 12

Lots 5 and 8 on the final plan are to be notated in accordance with the provisions of section 83(5)(a)(ii) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal from lots 5 and 8 below a specified reduced level.

The final plan must be submitted and approved. The final plan must be notated in accordance with the above requirement.

Any specified reduced level that may be required is to be provided by the owner's Registered Land Surveyor, who must supply the invert level (on State Datum) of the stormwater connection constructed to serve Lot 5.

Reason for condition

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

SURV 13

The final plan is to be notated in accordance with the provisions of section 83(7)(b) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* to the effect that the Tasmanian Water and Sewerage Corporation cannot provide a means of gravity reticulated sewerage disposal from lot 5 and 8 below a specified reduced level.

The final plan must be submitted and approved, and must be notated in accordance with the above.

The specified reduced level that may be required is to be provided by the owner's Registered Land Surveyor who must supply the invert level (on State Datum) of the sewer connection constructed to serve Lot 5.

Reason for condition

To ensure that the limitation in TasWater's ability to provide a means of gravity reticulated sewerage disposal from is noted on the final plan.

ENG15

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

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

1. Be prepared by a suitably qualified and experienced engineer;
2. Be generally in accordance with LGAT - IPWEA - Tasmanian Standard Drawings and Subdivision Guidelines 2013;
3. Specify lot connection sizes appropriate for the developable area of each lot.
4. Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained.

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

Advice:

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

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure. A CCTV of all stormwater infrastructure will be required prior to issue of practical completion for the relevant infrastructure, and a maintenance bond will be required.

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development. Shared driveways or when required under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Part 5 1

Prior to the sealing of the final plan, the owner(s) of the property must enter into a Part 5 Agreement with the Council pursuant to the *Land Use Planning and Approvals Act 1993*. The Agreement must specify that:

1. The owner will not build more than 30sqm of impervious area (including driveways and roofs) which cannot drain via gravity to the public stormwater servicing proposed Lot 5, unless separate written consent from Council is obtained.
- 2 The maintenance of any works required to ensure overland flow will be managed in accordance with the approved engineering drawings and maintenance plan.

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

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

Advice:

Please contact Council's Senior Development Engineer ((03) 6238 2715) to start the Part 5 Agreement process.

Where building approval is also required, it is recommended that the Part 5 Agreement process be started well before submitting documentation for building approval. Failure to start the Part 5 Agreement process prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure that block limitations are disclosed and that overland flow is safely managed.

Stormwater pre-treatment for stormwater discharges from the development and associated works must be installed prior to sealing of the final plan.

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

Either:-

1. Provide detailed design of the final proposed treatment train, including estimations of contaminant removal in comparison with the State Stormwater Strategy targets;
2. Include detailed design for the construction of adequate access for maintenance and renewal of the treatment system, taking into consideration site grades and the size/limitations of the vehicles that will need to access the location;
3. Demonstrate the system is of an efficient life cycle cost;
4. Outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirement, i.e. including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement; estimation of the life cycle cost including maintenance costs; and
5. Show the flood extent for both the 5% and 1% AEP in relation to the systems location, ensuring it is located outside these extents.

Or:-

1. A realistic cost estimate agreed upon with the Council is to be provided for the design and construction of a system on site that would meet the State Stormwater Strategy targets for the proposed subdivision. The equivalent of the cost estimate must

be paid to the Council as a contribution for the upgrade of existing/proposed infrastructure offsite.

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

Advice:

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

Council notes that the current proposal reflects that of the adjoining subdivision

270A Lenah Valley; however their treatment system is only sized to achieve the

State Stormwater Strategy targets for their developed land, not that of adjoining (i.e.

39 Brushy Creek). A cost effective alternative may be to contribute to the upgrading of their treatment system to accommodate flows from 39 Brushy Creek, such that the State Stormwater Strategy targets are met for 39 Brushy Creek also; provided this can be demonstrated to the Council. However this is a time sensitive alternative.

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 r7

Residential underground power and fibre ready facilities (pit and pipe that can hold optical fibre line) to each lot, and street lighting, must be installed prior to the sealing of the final plan.

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

1. In accordance with AS/NZS 1158 series;
2. Include Tas Networks light standard and energy-efficient road light fittings; and
3. Be certified by a suitably qualified person.

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

Advice:

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

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

Reason for condition

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

ENG r8

Prior to the commencement of works, detailed drawings of all road infrastructure associated with the subdivision must be submitted and approved.

The detailed drawings must be designed by a suitably qualified and experienced engineer in accordance with the Institute of Public Works Engineering Tasmanian Standard Drawings and Guidelines, the Department of State Growth Specifications, Safe Design of Structures Code of Practice, and all other relevant standards, guidelines and procedures.

All work must be undertaken in accordance with the approved detailed drawings.

Advice:

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

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

The detailed drawings should include/detail/specify, but not be limited to, the following:

1. *Minimum sealed road pavement width shall be shown as 6.5m.*
2. *Fully dimensioned horizontal and vertical geometry, including the intersections.*
3. *Construction details in typical cross sections.*
4. *Drainage details.*
5. *Crossfalls.*
6. *Kerb lines.*
7. *Spot levels.*
8. *Stormwater pits and reticulation details.*
9. *Pipe material, class and gradients.*
10. *Pedestrian and vehicle safety barriers.*
11. *Traffic management signage.*

12. *Footpath details (footpaths to be constructed using concreted). The footpath should be 1.5m wide and on the left hand side of the road (driving towards the cul-de-sac), to match the footpath with 270A Lenah Valley Road.*
13. *Kerb ramp locations.*
14. *Long section of road showing grades.*
15. *Details of any benching required for the road construction*
16. *Any retaining structures or embankments within or supporting the road reservation.*
17. *Cul-de-sac details.*
18. *Vehicle crossings and sealed concrete driveway from the back of the vehicle boundary to or onto the lot.*
19. *Road connection details (connect from 270A Lenah Valley subdivision)*
20. *Structural certificates for pedestrian and vehicle safety barriers to ensure compliance with relevant codes and standards in respect to installation. Assessment of the suitability of the proposed road seal on gradients over 14% will be required with the plans.*
21. *Demonstrate that the road and cul de sace is adequate to be used by service vehicles, including to turn around. Turn path diagrams in accordance with the Austroads Design Vehicles and Turning Path Templates Guide may need to be provided.*

Reason for condition

To ensure works are designed in accordance with relevant standards.

SUB s2

Prior to sealing of the final plan, the owner of Lot 7 on the plan must covenant with the Council to the intent that the burden of this covenant may run with

and bind the covenantor's lots and any part thereof, to observe the following stipulation:

"Not without the written consent of the Hobart City Council to erect or permit to be erected any building or structure, or carry out any landscaping that may change the contours of the land or restrict the free flow of water over the land or cause erosion within 10 (ten) metres from the top of the watercourse embankment of Brushy Creek Rivulet."

Reason for condition

To ensure the protection of the riparian zone of the rivulet/watercourse and prevent potential flood water impediment.

SUB s3

The final plan must include a 4m wide footway (public highway), extending from the head of the cul-de-sac to the southern boundary of the site. The siting of the footway (public highway) must maintain a minimum lot size of 750m² for each lot.

Advice:

The final location of the footway (public highway) is to be approved prior to the sealing of the final plan by the Council's Director City Infrastructure.

Construction of the footway (public highway) will not be required as part of the subdivision development works.

Reason for condition

To facilitate and make provision for the future construction of a pedestrian and cycle link to Brushy Creek Road and to ensure that the subdivision complies with clause 10.6.2 and clause 10.6.3.

ADVICE

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

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

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

CONDITION ENDORSEMENT

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

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

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

BUILDING PERMIT

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

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

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

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

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

NEW SERVICE CONNECTION

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

STORM WATER

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

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.

COUNCIL RESERVES

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

WEED CONTROL

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

NOISE REGULATIONS

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

SUBDIVISION ADVICE

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

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

Delegation: Council

SUPPLEMENTARY ITEM

7.1.7 43 Pedder Street, New Town - Partial Demolition, Alterations and Extensions - PLN-17-505

File Ref: F17/108319

RUZICKA

That the recommendation contained in the memorandum of the Manager Development Appraisal of 8 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

Pursuant to the Hobart Interim Planning Scheme 2015, the Council approve the application for partial demolition, alterations and extension to the single dwelling at 43 Pedder Street, New Town for the reasons outlined in the officer's report attached to supplementary item 7.1.7 of the Open City Planning agenda of 11 September 2017 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-505 - 43 PEDDER STREET NEW TOWN TAS 7008 Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

The roof of the extension must be amended to be a skillion design with a slope no greater than 2 degrees, and that is no higher at any point than the ridgeline of the roof of the existing house on the subject site.

Prior to the issue of any building permit, drawings demonstrating compliance with this condition to the satisfaction of the Council's Director City Planning must be submitted to and approved by the Council.

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

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

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

Reason for condition

To minimise the potential impact of the extension upon neighbouring properties

ENG 4

The driveway and car parking area approved by this permit must be constructed to a sealed standard and surface drained prior to the commencement of use.

Reason for condition

To ensure safe access is provided for the use.

ENG 5

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

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 and employee parking) in accordance with Australian Standards AS/NZS2890.1 2004 Table 1.1.

Reason for condition

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

ENG 3

The car parking area must be 2.7m wide in accordance with the Australian standards AS/NZS 2890.1

Reason for condition

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

ENG 1

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

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

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

Reason for condition

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

ENG 10

The front fencing and gate must allow adequate sight distance between user vehicles, cyclists and pedestrians. The "pool style" fencing must be at least 50% transparent.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be 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.

BUILDING PERMIT

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

PLUMBING PERMIT

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

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.

PROTECTING THE ENVIRONMENT

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

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.

Delegation: Council

7.2 Hobart Interim Planning Scheme 2015 - Sullivans Cove Planning Scheme 1997 - Royal Hobart Hospital Helipad Airspace - Proposed Amendments
File Ref: F17/107684; 17/167

RUZICKA

That the recommendation contained in the memorandum of the Acting Director City Planning of 6 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

- That: 1. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council resolve to initiate the following amendments:
- (i) Amendment PSA-17-6 to the *Hobart Interim Planning Scheme 2015* as detailed in Attachment B; attached to item 7.2 of the Open City Planning agenda of 11 September 2017 and
 - (ii) Amendment PSA-17-7 to the *Sullivans Cove Planning Scheme 1997* as detailed in Attachment C, attached to item 7.2 of the Open City Planning agenda of 11 September 2017.
2. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council certify that Amendment PSA-17-6 to the *Hobart Interim Planning Scheme 2015* and Amendment PSA-17-7 to the *Sullivans Cove Planning Scheme 1997* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instruments of Certification (Attachments D&E, attached to item 7.2 of the Open City Planning agenda of 11 September 2017).
3. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council place Amendment PSA-17-6 to the *Hobart Interim Planning Scheme 2015* and Amendment PSA-17-7 to the *Sullivans Cove Planning Scheme 1997* on public exhibition for a 28 day period following certification.

Delegation: Council

8 REPORTS

8.1 European Union World Cities Project - Katowice Poland File Ref: F17/107477

RUZICKA

- That: 1. Noting that the European World Cities Project with the City of Katowice in Poland is now focused on the operational and technical level.
2. Alderman Briscoe (subject to availability) be nominated to attend the Cities and Regions Conference in Brussels from 9 to 13 October 2017, with the cost of attendance to be attributed to the City Government Function under conference attendance.
3. A report be provided, for information, on the progress of the project following the meetings City of Katowice Poland and Cities and Regions Conference from 9 – 13 October 2017.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

- That: 1. Noting that the European World Cities Project with the City of Katowice in Poland is now focused on the operational and technical level.
2. Alderman Briscoe (subject to availability) be nominated to attend the Cities and Regions Conference in Brussels from 9 to 13 October 2017, with the cost of attendance to be attributed to the City Government Function under conference attendance.
3. A report be provided, for information, on the progress of the project following the meetings City of Katowice Poland and Cities and Regions Conference from 9 – 13 October 2017.

Delegation: Council

8.2 Community Engagement - Climate Change Strategy Review
File Ref: F17/104550; 17-50-20

RUZICKA

That the recommendation contained in the memorandum of the Environmental & Climate Change Projects Officer of 6 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.3 Delegated Decisions Report (Planning)
File Ref: F17/107125

BURNET

That the recommendation contained in the memorandum of the Acting Director City Planning of 6 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.4 City Planning - Advertising List
File Ref: F17/107460

HARVEY

That the recommendation contained in the memorandum of the Acting Director City Planning of 6 September 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

9 COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report
File Ref: F17/107860

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

Delegation: Committee

10. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

10.1 Local Area Planning Scheme Deputations **File Ref: F17/92949; 13-1-10**

10.2 Interpretation of the Planning Scheme **File Ref: F17/92950; 13-1-10**

10.3 Electric Charging Points - Future Proofing **File Ref: F17/97538; 13-1-10**

10.4 Hospital Helipad Airspace Specific Area Plan **File Ref: F17/101413; 13-1-10**

10.5 Definition of "Discretion" Regarding Height **File Ref: F17/107000; 13-1-10**

BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

Delegation: Committee

11. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

11.1 Alderman Harvey - Quality of Tap Water **File Ref: 13-1-10**

Question: Could the Director please advise which Division is responsible for public health and safety in relation to the water quality in regards to tap water within the City of Hobart due to some concern over possible plastic microfibers?

Answer: The Director City Planning advised that this is not within the jurisdiction of the Hobart City Council and it would be a matter for TasWater.

11.2 Alderman Harvey - Planning Scheme and Urban Farming **File Ref: 13-1-10**

Question: Could the Director please advise what current provisions in relation to the Planning Scheme are in place to protect urban farming?

Answer: The Director City Planning took the question on notice.

11.3 Alderman Burnet - Notice of Motion - Planning Scheme Amendments under the Sullivan's Cove and the City of Hobart Planning Schemes - Building Height Report **File Ref: 13-1-10**

Question: Could the Director please advise as to the timeframes of when it is expected that the report in relation to the Notice of Motion (NoM) adopted at the Council meeting of 4 September 2017 regarding the planning scheme amendments under the Sullivan's Cove and the City of Hobart Planning Schemes in relation to building height will be tabled.

Answer: The Director City Planning advised that the report in relation to the NoM regarding building height is expected to be tabled at the City Planning Committee meeting scheduled to be held on 25 September 2017, with a further report to follow.

11.4 Alderman Burnet - Future Character Statements
File Ref: 13-1-10

Questions: As the submission period for the future character statements have now closed, could the Director please advise as to how many submissions were received, how many presentations are expected and if a date for a Special City Planning Committee meeting has been set to address this?

Answer: The Director City Planning advised that 176 submissions were received during the period, resulting in approximately 50 presentations. As to a scheduled date for a Special City Planning meeting, arrangements have not taken place at present.

11.5 Alderman Briscoe - Deferral of Development Applications for Consultation with Representors
File Ref: 13-1-10

Question: Could the Director please advise as to when a Development Application (DA) has been deferred for further consultation with Representors, it is possible for the City Planning Division to contact the Representors in question with the Applicants details to help facilitate this process?

Answer: The Director City Planning advised that this would be able to occur.

11.6 Alderman Briscoe - Deferral of Development Applications for Consultation with Representors Policy
File Ref: 13-1-10

Question: As the Director City Planning has advised that the City Planning Division would be able to contact Representors to help facilitate communication with Applicants in relation to Development Applications being deferred for further consultation with Representors, will it now become policy?

Answer: The Director City Planning advised that such practice can be initiated without the need for a formal policy.

12. CLOSED PORTION OF THE MEETING

The following items were discussed:-

- | | |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Questions Without Notice |

RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Burnet
Denison
Harvey

Delegation: Committee

The Chairman adjourned the meeting at 6:15 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6:16 pm.

Item 12 was then taken.

There being no further business the meeting closed at 6:16 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
25TH DAY OF SEPTEMBER 2017.

CHAIRMAN