



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 5 AUGUST 2019
AT 5:07 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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PRESENT:

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

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Alderman Sexton declared an interest in item 16 and left the meeting at 6.41pm, returning at 6.42pm.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 22 July 2019](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Monday, 29 July 2019](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 GIFT FOR PRESENTATION - TRADITIONAL TEA CUP AND SAUCER

THE LORD MAYOR PRESENTED A GIFT OF A TRADITIONAL CHINESE TEA CUP AND SAUCER WHICH SHE RECEIVED ON TUESDAY 18 JUNE 2019 FROM THE CONSUL GENERAL OF CHINA MR LONG ZHOU.

3.2 GIFT FOR PRESENTATION - SCROLL

ON WEDNESDAY 31 JULY 2019 THE DEPUTY LORD MAYOR COUNCILLOR HELEN BURNET REPRESENTED THE LORD MAYOR AT A RECEPTION FOR STUDENTS FROM NO 8 MIDDLE SCHOOL, FUZHOU. THE STUDENTS PRESENTED THE DEPUTY LORD MAYOR WITH A SCROLL.

3.3 GIFT FOR PRESENTATION - COMMEMORATIVE MAGAZINE

THE DEPUTY LORD MAYOR COUNCILLOR HELEN BURNET ATTENDED THE OFFICIAL LAUNCH OF THE 50 YEAR CHINESE COMMUNITY ASSOCIATION OF TASMANIA CELEBRATIONS ON SUNDAY 28 JULY 2019. A COMMEMORATIVE MAGAZINE WAS PRESENTED TO THE DEPUTY LORD MAYOR AT THE EVENT.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

Date: 30 July 2019
Purpose: Community Engagement

Date: 5 August 2019
Purpose: Conflict of Interest

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

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

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

The following interest was indicated:

1. Alderman Sexton - item 16

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

9.1 3 Argyle Street, Hobart - Alterations (Solar Panels) PLN-19-69 - File Ref: F19/99227

Ref: Open [CPC 7.1.1](#), 29/07/2019
Application Expiry Date: 14 September 2019
Extension of Time: Not applicable

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for alterations (solar panels) at 3 Argyle Street, Hobart for the reasons outlined in the officer's report, attached to item 7.1.1 of the Open City Planning Committee agenda of 29 July 2019, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-69 - 3 ARGYLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

BUILDING PERMIT

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

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

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**9.2 197 Campbell Street, Hobart and Adjacent Road Reserve - Demolition, New Building for General Retail and Hire, and Signage
PLN-19-151 - File Ref: F19/100696**

Ref: Supplementary Open [CPC 12](#), 29/07/2019

Application Expiry Date: 5 September 2019

Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, new building for general retail and hire, and signage at 197 Campbell Street, Hobart for the reasons outlined in the officer's report, attached to supplementary item 12 of the Open City Planning Committee agenda of 29 July 2019, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-151 - 197 CAMPBELL STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Reason for condition

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

ENG 3a

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

Advice:

- *It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*

Reason for condition

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

ENG 3b

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

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

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;
3. Include one (1) space available for accessible parking and in accordance with the Australian Standard AS/NZ 2890.6;
4. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use; and
5. Show dimensions, levels, gradients & transitions and other details as Council deem necessary to satisfy the above requirement.

Advice:

- *It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*
- *Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement)*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG 3c

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

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

Advice:

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

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.

Reason for condition

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

ENG 5

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

Reason for condition

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

ENG 8

The use of one (1) car parking space on-site is to be made available for people with a disability in accordance with Australian Standards AS/NZS2890.6:2009.

A sign, approved by council, and in accordance with Australian Standards AS/NZS1742.11:2016, must be erected at the entry or close to the parking access to indicate a parking space is available for people with a disability prior to first occupation.

Advice: The car parking space need not be designated (where there is a total of not more than 5 car parking spaces), so as to restrict the use of the car parking space for people with a disability.

Reason for condition

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

ENG 11

Prior to the first occupation, the proposed modifications to the crossover(s) within the Warwick Street highway reservation must be designed and constructed in general accordance with:

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

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *It is advised that designers consider the detailed design of the crossover, access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*
- *Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Please contact Council City Amenity Division to discuss approval of alternate designs. Based on a site specific assessment, Council City Amenity Division's Road Engineer may permit extending non-approved concrete slab crossover, and where non-standard kerb and channel exists a concrete plinth to Council standards may be permitted for construction at the gutter.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG s1

Details of the proposed convex mirror and any additional signage to address the lack of sight distance for pedestrians must be submitted and approved by council prior to the issuing of any approval under the *Building Act 2016*.

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

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

It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage may result in unexpected delays.

Reason for condition

To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations 2016.

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

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

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's 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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

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

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

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

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSOVERS

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

WORK PLACE HEALTH AND SAFETY

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

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

BURNET
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**9.3 5 Giblin Street, Lenah Valley, 3 Giblin Street, Lenah Valley, 7 Giblin Street, Lenah Valley - Subdivision (Boundary Adjustment and Two Additional Lots) and Associated Works
PLN-18-792 - File Ref: F19/100978**

Ref: Supplementary Open [CPC 13](#), 29/07/2019

Application Expiry Date: 5 August 2019

Extension of Time: Not applicable

PART A

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a subdivision (boundary adjustment and two additional lots) and Associated Works at 5 Giblin Street Lenah Valley Tas 7008, 3 Giblin Street Lenah Valley Tas 7008 and 7 Giblin Street Lenah Valley Tas 7008 for the reasons outlined in the officer's report, attached to supplementary item 13 of the Open City Planning Committee agenda of 29 July 2019, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-792 5 GIBLIN STREET LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01812-HCC dated 28/11/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater mains within/adjacent to the subject property, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

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

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main within/adjacent to the subject property, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.

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

Reason for condition

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

ENG sw3

The proposed Lot 1 boundary retaining wall and Lot 3 driveway retaining wall must be designed to ensure the protection and access to the Council's stormwater main.

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 main. (see advice section of permit).

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Failure to address condition 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 sw5

The new public stormwater infrastructure must be designed and constructed prior to sealing of the final plan of subdivision.

Plans and computations to the satisfaction of Council must be submitted and approved, prior to commencement of work. The plans and computations, drawn to scale with dimensions, must:

1. Be certified by a qualified and experienced civil engineer;
2. Show the direction of stormwater run-off;
3. Include a singular point of discharge for each lot;
4. Include layout plans and longitudinal sections (where appropriate) of the proposed stormwater works;
5. Include the associated computations and catchment area plans (the computations must include all hydraulic and hydrologic variables and input data used to complete the design along with relevant software output); and
6. Include a construction management plan.

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

Advice:

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

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG s1

An overland flow path must be maintained through the site, such that flows are not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event. Plans certified by a suitably qualified and experienced engineer as meeting the above requirement to the Council's satisfaction must be submitted prior to issue of any consent under the *Building Act 2016* or commencement of works (whichever occurs first).

The detailed design drawings and associated documentation of the overland flow path must:

1. Be prepared by a suitably qualified and experienced engineer.
2. Detail overland flow paths including supporting cross section and flow calculations.
3. Be designed to accommodate a storm with a 1% AEP plus climate change loading.
4. Establish the required minimum habitable floor levels for proposed dwellings at least 300mm above the 1% AEP (plus climate change) flood level in the channel.
5. Demonstrate no diversion of the overland flows onto third-party property.
6. Demonstrate that overland flow does not come within 300mm of an existing habitable floor, or that all habitable floors are 300mm higher than water level.
7. Demonstrate that overland flow does not conflict with the proposed building envelopes for the proposed lots.
8. Ensure an overland flow path from the Giblin Street highway reservation to the former creek/proposed trapezoidal channel is maintained.

All work required by this condition must be undertaken and maintained in accordance with the certified detailed design drawings and associated documentation.

Advice:

- *Subdivision documentation provides detailed assessment of the road capacity demonstrating a maximum capacity of 1% AEP without climate change. Therefore, overland flow paths will need to demonstrate the excess flows caused from climate change comply with the above condition.*

- *It is noted that the applicant intends to modify the existing reverse cross-fall footpath within the Giblin Street highway reservation adjacent to the subject site, to positive cross-fall. Council are aware that Giblin Street currently acts as a significant overland flowpath for the entire upper catchment of Tor Creek, with the reverse cross-fall path allowing flows to re-enter the natural drainage gully. Unless it can be demonstrated that the Giblin Street highway reservation downstream of the subject site has sufficient capacity to contain the major event flows such that they can safely re-enter the natural gully at some other location, then an overland flowpath through to the proposed trapezoidal channel will need to be maintained. In this case it is advised to investigate use of the lot 3 driveway to serve this purpose.*

Reason for condition

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

ENG s2

Prior to the sealing of the final plan, the schedule of easements and final plan of survey must contain a restrictive covenant over the floodway paths identified in the approved overland flow path plan in favour of the Hobart City Council and to the satisfaction of the Council's Director City Planning and the Council's Director City Amenity. The covenant must provide that the owners of the affected lots on the plan covenant with the Hobart City Council to the intent that the burden of the covenant may run with and bind the covenantor's lot and any part thereof and the benefit shall be in favour of the Hobart City Council, 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 fence or carry out any landscaping that may change the contours of the land or restrict the free flow of water over the land within the potential floodway paths identified on the final plan.

Reason for condition

To facilitate the management of the potential floodway paths.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

- *The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*
- *Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.*

Reason for condition

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

ENG 2b

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

Advice:

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*

- *If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENG 2c

Prior to the first occupation, commencement of use or sealing of the final plan of subdivision (whichever occurs first), vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

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

Reason for condition

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

ENG 3a

Prior to commencement of use, the access driveway, circulation roadways, and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

Advice:

- *It is noted that an access driveway has been proposed for Lot 2 and Lot 3.*

Reason for condition

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

ENG 3b

The access driveway, circulation roadways and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the commencement of work or the issuing of any approval under the *Building Act 2016 (whichever occurs first)*.

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

1. Be prepared and certified by a suitably qualified engineer.
2. Be in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

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

Reason for condition

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

ENG 4

The access driveway, circulation roadways and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation or commencement of use (whichever occurs first).

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG R3

Prior to the sealing of the final plan of subdivision, the proposed driveway crossovers Giblin Street highway reservation (including reinstatement of abandoned crossover) must be designed and constructed in accordance with:

- Lot 1 and 2: TSD-R09-v1 – Urban Roads Driveways, TSD R14-v1 Type KC vehicular crossing and TSD R11-v1 Urban Roads Footpaths, and
- Lot 3: TSD-R09-v1 – Urban Roads Driveways, TSD R16-v1 Type KCR & B1 or Type KCRB & B1 and TSD R11-v1 Urban Roads Footpaths, or
- Lot 1-3 driveway crossover to a Council approved alternative design.

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property.
2. Detail any services or infrastructure (i.e. light poles, pits, awnings) at or near the proposed driveway crossover.
3. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings for Lot 3.
4. Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 depending on use, design template).
5. If the design deviates from the requirements of the TSD, then demonstrate that a B85 vehicle (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the car's underside.
6. Show how any drop off from the side of the crossover within the highway reservation will comply with AS/NZS 2890.1 2004 with respect to vehicular barriers and/or kerb (wheelstops), or if fill is proposed to mitigate drop offs from occurring.
7. If the design includes any retaining walls within the highway reservation, include a certified design complete with structural certificates.
8. Show any modifications to footpath levels and if proposed provide dimensioned cross and long sections of the footpath.

9. 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 detailed drawings.

Advice:

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

Reason for condition

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

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 detailed and comprehensive SWMP must be submitted prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#). Particular attention must be given to managing the piping of the creek and landfilling.

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

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

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

Reason for condition

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

ENV 3

The driveway constructed on Lot 3 must be designed and constructed in accordance with the specifications for element B in Table E2 of the Bushfire-Prone Areas Code.

Reason for condition

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

ENV 4

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

1. Be clear and consistent with regard to the management prescriptions for Lot 3 (the submitted bushfire report and BHMP state that Lot 3 is a hazard management area, but also state that Lot 3 must be maintained in a reduced fuel condition until developed for residential purposes);
2. Be clear that the hazard management areas are all areas of the lots not developed with buildings;
3. Be clear and consistent with regard to the duration of requirements for maintaining hazard management areas (i.e. ongoing or until developed with habitable buildings);
4. Clarify in the BHMP that the access requirements only relate to Lot 3;
5. Clarify exactly when the access to a habitable building on Lot 3 in accordance with Table E2 of the Code is required to be in place;

6. Clarify in the BHMP that the water supply requirements do not apply to buildings on those parts of the lots that are not shown as being within a bushfire-prone area on the BHMP; and
7. Not include the note in the BHMP that water supply for firefighting is not required until future development (redundant).

Compliance with the requirements of the Bushfire Report and Bushfire Hazard Management Plan must be required via a Part 5 Agreement pursuant to section 71 of the Land Use Planning and Approvals Act 1993. The Agreement must be registered on the Titles of all lots subject to the BHMP at the time of issue.

Advice:

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

SURV 1

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

Reason for condition

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

SURV 2

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

Reason for Condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

SURV 3

The final plan and schedule of easements must provide easements to the satisfaction of the Council:

1. Over any proposed or existing storm water, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater (minimum width of 2m, or 3m if they cover two pipes).
2. Over any existing or proposed overland flow paths in favour of the Hobart City Council.
3. Over the existing location of the centre-line of Tors Creek - drainage easement in favour of Hobart City Council (minimum width 5 m). The existing creek centre-line is also to be shown and notated on the final plan of survey.

Reason for condition

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

SURV 9

Any lots on the final plan created from the addition of sub minimal lots on the plan of subdivision are to be notated on the final plan.

The final plan must include notations in accordance with section 111 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, in relation to lot 3 to satisfy the above requirement.

Reason for condition

To ensure compliance with statutory provisions.

SURV 13

The final plan is to be notated in accordance with the provisions of section 83(7) (b) of the *Local Government (Building & 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 1 below a specified reduced level.

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

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 1.

Reason for condition

To ensure that the limitation in TasWater's ability to provide a means of gravity reticulated sewerage disposal from Lot 1 is noted on the final plan.

ENG 16

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot and contained wholly within the lots served.

Reason for condition

To ensure that each lot is services separately.

ENG 17

Prior to the sealing of the final plan, the developer must verify compliance with condition ENG 16 by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

Advice:

Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a suitably qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A 'suitably qualified person' must be a professional engineer or professional surveyor or other persons acceptable to Council.

Reason for condition

To ensure that the Developer provides the Council with clear written confirmation that the separation of services is complete.

Part 5 1

Prior to the sealing of the final plan, the owners of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the following:

1. That Lot 3 is designated for multiple dwelling use and development only.
2. That for Lots 1 and 3 Permissible Site Discharge of stormwater is limited to the pre-development 50 l/s per hectare for a 5% Annual Exceedance Probability (AEP) storm event (regardless of duration).
3. That Lot 3 Permissible Site Discharge is limited to 75 l/s per hectare for a 1% Annual Exceedance Probability (AEP) storm event (regardless of duration).

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: For further information with respect to the preparation of a Part 5 agreement please contact Council Planning or Development Engineering Staff on 6238 2715.

Reason for condition

To ensure that works occur on site in accordance with the *Hobart Interim Planning Scheme 2015* and stormwater runoff from Lot 3 is able to be contained within the minor and major downstream stormwater drainage systems.

ENG r7

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

Reason for condition

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

OPS 1

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

The open space contribution is equal to 5% of the undeveloped value of Lots 1 and 3 in the final plan, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

Reason for condition

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

SUB s1

An amendment to Strata Plan 131380 must be submitted concurrently with the final plan for the subdivision / boundary adjustment and approved by Council in accordance with the requirements of sections 19 and 31 of the *Strata Titles Act 1998*, prior to the sealing of the final plan for the subdivision / boundary adjustment.

Reason for condition

To enable a portion of Lot 1 on Strata Plan 131380 to form part of Lot 3 on the final plan of survey for the subdivision / boundary adjustment.

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

Once confirmed, please call one of the City's Customer Service Officers on 62382190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

BUILDING PERMIT

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

Your proposal involves work within the highway reservation, you will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

NEW SERVICE CONNECTION

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

STORMWATER

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.

WORK WITHIN THE HIGHWAY RESERVATION

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

REDUNDANT CROSSEOVERS

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.

STRATA AMENDMENT

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

TITLE ADHESION

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

WEED CONTROL

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

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

SUBDIVISION ADVICE

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

PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

PART B

That Council Officers investigate the significance of the heritage dwelling on 5 Giblin Street, and seek guidance from Heritage Tasmania to provide the correct course of action to request a compulsory restoration of the dwelling be undertaken by the developer.

BURNET
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

PROCEDURAL MOTION

BRISCOE
HARVEY

That item 9.4 be deferred to later in the meeting to enable the recommendation from the Special City Planning Committee to be finalised.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 10 was then taken.

**9.4 7 Montrivale Rise with Access Over 11 and 12 Montrivale Rise, Dynnyrne
- Four Multiple Dwellings - PLN-18-878
File Ref: F19/104633**

Ref: Special Open [CPC 2.1.1](#), 5/08/2019

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for four multiple dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnyrne for the reasons outlined in the officer's report, attached to item 2.1.1 of the Special Open City Planning Committee agenda of 5 August 2019, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-878 - 7 MONTRIVALE RISE DYNMYRNE 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. TWDA 2018/02042-HCC dated 20/03/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

No front boundary fencing is approved as part of this application.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Reason for condition

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

ENG sw7

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

The stormwater pre-treatment system must incorporate a treatment system of a size and design sufficient to achieve the stormwater quality targets in accordance with the State Stormwater Strategy 2010.

The stormwater pre-treatment system must be maintained for the life of the development.

Reason for condition

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

ENG sw8

Prior to first occupation, a stormwater detention system must be installed to limit stormwater discharges from the development to a Permissible Site Discharge of 12 L/s for a 5% Annual Exceedance Probability (AEP) storm event (regardless of duration).

Prior to the issuing of any approval under the *Building Act 2016*, a stormwater detention design must be submitted and approved by Council. The stormwater detention design must:

1. Be prepared by a suitably qualified engineer;
2. Include detailed design and supporting calculations of the detention tank(s), sized such that there is no increase in flows from the developed site up to 5% AEP storm events regardless of storm duration and such that flows are limited to the above mentioned Permissible Site Discharge. All assumptions must be clearly stated;
3. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism; and
4. Include a stormwater management summary plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

Advice:

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

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 and the associated fees).

It is advised that documentation for condition endorsement is lodged well before a building / plumbing permit is required, as failure to address design requirements until building / plumbing permit stage may result in unexpected delays.

It is noted that the proposed design included four detention tanks, one for each dwelling. No detention was proposed for the driveway. Expansion on this design may meet the requirements, or alternatively a design which also detains the driveway may be required. It is estimated that a minimum 8.5m³ detention would be required, although this volume will depend on your design.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

ENG 13

Prior to first occupation for Stage 3:

1. An ongoing waste management plan for all domestic waste and recycling must be implemented.
2. The proposed communal waste bin area must be constructed and a commercial waste collection agreement established with a private waste contractor.

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

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

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

Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 2b

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

Advice:

If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.

If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

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

It should be noted that any temporary barriers must be installed to ensure each stage of the development has adequate protection.

Reason for condition

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

ENG 3a

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

1. Gradients in excess of AS/NZS2890.1 must not exceed those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.

2. Ramp radii must not be less than those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.

Advice: It is recommended to widen garage doors to 5-5.2m in width to allow vehicles to enter and exit the garage independently.

Reason for condition

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

ENG 3c

Prior to the first occupation for Stage 3, documentation by a suitably qualified engineer certifying that the access driveway, ramps and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site is ten (10). This includes two (2) parking spaces for each dwelling and two (2) parking spaces for visitors.

All visitor 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/NZS 2890.1 2004, prior to first occupation.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

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

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

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

BUILDING PERMIT

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

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

It is advised that you consult your Building Surveyor regarding fire protection. At subdivision stage it was determined that your site was able to be serviced by a Public Fire Hydrant in Montrivale Rise. This was based on the assumption that your site would be able to accessed directly from Montrivale Rise by emergency service staff with respect to fire hose lay paths. As your proposal does not include any access directly from Montrivale Rise the fire protection assumed at subdivision stage may not be applicable and further work in this space may be necessary to ensure adequate fire protection is provided.

PLUMBING PERMIT

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

STORM WATER

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

WEED CONTROL

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to Part 5 Agreement D128963 that requires the owner(s) to comply with the Site Development Plan (March, 2014). The Site Development Plan requires the owners to:

- implement the relevant requirements of the approved bushfire hazard management plan (November 2013) in relation to the property;
- implement the relevant recommendations of the geotechnical assessment report (October 2010), geotechnical addendum (January 2011) and geotechnical addendum No. 2 (October 2015);
- comply with the Weed and Hygiene Management Strategy – Post Construction Addendum (Feb 2014);
- ensure all buildings to be designed and constructed in accordance with *Minimising the Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design* (WWF Australia, 2008).

Bushfire Management Plan

The Bushfire Management Plan (BMP) requires dwellings on this lot to be constructed in accordance with the specifications for BAL-12.5 in *AS3959-2009: Construction of buildings in bushfire-prone areas*. It is understood that the BMP can be relied upon to satisfy the bushfire-prone area elements of the *Building Regulations 2016* until November 2019.

Geotechnical Assessment and Addendums

The geotechnical recommendations include:

- The site must be developed in accordance with good hillside engineering practices as described in Appendix G of the *Practice Note Guidelines for Landslide Risk Management 2007* and GeoGuide LR8 of *The Australian GeoGuides for Slope Management and Maintenance* (2007e) published by the Australian Geomechanics Society.
- All slabs and footings must be designed and constructed in accordance with Australian Standard *AS2870 Residential slabs and footings*. It is recommended that footings extend into bedrock and that excavators are used to expose target materials for footings rather than augers.
- All drainage from roofs and hardstands shall be piped to stormwater infrastructure.

- All excavations greater than 0.5m shall be supported by drained, engineered retaining walls with footings in bedrock.
- Drainage from retaining walls shall be directed to stormwater infrastructure.
- Drainage walls shall be of sufficient strength to minimise the risk of soil movement.
- Placement of fill or other loads shall be avoided unless adequately supported.
- All underground services shall be laid beneath the soil profile within the weathered bedrock or on solid bedrock.

It is strongly recommended that the advice of a suitably qualified person is sought to ensure the design and construction of this development complies with the geotechnical assessment report recommendations.

Weed and Hygiene Management Strategy – Post Construction Addendum

The requirements of the strategy include:

- annual control regrowth weeds prior to seeding or fruiting;
- washdown of construction machinery prior to entering, and prior to leaving, the site;
- only importing spoil to the site if certified as weed free in accordance with Australian Standard AS4419; and
- not planting the potentially invasive species listed in the strategy.

Please ensure the requirements of the strategy are complied with.

Swift Parrot Guidelines

The approved plans appear to be generally consistent with the guidelines. Copies of the Part 5 Agreement are available from The LIST website (www.thelist.tas.gov.au) via the 'Scanned Dealings' section.

ADVICE

TRAFFIC SAFETY MIRROR

It is recommended that a convex traffic safety mirror be installed between chainage 40 and 50 of the proposed driveway within 7 Montrivale Rise (as shown on drawing 18E03-5, Sheet C1.01, Rev. No. C) to increase visibility and reduce conflict between vehicles.

BUSHFIRE HAZARD MANAGEMENT

Any subsequent Building Approval should consider bushfire management of the site, including proximity to fire hydrants.

BURNET
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Deputy Lord Mayor Burnet
Harvey

Item 11 was then taken.

10. Significant Trees Amendment - Hobart Interim Planning Scheme 2015 - PSA-19-3

File Ref: F19/70239; PSA-19-3

Ref: Open [CPC 8.1](#), 29/07/2019

That: 1. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate amendments to E24.0 Significant Trees Code of the *Hobart Interim Planning Scheme 2015* (as indicated in Attachment A to item 8.1 of the Open City Planning Committee agenda of 29 July 2019) excluding the following nominations:

- (i) Ref 59 / 290 Elizabeth Street (Velvet Ash);
- (ii) Ref 60 / 454 Elizabeth Street (English Oak);
- (iii) Ref 114 / 262 Macquarie Street (Bunya-Bunya and Norfolk Island Pines);
- (iv) Ref 124 / 3c Montagu Street and 31 Toorak Avenue (Blue Gums);

- (v) Ref 161 / 894 Sandy Bay Road (one Blue Gum – two Blue Gums on 892 Sandy Bay Road are to remain recommended for listing under Ref 161); and
- (vi) Ref 170 / 66 Summerhill Road (White Gum))
to:
 - (a) Insert 79 new listings (741 trees and 3 hedges) into Table E24.1 Significant Tree List;
 - (b) Insert two new definitions for 'suitably qualified person (arboriculture)' and 'natural causes' under E24.3 Definition of Terms; and
 - (c) Insert a new Acceptable Solution A1 under E24.6 Development Standards to allow for a permitted pathway for the removal of significant trees that have died due to natural causes.
- 2. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the amendment to the Hobart Interim Planning Scheme PSA-19-3 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 Deputy General Manager to sign the Instrument of Certification (marked as Attachment B to item 8.1 of the Open City Planning Committee agenda of 29 July 2019).
- 3. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place amendment PSA-19-3 to the *Hobart Interim Planning Scheme 2015* on exhibition for a 28 day period.
- 4. In respect of 6 recommended listings that are under the Sullivans Cove Planning Scheme area, these listings be inserted into the Significant Trees list of the Hobart Local Provisions Schedule (marked as Attachment C to item 8.1 of the Open City Planning Committee agenda of 29 July 2019).

BURNET
SHERLOCK

That the recommendation be adopted.

AMENDMENT

HARVEY
EWIN

That the word 'excluding', appearing in the sixth line of clause 1 of the recommendation, be deleted and replaced with the word 'including'.

MOTION LOST

VOTING RECORD

AYES

NOES

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 9.4 was then taken.

CITY INFRASTRUCTURE COMMITTEE

11. Request for Speed Limit Reduction in Degrares Street and Apsley Street, South Hobart

File Ref: F19/90869

Ref: Open [CIC 6.1](#), 24/07/2019

- That: 1. The Council write to the Transport Commissioner requesting a change to the speed limit on Degrares Street and Apsley Street, South Hobart from the current default urban speed limit of 50 km/h to 40 km/h.
- (i) The submission to include a report detailing the characteristics of the road (as per the requirements of the Transport Commissioner).
2. Consideration of wider area speed limit reductions in residential areas be included as an action in the City of Hobart Transport

Strategy Action Plan.

3. The management and staff of Child's Play Early Learning Centre communicate to all parents and carers who are responsible for the drop-off and pick-up of children attending the Centre, that dedicated parking spaces for this purpose are available and accessible via Syme Street, South Hobart.

DENISON
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

12. Proposed Tram Display Facility - Consideration of Inclusion of a Men's Shed Program
File Ref: F19/94257

Ref: Open [CIC 6.3](#), 24/07/2019

- That:
1. Following engagement with Hobart Tram Restoration and Museum Society Inc (H-TRAMS) and Men's Shed, the Council not proceed with the exploration of including the Men's Shed program in the H-TRAMS proposal for a tram display and workshop facility.
 - (i) The City continue to explore potential sites or partnerships, together with the Men's Shed program, on potential opportunities for that group.
 2. The additional provision of \$10,000 of City funding towards the H-TRAMS tram display and workshop facility proposal, not be provided, at this time.

DENISON
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

13. 24 Ancanthe Avenue Lenah Valley - Consent to Partially Build Over Service Easements - Section 74 Building Act 2016
File Ref: F19/94259

Ref: Open [CIC 6.4](#), 24/07/2019

- That: 1. The Council grant consent, under Section 74 of the *Building Act 2016*, to the owner of 24 Ancanthe Avenue, Lenah Valley to partially build over the 2.0m wide retaining wall maintenance easement and 3.0m wide & variable width drainage, pipeline and services easement, as shown on Folio C.T.172457/1, marked at Attachment A to item 6.4 of the Open City Infrastructure Committee agenda of 24 July 2019.
- (i) The consent be limited to the proposed works shown on the approved plans under Planning Permit PLN-18-864, marked as Attachment B to item 6.4 of the Open City Infrastructure Committee agenda of 24 July 2019.
 - (ii) The Council reserve all rights associated with the Retaining Wall Maintenance Easement, and Drainage, Pipeline and Services Easement, including the right to access the easement to maintain, install, replace, repair or remove any drainage infrastructure.
 - (iii) The owner of 24 Ancanthe Avenue, Lenah Valley to remain responsible for any reasonable costs incurred by the City in

exercising its lawful rights under the easement, including but not limited to the demolition or removal of any obstruction, including any building or structure located over or within the easement.

- (iv) The owner indemnify the City against any costs or claims arising from building over the easements.
- 2. Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to the General Manager, the power to consent to building work over or within a service easement in favour of the City, in accordance with Section 74 of the *Building Act 2016*.

DENISON
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

14. Melville Street (Between Elizabeth Street and Argyle Street) - Partial Road Closure
File Ref: F19/92682

Ref: Special Open [CIC 4.1](#), 5/08/2019

That the General Manager be authorised to permit a temporary one-way eastbound traffic arrangement in Melville Street (between Elizabeth Street and Argyle Street) to facilitate development works at 40-42 and 44 Melville Street, Hobart.

DENISON

BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

15. Invitation to Visit Sister City of L'Aquila
File Ref: F19/102564

Ref: Special Open [EDCC 4.1](#), 5/08/2019

- That: 1. The Lord Mayor write to Mayor Pierluigi Biondi thanking him for the invitation to participate in the 725th edition of *Perdonanza Celestiniana* festival in L'Aquila to be held in August 2019.
2. Given the short notice to attend the 2019 event, the Council extends its apologies and will commence planning for a delegation to attend the 2020 event in L'Aquila.

THOMAS
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Alderman Sexton declared an interest in item 16 and left the meeting.

SPECIAL REPORT - LORD MAYOR

16. Elected Member Professional Development Plan - Alderman Sexton
File Ref: F19/103671

BURNET
EWIN

That the recommendation of the Lord Mayor be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Professional Development Plan for Alderman Sexton, as attached to item 16 of the Open Council Agenda of 5 August 2019, be received and noted.

17. CLOSED PORTION OF THE MEETING

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

- Leave of Absence
- Contract negotiations

The following items were discussed:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2	Communication from the Chairman
Item No. 3	Leave of Absence
Item No. 4	Consideration of supplementary Items to the agenda
Item No. 5	Indications of pecuniary and conflicts of interest
Item No. 6	Acceptance of Recyclable Materials – Contract Negotiation LG(MP)R 15(2)(d)

THOMAS
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

There being no further business the meeting closed at 6.42pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
19TH DAY OF AUGUST 2019.

CHAIRMAN