



CITY OF HOBART

AGENDA

Special City Planning Committee Meeting

Open Portion

Monday, 5 August 2019

at 4:30 pm

Lady Osborne Room, Town Hall

THE MISSION

Working together to make Hobart a better place for the community.

THE VALUES

The Council is:

People	We value people – our community, our customers and colleagues.
Teamwork	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
Focus and Direction	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
Creativity and Innovation	We embrace new approaches and continuously improve to achieve better outcomes for our community.
Accountability	We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

APOLOGIES AND LEAVE OF ABSENCE

- 1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 4**
- 2. COMMITTEE ACTING AS PLANNING AUTHORITY 5**
 - 2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 20156**
 - 2.1.1 7 Montrivale Rise with Access Over 11 and 12 Montrivale Rise, Dynnyrne - Four Multiple Dwellings - PLN-18-8786

**Special City Planning Committee Meeting (Open Portion) held Monday,
5 August 2019 at 4:30 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

Apologies:

Leave of Absence: Nil.

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the Committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with.

2. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Committee to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

2.1.1 7 Montrivale Rise with Access Over 11 and 12 Montrivale Rise, Dynnyrne - Four Multiple Dwellings - PLN-18-878 File Ref: F19/104633

Memorandum of the Manager Development Appraisal of 2 August 2019
and attachments.

Delegation: Council

City of **HOBART****MEMORANDUM: CITY PLANNING COMMITTEE****7 Montrivale Rise with Access Over 11 and 12 Montrivale Rise, Dynnryne - Four Multiple Dwellings - PLN-18-878**

At its meeting of 29 July 2019, the City Planning Committee deferred the above-mentioned planning application in the following terms:

That the item be deferred to a Special City Planning Committee meeting to be held on Monday, 5 August 2019, for the purpose of the provision of further information in regards to the construction of the driveway.

The planning application at 7 Montrivale Rise gains access from/to the highway reservation via a shared right of way through 11 and 12 Montrivale Rise. Once within the title of 7 Montrivale Rise, a shared driveway servicing the four dwellings is proposed. The vehicular path can best be described in three sections:

- A. Existing concrete Right of Way through 11 and 12 Montrivale Rise.
- B. New driveway on 11 Montrivale Rise Right of Way to access the property of 7 Montrivale Rise.
- C. New driveway private driveway on 7 Montrivale Rise shared by the four dwellings proposed.



Figure 1: The proposed access for the four dwellings broken down into three segments (A), (B) and (C).

A. Existing concrete Right of Way through 11 and 12 Montrivale Rise (Blue Section on Figure 1)

- This existing concrete right of way through 11 and 12 Montrivale Rise was assessed as part of the planning approval for the Montrivale Rise Subdivision. No works are proposed to modify it.
- There is a passing bay at the kerb, and although the gradients are slightly above *Australian Standard AS2890.1:2004 Parking Facilities Part 1: Off-Street Car Parking*, they are only on the inside wheel path and are within the range typically approved by Council for driveways.
- Council's Senior Development Engineer undertook a site visit and noted that vehicles can easily pass each other on this existing concrete access at less than 30m intervals.
- As no work is proposed (or required) as part of this planning application, and as the intensification of use proposed does not trigger any clauses of the *Roads and Railway Asset Code* within the *Hobart Interim Planning Scheme 2015*, the existing concrete Right of Way has not been assessed as part of this planning application.

B. New driveway on 11 Montrivale Rise Right of Way to access the property of 7 Montrivale Rise (Red Section on Figure 1)

- The proposed works comply with the gradients and widths required by the *Parking and Access Code* within the *Hobart Interim Planning Scheme 2015*, which references compliance with *Australian Standard AS2890.1:2004 Parking Facilities Part 1: Off-Street Car Parking*.
- Passing bays are provided at the aprons to dwelling 1 & 2.
- Driveway gradients are shown at a maximum of 20%, with shallower gradients (15%) where cars exiting dwelling 1 & 2 utilise the driveway to turn around.
- Council's Senior Development Engineer has assessed this section of the proposed driveway as being safe and ensuring ease of access, egress and manoeuvring on site.

C. New private driveway on 7 Montrivale Rise shared by the four proposed dwellings (Green Section on Figure 1)

- The proposed works comply with the gradients and widths required by the *Parking and Access Code* within the *Hobart Interim Planning Scheme 2015*, which references compliance with *Australian Standard AS2890.1:2004 Parking Facilities Part 1: Off-Street Car Parking*.
- Driveway centreline gradients are shown as a maximum of 22%, with shallower gradients (17%) proposed on the 180° bend to ensure the inside wheel path gradient is not excessive.
- The driveway width is proposed to be 4.58m wide between chainage 30 and 60m (between the passing area on the dwelling 2 garage apron and the passing area on the dwelling 3 & 4 forecourt). This is not wide enough to allow vehicles to pass each other during this 30m section of driveway. *Clause E6.7.3* of the *Hobart Interim Planning Scheme 2015* that assesses *Vehicular Passing Areas Along an Access* only requires passing areas at 30m intervals, and as such the proposed driveway complies with this requirement. It is noted that visibility along this 30m long, 180° bend is limited. While the driveway meets the provision for passing bays every 30m, a convex traffic safety mirror installed at this section of the driveway would increase visibility and reduce conflict between vehicles. If Elected Members were supportive, advice recommending that the developer install such a mirror could be included on any planning permit issued. The wording of such advice could be:

It is recommended that a convex traffic safety mirror be installed between chainage 40 and 50 of the proposed driveway within 7 Montrivale Rise (as shown on drawing 18E03-5, Sheet C1.01, Rev. No. C) to increase visibility and reduce conflict between vehicles.

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnyrne 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-18-878 - 7 MONTRIVALE RISE DYNNYRNE TAS 7005 - 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 2018/02042-HCC dated 20/03/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

No front boundary fencing is approved as part of this application.

Reason for condition

To clarify the scope of the permit.

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 prior to first occupation or commencement of use (whichever occurs first).

Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to the commencement of use.

The stormwater pre-treatment system must incorporate a treatment system of a size and design sufficient to achieve the stormwater quality targets in accordance with the State Stormwater Strategy 2010.

The stormwater pre-treatment system must be maintained for the life of the development.

Reason for condition

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

ENG sw8

Prior to first occupation, a stormwater detention system must be installed to limit stormwater discharges from the development to a Permissible Site Discharge of 12 L/s for a 5% Annual Exceedance Probability (AEP) storm event (regardless of duration).

Prior to the issuing of any approval under the *Building Act 2016*, a stormwater detention design must be submitted and approved by Council. The stormwater detention design must:

- 1. Be prepared by a suitably qualified engineer;**
- 2. Include detailed design and supporting calculations of the detention tank(s), sized such that there is no increase in flows from the developed site up to 5% AEP storm events regardless of storm duration and such that flows are limited to the above mentioned Permissible Site Discharge. All assumptions must be clearly stated;**
- 3. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism; and**
- 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 and maintained in accordance with the approved stormwater management report and design.

Advice:

The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.

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

It is advised that documentation for condition endorsement is lodged well before a building / plumbing permit is required, as failure to address design requirements until building / plumbing permit stage may result in unexpected delays.

It is noted that the proposed design included four detention tanks, one for each dwelling. No detention was proposed for the driveway. Expansion on this design may meet the requirements, or alternatively a design which also detains the driveway may be required. It is estimated that a minimum 8.5m³ detention would be required, although this volume will depend on your design.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

ENG 13

Prior to first occupation for Stage 3:

- 1. An ongoing waste management plan for all domestic waste and recycling must be implemented.**
- 2. The proposed communal waste bin area must be constructed and a commercial waste collection agreement established with a private waste contractor.**

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

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

Advice:

If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.

If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

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

It should be noted that any temporary barriers must be installed to ensure each stage of the development has adequate protection.

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3a

The circulation roadways, ramps and parking module (parking spaces, aisles 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) with the exception of the following:

- 1. Gradients in excess of AS/NZS2890.1 must not exceed those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.**
- 2. Ramp radii must not be less than those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.**

Advice: It is recommended to widen garage doors to 5-5.2m in width to allow vehicles to enter and exit the garage independently.

Reason for condition

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

ENG 3c

Prior to the first occupation for Stage 3, documentation by a suitably qualified engineer certifying that the access driveway, ramps and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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 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 5

The number of car parking spaces approved on the site is ten (10). This includes two (2) parking spaces for each dwelling and two (2) parking spaces for visitors.

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

Reason for condition

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

ENG 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 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

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

Reason for condition

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

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 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*.

It is advised that you consult your Building Surveyor regarding fire protection. At subdivision stage it was determined that your site was able to be serviced by a Public Fire Hydrant in Montrivale Rise. This was based on the assumption that your site would be able to accessed directly from Montrivale Rise by emergency service staff with respect to fire hose lay paths. As your proposal does not include any access directly from Montrivale Rise the fire protection assumed at subdivision stage may not be applicable and further work in this space may be necessary to ensure adequate fire protection is provided.

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.

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.

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.

PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to Part 5 Agreement D128963 that requires the owner(s) to comply with the Site Development Plan (March, 2014). The Site Development Plan requires the owners to:

- implement the relevant requirements of the approved bushfire hazard management plan (November 2013) in relation to the property;

- implement the relevant recommendations of the geotechnical assessment report (October 2010), geotechnical addendum (January 2011) and geotechnical addendum No. 2 (October 2015);
- comply with the Weed and Hygiene Management Strategy – Post Construction Addendum (Feb 2014);
- ensure all buildings to be designed and constructed in accordance with *Minimising the Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design* (WWF Australia, 2008).

Bushfire Management Plan

The Bushfire Management Plan (BMP) requires dwellings on this lot to be constructed in accordance with the specifications for BAL-12.5 in *AS3959-2009: Construction of buildings in bushfire-prone areas*. It is understood that the BMP can be relied upon to satisfy the bushfire-prone area elements of the *Building Regulations 2016* until November 2019.

Geotechnical Assessment and Addendums

The geotechnical recommendations include:

- The site must be developed in accordance with good hillside engineering practices as described in Appendix G of the *Practice Note Guidelines for Landslide Risk Management 2007* and GeoGuide LR8 of *The Australian GeoGuides for Slope Management and Maintenance* (2007e) published by the Australian Geomechanics Society.
- All slabs and footings must be designed and constructed in accordance with Australian Standard *AS2870 Residential slabs and footings*. It is recommended that footings extend into bedrock and that excavators are used to expose target materials for footings rather than augers.
- All drainage from roofs and hardstands shall be piped to stormwater infrastructure.
- All excavations greater than 0.5m shall be supported by drained, engineered retaining walls with footings in bedrock.
- Drainage from retaining walls shall be directed to stormwater infrastructure.
- Drainage walls shall be of sufficient strength to minimise the risk of soil movement.
- Placement of fill or other loads shall be avoided unless adequately supported.
- All underground services shall be laid beneath the soil profile within the weathered bedrock or on solid bedrock.

It is strongly recommended that the advice of a suitably qualified person is sought to ensure the design and construction of this development complies with the geotechnical assessment report recommendations.

Weed and Hygiene Management Strategy – Post Construction Addendum

The requirements of the strategy include:

- annual control regrowth weeds prior to seeding or fruiting;
- washdown of construction machinery prior to entering, and prior to leaving, the site;
- only importing spoil to the site if certified as weed free in accordance with Australian Standard AS4419; and
- not planting the potentially invasive species listed in the strategy.

Please ensure the requirements of the strategy are complied with.

Swift Parrot Guidelines

The approved plans appear to be generally consistent with the guidelines. Copies of the Part 5 Agreement are available from The LIST website (www.thelist.tas.gov.au) via the 'Scanned Dealings' section.

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.



Rohan Probert
**MANAGER DEVELOPMENT
APPRAISAL**



Robin Cooper
SENIOR DEVELOPMENT ENGINEER

Date: 2 August 2019
File Reference: F19/104633

Attachment A: PLN-18-878 - 7 MONTRIVALE RISE DYNMYRNE TAS 7005 - Planning Committee or Delegated Report ↓
Attachment B: PLN-18-878 - 7 MONTRIVALE RISE DYNMYRNE TAS 7005 - CPC Agenda Documents ↓
Attachment C: PLN-18-878 - 7 MONTRIVALE RISE DYNMYRNE TAS 7005 - Planning Referral Officer Development Engineering Report ↓

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Delegated
 Council: 5 August 2019
 Expiry Date: 6 August 2019
 Application No: PLN-18-878
 Address: 7 MONTRIVALE RISE , DYNMYRNE
 11 MONTRIVALE RISE , DYNMYRNE
 12 MONTRIVALE RISE , DYNMYRNE
 Applicant: Xiaomin Xu (Immobiare Development Pty Ltd)
 1301 / 18 Park Lane
 Proposal: Four Multiple Dwellings
 Representations: Five
 Performance criteria: General Residential Zone Development Standards,
 Parking and Access Code, and Stormwater Management Code

1. Executive Summary

- 1.1 Planning approval is sought for Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynmyrne.
- 1.2 The proposal is for the construction of four multiple dwellings on the existing vacant site at 7 Montrivale Rise, Dynmyrne. The site is accessed via a shared right of way over 11 and 12 Montrivale Rise with the upper dwellings having direct access from the right of way and lower dwellings accessed from a central driveway that includes visitor parking and turning area. The two storey, 152m² dwellings are to have 3 bedrooms, with multiple deck areas on the upper and lower levels and each with a double garage. The contemporary design of the dwellings features a large central skillion roof section with wings either side, extensive glazing on the northern elevations and a painted rendered concrete external finish.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 General Residential Zone Development Standards - Front Setback, Building Envelope and Private Open Space
 - 1.3.2 Parking and Access Code - Layout of Parking Areas, Facilities for Commercial Vehicles

1.3.3 Stormwater Management Code - Stormwater Drainage and Disposal

- 1.4 Five (5) representations objecting to the proposal were received within the statutory advertising period between 28 March and 11 April 2019.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The 1605m² site (CT167721/9) is located within recent Montrivale Rise subdivision, which is accessed from Waterworks Road. The steeply sloping site has a direct northern aspect and achieves access to the rear of the site via a shared right of way over 11 and 12 Montrivale Rise.

2.2



Figure 1: GIS Map Image 1:2000.

2.3



Figure 2: GIS Map Image 1:1000.

2.4



Figure 3: Subject site.

2.5



Figure 4: Subject site looking towards 13 Montrivale Rise

2.7



Figure 5: Dwelling at 13 Montrivale Rise.

3. Proposal

- 3.1 Planning approval is sought for Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnryne.

- 3.2 The proposal is for the construction of four dwellings on the existing vacant site at 7 Montrivale Rise, Dynnhyrne. The site is accessed via a shared right of way over 11 and 12 Montrivale Rise with the upper dwellings having direct access from the right of way and lower dwellings accessed from a central driveway that includes visitor parking and turning area. The two storey, 152m² dwellings are to have 3 bedrooms, with multiple deck areas on the upper and lower levels and each with a double garage. The contemporary design of the dwellings features a large central skillion roof section with wings either side, extensive glazing on the northern elevations and a painted rendered concrete external finish.

3.3



Figure 6: Proposed Site Plan

3.4



Figure 7: 3D Model of development

4. Background

- 4.1 The site had previous planning approval for a subdivision under PLN-15-01266-01 however it did not proceed.
- 4.2 The site is subject to a private covenant on the title that restricts the use of the right of way to one dwelling per lot. This covenant amongst others is placed on the title by the original vendor and not by Council. Although this covenant does not affect the processing of the planning application the applicant was alerted to its existence.

An extension of time was granted by the applicant to allow them to consider options and potential negotiation of the removal of the covenant. They have since requested that the application continue to be assessed and determined.

5. Concerns raised by representors

- 5.1 Five (5) representations objecting to the proposal were received within the statutory advertising period between 28 March and 11 April 2019.

- 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>“1. The visual impact of the proposed developments causes unreasonable loss of amenity due to the visual impact caused by the scale, bulk, and proportion of the dwellings when viewed from adjoining lots. (10.4.2 Setbacks)</p>
<p>2. The bulk and scale of the dwellings means that development cannot be contained within the building envelope of the site.</p>
<p>3. Given the bulk and scale of the development, the development cannot meet the HCC interim planning scheme requirements for private open space. (10.4.3 Site coverage and private open space for dwellings)</p>
<p>4. The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site. The driveway access to the lower two dwellings is only wide enough for one vehicle and does not provide clear lines of site for vehicles entering and leaving (6.7.5 Layout of parking and compliance with Australian Standard for parking)</p>
<p>5. The only access to the site is from a private road on a right of way. This road already services nine different titles (note one of these nine titles is still being created and is a subdivision of 12 Montrivale Rises) and the traffic load will be significantly increased if four separate dwellings are approved on the site, each with parking for two vehicles. The road was not intended to cater for this level of traffic.</p>
<p>6. Covenant number 7 for Lot 9 of the schedule of easements states “Not to permit more than one (1) dwelling to have access to Right of Way (Private) and Service Easement ‘A’ Variable Width and Right of Way (Private) and Service Easement ‘B’.</p>
<p>We understand that private covenants for the Lots are not a consideration when assessing the development application on its merits, however we understand that this covenant was originally requested by the HCC as a condition of the subdivision for Montrivale Rise. We believe that the HCC may have recognised that the private right of way, which is not up to public road standards, was not suitable for large volumes of traffic. Hypothetically, if each of the eight remaining lots with access off the private right of way each built four dwellings (noting some are only big enough for two, but others are large enough for four or more dwellings), this would equate to 80 cars having access, where the covenants on the lots really only provide for 16 cars.”</p>

"- Landscaping

There is a condition in the 'annexure to schedule of easements' stating that "front" landscaping be completed prior to occupation. In the context of a staged development could this please be included in the documentation as to where and at which time/phase the landscaping will be done and be highlighted as a condition of permit.

- Perimeter fencing

I note that the application includes exceeding height limit by approximately 3m in some parts. I do not have any objection to this however I am very concerned about the visual impact of the proposed paling fence on north boundary. There is a very high rock face along this boundary and it's not clear to me where the proposed perimeter fence is located relative to the rock face. If it were near to it the result would be quite ominous, extremely unattractive and much more imposing than the dwellings themselves. I request that the fence be set back a few metres to diminishes impact from lots below. Alternatively, to retain the current low wire safety fence or similar (which is less visible) and not construct a new timber/solid fence. There is a condition in the 'annexure to schedule of easements' stating that no corrugated steel fencing be used. It appears that timber paling fence will be used but it is not annotated on the application that I could see

- Stability of northern edge of site

In the storms of year ago quite a lot of top soil and rock was eroded from top of rock face along northern edge of site and this fell on to the street below. The safety fence has one or two fence post footings exposed and gaps beneath as a result. This underscores the fragility of the soil layer along this boundary and I am concerned that some damage or injury (to property or persons.....or vehicles/others in street below) may result unless measures are incorporated at construction stage.

In the proposed development some form of permanent and reliable stabilisation of that edge should be included as condition of the permit. The current scheme indicates leaving the current safety fence on outside of new fence on northern face which doesn't seem to make sense after completion?

Should it not be re-located or removed if there will be new fence above it?"

"The proposal for Lot 9 includes four dwellings and the ratio of building to land is high, leaving little green space and large areas of concrete. The proposed dwellings also extend beyond the building envelope. My concern is that of the visual impact on the area. The site is perfectly located with natural bushland to the north, Mt Wellington/Kanunui to the west and the Derwent River to the east. The proposal of four dwellings on this block would have significant visual impact, altering the character of the area, which I understand is intended to be low density rather than medium density. In my view, one dwelling on this site would be appropriate and in keeping with the character of the area."

"1. The proposal is to build 4 houses on the block. This breaches the Covenant in the title which is that only one dwelling can be built on each title, without the approval of the developer and the immediate neighbours. It seems that such approval has not been sought....."

"2. The proposal exceeds the building envelope in some aspects, including height, and takes up much of the block." Impact on views, visual amenity or economic value, with higher builds of future dwellings required to maintain amenity.

"3. There will be considerably more traffic on what is effectively a narrow, steep, winding private road."

"..... attraction to the area was the natural surrounds and low density living. My main concern with the proposed development is that the four dwellings presented are not in character with the subdivision and its surrounds. Further, the proposed four dwellings all require access to a very small right of way private road whose provisions state that only a single dwelling is permitted access from the lot. This development places a disproportionate footprint on the subdivision, the landscape, and the private right of way. I explain these comments below.

The proposed development of four dwellings on this lot will incur high vehicle movements on the private right of way for this lot, and will have a large visual impact on the site and surrounds. The sheer density, size, and colour of the buildings detracts from the sympathetic hillslope landscape of the subdivision and surrounding lots. This problem is further exacerbated by the parts of the proposed dwellings that are outside the building envelope. The sheer bulk of the proposed development in the landscape is not in keeping with the desired future character of the area.

A further issue of concern to me pertains to the "Right of way (private) and service easement 'A' variable width and right of way (private) and service easement 'B' variable width" in the Montrivale rise subdivision plans (SP 171608). I note that. the existing annexure to schedule of easements (SP 167721) notes under point 7 in regard to lots 8, 9 (the lot in question), and 10 that these lots are:

"Not to permit more than one (1) dwelling to have access to Right of way (private) and service easement 'A' variable width and right of way (private) and service easement 'B' variable width"

The proposed application for lot 9 shows four multiple dwellings accessing this right of way in contravention to the specification in the above.

.....That assessment of equal shares would have reflected the requirement to permit no more than one dwelling on these lots and would thus have anticipated more or less equal use of the right of way for each of the adjoining lots.

The proposed development at 7 Montrivale Rise would allow four dwellings and four sets of double car park spaces, all of which will need to access the right of way road (since there is no other access to these dwellings). This will place four times as much use and four times as much load on this right of way than would have been the case if a single dwelling had been placed on this lot. This small right of way was never intended for this kind of load and congestion. Should this development proceed with more than one dwelling, then the share of apportionment of maintenance costs for this right of way needs to be adjusted to reflect this large change in the anticipated use and load on this right of way by 7 Montrivale Rise. In particular, the share of cost apportioned to each lot for maintenance of this right of way needs to reflect the number of dwellings (or parking spaces) constructed on each lot. For example, 7 Montrivale Rise would need to pay four shares (one for the owner of each of the four proposed dwellings) for the maintenance costs of this right of way. "

Similarly, all lots with responsibility should take shares according to the number of dwellings, as is fair and equitable. If this proposed development were to proceed without changes to the agreement on the right of way road (described in SP 171608) to reflect fair share of use in the provisions for maintenance costs, then the development places an unfair burden on future maintenance costs onother lot owners.

In summary, the proposed development is unsympathetic to the intended hillslope environmental character of the subdivision and would have a much larger and disproportionate visual and traffic footprint on the landscape than the surrounding lots. The development should be amended to reflect a more proportionate footprint as per the planning regulations and should not violate the condition that the lot is expressly not permitted to allow more than a single dwelling have access to the private right of way."

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 proposed use for multiple dwellings 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
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 General Residential Zone Development Standards:-
 - Setbacks and Building Envelope - D10.4.2 P1 and P3
 - Site coverage and private open space for all dwellings - D10.4.3 P2
 - 6.5.2 Parking and Access Code:-
 - Layout of Parking Areas - E6.7.5 P1*

Facilities for Commercial Vehicles - E6.7.13 P1

6.5.5 Stormwater Management Code:-

Stormwater Drainage and Disposal - E7.7.1 P2

6.6 Each performance criterion is assessed below.

6.7 Setback and Building Envelope Part D 10.4.2 P1

6.7.1 The acceptable solution at clause Part D 10.4.2 A1 requires dwellings have a front setback of 4.5m.

6.7.2 A section of the proposed roof of dwelling 3 extends 1.2m into 4.5m front boundary setback, i.e. the roof is 3.3m setback from the frontage.

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 Part D 10.4.2 P1 provides as follows:

A dwelling must:

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

6.7.5 The building proper complies with the front setback of 4.5m, with only the roof of dwelling 3 protruding into it. It is also noted that the acceptable solution allows for 'minor protrusions' of up to 0.6m into the front setback, and the proposed roof protrudes 1.2m.

There are very few constructed dwellings within the recent subdivision with the dwelling at 13 Montrivale Rise having a greater frontage setback than 4.5m and the multiple dwellings at both 1 and 2 Montrivale Rise having sections of the building sited up to the front boundary. Due to the steepness of the sites in this area and variable access points, the practical arrangement and orientation of the dwellings is a fundamental determining factor in setbacks.

The proposed setback of 4.5m of the main facade of dwelling 3 with only

the section of angled roof eave extended beyond is considered acceptable and will not compromise the existing and future pattern of front boundary setbacks within Montrivale Rise.

6.7.6 The proposal complies with the performance criterion.

6.8 Setback and Building Envelope Part D 10.4.2 P3

6.8.1 The acceptable solution at clause Part D 10.4.2 A3 requires development to be within the prescribed building envelope.

6.8.2 A number of sections of the proposed dwellings encroach outside of the building building envelope, as depicted in plans DA 07, 08, 09 and 10.

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

6.8.4 The performance criterion at clause Part D 10.4.2 P3 provides as follows:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

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

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

(iii) overshadowing of an adjoining vacant lot; or

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

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

6.8.5 The steep slope of the site in combination with a direct facing northern aspect determines that there is very little shadowing to be cast onto adjoining sites. The submitted shadow diagram demonstrates that on the winter solstice there is only a very minor encroachment onto the adjoining lot at 9 Montrivale Rise in the morning which would not have an unreasonable impact on any future dwelling's habitable room windows or private open space. Also, as a result of the siting of the dwellings and the steepness of the subject site, dwellings 1 and 2 which are directly south of the dwellings in front, still maintain full solar access.

In respect of the visual impact of the buildings as viewed from adjoining lots, steep sites such as the subject site present many challenges for the construction of buildings, particularly with the relationship between the supporting structures, useable floor area, and functional vehicular access. The construction of the dwelling at 13 Montrivale Rise was faced with the same level of steepness of the site which resulted in a building of comparable height to those proposed. The adjoining lot at 9 Montrivale Rise is currently undeveloped, however it will also be subject to the constraints of the slope, being on a similar alignment of the contours. However, the proposed layout of the development of the subject site features dwellings 1 and 2 closer to the rear of the site with a single storey height from the road level, and dwellings 3 and 4 sited lower on the site. This will allow for the siting of a proposed dwelling at 9 Montrivale Rise to maintain views over the lower dwellings with adequate proximity from the upper dwellings to not result in unreasonable visual impact when viewed from the property. The two other sections of the adjoining properties relevant to the siting of the dwellings include land subject to rights of way and a narrow strip of land for future site access. These features ensure a significant curtilage for the proposed dwellings to not result in unreasonable visual impact in respect of future dwellings.

The proposed layout of the dwellings provides suitable setbacks from all boundaries creating adequate separation compatible with the limited existing development and the future development of the surrounding area.

6.8.6 The proposal complies with the performance criterion.

6.9 Site coverage and private open space for all dwellings – Part D 10.4.3 P2

6.9.1 The acceptable solution at clause Part D 10.4.3 A2 requires 24m² of private open space in one parcel directly accessible from a habitable room other than a bedroom.

6.9.2 The proposal includes dwellings that have three decks totalling between 33-36m², however not 24m², in one parcel of private open space.

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 Part D 10.4.3 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.*

6.9.5 The development of level, directly accessible private open space on steep sites can be challenging and can only be provided through either the excavation of terraces and construction of decks. Although the proposal does not provide 24m² of directly accessible private open space in one parcel, each of the dwellings has three decks totalling between 33-36m². On the lower level, each dwelling has a large deck with an area of 17.2m² directly accessed from a large central living room. The upper level has two smaller decks to the east and west of the living and dining room which are directly accessible from both sides of the living area. The combination of the convenient location of all the decks, multiple options of use and the direct northern aspect results in the dwellings having quality directly accessible private open space. Also, all three of the individual spaces have the capacity for further extension if required by future occupants of the dwellings.

6.9.6 The proposal complies with the performance criterion.

6.10 Parking and Access Code Part E 6.7.5 Layout of Parking Areas P1

6.10.1 The proposal is discretionary in respect of vehicle parking and manoeuvring within the site under clause Part E 6.7.5 A1.

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

6.10.3 The performance criterion at clause Part E 6.7.5 A1 provides as follows:

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

6.10.4 The Council's Development Engineer is satisfied that the parking and manoeuvring within the site can be done conveniently and safely. The officer's report is provided at Attachment C.

6.10.5 The proposal complies with the performance criterion.

6.11 Parking and Access Code Part E6.7.13 Facilities for Commercial Vehicles P1

6.11.1 The proposal seeks to use commercial vehicles for waste collection - the proposed gradients and loading area does not meet clause Part E6.7.13 A1.

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

6.11.3 The performance criterion at clause Part E6.7.13 P1 provides as follows:

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

6.11.4 There are challenges in respect of waste removal for the site as it is accessed via the right of way off Montrivale Rise; this is addressed through the use of private waste contractors. The Development Engineer is satisfied that as the contractor only needs to gain access to the communal waste bin area, the grade at this section of the driveway is acceptable. The officer's report is provided at Attachment C.

6.11.5 The proposal complies with the performance criterion.

6.12 Stormwater Management Code Part E7.7.1 Stormwater Drainage and Disposal P2

6.12.1 Due to the level of impervious surfaces the proposal is discretionary in respect of clause Part E7.7.1 A2

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

6.12.3 The performance criterion at clause Part E7.7.1 P2 provides as follows:

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

6.12.4 The Council's Development Engineer is satisfied that due to the proposed

treatment, the stormwater management for the development will be adequate subject to conditions. The officer's report is provided at Attachment C.

6.12.5 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnyrne.
- 7.2 The application was advertised and received five (5) representations. The representations raised concerns including the following:
- Highlighting the discretions in respect of the development relating to building envelope and suggesting that due to at scale and bulk of the proposal it cannot be contained within the envelope and conversely due to the scale and bulk it cannot meet the requirements for private open space provisions.
 - That the dwellings will impact on views, visual amenity and property value, with higher construction of future dwellings required to maintain amenity.
 - That the development is not in character with subdivision and the surrounding area.
 - That the proposed paling fencing on the front boundary will result in a visual impact as well as land stability issues.
- 7.3 The proposal presents a development on the sizable site that complies with the permitted density and site coverage. The dwellings are not excessive in size and present three bedroom dwellings of average floor area. The encroachments outside of the building envelope are in a large part a product of the steepness of the site and are a recurring pattern on sites of this type. The encroachments of the proposed dwellings outside of the building envelope are assessed as being acceptable and in combination with the layout of the dwellings on the site is considered to not cause an unreasonable impact on the future residents of adjoining properties. The private open space solution of multiple areas of decking is considered to provide a more effective solution than the permitted requirement, particularly considering the challenges of steep sites. In terms of the character of the subdivision and the surrounding area, although not a specific consideration of the assessment it is difficult to understand what would define the character of Montrivale Rise as there is very little development that has been undertaken within the subdivision or existing vegetation.

- 7.4 In terms of land stability there is a Part 5 Agreement attached to the title which includes a geotechnical assessment report (advice regarding the Part 5 Agreement is included). The existing safety fence is to remain and was a requirement of the original subdivision; it also outside of the boundaries of the property. In respect of the solid paling fence, that fence was not proposed on any of the plans, but was just visualised on 3D images of the development; it is not proposed as part of the application. However a condition will be included on the permit confirming that no front fencing is approved as part of the application.
- 7.5 Other concerns related to the layout of parking areas and driveway as well as the suitability of the existing right of way to support the additional vehicle movements generated by the proposed development. A number of the representors drew attention to the private covenant on the title restricting the use of the right of way to one dwelling per lot.
- 7.6 The Council's Development Engineer is satisfied with the performance of the parking areas and driveway with the development not generating any discretions through the additional vehicle movements over the existing right of way. The issue of the private covenant is a matter for the owner to take up with the original subdivider and has no bearing on the assessment of the proposal or for the ability of a planning permit to be issued for the development.
- 7.7 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to meet the performance criteria in respect of its discretions under Setbacks and Building Envelope, Private Open Space, Parking and Access Code and the Stormwater Management Code. The setback and building envelope discretion of the proposed dwellings is assessed as being acceptable and in combination with the layout of the dwellings on the site the development is not considered to cause an unreasonable impact on the future residents of the adjoining properties. The proposed, directly accessible private open space for the dwellings presents multiple options of use with excellent solar access and therefore is considered to meet the performance criteria. The Council's Development Engineer is also satisfied with the proposed access and parking areas as well as the stormwater management for the development subject to conditions.
- 7.8 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Development Planner, and Surveying Services Unit. The officers have raised no objection to the proposal, subject to conditions.
- 7.9 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnyrne 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 Four Multiple Dwellings at 7 Montrivale Rise with access over 11 and 12 Montrivale Rise, Dynnyrne 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-18-878 - 7 MONTRIVALE RISE DYNMYRNE TAS 7005 - 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 2018/02042-HCC dated 20/03/2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

No front boundary fencing is approved as part of this application.

Reason for condition

To clarify the scope of the permit.

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 prior to first occupation or commencement of use (whichever

occurs first).

Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to the commencement of use.

The stormwater pre-treatment system must incorporate a treatment system of a size and design sufficient to achieve the stormwater quality targets in accordance with the State Stormwater Strategy 2010.

The stormwater pre-treatment system must be maintained for the life of the development.

Reason for condition

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

ENG sw8

Prior to first occupation, a stormwater detention system must be installed to limit stormwater discharges from the development to a Permissible Site Discharge of 12 L/s for a 5% Annual Exceedance Probability (AEP) storm event (regardless of duration).

Prior to the issuing of any approval under the *Building Act 2016*, a stormwater detention design must be submitted and approved by Council. The stormwater detention design must:

1. **Be prepared by a suitably qualified engineer;**
2. **Include detailed design and supporting calculations of the detention tank(s), sized such that there is no increase in flows from the developed site up to 5% AEP storm events regardless of storm duration and such that flows are limited to the above mentioned Permissible Site**

Discharge. All assumptions must be clearly stated;

3. **Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism; and**
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 and maintained in accordance with the approved stormwater management report and design.

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Once the stormwater management report and design has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement and the associated fees).*
- *It is advised that documentation for condition endorsement is lodged well before a building / plumbing permit is required, as failure to address design requirements until building / plumbing permit stage may result in unexpected delays.*
- *It is noted that the proposed design included four detention tanks, one for each dwelling. No detention was proposed for the driveway. Expansion on this design may meet the requirements, or alternatively a design which also detains the driveway may be required. It is estimated that a minimum 8.5m³ detention would be required, although this volume will depend on your design.*

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

ENG 13

Prior to first occupation for Stage 3:

1. **An ongoing waste management plan for all domestic waste and recycling must be implemented.**
2. **The proposed communal waste bin area must be constructed and a commercial waste collection agreement established with a private waste contractor.**

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

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

- *The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*
- *Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

Advice:

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*
If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

- *Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement)*
- *It should be noted that any temporary barriers must be installed to ensure each stage of the development has adequate protection.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3a

The circulation roadways, ramps and parking module (parking spaces, aisles

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) with the exception of the following:

1. Gradients in excess of AS/NZS2890.1 must not exceed those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.
2. Ramp radii must not be less than those shown on Aldanmark drawings C1.03, C1.04 and C2.01 Rev C.

Advice: It is recommended to widen garage doors to 5-5.2m in width to allow vehicles to enter and exit the garage independently.

Reason for condition

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

ENG 3c

Prior to the first occupation for Stage 3, documentation by a suitably qualified engineer certifying that the access driveway, ramps and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

- *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 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 5

The number of car parking spaces approved on the site is ten (10). This includes two (2) parking spaces for each dwelling and two (2) parking spaces for visitors.

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

Reason for condition

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

ENG 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 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

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

Reason for condition

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

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 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*.

It is advised that you consult your Building Surveyor regarding fire protection. At subdivision stage it was determined that your site was able to be serviced by a Public Fire Hydrant in Montrivale Rise. This was based on the assumption that your site would be able to be accessed directly from Montrivale Rise by emergency service staff with respect to fire hose lay paths. As your proposal does not include any access directly from Montrivale Rise the fire protection assumed at subdivision stage may not be

applicable and further work in this space may be necessary to ensure adequate fire protection is provided.

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.

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.

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.

PART 5 AGREEMENT

Please note that the owner(s) of this property are subject to Part 5 Agreement D128963 that requires the owner(s) to comply with the Site Development Plan (March, 2014). The Site Development Plan requires the owners to:

- implement the relevant requirements of the approved bushfire hazard management plan (November 2013) in relation to the property;
- implement the relevant recommendations of the geotechnical assessment report (October 2010), geotechnical addendum (January 2011) and geotechnical addendum No. 2 (October 2015);
- comply with the Weed and Hygiene Management Strategy – Post Construction Addendum (Feb 2014);
- ensure all buildings to be designed and constructed in accordance with

Minimising the Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design (WWF Australia, 2008).

Bushfire Management Plan

The Bushfire Management Plan (BMP) requires dwellings on this lot to be constructed in accordance with the specifications for BAL-12.5 in AS3959-2009: *Construction of buildings in bushfire-prone areas*. It is understood that the BMP can be relied upon to satisfy the bushfire-prone area elements of the *Building Regulations 2016* until November 2019.

Geotechnical Assessment and Addendums

The geotechnical recommendations include:

- The site must be developed in accordance with good hillside engineering practices as described in Appendix G of the *Practice Note Guidelines for Landslide Risk Management 2007* and GeoGuide LR8 of *The Australian GeoGuides for Slope Management and Maintenance* (2007e) published by the Australian Geomechanics Society.
- All slabs and footings must be designed and constructed in accordance with Australian Standard AS2870 *Residential slabs and footings*. It is recommended that footings extend into bedrock and that excavators are used to expose target materials for footings rather than augers.
- All drainage from roofs and hardstands shall be piped to stormwater infrastructure.
- All excavations greater than 0.5m shall be supported by drained, engineered retaining walls with footings in bedrock.
- Drainage from retaining walls shall be directed to stormwater infrastructure.
- Drainage walls shall be of sufficient strength to minimise the risk of soil movement.
- Placement of fill or other loads shall be avoided unless adequately supported.
- All underground services shall be laid beneath the soil profile within the weathered bedrock or on solid bedrock.

It is strongly recommended that the advice of a suitably qualified person is sought to ensure the design and construction of this development complies with the geotechnical assessment report recommendations.

Weed and Hygiene Management Strategy – Post Construction Addendum

The requirements of the strategy include:

- annual control regrowth weeds prior to seeding or fruiting;
- washdown of construction machinery prior to entering, and prior to leaving, the

site;

- only importing spoil to the site if certified as weed free in accordance with Australian Standard AS4419; and
- not planting the potentially invasive species listed in the strategy.

Please ensure the requirements of the strategy are complied with.

Swift Parrot Guidelines

The approved plans appear to be generally consistent with the guidelines.

Copies of the Part 5 Agreement are available from The LIST website (www.thelist.tas.gov.au) via the 'Scanned Dealings' section.



(Tristan Widdowson)

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: 24 July 2019

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Development Engineering Report

PROPOSED DEVELOPMENT
LOT 9 NO. 7 MONTRIVALE RISE, DYNMYRNE

SHEET	DRAWING
DA 00	CONTENTS
DA 01	SITE PLAN - LEVEL 1
DA 01A	SITE PLAN - STAGING PLAN
DA 02	SITE PLAN - GROUND LEVEL
DA 03	PROPOSED FLOOR PLAN HOUSE 1
DA 04	PROPOSED FLOOR PLAN HOUSE 2
DA 05	PROPOSED FLOOR PLAN HOUSE 3
DA 06	PROPOSED FLOOR PLAN HOUSE 4
DA 07	PROPOSED ELEVATION HOUSE 1
DA 08	PROPOSED ELEVATION HOUSE 2
DA 09	PROPOSED ELEVATION HOUSE 3
DA 10	PROPOSED ELEVATION HOUSE 4
DA 11	SHADOW DIAGRAMS WINTER SOLSTICE
DA 12	SHADOW DIAGRAMS EQUINOX
DA 13	IMAGES
DA 14	IMAGES
DA 15	IMAGES

SITE INFORMATION

CERTIFICATE OF TITLE

AREAS:

SITE

SITE COVER

SITE COVERAGE

IMPERVIOUS SURFACES

IMPERVIOUS SURFACES

FREE FROM IMPERVIOUS SURFACES

PROPOSED FLOOR AREAS

PROPOSED HOUSE

GL FLOOR AREA

L1 FLOOR AREA

TOTAL

GARAGE

GL DECK

L1 DECKS

P.O.S @ MIN 2M

FINISHED FLOOR LEVELS

GROUND LEVEL

LEVEL 1

LEVEL 1 ENTRY

GARAGE

SITE

LOT 9

NO.7

C.T.167721 / 9

M²

1605.0

601.0

37.4%

979.3

628.7 (39.2%)

House 1

65.4

86.4

151.8

38.4

18.7

18.8

29.5

RL 151.450

RL 154.450

RL 155.400

RL 155.350

House 2

65.4

86.1

151.9

38.4

18.7

15.8

17.3

RL 150.350

RL 153.350

RL 154.300

RL 154.250

House 3

65.4

86.4

151.8

38.4

18.7

18.8

29.5

RL 143.550

RL 146.550

RL 146.550

RL 146.500

House 4

65.4

86.1

151.9

38.4

18.7

15.8

17.3

RL 143.550

RL 146.550

RL 146.550

RL 146.500

TOTAL

262.4

345.0

607.4

153.6

144.0 (GL & L1)



V04.04

2148

AMENDMENT	DATE	DETAILS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	18/01/19	ADDED 2 VISITED BAYS SUBDIVISION BOUNDARY & SHIFT PARROT MITIGATION
7	07/02/19	ADDED BIN ENCLOSURE
8	05/03/19	STAGED STRATA PLAN - RE-LEASE HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 NO. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

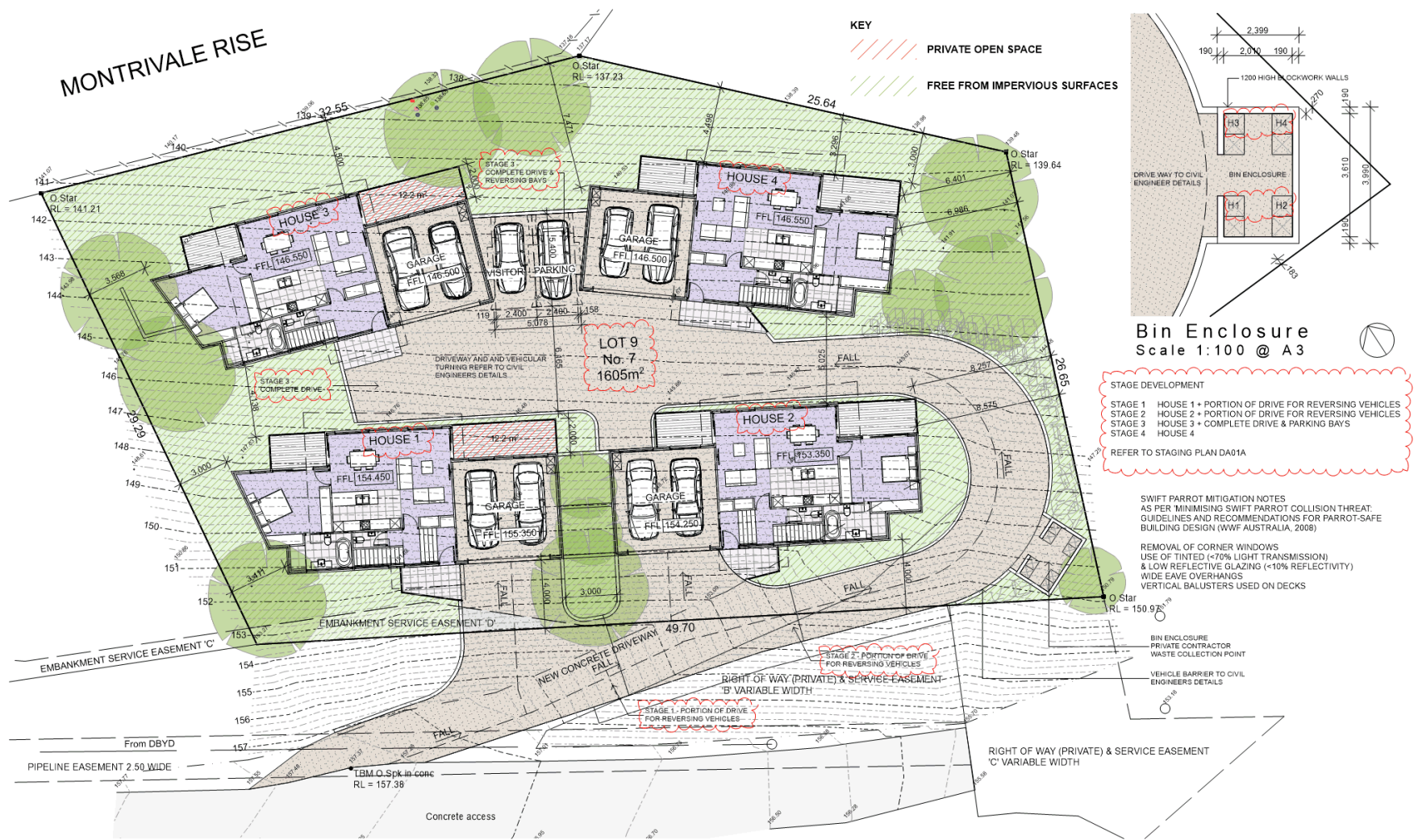
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Proposed Site Level 1 Plan
Scale 1:200 @ A3

2148



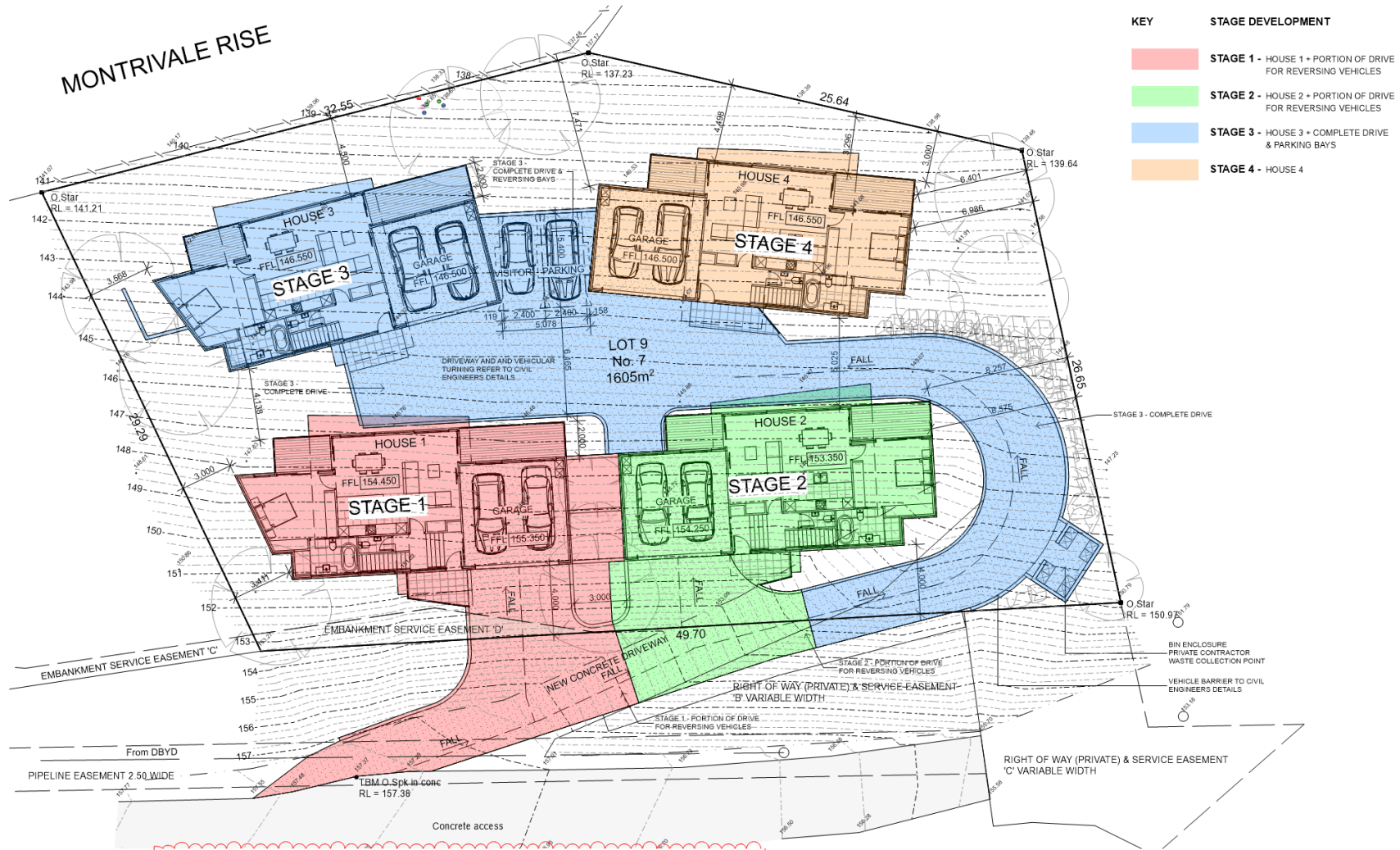
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7	07/02/19	ADDED BIN ENCLOSURE
8	05/03/19	STAGED STAIR PLAN - RE-ABLE HOUSE 1 - 4

PROPOSED DEVELOPMENT
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JOB NO. 2148

DA 01

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Proposed Staging Plan Level 1 Plan
Scale 1:200 @ A3

2148



AMENDMENT	DATE	DETAILS
1	05/03/19	STAGED STAIR PLAN - RE-CABLE HOUSE 1 - 4

PROPOSED DEVELOPMENT
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JOB NO. 2148

DA 01A

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PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

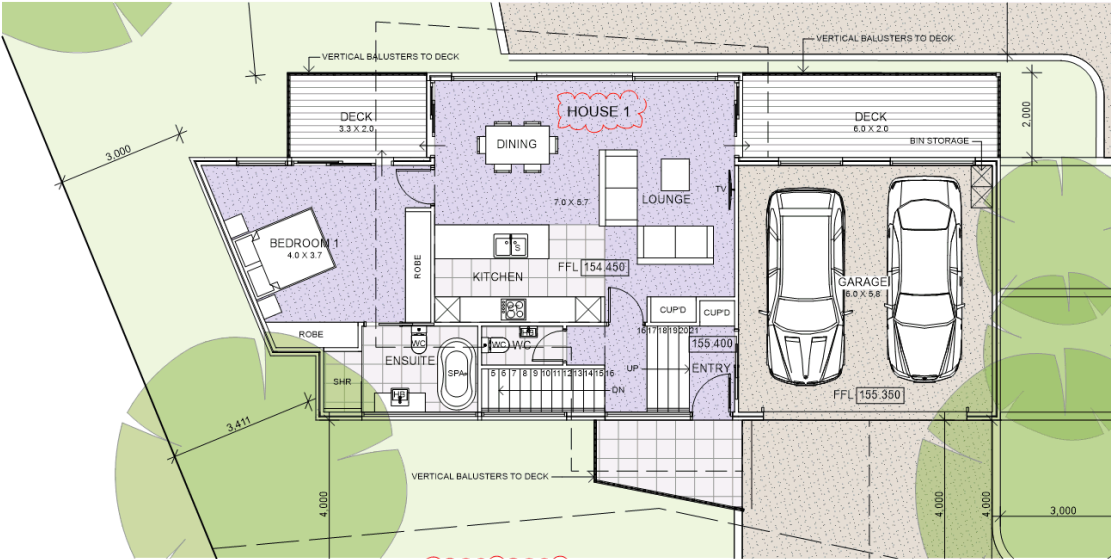
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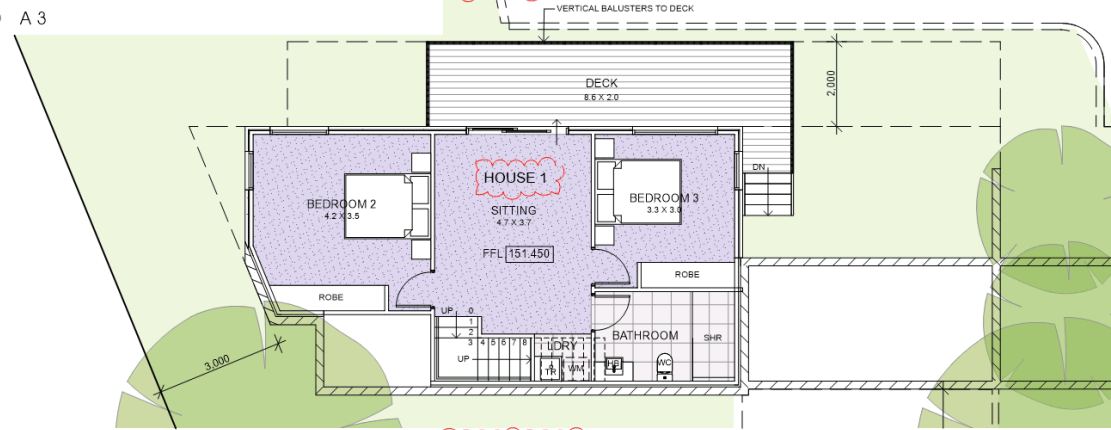


SWIFT PARROT MITIGATION NOTES
AS PER 'MINIMISING SWIFT PARROT COLLISION THREAT:
GUIDELINES AND RECOMMENDATIONS FOR PARROT-SAFE
BUILDING DESIGN (WWF AUSTRALIA, 2008)

REMOVAL OF CORNER WINDOWS
USE OF TINTED (<70% LIGHT TRANSMISSION)
& LOW REFLECTIVE GLAZING (<10% REFLECTIVITY)
WIDE EAVE OVERHANGS
VERTICAL BALUSTERS USED ON DECKS



Proposed Level 1 Floor Plan **House 1**
Scale 1:100 @ A3



Proposed Ground Floor Plan **House 1**
Scale 1:100 @ A3

2148



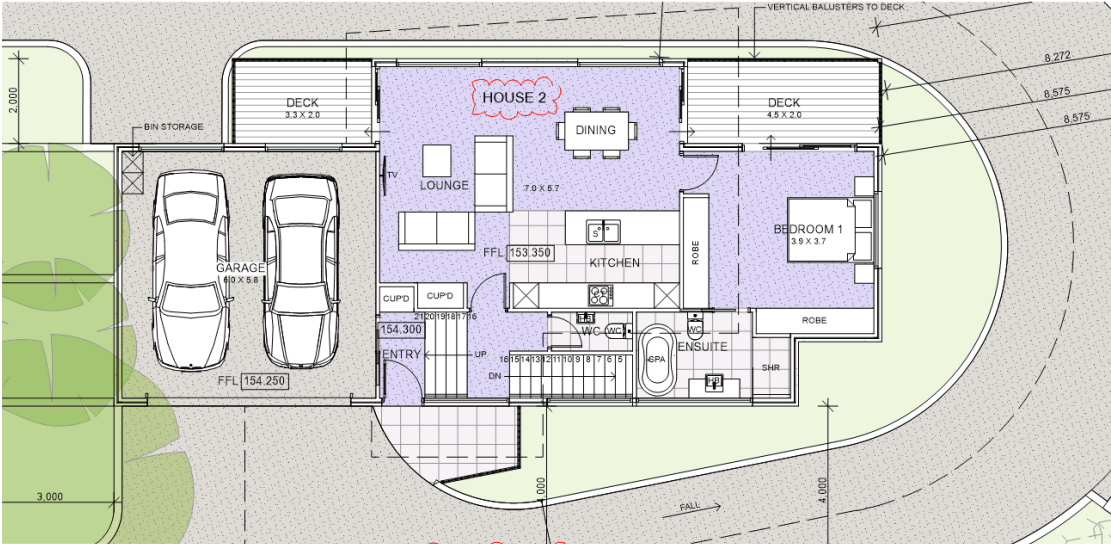
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PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNNRYNE
JOB NO. 2148

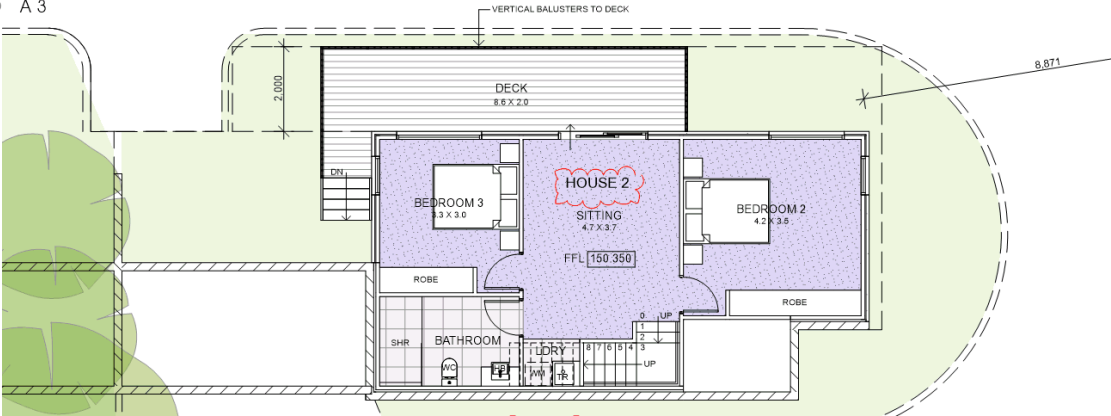
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Proposed Level 1 Floor Plan **House 2**
Scale 1:100 @ A3



Proposed Ground Floor Plan **House 2**
Scale 1:100 @ A3

2148



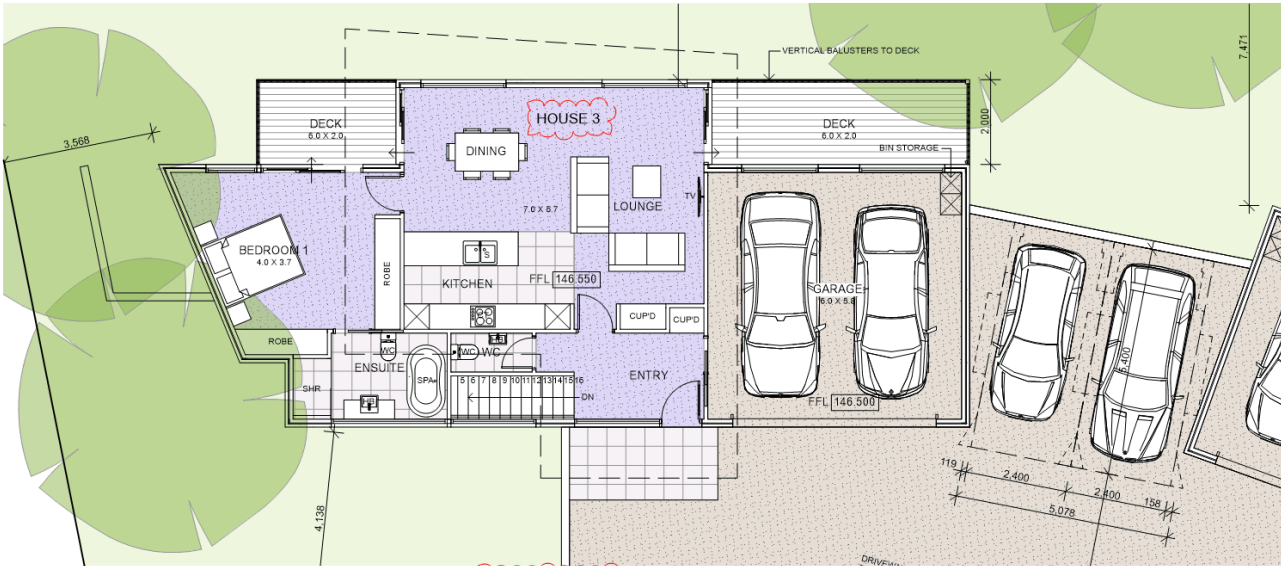
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FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTIRIVALE RISE, DYNMYRNE
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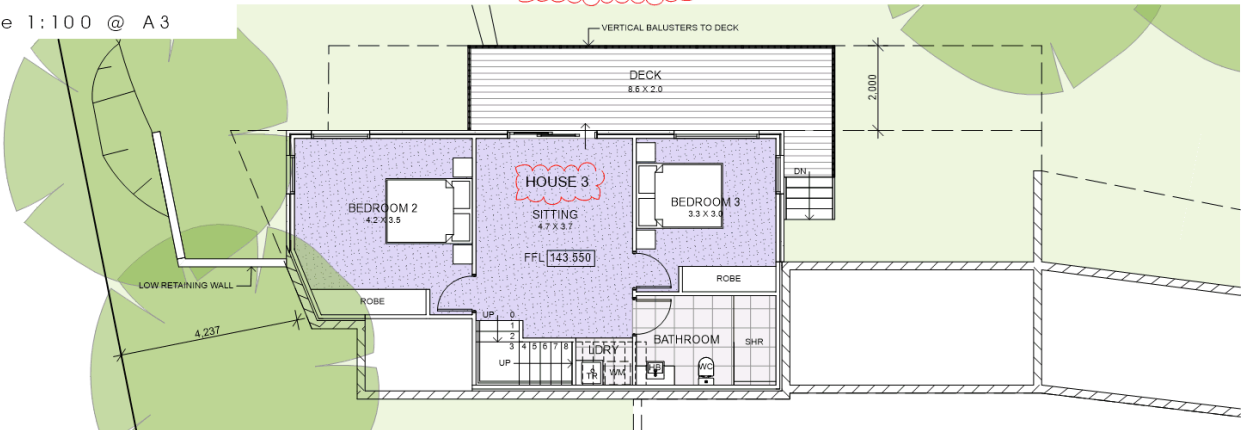
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Proposed Level 1 Floor Plan **House 3**
Scale 1:100 @ A3



Proposed Ground Floor Plan **House 3**
Scale 1:100 @ A3

2148



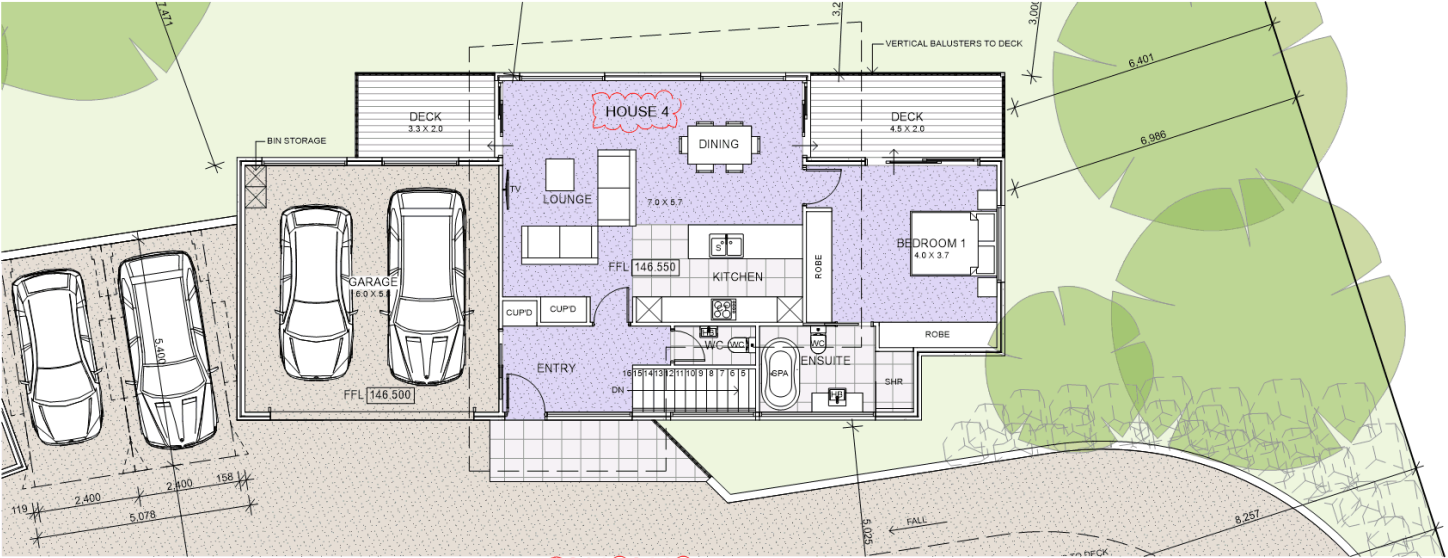
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PROPOSED DEVELOPMENT
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DA 05

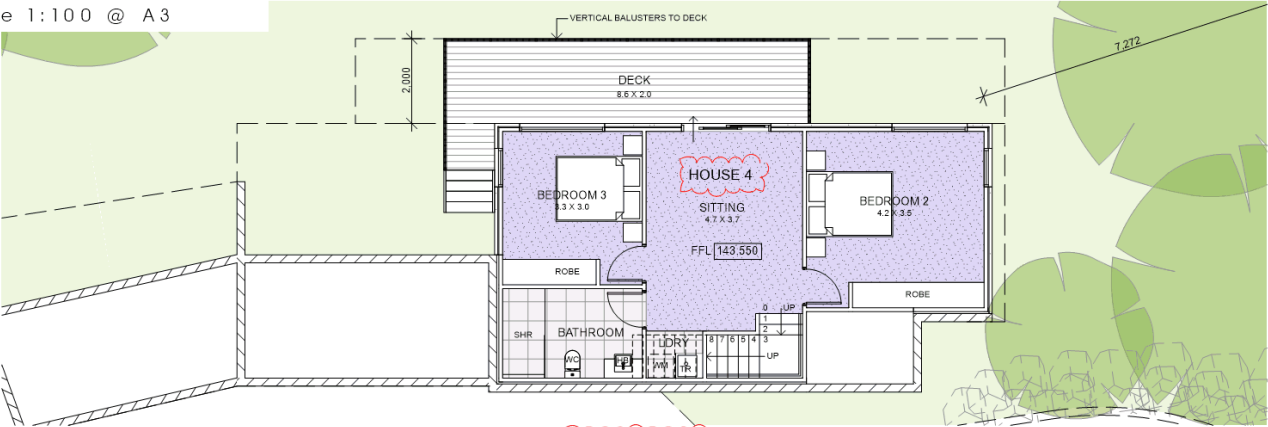
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Proposed Level 1 Floor Plan **House 4**

Scale 1:100 @ A3



Proposed Ground Floor Plan **House 4**

Scale 1:100 @ A3

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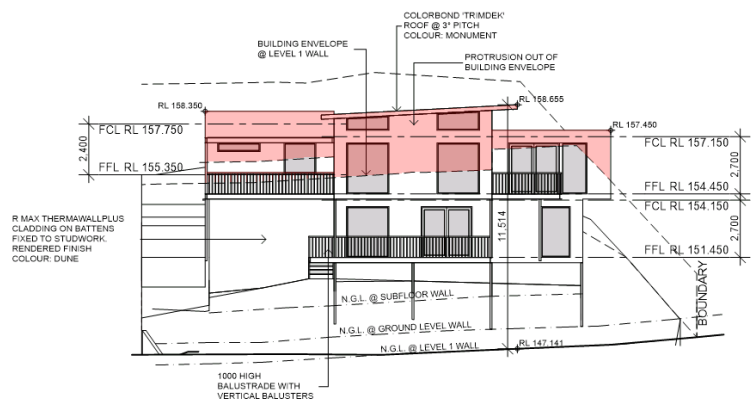
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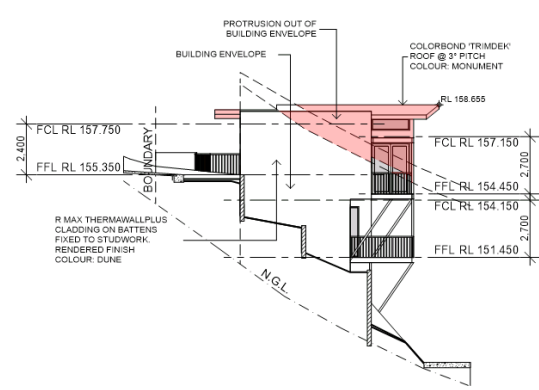
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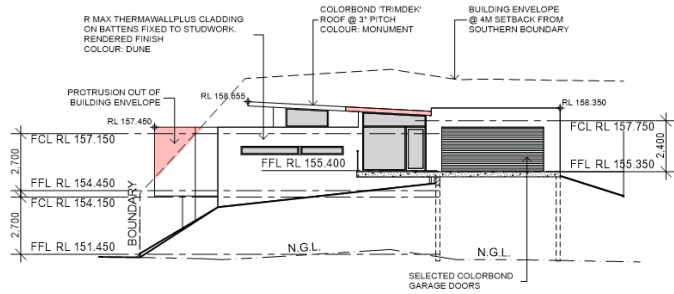




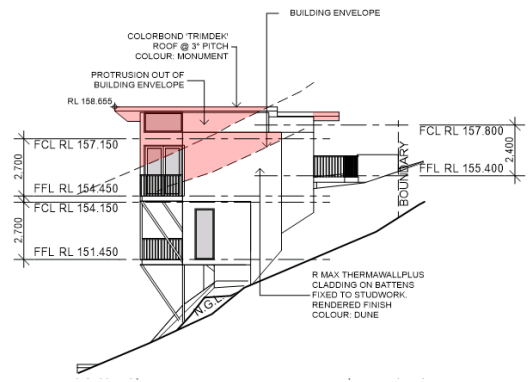
Proposed North Elevation House 1
Scale 1:200 @ A3



Elevation East Elevation House 1
Scale 1:200 @ A3



Proposed South Elevation House 1
Scale 1:200 @ A3



Proposed West Elevation House 1
Scale 1:200 @ A3

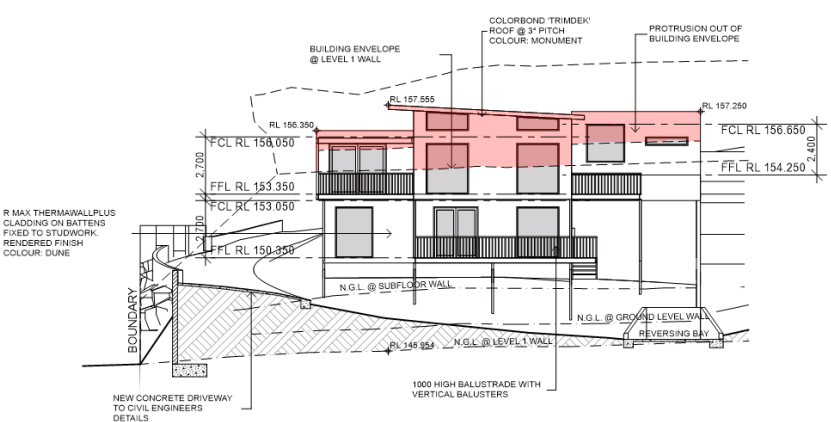
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PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
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JOB NO. 2148

DA 07

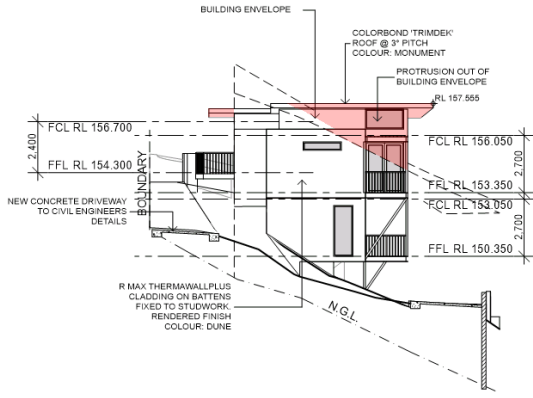
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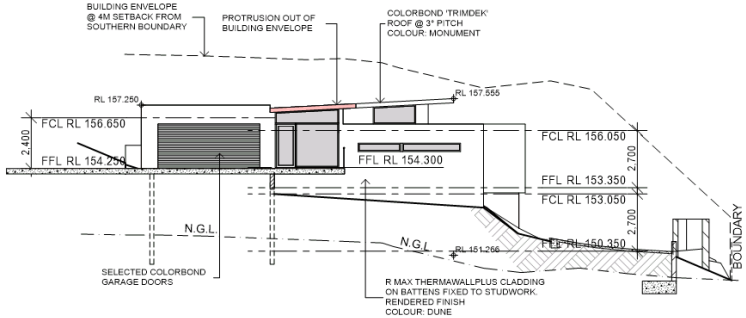
Proposed North Elevation House 2

Scale 1:200 @ A3



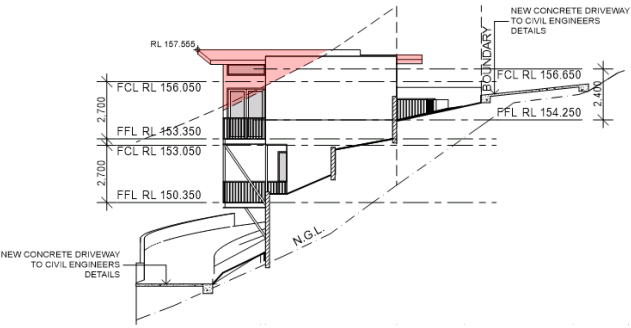
Proposed East Elevation House 2

Scale 1:200 @ A3



Proposed South Elevation House 2

Scale 1:200 @ A3



Elevation West Elevation House 2

Scale 1:200 @ A3

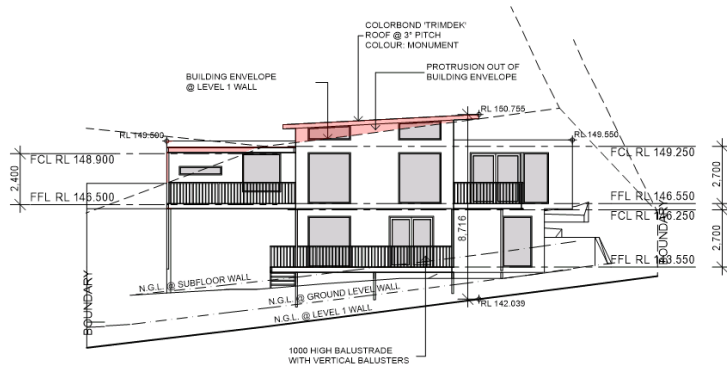
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PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

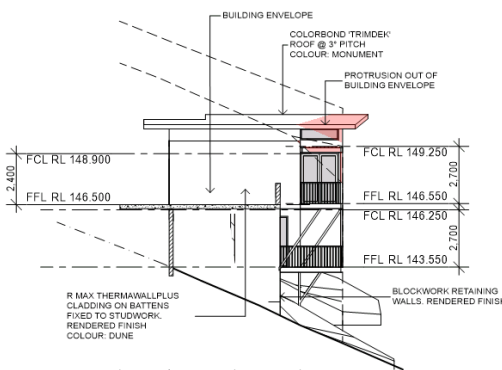
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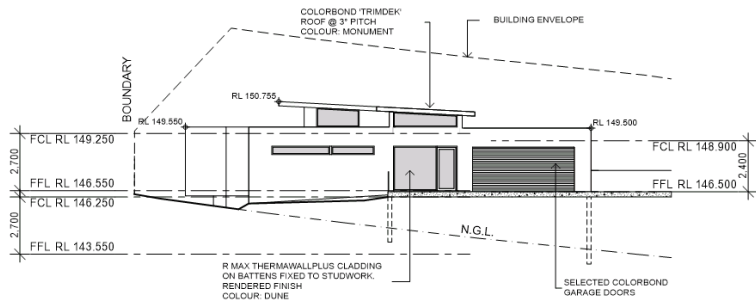




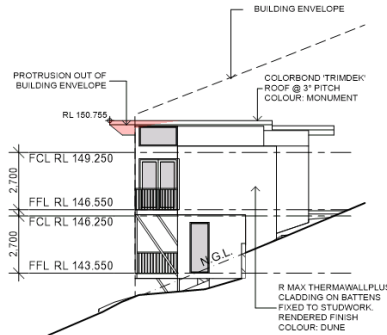
Proposed North Elevation House 3
Scale 1:200 @ A3



Proposed East Elevation House 3
Scale 1:200 @ A3



Proposed South Elevation House 3
Scale 1:200 @ A3



Proposed West Elevation House 3
Scale 1:200 @ A3

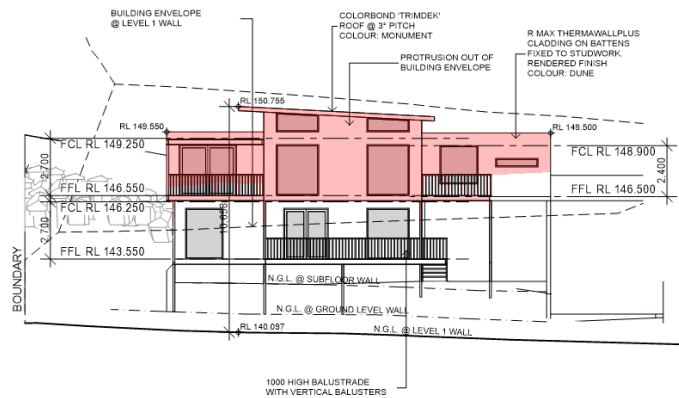
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PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

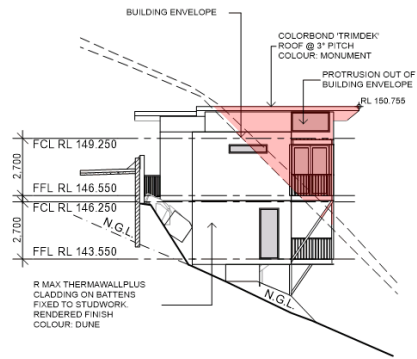
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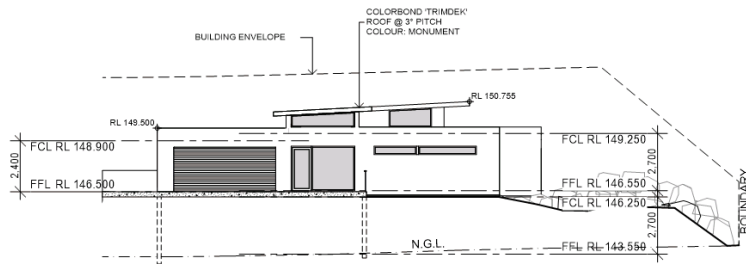




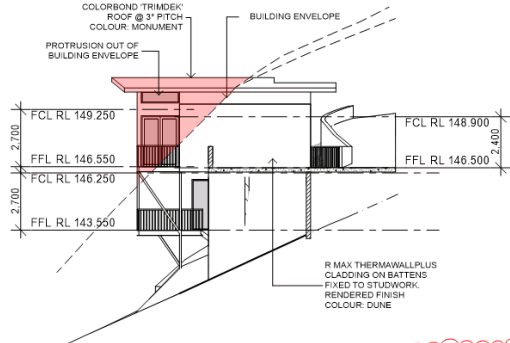
Proposed North Elevation House 4
Scale 1:200 @ A3



Proposed East Elevation House 4
Scale 1:200 @ A3



Proposed South Elevation House 4
Scale 1:200 @ A3



Elevation West Elevation House 4
Scale 1:200 @ A3

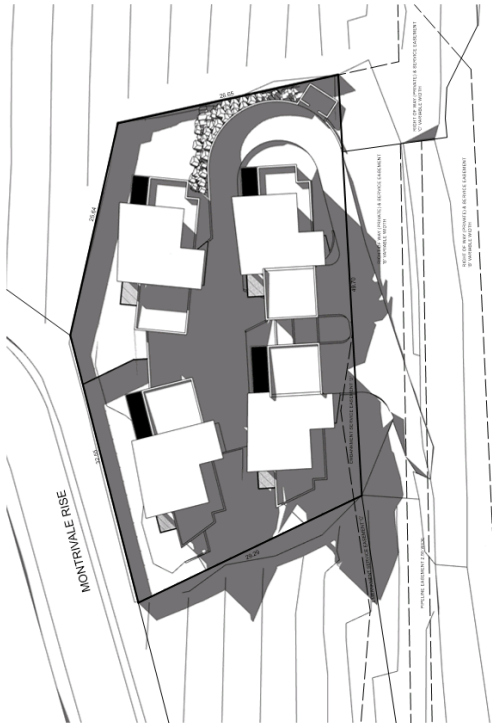
AMENDMENT	DATE	DETAILS
3	22/11/18	DA DRAFT FOR ENGINEERS
4	23/11/18	ISSUE OF DA DRAWINGS
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SWIFT PARROT MITIGATION.
8	05/03/19	STAGED STRATA PLAN - RE-LABEL HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

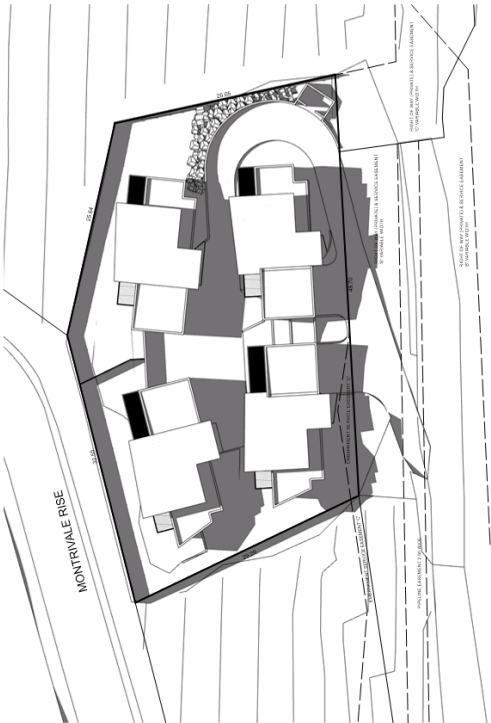
DA 10

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e. linara@bigpond.com
w. linaradesign.com
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Winter Solstice June 21 - 9am



Winter Solstice June 21 - 12pm



Winter Solstice June 21 - 3pm

Shadow Diagrams

Scale 1:500 @ A3

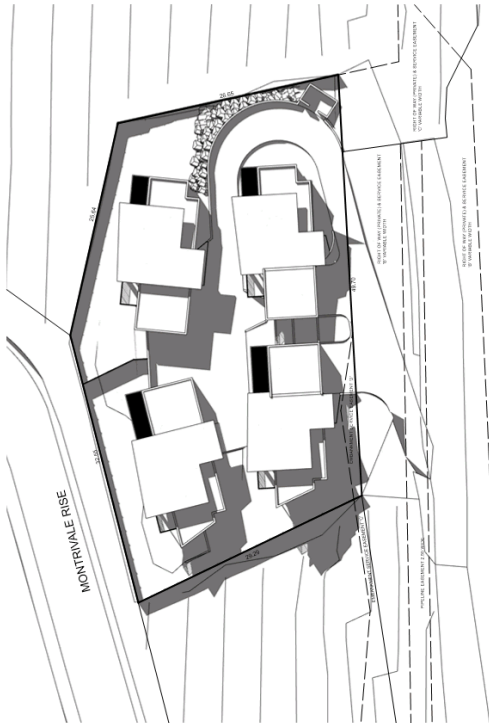
AMENDMENT	DATE	DETAILS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SHIFT PARRIC MITIGATION
7	07/02/19	ADDED BIN ENCLOSURE
8	05/03/19	STAGED STRATA PLAN - RE-LABEL HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNNRYNE
JOB NO. 2148

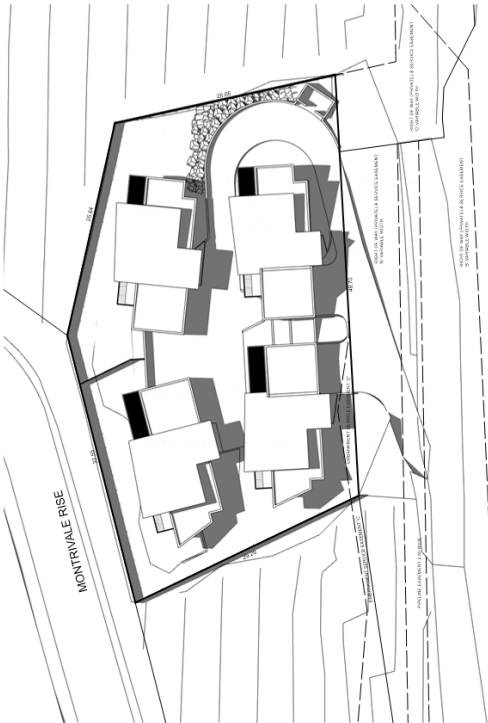
DA 11

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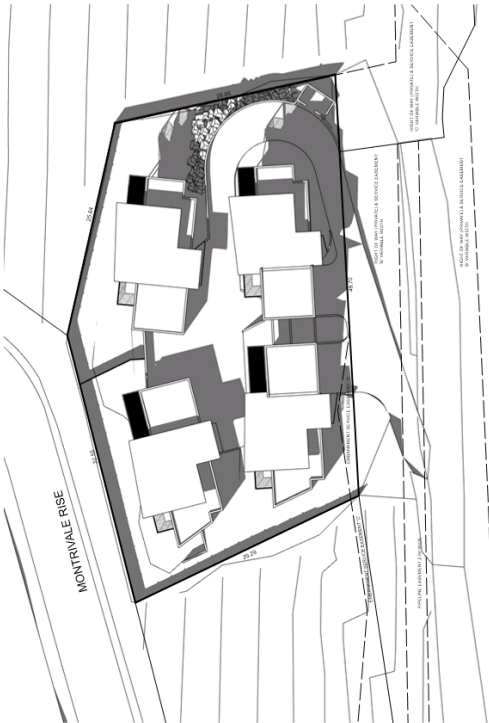




Equinox September 23 - 9am



Equinox September 23 - 12pm



Equinox September 23 - 3pm

Shadow Diagrams
Scale 1:500 @ A3

2148

AMENDMENT	DATE	DETAILS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SHIFT PARROT MITIGATION
7	07/02/19	ADDED BIN ENCLOSURE
8	05/03/19	STAGED STRATA PLAN - RE-ABLE HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNNRYNE
JOB NO. 2148

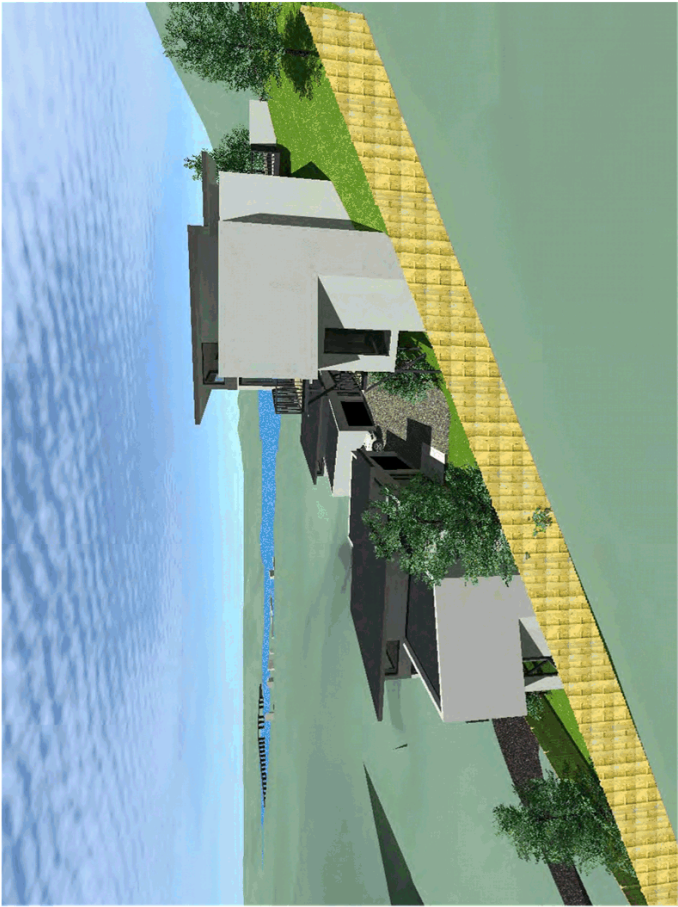
DA 12

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2148

AMENDMENT	DATE	DETAILS
4	23/11/18	ISSUE OF DA DRAWINGS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SWIFT PARROT MITIGATION
8	05/03/19	STAGED STRATA PLAN - RE-LABEL HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

DA 13

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2148

AMENDMENT	DATE	DETAILS
4	23/11/18	ISSUE OF DA DRAWINGS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SWIFT PARROT MITIGATION
8	05/02/19	STAGED STRATA PLAN - RE-LABEL HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNINRYNE
JOB NO. 2148

DA 14

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2148

AMENDMENT	DATE	DETAILS
4	23/11/18	ISSUE OF DA DRAWINGS
5	18/12/18	AMENDED 78 HOUSE 1 LEVEL - LIFTED 300MM
6	15/01/19	ADDED 2 VISITOR BAYS, SUBDIVISION BOUNDARY & SWIFT PARKING MITIGATION
8	05/02/19	STAGED STRATA PLAN - RE-LEASE HOUSE 1 - 4

PROPOSED DEVELOPMENT
FOR IMMOBILIARE DEVELOPMENTS PTY LTD
LOT 9 No. 7 MONTRIVALE RISE, DYNMYRNE
JOB NO. 2148

DA 15

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CIVIL DRAWINGS
PROPOSED DEVELOPMENT
LOT 9
7 MONTRIVALE DRIVE,
DYNNYRNE, TASMANIA 7005

SHEET	DRAWING	ISSUE	DATE
C0.01	INDEX, NOTES AND OVERALL PLAN	C	12/03/2019
C1.01	DETAIL PLAN - DRIVEWAY AND STORMWATER	C	12/03/2019
C1.02	DETAIL PLAN - SEWER AND WATER	C	12/03/2019
C1.03	DETAIL PLAN - CONTOUR PLAN	C	12/03/2019
C1.04	DETAIL PLAN - TURNPATHS	C	12/03/2019
C2.01	SECTIONS AND DETAILS	C	12/03/2019

GENERAL NOTES:

1. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS AND SPECIFICATIONS. DIMENSIONS REFERENCED ARE TO BE THE MOST CURRENT VERSION.
2. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION UNLESS ENDORSED FOR CONSTRUCTION AND AUTHORIZED FOR AS-BUILT RECORDING.
3. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH RELEVANT STANDARDS, DRAWINGS AND SPECIFICATIONS, AUSTRALIAN STANDARDS, VISA STANDARD CODE OF AUSTRALIA & WATER SUPPLY CODE OF AUSTRALIA AND TO THE SATISFACTION OF COUNCIL'S DEVELOPMENT ENGINEER.
4. PUBLISHED STANDARD DRAWINGS TO BE READ IN CONJUNCTION WITH COUNCIL BYLAW SHEETS 2021-1 & 2021-2.
5. ALL WORKS ARE TO BE CARRIED OUT IN SAFE CONDITION.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORKS WITH ALL RELEVANT AUTHORITIES PRIOR TO COMMENCEMENT.
7. A 'START' WORKS NOTICE MUST BE OBTAINED FROM COUNCIL PRIOR TO ANY WORKS COMMENCING.
8. SURVEY DATA UNDERSTANDING PROVIDED BY LAND AND COY. SURVEYORS DATED 23/01/19.
9. ARCHITECTURAL LAY AND SITE LAYOUT UNDERSTANDING PROVIDED BY LAND DESIGN.
10. PLOT LEGAL SET BY ADJUTANT. DIMENSION DRAWINGS BASED ON THESE.

WORKPLACE HEALTH & SAFETY NOTES:

- BEFORE THE CONTRACTOR COMMENCES WORK THE CONTRACTOR SHALL UNDERTAKE A SITE SPECIFIC PROJECT PROGRESS HAZARD ANALYSIS. JOB SAFETY ANALYSIS (JSA) WHICH SHALL IDENTIFY IN DOCUMENTED FORM:
- THE TYPE OF WORK
 - HAZARDOUS RISKS TO HEALTH AND SAFETY
 - THE CONTROLS TO BE APPLIED IN ORDER TO ELIMINATE OR MINIMIZE THE RISK POSED BY THE IDENTIFIED HAZARDS
 - THE BANNER IN WHICH THE RISK CONTROL MEASURES ARE TO BE IMPLEMENTED
- THESE ARE TO BE SUBMITTED TO THE SUPERINTENDENT AND/OR OTHER RELEVANT WORKPLACE SAFETY OFFICERS.

- FOR THIS PROJECT, POSSIBLE HAZARDS INCLUDE (BUT ARE NOT LIMITED TO):
- EXCAVATION OF ANY TYPE & DEPTHS
 - CONTAMINATED SOILS
 - CONSTRUCTION IN OR NEAR HIGH WATER TABLE
 - FELLING, LOGGING OR REMOVAL OF EXISTING TREES/VEGETATION
 - UNDERGROUND STRUCTURES (BUNKERS, TUNNELS, ETC)
 - COINTEGRATED PILES
 - OVERHEAD POWER LINES
 - UNDERGROUND UTILITIES (WATER AND SEWER PIPES)
 - TELECOMMUNICATION CABLES, BOTH UNDERGROUND & OVERHEAD
 - ELECTRICAL POWER CABLES, BOTH UNDERGROUND & OVERHEAD
 - WORKING AT HEIGHTS
 - WORKING WITH ASBESTOS CONTAINING MATERIALS
 - TRAFFIC MANAGEMENT

EARTHWORKS & DRIVEWAY NOTES:

1. ALL EARTHWORKS SHALL BE IN ACCORDANCE WITH AS/ISO 'GUIDELINES ON EARTHWORKS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT'.
2. ALL VENTILATION AND TOPSOIL SHALL BE STRIPPED AND SPREAD IN THE AREA OF PROPOSED WORKS.
3. NEW OR EXISTING DRIVEWAY PROFILES SHALL BE IN ACCORDANCE WITH PAVED STANDARD DRAWING T20-45-11 AND MUST BE INSPECTED AND APPROVED BY COUNCIL.
4. EXCAVATED AND IMPORTED MATERIALS USED AS FILL IS TO BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION.
5. FILL MATERIAL SHALL BE WELL DRAINED AND FREE OF COBBLES EXCEEDING 150MM IN DIAMETER UNLESS APPROVED BY THE ENGINEER.
6. FILL REQUIRED TO SUPPORT DRIVEWAYS INCLUDING FILL IN EMBANKMENTS THAT SUPPORT DRIVEWAYS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:
 - TOP SOIL AND DRAINAGE MATTER SHALL BE STRIPPED TO A MINIMUM OF 100MM.
 - THE SUB GRADE SHALL HAVE A MINIMUM BEARING CAPACITY OF 100 KPa.
 - FILL IN EMBANKMENTS SHALL BE COMPACTED TO A MINIMUM OF 95%.
 - THE FILL SHALL BE COMPACTED IN HORIZONTAL LAYERS OF NOT MORE THAN 150MM.
 - EACH LAYER SHALL BE COMPACTED TO A MINIMUM DENSITY RATIO OF 95% BY 10%.
 - IT IS THE BUILDERS RESPONSIBILITY TO ENSURE THAT THIS IS ACHIEVED.
7. WHERE THE ABOVE REQUIREMENTS CANNOT BE ACHIEVED THE ENGINEER SHALL BE CONSULTED AND THE FOUNDATION SHALL BE PROOF ROLLED UNDER SUPERVISION OF THE ENGINEER TO CONFIRM AN APPROVED BASE.
8. CONCRETE PAVEMENTS SHALL BE CONSTRUCTED AS SOON AS POSSIBLE WITHOUT TRAVELLING THE DRIVE, GENERALLY THIS SHALL BE WITHIN 14 DAYS.
9. BATTERS SHALL BE SET TO A SAFE ANGLE OF REPOSE IN ACCORDANCE WITH THE SOIL VOL. AS INDICATED BELOW.

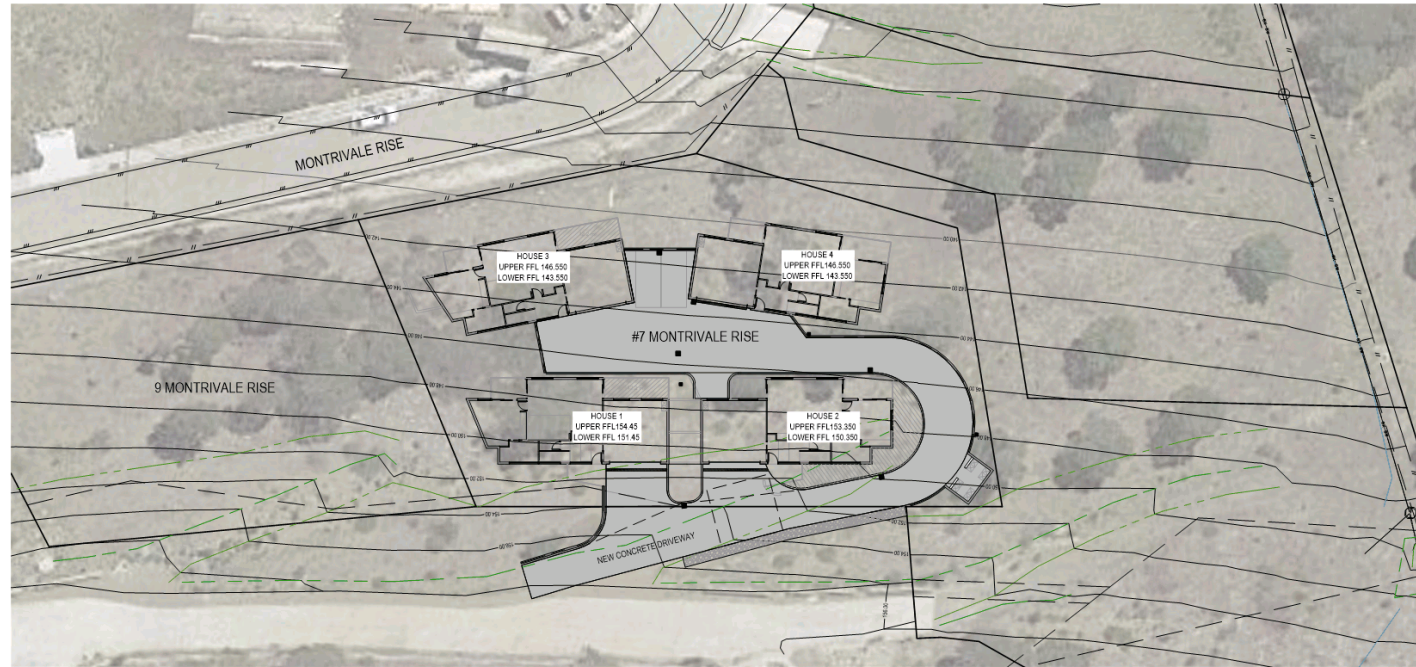
SOIL TYPE (* REFER BCA 3.2.4)	EMBANKMENT SLOPES H:L	
	COMPACTED FILL	CUT
STABLE ROCK (R)	2:3	0:1
SAND (S)	1:2	1:2
SILT (M)	1:4	1:4
CLAY	FIRM CLAY	1:2
	SOFT CLAY	1:1
SOFT SOIL (P)	NOT SUITABLE	2:3
	NOT SUITABLE	NOT SUITABLE

NOTE: WHERE SITE CONDITIONS ARE UNSUITABLE FOR A BATTERED BANK CONSULT THE ENGINEER FOR A SUITABLE RETAINING WALL DESIGN. EMBANKMENTS THAT ARE TO BE LEFT EXPOSED MUST BE STABILIZED BY VEGETATION OR SIMILAR WORK TO PREVENT SOIL EROSION.

DRAINAGE AND SERVICES NOTES:

1. ALL WORKS ASSOCIATED WITH PUBLIC STORMWATER INFRASTRUCTURE IS TO BE CARRIED OUT IN ACCORDANCE WITH PAVED THE LATEST STANDARD DRAWINGS AND SPECIFICATIONS TO THE SATISFACTION OF COUNCIL.
2. ALL WORKS ASSOCIATED WITH PUBLIC SEWER AND WATER IS TO BE CARRIED OUT IN ACCORDANCE WITH THE VISA PART 02 & 3.3 WATER AND SEWERAGE CODE OF AUSTRALIA AND TO THE SATISFACTION OF COUNCIL.
3. ALL CONNECTIONS TO EXISTING MAINS TO BE CARRIED OUT BY THE REGULATING AUTHORITY AT COST TO BUILDER UNLESS APPROVED OTHERWISE.
4. HYDRAULIC LAYOUT TO BE COORDINATED WITH OTHER SERVICES. HYDRAULIC LAYOUT AS SHOWN IS NOT FINAL, LAYOUT TO BE CONFIRMED ON SITE.
5. ALL EXISTING SERVICES TO BE LOCATED ON SITE PRIOR TO THE COMMENCEMENT OF WORKS.
6. GENERAL MATERIALS, INSTALLATION & TESTING SHALL COMPLY WITH AS/ISO AND THE TASMANN PLUMBING CODE.
7. INSTALL ALL AS DRAINS TO THE REQUIREMENTS OF AS/ISO AND PART 3.3.2 OF THE BCA.
8. PAVEMENT AND HARDWARE AREAS SHALL FILL AT A MINIMUM OF 10% TO 100% TOUGHENED APPROVED DRAINAGE POINT.
9. ALL PIPE WORK UNDER TRAFFICABLE AREAS INCLUDING DRIVEWAYS IS TO BE BUILT TO THE REQUIREMENTS OF THE TASMANN PLUMBING CODE.
10. DRAINAGE PIPES TO BE 150mm UNGLASS CLASS B160 PIPE UNDER TRAFFICABLE AREAS TO BE ENHANCED.
11. UNMANHOLEABLE FOR DRAINAGE PIPES SHALL BE 150mm UNGLASS CLASS B160 PIPE UNDER TRAFFICABLE AREAS TO BE ENHANCED.
12. UNMANHOLEABLE FOR DRAINAGE PIPES SHALL BE 150mm UNGLASS CLASS B160 PIPE UNDER TRAFFICABLE AREAS TO BE ENHANCED.
13. WATER PIPES TO BE 150mm UNGLASS CLASS B160 PIPE UNDER TRAFFICABLE AREAS TO BE ENHANCED.
14. WATER CONNECTIONS SHALL BE PROVIDED WITH MATERIALS AND BACKFILL PREVENTION AS PER TASMANN STANDARD DRAINAGE PRACTICES.
15. ALL PIPING TO BE INSTALLED BY COUNCIL PRIOR TO BACKFILL.
16. PIPE DRAINAGE SIZES HAVE BEEN DETERMINED BY PIPE CAPACITY TABLES. THESE PIPES MAY NEED TO BE INCREASED IN UNMANHOLEABLE SIZE DUE TO THE DEPTH AS PER AS/ISO 3.3.2. THE CONTRACTOR RESPONSIBILITY TO ENSURE COMPLIANCE TO AS/ISO.

THIS DRAWING MUST ONLY BE DISTRIBUTED IN FULL COLOUR. ALDANMARK CONSULTING ENGINEERS ACCEPTS NO LIABILITY ARISING FROM FAILURE TO COMPLY WITH THIS REQUIREMENT.



THESE DRAWINGS MUST BE APPROVED BY
COUNCIL & TASWATER PRIOR TO CONSTRUCTION

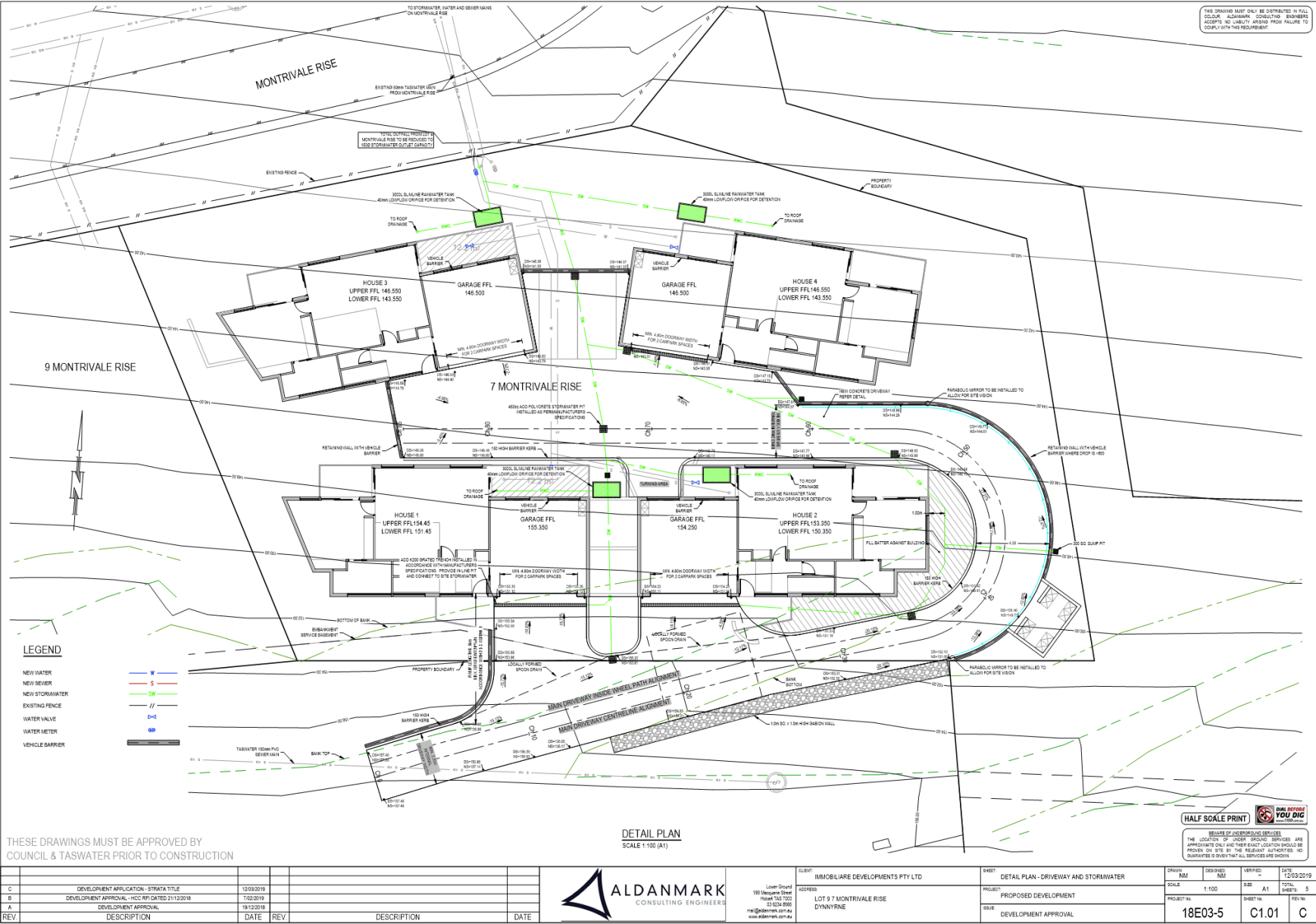
OVERALL PLAN
SCALE 1:200 (A1)

REV	DESCRIPTION	DATE	REV	DESCRIPTION	DATE
C	DEVELOPMENT APPLICATION - STRATA TITLE	12/03/2019			
B	DEVELOPMENT APPROVAL - HCC RPT DATED 21/12/2018	1/02/2019			
A	DEVELOPMENT APPROVAL	19/12/2018			

CLIENT	IMMOBILIARE DEVELOPMENTS PTY LTD	DRAWN	NM	DESIGNED	NM	VERIFIED	-	DATE	12/03/2019
ADDRESS	100 Monivale Drive Hwy 136 TAS 7005 03 624 8800 m@aldanmark.com.au www.aldanmark.com.au	SCALE	1:200	SHEET	5	DATE	12/03/2019		
PROJECT	LOT 9 MONTRIVALE RISE DYNNYRNE	PROJECT NO.	18E03-5	SHEET NO.	C0.01	REV. NO.	C		
SUBJECT	OVERALL PLAN, INDEX AND NOTES								
	PROPOSED DEVELOPMENT								
	DEVELOPMENT APPROVAL								

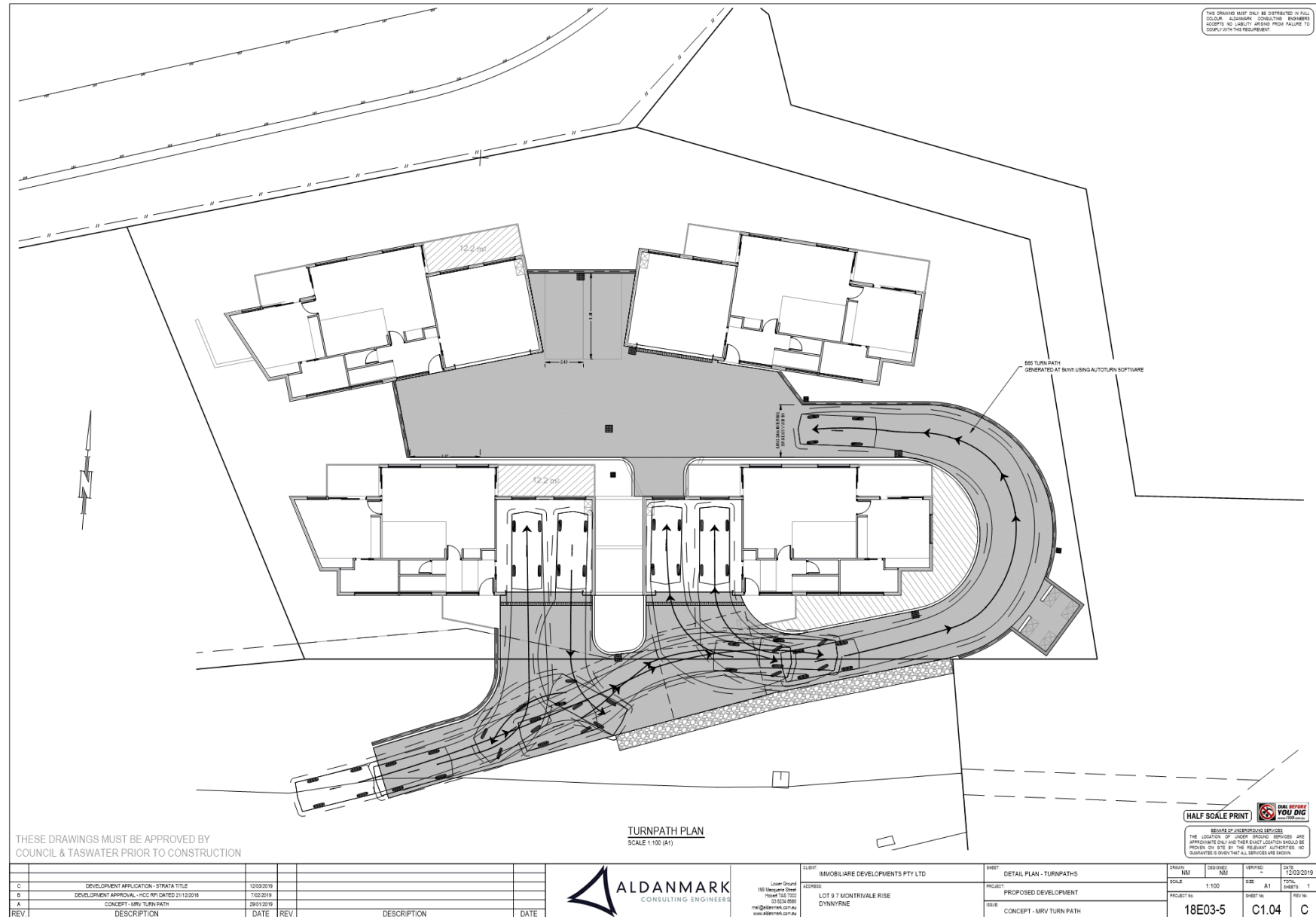


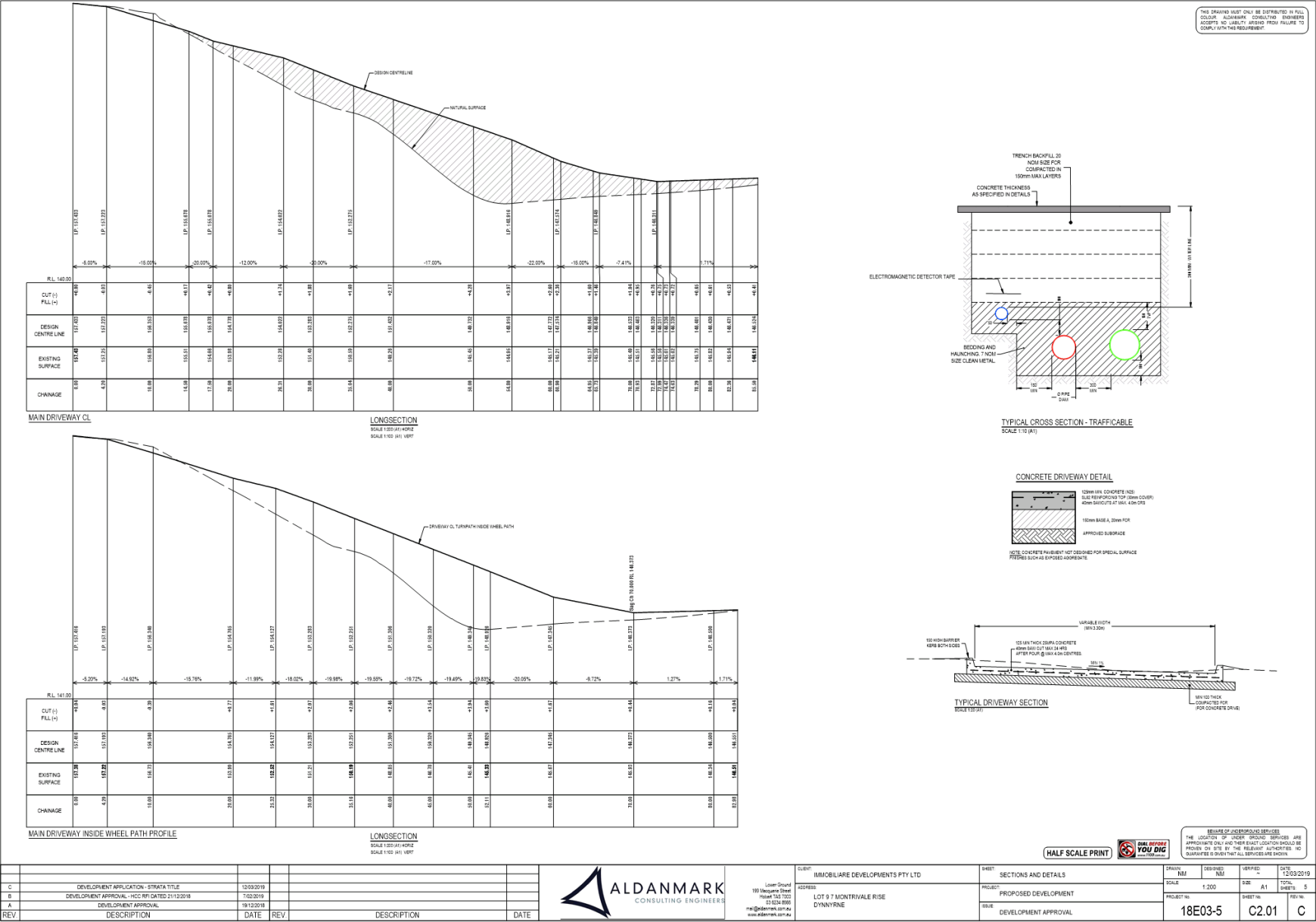
HALF SCALE PRINT
SEAL OF UNDERGROUND SERVICES
THE LOCATION OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT LOCATION SHOULD BE PROVIDED ON SITE BY THE RELEVANT AUTHORITIES. NO QUANTITIES GIVEN THAT ALL SERVICES ARE SHOWN.













12/03/2019

Dear Sir/ Madam

Proposed Development 7 Montrivale Rise Dynnyrne

As a response from HCC RFI letter 20 February 2019

Our clients instruction that 7 Montrivale is to now be a staged strata subdivision

Stages for development as follows:

1. 7 House 1 + portion of drive for reversing vehicles
2. 7 House 2 + portion of drive for reversing vehicles
3. 7 House 3 + complete drive & parking pays
4. 7 House 4

Please find attached document submitted to HCC Portal

Immobiliare DA 2019-03-05 A8 Staged Strata.pdf
190312 CIV 18E03-5 C.pdf

Yours faithfully

Michael Sullivan
For and on behalf of Linardi Pty Ltd

Victorian Building Authority
Registered Building Practitioner
DP-AD576
Department of Justice Tasmania Building Standards and Occupational Licensing
Registered Building Practitioner Accreditation Number CC392L

The logo for Linardi Pty Ltd, featuring a stylized yellow and black graphic element resembling a mountain or a stylized 'A'.

LINARDI PTY. LTD. ACN 062 237 530 ABN 54 062 237 530
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studio - 119 Roaring Beach Road, South Arm, Tasmania 7022
m. 0417 878 723 e. linardi@bigpond.com w. linadidesign.com

HIA HOUSING
HIA GOLD AWARD FOR DESIGN
HIA-CSR BUILDING DESIGNER
MULTI-AWARD WINNERS
AWARDS

The logo for the HIA Housing Awards, featuring a stylized diamond shape with a smaller diamond inside, and the text "HIA HOUSING" above it and "AWARDS" below it.



16/01/2019

The Owner of 12 Montrivale Rise
Dynnrne Tasmania 7005
PO Box 155
North Hobart Tas 7002

Dear Sir/ Madam

Proposed Development 7 Montrivale Rise Dynnrne

Under the requirements of the Part 5 Agreement of title for 7 Montrivale Rise Dynnrne we hereby provide notification to the owners of 12 Montrivale Rise Dynnrne Tasmania that an application has been lodged with Hobart City Council for a proposed housing development at 7 Montrivale Rise Dynnrne. If you have any queries please don't hesitate to contact HCC or Marco Linardi on 0417 878723.

Yours faithfully

Marco Linardi
Director
For and on behalf of Linardi Pty Ltd

Victorian Building Authority
Registered Building Practitioner
DP-AD576
Department of Justice Tasmania Building Standards and Occupational Licensing
Registered Building Practitioner Accreditation Number CC392L



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m. 0417 878 723 e. linardi@bigpond.com w. linadidesign.com





16/01/2019

The Owner of 11 Montrivale Rise
Dynnrne Tasmania 7005
81 Lord Street
Sandy Bay Tas 7005

Dear Sir/ Madam

Proposed Development 7 Montrivale Rise Dynnrne

Under the requirements of the Part 5 Agreement of title for 7 Montrivale Rise Dynnrne we hereby provide notification to the owners of 11 Montrivale Rise Dynnrne Tasmania that an application has been lodged with Hobart City Council for a proposed housing development at 7 Montrivale Rise Dynnrne. If you have any queries please don't hesitate to contact HCC or Marco Linardi on 0417 878723.

Yours faithfully

A handwritten signature in black ink, appearing to read "Marco Linardi", with a horizontal line extending to the right.

Marco Linardi
Director
For and on behalf of Linardi Pty Ltd

Victorian Building Authority
Registered Building Practitioner
DP-AD576
Department of Justice Tasmania Building Standards and Occupational Licensing
Registered Building Practitioner Accreditation Number CC392L

The logo for Linardi Pty Ltd consists of a yellow triangle pointing right and a black triangle pointing left, both of the same size, positioned side-by-side.

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GPO BO 962, Hobart, Tasmania 7001
studio - 119 Roaring Beach Road, South Arm, Tasmania 7022
m. 0417 878 723 e. linardi@bigpond.com w. linadidesign.com





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 171608	FOLIO 23
EDITION 3	DATE OF ISSUE 15-Jun-2018

SEARCH DATE : 09-Jan-2019

SEARCH TIME : 12.22 PM

DESCRIPTION OF LAND

City of HOBART

Lot 23 on Sealed Plan 171608

Derivation : Part of 633 Acres Gtd. to Robert Lathrop

Prior CT 167721/13

SCHEDULE 1

E80328 TRANSFER to POET PRESS PTY LTD Registered
15-Jun-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP171608 EASEMENTS in Schedule of Easements

SP171608 COVENANTS in Schedule of Easements

SP171608 FENCING PROVISION in Schedule of Easements

SP167721 COVENANTS in Schedule of Easements

SP167721 FENCING PROVISION in Schedule of Easements

D128963 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
02-Jul-2014 at 12.02 PM

D133539 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
02-Jul-2014 at 12.02 PM

E138264 MORTGAGE to Westpac Banking Corporation Registered
15-Jun-2018 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 171608	FOLIO 22
EDITION 3	DATE OF ISSUE 25-Jul-2017

SEARCH DATE : 09-Jan-2019

SEARCH TIME : 12.23 PM

DESCRIPTION OF LAND

City of HOBART

Lot 22 on Sealed Plan 171608

Derivation : Part of 633 Acres Gtd. to Robert Lathrop

Prior CT 167721/12

SCHEDULE 1

E68168 TRANSFER to IAN MACNEILL MCCORMICK and MARGARET
 CLAIRE MCCORMICK Registered 13-Jun-2017 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP171608 EASEMENTS in Schedule of Easements

SP171608 COVENANTS in Schedule of Easements

SP171608 FENCING PROVISION in Schedule of Easements

SP167721 COVENANTS in Schedule of Easements

SP167721 FENCING PROVISION in Schedule of Easements

D133539 AGREEMENT pursuant to Section 71 of the Land Use

Planning and Approvals Act 1993 Registered

02-Jul-2014 at 12.02 PM

E91890 INSTRUMENT Creating Restrictive Covenants Registered

25-Jul-2017 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORD OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER
IN-SITE MANAGEMENT TASMANIA PTY LTD.

FOLIO REFERENCE CT167721/8, 12 & 13

GRANTEE
PART OF 633 AC GTD TO ROBERT LATHROP

PLAN OF SURVEY

BY SURVEYOR TERENCE S CROMER

11/15 Gladstone St, Battery Point, 7004
PH 0419 353 414

e-mail: terry@cromersurveyors.com.au
www.cromersurveyors.com.au

LOCATION
CITY OF HOBART

Registered Number
SP171608

APPROVED 28 NOV 2016
EFFECTIVE FROM.....

Nice Kawa
Recorder of Titles

SCALE 1:500 **LENGTHS IN METRES**

MAPSHEET MUNICIPAL **LAST UP1 No.** **ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN**

CODE No. 114 (5224)

LINE	BEARING	DISTANCE
L1	79°01'30"	9.70
L2	79°01'30"	22.34
L3	75°56'40"	6.94
L4	79°30'50"	4.18
L5	61°01'30"	4.18
L6	42°32'10"	4.18
L7	43°54'	2.94
L8	65°06'50"	2.94
L9	75°43'20"	1.16
L10	260°53'50"	11.89
L11	257°57'	8.40
L12	256°29'40"	11.56
L13	257°51'30"	7.42
L14	262°35'50"	8.47
L15	269°41'10"	7.36
L16	282°30'10"	4.12
L17	300°38'30"	3.63
L18	327°01'30"	3.19
L19	352°33'50"	3.42
L20	16°46'30"	4.68
L21	30°54'20"	5.34

MONTRIVALE RISE

ENLARGEMENT "X" 1:500

ENLARGEMENT "Y" 1:500

COUNCIL DELEGATE _____

DATE 24-10-2016

LINE	BEARING	DIST.
E1	88°58'10"	01.00
E2	88°58'10"	1.03
E3	88°58'10"	2.56
E4	88°58'10"	5.42
E5	48°47'20"	1.73
E6	48°47'20"	11.45
E7	167°38'30"	7.34
E8	346°30'40"	7.22
E9	58°52'40"	21.31
E10	58°52'40"	15.26
E11	338°27'50"	2.54
E12	163°07'	5.26
E13	163°07'	2.59
E14	159°27'50"	9.75
E15	159°27'50"	15.96



COUNCIL CERTIFICATE

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



COUNCIL APPROVAL

Registered Number

SP 171608

(Insert any qualification to the permit under section 83(5), 109 or 111

of the Local Government (Building & Miscellaneous Provisions) Act 1993)

The subdivision shown in this plan is approved

~~UNDER SECTION 111 TO ALLOW THE PORTIONS OF LOT 18 TO FORM A SINGLE PARCEL~~

In witness whereof the common seal of THE HOBART CITY COUNCIL

has been affixed, ~~pursuant to a resolution of the Council of the said municipality~~passed the 24TH day of OCTOBER 2016 , in the presence of us

DIRECTOR CITY PLANNING

Member

Member

General Manager
SURVEYING SERVICES

Council Reference ..90715.....

NOMINATIONS

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993

the owner has nominated

..... ROBERT BADENACH Solicitor to act for the owner

..... CROMER & PARTNERS Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed

Computed

DH 28/10/16

Examined

DH 31/10/16



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 171608

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
 - (2) any easements or profits a prendre described hereunder.
- The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.
- (3) A right of Drainage over the Drainage Easements shown on the Plan in favour of the Hobart City Council and Tasmanian Water and Sewerage Corporation Pty Limited.

EASEMENTSLOT 12 is

TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through Lot 22 hereon.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through Lot 22 hereon.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'B' Variable Width Pipeline Easement 2.50 Wide shown passing through Lot 23 hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Right of Way (Private) and Service Easement B Variable Width passing through Lot 23 hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement B, Embankment Services Easement C shown on the plan.

TOGETHER WITH a Services Easement over the Embankment Services Easement 'B' Variable Width passing through Lot 23 hereon.

SUBJECT TO an Embankment Services Easement (as herein defined) over the Embankment Services Easement 'A' shown on the Plan hereon as appurtenant to Lots 9, 10 and 13 on Sealed Plan 167721 and Lots 18, 22 and 23 hereon.

SUBJECT TO an Embankment Services Easement (as herein defined) over the Embankment Services Easement 'E' shown on the Plan hereon as appurtenant to Lots 18, 22 and 23 hereon, and Lots 9 & 10 Variable width on Sealed Plan 167721.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD (ACN 058 417 682)	PLAN SEALED BY: HOBART CITY COUNCIL
FOLIO REF: VOLUME 167721 FOLIOS 8, 12 and 13	DATE: 24.10.2016
SOLICITOR & REFERENCE: MURDOCH CLARKE (RJB:1501321:BC)	907.15 REF NO.
	Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 10 PAGES 9	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

LOT 18 is

TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown passing through Lot 22 hereon.

TOGETHER WITH a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width as shown passing through Lot 23 hereon.

That part of Lot 18 (formerly Lot 13 on Sealed Plan 167721) is TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement A, Embankment Services Easement C and Embankment Services Easement D shown on the plan.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement A, Embankment Services Easement B, Embankment Services Easement C and Embankment Services Easement D shown on the plan.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'A' Variable Width, shown passing through Lot 22 hereon.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'B' Variable Width, Pipeline Easement 2.50 Wide shown passing through Lot 23 hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement E shown on the plan.

SUBJECT TO a Type Two Right of Carriageway over the Right of Way (Private) and Services Easement C Variable Width as appurtenant to Lots 9 and 10 on Sealed Plan 167721 and Lot 23 hereon.

SUBJECT TO a Right of Drainage over the Right of Way (Private) and Services Easement 'C' Variable Width shown passing through that Lot in favour of the Hobart City Council.

LOT 22 is

TOGETHER WITH a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 23 hereon.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'B' Variable Width, Pipeline Easement 2.50 Wide and Pipeline Easement Variable Width marked MNO PQ shown passing through Lot 23 hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Service Easement A, Embankment Services Easement B, Embankment Services Easement C shown on the plan hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement E shown on the plan.

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 10 PAGES 9	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

SUBJECT TO a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown hereon as appurtenant to Lots 9, 10 and 12 on Sealed Plan 167721 and Lots 12, 18 and 23 hereon.

SUBJECT TO a Service Easement (as herein defined) over the Right of Way (Private) and Services Easement 'A' Variable Width shown on the plan hereon as appurtenant to Lots 9, 10 and 12 on Sealed Plan 167721 and Lots 12, 18 and 23 hereon.

SUBJECT TO a Pipeline and Service Easement in gross (as herein defined) over the Right of Way (Private) and Services Easement 'A' Variable Width shown passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited.

SUBJECT TO a Right of Drainage over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through that Lot in favour of the Hobart City Council.

LOT 23 is

TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through Lot 22 hereon.

TOGETHER WITH a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'A' Variable Width passing through Lot 22 hereon.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement A, Embankment Services Easement C and Embankment Services Easement D shown on the plan.

TOGETHER WITH an Embankment Services Easement (as herein defined) over the Embankment Services Easement E shown on the plan.

SUBJECT TO a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width shown on the Plan hereon as appurtenant to Lots 8, 9, 10 and 12 on Sealed Plan 167721 and Lots 18 and 22 hereon.

SUBJECT TO a Services Easement (as herein defined) over the Right of Way (Private) and Service Easement 'B' Variable Width, shown on the Plan hereon as appurtenant to Lots 8, 9, 10 and 12 on Sealed Plan 167721 and Lots 12, 18 and 22 hereon.

SUBJECT TO a Services Easement (as herein defined) over the Pipeline Easement 2.50 Wide and Pipeline Easement Variable Width marked MNOPQ shown on the Plan hereon as appurtenant to Lots 12, 18 and 22 hereon.

SUBJECT TO an Embankment Services Easement (as herein defined) over the Embankment Services Easement B shown on the Plan hereon as appurtenant to Lots 8, 9 and 10 on Sealed Plan 167721 and Lots 12, 18 and 22 hereon.

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 10 PAGES 9	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

SUBJECT TO a Pipeline and Services Easement in gross (as herein defined) over the Pipeline Easement 2.50 wide and Pipeline Easement Variable Width marked MNOPQ passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited.

SUBJECT TO a Right of Drainage over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through that Lot in favour of the Hobart City Council.

EASEMENTS CONTINUED PAGE 9

COVENANTS

The Lots shown on the plan are together with the benefit and subject to the burden of the Covenants created by Sealed Plan 167721.

LOTS 8, 12 and 18

The Owner of Lots 8, 12 and 18 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected on the said Lot any transportable home;
4. Not to erect or permit to be erected any free standing carport or garages on Lots 8, 9 and 10 unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
5. Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
6. Not to plant or allow existing trees or shrubs to grow that may limit the view or shadow any other dwelling on any other Lot shown on the Plan;
7. Not to permit more than one (1) dwelling to have access to Right of Way (Private) and Services Easement 'A' Variable Width and Right of Way (Private) and Services Easement 'B' Variable Width.
8. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
9. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 22

The Owner of Lot 22 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
2. Not to erect or permit to stand erected on the said Lot any transportable home;

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SCHEDULE OF EASEMENTS

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 10 PAGES 9	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

3. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
4. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 23

The Owner of Lot 23 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
4. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

FENCING COVENANT PROVISION

In respect of each Lot shown on the Plan the Vendor, In-Site Management Tasmania Pty Ltd, shall not be required to fence.

INTERPRETATION

"Services Easement" means the full free right of every person who is entitled to an estate or interest in possession indicated as the dominant tenement or any part thereof with which said rights shall be capable of enjoyment in common with the owner of the servient tenement the Hobart City Council, Tasmanian Water and Sewerage Corporation Pty Ltd Telstra Corporation Limited, Aurora Energy Pty Ltd, NBN Co. Limited and Her Majesty the Queen to lay use and maintain forever water mains, pipes, drains, mains, channels, gutters, sewers, wires, gas pipeline, cables and other conducting media of such size and number as shall from time to time be required in the strips of land shown on the plan and marked hereon and marked Right of Way (Private) and Services Easement 'A' Variable Width and Right of Way (Private) and Services Easement 'B' Variable Width and Right of Way (Private) and Services Easement 'C' Variable Width and the right for their surveyors and workmen from time to time and at all times hereafter to enter into and upon the said strips of land or any part thereof bringing upon the Right of Way (Private) and Services Easement 'A' Variable Width and Right of Way (Private) and Services Easement 'B' Variable Width and Right of Way (Private) and Services Easement 'C' Variable Width such material machinery and other things as it shall think fit and proper to inspect the condition thereof and to repair amend and cleanse PROVIDED HOWEVER that any damage occasioned thereby shall be made good.

"Type One Right of Carriageway" means the full and free right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof subject to the obligation to contribute one-fifth (1/5) of the cost of keeping the roadway constructed on that part of Lot 22 marked Right of Way (Private) and Service Easement 'A'

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 10 ⁹ PAGES	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

Variable Width on the Plan in a good and proper state of repair and condition except where works are required to repair damage caused by the wilful act or negligence of any person other than the owner of the dominant tenement or his invitees or contractors.

"Type Two Right of Carriageway" means the full and free right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof subject to the obligation to contribute one-fifth (1/5) of the cost of keeping the roadway constructed on that part of Lot 23 marked Right of Way (Private) and Service Easement 'B' Variable Width on the Plan in a good and proper state of repair and condition except where works are required to repair damage caused by the wilful act or negligence of any person other than the owner of the dominant tenement or his invitees or contractors.

"Embankment Easement" means the full and free right and liberty for the dominant tenements for the time being having the benefit of the easement over the Lots shown on the Plan to enter upon the land to carry out any works from time to time that may be necessary to retain and maintain the earthworks and drainage associated with the local highway (as defined by the *Local Government Highway Act 2002*) but not precluding the servient tenements, subject to approval of the local authority, from constructing or erecting any structure on the land as required to provide access to any part of, or to maintain the stability of the servient Lots.

"Embankment Services Easement" means the full and free right and liberty for the proprietor of the dominant tenement with others and machinery:

- (a) to enter upon the land marked "Embankment Services Easement A B C D E" on the plan to embank the immediately adjoining carriageway pavement;
- (b) to inspect, maintain, repair and amend the rock walling and soil compaction supporting the carriageway pavement;
- (c) to maintain the profile and ensure the structural integrity of the said land; and
- (d) to ensure that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land.

"TasWater" means Tasmanian Water and Sewerage Corporation Pty Ltd and its successors and assigns.

"Pipeline and Services Easement" is defined as follows:-

THE FULL RIGHT AND LIBERTY for TasWater at all times to:

- (1) enter and remain upon the Land which is subject to the easement ("Easement Land") with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 7 OF 10 PAGES 9</p>	<p align="center">Registered Number</p> <p align="center">SP 171608</p>
<p>SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD</p> <p>FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13</p>	

- (5) run and pass sewage, water and electricity through and along the Infrastructure;
- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (1) without doing unnecessary damage to the Easement Land; and
 - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
 - (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
 - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
 - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
 - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
 - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
 - (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
 - (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
 - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 8 OF 9 PAGES	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
- (a) reinstate the ground level of the Easement Land; or
 - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (c) replace any thing that supported, protected or covered the Infrastructure.

Interpretation:

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (f) any thing reasonably required to support, protect or cover any of the Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

Signed by **IN-SITE MANAGEMENT TASMANIA PTY LTD (ACN 058 417 682)** as registered proprietor of the land described in Certificate of Title Volume 19867 Folio 1 as evidenced by its execution hereunder and executed pursuant to Section 127 of the *Corporations Act 2001*:

SIGNED by **IN-SITE MANAGEMENT TASMANIA PTY LTD** by its Attorney **ROBERT JOHN BADENACH** pursuant to Power of Attorney Registered Number **PA101923** and the said **ROBERT JOHN BADENACH** declares that he has received no notice of the revocation thereof in the presence of:

WITNESS:
 FULL NAME: Catherine Joy Cassar
 ADDRESS: Personal Assistant
 OCCUPATION: 10 Victoria Street, Hobart 7000

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



SCHEDULE OF EASEMENTS

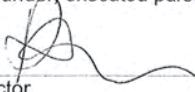
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



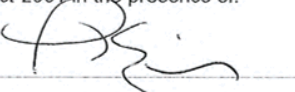
ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 9 OF 9 PAGES	Registered Number SP 171608
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD FOLIO REFERENCE: VOLUME 167721 FOLIOS 8, 12 and 13	

Executed by MURDOCH CLARKE MORTGAGE MANAGEMENT LIMITED (ACN 115 958 560) as Mortgagee of the land described in Certificate of Title Volume 19867 Folio 1 as evidenced by its execution hereunder, executed pursuant to Section 127 of the Corporations Act 2001 in the presence of:


 Director

REBECCA SANDRA REID

Director Name


 Director

PAUL KUZIS

Director Name

EASEMENTS CONTINUED

Lots 8 & 18 on the plan are each subject to a Right of Drainage (appurtenant to Lot 13 on SP167721) over the Drainage Easement 2.50 wide (SP167721) on the plan.

Lots 8 & 18 on the plan are each subject to a Right of Drainage in favour of Hobart City Council over the Drainage Easement 2.50 wide on the plan.

Lots 8 & 18 on the plan are each subject to a Right of Drainage in favour of Hobart City Council over the Drainage Easement variable width on the plan.

Lot 23 on the plan is together with a Type 2 Right of Carriageway over the Right of Way (private) and Service Easement C variable width on the plan.

Lot 23 on the plan is subject to an Embankment Services Easement (as herein defined) (appurtenant to Lot 12) over the Right of Way (private) and Service Easement B variable width on the plan.

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RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 167721	FOLIO 9
EDITION 3	DATE OF ISSUE 28-Nov-2016

SEARCH DATE : 26-Nov-2018

SEARCH TIME : 02.22 PM

DESCRIPTION OF LAND

City of HOBART
 Lot 9 on Sealed Plan 167721
 Derivation : Part of 633 Acres Gtd. to Robert Lathrop Murray
 Prior CT 19867/1

SCHEDULE 1

M563317 TRANSFER to DING FENG REN Registered 06-Jun-2016 at
 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP167721 EASEMENTS in Schedule of Easements
 SP167721 COVENANTS in Schedule of Easements
 SP167721 FENCING PROVISION in Schedule of Easements
 SP171608 BENEFITING EASEMENT: Right of Carriageway over the
 Right of Way & Services Easement 'C' variable width
 on Sealed Plan No. 167721
 SP171608 BENEFITING EASEMENT: Right of Carriageway over the
 Right of Way & Service Easement 'A' variable width on
 Sealed Plan No. 167721
 SP171608 BENEFITING EASEMENT: An Embankment Services Easement
 over the Embankment Services Easement 'E' variable
 width on Sealed Plan No. 167721
 SP171608 BENEFITING EASEMENT: A Service Easement over the
 Right of Way & Services Easement 'A' variable width
 on Sealed Plan No. 167721
 D128963 AGREEMENT pursuant to Section 71 of the Land Use
 Planning and Approvals Act 1993 Registered
 02-Jul-2014 at 12.02 PM
 M617460 CAVEAT by Jonathon Charles Root, Commissioner of
 State Revenue Registered 16-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

NOTICE: This folio is affected as to amended easements
 pursuant to Request to Amend No. E57289 made under

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993. Search Sealed Plan No. 167721 Lodged by MURDOCH CLARKE on 25-Oct-2016 BP: E57289

M731376 PRIORITY NOTICE reserving priority for 60 days W/CAVEAT Jonathon Charles Root, Commissioner of State Revenue

TRANSFER Ding Feng Ren to Immobiliare Development Pty Ltd Lodged by SIMMONS WOLFHAGEN on 21-Nov-2018 BP: M731376



FOLIO PLAN

RECORDED OF TITLES

Issued Pursuant to the Land Titles Act 1980



Tasmanian
Government

[illegible]

the List...

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



PLAN OF SURVEY ANNEXURE SHEET SHEET 1 OF 1 SHEETS	OWNER IN-SITE MANAGEMENT TASMANIA PTY LTD, ROSWITHA BERNHARDT FOLIO REFERENCE CT.19867/1, CT. 22733/1 SCALE 1: 750 LENGTH IN METRES	Registered Number SP167721
SIGNED FOR IDENTIFICATION PURPOSES Council Delegate _____ Date _____	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET Registered Land Surveyor _____ Date _____	APPROVED EFFECTIVE FROM 2 JUL 2018 <i>Nice Kava</i> Recorder of Titles

The diagram is a survey plan showing a network of land parcels and easements. A central road, MONTRIVALE, runs diagonally from the top left towards the bottom right. Another road, RISE, branches off to the right from MONTRIVALE. Various parcels are numbered 1 through 13. Several easements are indicated with dashed lines and labels: EASEMENT 'A' (RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT 'A' VARIABLE WIDTH (SP.171608)), EASEMENT 'B' (EMBANKMENT SERVICE EASEMENT 'B' VARIABLE WIDTH (SP.171608)), EASEMENT 'C' (RIGHT OF WAY (PRIVATE) & SERVICE EASEMENT 'C' VARIABLE WIDTH (SP.171608)), EASEMENT 'D' (EMBANKMENT SERVICE EASEMENT 'D' VARIABLE WIDTH (SP.171608)), and EASEMENT 'E' (EMBANKMENT SERVICE EASEMENT 'E' VARIABLE WIDTH (SP.171608)). Other references include (P.134793), (D.50545), (D.29161), and (SP.171608).

the List...

COUNCIL CERTIFICATE

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



COUNCIL APPROVAL

Registered Number

SP167721

(Insert any qualification to the permit under section 83(5), 109 or 111

of the Local Government (Building & Miscellaneous Provisions) Act 1993)

The subdivision shown in this plan is approved

UNDER SECTION 111 TO ENABLE THE PORTIONS OF LOT 10 TO FORM A SINGLE ^{PARCEL} AND TO ENABLE THE PORTIONS
OF LOT 13 TO FORM A SINGLE ^{PARCEL} AND UNDER SECTION 89 TO GIVE EFFECT TO LOTS 1,2,3,4,5,6,7,8,9,11,100,101,102 & 103, 12.



In witness whereof the common seal of THE HOBART CITY COUNCIL

~~has been affixed, pursuant to a resolution of the Council of the said municipality~~passed the 10th day of JUNE 2014, in the presence of us

DIRECTOR DEVELOPMENT

Member &

ENVIRONMENTAL SERVICES

Member

General Manager

SURVEYING SERVICES

Council Reference ..997/15.....

NOMINATIONS

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993

the owner has nominated

ROBERT BADENACH

Solicitor to act for the owner

CROMER & PARTNERS

Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed ..✓.....

Computed ..✓.....

Examined ..✓.....

16/6/2014.

16/6/2014.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP167721

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
 - (2) any easements or profits a prendre described hereunder.
- The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.
- (3) A right of Drainage over the Drainage Easements shown on the Plan in favour of the Hobart City Council and Tasmanian Water and Sewerage Corporation Pty Limited.

EASEMENTSLOT 1 is:

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. /

SUBJECT TO a Right of Drainage over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of the Hobart City Council. /

LOT 2 is:

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. /

SUBJECT TO a Right of Drainage over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of the Hobart City Council. /

LOT 3 is:

SUBJECT TO an Embankment Easement (as hereinafter defined) over the strips of land marked Embankment Easement passing through Lot 3 in favour of the Hobart City Council. /

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited.

(USE ANNEXURE PAGES FOR CONTINUATION)	
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD (ACN 058 417 682) and ROSWITHA BERNHARDT FOLIO REF: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1 SOLICITOR & REFERENCE: MURDOCH CLARKE (RJB:1081472:ENS)	PLAN SEALED BY: HOBART CITY COUNCIL DATE: 10-6-2014 90715 REF NO.
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 11 PAGES	Registered Number SP167721
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1	

SUBJECT TO a Right of Drainage over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of the Hobart City Council. ✓

LOT 4 is:

SUBJECT TO an Embankment Easement (as hereinafter defined) over the strips of land marked Embankment Easement passing through Lot 4 in favour of the Hobart City Council. ✓

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. ✓

SUBJECT TO a Right of Drainage over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of the Hobart City Council. ✓

LOT 5 is:

SUBJECT TO an Embankment Easement (as hereinafter defined) over the strips of land marked Embankment Easement passing through Lot 5 in favour of the Hobart City Council. ✓

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. ✓

SUBJECT TO a Right of Drainage over the Pipeline and Drainage Easement 5.00 wide and Variable Width passing through that Lot in favour of the Hobart City Council. ✓

LOT 8 is

TOGETHER WITH a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width as shown passing through Lot 13 hereon. ✓

~~TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. ✓~~

TOGETHER WITH an Embankment Service Easement (as hereinafter defined) over the Embankment Service Easement A, Embankment Service Easement B, Embankment Service Easement C and Embankment Service Easement D passing respectively through Lots 12, 13, 10 and 9 hereon. ✓

~~TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. ✓~~

TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 13 hereon. ✓

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Right of way (private) and Service Easement 'A' variable width hereon deleted by me pursuant to Request to Amend No. E57289 made under Section 103 of Local Government (Building & Miscellaneous Provisions) Act 1993.

28 / 11 / 2016 Recorder of Titles



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 11 PAGES	Registered Number SP 167721
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1	

LOT 9 is

TOGETHER WITH a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width as shown passing through Lot 13 hereon. /

~~TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. /~~

TOGETHER WITH an Embankment Service Easement (as hereinafter defined) over the Embankment Service Easement A, Embankment Service Easement B and Embankment Service Easement C passing respectively through Lots 12, 13 and 10 hereon. /

~~TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. /~~

TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 13 hereon. /

SUBJECT TO an Embankment Service Easement (as hereinafter defined) over Embankment Service Easement D shown on the Plan hereon as appurtenant to Lots 8 and 13 hereon. /

LOT 10 is

TOGETHER WITH a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width as shown passing through Lot 13 hereon. /

~~TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. /~~

TOGETHER WITH an Embankment Service Easement (as hereinafter defined) over the Embankment Service Easement A and Embankment Service Easement B passing respectively through Lots 12 and 13 hereon. /

~~TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) Service Easement 'A' Variable Width as shown passing through Lot 12 hereon. /~~

TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 13 hereon. /

SUBJECT TO an Embankment Service Easement (as hereinafter defined) over Embankment Service Easement C shown on the Plan hereon as appurtenant to Lots 8, 9 and 13 hereon. /

LOT 12 is

TOGETHER WITH a Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 13 hereon. /

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Right of way (private) and Service Easement 'A' variable width hereon deleted by me pursuant to Request to Amend No. E57289 made under Section 103 of Local Government (Building & Miscellaneous Provisions) Act 1993
28 / 11 / 2016
Recorder of Titles



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 11 PAGES	Registered Number SP167721
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SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT

FOLIO REFERENCE: VOLUME 19887 FOLIO 1 and VOLUME 22733 FOLIO 1

TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through Lot 13 hereon. /

TOGETHER WITH an Embankment Service Easement (as hereinafter defined) over the Embankment Service Easement B and Embankment Service Easement C passing respectively through Lots 13 and 10 hereon. /

~~SUBJECT TO a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width as shown hereon as appurtenant to Lots 8, 9, 10 and 13 hereon. /~~~~SUBJECT TO a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'A' Variable Width shown on the plan hereon as appurtenant to Lots 8, 9, 10 and 13 hereon. /~~

SUBJECT TO an Embankment Service Easement (as hereinafter defined) over Embankment Service Easement A shown on the Plan hereon as appurtenant to Lots 13, 10, 9 and 8 hereon. /

~~SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. /~~~~SUBJECT TO a Right of Drainage over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through that Lot in favour of the Hobart City Council. /~~**LOT 13 is**~~TOGETHER WITH a Type One Right of Carriageway over the Right of Way (Private) and Service Easement 'A' Variable Width shown passing through Lot 12 hereon. /~~~~TOGETHER WITH a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'A' Variable Width passing through Lot 12 hereon. /~~

SUBJECT TO a Type Two Right of Carriageway over the Right of Way (Private) and Service Easement 'B' Variable Width shown on the Plan hereon as appurtenant to Lots 8, 9, 10 and 12 hereon. /

SUBJECT TO a Service Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width shown on the Plan hereon as appurtenant to Lots 8, 9, 10 and 12 hereon. /

TOGETHER WITH an Embankment Service Easement (as hereinafter defined) over the Embankment Service Easement A, Embankment Service Easement C and Embankment Service Easement D passing respectively through Lots 12, 10 and 9 hereon. /

SUBJECT TO an Embankment Service Easement (as hereinafter defined) over Embankment Service Easement B shown on the Plan hereon as appurtenant to Lots 8, 9, 10 and 12 hereon. /

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Right of Way (Private) and Service Easement 'B' Variable Width and Service Easement 'A' Variable Width shown passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited. /

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Right of way (private) and Service Easement 'A' variable width hereon deleted by me pursuant to Request to Amend No. E57289 made under Section 103 of Local Government (Building & Miscellaneous Provisions) Act 1993
28/11/2016 Recorder of Titles



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 5 OF 11 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP167721</p>
<p>SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT</p> <p>FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1</p>	

SUBJECT TO a Pipeline Easement (as hereinafter defined) over the Pipeline Easement 2.50 wide passing through that Lot in favour of Tasmanian Water and Sewerage Corporation Pty Limited./

SUBJECT TO a Right of Drainage over the Right of Way (Private) and Service Easement 'B' Variable Width shown passing through that Lot in favour of the Hobart City Council.

COVENANTS**LOT 3**

The Owner of Lot 3 on the Plan covenants with the Vendors (In-Site Management Tasmania Pty Ltd and Roswitha Bernhardt) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

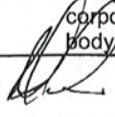
1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected on the said Lot any transportable home;
4. Not to erect or permit to be erected any free standing carport or garages on Lot 3 on the Lot unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
5. Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
6. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
7. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 5

The Owner of Lot 5 on the Plan covenants with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected on the said Lot any transportable home;
4. Not to erect or permit to be erected any free standing carport or garages on Lot 5 unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
5. Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
6. Not to plant or allow existing trees or shrubs to grow that may limit the view or shadow any other dwelling in the Lot shown on the Plan;

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

 R. Bernhardt



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 11 PAGES	Registered Number SP167721
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1	

7. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
8. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 6

The Owner of Lot 6 on the Plan covenants with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected on the said Lot any transportable home;
4. Not to erect or permit to be erected any free standing carport or garages on Lot 6 unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
5. Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
6. Not to plant or allow existing trees or shrubs to grow that may limit the view or shadow any other dwelling in the Lot shown on the Plan;
7. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
8. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 7

The Owner of Lot 7 on the Plan covenants with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected on the said Lot any transportable home;
4. Not to erect or permit to be erected any free standing carport or garages on Lot 7 unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
5. Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
6. Not to plant or allow existing trees or shrubs to grow that may limit the view or shadow any other dwelling in the Lot shown on the Plan;
7. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

[Signature]
R. Bernhardt



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 7 OF 11 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 167721</p>
<p>SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT</p> <p>FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1</p>	

8. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOTS 8, 9 and 10

The Owner of Lots 8, 9 and 10 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

- Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
- Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
- Not to erect or permit to stand erected on the said Lot any transportable home;
- Not to erect or permit to be erected any free standing carport or garages on Lots 8, 9 and 10 unless the same are in conformity with the design, colour and materials of the dwelling house or Unit constructed on the Lot;
- Not to occupy or permit the occupation of the dwelling house or Unit constructed on the Lot before completion of the front landscaping to the said Lot;
- Not to plant or allow existing trees or shrubs to grow that may limit the view or shadow any other dwelling in the Lot shown on the Plan;
- Not to permit more than one (1) dwelling to have access to Right of Way (Private) and Service Easement 'A' Variable Width and Right of Way (Private) and Service Easement 'B' Variable Width.
- Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
- The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 12

The Owner of Lot 13 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd and Roswitha Bernhardt) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

- Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
- Not to erect or permit to stand erected on the said Lot any transportable home;
- Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
- The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

LOT 13

The Owner of Lot 13 on the Plan covenant with the Vendor (In-Site Management Tasmania Pty Ltd) and the Owners for the time being of every other Lot shown on the Plan to the intent that the burden of these

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R. Bernhardt



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 8 OF 11 PAGES	Registered Number SP167721
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1	

covenants may run with and bind the Covenantors Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every other Lot shown on the Plan to observe the following stipulations:

1. Not to set up or carry on upon the said Lot any trade or manufacture business of any kind;
2. Not to erect or permit to stand erected on such Lot any building or structure, the outer walls of which are constructed of wooden logs;
3. Not to erect or permit to stand erected any corrugated iron fences on the said Lot; and
4. The Vendor has the right to modify, vary, waiver or extinguish the covenants (or any of them set forth in relation to any Lots shown on the Plan).

FENCING COVENANT PROVISION

In respect of each Lot shown on the Plan (except Lots 100 and 101) the Vendors, In-Site Management Tasmania Pty Ltd and Roswitha Bernhardt, shall not be required to fence.

INTERPRETATION

"Service Easement" means the full free right of every person who is entitled to an estate or interest in possession indicated as the dominant tenement or any part thereof with which said rights shall be capable of enjoyment in common with the owner of the servient tenement the Hobart City Council, Tasmanian Water and Sewerage Corporation (Southern Region) Pty Ltd Telstra Corporation Limited, Aurora Energy Pty Ltd, NBN Co. Limited and Her Majesty the Queen to lay use and maintain forever water mains, pipes, drains, mains, channels, gutters, sewers, wires, gas pipeline, cables and other conducting media of such size and number as shall from time to time be required in the strips of land shown on the plan and marked hereon and marked Right of Way (Private) and Service Easement 'A' Variable Width and Right of Way (Private) and Service Easement 'B' Variable Width and the right for their surveyors and workmen from time to time and at all times hereafter to enter into and upon the said strips of land or any part thereof bringing upon the Right of Way (Private) and Service Easement 'A' Variable Width and Right of Way (Private) and Service Easement 'B' Variable Width such material machinery and other things as it shall think fit and proper to inspect the condition thereof and to repair amend and cleanse PROVIDED HOWEVER that any damage occasioned thereby shall be made good.

"Type One Right of Carriageway" means the full and free right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof subject to the obligation to contribute one-fifth (1/5) of the cost of keeping that section of the Road passing through Lot 12 on the Plan in a good and proper state of repair and condition.

"Type Two Right of Carriageway" means the full and free right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof subject to the obligation to contribute one-fifth (1/5) of the cost of keeping that section of the Road passing through Lot 13 on the Plan in a good and proper state of repair and condition.

"Embankment Easement" means the full and free right and liberty for the dominant tenements for the time being having the benefit of the easement over the Lots shown on the Plan to enter upon the land to carry out

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R. Bernhardt



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 9 OF 11 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP167721</p>
<p>SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT</p> <p>FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1</p>	

any works from time to time that may be necessary to retain and maintain the earthworks and drainage associated with the local highway (as defined by the *Local Government Highway Act 2002*) but not precluding the servient tenements, subject to approval of the local authority, from constructing or erecting any structure on the land as required to provide access to any part of, or to maintain the stability of the servient Lots.

"Embankment Service Easement" means the full and free right and liberty for the proprietor of the dominant tenement with others and machinery:

- (a) to enter upon the land marked "Embankment Service Easement A B C D" on the plan to embank the immediately adjoining carriageway pavement;
- (b) to inspect, maintain, repair and amend the rock walling and soil compaction supporting the carriageway pavement;
- (c) to maintain the profile and ensure the structural integrity of the said land; and
- (d) to ensure that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land.

"Pipeline Easement" means THE FULL RIGHT AND LIBERTY for Tasmanian Water and Sewerage Corporation Pty Limited (called "TasWater") at all times to:

- (a) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (b) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (c) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (d) remove and replace the Infrastructure;
- (e) run and pass sewage and water through and along the Infrastructure;
- (f) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (i) without doing unnecessary damage to the Easement Land; and
 - (ii) leaving the Easement Land in a clean and tidy condition; and
- (g) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (h) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (i) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
 - (i) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;

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R. Bernhardt



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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 10 OF 11 PAGES	Registered Number SP167721
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- (ii) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
- (iii) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
- (iv) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
- (v) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
- (vi) permit or allow any action which the Owner must not do or acquiesce in that action.
- (j) TasWater is not required to fence any part of the Easement Land.
- (k) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (l) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
 - (i) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
 - (ii) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (iii) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (iv) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
 - (i) reinstate the ground level of the Easement Land; or
 - (ii) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (iii) replace anything that supported, protected or covered the Infrastructure.

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (e) anything reasonably required to support, protect or cover any of the Infrastructure;
- (f) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water through the Easement Land or monitoring or managing that activity; and
- (g) where the context permits, any part of the Infrastructure.

Signed by **IN-SITE MANAGEMENT TASMANIA PTY LTD (ACN 058 417 682)** as registered proprietor of the land described in Certificate of Title Volume 19867 Folio 1 as evidenced by its execution hereunder and executed pursuant to Section 127 of the *Corporations Act 2001*:

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

R. Bernhardt



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 11 OF 11 PAGES	Registered Number SP167721
SUBDIVIDER: IN-SITE MANAGEMENT TASMANIA PTY LTD and ROSWITHA BERNHARDT FOLIO REFERENCE: VOLUME 19867 FOLIO 1 and VOLUME 22733 FOLIO 1	

Sole Director and Sole Secretary

IAN MACNEILL MCCORMICK

Signed by **ROSWITHA BERNHARDT**)
 as registered proprietor of the land)
 described in Certificate of Title Volume)
 22733 Folio 1 in the presence of:)

WITNESS:)
 FULL NAME: Clare Naomi Wootton - Solicitor)
 ADDRESS: 168 Collins St Hobart)

Executed by **MURDOCH CLARKE MORTGAGE MANAGEMENT LIMITED (ACN 115 958 560)** as
 Mortgagee of the land described in Certificate of Title Volume 19867 Folio 1 as evidenced by its execution
 hereunder, executed pursuant to Section 127 of the *Corporations Act 2001* in the presence of:

Director

REBECCA SANDRA REID

Director Name

Director

PAUL KUZIS

Director Name

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 corporate body be signed by the persons who have attested the affixing of the seal of that
 body to the dealing.



Amended Submission to Planning Authority Notice

Council Planning Permit No.	PLN-18-878	Council notice date	12/12/2018
TasWater details			
TasWater Reference No.	TWDA 2018/02042-HCC	Date of response Amended Date	19/12/2018 20/03/2019
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	7 MONTRIVALE RISE, DYNMYRNE	Property ID (PID)	3315016
Description of development	Subdivision (One Additional Lot) and Four Multiple Dwellings (Staged)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Brooks Lark & Carrick Surveyors	Plan of Subdivision / 11425-02	--	28/11/2018
Linardi Design	Site Plan / DA 01	8	05/03/2019
Linardi Design	Staging Plan / DA 01A	8	05/03/2019
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <ol style="list-style-type: none"> 4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i> <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 5. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows: 			



- a. \$351.28 for development assessment; and
- b. \$149.20 for Consent to Register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit
<http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

The location of TasWater infrastructure as shown on the GIS is indicative only.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by

Jason Taylor

Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Application Referral Development Engineering - Response

From:	Rob Cooper - SDE
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	7 MONTRIVALE RISE, DYNMYRNE 11 MONTRIVALE RISE, DYNMYRNE 12 MONTRIVALE RISE, DYNMYRNE
Proposal:	Four Multiple Dwellings
Application No:	PLN-18-878
Assessment Officer:	Tristan Widdowson,

Referral Officer comments:

E5.0 Road and railway access code

Clause for Assessment	AS	PC	Comments / Discussion
E5.5.1 Existing road accesses and junctions	NA	NA	4x dwellings, say 9 vpd each =36 vpd. Expected that there would be 1x dwelling, so this equals an increase of 27 vpd. Does not trigger this clause as requires 40vpd to trigger.
E5.5.2 Existing level crossings	NA	NA	Clause not triggered
E5.6.1 development adjacent to roads and railways	NA	NA	Clause not triggered
E5.6.2 road and access junctions	NA	NA	1x access providing entry and exit. No change to existing.
E 5.6.3 new level crossings	NA	NA	Clause not triggered
E 5.6.4 sight distance at access and junctions	NA	NA	The access is to a ROW which spans 11 and 12 Montrivale Rise prior to gaining entry to the property of 7 Montrivale Rise. No works is proposed at the property boundary of 12 Montrivale Rise, so no change to sight distances proposed.

E 6.0 Parking and Access Code

Clause for Assessment	AS	PC	Comments / Discussion
Clauses 6.6's are all to do with parking number assessment. These will be assessed by planner based on DE assessment of the following relevant clauses.			PROPOSED: 8x EXISTING: Nil Vacant Lot REQD: 4x 2+BR dwellings requires 2x parking spaces per dwelling plus one visitor parking for each 3x dwellings = 2x4+4/3=10 car parking spaces. This is 1 per 3 as it is at the end of a culdesac. Propose 10x car parking spaces, meets Acceptable Soln. Condition for clarity: CONDITION ENG 5: 10x car parking spaces approved.

Clause 6.7.1 number of vehicle accesses	Y		1x existing access to be reused.
Clause 6.7.2 design vehicle access	NA	NA	The access is to a ROW which spans 11 and 12 Montrivale Rise prior to gaining entry to the property of 7 Montrivale Rise. No works is proposed at the property boundary of 12 Montrivale Rise, so no change to access is proposed. NB: all works within 11 & 12 Montrivale Rise to be considered under clause E6.7.5
Clause 6.7.3 vehicle passing	Y		Acceptable Soln requires passing bays where the access serves more than 5 car parking spaces, is more than 30 m long or meets a road servicing more than 6000 vpd. This proposed development triggers (1) and (2) of these situations. There is a passing bay at the kerb, and the ROW is wide enough for passing bays. The proposed driveway is narrower than passing bay width, especially along the sharp corner, but as entrance to House 2 parking acts as a passing bay, they are spaced at 30m and meet the Acceptable Soln.
Clause 6.7.4 on site turning	Y		Triggers clause as more than 2 dwellings. Current layout allows for onsite turning for all car parking spaces.

<p>Clause 6.7.5 layout of parking area</p>	<p>Y</p>	<p>Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m Class 1A) & Car Parking Space Design Envelope (AS2890.1 Fig 5.2 300mm clearance on side): All garage spaces sufficient to fit 2x side by side cars with 300mm clearances. Headroom: (AS2890.1 Fig 5.3 = 2.2m clearance): Ceilings all 2.4m above car parking FFL. Parking Space Gradient (5%): Feasible. Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): All aisles are wider than 5.8m Garage Door Width & Apron (AS2890.1 Fig 5.4 = 2.4m wide => 7m wide apron): The double garage door widths are 4.8m, which if halved to account for just one car entry/exit requires a 7m apron. The aprons are a minimum of 6m for the lower 2 townhouses. This means that the cars are unlikely to be able to operate independently. ADVICE: It is recommended to widen the garage doors to 5-5.2m in width to allow vehicles to enter and exit the garage independently. B85 Turning Paths: Turning paths provided for House 1 and 2. Not needed for 3a nd 4 as aisle width OK. Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): The gradients of the turning area are in excess of 5%, with some 15%. This is supported under Performance Criteria as the site is well clear of any public road, it will be used by regular users who will gain familiarity with the site. Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m): NA no driveway, all paths are circulation roadways. Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): Vehicle barriers proposed, condition for timing and detailed design. CONDITION ENG 2a, b and c Circulation Roadways & Ramps: The Aldanmark documentation shows the gradients of the circulation roadway demonstrating that the gradient is less than 25% for the inside wheel path and that transitions are provided. Condition for clarity and timing. CONDITION ENG 3a and c. comply wiht Aldanmark drawings C1.03 & 4 rev C, C2.01 Rev C. Allow turning areas upto 16%.</p>
<p>Clause 6.7.6 surface treatment Only when a new hard stand area is proposed or new development is within a car park area.</p>	<p>Y</p>	<p>Shown as concrete driveway, condition for timing. CONDITION: ENG 4</p>

Clause 6.7.7 Lighting of parking area Planner and health unit to assess			Planner to assess
Clause 6.7.8 Landscaping Planner to assess			Planner to assess
Clause 6.7.9 motor bike parking			NA
Clause 6.7.10 bicycle parking			NA
Clause 6.7.11 bicycle end trip Planner to assess			Planner to assess
Clause 6.7.12 siting of car parking Planner to assess based on DE assessment of Clause 6.7.5 layout of parking area			Planner to assess
Clause 6.7.13 facilities for commercial vehicles	Y		The applicant proposes commercial vehicle access for waste removal. The gradients do not comply with the requirements of AS2890.2 for circulation roadway and loading bays, but are typically used by private waste contractors. As the site is private with limited other properties using the RoW, and the main gradient within the circulation roadway are not used by the waste contractor, this is supported under Performance Criteria. Condition for timing of the waste area. CONDITIONENG s1: Communal Waste Bin Area must be constructed and a commercial waste collection agreement established with a private waste contractor prior to occupation for Stage three of the proposed development (Prior to House 3 or 4)
Clause 6.7.14 access to a road	NA	NA	No change to existing.
Clause 6.7.15 access to Niree Lane	NA	NA	Clause not triggered.

E 7.0 Stormwater

Clause for Assessment	AS	PC	Comments / Discussion
A1 (SW disposed to Public SW Inf via Gravity / P1 (onsite/pump))	Y		Proposes to connect to existing SW connection. Condition for timing. CONDITION ENG SW1
A2 (WSUD) /P2 (Mechanical Treatment)		Y	Stormwater treatment is not proposed, but is required as this clause is triggered. Condition to meet Performance Criteria via a mechanical treatment method. CONDITION ENG SW7: Stormwater Treatment

A3 (Minor SW System (a) 1:20 ARI (b) Runoff no greater than existing or able to be accommodated in Council SW System)	Y	<p>Applicant has proposed detention via 4x slimline detention tanks 3000L each, one for each dwelling roof. The driveway is not detained.</p> <p>There are downstream flooding issues which will need to be mitigated.</p> <p>As the applicant has proposed detention, it is reasonable to condition for detention which will mitigate the stormwater issues and allow the proposal to meet the Acceptable Soln.</p> <p>Based on:</p> <ul style="list-style-type: none"> Subdivision was designed based on one dwelling per lot for stormwater discharge. Assume C=0.35 based on 20% impervious and 7m time of concentration for 5% AEP event results in Q=11.7L/s, say 12L/s. Proposed is: <ul style="list-style-type: none"> 1600m² site 980m² of impervious area (60% impervious) results in a C value of 0.75 which to retain PSD at 12L/s results in around 8.5m³ of storage using Swinbourne Method. This is less than proposed by applicant. <p>CONDITION ENG SW8: Max Permissible Site Discharge of 12L/s for a 5% AEP regardless of duration. (This is likely to require a minimum of 8.5M³ depending on design).</p>
A4 (Major SW System accommodates 1:100 ARI)	Y	Due to short distance to rivulet, the requirements of A3 will meet A4

PROTECTION OF COUNCIL INFRASTRUCTURE

Council infrastructure at risk	Why?
Stormwater pipes	N
Council road network	N

COMMENTS:

Summary: The applicant wishes to construct 4x dwellings on a single lot.

CONDITIONS:

In a council related engineering context, the proposal can be supported in principal subject to the above and following conditions and advice.

General Conditions:

ENG1: Pay Costs

ENV1: SWMP

ADVICE:

- Dial before you dig
- Fees and charges
- Weed Control
- Building Permit

- **Plumbing Permit**
- Advice: Fire protection may not be achievable on the basis of the proposed access. It is recommended to consult a Building Surveyor to determine if the site constraints limit protection from existing hydrants. It is recommended to install stairs from Montrivale Rise to the dwellings to allow ease of use of the existing fire hydrant on Montrivale Rise.