

Type of Report: Committee
Council: 7 May 2018
Expiry Date: 22 May 2018
Application No: PLN-17-818
Address: 110 GIBLIN STREET , NEW TOWN
ADJACENT ROAD RESERVE
Applicant: Mat Clark (Johnstone McGee and Gandy)
117 Harrington Street
Proposal: Multiple Dwellings, Fencing and Works in Road Reserve
Representations: Three (3)
Performance criteria: General Residential Zone Development Standards, Potentially
Contaminated Land Code, Road and Railway Assets Code, Parking and
Access Code, Stormwater Management Code

1. Executive Summary

- 1.1 Planning approval is sought for Multiple Dwellings, Fencing and Works in the Road Reserve at 110 Giblin Street, New Town.
- 1.2 More specifically the proposal includes:
 - 22 three bedroom apartments on a 4940m² lot.
 - The dwellings will front either Giblin Street or Tabart Street.
 - The dwellings are single storey with a gabled end when viewed from Giblin Street and three to four storeys when viewed from Tabart Street. The Tabart Street elevation has floor levels which are staggered back from the street, giving the building a terraced effect.
 - There are 58 parking spaces in total, including six (6) spaces for visitors and two (2) disabled persons spaces. There are also four (4) motorbike parking spaces and seven (7) bike parking spaces.
 - A 5.78m wide split entry and exit driveway from Tabart Street will provide access to a 24 space car park on the ground floor level of the complex. In

addition, on this level, apartments 1 to 4 will each have a two-car garage accessed from the car park (an additional eight (8) spaces). Apartments 5 to 8 (which are on this ground level) have a single car garage each (an additional four (4) spaces), plus are allocated one space each in the basement car park. Apartments 9 to 12 (which are located on level 1) also have a single car garage each on the ground level (an additional four (4) spaces) plus are allocated one space each in the basement car park. Their garages are located next to the garages for apartments 5 to 8. Apartment 13 (which is also located on level 1) has a two-car garage in the shared car park area. The shared car park also contains the four (4) motorbike parking spaces and seven (7) bicycle parking spaces. There is a pedestrian walkway along the northern boundary into the basement parking area, as well as one along the southern side of the dwellings and one next to the driveway from Tabart Street. All of these access points will be gated to provide security for residents. There is also a gated set of steps which lead from Giblin Street into the shared car park.

- Apartments 14 to 22 will each have a two-car garage which is accessed directly from Giblin Street (18 spaces). Cars within these garages will need to reverse into Giblin Street to exit the site.
- The proposal will result in one (1) new driveway from Tabart Street providing an in-lane and an out-lane, and nine (9) new driveways onto Giblin Street.
- Each dwelling is provided with its own area for the storage of waste and recycling bins. For the ground level and level one units (apartments 1 to 8 and 9 to 13) these storage areas are located within their garages. These storage areas allow enough room for two (2) bins plus other items. The units that face Giblin Street (apartments 14 to 22) have an area within their double garage. There are additional storage areas on the southern side of the building on the ground floor and there is also a maintenance shed in the north-east corner of the shared car park.
- Apartments 1 to 4 have pedestrian access from Tabart Street and the shared car park and do not have a lift. Access from their private garage and from the shared car park is level access. Access from Tabart Street is via one step. Their apartment floor area and private open space (terrace) is all on one level.
- Apartments 5 to 8 have pedestrian access from Tabart Street and the basement car park and do not have a lift. Access from their private garage and from the shared car park is level access. Access from Tabart Street is via some stairs. Their apartment floor area and open space (terrace) is all on one level.

- Apartments 9 to 12 are on the first floor and have their own individual lift access and stair access from their private garages on the ground floor. They also have stair access from the front of their dwellings to Tabart Street. Their apartment floor area and private open space (balcony) is all on one level.
- Apartment 13 is on the first floor and this has lift and stair access from a secure room near their private garage in the shared parking area. Their apartment floor area and private open space (balcony) is all on one level. They have ramp access from their balcony to Tabart Street.
- Apartments 14 to 22 have pedestrian access along a path from Giblin Street. They also have a door leading from their Giblin Street double garages into their apartment. They have an internal lift to their mezzanine level. Their apartment floor area is on two levels, but they have both stair and lift access between the upper and lower levels of their apartments. Their private open space is a balcony on the same level as their lower floor.
- The apartments have varying internal layouts and floor areas.
- Apartments 1 to 4 have 130m² floor area, a 38m² garage, three bedrooms and between 56m² and 62m² of private open space (terrace and front garden).
- Apartments 5 to 8 have 134m² floor area, a 19m² garage, three bedrooms and between 40m² and 63m² of private open space (terrace and front garden).
- Apartments 9 to 12 have 185m² floor area, a 20m² garage, three bedrooms and 24m² of private open space (balcony).
- Apartment 13 has 194m² floor area, a 31m² garage, three bedrooms and 26m² of private open space (balcony).
- Apartments 14 to 17 have 196m² floor area, a 40m² garage, three or four bedrooms and between 44m² and 45m² of private open space (balcony).
- Apartments 18 and 19 have between 279m² and 269m² floor area, a 40m² garage, three or four bedrooms and between 46m² and 48m² private open space (balcony).
- Apartments 20 to 22 have between 269m² and 282m² floor area, a 47m² garage, three or four bedrooms and between 46m² and 48m² of private open space (balcony).
- A public pedestrian access is proposed along the southern boundary, providing

access between Giblin Street and Tabart Street.

- Work in the Giblin Street road reserve includes removal of two street trees, a replacement tree and replacement of two power poles.

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

1.3.1 General Residential Zone Development Standards - Residential Density for Multiple Dwellings, Setbacks and Building Envelope, Site Coverage and Private Open Space, Sunlight and Overshadowing, and Privacy

1.3.2 Potentially Contaminated Land Code

1.3.3 Road and Railway Assets Code

1.3.4 Parking and Access Code

1.3.5 Stormwater Management Code

1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 8 and 23 March 2018.

1.5 The proposal is recommended for approval subject to conditions.

1.6 The final decision is delegated to the Council due to the application including development on Council owned land.

2. Site Detail

- 2.1 The subject site is lot 103 within stage 8 of the Garrington Park subdivision at 110 Giblin Street in New Town. A S56 application to amend PLN-13-01331 has been approved, which amalgamated lots 103 to 109 to form the new lot 103. Lot 103 is 4940m². As the final plan has not yet been sealed, this lot still forms part of the much larger 110 Giblin Street title. Tabart Street has been constructed and the lots within stage 8 and stage 9 are in the process of being sealed, so for the purposes of the assessment, the site is considered to be the 4940m² lot.



Fig.1. Subject property. Source: development application document DA01.



Fig. 2. Subject property. Photo taken from near Dowding Crescent, looking south easterly. 108 Giblin Street is the white cottage on the right hand side of the image.



Fig. 3. Subject property. Photo taken from near Dowding Crescent, looking easterly.



Fig. 4. Subject property. Photo taken from near Dowding Crescent, showing the existing K & D wall to be demolished, and the extent of the cut on the site.



Fig. 5. Subject property. Photo taken from Dowding Crescent, looking south easterly. 99 and 108 Giblin Street are the white cottages on the right hand side of the image.

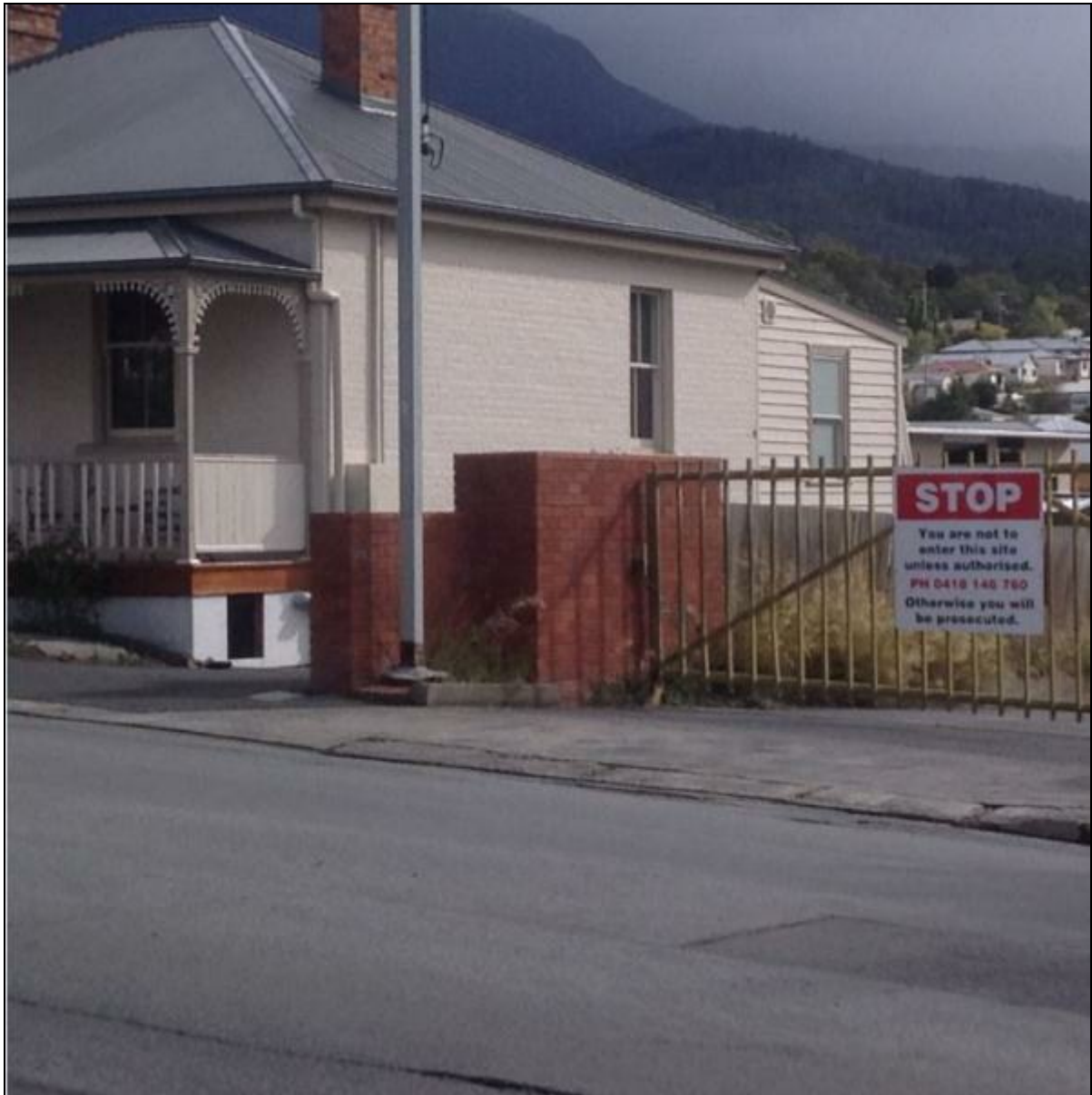


Fig. 6. Subject property. Photo taken from Giblin Street and showing the neighbour to the west (108 Giblin Street).



Fig. 7. Subject property. Photo taken from Giblin Street and showing the existing K & D wall that will be demolished as part of the proposal.

3. Proposal

- 3.1 Planning approval is sought for Multiple Dwellings, Fencing and Works in Road Reserve at 110 Giblin Street, New Town.
- 3.2 More specifically the proposal includes:
 - 22 three bedroom apartments on a 4940m² lot.
 - The dwellings will front either Giblin Street or Tabart Street.
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Street and three to four storeys when viewed from Tabart Street. The Tabart Street elevation has floor levels which are staggered back from the street, giving the building a terraced effect.

- There are 58 parking spaces in total, which includes six (6) spaces for visitors and two (2) disabled persons spaces. There are also four (4) motorbike parking spaces and seven (7) bike parking spaces.
- A 5.78m wide split entry and exit driveway from Tabart Street will provide access to a 24 space car park on the ground floor level of the complex. In addition, on this level, apartments 1 to 4 will each have a two-car garage accessed from the car park (an additional eight (8) spaces). Apartments 5 to 8 (which are on this ground level) have a single car garage each (an additional four (4) spaces), plus are allocated one space each in the basement car park. Apartments 9 to 12 (which are located on level 1) also have a single car garage each on the ground level (an additional four (4) spaces) plus are allocated one space each in the basement car park. Their garages are located next to the garages for apartments 5 to 8. Apartment 13 (which is also located on level 1) has a two-car garage in the shared car park area. The shared car park also contains the four (4) motorbike parking spaces and seven (7) bicycle parking spaces. There is a pedestrian walkway along the northern boundary into the basement parking area, as well as one along the southern side of the dwellings and one next to the driveway from Tabart Street. All of these access points will be gated to provide security for residents. There is also a gated set of steps which lead from Giblin Street into the shared car park.
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- A public pedestrian access is proposed along the southern boundary, providing access between Giblin Street and Tabart Street.
- Work in the Giblin Street road reserve includes removal of two street trees, a replacement tree and replacement of two power poles.



Fig. 8. Artist's impression of the development from Giblin Street. Source: development application document DA 20.



Fig. 9. Artist's impression of the development from Giblin Street. Source: development application document DA 21.



Fig. 10. Artist's impression of the development from Giblin Street. Source: development application document DA 22.



Fig. 11. Artist's impression of the development from Giblin Street. Source: development application document DA 23.



Fig. 12. Artist's impression of the development from Giblin Street. Source: development application document DA 24.



Fig. 13. Artist's impression of the development from Tabart Street. Source: development application document DA 25.



Fig. 14. Artist's impression of the development from Tabart Street. Source: development application document DA 26.



Fig. 15. Artist's impression of the development from Tabart Street. Source: development application document DA 27.



Fig. 16. Artist's impression of the development from Tabart Street. Source: development application document DA 28.



Fig. 17. Artist's impression of the development from Tabart Street. Source: development application document DA 29.



Fig. 18. Artist's impression of the development from Tabart Street. Source: development application document DA 30.

4. Background

- 4.1 The lot on which the dwellings are proposed to be constructed is a 4940m² lot which was originally approved as seven (7) lots (lots 103 to 109) in stage 8 of the 110 Giblin Street subdivision (PLN-13-01331-01). These lots were approved to be consolidated to form the 4940m² lot as a section 56 minor amendment to planning permit PLN-13-01331-01. At the time of writing this report, the new title for the 4940m² lot (lot 103) has not been issued; instead the lot is still part of a much larger, two hectare, parent title (CT 174366/1).

5. Concerns raised by representors

- 5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between 8 and 23 March 2018.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

When plans for the subdivision at Garrington Park were released and the community were consulted, residents were assured that the lots would be sold only for single dwellings and low density housing.
The proposal will put unnecessary pressure on the local roads, transport links, schools and other resources.
Giblin Street is already a busy street with frequent milk trucks and traffic from the four nearby schools. The proposed development will result in substantial increased traffic movements in Giblin Street, resulting in increased traffic congestion and hazards to residents and users of the street.
The development will badly affect the availability of parking in the immediate and surrounding area.
The nearby area is a heritage precinct (Heritage Precinct New Town 14) and the three storey concept is not in keeping with nearby residences and the environment.
We suggest that a two-storey development that features, at a maximum, 14 apartments over the seven lots would be more appropriate.
The proposed 22 townhouses will increase the density of the area.
The proposed layout will dramatically change the visual area of Giblin Street and surrounds which is predominantly older single storey homes.

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 General Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The site is currently vacant. The proposed use is 'multiple dwellings' which is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Part D - 10.0 General Residential Zone Development Standards
 - 6.4.2 Part E - 2.0 Potentially Contaminated Land Code
 - 6.4.3 Part E - 5.0 Road and Railway Assets Code
 - 6.4.4 Part E - 6.0 Parking and Access Code
 - 6.4.5 Part E - 7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 Density - Part D 10.4.1 P1
 - 6.5.2 Setbacks and Building Envelope - Part D 10.4.2 P1 and P3
 - 6.5.3 Site Coverage and Private Open Space - Part D 10.4.3 P1
 - 6.5.4 Sunlight and Overshadowing - Part D 10.4.4 P1
 - 6.5.5 Privacy - Part D 10.4.6 P3
 - 6.5.6 Potentially Contaminated Land Code - Part E 2.5 P1 and 2.6.2 P1

- 6.5.7 Road and Railway Assets Code - Part E 5.6.2 P1
- 6.5.8 Parking and Access Code - Part E 6.6.1 P1, 6.7.1 P1, 6.7.2 P1 and 6.7.5 P1
- 6.5.9 Stormwater Management Code - Part E 7.7.1 P1 and P2
- 6.6 Each performance criterion is assessed below.
- 6.7 Density for Multiple Dwellings - Part D 10.4.1 P1
- 6.7.1 The acceptable solution at clause 10.4.1 A1 requires a site area per dwelling of not less than 325m².
- 6.7.2 The proposal includes 22 dwellings on a 4940m² lot, which provides a site area per dwelling of 224m².
- 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause 10.4.1 P1 provides as follows:
- Multiple dwellings must only have a site area per dwelling that is less than 325m², or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:*
- (a) is compatible with the density of the surrounding area; or*
- (b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:*
- (i) the site is wholly or partially within 400 m walking distance of a public transport stop;*
- (ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.*
- 6.7.5 The performance criteria allows a development to be approved if it meets (a) or (b). It is not required to meet both. The Council's Development Engineer has not raised any concerns that the capacity of infrastructure services will be exceeded, and so discretion can be exercised under (a) or (b).

- 6.7.6 In order to meet (a), the proposal must have a density which is "compatible with the density of the surrounding area". A recent Resource Management and Planning Appeal Tribunal decision (*Henry Design and Consulting v Clarence City Council & Ors* [2017] TASRMPAT 11) determined that:
- The 'surrounding area' means within 100m of any point of the site;
 - 'Compatible' means consistent with, in harmony with, not divergent from;
 - 'Density' means site area per dwelling; and
 - The density to be compared is the prevailing density not a possible future density.
- 6.7.7 Neighbouring development within 100m of the site is mostly single dwellings on medium sized lots, or lots within the subdivision which are still vacant.
- 6.7.8 Analysis of the prevailing density in the surrounding area has been undertaken. A table is provided at Attachment C setting out the site area per dwelling for sites within 100m of the subject site. The table shows that there are 51 dwellings within 100m of any point of the subject site (the 4940m² lot). A total of 47 (or 92%) of these dwellings are single dwellings. For those sites containing a single dwelling only, the site area ranges from 367m² to 1898m². For those two sites which contain multiple dwellings, the density is between 282m² and 340m² per dwelling.
- 6.7.9 Every property within 100m of the subject site has a density which is lower than the 224.5m² proposed at the subject site. The table at Attachment C also provides the mean (average) and median (midpoint) site area per dwelling, with the mean being 615m² per dwelling and the median being 557m² per dwelling. The interquartile range is between 506m² and 672m² per dwelling.
- 6.7.10 The above consideration of the prevailing density indicates that the performance criterion of compatibility required under (a) is not achieved by this proposal. There is a significant divergence between the proposed density (224.5m² per dwelling) and the prevailing density of the surrounding area as demonstrated by the mean (615m² per dwelling), the median (557m² per dwelling) and the interquartile range (between 506m² and 672m² per dwelling). The proposed density at 110 Giblin Street and the prevailing density of the surrounding area cannot be said to be similar to, or in harmony, or in broad correspondence with each other. The

proposed density is therefore not compatible with the density of the surrounding area, and approval cannot be recommended under (a).

- 6.7.11 Approval or refusal of the proposal therefore rests with an assessment under (b), which states that a development can be approved if it "provides for a significant social or community housing benefit and is in accordance with at least one of the following: (i) the site is wholly or partially within 400m walking distance of a public transport stop; or (ii) the site is wholly or partially within 400m walking distance of a business, commercial, urban mixed use, village or inner residential zone."
- 6.7.12 The site meets both sub-clauses (i) and (ii) in that it is within 400m walking distance of a bus stop and is within 400m of the Urban Mixed Use Zone and the Inner Residential Zone.
- 6.7.13 The question, then, is whether the proposed development "provides for a significant social or community housing benefit". The planning scheme does not define what is meant by a significant social or community housing benefit.
- 6.7.14 The objective of the standard (residential density for multiple dwellings) assists. The objective is:

To provide for suburban densities for multiple dwellings that:

- (a) make efficient use of suburban land for housing; and*
(b) optimise the use of infrastructure and community services.

- 6.7.15 It is considered that the proposal does meet the objective of the standard for density for multiple dwellings. It "makes efficient use of suburban land for housing" because it places a large number of dwellings on a newly subdivided and serviced block thus making efficient use of the lot's residential development potential. The block is a difficult one to develop because of the significant drop from Giblin Street to ground level, and the 'quarry' nature of the cut. The development responds to this. The development "optimises the use of infrastructure and community services" because it places 22 new dwellings on land that is:
- Within walking distance of six primary and secondary schools (Lenah Valley Primary, New Town Primary, Sacred Heart, Immaculate Heart of Mary, Ogilvie High and New Town High).
 - On a Giblin Street bus route (the 541 Florence Heights route) and

within walking distance of the Augusta Road routes (via Lenah Valley with express routes to Glenorchy and the city) and the New Town Road routes (main road routes to the city and northern suburbs).

- Within walking distance of recreation grounds (Clare Street oval, the John Turnbull oval and dog walking area and the park within the Garrington Park subdivision).
- Within walking distance of the doctor's surgeries, chemists, pathology centre, shops, cafes and restaurants on Augusta Road.
- Within walking distance of Woolworths New Town and the Centro New Town shopping centre (which contains Coles and KMart).

6.7.16 The development provides a low-maintenance, modern housing option in a suburb dominated by single dwellings on suburban-sized lots.

There are numerous commentators that suggest that Australian cities are not providing enough homes of the right size, with the right fittings and location to suit a range of people at different life stages, and that this is preventing many of Australia's retiring baby boomers (people born between 1946 and 1964) from moving out of their family home, thus freeing up the family home for new young families to move into. Bruce Judd, head of the University of NSW's School of Architecture and Design and senior research fellow at the university's City Futures Research Centre, stated in an article titled *"Unable to downsize as they wish, baby boomers are staying in the old homes longer"* (Sydney Morning Herald) that "the greatest difficulty to moving cited by respondents was the lack of suitable housing" where "suitable meant smaller dwellings with between two and three bedrooms in locations that suited the retirees, that were one-storey, without stairs".

The Bankwest Curtin Economics Centre released a report in June 2016 which found that Australia's housing stock is not meeting the demands of older Australians (source: *"Lack of housing choice frustrates would-be downsizers"*, The Conversation.com). The report found that older Australians want options to allow them to downsize in areas that suit their lifestyle. This includes being close to family and friends whilst having access to quality amenities. 53% of respondents wanted a dwelling that was easier to run, 31% wanted to reduce the size of their garden. Around 40% of those who hadn't yet downsized said that there weren't enough suitable housing options in the area where they would choose to downsize. The article concludes that this identifies a mismatch between

demand and existing housing stock, that the lack of housing diversity compels older Australians to live in larger dwellings than they would prefer, and that semi-detached, terraced housing, flats or units provide alternatives to the family home.

The Bankwest Curtin Economics Centre report also stated that "older Australians want options that allow them to remain in the areas where they currently live while reducing the burden of taking care of large homes." (source: Curtin University: Housing supply in Australia not living up to market demand - downsizing a preferred option for more than 80% of older households.").

In Hobart, the current rental vacancy rate is 0.3% which is the lowest of all the capital cities in Australia (source: Financial Review: *Hobart housing vacancy at record lows, new city deal may open up supply*). Hobart's vacancy rate has been at record lows since October 2017, which is driven, the Financial Review says, by a rising population and a lack of housing stock. Adrian Kelly, View Tasmania chief executive said "there is a shortage of properties available for purchase in Hobart and surrounding suburbs the market has become a 'perfect storm' in favour of the seller and as a result purchasers are now prepared to pay a premium, often over asking prices in order to secure a property" (source: Realestate.com: *"Hobart housing price growth forecast to lead Australia in 2018"*).

- 6.7.17 Each of the dwellings are either accessible on the level or have their own lift access. This future-proofs them so that as people become older and less mobile, they can continue to live at the property.
- 6.7.18 The development provides new housing options in New Town that would suit a wide range of people, including retirees, or people in larger homes with gardens, who still want to live in the suburb and who want to have access to the lifestyle and local services that it provides, but who also want a low maintenance, accessible modern home. The development provides a range of dwelling sizes (seven dwelling size options between 130m² and 282m² are proposed), all of which are accessible on the level or with their own lift access, and so would suit a wide range of people.

The applicant has stated: "The proposed development will provide additional residential apartments to the Hobart housing market, allowing a greater variety of housing options for those seeking a smaller home close to community facilities and shops. The additional housing will have an overall social housing benefit for the Tasmanian community in that it will

provide greater housing choice in an area that is traditionally stand alone dwellings."

It is agreed that this is the case, and that the social housing benefit argument can be run. The development not only provides a new housing option within easy access to services, but does this while maintaining a traditional single dwelling-style streetscape at Giblin Street and within a site that, because of the approximately 4m quarry-style cut from Giblin Street, is difficult to develop for single dwellings.

If the Council is of the opinion that the new housing option that the development provides is consistent with a significant social housing benefit, then the application can be approved under clause 10.4.1 P1(b).

6.8 Setback and Building Envelope (Building Setback to Frontage) - Part D 10.4.2 P1

6.8.1 The acceptable solution at clause 10.4.2 A1 requires that the minimum setback to a primary frontage is 4.5m.

6.8.2 The proposal includes a basement car park which is set back 750mm from the Giblin Street frontage. The front setback to Tabart Street is a minimum of 2.65m.

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 10.4.2 P1 provides as follows:

A dwelling must:

(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints.

6.8.5 Whilst the car park wall does not meet the acceptable solution, it is set well below street level and would not be visible from Giblin Street. The dwellings that face Giblin Street are all set back at least 4.5m, apart from two bay window protrusions. The nearby dwellings on the same side of the street (102 to 108 Giblin Street) are all set back less than 4.5m from the frontage. The setback of the dwellings is mostly compliant with the acceptable solution: the car park wall is below street level and so does not impact on streetscape, and the small area of non-compliance (the two bay windows) have a setback that is compatible with existing dwellings in the street.

6.8.6 The setback to Tabart Street varies as the dwellings are terraced. At its closest point, the setback is 2.65m. The non-conforming elements are: apartments 5 and 6 (ground floor), apartments 9 and 10 (level 1) and apartment 18 (level 2). The protruding elements include 6.8m² and 1.1m² of living areas on apartments 5 and 9 and a portion the terrace/balcony on apartments 5, 6, 9, 10 and 18. Tabart Street is an undeveloped street, so there are no existing dwellings in the street to test compatibility with as required by the performance criterion. The protrusions are considered to be minor and do not set a detrimental streetscape precedent.

6.8.7 The proposal complies with the performance criterion.

6.9 Setback and Building Envelope (Building Envelope) - Part D 10.4.2 P3

6.9.1 The acceptable solution at clause 10.4.2 A3 requires that new buildings are sited within a prescribed building envelope and that walls longer than 9.0m in length are set back at least 1.5m from side boundaries.

6.9.2 The proposal includes a building which is outside the building envelope and does not achieve a 1.5m setback. The building exceeds 8.5m in height and is not wholly sited within the building envelope. The northern elevation is within 1.5m of the side boundary.

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

6.9.4 The performance criterion at clause 10.4.2 P3 provides as follows:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

(ii) overshadowing the private open space of a dwelling on an adjoining lot; or

(iii) overshadowing of an adjoining vacant lot; or

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

- 6.9.5 Natural ground level is the base of the 'quarry' within which the development sits. This is an artificial natural ground level, created as a result of the deep cut from Giblin Street level. The one neighbouring dwelling (the cottage at 108 Giblin Street) has a ground floor set at street level, and does not sit within a cut. The southern elevation of the development faces the neighbour at 108 Giblin Street, and is between 1.13m and 1.9m from this boundary. The maximum height is 7.0m above natural ground level (the base of the 'quarry') and so is within the 8.5m height limit. The applicant is proposing a 1.8m high paling fence along the boundary line with 108 Giblin Street, and beyond this, a building wall which is 4.0m high above the neighbour's ground level. The gabled section is set further back from the neighbour's boundary and is within the building envelope. As 108 Giblin Street is to the south of the development, it will experience some overshadowing. The shadow diagrams submitted by the applicant show that 108 Giblin Street will be overshadowed at 9am in mid-winter, but will retain solar access between 12 noon and 3pm. In the spring equinox (September 23) their dwelling and private open space will not be overshadowed. The representations have not raised any concerns about overshadowing.
- 6.9.6 The applicant states that "the apparent scale of the development has been carefully considered on elevations to adjoining lots (i.e. north and south elevations) as well as when viewed from the street frontages".
- 6.9.7 When viewed from the southern neighbour (108 Giblin Street), the proposal will look like a single storey building with a pitched roof. This is because the neighbour is set at street level whilst the development is set within the 4m deep cut. The view from this neighbour is therefore suburban in scale and not unreasonably bulky.
- 6.9.8 The applicant has stated that "the proposal appears as a two storey dwelling fronting Giblin Street and a stepped, three storey dwelling as the land slopes towards Tabart Street. Whilst there are three storey components to the proposal, the development has been recessed on the northern elevation to break up the length of façade and provide articulation. The proposal has been stepped down towards Tabart Street, further reducing the apparent scale and built form. Articulation and mix of building materials have been provided on the side elevations, to assist in breaking up the façade and provide visual interest. The proposal is considered to be consistent with clause 10.4.2 P3 (b) (iv)."
- 6.9.9 With regard to clause 10.4.2 P3 (b) (which requires that a development

provides separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area), the applicant has stated as follows: "the proposed development has a nil setback to the adjoining lot to the north, and a minimum of 1.13m to the south (excluding the pedestrian walkway). Whilst the proposal does not achieve the minimum 1.5m requirement, the setback is consistent with the prevailing setbacks within the local area which are typically between 0.9 m – 1.5 m. Both 105 and 111 Giblin Street have nil setbacks from the northern boundaries. 99, 97 and 95 Giblin Street have less than 1m setbacks from both boundaries. The proposal is consistent with clause 10.4.2 P3 (b)".

6.9.10 It is agreed that the proposal meets the performance criterion. The overshadowing to the neighbour at 108 Giblin Street is not unreasonable, and the visual bulk when viewed from this neighbour is acceptable, as it is small in scale above the neighbour's fence line. The separation between the development and its neighbours is consistent with that which prevails in the vicinity, which is dwellings sited close to side boundaries. The development is two storeys when viewed from Giblin Street, with the second level set within a gabled end. This does not create unreasonable visual impacts when viewed from the street or nearby dwellings. The development is three storeys when viewed from Tabart Street, but has been terraced back from Tabart Street to reduce the apparent bulk and scale. Articulation, a mixture of materials and landscaping have been used to reduce the visual impact from within the subdivision.

6.9.11 The proposal complies with the performance criterion.

6.10 Site Coverage, Private Open Space for Multiple Dwellings and Impervious Surfaces - Part D 10.4.3 P1

6.10.1 The acceptable solution at clause 10.4.3 A1 requires:

- (a) a maximum site coverage of 50%;
- (b) a minimum area of 60m² of private open space for multiple dwellings unless they have a floor level entirely more than 1.8m above natural ground level (excluding garages, carports and entry foyers); and
- (c) a site which is at least 25% free of impervious surfaces.

6.10.2 The proposal includes a development which:

- (a) has a site coverage of 64.7%;
- (b) provides less than 60m² of private open space for apartments 4, 5, 6 and 8; and

(c) has 12.5% of the site free of impervious surfaces.

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

6.10.4 The performance criterion at clause 10.4.3 P1 provides as follows:

Dwellings must have:

(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:

(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and

(ii) operational needs, such as clothes drying and storage; and

(b) reasonable space for the planting of gardens and landscaping.

6.10.5 The proposal meets 10.4.3 P1 (a) in that the private open space provided for the four non-complying units (units 4, 5, 6 and 8) are 56.2m², 40m², 53.3m² and 55m² respectively. Each of these areas of private open space has an outdoor terrace and garden which provides sufficient area for entertaining and clothes drying. Each of these apartments is provided with a minimum 2m wide planter bed along the frontage to allow for the planting of a small garden and so (b) is met. In addition, there is a communal outdoor space in the south-west corner which provides a landscaped seating space. The dwellings have therefore been provided with outdoor space that is appropriate for the size of the dwelling and able to be used for recreation, clothes drying, storage and landscaping as required by the performance criterion.

All of the dwellings have private open space that meets the acceptable solution 10.4.3 A2.

6.10.6 The proposal complies with the performance criterion.

6.11 Sunlight and Overshadowing - Part D 10.4.4 P1

6.11.1 The acceptable solution at clause 10.4.4 A1 requires that proposed dwellings must have at least one habitable room (other than a bedroom) which has a window that faces between 30 degrees west of north and 30

degrees east of north.

6.11.2 The proposal includes apartments which do not have habitable room windows that meet the acceptable solution.

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 10.4.4 P1 provides as follows:

A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

6.11.5 All dwellings have habitable room windows that face south-east towards Giblin Street and/or north-west towards Tabart Street. Sunlight will enter each dwelling from the north-west into their lounge rooms, which is a habitable room other than a bedroom. Light has also been provided via light wells, highlight and skylight windows. The dwellings have therefore been designed to allow sunlight to enter at least one habitable room, other than a bedroom, as required by the performance criterion.

6.11.6 The proposal complies with the performance criterion.

6.12 Privacy (Shared Driveways) - Part D 10.4.6 P3

6.12.1 The acceptable solution at clause 10.4.6 A3 requires that shared driveways must be separated or screened from a window or glazed door of a habitable room.

6.12.2 The proposal includes two dwellings which have habitable room windows adjacent to the shared driveway (units 4A and 5B). Unit 4A has a window from a habitable room which is setback a minimum 1.6m from the driveway and is to be fitted with fixed obscure glazing and so meets the acceptable solution. Unit 5B has a bedroom adjoining the driveway with nil setback and so does not meet the acceptable solution.

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 10.4.6 P3 provides as follows:

A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or

designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

6.12.5 The applicant has stated that the unit 5B window will be fitted with obscure glass and fitted with appropriate noise attenuation to reduce potential impact from vehicles. Detrimental impacts to the bedroom with the one non-compliant window will therefore be minimised as required by the performance criterion.

6.12.6 The proposal complies with the performance criterion.

6.13 Potentially Contaminated Land Code (Sensitive Use) - Part E 2.5 P1

6.13.1 The acceptable solution at clause 2.5 A1 requires that development of a potentially contaminated site for a sensitive use needs certification from the Director of the Environment Protection Authority that the land is suitable for the intended use, or has a plan approved by the Director to manage contamination and risk to human health.

6.13.2 The proposal includes a sensitive use on potentially contaminated land that does not have certification or an approved plan from the Director of the Environment Protection Authority.

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 E.2.5 P1 provides as follows:

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.

- 6.13.5 The Council's Manager Environmental Health has assessed the application and has advised that the performance criterion is met. The officer has recommended that the following advice be placed on the planning permit:

Council records indicate that potentially-contaminating activities historically occurred on this site. The report 'Additional Environmental Site Assessment and Validation Report' for On Giblin P/L, 'Subdivision 110 Giblin St Stages 5 to 9' October 2017 prepared by JMG Engineers and Planners indicates that whilst the site is suitable for residential use and a contamination management plan is not required, occasional aesthetic issues may arise as soil is disturbed. JMG advises that whilst these issues are not likely to present a health risk, developers should be made aware there is a chance that asbestos fragments may be uncovered.

It is therefore recommended that appropriate workplace health and safety measures be employed during any earthworks to minimise exposure. Worksafe Tasmania or a suitably experienced and qualified practitioner should be consulted for advice if required.

- 6.13.6 The proposal complies with the performance criterion.

6.14 Potentially Contaminated Land Code (Excavation) - Part E 2.6.2 P1

- 6.14.1 There is no acceptable solution for excavation of more than 1m² of land associated with a contaminated site.
- 6.14.2 The proposal includes excavation of approximately 2110m² of land.
- 6.14.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.14.4 The performance criterion at clause E.2.6.2 P1 provides as follows:

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.*

- 6.14.5 The Council's Manager Environmental Health has assessed the application and has advised that the performance criterion is met. The officer has recommended that the following advice be placed on the planning permit:

Council records indicate that potentially-contaminating activities historically occurred on this site. The report 'Additional Environmental Site Assessment and Validation Report' for On Giblin P/L, 'Subdivision 110 Giblin St Stages 5 to 9' October 2017 prepared by JMG Engineers and Planners indicates that whilst the site is suitable for residential use and a contamination management plan is not required, occasional aesthetic issues may arise as soil is disturbed. JMG advises that whilst these issues are not likely to present a health risk, developers should be made aware there is a chance that asbestos fragments may be uncovered.

It is therefore recommended that appropriate workplace health and safety measures be employed during any earthworks to minimise exposure. Worksafe Tasmania or a suitably experienced and qualified practitioner should be consulted for advice if required.

- 6.14.6 The proposal complies with the performance criterion.

6.15 Road and Railway Assets Code (Road Accesses and Junctions) - Part E 5.6.2 P2

- 6.15.1 The acceptable solution at clause E.5.6.2 A2 requires no more than one access providing both entry and exit, or two accesses providing separate entry and exit, per site, to a road subject to a speed limit of 60km/h or less.
- 6.15.2 The proposal includes nine new accesses from Giblin Street.
- 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 E.5.6 2 P2 provides as follows:

For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

- 6.15.5 The applicant has provided a Traffic Impact Assessment (TIA) with the application. The TIA states that the nine apartments facing Giblin Street level will generate 54 vehicle movements per day or six movements per driveway. The other apartments will generate approximately 78 vehicle movements per day and will be via the access driveway off Tabart Street and the new road junctions within the subdivision.

The TIA states that the current traffic volume travelling along Giblin Street is approximately 4,500 vehicles per day. The TIA noted that traffic volumes up to 1,500 vehicles per hour can be accommodated between conflicting traffic streams at intersections or junctions before traffic problems can begin to arise. The expected traffic conflict at the junctions or new driveway onto Giblin Street will be no more than 30% of this volume in 10 years time.

The TIA states that the proposed new accesses to Giblin and Tabart Streets have been designed and located to ensure safe vehicle movements and to minimize potential impacts on the local traffic network. The TIA confirmed that the overall traffic in the area will continue to operate efficiently and at an acceptable level of service.

The new accesses off Giblin Street service nine units proposed at street level. The units have attached garages at street level, which will only be accessible via Giblin Street. The applicant has stated that providing a shared access, which would reduce the number of new crossovers to Giblin Street, would not be possible on the site due to the steep topography and limited area for a shared driveway within the front setback.

- 6.15.6 The Council's Development Engineer, Manager Traffic Engineering and

Road Engineer do not object to the proposed number of accesses onto Giblin Street. The TIA recommends that the marked two-way right hand turn median treatment be continued past the length of the development site and extended northwards along Giblin Street. It also recommends that a median pedestrian refuge be installed immediately to the south of the new subdivision road junction opposite Pedder Street, as well as additional refuges along the length of the frontage at 100-150m intervals, but only where they do not conflict with existing driveways.

As Giblin Street is a Council owned road, these recommendations can be considered by Council as road authority outside of the planning permit process. The approval of the planning permit does not rely on the installation of these road reserve features, as they are recommendations only, and do not form part of the proposal.

6.15.7 The proposal complies with the performance criterion.

6.16 Parking and Access Code (Number of Parking Spaces) Part E 6.6.1 P1

6.16.1 The acceptable solution at clause E.6.6.1 A1 requires that the number of on-site parking spaces is no more and no less than that required by Table E.6.1.

6.16.2 The proposal includes 58 parking spaces, including six (6) for use by visitors. Table E.6.1 requires two (2) parking spaces per dwelling plus one (1) visitor parking space per four (4) dwellings. This means that the scheme requires not more or less than 44 resident spaces and six (6) visitor spaces (50 spaces in total). As the applicant has provided more than 50 spaces, a discretion is created.

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 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.

6.16.5 The provision of eight (8) additional parking spaces does not impact on a significant tree or the heritage significance of the site (the site is not listed or in a heritage precinct) and so (l) and (m) are met. The other sub-clauses relate to an under-supply of parking rather than an over-supply and are therefore met. The provision of additional parking is considered to meet the reasonable needs of users and will reduce the need for on-street parking, which in Giblin Street in particular, is reduced because of the nine new driveways.

6.16.6 The proposal complies with the performance criterion.

6.17 Parking and Access Code (Number of Vehicle Access Points) - Part E 6.7.1 P1

6.17.1 The acceptable solution at clause E.6.7.1 A1 requires only one vehicle access point per road frontage.

6.17.2 The proposal includes one vehicle access point to Tabart Street and nine to Giblin Street.

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 E.6.7.1 P1 provides as follows:

The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:

(a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points;

(b) whether the additional access points can be provided without compromising any of the following:

(i) pedestrian safety, amenity and convenience;

(ii) traffic safety;

(iii) residential amenity on adjoining land;

(iv) streetscape;

(v) cultural heritage values if the site is subject to the Local Historic Heritage Code;

(vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.

6.17.5 The Giblin Street frontage is approximately 150m, which allows parking for approximately 25 vehicles. The nine (9) new crossovers will reduce on-street parking to approximately 11 vehicles. The spacing of the driveways allows parking between them, and so meets (a). The TIA confirms that the driveways will not pose any safety or traffic operational issues and so meets (b)(i) and (ii). The TIA states that traffic movements from the driveways will be that of a typical three bedroom dwelling. Most of the driveways are a significant distance to the dwelling on adjoining residential land (108 Giblin Street) and so meet (b)(iii). Each of the dwellings fronting Giblin Street look like two storey individual dwellings with their own garage, which is consistent with many single dwellings in Giblin Street and the New Town area in general, and so (b)(iv) is met. The site is not listed or in a heritage precinct or near al fresco dining and so (v) and (vi) are not relevant. The development is considered to have been designed in accordance with the performance criterion.

6.17.6 The proposal complies with the performance criterion.

6.18 Parking and Access Code (Design of Vehicular Accesses) - Part E 6.7.2 P1

- 6.18.1 The acceptable solution at clause E.6.7.2 A1 requires that driveways are designed in accordance with the Australian Standard AS/NZS 2890.1:2004.
- 6.18.2 The proposal includes driveways onto Giblin Street which the Council's Development Engineer advises do not meet the standard.
- 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 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.*

- 6.18.5 The Council's Development Engineer has advised that because of the slope and short length of the driveways, a B85 standard car may bottom out on some of the driveways, and so not meet the Australian Standard. The Development Engineer has advised that subject to a condition (ENG 3), the proposal is considered to meet the performance criterion.
- 6.18.6 The proposal complies with the performance criterion.

6.19 Parking and Access Code (Layout of Parking Areas) - Part E 6.7.5 P1

- 6.19.1 The acceptable solution at clause E.6.7.5 A1 requires that car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to meet AS/NZS 2890.1:2004.
- 6.19.2 The proposal includes garages that have narrow door widths that do not meet the Australian Standard, in particular, the garages fronting onto Giblin Street and the internal garage for car parks 1 and 2 in the underground car park.
- 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 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.

- 6.19.5 The Council's Development Engineer has advised that subject to condition ENG 3, the performance criterion is met.

- 6.19.6 The proposal complies with the performance criterion.

6.20 Parking and Access Code (Landscaping of Parking Areas) - Part E 6.7.8 P1

- 6.20.1 The acceptable solution at clause E.6.7.8 A1 requires that car parks for more than five (5) cars should be landscaped to at least 5% of the car park area.

- 6.20.2 The proposal includes a car park which is not landscaped.

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

- 6.20.4 The performance criterion at clause 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.

- 6.20.5 The car park is provided underground and is not visible from the street. The car park does not visually impact on streetscape or neighbours and so does not need to be landscaped to meet (a). It does not impact on the amenity of neighbours and so meets (b). Entry to the car park is via a

secure access and restricted to residents and their visitors only and so meets (c). The car park is considered to meet the performance criterion without landscaping.

6.20.6 The proposal does not comply with the performance criterion.

6.21 Stormwater Management Code - Part E.7.7.1 P2

6.21.1 The acceptable solution at clause E.7.7.1 A2 requires that a stormwater system for a new development must incorporate water sensitive urban design principles for the treatment and disposal of water, if the size of new impervious areas (e.g. roofs, driveways and parking areas) is more than 600m² or if new parking is provided for more than six (6) cars.

6.21.2 The proposal includes a new roofed area of 3072m² and parking for 58 cars. A Spel Hydrochannel stormwater system is proposed to treat and dispose of stormwater. The Council's Technical Officer Hydraulics has advised that the development is likely to have a total impervious area higher than that modelled in the report for detention and treatment of stormwater.

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

6.21.4 The performance criterion at clause E.7.7.1 P2 provides as follows:

A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.

6.21.5 The Council's Technical Officer Hydraulics has commented as follows:

This development is likely to have a higher impervious area than modelled in the report for either detention or treatment. 'Site coverage (i.e. roofs)' is 3072m² (62.2% of the site area). The site has far more cars than would be expected for seven residential lots - 58 proposed (44 residents, 6 visitors). This significantly exceeds the six (6) car space trigger for treatment. Some treatment is required to 'top-up' that provided by the subdivisional works.

The applicant has proposed a Spel Hydrochannel with inserts. This is a

new product, which Council is not familiar with. It does not appear that treatment would be provided for any inflow along its length - just that at the 'pit' sections. The applicant has modelled the device as two StormSacks, to demonstrate it reduces levels to that of seven (7) houses – which is what the subdivision treatment was designed for.

The application will therefore meet clause E.7.7.1 P2, with conditions.

6.21.6 The proposal complies with the performance criterion.

6.22 Stormwater Management Code - Part E.7.7.1 P3

6.22.1 The acceptable solution at clause E.7.7.1 A3 requires that a minor stormwater drainage system must be designed to comply with a storm with an ARI of 20 years and that stormwater runoff must either be no greater than existing runoff or that any increase can be accommodated within existing or upgraded public stormwater infrastructure.

6.22.2 The proposal includes stormwater calculations for the 20 minute 5% ARI storm event and not the maximum required for all durations.

6.22.3 The proposal does not comply with the acceptable solution; however there is no performance criterion, and so the development must be conditioned to meet the acceptable solution.

6.22.4 The acceptable solution at clause E.7.7.1 A3 provides as follows:

A minor stormwater drainage system must be designed to comply with all of the following:

(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;

(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

6.22.5 The Council's Technical Officer Hydraulics has advised as follows:

The Stage 5-9 stormwater management report for the subdivision limits each Lot to 3.3L/s (based on average Lot of 530m²), recommending 2kL

storage in tanks with driving head of 400mm and 50mm orifices. This site consists of seven Lots from that report – 103-109 inclusive. Therefore a maximum discharge rate of 23.1L/s in a 20yr storm is required for this development.

As the development is far more impervious than the residential lots, the indicative solution was calculated and it was determined that more than 14kL of detention will be required to reduce flows to this flow rate. The applicant has attempted to calculate the required additional storage using Boyd's formula additively - resulting in total storage of 15.76m³. This also only assesses the 20min 5% ARI storm event - not the maximum storage required for all durations. This rough calculation is acceptable for planning purposes; however detailed design for actual driving head etc is required. A maximum depth of detention tanks of 1.55m is required, to allow a gravity connection. Applicant has proposed Spel StormChamber as meeting the size and depth requirements.

The application will meet clause E.7.7.1 A3 with conditions.

6.22.6 The proposal complies with the acceptable solution subject to conditions.

7. Discussion

- 7.1 Planning approval is sought for Multiple Dwellings, Fencing and Works in the Road Reserve.
- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including: traffic, parking, heritage, density and visual impact. The representors' concerns are addressed in detail below.
- 7.3 The representations raised concerns that the development will result in "substantial increased traffic movements in Giblin Street, resulting in traffic congestion and hazards to residents and users of the street".

The TIA submitted with the application states that the assumed traffic generation for the subdivision was 8.25 vehicle trips per lot per day. On this basis, when the subject lot was still seven smaller lots, it would have generated 58 vehicle trips per day. Based on a traffic generation of 6 trips per apartment per day, the 22 apartments would be expected to generate up to 132 vehicle trips per day (of which 54 trips would be from the Giblin Street facing apartments). Around 10% of these journeys would be during peak hour traffic periods.

In the last 5.5 years since 2012, there have been three (3) reported crashes along Giblin/Forster Street between Wellwood Street and Gregson Avenue. The first (in 2012) was a loss of control to the north of the curve at Pedder Street, the second (in 2013) was a rear end collision in the Gregson Avenue junction and the third (in 2014) was a parking incident in front of the subject site.

Near the development site, the traffic volume in 2013 was around 4000 vehicles per day. The apartments may add up to 132 vehicle trips to this figure, which is an increase of 3.3%.

The TIA concludes that:

- The traffic activity along Giblin Street will not create any operational issues at any of the subdivision road junctions or driveways along Giblin Street.
- Traffic volumes of up to 1,500 vehicles per hour can generally be accommodated at intersections or junctions before traffic problems can begin to arise. The expected traffic conflict at the junctions and driveways with Giblin Street will be no more than 30% of this volume in 10 years time.
- Traffic in the area will continue to operate efficiently at acceptable levels well into the future.

The Council's Manager Traffic Engineering has advised that:

"The operational impact of increased traffic activity resulting from the development has been assessed by an independent qualified Traffic Engineer. The Traffic Impact Assessment Report indicates that the development will generate approximately 132 vehicles per day with 78 vehicles per day via the access driveway off Tabart Street and 54 vehicles per day directly onto Giblin Street. The report resolved that the traffic generated from the development will operate efficiently at an acceptable level of service well into the future. The report also states that the traffic activity along Giblin Street will not create any operational issues at the junctions or driveways along Giblin Street.

Based on the above assessment outlined in the Traffic Impact Assessment, the impacts to the traffic flows on Giblin Street are expected to be minimal."

In light of the above, the representors' concerns that the development will result in "increased traffic congestion and hazards" in Giblin Street cannot be supported. Whilst the representors' comments are correct, in that the amount of traffic will increase, there is no evidence to suggest that it will be significant, or enough to cause "congestion" or "hazards". Whilst the number of trips per day from the subdivision will increase as a result of the new apartments, there is no advice from either the developer's traffic engineer or Council's Manager Traffic Engineering that

the development should be refused on the basis of this increase. There is no evidence to suggest that the increase in car trips would lead to congestion or an unreasonable impact on residents in the area. There is no evidence that it will increase the number of accidents in the area above those that would normally occur from time to time within a suburban street network. The developer's TIA concludes the opposite, that "the proposed residential apartment development can be supported on traffic grounds as it will not give rise to any adverse safety or operational traffic issues." The Council's Manager Traffic Engineering concurs with this view.

- 7.4 The representations raised concerns about the impact on parking in the area, stating "the proposed layout will badly affect the ability for adequate parking in the immediate and surrounding area".

The development provides more parking than is required under the parking and access code. It provides 58 parking spaces where only 50 are required under the scheme. There is no discretion to refuse the proposal on the lack of parking, ironically there is only discretion to refuse the application because it provides too many spaces. 11 on-street parking spaces will remain on Giblin Street which is adequate for the area. Most dwellings in the street have their own driveways and so on-street parking in Giblin Street is not in high demand.

The Council's Manager Traffic Engineering has commented as follows:

"With regards to the concern on impact on the on-street parking in the surrounding area, the off-street parking proposed for the development meets the requirements of the *Hobart Interim Planning Scheme 2015* which is two (2) car parking spaces per dwelling plus one (1) dedicated visitor parking space per four (4) dwellings. This is considered adequate car parking spaces to cater for the expected parking demand generated from the 22 town houses. There is also opportunity for the residents of the townhouses and the existing residents to use other modes of transport other than motor vehicles as there is a frequent Metro bus service that operates on Giblin Street."

In summary, there is nothing to support the representors' conclusion that parking in the area will be badly affected, and no discretion to refuse the development on lack of on-site parking, because it provides more parking than the scheme requires.

- 7.5 The representations raised concerns that the layout of the 22 townhouses "dramatically changes the visual area of Giblin Street and surrounds which is predominantly older single storey houses" and that "the nearby area is a heritage precinct and the three storey concept is not in keeping with the nearby residences and the environment".

Whilst it is agreed that the development does not look like older style houses typically found in New Town, there is no discretion to refuse the development on the basis that the development looks different to other dwellings in the area. The site is not heritage listed or in a heritage area, and there are no provisions in the development standards in the general residential zone which address what the architectural style of a development should be. There is discretion to refuse the application under the building envelope provisions if the Council determines that the development has an unreasonable visual impact when viewed from adjoining lots (but not from lots that do not adjoin the property), or if the separation between the development and the adjoining neighbour (108 Giblin Street) is not compatible with that which prevails in the surrounding area. For the reasons stated previously in this report, it is considered that the development complies with these tests.

The concern that the development is not in keeping with the nearby heritage precinct New Town 14 (which covers most of Baker and Meredith Streets) is not a relevant consideration under the planning scheme. There is no discretion to refuse a development for any reason relating to a nearby heritage precinct. Even if the heritage precinct were directly abutting the subject site, there would be no discretion to refuse the development for any reason relating to the heritage precinct.

The development when viewed from Giblin Street (which is where most vehicle and pedestrian traffic would view the development from), looks like a row of single, separated dwellings, which is, in general terms, the same as most streetscapes in the New Town area, and certainly in the area around Giblin Street. The Giblin Street facing apartments do not look like "older houses", but nor do any of the dwellings currently under construction in the subdivision - they all look like modern dwellings with varying architectural styles: some are single storey and some are two storeys. There is no requirement in the zone standards for new dwellings to mimic the architectural style of those already in the streetscape. The view from Tabart Street is different to most streetscapes in New Town - the view from Tabart Street is of a low rise apartment building; however there is no discretion to refuse the application on the basis that the view from Tabart Street is not of single or two storey dwellings.

- 7.6 The representations have stated that the townhouses will "increase the density of the area".
- It is agreed that the development is more dense than other sites within 100m of the subject property.
- Whilst the development is over the permitted density for the General Residential Zone within which it sits (the proposed density is one dwelling per 224m² of land rather than one dwelling per 325m²), it would comply with the permitted density of one dwelling per 200m² if it were in the adjacent Inner Residential Zone. The density is therefore not significantly different to that which could occur (as permitted) in the Inner Residential Zone, which starts across the road in Pedder Street.
- This is not relevant per se to the discretion being exercised, but is simply an observation about the density that is permitted under the planning scheme within many other development sites in New Town; in fact on any site in New Town that is zoned Inner Residential. The density permitted in the Inner Residential Zone is the same as that proposed by the apartment development.
- The site is a difficult one to develop, due to the steep quarry style cut from Giblin Street. The developer has worked with the limitations of site, and ensured that the dwellings on Giblin Street look like separate single dwellings with a garage. From Giblin Street it does not look like a low rise unit development. The development looks more dense from Tabart Street, but has a staggered setback from the road to reduce impact on streetscape. The site has excellent walkable access to services, including public transport, primary and secondary schools, parks, doctors, chemists and shops. It provides a new housing option in New Town, providing high quality dwellings with level or private lift access, and so is future proofed for residents as they become less mobile. For these reasons, although it is over the permitted density in the general residential zone, it is considered that it meets the objective of the density standard to "make efficient use of suburban land for housing" and "optimise the use of infrastructure and community services." It is considered to make a significant social or community housing benefit, and so whilst over the permitted density, is recommended for approval.
- 7.7 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.8 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Manager Traffic Engineering, Technical Officer Hydraulics, Environmental Health Officer, Cadastral Surveyor and Road Engineer. The officers have raised no objection to the proposal, subject to conditions.

7.9 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Multiple Dwellings, Fencing and Works in Road Reserve at 110 Giblin Street New Town and Adjacent Road Reserve 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 Multiple Dwellings, Fencing and Works in Road Reserve at 110 Giblin Street NEW TOWN and Adjacent Road Reserve 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-17-818 - 110 GIBLIN STREET NEW TOWN TAS 7008 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 2017/01689-HCC dated 25 October 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw4

The development (including hardstand) must be drained to the Council's stormwater infrastructure via free-flowing gravity. Any new stormwater connection must be constructed at the owner's expense prior to the first occupation or issue of any completion certification, whichever occurs first.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must:

- 1. Include the location of the proposed connections and all existing connections.**
- 2. Demonstrate that drainage to a single connection as per the *Urban Drainage Act 2013* is not practicable.**

3. **Include the size and design of the connection such that it is appropriate to safely service the development.**
4. **Include long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure.**

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

Advice: Once the detailed engineering 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 sw7

Stormwater pre-treatment and detention for stormwater discharges from the development must be installed prior to commencement of use or the issue of any completion certification, whichever occurs first.

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*, 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.

- 3. Include detailed design and supporting calculations of the detention tank, sized such that flows are limited to the discharge limit for the site proposed in the subdivisional stage for 5% AEP storm events. All assumptions must be clearly stated.**
- 4. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism.**
- 5. Clarify the emptying times and outlet size.**
- 6. 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 tr1

Prior to the commencement of work, a plan showing flexible guide posts with reflective delineators installed adjacent to the two street trees in the middle of

the Giblin Street road reserve, outside units 17 and 18, must be submitted and approved. The reflective guideposts must be installed prior to the first occupation or the issue of any completion certification, whichever occurs first. The guide posts must be installed in accordance with the approved plan.

Advice: The reflective guide posts should be installed 2m from the tree. The delineators should be visible to traffic in each direction of Giblin Street and to traffic emerging from driveways.

Once the 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.

Reason for condition

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

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.**
- 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.**
- 5. Nominate a superintendent or the 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, 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 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 3

The driveway, car parking and manoeuvring areas must be constructed in accordance with certified driveway design drawings, prior to the first occupation.

The design of the driveway, car parking and manoeuvring areas must:

- 1. Be prepared and certified by a suitably qualified engineer that the design is either in accordance with the Australian Standards AS/NZS 2890.1 or that the design provides for a safe and efficient access.**
- 2. Be certified by a suitably qualified engineer that for all the proposed units, a standard B85 vehicle will not bottom out as it moves from the roadway all the way into the garage or designated parking areas.**

Reason for condition

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

ENG 4

The access driveway and parking modules (car parking spaces, aisles and

manoeuvring areas) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent council approved) and surface drained to the Council stormwater system prior to the first occupation.

Reason for condition

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

ENG 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, swales 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 retaining walls and/or footings 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 walls supporting the Giblin Street highway reservation must be submitted and approved, prior to the commencement of work 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. Ensure that the structure certificated and/or drawings are noted accordingly 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.

ENGR 3

Design drawings must be submitted and approved prior to the commencement of work. The design drawings must:

- 1. Demonstrate, if the design deviates from the requirements of the TSD, that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the vehicle's underside.**
- 2. Detail a concrete plinth to Council's standards to be constructed to provide access. Grated wedge, asphalt wedge and the standard open wedge driveway crossover are not permitted. Grated wedges are permitted on highly used bike routes and details of the grate (i.e. mass) will be required. A drawing of a standard concrete plinth can be obtained from the Council's Road Services Engineer. Note: that the agreement of the Council's City Infrastructure Division is required to adjust footpath levels.**
- 3. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.**

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

Advice: Once the design 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 that works will comply with the Council's standard requirements.

ENV 2

Sediment and erosion control measures, sufficient to prevent sediment 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 approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

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

Reason for Condition

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

SUB s1

The dedication of Tabart Street as a Public Road for the entire frontage of Lot 103 must occur prior to the first occupancy of any dwelling.

Reason for condition

To ensure that the development has legal access.

SUB s2

The engineering works for Stages 8 and 9 of the subdivision of 110 Giblin Street approved under PLN-13-01331-01 must be completed to the satisfaction of the Council prior to the first occupancy of any dwelling.

Reason for condition

To ensure that the proposed development has practical access and has stormwater, water and sewer services that it is able to be connected to.

SUB s3

The title for Lot 103 approved by the subdivision application PLN-13-01331-01 must be issued by the Recorder of Titles prior to the first occupancy of any dwelling.

Reason for condition:

To ensure that the development is on a separate lot that is not part of the balance of the land for the subdivision of 110 Giblin Street approved by PLN-13-01331-01

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

As condition endorsements are required by planning conditions 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

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

Discretionary Planning Permit issued in accordance with section 57 of the *Land Use*

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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.

Road closure permits for construction or special event. Click [here](#) for more information.

Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

Please note that the trees in the Giblin Street road reserve must be removed by the developer at the developer's cost. A road opening permit must be obtained for the removal of the trees, prior to the trees being removed. Prior to the issue of the road opening permit, the developer will be required to do the following:

- Compensate Council for the amenity value of the trees, which is \$177 for the *Lagerstroemia* and \$565 for the *Koelreuteria*. Please contact the Council's City Infrastructure Division to arrange payment.
- Provide tree protection zones around the retained street trees to prevent damage to these trees during construction, to the satisfaction of the Council's Program Leader Arboriculture & Nursery.
- If the crepe myrtle cannot be relocated as proposed, the developer must pay for the purchase of a replacement tree, the species of which is to be determined by Council.

NEW SERVICE CONNECTION

New service connection (please contact the Hobart City Council's City Infrastructure Division to initiate the application process).

STORM WATER

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

more information.

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

STORM WATER / ROADS / ACCESS

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

PUBLIC WALKWAY

Council does not agree to taking ownership of, or maintaining, the walkway proposed across the site between Giblin Street and Tabart Street. If the developer wishes to install the walkway, it will remain in private ownership, and is the responsibility of the corporate body to maintain. The Council in their capacity as the road authority has advised that it is preferable that the walkway is deleted from the proposal.

WORK PLACE HEALTH AND SAFETY

Potentially contaminating activities historically occurred on this site. The land has been investigated and assessed for health risks associated with historical contamination. The report 'Additional Environmental Site Assessment and Validation Report' for On Giblin P/L, 'Subdivision 110 Giblin Street (Stages 5-9)' dated October 2017 prepared by JMG Engineers & Planners concludes that the site is suitable for residential use. However, development of the land may uncover undetected and unexpected pockets of residual contamination (such as asbestos or hydrocarbons). It is therefore recommended that appropriate workplace health and safety measures be employed during any earthworks to minimise further the low risk of exposure to any residual contaminants, and that sub-surface conditions are monitored for any unusual materials or evidence of contamination (e.g. soil discolouration or chemical odours) during site works. If unusual materials or potential evidence of contamination are detected during site works, it is recommended that Worksafe Tasmania and/or a suitably experienced and qualified contamination practitioner be consulted for advice. The site may also

contain pockets of inert materials (such as rubble, crushed bricks and/or sawdust) that may present aesthetic issues but do not pose any health risk.

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.



(Liz Wilson)

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: 13 April 2018

Attachment(s):

Attachment B - CPC Agenda Documents (use for committee reports)

Attachment C - CPC Supporting Documents (density calculations)