



City of **HOBART**

APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997

Type of Report: Committee
Council: 19 December 2016
Expiry Date: 23 January 2017
Application No: PLN-16-1023
Address: 25 SALAMANCA PLACE , BATTERY POINT
39 SALAMANCA PLACE , BATTERY POINT
41 SALAMANCA PLACE , BATTERY POINT
47 - 51 SALAMANCA PLACE , BATTERY POINT
Applicant: GANCHE CHUA
27 HUNTER STREET
Proposal: Partial Demolition, Alterations, Extensions and Partial Change of Use to
Visitor Accommodation and Signage
Representations: Four (4)
Performance criteria: Heritage, Urban Form (height and plot ratio), Signage and Demolition.

1. Executive Summary

- 1.1. Planning approval is sought for a partial demolition, alterations, extensions and partial change of use to visitor accommodation and signage, at three sites at Salamanca Place, being numbers 25, 39-41 and 47-51 Salamanca Place. There would be a total of 50 visitor accommodation units.

- At 25 Salamanca Place, the proposal is for a partial demolition, alterations, extensions and partial change of use to visitor accommodation to the first and second floors. Further would be a third floor redevelopment of the loft space, and to the rear, an extension for new levels 4 and 5. There would be a total of 22 visitor accommodation units.
- At 39-41 Salamanca Place, the proposal is for a partial demolition, alterations, extensions and partial change of use to visitor accommodation to the first and second floors. There would be a total of 20 visitor accommodation units.
- At 47-51 Salamanca Place, the proposal is also for a partial demolition, alterations, extensions and partial change of use to visitor accommodation to the second floor, with attic space. There would be a total of 8 visitor accommodation units.
- Signage is proposed at all three sites.

1.2. The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.2.1. Part 22.4.5 - Heritage - Schedule 1
- 1.2.2. Part 23.6.1B - Height and plot ratio: Urban Form - Schedule 2.
- 1.2.3. Part 28.3.1 - Demolition - Schedule 7.
- 1.2.4. Part 25.9 - Signs - Schedule 4.

1.3. Four (4) representations were received within the statutory advertising period between 7 and 21 November 2016.

1.4. The proposal is recommended for approval subject to conditions.

1.5. The final decision is delegated to the Council.

2. Site Detail

- 2.1 The site is three properties fronting Salamanca Place, specifically 25 Salamanca Place, 39-41 Salamanca Place and 47-51 Salamanca Place.



Figure 1: The sites are identified with red arrows. 25 Salamanca Place is on the left hand side of the image, 47-51 Salamanca Place is on the right hand side, and 39-41 Salamanca Place is in the middle.

3. Proposal

- 3.1. Planning approval is sought for a partial demolition, alterations, extensions and partial change of use to visitor accommodation and signage, at three sites at Salamanca Place, being numbers 25, 39-41 and 47-51 Salamanca Place. There would be a total of 50 visitor accommodation units.

- 3.2. At 25 Salamanca Place, the proposal is for a partial demolition, alterations, extensions and partial change of use to visitor accommodation to the first and second floors. Further would be a third floor redevelopment of the loft space, and to the rear, an extension for new levels 4 and 5. There would be a total of 22 visitor accommodation units.
- 3.3. At 39-41 Salamanca Place, the proposal is for a partial demolition, alterations, extensions and partial change of use to visitor accommodation (20 units) to the first and second floors.
- 3.4. At 47-51 Salamanca Place, the proposal is also for a partial demolition, alterations, extensions and partial change of use to visitor accommodation (8 units) to the second floor, with attic space.
- 3.5. Signage is proposed at all three sites.



Figure 2: The Salamanca Place elevation of the proposed works to 25 Salamanca Place.



Figures 3 and 4: Montages of the proposed works to 25 Salamanca Place.

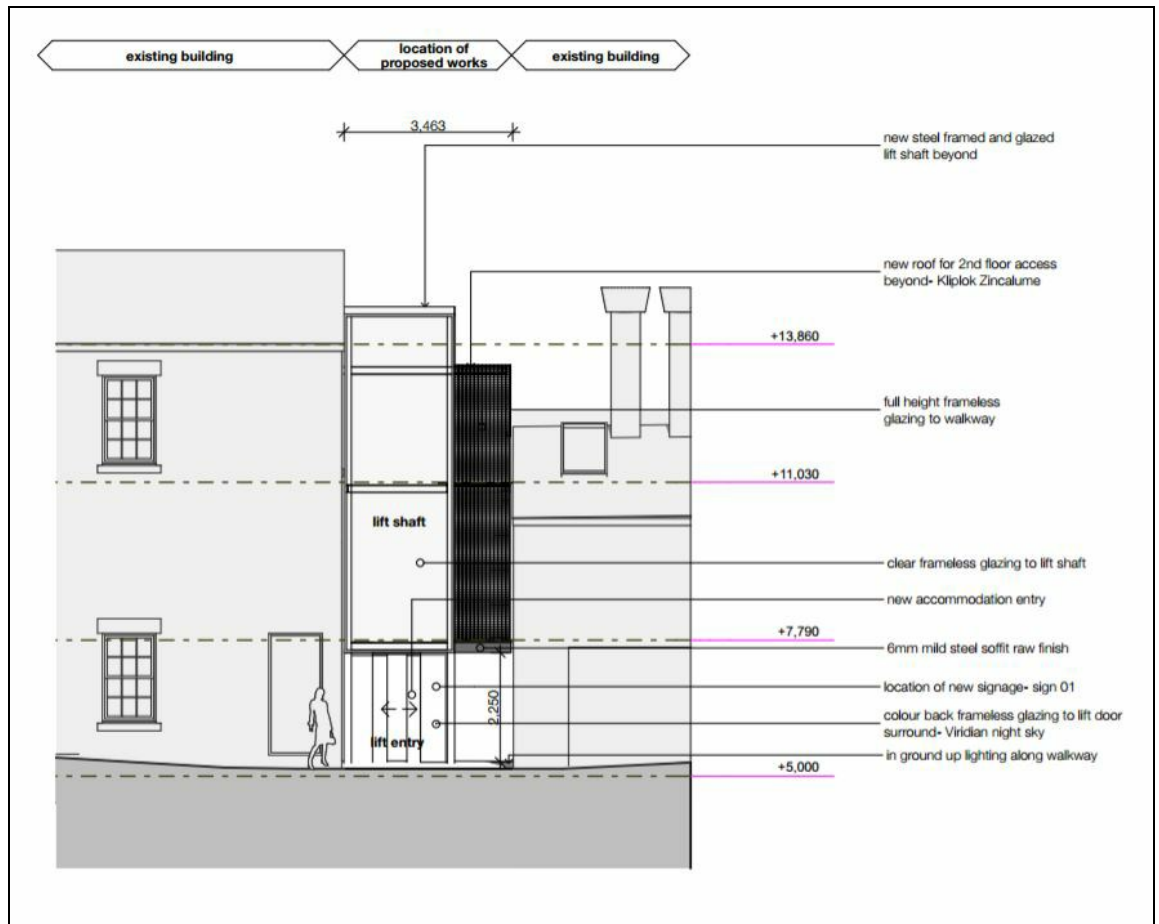


Figure 6: The Kennedy Lane elevation of the proposed works to 47-51 Salamanca Place.

4. Background

4.1. There is no relevant background applicable to this application.

5. Concerns raised by representors

5.1. Four (4) representations were received within the statutory advertising period between 7 and 21 November 2016. The following table outlines the issues raised by the representors. All concerns raised with respect to the discretions invoked by the proposal will be addressed in Section 6 of this report.

Visual impact and height

-Significant change of outlook for visitors, viewing in direction of rear extension at 25 Salamanca Place.

-photomontages inadequate.

-height discretion required for extension to 25 Salamanca Place.

-proposal for 25 Salamanca Place would undermine strong edge of Cove as required under the Planning Scheme.

-proposal for 25 Salamanca Place does not respect natural topography of Cove.

-Proposed building of this height (25 Salamanca) into the amphitheatre is a significant aberration, and does not meet Scheme objective

Impact during construction

-noise impact during construction.

-dust impact during construction.

-concern at blocking of fire escape during construction.

-no detailed construction plan has been provided.

-seek assurance that during construction of 39-41 Salamanca Place the operation of stallholders continue with as little disruption as possible, with the roadway remaining clear at all times.

-request consideration of the management of noise, dust, exposure to chemicals and other hazards associated with the building site.

Heritage impact and building stability

- concern at impact on heritage buildings in terms of stability.
- concern at removal of concrete awning at No.39 Salamanca Place, which provides shelter to market stallholders.
- concern at potential damage to building fabric of neighbouring property at 23 Salamanca Place.

Carparking

- seek assurance that parking in Montpelier Retreat will remain available during market times.

Application information

- address misleading.
- the site is in fact three sites, not one. This has produced confusion about what is proposed on which site.
- no title for 25 Salamanca Place included in documents (title is included in re-advertised documents).
- 'pedestrian access' shown on plan 1526-DA01-A for 25 Salamanca Place is on neighbouring property. No notification has been given to the adjacent owners. The application is therefore 'invalid'. (The proposed foyer/entry is within the applicant site).
- adjacent rear carpark is on neighbouring property. Again, no notification has been given to the adjacent owners. The application is therefore 'invalid'. (The proposed foyer/entry is within the applicant site).
- delapidation report identifying potential for damage to neighbouring properties, should be part of application.

Right of way and access

- potential disruption of access from occupier at 47 Salamanca Place.
- proposed first floor development of 25 Salamanca Place would interfere with right of way, which is essential for access to carpark on neighbouring land.

6. Assessment

The *Sullivans Cove Planning Scheme 1997* is a performance based planning scheme. This approach recognises that there are in many cases a number of ways in which a proposal can satisfy desired environmental, social and economic standards. In some cases a proposal will be 'permitted' subject to specific 'deemed to comply' provisions being satisfied. Performance criteria are established to provide a means by which the objectives of the Planning Scheme may be satisfactorily met by a proposal. Where a proposal relies on performance criteria, the Council's ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.1. The site is located within the Sullivans Cove Mixed Use 2.0 Zone of the *Sullivans Cove Planning Scheme 1997*.
- 6.2. The proposed use is for visitor accommodation, which is permitted in the Activity Area.
- 6.3. The proposal has been assessed against the following.
 - 6.3.1. Part D: 2.0 Sullivans Cove Mixed Use: Activity Area Controls.
 - 6.3.2. Schedule 1: Heritage.
 - 6.3.3. Schedule 2: Urban Form.
 - 6.3.4. Schedule 4: Signage.
 - 6.3.5. Schedule 7: Demolition.
- 6.4. The proposal relies on the following performance criteria to comply with the applicable standards.
 - 6.4.1. Part D Clause 22.4.5 Schedule 1 Heritage (Listed Place).

- 6.4.2. Part D Clause 23.6.1B Schedule 2 Urban Form (Height and Plot Ratio).
- 6.4.3. Part D Clause 28.3.1 Schedule 7 Demolition.
- 6.4.4 . Part D Clause 25.9 Schedule 4 Signage.
- 6.5. Each performance criterion is dealt with separately below.
- 6.6. Clause 22.4.5 Heritage Schedule 1
- 6.6.1. Planning approval is sought for a partial demolition, alterations, extensions and partial change of use to visitor accommodation, at three sites at Salamanca Place, being numbers 25, 39-41 and 47-51 Salamanca Place.
- 6.6.2. Clause 22.4.4 states works are permitted where 'building or works are related to the conservation of a place of cultural significance and are to be undertaken in accordance with a Conservation Plan.
- 6.6.3. The proposal does not comply with the acceptable solution; therefore assessment against the discretionary provision is relied upon.
- 6.6.4. The discretionary provision under Clause 22.4.5 states matters that must be taken into consideration in the assessment are as follows:

Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority.

The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:

- *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
- *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
- *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*

- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged*

6.6.5. Assessment by the Council's Senior Cultural Heritage Officer is as follows:

The application is accompanied by detailed conservation reports which guided the design of the proposal. The Heritage Impact Assessment concludes (section 7.02 on page 30):

"There will be some adverse heritage impacts on fabric and spaces as a consequence of these proposed works. It is inevitable that some subdivision of spaces and some adaptation of heritage fabric will be necessary with any new use made of the building. It is clear that the project architect has made considerable effort to maximize the retention of posts and beams and associated heritage values within the context of conversion to a boutique hotel use."

I consider that the heritage impacts are relatively small and will not impact on the conservation of cultural significance of the place.

The proposal has been considered by the Tasmanian Heritage Council, and approval has been provided, subject to a number of conditions. These conditions are required to be incorporated within any planning permit. It is considered unnecessary to add any additional conditions in relation to cultural heritage aspects.

6.6.6. The proposal complies with the performance criterion.

6.7. Clause 23.6.1B (height and plot ratio) Urban Form Schedule 2

- 6.7.1. The proposal includes two additional levels to the rear of 25 Salamanca Place. The maximum height of the proposed rear extension would be 16.785 metres. The proposed plot ratio would be 4.57.
- 6.7.2. The acceptable solution under 23.6.1B (Figure 8) is a 12 metre height limit toward the frontage, and 15 metres at the rear of the site. The plot ratio applicable to the 15 metre height limit is 3.0.

- 6.7.3. The proposal does not comply with the permitted solution; therefore assessment against the discretionary criterion is relied on.
- 6.7.4. The discretionary criteria are as follows.

Clause 23.6.2 Discretionary buildings.

Development which cannot satisfy the 'deemed to comply' provisions' of Clause 23.6.1 may be approved at the discretion of the Planning Authority taking into consideration the Objectives in Clause 23.2. Such development includes:

- Any new buildings or works adjacent to a Place of Cultural Significance and which are not more prominent in the streetscape by strong contrast of scale, height, colour and tone with the buildings constructed on the place, and, which are not detailed in a manner which is similar to buildings of cultural significance or which adopts an "historic" appearance.*
- Works undertaken in accordance with a Conservation Plan approved by the Planning Authority where required and/or provided.*

Clause 23.2 Objectives following objectives apply to the application of this Schedule:

- The traditional urban pattern of Sullivans Cove is to be conserved. A contemporary adaptation is to be created in development/redevelopment areas.*
- Views to Sullivans Cove along primary spaces are to be retained, especially to the River Derwent.*
- Views over the land bounded by Tasman Highway, Brooker Avenue and Liverpool Street from the City and Wapping to the Domain and from the Domain and Tasman Highway to the City are to be retained.*
- Expression of the Wall of the Cove is to be encouraged where possible.*
- The bulk and height of buildings must reflect the natural topography of the Sullivans Cove Planning Area, the amphitheatre sloping down to the Cove and the Macquarie Street and Regatta Point Ridges.*

- *A diversity of building heights and volumes will be encouraged within this over-riding pattern, but buildings must have a respectful relationship to each other and to buildings of identified cultural significance within a street.*

- *New buildings must not be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation.*

- 6.7.5. According to the submitted plans, the approximate facade height of the existing building at 25 Salamanca Place is 10 metres. The height to the apex of the existing gable roof is around 13.0 metres. The proposed rear extension to the building would be setback 22.6 metres from the street frontage. The rear extension would have a height above ground level of 14.175 metres to eaves level, and 16.785 metres to the gable roof apex. If the upward slope to the rear of the site is negated, the height of the extension to roof apex level, above the level of Salamanca Place would be 20.985 metres.
- 6.7.6. The height of the proposed extension roof apex would therefore be 7.985 (i.e. nearly 8) metres above the gable roof apex of the existing building, setback 22.6 metres from the frontage.
- 6.7.7. In terms of plot ratio, the site area is approximately 310 square metres. The proposed floor area of 1,416 square metres equates to a proposed plot ratio of 4.57. It is of note that the plot ratio as existing over the three level building equates to 2.52.
- 6.7.8. Gladstone Street is listed as a 'Primary Space' under Figure 8 of the Planning Scheme. The proposal would not result in any loss of view to Sullivans Cove from Gladstone Street.
- 6.7.9. Under Figure 6 of the Planning Scheme, Salamanca Place warehouses form part of the 'wall' of the Cove. The submitted photomontage (refer to Figures 3 and 4 above under paragraph 3) indicates the proposed extension may be marginally visible above the existing roof line of 25 Salamanca Place, when viewed from opposite along the edge of the central median trees. The extension would also be visible at a distance, from vantage points along Salamanca Place.
- 6.7.10. To a degree, the proposed extension in terms of its height and positioning would reflect the natural topography of Sullivans Cove, in that it would form an intermediary step between the warehouse frontage building, and the

upslope and taller Salamanca Inn on Gladstone Street.

6.7.11. The proposed extension, given its rear position and modest relative height, is considered likely to retain a 'respectful' relationship with the existing Salamanca Place frontage, and it considered unlikely to challenge in terms of visual dominance along Salamanca Place.

6.7.12. Council's Senior Cultural Heritage Officer raises no objection to the proposal with regard to Urban Form provisions under the Scheme.

6.7.13. The proposal complies with the performance criterion.

6.8. Clause 28.3.1 Demolition Schedule 7.

6.8.1. Planning approval is sought for a partial demolition, alterations, extensions and partial change of use to visitor accommodation, at three sites at Salamanca Place, being Nos. 25, 39-41 and 47-51 Salamanca Place.

6.8.2. There is no acceptable solution, therefore assessment against the Guidelines for development Control under Clause 28.5 is required. These provide as follows:

6.8.3. **Guidelines for development Control under Clause 28.5 state as follows.**

The demolition of any building, or works on land shall not be 'permitted' unless; a replacement development has been approved, or such demolition is required by statutory order or is authorised by the Building Surveyor as essential to public safety.

Any application for demolition:

(a) Shall be refused if the building is included as a cultural heritage place in Table 1 of the Conservation of Cultural Heritage Values Schedule of this Scheme, unless;

(i) The demolition is approved as part of a Conservation Plan approved by the Planning Authority or otherwise in its discretion under the Conservation of Cultural Heritage Values Schedule of this Scheme;

(ii) The building clearly detracts from the cultural values or significance of the place; or

(iii) There are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part.

(b) May be refused if in the opinion of the Planning Authority the building contributes to the cultural heritage or urban character of the Activity Area and the building is capable of continued beneficial use.

Clause 28.6 Matters to be considered states as follows.

In considering any proposal for demolition, the Planning Authority shall give regard to the following matters:

- The impact of the proposed demolition on the character of the Activity Area;*
- The impact of the proposed demolition on the cultural heritage values of the Cove;*
- The need to avoid creation of vacant sites and 'lost space' in the Cove.*

6.8.4. Council's Senior Cultural Heritage Officer raises no objection to the proposal with regard to Demolition provisions under the Planning Scheme.

6.8.5. The proposal complies with the performance criterion.

6.9. Clause 25.9 Signage Schedule 7.

6.9.1. Signage is proposed at the three sites, as follows.

- 25 Salamanca Place, a window sign at the frontage.
- 25 Salamanca Place, a wall sign to the rear entry, at distance from Gladstone Street.
- 39 Salamanca Place, a transom sign to replace that existing at the frontage.
- 41 Salamanca Place, a wall sign at the frontage.
- 47 Salamanca Place, a window sign to the side wall fronting Kennedy Lane.

6.9.2. There is no acceptable solution under Clause 25.11 which provides that any sign on a place of cultural significance is discretionary. However it is noted that under Clause 25.14 Table 25.1, the transom sign (39 Salamanca) meets the Acceptable Solution, and under Clause 25.14 Table 25.1, the wall and window signs (at 25, 41 and 47 Salamanca) do

not meet the Acceptable Solution.

- 6.9.3. The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4. The performance criteria for signage on a place of cultural significance are under Clause 25.11.

Notwithstanding any Acceptable Solutions or Alternative Performance Criteria allowed for elsewhere in this Schedule, the following provisions apply to the erection of any signs on, adjacent to or within a place of cultural significance (as listed in Table 1 of Schedule 1 of this Scheme):

- A sign on or adjacent to or within a place of cultural significance (as listed in Table 1 of Schedule 1 of this planning scheme) is 'Discretionary'.*
- A sign in the Cove area must not either by its size, design or content detract from the character and heritage value of buildings both individually and collectively including those groups or buildings comprising some which may not be of particular heritage value.*
- For modern standardised trademark or propriety logo advertising, corporate image requirements such as specific colours must be adapted to suit the individual location and building.*
- A sign to be affixed to any place of cultural significance included in Schedule 1 of the Planning Scheme must maintain or reinstate and not detract from its original architecture, heritage value or character.*
- Signs must be placed to allow the architectural details of the building to remain prominent.*
- Signs must be placed in locations on the building or item that would traditionally have been used as advertising areas. Historical documentation may be required to justify the placement of any new signs.*
- No signs shall dominate or obscure any other signs and in particular an historic sign forming an integral part either of a building's architectural treatment of detailing, or its heritage.*
- Fixtures must not damage historic building fabric, including but not*

restricted to attachments to masonry and wood. All signs and related fittings are to be fixed using appropriate non-corrosive fixings inserted in mortar joints.

- Signs that break an historic parapet or roof line will be prohibited.*
- Use of side-walls to locate signs is prohibited if the wall does not form a street frontage, or has not historically been used for signs.*
- Strings of light bulbs are prohibited.*
- Internally illuminated signs attached to a building of cultural significance (excluding contemporary buildings and extensions on a place of cultural significance that are not themselves of cultural significance) are prohibited.*

6.9.5. For signs not meeting the Acceptable Solutions, the following matters must also be considered pursuant to clause 25.13:

- The individual or cumulative effect of the sign or signs on the amenity of the area including the need to avoid visual disorder or clutter of signs.*
- The individual or cumulative effect of the sign or signs on the building and/or surrounding area, considering its effect and means of attachment on places of cultural significance.*
- The cumulative effect of the sign or signs on existing or approved signs, including signs on buildings and outdoor uses that constitute a sign.*
- The size and likely impact of the sign having regard to the size of the premises on which it is to be displayed and the scale of surrounding buildings.*
- The effect of the sign on the safety and security of premises and the area.*
- The effect of the sign on the appearance, efficiency and safety of a road, railway, waterway or other public way, having particular regard to the sign's colour, brightness and location.*
- The effect of the sign on pedestrian movement and safety.*
- Compliance with objectives of this Schedule.*

6.9.6. The last dot point requires consideration of the objectives of the Schedule, which state:

- To maintain a balance between the established built form and*

historic character of the Cove and commercial need to advertise goods and services.

- *To ensure that signs do not intrude into and detrimentally affect the visual amenity of the area.*
- *To ensure that signs are complementary to the overall character of Sullivans Cove, and complement the historic character of the building on which they are mounted.*
- *To prevent visual clutter through the proliferation of signs by encouraging fewer more effective signs.*
- *To ensure that signs do not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.*
- *To ensure signs on places of cultural significance are responsive to the cultural heritage values and the significance of the building or place, both in terms of impact and by means of attachment, by protecting and enhancing those values.*
- *To prevent multiple signs on a single building, unless the cumulative effect of existing and proposed signs will not adversely affect the character and/or cultural heritage values of the building.*

6.9.7. In terms of the signs at 25 Salamanca Place, consideration is as follows. The front window sign would occupy less than 25% of the window frontage taken as a whole. It would therefore remain within the discretionary provision. The side wall sign would be to the rear of the site, facing at some setback from Gladstone Street. The sign would meet the discretionary provision. Impact of proposed signage at this site on the character and amenity of surroundings is not considered likely to be excessive.

6.9.8. In terms of the wall sign at 39-41 Salamanca Place, consideration is as follows. The sign would be to the front wall of No.41 Salamanca Place. The sign would exceed the discretionary standard by 0.5m. A condition restricting the height of the sign to 0.5m is included below under Recommendation. With that safeguarding condition, the impact of the sign on the character and amenity of surroundings is not considered likely to be excessive.

6.9.9. In terms of the window sign at 47-51 Salamanca Place, consideration is as follows. The sign would front Kennedy Lane at the proposed new entry to the visitor accommodation use. Again, the sign would meet the discretionary provision. Impact of the sign on the character and amenity of surroundings is not considered likely to be excessive.

6.9.10. The proposed signage at each of the three sites is not considered likely to

be excessive. The signage taken as a whole is not considered likely to result in any visual disorder or clutter. In terms of their overall size and positioning, the signage is considered likely to remain subservient to its heritage surroundings.

6.9.11. The proposed signage is generally considered to meet the 'matters to be considered' and the objectives of the Schedule.

6.9.12. The Council's Senior Cultural Heritage Officer raises no objection to the proposal with regard to signage provisions under the Planning Scheme. The provisions of Clause 25.11 are therefore considered met.

6.9.13. The proposal complies with the performance criterion.

7. Discussion

7.1. Planning approval is sought for a partial demolition, alterations, extensions and partial change of use to visitor accommodation and signage, at three sites at Salamanca Place, being numbers 25, 39-41 and 47-51 Salamanca Place. There would be a total of 50 visitor accommodation units across the three sites.

7.2. The application received four representations against it. The concerns raised broadly included the visual impact and height of the proposal, the impact of construction works, the availability of car parking during market times, the level and detail of information provided as part of the application, and the use of the right of way and access off Gladstone Street.

7.3. As the preceding report demonstrates the proposal performs well against the applicable provisions of the Planning Scheme. The proposal has the support of the Council's Senior Cultural Heritage Officer. It is also noted the proposal has been conditionally approved by the Tasmanian Heritage Council.

7.4. In terms of the right of way issue raised in one of the representations, Council's Manager Surveying Services has confirmed that part of the rear proposed extension at 25 Salamanca Place would extend over the land under certificate of title 41654 volume 1 which is the subject of the right of way burdening easement in favour of an adjacent property. The applicant has been advised accordingly and advice has been included below under Recommendation.

7.5. The proposal is recommended for approval, subject to conditions and advice.

8. Conclusion

- 8.1. The proposed partial demolition, alterations, extensions and partial change of use to visitor accommodation and signage, at three sites at Salamanca Place, being No 25 Salamanca Place, Nos. 39-41 Salamanca Place, and Nos. 47-51 Salamanca Place satisfies the relevant provisions of the Sullivans Cove Planning Scheme 1997, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the Sullivans Cove Planning Scheme 1997, the Council approve the application for a partial demolition, alterations, extensions and partial change of use to visitor accommodation and signage, at three sites at Salamanca Place, being No. 25 Salamanca Place, Nos. 39-41 Salamanca Place, and Nos. 47-51 Salamanca Place for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1023 - 25, 39-41, 47-51 SALAMANCA PLACE BATTERY POINT 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 2016/01408-HCC dated 11/10/2016 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, Works Application No. 5147 dated 7/12/2016, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

The wall sign to 39-41 Salamanca Place must not exceed 0.5m in height.

Reason for condition

To clarify the scope of the permit and to ensure compliance with the Signs Schedule of the Sullivans Cove Planning Scheme 1997.

ENG 1

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

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

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

Reason for condition

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

ENV 1

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

Advice: For further guidance in preparing a Soil and Water Management Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to www.hobartcity.com.au/development/engineering/standards-and-guidelines.

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

Building permit in accordance with the *Building Act 2000*;

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the *Tasmanian Plumbing Regulations 2014*;

<http://www.hobartcity.com.au/Development/Plumbing>

TITLE ADVICE

The applicant is advised that the part the rear of the property at 25 Salamanca Place under certificate of title 41654 vol 1, is subject of a right of way burdening easement.

Part of the proposed extension to the rear of 25 Salamanca Place extends over the land the subject of the right of way burdening easement, and is likely to require modification accordingly.

ENVIRONMENTAL HEALTH ADVICE

Noise, dust, odour or other pollutants emitted from any activities associated with this development, including construction works, must not unreasonably cause any disturbance, annoyance or nuisance to owners/occupiers in the vicinity and shall comply with the *Environmental Management and Pollution Control Act 1994* and subsequent regulations.

Reasonable noise attenuation measures should be incorporated in the design and construction of the accommodation units to ensure occupants are not adversely impacted by the emission of noise from existing noise generating uses in the area.



(Richard Bacon)

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



(Ben Ikin)

Senior Statutory Planner

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 14 December 2016

Attachment(s)

- Attachment B - CPC Agenda Documents.