



# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 19 AUGUST 2019  
AT 5:03 PM  
COUNCIL CHAMBER, TOWN HALL



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## **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 and Z R Sherlock.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Councillor H A Ewin.

Deputy Lord Mayor Councillor Burnet left the meeting at 7.05pm after declaring an interest in supplementary item 23, returning at 7.06pm.

Alderman Sexton retired from the meeting at 6.40pm and was not present for items 13 to 23.

Alderman Thomas left the meeting at 7.04pm after declaring an interest in item 20, returning at 7.05pm.

Alderman Behrakis left the meeting at 5.49pm, returning at 5.51pm.

Councillor Sherlock left the meeting at 6.47pm, returning at 6.49pm and was not present for voting on item 13.

## **1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 5 August 2019](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

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  
Sherlock

The minutes were signed.

**2. TRANSFER OF AGENDA ITEMS**

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

No items were transferred.

BURNET  
BRISCOE

That item 10 be taken following item 9.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

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

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No communication was received.

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

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

Date: 12 August 2019  
Purpose: Residential Amenity Provisions in Non-Residential Zones –  
Proposed Planning Scheme Amendments

### **5. PUBLIC QUESTION TIME**

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#### **5.1 Mr Ben Lohberger - UTAS Rates Income and Parking Meters**

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Mr Lohberger put the following questions and was provided with the corresponding response from the Lord Mayor.

Question 1:

Has the HCC accepted the demand from the University of Tasmania, contained in its letter to the Council dated 7 June 2019, that all rates income paid by UTAS be used to provide infrastructure related to the University's vision of a Hobart CBD campus?

Question 2:

Have any other Hobart ratepayers demanded that HCC spend their individual rates payments only on infrastructure related to their properties?

Response:

In relation to your first question, the Council has not accepted the demand from the University that all rates income paid by UTAS will be used to provide infrastructure related to the University's vision of a Hobart CBD campus. The Council and UTAS are, however, in the

process of discussions relating to the University making a financial contribution to the City in lieu of the payment of rates and how any payment will be applied.

Regarding your second question the answer is no, they have not. It is also worth stating that a number of properties owned by the University are exempt from rates and in this circumstance, the University is not a ratepayer.

Mr Lohberber then asked the following supplementary question:

Does the Hobart City Council have any evidence to suggest the rollout of the new parking meters has caused congestion problems in Council carpark facilities that do not use the new parking meters?

Response:

There is no evidence to suggest the rollout of the new parking meters has caused congestion problems in Council carpark facilities that do not use the new parking meters.

## **6. PETITIONS**

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No petitions were received.

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

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

### **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*.

BURNET  
SHERLOCK

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

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

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

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

The following interest was indicated:

1. Councillor Burnet - item 23
2. Alderman Thomas - item 20

**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.

Item 10 was then taken

**9.1 3 - 4 Montgomery Court, Sandy Bay - New Building for Five Multiple Dwellings**  
**PLN-19-72 - File Ref: F19/105096**

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Ref: Open [CPC 7.1.1](#), 12/08/2019  
Application Expiry Date: 19 September 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a new building for five multiple dwellings at 3-4 Montgomery Court, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 12 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-19-72 - 3-4 MONTGOMERY COURT SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00205-HCC dated 1 March 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

#### PLN s1

The Developer engages a professional consulting arborist prior to, during and post development to supervise as far as practicable the protection of and correct cutting of roots to Australian standards of the mature trees on 5 Star Street along their boundary.

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).

Reason for condition

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

#### ENG sw4

The new stormwater connection must be constructed and any existing connections be abandoned and sealed, by the Council at the owner's expense, prior to the first occupation. The new connection must maximize the area of the lot which can drain via gravity and be directed down slope. The new connection must discharge stormwater by gravity and be free-flowing.

Detailed engineering drawings must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The detailed engineering drawings must include but not limited to:

1. Be prepared and certified by a suitable qualified and experienced engineer;
2. The location of the proposed connection clear from any potential clashes (such as the crossover wing);
3. The size and design of the connection such that it is appropriate to satisfy the needs of the development;

4. Include flow rate at kerb and gutter connection must not exceed 15 l/s.
5. Longitudinal sections of the proposed connection that clearly shows clearance from any nearby services, depth of cover, size material and delineation of public and private infrastructure.
6. Clearly distinguish between public and private stormwater infrastructure

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

*Advice:*

*The applicant is required to submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [(see general advice on how to obtain condition endorsement)]. This is a separate process to any building approval under the Building Act 2016. Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to initiate an application for new service connection.*

*Any proposed public stormwater infrastructure will required detailed engineering drawings, which must be checked and certified by a qualified and experienced Civil Engineer. The construction of public infrastructure will require a Permit to Construct Public Infrastructure.*

*Maximum permissible discharge from a single kerb and gutter outlet must not exceed 15 l/s.*

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

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All stormwater which

is practicable to drain to the Council's infrastructure via gravity (including suspended or charged systems) must do so. Any pumped or charged flows must be converted to free-flowing gravity within a private transition pit inside the property prior to discharging to the free-flowing gravity connection to the Council's infrastructure. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage must be submitted and approved prior to the issue of any consent under the *Building Act 2016*.

The design drawings and calculations must be prepared and certified by a suitable qualified and experience engineer and include but not be limited to:

1. Plan and longitudinal section(s) showing levels, gradients, cover, sizing, material, pipe class, crossing services, connections and inspection openings;
2. Detail design of any proposed pump system which is to be in accordance with Australian Standard AS/NZS 3500.3:2015 Part 3: Stormwater Drainage Systems; and
3. Clearly distinguish between public and private stormwater infrastructure.

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

*Advice:*

*The applicant is required to 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.*

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

Reason for condition

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

ENG sw7

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to Certificate of Completion or commencement of use, whichever occurs first.

Design drawings and calculations of the proposed stormwater quantity and quality control systems must be submitted and approved, prior to the issue of any consent under the *Building Act 2016*. The design drawings and calculations must:

1. Be prepared and certified by a suitable qualified and experience engineer.
2. In relation to the detention tank, show the layout, the inlet and outlet (including in long-section), the overflow mechanism, emptying times, outlet size.
3. Include Water Sensitive Urban Design and stormwater treatment with detailed design of the proposed treatment train that achieves the stormwater quality targets in accordance with the State Stormwater Strategy 2010.
4. Include detailed design and supporting calculations of the detention tank, sized such that the flow from the developed site up to 5% AEP storm events are limited to 15 l/s at the kerb and gutter discharge point. All assumptions must be clearly stated.
5. Include a supporting stormwater management plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency, cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

*Advice:*

*The applicant is required to 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.*

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

Reason for condition

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

ENG 3c

The access driveway, ramps and parking module (parking spaces, aisles and manoeuvring area must be constructed in accordance with the approved Planning Permit documents and conditions.

Prior to the first occupation, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the approved Planning Permit documents and conditions.

*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

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/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.

### ENGR 3

Prior to the commencement of use, the proposed driveway crossover, replacement of footpath and kerb and channel in Montgomery Court highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Vee Channel vehicular crossing;
- Footpath - Urban Roads Footpaths TSD-R11-v1; and
- Kerb and Channel - TSD R14-v1 Type KC (Kerb and Channel).

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

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property.
2. Show the extent of the footpath and kerb and channel to be replaced.
3. Show the end of the new footpath and kerb and channel matching neatly to the existing footpath and kerb and channel.
4. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover.
5. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

*Advice:*

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

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



Reason for condition

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

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.

SUB s1

Prior to the issue of any approval under the *Building Act 2016*, or the commencement of works on site, whichever occurs first, the titles comprising the development site (CT 61047/3 and CT 61047/4) must be adhered in accordance with the provisions of section 110 of the *Local Government Building & Miscellaneous Provisions Act 1993*, to the satisfaction of the Council.

Reason for condition

So that the titles are adhered and to ensure compliance with statutory provisions.

#### ADVICE

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

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

#### CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP

number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

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

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.

#### BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

#### PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

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

## NEW SERVICE CONNECTION

Please contact the Hobart City Council's City 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.

## WORK WITHIN THE HIGHWAY RESERVATION

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

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

## ACCESS

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

## CROSS OVER CONSTRUCTION

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

## STORMWATER / ROADS / ACCESS

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

## RESIDENTIAL PARKING PERMITS ELIGIBILITY

It is advised that this development will not be eligible for residential parking permits for on-street parking.

## 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.

## 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.

## DEVELOPMENT PROGRESSION

The developer be strongly encouraged to inform immediate neighbours of the construction program and any variations to it in a timely manner.

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  
Sherlock

**9.2 343 Davey Street, 3A Wentworth Street, 2/3 Wentworth Street, 1/3  
Wentworth Street, South Hobart - Subdivision (Boundary Adjustment)  
PLN-18-262 - File Ref: F19/106513**

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Ref: Open [CPC 7.1.2](#), 12/08/2019  
Application Expiry Date: 27 September 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a subdivision (boundary adjustment) at 343 Davey Street and 3A and 3 Wentworth Street South Hobart, Tas, 7004 for the reason that the proposal is considered to be acceptable with respect to clause 9.3.1 of the *Hobart Interim Planning Scheme 2015* and a permit containing the follow conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise 343 DAVEY STREET AND 3A WENTWORTH STREET SOUTH HOBART TAS 7004 - 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 2018/00732-HCC dated 26/6/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development must be discharged to the Council's stormwater infrastructure prior to sealing of the final plan(s).

Reason for condition

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

ENG sw2.1

A pre CCTV video of the Council stormwater main must be undertaken and submitted to Council prior to the commencement of work.

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

Reason for condition

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

ENG sw2.2

A post CCTV video of the Council stormwater main must be undertaken and submitted to the Council on completion of all work.

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

#### Reason for condition

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

ENG sw4

The new stormwater connection(s) must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the sealing of the final plan(s).

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

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

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

#### *Advice:*

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

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

#### Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main must be designed and constructed prior to sealing of the final plan(s).

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

1. Be certified by a qualified and experienced civil engineer;
2. Include a plan and long-section of the proposed stormwater main;



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

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

*Advice:*

*The applicant is required to 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 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 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.

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 be submitted and approved under section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

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

1. Over any existing storm water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater (minimum width of 2m, or 3m if they cover two pipes).
2. Over any existing or proposed private drainage and/or service easements in favour of the lots they are required to serve.

#### 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 the lot resulting from the addition of Lot 3 to the land comprised in CT 128254/1 (343 Davey Street) to satisfy the above requirement.

#### Reason for condition

To ensure compliance with statutory provisions.

#### SURV 12

Lot 2 on the final plan is to be notated in accordance with the provisions of section 83(5)(a)(ii) of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal or from lot 2 below a specified reduced level.

The lot resulting from the addition of Lot 3 to the land comprised in CT 128254/1 (343 Davey Street) is to be notated in accordance with the provisions of section 83(5)(a)(ii) of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal or from the lot below a specified reduced level or alternatively a new stormwater connection is to be provided at the lowest point of the lot.

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

Any specified reduced level that may be required is to be provided by the owner's Registered Land Surveyor who must supply the invert level (on State Datum) of the stormwater connection constructed to serve Lot 2 and the lot resulting from the addition of Lot 3 to the land comprised in CT 128254/1 (343 Davey Street), if a stormwater connection is not provided at the low point of this lot.

Reason for condition

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

SURV 13

The final plan is to be notated in accordance with the provisions of section 83(7) (b) of the *Local Government (Building & 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 2 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 2.

Reason for condition

To ensure that the limitation in TasWater's ability to provide a means of gravity reticulated sewerage disposal from Lot 2 is noted on the final plan.

ENG 16

Prior to the sealing of the final plan(s), 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(s), 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.

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### 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.

## 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*.

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  
Sherlock

**9.3 25 Hill Street West Hobart - Alterations, Signage and Change of Use to Service Industry - PLN-17-291**  
**File Ref: F19/105188**

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Ref: Open [CPC 7.1.3](#), 12/08/2019

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations, signage and change of use to service industry at 25 Hill Street, West Hobart for the reason that the current use of the site for the sale and changing of tyres and mechanical repairs closely resembles the mechanical repair component of the long existing use and therefore satisfies clause 9.1.1 of the *Hobart Interim Planning Scheme 2015*, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 13

Noise emissions measured at the side and rear boundaries must not exceed the following:

1. 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;
2. 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; and
3. 65 dB(A) (LAmix) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval.

Reason for condition

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

PLN 17

External lighting is to be only turned on within the operating hours with the exception of security lighting that is baffled to ensure it does not cause emission of light into adjoining private land.

Reason for condition

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

PLN 6

The hours of operation are restricted to:

- 7:30am to 6:00pm Monday to Friday; and
- 9:00am to 12 noon Saturday.

Reason for condition

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

PLN s1

The shipping container must be removed from the site within 30 days from the date of this planning permit.

Reason for condition

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

PLN s2

A Tyre Storage Plan must be submitted and approved by the Council's Director City Planning within 30 days from the date of this planning permit.

The Tyre Storage Plan must include:

1. A plan showing where new and used tyres will be stored on the site;
2. Elevational plans and/or details showing how any external tyre storage area will prevent any adverse impact upon residential amenity of neighbouring residential properties;
3. A written statement indicating how any external tyre storage will be managed by the operator of the business to ensure that there is no adverse impact upon residential amenity of neighbouring residential properties.

No external storage of tyres is permitted on the site prior to the approval of the Tyre Storage Plan by the Council's Director City Planning.

Once the Tyre Storage Plan is approved by the Council's Director City Planning, all storage of tyres on the site must occur in accordance with the approved Tyre Storage Plan.



*Advice:*

*It is recommended that the operators of the business have regard to the 'Approved Management Method for the Storage and Reuse of Waste Tyres' issued by the Tasmanian Environment Protection Authority, available via <https://epa.tas.gov.au/Documents/Approved%20Management%20Method%20for%20the%20Storage%20and%20Reuse%20of%20Waste%20Tyres.pdf>*

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

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

Reason for condition

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

PLN s4

Commercial vehicle movements must only be undertaken between the operating hours of 7:30am to 6:00pm Monday to Friday.

Reason for condition

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

ADVICE

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

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

## BUILDING PERMIT

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

## PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*. Click [here](#) for more information.

## NOISE REGULATIONS

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

## FEES AND CHARGES

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

BEHRAKIS  
THOMAS

That the recommendation be adopted.

## **AMENDMENT**

BURNET  
BRISCOE

That condition PLN s2 be amended to read as follows:

“A Tyre and Other Materials Storage Plan must be submitted and approved by the Council's Director City Planning within 30 days from the date of this planning permit.

The Tyre and Other Materials Storage Plan must include:

1. A plan showing where new and used tyres and other materials will be stored on the site;
2. Elevational plans and/or details showing how any external storage area will prevent any adverse impact upon residential amenity of neighbouring residential properties;
3. A written statement indicating how any external storage will be managed by the operator of the business to ensure that there is no adverse impact upon residential amenity of neighbouring residential properties.

No external storage is permitted on the site prior to the approval of the Tyre and Other Materials Storage Plan by the Council's Director City Planning.

Once the Tyre and Other Materials Storage Plan is approved by the Council's Director City Planning, all storage on the site must occur in accordance with the approved Tyre and Other Materials Storage Plan.

*Advice:*

*It is recommended that the operators of the business have regard to the 'Approved Management Method for the Storage and Reuse of Waste Tyres' issued by the Tasmanian Environment Protection Authority, available via <https://epa.tas.gov.au/Documents/Approved%20Management%20Method%20for%20the%20Storage%20and%20Reuse%20of%20Waste%20Tyres.pdf>*

*Once the Tyre and Other Materials Storage Plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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

Reason for condition

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

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations, signage and change of use to service industry at 25 Hill Street, West Hobart for the reason that the current use of the site for the sale and changing of tyres and mechanical repairs closely resembles the mechanical repair component of the long existing use and therefore satisfies clause 9.1.1 of the *Hobart Interim Planning Scheme 2015*, and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 13

Noise emissions measured at the side and rear boundaries must not exceed the following:

1. 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;
2. 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; and
3. 65 dB(A) (LAmix) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval.

Reason for condition

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

PLN 17

External lighting is to be only turned on within the operating hours with the exception of security lighting that is baffled to ensure it does not cause emission of light into adjoining private land.

Reason for condition

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

PLN 6

The hours of operation are restricted to:

- 7:30am to 6:00pm Monday to Friday; and
- 9:00am to 12 noon Saturday.

Reason for condition

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

PLN s1

The shipping container must be removed from the site within 30 days from the date of this planning permit.

Reason for condition

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

PLN s2

A Tyre and Other Materials Storage Plan must be submitted and approved by the Council's Director City Planning within 30 days from the date of this planning permit.

The Tyre and Other Materials Storage Plan must include:

1. A plan showing where new and used tyres and other materials will be stored on the site;
2. Elevational plans and/or details showing how any external storage area will prevent any adverse impact upon residential amenity of neighbouring residential properties;
3. A written statement indicating how any external storage will be managed by the operator of the business to ensure that there is no adverse impact upon residential amenity of neighbouring residential properties.

No external storage is permitted on the site prior to the approval of the Tyre and Other Materials Storage Plan by the Council's Director City Planning.

Once the Tyre and Other Materials Storage Plan is approved by the Council's Director City Planning, all storage on the site must occur in accordance with the approved Tyre and Other Materials Storage Plan.

*Advice:*

*It is recommended that the operators of the business have regard to the 'Approved Management Method for the Storage and Reuse of Waste Tyres' issued by the Tasmanian Environment Protection Authority, available via <https://epa.tas.gov.au/Documents/Approved%20Management%20Method%20for%20the%20Storage%20and%20Reuse%20of%20Waste%20Tyres.pdf>*

*Once the Tyre and Other Materials Storage Plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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

Reason for condition

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

PLN s4

Commercial vehicle movements must only be undertaken between the operating hours of 7:30am to 6:00pm Monday to Friday.

#### Reason for condition

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

#### ADVICE

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

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

#### BUILDING PERMIT

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

#### PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*. Click [here](#) for more information.

#### NOISE REGULATIONS

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

#### FEES AND CHARGES

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

**9.4 179 Macquarie Street, 200 Collins Street, Crowthers Lane and Adjacent Road Reserve, Hobart - Demolition and New Building for Hotel with Restaurant and Function Centre and Associated Infrastructure Works  
PLN-19-104 - File Ref: F19/107026**

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Ref: Open [CPC 7.1.4](#), 12/08/2019

Application Expiry Date: 23 August 2019

Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new building for hotel with restaurant and function centre and associated infrastructure works at 179 Macquarie Street, 200 Collins Street, Crowthers Lane and Adjacent Road Reserve, Hobart for the reasons outlined in the officer's report, attached to item 7.1.4 of the Open City Planning Committee agenda of 12 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-19-104 - 179 MACQUARIE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

**TW**

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00448-HCC dated 11/04/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

**THC**

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5885 dated 02 July 2019, as attached to the permit.



Reason for condition

To clarify the scope of the permit.

PLN s2

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

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

The documentation must:

1. Detail each external material, its form and finish, as well as detailing its longevity and maintainability, to satisfy the above requirement.
2. The colour of the curtain wall and associated glazing.

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

*Advice:*

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

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

Reason for condition

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

#### ENG 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).

#### Reason for condition

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

#### ENG sw2.1

A pre CCTV video of the existing Council stormwater main within the subject site (proposed to be retained) must be undertaken and submitted to Council prior to the commencement of work.

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

#### Reason for condition

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

#### ENG sw2.2

Recorded CCTV inspections and associated reports of the new public stormwater infrastructure and any other existing public stormwater infrastructure within two (2) metres of the proposed development must be undertaken and submitted to the Council:

1. Prior to commencement of the maintenance period; and
2. Within 30 days of completion of works.

The CCTV inspection must be taken no more than one month prior to commencement of the maintenance period. A maintenance period of 12

months will apply to the new pipes. The Council will perform a final inspection at the end of the maintenance period. Should any rectification works be required, these must be done at the owner's cost within a time frame specified by the Council, and an additional 12 month maintenance period may be applied.

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

*Advice:*

- *The CCTVs may be combined by delaying commencement of the maintenance period.*
- *Please note that CCTV will be required for existing Council stormwater mains within the subject site together with newly constructed public stormwater mains.*
- *A maintenance bond of 5% of the contract value of the proposed new public stormwater works will be required by the Council. Upon the expiry of the maintenance period, please contact the Council's Project and Development Inspector on telephone 6238 2967 to arrange the final inspection prior to the release of the maintenance bond.*

Reason for condition

To ensure that the Lots are serviced by adequate public infrastructure and that any Council infrastructure and connections affected by the works will be repaired at the owner's cost.

ENG sw3

The proposed works (including but not limited to footings, carpark, ramps, overhangs) within two metres of the existing and proposed Council's stormwater infrastructure, must be designed to ensure the long term protection of and access to the Council's stormwater infrastructure.

A detailed engineering design must be submitted and approved prior to issue of any approval under the *Building Act 2016* or commencement of works , whichever occurs first (excluding demolition).

The detailed design must:

1. Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching. Adequate access is defined for this project as a minimum 2.8m vertical clearance within a 3m wide corridor, with no columns or footings within one metre of the outside of the pipe. Reduction in this access requirement is possible for the wall at the boundary with adequate structural bridging.
2. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.
3. Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian Standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated.
4. Be certified by a suitably qualified engineer.

Prior to first occupation under the *Building Act 2016*, confirmation from a suitably qualified engineer must be provided to the Council that the installation of the works within two metres of the Council's stormwater is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

All work required by this condition must be undertaken in accordance with the approved detailed 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 detailed design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement)*

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

Reason for condition

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

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

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

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

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

*Advice:*

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The development (including hardstand) must be drained to the Council's stormwater infrastructure with sufficient receiving capacity, in a safe and legal manner through to Collins Street. The upgraded public stormwater system must be constructed prior to first occupation.

Engineering design drawings must be submitted and approved, prior to commencement of work or the issue of any approval under the *Building Act 2016* (whichever occurs first but excluding demolition). The engineering design drawings must:

1. Be certified by a qualified and experienced engineer.
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, obstacles (such as other services or structures) and inspection openings.
3. Include adequate protection works where minimum cover cannot be achieved.
4. Include the associated calculations and catchment area plans. The stormwater system (including defined non-blocked overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
5. Where overland flow paths are proposed to cater for flow in excess of the 5% AEP flows, provide detailed design of any proposed new outlets in the base of existing or proposed walls demonstrating that the outlets have sufficient capacity. All calculations must take into consideration a 50% blockage factor.
6. Identify all existing third-party connections to the mains to be upgraded and reconnected at the owner's cost.
7. Clearly distinguish between public and private infrastructure.
8. Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

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

*Advice:*

- *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 detailed design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to obtain a Permit to Construct Public Infrastructure. A maintenance period of 12 months and 5% maintenance bond will apply.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

A construction management plan (Crowther's Lane heritage walls) must be submitted and approved, detailing the installation of the Council's upgraded stormwater infrastructure in such a way as to ensure that the condition and structural integrity of the existing heritage walls on Crowther's Lane are not compromised.

The construction management plan (Crowther's Lane heritage walls) must be submitted and approved by the Council's Director City Amenity and Director City Planning prior to commencement of work or issue of any approval under the *Building Act 2016* (whichever occurs first but excluding demolition).

The construction management plan (Crowther's Lane heritage walls) must:

1. Be prepared and certified by a suitably experienced structural engineer, with input from a suitably experienced geotechnical engineer.
2. Be in accordance with any recommendations from any heritage protection report and requirements.
3. Include structural and geotechnical investigation of the heritage walls, underlying footings and existing ground conditions in Crowther's Lane.
4. Include an engineering risk analysis which demonstrates the rationale of the selected construction method for undertaking the works. Including how risk mitigation relating to design, construction, surrounding infrastructure and personnel to an acceptable level is achieved.
5. Detail construction methodology for undertaking the works, including any restrictions on machinery and access, staging of the works, critical hold points and safety management for both the general public and contractors.
6. Provide details of any monitoring controls and inspection regime that will be in place for the heritage walls or other associated infrastructure.
7. Include engineering drawings which detail any proposed permanent infrastructure (i.e. underpinning) required for undertaking the works. For any proposed temporary infrastructure (i.e. bracing), provide drawings sufficient for implementation.
8. Include engineering cross-sections detailing the relationship both vertically and horizontally of the main upgrade (including trenching) to the walls and associated infrastructure.
9. Demonstrate the wall is fully independent of the main and its trenching.

Prior to first occupation or the commencement of the maintenance period on public infrastructure (whichever occurs first), confirmation from a suitably qualified engineer must be provided to the Council that the installation of the main in relation to the heritage walls is in accordance with the approved construction management plan (Crowther's Lane heritage walls), and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.



All work required by this condition must be undertaken in accordance with the approved construction management plan (Crowther's Lane heritage walls).

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

Reason for condition

To ensure that 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 commencement of use /the issue of any Completion Certificate under the *Building Act 2016* (whichever occurs first).

A stormwater management report and design must be submitted and approved, prior to commencement of work (excluding demolition and excavation). The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer.
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.
3. Include 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).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG tr1

The Barrack Street access via the right of way is approved for ENTRY ONLY.

The southern Macquarie Street access is approved for ENTRY ONLY.

The northern Macquarie Street access is approved for EXIT ONLY.

Traffic management for the accesses and parking module must be installed prior to the commencement of use.

Traffic management design drawing(s) of the proposed traffic management for the accesses (including signage and linemarking), must be submitted and approved , prior to commencement of use. The traffic management design drawing(s) must include (but not be limited to):

1. 'No Entry' signage must be installed at the northern Macquarie Street access (within the property) generally in accordance with AS1742.2:2009 or AS1742.10:2009.

All work required by this condition must be undertaken in accordance with the approved traffic management design drawing(s).

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

Reason for condition

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

ENG tr2

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

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

for the relevant stage (including demolition and excavation, separate stage related plans may be provided for each stage). The construction traffic and parking management plan must:

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

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

*Advice:*

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

Reason for condition

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

## ENG 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 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 following exceptions:

Jockey or tandem car parking is permitted for car parking spaces 23-24 and 33-34 on drawing DA1.01 Issue DA1 provided these car parking spaces are designated for employee (AS2890.1 Class 1) or valet customer parking (AS2890.1 Class 2).

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 parking spaces approved on the site is a maximum of sixty (60) car parking spaces consisting of:

1. Three (3) accessible car parking spaces (as shown in the Traffic Impact Assessment).
2. Fifty three AS/NZS 2890.1:2004 Class 2 car parking spaces.
3. Four (4) Class 1 (employee) or valet parking Class 2 car parking spaces (spaces 23-24 and 33-34 on drawing DA1.01 Issue DA1).
4. Minimum of six (6) employee bicycle parking spaces.
5. Minimum of fourteen (14) visitor bicycle parking spaces.
6. Minimum of three (3) motorcycle car parking spaces.

All car / motorcycle 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.

## ENG r3

Prior to the commencement of use, the proposed two (2) (altered or new) driveway crossovers to the Macquarie Street highway reservation must be designed and constructed generally in accordance with the following Tasmanian Standard Drawings (TSD):

1. Urban - TSD-R09-v1 - Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.
2. Commercial Urban - TSD-R09-v1 - Urban Roads Driveways and TSD R16-v1 Type KCR and B1 or Type KCRB and B1.
3. Footpath - Urban Roads Footpaths TSD-R11-v1.

Design drawings must be submitted and approved by the Council's Director City Infrastructure prior to any approval under the *Building Act 2016* (excluding demolition and excavation). The design drawings must:

1. Detail any services or infrastructure (e.g. light poles, pits, awnings, parking meter boxes, parking meter pavement sensors, public parking spaces) at or near the proposed driveway crossover; including relocation/decommissioning details (including timing of relocation/decommissioning).
2. Show pedestrian sight lines for exiting vehicles in accordance with AS/NZS 2890.1:2004.
3. Show the Northern Macquarie Street access as an exit only access.
4. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

*Advice:*

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



Reason for condition

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

ENG s1

Staff bicycle parking within the basement level must be constructed to Class 1 or Class 2 security level.

*Advice:*

- *The Hobart Interim Planning Scheme 2015 defines Class 1 security level as Fully enclosed individual lockers, and Class 2 as Locked compounds with communal access using duplicate keys.*

Reason for condition

To encourage cycling by providing secure, accessible and convenient bicycle parking spaces.

ENG s2

On-street car parking modifications between the two vehicular accesses on Macquarie Street including relocation of parking meter box must be completed prior to first occupation.

*Advice:*

- *Any changes to the existing on street parking arrangements in Macquarie Street does not form part of the planning approval and will require approval from Council's City Planning Division Manager Traffic Engineering in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's City Planning Division Manager Traffic Engineering with regard to the application process for any changes to the on street parking arrangements in Macquarie Street. Once approval from the Manager Traffic Engineering has been obtained a request to temporarily or permanently remove any sensor will require a written application to be submitted to the Parking Operations Unit:*  
<https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial-Before-You-Dig-Parking-Sensors> .

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 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.*
- *Note also the requirement to provide a soil and water management plan to satisfy condition ENV s1.*

Reason for Condition

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

ENV s1

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

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

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

1. Details of the proposed construction methodology and expected likely time-frames.
2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site).
3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water), and including the identification and disposal of any potentially contaminated waste and asbestos.
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
  1. A noise and vibration management plan generally consistent with AS 2436-2010 - *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:
    1. Identification of potentially noisy or vibration-causing activities;
    2. Procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and
    3. Details of monitoring measures and triggers for corrective actions.

2. A soil and water management plan including:
  1. Measures to minimise erosion and the discharge of contaminated stormwater off-site;
  2. Measures to minimise dust emissions from the site;
  3. Measures to manage the disposal of surface and groundwater from excavations; and
  4. Measures to prevent soil and debris being carried onto the street.
5. Proposed screening of the site and vehicular access points during work.
6. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

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

*Advice:*

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

Reason for condition

To minimise the potential for environmental impacts from the construction works

HER 6

Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

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

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

Reason for condition

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

HER s1

All documentation, including the construction management plan (Crowther's Lane heritage walls) required in condition ENG sw6, must contain protocols and recommendations for all contractors working in proximity to the stone walls on either side of Crowther's Lane to be familiar with the heritage values of the heritage listed site and for the need to protect the wall at all costs whilst undertaking the proposed works to upgrade infrastructure. Prior to the commencement of works (including demolition and excavation), all workers and managers must be briefed on the importance of the cultural heritage values of the site as part of a site induction. This must be undertaken by a suitably qualified heritage practitioner.

Reason for condition

To ensure that there is no loss or damage to the heritage values or fabric of the site.

## ENVHE 1

Recommendations in the report Fragrance Tas-Hobart Pty Ltd, 179 Macquarie Street, Limited Preliminary Site Investigation dated May 2019 written by GHD must be implemented, for the duration of the development.

### Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

## PLN s1

A Landscaping Plan for the landscaped public space and other areas of planting must be submitted and approved by the Council's Director City Planning prior to the issue of any consent under the *Building Act 2016*, excluding for demolition and excavation. The Landscaping Plan must include:

1. Consideration to the inclusion of some mature trees along the western boundary to delineate the new proposal from the adjacent heritage site.
2. Landscaping should extend, if possible, the full length of the western boundary.

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

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

Once all trees shown on the approved Landscaping Plan have been planted in accordance with the approved plan to the satisfaction of the Council's Director City Planning, the Council will issue a statement confirming satisfactory planting of all trees and landscaping.

### Reason for condition

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

## Part 5 1

Prior to any approval under the *Building Act 2016*, the owner(s) 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:

1. Building over and within 1 metre of the Council's stormwater infrastructure. The owner must agree to:
  1. Provide 24hr emergency access to the Council's stormwater infrastructure.
  2. Indemnify the Council against any costs or claims arising from building over the Council's stormwater main or for damages incurred in the act of performing operation, maintenance, or replacement tasks on the stormwater main.
2. Ongoing compliance with the approved stormwater management plan for the proposed treatment system.

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 Development Engineering Staff.*

### Reason for condition

To ensure that future owners are aware of their ongoing obligations.

### ADVICE

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

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

#### CONDITION ENDORSEMENT PLANNING

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

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

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

#### CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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



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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

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

#### URBAN DESIGN ADVISORY PANEL

The following suggestions of Council's Urban Design Advisory Panel should be considered during the preparation of documentation for condition endorsement and/or building consent:

In regard to the principal public open space on the western boundary, more consideration needs to be given to the design of the space and that the landscaping elements, such as the paving and kerbing, separating vehicular and pedestrian activity, could be improved to provide a friendlier and more successful outcome.

The vehicle driveway into the porte cochere should be treated as more of a shared entry/pedestrian space.

The landscaping and green space areas on the upper levels on the Macquarie Street side and on the western boundary side appeared to have no direct access for maintenance. Further design consideration should be given to this.

The colour of the curtain wall and associated glazing needed further deliberation.

#### 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.

## RIGHT OF WAY

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

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

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  
Sherlock

Item 11 was then taken.

**10. Building Heights - Elector Poll Results**

**File Ref: F19/103821; 17/167**

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Ref: Open [CPC 8.1](#), 12/08/2019

- That:
1. The report titled *Building Heights – Elector Poll Results* marked as item 8.1 of the Open City Planning Committee agenda of 12 August 2019 be received and noted.
  2. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate the amendments provided in Attachment B to item 8.2 of the Open City Planning Committee agenda of 10 December 2018 to the *Hobart Interim Planning Scheme 2015* and the *Sullivans Cove Planning Scheme 1997*, and indicated on the plan shown as Attachment D to item 8.2 of the Open City Planning Committee Agenda of the 10 December 2018.
  3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instruments of Certification (Attachment I to item 8.2 of the Open City Planning Committee agenda of 10 December 2018).
  4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* on public exhibition for a 28 day period following certification.
  5. The Central Hobart Precincts Plan project factor in the draft height rules and accept any feedback provided by the Tasmanian Planning Commission on the social, economic and environmental implications of these height provisions.

BURNET  
BRISCOE

That the recommendation be adopted.

ZUCCO  
BRISCOE

That Councillor Dutta be granted an additional 2 minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

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

MOTION LOST

VOTING RECORD

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

**COUNCIL RESOLUTION:**

In the absence of a resolution from the Council, no further action is required.

Item 9.1 was then taken.

**11. Regulation of Social Food Delivery Vehicles**

**File Ref: F19/99341; 16/243**

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Ref: Open [CPC 12](#), 12/08/2019

- That:
1. The Council not proceed to create a by-law to regulate the carriage of food in social food delivery vehicles.
  2. The Council develop and distribute to relevant persons and companies an information brochure that summarises the food safety obligations of social food delivery vehicle drivers.
  3. The Council write a follow up letter to the State Government seeking a response to the letter sent to the Minister in early July.
  4. A further report be provided in relation to the monitoring of complaints in regards to the carriage of food in social food delivery vehicles in August 2020.

BURNET  
BRISCOE

That the recommendation be adopted.

**AMENDMENT**

ZUCCO  
BEHRAKIS

That the following clause be included in the resolution:

“Council’s Environmental Health Officers undertake an audit within the next four (4) months of social food delivery vehicles operating in North Hobart in order to determine compliance with the *Food Act 2003* and Food Safety Standards.”

AMENDMENT CARRIED

**VOTING RECORD**

**AYES**

Zucco  
Sexton  
Thomas  
Denison  
Behrakis  
Dutta

**NOES**

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Sherlock

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. The Council not proceed to create a by-law to regulate the carriage of food in social food delivery vehicles.
2. The Council develop and distribute to relevant persons and companies an information brochure that summarises the food safety obligations of social food delivery vehicle drivers.
3. The Council's Environmental Health Officers undertake an audit within the next four (4) months of social food delivery vehicles operating in North Hobart in order to determine compliance with the *Food Act 2003* and Food Safety Standards.
4. The Council write a follow up letter to the State Government seeking a response to the letter sent to the Minister in early July.
5. A further report be provided in relation to the monitoring of complaints in regards to the carriage of food in social food delivery vehicles in August 2020.

**COMMUNITY, CULTURE AND EVENTS COMMITTEE**

**12. City of Hobart Food Strategy Update**

**File Ref: F19/72974; 16/243**

Ref: Open [CCEC 6.1](#), 7/08/2019

- That:
1. The City of Hobart not pursue the development of a food strategy or framework at this time.
  2. The development of a food strategy or framework be reconsidered as part of budget deliberations for the 2020-21 financial year.
  3. The Council continue to monitor the work of other stakeholders on the issue of food security and associated strategies.

HARVEY

DUTTA

That the recommendation be adopted.

**AMENDMENT**

BURNET

SHERLOCK

That clause 3 becomes clause 4 and a new clause 3 be included which reads as follows:

“3. The Council look for opportunities to promote the many City of Hobart projects and initiatives that celebrate Hobart’s food culture, which encourages an ecologically viable and sustainable food system.”

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

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



SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. The City of Hobart not pursue the development of a food strategy or framework at this time.
2. The development of a food strategy or framework be reconsidered as part of budget deliberations for the 2020-21 financial year.
3. The Council look for opportunities to promote the many City of Hobart projects and initiatives that celebrate Hobart's food culture, which encourages an ecologically viable and sustainable food system.
4. The Council continue to monitor the work of other stakeholders on the issue of food security and associated strategies.

**FINANCE AND GOVERNANCE COMMITTEE**

**13. Battery Point Slipways Masterplan - Conclusion of Consultation**  
**File Ref: F19/104949; 16/213**

Ref: Open [FGC 6.1](#), 13/08/2019

- That: 1. The Council adopt the Battery Point Slipways Master Plan marked as Attachment C to item 6.1 of the Open Finance and Governance Committee agenda of 13 August 2019.
2. Implementation be progressed over future years as budget funding is secured within relevant Council program areas.

ZUCCO  
THOMAS

That the recommendation be adopted.

**AMENDMENT**

BRISCOE  
BURNET

That the Council note that the Battery Point Slipyards Master Plan allows for the inclusion of a Battery Point Foreshore Walkway at some point in the future without the Master Plan needing to be reviewed.

AMENDMENT CARRIED

**VOTING RECORD**

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

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

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

**COUNCIL RESOLUTION:**

- That:
1. The Council adopt the Battery Point Slipyards Master Plan marked as Attachment C to item 6.1 of the Open Finance and Governance Committee agenda of 13 August 2019.
  2. Implementation be progressed over future years as budget funding is secured within relevant Council program areas.
  3. The Council note that the Battery Point Slipyards Master Plan allows for the inclusion of a Battery Point Foreshore Walkway at some point in the future without the Master Plan needing to be reviewed.

**14. Local Government Association of Tasmania - Amendment of Rules**  
**File Ref: F19/104705**

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Ref: Open [FGC 6.2](#), 13/08/2019

That the Council not proceed to submit a motion to a Local Government Association of Tasmania General Meeting requesting an amendment to the Association Rules to allow the City of Hobart to be included in the Southern Electoral District.

ZUCCO  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**PARKS AND RECREATION COMMITTEE**

**15. Review of the Dog Management Strategy**  
**File Ref: F19/103814**

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Ref: Open [PRC 6.1](#), 8/08/2019

- That:
1. Pursuant to section 24 of the *Dog Control Act 2000*, the Council notes the public submissions received during the public consultation period and provided under separate cover.
  2. Pursuant to section 20 of the *Dog Control Act 2000* the Council declare the areas in Attachment B to item 6.1 of the Open Parks and Recreation Committee agenda of 8 August 2019 as modifications to the areas already declared contained in Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 8 August 2019.
  3. The Council endorse notification of the declared areas in Attachment B to item 6.1 of the Open Parks and Recreation

Committee agenda of 8 August 2019, pursuant to section 25 of the *Dog Control Act 2000* by public notice on 24 August 2019 to take effect on 23 September 2019 and to remain in force until 23 June 2023.

BRISCOE  
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**16. Bicycle and Pedestrian Bridge Over Brooker Avenue - Proposed Name 'Rose Garden Bridge'**  
**File Ref: F19/51589**

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Ref: Open [PRC 6.2](#), 8/08/2019

- That: 1. 'Rose Garden Bridge' be submitted as the Council's recommended name for the new bicycle and pedestrian bridge across Brooker Avenue, located between Bathurst Street and the University Rose Gardens on the Queens Domain, to the Nomenclature Board of Tasmania, pursuant to the *Survey Co-ordination Act 1944 (Tasmania)*.
2. The City explore ways to commemorate persons and groups of significance with strong connections to the development of the University Rose Gardens, including Kitty Henry and TT Flynn.

BRISCOE  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**17. Waterworks Reserve - Master Plan Development**

**File Ref: F19/102429**

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Ref: Open [PRC 6.3](#), 8/08/2019

- That:
1. The draft Waterworks Reserve Master Plan be reviewed to guide future development and asset replacement in the Waterworks Reserve.
  2. A community engagement process and collation and review of relevant survey and user data be undertaken to determine the values and user experiences of the Waterworks Reserve.
  3. The draft Waterworks Reserve Master Plan be presented back to the Council in 2021 for endorsement to release for public exhibition and feedback.

BRISCOE

SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**18. Recreational Vehicle Black Water Dump Point - Proposed Installation**  
**File Ref: F19/99668**

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Ref: Open [PRC 6.4](#), 8/08/2019

- That:
1. Funding and development of a Recreation Vehicle black water dump point (proposed for installation in Selfs Point Road, in the vicinity of Rugby Park and the 10 Lives Cat Centre) be considered when the Council determines the 2020-21 Capital Works Program and annual budget at an estimated cost of \$51,000 with an estimated annual operational expense of \$6,500 per annum.
  2. Should the project proceed, the contribution to the project by the Campervan and Motorhome Club of Australia (CMCA) (being the supply of the Dump-Ezy 'lid' of the proposed system) be acknowledged in the promotion of the project in the media at the appropriate time.
  3. Should the project proceed, the General Manager be authorised to secure all necessary approvals for the project.

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**19. Proposal to Lease Crown Land - Ross Rivulet, South Hobart and Rear of Summerhill Road, West Hobart**  
**File Ref: F19/34322**

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Ref: Closed [PRC 4.2](#), 8/08/2019

That:

1. Approval be granted for the Council to enter a 30 year lease agreement with Crown Land Services (Department of Primary Industries, Water and Environment ) for public and recreational purposes of the following properties:
  - a. An approximate area of 945m<sup>2</sup> of Reserved Road that is un-granted Crown land located between 51A Summerhill Road and Knocklofty Reserve, as shown on Attachment A to item 4.2 of the Closed Parks and Recreation Committee agenda of 8 August 2019.
  - b. An approximate area of 1,000m<sup>2</sup> of Reserved Road that is un-granted Crown land located between Lot 1, Stevens Farm Drive, West Hobart (folio reference CT 173390/1) owned by the Council as public open space (folio reference CT 171950/1), and the adjacent eastern portion of the Ross Rivulet creek bed vested in the Crown, as shown in Attachment B to item 4.2 of the Closed Parks and Recreation Committee agenda of 8 August 2019.
2. The General Manager to be authorised to negotiate the terms and conditions of the lease agreements.
3. Transfer of the title of these Crown land parcels to the Council be pursued in the longer term.

BRISCOE  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**SPECIAL REPORT - LORD MAYOR**

Alderman Thomas declared an interest in item 20 and left the meeting.

**20. Elected Member Professional Development - Alderman Thomas**  
**File Ref: F19/106808**

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BURNET  
SHERLOCK

That the recommendation of the Lord Mayor be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

That the Professional Development Plan for Alderman Thomas, as attached to the Open Council Agenda of 19 August 2019, be received and noted.

**SPECIAL REPORT – GENERAL MANAGER**

**21. Risk and Audit Panel**  
**File Ref: F19/108369**

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THOMAS  
SHERLOCK

That the recommendation of the Chairman, Risk and Audit Panel be adopted.

MOTION CARRIED



VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

That:

1. The information be received and noted.
2. Council approve the revised Terms of Reference for the City of Hobart Risk and Audit Panel, marked as Attachment A to item 21 of the Open Council agenda of 19 August 2019.
3. Council endorse the process for handling complaints and officers enact recommendations promoting this.
4. Council endorse Reporting via:
  - (i) Minutes to next Council meeting
  - (ii) Recommendations on specific matters
  - (iii) Meetings with Chair quarterly
  - (iv) Annual Report

Supplementary item 23 was then taken

## 22. CLOSED PORTION OF THE MEETING

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

- Leave of Absence
- Information of a confidential nature
- Leave of Absence

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	Proposed Training Agreement LG(MP)R 15(2)(b) and (g)
Item No. 7	Wellington Park Management Trust - Review of Memorandum of Understanding LG(MP)R 15(2)(d)

BRISCOE  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

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

**SUPPLEMENTARY ITEM**

**SPECIAL REPORT – GENERAL MANAGER**

The Deputy Lord Mayor Councillor Burnet declared an interest in supplementary item 23 and left the meeting.

**23. International Urban Design Conference - Invitation for the Deputy Lord Mayor to present**  
**File Ref: F19/110933**

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ZUCCO  
BRISCOE

That the recommendation of the General Manager be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Sherlock	

**COUNCIL RESOLUTION:**

That:

1. In accordance with section D of the Elected Member Development and Support Policy, the Deputy Lord Mayor be approved to represent the City as a speaker at the International Urban Design Conference to be held in Hobart in on 13-16 November 2019 in relation to the topic of planning and movement in the context of the growing city.
2. The costs of registration of \$1025 be attributed to the Elected Member Allowances and Expenses Function of the Annual Plan 2019-20.

Item 22 was then taken.

There being no further business the meeting closed at 7.07 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
9<sup>TH</sup> DAY OF SEPTEMBER 2019.

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**CHAIRMAN**