



City of **HOBART**

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report: Committee
Committee: 10 September 2018
Expiry Date: 11 October 2018
Application No: PLN-17-371
Address: 52 HAMILTON STREET , WEST HOBART
Applicant: Sante & Nina Santesso
52 Hamilton street, West Hobart
c/- Level 2/99 Bathurst street
Proposal: Multiple Dwellings
Representations: Eight
Performance criteria: Historic Heritage Code, and Parking and Access Code

1. Executive Summary

- 1.1 Planning approval is sought for a multiple dwelling at 52 Hamilton Street, West Hobart.
- 1.2 More specifically the proposal includes:
 - A new dwelling to be positioned behind the existing single dwelling on site.
 - The new dwelling would be of two storeys, with two bedrooms.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Historic Heritage Code - Heritage Precinct
 - 1.3.2 Parking and Access Code - Onsite Car Parking Provision
- 1.4 Eight representations objecting to the proposal were received within the statutory advertising period between the 2nd and 16th August 2018.
- 1.5 The proposal is recommended for approval.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The 659sqm site is 52 Hamilton Street and contains a single dwelling.
- 2.2 The established residential neighbourhood comprises a variety of dwelling types within a heritage precinct.



Figure 1: 52 Hamilton Street is to the centre of the image.

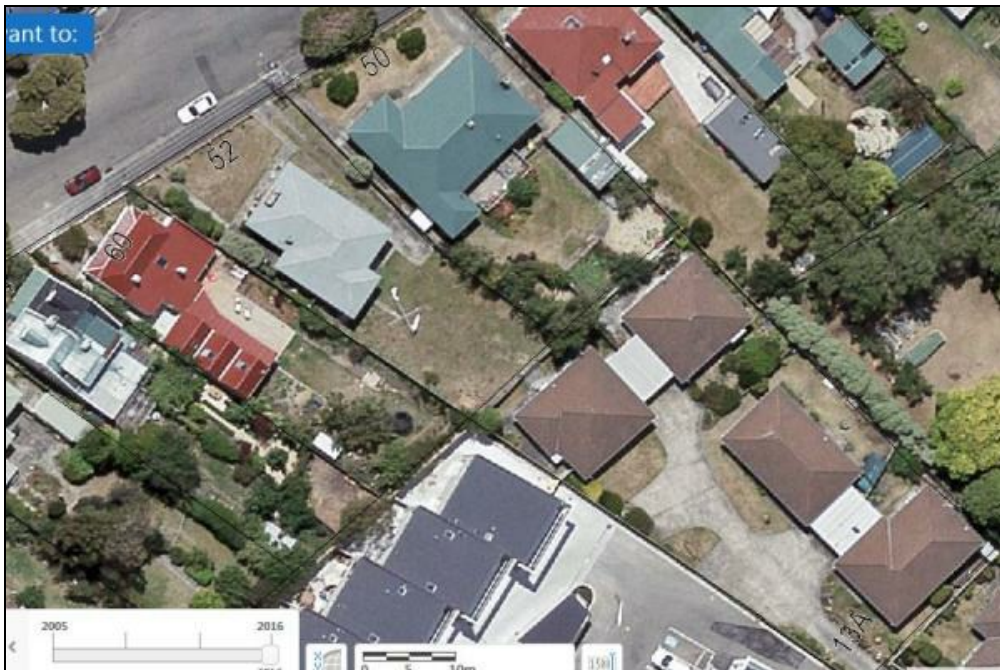


Figure 2: The neighbouring rear property containing multiple dwellings to the southeast is 13A Lansdowne Crescent. To the south are the multiple dwellings at 15 Lansdowne Crescent. The side neighbouring properties are 50 and 60 Hamilton Street respectively.



Figure 3: 52 Hamilton Street, from Google Streetview.

3. Proposal

- 3.1 Planning approval is sought for a multiple dwelling at 52 Hamilton Street, West Hobart.
- 3.2 More specifically the proposal is for:
 - A new dwelling to be positioned behind the existing single dwelling on site.
 - The new dwelling would be of two storeys, with two bedrooms.

4. Background

- 4.1 The application was originally advertised between 25th July and 8th August 2017 and received six (6) representations.
- 4.2 The application was recommended for refusal by Council Officers on building envelope and setback grounds.
- 4.3 Determination of the application was deferred by applicant request, from the meeting of Council's City Planning Committee dated 11th September 2017.
- 4.4 The applicant has granted subsequent extensions of time accordingly.

- 4.5 The plan has been amended and meets the Acceptable Solution Building Envelope provisions under the Hobart Interim Planning Scheme 2015.
- 4.6 A previous similar application under PLN-17-174 was withdrawn by the applicant dated 15/5/2017. A total of five representations were received to the previous proposal prior to withdrawal.

The previous application relied on performance criteria under Development Standards (rear and side setback, private open space), Historic Heritage Code and Parking and Access Code. The initial advertised plan under the current application increased the rear setback but slightly reduced the east/northeast side setback in comparison with the original proposal.

5. Concerns raised by representors

- 5.1 Eight representations objecting to the proposal were received within the statutory advertising period between 2nd and 16th August 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.

<p>Height and Visual Impact:</p> <ul style="list-style-type: none">- objection to height of proposal;- 'A two storey dwelling is not in keeping with the other homes on the street and would cast a considerable shadow over properties (units) at the back of it';- proposed two storey dwelling not consistent with other single storey dwellings in street and neighbourhood;- 'This house is still huge and overpowering to the surrounding properties, even though it now just meets the building envelope';- 'The approval of this development will be extremely damaging to mine, and the surrounding properties. It would set a dangerous precedent about how big people can build in their backyard and the type of properties that can go up in heritage areas'.
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Visual Intrusion:

- loss of northern view;
- 'potential to interrupt treasured vistas of the city and Derwent River';
- loss or impairment of views 'part of our homes for 128 years';
- two storey houses would intrude on views;
- loss of views of distant hills. 'These views are a unique aspect of West Hobart, and will be diminished yet again';
- 'the sheer bulk of the building will be overly imposing from our viewpoint and will be the predominant feature that we see from our backyard and kitchen window.

Overshadowing:

- overshadowing of north east corner of neighbouring property in winter 'which will affect our seasonal affective disorder';
- loss of sunlight to rear gardens particularly in winter. Neighbours frequently use their gardens and amenity will be lost;
- submitted overshadowing diagrams inadequate;
- loss of morning sun throughout six months of the year;
- 'huge amounts and large time spans of shade for my garden';
- overshadowing of rear garden of which all of it is used for all of the year round;
- for the application to assume parts of garden are 'unlikely to be used' is incorrect;
- concern at impact on neighbouring rear properties at 13a Lansdowne Crescent, particularly on rear gardens which are in use. Statement in application that such areas are unused is 'untrue';
- image shown in figure 4 of the submitted planning report is 'misleading' and does not represent how sunlight goes into the rear neighbouring property.

Townscape Character and Amenity:-

- proposal would be '[incongruous] to the style of building common in West Hobart backyards';
- 'West Hobart is a low density suburb and a two storey home such as the one proposed may encourage others to build similar tall homes which would diminish the village-like aspect of the suburb which is why this area is so popular'.

Parking and traffic safety;

- inadequate parking on site - one is provided, five are required, resulting in a deficiency of four parking spaces;
(planners note: a total of four parking spaces are required, resulting in a deficiency of three parking spaces).
- there is a shortage of on street parking in the area, which will be worsened under the proposal;
- the submitted applicant planning report is incorrect in stating there would be no parking congestion on street;
- not all nearby properties have on site parking, resulting in on street parking demand;
- nearby resident with mobility issues has 'difficulty finding a parking space in close proximity';
- on street parking is in high demand at morning and afternoon drop off and pick up time for nearby school;
- safety issue for those crossing Hamilton Street in the vicinity due to double parking at times of demand near school;
- parking concern;
- concern at parking congestion near the school;
- concern at inadequate parking provision on site;
- existing parking in the vicinity difficult to access;
- existing housing density already putting pressure on parking;
- inadequate on site parking.

Heritage:

- 'design of building has 'no architectural merit' in heritage precinct;-
- design 'out of character with any other local building';
- 'As one drives along D'Emden Street in a southerly direction this building will be very apparent and will stand out like the proverbial sore thumb among the established period homes it attempts to invade';
- concern at design suitability with area;
- not in keeping with character of neighbourhood, in terms of style, construction and height;
- 'Large gardens were once market gardens - slowly the historic aspects are disappearing';
- neighbours have strong sense of community including sharing of backyard produce. 'This is an important part of the community and probably has been for over 100 years'. This is an important part of the heritage precinct status and 'I hope you can appreciate how our gardens bond us together'. 'We do not want houses to be built in our gardens';
- 'The approval of this development will be extremely damaging to mine, and the surrounding properties. It would set a dangerous precedent about how big people can build in their backyard and the type of properties that can go up in heritage areas'.

Loss of Privacy and Noise and other Impact:

- concern at loss of privacy;
- two storey house would intrude on privacy;
- noise, light and air pollution, including air conditioner noise, house lights, deck use;
- large impact during construction phase;
- toxic fumes from traffic on new driveway;
- impact on amenity as work from home;
- concern at overlooking from deck;
- overlooking concern would not be the case with a single storey dwelling.

Social and community impact, and natural values

- neighbours have strong sense of community including sharing of backyard produce. 'This is an important part of the community and probably has been for over 100 years'. This is an important part of the heritage precinct status and 'I hope you can appreciate how our gardens bond us together'. 'We do not want houses to be built in our gardens';
- loss of wildlife including birds, bees and other insects and plant life including fruit trees due to loss of garden.

<p>Other:</p> <ul style="list-style-type: none"> - parts of accompanying applicant planning report are incorrect where they relate to neighbouring property; - concern at proximity of proposed rubbish bins to neighbours master bedroom, with potential for smell and flies in summer; - impact on and loss of night sky with regard to enjoyment, viewings and astronomy; - proposed house would block eastern horizon which is the 'clearest, unobstructed view I currently get of the sky'; - submitted planning report (para 3.11) is wrong with regard to the stated distance of neighbouring dwellings from the proposal.
<p>Suggestion:-</p> <p>Privacy impact would be less 'with a single storey building which would (also) be less intrusive'.</p>

Development Appraisal Planner note: the proposal fully meets setback and building envelope Acceptable Solutions for the General Residential Zone under Clause 10.4.2 A3. The proposal also meets privacy Acceptable Solutions under Clause 10.4.6 A1 and A2.

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 existing use (single dwelling) is a no permit required use in the zone. The proposed use (multiple dwelling) is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 10 General Residential Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code

6.4.4 E13.0 Historic Heritage Code

6.5 The proposal relies on the following performance criteria to comply with the applicable standards:

6.5.1 Historic Heritage Code - Part E13.8.2 P1, P2 and P5

6.5.2 Parking and Access Code - Part E6.6.10 P1

6.6 Each performance criterion is assessed below.

6.7 Historic Heritage Code Part E 13.8.2 P1, P2

6.7.1 The proposal is for a new dwelling in a heritage precinct. The proposal has been assessed by the Council's Cultural Heritage Officer who has provided the following comments:

The proposal relates to a single storey brick built inter-war residential property with low hipped roof form and built on its own generous plot. Set back from the roadside and served by a side driveway, it is enclosed to the front by a low, brick and metal bar fence. The building is typical of the inter-war period, containing corner windows and simple brick detailing, and stands as part of a clear group of similar period properties, all occupying roughly the same position within their respective plot and thus creating a strong sense of the front yard contained by a low enclosure, creating a strong and unified scaled streetscape.

The property is not Heritage Listed, but does however form part of the Lansdowne Crescent/Hill Street Heritage Precinct (WH3) as set out in the Hobart Interim Planning Scheme 2015.

This precinct is significant for reasons including:

1. The quantity and quality of late Victorian/Federation period housing stock exemplifies the economic boom period of the late nineteenth/early twentieth centuries many of which are impressive reminders of its primary residential role.
2. A large number of intact individual houses which are examples from the late nineteenth/early twentieth century.
3. The continuous single-storey, mainly painted weatherboard facades

and the general uniformity of scale, create a distinctive visual impression and high streetscape value.

4. The number of intact original shops which reflect the commercial network which developed during suburban expansion in the late nineteenth/early twentieth centuries.

5. Individual places have social significance to the local and broader community.

6. The street formations in Lansdowne Crescent and its related network of streets are a unique and distinctive early nineteenth century features of Hobart's town plan.

The proposal – New Dwelling

The proposal seeks the erection of a new residential property within the existing rear garden of the site. The proposed house would be hip roofed two-storey building with internal garage space, first floor terrace and ribbon style fenestration. Best described as representing a fairly typical 'kit home' form of Australian Suburban vernacular, the proposal would have an enclosed rear garden, whilst its front would be taken up with hard standing to form a turning bay. A bin enclosure would be created to the front of the site.

Following concerns raised during the consideration of the original proposal, a series of revised plans have subsequently been received proposing an amendment to the design and location of the proposed dwelling, along with the original intention to provide car parking hard standing within the front garden of the parent building.

Policy E13.8.2 'Building and Works other than Demolition' sets out the Acceptable Solutions and Performance Criteria for such development within Heritage Precincts. It seeks to ensure that development is sympathetic to the character of the precinct. In this instance, it is considered that based on the characteristics set out above, the primary concern would be to ensure that the overall uniformity of scale and the primary single-storey character of the Precinct be retained, whilst also retaining the streetscape characteristics of the area.

With regard to the proposed new dwelling, it is acknowledged that the proposed building would utilise an architectural style, roof form or choice of materials that would not replicate or draw upon that of the existing

building on the site. Generally it would represent a style of arbitrary development not associated with the overall character of the townscape. It would also represent a two-storey development in a predominantly single storey streetscape. As such, it is considered that in general terms, the proposal would appear to be at odds with the overall character of the Precinct.

Notwithstanding the above however, it is acknowledged that in the Godden Mackay Logan West Hobart Review of June 2000 on which the Heritage Precinct characteristics are drawn, the site is identified as being merely a 'neutral' feature within the Precinct. Importantly, the rear garden falls away to a degree from the front of the site, and as such, the proposed dwelling would sit at a lower position than the existing property. Although not significantly deep, the rear garden would also allow the proposed dwelling to be set back into the site to a degree. The intended use of a lower-angled hipped roof would also bring the overall height of the proposed house down to a lower position than that of a more traditional roof form, and the proposal would of course be markedly obscured by the existing house. Lastly, it is noted that the proposed building would be viewed in the context of similar styled two storey housing to the rear that form part of recent development at Nos.13 and 15 Lansdowne Crescent.

As such, in view of the above factors, and whilst finely balanced, it is considered that the proposed development would be sufficiently set back and low enough within the site to retain the overall sense of the single storey townscape of the wider Heritage Precinct and that subject to the use of suitably recessive colouration, would play a subservient role in the wider townscape.

Lastly, it is noted that the parent building would be provided with only a small amount of private garden space to the rear. Previous developments of this type have led to subsequent occupiers seeking to provide greater private space by way of erecting high fencing to the front boundary, thus creating private space to the front of the site. Given the notable consistent use of mid to low boundary fencing within the Precinct, it is considered that such an enclosure would be to the detriment of the special characteristics of the streetscape. It is therefore considered reasonable to place an advisory note should permission be granted stipulating that the erection of high fencing to the front boundary is unlikely to be given favourable consideration.

Original proposal

With regard to the original proposal, the following is an excerpt from the original Cultural Heritage Officer comment under the originally advertised proposal where two carparking spaces were proposed to the front of the existing dwelling:

It is noted that parking within the Precinct is significantly provided to the side or rear of properties. A visual survey appeared to indicate that across the wider Precinct, only 26% of all of the properties had parking solely within front yards or within structures that sit forward of the main front building. Within Hamilton Street itself, this fell to 20%. As such, it is therefore considered that whilst [not] universal, the vastly predominant feature of the Precinct is for front gardens to serve as traditional front yards and not predominantly as areas for parking, turning or any other storage of motor vehicles. Indeed, where they do occur, it is considered that they represent a discordant feature in an otherwise consistent streetscape. Given the above, it is therefore considered that the proposed provision of two car parking spaces and associated manoeuvring space would appear to seek the introduction of a feature not associated with the overriding characteristic of the Heritage Precinct to the detriment of the site's garden setting and thus seemingly contrary to E13.8.2 P1 and in particular P5 which resists the removal of areas of landscaping between a dwelling and the street where it results in the loss of elements of landscaping that contribute to the historic cultural significance or the streetscape values and character of the precinct. As such, it is therefore considered that in the event that planning permission is granted, this element of the proposal be removed by way of condition.

Conclusion

It is therefore considered that the proposed new dwelling is considered acceptable and that subject to conditions requiring submission of colouration details the proposal would not result in detriment to the historic cultural heritage significance of the precinct as stated under Clause E.13.8.2 P1 and P5 to a degree to warrant refusal.

HER 26 The palette of exterior colours and materials of the approved dwelling must reflect the palette of materials within the local streetscape and precinct.

Plans must be submitted and approved prior to the commencement of work. The plans must;

- show the colour and finish of the exterior cladding to satisfy the above

requirement.

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

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

Reason for condition

To ensure that development in a heritage precinct is undertaken in a sympathetic and recessive manner which does not cause loss of historic cultural heritage significance

Additional Advice - The Applicant is advised that the provision of open front yards enclosed by low boundaries is considered to be a feature of the Lansdowne Crescent/Hill Street Heritage Precinct and that any future application seeking the enclosure of the front yard by way of a fence exceeding 1.2m in height is unlikely to be given favourable consideration.

6.7.2 The proposal complies with the performance criterion, subject to conditions under any planning permit requiring submission of colouration details.

6.8 Parking and Access Code E6.6.10 P1

6.8.1 The acceptable solution at clause E6.6.10 requires two parking spaces per dwelling. Therefore a total of four parking spaces is required under the acceptable solution.

6.8.2 The proposal includes one on site parking space only.

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

6.8.4 The performance criterion at clause E6.6.10 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 generated by the proposed use during its proposed hours of operation;

- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400 m 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 Historic Heritage Code.*
- (m) any existing on-street parking restrictions;*
- (n) the proportion of residential properties without off-street parking within a 100m radius of the subject site.*

6.8.5 The proposal is for the provision of a single parking space on site.

Under the Parking and Access Code, a total of four parking spaces is specified under the Acceptable Solution. The deficiency is three parking spaces.

The provision of any on site parking in front of the existing dwelling is not supported by the Council's Cultural Heritage Officer. There appears little if any scope for additional parking provision on site if not toward the frontage.

The site is some 150 metres from Hill Street which is a public transport bus route. Otherwise, the site is some 1.7 kilometres in a straight line distance from the Hobart General Post Office and in an elevated position, offering some albeit limited scope for walking. The site is therefore

considered to offer a reasonable degree of accessibility as an alternative to by car.

The Council's Development Engineer comment is as follows:

One (1x) car parking space is proposed on site, resulting in a deficiency of three spaces (3x).

Applicant originally proposed an additional two (2x) car spaces in front of the existing dwelling within the property boundary however, Council's Heritage Officer did not support this proposal and therefore the car parking spaces were removed from the proposal by the applicant.

The applicant has submitted information for assessment under Performance Criteria (HIPS 2015) instead of meeting the Acceptable Solution requirements.

After discussions with the Council's Manager of Traffic Engineering the following was determined;

The availability of public transport is in close proximity. Metro Tasmania currently operates regular bus services along Hill Street within 400m walking distance of the development site.

The location of the development site is within acceptable walking distance of the Hill Street shopping precinct.

The possibility to use of other modes of transport (walking/bike).

This section of Hamilton Street does not currently have any on-street parking restrictions.

Council is unaware of residents requesting car parking restrictions to date due to the shortfall of on-street car parking available.

Council's position is that the deficiency of three (3x) car parking spaces may be accommodated on the surrounding public roads.

In summary, the Council's Development Engineer recommends that a parking deficiency of three spaces on this part of Hamilton Street remains acceptable. Conditional approval is recommended.

6.8.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for a multiple dwelling at 52 Hamilton Street, West Hobart.
- 7.2 The application was advertised and received eight representations. The representations raised concerns including height, setbacks and visual impact, overshadowing, townscape character and amenity, privacy, parking and heritage.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable.

In terms of privacy, it is noted that the proposal meets the Acceptable Solution under Clause 10.4.6 of the planning scheme. The submitted plan indicates the upper level habitable room windows and deck facing the side boundary would be fitted with permanently fixed external screens for a full height of 1.7 metres above the finished floor level, with a uniform transparency of 25%.

In terms of density, it is also noted that the proposal meets the Acceptable Solution under Clause 10.4.1 A1 (a) of the planning scheme, which requires a land area of 325 square metres per dwelling. The site measures 660 square metres in area, resulting in an area of 330 square metres per dwelling.

- 7.4 The proposal has been assessed by other Council officers, including the Cultural Heritage Officer and Development Engineer. The officers have raised no objection to the proposal, subject to conditions.

The Development Appraisal Planner advises that as the proposal meets the building envelope provisions under Clause 10.4.2 A3 of the Planning Scheme, it must be considered acceptable in terms of impact on neighbouring properties.

- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed multiple dwellings (amended plan) at 52 Hamilton Street West Hobart TAS 7000 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 (amended plan) at 52 Hamilton Street WEST HOBART TAS 7000 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-17-371 - 52 HAMILTON STREET 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 2017/00758-HCC dated 2nd May 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw7

Stormwater flow maintenance/detention system for stormwater discharges from the development must be installed prior to commencement of use.

A stormwater management plan and design must be submitted and approved, prior to the issue of any approval under the Building Act 2016. The stormwater management plan and design must:

- 1. Be prepared by a suitably qualified person;**
- 2. Provide detailed design of the detention tank showing the:**
 - (i) Layout of the inlet and outlet diameter/invert level.**
 - (ii) Details of the overflow mechanism and invert level**
- 3. The detention tank must be sized such that there is no increase in flows**

from the developed site up to the 20yr ARI storm event. All assumptions must be clearly stated;

4. 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 in accordance with the approved design.

Advice:

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

- It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage may result in unexpected delays.

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 3a

The access driveway and parking module (parking spaces and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

- *It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure 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 infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

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

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

Reason for condition

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

ENG s1

Design drawings and calculations of any proposed pumped private

stormwater drainage and connection to the Council's stormwater infrastructure must be submitted and approved prior to the issue of any approval under the Building Act 2016. The design drawings and calculations must:

- 1. Be prepared by a suitably qualified person;**
- 2. Meet the requirements of Australian Standard AS3500 (including pumped system) or Council Approved Alternative;**
- 3. Include long section(s)/levels and grades to the point of discharge; and**
- 4. Include gravity discharge (via dispersion pit) to Council's public infrastructure.**

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

Advice:

- The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

- It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage 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 sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure with sufficient receiving capacity, prior to first occupation.

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Reason for condition

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

ENG s3

Design drawings and calculations of any proposed charged stormwater drainage and connection to the Council's stormwater infrastructure must be submitted and approved prior to the issue of any approval under the Building Act 2016. The design drawings and calculations must:

- 1. Be prepared by a suitably qualified person;**
- 2. If total head is low (less than 1.8m), calculations by a qualified person, showing that the system will cope with the appropriate storm events;**
- 3. Gravity connection to Council infrastructure from an open dispersion pit within the property boundary, providing an air-break;**
- 4. The roof gutters must have a leaf protection system;**
- 5. The roof gutters or rain heads must have an overflow system. This should be of such a design to make it obvious when the system fails;**
- 6. The stormwater drain must have an access opening at its lowest point to provide a scour cleaning port. This access opening must in a pit, or in an easily accessible area that can contain the rubbish from the scouring process. The scour pit must discharge to an approved soakage pit.**

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

Advice:

- The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*
- It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage may result in unexpected delays.*

Reason for condition

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

ENV 1

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

Advice: For further guidance in preparing a Soil and Water Management Plan – 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.

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The palette of exterior colours and materials must reflect the palette of materials within the local streetscape and precinct.

Plans must be submitted and approved prior to the commencement of work. The plans must;

- 1. show the colour finish of all exterior cladding to satisfy the above requirement.**

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

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

Reason for condition

To ensure that development at a (select relevant) heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

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 PLANNING

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

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

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

CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of

works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

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.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your [new stormwater connection](#).

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.

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.

CULTURAL HERITAGE

The Applicant is advised that the provision of open front yards enclosed by low boundaries is considered to be a feature of the Lansdowne Crescent/Hill Street Heritage Precinct and that any future application seeking the enclosure of the front yard by way of a fence exceeding 1.2m in height is unlikely to be given favourable consideration.

This application is approved on the basis of there being no carparking in the front yard. A future application proposing car parking in the front yard is unlikely to be given favourable consideration.



(Richard Bacon)

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



(Ben Ikin)

Senior Statutory Planner

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

Date of Report: 28 August 2017

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report (heritage)