



City of **HOBART**

## APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report: Committee  
Council: 23 July 2018  
Expiry Date: 26 July 2018  
Application No: PLN-18-131  
Address: 90 LIVERPOOL CRESCENT , WEST HOBART  
ADJACENT ROAD RESERVE  
Applicant: Ryan Strating (Core Collective Architects)  
Level 1  
30 Argyle Street  
Proposal: Dwelling  
Representations: None  
Performance criteria: Low Density Residential Zone Development Standards, Parking and  
Access Code

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### 1. Executive Summary

- 1.1 Planning approval is sought for a Dwelling at 90 Liverpool Crescent.
- 1.2 More specifically the proposal includes:
- A new three bedroom single dwelling. A single car garage will be constructed at the front of the lot, with the two storey dwelling constructed behind. Plants will be grown on the roof of the garage.
  - The dwelling will be constructed of a natural finish timber cladding (silvertop ash, spotted gum or similar), with a coloured blockwork lower level and a custom orb roof.
  - The block slopes steeply up from the road. The private open space will be in a terraced courtyard located at the rear of the dwelling and facing north-west.
  - One tree at the front of the site is proposed to be removed.
  - The turning areas for the single car parking space are shown within the road reserve at the front of site.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Low Density Residential Zone Development Standards - Front Setback, Building Envelope, Private Open Space
- 1.3.2 Parking and Access Code - Number of Parking Spaces
  
- 1.4 No representations were received during the statutory advertising period between 13 and 27 June 2018.
  
- 1.5 The proposal is recommended for approval subject to conditions.
  
- 1.6 The final decision is delegated to the Council due to works proposed on Council-owned land.

## 2. Site Detail

- 2.1 The lot is 1370m<sup>2</sup> and slopes steeply up from Liverpool Crescent. The lot has a number of eucalypt trees and other native vegetation, but is not in a biodiversity area. It is listed as being bushfire prone.



Fig. 1. Subject property.



Fig. 2. Subject property. Source: GoogleMaps.





Fig. 3. Looking towards Liverpool Crescent.



Fig. 4. Looking towards Liverpool Crescent.

### 3. Proposal

3.1 Planning approval is sought for a Dwelling at 90 Liverpool Crescent.

3.2 More specifically the proposal includes:

- A new three bedroom single dwelling. A single car garage will be constructed at the front of the lot, with the two storey dwelling constructed behind. Plants will be grown on the roof of the garage.
- The dwelling will be constructed of a natural finish timber cladding (silvertop ash, spotted gum or similar), with a coloured blockwork lower level and a custom orb roof.
- The block slopes steeply up from the road. The private open space will be in a terraced courtyard located at the rear of the dwelling and facing north-west.
- One tree at the front of the site is proposed to be removed.
- The turning areas for the single car parking space are shown within the road reserve at the front of site.

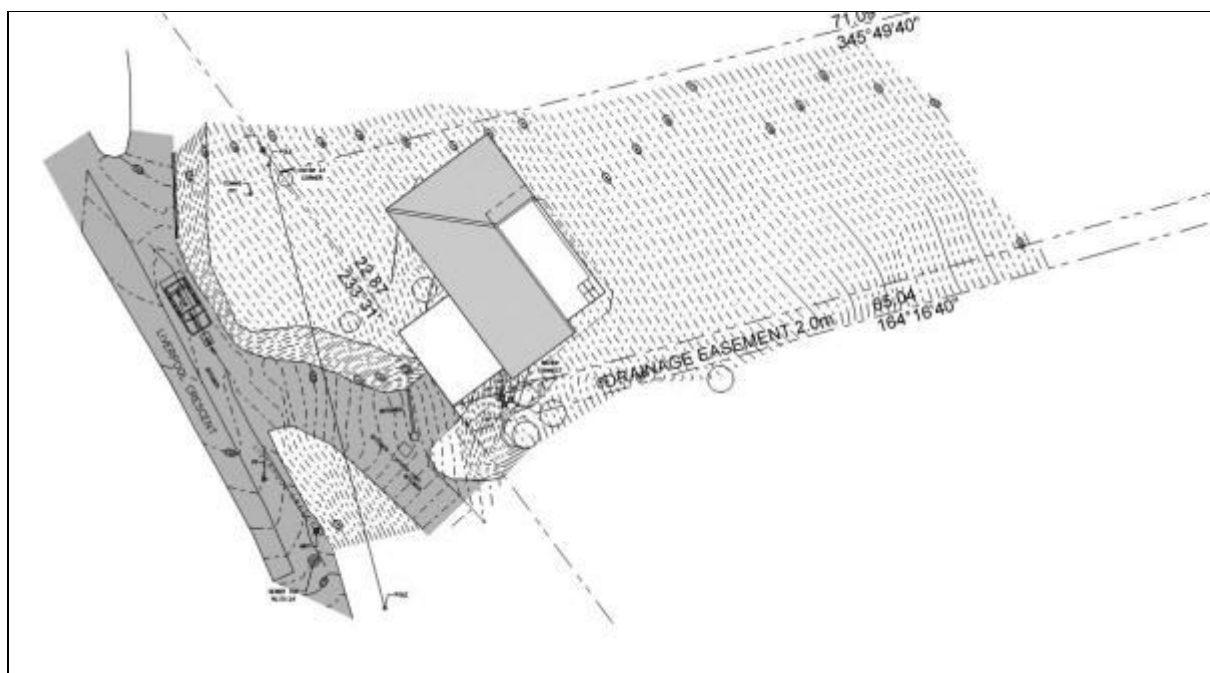


Fig. 5. Proposed site plan.

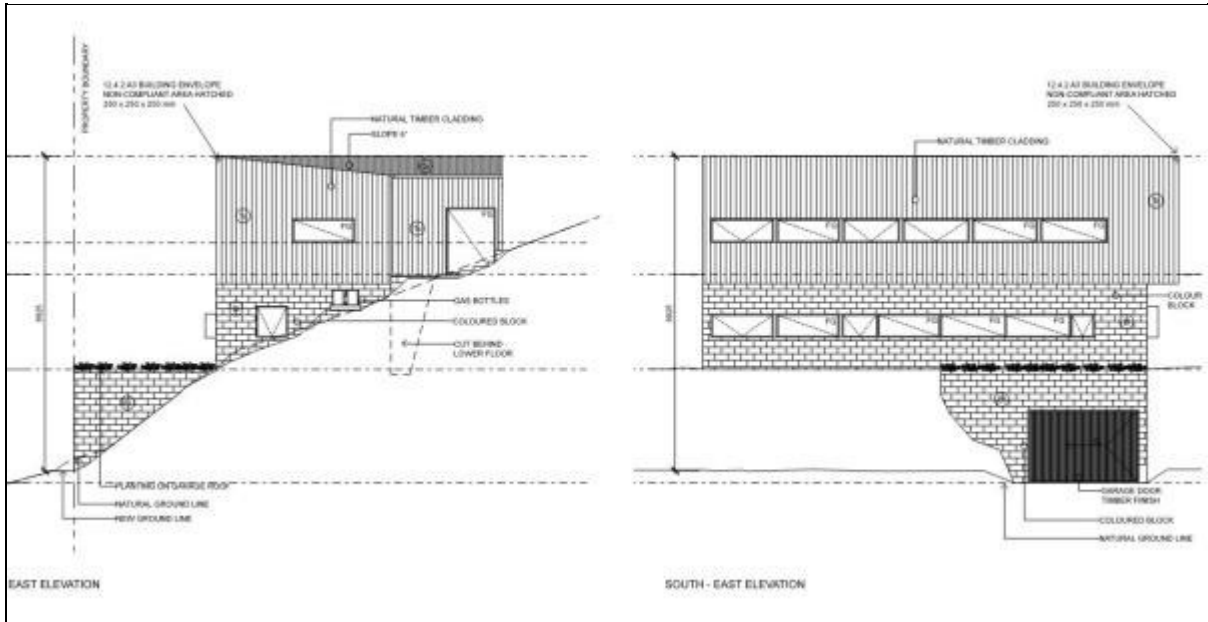


Fig. 6. Proposed north-east and south-east elevation.

#### 4. Background

4.1 This is the fourth attempt at a planning application for a dwelling at the site, and the second by the current owner. This is probably a reflection of the difficulties that the site presents, including its location on Liverpool Crescent (a narrow road with no footpath or on-street parking), its steepness (which averages 1 in 3), and the significant costs in excavating the site through the bedrock. PLN-09-01619 was withdrawn prior to determination. PLN-10-01250 was approved subject to conditions, but the dwelling was not constructed, and the permit has lapsed. PLN-17-353 was submitted by the current owners, and is for a dwelling set much further up the block in accordance with the Part 5 agreement on the title (see below in relation to this). This application is on-hold, waiting for additional information requested under Section 54.

- 4.2 There is a Part 5 agreement on the title which the applicant is seeking to remove. The Part 5 agreement was placed on the title through the original subdivision of 148 Forest Road under PLN-05-01324-01, and which was assessed under the *City of Hobart Planning Scheme 1982*. The intent of requiring a building envelope via a Part 5 agreement was to 'ensure the visual impact of the development is minimised'. The Part 5 Agreement requires that a dwelling is sited towards the middle of the lot with a set back of at least 10m from the front boundary. Council has agreed to its removal, on the basis that a dwelling placed in this location would be more visible than one which meets the front boundary set back provisions of the *Hobart Interim Planning Scheme 2015*. The *Hobart Interim Planning Scheme 2015* requires a front setback of 4.5m, whereas the building envelope referred to in the Part 5 Agreement requires a front setback of at least 10m. Not only would a dwelling sited higher up on the block be more visible, but the driveway required to reach a dwelling with a 10m setback would create its own visual impact.
- 4.3 The applicant's solicitors have lodged the instrument to end the Part 5 Agreement with the Land Titles Office, and this is noted in 'unregistered dealings and notations' on the front page of the title. The Part 5 Agreement has not yet been removed, however, and so is still in effect. The applicant is aware of this, and is taking steps with their solicitor and the Land Titles Office to finish the removal process. The fact that the Part 5 Agreement is still active does not affect the assessment of the current planning application, as the dwelling must be approved if it meets the provisions of the planning scheme, irrespective of a Part 5 Agreement to the contrary. To avoid being in breach of the Part 5 Agreement, the applicant has indicated that they will not start construction of the dwelling until the Part 5 Agreement is removed.

## **5. Concerns raised by representors**

- 5.1 No representations were received during the statutory advertising period between 13 and 27 June 2018.

## **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 low density residential zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The site is currently vacant. The proposed use is single dwelling, which is a no permit required use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 12.0 Low Density Residential Zone
  - 6.4.2 Part E - 6.0 Parking and Access Code
  - 6.4.3 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 Setbacks and Building Envelope - Part D 10.4.2 P1, P2 & P3
  - 6.5.2 Private Open Space - Part D 12.4.3 P2
  - 6.5.3 Parking and Access Code - Part E 6.6.1 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope (Front Setback) - Part D 12.4.2 P1
- 6.7.1 The acceptable solution at clause 12.4.2 A1 requires that dwellings are set back at least 4.5m.
  - 6.7.2 The proposal includes a dwelling which is located on the front boundary at its closest point (the garage).
  - 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 12.4.2 P1 provides as follows:  
  
*A dwelling must:*  
  
*(a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and*



*(b) have regard to streetscape qualities or assist the integration of new development into the streetscape.*

6.7.5 The only non-compliant part of the dwelling is the garage; the rest of the dwelling is set back 4.5m and so meets the acceptable solution. The setback is in response to the slope and excavation constraints of the site and so meets (a). There is a very wide road reserve, with the result that the garage is set back 11.0m from the edge of the road carriageway. Because a wide section of the road reserve looks like it is part of the lot, the garage appears to be set back much further from the lot frontage than it actually is. This significantly reduces any impact on streetscape and so (b) is met. The GIS images below show the extent of the road reserve.



*Fig. 7. View of part of the subject property.*



*Fig. 8. The same image showing the extent of the road reserve*

*(coloured green on the map).*

6.7.6 The proposal complies with the performance criterion.

6.8 Setback and Building Envelope (Garage Setback) - Part D 12.4.2 P2

6.8.1 The acceptable solution at clause 12.4.2 A2 requires that garages are set back 5.5m from the frontage, or if the land slopes at a gradient steeper than 1 in 5, the setback should be at least 1.0m.

6.8.2 The proposal includes a garage that is sited directly on the front boundary. The slope is around 1 in 3, so the garage should be setback at least 1.0m to meet the acceptable solution.

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 12.4.2 P2 provides as follows:

*The setback of a garage or carport from a frontage must:*

*(a) provide separation from the frontage that complements or enhances the existing streetscape, taking into account the specific constraints and topography of the site; and*

*(b) allow for passive surveillance between the dwelling and the street.*

6.8.5 The garage location allows for passive surveillance between the dwelling and the street. For the reasons stated above in 6.7.5, the garage does not adversely affect streetscape and takes into account the topographical constraints of the site.

6.8.6 The proposal complies with the performance criterion.

6.9 Setback and Building Envelope (Building Envelope) - Part D 12.4.2 P3

6.9.1 The acceptable solution at clause 12.4.2 A3 requires that walls longer than 9.0m are set back at least 1.5m from the side boundary and that the dwelling is sited within a prescribed building envelope.

6.9.2 The proposal includes a building which has parts of the south-west and north-east elevations outside the building envelope.

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 12.4.2 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.*

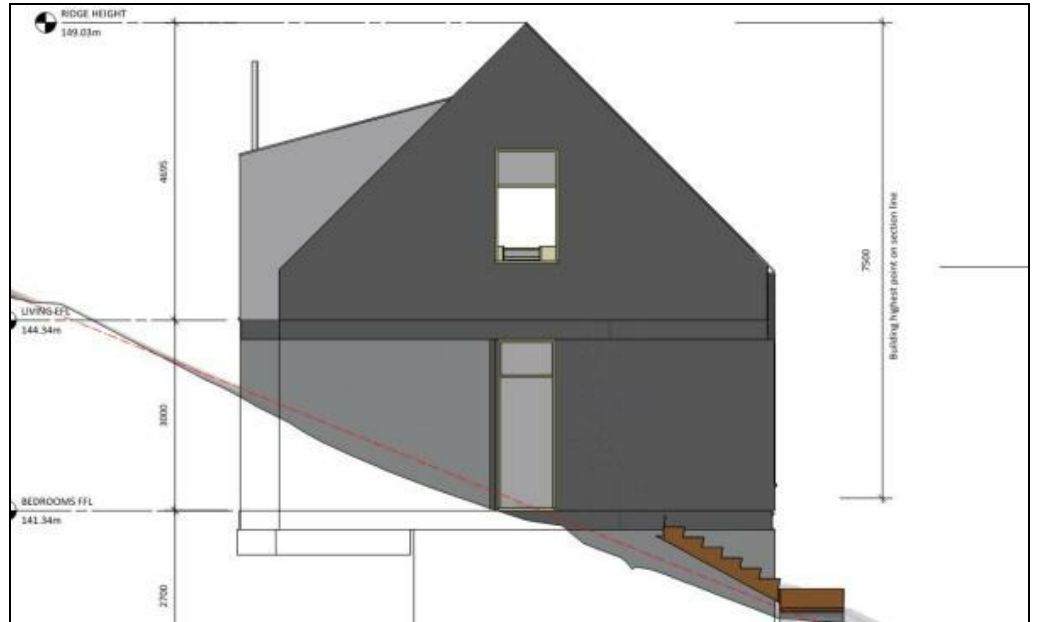
6.9.5 Most of the dwelling is within the building envelope. Both the south-west and north-east elevations are at angles to the side boundary, with varying setbacks and varying wall heights, so only a small part of these elevations are outside the envelope. The dwelling is outside the envelope at the south-west elevation where the wall is set back 1.0m and is 4.4m high and at the north-east elevation where the wall is set back 2.74m and is 6.7m high. The degree of discretion is very small, with only the top part of the wall outside the envelope. The roof has a shallow 6 degree pitch, and so unlike a steeply pitched roof, does not contribute to any overshadowing.

6.9.6 Recent Tribunal decisions, including *The House Family Office Pty Ltd v Hobart City Council*, have determined that when assessing an application against the performance criterion, reference must not be had to the building envelope authorised by the acceptable solution. That is, the permitted building envelope does not provide the test of 'reasonableness' against which a discretionary application is assessed. Instead, the development must be assessed on its merits against the provisions of the performance criterion; that is, (a) does the development cause an unreasonable loss of amenity to neighbours by reduction in sunlight to a habitable room (other than a bedroom), overshadowing of private open space, or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, and (b) does the development provide separation between dwellings on adjoining lots that is compatible with that prevailing in the vicinity?

- 6.9.7 The proposed dwelling is set towards the front of the site. It is not adjacent to the dwelling at 92 Liverpool Crescent to the west, which is set more towards the middle of the block. Any overshadowing would be over the driveway and front garden of 92 Liverpool Crescent, which is heavily treed. This overshadowing is not considered to be unreasonable and meets performance criterion 12.4.2 P3 (a) (i) and (ii).
- 6.9.8 The dwelling to the east (88 Liverpool Crescent) is set more in line with the proposed dwelling. The dwelling at 88 Liverpool Crescent was approved under PLN-12-00316. It is a two-storey dwelling, and the western elevation is 7.5m above natural ground level at its highest point, which is similar to the subject dwelling. The general size (width) and bulk of the adjacent elevations of the two dwellings are also similar.



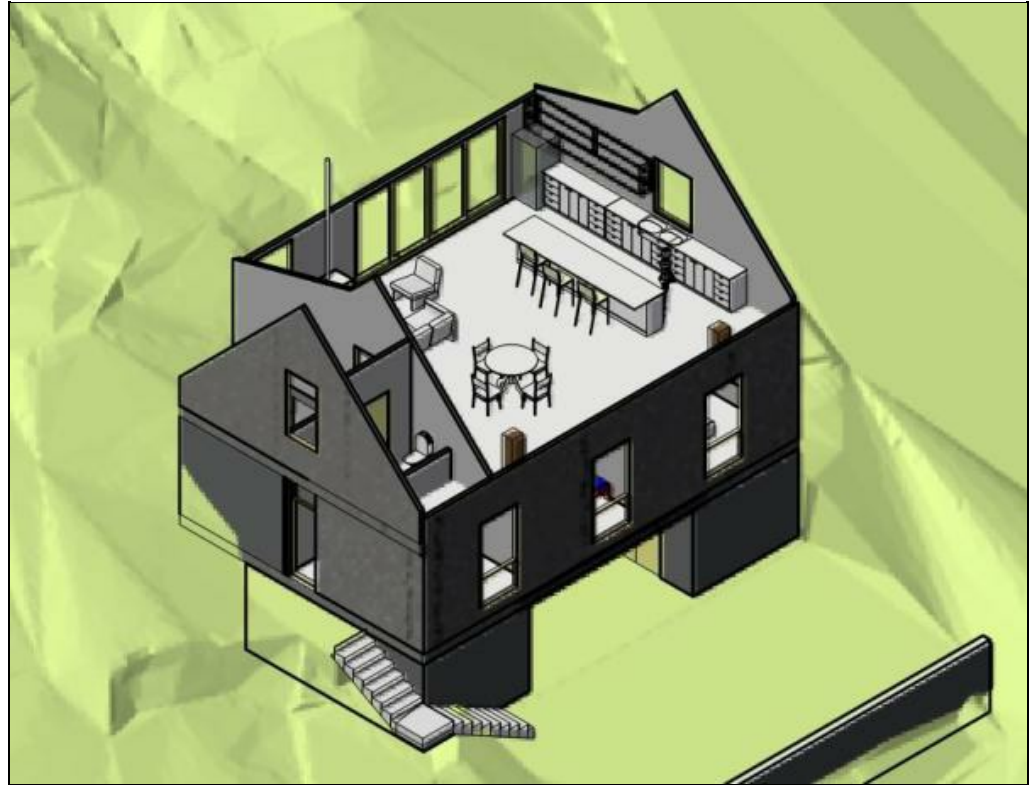
*Fig. 9. Southern (front) and western (side) elevations of the dwelling at 88 Liverpool Crescent, to the east of the subject site. Source: Documents approved under PLN-12-00316.*



*Fig. 10. Western (side) elevation of the dwelling at 88 Liverpool Crescent, to the east of the subject site. Source: Documents approved under PLN-12-00316.*

- 6.9.9 The upper level window on the neighbour's western elevation is part of a short hallway at the top of the internal staircase. There is a wall between this area and the adjacent living area. There is a doorway in this wall which would let sunlight through from the window, but this window is clearly not intended to be the main source of light into this room. The main source of light is the large north facing bank of windows looking over the rear garden. The northern elevation is unaffected by the proposed dwelling at 90 Liverpool Crescent. The impact on the western facing window would be limited and would not impact significantly on the amount of sunlight that the living area receives during the day. Performance criterion 12.4.2 P3 (a)(i) is therefore met in relation to this window.





*Fig. 11. Internal schematics showing the western (side) and southern (front) elevations of the dwelling at 88 Liverpool Crescent, to the east of the subject site. Source: Documents approved under PLN-12-00316.*

- 6.9.10 The lower level window on the western elevation provides light to the room called play/music/laundry room on the floor plan approved under PLN-12-00316. The northern side of this room was designed to be set into the hillside and so there are no north facing windows. The only source of light into this room is from the western facing window and from the southern facing bedroom windows above the garage. The rear of the proposed dwelling is set back 10m from the front of the lot and so is approximately half way alongside the neighbour's western elevation, and terminates near the play/music/laundry room window (refer Fig. 12 below). The proposed dwelling is single storey at this point and set back 4.7m from the boundary and so would not have an unreasonable overshadowing impact on this window. Performance criterion 12.4.2 P3 (a)(i) is therefore met in relation to this window.



*Fig. 12. The proposed dwelling superimposed on the subject site, with the neighbouring dwellings 92 and 88 Liverpool Crescent identified.*

- 6.9.11 The neighbours large, north facing rear garden would not be unreasonably overshadowed by the proposed dwelling and so performance criterion 12.4.2 P3 (a)(ii) is met.
- 6.9.12 The proposed dwelling is similar in scale to others in the street, and is set at an angle to side boundaries. The dwelling is not considered to unreasonably impact neighbours in terms of visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot. Performance criterion 12.4.2 P3 (a)(iv) is therefore met.
- 6.9.13 The lot is similar in width to many of the other lots in this section of Liverpool Crescent. The dwelling is set at an angle to the side boundaries and so has a varying setback. Separation to the neighbouring lots is compatible with that which prevails in the surrounding area and so performance criterion 12.4.2 P3 (b) is met.
- 6.9.14 In conclusion, the proposed dwelling would not cause unreasonable overshadowing of the neighbouring properties or be visually bulky, and provides separation between dwellings that is compatible with that prevailing in the area. No representations were received. Performance criterion 12.4.2 P3 is therefore met.

6.9.15 The proposal complies with the performance criterion.

#### 6.10 Private Open Space - Part D 10.4.3 P2

6.10.1 The acceptable solution at clause 10.4.3 A1 requires that dwellings have an area of private open space that is at least 24m<sup>2</sup> in area, 4.0m wide, directly accessible from a living room, has a slope not steeper than 1 in 10, and does not face south, south-east or south-west.

6.10.2 The proposal includes a north-west facing, flat concrete terrace at the rear of the dwelling. The terrace is directly accessible from the living room via bifold doors and is 33m<sup>2</sup> in area. It is, however, only 3.5m wide.

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 12.4.3 P2 provides as follows:

*A dwelling must have private open space that:*

*(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:*

*(i) conveniently located in relation to a living area of the dwelling; and  
(ii) orientated to take advantage of sunlight.*

6.10.5 The courtyard is wide enough to be serve as an extension to the dwelling for outdoor relaxation, dining, entertaining and children's play. It is directly accessible from the living room and orientated to take advantage of sunlight.

6.10.6 The proposal complies with the performance criterion.

#### 6.11 Parking and Access Code (Number of Parking Spaces) - Part E 6.6.1 P1

6.11.1 The acceptable solution at clause E.6.6.1 A1 requires that a three bedroom dwelling has two on-site parking spaces.

6.11.2 The proposal includes a three bedroom dwelling with a single car garage.

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 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.*

6.11.5 The application proposes a 6.5m x 6.0m garage with one car parking space and an area dedicated to "bikes/workshop". The architect has provided an explanation for the garage design, stating:

"The steepness of the slope, the cost of rock excavations, the oblique access, the need for reasonable width and accessible path for pedestrians and bicycle visitors, and the drainage easement all restrict

the ability to place a 6.0m wide opening and larger garage space on site."

6.11.6 The Council's Development Engineer does not object to the parking shortfall, commenting that discretion should be exercised given the challenging site constraints in providing multiple car parking areas within the property boundary. The garage, which accommodates a single parking space and bike parking, is considered to be sufficient to meet the reasonable needs of users because it provides parking for both a car and bikes and so meets (a) and (d).

6.11.7 The proposal complies with the performance criterion.

## **7. Discussion**

7.1 Planning approval is sought for a Dwelling at 90 Liverpool Crescent.

7.2 The application was advertised and no representations were received.

7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.

7.4 The proposal has been assessed by the Council's Development Engineer, who has raised no objection to the proposal, subject to conditions.

7.5 The proposal is recommended for approval.

## **8. Conclusion**

8.1 The proposed Dwelling at 90 Liverpool Crescent 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 a Dwelling at 90 Liverpool Crescent WEST HOBART for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### **GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-131 - 90 LIVERPOOL CRESCENT & ADJACENT ROAD RESERVE WEST HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### **TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/00359-HCC dated 15 March 2018 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

### **ENG sw3**

**The proposed works (including cut and driveway) must be designed to ensure the long-term protection of and access to the Council's stormwater infrastructure.**

**Detailed engineering design must be submitted and approved prior to issue of any consent under the *Building Act 2016* or commencement of works (whichever occurs first).**

**The detailed design must:**

- 1. Demonstrate how the design will provide adequate access & support to the pipe and impose no excessive loads onto the pipe.**

2. **Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works.**
3. **Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated.**
4. **Be certified by a suitably qualified engineer**

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

*Advice:*

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

*Please note that permission for works, including cut, within one metre of Council infrastructure is required under s13 of the Urban Drainage Act 2013 and s73 of the Building Act 2016.*

*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 protection of the Council's hydraulic infrastructure.

**ENG sw6**

**All stormwater from the proposed development must be discharged safely to the Council's stormwater infrastructure prior to occupation. All costs associated with works required by this condition are to be met by the owner.**

**Additional stormwater surface drainage infrastructure (eg trench grates)**

**outside the property boundary is not approved.**

*Advice:*

*Once the design drawings and calculations have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*A single connection is allowed for the Lot under the Urban Drainage Act 2013.*

*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 stormwater from the site will be discharged to a suitable Council approved outlet.

### **ENG 3a**

**The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Gandy and Roberts Consulting Engineers design drawing, 18.0072-C002 Rev. 1 received by the Council on the 20th April 2018.**

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

*Advice:*

*Special consideration may be required when selecting the appropriate garage door width and configuration for this development given the access constraints.*

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

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with

the relevant Australian Standard.

## **ENG 10**

**The approved driveway design must be signed by a suitably qualified engineer, certifying the driveway / parking area / manoeuvring area / access has been constructed in accordance with the approved driveway design, must be lodged with the Council prior to the issuing of any Completion or Occupancy Certificate under the *Building Act 2016*.**

Reason for condition

To ensure the safety of users of the access / parking / highway reservation / adjacent properties.

## **ENG 1**

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

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

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

Reason for condition

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

## **ENV 1**

**Sediment and erosion control measures sufficient to prevent sediment from**

**leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.**

*Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

Reason for condition

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

## **ADVICE**

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

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

## **CONDITION ENDORSEMENT**

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

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

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

## **BUILDING PERMIT**

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

This is a Discretionary Planning Permit issued in accordance with section 57 of



the *Land Use Planning and Approvals Act 1993*.

## **PLUMBING PERMIT**

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

## **OCCUPATION OF THE PUBLIC HIGHWAY**

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require a road closure permit for construction. Click [here](#) for more information.

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

## **WORKS WITHIN ONE METRE OF STORMWATER**

You will need separate permission under s73 of the *Building Act 2016* and s13 of the Urban Drainage Act for any works (including cut/fill) within one metre horizontally of the nearest external surface of the stormwater main. Please contact Hobart City Council's City Infrastructure Division to discuss.

## **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.

## **ACCESS**

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

## **CROSS OVER CONSTRUCTION**

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

## **WEED CONTROL**

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

## **FEES AND CHARGES**

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

## **DIAL BEFORE YOU DIG**

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



(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: 2 July 2018

**Attachment(s):**

Attachment B - CPC Agenda Documents