



City of **HOBART**

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report: Committee
Council: 22 January 2018
Expiry Date: 27 January 2018
Application No: PLN-17-686
Address: 19 LANSDOWNE CRESCENT , WEST HOBART
Applicant: Simon Munn (City of Hobart)
16 Elizabeth Street
Proposal: Alterations to Car Park
Representations: None
Performance criteria: Road and Railway Assets Code, Parking and Access Code, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for alterations to the carpark at 19 Lansdowne Crescent.
- 1.2 More specifically the proposal includes the sealing and marking out of the existing carpark and access to the West Hobart Oval, which is from Hamilton Street.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Road and Railway Assets Code
 - 1.3.2 Parking and Access Code
 - 1.3.3 Historic Heritage Code
- 1.4 No representations to the proposal were received within the statutory advertising period between 21 November and 5 December 2017.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The site is the West Hobart Oval at No.19 Lansdowne Crescent which also has frontage to Hamilton Street.
- 2.2 The proposal is for alterations to the existing carpark to the northwestern uphill side of the site accessed from Hamilton Street.



Figure 1. The site is central to the image. The existing access is from Hamilton Street at the upper end of the image.



Figure 2: the existing Hamilton Street access is shown in the aerial photograph. The carpark to be upgraded is central to the image.

3. Proposal

- 3.1 Planning approval is sought for alterations to the carpark at 19 Lansdowne Crescent.
- 3.2 More specifically the proposal is for the sealing and marking out of the existing carpark and access to the West Hobart Oval, which is from Hamilton Street.

4. Background

- 4.1 Council is applicant and land owner. As such, the application must be determined by the Council.

5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 21 November and 5 December 2017.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Recreation Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 18 Recreation Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
 - 6.4.4 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Road and Railway Assets Code Part E E5.6.4 (Sight Distances)
 - 6.5.2 Parking and Access Code Part E E6.7.2 (Access Design)
 - 6.5.1 Heritage Part E E13.7.2 and E13.8.2 (Heritage Listed and Heritage Precinct)
- 6.6 Each performance criterion is assessed below.
- 6.7 Road and Railway Assets Code Part E E5.6.4 Sight Distances
- 6.7.1 The acceptable solution at clause E5.6.4 A1 requires sight distances at an access or junction to comply with the Safe Intersection Sight Distance.

6.7.2 The proposal includes an access upgrade, and existing vegetation in the road reservation impedes the access complying with the Safe Intersection Sight Distance.

6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.7.4 The performance criterion at clause E5.6.4.1 P1 provides as follows:

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

(a) the nature and frequency of the traffic generated by the use;

(b) the frequency of use of the road or rail network;

(c) any alternative access;

(d) the need for the access, junction or level crossing;

(e) any traffic impact assessment;

(f) any measures to improve or maintain sight distance; and

(g) any written advice received from the road or rail authority.

6.7.5 Council's Senior Development Engineer has assessed the proposal confirms that it complies with the above performance criterion.

6.7.6 The proposal complies with the performance criterion.

6.8 Parking and Access Code Part E E6.7.2 Access Design

6.8.1 The acceptable solution at clause E6.7.2 A1 requires access to comply with Australian Standard AS2890.

6.8.2 The proposal includes an access upgrade which is non-compliant with AS2890 for sight distances.

6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause E6.7.2 P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

(a) avoidance of conflicts between users including vehicles, cyclists and

- pedestrians;*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development; and*
- (d) ease of accessibility and recognition for users.*

6.8.5 Council's Senior Development Engineer has assessed the proposal confirms that it complies with the above performance criterion.

6.8.6 The proposal complies with the performance criterion.

6.9 Historic Heritage Code Part E13.7.2 P1 and P2, and E13.8.2 P1 and P2 Works to a Heritage Listed Place and in a Heritage Precinct

6.9.1 There are no acceptable solutions for Clauses E13.7.2 A1 or A2, or E13.8.2 A or A2, which relate to works in a Heritage Precinct.

6.9.2 The proposal includes works in a heritage precinct, specifically an upgrade involving sealing and line marking of an existing carpark and access in Heritage Precinct WH3.

6.9.3 There are no acceptable solutions; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criteria at clauses E13.7.2 A1 or A2, or E13.8.2 A or A2 provide as follows:

6.9.5 E13.7.2 P1

Development must not result in any of the following:

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

E13.7.2 P2

Development must be designed to be subservient and complementary to the place through characteristics including:

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*

- (c) *siting with respect to buildings, structures and listed elements;*
- (d) *using less dominant materials and colours.*

E13.8.2 P1

Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.

E13.8.2 P2

Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.

- 6.9.6 The application has been assessed by the Council's Cultural Heritage Officer who has commented as follows:

This application relates to a long established recreational Oval and associated mature planting, changing room/clubhouse and formal and informal parking compacted surface and access road. The site is long established with the social and recreational life of West Hobart and is both Heritage Listed as well as forming part of the Lansdowne Crescent/Hill Street Heritage Precinct (WH3) as set out in the *Hobart Interim Planning Scheme 2015*.

This precinct is significant for reasons including:

1. The quantity and quality of late Victorian/Federation period housing stock exemplifies the economic boom period of the late nineteenth/early twentieth centuries many of which are impressive reminders of its primary residential role.
2. A large number of intact individual houses which are examples from the late nineteenth/early twentieth century.
3. The continuous single-storey, mainly painted weatherboard facades and the general uniformity of scale, create a distinctive visual impression and high streetscape value.
4. The number of intact original shops which reflect the commercial network which developed during suburban expansion in the late nineteenth/early twentieth centuries.
5. Individual places have social significance to the local and broader community.
6. The street formations in Lansdowne Crescent and its related network of streets are a unique and distinctive early nineteenth

century features of Hobart's town plan.

The proposal seeks permission for the creation of drained asphalt hard standing for formal vehicular parking and access lane linking the parking to Hamilton Street, essentially merely replacing the existing compacted parking and access on the site.

The proposal would not require the significant removal of established planting or trees and whilst the use of asphalt is perhaps unfortunate given the relatively informal nature of the site, the creation of a suitably drained parking and access surfacing is entirely understandable, and most importantly, would have little to any impact upon the general characteristics of the Heritage Precinct or to the special characteristics of the oval as a heritage listed place.

It is therefore considered that the proposal would not detract from the characteristics or setting of this Heritage Listed place, nor that of the wider townscape qualities of the Heritage Precinct and would thus comply with Clauses E.13.7.2 P1, P2, P3 and P6, and E.13.8.2 P1 and P5 of the *Hobart Interim Planning Scheme 2015*.

6.9.7 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for alterations to the carpark at West Hobart Oval at 19 Lansdowne Crescent.
- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable.
- 7.4 The proposal has been assessed by other Council officers, including the Development Engineer and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed alterations to carpark at 19 Lansdowne Crescent, West Hobart satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such are recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to carpark at 19 Lansdowne Crescent, West Hobart 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-17-686 - 19 LANSDOWNE CRESCENT TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw6

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 commencement of use.

Reason for condition

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

ENG 2a

Vehicular barriers compliant with the Australian Standard AS1170.1 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:

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.

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site for use, is sixteen (16).

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 AS2890.1:2004, prior to commencement of use.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian Standards AS2890.6:2009, prior to the commencement of the use.

Reason for condition

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

ENG 3

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

Reason for condition

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

ENG 1

The cost of repair of any damage to the Council's 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'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.

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.

This is a Discretionary Planning Permit issued pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

Plumbing permit in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. 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](#).

NOISE REGULATIONS

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

DIAL BEFORE YOU DIG

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



(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: 2 January 2018

Attachment(s):

Attachment B - CPC Agenda Documents