



City of **HOBART**

## APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	3 June 2019
Expiry Date:	25 June 2019
Application No:	PLN-19-145
Address:	56 ATHLEEN AVENUE , LENA VALLEY ADJACENT ROAD RESERVE
Applicant:	PETER LIDDINGTON 23 SPINNAKER CRESCENT
Proposal:	Dwelling
Representations:	Nil
Performance criteria:	General Residential Zone Development Standards, Parking and Access Code, Stormwater Management Code

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### 1. Executive Summary

- 1.1 Planning approval is sought for a dwelling at 56 Athleen Avenue, and adjacent Road Reserve, Lenah Valley.
- 1.2 More specifically the proposal includes:
  - A three bedroom dwelling over two levels, 126 sqm floor area, with a covered ramp entry point;
  - Bicycle parking on the ramp entry;
  - Two small balconies on upper level;
  - No on-site parking; and
  - Support structures for the entry ramp and charged stormwater line infrastructure are proposed within the Road Reserve at the primary frontage.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 General Residential Zone Development Standards - Setback and Building Envelope, Private Open Space, and Front Fences
  - 1.3.4 Parking and Access Code - Number of Car Parking Spaces
  - 1.3.5 Stormwater Management Code - Stormwater Drainage and Disposal

- 1.4 No representations were received during the statutory advertising period between 29 April and 13 May 2019.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council as council land is involved.

## 2. Site Detail

- 2.1 The site is 56 Athleen Avenue, a 780sqm vacant block in an established residential area. The recent Athleen Avenue subdivision commences about 30m to the south.



Figure 1. 56 Athleen Avenue, showing the 2m contours, and stormwater infrastructure in the road reserve.

- 2.2

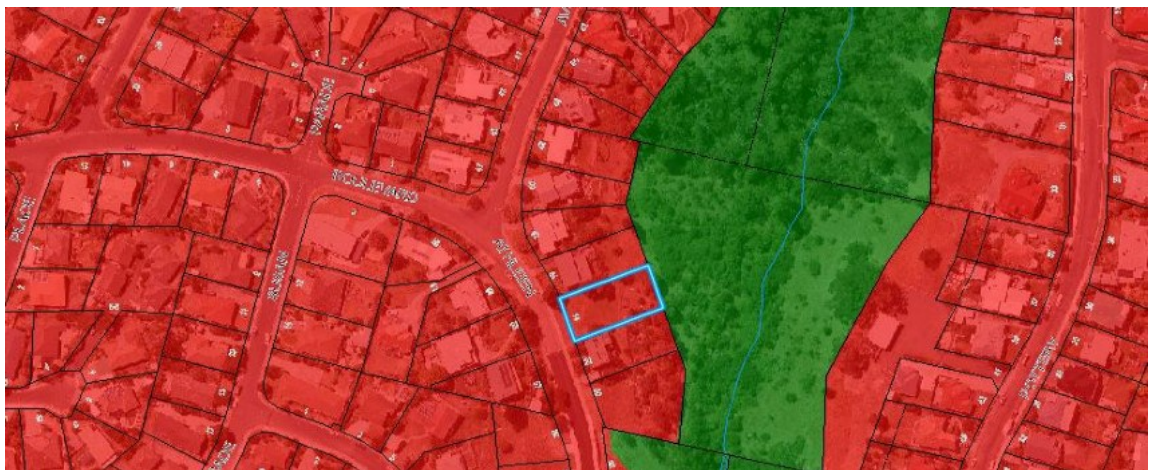


Figure 2. 56 Athleen Avenue is in the general residential zone of the planning scheme.

2.3



Figure 3. 56 Athleen Avenue Google Streetview. (Accessed 15/4/19 from 2015)

2.4



Figure 4. 56 Athleen Avenue Google Streetview (accessed 15/4/19 from 2015).

### 3. Proposal

3.1 Planning approval is sought for a dwelling at 56 Athleen Avenue, and adjacent Road Reserve, Lenah Valley.

3.2 More specifically the proposal includes:

- A three bedroom dwelling over two levels, 126 sqm floor area, with a covered ramp entry point;
- Bicycle parking on the ramp entry;
- Maximum building height from footing level approximately 10m; and
- Two 'juliette' balconies on the upper level east elevation.

Support structures for the entry ramp and charged stormwater line infrastructure are proposed within the Road Reserve at the primary frontage.

3.3



3.4 Figure 5. Excerpt from submitted plan Drawing 803 (Project 1819-14 dated 14/3/2019).

## 4. Background

4.1 The application became valid on 2 April 2019 with the applicant's submission of General Manager consent.

## 5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 29 April and 13 May 2019.

## 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 lot is currently vacant. The proposed use would be single dwelling, which has 'no permit required' status in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 D10.0 General Residential Zone
  - 6.4.2 E6.0 Parking and Access Code
  - 6.4.3 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone Development Standards:-
    - Setback and Building Envelope D10.4.2 P1 and P3*
    - Private Open Space for all dwellings D10.4.3 P2*
    - Frontage fences for all dwellings D10.4.7 P1*
  - 6.5.2 Parking and Access Code:-
    - Number of Car Parking Spaces E6.6.1 P1*
  - 6.5.3 Stormwater Management Code:-
    - Stormwater Drainage and Disposal E7.7.1 P1*

- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope D10.4.2 P1
- 6.7.1 The acceptable solution at clause D10.4.2 A1 requires that a dwelling must have a setback from a frontage that is - if for a vacant site with existing dwellings on adjoining sites on the same street - not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.
- 6.7.2 The proposal includes the dwelling proper to be setback 6.1m from the frontage however the partially enclosed and roofed entry ramp would be between the dwelling and the front boundary, with a portion of the ramp within the road reserve. The adjacent dwelling at 58 Athleen Avenue is set back ~3.6m. The adjacent dwelling at 54 Athleen Avenue is setback between 3.2m and 5.9m.
- 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 D10.4.2 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;*  
...
- 6.7.5 The dwelling proper would be set back more than the two adjacent dwellings but the built form of the entry structure would contribute to the new building being reasonably within the parameters of the existing streetscape pattern. The site is steep and the design solution of having the upper level entry at street level is supported.
- 6.7.6 The proposal complies with the performance criterion.
- 6.8 Setback and Building Envelope D10.4.2 P3
- 6.8.1 The acceptable solution at clause D10.4.2 A3 requires development to be within a prescribed building envelope.
- 6.8.2 The proposal includes development outside of the prescribed envelope.

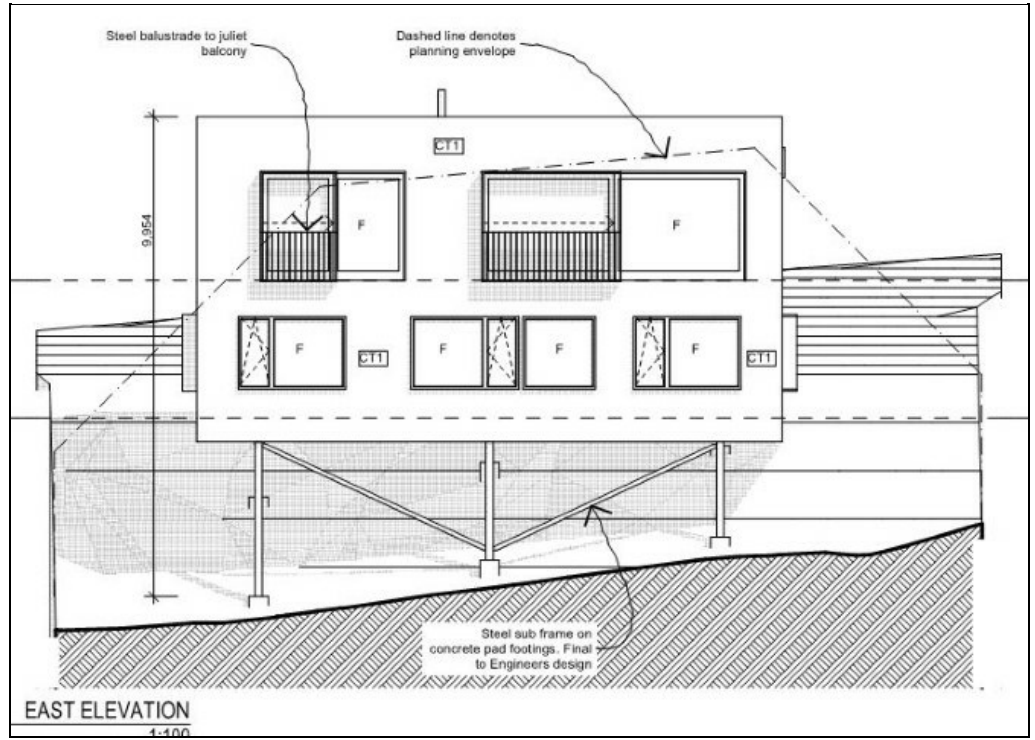


Figure 5. Excerpt from submitted project 1819-14 drawing 201 (14/3/19) showing building envelope over building, east / downhill side elevation.

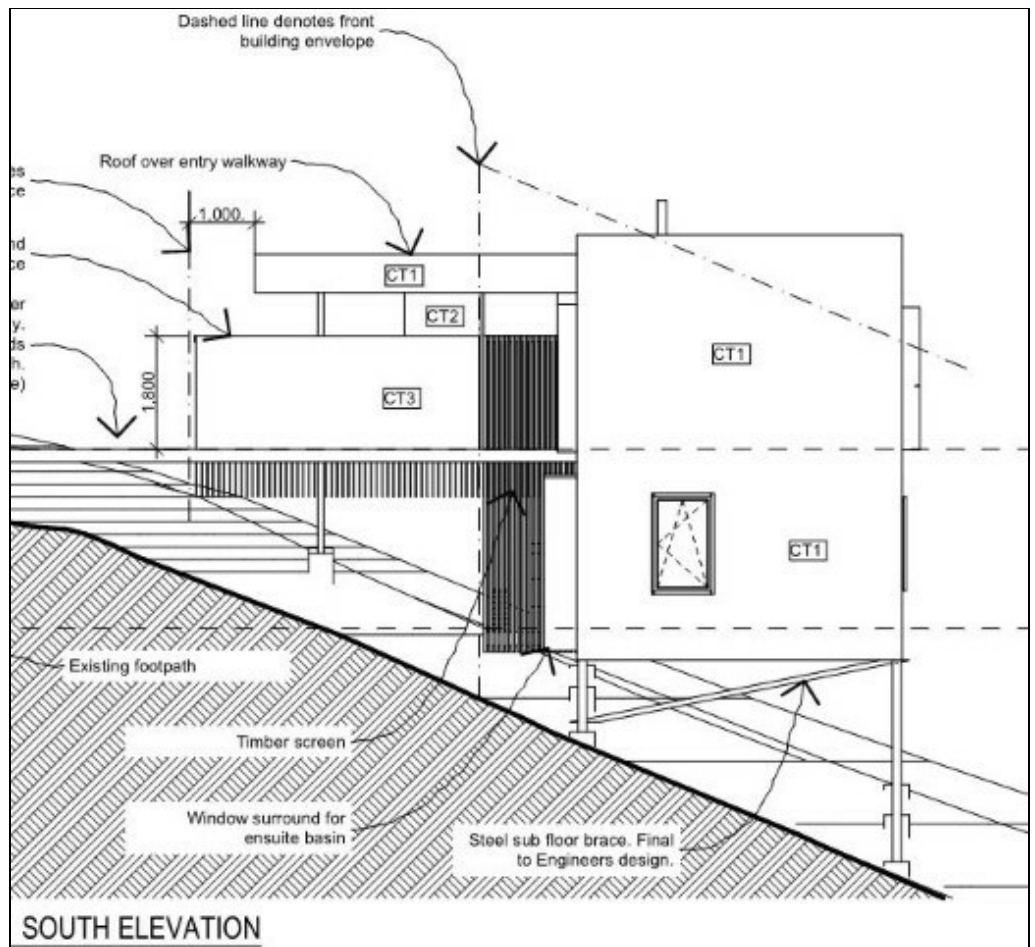


Figure 6. Excerpt from submitted project 1819-14 drawing 202 (14/3/19) showing building envelope over building, southern elevation.



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 D10.4.2 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.*

6.8.5 The building is designed to be only ~5m wide at its northern and southern elevations, and would be set back ~3m from the southern boundary. The highest point of the building would be ~10m from natural ground level on the eastern / downslope side.

The building is likely to have a some impact on access to sunlight of the adjacent dwelling on 58 Athleen Avenue, to the south, but not unreasonably so, particularly noting the slope of the site.

6.8.6 The proposal complies with the performance criterion.

6.9 Private open space for all dwellings D10.4.3 P2

6.9.1 The acceptable solution at clause D10.4.3 A2 requires that a dwelling must have an area of private open space that is, amongst other things - in one location and is at least 24 sqm; has a minimum horizontal dimension of 4m; and is directly accessible from, and adjacent to, a habitable room (other than a bedroom).

6.9.2 The proposal includes no private open space of the above description. There is a small (~7 sqm) deck shown on the ground floor / bedroom level with access from a hallway.

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 D10.4.3 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.*

The objective of this standard is: *To provide:*

*(a) for outdoor recreation and the operational needs of the residents;  
and*

*(b) opportunities for the planting of gardens and landscaping; and  
(c) private open space that is integrated with the living areas of the dwelling; and*

*(d) private open space that has access to sunlight.*

6.9.5 There would be plenty of private open space on this lot for gardening, outdoor recreation and access to sunlight as provided by the objective and performance criteria of this standard. Whilst the outdoor area would not be directly accessible from the upstairs living area, it would be accessible from the lower level door and small deck.

6.9.6 The proposal complies with the performance criterion.

6.10 Frontage fences for all dwellings D10.4.7 P1

6.10.1 The acceptable solution at clause D10.4.7 A1 requires a front fence to have a height above ground level of no more than 1.8m.

6.10.2 The proposal includes a gate on the front boundary and a section of wall (partly within 4.5m of the frontage) on the edge of the entry ramp / bicycle parking area that would be a 2.5m wide x 1.8m high solid corten steel fence and gate. See Figure 5 paragraph 3.4 above.

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 D10.4.7 P1 provides as follows:

*A fence (including a free-standing wall) within 4.5 m of a frontage must:  
(a) provide for the security and privacy of residents, while allowing for*

*mutual passive surveillance between the road and the dwelling; and*  
*(b) be compatible with the height and transparency of fences in the*  
*street, taking into account the:*  
*(i) topography of the site; and*  
*(ii) traffic volumes on the adjoining road.*

6.10.5 There are no front fence / gate arrangement akin to this design in this area. The applicant has provided the following comment:

*... The proposed entry walkway provides '...for the security and privacy of the residents...' The glazed entry door and windows in the Western elevation from the upper level provide for '...mutual passive surveillance between the road and the dwelling'*

The gradient of the site is a factor in the access ramp design. The extent of the gate is minimal, and although only setback 1m from the property boundary, will appear to be more set back than that because of the generous nature strip at the back of the footpath. The gate is not considered to have an unreasonable impact on the streetscape, and will allow for mutual passive surveillance of the house and street.

6.10.6 The proposal complies with the performance criterion.

#### 6.11 Number of Car Parking Spaces E6.6.1 P1

6.11.1 The acceptable solution at clause E6.6.1 A1 and Table E6.1 requires two car parking spaces for this use.

6.11.2 The proposal is for no on-site vehicle parking, only bicycle parking on the gated and covered entry ramp at the front of the dwelling.

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 E6.6.1 P1 provides as follows (relevant portions):

*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; ...*

The objective of this standard is:

*To ensure that:*

*(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.*

*(b) a use or development does not detract from the amenity of users or the locality by:*

*(i) preventing regular parking overspill;*

*(ii) minimising the impact of car parking on heritage and local character.*

6.11.5 There is adequate space for on-street parking in this cul-de-sac road. There is a bus stop within 400m of the site.

The cost of building a car parking deck is not considered a valid reason to not provide parking - a design solution could be found, however in this instance the other reasons provided by the applicant in support of providing no on-site car parking are consistent with the performance criteria allowances and objective of the standard.

The applicant has provided a detailed response to these criteria including:

*... The proximity of public transport meets the needs of the users.*

*The 'topography of the site' makes on title parking financially not possible.*

*... Athleen Avenue has recently been completed and therefore in Athleen Avenue and in the surrounding streets, on-street parking is available and well within walking distance of the proposed dwelling.*

*... on-site parking for this title the fact that there is public transport well within a 400m walking distance (more like 100m+- refer to google maps) was the final driving factor that prompted the owner's of this title to proceed with a Planning Application.*

*... The proposed design and entry walkway provides bicycle parking*

*space for the current and any future owners of the property.*

6.11.6 Council's Development Engineer has provided the following assessment:

**ASSESSMENT:**

In accordance with the *Hobart Interim Planning Scheme 2015* CI E6.1 Purpose, the relevant primary goals of the Parking and Access Code are to:

- (a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;*
- (b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;*
- (c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;*
- (e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;*
- (f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;*
- (g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;*
- (h) provide for safe servicing of use or development by commercial vehicles.*

With view to achieving these goals the planning scheme specifies an Acceptable Solution in the form of a minimum number of spaces to be provided for a particular development type, in this case 2. If the proposal does not meet the Acceptable Solution then it must be assessed against the performance criteria.

**E6.6.1 Number of Car Parking Spaces**

**Performance Criteria P1**

*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;*

Applicant response: 'The proximity of public transport meets the needs of the users. The topography of the site makes on title parking financially not possible'.

Development Engineer's Assessment: The goal of the Parking and Access Code relevant to demand is to 'ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities'. The provision of no on-site parking on a residential block in the suburbs does not meet the reasonable requirements of users, including people with disabilities. It can reasonably be expected that future residents of the dwelling will have at least one vehicle, particularly given the impracticalities of living in Hobart without one (steep roads, inclement weather etc.). The longitudinal grade and crossfall of the adjacent street parking (8% and 5.7% respectively) does not allow safe access for people with a disability (3% maximum per AS 2890.6:2009). The cost of providing on-site parking is not a valid response to this criterion.

*(b) the availability of on-street and public car parking in the locality;*  
Applicant response: 'Athleen Avenue has recently been completed and therefore in Athleen Avenue and in the surrounding streets on-street parking is available and well within walking distance of the proposed dwelling'.

Development Engineer's Assessment: Road widths in general residential areas are designed on the basis that the lots they service will have provision for at least some on-site parking. To this effect the Parking and Access Code aims to:

- (c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network; and
- (a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;
- (e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;

The provision of no on-site parking does not minimise on-street parking and reduces the efficiency of the road network. By placing extra parked vehicles on the side of the road it increases the risks faced by other road users such as passing cyclists who have to move out into the flow of traffic, and the occupants/users of the parked cars who have to enter and exit their vehicles from the carriageway. The efficiency of the road is reduced by the slowing of vehicles that have to pass at close quarter, give way to those entering and exiting parked cars, and waiting for the owners of parked cars to perform U-turns so that they may exit what is otherwise a

dead-end street. Approximately 50% of vehicle thefts involve cars parked in streets while cars parked in driveways account for approximately 14%, hence street parking dramatically increases opportunity for crime.

*(c) the availability and frequency of public transport within a 400m walking distance of the site;*

Applicant response: 'As well the topography of the site and the unrealistic costs associated with providing on-site parking for this title the fact that there is public transport well within a 400m walking distance (more like 100m+- refer to google maps) was the final driving factor that prompted the owner's of this title to proceed with a Planning Application'.

Development Engineer's Assessment: The closest bus stop servicing the route to Hobart CBD is the 553 approximately 190m away. The frequency on weekdays is hourly with buses going to the CBD beginning at around 7.30am (every half hour until 8.30am) and ending at around 2.30pm. Buses from the CBD start at around 9.00am and finish at around 6.00pm. This service does not run on weekends, in this case the nearest stop is approximately 650m (bus route 550). The service during the week is adequate for commuting, the service on the weekends is unacceptable. Cost and topography and not valid responses to this criterion.

*(d) the availability and likely use of other modes of transport;*

Applicant response: 'The proposed design and entry walkway provides bicycle parking space for the current and any future owners of the property'.

Development Engineer's Assessment: Taxi's and uber are available though their use is usually curtailed by cost. Cycling is not practical for most users due to Hobart's often inclement weather, and the steep roads encountered when accessing this site, the grades of which are in excess of 13%. To put it in context, this is the equivalent of the steepest roads encountered by cyclists in the Tour de France.

All other performance criteria in this provision are not applicable to a residential dwelling and have therefore not been addressed.

#### RECOMMENDATION:

The application in its current form does not meet the Parking and Access Code provisions in the Planning Scheme and should not be approved. No development is exempt from this code and its provisions exist ultimately to ensure development that is safe, sustainable, and that does not discriminate against any member of the community including the

elderly and those with disabilities. While it is true that meeting the provisions can be costly, it is the same for anyone who chooses to build in such locations and it would be unfair to permit concessions for one applicant while others dutifully accept what is and plan around it. Furthermore, cost is never acceptable justification for approving sub-standard development.

6.11.7 While the arguments made by the Development Engineer are acknowledged, on balance (and noting that there are other historical examples of dwellings in the suburbs that do not have any onsite car parking) it is not considered appropriate to refuse this planning application for a failure to provide one car parking space. Accordingly, the proposal is considered to comply with the performance criterion.

## 6.12 Stormwater Drainage and Disposal E7.7.1 P1

6.12.1 The acceptable solution at clause E7.7.1 A1 requires that stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure

6.12.2 The proposal includes a charged stormwater system, new connection to inspection opening in the road reserve.

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 E7.7.1 P1 provides as follows:

*Stormwater from new impervious surfaces must be managed by any of the following:*

...

*(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

6.12.5 Council's Development Engineer has indicated the proposal meets the performance criteria subject to appropriate conditions.

6.12.6 The proposal complies with the performance criterion.

## 7. Discussion



- 7.1 Planning approval is sought for a dwelling at 56 Athleen Avenue, Lenah Valley, and adjacent Road Reserve.
- 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. There would be some overshadowing impact to the dwelling to the south however that dwelling is already significantly overshadowed by vegetation on that site. The proposal for no on site parking, whilst unusual, is considered supportable given the street network arrangement in this area and the availability of the public bus service, acknowledging that this view is not supported by the Council's Development Engineer.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and the Park Planner. The officers have raised no objection to the proposal, subject to conditions, noting that the Council's Development Engineer does not support the non provision of any onsite car parking.
- 7.5 The proposal is recommended for approval.

## **8. Conclusion**

- 8.1 The proposed dwelling at 56 Athleen Avenue, and adjacent Road Reserve, Lenah Valley 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 56 Athleen Avenue, and adjacent Road Reserve, Lenah Valley for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### **GEN**

**The use and development must be substantially in accordance with the documents and drawings that comprise PLN-19-145 - 56 ATHLEEN AVENUE LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### **ENG sw2.1**

**A pre construction CCTV recording of the Council stormwater main in Athleen Avenue adjacent to the proposed development must be submitted to Council prior to the commencement of work.**

**The post construction CCTV 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 pre construction CCTV video of the Council's infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.**

Reason for condition

To ensure that any 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 sw2.2**

**A post-construction CCTV recording of the Council stormwater main in Athleen Avenue adjacent to the proposed development must be submitted to Council upon completion of all work.**

**The post-construction CCTV will be relied upon to establish the extent of any**

**damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to Council the pre-construction CCTV, then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.**

Reason for condition

To ensure that any 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 sw4**

**All stormwater from the proposed development must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to commencement of use. Any new stormwater connection(s) required must be constructed and existing redundant connections sealed by the Council at the owner's expense prior to commencement of use. Design drawings of the proposed connections to Council's stormwater infrastructure, prepared by a suitably experienced civil engineer, must be submitted to and approved by Council prior to the commencement of work. The design drawings and calculations must include:**

- 1. Details of the proposed method of connection.**
- 2. Existing and proposed invert and finished surface levels, structure sizes and specifications etc.**
- 3. A clear delineation between public & private drainage infrastructure where applicable.**

**All work required by this condition must be undertaken in accordance with the approved design drawings and the current standards and specifications of the City of Hobart.**

*Advice:*

*An application to Councils City Infrastructure Division for a new stormwater connection is required (<https://au.openforms.com/Form/544DBFF8-958D-42DA-B989-912A44E155E2>). The applicant is advised to submit the detailed design drawings to satisfy this condition with their application for a new stormwater connection. If the detailed design 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 submit an application for a new stormwater connection. Where building/plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing 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 1**

**Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:**

- 1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or**
- 2. Be repaired and reinstated by the owner to the satisfaction of the Council.**

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

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

Reason for condition

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

### **ENV 1**

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

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

Reason for condition

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

## **ADVICE**

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

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

## **BUILDING PERMIT**

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 will require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. 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.

## **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.

## **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.

## **COUNCIL RESERVES**

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

## **NOISE REGULATIONS**

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

## **DIAL BEFORE YOU DIG**

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



(Michelle Foale)

**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: 17 May 2019

**Attachments:**

Attachment B - CPC Agenda Documents