



CITY OF HOBART

# **MINUTES**

## **Special City Planning Committee Meeting**

**Open Portion**

**Monday, 5 August 2019 at 4:34 pm**

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## ORDER OF BUSINESS

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### APOLOGIES AND LEAVE OF ABSENCE

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Rise, Dynnyrne - Four Multiple Dwellings - PLN-18-878.....4

**Special City Planning Committee Meeting (Open Portion) held on Monday,  
5 August 2019 at 4:34 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Deputy Lord Mayor Burnet (Chairman)  
Briscoe  
Denison  
Harvey  
Behrakis

**NON-MEMBERS**

Lord Mayor Reynolds  
Zucco  
Sexton  
Thomas  
Dutta  
Ewin  
Sherlock

**PRESENT:** The Deputy Lord Mayor  
Councillor H Burnet (Chairman)  
Aldermen J R Briscoe, T M Denison,  
Councillor W F Harvey, Alderman  
S Behrakis, the Lord Mayor Councillor  
A M Reynolds, Aldermen M Zucco,  
Dr P T Sexton, D C Thomas, Councillors  
M Dutta and H Ewin.

**APOLOGIES:** Nil.

**LEAVE OF ABSENCE:** Nil.

Alderman Zucco arrived at the meeting at  
4:36 pm during the discussion of item  
2.1.1.

Alderman Thomas arrived at the meeting  
at 4:39 pm during the discussion of item  
2.1.1.

Councillor Ewin arrived at the meeting at  
4:41 pm during the discussion of item  
2.1.1.

**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 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.

No interest was indicated.

## **2. COMMITTEE ACTING AS PLANNING AUTHORITY**

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

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

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

### **2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

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#### **2.1.1 7 Montrivale Rise with Access Over 11 and 12 Montrivale Rise, Dynnyrne - Four Multiple Dwellings - PLN-18-878 File Ref: F19/104633**

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BEHRAKIS

That the recommendation contained in the memorandum of the Manager Development Appraisal and the Senior Development Engineer of 2 August 2019, be adopted, as amended by the addition of the following advice clauses:

#### **“ADVICE**

##### **TRAFFIC SAFETY MIRROR**

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

##### **BUSHFIRE HAZARD MANAGEMENT**

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Denison	Harvey
Behrakis	

**COMMITTEE RESOLUTION:**

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

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-878 - 7 MONTRIVALE RISE DYNNYRNE TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/02042-HCC dated 20/03/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

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

Reason for condition

To clarify the scope of the permit.

#### ENG sw1

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

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

#### Reason for condition

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

#### ENG sw7

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

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

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

#### Reason for condition

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

#### ENG sw8

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

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

1. Be prepared by a suitably qualified engineer;

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

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

*Advice:*

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

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

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

*It is noted that the proposed design included four detention tanks, one for each dwelling. No detention was proposed for the driveway. Expansion on this design may meet the requirements, or alternatively a design which also detains the driveway may be required. It is estimated that a minimum 8.5m<sup>3</sup> detention would be required, although this volume will depend on your design.*

Reason for condition

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

ENG 13

Prior to first occupation for Stage 3:

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

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

Reason for condition

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

ENG 2a

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

*Advice:*

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

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

Reason for condition

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

ENG 2b

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

*Advice:*

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

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

Reason for condition

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

### ENG 2c

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

#### *Advice:*

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

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

#### Reason for condition

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

### ENG 3a

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

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

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

#### Reason for condition

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

### ENG 3c

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

#### *Advice:*

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

#### Reason for condition

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

### ENG 4

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

#### Reason for condition

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

### ENG 5

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

All visitor parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to first occupation.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 2

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

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

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

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

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

Reason for condition

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

ADVICE

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

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

## CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

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

## BUILDING PERMIT

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

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

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

#### PLUMBING PERMIT

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

#### STORM WATER

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

#### WEED CONTROL

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

#### FEES AND CHARGES

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

#### DIAL BEFORE YOU DIG

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

#### PART 5 AGREEMENT

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

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

### Bushfire Management Plan

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

### Geotechnical Assessment and Addendums

The geotechnical recommendations include:

- The site must be developed in accordance with good hillside engineering practices as described in Appendix G of the *Practice Note Guidelines for Landslide Risk Management 2007* and GeoGuide LR8 of *The Australian GeoGuides for Slope Management and Maintenance* (2007e) published by the Australian Geomechanics Society.
- All slabs and footings must be designed and constructed in accordance with Australian Standard *AS2870 Residential slabs and footings*. It is recommended that footings extend into bedrock and that excavators are used to expose target materials for footings rather than augers.
- All drainage from roofs and hardstands shall be piped to stormwater infrastructure.
- All excavations greater than 0.5m shall be supported by drained, engineered retaining walls with footings in bedrock.
- Drainage from retaining walls shall be directed to stormwater infrastructure.

- Drainage walls shall be of sufficient strength to minimise the risk of soil movement.
- Placement of fill or other loads shall be avoided unless adequately supported.
- All underground services shall be laid beneath the soil profile within the weathered bedrock or on solid bedrock.

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

#### *Weed and Hygiene Management Strategy – Post Construction Addendum*

The requirements of the strategy include:

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

Please ensure the requirements of the strategy are complied with.

#### *Swift Parrot Guidelines*

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

### **ADVICE**

#### **TRAFFIC SAFETY MIRROR**

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

#### **BUSHFIRE HAZARD MANAGEMENT**

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

**Delegation: Council**

There being no further business the meeting closed at 4:53 pm.

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

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**CHAIRMAN**