



City of **HOBART**

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	9 April 2018
Expiry Date:	9 April 2018
Application No:	PLN-17-967
Address:	209 - 213 HARRINGTON STREET , HOBART 215 - 217 HARRINGTON STREET , HOBART ADJACENT ROAD RESERVE
Applicant:	George Walker (6ty* Pty Ltd) Po Box 63
Proposal:	Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works
Representations:	Eight (8)
Performance criteria:	Use; Commercial Zone Use and Development Standards; Potentially Contaminated Land Code; Road and Railway Assets Code; Parking and Access Code; Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works.

1.2 More specifically the proposal includes:

- 36 residential apartments contained within four levels commencing above the ground floor level with the main hallway, lift and lift foyer and stairwells located centrally through each level.
- Commercial tenancies, vehicular and pedestrian access and car parking incorporated within the ground floor and basement levels of the building.
- The three ground floor commercial tenancies are proposed for either general retail and hire or food services uses.
- 61 car parking spaces (51 residential; seven commercial; three communal electric vehicle spaces); motorcycle parking spaces and 72 bicycle parking spaces located across the basement and ground levels.
- The basement level contains the main car parking space for the building with vehicular ingress and egress provided from Patrick Street.
- The ground floor level incorporates the three retail tenancies and supplementary car parking spaces with vehicular ingress and egress provided from Harrington Street. An awning is proposed to wrap around the Harrington Street and Patrick Street facades.
- The building has been designed to reflect the Art Deco period. Externally the building incorporates plain and rendered pre-cast concrete facades with a rounded corner to the intersection of the Harrington and Patrick Street frontages, horizontal banding and vertical features, and a flat roof.

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

- 1.3.1 Use
- 1.3.2 Commercial Zone Use Standards - Outdoor Work Areas
- 1.3.3 Commercial Zone Development Standards - Building Height
- 1.3.4 Potentially Contaminated Land Code - Use; Subdivision; Excavation
- 1.3.5 Road and Railway Assets Code - Existing Road Accesses and Junctions
- 1.3.6 Parking and Access Code - Number of Car Parking Spaces; Number of Motorcycle Parking Spaces; Design of Vehicular Accesses; Layout of Parking Areas; Landscaping of Parking Areas; Bicycle End of Trip Facilities; Facilities for Commercial Vehicles
- 1.3.7 Historic Heritage Code - Places of Archaeological Potential - Buildings, Works and Demolition

1.4 Eight (8) representations (seven objecting/one supporting) were received in relation to the proposal within the statutory advertising period between 02/02 - 19/02/2018.

1.5 The proposal is recommended for approval subject to conditions.

1.6 The final decision is delegated to the Council.

2. Site Detail



Image 1: Aerial view of the subject site and surrounds.

2.1 209-213 Harrington Street is made up of six titles in common ownership, having a total combined area of approximately 1700m². The site is located on the corner of Harrington and Patrick Streets, and currently includes several vacant buildings, at least one still tenanted low-rise conjoined commercial building and open commercial car parking areas. To the north and north-west, commercial sites continue, whilst to the north-east there are a row of smaller and older dwelling-style buildings currently occupied as a mix of both residential and office uses. Diagonally opposite the site across Harrington Street to the south is St. Mary's Cathedral and St. Mary's College. Elsewhere in the immediate area are a mix of commercial and residential properties.

2.2 Site photos follow below (Plates 1 to 4 and Image 2):



Plate 1: The site as viewed from diagonally opposite on the corner of Harrington and Patrick Streets.



Plate 2: The site as viewed from opposite on Patrick Street.



Plate 3: Looking back towards the site from further to the north-west along Harrington Street.



Plate 4: Looking down to the site from uphill on Patrick Street.



Image 2: Looking to the north-west up Harrington Street towards the site which is to the right after the intersection (Source: Google Streetview).

3. Proposal

- 3.1 Planning approval is sought for Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works.

3.2 More specifically the proposal is for:

- 36 residential apartments contained within four levels commencing above the ground floor level with the main hallway, lift and lift foyer and stairwells located centrally through each level.
- Commercial tenancies, vehicular and pedestrian access and car parking incorporated within the ground floor and basement levels of the building.
- The three ground floor commercial tenancies are proposed for either general retail and hire or food services uses.
- 61 car parking spaces (51 residential; seven commercial; three communal electric vehicle spaces); four motorcycle parking spaces and 72 bicycle parking spaces located across the basement and ground levels.
- The basement level contains the main car parking space for the building with vehicular ingress and egress provided from Patrick Street.
- The ground floor level incorporates the three retail tenancies and supplementary car parking spaces with vehicular ingress and egress provided from Harrington Street. An awning is proposed to wrap around the Harrington Street and Patrick Street facades.
- The building has been designed to reflect the Art Deco period. Externally the building incorporates plain and rendered pre-cast concrete facades with a rounded corner to the intersection of the Harrington and Patrick Street frontages, horizontal banding and vertical features, and a flat roof.

4. Background

4.1 The current proposal has been considered by the Council's Urban Design Advisory Panel (the Panel) who, at their meeting of 09 February 2018, formed the following view:

(i) The Panel considered that the bulk and scale of the majority of the proposed building should comply with acceptable solution for height. Therefore, it was the Panel's view that the main part of the building (excluding the penthouse floor) should be contained entirely within the 15m permitted height limit. The reduction in height required to achieve this is possible, given the generous floor-to-ceiling heights. If the floor-to-ceiling heights were reduced, then the proposed building (excluding the penthouse floor) would be able to be contained within the 15m permitted height limit. The Panel accepted that the penthouse floor did not need to be contained within the permitted 15m height limit, because as proposed, its impact would be minimal.

(ii) The proposed building is large relative to its neighbours; additional design measures could be considered to reduce its apparent mass and scale. The long façade (Harrington Street) could be improved by implementing some vertical and horizontal stepping continuing into the parapet, thus improving the transition and showing some sympathy to the neighbouring buildings.

(iii) The applicant is encouraged to consider providing some body corporate/common areas for open space/green space to break up the large scale massing of the building both on the front boundaries and above or within the building development.

(iv) It is recommended that the retail level be “opened up”. This could be achieved by implementing a setback, together with incorporating a possible terrace within the design. The removal of the awning in some places would benefit the design and could work in tandem with a possible different street edge solution such as the change of pavement finishes. The implementation of a terrace, the removal of some of the awning and the change in pavement finishes could promote further activation for Patrick and Harrington Streets, which may slow pedestrians down to utilise the space.

(v) The applicant is to be encouraged to consider the incorporation of street trees to further assist with the activation of Harrington Street. A setback to allow green areas or street trees would be consistent with new developments in this area (for example the house opposite at number 206, the apartments at number 193 with its sculptural gate and minimal but successful planning, and Walford Terraces further west) as well as contributing more generally to greening of the city, and to minimise the heat island effect in these increasingly denser peri-CBD areas.

(vi) Aesthetically, the development should take cues from residential elements rather than larger commercial developments. This could be addressed by not incorporating darkened windows as seen in commercial developments, giving the impression of minimal street activity or visibility of life. If the applicant considered implementing the suggested changes in the design of the development, this would assist in ensuring that the proposed development fits within the scope of the neighbouring properties.

4.2 The Urban Design Advisory Panel also made the following note with regard to its consideration of this application:

As a consequence of the Harrington Street proposal, the Panel has observed that the Commercial Zone does not provide residential amenity protection for new (and existing) residential properties, yet seeks to encourage residential use above ground floor level. This may lead to highly compromised residential amenity for future occupants, particularly those adjacent to a shared boundary with other sites, given the zone allows for a permitted building height of 15m and a nil boundary setback.

- 4.3 The Applicant to the proposal considered the views put forward by the Panel with regard to their application. No immediate changes to the proposal were offered, however the following comments were provided in response:

Having reflected on the matters identified by the Panel, we would like to say that in general terms we agree with the overall points raised.

From the outset, in designing the building, we have made it a priority to ensure that the design will set a new benchmark for living and design in Hobart. We have studied in great detail high quality apartment complexes around Australia and overseas. We are not [at] all interested in designing generic apartments that appeal only to investors.

It is particularly important that the building integrates well and makes a positive contribution to the streetscape and the community.

As raised by the Panel in our meeting, we clearly said that we are open to feedback on all aspects of the design and believe that valid points were raised which we will do our best to integrate into the detailed design as we move forward.

- 4.4 The Applicant's full response to the Panel's comments can be found in Attachment C to this report.

5. Concerns raised by representors

- 5.1 Eight (8) representations (seven objecting/one supporting) were received in relation to the proposal within the statutory advertising period between 02/02 - 19/02/2018.
- 5.2 The following table outlines the concerns raised in the objections received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Insufficient Car Parking – the shortfall is significant, and this will add pressure to the already at capacity surrounding network of on street parking availability. Shortfall not adequately addressed through proposed alternative provisions.
Height and Bulk not compatible with the scale of nearby buildings – no allowance for transition, and comparison to buildings entire blocks away is disingenuous; a flawed argument. Does not contribute positively to the streetscape and negatively impacts residential amenity and the character of the area. No consideration of local context. Performance criteria not met in this regard.
Concern regarding encroachment of proposed building onto adjoining property and validity of application – Alleged to have not properly been addressed through S52 and therefore the application is invalid – explanation is that because the building is sited up to the boundary line and therefore works must be required to an existing boundary wall and therefore is encroaching on the adjoining property. It hasn't been demonstrated through a survey plan that the application is not encroaching onto the adjoining property and as such the proposal is encroaching and notification was not given and therefore the application is invalid.
Proposal does not adequately address the heritage code – A Statement of Archaeological Potential is not included
Poor design/lack of design merit.

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 Commercial Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The proposal includes Residential (Multiple Dwelling); Food Services and General Retail and Hire uses. A Residential use is permitted in the zone provided it is above ground floor level. Food Services (other than a takeaway food premises or cafe) and General Retail and Hire uses are discretionary in the zone.

- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 23 Commercial Zone
 - 6.4.2 E2.0 Potentially Contaminated Land Code
 - 6.4.3 E5.0 Road and Railway Assets Code
 - 6.4.4 E6.0 Parking and Access Code
 - 6.4.5 E7.0 Stormwater Management Code
 - 6.4.6 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Use:
 - Determining Applications - Part B 8.10.1 and 8.10.2
 - Zone Use Table - Part D 23.2
 - 6.5.2 Commercial Zone Use and Development Standards:
 - Outdoor Work Areas - Part D 23.3.5 P1
 - Building Height - Part D 23.4.1 P1
 - 6.5.3 Potentially Contaminated Land Code:
 - Use - Part E 2.5 P1
 - Subdivision - Part E 2.6.1 P1
 - Excavation - Part E 2.6.2 P1
 - 6.5.4 Road and Railway Assets Code:
 - Existing Road Accesses and Junctions - Part E 5.5.1 P3
 - 6.5.5 Parking and Access Code:
 - Number of Car Parking Spaces - Part E 6.6.1 P1
 - Number of Motorcycle Parking Spaces - Part E 6.6.3 P1
 - Design of Vehicular Accesses - Part E 6.7.2 P1
 - Layout of Parking Area - Part E 6.7.5 P1

Landscaping of Parking Areas - Part E 6.7.8 P1
Bicycle End of Trip Facilities - Part E 6.7.11 P1
Facilities for Commercial Vehicles - Part E 6.7.13 P1

6.5.6 Historic Heritage Code:

Places of Archaeological Potential - Buildings, Works and Demolition -
Part E 13.10.1 P1

6.6 Each performance criterion is assessed below.

6.7 Use - Part B 8.10.1 and 8.10.2 and Part D 23.2

6.7.1 As the proposal does not rule out a restaurant, the proposed potential Food Services use is classified as discretionary, as is the potential General Retail and Hire use in the Commercial Zone. It should be noted however that with the Food Services use group, takeaway food premises or cafes are classified as permitted uses in the zone.

6.7.1 There is no acceptable solution with regard to use, rather Part B, Clauses 8.10.1 and 8.10.2 ('determining applications') state that when determining an application for a discretionary use, the Council must consider the following (in-so-far as each is relevant to the particular discretion being exercised):

- *All applicable standards and codes;*
- *Any representations received;*
- *The purpose of the applicable zone;*
- *Any relevant local area objective or desired future character statement for the applicable zone;*
- *The purpose of any applicable code;*
- *The purpose of any applicable specific area plan.*

6.7.2 The Zone Purpose Statement for the Commercial Zone at Part D, Clause 23.1.1 states that the zone should provide for the following:

- *To provide for large floor area retailing and service industries.*
- *To provide for development that requires high levels of vehicle access and car parking for customers.*
- *To provide for a diversity of generally non-residential uses reflecting the transition between the Central Business Zone and inner residential areas.*
- *To allow for uses such as car yards, warehouse and showrooms in*

the areas of high traffic volume and high passing visibility.

- *To allow good quality building stock to be used for less land extensive central service uses such as offices and specialist wholesaling uses.*
- *To allow for service industry uses such as motor repairs which provide a valuable service to users of the central area.*
- *To provide for residential use primarily above ground floor level.*

6.7.3 The proposal seeks approval to use the ground level commercial spaces for either food services uses or general retail and hire uses, allowing for flexibility in the occupation of the space. As proposed, the commercial spaces are reasonably generous in terms of floor area and some parking is available for customers. These uses are non-residential, and between them allow for a diversity of uses. Where the proposal incorporates residential use, this is all above ground floor level. With the layout proposed, the development promotes a transition between the Central Business Zone and the inner residential areas, which in this case commences directly across Harrington Street. The proposed commercial uses are of a nature less likely to adversely affect the amenity of nearby residential areas as opposed to some of the more commercial-oriented uses considered as permitted in the zone, such as service industry or bulky goods sales.

6.8 Outdoor Work Areas - Part D 23.3.5 P1

6.8.1 The acceptable solution at clause Part D 23.3.5 A1 requires outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilation fans to be located more than 50m from a residential zone.

6.8.2 The proposal includes plant and equipment located within 50m of the nearest residential zone, approximately 17m to the west across Harrington Street. No outdoor work areas are proposed.

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 Part D 23.3.5 P1 provides as follows:

Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans located within 50 m of a residential zone must be accompanied by effective acoustic screening in the intervening space.

6.8.5 The application states that all plant and equipment including air-conditioning, ventilation and extraction will be located within the basement level or at the roof top. It goes on to state that in these locations the noise emissions will be provided with effective acoustic screening by the building which will incorporate methods to reduce noise levels in order to protect the amenity of the residential apartments within it. It concludes by stating that the location and position of noise-emitting plant and equipment will comply with the performance criteria. Upon consideration this conclusion is endorsed. To ensure that compliance with the performance criteria is maintained, a condition of any approval should ensure that effective acoustic screening is detailed.

6.8.6 The proposal complies with the performance criterion.

6.9 Building Height - Part D 23.4.1 P1

6.9.1 The acceptable solution at clause Part D 23.4.1 A1 requires building height to be no more than (a) 11.5m high and a maximum of 3 storeys; or (b) 15m high and a maximum of 4 storeys, if the development provides at least 50% of the floor space above ground level for residential use.

6.9.2 Whilst the proposal provides more than 50% of the building's floor space above ground level for residential use, it also incorporates six storeys (including the basement level). The overall height of the proposed development reaches a maximum of approximately 19.1m above ground level, at a point towards its northern (rear) corner, close to the lowest point of the property in terms of ground level. The application refers to a height of 19.6m, however this is the height of the building measured from the floor level of its basement, which is partially cut in and therefore below the ground level of the site.

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 the objective for building height and the performance criterion at clause Part D 23.4.1 P1 provide as follows:

Objective:

To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.

P1

Building height must satisfy all of the following:

(a) be consistent with any Desired Future Character Statements provided for the area;

(b) be compatible with the scale of nearby buildings;

(c) not unreasonably overshadow adjacent public space;

(d) allow for a transition in height between adjoining buildings, where appropriate;

- 6.9.5 There are no Desired Future Character Statements provided for the area within the Commercial Zone of the *Hobart Interim Planning Scheme 2015*. No public space, other than roads and footpaths within the highway reservation, are adjacent to the subject site. In terms of what is typically considered public space warranting protection from overshadowing in the Commercial Zone, there are no areas of open space for recreation or outdoor leisure such as parks, gardens or courtyards adjacent to the site. Nevertheless, any overshadowing of the highway reservation would not unreasonably hinder its use or function.

Parts (b) and (d) of the performance criteria are therefore primarily relevant to the proposal.

The applicant references two buildings in the vicinity of the site as being 'nearby' to the subject site, those being the RACT building at 179-191 Murray Street, with a height of around 17m, and St Mary's Cathedral at 180 Harrington Street, with a height of approximately 19m. These examples are located some 85m and 65m respectively from the subject site. Representations have criticised the application's comparison with these two buildings, opining that the two buildings are not 'nearby' the subject site. Both examples are less than a block away from the subject site. Typically when considering what constitutes the boundaries of a surrounding 'area', a 100m radius from a development site is accepted. It is noted that streetscape, as referred to in the objective, is defined by the planning scheme as:

The visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.

For the purposes of determining streetscape with respect to a particular

site, the above factors are relevant if within 100 m of the site.

A perfect example of nearby buildings when considering scale might perhaps be when other buildings are located within the same block, next to or directly opposite a site so that they can be read almost immediately within the same context of the site, such as the immediate streetscape. In this case the two examples cited do not achieve this as without any immediate connection they are not immediately obvious when inspecting the site, yet the two sites still qualify as being nearby to the subject site.

The Macquarie Dictionary defines 'nearby' as: 'close at hand, not far off; adjacent; neighbouring: *a nearby village*'.

The definition is ambiguous, referring to an almost physical connection (close at hand, adjacent) as well as more of a loose connection (not far off, neighbouring). Nearby in general doesn't immediately invoke thoughts of a situation where two things are next to each other (although this situation cannot be discounted), but would often be taken to mean 'within the vicinity of'. There are scale and context factors to take into account also, depending on the prominence and size of the examples being compared. The two sites highlighted in the application can reasonably be considered to be nearby the subject site as they are within the general area around it. As they are less than a block away, in the context of scale and distance, they also qualify to be considered as being in close proximity to the site. They are also both easily seen in the background from vantage points within and surrounding the subject site, therefore contributing to the wider context of the site.

Having only two examples of similarly scaled buildings (in terms of height) in the nearby area makes it more difficult to argue when mounting a case for compatibility than if there were numerous examples within the same area; however it cannot be denied that, given such similar heights of the two existing buildings, the proposed development does achieve compatibility with some existing nearby buildings.

In terms of transition in height between adjoining buildings, there is little doubt that the proposed development is of a much larger scale than the primarily older, heritage-listed residential-style buildings at 81-83 Patrick Street and the single storey commercial buildings further along Harrington Street. The warehouse/showroom-style buildings diagonally behind and fronting Murray Street are larger than the buildings that typify the northwestern side of Patrick Street, but still lower in height than the proposed building. As the ground falls downwards between Harrington

and Murray Streets, the backs of these buildings would be at a somewhat lower height than the proposed building that would rise sharply behind them.

The appropriateness of the reliance on a transition between the proposed building and the buildings that currently exist adjacent to the site is clouded by the fact that the acceptable height for buildings within the Commercial Zone is up to 15m above natural ground level. In a pure comparison of what exists and what is proposed, there is effectively no transition occurring. If the planning scheme only sought to allow heights similar to what already exists in the immediate area then it may be appropriate to base the consideration of transition upon this yardstick. However, a building similar to what is being proposed could be built to 15m in height, and therefore meet the permitted height standard, yet still only provide a similar level of transition without being subject to the performance criterion test of the scale of adjoining buildings.

As a result of the above, it is considered appropriate to compare the difference between the height of the building as proposed and the 15m height limit of the acceptable solution. It is considered that any argument on the number of storeys is moot in terms of height as a four storey building could still be designed to achieve a height of 15m with variation in floor to ceiling heights between levels. As such, the number of storeys within a building is not necessarily the ultimate driver of its overall height.

The upper part of the proposed building is to an extent stepped in from the main bulk of the building, assisting to provide transition down from its overall height to the zone's acceptable height limit. The varying degree to which the building extends above the 15m acceptable limit can be seen illustrated in the marked up plan excerpts that follow:



Image 3: The proposed building's Patrick Street frontage. The adjacent building at 81-83 Patrick Street can be seen dotted in to the right of the building. The elements of the proposed building above the compliant 15m height limit can be seen hatched in red at the top of the building.

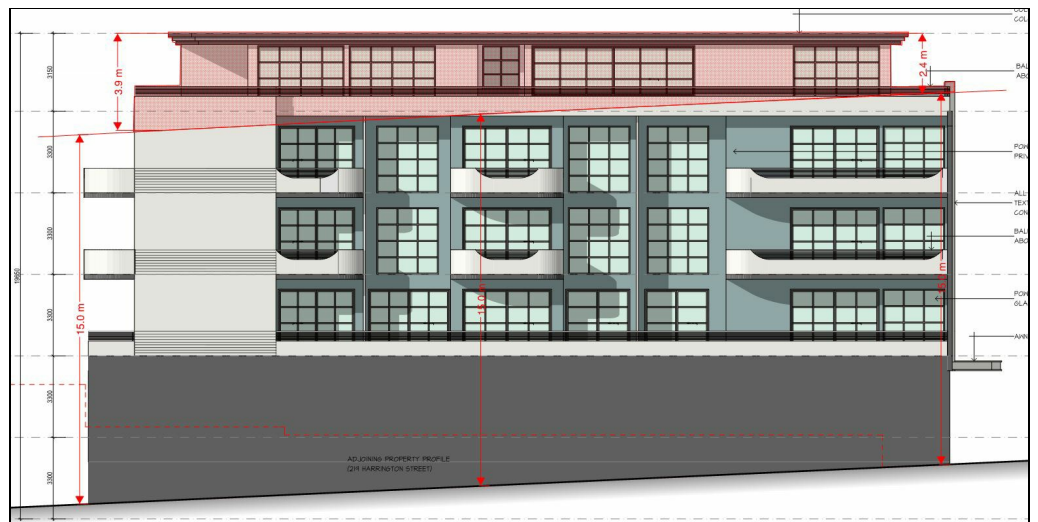


Image 4: The proposed building's north-western (side) elevation. The profile of the adjacent building at 219 Harrington Street can be seen dotted in within the lower dark grey area. The elements of the proposed building above the compliant 15m height limit can be seen hatched in red at the top of the building.

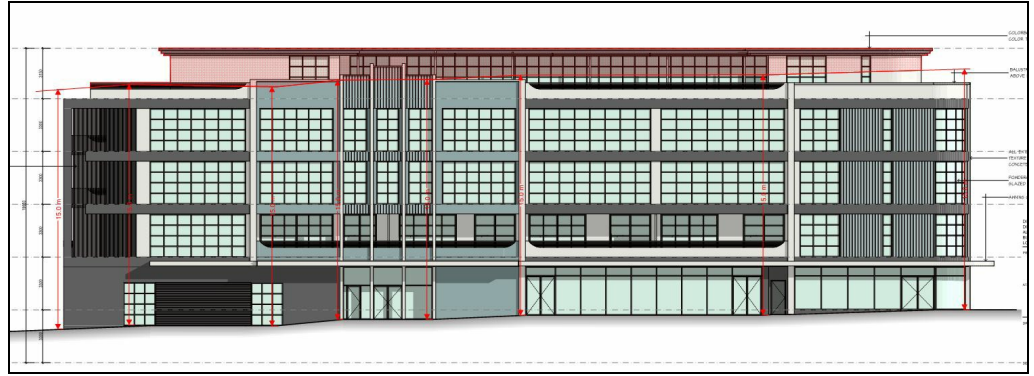


Image 5: The Harrington Street facade of the subject building. The elements of the proposed building above the compliant 15m height limit can be seen hatched in red at the top of the building.

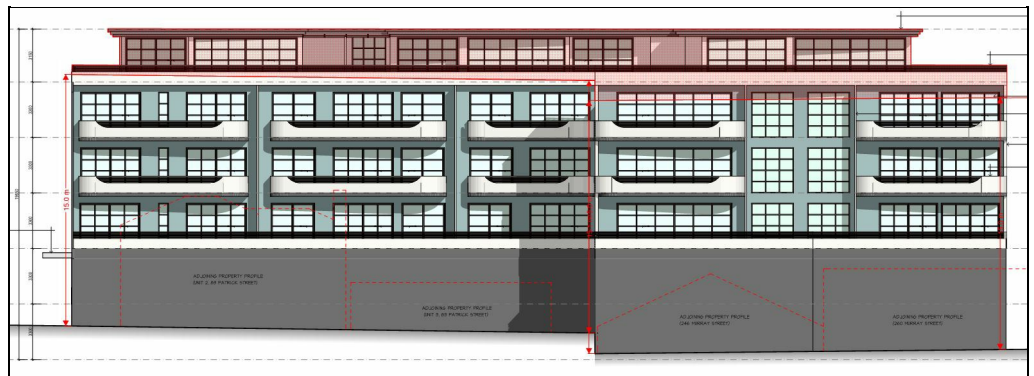


Image 6: The north-eastern (rear) elevation of the proposed building. The height profiles of the adjoining buildings to this side can be seen dotted in in red at the bottom of the elevation. The elements of the proposed building above the compliant 15m height limit can be seen hatched in red at the top of the building.

Simply put, if the upper floor of the proposed building was removed from its design, there would be marginal extension of building elements above the 15m height maximum but, more importantly, a negligible decrease in immediate impact upon adjacent properties due to the extent of height offset. The upper floor of the building would not be apparent when viewing the building from the adjoining property on Patrick Street, nor from the footpaths immediately adjacent the site on Patrick and Harrington Streets. It would only be discernible when viewed from slightly further vantage points and beyond when the upper elements of the building would be fully revealed, at which point any immediate impacts upon adjoining buildings would not be evident.

The scale of the proposed building is dramatic when viewed in context with buildings immediately adjacent and those directly opposite on Harrington and Patrick Streets. When compared to what currently exists in this context, the streetscape and character impact of the proposal

would be somewhat significant, and perhaps even in some ways unfortunate. This sentiment is echoed in a number of the representations against the application. It is noted that several of the properties in the same block on Patrick Street are heritage-listed, and are afforded an extra level of protection within the streetscape. As a result they will likely continue to contribute to the streetscape character as they currently do for some time to come, as opposed to being easily redeveloped to the acceptable development standards of the zone.

It must be taken into account that the zone applicable to the site does not provide immediate protection of the current streetscape character of this area (the Historic Heritage Code of course protects those heritage-listed buildings, but is limited to such), and in this particular case to some extent may even fail it. However, the intent is that the Commercial Zone (where not within 10m of a residential zone as is the case here) be allowed to develop at a higher base height to cater for a certain scale of commercial development and activity. The Commercial Zone's 15 metre acceptable height limit already sets a benchmark for significantly taller buildings than what currently exists in this context.

As designed, the proposed building, although taller than the permitted 15m height limit, is considered to be as compatible with the scale of nearby buildings and allow for as effective a transition in height between adjoining buildings as a development compliant with the height limit. These are considered to be the key considerations in satisfying clause 23.4.1 P1 (b) and (d).

6.9.6 The proposal complies with the performance criterion.

6.10 Potentially Contaminated Land Code - Use, Subdivision and Excavation - Part E 2.5 P1, Part E 2.6.1 P1 and Part E 2.6.2 P1

6.10.1 The acceptable solutions at clause Part E 2.5 A1 and Part E 2.6.1 A1 require the Director of the Environment Protection Authority, or a person approved by the Director for the purpose of this Code to:

(a) certify that the land is suitable for the intended use; or

(b) approve a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.

There is no acceptable solution for Part E 2.6.2 A1.

- 6.10.2 The proposal includes development, excavation and subdivision (consolidation of titles) upon a place listed as being potentially contaminated. Certification of the site as being suitable for the proposed use has not been provided by the Director of the Environment Protection Authority or such person approved by the Director for the purpose of this code. An Environmental Site Assessment has been prepared to address the corresponding performance criteria.
- 6.10.3 The proposal does not comply with the acceptable solutions; therefore assessment against the performance criteria is relied on.
- 6.10.4 The performance criteria at clause Part E 2.5 P1, Part E 2.6.1 P1 and Part E 2.6.2 P1 provide as follows:

E2.5.1 P1 - Use

Land is suitable for the intended use, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or*
- (c) a plan to manage contamination and associated risk to human health or the environment that includes:*
 - (i) an environmental site assessment;*
 - (ii) any specific remediation and protection measures required to be implemented before any use commences; and*
 - (iii) a statement that the land is suitable for the intended use.*

E2.6.1 P1 - Subdivision

Subdivision does not adversely impact on health and the environment and is suitable for its intended use, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or*
- (c) a plan to manage contamination and associated risk to human health and the environment that includes:*

- (i) an environmental site assessment;*
- (ii) any specific remediation and protection measures required to be implemented before any use or development commences; and*
- (iii) a statement that the land is suitable for the intended use or development.*

E2.6.2 P1 - Excavation

Excavation does not adversely impact on health and the environment, having regard to:

(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or

(b) a plan to manage contamination and associated risk to human health and the environment that includes:

- (i) an environmental site assessment;*
- (ii) any specific remediation and protection measures required to be implemented before excavation commences; and*
- (iii) a statement that the excavation does not adversely impact on human health or the environment._*

- 6.10.5 The proposal has been submitted with an Environmental Site Assessment which concludes that a risk to potential receptors has not been identified for either the construction phase or after the proposed development of the site; that all samples collected at the site are below threshold concentrations for assessment risk to human health; no particular health and safety issues are identified which may originate from on-site contamination activities; there are no specific remediation and protection measures required to be implemented before excavation commences; there is a very low human health risk to future users of the site as a result of excavation; and during site excavation works for the proposed development, there is a low risk that site contamination will present an environmental risk.

This assessment and its conclusions have been considered and accepted by the Council's Environmental Health Officer who confirms that all applicable performance criteria in the Code have been met.

- 6.10.6 The proposal complies with the performance criterion.

- 6.11 Road and Railway Assets Code - Existing Road Accesses and Junctions - Part E
5.5.1 P3

- 6.11.1 The acceptable solution at clause Part E 5.5.1 A3 requires the annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, to not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.
- 6.11.2 The proposal includes a Traffic Impact Assessment confirming that approximately 146 vehicle movements per day will be generated by the proposed development, increasing the current number by more than 20%.
- 6.11.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.11.4 The performance criterion at clause Part E 5.5.1 P3 provides as follows:

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature and efficiency of the access or the junction;*
- (d) the nature and category of the road;*
- (e) the speed limit and traffic flow of the road;*
- (f) any alternative access to a road;*
- (g) the need for the use;*
- (h) any traffic impact assessment; and*
- (i) any written advice received from the road authority.*

- 6.11.5 The Traffic Impact Assessment submitted with the proposal determines that the proposed increase in vehicle movements will not unreasonably impact the efficiency and safety of Harrington or Patrick Street. This Assessment has been reviewed by the Council's Senior Development Engineer and Manager Traffic Engineering, and the conclusions within have been accepted and endorsed. The following comments in response are notable:

'It is arguable that the accesses are not existing (so don't trigger this clause), but are in fact new (given the fact they are being redesigned and assessed under Clause E6.7.2 and and Clause E5.6.2/4). Despite this, the access increase in use is assessed in the TIA and supported for performance criteria approval.'

6.11.6 The proposal complies with the performance criterion.

6.12 Parking and Access Code - Number of Car Parking Spaces - Part E 6.6.1 P1

6.12.1 The acceptable solution at clause Part E 6.6.1 A1 requires on site parking to be provided at the rate specified in Table E6.1 according to the scale of the proposed uses. Residential dwellings of one bedroom generate a demand for one space per dwelling, whilst two or three bedroom dwellings demand two spaces per dwelling. Visitor parking spaces are required at a rate of one space per four dwellings. In this case 81 residential spaces are required to comply with the acceptable solution. Unspecified food services uses require 15 spaces per 100m² of floor area (in this case 63 to comply), while unspecified general retail and hire uses require one space per 30m² of floor area (in this case 14 to comply). For the proposed development either 144 spaces (residential and food services) or 95 spaces (residential and general retail and hire) are required to meet the acceptable solution based on the proposed potential uses.

6.12.2 The proposal includes a total of 61 car parking spaces between the basement and ground floor levels. These are allocated as 51 resident spaces, seven commercial spaces (ground level) and three communal electric vehicle spaces.

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

6.12.4 The performance criterion at clause Part E 6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the*

consolidation of shared car parking spaces;

(g) any car parking deficiency or surplus associated with the existing use of the land;

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;

(j) any verified prior payment of a financial contribution in lieu of parking for the land;

(k) any relevant parking plan for the area adopted by Council;

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.

- 6.12.5 The proposal relies on the submitted Traffic Impact Assessment to justify the shortfall in car parking. The assessment considers that the shortfall in car parking can be sufficiently offset by the provision of ample bicycle parking which is expected to encourage cycling as a mode of transport; the provision of three communal electric vehicles which residents will be able to share; the proximity to very high frequency public transport which operates along Elizabeth Street and is located within 300m of the development site; and the high walkability level of the site due to its proximity to the Hobart CBD, North Hobart commercial and retail strip and other key community facilities and services. It is also pointed out that the consolidation of crossovers in Harrington Street will increase the amount of kerbside parking and the reduction in crossover widths on Patrick Street will provide additional parking in the vicinity of the site. Further, comments regarding the shared parking demand by way of residents who are also patrons to the proposed commercial tenancies are noted.

The TIA and its response to the parking allocation has been considered in detail by both the Council's Senior Development Engineer and Manager Traffic Engineering. The Manager Traffic Engineering is supportive of the deficiency of parking subject to a significant portion of the proposed 72 bicycle parking being accessible for use by customers of the retail businesses. The Manager Traffic Engineering also requested a condition to clarify the parking spaces approved. As such the Council's Senior Development Engineer has prepared a condition for approval for 61 Car

Parking Spaces, including seven for staff (user class 1) and one accessible space (available for patrons of the retail businesses), four motorcycle parking spaces, and 72 bicycle parking spaces (including 26 bicycle parking spaces available for retail business patron use).

6.12.6 The proposal complies with the performance criterion.

6.13 Parking and Access Code - Number of Motorcycle Parking Spaces - Part E 6.6.3 P1

6.13.1 The acceptable solution at clause Part E 6.6.3 A1 requires the number of on-site motorcycle parking spaces to be provided at a rate of one space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). If the commercial tenancies were occupied as general retail and hire uses, the demand for motorcycle parking is 3.8 (4) spaces. If the commercial spaces were occupied for food business uses, then this demand rises to 6.25 (7) spaces.

6.13.2 The proposal includes four motorcycle parking spaces in the basement parking area.

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

6.13.4 The performance criterion at clause Part E 6.6.3 P1 provides as follows:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

- (a) motorcycle parking demand;*
- (b) the availability of on-street and public motorcycle parking in the locality;*
- (c) the availability and likely use of other modes of transport;*
- (d) the availability and suitability of alternative arrangements for motorcycle parking provision.*

6.13.5 It is considered that four motorcycle parking spaces, at least meeting the minimum requirement in the potential general retail and hire use class scenario, is sufficient to cater for the likely demands of the proposed development. If the commercial spaces were occupied for general retail and hire uses, then the proposal complies. For the higher demand

scenario, the three space deficiency is considered to be acceptable. Parking for such vehicles would remain available in the nearby area and the development caters for the use of other modes of transport. The application also adds that further short-term motorcycle parking can be accommodated within the on-street restricted parking area which operates within the immediate vicinity of the site, and concludes that given the location of the site, it is expected that other modes of transport including public transport, walking and cycling will be used more frequently. This statement is supported. Any change to the on-street parking arrangement for motorcycles would be at the discretion of the Council's Manager Traffic Engineering separate to this assessment.

6.13.6 The proposal complies with the performance criterion.

6.14 Parking and Access Code - Design of Vehicular Accesses - Part E 6.7.2 P1

6.14.1 The acceptable solution at clause Part E 6.7.2 A1 requires the design of vehicle access points to comply with all of the following (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; or (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.

6.14.2 The proposal includes non-compliant pedestrian sight distances for the proposed Harrington Street access point.

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

6.14.4 The performance criterion at clause Part E 6.7.2 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;*
- (d) ease of accessibility and recognition for users.*

6.14.5 The Council's Senior Development Engineer has considered this aspect of the proposal and has confirmed that the performance criteria is met due to the presence of glass in the ground floor of the building which improves the visibility for a vehicle on its approach to the footpath.

6.14.6 The proposal complies with the performance criterion.

6.15 Parking and Access Code - Layout of Parking Area - Part E 6.7.5 P1

6.15.1 The acceptable solution at clause Part E 6.7.5 A1 requires the layout of car parking spaces, access aisles, circulation roadways and ramps to be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.

6.15.2 The proposal includes a parking layout that includes blind aisle lengths greater than six car parking spaces.

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

6.15.4 The performance criterion at clause Part E 6.7.5 P1 provides as follows:

The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.

6.15.5 The Council's Senior Development Engineers concludes that given most spaces (excluding the accessible parking space) will be allocated to residential users or employees of the retail businesses, there will be familiarity with using the spaces, and as such considers the proposal as meeting the performance criteria.

6.15.6 The proposal complies with the performance criterion.

6.18 Parking and Access Code - Landscaping of Parking Areas - Part E 6.7.8 P1

6.16.1 The acceptable solution at clause Part E 6.7.8 A1 requires landscaping of

parking and circulation areas to be provided where more than five car parking spaces are proposed. This landscaping must be no less than five percent of the area of the car park, except in the Central Business Zone where no landscaping is required.

- 6.16.2 The proposal does not include landscaping of its internal parking or circulation area.
- 6.16.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.16.4 The performance criterion at clause Part E 6.7.8 P1 provides as follows:

Landscaping of parking and circulation areas accommodating more than 5 cars must satisfy all of the following:

(a) relieve the visual impact on the streetscape of large expanses of hard surfaces;

(b) soften the boundary of car parking areas to reduce the amenity impact on neighbouring properties and the streetscape;

(c) reduce opportunities for crime or anti-social behaviour by maintaining passive surveillance opportunities from nearby public spaces and buildings.

- 6.16.5 As there is no parking external to the building, there is no impact upon the streetscape or the amenity of neighbouring properties generated by the provision of more than five parking spaces on-site. This Code standard is not relevant to the proposal.

- 6.16.6 The proposal complies with the performance criterion.

6.17 Parking and Access Code - Bicycle End of Trip Facilities - Part E 6.7.11 P1

- 6.17.1 The acceptable solution at clause Part E 6.7.11 A1 requires for all new buildings where the use requires the provision of more than five bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus one additional shower for each 10 additional employee bicycle spaces thereafter.
- 6.17.2 The proposal does not propose any specific bicycle end of trip facilities. The requirement for bicycle end of trip facilities for employees only

applies to the potential Food Services use of the commercial tenancies, which in total generate a demand for six bicycle parking spaces.

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

6.17.4 The performance criterion at clause Part E 6.7.11 P1 provides as follows:

End of trip facilities must be provided at an adequate level to cater for the reasonable needs of employees having regard to all of the following:

(a) the location of the proposed use and the distance a cyclist would need to travel to reach the site;

(b) the users of the site and their likely desire to travel by bicycle;

(c) whether there are other facilities on the site that could be used by cyclists;

(d) opportunity for sharing bicycle facilities by multiple users.

6.17.5 The proposed commercial tenancies would generate the greatest demand for bicycle parking if all were occupied as food services uses. Given how this application is proposed, such a likelihood is potentially possible, but may not necessarily eventuate. For general retail and hire uses of the scale proposed, no demand for bicycle parking for employees is generated. In any case, it is considered that the subject site would be reasonably easily accessed from reasonably short distances by employees on bicycles, which in turn may increase the desire of users to arrive by bicycle. As a result, it is concluded that bicycle end of trip facilities for employees are not of paramount importance for the site, and that the proposed arrangement can be accepted.

6.17.6 The proposal complies with the performance criterion.

6.18 Parking and Access Code - Facilities for Commercial Vehicles - Part E 6.7.13 P1

6.18.1 The acceptable solution at clause Part E 6.7.13 A1 requires commercial vehicle facilities for loading, unloading or manoeuvring to be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; or (b) the use is not

primarily dependent on outward delivery of goods from the site.

- 6.18.2 The proposal requests that a loading zone be provided on Harrington Street where there is currently a 15m long 15 minute parking zone.
- 6.18.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.18.4 The performance criterion at clause Part E 6.7.13 P1 provides as follows:

Commercial vehicle arrangements for loading, unloading or manoeuvring must not compromise the safety and convenience of vehicular traffic, cyclists, pedestrians and other road users.

- 6.18.5 The Council's Senior Development Engineer states:

It is noted from Council GIS that there is a 15m long 15min parking zone and an 8m long 1hr parking area in this location.

It is also noted that the consolidation of accesses on Harrington/Patrick Street will actually increase the kerb area available for parking on Harrington/Patrick Street, so [it is not considered] that providing a loading zone in this location would be too onerous for the Council's City Infrastructure Division to provide given that on street parking can be picked up in the new kerb areas. Given that there is already landlord consent from Council for some works within the highway reservation, ... the planning authority is able to condition for works in the highway reservation.

- 6.18.6 The proposal complies with the performance criterion.

6.19 Historic Heritage Code - Places of Archaeological Potential - Building, Works and Demolition - Part E 13.10.1 P1

- 6.19.1 The acceptable solution at clause Part E 13.10.1 A1 requires that buildings and works do not involve excavation or ground disturbance.
- 6.19.2 The proposal includes development upon a site included in an area mapped as having archaeological potential. Some excavation/ground disturbance is proposed, primarily for the basement carpark level. The applicant confirms the extent of excavation as 4,172m³.
- 6.19.3 The proposal does not comply with the acceptable solution; therefore

assessment against the performance criterion is relied on.

- 6.19.4 The performance criterion at clause Part E 13.10.1 P1 provides as follows:

Buildings, works and demolition must not unnecessarily impact on archaeological resources at places of archaeological potential, having regard to:

(a) the nature of the archaeological evidence, either known or predicted;

(b) measures proposed to investigate the archaeological evidence to confirm predictive statements of potential;

(c) strategies to avoid, minimise and/or control impacts arising from building, works and demolition;

(d) where it is demonstrated there is no prudent and feasible alternative to impacts arising from building, works and demolition, measures proposed to realise both the research potential in the archaeological evidence and a meaningful public benefit from any archaeological investigation;

(e) measures proposed to preserve significant archaeological evidence 'in situ'.

- 6.19.5 The applicant has provided a preliminary statement of historic archaeological potential which allows for the proposal to be assessed against the code. This statement makes preliminary archaeological observations, with the areas with greater archaeological potential being those fronting each street, with the larger areas at the rear probably having a lower potential. The statement considers that all early buildings on the site were probably domestic. The statement recommends a number of actions to be carried out, including that a more detailed and rigorous statement of historic archaeological potential be produced if the proposal is approved.

The Council's Senior Cultural Heritage Officer has reviewed the proposal and the statement, and provides the following comments:

The site is located within a place of archaeological potential and a preliminary statement of historic archaeological potential has been provided by the applicant. The preliminary statement

confirms the high likelihood of archaeological evidence within the development site, particularly relating to the street frontages (rather than the rear portion of the site).

The objective of Clause E13.10.1 of the scheme is:

To ensure that building, works and demolition at a place of archaeological potential is planned and implemented in a manner that seeks to understand, retain, protect, preserve and otherwise appropriately manage significant archaeological evidence.

Because the development involves excavation or ground disturbance, the performance criterion P1 applies.

Because the proposal has been designed in the absence of any analysis of archaeological potential, it is essential that if the application is approved, notwithstanding its excessive height, any permit include appropriate conditions to address the scheme requirements.

The full assessment of the proposal by the Senior Cultural Heritage Officer can be found in Attachment D to this report.

6.19.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works.
- 7.2 The application was advertised and received eight (8) representations (seven objecting/one supporting). The objections raised concerns including insufficient car parking; height and bulk not being compatible with surrounding buildings and local area and not meeting planning scheme standards; possible encroachment of the development onto adjoining property; the proposal not adequately addressing the Historic Heritage Code; and the building's poor design/lack of design merit. Claims that the application is invalid due to development encroaching onto land in other ownership (in addition to the development proposed over adjacent road reserves) are not supported by the drawings that comprise the application, and are therefore not supported by Council officers.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform to an acceptable level.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Senior Development Engineer, Manager Traffic Engineering, Road Engineer, Senior Cultural Heritage Officer, and Environmental Health 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 Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works at 209-217 Harrington Street, HOBART satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Demolition and New Building for Multiple Dwellings, General Retail and Hire and Food Services, and Minor Associated Road Works at 209-217 Harrington Street, 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-17-967 209-217 HARRINGTON STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2017/01880-HCC dated 25/01/2018 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition.

A demolition waste management plan must be submitted and approved, prior to commencement of work on the site. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

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

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

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 can also be found on the Council's [website](#).

Reason for condition

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

PLN 14

The noise generated by noise-emitting services attached to the building must not cause environmental harm when measured at the boundary of the Inner Residential Zone.

Details of all acoustic screening incorporated into the building's design in order to reduce the impacts of noise emissions, including its location, must be submitted and approved prior to the issue of any consent under the *Building Act 2016*.

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

Advice: Once the details 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 the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLN 3

Any roof top plant (including miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar) must be effectively screened from view from the street and other public spaces, prior to first occupation.

Prior to the issue of any consent under the *Building Act 2016*, revised plans must be submitted and approved showing roof top plant and equipment screened in accordance with the above requirement.

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

Reason for condition

To ensure that the development's plant and miscellaneous equipment does not detract from the streetscape and other public space.

ENG sw4

The development (including hardstand) must be drained to the Council's stormwater infrastructure with sufficient receiving capacity via a new stormwater connection to the system in Patrick Street. The new stormwater connection must be constructed, and all existing connections be abandoned and sealed. These works must be done by the Council at the owner's expense prior to the first occupation or issue of any completion certificates under the *Building Act 2016* (whichever occurs first).

Detailed engineering drawings must be submitted and approved, prior to commencement of work or issue of any consent under the *Building Act 2016* (whichever occurs first). The detailed engineering drawings must include:

- 1. The location of the proposed connection and all existing connections.**

2. **Abandonment of all existing connections, including any to private systems through third-party land.**
3. **The size and design of the connection such that it is appropriate to safely service the development.**
4. **Long-sections of the proposed connection clearly showing levels which maximise gravity drainage of the site, clearances from any nearby services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity.**

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

Advice: Once the detailed engineered drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to initiate an application for service connection.

Reason for condition

To ensure the site is drained adequately.

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 first occupation.

Reason for condition

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

ENG sw7

Pre-treatment for stormwater discharges from carpark areas must be installed prior to first occupation.

A stormwater management report and design must be submitted and approved, prior to commencement of work / issue of any consent under the *Building Act 2016* excluding demolition (whichever occurs first). The stormwater management report and design must:

- 1. Be prepared by a suitably qualified engineer.**
- 2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal. Treatment for carparking must target fine sediments and hydrocarbons.**
- 3. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

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

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

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

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, to comply with relevant State legislation, and to ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG tr2

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

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work. The construction traffic and parking management plan must:

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

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

Advice: Once the construction traffic and parking management plan has been approved 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.

A separate construction traffic and parking management plan may be submitted for each stage of the proposed development (i.e demolition, excavation, construction).

Reason for condition

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

ENG 4

The access driveways 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 prior to the first occupation.

Advice: If the surface is to be drained to Council stormwater infrastructure then stormwater treatment will be required. If the undercover car park is to be drained to sewer then stormwater treatment of the car park area will not be required.

Reason for condition

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

ENG 5

The number of parking spaces approved on the site is:

- 1. Fifty three (53) Car Parking Spaces Class 1A.**
- 2. Seven (7) Car Parking Spaces Class 1.**
- 3. One (1) Car Parking Space Class 4.**
- 4. Four (4) Motorcycle Parking Spaces.**
- 5. Twenty six (26) Customer Bicycle Parking Spaces (minimum Security Level 3 [low]).**
- 6. Forty six (46) Employee / Residential Bicycle Parking Spaces (minimum Security Level 2 [medium]).**

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

Reason for condition

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

ENG 11

The driveway crossovers to be abandoned must be reinstated and the proposed crossover to the Patrick Street and Harrington Street highway reservations must be designed and constructed in general accordance with

the following Tasmanian Standard Drawings:

- 1. Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing; and**
- 2. Footpath - Urban Roads Footpaths TSD-R11-v1.**

Advice: Any deviation from the Tasmanian Standard Drawings will require Council City Infrastructure Division approval.

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By -law.

You will require a Permit to Open Up and Temporarily Occupy a Highway (for works within the road reserve) in order to reinstate the existing and construct the proposed crossovers.

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 and AS/NZS2890.6:2009 prior to first occupation.

Reason for condition

To ensure that the safety of users of the driveway/parking.

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. Any damage must be immediately reported to Council.

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

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

Reason for condition

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

ENG r1

The excavation and/or earth-retaining structures (i.e. embankments, cuttings, retaining walls) and/or footings within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the retaining structures and footings supporting the Harrington Street and Patrick Street highway reservations must be submitted and approved by the Council's City Infrastructure Division, prior to the issue of any consent under the *Building Act 2016* (excluding demolition) and must:

- 1. Be prepared and certified by a suitable qualified person and experienced engineer.**
- 2. Not undermine the stability of the highway reservation.**
- 3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.**
- 4. Take into account any additional surcharge loadings as required by relevant Australian Standards.**
- 5. Take into account and reference accordingly any geotechnical findings.**
- 6. Detail any mitigation measures required.**
- 7. Detail the design and location of the footing / retaining walls adjacent to the highway reservation.**
- 8. Include structure certificate which notes the driveway slab will not transfer additional loads onto the existing retaining wall.**

9. **Ensure the structure certificated and/or drawings is noted in accordance with the above.**

All work required by this condition must be undertaken in accordance with the approved detailed design drawings, structural certificates and associated geotechnical assessments.

Advice: Once the detailed design drawings, structural certificates and associated geotechnical assessments 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 that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENG s1

The proposed loading zone on Harrington Street (or equivalent Council approved location) must be installed prior to the commencement of use of the general retail and hire, and food services components of the ground floor tenancies.

Reason for condition

To ensure facilities for commercial vehicles are provided within 50m of the site.

ENG s2

Pedestrian sight distances in accordance with Australian Standard AS/NZ 2890.1: 2004 must be maintained at all times through the clear glazing on the Harrington Street driveway access.

Reason for condition

To ensure that the safety of users of the driveway/parking.

ENV 2

Sediment and erosion control measures sufficient to prevent sediment and potentially contaminated water from leaving the site and 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 consent under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be:

- 1. Prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).**
- 2. Be prepared in accordance with, and comply with the recommendations of, the Environmental Site Assessment and the recommended excavation management plan**

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, and prevent spread of contaminated dust and water.

HER 6

All onsite excavation and disturbance must be monitored by a qualified archaeologist. Should any features or deposits of an archaeological nature be

discovered on the site during excavation or disturbance:

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

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

Reason for condition

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

HER 7

In the event of the Statement of Archaeological Potential (see HER s3 below) confirming the likelihood of nineteenth century structures remaining on the site, 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 an “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 protection and/or reuse of heritage fabric.

Documentation must be submitted and approved, prior to the commencement of work. The documentation must outline the proposed salvage, retrieval and recycle options of the following building fabric, to satisfy the above requirement.

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

Advice:

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

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

Reason for condition

To ensure 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 circumstance.

HER s3

A certified Statement of Archaeological Potential, a certified Archaeological Impact Assessment, and a certified Archaeological Method Statement, all prepared by a suitably qualified archaeologist, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with the certified Archaeological Method Statement.

Reason for condition

To ensure that the works is done to the satisfaction of the Council, and to comply with Clause E13.10, requiring protection of historical archaeological values.

HER s4

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing:

- 1. Compliance with all recommendations of the Archaeological Method Statement.**
- 2. Any design amendments required to mitigate impact upon historical archaeological values, in accordance with the Archaeological Method Statement.**

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

Reason for condition

To comply with clause E13.10, by protecting historical archaeological values.

SURV 8

The applicant, at no cost to the Council, must have prepared, entered into, and have registered at the Land Titles Office, a deed pursuant to section 75CA of the *Conveyancing and Law of Property Act 1884* for the awning encroachments over Harrington and Patrick Streets, prior to the issue of a completion certificate.

Advice: A section 75CA Conveyancing & Law of Property Act 1884 certificate for the occupation of a highway requires that the encroachment is a minimum 2.40 metres above the footpath or 4.25 metres above the road carriageway. A 600mm set back from the back of kerb may also be required.

The applicant must prepare and forward the required instrument pursuant to section 75CA Conveyancing & Law of Property Act 1884, including a survey plan of the encroachment (certified by a registered surveyor), the associated \$220 Council application fee and the Land Titles Office registration fee, to the Council for execution and subsequent registration within the Land Titles Office.

Reason for condition

To ensure that the proposed building encroachment over Harrington and Patrick Streets are formalised in accordance with statutory provisions.

SUB s1

The titles comprising the development site (CT 197488/1, CT 247958/1, CT 203787/1, CT 232390/1, CT 52395/1 and CT 52394/1) must be adhered in accordance with the provisions of section 110 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

Advice: The application for an adhesion order to the Council has a fee of \$220. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

Reason for condition

To ensure compliance with statutory provisions

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations,

codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

CONDITION ENDORSEMENT

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

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

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

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.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. 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.

BUILDING OVER AN EASEMENT

In order to build over any service easements, you will require the consent of the beneficiaries in accordance with section 74 of the *Building Act 2016*.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your new service connection.

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.

REDUNDANT CROSSEOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

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.

TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

NOISE REGULATIONS

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

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's [website](#).

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

URBAN DESIGN ADVISORY PANEL

The Council's Urban Design Advisory Panel considered this application at its meeting of 9 February 2018 and made the following recommendations which are provided for the applicant's consideration:

- (i) The Panel considered that the bulk and scale of the majority of the proposed building should comply with acceptable solution for height. Therefore, it was the Panel's view that the main part of the building (excluding the penthouse floor) should be contained entirely within the 15m permitted height limit. The reduction in height required to achieve this is possible, given the generous floor-to-ceiling heights. If the floor-to-ceiling heights were reduced, then the proposed building (excluding the penthouse floor) would be able to be contained within the 15m permitted height limit. The Panel accepted that the penthouse floor did not need to be contained within the permitted 15m height limit, because as proposed, its impact would be minimal.
- (ii) The proposed building is large relative to its neighbours; additional design measures could be considered to reduce its apparent mass and scale. The long façade (Harrington Street) could be improved by implementing some vertical and horizontal stepping continuing into the parapet, thus improving the transition and showing some sympathy to the neighbouring buildings.
- (iii) The applicant is encouraged to consider providing some body corporate/common areas for open space/green space to break up the large scale massing of the building both on the front boundaries and above or within the building development.
- (iv) It is recommended that the retail level be "opened up". This could be achieved by implementing a setback, together with incorporating a possible terrace within the design. The removal of the awning in some places would benefit the design and could work in tandem with a possible different street edge solution such as the change of pavement finishes. The implementation of a terrace, the removal of some of the awning and the change in pavement finishes could promote further activation for Patrick and Harrington Streets, which may slow pedestrians down to utilise the space.
- (v) The applicant is to be encouraged to consider the incorporation of street trees to further assist with the activation of Harrington Street. A setback to allow green areas or street trees would be consistent with new developments in this area (for example the

house opposite at number 206, the apartments at number 193 with its sculptural gate and minimal but successful planning, and Walford Terraces further west) as well as contributing more generally to greening of the city, and to minimise the heat island effect in these increasingly denser peri-CBD areas.

(vi) Aesthetically, the development should take cues from residential elements rather than larger commercial developments. This could be addressed by not incorporating darkened windows as seen in commercial developments, giving the impression of minimal street activity or visibility of life. If the applicant considered implementing the suggested changes in the design of the development, this would assist in ensuring that the proposed development fits within the scope of the neighbouring properties.



(Cameron Sherriff)

Development Appraisal 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.



(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: 19 March 2018

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Applicant's Response to UDAP

Attachment D - Senior Cultural Heritage Officer's Report