



CITY OF HOBART

MINUTES

OPEN PORTION OF THE SPECIAL COUNCIL MEETING
MONDAY, 29 JULY 2019
AT 6:28 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

PRESENT, APOLOGIES AND LEAVE OF ABSENCE

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PRESENT:

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

APOLOGIES:

Alderman M Zucco
Councillor M D C Dutta
Councillor H A Ewin

LEAVE OF ABSENCE:

Nil.

Councillor Sherlock joined the meeting at 6.29pm and was not present for item 1.

1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Members of the Council 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.

No interest was indicated.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

2. 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.

**2.1 1 Burnett Street, North Hobart - Demolition and New Building for Four Multiple Dwellings
PLN-19-19 - File Ref: F19/100089**

Ref: Special Open [CPC 7.2.1](#), 29/07/2019

Application Expiry Date: 30 July 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 four multiple dwellings at 1 Burnett Street, North Hobart for the reasons that the proposal meets the relevant provisions of the Historic Cultural Heritage Code 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 drawings that comprise PLN-19-19 - 1 BURNETT STREET NORTH 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 2019/00078-HCC dated 31/01/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 8

The front fence along the Burnett and Letitia Street boundaries must be no more than 1.6m in height above the footpath level.

Reason for condition

To provide reasonable opportunity for privacy for dwellings, whilst maintaining the streetscape and mutual passive surveillance.

PLN s1

The site must be landscaped prior to occupancy.

Prior to the issue of any consent under the *Building Act 2016* (excluding demolition), a landscaping plan must be submitted and approved in accordance with the above requirement, to the satisfaction of the Council's Director City Planning. The landscaping plan must include permeable landscaping along the whole of the Letitia Street frontage to a minimum depth of 1m, as well as landscaped areas for each of the remaining dwellings.

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

Advice:

- *Landscaped areas for dwellings 2 and 3 could include pot plants, raised garden beds, planters and the like.*

Reason for condition

To satisfy the requirements of Clause 11.4.3 P1 (b) of the Hobart Interim Planning Scheme 2015 by providing reasonable space for the planting of gardens and landscaping.

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 the certificate of completion or first occupation, whichever occurs first.

Reason for condition

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

ENG sw4

Any new stormwater connection(s) must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the certificate of completion or first occupation, whichever occurs first.

Detailed engineering drawings showing both existing and proposed services including calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The detailed engineering drawings must be checked and certified by a qualified and experience engineer and include:

1. The location of the proposed connection and all existing connections;
2. The size of the connection appropriate to satisfy the needs of the development;
3. Long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure;

4. Clearly distinguish between public and private infrastructure; and
5. A private transition pit or IO located at the boundary within the property, delineating private vs public.

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 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)]. This is a separate process to any building approval under the Building Act 2016.*
- *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 initiate an application for service connection.*

Reason for condition

To ensure the site is drained adequately.

ENG sw5

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater drainage infrastructure with sufficient receiving capacity prior to issue of certificate of completion or first occupation, whichever occurs first. All stormwater which is practicable to drain to the Council's stormwater drainage infrastructure via gravity 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 stormwater infrastructure. All costs associated with the works required by this condition are to be met by the owner.

Engineering design drawings and calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The engineering drawings and calculations 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, crossing

services and inspection openings;

3. Include the associated calculations. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading). The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment;
4. Show that any proposed pump system is to be in accordance with Australian Standard AS/NZS 3500.3:2015 Part 3: Stormwater Drainage Systems;
5. Clearly distinguish between public and private infrastructure; and
6. Be substantially in accordance with the LGAT drawings.

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process [noting there is a fee associated with condition endorsement approval of engineering drawings (see general advice on how to obtain condition endorsement and for fees and charges)]. This is a separate process to any building approval under the Building Act 2016.*
- *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 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 sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to the issue of a certificate of completion or first occupation, whichever occurs first.

A stormwater management report and design must be submitted and approved, prior to any consent under the *Building Act 2016*. The stormwater management report and design must:

1. Be prepared by a suitably qualified person;
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal; and

3. Include a storm water management plan that outlines the obligations of future property owners for stormwater management, including a maintenance plan which outlines the operational 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 the 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 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)]. This is a separate process to any building approval under the Building Act 2016.*
- *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 3b

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

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

1. Be prepared and certified by a suitably qualified engineer;
2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;
3. Demonstrate that it will provide a safe and efficient access, where the design deviates from AS/NZS2890.1:2004;
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement;
5. Show suitable pavement arrow markings on the entry and exit lanes of the driveway that direct vehicles to keep left;
6. Show a type 2 road hump in accordance with clause 4.9 of AS/NZS 2890.1:2004 that is to be installed across the exit lane of the driveway within the property and near the point of access.

Advice:

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

Reason for condition

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

ENG 3c

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

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site for use is nine (9).

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 6

The pavement arrows shown on the plans submitted that direct vehicles to keep right on the driveway when entering and exiting the property, are not approved. Prior to the first occupation pavement arrows in accordance with AS/NZS2890.1:2004, must be provided for the entry and exit lanes of the driveway that direct vehicles to keep left when entering and exiting the property.

Reason for condition

To ensure that the access is designed and constructed to enable safe, easy and efficient use.

ENG 7

A type 2 road hump in accordance with clause 4.9 of AS/NZS2890.1:2004 must be constructed across the exit lane of the driveway within the property, near the point of access, and prior to the first occupation.

Advice:

- *The speed hump is to be located within the property boundary and positioned to ensure vehicles slow down on exiting the property for the safety of pedestrians using Burnett Street*

Reason for condition

To ensure that the access is constructed to enable safe, easy and efficient use.

ENG 11

Prior to the first occupation, the proposed widening of the existing crossover to the Burnett Street highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing;
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1; or
3. A Council City Infrastructure Division approved alternate design.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the LGAT Website.*
- *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 effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Please contact Council City Amenity Division to discuss approval of alternate designs. Based on a site specific assessment, Council City Amenity Division Road Engineer may permit extending non-approved concrete slab crossover, and where non-standard kerb and channel exists a concrete plinth to Council standards may be permitted for construction at the gutter.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). [Click here for more information.](#)*

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

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.

HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be recorded prior to commencement of work.

The photographs and drawings must be submitted and approved, prior to the commencement of work. The photographs and drawings must include:

1. Each elevation of the building;
2. The interior of the building;
3. Architectural design detailing of the building;
4. Both electronic and hard copy colour images;
5. Photographs of any detail that may be of historical or architectural interest; and
6. Cross referencing of all photographs to "as existing" plan showing the location and orientation of the camera.

Advice:

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

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

Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

HER 8

Salvage must be undertaken to ensure the reuse of heritage fabric.

Documentation must be submitted and approved, prior to the commencement of work. The documentation must:

Outline how the following building fabric will be salvaged and reused, to satisfy the above requirement:

- sandstone blocks
- bricks
- slate shingles
- internal fabric and fittings

Where salvage and reuse on the subject site is not considered feasible, the submitted documentation must detail how the fabric listed above will be salvaged and made available for reuse on other sites.

Where salvage and reuse of any of the fabric listed above is not considered feasible at all, written justification must be provided.

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

Advice:

Possible reuse options include incorporating sandstone blocks into an amended front fencing design to replicate the existing section of fencing on the Letitia Street boundary. For further advice regarding compliance with this condition, please call the City's Cultural Heritage Officer on 6238 2715.

Reason for condition

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

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 (i.e. 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.

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.

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.

STORM WATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

ACCESS

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

CROSS OVER CONSTRUCTION

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

STORM WATER / ROADS / ACCESS

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

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.

FEEES 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.

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Sexton
Thomas
Denison
Behrakis
Sherlock

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Harvey

The Chairman adjourned the meeting at 6.30pm

The meeting was reconvened at 6.37pm.

There being no further business the meeting closed at 7.15pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
5TH DAY OF AUGUST 2019.

CHAIRMAN