CITY OF HOBART

AGENDA

City Planning Committee Meeting

Open Portion

Monday, 16 March 2020

at 5:00 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. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY 5

2. CONFIRMATION OF MINUTES..... 5

3. CONSIDERATION OF SUPPLEMENTARY ITEMS 5

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST..... 6

5. TRANSFER OF AGENDA ITEMS..... 6

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS..... 6

7. COMMITTEE ACTING AS PLANNING AUTHORITY 7

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997 8

7.1.1 1-3 Elizabeth Street, Hobart - Partial Change of Use (Mawson's Hut Replica Museum).....8

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015 84

7.2.1 1 Glebe Street, Glebe - Sign 84

7.2.2 PLN-19-818 4 Danval Place, West Hobart.....100

7.2.3 63 Giblin Street, Lenah Valley - Subdivision (One Additional Lot).....216

7.2.4 67 Woodcutters Road, Tolmans Hill - Partial Demolition, Extension and Alterations 241

7.2.5 342 Sandy Bay Road, Sandy Bay 1/ 344-346 Sandy Bay Road, Sandy Bay Adjacent Crown Land 298

8. REPORTS 352

8.1 HIPS 2015 Planning Scheme Amendment PSA-20-1 and S.43A Permit (PLN-20-146) - Rezoning and Subdivision (Lot Consolidation) - 342-344 Sandy Bay Road 352

8.2 Projected Population and Economic Growth Model 433

8.3 City Planning - Advertising Report..... 442

8.4 Delegated Decisions Report (Planning)..... 447
8.5 Monthly Building Statistics - 1 February - 29 February 2020..... 451

9. QUESTIONS WITHOUT NOTICE 458

10. CLOSED PORTION OF THE MEETING..... 459

City Planning Committee Meeting (Open Portion) held Monday, 16 March 2020 at 5:00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS
Deputy Lord Mayor Burnet (Chairman)
Briscoe
Harvey
Behrakis
Dutta
Coats

NON-MEMBERS
Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

Apologies:

Leave of Absence:
Councillor M Dutta

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

2. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the City Planning Committee meeting held on Monday, 2 March 2020 and the Special City Planning Committee meeting held on Tuesday, 10 March 2020, are submitted for confirming as an accurate record.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

4. 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.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

RECOMMENDATION

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

7. 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.

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

7.1.1 1-3 ELIZABETH STREET, HOBART - PARTIAL CHANGE OF USE (MAWSON'S HUT REPLICA MUSEUM) PLN-19-943 - FILE REF: F20/27236

Address:	1-3 Elizabeth Street, Hobart
Proposal:	Partial Change of Use (Mawson's Hut Replica Museum)
Expiry Date:	30 April 2020
Extension of Time:	Not applicable
Author:	Victoria Maxwell

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial change of use (Mawson's Hut Replica Museum) at 1-3 Elizabeth Street Hobart TAS 7000 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-943 1-3 ELIZABETH STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, Works Application No. 6168 dated 3rd March 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

All signage must be removed from the site when the removal of the Mawson's Huts replica structures takes place.

Reason for condition

To ensure that the signage is temporary only.

PLN s1

The proposed use and development is approved until 23 March 2022. After this time, the use must cease immediately, and within 3 months of that date, all buildings and associated structures must be removed and the site made good to its former state immediately prior to the commencement of the use and development.

Advice:

For the purposes of this condition, 'immediately prior to the commencement of the use and development' is taken to mean 9 September 2013.

Reason for condition

To clarify the scope of the permit.

PLN s2

The owner must pay the cost of any alterations and/or reinstatement to the Council's infrastructure, incurred as a result of the proposed development works. Such payment is to be made within 60 days of the issue of a certificate of completion, or any demand, whichever is the latter.

Reason for condition

To ensure that any Council infrastructure affected by the proposal will be

altered and/or reinstated at the owner's full cost.

ADVICE

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016.* Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building* R*egulations 2016* and the National Construction Code. Click here for more information.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

PUBLIC CONVENIENCES

The applicant be advised to provide information regarding public conveniences located nearby to patrons.

Attachment A:	PLN-19-943 - 1-3 ELIZABETH STREET HOBART TAS 7000 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-19-943 1-3 ELIZABETH STREET HOBART TAS 7000 -CPC Agenda Documents ⇩
Attachment C:	PLN-19-943 - 1-3 ELIZABETH STREET HOBART TAS 7000 -Planning Referral Officer Cultural Heritage Report ⇩
Attachment D:	PLN-19-943 1-3 ELIZABETH STREET HOBART TAS 7000 - Senior Cultural Heritage Officer Report for PLN-13-00696-01 ⇩

City of HOBART

APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	30 April 2020
Application No:	PLN-19-943
Address:	1 - 3 ELIZABETH STREET , HOBART
Applicant:	(JMG Engineers and Planners on behalf of Mawson's Huts Foundation) 117 Harrington Street
Proposal:	Partial Change of Use (Mawsons Hut Replica Museum)
Representations:	No representations received.
Performance criteria:	Schedule 1 - Conservation of Cultural Heritage Values, Schedule 2 - Urban Form.

1. Executive Summary

1.1 Planning approval is sought for Partial Change of Use (Mawson's Hut Replica Museum) on the site known as 1-3 Elizabeth Street. The museum exists on the site and has been previously approved as a temporary development and use under two previous planning permits. This application seeks to continue the use.

1.2 More specifically the proposal includes:

- retrospective approval for the use of the site for the Mawson's Hut Replica Museum
- to extend the temporary approval to continue the use.

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

1.3.1 Conservation of Cultural Heritage Values
1.3.2 Urban Form

1.4 No representations were received during the statutory advertising period between 17th February to 2nd March 2020.

1.5 The proposal is recommended for approval as previously approved as a temporary partial change of use and temporary new building for museum (Mawson's Hut Replica), subject to conditions.

1.6 The final decision is delegated to the Council.

2. Site Detail

2.1. The site is located as part of 1-3 Elizabeth Street. Whilst the lot takes in most of the city block, the relevant section is located on the corner of Morrison and Argyle Streets in the wharf area.

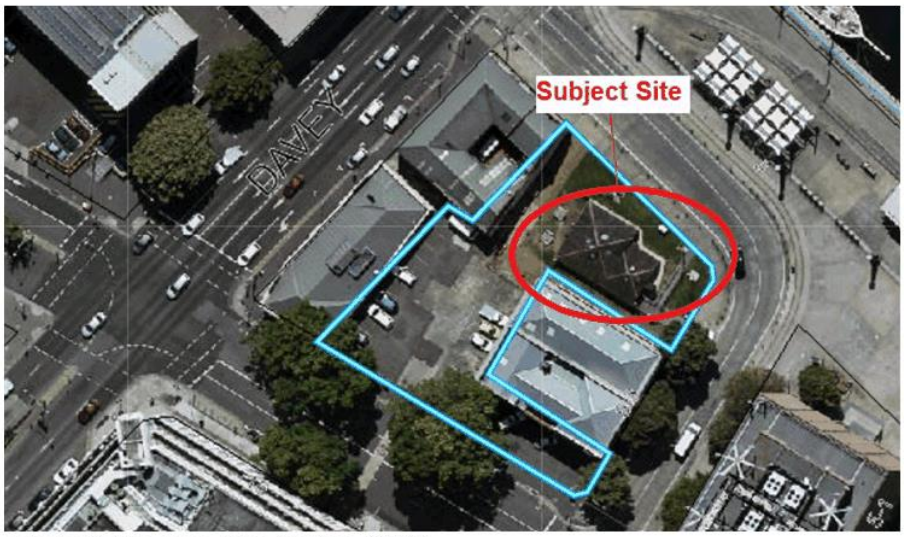


Figure 1: Site plan (Geo Cortex, 2020)

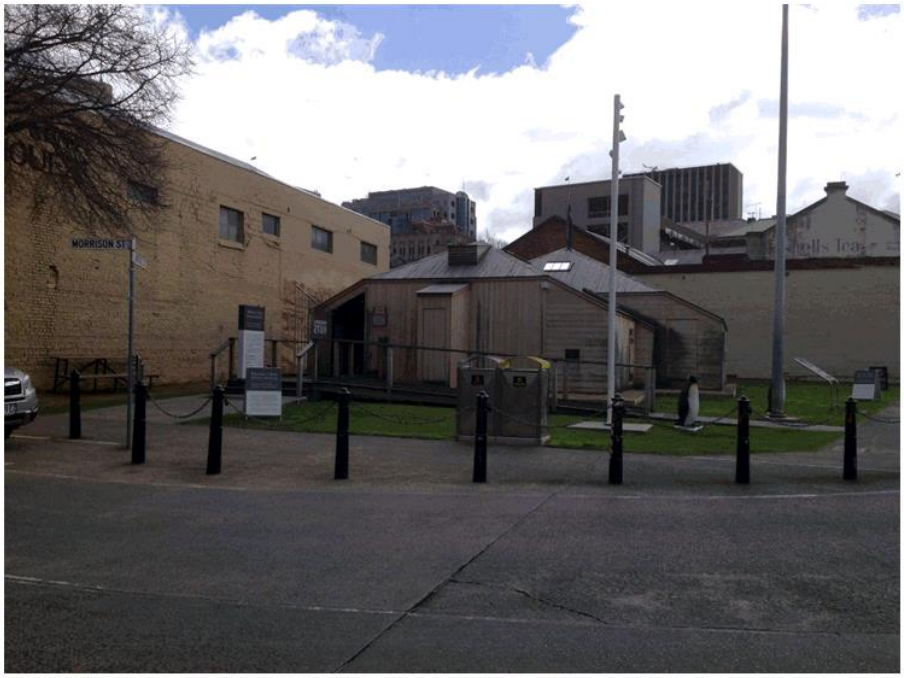


Figure 2: Mawson's Hut as viewed from Mawson Place looking west. (Image taken 11 October 2016).

Figure 3: Mawson's Hut as viewed from Argyle Street footpath looking south.

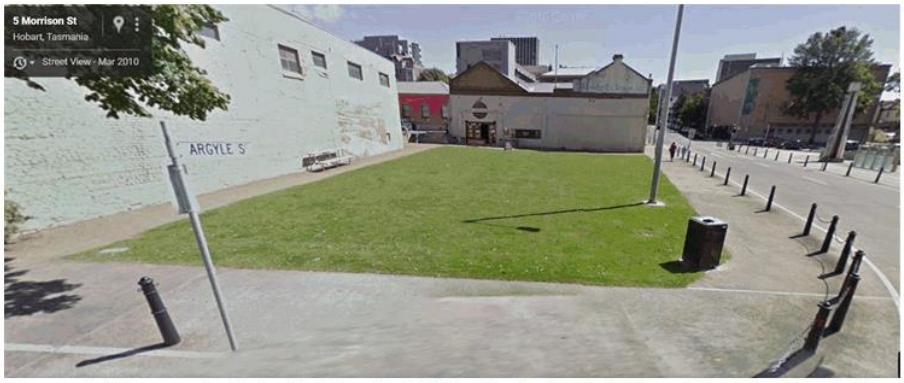


Figure 4: Mawson's Hut site March 2010 prior to installation. (Google Streetview March 2010)

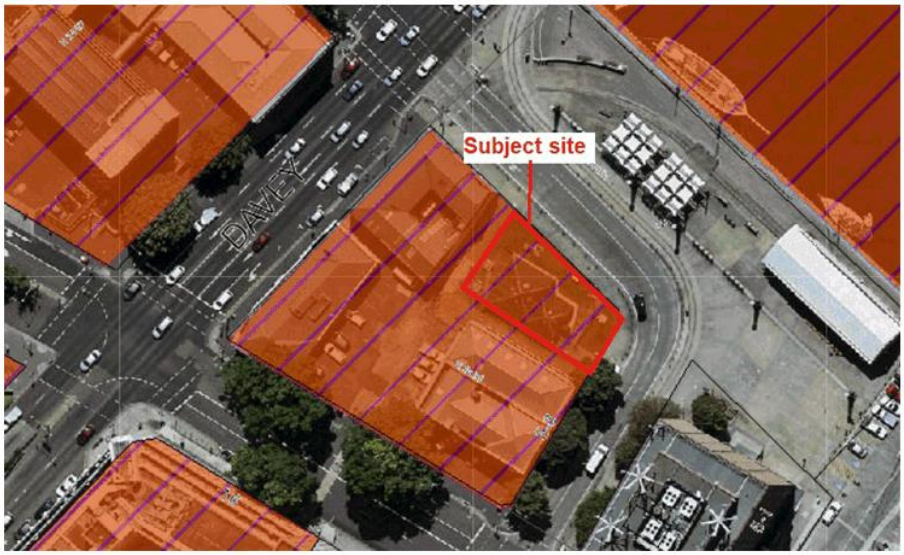


Figure 5.1-3 Elizabeth Street is heritage listed (Geo Cortex, 2020).

3. Proposal

3.1 Planning approval is sought for Partial Change of Use (Mawson's Hut Replica Museum).

3.2 More specifically the proposal includes:

- retrospective approval for the use of the site for the Mawson's Hut Museum.
- to extend the temporary approval to continue the use.

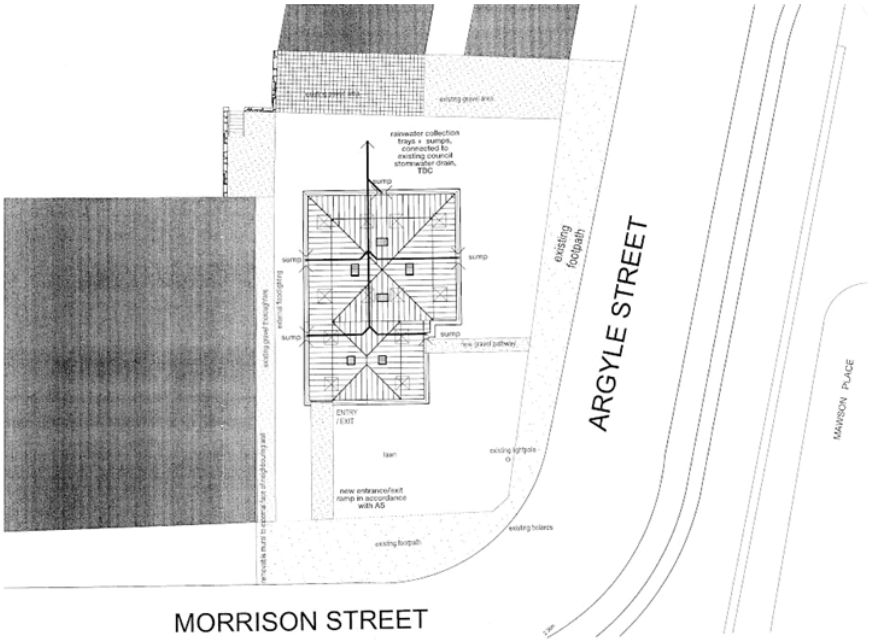


Figure 6: Applicant site Plan (JMG, 2020)

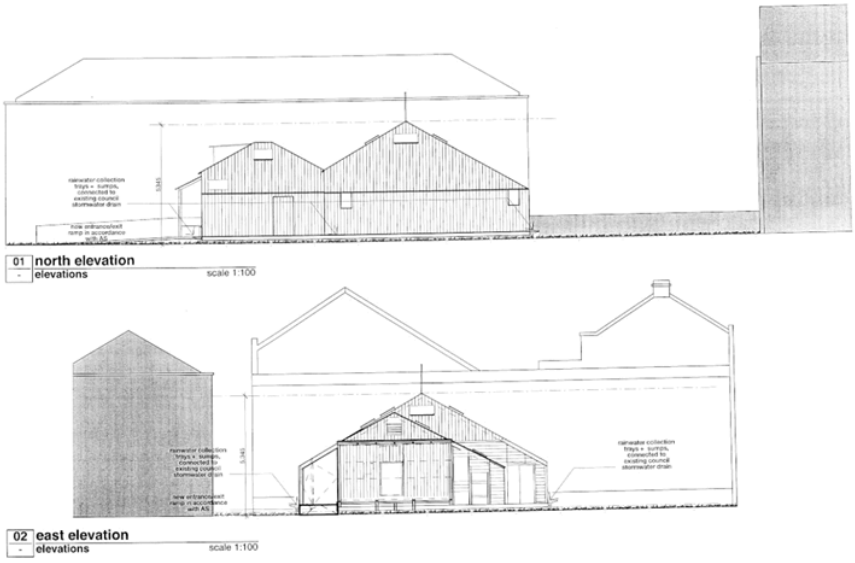


Figure 7: North and East Elevations (JMG, 2020)

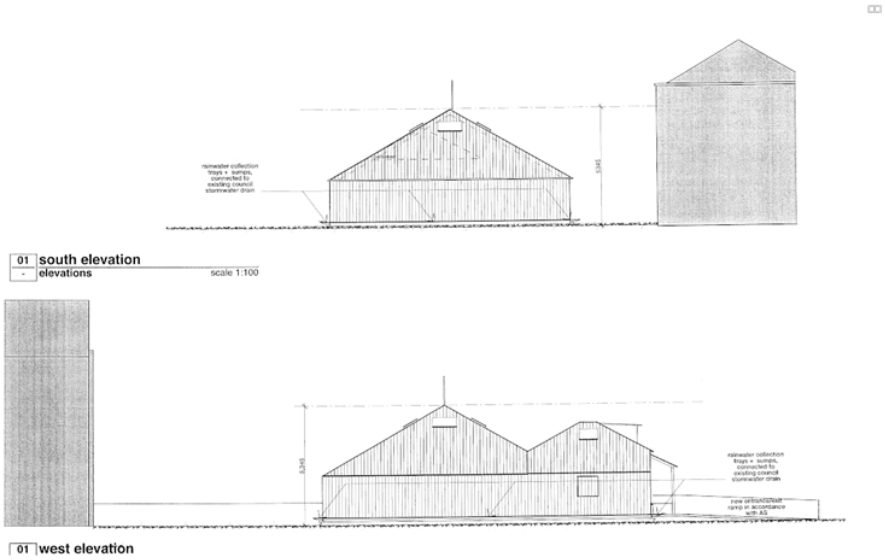


Figure 6: South and West Elevations (JMG, 2020)

4. Background

4.1. This application required General Managers consent as landowner. Such consent was issued 6th February 2020.

In 2011, the Sullivans Cove Waterfront Authority (SCWA) issued a planning permit for a similar proposal. The permit was never acted on.

PLN-13-00696 - Temporary partial change of use and temporary new building for museum (Mawson's Hut Replica) and public street furniture, issued 9 September 2013. Condition 3 specified that the use and development is approved until 7 January 2015.

PLN-14-00525 for signage - withdrawn

PLN-14-00889 - Temporary partial change of use and temporary new building for museum (Mawson's Hut Replica), issued 22 September 2014. Condition 3 of that planning permit specified that the use and development is approved until 7 January 2017 and is to be removed within 3 months of that date.

PLN14-00944 for signage issued 13 October 2014. This permit was for a sign on the wall of the Museum, two signs at the entry of the Museum, as well as new interpretation-style sign. Condition 3 required: All signage must be removed from the site when the removal of the Mawson's Huts Replica structures takes place.

PLN-16-1065 - Temporary partial change of use and temporary new building for museum (Mawsons Hut replica) issued 12 December 2016.
Condition PLN s1 of that planning permit specified that the use and development is approved until 28th February 2019 and is to be removed within 3 months of that date.

4.2 The site is council owned land therefore no subordinate delegations are applicable, and as such the Council must determine the application.

5. Concerns raised by representors

5.1 No representations were received during the statutory advertising period between 17th February to 2nd March 2020.

6. Assessment

6.1 The *Sullivans Cove Planning Scheme 1997* is a performance based planning

scheme. This approach recognises that there are in many cases a number of ways in which a proposal can satisfy desired environmental, social and economic standards. In some cases a proposal will be 'permitted' subject to specific 'deemed to comply' provisions being satisfied. Performance criteria are established to provide a means by which the objectives of the planning scheme may be satisfactorily met by a proposal. Where a proposal relies on performance criteria, the Council's ability to approve or refuse the proposal relates only to the performance criteria relied on.

6.2 The site is located in the Activity Area 2.0 - Sullivans Cove Mixed Use of the *Sullivans Cove Planning Scheme 1997*.

6.3 The existing use is Arts and Cultural Centre (temporary). The proposed use is Arts and Cultural Centre (temporary). The existing use is a permitted use in the Activity Area. The proposed use is a permitted use in the Activity Area.

6.4 The proposal has been assessed against:

6.4.1 Parts A and B – Strategic Framework

6.4.2 Part D – Activity Area Controls, 16 Activity Area 2.0 Sullivans Cove 'Mixed Use'.

6.4.3 Part E – Schedule 1 – Conservation of Cultural Heritage Values

6.4.4 Part E – Schedule 2 – Urban Form

6.4.5 Notes regarding other Part E Schedules:

Schedule 3 - Public Urban Space - The site is not in a Public Urban Space pursuant to Figure 9 of the Sullivans Cove Planning Scheme 1997. This Schedule is not applicable.

Schedule 4 - Signs - As noted in the background, the existing signage was approved under a separate sign planning permit PLN-14-00944. The condition from that permit relating to the removal of that signage has been included in this recommendation.

Schedule 8 - Environmental Management - This Schedule applies to the assessment of all permissible Level 1 and Level 2 activities. A Level 1 Activity is defined under the Environmental Management and Pollution Control Act 1994 (EMPCA) as: An activity which may cause environmental harm and in respect of which a permit under the Land Use

Planning and Approvals Act 1993 is required but does not include a Level 2 activity or a Level 3 activity.

'Environmental harm' is defined by EMPCA as 'any adverse effect on the environment (of whatever degree or duration) and includes an environmental nuisance. The proposal is considered unlikely to cause environmental harm, and therefore does not need to be assessed against this Schedule. However it is noted that the proposal must, regardless, comply with EMPCA and not cause any environmental nuisance as defined under that Act.

6.4.6 Part F - Key Sites - The site is identified in Part F as a Key Site. If the proposal was to be considered as a non-temporary change of use and development this section of the scheme may apply however the recommendation is for a further time-limited / temporary approval, as has previously been granted. Given the temporary nature of the proposal, it is considered that it does not amount to 'significant development' and as a result this Part is not applicable

6.4.7 Hobart Waterfront Urban Design Framework - The site is within the area covered by the Urban Design Framework (UDF). The UDF gives a strategic perspective as a prelude to the redevelopment of individual sites in the Cove. It does not have any statutory weight; it is advisory only. The proposal is temporary in nature and will not compromise the future redevelopment of this Key Site, and as such is considered to be consistent with the UDF.

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

6.5.1. Schedule 1 - Conservation of Cultural Heritage Values, Section 22.4 Conservation of Places of Cultural Significance, Clause 22.4.5 'Discretionary' 'Building or Works'.

6.5.2 Schedule 2 - Urban Form - Section 23.6 Building Form, Clause 23.6.2 'Discretionary Buildings'.

6.5.3 Schedule 2 - Urban Form - Section 23.7 Building Surfaces, Clause 23.7.2 'Discretionary Buildings'.

6.6 Each performance criterion is assessed below.

6.6 Schedule 1 - Conservation of Cultural Heritage Values, Section 22.4 Conservation

of Places of Cultural Significance, Clause 22.4.5 'Discretionary' 'Building or Works'

6.6.1 Planning approval is sought for a partial change of use (Mawson's Hut Replica Museum) on the site known as 1-3 Elizabeth Street. The subject site is a listed place (see Image 5 above); the proposal is therefore subject to assessment against the provisions of clause 22.4 Conservation of Places of Cultural Significance.

6.6.2 Clause 22.4.4 'Permitted' 'Buildings or Works' requires that the proposal must be related to the conservation of the listed place.

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

6.6.4 Clause 22.4.5 'Discretionary' 'Buildings or Works' - the Council has a discretion to refuse or permit a proposal that does not comply with the 'deemed to comply' provisions of Clause 22.4.4.

22.4.5 'Discretionary' 'Building or Works'

'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority.

The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:

- *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
- *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
- *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*
- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged.*

6.6.5 The proposal was referred to the Council's Acting Senior Cultural

Heritage Officer whose report is provided as Attachment C. The more detailed assessment of the original proposal under PLN-13-00696 by Council's Senior Cultural Heritage Officer is also included as Attachment D.

For the current assessment the officer concluded:

The previous assessment by Council's Senior Cultural Heritage Officer articulates clearly that the proposal does not meet all the discretionary requirements of the Scheme and 'if established on a more permanent basis, ... would have the potential to further demean the historical and cultural authenticity of Sullivans Cove and the setting and appreciation of the adjacent heritage buildings.' Seven years (and three planning applications) after the initial assessment was undertaken, the conclusion from assessment has not changed. It is concluded that the installation of the replica Mawson's Hut cannot be supported after a further two year time period.

The officer's conclusion is supported. A condition with respect to the non-permanent nature of the installation has been included below under recommendation.

The Tasmanian Heritage Council has also approved the proposal. Their Notice of Decision is provided in the CPC Agenda Documents.

6.6.6 The proposal does not comply with the performance criterion, however is supported on a temporary basis.

6.7 Schedule 2 - Urban Form - Section 23.6 Building Form, Clause 23.6.2 'Discretionary Buildings'

6.7.1 Planning approval is sought for a partial change of use (Mawson's Hut Replica Museum) on the site known as 1-3 Elizabeth Street. The building, which would otherwise have been removed, is sought to be retained in its current position well setback from each street frontage of Argyle and Morrison Streets. For the purposes of this Schedule a new building is considered to be proposed.

6.7.2 Pursuant to clause 23.6.2 the Council has a discretion to refuse or permit a proposal that does not comply with the permitted alignment to a primary space (90%). Both Argyle and Morrison Streets are primary spaces

pursuant to Figure 7. The alignment requirement provides:

Buildings must be built to the street line of all primary street frontages, with walls located on the front property boundary and extending across no less than 90% of the primary street frontage.

Where a new building is located on a corner with two primary street frontages, this requirement must be satisfied for each frontage.

New buildings must not step back adjacent to a Primary Space. The only permissible exceptions to this is in situations where the stepping back is less than 1:20 relative to the height of the wall on the property boundary and where there is a wall to the boundary at least 12m high.

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 proposal is therefore discretionary pursuant to clauses 23.6.2, which requires the proposal to be assessed against the objectives in clause 23.2 'Objectives'. These objectives provide as follows:

i. *The traditional urban pattern of Sullivans Cove is to be conserved. A contemporary adaptation is to be created in development/redevelopment areas;*

ii. Views to Sullivans Cove along primary spaces are to be retained, especially to the River Derwent;

iii. Views over the land bounded by Tasman Highway, Brooker Avenue and Liverpool Street from the City and Wapping to the Domain and from the Domain and Tasman Highway to the City are to be retained;

iv. Expression of the Wall of the Cove is to be encouraged where possible;

v. The bulk and height of buildings must reflect the natural topography of the Sullivans Cove Planning Area, the amphitheatre sloping down to the Cove and the Macquarie Street and Regatta Point Ridges;

vi. A diversity of building heights and volumes will be encouraged within this over-riding pattern, but buildings must have a respectful relationship to each other and to buildings of identified cultural significance within a street;

vii. New buildings must not be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation;

viii. New buildings should facilitate the creation of 'secondary spaces' on lots in the Cove. Such spaces should be encouraged where they demonstrably create useable pedestrian environments and facilitate pedestrian movement and views; and

ix. New urban gardens are to be encouraged in secondary spaces only.

6.7.5 The replica is considered to be broadly consistent with the above, noting in particular that the use and development is temporary and will therefore not have a permanent impact on the Cove.

6.7.6 The proposal complies with the performance criterion is considered to be consistent with the Urban Form Schedule on a temporary basis.

6.8 Schedule 2 - Urban Form - Section 23.7 Building Surfaces, Clause 23.7.2 'Discretionary Buildings'

6.8.1 Planning approval is sought for a partial change of use (Mawson's Hut Replica Museum) on the site known as 1-3 Elizabeth Street. The development is constructed out of timber. For the purposes of this Schedule a new building is considered to be proposed.

6.8.2 The table in Clause 23.7.1 'Permitted' Buildings, stipulates that a building façade to a primary space must be primarily masonry.
Given the proposal is for a Mawson's Hut replica which is constructed out of timber, this requirement will not be met.

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 proposal is therefore discretionary pursuant to clauses 23.7.2, which requires the proposal to be assessed against the objectives in clause 23.2 'Objectives'. These objectives are provided above at paragraph 6.7.4.

6.8.5 The replica is considered to be broadly consistent with the objectives, noting in particular that the use and development is temporary and will

therefore not have a permanent impact on the Cove.

6.8.6 The proposal complies with the performance criterion is considered to be consistent with the Urban Form Schedule on a temporary basis.

7. Discussion

7.1 Planning approval is sought for Partial Change of Use (Mawson's Hut Replica Museum).

7.2 The application was advertised and no representations were received.

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

7.4 The proposal has been assessed by other Council officers, including the Council's Open Space Planner and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions.

7.5 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Partial Change of Use (Mawson"s Hut Replica Museum) at 1-3 ELIZABETH STREET HOBART TAS 7000 satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Change of Use (Mawson"s Hut Replica Museum) at 1-3 ELIZABETH STREET HOBART TAS 7000 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-943 1-3 ELIZABETH STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, Works Application No. 6168 dated 3rd March 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

All signage must be removed from the site when the removal of the Mawson's Huts replica structures takes place.

Reason for condition

To ensure that the signage is temporary only.

PLN s1

The proposed use and development is approved until 23 March 2022. After this time, the use must cease immediately, and within 3 months of that date, all buildings and associated structures must be removed and the site made good to its former state immediately prior to the commencement of the use and

development.

Advice: For the purposes of this condition, 'immediately prior to the commencement of the use and development' is taken to mean 9 September 2013.

Reason for condition

To clarify the scope of the permit.

PLN s2

The owner must pay the cost of any alterations and/or reinstatement to the Council's infrastructure, incurred as a result of the proposed development works. Such payment is to be made within 60 days of the issue of a certificate of completion, or any demand, whichever is the latter.

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016.* Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building*

Regulations 2016 and the National Construction Code. Click here for more information.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

PUBLIC CONVENIENCES

The applicant be advised to provide information regarding public conveniences located nearby to patrons.

(Victoria Maxwell)

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: 5 March 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

Attachment D - Senior Cultural Heritage Officer Report for PLN-13-00696-01

Planning: #195318

Property

1-3 ELIZABETH STREET HOBART TAS 7000

People

Applicant
*
JMG Engineers and Planners on behalf of Mawson's
Huts Foundation

117 Harrington Street
HOBART TAS 7000
0422807959
planning@jmg.net.au

Owner
*
Hobart City Council

16 Elizabeth Street
HOBART TAS 7000
03 6238 2711
coh@hobartcity.com.au

Entered By
FRANCES BEASLEY
117 HARRINGTON STREET
HOBART TAS 7000
62312555
iboss@jmg.net.au

Use

Other

Details

Have you obtained pre application advice?

- No

If YES please provide the pre application advice number eg PAE-17-xx

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.
*

- No

Is the application for SIGNAGE ONLY? If yes, please enter $0 in the cost of development, and you must enter the number of signs under Other Details below.
*

- No

If this application is related to an enforcement action please enter Enforcement Number

Details

What is the current approved use of the land / building(s)?
*

Arts and Cultural Centre

Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage)
*

Extension of time for existing use

Estimated cost of development
*

0.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
		Other (no selection chosen)

Other Details

Does the application include signage?
*

No

How many signs, please enter 0 if there are none involved in this application?
*

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

- Yes

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)
*
Appendix A - Title Information.pdf

Plans (proposed, existing)
*
1-3 Elizabeth Street - Proposal plans.pdf

Supporting Documents

Archaeological Report
1-3 Elizabeth Street - Archaeologist report.pdf

Planning Report
Mawson's Huts - Planning Report - Dec 2019.pdf

City of HOBART

Enquiries to: City Planning
Phone: (03) 6238 2715
Email: coh@hobartcity.com.au

6 February 2020

Indra Boss (Johnstone, McGee & Gandy Pty Ltd) mailto: iboss@jmg.net.au
117 Harrington Street
HOBART TAS 7000

Dear Sir/Madam

1 - 3 ELIZABETH STREET, HOBART - WORKS ON COUNCIL LAND NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-20-1

Site Address:

1-3 Elizabeth Street, Hobart
(Mawson's Hut Replica Museum)

Description of Proposal:

Partial Change of Use

Applicant Name:

Indra Boss
Johnstone, McGee & Gandy

PLN *(if applicable)*:

PLN-19-943

I write to advise that pursuant to Section 52 of the *Land Use Planning and Approvals Act 1993*, I grant my consent on behalf of the Hobart City Council as the owner/administrator of the above land for you to make application to the City for a planning permit for the development described above and as per the attached documents.

Please note that the granting of the consent is only for the making of the application and in no way should such consent be seen as prejudicing any decision the Council is required to make as the statutory planning authority.

This consent does not constitute an approval to undertake any works and does not authorise the owner, developer or their agents any right to enter or conduct works on any Council managed land whether subject to this consent or not.

If planning approval is granted by the planning authority, you will be required to seek approvals and permits from the City as both landlord, land manager, or under other statutory powers (such as other legislation or City By-Laws) that are not granted with the issue of a planning permit under a planning scheme. This includes the requirement for you to reapply for a permit to occupy a public space under the City's Public Spaces By-law if the proposal relates to such an area.

Accordingly, I encourage you to continue to engage with the City about these potential requirements.

Yours faithfully

(N D Heath)
GENERAL MANAGER

Relevant documents/plans:

Correspondence from JMG dated 7 January 2020
Planning Report from JMG dated December 2019

Engineers & Planners

117 Harrington Street
Hobart 7000
Phone (03) 6231 2555
Fax (03) 6231 1535
infohbt@jmg.net.au

49-51 Elizabeth Street
Launceston 7250
Phone (03) 6334 5548
Fax (03) 6331 2954
infoltn@jmg.net.au

Johnstone McGee & Gandy Pty Ltd
ABN 76 473 834 852
ACN 009 547 139
as trustee for Johnstone McGee & Gandy Unit Trust

www.jmg.net.au

JMG Ref: J103055PH

7 January 2020

Manager, Legal and Governance
Hobart City Council
Via email: coh@hobartcity.com.au

Dear Sir/Madam,

1-3 ELIZABETH STREET, HOBART -PARTIAL CHANGE OF USE (MAWSON'S HUT REPLICA MUSEUM) - PLANNING APPLICATION NO. PLN-19-943

The Mawson's Huts Foundation (the 'Applicant') seeks a planning permit from the Hobart City Council. The Applicant has engaged Johnstone McGee and Gandy Pty Ltd to prepare a planning assessment and make an application for the required planning permit.

The proposed use and development is identical to that which was approved by Council previously. Condition PLN s1 of PLN-16-1065 specified that the use and development is approved until 28 February 2019, after which the use is to cease, and the development is to be removed within three months of that date. The current planning permit application, submitted to Council on 20 December 2019, seeks approval for a further permit.

Documents submitted to Council on 20 December 2019, included a supporting Planning report, Title information, Proposal plans and an Archaeological report.

As the application is for development and use of Council-owned land (CT 32426/1), the application requires the written consent of Council in accordance with section 52(1B) of the *Land Use Planning and Approvals Act 1993* and we therefore request Council provide their consent in writing and return same to JMG so that it can be lodged via Council's on-line portal as additional information.

If Council requires any further information or clarification with respect to this application, please contact me on 6231 2555 or at planning@jmg.net.au.

Yours faithfully
JOHNSTONE McGEE & GANDY PTY LTD

Indra Boss

Indra Boss
TOWN PLANNER

cc. Victoria Maxwell

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

PLANNING REPORT

FOR MAWSONS HUTS FOUNDATION

Mawson's Hut Replica, 1-3 Elizabeth Street

December 2019

Engineers & Planners
Your Vision is Our Mission

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

Engineers & Planners
Your Vision is Our Mission

Johnstone McGee and Gandy Pty Ltd
incorporating Dale P Luck & Associates
(trading as JMG Engineers and Planners)
ABN 76 473 834 852 ACN 009 547 139

www.jmg.net.au

HOBART OFFICE
117 Harrington Street
Hobart TAS 7000
Phone (03) 6231 2555
Fax (03) 6231 1535
infohbt@jmg.net.au

LAUNCESTON OFFICE
49-51 Elizabeth Street
Launceston TAS 7250
Phone (03) 6334 5548
Fax (03) 6331 2954
infoltn@jmg.net.au

Issuing Office: 117 Harrington Street, Hobart 7000
JMG Project No. J103055PH

Document Issue Status

Ver.	Issue Date	Description	Originator		Checked		Approved	
1.0	23/09/2016	For DA Approval	TIO/DAE		TIO		TIO	
2.0	19/12/2019	For DA Approval	GAN					

CONDITIONS OF USE OF THIS DOCUMENT
1. Copyright © All rights reserved. This document and its intellectual content remains the intellectual property of JOHNSTONE McGEE & GANDY PTY LTD (JMG). ABN 76 473 834 852 ACN 009 547 139
2. The recipient client is licensed to use this document for its commissioned purpose subject to authorisation per 3. below. Unlicensed use is prohibited. Unlicensed parties may not copy, reproduce or retransmit this document or any part of this document without JMG's prior written permission. Amendment of this document is prohibited by any party other than JMG.
3. This document must be signed "Approved" by JMG to authorise it for use. JMG accept no liability whatsoever for unauthorised or unlicensed use.
4. Electronic files must be scanned and verified *virus free* by the receiver. JMG accept no responsibility for loss or damage caused by the use of files containing viruses.
5. This document must only be reproduced and/or distributed in full colour. JMG accepts no liability arising from failure to comply with this requirement.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

TABLE OF CONTENTS

TABLE OF CONTENTS 3
1 Introduction 4
2 Site, Location and Context 4
3 Proposed Use and Development 5
3.1 Proposed Development 5
3.2 Proposed Land Use 6
4 Policy Assessment 6
4.1 Sullivans Cove Planning Scheme 1997 6
5 Impact Assessment 19
5.1 Visual 19
5.2 Traffic and Transport Networks 21
5.3 Public Domain 21
5.4 Utilities 21
5.5 Water 21
5.6 Heritage 22
5.7 Air and Microclimate 22
5.8 Flora and Fauna 22
5.9 Waste 22
5.10 Noise 22
5.11 Hazards 23
5.12 Safety, Security and Crime Prevention 23
5.13 Economic and Social Impact in the Locality 23
6 Conclusion 23

Appendix A - Title Information

Appendix B - Proposal Plans

Appendix C - Archaeologist Report

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

1 Introduction

The Mawson's Huts Foundation (the 'Applicant') seeks a planning permit from the Hobart City Council. The Applicant has engaged Johnstone McGee and Gandy Pty Ltd to prepare a planning assessment and make an application for the required planning permit.

The proposed use and development is identical to that which was approved by Council previously. The current application seeks approval for a further permit.

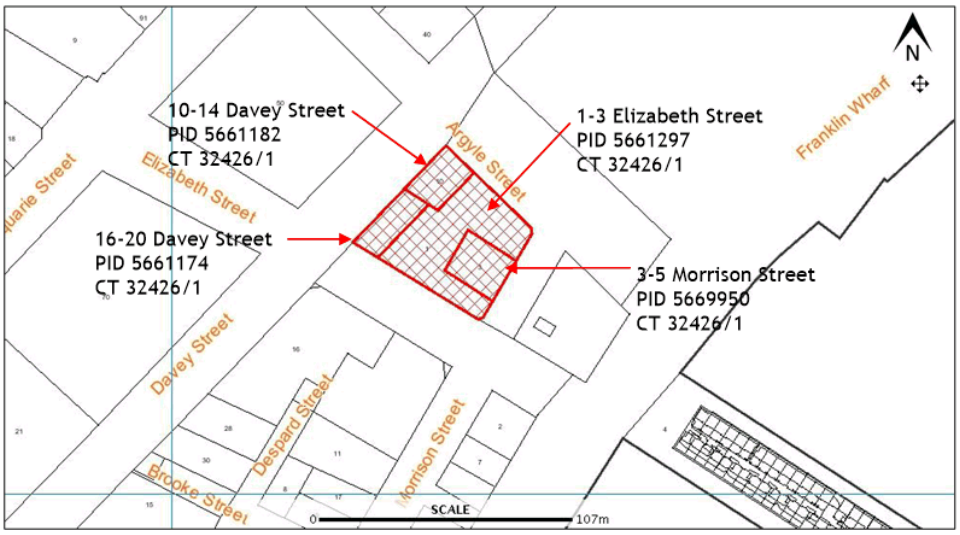
2 Site, Location and Context

The subject site comprises one title (CT 32426/1) owned by the Hobart City Council. The site has a total area of 2,830sqm with frontage to Argyle, Morrison, Davey and Elizabeth Streets (refer to Figure 1). The site consists of four separate Property Identification Numbers (PIDs), each of which has its own separate street address. The separate PID areas are leased out for different uses.

The proposed development affects PID 5661297 on CT 32426/1 (1-3 Elizabeth Street).

The title is currently developed with a Mawson's Hut replica, vehicle parking, a liquor licensed establishment, a tourism information centre, a take-away store, several small retail outlets and an open grassed area. All onsite vehicle parking is currently allocated for nearby businesses.

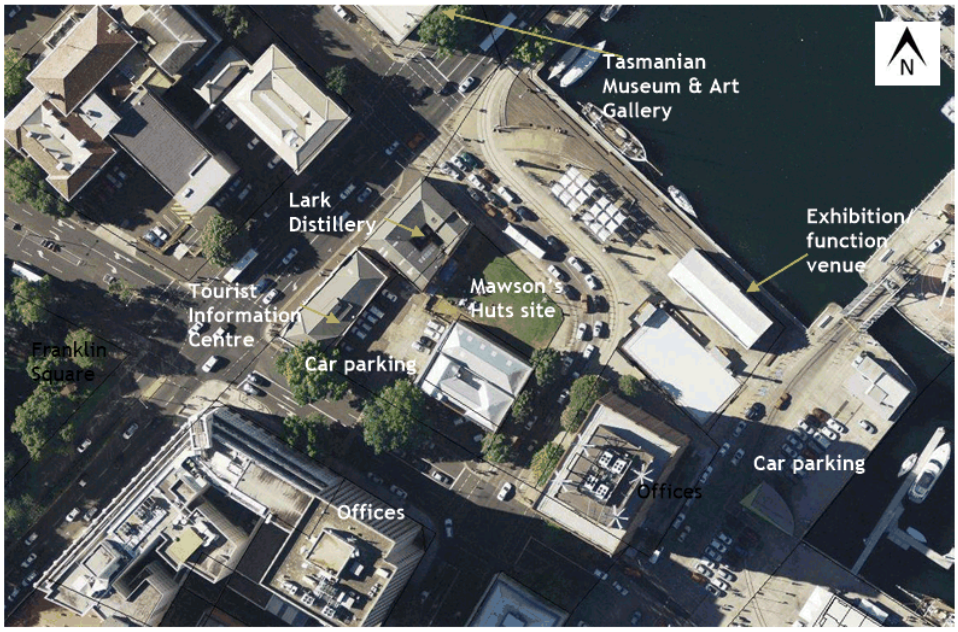
Figure 1: Subject Site



As shown in Figure 2, the site is centrally located in the Sullivans Cove area and, directly opposite Mawson's Place. The site is located approximately 60m from the Tasmanian Museum and Art Gallery.

Figure 2: Aerial Image/Site Context

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020



Title information is included as Appendix A.

3 Proposed Use and Development

The subject application seeks approval for the erection of a full scale replica of Sir Douglas Mawson's Huts and their use as a tourist attraction. The proposed development is intended to occupy the site until such time as Council as the Council decides to use the land for an alternative purpose, after which time the site would be restored to its existing condition in accordance with permit conditions.

Proposal plans are attached as Appendix B.

3.1 Proposed Development

The proposed development consists of:

- A full scale replica of the huts that were used in Antarctica as a base for Sir Douglas Mawson's 1911-14 Australasian Antarctic Expedition;
- Seating for patrons;
- Floodlighting of the site at night.

The huts have a total floor area of 143sqm and a maximum height from ground level to an apex of 5.3m, with a 1.2m flagpole protruding above. The huts are sited to have a minimum setback of 4.8 m from the Argyle Street boundary, and 7.8m setback from the Morrison Street boundary.

The walls and roof of the Huts are constructed of Oregon (structural framing) and Baltic Pine (internal and external cladding). The timber cladding is treated to give it a stressed texture. Seating is similarly constructed from Baltic Pine.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

It is intended to illuminate the proposed buildings at night for security purposes.

Stormwater from the roof will continue to be piped to Council's stormwater system as occurs at present.

3.2 Proposed Land Use

The replica will be managed by the Mawson's Huts Foundation, who will employ a Manager and staff. One to two staff members would be onsite at any one time during opening hours. Although difficult to accurately predict, it is estimated that the Hut will attract a minimum of 317 visitors per week (approximately 45 per day and 16,484 per year). This does not take into account any school visits.

As a tourist attraction the replica will operate seven days a week between 9:30am and 6:00pm during summer months (October to the end of March) and 10:00am to 5:00pm during winter months (April to the end of September). Exceptions will be ANZAC Day, Good Friday and Christmas Day.

An entry fee will be charged to assist in covering operating costs. It is also planned to sell merchandise on the site. Approximately one delivery of merchandise per month will be required using a standard service vehicle.

Patrons will enter the Huts via the south-eastern door and pay for tickets at a central desk/counter within the 'Workshop' prior to circulating through the building and exiting via the south-western door.

Public toilet facilities at Franklin Square and Franklin Wharf are available for patrons.

4 Policy Assessment

4.1 Sullivans Cove Planning Scheme 1997

The relevant planning instrument for the assessment of the subject application is the *Sullivans Cove Planning Scheme 1997* (hereafter referred to as the 'Planning Scheme').

Under the Planning Scheme the development fits within the use classification of 'Arts and Cultural Centre' and is located within Activity Area 2.0 - Sullivans Cove Mixed Use. The proposal generates the following discretions under the Planning Scheme:

- Clause 22.4.5 - Works not related to conservation management;
- Clause 22.6.1 - Setback from Primary Space;
- Clause 23.7.2 - Building surfaces.

Clause 10 outlines the Planning Authority's decision making framework as follows:

10 DECISIONS

Before determining any application to use or develop land, the Planning Authority must consider, as appropriate:

- *The strategic policies of Parts A and B.*
- *The objectives for the Activity Area.*
- *The effect that adjoining and nearby existing uses may have on the proposed use.*
- *The impacts of the proposed use or development on the heritage, urban and spatial character of the Activity Area.*
- *The impact of the proposed use or development on the port and port operations.*
- *The effect of traffic to be generated on local roads.*
- *The need for off street parking.*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

- *The availability of, and connection to, services.*
- *The interim use of those parts of land not required for the proposed use.*

The relevant matters raised in Clause 10 are addressed in the body of this report in response to the specific requirements of the Planning Scheme.

4.1.1 Use Class

Clause 14.3 lists the Use Classes of the Planning Scheme. The most appropriate Use Class for the proposal is an 'Arts and Cultural Centre', which is defined in Part G of the Planning Scheme as follows:

Arts and Cultural Centre

Land used for art and cultural activities which are open to the public, such as a performing arts or literature venue. Also includes an Art Gallery, Museum.

The Huts construction marked the centenary of the Australasian Antarctic Expedition's departure from Hobart and will explain Australia's role in the Antarctic as well as the story of Douglas Mawson and the 1911-14 Expedition.

The proposed use is considered to be a cultural activity that is open to the public and therefore fits within the abovementioned Use Class.

4.1.2 Activity Area 2.0 Sullivans Cove 'Mixed Use'

The subject site is located within Activity Area 2.0.

Clause 16.2 specifies the Activity Area's Objectives and Performance Criteria. The relevant considerations are as follows:

Objective	Performance Criteria
(a) To ensure that activities within the Cove respect the cultural heritage and character of the Activity Area.	• *All use and development within the Activity Area must demonstrably contribute to, and enhance the cultural heritage, built form (bulk, height, volume, urban detail) and spatial characteristics of the activity area.* • *Activities requiring large, undifferentiated floor areas shall be discouraged in the activity area, except where such activities can be accommodated within existing buildings.* ...

The proposed use and development will be temporary in nature and will occupy an otherwise undeveloped part of the site: no permanent, significant modification will be made to the site or to any existing buildings. The development will have no lasting effect on the built fabric, urban form or cultural heritage values of the area.

The archaeologist statement enclosed as Appendix C confirms that no items of archaeological or historic significance were found during the previous construction of the Mawson's Hut replica. No additional excavations are required as part of this application.

The proposal is accordingly considered to be consistent with the first Performance Criterion.

The proposed replica hut does not require large, undifferentiated floor areas, hence complies with the second Performance Criterion.

Objective	***Performance Criteria***

City of HOBART Approved - General Manager Consent Only GMC-20-1 06/02/2020

(b) To ensure that the amenity, character and cultural heritage values of the Cove's roads and other public spaces are conserved and enhanced.	*• Use and development on road reserves, public parks and other public spaces within the activity area shall only be 'permitted' where they do not detract from the space's amenity or heritage value.*

The proposal does not affect any Public Urban Space identified in Figure 9 of Schedule 3 of the Planning Scheme. Nonetheless, the development site is Council-owned open space that is accessible by the public.

The development is proposed to occupy Council owned open space until the Council decides to use the land for an alternative purpose. The development does not preclude public movement across the site at present (i.e. from Morrison and Argyle Streets across the site to Elizabeth Street and vice versa). The existing gravel walkways on the site will not be obstructed. The development does not and will not affect the use of the adjacent Mawson's Place as a public open space for passive recreational purposes. Use of existing pedestrian footpaths in Morrison and Argyle streets will also not be affected.

The archaeologist statement enclosed as Appendix C confirms that no items of archaeological or historic significance were found during the previous construction of the Mawson's Hut replica. No additional excavations are required as part of this application.

The proposal will accordingly not cause any significant impact on the amenity or heritage value of public spaces in the Cove and is therefore considered to comply with the Performance Criteria.

Objective	***Performance Criteria***
(c) To encourage use and development which generate pedestrian movement through the activity area.	*• Outdoor dining and other outdoor pedestrian activities are encouraged in appropriate locations.* *• Activities which generate pedestrian traffic are to be encouraged particularly along Salamanca Place, Hunter Street, the western side of Morrison Street and the block bounded by Davey, Elizabeth, Morrison and Argyle Streets.* *• All use and development shall facilitate pedestrian access, circulation, amenity and safety within the Cove.* *• All use and development must facilitate access for the disabled and other pedestrians with restricted mobility.* *• Parking and vehicle movement within public urban spaces intended primarily to facilitate pedestrian movement shall be discouraged where it conflicts with pedestrian movement and safety.*

The proposal will generate pedestrian activity on the block bounded by Davey, Elizabeth, Morrison and Argyle Streets, consistent with the first two performance criteria.

The site is within walking distance of the Hobart CBD and other activities in Sullivans Cove that attract pedestrian activity (i.e. restaurants, shops and the waterfront). The subject title is well serviced with pedestrian footpaths, which allow for access from north, south, east and west. Two gravel pathways will provide access to the entry and exit points of the Hut from Argyle and Morrison streets. The flat terrain of the site and absence of roadside

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

curb is well suited for access by disabled patrons. Existing pedestrian amenities (seating and shelter) in Mawson's Place are conveniently located in proximity to the site.

The proposal is considered to facilitate pedestrian access, amenity and safety and complies with the third Performance Criterion.

No parking is proposed on any public urban space hence the proposal complies with the fourth Performance Criterion.

Objective	***Performance Criteria***
(d) To encourage the further development of the Activity Area as a tourist destination.	*• The existing mix of tourist-oriented uses and facilities, including shops, restaurants and hotels shall continue to be encouraged.*

The proposal will not displace any existing uses in Sullivans Cove and will retain a tourist-orientated use (for a limited time). The proposal accordingly is considered to comply with the Performance Criteria.

Objective	***Performance Criteria***
(e) To promote the use of the roads, other public spaces and buildings within the area for festivals and other public gatherings.	*• Markets and Cultural and Community Events shall be encouraged in spaces designated as having a primarily 'pedestrian' function.*

The subject site is primarily accessed by pedestrians. The use of this space for a cultural event is consistent with the Performance Criteria.

Objective	***Performance Criteria***
(f) To ensure that the Activity Area's primary function as a place for a range of arts, cultural, civic, recreational and entertainment activities, is strengthened together with its role as a shop window for quality Tasmanian produced goods.	*Arts and Cultural Activities:* *• Arts and Cultural activities, including small 'in-shop' artist workshops, shall be promoted throughout the Activity Area. In particular, such activities will be encouraged along primary pedestrian routes in the Cove.* ...

The proposal is for a cultural activity that will be located along a primary pedestrian route (Morrison Street) and accordingly complies with the relevant Performance Criteria.

Objective	***Performance Criteria***
(g) To encourage offices, administrative and smaller scale activities in locations where they reinforce rather than conflict with more active uses that characterise the attractiveness to visitors walking around this part of the Cove.	*Office and Educational Activities:* *• Office uses, including financial institutions, consulting suites and other administrative activities shall be encouraged to locate in existing buildings within the Cove.*

City of HOBART Approved General Manager Consent Only GMC-20-1 06/02/2020

	• *Office uses and smaller education activities proposed in retail areas of the Cove shall be encouraged to locate within existing buildings on the first floor or above.* • *Large non retail or visitor related activities such as offices will be encouraged to locate within existing office buildings, particularly in the Macquarie Street - Davey Street area.* • *Any education centre activity of a significant scale should focus on the existing Centre of arts or other locations where they would not replace uses that contribute to a more active street frontage.* • *Public display offices shall be discouraged from locating in the centre of retail areas.*

The proposal does not involve any office uses, financial institutions, consulting suites, significant educational centers or other administrative activities. The abovementioned Performance Criteria are therefore not applicable and the proposal is consistent with the Objective.

Objective	***Performance Criteria***
(h) To facilitate residential development in appropriate locations as a secondary use to support the Activity Area's businesses and other activities essential to its role as a key visitor destination.	*Residential Activities:* • *Residential and visitor accommodation shall be encouraged in buildings fronting secondary spaces, on first floor level or above, and in other locations which will not adversely impact on the economic vitality of retailing.* • *Residential and visitor accommodation shall be encouraged in buildings fronting secondary spaces, on first floor level or above, and in other locations which will complement and not adversely impact on the economic vitality of arts, cultural and related retailing activities.* *Environmental and Amenity Impacts:* • *Industrial activities, manufacturing and transport terminals shall be encouraged to locate in areas which do not create local traffic, parking, pedestrian or residential amenity impacts, or impacts on the social, cultural and recreational uses of the area.*

The proposal does not involve any residential uses, visitor accommodation or an industrial activity hence the abovementioned Performance Criteria are not applicable. The proposal is consistent with the Objective.

Objective	***Performance Criteria***
(i) To minimise the use of public land resources of the activity area for commuter and other long term parking.	• *Public car parking within the Cove shall be provided primarily to meet the short term parking needs of tourists and other visitors to the Cove.*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

The proposal does not involve any new parking provision hence the abovementioned Performance Criteria is not applicable. The proposal is consistent with the Objective.

Objective	*Performance Criteria*
(j) To ensure sound environmental planning and management for all activities.	*• All use and development to demonstrate the minimisation of on and off site energy requirements resulting from the proposed activity.* *• All use and development must minimise direct and indirect environmental risk or effects and where possible provide a new environmental gain for the wider environment*

The proposed replica hut is not proposed for human habitation however up to two employees will work on the site at any given time. Accordingly, some form of heating may be required to comply with Occupational Health and Safety requirements. A minimal amount of flood lighting will be implemented to ensure adequate visibility is achieved at night time for crime prevention purposes. The proposed use involves minimal energy use, only that which is required to provide adequate visibility and is accordingly considered to comply with the first Performance Criterion.

Stormwater from the roof will continue to be piped to Council's stormwater system as occurs at present. The proposal will not increase any environmental risks and therefore complies with the second Performance Criterion and is consistent with the Objective.

Objective	*Performance Criteria*
(k) Promote use and development in the transition area between the CBD and the Domain and the Cove and the Domain which contributes to the 'gateway' function of that area.	*• The development of land addressing Liverpool Street, Brooker Avenue and the Tasman Highway, shall be responsive to the 'gateway' function of the land facing those roads.* *• Activities which facilitate pedestrian movement between the city and the Domain and the Cove and Domain will be encouraged.*

The site does not affect land fronting to Liverpool Street, Brooker Avenue or the Tasman Highway and is not in close proximity to the Domain hence the abovementioned Performance Criteria is not applicable. The proposal is consistent with the Objective.

Objective	*Performance Criteria*
(l) To encourage a new road access linking Activity Area 3.0 and Brooker Avenue.	*• A new access road servicing Activity Area 3.0 and with the potential to also service Activity Area 4.1 shall be encouraged at the location shown in figure 9a. It must be constructed to best practice engineering standards and designed to respond appropriately to the Cove-Domain 'gateway' function of the site.*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

The proposal does not affect the intended road in Figure 9a of the Planning Scheme hence the abovementioned Performance Criteria is not applicable. The proposal does is consistent with the Objective.

4.1.3 Use Status

Clause 16.3.1 of the Planning Scheme gives an Arts and Cultural Centre 'Permitted' Status in Activity Area 2.0.

4.1.4 Schedule 1 – Conservation of Cultural Heritage Values

The subject title contains three buildings listed on Figure 5 as Places of Cultural Significance. These are:

- Listing 66 - 3-5 Morrison Street;
- Listing 30 - 16-20 Davey Street;
- Listing 2-3 - 10-14 Davey Street.

Clause 22.4.1 specifically states that the heritage listing applies to all land within the title boundary. The site technically consists of one title only hence Clause 22.4 is applicable.

22.4 Conservation of Places of Cultural Significance

22.4.1 Scope

The controls of this clause apply to the carrying out of 'building or works' on places of cultural significance identified in Table 1 to this Schedule, and on Figure 5 'Places of Cultural Significance'. The status afforded to the places identified shall apply to all of the land within the title boundary, except where this is specifically indicated in Table 1 as not being the case.

...

22.4.4 'Permitted' 'Building or Works'

'Building or works' on places of cultural significance is 'permitted' in respect to this Schedule where it can be demonstrated that the following 'deemed to comply' provisions have been satisfied:

- *The 'building or works' are related to the conservation of a place of cultural significance and are to be undertaken in accordance with a Conservation Plan accepted by the Planning Authority as satisfying the submission requirements for an application.*

22.4.5 'Discretionary' 'Building or Works'

'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority.

The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:

- *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
- *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
- *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*
- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged.*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

The development is not related to conservation works of the property hence triggers a discretion under Clause 22.4.5.

The erection of a display on the site will have minimal impact on the cultural significance, character or appearance of the area as no significant or long term modification of the physical fabric of the site is proposed. The archaeologist statement enclosed as Appendix C confirms that no items of archaeological or historic significance were found during the previous construction of the Mawson's Hut replica. No additional excavation is required as part of this application. Given the nature of the use and development, no conservation management plan is considered necessary. The proposal is considered to comply with the criteria listed in Clause 22.4.5.

22.6 Places of Archaeological Sensitivity

22.6.1 Scope

The controls of this clause apply to 'building or works' which involve the excavation of land within the planning area.

The Planning Scheme specifies requirements for Places of Archaeological Sensitivity under Clause 22.6.

The site of the Mawson's Hut replica is listed as a Place of Archaeological Sensitivity on Figure 5a. The electricity and data connections to the huts rely on some minor excavation in the north-west corner of the site, hence is subject to clause 22.6.

22.6.3 Submission Requirements

In addition to the information required to satisfy the relevant submission requirements of Clause 9.2 of the Scheme, the following information is required for any place identified in Table 2 in this Schedule:

- *An Archaeological Sensitivity Report;*

or

- *A statement by a qualified archaeologist that either the site has been surveyed previously and found not to be of archaeological significance or that the nature of the 'building or works' will not result in destruction of any aspects items of archaeological significance.*

Pursuant to s.54 of the Land Use Planning and Approvals Act 1993 the above information may also be required in respect of an application relating to a site that is considered likely to be of archaeological interest or significance.

The archaeologist statement enclosed as Appendix C confirms that no items of archaeological or historic significance were found during the previous construction of the Mawson's Hut replica. No additional excavation works are required. This submission therefore satisfies clause 22.6.3.

22.6.4 'Permitted' 'Building or Works'

Those works which constitute the excavation of land on any place of cultural significance (as identified in Table 1), including those identified in Table 2, are 'permitted' where a statement is provided by a qualified archaeologist that either the site has been surveyed previously and found not to be of archaeological significance or that the nature of the 'building or works' will not result in destruction of any aspects of items of archaeological significance.

...

The archaeologist statement attached as Appendix C confirms that no items of archaeological or historic significance were found during the previous construction of the Mawson's Hut replica. No additional excavation works are required and the proposal is thereby considered to comply with clause 22.6.4.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

4.1.5 Schedule 2 – Urban Form

The applicable requirements of Schedule 2 are as discussed in this section.

The Objectives for Urban Form are stated in Clause 23.2 as follows:

23.2 Objectives

The following objectives apply to the application of this Schedule:

- *The traditional urban pattern of Sullivans Cove is to be conserved. A contemporary adaptation is to be created in development/redevelopment areas.*
- *Views to Sullivans Cove along primary spaces are to be retained, especially to the River Derwent.*
- *Views over the land bounded by Tasman Highway, Brooker Avenue and Liverpool Street from the City and Wapping to the Domain and from the Domain and Tasman Highway to the City are to be retained.*
- *Expression of the Wall of the Cove is to be encouraged where possible.*
- *The bulk and height of buildings must reflect the natural topography of the Sullivans Cove Planning Area, the amphitheatre sloping down to the Cove and the Macquarie Street and Regatta Point Ridges.*
- *A diversity of building heights and volumes will be encouraged within this overriding pattern, but buildings must have a respectful relationship to each other and to buildings of identified cultural significance within a street.*
- *New buildings must not be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation.*
- *New buildings should facilitate the creation of 'secondary spaces' on lots in the Cove. Such spaces should be encouraged where they demonstrably create useable pedestrian environments and facilitate pedestrian movement and views.*
- *New urban gardens are to be encouraged in secondary spaces only.*
- *On the land bounded by the Tasman Highway, Brooker Avenue and Liverpool Street the landscaping should reflect the variety of garden areas and parkland styles that exist in the immediate surrounding area and that mark the transition to the Domain.*

The proposed development is temporary in nature hence will not cause any significant impact on the urban pattern of Sullivans Cove.

While the development occupies the site, the scale of the hut will be smaller than the existing adjacent buildings to the north-west and south-west, reflecting the natural topography of the Cove. Given the scale and nature of the development, it is not considered to be in conflict with the 'Wall of the Cove'. The relatively small scale of the development is not conducive to any significant obstruction of water views along primary spaces.

The proposal is considered to be consistent with the Objectives of Clause 23.2.

23.6 Building Form

23.6.1 'Permitted' Buildings

Development is 'permitted' where it can be demonstrated that the following 'deemed to comply' provisions have been satisfied:

23.6.1A New Buildings

Height:

Buildings to the maximum height for the area shown on Figure 8. Parts of buildings above building eaves or parapets must reinforce the Objectives of this Schedule.

Alignment - Primary Space:

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

Buildings must be built to the street line of all primary street frontages, with walls located on the front property boundary and extending across no less than 90% of the primary street frontage.

Where a new building is located on a corner with two primary street frontages, this requirement must be satisfied for each frontage. New buildings must not step back adjacent to a Primary Space. The only permissible exceptions to this is in situations where the stepping back is less than 1:20 relative to the height of the wall on the property boundary and where there is a wall to the boundary at least 12m high.

...

Plot Ratio:

Buildings must comply with the plot ratio standards referred to in Table A to this Schedule.

Apparent Size:

The length of buildings in street edge elevation must not be more than twice the width of the abutting street.

...

Height

Figure 8 specifies a maximum height standard of 12m. The proposed huts will have a maximum height of 5.3m to the apex, with an additional 1.2m structure above (flag pole), bringing the overall height to 6.5m above ground level. The proposal is within the permitted height standard.

Plot Ratio

Table A applies a maximum Plot Ratio requirement of 2.0 which allows up to 5,660sqm floor area on the title. Existing buildings on the site currently occupy a cumulative footprint of approximately 1,800sqm (total floor area will be less than this). The proposed 143sqm floor area is not of a scale that could bring the site's Plot Ratio above the maximum. The proposal therefore complies with the plot ratio standard.

Apparent Size

With regards to 'Apparent Size', the hut will have a width of 10.4m when viewed from Morrison Street and 14.2m when viewed from Argyle Street. Both of these dimensions are less than the width of the respective streets and the proposal complies with the requirement.

Alignment - Primary Space

The huts will be sited to have a minimum setback the title's Argyle Street frontage of 4.8m and 7.8m from its Morrison Street frontage and therefore do not meet the standard for alignment from a Primary Space.

The Authority has discretion to approve a variation of the standard under Clause 23.6.2.

23.6.2 'Discretionary' Buildings

Development which cannot satisfy the 'deemed to comply' provisions' of Clause 23.6.1 may be approved at the discretion of the Planning Authority taking into consideration the Objectives in Clause 23.2. Such development includes:

- *Any new buildings or works adjacent to a Place of Cultural Significance and which are not more prominent in the streetscape by strong contrast of scale, height, colour and tone with the buildings constructed on the place, and, which are not detailed in a manner which is similar to buildings of cultural significance or which adopts an "historic" appearance.*
- *Works undertaken in accordance with a Conservation Plan approved by the Planning Authority where required and/or provided.*

The proposal is considered to be acceptable with regards to the Objectives of Clause 23.2, as discussed previously in this report. It is accordingly considered appropriate that discretion be exercised in favour of the proposal.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

23.7 Building Surfaces

23.7.1 'Permitted' Buildings

Development is 'permitted' where it can be demonstrated that the following 'deemed to comply' provisions have been satisfied:

Building Surfaces	***'Deemed to Comply' Provisions***
Building Façade to a Primary Space ...	• *Surfaces must be primarily masonry.* • *A maximum allowable void of 50 percent is permissible in all street frontage elevations.* • *Surfaces of facades to primary space must comprise high quality finishes that reinforce the status as a primary building frontage.* ...
Night-Lighting	• *Must accentuate the wall of the building when illuminated, and where appropriate also highlight the landscaping.*

The hut will have two facades to Primary Spaces - to Morrison Street and Argyle Street. The proposal does not meet the Deemed to Comply provisions as the building will be constructed with timber. This is a result of the nature of the development as a temporary replica rather than a long term solution for the site.

Night lighting will be provided and will accentuate the external walls of the building.

23.7.2 'Discretionary' Buildings

Development which cannot satisfy the 'deemed to comply' provisions of Clause 23.7.1 may be approved at the discretion of the Planning Authority.

The Authority may consider a variation of the building facade standards under Clause 23.7.2.

The objectives of this Schedule must be taken into consideration in the assessment of all 'discretionary' development.

The proposal is considered to be consistent with the Objectives of Clause 23.2, as discussed previously. It is therefore considered appropriate that discretion be exercised in favour of the application.

4.1.6 Schedule 5 - Traffic, Access and Parking

The relevant parts of Schedule 5 of the Planning Scheme are addressed below.

26.3 Objectives for Traffic, Access and Parking in Activity Areas

The following parking policy objectives apply to land within each of the following Activity Areas:

...

Sullivans Cove 'Mixed Use' Activity Area 2.0

The provision of short term public car parking stations on appropriate sites in this Activity Area will be promoted. Such stations would be expected to serve a range of users for all days of the week and for 24 hours a day.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

The Planning Authority will seek the joint involvement of private developers in the construction of such car parking facilities where this is seen as desirable to further the objectives of the Scheme overall. Any car parking approved as part of the redevelopment of land for a single or mixed use development will be encouraged or required to be made available for public use and not restricted to traffic generated by the particular development. Public transport, services and facilities which serve metropolitan Hobart will be encouraged in this Activity Area. Pedestrian safety is an important consideration in the location and design of access.

Due to a lack of available space on the site, it is not practicable to provide additional onsite parking. Patrons relying on vehicular access will utilise existing short term public car parking spaces on the waterfront (such as Franklin Wharf), in Morrison Street or at nearby parking stations in Argyle Street and Market Place. Given the predicted visitation numbers, the proposal is not of sufficient scale to warrant development of a new parking station. The proposal is consistent with the Objectives for Traffic, Access and Parking in Activity Area 2.0.

The Guidelines for Development Control are as follows:

26.4 Guidelines for Development Control

26.4.1 Traffic Generation

Where a development (including subdivision) is approved that involves the provision of on site car parking, servicing or emergency access facilities that will result in a material increase in the volume of vehicular traffic entering or leaving a public road, then provision shall be made to accommodate such additional vehicles and their movement to the satisfaction of the Planning Authority, having regard to traffic safety or amenity as appropriate. Similar provision shall be made for pedestrians.

Any development needing or expected to generate a demand for the delivery of people to the site in relatively significant volumes, will be expected to make appropriate provision for accommodating the associated vehicular movement - whether generated by private, public or tourist transport, in a manner consistent with the principles of this schedule.

The location and form of any proposed access to an existing public road shall ensure that adequate sight distance in relation to the speed of through traffic is available.

The Planning Authority may require certain measures to be carried out at the developer's expense in order to accommodate additional vehicles or pedestrians resulting from an approved development.

All access, parking and traffic management works shall be constructed to the Planning Authority's current standards and in accordance with plans approved by the Planning Authority.

No additional parking is proposed. The proposed use will utilise existing public parking facilities on Franklin Wharf, Morrison Street and nearby parking stations. The nearest loading zone is within 50m of the site (in front of the Marine Board Building).

The site is well serviced with existing footpaths and two onsite gravel footpaths will provide access to the hut's entry and exit points. It is not considered necessary to invest further in pedestrian facilities to cater for increased activity.

Notably the use and development has been operating on the site for some time now with no significant access issues becoming apparent.

26.4.4 Nature of Parking

The Planning Authority may require the parking spaces approved as part of any development to be of a particular size, type, proportion and location to be suited to the likely nature of demand including turnover of use, type of use and user or visitor vehicles to be accommodated, and servicing needs. This will be determined by the Planning Authority after taking into consideration matters such as:

- *Location of the site;*
- *The nature of the site;*
- *The nature of the surrounding area;*
- *Existing traffic and parking patterns;*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

- *The nature of the operation and future growth plans or opportunities;*
- *Existing on street restrictions;*
- *Future on street or off street public parking proposals.*

The Planning Authority may require specific parking spaces to be reserved for exclusive use by visitors to the development or for people with disabilities.

Any car parking spaces sought to be provided on site will only be approved if located in a manner appropriate to the character and appearance of development in the vicinity and/or with the Principles of this Schedule and the parking and other Objectives for the relevant Activity Area. The siting of parking spaces between the building line and the street boundary line shall generally not be 'permitted'.

Clause 26.4.4 gives the Planning Authority discretion to require parking provision that it considers necessary to service the proposed use.

The proposed use will be a 'walk-in' attraction within the larger destination of Sullivans Cove. It is more likely to attract pedestrians who will visit Sullivans Cove for various reasons rather than as a destination in its own right. Dedicated parking spaces for the proposed use is considered unnecessary because:

- The site is well serviced with footpaths and is highly accessible for pedestrians;
- It is unlikely that all visitors in a day (approximately 45) will require parking as some are likely to utilise visitor accommodation within walking distance in Sullivans Cove or the Hobart CBD;
- It is expected that many visitors who do drive to the waterfront would have visited the waterfront regardless of Mawson's Hut to visit other attractions, hence the additional use is unlikely in itself to create significant additional demand for parking;
- The site is in close proximity to a large amount of public parking spaces on Franklin Wharf/Morrison Street/Argyle Street Car Park/Market Place Car Park and is within 50m of the nearest loading zone;
- The use and development has been operating on the site for some time now with no significant access issues becoming apparent.

It is therefore considered that there is no need for additional parking provision.

26.5 Matters to be Considered

The Planning Authority shall ensure that proposed development:

- *Will not interrupt the efficient passage of port related vehicular movements;*
- *Will not generate vehicular traffic which is detrimental to other vehicle movements in Sullivans Cove;*
- *Will not utilise a key site identified in Part F, or other land considered appropriate, in a manner that would prevent its use for the provision of public parking purposes.*
- *The Planning Authority shall ensure the scope for the provision of significant public parking generated by the development - whether on-site or off-site is explored and evaluated, including the use of part Five Agreements;*
- *Minimises footpath crossovers and disruption to footpath movements;*
- *Providing parking, shall do so in accordance with requirements for the design and location of spaces and access as specified in this schedule;*
- *Providing parking, is designed to complement the form and detail of adjacent buildings and have a continuity of street level activity and/or visual interest;*
- *Providing parking, the vehicle access shall be discrete and where possible located so as to not disrupt traffic flows along streets through queuing; and*

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

- *Incorporates through-site and cross-block pedestrian links and access to the waterfront unless it can be demonstrated that there is no benefit to the enhancement of pedestrian movement and/or amenity in the Cove.*

The parking of domestic vehicles in public parking spaces will not have any significant impact on the efficiency of port-related vehicular movements. Any additional traffic activity will be minimal given the 'walk-in' nature of the development within the broader destination of Sullivans Cove. Visitors to the site will arrive in Sullivans Cove as they do currently - via bus, private vehicle or via footpath. The use will not attract large numbers of buses in its own right. Traffic solely associated with the development is not considered to be of a volume that will be detrimental to other vehicle movements in Sullivans Cove.

The development will utilise a Key Site under Part F of the Planning Scheme but is not identified as a suitable location for public parking (refer to Section 4.1.7 of this report).

No additional footpath crossovers are proposed.

The proposal is considered to be acceptable with regards to the matters for consideration in Clause 26.5.

4.1.7 Part F - Key Sites

The site is identified in Figure 11 as Key Site 5 'Elizabeth/Argyle Block'. Key sites are recognised as underutilised parcels of land that have potential to be used for an activity that would reinforce the Planning Scheme and Activity Area Objectives.

Clause 31.4 requires that a Site Development Plan is prepared for any 'significant' development of a Key Site. The current proposal is not considered to trigger this requirement because:

- It is temporary in nature;
- It will not cause any significant long term changes to the physical characteristics of the site;
- It will not preclude any future long term development of the site.

There are currently no other major plans for the site and the temporary display of the replica hut will not conflict with any long term plans for the Key Site.

5 Impact Assessment

5.1 Visual

The development is and will be located in the context of Sullivan's Cove, a key cultural and tourism precinct of Hobart. The development is unlike existing development in the area but is intended to be a temporary display only.

The visual impact will essentially be the retention of existing development for a longer period as opposed to its conversion back to open space.

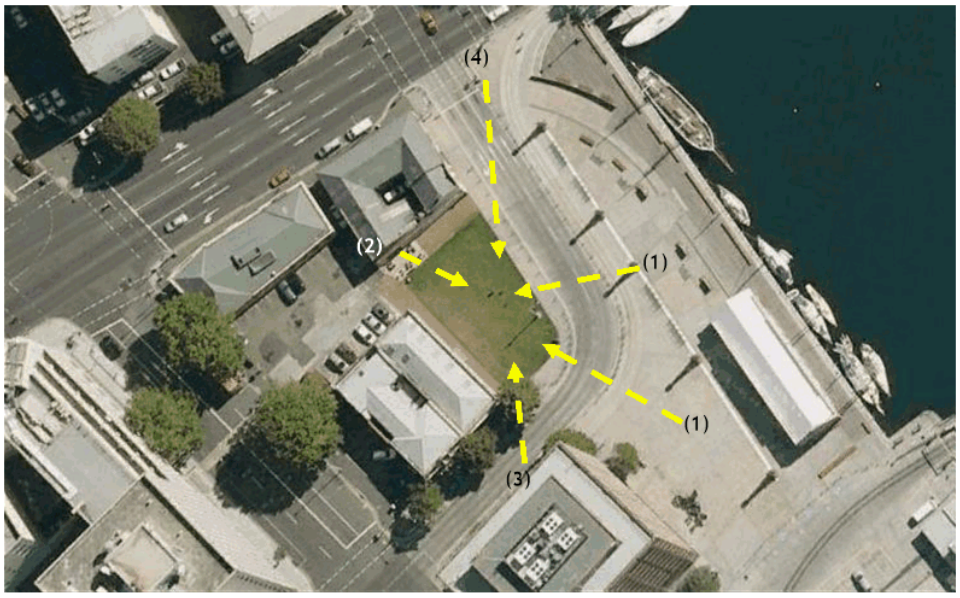
The key vistas affected by the development are considered to be as follows:

1. From Mawson's Place - facing west and northwest;
2. From Lark Distillery - facing south-east;
3. From Morrison Street - facing north;
4. From Argyle Street/Davey Street - facing south.

These key vistas are shown in Figure 4 below.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

Figure 3: Key Views of Proposed Development



(1) Visual Impact from Mawson's Place

The development is most visually prominent from Mawson's Place - a public open space and pedestrian thoroughfare.

From this perspective the eastern façade will be visible, which will comprise of timber-clad walls to varying height.

The building will sit within an open area, set back from street frontages and will be of a significantly smaller scale than surrounding buildings. In this sense the development will maintain the 'open' appearance of the area.

The development will not obstruct any water views from Mawson's Place.

(2) Visual Impact from Lark Distillery

The development is visually prominent when viewed from the outdoor seating area on the southern side of the Lark Distillery. From this location it is possible to look across the site to the north-east towards Constitution Dock as well as east/south-east to Mawson's Pavilion and other structures on Mawson's Place.

The development will not obstruct views directly north-east towards Constitution Dock due to its position on the site. Views across the site to the east/south-east towards Mawson's Pavilion will be partially reduced as a result. Views along the existing gravel pathway to Morrison Street will remain.

From this perspective the northern façade of the development will be most visible, which will be set back 9.6m from the Lark Distillery building. The façade will appear as timber-clad with gable roof shape.

(3) Visual Impact from Morrison Street

Vehicles moving north on Morrison Street towards Argyle Street and pedestrians currently have a limited view across the site - across the open grassed area to the Lark Distillery.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

The Mawson's Huts are visible within this open space, setback from existing buildings and street frontages and will partially obstruct the view across the site. Views along the existing gravel pathway will remain.

From this perspective the southern façade is most visible. This 10.5m wide façade will appear as timber-clad with a gable roof shape. The height of the building will be below that of the Lark Distillery building behind it.

(4) Visual Impact from Argyle & Davey Streets

The site is visible from Argyle Street and Davey Street, facing south towards the site. Views will primarily be from pedestrians or from west-bound traffic on Davey Street.

From this perspective, the building sits within an open area, set back from street and of a smaller scale than surrounding buildings.

The development will not obstruct any water views from this perspective.

5.2 Traffic and Transport Networks

The subject title has frontage to Morrison, Argyle, Elizabeth and Davey streets and is highly accessible with regards to pedestrian infrastructure. Two gravel pathways will be developed on the site linking Morrison and Argyle Streets to the Hut's entry and exit points.

The existing parking spaces on the title are reserved for other uses and will not be available for the proposed use. Patrons will utilise existing public parking in the area, including spaces on Morrison Street and on Franklin Wharf.

Two loading zones, suitable for buses and delivery vehicles, are located within convenient walking distance - one outside the Marine Board Building (within 50m) and one adjacent to the waterfront ferry terminals (within 130m).

It is expected that a maximum of one delivery of merchandise per month will be required. Deliveries will be made with a standard service vehicle.

The site is expected to attract a minimum of 45 visitors per day (excluding any school visits).

Notably the Mawson's Huts replica has operated for some time now with no significant traffic or transport network impacts apparent.

5.3 Public Domain

The site is currently Hobart City Council owned open space that has unrestricted access. The development will temporarily occupy part of an open area. The existing gravel pathways across the site will remain unobstructed.

5.4 Utilities

The site will be connected to the reticulated electricity grid for purposes of powering internal lighting external and floodlighting.

5.5 Water

Public toilets at Franklin Square and Franklin Wharf are available for patrons. No additional reticulated water connection will be required for the development.

Currently, water that is not absorbed onsite runs offsite into the Derwent. There is no kerb and channel along the adjoining roads. The addition of a new building and roofed area will increase stormwater runoff from the site. Stormwater from the roof will continue to be piped to Council's stormwater system as occurs at present.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

5.6 Heritage

Listings on the Tasmanian Heritage Register for the subject title include:

- Former Holyman's Building - 3-5 Morrison Street (Listing 10183);
- Former Chesterman Building - 10-14 Davey Street (Listing 2283);
- Former Piesse and Co. Building - 16-20 Davey Street (Listing 2284).

The same abovementioned buildings are listed under the Planning Scheme as Places of Cultural Heritage Significance.

Given that the proposal is for a temporary development that involves no permanent structures or significant modification to the site's physical characteristics, the impact on heritage values is considered minimal.

The development was previously considered by the Tasmanian Heritage Council, who previously approved the works (that approval however has now lapsed and a new permit will be required).

The site is also listed as a Place of Archaeological Sensitivity in the Planning Scheme. For this reason, the need for excavation has been kept to a minimum with the building to sit above ground. Some minor excavation was required to connect power to the development. This was undertaken in accordance with advice from archaeologists Comber Consultants Pty Ltd.

The archaeologists who surveyed the works, TasArc, confirmed that no items of significance were found during the excavations (refer to Appendix C).

5.7 Air and Microclimate

As the development has been constructed, the proposal will have minimal impact on air and microclimate whilst operational. Some dust may be temporarily generated during deconstruction.

5.8 Flora and Fauna

The site is a heavily modified urban location that is free of any significant standing vegetation. No additional disturbance to any vegetation is required as part of this application.

5.9 Waste

Some waste may be generated by the use of the site, such as packaging boxes associated with souvenirs. All waste that will be generated will be disposed of in standard wheelie-bins and collected by Council's municipal waste collection service.

5.10 Noise

The site will operate seven days a week during the hours of 9:30am and 6:00pm during summer months (October to the end of March) and 10:00am and 5:00pm during winter months (April to the end of September).

Some construction noise can be expected temporarily during the construction phase. Components will need to be lifted via crane onto the site.

No plant equipment will be required for the ongoing operation of the site.

Noise generated by the use of the site will be limited to daytime hours and will be associated with pedestrian activity only.

The surrounding land uses are typically commercial in nature and the site is removed from residential land or other sensitive receivers.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

5.11 Hazards

The site is not known to be at any particular risk of natural hazards.

5.12 Safety, Security and Crime Prevention

The site will be appropriately flood-lit and buildings locked at night in the interests of crime prevention.

The location of the development on a corner site where it is visible from surrounding public spaces and thoroughfares is beneficial with respect to passive surveillance of the site, which will further reduce the likelihood of vandalism.

5.13 Economic and Social Impact in the Locality

The development will generate short term economic stimulus to the construction industry during its eventual dismantlement.

The use will generate new employment opportunities, requiring 1-2 staff members onsite during opening hours, seven days per week. The use will attract pedestrians to the area (a minimum of approximately 45 per day), to the benefit of surrounding businesses (such as the take-away store, retail outlets and the Lark Distillery on the site).

A social benefit associated with the proposal is the opportunity for visitors and locals to learn about an aspect of Hobart's history its association with Antarctica.

6 Conclusion

The subject application proposes the temporary use and development of land within Activity Area 2.0 for an 'Arts and Cultural Centre' until such time as the Council resolves to repurpose the site. The development involves minimal long term impact on the site and will ultimately be restored to its existing condition.

The proposal generates four discretions under the Planning Scheme:

- Clause 22.4.5 - Works not related to conservation management;
- Clause 22.6.1 - Setback from Primary Space;
- Clause 23.7.2 - Building surfaces.

The two urban form discretions (setback and building surfaces) are triggered due to the nature of the development as a replica hut. The proposal is considered to be consistent with the relevant performance criteria guiding the exercise of discretion, largely because it is temporary in nature and will not result in any long term modification of the site.

It is concluded that the proposal is acceptable with respect to the applicable planning requirements.

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

APPENDIX A

Title Information

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
32426	1
EDITION	DATE OF ISSUE
1	28-Apr-1994

SEARCH DATE : 12-Jun-2018
SEARCH TIME : 11.37 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Diagram 32426
Derivation : For grantees see plan
Prior CT 4447/32

SCHEDULE 1

A434413 HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B129210 ADHESION ORDER under Section 477A of the Local Government Act 1962 Registered 11-Apr-1988 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Approved - General Manager Consent Only
GMC-20-1 06/02/2020
City of HOBART

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART

Title Reference: CONV 33/7004 CONV 36/9736 CONV 37/4224 CONV 39/8968 CONV 45/9138 & CT 3111/35

Grantee: (LOT 20) WHOLE OF A 16½p. GRANTED TO ARCHIBALD THOMAS MANNING & ALFRED HENRY MANNING
(LOT 21) WHOLE OF A 15½p. GRANTED TO ARCHIBALD THOMAS MANNING & ALFRED HENRY MANNING
(LOT 19) WHOLE OF A 16½p GRANTED TO NEIL LEWIS
(LOT 14) WHOLE OF A 9 3/10 p GRANTED TO GEORGE WHITING
(LOT 15) WHOLE OF A 9 3/10p GRANTED TO WILLIAM FISHER
PART OF 26 7/10p GRANTED TO RICHARD LEWIS
PART OF 16 6/10p GRANTED TO JOHN SMITH

PLAN OF SURVEY

by Surveyor P.S. FLEMING of land situated in the

CITY OF HOBART
SEC 03

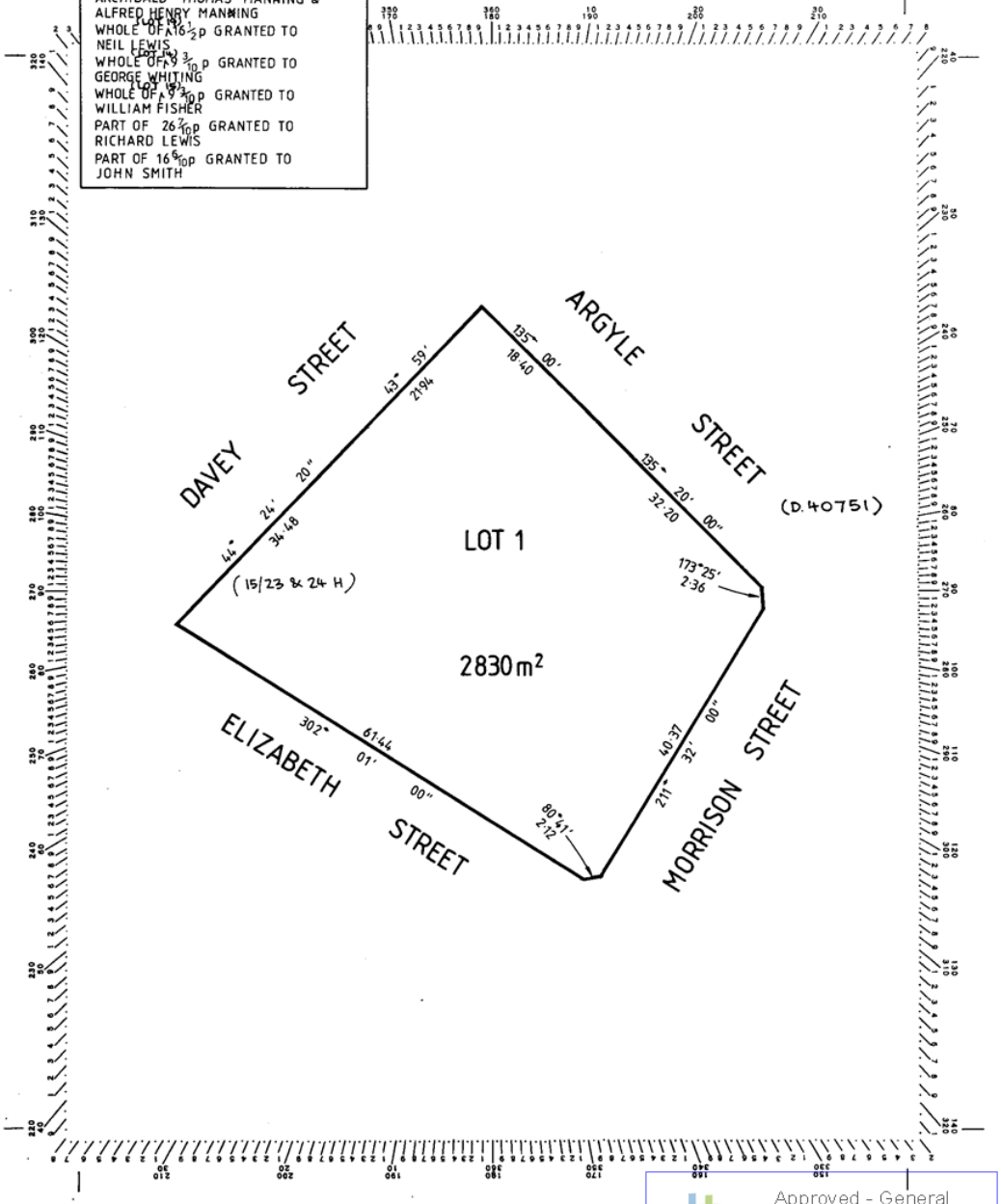
SCALE 1:500 MEASUREMENTS IN METRES

Registered Number: D32426

Approved 11 APR 1988

~~Effective from~~

Recorder of Titles



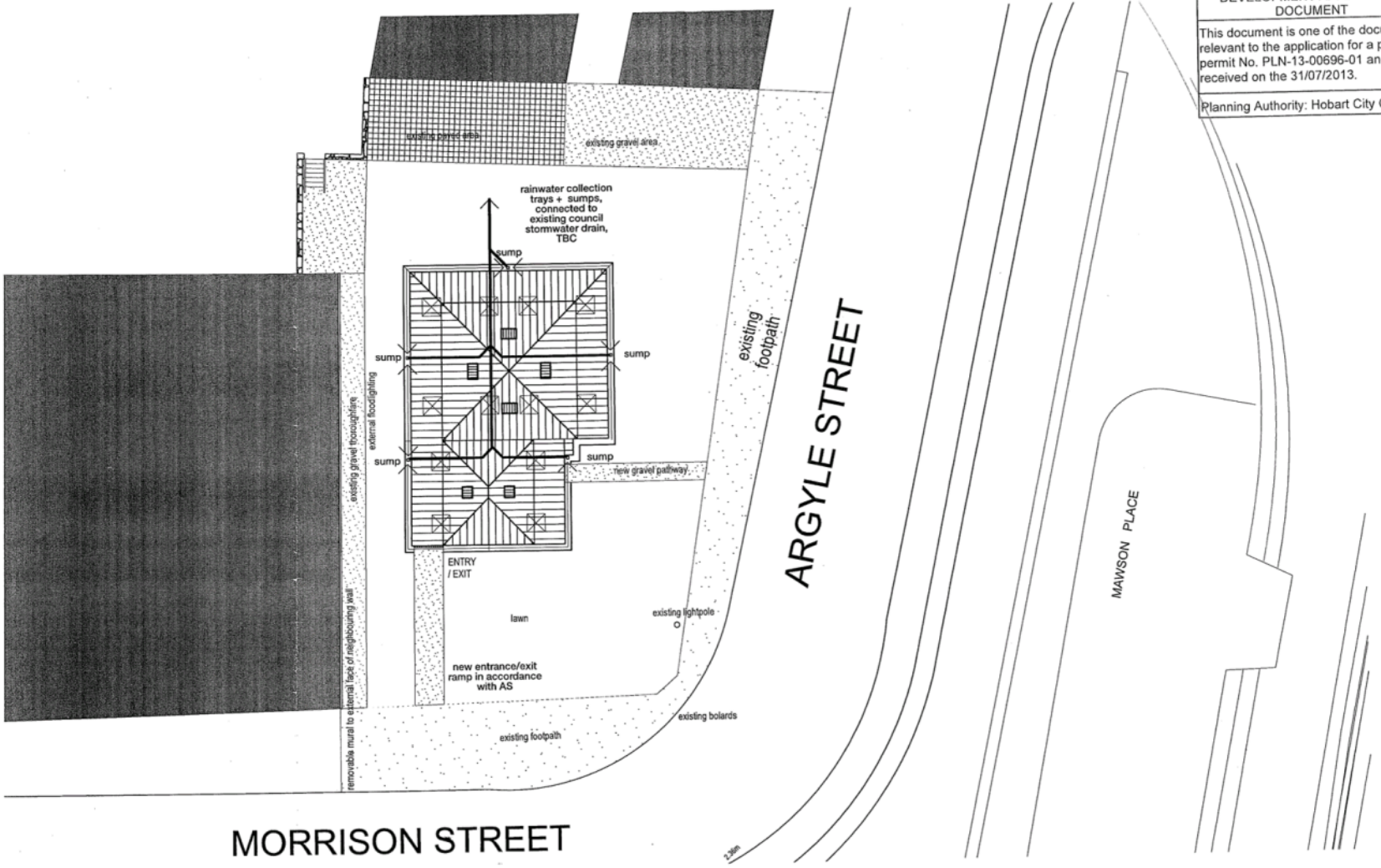
Approved - General Manager Consent Only GMC-20-1 06/02/2020

APPENDIX B

Proposal Plans

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

DEVELOPMENT APPLICATION DOCUMENT
This document is one of the documents relevant to the application for a planning permit No. PLN-13-00696-01 and was received on the 31/07/2013.
Planning Authority: Hobart City Council



01 site plan
- plan
scale 1:200

revisions

original drawing size A3

Approved - General Manager Consent Only
City of HOBART GMC-20-1 06/02/2020

mawson's hut replica
mawson's huts foundation
Macquarie Wharf Shed No.4A
Macquarie Point, Hobart
TAS, 7000

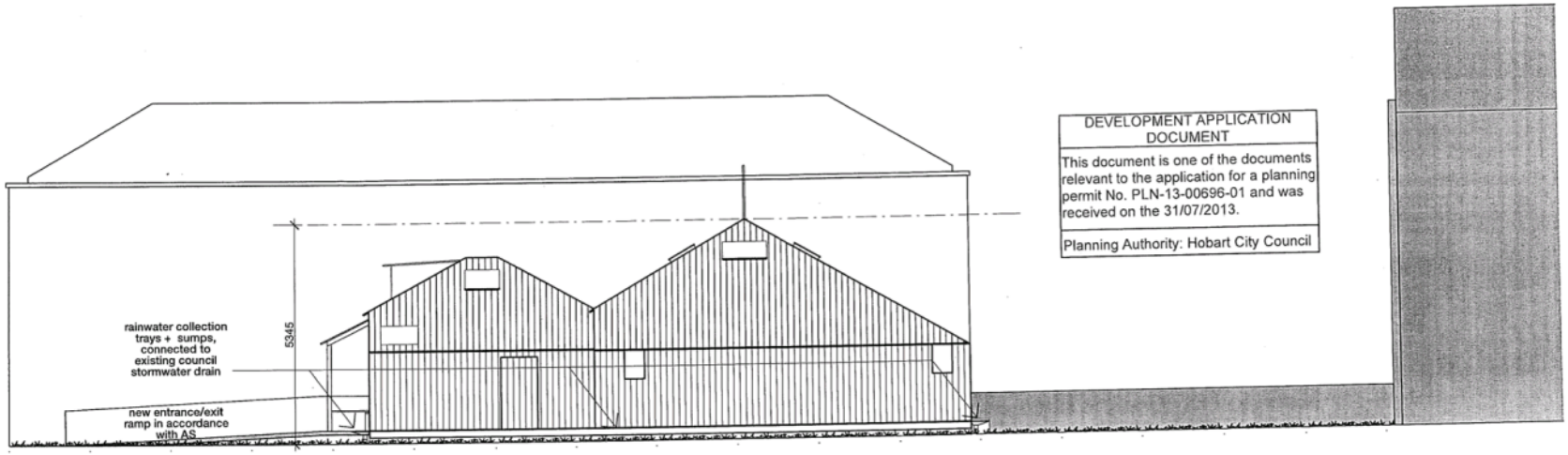
These designs, plans and specifications and the copyright therein are the property of Circa Architecture and must not be used, reproduced or copied wholly or in part without the written permission of Circa Architecture Pty Ltd

circa morris-nunn architects
ixl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circaarchitecture.com.au

These drawings show design intent and are suitable as a guide only. The builder shall check and verify all dimensions and verify all errors/ omissions to the Architect. Do not scale off the drawings. Drawings are not to be used for construction purposes until issued by the Architect for construction.

site
plan / drainage

status development application
print date Wednesday, 31 July 2013
drawing nº 1313-da00
issue

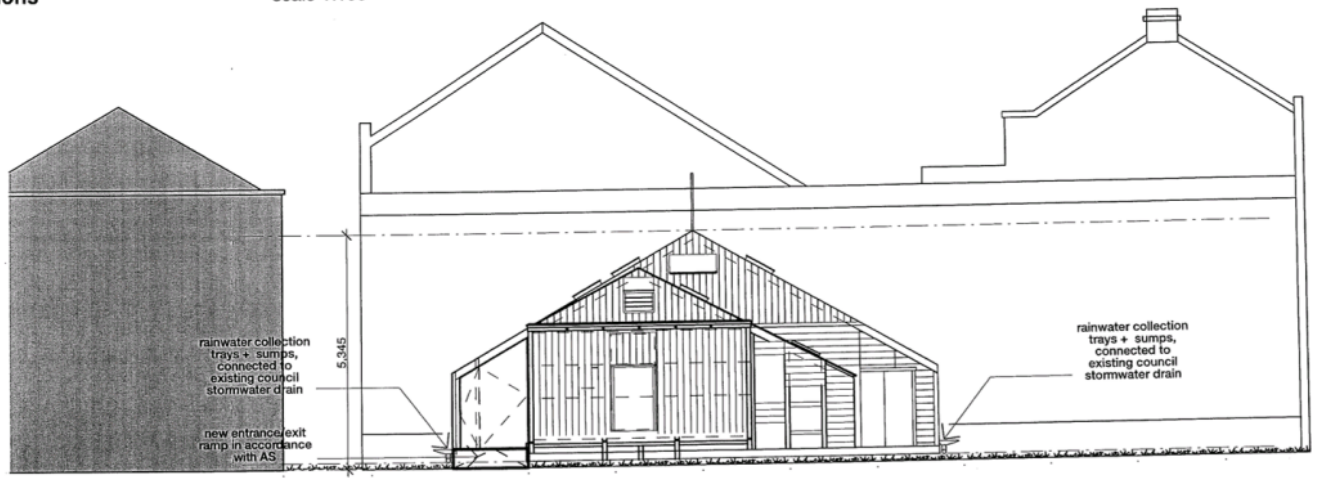


DEVELOPMENT APPLICATION DOCUMENT

This document is one of the documents relevant to the application for a planning permit No. PLN-13-00696-01 and was received on the 31/07/2013.

Planning Authority: Hobart City Council

01 - **north elevation**
elevations scale 1:100



02 - **east elevation**
elevations scale 1:100

revisions

original drawing size **A3**

mawson's hut replica
mawson's huts foundation
Mscquarie Wharf Shed No.4A
Mscquarie Point, Hobart
TAS, 7000

These designs, plans and specifications and the copyright therein are the property of Circa Architecture and must not be used, reproduced or copied wholly or in part without the written permission of Circa Architecture Pty Ltd

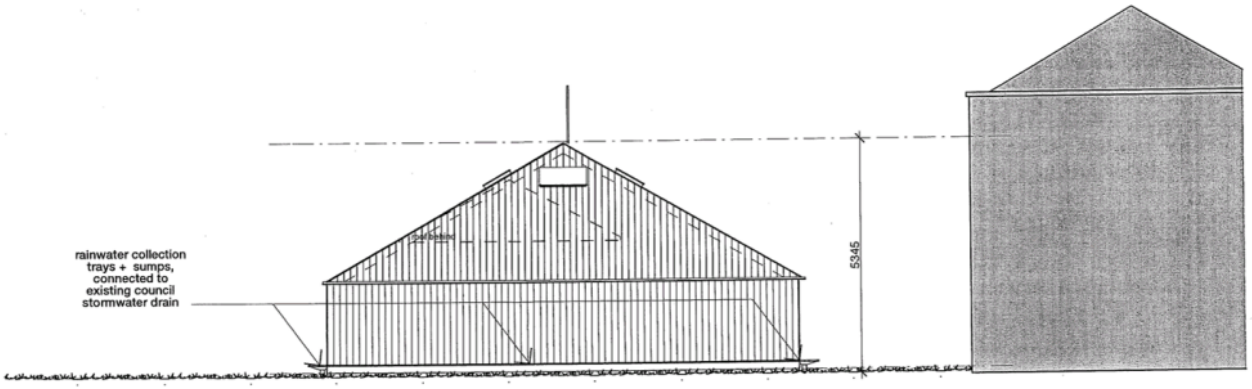
circa ***morris-nunn architects***
ixl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circaarchitecture.com.au

These drawings show design intent and are suitable as a guide only. The builder shall check and verify all dimensions and verify all errors/ omissions to the Architect. Do not scale off the drawings. Drawings are not to be used for construction purposes until issued by the Architect for construction.

north + east
elevations

status: **development application**
print date: **Wednesday, 31 July 2013**
drawing n° **1313-da02** issue

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

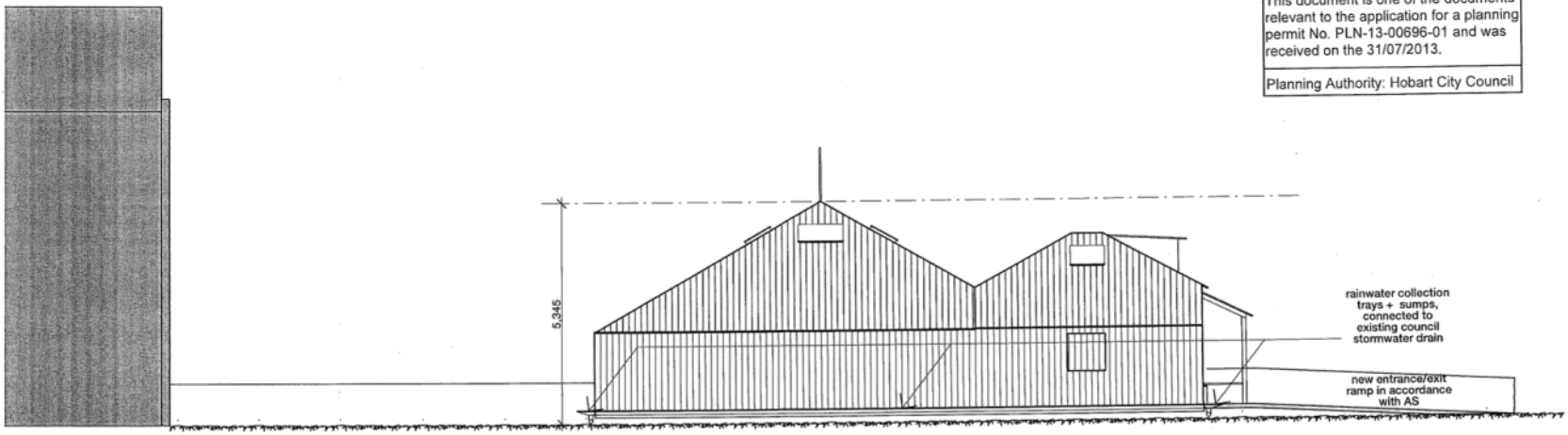


01 - **south elevation**
elevations scale 1:100

DEVELOPMENT APPLICATION DOCUMENT

This document is one of the documents relevant to the application for a planning permit No. PLN-13-00696-01 and was received on the 31/07/2013.

Planning Authority: Hobart City Council



01 - **west elevation**
elevations scale 1:100

revisions

original drawing size **A3**

mawson's hut replica
mawson's huts foundation
Macquarie Wharf Shed No.4A
Macquarie Point, Hobart
TAS, 7000

These designs, plans and specifications and the copyright therein are the property of Circa Architecture and must not be used, reproduced or copied wholly or in part without the written permission of Circa Architecture Pty Ltd

circa *morris-nunn architects*
ivl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circaarchitecture.com.au

These drawings show design intent and are suitable as a guide only. The builder shall check and verify all dimensions and verify all errors/ omissions to the Architect. Do not scale off the drawings. Drawings are not to be used for construction purposes until issued by the Architect for construction.

south + west
elevations

status: development application
print date: Wednesday, 31 July 2013
drawing n° **1313-da03**
Issue

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

APPENDIX C

Archaeologist Report

City of HOBART
Approved - General Manager Consent Only GMC-20-1 06/02/2020

1

TASARC

ARCHAEOLOGICAL SERVICES

433 Dorans Road
Sandford
Hobart

Mobile: 0408561934
Email: parryk@netspace.net.au
Web site www.arctas.com.au

MAWSON'S HUTS REPLICAS MUSEUM SITE

I was engaged by the Mawson's Huts Foundation as the archaeologist to oversee the excavation of the site on the corner of Argyle and Morrison Streets in October 2013.

It was necessary to level the site in preparation to place the concrete plinths on which Foundation planned to place the Replica Museum and this necessitated removing fill to a depth of 400 mm at the western end (The Lark and Parking area) and to approximately 250mm on the eastern end (Morrison Street) of the site.

I was present throughout the excavation and can report that nothing of any significance was found during this process. There was some brick and mortar from the foundations of a previous building which once occupied the site but the remainder was simply landfill.

It was also necessary to dig a trench from the building now occupied by The Lark Distillery and the Print Shop to lay a cable to connect power to the museum. This was at a depth of 300mm and again nothing of interest was found during this process.

I understand the Mawson's Huts Foundation has applied for a permit to erect a sign for the Replica Museum near the footpath bordering Argyle Street and this will require digging a small trench for this to a depth of 250mm to place the concrete footing.

I am happy to confirm that this would not have any impact on the heritage value of the site.

Yours Sincerely

Parry Kostoglou

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

Johnstone McGee and Gandy Pty Ltd

incorporating Dale P Luck & Associates
(trading as JMG Engineers and Planners)
ABN 76 473 834 852 ACN 009 547 139

www.jmg.net.au

HOBART OFFICE
117 Harrington Street
Hobart TAS 7000
Phone (03) 6231 2555
Fax (03) 6231 1535
infohbt@jmg.net.au

LAUNCESTON OFFICE
49-51 Elizabeth Street
Launceston TAS 7250
Phone (03) 6334 5548
Fax (03) 6331 2954
infoltn@jmg.net.au

Engineers & Planners
Your Vision is Our Mission

City of HOBART
Approved - General Manager Consent Only
GMC-20-1 06/02/2020

Tasmanian Heritage Council

Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF:	PLN-19-943
THC WORKS REF:	6168
REGISTERED PLACE NO:	10183
APPLICANT:	JMG Engineers and Planners
DATE:	03 March 2020

NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place:	1-3 Elizabeth Street, Hobart.
Proposed Works:	Timber replica of Mawson's Hut.

Under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with Development Application PLN-19-943, advertised on 18 February 2020.

Please ensure the details of this notice are included in any permit issued, and forward a copy of the permit or decision of refusal to the Heritage Council for our records.

Should you require clarification of any matters contained in this notice, please contact Peter Coney on 1300 850 332.

Ian Boersma
Works Manager – Heritage Tasmania
Under delegation of the Tasmanian Heritage Council

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Advice
Date Completed:	
Address:	1 - 3 ELIZABETH STREET, HOBART
Proposal:	Partial Change of Use (Mawsons Hut Replica Museum)
Application No:	PLN-19-943
Assessment Officer:	Victoria Maxwell,

Referral Officer comments:

The following comments are those prepared by Council's Senior Cultural Heritage Officer for the previous applications for this proposal. (images have been removed from text)

Response from PLN-13-00696-01
This proposal involves the installation of a temporary structure upon a small block of Council-owned land on the corner of Argyle and Morrison Streets, currently landscaped with turf and gravel. The temporary structure is a full-sized accurate replica of the structure erected at Cape Denison, Antarctica in 1912 by the expedition led by Douglas Mawson, generally now known as "Mawson's Huts". .....
...

The proposed replica installation does not meet all of these discretionary requirements which must be taken into account. For example, the proposal does not complement and contribute to the cultural significance, character and appearance of the listed places and their setting – it is clearly a building which does not belong in a temperate urban environment – regardless of its incongruity with the neighbouring heritage buildings. It is essentially a museum model (albeit full-size) installed for a short period on a conveniently available block of land near the tourist hub of Sullivans Cove. There is little risk in the apparent authenticity of listed places being reduced by this proposal, as it will clearly be distinguished as a temporary installation with a specific short-term function. Accordingly, the discretion conferred in this part of the Schedule may be favourably exercised. If established on a more permanent basis, the construction of the replica huts would have the potential to further demean the historical and cultural authenticity of Sullivans Cove, and the setting and appreciation of the adjacent heritage buildings.

Response from PLN-14-00889
This proposal involves the extension to a permit allowing the installation of a temporary structure upon a small block of Council-owned land on the corner of Argyle and Morrison Streets, previously landscaped with turf and gravel. The temporary structure is a full-sized accurate replica of the structure erected at Cape Denison, Antarctica in 1912 by the expedition led by Douglas Mawson, generally now known as "Mawson's Huts".

Mawson's expedition left from Hobart in December 1911, and the wireless station erected upon Mount George, Queen's Domain was specifically erected by the expedition group as part of the communication system.

The rationale behind the installation of the replica hut building was to engender interest in (and

raise funds for) the ongoing conservation of the actual huts in their Antarctic location. The replica is essentially conceived as a full-sized walk-in model, similar to that which might be found in a museum environment – intended for the instruction and delectation of visitors, thus enabling people to have some sense of the arrangement and interior of the building. This opportunity is regarded by the proponent as particularly valuable, given the remote location of the original structure, and the very limited access opportunities for members of the general public.

In regard to the battle to fund conservation works, the Mawson's Huts Foundation Chairman, David Jensen, has been quoted as saying, "the whole object of putting this replica in Hobart is to generate revenue for the ongoing conservation and maintenance of the actual huts at Cape Denison …If we get in the region of 60,000 visitors a year, that'll generate around the region of $450 to 480,000 profit." [http://www.abc.net.au/news/2013-06-02/tourist-replica-set-to-save-mawson27s-huts/4727992]

The proposed replica structure was intended to be installed for a limited period, essentially a one-off temporary museum exhibition.

The site forms part of the Council-owned block bounded by Davey, Elizabeth, Morrison and Argyle Streets – once known (infamously) as the Civic Square site. Buildings upon this block were gradually acquired by the Council over a number of years in the 1960s and '70s, for the intention of eventual demolition and redevelopment.

Lloyd's Hotel (as the building on the subject site was originally known) opened in 1856, with Thomas Howard as the licensee. It became known as the Howard Hotel about 1900 and the façade was remodelled in the 1930s. It closed as a hotel in 1962, and was subsequently demolished by the Hobart City Council in 1964 – almost 50 years ago.

Both postcard image below is dated 1910, and shows the original form of the building before remodelling.

Since the introduction of the Sullivans Cove Planning Scheme 1997, the area surrounding the subject site has been transformed with a paraphernalia of urban initiatives – light towers, sunshades, artistic 'way-finding' signs, murals and simulated tramlines. Most of the recent developments make reference to Mawson's association with Hobart – his port of departure in 1911. The installation of a replica of Mawson's Huts reinforces that theme.

Assessment

The proposal requires assessment against the provisions of Schedule 1 - Conservation of Cultural Heritage Values. The Introduction and Objectives of this Schedule are quoted in full:

22.1 Introduction
Conservation of the cultural heritage values of Sullivans Cove is the primary objective of the Scheme. Where there is an apparent conflict with other objectives, the conservation of cultural heritage values takes precedence.

This schedule applies to conservation of the cultural heritage values of identified places of cultural significance, including spaces, buildings and objects, and conservation of patterns of continuing or historic use. It also applies to the conservation of archaeologically sensitive sites and the conservation of a recognisable historic character in the areas where authentic historic fabric and spaces remain.

22.2 Objectives

• To provide the mechanisms to allow the conservation of heritage values.
• To provide an incentive for 'building or works' to be carried out in a manner which is compatible with conservation of cultural heritage values.
• To ensure that the recognisable historic character of Sullivans Cove is not compromised by new development which overwhelms the places of cultural significance, or, by new development which reduces the apparent authenticity of the historic places by mimicking historic forms.
• To encourage new development to be recognisable as new, but not individually prominent. Such development must reflect a "good neighbour" relationship to places of identified cultural value.

The scope of clause 22.4 Conservation of Places of Cultural Significance is defined:

22.4.1 Scope
The controls of this clause apply to the carrying out of 'building or works' on places of cultural significance identified in Table 1 to this Schedule, and on Figure 5 'Places of Cultural Significance'. The status afforded to the places identified shall apply to all of the land within the title boundary, except where this is specifically indicated in Table 1 as not being the case.

The consequence of this provision is that, as the extent of the listing is not further limited in Table 1, the land upon which the proposed building is to be temporarily erected does form part of the title boundary of a listed place, and the proposal is therefore subject to assessment against the provisions of clause 22.4 Conservation of Places of Cultural Significance.

Clause 22.4.4 provides for 'permitted' building or works:

22.4.4 'Permitted' 'Building or Works'
'Building or works' on places of cultural significance is 'permitted' in respect to this Schedule where it can be demonstrated that the following 'deemed to comply' provisions have been satisfied:

• The 'building or works' are related to the conservation of a place of cultural significance and are to be undertaken in accordance with a Conservation Plan accepted by the Planning Authority as satisfying the submission requirements for an application.

The proposal does not meet this requirement, and must therefore be assessed against the discretionary provisions of clause 22.4.5, which are as follows:

22.4.5 'Discretionary' 'Building or Works'
'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority.

The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:

• 'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;
• 'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;
• The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;
• 'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;
• 'Building or works' may be recognisable as new but must not be individually prominent;
• The painting of previously unpainted surfaces is discouraged.

The replica installation does not meet all of these discretionary requirements which must be taken into account. For example, the installation does not complement and contribute to the cultural significance, character and appearance of the listed places and their setting – it is clearly a building which does not belong in a temperate urban environment – regardless of its incongruity with the neighbouring heritage buildings. It is essentially a museum model (albeit full-size) installed for a short period on a conveniently available block of land near the tourist hub of Sullivans Cove. There is little risk in the apparent authenticity of listed places being reduced by this proposal, as it will clearly be distinguished as a temporary installation with a specific short-term function. Accordingly, the discretion conferred in this part of the Schedule may be favourably exercised. If established on a more permanent basis, the construction of the replica huts would have the potential to further demean the historical and cultural authenticity of Sullivans Cove, and the setting and appreciation of the adjacent heritage buildings.

Archaeology

The subject site is also included in Table 2 – Places of Archaeological Sensitivity. The proposal has been accompanied by an Archaeological Sensitivity Report, which has recommended a range of measures to ensure that archaeological values are protected.

The archaeologist's report identified works which were undertaken during the installation process.

Subject to the inclusion of appropriate conditions related to the non-permanent nature of the installation, the proposal is considered to be of no lasting detriment, and relatively inoffensive in terms of Schedule 1 – Conservation of Places of Cultural Significance of the Sullivans Cove Planning Scheme 1997.

(Brendan Lennard)
SENIOR CULTURAL HERITAGE OFFICER
2 September 2014

Response from PLN-16-1065

The proposal was commented upon in some detail, when first submitted in 2013. Please refer attached.

/Images/DA-16-173609 PLN-13-00696-01 - 1-3 Elizabeth Street (Part of CT. 32426 1) Mawson s Hut Replica - HOBART - Heritage Referral.pdf

The proposal was considered to be acceptable at the time only on the basis that it was a temporary installation.

The current application has no specific limit in relation to the permit sought. The temporary nature of the installation was regarded as an essential element in previous planning application consideration. In other words, the proposal was considered to be an acceptable departure from planning scheme requirements only on the basis that it was ephemeral and would be removed within a year or so.

There should be no permanent acceptance of the proposal by means of a planning permit, as the installation does not comply with the provisions of the planning scheme. Any new planning permit should be limited to a specific time period.

Response to current application (PLN-19-943):
The previous assessment by Council's Senior Cultural Heritage Officer articulates clearly that the proposal does not meet all the discretionary requirements of the Scheme and 'if established on a more permanent basis, ... would have the potential to further demean the historical and cultural authenticity of Sullivans Cove and the setting and appreciation of the adjacent heritage buildings.' Seven years (and three planning applications) after the initial assessment was undertaken, the conclusion from assessment has not changed. It is concluded that the installation of the replica Mawson's Hut cannot be supported after a further two year time period.

Sarah Waight
Acting Senior Cultural Heritage Officer
5 March 2020

DES-F-0102/30
21/06/2011

HOBART
CITY COUNCIL

PLN-13-00696-01
Application Number

DEVELOPMENT APPRAISAL

HERITAGE ASSESSMENT

Address:	**1-3 Elizabeth Street (Part of CT. 32426/1)**
Description of proposed development:	**Temporary Partial Change of Use and Temporary New Building for Museum (Mawson's Hut Replica) and Public Street Furniture**
Zoning:	
Heritage Area:	
Is the property listed?	
Planning Officer:	**Ben Ikin**
Date advertised:	**24-Jul-2013**
Date required:	**16 August 2013**

This proposal involves the installation of a temporary structure upon a small block of Council-owned land on the corner of Argyle and Morrison Streets, currently landscaped with turf and gravel. The temporary structure is a full-sized accurate replica of the structure erected at Cape Denison, Antarctica in 1912 by the expedition led by Douglas Mawson, generally now known as "Mawson's Huts".

Source: www.mawsons-huts.org.au

Mawson's expedition left from Hobart in December 1911, and the wireless station erected upon Mount George, Queen's Domain was specifically erected by the expedition group as part of the communication system.

The rationale behind the installation of the replica hut building is to engender interest in (and raise funds for) the ongoing conservation of the actual huts in their Antarctic location. The replica is essentially conceived as a full-sized walk-in model, similar to that which might be found in a museum environment – intended for the instruction and delectation of visitors, thus enabling people to have some sense of the arrangement and interior of the building. This opportunity is regarded by the proponent as particularly valuable, given the remote location of the original structure, and the very limited access opportunities for members of the general public.

In regard to the battle to fund conservation works, the Mawson's Huts Foundation Chairman, David Jensen, has been quoted as saying, "the whole object of putting this replica in Hobart is to generate revenue for the ongoing conservation and maintenance of the actual huts at Cape Denison …If we get in the region of 60,000 visitors a year, that'll generate around the region of $450 to 480,000 profit." [http://www.abc.net.au/news/2013-06-02/tourist-replica-set-to-save-mawson27s-huts/4727992]

The proposed replica structure is intended to be installed for a limited period, with removal by the end of 2014 – essentially a one-off temporary museum exhibition.

The site forms part of the Council-owned block bounded by Davey, Elizabeth, Morrison and Argyle Streets – once known (infamously) as the Civic Square site. Buildings upon this block were gradually acquired by the Council over a number of years in the 1960s and '70s, for the intention of eventual demolition and redevelopment.

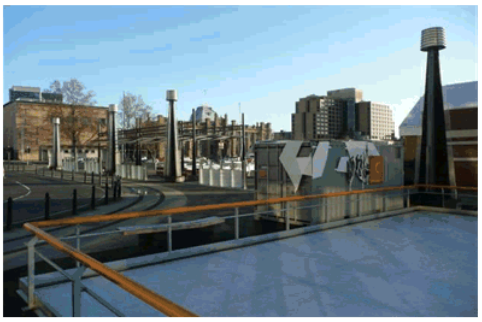
Howard's Hotel, 1952
Source: Here's Cheers (HCC)

Lloyd's Hotel (as the building on the subject site was originally known) opened in 1856, with Thomas Howard as the licensee. It became known as the Howard Hotel about 1900 and the façade was remodelled in the 1930s. It closed as a hotel in 1962, and was subsequently demolished by the Hobart City Council in 1964 – almost 50 years ago.

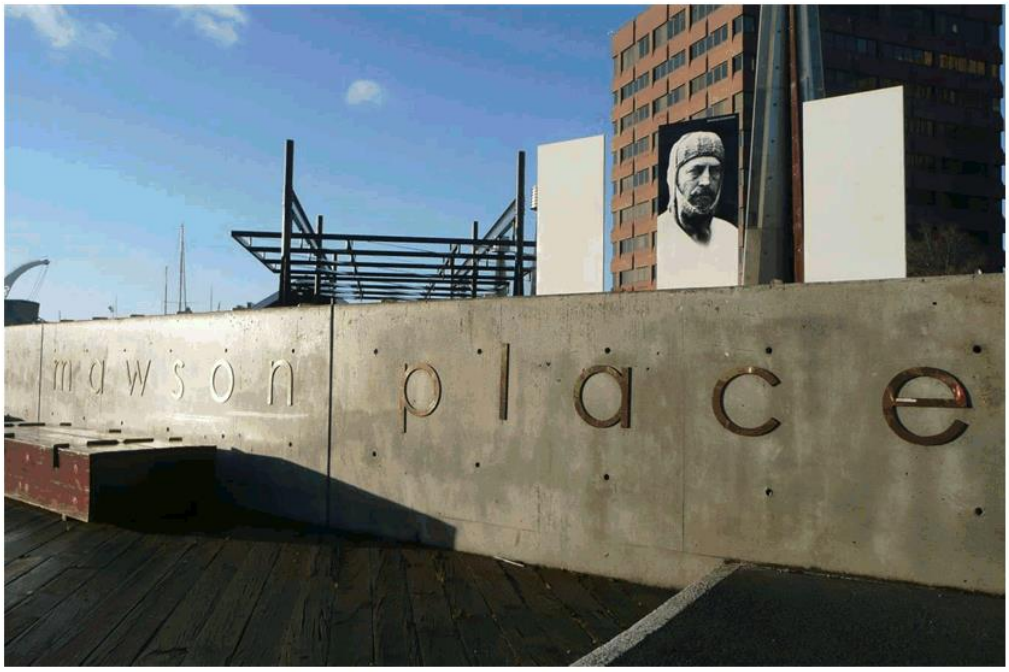
Both postcard image below is dated 1910, and shows the original form of the building before remodelling.

Source: Here's Cheers (HCC)

Since the introduction of the *Sullivans Cove Planning Scheme 1997*, the area surrounding the subject site has been transformed with a paraphernalia of urban initiatives – light towers, sunshades, artistic 'way-finding' signs, murals, simulated tramlines, ice-skating rink and a shipping container converted for use as a takeaway coffee shop. Most of the recent developments make reference to Mawson's association with Hobart – his port of departure in 1911. The installation of a replica of Mawson's Huts will, during the brief period of its existence, reinforce that theme.



DES-F-0102/30
21/06/2011



Celebrating Sir Douglas Mawson in Hobart

Assessment

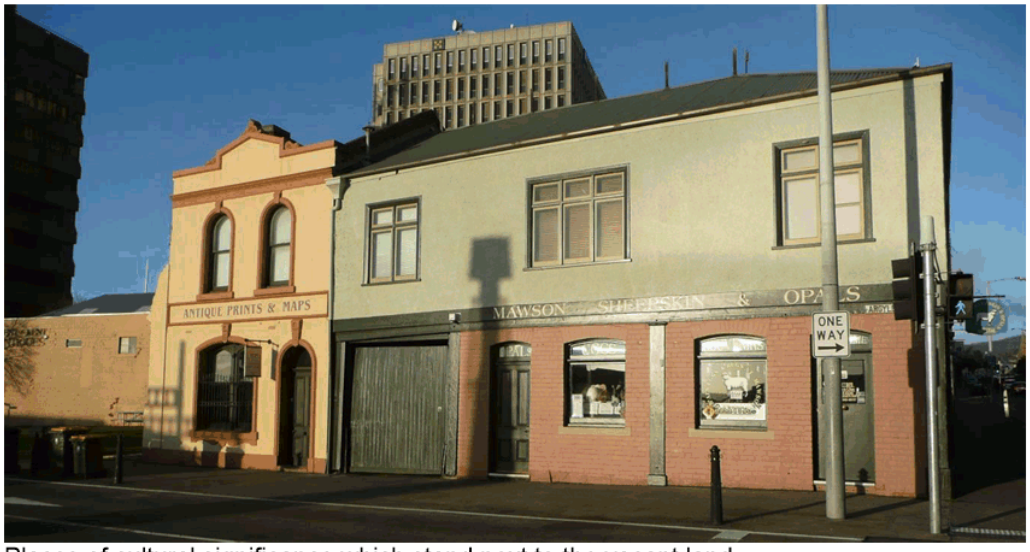
The proposal requires assessment against the provisions of Schedule 1 - Conservation of Cultural Heritage Values. The Introduction and Objectives of this Schedule are quoted in full:

> *22.1 Introduction*
> *Conservation of the cultural heritage values of Sullivans Cove is the primary objective of the Scheme. Where there is an apparent conflict with other objectives, the conservation of cultural heritage values takes precedence.*
>
> *This schedule applies to conservation of the cultural heritage values of identified places of cultural significance, including spaces, buildings and objects, and conservation of patterns of continuing or historic use. It also applies to the conservation of archaeologically sensitive sites and the conservation of a recognisable historic character in the areas where authentic historic fabric and spaces remain.*
>
> *22.2 Objectives*
> - *To provide the mechanisms to allow the conservation of heritage values.*
> - *To provide an incentive for 'building or works' to be carried out in a manner which is compatible with conservation of cultural heritage values.*
> - *To ensure that the recognisable historic character of Sullivans Cove is not compromised by new development which overwhelms the places of cultural significance, or, by new development which reduces the apparent authenticity of the historic places by mimicking historic forms.*
> - *To encourage new development to be recognisable as new, but not individually prominent. Such development must reflect a "good neighbour" relationship to places of identified cultural value.*

The scope of clause 22.4 Conservation of Places of Cultural Significance is defined:

> *22.4.1 Scope*
> *The controls of this clause apply to the carrying out of 'building or works' on places of cultural significance identified in Table 1 to this Schedule, and on Figure 5 'Places of Cultural Significance'. The status afforded to the places identified shall apply to all of the land within the title boundary, except where this is specifically indicated in Table 1 as not being the case.*

The consequence of this provision is that, as the extent of the listing is not further limited in Table 1, the land upon which the proposed building is to be temporarily erected does form part of the title boundary of a listed place, and the proposal is therefore subject to assessment against the provisions of clause 22.4 Conservation of Places of Cultural Significance.



Places of cultural significance which stand next to the vacant land.

Clause 22.4.4 provides for 'permitted' building or works:

> ***22.4.4 'Permitted' 'Building or Works'***
> *'Building or works' on places of cultural significance is 'permitted' in respect to this Schedule where it can be demonstrated that the following 'deemed to comply' provisions*
> *have been satisfied:*
>
> - *The 'building or works' are related to the conservation of a place of cultural significance and are to be undertaken in accordance with a Conservation Plan accepted by the Planning Authority as satisfying the submission requirements for an application.*

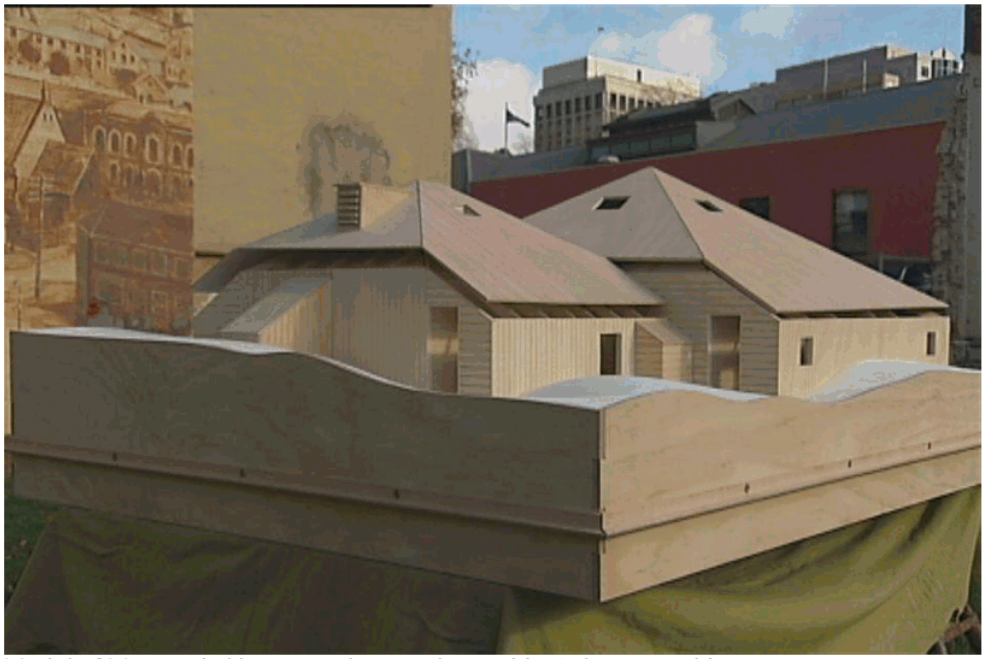
The proposal does not meet this requirement, and must therefore be assessed against the discretionary provisions of clause 22.4.5, which are as follows:

> ***22.4.5 'Discretionary' 'Building or Works'***
> *'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority.*
>
> *The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:*
>
> - *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
> - *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
> - *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*

- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged.*

The proposed replica installation does not meet all of these discretionary requirements which must be taken into account. For example, the proposal does not complement and contribute to the cultural significance, character and appearance of the listed places and their setting – it is clearly a building which does not belong in a temperate urban environment – regardless of its incongruity with the neighbouring heritage buildings. It is essentially a museum model (albeit full-size) installed for a short period on a conveniently available block of land near the tourist hub of Sullivans Cove. There is little risk in the apparent authenticity of listed places being reduced by this proposal, as it will clearly be distinguished as a temporary installation with a specific short-term function. Accordingly, the discretion conferred in this part of the Schedule may be favourably exercised. If established on a more permanent basis, the construction of the replica huts would have the potential to further demean the historical and cultural authenticity of Sullivans Cove, and the setting and appreciation of the adjacent heritage buildings.

The richly modelled facades of adjoining buildings (Argyle Street and Morrison Street)



Model of Mawson's Huts superimposed on subject site to provide context
Source: http://www.abc.net.au/news/2013-06-02/tourist-replica-set-to-save-mawson27s-huts/4727992

Archaeology

The subject site is also included in Table 2 – Places of Archaeological Sensitivity. The proposal has been accompanied by an Archaeological Sensitivity Report, which has recommended a range of measures to ensure that archaeological values are protected.

DES-F-0102/30
21/06/2011

The archaeologist's report has identified:

- The need to reasonably protect potential archaeological significance during the design, and carrying out of works, and
- The need to undertake an archaeological 'watching brief' to be required during the carrying out of works.

Subject to the inclusion of appropriate conditions related to archaeology (as identified in the report accompanying the proposal) and related to the non-permanent nature of the installation, the proposal is considered to be of no lasting detriment, and relatively inoffensive in terms of Schedule 1 – Conservation of Places of Cultural Significance of the *Sullivans Cove Planning Scheme 1997.*

(Brendan Lennard)
SENIOR CULTURAL HERITAGE OFFICER
15 August 2013

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 1 GLEBE STREET, GLEBE - SIGN PLN-20-12 - FILE REF: F20/26880

Address:	1 Glebe Street, Glebe
Proposal:	Sign
Expiry Date:	6 April 2020
Extension of Time:	Not applicable
Author:	Michelle Foale

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a sign at 1 Glebe Street, Glebe for the following reasons:

1 The proposal does not meet the acceptable solution or the performance criterion with respect to clauses E17.6.1 and E17.7.1 Standards for Signs of the *Hobart Interim Planning Scheme 2015* because a banner sign is prohibited in the inner residential zone.

Attachment A:	PLN-20-12 - 1 GLEBE STREET GLEBE TAS 7000 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-20-12 - 1 GLEBE STREET GLEBE - CPC Agenda Documents ⇩

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	6 April 2020
Application No:	PLN-20-12
Address:	1 GLEBE STREET , GLEBE
Applicant:	ROLAND ALEXANDER BROWNE 1 GLEBE STREET GLEBE TAS 7000 ROLAND ALEXANDER BROWNE 1 GLEBE STREET
Proposal:	Sign
Representations:	One in support
Performance criteria:	Signs Code

1. Executive Summary

1.1 Planning approval is sought for a sign at 1 Glebe Street, Glebe.

1.2 More specifically the proposal is for a sign (mesh banner) 8 metres long and 1.5 metres high attached to the Edward Street frontage fence, to be in situ until 30 June 2020.

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

1.3.1 Signs Code - E17.6.1 Use of Signs P1 and E17.7.1 Development Standards for Signs P1

1.4 No representations objecting to the proposal were received during the statutory advertising period between 31 January to 14 February 2020. One representation in support was received.

1.5 The proposal must be refused because a banner sign is a prohibited sign in the zone.

1.6 The final decision is delegated to the Council.

2. Site Detail

2.1 The site is 1 Glebe Street, Glebe. The dual frontage site contains a dwelling, and is on the southern edge of the established Glebe residential area. The University's Domain House Campus over the road (Edward Street) to the south of the site.

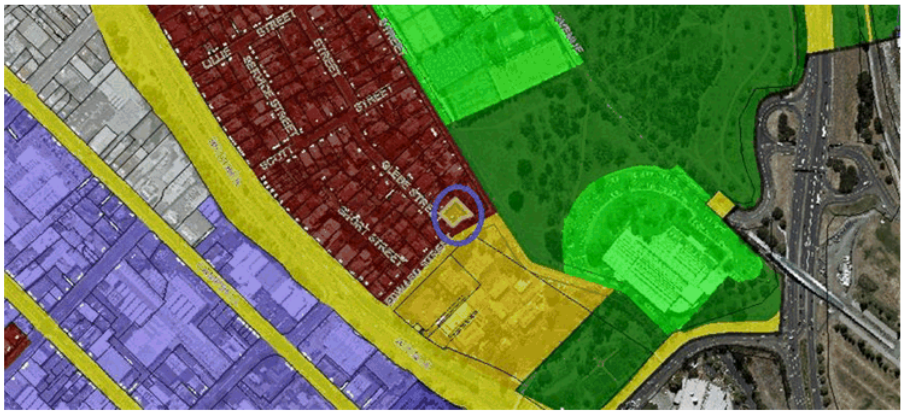


Figure 1. 1 Glebe Street (circled in blue) is in the inner residential zone of the *Hobart Interim Planning Scheme 2015*. The yellow zoning to the south of the site is the University's Domain House Campus (Particular Purpose Zone 8).

2.2

Figure 2. 1 Glebe Street site (yellow) (Geocortex 2019).

2.3

Figure 3. 1 Glebe Street is listed as a place of heritage significance, and is in the G1 Glebe heritage precinct of the *Hobart Interim Planning Scheme 2015*. It is also on the Tasmanian Heritage Register.

2.4

Figure 4. 1 Glebe Street - Edward Street frontage - solid fence section is where the sign is proposed to be attached. (GSV 2020 accessed 26/2/2020.)

3. Proposal

3.1 Planning approval is sought for a sign at 1 Glebe Street, Glebe.

3.2 More specifically the proposal is for a sign (mesh banner) 8 metres long and 1.5 metres high attached to the Edward Street frontage fence. The banner sign would be attached to the solid section of timber fencing with nails in eyelets.

3.3 The applicant proposes that the sign would be in place until 30 June 2020, for reasons explained in their submitted letter.

Figure 5. The sign in situ.

4. Background

4.1 The planning application has been made in response to ENF-19-520; the sign is already in place. An explanation of the purpose of the sign is in the submitted letter.

5. Concerns raised by representors

5.1 No representations objecting to the sign were received during the statutory advertising period between 31 January to 14 February 2020. One representation in support was received.

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 inner residential zone of the *Hobart Interim Planning*

Scheme 2015.

6.3 The existing use is single dwelling, no permit required use, no change proposed.

6.4 The proposal has been assessed against:

6.4.1 E17.0 Signs Code

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

6.5.1 E17.6.1 Use of Signs P1

6.5.2 E17.7.1 Development Standards for Signs P1

6.6 Each performance criterion is assessed below.

6.7 Signs Code - Use of Signs E17.6.1 P1, and Standards for Signs E17.7.1 P1

6.7.1 The acceptable solution at clause E17.6.1 A1 requires that a sign must be a permitted sign in Table E.17.3.

The acceptable solution at clause E17.7.1 A1 requires that a sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.

In E17.3 'banner sign' is defined as: *means a sign constructed of lightweight non-rigid material, such as cloth, canvas or similar fabric, attached to the wall of a building or other existing structure including light poles.*

In Table E17.2 Sign Standards a banner sign is limited to:

(a) Vertical dimension no more than 1000mm;
(b) Horizontal dimension no more than 6000mm.

In Table E17.3 a banner sign is prohibited in the inner residential zone.

6.7.2 The proposal includes a 8m x 1.5m banner sign in the inner residential zone. The sign would be larger than allowed for by the definition of a banner sign, and regardless, a banner sign is prohibited in this zone.

6.7.3 The proposal does not comply with the acceptable solutions; therefore

assessment against the performance criteria is relied on.

6.7.4 The performance criterion at clause E17.6.1 P1 and E17.7.1 P1 provides as follows:

E17.6.1 P1 - A sign must be a discretionary sign in Table E.17.3.

E17.7.1 P1 - A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:
...

6.7.5 In Table E17.3 a banner sign is prohibited in the inner residential zone.

6.7.6 The proposal does not comply with the performance criterion, and is for a prohibited sign, so must be refused.

7. Discussion

7.1 Planning approval is sought for a sign at 1 Glebe Street, Glebe.

7.2 The application was advertised and no representations objecting were received.

7.3 The proposal has been assessed against the relevant provisions of the planning scheme and must not be supported as the proposed sign is prohibited in the zone.

7.4 The proposal was referred to the Council's Cultural Heritage Officer but did not require assessment as the sign is prohibited. The proposal was referred to the Tasmanian Heritage Council who have supported the sign to be in place until July 1 2020 with Notice of Heritage decision dated 17 February 202 THC Works Ref 6147

7.5 The proposal must be refused.

8. Conclusion

8.1 The proposed sign at 1 Glebe Street, Glebe is prohibited under the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such must be refused.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a sign at 1 Glebe Street, Glebe for the following reasons:

1 The proposal does not meet the acceptable solution or the performance criterion with respect to clauses E17.6.1 and E17.7.1 Standards for Signs of the *Hobart Interim Planning Scheme 2015* because a banner sign is prohibited in the inner residential zone.

(Michelle Foale)
Development Appraisal Planner

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

(Ben Ikin)
Senior Statutory Planner

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

Date of Report: 26 February 2020

Attachments:

Attachment B - CPC Agenda Documents

Roland Browne
1 Glebe Street
GLEBE TAS 7000

10 January 2020

The General Manager
City of Hobart
GPO Box 507
Hobart TAS 7001

ENFORCEMENT NO ENF-19-520

1 Glebe Street, Glebe

Application is made for a permit for development, the development being the presently erected sign at 1 Glebe Street, Glebe, in the terms of the photograph comprising this planning application.

The sign is 8 metres by 1.5 metres. It is fixed to a paling fence. The fence was constructed in 2014. The sign is fixed to the fence through the mechanism of 24 eyelets with a nail going through each eyelet to secure the sign to the wooden fence.

The colours of the sign are displayed in the photograph, as is the wording.

Our home at 1 Glebe Street is a place listed in the Historic Heritage Code.

This banner is directed to the preservation of the historic heritage of the Glebe area. Presently, the University of Tasmania has indicated that it proposes to house the Faculties of Law, Humanities and Social Sciences on the Domain Campus. That proposal was published in April 2019. Although the University will not reveal the number of students involved, the proposal is massive and will see buildings constructed on the Domain Campus site which will inevitably destroy the heritage values of that Campus.

Domain House, the Phillip Smith Centre and the Waterworth Building, for instance, have very significant heritage values. Construction of buildings on that site by the University of Tasmania could only significantly impact those heritage values. This is not mere speculation.

When the University refurbished the Engineers' Building to create the School of Nursing, it constructed an annex on to the Engineers' Building which joined it to the Waterworth Building

and which was deleterious to the values of the Waterworth Building. On the eastern side of the Engineers' Building, nearer to the graphics building adjacent to Domain House, the University constructed an appalling series of besser brick concrete walls and associated walkway that displays no sympathy to the historic cultural heritage values of the site, is inconsistent with any of the materials on the site and, quite simply, is an aesthetic disaster.

The University of Tasmania has considerable form for the construction of aesthetic disasters. The accommodation building on Brisbane/Elizabeth Streets Hobart in part is reminiscent of some aspects of architecture at Risdon Prison, comprising concrete, besser blocks and stainless steel railings. This building has isolated itself from the Elizabeth Street precinct through its frontage. The building is too big and unsympathetic to its surrounds.

And the University is now constructing another building between Melville and Elizabeth Streets of some 14 storeys that would be well placed in East Berlin. It is an appalling look, is oversized and is inappropriate.

Hence, the University has a history of constructing ugly, oversized and inappropriate buildings. The University has already damaged the value of the Domain campus through its building activities on the site.

The sign on our house is devoted to bringing to the public's attention the importance of the Domain Campus and the overriding need to preserve the heritage values of that Campus.

Finally, the banner is only to be displayed on a temporary basis. The University tells us that their cultural assessment of the Domain Campus in its draft form will be provided to us in mid-January. If the cultural heritage assessment supports the preservation and maintenance of the Domain Campus in its current form – then the need for the sign will evaporate. I would estimate that the sign would not need to be displayed past 30 June 2020 and I seek a permit for that duration, in any event.

Finally, as this is discretionary, I look forward to it being advertised. We have had nothing but encouraging and positive feedback to our banner and the message contained in it.

Yours faithfully,

Roland Browne

Roland Browne

HEY UTAS,
WANT TO KNOW OUR VIEW ?
WE WANT NO NEW
BUILDINGS ON DOMAIN CAMPUS !

1.5m

8m

Banner made of lightweight mesh.

CERTIFICATE OF TITLE

LAND TITLES ACT 1980

TASMANIA

TORRENS TITLE

VOLUME	FOLIO
165596	1

EDITION	DATE OF ISSUE
1	16-Apr-2013

Page 1	of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Sealed Plan 165596
Derivation : Part of Lot 12 (30 3/4P) Gtd to Edward Maher, Part of Lot 13 (34 3/4P) Gtd to Richard Walsh & Whole of Lot 1 (26.0m2) The Crown (P165595).
Prior CTs 219048/1 and 165595/1

SCHEDULE 1

D27297, B155083 & B379993 ROLAND ALEXANDER BROWNE of one undivided 1/3 share and KATRINA LOUISE CALWELL of two undivided 1/3 shares as tenants in common

SCHEDULE 2

D27296 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
D27297 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
D27297 FENCING PROVISION in Transfer

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

the LIST.

FOLIO PLAN

RECORDER OF TITLES

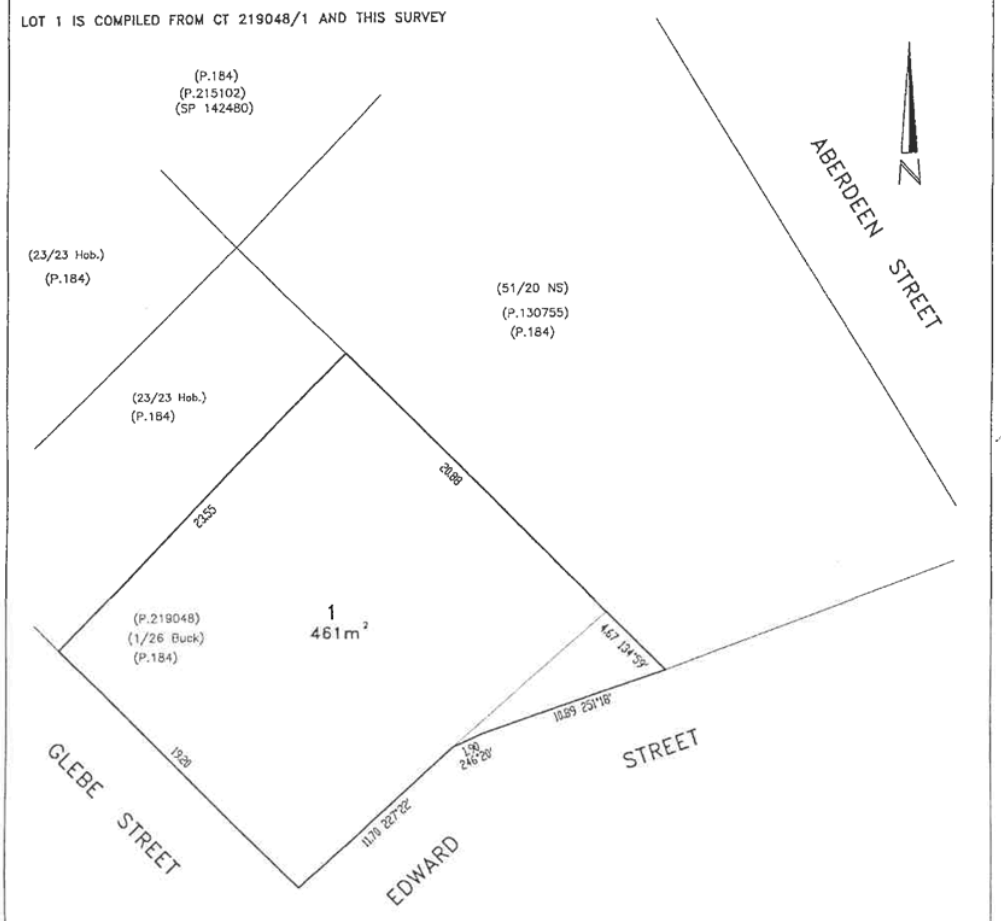
Issued Pursuant to the Land Titles Act 1980

Tasmania
Explore the possibilities

OWNER THE CROWN R. A. BROWNE & K. L. CALWELL FOLIO REFERENCE 219048/1 165595/1 GRANTEE PART OF LOT 12 (30¾P) GTD TO ~~SEC. 27A APPLICATION~~ EDWARD MAHER, PART OF LOT 13 (34¾P) GTD TO RICHARD WALSH, WHOLE OF LOT 1 (26.0M²) THE CROWN (P165595)	PLAN OF SURVEY BY SURVEYOR John M. Bamford JOHN BAMFORD & ASSOCIATES LOCATION CITY OF HOBART (SEC. A19) SCALE 1: 200 LENGTHS IN METRES	REGISTERED NUMBER SP165596 APPROVED 16 APR 2013 EFFECTIVE FROM ..... Alice Kara Recorder of Titles

MAPSHEET MUNICIPAL CODE No. (5225-42) 114	LAST UPI No HK555	LAST PLAN No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

LOT 1 IS COMPILED FROM CT 219048/1 AND THIS SURVEY



N/A
COUNCIL DELEGATE DATE

(1-1)

Tasmanian Heritage Council

Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF:	PLN-20-12
THC WORKS REF:	6147
REGISTERED PLACE NO:	2120
APPLICANT:	Roland Browne
DATE:	17 February 2020

NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place:	1 Glebe Street Glebe.
Proposed Works:	Signage (Temporary)

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-19-520, advertised on 30/01/2020, subject to the following condition:

1. **The sign is to be removed before 1 July 2020.**

Reason for condition
To ensure that the adverse impact that the sign has on the historic cultural heritage values of the place is only temporary.

Please ensure the details of this notice are included in any permit issued, and forward a copy of the permit or decision of refusal to the Heritage Council for our records.

Should you require clarification of any matters contained in this notice, please contact Ian Boersma on 1300 850 332.

Pete Smith
Director – Heritage Tasmania
Under delegation of the Tasmanian Heritage Council

7.2.2 PLN-19-818 4 Danval Place, West Hobart
File Ref: F20/26960; PLN-19-818

Memorandum of the Manager Development Appraisal of 11 March 2020 and attachments.

Delegation: Council

City of HOBART

MEMORANDUM: CITY PLANNING COMMITTEE

PLN-19-818 4 Danval Place, West Hobart

Background

At its 17 February 2020 meeting, the City Planning Committee (the Committee) considered development application PLN-19-818 for Partial Demolition, Extension and Alterations, at 4 Danval Place, West Hobart. The Committee resolved as follows:

> *That the item be deferred to enable officers to further investigate the application.*

Typographical Error

On page 8 of the Committee report for the current application PLN-19-818 at paragraph 4.1 it is stated that:

> *The dwelling was previously approved for partial demolition, alterations, extensions and carport under PLN-19-120. The application was for a modest proposal and attracted two objections. <u>It was approved under delegation</u>.*

The portion underlined is incorrect. While the application did not attract enough objections to trigger Committee or Council determination, the proposal included works in the Council's road reserve and was therefore approved by the Council on 3 June 2019.

Development Application PLN-19-120

This application was submitted by the previous owners of the site. It was for:

- A carport and car parking deck (with footings and structures in road reserve) with storage below;
- A new lower level deck, existing upper deck partially enclosed and roofed;
- A slight increase in floor areas on both levels, additional approximately 9sqm in total; and
- A rearrangement of rooms on both levels, new front door on upper level accessed via covered pedestrian walkway from car deck to dwelling.

The plans of the approved development are provided at Attachment A to this memorandum. The image below shows three renders of the approved development.

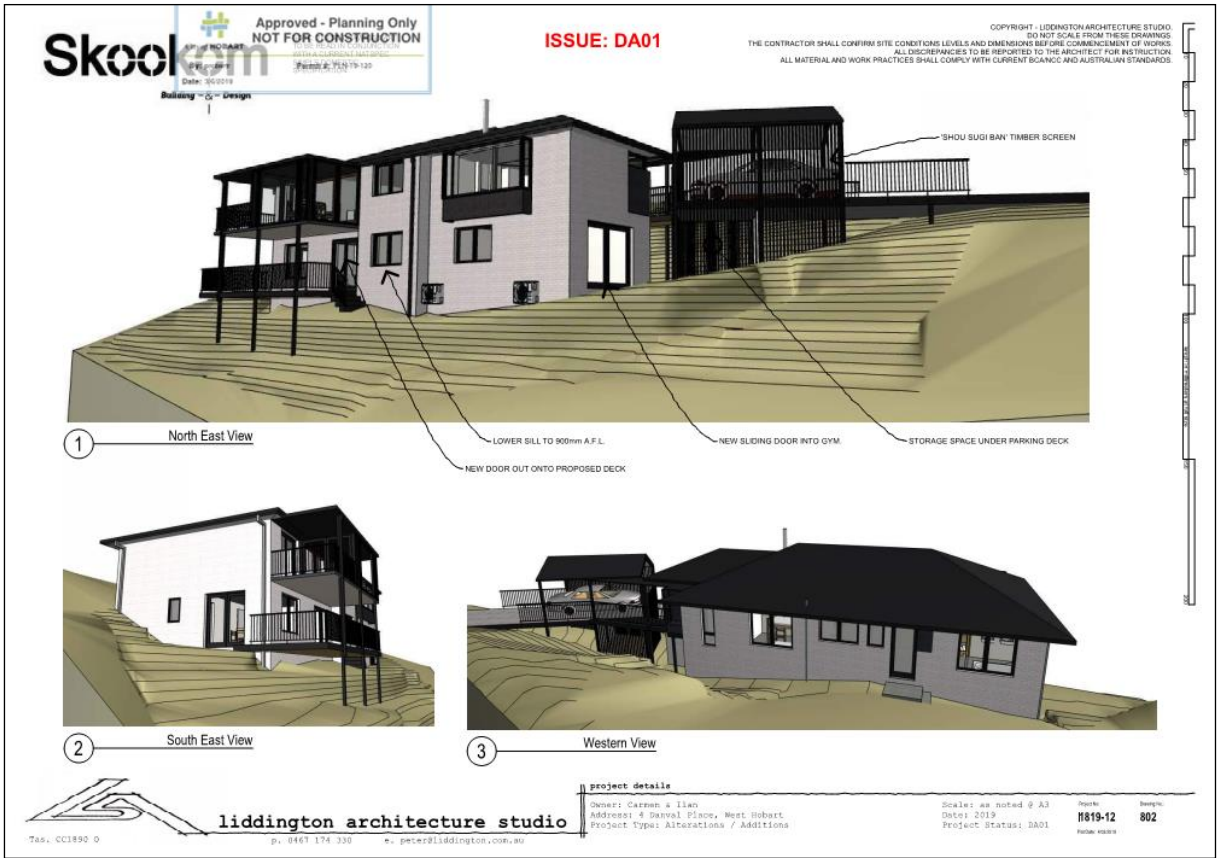


Figure 1: Renders of the approved development under PLN-19-120.

In assessing the development the officer included the following comments in relation to the carport element:

> *All of the dwellings in this street have internal garages. This dwelling has an internal garage that is proposed to be converted to habitable rooms with this proposal. In conjunction with clause D10.4.2 P1 above, it is considered reasonable to require the applicant to reduce the bulk of the proposed car port as it would be an anomalous building in the streetscape and representors have raised objections.*
>
> *Therefore a condition is recommended for the roof design to be made a single plane / skillion, and the timber slats proposed on the north eastern elevation of the car port are to be reduced to be only below the standard balustrade.*
>
> *It is agreed with the representors that the design of the car port is too high and solid - a condition is recommended to reduce the size and bulk of this structure.*

The following condition was included on the permit:

> **PLN s4**
>
> **The carport must be reduced in height and bulk.**

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved to the satisfaction of the Director City Planning, in accordance with the above requirements. The revised plans must show the following:

1. **The carport roof design must be a single plane/skillion design with a maximum height of no more than 2.7m from the car parking deck level (RL+163 050); and**
2. **The timber slats on the north eastern elevation of the car port must be only below the standard balustrade.**

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

Reason for condition

To provide relative consistency in the apparent scale, bulk, massing and proportion of dwellings (and outbuildings) in the area.

The planning permit was not acted on, but remains valid until 3 June 2021 (unless extended with the approval of the Council). The site has been sold to the current owners who are seeking a new approval under PLN-19-818.

Development Application PLN-19-818

This is the application currently before the Committee for consideration. The Committee report and plans are provided at Attachment B to this memorandum. The application proposes:

- Removal and infill of existing ground floor entry door and garage door.
- Construction of upper floor extensions including new bedroom on western elevation, extension of existing concrete deck on the eastern elevation and new bedroom and internal two car garage on the northern elevation.
- Removal of existing crossover and driveway and reinstatement of footpath, kerb and gutter.
- Construction of new crossover in north west corner of Danval Place frontage.
- Construction of new driveway.

This proposal does not include any works in the Council’s road reserve requiring General Manager consent.

The image below shows two renders of the proposal:

Figure 2: Renders of the proposed development in PLN-19-818.

No conditions have been recommended in relation to the form or appearance of the garage. The primary reason for this is that the proposed garage is integral to the dwelling, rather than a stand alone element like the car port was in the previous application. The assessment of the previous application made the point that dwellings in the street have internal garages, and as such a car port would be an anomolous feature in the streetscape and thus required conditioning to reduce its presence in that streetscape. In contrast, the current proposal, while set forward of the existing dwelling, is an integral garage more in keeping with other dwellings in the street. As such, it will not appear as an anomolous feature in the streetscape. This difference can be seen in the site plans below, as well as the renders above.

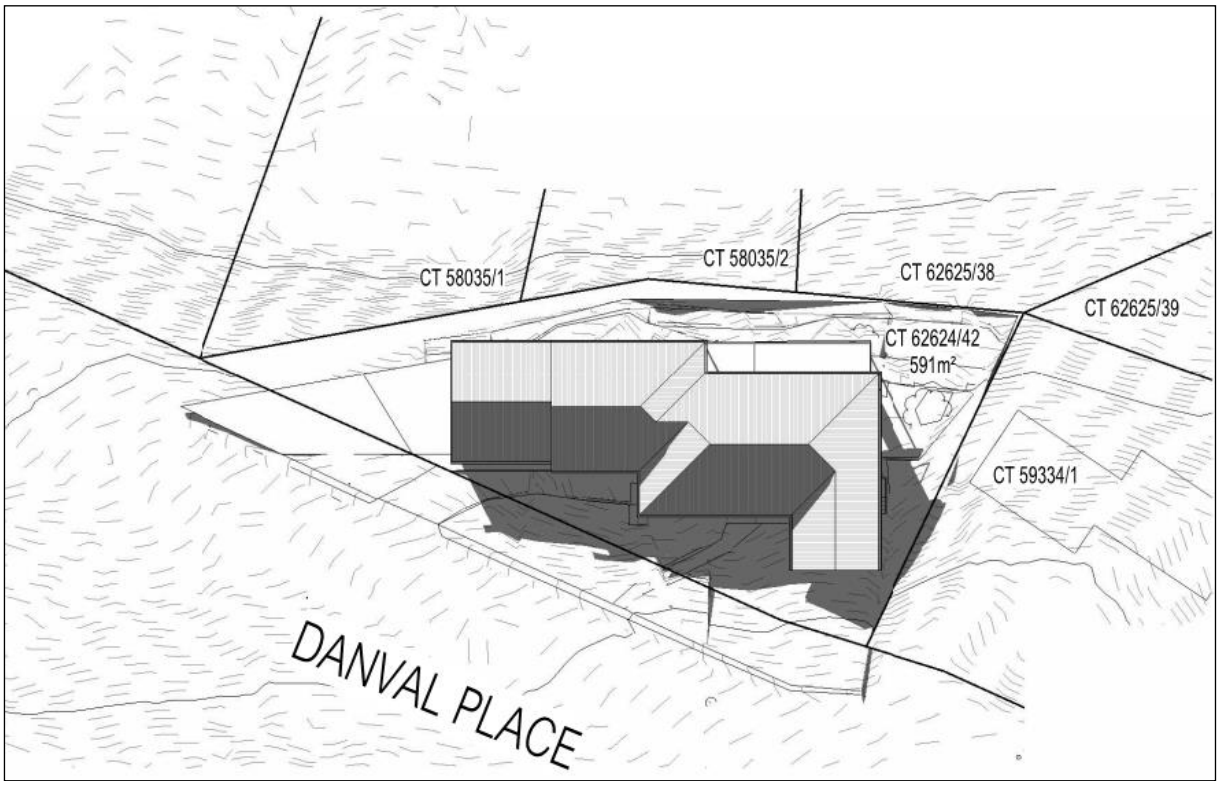


Figure 3: The above image is a site plan of the current proposal, showing the garage as an integral component of the dwelling, like others in the street.

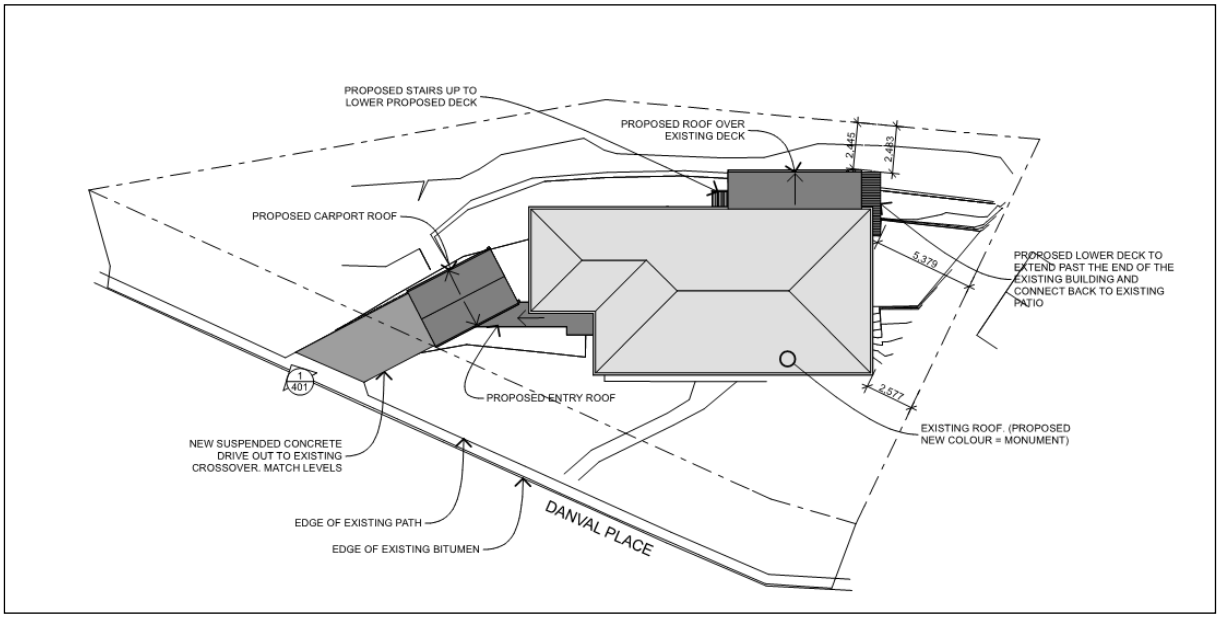


Figure 4: The above image is a site plan of the previoulsy approved proposal, showing the carport as a separate element to the house, unlike other dwellings in the street.

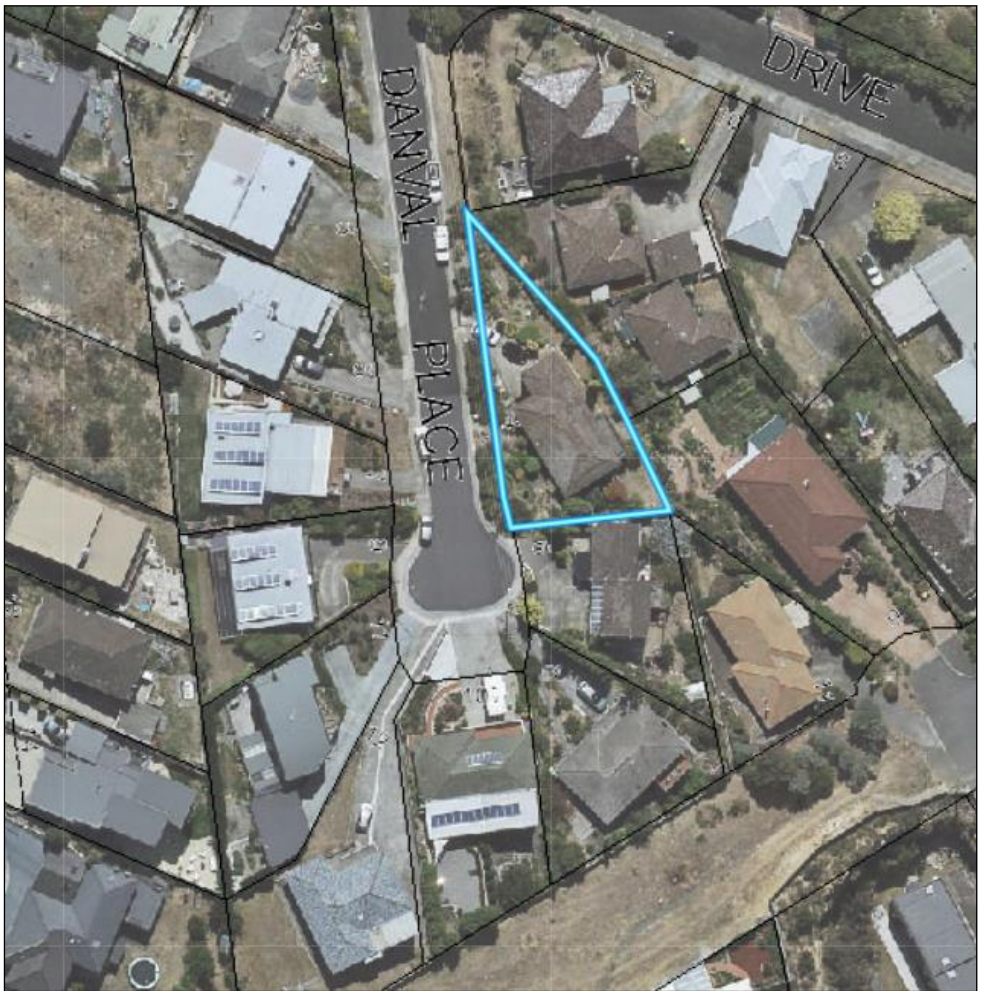


Figure 5: The building pattern of Danval Place, showing the lack of stand alone car ports. The proposed garage would read as an extension to the existing dwelling at 4 Danval Place, which is bordered in blue.

The Committee report deals comprehensively with why the siting of the proposed garage forward of the existing dwelling is acceptable, noting the position of this dwelling on the lower side of the street, below street level, the steep topography of the site, and the irregularity of the lot shape. Similarly it sets out clearly why (so far as matters relevant to the planning scheme are concerned) there is no unreasonable impact on neighbour's residential amenity as a consequence of the proposed garage.

In terms of the height and form of the garage it is noted that its ridgeline is set down from the main dwelling, but that the form matches that of the main dwelling. This means the garage reads as an integral component of the dwelling, but has a lesser built form and therefore visual impact than if it matched the ridge height of the main dwelling.

It is also noted that the minimum setback of the garage is 1.09m and the maximum setback is 6.88m, in comparison to the car port which had a minimum setback of 0m and maximum setback of 2.3m. The increased setback of the garage also helps to lessen its visual impact.

Reducing the height of the garage, or changing its roof form, were ideas discussed with the applicant. The applicant's response to whether they would be supportive of a similar to condition to that imposed on the previous application is set out below:

> *The maximum height of the proposed structure at the northern end (the ridge of the garage roof) is 3.905m (measured from the garage floor level). Measured from the existing first floor level (the 163.050 RL number mentioned in the previous condition), the max height is 3.205m above. Whilst this is 0.505m above the 2.7m condition imposed in the previous application, as we have all stated previously we believe this is still not unreasonable, and has in fact already been reduced (from the original brief of providing level access from the garage), in order to minimise the impact on the visual amenity of the neighbours across the road.*
>
> *Were we to change to a single plane/skillion roof of some description, we believe it would look less than ideal. Part of what we have tried to do from day one is make the design fit with the existing structure to avoid it standing out like an add on. We believe what we have currently done does fit in with the existing style of roof and house, and altering the roof style would make it look like an add on, and in many ways, would end up with the exact thing that the representors were arguing against last time – something that stands out by not fitting in.*
>
> *One of the main points of the original design brief for the proposed changes was the provision of an enclosed and secure garage attached to the main dwelling. Opening the sides of the garage and turning it into a carport would mean it was no longer secure. As such, this is not a viable alternative.*
>
> *The stated reason for the condition was 'To provide relative consistency in the apparent scale, bulk, massing and proportion of dwellings (and outbuildings) in the area'.*
>
> *Whilst this reasoning made perfect sense when assessing a carport for which there were no others similar in the street, the proposed design presented as part of this application (an extension to the existing dwelling in the same style) meets each of these criteria, both in respect to the existing dwelling and to the area in general.*
>
> *Taking all that into account, our position in response to these conditions would be that the development as currently proposed is not an unreasonable one. The proposed changes fit with the existing character of the house and street in general, the houses on the other side of the road are elevated and look over our existing roof, and would continue to look over the extended roof. We believe that the resulting visual impact on neighbours is minimal and will present only as a foreground element that does not block any wider city or water view.*
> *As such, we would consider that these conditions are unnecessary to the proposed development and we would not support them as they stand currently.*

Compliance with clause 10.4.2 A2(c)

Clause 10.4.2 A2(c) allows a garage to have a 1m setback (rather than a 5.5m setback) from the road frontage if the natural ground level slopes up or down at a gradient steeper than 1:5 (20%) for a distance of 10m from the frontage. In the Committee report it was assessed that the proposal did not comply with this acceptable solution because the slope was calculated to be 20%, but not steeper.

The applicant has provided a plan (at Attachment C to this memorandum) which demonstrates that the slope is 51%, and therefore compliance with the acceptable solution is attained because the garage has a minimum setback of over 1m from the road frontage. This supports the position taken in the Committee report that the siting of the garage is appropriate, taking into account the steepness of the site.

Expiry Date

The current planning application PLN-19-818 is set to expire on 27 March 2020. However the applicant has provided an extension of time until 8 May 2020.

Conclusion

The proposal is considered acceptable as depicted in the development application without the need to condition to reduce the height or change the form of the garage. This is not considered to be inconsistent with the previous approval for (among other things) a carport, given the differences between these two elements and the characteristics of the site and street.

However, noting the discretions invoked by the proposal, the Committee would have the power to impose a condition in relation to the height and/or form of the garage if they were of a mind to.

RECOMMENDATION

That:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Extension and Alterations at 4 Danval Place, West Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-818 - 4 DANVAL PLACE WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

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 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 commencement of use, 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).*

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 access driveway, 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), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Another Perspective Drafting & Design documentation received by the Council on the 7th January 2020.

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

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, for use is two (2).

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.

ENG r1

The footings (driveway deck) within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the driveway deck footings within the Danval Place highway reservation must be submitted and approved, prior to the commencement of work and must:

1. **Be prepared and certified by a suitable qualified person and experienced engineer;**

2. **Not undermine the stability of the highway reservation;**
3. **Take into account any additional surcharge loadings as required by relevant Australian Standards;**
4. **Take into account and reference accordingly any Geotechnical findings;**
5. **Detail the design and location of the footing adjacent to Danval Place highway reservation; and**
6. **Include a structure certificate which notes that the driveway deck footings will not undermine the highway reservation.**

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

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*. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that the stability and integrity of the Council’s highway reservation is not compromised by the development.

ENGR 3

Prior to the commencement of use, the proposed driveway crossover Danval Place highway reservation must be designed and constructed in accordance with engineering design plans submitted and approved by the City of Hobart's Road Services Engineer.

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

1. **Show the cross and long sections (centreline and both edges) of the driveway crossover within the highway reservation and onto the property**
2. **Detail any services or infrastructure (i.e. light poles, pits, awnings) at or near the proposed driveway crossover**

3. **Reinstatement of the redundant vehicle crossing to kerb**
4. **Show swept path templates in accordance with AS/NZS 2890.1 2004**
5. **Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside**
6. **Be prepared and certified by a suitable qualified person, to satisfy the above requirement.**

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

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*.*

A Permit to Carry out Works within the highway reservation is required prior to commencement of work within the highway.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure that works will comply with the Council’s standard requirements.

ENV 1

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

Advice:

For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click here.

Reason for condition

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

ADVICE

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

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction. Click here for more information.

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

PLANNING

You are encouraged to plant and maintain screening vegetation above the height of the existing paling fence between the existing dwelling and the rear boundaries with 10 Shannuk Drive and 9 Rennie Street. This vegetation would improve privacy and reduce overlooking between the deck and the neighbouring private outdoor space.

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click here for more information.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click here for more information.

CROSS OVER CONSTRUCTION

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

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click here for more information.

NOISE REGULATIONS

Click here for information with respect to noise nuisances in residential areas.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

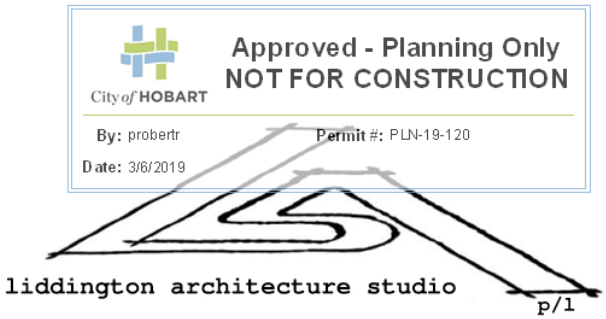
Click here for dial before you dig information

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.

Karen Abey
MANAGER DEVELOPMENT APPRAISAL

Date: 11 March 2020
File Reference: F20/26960; PLN-19-818

Attachment A: Attachment A - Approved Plans for PLN-19-120 ⇩
Attachment B: Attachment B - PLN-19-818 - 4 DANVAL PLACE WEST HOBART - Planning Report and Agenda Documents ⇩
Attachment C: Attachment C - Plan demonstrating compliance with clause 10.4.2 A2(c) ⇩



5 March 2019

Hobart City Council

Dear Sir / Madam.

RE: Proposed new carport & entry walkway, new lower deck, new roof to existing deck and internal alterations at 4 Danval Place.

Please be advised that the owners have instructed me to submit this planning application and have therefore been notified of its submission to the HCC.

Please be advised this proposal includes a new driveway outside of the title. The existing curb and path as per the survey will remain. The new portion of the crossover will require footings, steel and concrete structure for the driveway to the proposed parking deck / car park. It is our understanding that this will require the consent of the General Manager. Please use this letter as our request and / or advise us if the GM's consent is not required for this planning application.

10.0 General Residential

10.4.2 P2

The proposed design has taken into account the '…topographical constraints.' The existing driveway is in places over the maximum 1:4 grade and in addition there is no area for turning around at the bottom of the drive. It is very hard to back up a 1:4 and over driveway, therefore the owners of the property never use the drive or the garage for parking when they are in residence.

The proposed parking deck provides 1 off street car parking space (refer plan.). The carport structure is at the boundary on one corner but then moves further away due to the angle of the carport to the boundary.

City of HOBART
Approved - Planning Only
NOT FOR CONSTRUCTION
By: probertr
Permit #: PLN-19-120
Date: 3/6/2019

10.4.2 P3

'The siting of the proposed dwelling must …' Please note the proposed changes are to the existing deck structure in relation to this section.

There is a proposed lower deck under the existing deck. Portions of this proposed lower deck that in plan extend outside the original footprint include the new stair to access the deck and the southern extension so that the deck can have access back onto the existing paved patio. Please refer to plans for dimensions.

The existing upper deck is proposed to have a roof over it. A portion of this deck is proposed to be enclosed with glass for protection from the elements and a new balustrade to the remaining section.

The upper deck roof is shown in the shadow diagrams in the lowest level June sun angle. The shadow diagrams show that as per 10.4.2 P3a the new roof and lower deck do not '… cause unreasonable loss of amenity' to the adjoining lot for either point i, ii & iii. The shadow diagrams show that in the worst month of the year there is very little change to the overall shadow by the proposed new roof over the existing deck and the existing dwelling. Also with point iv the '…apparent scale, bulk or proportions of the dwelling…' have hardly changed at all and are viewed as very minimal changes.

If you have any questions or require any additional information please do not hesitate to ask.

Regards

Peter Liddington
Liddington Architecture Studio Pty Ltd
PH. 0467 174 330

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

ISSUED DRAWING LIST

1	COVER PAGE
H181202	WOOLCOTT SURVEYS
101	EXISTING GROUND FLOOR PLAN
102	EXISTING FIRST FLOOR PLAN
103	EXISTING ELEVATIONS
201	PROPOSED SITE PLAN
202	PROPOSED GROUND PLAN
203	PROPOSED FIRST FLOOR PLAN
301	NE ELEVATIONS (EXT. & PROP.)
302	SE ELEVATIONS (EXT. & PROP.)
303	SW ELEVATIONS (EXT. & PROP.)
304	NW ELEVATIONS (EXT. & PROP.)
305	EXISTING PHOTOS
401	PROPOSED DRIVEWAY / CARPORT SECTION
501	SITE STORM WATER
801	NEW ENTRY VIEWS
802	WEST & EAST VIEWS
803	BIRDS EYE VIEWS

DOCUMENT TRANSMITTAL

REV	ISSUE	DATE
SK01	SKO / OWNERS	29/01/19
DD03	SKO / OWNERS	21/02/19
DA01	SKO / OWNERS	26/02/19
DA01	SKO / OWNERS / HCC	04/03/19
DA01	HCC	14/03/19

Project Details:

Title Reference: Volume: 62624 Folio: 42

Areas:
Title: 591.8m2
Existing house lower excluding sub floor: 84m2
Existing house upper: 120.5m2
Proposed lower excluding sub floor: 91m2
Proposed house upper: 122m2

Existing upper deck: 17m2
Proposed lower deck: 20m2

Wind Classification: TBA

Soil Test: TBA

Climate Zone: 7

Bushfire Attack Level: TBA

PROPOSED ALTERATIONS
4 DANVAL PLACE
WEST HOBART

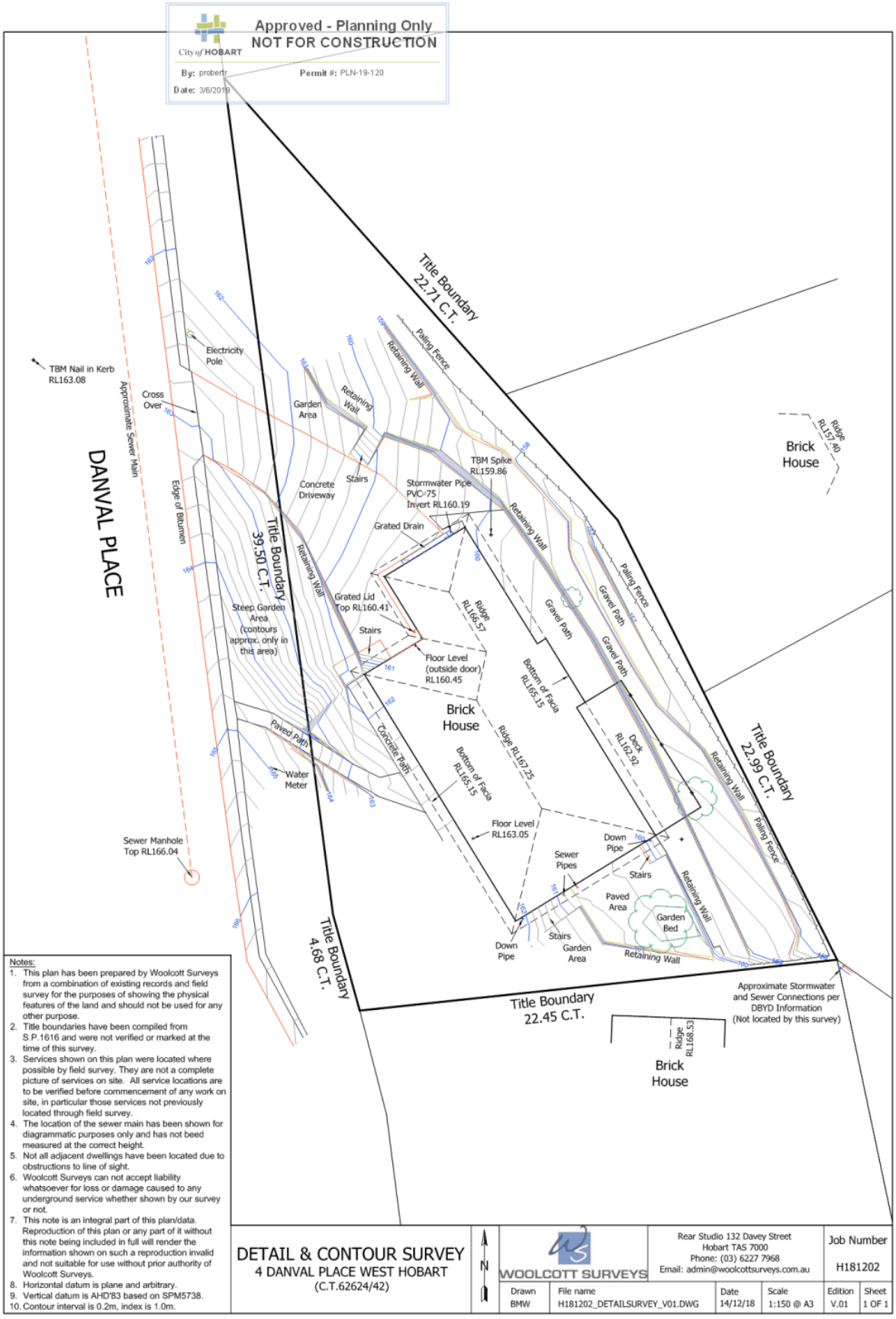
liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Drawing No.:
Plot Date: 14/03/2019



Notes:
1. This plan has been prepared by Woolcott Surveys from a combination of existing records and field survey for the purposes of showing the physical features of the land and should not be used for any other purpose.
2. Title boundaries have been compiled from S.P.1616 and were not verified or marked at the time of this survey.
3. Services shown on this plan were located where possible by field survey. They are not a complete picture of services on site. All service locations are to be verified before commencement of any work on site, in particular those services not previously located through field survey.
4. The location of the sewer main has been shown for diagrammatic purposes only and has not beed measured at the correct height.
5. Not all adjacent dwellings have been located due to obstructions to line of sight.
6. Woolcott Surveys can not accept liability whatsoever for loss or damage caused to any underground service whether shown by our survey or not.
7. This note is an integral part of this plan/data. Reproduction of this plan or any part of it without this note being included in full will render the information shown on such a reproduction invalid and not suitable for use without prior authority of Woolcott Surveys.
8. Horizontal datum is plane and arbitrary.
9. Vertical datum is AHD'83 based on SPM5738.
10. Contour interval is 0.2m, index is 1.0m.

DETAIL & CONTOUR SURVEY
4 DANVAL PLACE WEST HOBART
(C.T.62624/42)

N

WOOLCOTT SURVEYS
Rear Studio 132 Davey Street
Hobart TAS 7000
Phone: (03) 6227 7968
Email: admin@woolcottsurveys.com.au

Job Number H181202

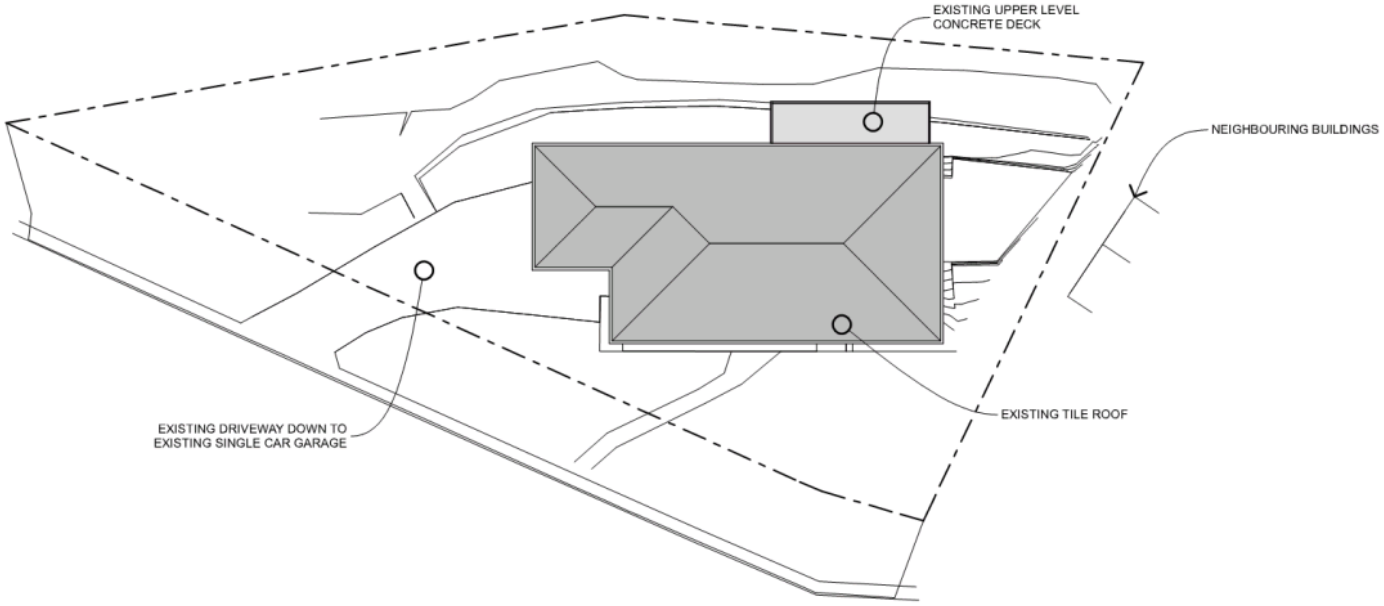
Drawn	File name	Date	Scale	Edition	Sheet
BMW	H181202_DETAILSURVEY_V01.DWG	14/12/18	1:150 @ A3	V.01	1 OF 1

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: probertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 EXISTING SITE PLAN

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Plot Date: 4/03/2019

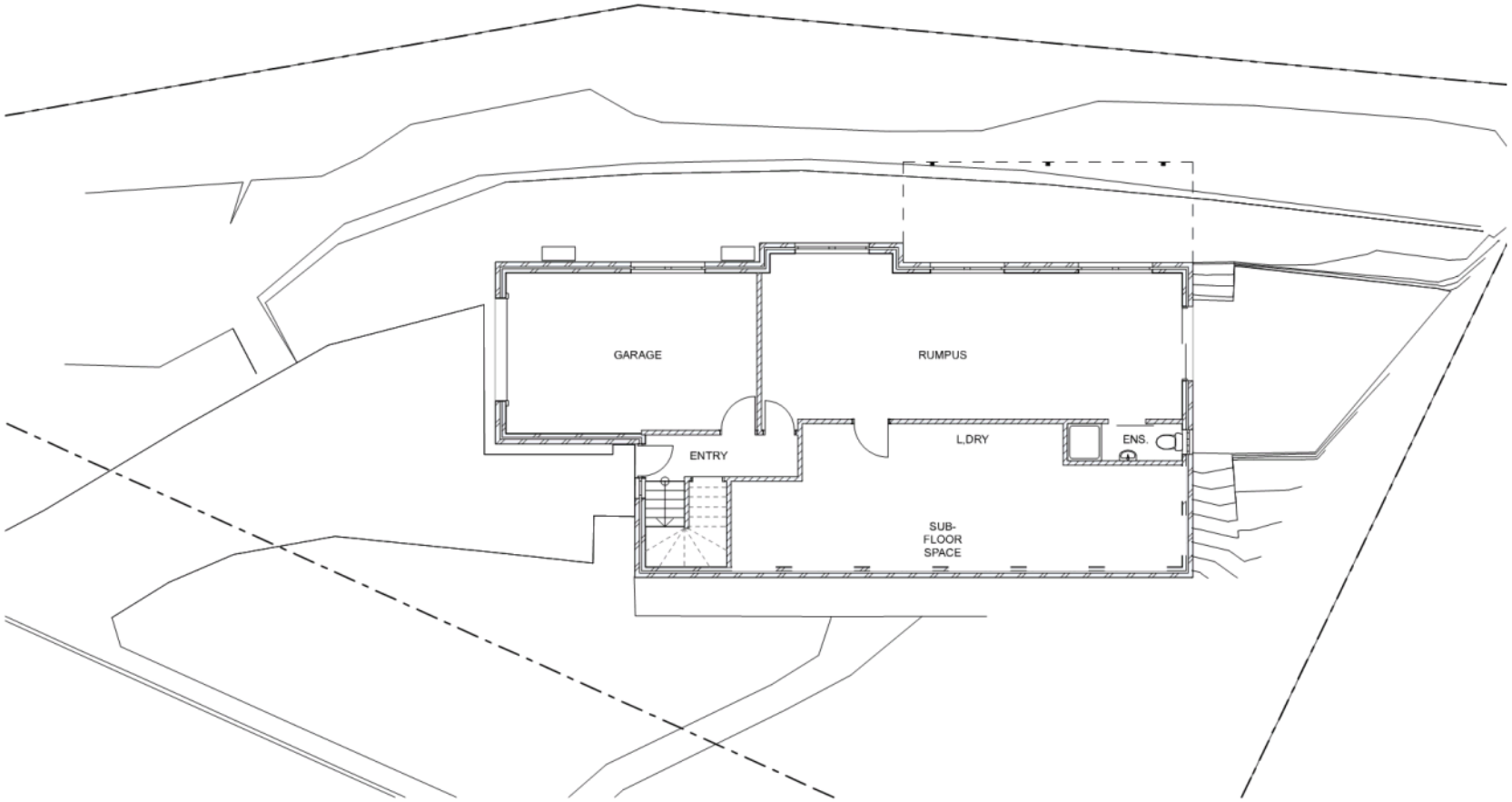
Drawing No: 101

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 EX GROUND FLOOR

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details
Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

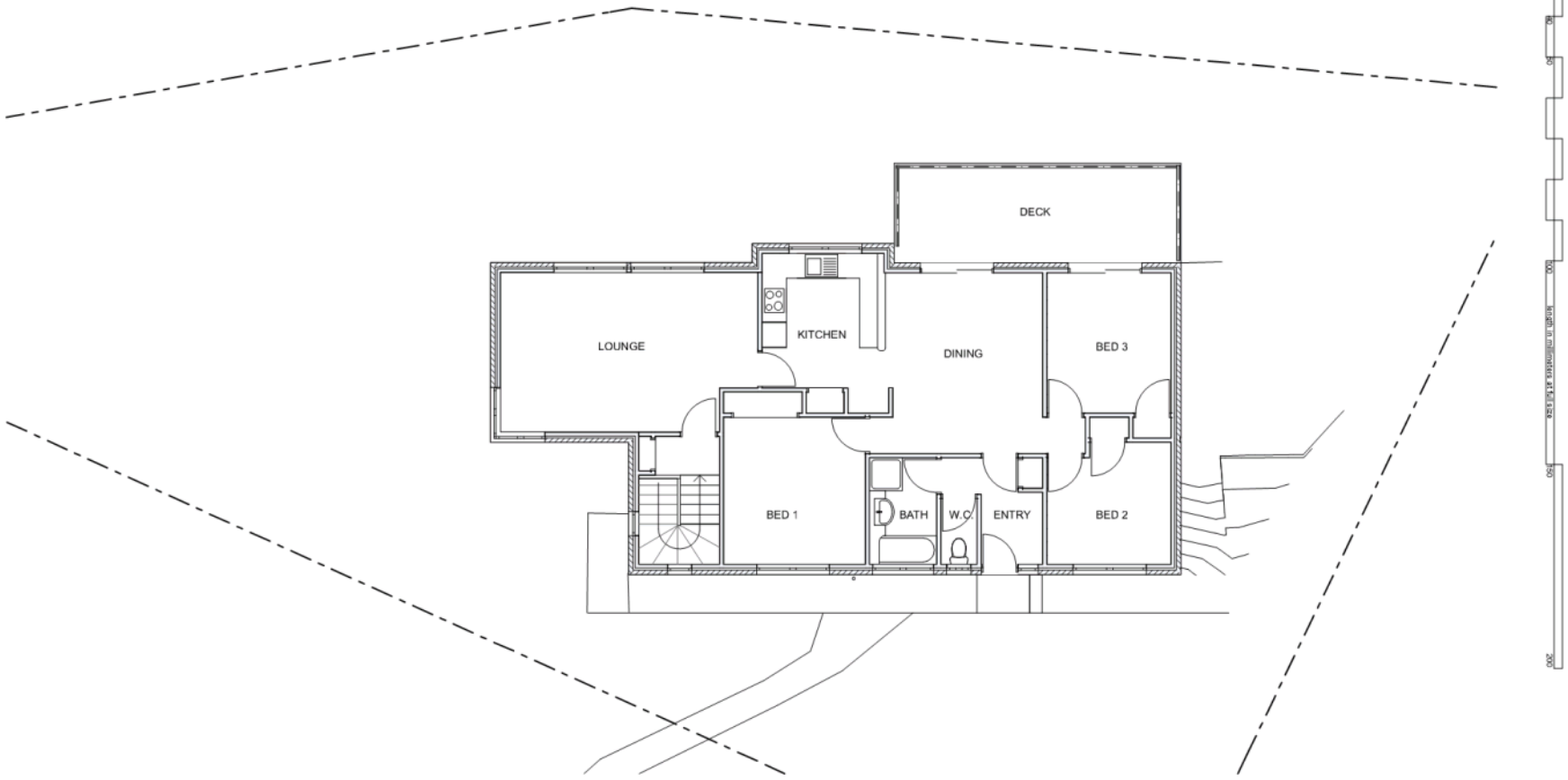
Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 102

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 EX FIRST FLOOR

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

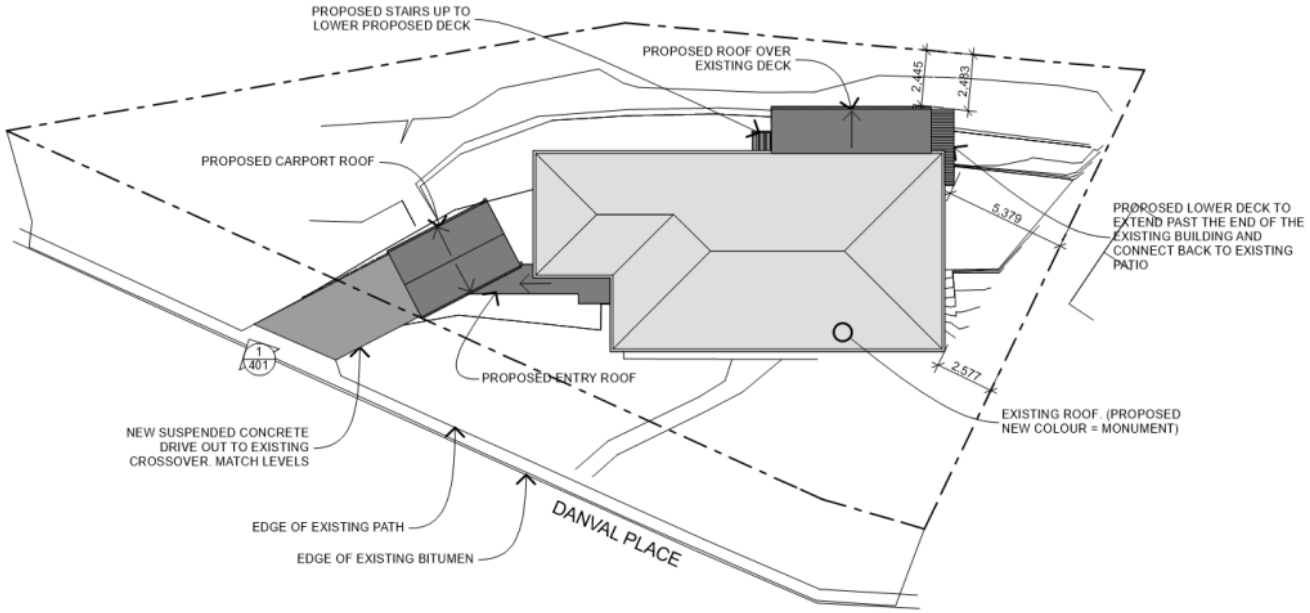
Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 103

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: robertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 Proposed Site
1:200

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

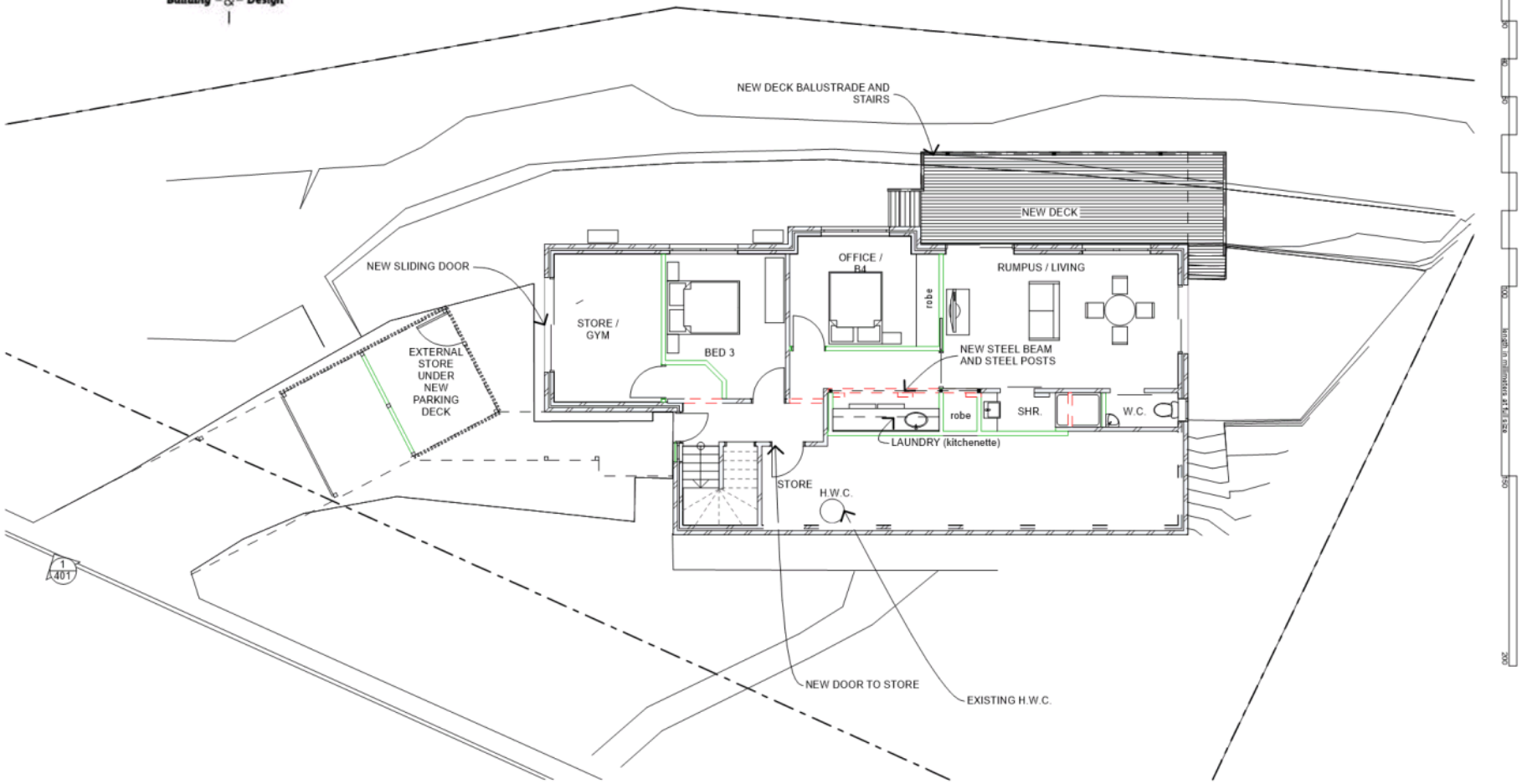
project details
Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions
Scale: as noted @ A3
Date: 2019
Project Status: DA01
Project No: 1819-12
Drawing No: 201
Plot Date: 4/03/2019

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

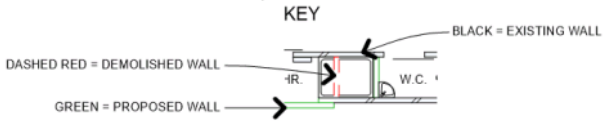
ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 Proposed Ground
1:100

KEY



liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

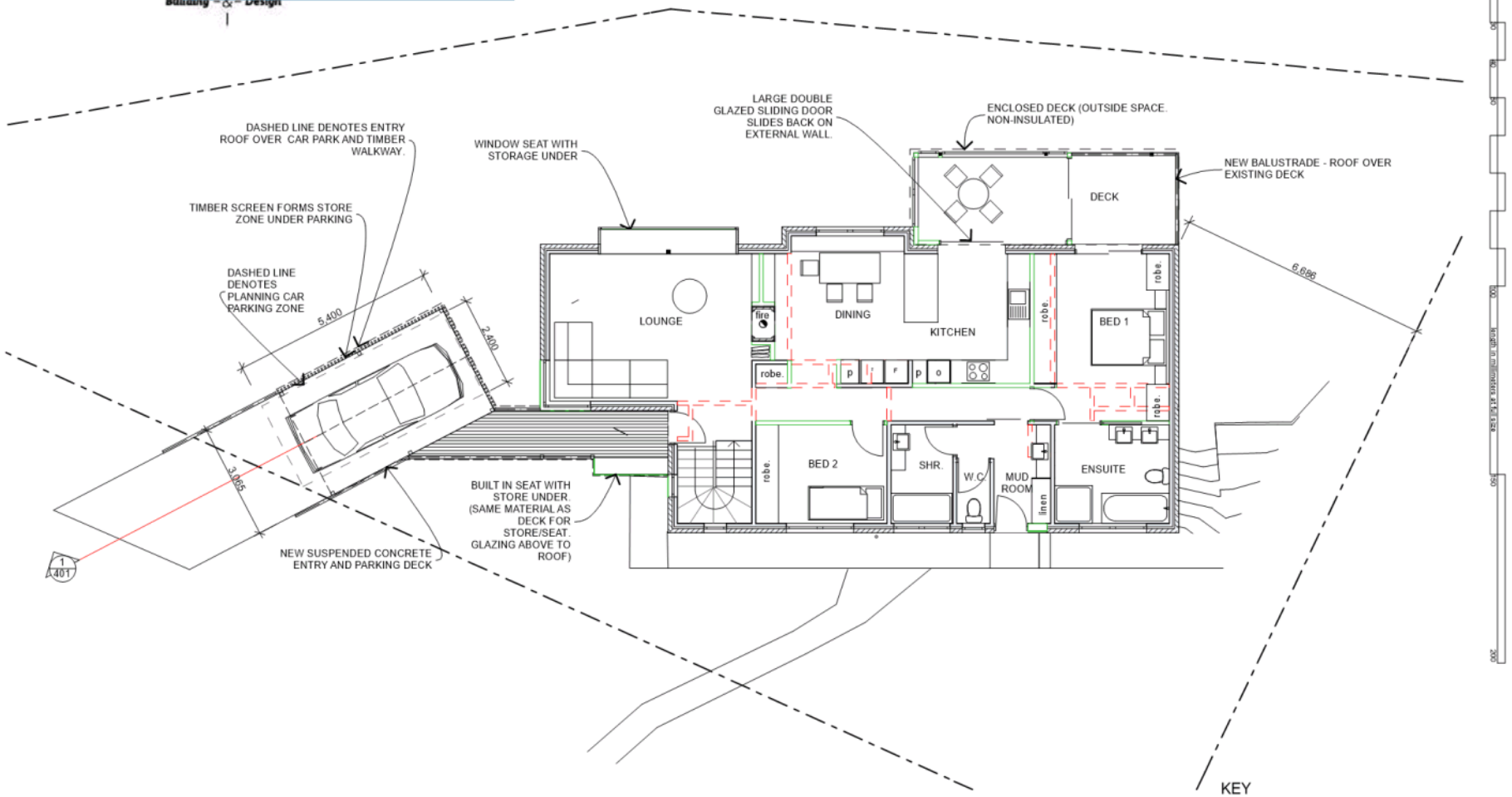
Project No: 1819-12
Drawing No: 202
Plot Date: 4/03/2019

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120

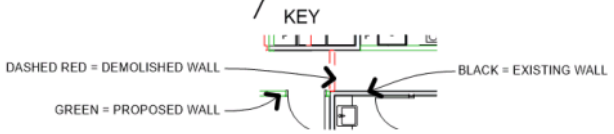
ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 Proposed First
1:100

KEY



liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details
Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions
Scale: as noted @ A3
Date: 2019
Project Status: DA01
Project No: 1819-12
Drawing No: 203
Plot Date: 4/03/2019

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

1 NE EXISTING

KEY

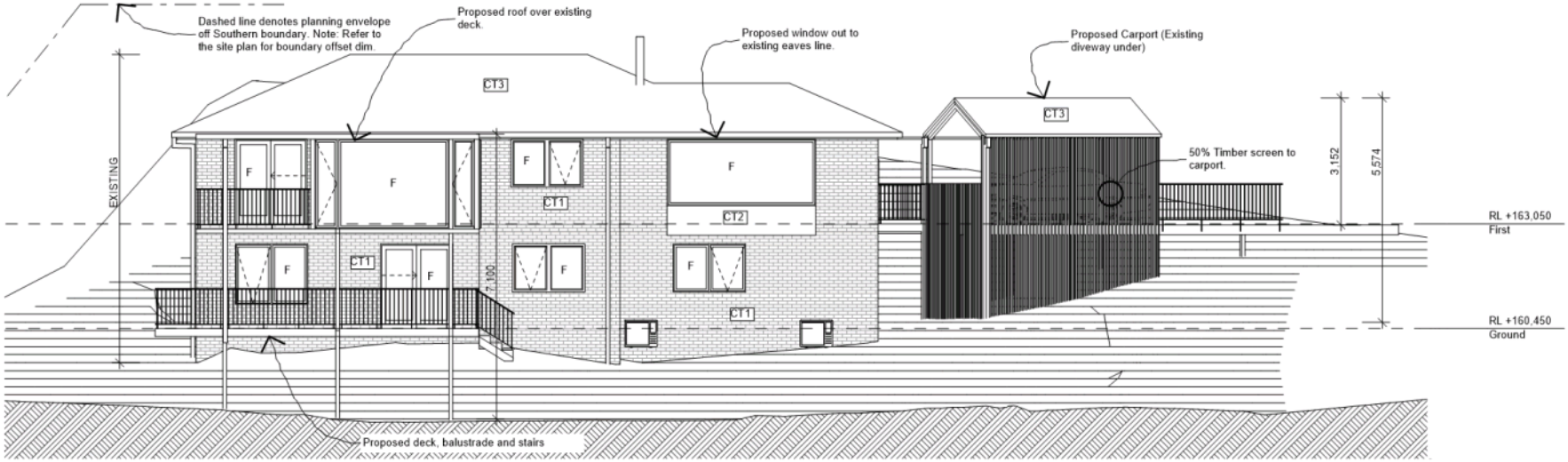
CT1 BRICKWORK: BAGGED BRICKWORK 'OFF WHITE'

CT2 TIMBER CLADDING: SHOU SUGI BAN (CHARRED TIMBER)

CT3 ROOFING, GUTTER, & FLASHINGS: *MONUMENT (Down pipes as per wall colour)*

EAVES: PAINTED C.S. - *SURFMIST*

WINDOW ALUMINIUM: *MONUMENT*



2 Proposed N.E. Elevation
1:100

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

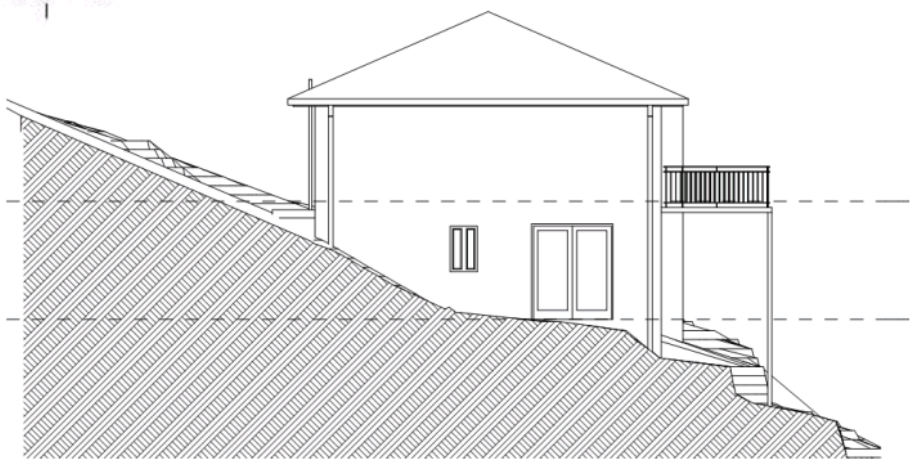
Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 301

Skoolkom
Building – & – Design

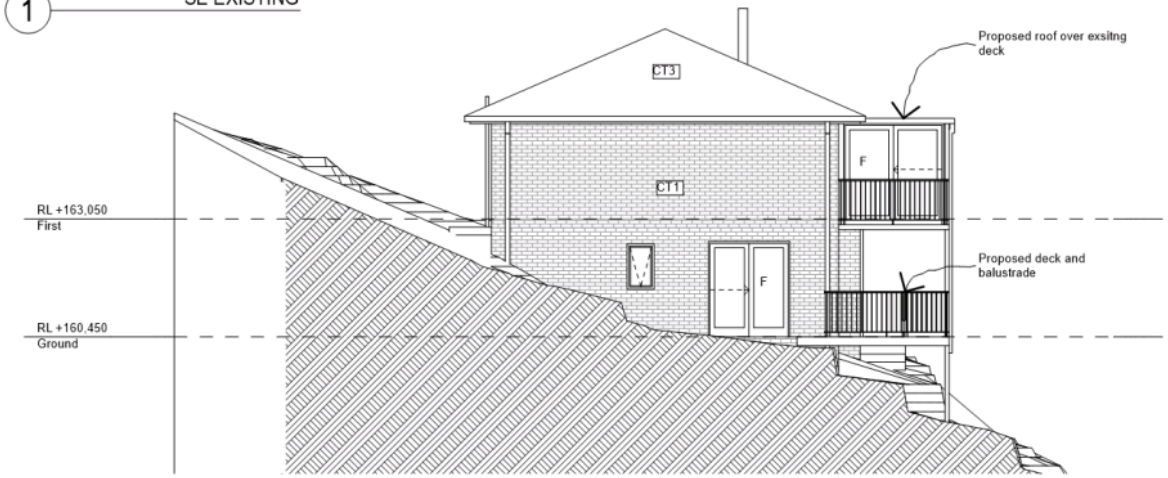
Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 SE EXISTING



2 Proposed S.E. Elevation
1:100

KEY

CT1 BRICKWORK: BAGGED BRICKWORK 'OFF WHITE'

CT2 TIMBER CLADDING: SHOU SUGI BAN (CHARRED TIMBER)

CT3 ROOFING, GUTTER, & FLASHINGS: *MONUMENT (Down pipes as per wall colour)*

EAVES: PAINTED C.S. - *SURFMIST*

WINDOW ALUMINIUM: *MONUMENT*

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 302

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: robertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

KEY

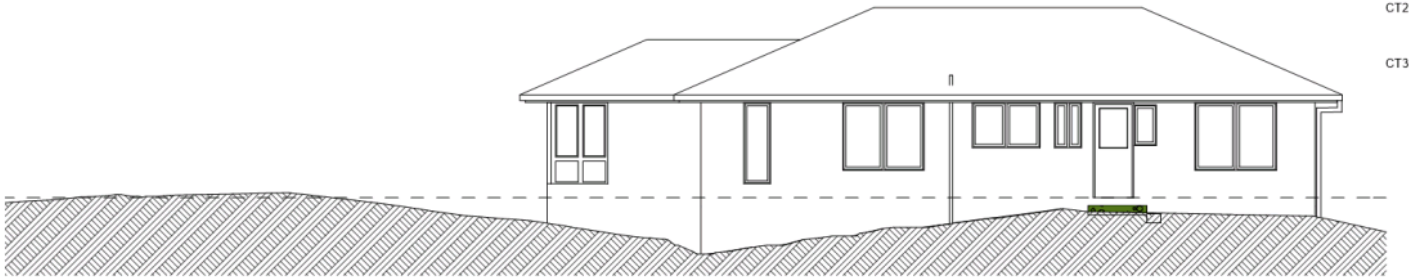
CT1 BRICKWORK: BAGGED BRICKWORK 'OFF WHITE'

CT2 TIMBER CLADDING: SHOU SUGI BAN (CHARRED TIMBER)

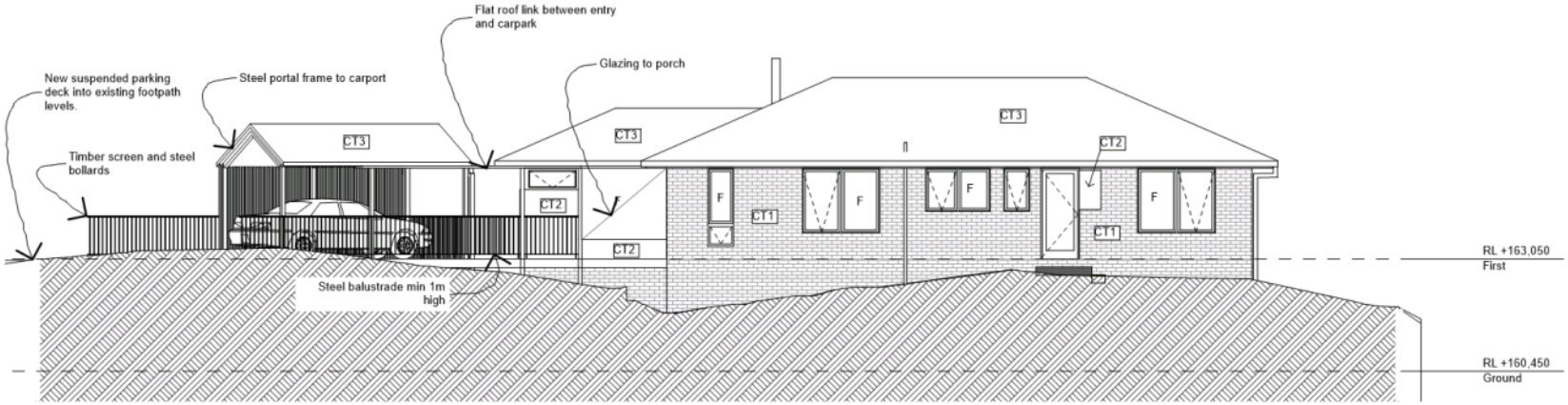
CT3 ROOFING, GUTTER, & FLASHINGS: *MONUMENT (Down pipes as per wall colour)*

EAVES: PAINTED C.S. - *SURFMIST*

WINDOW ALUMINIUM: *MONUMENT*



1 SW EXISTING



2 Proposed S.W. Elevation
1:100

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 303

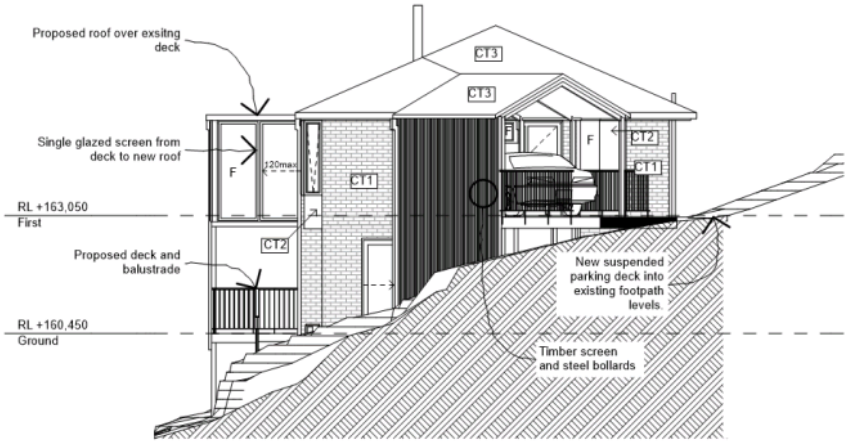
Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: probertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

1 NW EXISTING



2 Proposed N.W. Elevation
1:100

KEY

CT1 BRICKWORK: BAGGED BRICKWORK 'OFF WHITE'

CT2 TIMBER CLADDING: SHOU SUGI BAN (CHARRED TIMBER)

CT3 ROOFING, GUTTER, & FLASHINGS: *MONUMENT (Down pipes as per wall colour)*

EAVES: PAINTED C.S. - *SURFMIST*

WINDOW ALUMINIUM: *MONUMENT*

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

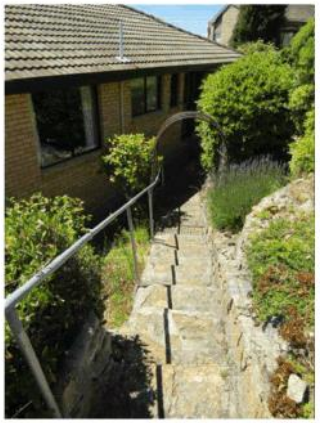
Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 304

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION
By: proberts
Permit #: PLN-19-120
Date: 3/6/2019

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
PM Date: 4/03/2019

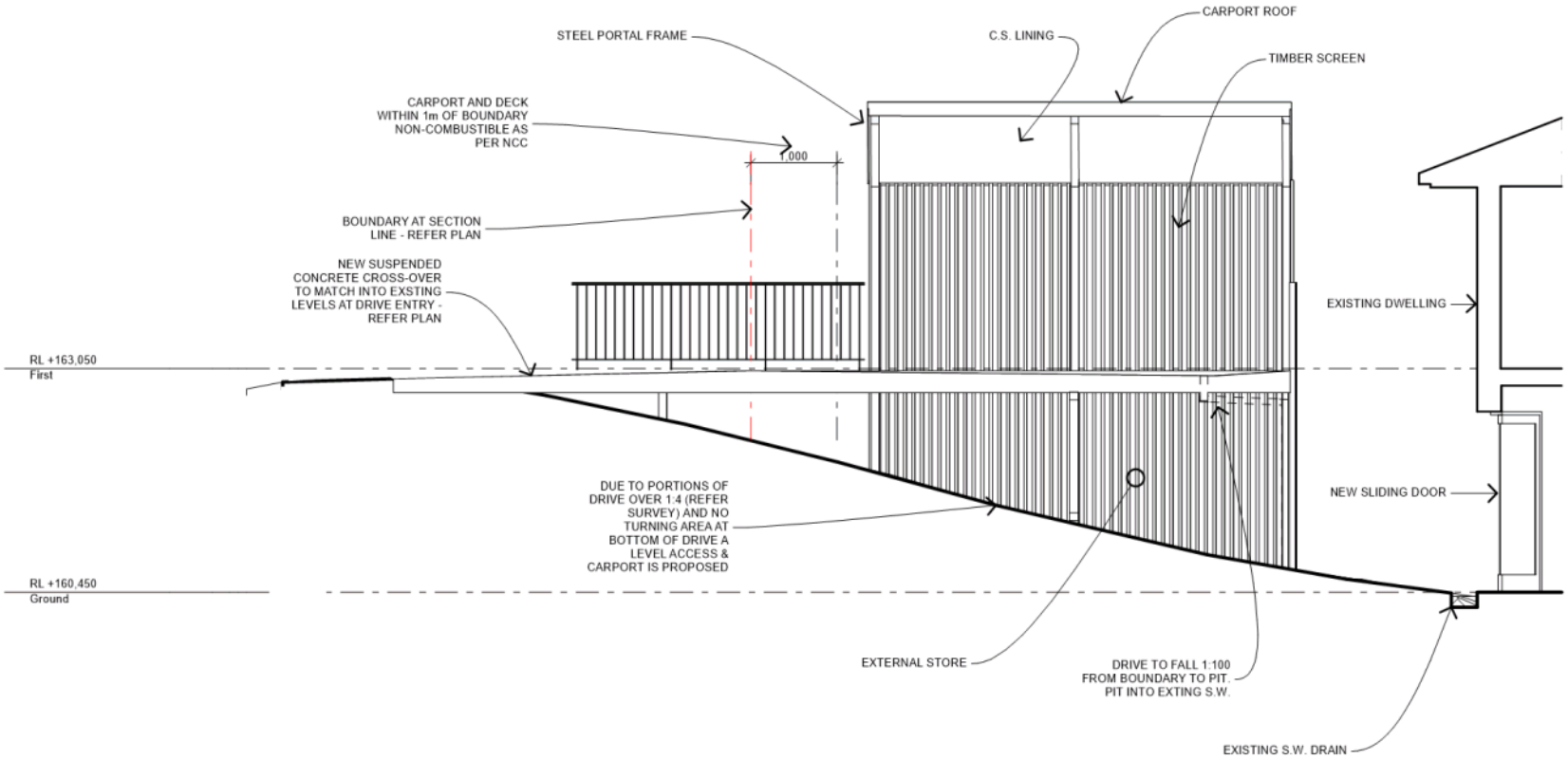
Drawing No: 305

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: probertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 Driveway Section
1:50

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

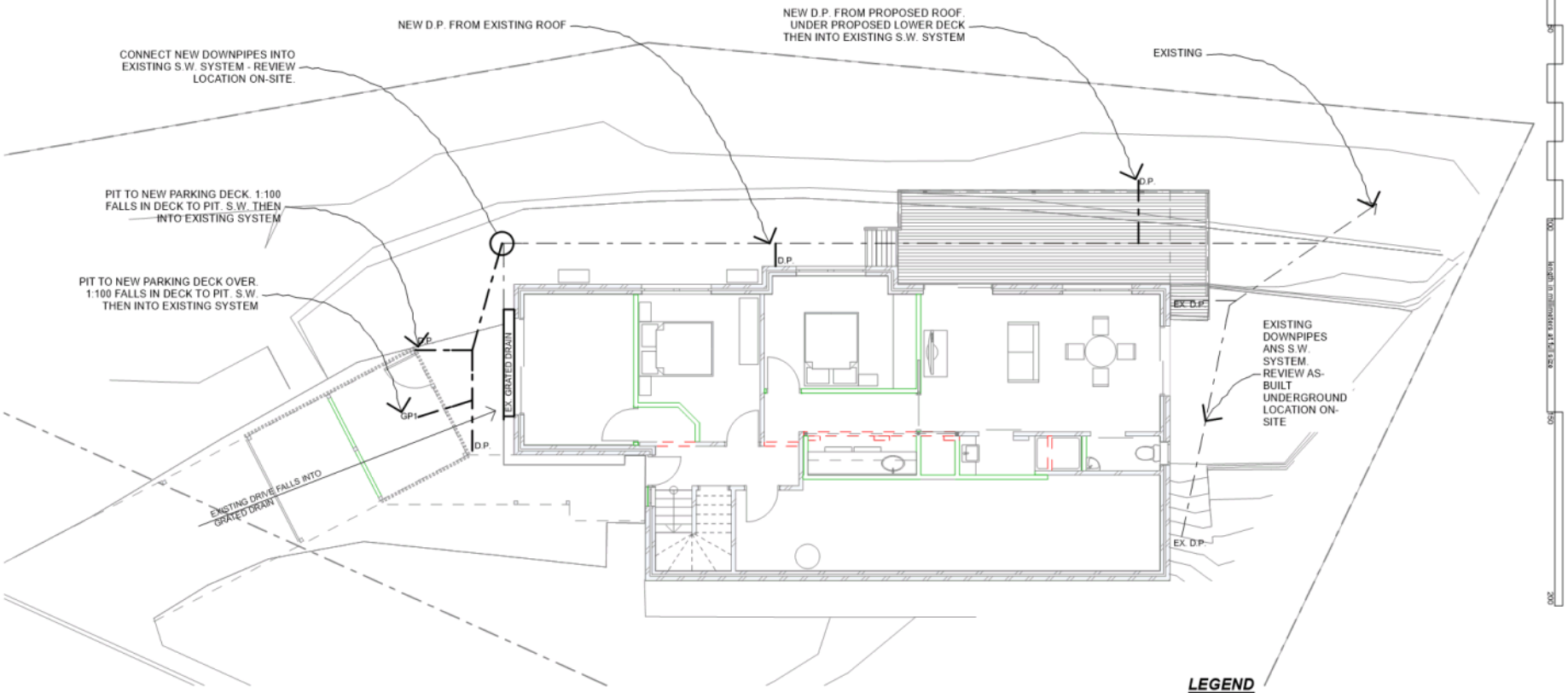
Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 401

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: robertr
Date: 3/6/2019
Permit #: PLN-19-120

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.



1 Site S.W.
1:100

LEGEND

GP1. 300 sq. PIT TYPE ACO 33 OR EQU.

EXISTING STORM WATER

PROPOSED STORM WATER DN100 uPVC

BEWARE OF UNDERGROUND SERVICES
THE LOCATION OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT LOCATION SHOULD BE PROVEN ON SITE BY THE RELEVANT AUTHORITIES. NO GUARANTEE IS GIVEN THAT ALL SERVICES ARE SHOWN.

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details
Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Drawing No: 501
Plot Date: 4/03/2019

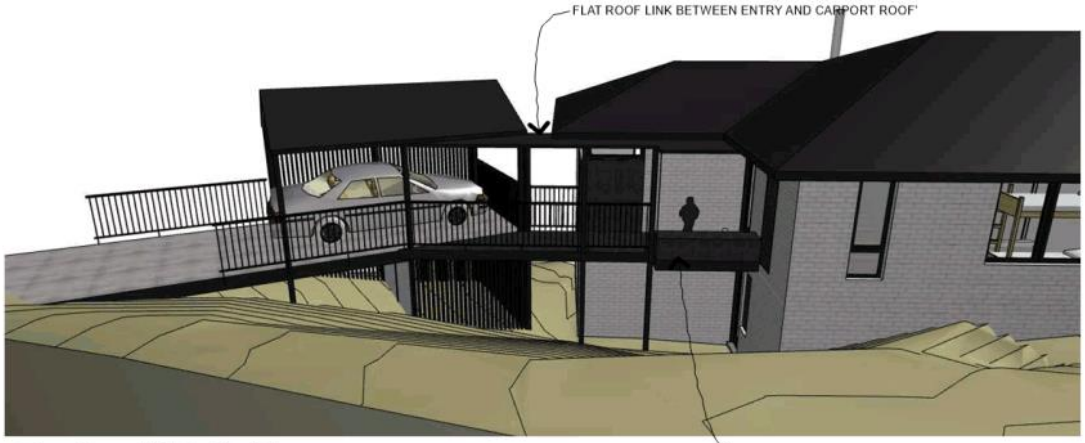
Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION
By: probertr
Permit #: PLN-19-120
Date: 3/6/2019

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

1 New Entry View



2 Carport & Entry West View

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Drawing No: 801
PM Date: 4/03/2019

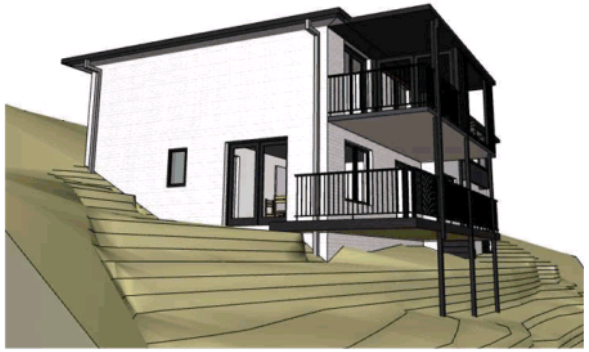
Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: proberts
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

1 North East View



2 South East View

3 Western View

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details
Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Plot Date: 4/03/2019
Drawing No: 802

Skoolkom
Building – & – Design

Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: probertr
Date: 3/6/2019
Permit #: PLN-19-120
TO BE READ IN CONJUNCTION WITH A CURRENT NATSPEC SPECIFICATION

ISSUE: DA01

COPYRIGHT - LIDDINGTON ARCHITECTURE STUDIO.
DO NOT SCALE FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CONFIRM SITE CONDITIONS LEVELS AND DIMENSIONS BEFORE COMMENCEMENT OF WORKS.
ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION.
ALL MATERIAL AND WORK PRACTICES SHALL COMPLY WITH CURRENT BCA/NCC AND AUSTRALIAN STANDARDS.

1 South East Birds Eye

2 North East Birds Eye

liddington architecture studio
Tas. CC1890 O
p. 0467 174 330 e. peter@liddington.com.au

project details

Owner: Carmen & Ilan
Address: 4 Danval Place, West Hobart
Project Type: Alterations / Additions

Scale: as noted @ A3
Date: 2019
Project Status: DA01

Project No: 1819-12
Drawing No: 803
Plot Date: 4/03/2019

the List...

RESULT OF SEARCH
DEPUTY REGISTRAR OF TITLES
Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
Issued Pursuant to the Land Titles Act 1980
By: probertr
Permit #: PLN-19-120
Date: 3/6/2019

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
62624	42
EDITION	DATE OF ISSUE
5	06-Apr-2018

SEARCH DATE : 01-Mar-2019
SEARCH TIME : 11.58 AM

DESCRIPTION OF LAND

City of HOBART
Lot 42 on Sealed Plan 62624 (formerly being SP1616)
Derivation : Part of 9A-3R-10Ps. Gtd. to C.A.W. Rocher Part of 10 Acres Gtd. to R. Cleburne
Prior CT 2330/66

SCHEDULE 1

M658902 TRANSFER to CIGOLD PTY LTD Registered 23-Oct-2017 at noon

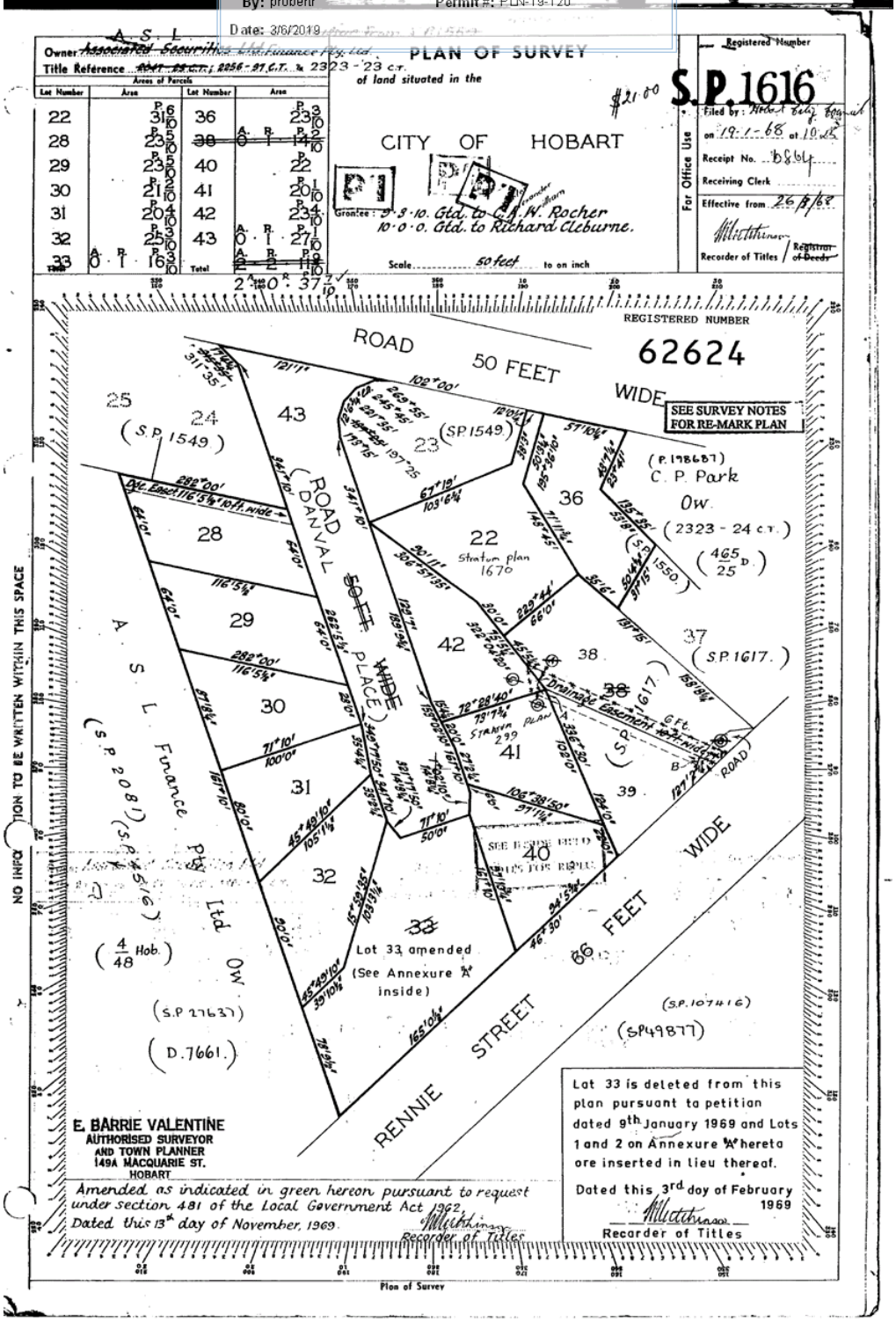
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: Right of Drainage over the drainage easement marked A.B. and passing through Lot 41 on Sealed Plan No. 62624.
BENEFITING EASEMENT: a right of carriage way over the roadway 7 feet wide passing through Lot 12 on Sealed Plan No. 1549.
SP 62624 COVENANTS in Schedule of Easements
SP 62624 FENCING COVENANT in Schedule of Easements
A29817 FENCING PROVISION in Transfer
E127068 MORTGAGE to Westpac Banking Corporation Registered 06-Apr-2018 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN
Approved - Planning Only
NOT FOR CONSTRUCTION
DEPUTY RECORDER OF TITLES
City of HOBART
Issued Pursuant to the Land Titles Act 1980
By: probertr Permit #: PLN-19-120
Date: 3/6/2019



the List...
SCHEDULE OF EASEMENTS
DEPUTY REGISTRAR OF TITLES
City of HOBART
Issued Pursuant to the Land Titles Act 1980
Approved - Planning Only
NOT FOR CONSTRUCTION
By: robertr
Permit #: PLN-19-120
Date: 3/6/2019
Tasmanian Government

RECORDER OF TITLES TASMANIA

SCHEDULE OF EASEMENTS **PLAN NO.**

S. P.1616

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

Each of the Lots in Column A is :

(i) TOGETHER WITH a right of drainage over the drainage easement shown on the plan passing through the lots and land specified opposite thereto in Column B.

(ii) SUBJECT TO a right of drainage over the drainage easement shown passing through that lot as appurtenant to the lots ~~and land~~ shown hereon and other land specified opposite thereto in Column C.

THIS COPY SCHEDULE CONSISTS OF 2 PAGE/S

Column A	Column B	Column C.
Lot 41 ~~Lot 41~~	AB ~~Lots 42 and 38 AB~~	Lot 42 ~~Nil~~
Lot 42 ~~Lot 42~~	Lot 41 and AB ~~Lots 38 AB~~	~~Lot 41~~
Lot 28	Nil	The balance
~~Lot 38~~	~~Nil~~	~~Lots 41 and 42.~~

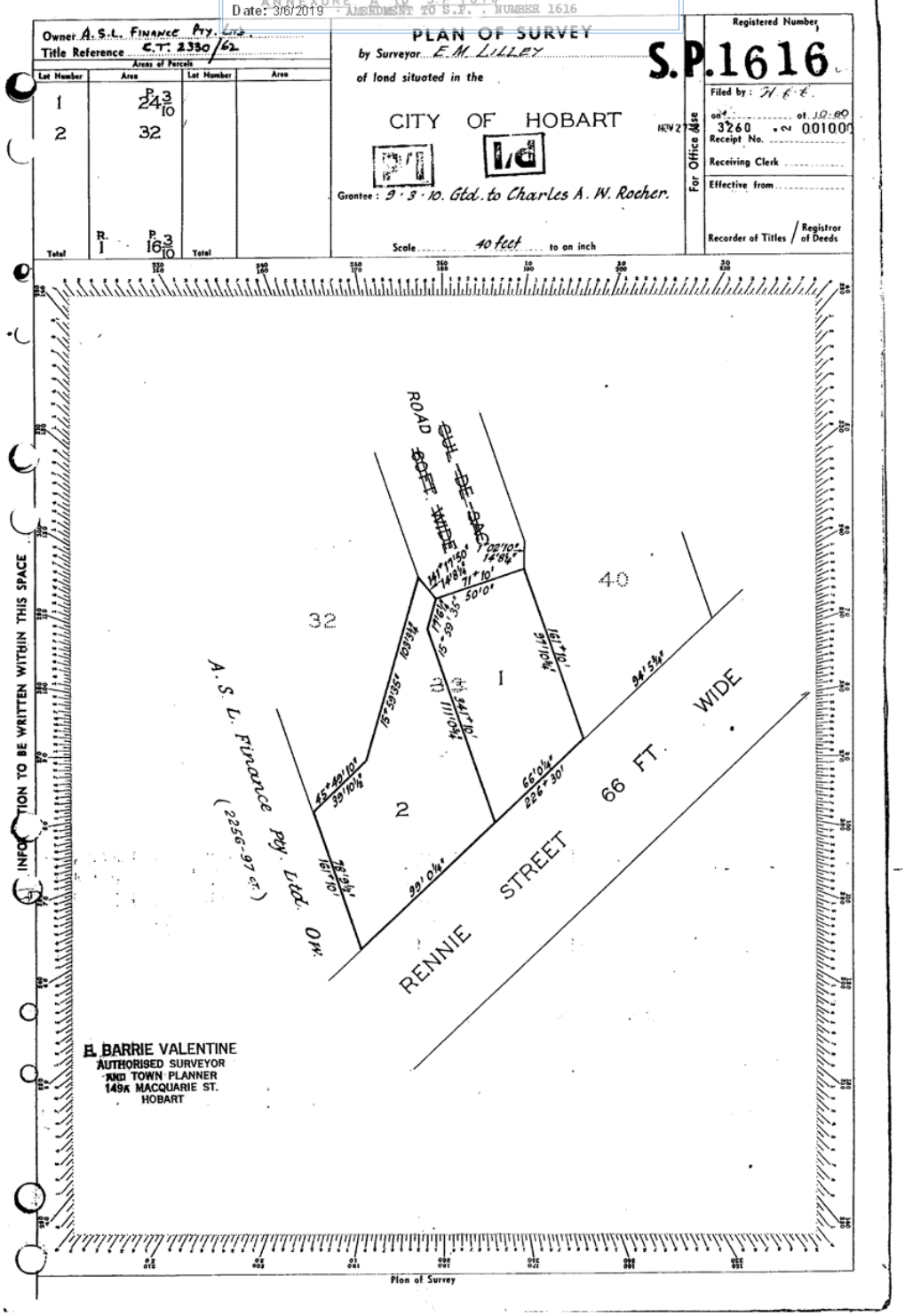
All the LOTS (EXCEPT LOT 43) ~~allotments~~ are together with a right of way 7 feet wide passing through lot 12 ~~as shown~~ on Sealed Plan No. 1549.

INTERPRETATION ~~of~~ "Balance" means: The land remaining in ~~the~~ Certificate of Title VOLUME 2256 FOLIO 97 after excepting thereout the lots on this plan.

COVENANTS: The owner of each lot shown on the plan except Lot 43 covenants with the Vendor A.S.L.Finance Pty.Ltd. of Hobart in Tasmania that A.S.L.Finance Pty.Ltd. shall not be required to fence.

FURTHER COVENANTS: The owner of each lot shown on the plan except Lot 43 covenants with the said A.S.L.Finance Pty.Ltd. and the owners for the time being of every other lot shown on the plan except Lot 43 to the intent that the burden of these covenants may run with and bind the covenantor's lot and every part thereof and that the benefit therefor may be annexed to and devolve with each and every part of every other lot shown on the plan except Lot 43 (and with the residue of the land comprised in Certificates of Title Volume 2256 Folio 97 and VOLUME 2323 FOLIO 23 ~~also in Certificate of Title Registered Volume 2047 Folio 25~~.

FOLIO PLAN
DEPUTY REGISTRAR OF TITLES
City of HOBART
Issued Pursuant to the Land Titles Act 1980
By: probertr Permit #: PLN-19-120
Date: 3/6/2019 ANNEXURE "A" to S.P. 1616 AMENDMENT TO S.P. NUMBER 1616
Approved - Planning Only
NOT FOR CONSTRUCTION



the List...
SCHEDULE OF EASEMENTS
DEPUTY REGISTRAR OF TITLES
City of HOBART
Issued Pursuant to the Land Titles Act 1980
Approved - Planning Only
NOT FOR CONSTRUCTION
By: probertr Permit #: PLN-19-120
Date: 3/6/2019
Tasmanian Government

and each and every part thereof) to observe the following stipulations ~~that he she they or it~~ -

(a) ~~Will~~ not to erect any building other than a dwelling house with appurtenances thereto on ~~any~~ THE lot.

(b) ~~Will~~ not to erect any building of a cost of less than $9000.00. unless the plans and specifications of the proposed building shall have been approved by A.S.L.Finance Pty.Ltd. in writing.

(b) Not to use the dwelling house for any other purpose than a private dwelling house.

(d) Not to set up or carry on, in or upon the ~~land~~ LOT any trade, manufacture or business of any kind but the letting of residential flats shall not be deemed to be a trade or business within the meaning of these covenants.

(e) Not to erect any building unless the exterior walls thereof are constructed of brick, concrete block or stone.

(f) No hoarding or other structure shall at any time be erected or placed or suffered to be upon any part of ~~any~~ THE lot for the purpose of exhibiting any advertisement or unless other than as to relate to the selling or letting of any portion of the property but A.S.L. Finance Pty.Ltd. reserves the right for it and its assigns to sell, lease or otherwise deal with any lot either subject to the above conditions and/or restrictive covenants or any one of them or not and subject to such modifications thereof as it may think fit or to waive any such conditions and restrictive covenants as it may think fit. The exercise of the said right in relation to any ~~allotment~~ LOT shall not release the owners of any other ~~allotment~~ LOT from any of the conditions or covenants effected or imposed upon such other ~~allotments~~ LOTS or give to the owner of any lot any right of action against A.S.L.Finance Pty.Ltd. or any other persons.

SIGNED by the Registered Proprietor DESCRIBED IN CERTIFICATE OF TITLE VOLUME 2256 FOLIO 97 and VOLUME 2325 FOLIO 23 of the ~~said~~ land A.S.L.Finance Pty.Ltd. in the presence of

by its attorneys who declare that they have not received any notice of the revocation of the said Power of Attorn

SCHEDULE OF EASEMENTS
DEPUTY REGISTRAR OF TITLES
Issued Pursuant to the Land Titles Act 1980
Approved - Planning Only
NOT FOR CONSTRUCTION
City of HOBART
By: probertr
Permit #: PLN-19-120
Date: 3/6/2019

SP. 1616

Amended as indicated in green hereon pursuant to request under section 481 of the Local Government Act 1962 Dated this 13th day of November 1969.

W Mitchinson
Recorder of Titles

SCHEDULE OF EASEMENTS
Approved - Planning Only
NOT FOR CONSTRUCTION
DEPUTY REGISTRAR OF TITLES
City of HOBART
Issued Pursuant to the Land Titles Act 1980
By: probertr
Permit #: PLN-19-120
Date: 3/6/2019

This is the schedule of easements attached to the plan of lot 22, lots 28-33 incl lot 36, ~~lot 38~~ and lots 40-43 incl. comprising part of the land in Certificates of Title 2256/97 and ~~2047/25~~ 2323/27
(Insert Title Reference)

Sealed by Corporation of the City of Hobart on 12 . 1 . 1968

~~Council Clerk~~/Town Clerk

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Committee:	27 March 2020
Expiry Date:	27 March 2020
Application No:	PLN-19-818
Address:	4 DANVAL PLACE , WEST HOBART
Applicant:	Stuart French (Another Perspective) P.O. Box 21
Proposal:	Partial Demolition, Extension and Alterations
Representations:	Three
Performance criteria:	General Residential Zone Development Standards, Parking and Access Code

1. Executive Summary

1.1 Planning approval is sought for Partial Demolition, Extension and Alterations, at 4 Danval Place.

1.2 More specifically the proposal includes:

- Removal and infill of existing ground floor entry door and garage door.
- Construction of upper floor extensions including new bedroom on western elevation, extension of existing concrete deck on the eastern elevation and new bedroom and internal two car garage on the northern elevation.
- Removal of existing crossover and driveway and reinstatement of footpath, kerb and gutter.
- Construction of new crossover in north west corner of Danval Place frontage.
- Construction of new driveway.

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, Garage Setback, Building Envelope, Privacy

1.3.2 Parking and Access Code - Design of Vehicular Accesses, Layout of Parking Areas

1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 31/01/20 - 28/01/20.

1.5 The proposal is recommended for approval subject to conditions.

1.6 The final decision is delegated to the City Planning Committee.

2. Site Detail

2.1 The subject site is located at 4 Danval Place, West Hobart and is an irregular shaped block approximately 592m2 in area. The site presently contains a two storey brick dwelling and established gardens and the topography slopes downhill to the east, away from the Danval Place frontage. The surrounding area is characterised by residential uses, with a combination of single and multiple dwellings.

Figure 1: Aerial image of the subject site (bordered in blue) and surrounding area.

3. Proposal

3.1 Planning approval is sought for Partial Demolition, Extension and Alterations.

3.2 More specifically the proposal is for:

- Removal and infill of existing ground floor entry door and garage door.
- Construction of upper floor extensions including new bedroom on western elevation, extension of existing concrete deck on the eastern elevation and new bedroom and internal two car garage on the northern elevation.
- Removal of existing crossover and driveway and reinstatement of footpath, kerb and gutter.
- Construction of new crossover in north west corner of Danval Place frontage.
- Construction of new driveway.

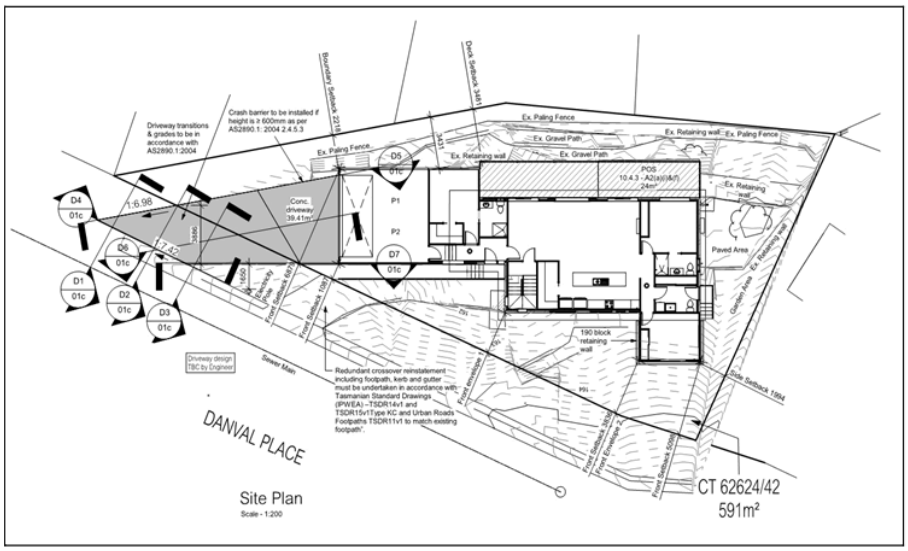


Figure 2: Site plan of proposed extension and alterations.

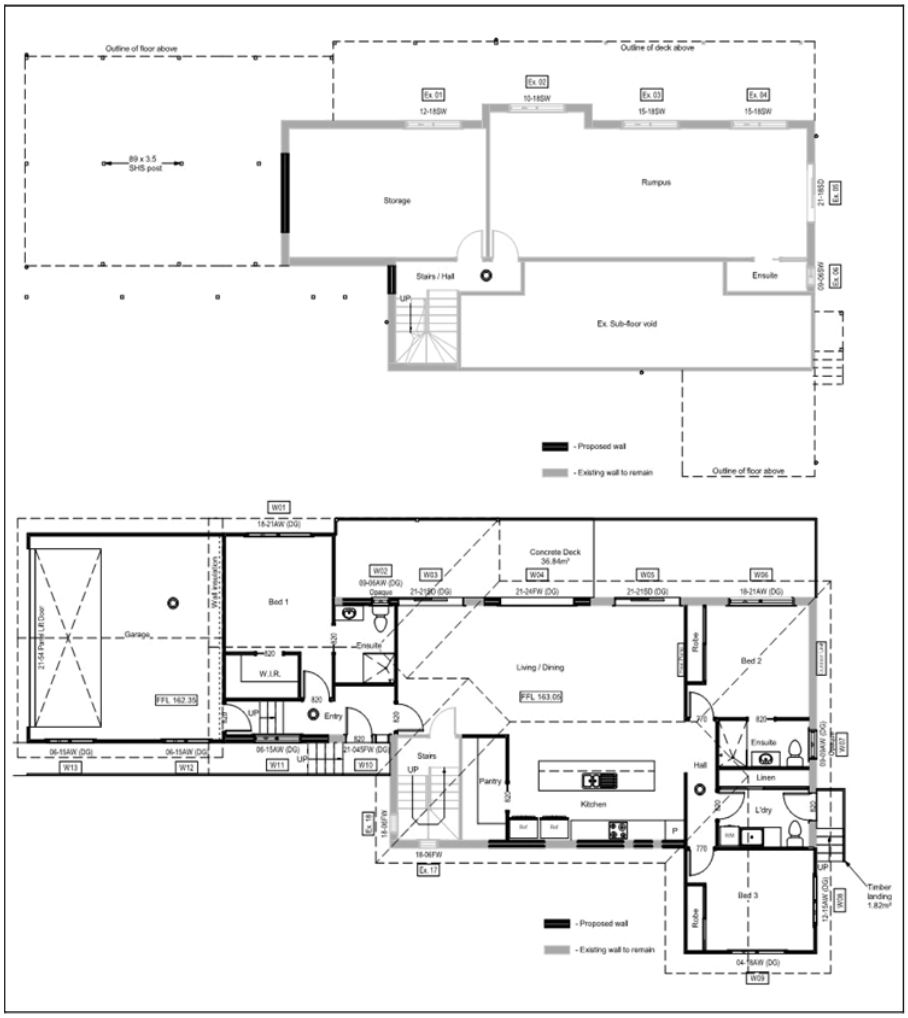


Figure 3: Proposed Ground and First floor plans

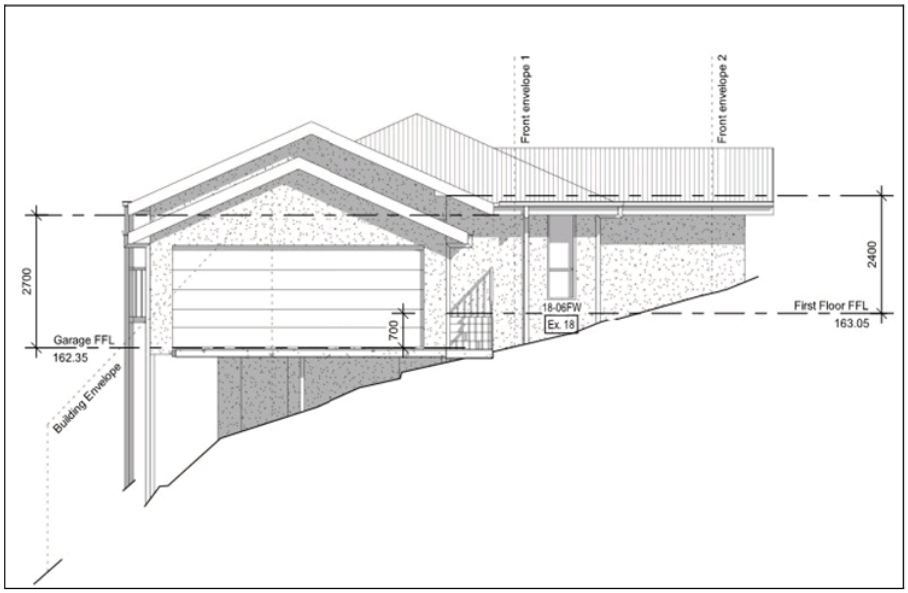


Figure 4: Proposed north elevation

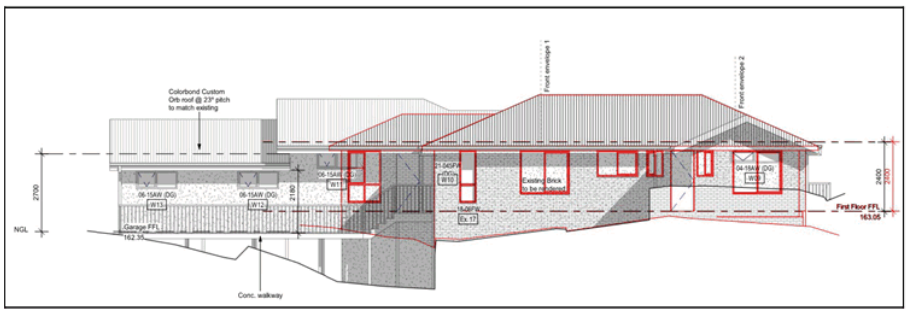


Figure 5: Proposed west elevation illustrating existing dwelling (red outline) and alterations and extensions (grey outline).

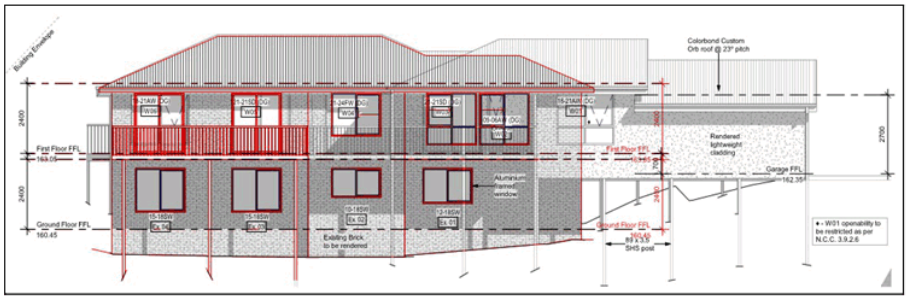


Figure 6: Proposed east elevation illustrating existing dwelling (red outline) and alterations and extensions (grey outline).

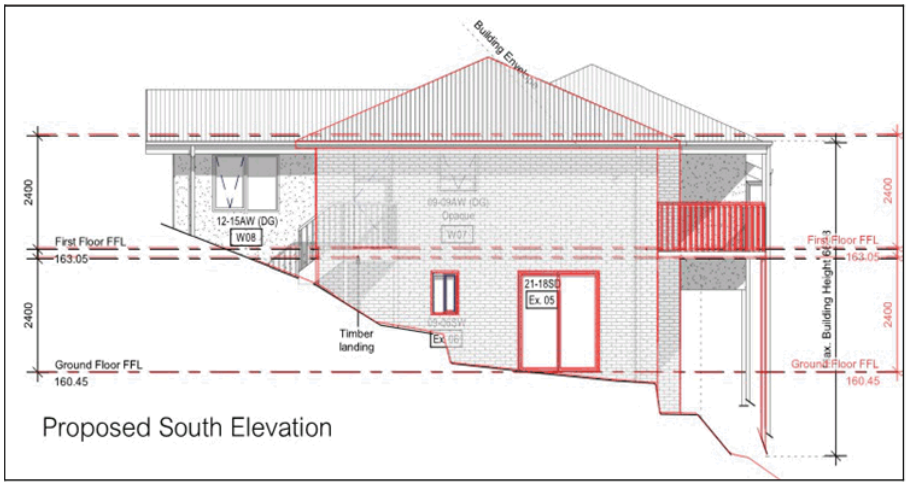


Figure 7: Proposed south elevation illustrating existing dwelling (red outline) and proposed alterations and extension (grey)

Figure 8: Perspectives of proposed alterations and extensions on existing dwelling from north west and south east.

4. Background

4.1 The dwelling was previously approved for partial demolition, alterations, extensions and carport under PLN-19-120. The application was for a modest proposal, and attracted two objections. It was approved under delegation. At the time of this assessment, the permit has not been acted on.

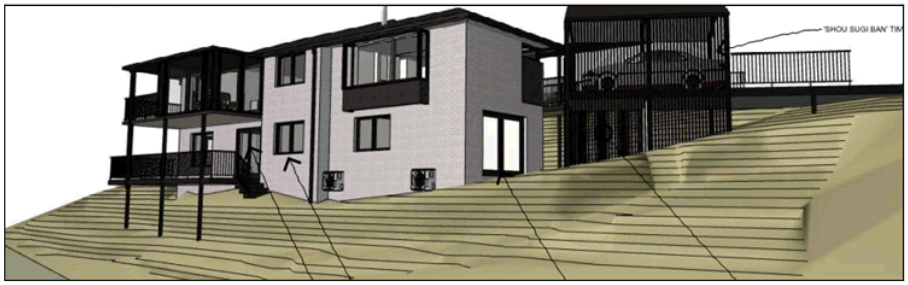


Figure 9: The proposal approved under PLN-19-120.

5. Concerns raised by representors

5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between 13/01/20 - 28/01/20.

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.

The overwhelming size of the proposed overall residence. The siting, scale and sheer bulk of the proposed additions will have a significant visual impact on all of the neighbouring dwellings resulting in a completely unreasonable loss of amenity. We believe the proposals do not comply with Performance Solution P3 of the Planning Directive 10.4.1.
The bulk of the proposed new dwelling is at odds with the standards relating to building envelopes as set in 10.4.2, A1 of the Planning Directive 10.4.1. The dwelling structures indicated in the North Elevation of Drawing Sheet 05/05 and South Elevation of Drawing Sheet 05a/05 are outside of the designated building envelopes.
The size of the garage and driveway - This will be a large and imposing structure facing the street. The elevated driveway will be built on a retaining wall and supporting fill, with a suspended slab, so it is quite a significant structure passing over and blocking what is now open ground. It represents an imposing structure in its own right as well adding to the overall length and bulk of the house.

The proximity of the garage, indeed the whole house, to the frontage - The proximity of the dwelling, particularly given its size, to the street line is a clear outlier in Danval Place where every house is set back a significant distance, most close to 8 metres or more, from the street.
The structural integrity of the existing electricity pole - We are concerned that the proposed elevated driveway will require extensive groundworks and its ultimate location will impact adversely on the integrity of the existing electricity pole. Notwithstanding the impact the groundworks would likely have, the cars driving in and reversing on the new driveway alongside the pole would increase the threat of a collision with that pole. Any damage to the integrity of the pole, either from groundworks or a collision, could potentially have serious consequences for the networks and power distribution in the street and possibly local area.
Building Setback - Represented boundary accuracy on proposed plans is inaccurate. The setback is measured from an arbitrary location and not the surveyed boundary. Developers are inaccurately representing lot boundary and subsequent setbacks without formal surveying which is enabling the building setback to appear greater than reality. On Sheet 1/05 the boundaries are actually the Ex Paling Fence unless surveyed otherwise. A Repeg is required to ensure boundary representations is accurate.
Potential lower retaining wall and damage caused from foundation works -With the proposed extension moving closer to the boundary, sufficient and adequate engineering is required to ensure lower dwellings are not effected from rock instabilities if works are approved.
Visual Amenity and reduction of privacy of lower properties – proposed development exceeding building envelope. - Significant reduction of outdoor privacy in the rear of both Units 1 & 2, 10 Shannuk Drive. Loss of privacy in to Kitchen and Living Areas
Being at a higher elevation so close to the boundary it will give the impression the deck, kitchen and master bedroom is ominously protruding into and on top of Shannuk Drive's rear yard. The existing Danval deck is conservative and respects the lower properties right to privacy however the extension of the dwelling and deck to become full length will negatively impact the property value of 2/10 Shannuk Drive by encroaching so close at the higher elevation.

6. Assessment

6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning

scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.

6.3 The existing use is Residential (single dwelling). There is no proposed change of use. The existing use is a no permit required use in the zone.

6.4 The proposal has been assessed against:

6.4.1 D10.0 General Residential Zone

6.4.2 E6.0 Parking and Access Code

6.4.3 E7.0 Stormwater Management Code

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

6.5.1 General Residential Zone Development Standards:-

Setbacks and Building Envelope – D 10.4.2 P1; P2; P3
Privacy – D 10.4.6 P1

6.5.3 Parking and Access Code: -

Design of Vehicular Accesses - E6.7.2 P1
Layout of Parking Area - E6.7.5 P1

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 10.4.2 A1 requires that a dwelling must have a setback from a frontage that is not less than the setback from the primary frontage of any existing dwelling on the site.

6.7.2 The proposal includes a garage extension to the dwelling which will have

a setback of 1.087m from the Danval Place 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 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; and
(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.

6.7.5 The proposed extension for a garage projects on the north elevation, which as a consequence of the angle of the existing dwelling and shape of the site, will see the structure further reduce the existing frontage setback, presently 2.9m, to a setback of 1.087m. The proposed garage intends to replace an existing ground floor internal garage which is accessed by a driveway that angles down from the Danval Place frontage and therefore allow for vehicle access roughly level with the road level on Danval Place.

The proposal to reduce this setback raised concerns for representors during the public notification period, most specifically that the proximity of the dwelling to the street frontage is an outlier in Danval Place "where every house is set back a significant distance, most close to 8 metres or more, from the street." It is noted that the prevailing structural trend within the Danval Place locality is for dwellings to be setback at least 6 metres or greater from the primary frontage, a setback that the existing dwelling does not presently provide. One important difference is that the majority of these dwellings sit either on land level with the Danval Place road or rise uphill from the frontage on the western side on deeper rectangular lots. In comparison the subject site is an irregular shaped lot that narrows as the lot approaches the northern boundary with a depth within the dwelling location ranging from 21m to 14m and a steep topography which falls away from the Danval Place frontage to the east. Such a difference in size and land topography has allowed for these other lots to build further back from the frontage, and subsequently engage in further alterations and extensions without compromising the frontage setback.

In what is a difficult site for any further extensions or alterations, the

proposed garage extension is assessed as remaining compatible with the setbacks of existing dwellings in the street by taking into account the topographical constraints. The steep fall of land and narrowing shape of the boundaries has influenced the placement of the garage which provides for a safer and easier access for vehicles, and is located closer to the primary frontage so as to not compromise the amenity of adjoining dwellings to the east at 10 Shannuk Drive which may occur if the existing frontage setback is maintained. The majority of other sites on the street are not subject to similar constraints and therefore whilst the proposal may be assessed as inappropriate on an uphill lot on the western side of Danval Place, the proposal on the subject site is deemed compliant with the performance criterion.

6.7.6 The proposal complies with the performance criterion.

6.8 Setback and Building Envelope Part D 10.4.2 P2

6.8.1 The acceptable solution at clause 10.4.2 A2 requires that a garage or carport must have a setback from a primary frontage of at least 5.5m or alternatively 1m behind the facade of the dwelling; or 1m if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

6.8.2 The proposal includes a garage extension to the dwelling which will have a setback of 1.087m from the Danval Place frontage and the gradient is 1 in 5 for a distance of 1m from the frontage (exactly).

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

6.8.4 The performance criterion at clause 10.4.2 P2 provides as follows:

A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

6.8.5 The majority of dwellings on the street have internal garages which are built into the existing dwelling structure on the ground floor. The subject site has an existing internal garage which is proposed to be walled in an converted to habitable rooms. In conjunction with clause D10.4.2 P1 above, it is considered reasonable that the location of the proposed garage, taking into account the topographical constraints of the site, is compatible with the existing garage or carports in the street.

6.8.6 The proposal complies with the performance criterion.

6.9 Setback and Building Envelope Part D 10.4.2 P3

6.9.1 The acceptable solution at clause 10.4.2 A3 requires a dwelling must be contained within a building envelope determined by a distance equal to the frontage setback; and projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level

6.9.2 The proposal includes part of the garage within 2.9m of the primary frontage (as assessed above in sections 6.7 and 6.8) and an upper floor extension to the rear of the dwelling and extension to the rear deck within 4m of the rear boundary.

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

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

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
(ii) overshadowing the private open space of a dwelling on an adjoining lot; or
(iii) overshadowing of an adjoining vacant lot; or
(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

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

6.9.5 Recent Tribunal decisions, including The House Family Office Pty Ltd v Hobart City Council, have determined that when assessing an application against the performance criterion, reference must not be had to the building envelope authorised by the acceptable solution. That is, the permitted building envelope does not provide the test of 'reasonableness' against which a discretionary application is assessed. Instead, the

development must be assessed on its merits against the provisions of the performance criterion; that is, (a) does the development cause an unreasonable loss of amenity to neighbours by reduction in sunlight to a habitable room (other than a bedroom), overshadowing of private open space, or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, and (b) does the development provide separation between dwellings on adjoining lots that is compatible with that prevailing in the vicinity?

The applicant has supplied hourly shadow diagrams from 9:00am to 3:00pm on the winter solstice, extracts of which are provided below in Figure 10. These shadows indicate that the proposed alterations and extension will create shadows onto an adjoining property to a greater extent than existing, as shown between 12:00pm and 3:00pm on the adjoining multiple dwellings at 6 Danval Place. This change in overshadowing will neither extend the duration or overshadow previously un-impacted windows. Similarly, the shadows as a result of the proposed alterations and extension will not result in any substantial change in impacts to overshadowing of private open space of the adjoining dwellings at 6 Danval Place. There will be a marginal increase in overshadowed land on the western corner of the adjoining property at 9 Rennie Street but this is presently garden area and will only be from 3:00pm until the end of the day. The impacts as a result of this change are assessed as not being to a degree that would result in an unreasonable loss of amenity to the adjoining dwelling.

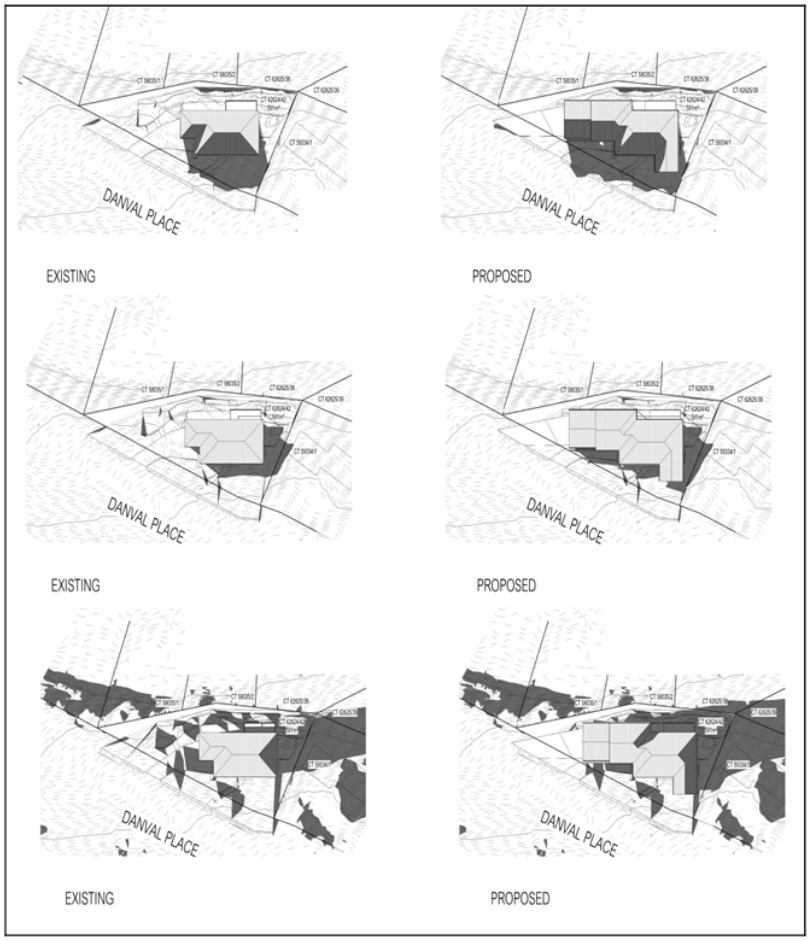


Figure 10: Existing and proposed shadow diagrams on the winter solstice at 9:00am, 12:00pm and 3:00pm (top to bottom).

With respect to clause (a)(iv), several representations were received with direct reference to concerns and impacts as a result of projection beyond the building envelope on the rear and front boundaries. Two representors raised concern with the construction of the dwelling and garage within the frontage setback that it would "be a large and imposing structure facing the street". The proposed design will include two new gable roof structures projecting on the northern elevation and angled in a north western direction. The first portion of the structure, above the entrance and bedroom 1, will represent an increase in height above the existing roof line of 0.53m although this still will remain lower than the existing maximum roof line height. The second portion of the new structure will feature a lowered gable roof above the garage and will sit 0.7m lower again. Overall, this extension will remain lower in form than the existing

dwelling and given the topography of the site where the dwelling is built at a lower level than the street frontage, the overall form of the proposed dwelling will not present a unacceptably significant form with respect to bulk or scale when viewed either from the street or from a lot on the higher western side of Danval Place. Whilst representations raised concerns for the proposal to extend into space presently left empty on the subject site (presently occupied by a driveway and gardens) and thus remove views to both the CBD and the river beyond, the planning scheme does not provide any explicit protection of existing views.

Due to the irregular shape of the block the differentiation between side and rear boundaries is determined by the deviation of the boundary and is marked below in Figure 11. Despite these differing designations, the extension against both boundaries has been assessed as projecting beyond the envelope set out in the acceptable solution A3 of this clause.

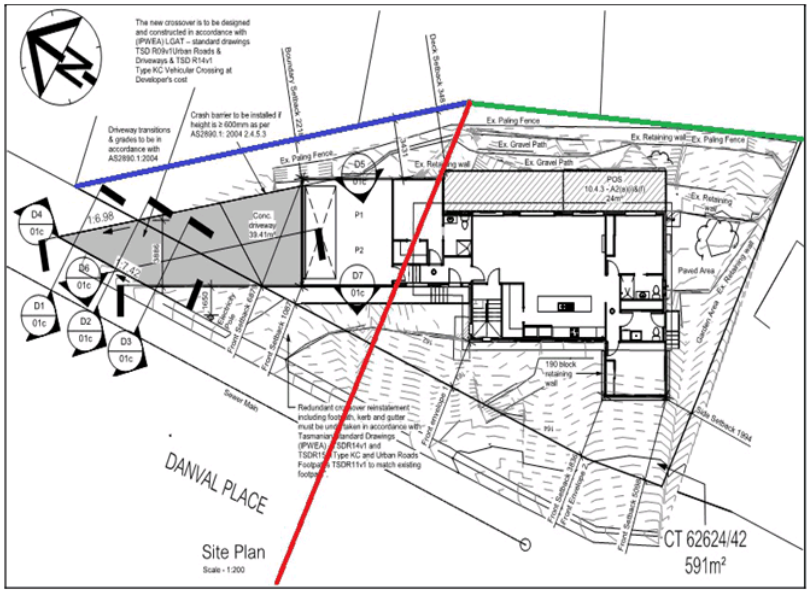


Figure 11: Site plan illustrating side differentiation between side (blue) and rear (green) boundaries on the north and eastern sides.

A third representor raised concerns with the impact to visual amenity as a result of the alterations and extension to the rear and its impacts to properties to the east of the subject site. Due to the topography, the existing dwelling presents a significant structure when viewed from an adjoining dwellings to the east where both 10 Shannuk Drive and 10 Rennie Street have roof levels that sit either below or roughly level with the ground floor level of the subject site. The proposal will see the an extension of the rear deck as well as extension to the northern elevation

which will also reduce the existing setback on the eastern side of the site. There will be a setback of 2.22m at the closest point to the side boundary and 3.2m at the closest point to the rear boundary.

Where an increase in visual impact is to amount to a loss of amenity, there is required to be a comparison of existing visual impacts before and after the proposal. If there is an increase, then the question is whether that increase is unreasonable. On the available information, and supported by representations, the dwelling already presents a degree of visual impact to adjoining dwellings by virtue of its large size and positioning on land relative to other surrounding dwellings. The proposed extension and alterations would see this setback decrease whilst maintaining the height of the dwelling. This would certainly represent an increase in visual impact by virtue of the reduction in setback. Efforts have been made by the applicant to reduce these impacts, most notable by the reduction in form on the lower level of the dwelling extension. As illustrated in the eastern elevation of Figure 6 the proposed extension will be built on elevated stilts with no new ground floor walls or structures. This will ensure a significant reduction in bulk on the elevation facing the adjoining properties at Shannuk Drive.

On balance, it is assessed that the proposal will not present a significant change to the already present level of visual impact in the form of bulk, scale or proportions. Furthermore, such a change is not considered unreasonable as efforts to mitigate the degree of visual intrusion, by reducing the level of bulk and form of the ground level, has been proposed by the applicant. The proposal is therefore considered to not create a loss of amenity through visual impact when when viewed from an adjoining lot that would be to an extent that could be deemed unreasonable..

The representor also raised concern with the accuracy of boundary lines and subsequently the true setbacks of the proposal. Discussions were undertaken with the applicant and confirmation was given that title boundaries on the plan were compiled from S.P.1616. The above assessment of the proposal has been on the basis that the plans provided by the applicant therefore accurately reflect the true boundaries.

6.9.6 The proposal complies with with the performance criterion.

6.10 Privacy for all Dwellings - D10.4.6 P1

6.10.1 The acceptable solution at clause 10.4.6 A1 requires a balcony or deck that has a finished surface level more than 1m above natural ground level

must have a permanently fixed screen to a height of at least 1.7m above the finished surface level, with a uniform transparency of no more than 25% along the sides face a rear boundary, unless the balcony or deck has a setback of at least 4m from the rear boundary.

6.10.2 The proposal includes an extension to an existing rear balcony which have a finished surface level more than 1m above natural ground level, will have a setback of less than 4m from the rear boundary, and will have a balustrade approximately 1m in height.

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

6.10.4 The performance criterion at clause 10.4.6 P1 provides as follows:

A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:

(a) a dwelling on an adjoining lot or its private open space; or
(b) another dwelling on the same site or its private open space; or
(c) an adjoining vacant residential lot.

6.10.5 The existing upper level deck would already presents some overlooking impact to the properties at both 9 Rennie Street and 10 Shannuk Street and has a setback of between 2.7m and 3.2m . The extension of this existing deck will see the length extend along the eastern elevation although due to the direction of the rear boundary, the proposed deck will see an increase in setbacks to between 3.4m and 3.9m, illustrated below in Figure 12.

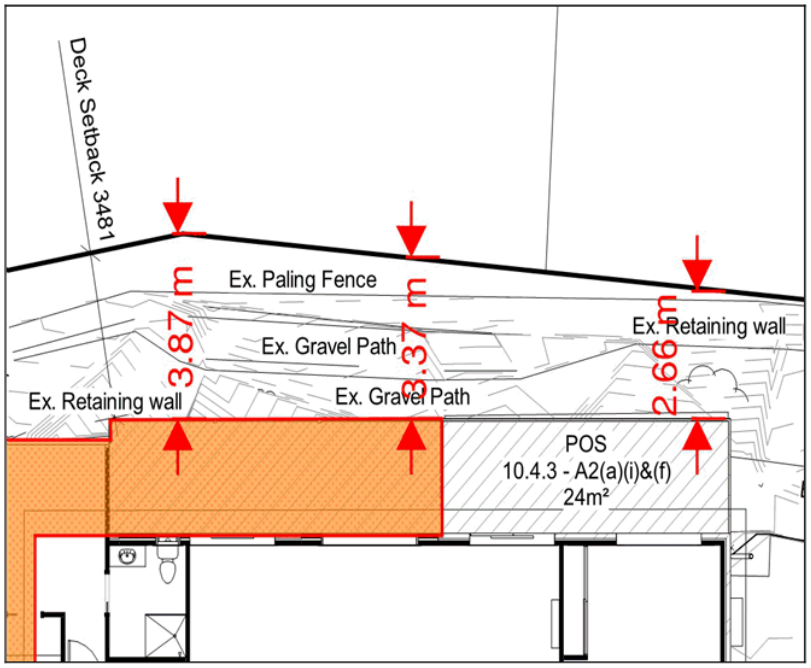


Figure 12: Excerpt from proposed site plan illustrating proposed extension (in orange) and setbacks of existing and proposed decks from the rear boundary of the site.

One representation received raised concerns that the proposed development would result in a reduction of outdoor privacy to the dwellings at 10 Shannuk Drive as well as loss of privacy into the dwellings bedroom, kitchen and living areas. The adjoining property at Shannuk Drive sits at a considerably lower position than the subject site and is separated by a large retaining wall and fence. On the available documentation it is estimated that the difference in height between the finished floor level of the deck and the windows of the adjoining dwelling is in the order of 5m and distance of at least 8m. The adjoining dwelling at 2/10 Shannuk Drive has windows to a dining room, kitchen and laundry that will directly face the subject site. This dwelling will also have a covered patio and grassed area that will sit between both dwellings.

It is understood that a degree of overlooking will exist due to the proposal's height relative to all adjoining dwellings but this will not unreasonably increase beyond what is already available from the existing deck. The extension will maintain the same design and height of balustrades. The extension of the footprint of the existing deck close to the dwelling structure is considered an appropriate response in design to minimise the degree of overlooking given that the setbacks from the rear

boundary are increasing to almost 4m and is assessed as providing a reasonable opportunity for privacy for dwellings. The degree of potential overlooking can be minimised further by vegetation screening and advice is recommended that the subject lot developers plant and maintain greater screening vegetation along the shared boundaries.

6.10.6 The proposal complies with the performance criterion.

6.11 Design of Vehicular Accesses - E6.7.2 P1

6.11.1 The acceptable solution at clause 6.7.2 A1 requires in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking

6.11.2 The proposed driveway access has been deemed non compliant with AS/NZS 2890.1:2004 as documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.2 (a) [sight distance: 2m x 2.5m sight triangles - These areas to be kept clear of obstructions to visibility].

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

6.11.4 The performance criterion at clause 6.7.2 P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;
(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;
(c) suitability for the type and volume of traffic likely to be generated by the use or development;
(d) ease of accessibility and recognition for users.

6.11.5 Referral was made to Council's Development Engineer who has provided the following assessment:

Design of vehicle access points must be safe, efficient and convenient,

having regard to all of the following:
(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible
(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible
(c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible
(d) ease of accessibility and recognition for users. - Feasible

Based on the above assessment and given the submitted documentation, sight lines that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic on the road from which the property gains access.

6.11.6 The proposal complies with the performance criterion.

6.12 Layout of Parking Area - E6.7.5 P1

6.12.1 The acceptable solution at clause 6.7.5 A1 requires that the layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.

6.12.2 Documentation submitted does not satisfy the acceptable solution.

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

6.12.4 The performance criterion at clause 6.7.5 P1 provides as follows:

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

6.12.5 Referral was made to Council's Development Engineer who has provided the following assessment:

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. - Feasible

Submitted documentation appears to meet these parameters and therefore may be accepted under Performance Criteria P1:E6.7.5 given the driveway configuration.

6.12.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for Partial Demolition, Extension and Alterations.

7.2 The application was advertised and no representations were received.

7.3 The application was advertised and received three (3) representations. The representations raised concerns including objections to the size and form of the proposed extension relative to the front and rear boundaries, objections to the overshadowing, objections to visual amenity impacts, objections to privacy impacts concerns of impacts to TasNetworks electricity pole, concerns regarding the accuracy of the provided boundaries.

- Concerns regarding the size and form of the proposal with respect to setbacks and visual impact as well as privacy impacts have been addressed in Section 6 of this report. Concerns regarding the structural integrity of the existing electricity pole on Danval Place were investigated by TasNetworks and an email from their Strategic Asset Management Unit dated 27 November 2019, and included in the advertised documents, advised that "we recommend that the same distance is maintained that current (sic) exists...and any development within the vicinity of the pole should not compromise the structural integrity of the pole."
- With respect to the concerns of the accuracy of boundaries further discussion was undertaken with the applicant and assurances were given that the provided boundaries accurately reflected the boundary locations and were compiled from S.P.1661.
- Concerns as to potential damage to an existing retaining wall cannot be assessed under the Planning Scheme. Owners performing building work have obligations under the *Building Act 2016* to protect adjoining properties from potential damage. Concerns regarding potential impacts to adjoining properties and their occupants as a result of works are regulated under the *Building Regulations 2016*.

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

7.5 The proposal has been assessed by other Council officers, including the Council's Development Engineer. The officers have raised no objection to the proposal, subject to conditions.

7.6 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Partial Demolition, Extension and Alterations at 4 Danval Place, West Hobart 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 Partial Demolition, Extension and Alterations at 4 Danval Place, West Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-818 - 4 DANVAL PLACE WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

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 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 commencement of use, 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).*

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 access driveway, 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), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Another Perspective Drafting & Design documentation received by the Council on the 7th January 2020.

Prior to the commencement of use, documentation by a suitably qualified

engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

- *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 commencement of use.

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, for use is two (2).

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.

ENG r1

The footings (driveway deck) within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the driveway deck footings within the Danval Place highway reservation must be submitted and approved, prior to the commencement of work and must:

1. **Be prepared and certified by a suitable qualified person and experienced engineer;**
2. **Not undermine the stability of the highway reservation;**
3. **Take into account any additional surcharge loadings as required by relevant Australian Standards;**
4. **Take into account and reference accordingly any Geotechnical findings;**
5. **Detail the design and location of the footing adjacent to Danval Place highway reservation; and**
6. **Include a structure certificate which notes that the driveway deck footings will not undermine the highway reservation.**

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

approved select design drawing and structural certificates.

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.*
- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGR 3

Prior to the commencement of use, the proposed driveway crossover Danval Place highway reservation must be designed and constructed in accordance with engineering design plans submitted and approved by the City of Hobart's Road Services Engineer.

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

1. **Show the cross and long sections (centreline and both edges) of the driveway crossover within the highway reservation and onto the property**
2. **Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover**
3. **Reinstatement of the redundant vehicle crossing to kerb**
4. **Show swept path templates in accordance with AS/NZS 2890.1 2004**
5. **Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside**
6. **Be prepared and certified by a suitable qualified person, to satisfy the above requirement.**

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

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.*
- *A Permit to Carry out Works within the highway reservation is required prior to commencement of work within the highway*
- *Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that works will comply with the Council's standard requirements.

ENV 1

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

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

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations,

codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's website for further information.

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require a road closure permit for construction. Click here for more information.

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

PLANNING

You are encouraged to plant and maintain screening vegetation above the height of the existing pailing fence between the existing dwelling and the rear boundaries with 10 Shannuk Drive and 9 Rennie Street. This vegetation would improve privacy and reduce overlooking between the deck and the neighbouring private outdoor space.

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 Infrastructure By law. Click here for more information.

WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click here for more information.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click here for more information.

CROSS OVER CONSTRUCTION

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

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click here for more information.

NOISE REGULATIONS

Click here for information with respect to noise nuisances in residential areas.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

(Michael McClenahan)
Assistant 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: 6 February 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Planning: #192067

Property

4 DANVAL PLACE WEST HOBART TAS 7000

People

Applicant
*
Another Perspective
Stuart French
P.O. Box 21
NEW TOWN TAS 7008
0362314122
stuart.french@anotherperspective.com.au

Owner
*

Gwyneth Jenkinson
4 Danval Place
WEST HOBART TAS 7000
0403 254 996
gwyneth777@hotmail.com

Owner
*

Linda Young
4 Danval Place
WEST HOBART TAS 7000
0403 254 996
gwyneth777@hotmail.com

Entered By
STUART FRENCH
0417 33 356
stuart.french@anotherperspective.com.au

Use

Single dwelling

Details

Have you obtained pre application advice?

- ☐ Yes

If YES please provide the pre application advice number eg PAE-17-xx

Spoke with Michelle Foale

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.
*

- No

Is the application for SIGNAGE ONLY? If yes, please enter $0 in the cost of development, and you must enter the number of signs under Other Details below.
*

- No

If this application is related to an enforcement action please enter Enforcement Number

Details

What is the current approved use of the land / building(s)?
*

Residence

Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage)
*

Garage, Bedroom x2 Additions. Internal Alterations

Estimated cost of development
*

160000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
207.68	274.53	591

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
2	2	Other (no selection chosen)

Other Details

Does the application include signage?
*

No

How many signs, please enter 0 if there are none involved in this application?
*

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

- No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)
*
Title - 4 Danval Place, West Hobart.pdf

Plans (proposed, existing)
*
1681 DA PLANS - A - 081119 - 4 Danval Place, West Hobart.pdf

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
62624	42
EDITION	DATE OF ISSUE
6	02-Sep-2019

SEARCH DATE : 14-Nov-2019
SEARCH TIME : 10.47 AM

DESCRIPTION OF LAND

City of HOBART
Lot 42 on Sealed Plan 62624 (formerly being SP1616)
Derivation : Part of 9A-3R-10Ps. Gtd. to C.A.W. Rocher Part of 10 Acres Gtd. to R. Cleburne
Prior CT 2330/66

SCHEDULE 1

M775034 TRANSFER to LINDA MARY YOUNG and GWYNETH PATRICIA JENKINSON Registered 02-Sep-2019 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: Right of Drainage over the drainage easement marked A.B. and passing through Lot 41 on Sealed Plan No. 62624.
BENEFITING EASEMENT: a right of carriage way over the roadway 7 feet wide passing through Lot 12 on Sealed Plan No. 1549.
SP 62624 COVENANTS in Schedule of Easements
SP 62624 FENCING COVENANT in Schedule of Easements
A29817 FENCING PROVISION in Transfer
E192778 MORTGAGE to B & E LTD Registered 02-Sep-2019 at 12.02 PM

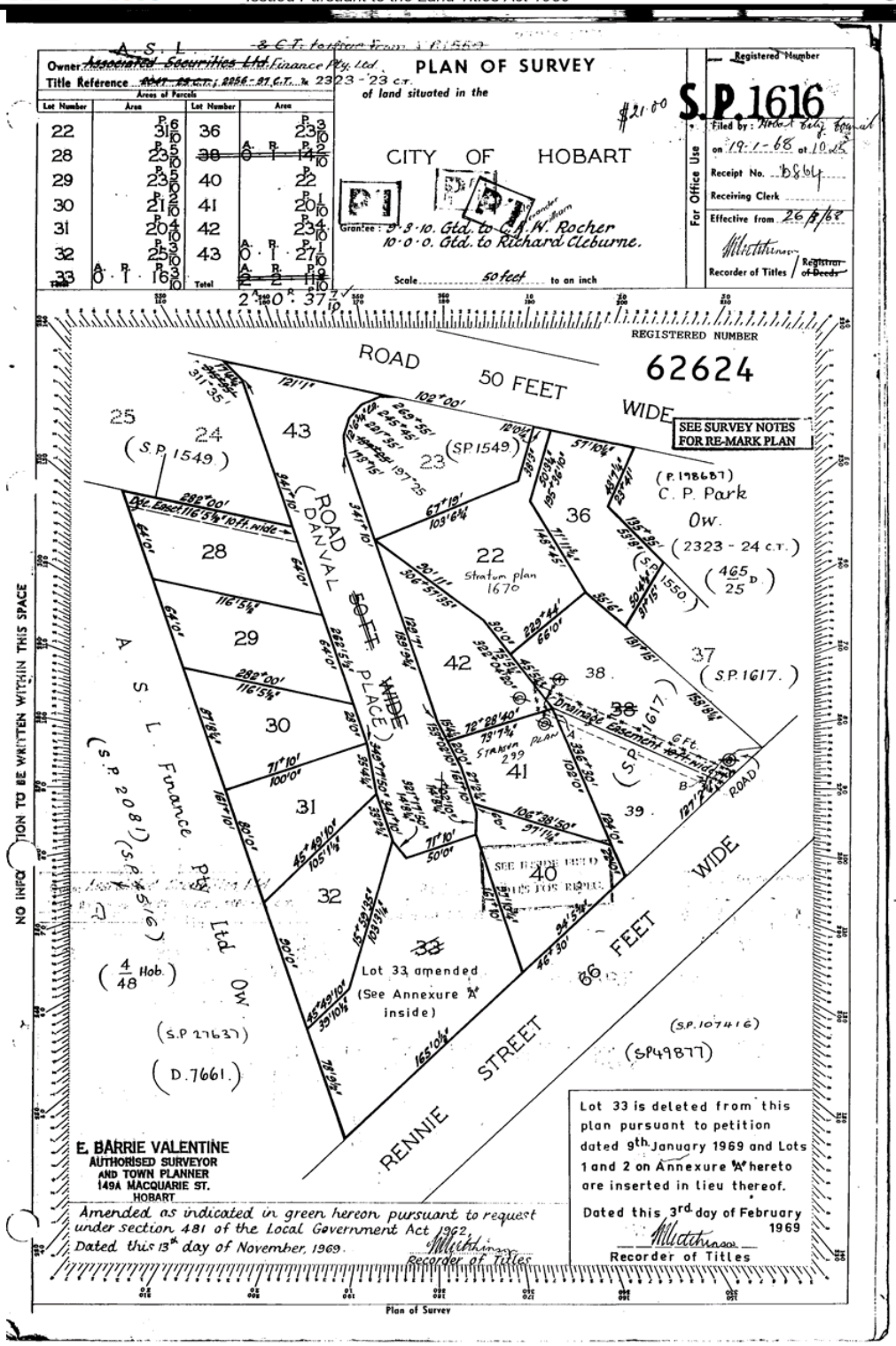
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

ANNEXURE "A" to S.P. 1616
AMENDMENT TO S.P. NUMBER 1616

Owner A.S.L. FINANCE PTY. LTD.
Title Reference C.T. 2330/62

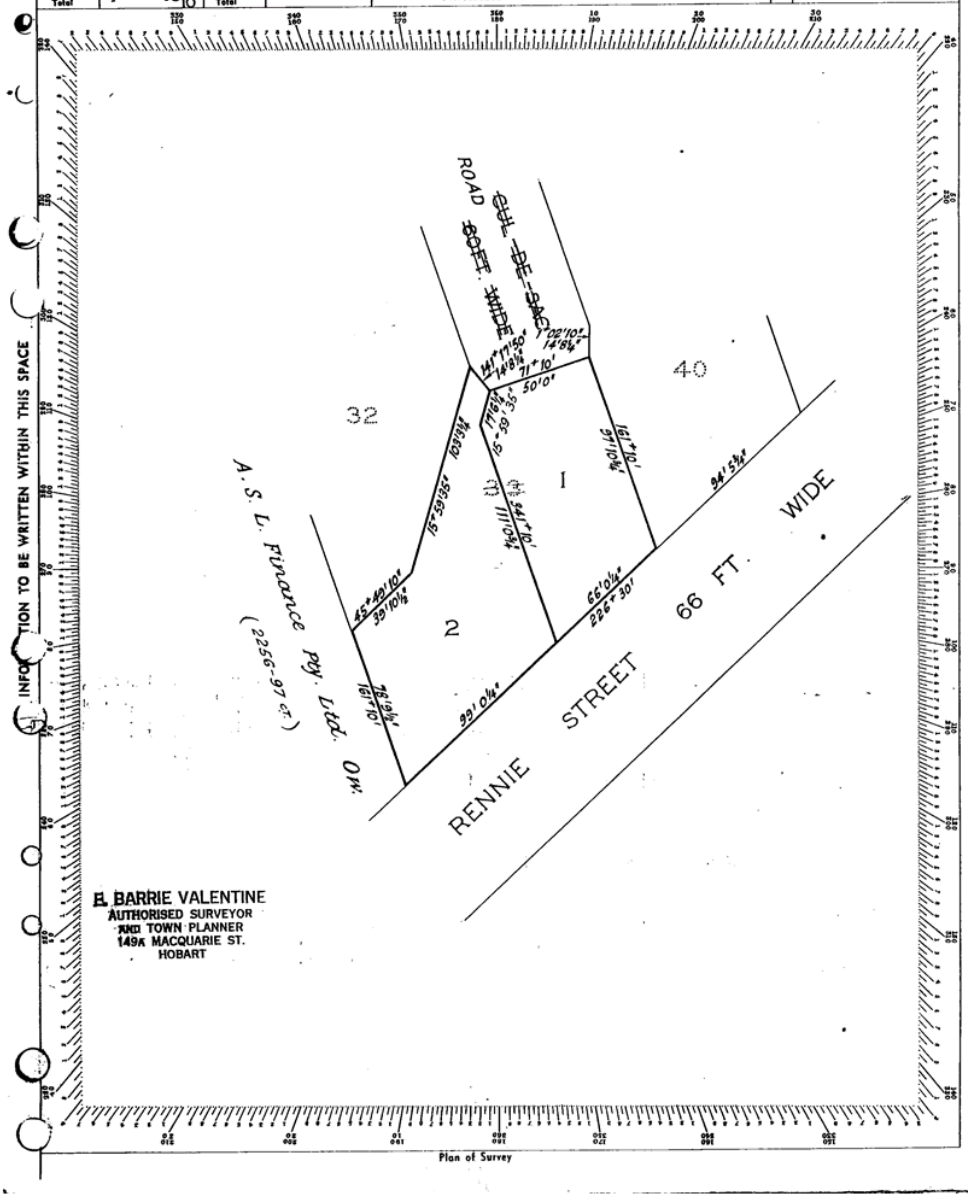
Lot Number	Area	Lot Number	Area
1	P. 24 3/10		
2	32		
Total	R. 1 P. 16 3/10	Total	

PLAN OF SURVEY
by Surveyor E.M. LILLEY
of land situated in the
CITY OF HOBART
Grantee: 9·3·10. Gtd. to Charles A. W. Rocher.
Scale 40 feet to an inch

S.P. 1616

Registered Number
Filed by: H.E.E.
on 4 at 10:00
3260 .00 0010.00
Receipt No.
Receiving Clerk
Effective from
Recorder of Titles / Registrar of Deeds

For Office Use



the List...
SCHEDULE OF EASEMENTS
DEPUTY RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980
Tasmanian Government

RECORDER OF TITLES TASMANIA

SCHEDULE OF EASEMENTS PLAN NO. S. P.1616

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

Each of the Lots in Column A is :

(i) TOGETHER WITH a right of drainage over the drainage easement shown on the plan passing through the lots and land specified opposite thereto in Column B.

(ii) SUBJECT TO a right of drainage over the drainage easement shown passing through that lot as appurtenant to the lots ~~and land~~ shown hereon and other land specified opposite thereto in Column C.

THIS COPY SCHEDULE CONSISTS OF 2 PAGE/S

Column A	Column B	Column C.
Lot 41 ~~Lot 41~~	AB ~~Lots 42 and 38 AB~~	Lot 42 ~~Nil~~
Lot 42 ~~Lot 42~~	Lot 41 and AB ~~Lots 38 AB~~	~~Lot 41~~
Lot 28	Nil	The balance
~~Lot 38~~	~~Nil~~	~~Lots 41 and 42.~~

All the LOTS (EXCEPT LOT 43) ~~allotments~~ are together with a right of way 7 feet wide passing through lot 12 ~~as shown~~ on Sealed Plan No. 1549.

INTERPRETATION ~~of~~ "Balance" means: The land remaining in ~~the~~ Certificate of Title VOLUME 2256 FOLIO 97 after excepting thereout the lots on this plan.

COVENANTS: The owner of each lot shown on the plan except Lot 43 covenants with the Vendor A.S.L.Finance Pty.Ltd. of Hobart in Tasmania that A.S.L.Finance Pty.Ltd. shall not be required to fence.

FURTHER COVENANTS: The owner of each lot shown on the plan except Lot 43 covenants with the said A.S.L.Finance Pty.Ltd. and the owners for the time being of every other lot shown on the plan except Lot 43 to the intent that the burden of these covenants may run with and bind the covenantor's lot and every part thereof and that the benefit therefor may be annexed to and devolve with each and every part of every other lot shown on the plan except Lot 43 (and with the residue of the land comprised in Certificates of Title Volume 2256 Folio 97 and VOLUME 2323 FOLIO 23 ~~and also in Certificate of Title Registered Volume 2047 Folio 25.~~

the List...
Tasmanian Government

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

and each and every part thereof) to observe the following stipulations ~~that he she they or it~~ —

(a) ~~Will~~ not to erect any building other than a dwelling house with appurtenances thereto on ~~any~~ THE lot.

(b) ~~Will~~ not to erect any building of a cost of less than $9000.00. unless the plans and specifications of the proposed building shall have been approved by A.S.L.Finance Pty.Ltd. in writing.

(b) Not to use the dwelling house for any other purpose than a private dwelling house.

(d) Not to set up or carry on, in or upon the ~~land~~ LOT any trade, manufacture or business of any kind but the letting of residential flats shall not be deemed to be a trade or business within the meaning of these covenants.

(e) Not to erect any building unless the exterior walls thereof are constructed of brick, concrete block or stone.

(f) No hoarding or other structure shall at any time be erected or placed or suffered to be upon any part of ~~any~~ THE lot for the purpose of exhibiting any advertisement or unless other than as to relate to the selling or letting of any portion of the property but A.S.L. Finance Pty.Ltd. reserves the right for it and its assigns to sell, lease or otherwise deal with any lot either subject to the above conditions and/or restrictive covenants or any one of them or not and subject to such modifications thereof as it may think fit or to waive any such conditions and restrictive covenants as it may think fit. The exercise of the said right in relation to any ~~allotment~~ LOT shall not release the owners of any other ~~allotment~~ LOT from any of the conditions or covenants effected or imposed upon such other ~~allotments~~ LOTS or give to the owner of any lot any right of action against A.S.L.Finance Pty.Ltd. or any other persons.

SIGNED by the Registered Proprietor comprised in Certificates of Titles Volume 2256 Folio 97 and Volume 2325 Folio 23 of the ~~said~~ land A.S.L.Finance Pty.Ltd. in the presence of

by its attorneys who declare that they have not received any notice of the revocation of the said Power of Attorn

the List

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SP. 1616

Amended as indicated in green hereon pursuant to request under section 481 of the Local Government Act 1962
Dated this 13th day of November 1969.

W Hutchinson
Recorder of Titles

the List...

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

This is the schedule of easements attached to the plan of lot 22, lots 28-33 incl lot 36, ~~lot 38~~ and lots 40-43 incl. comprising part of the land in Certificates of Title 2256/97 and ~~2047/25~~ 2323/27

(Insert Title Reference)

Sealed by Corporation of the City of Hobart on 12 . 1 . 1968

~~Council Clerk~~/Town Clerk

AP2019-1681 - PROPOSED JENKINSON ALTERATIONS
4 Danval Place
WEST HOBART

01	E	SITE PLAN
01a		DRAINAGE PLAN
01b	C	MANOEUVRING PLAN
01c	E	DRIVEWAY SECTIONS
02		EXISTING GROUND FLOOR PLAN
02a		EXISTING FIRST FLOOR PLAN
03		EXISTING ELEVATIONS SHEET 1
03a		EXISTING ELEVATIONS SHEET 2
04		PROPOSED GROUND FLOOR PLAN
04a	A	PROPOSED FIRST FLOOR PLAN
05	A	PROPOSED ELEVATIONS SHEET 1
05a	A	PROPOSED ELEVATIONS SHEET 2
05b	A	PERSPECTIVES

No.	Amendment	Date	Drawn	Checked	Sheet
E	Council RFI: Provide further cross sections & create Driveway Section sheet	07 Jan. 20	JM	PJ	01 & 01c
D	Council RFI: Provide additional cross section and correct previous cross sections.	20 Dec. 19	ST	PJ	01
C	Council RFI: Provide cross sections of the footpath either side of the driveway and provide manoeuvring plan	17 Dec. 19	ST	PJ	01, 01b
B	Council RFI: Provide Shadow Diagrams and demonstrate proposed crossover and driveway won't change existing footpath and slopes comply	26 Nov. 2019	ST	CK	01
	DA Set	8 Nov. 2019	ST	JM	01 - 05
A	Modify proposed addition to be rendered lightweight cladding and render existing brickwork, provide porch roof and modify driveway shape. Update all relevant plans	8 Nov. 2019	ST	JM	01, 04a - 05b

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work.
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

4 Danval Place
WEST HOBART

Soil Classification:	Refer to Drainage Plan
Title Reference:	CT62624/42
Floor Areas:	Refer to Floor Plans
Porch / Deck Areas:	Refer to Floor Plans
Wind Speed:	TBC
Climate Zone:	7
Apline Zone:	N/A
Corrosion Environment:	Moderate
Certified BAL:	TBC
Designed BAL:	TBC
(Refer to Standard Notes for Explanation)	

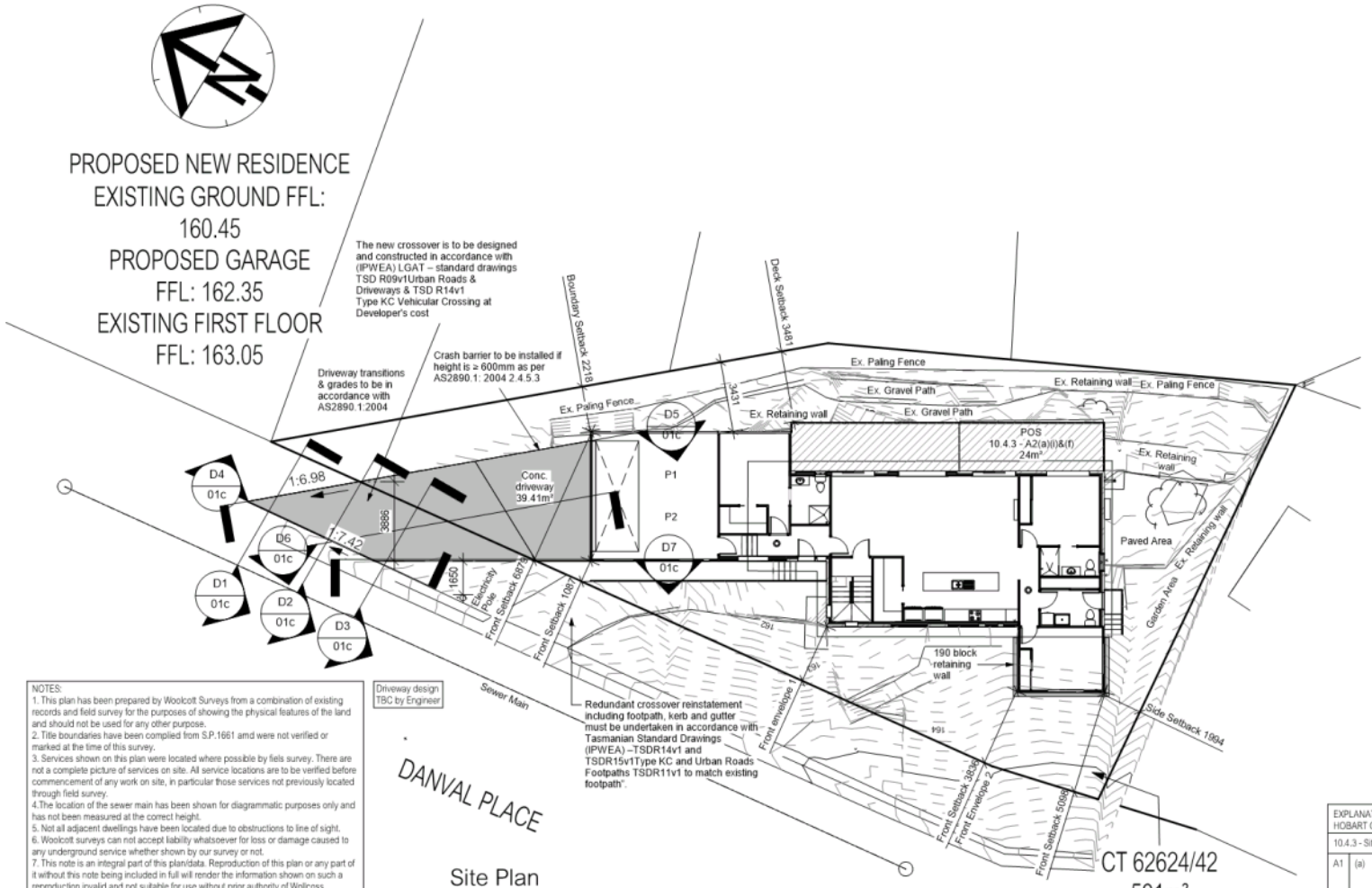
COVER SHEET

AP2019-1681

Date 8 November 2019

Scale

Sheet 00/05



NOTES:
1. This plan has been prepared by Woolcott Surveys from a combination of existing records and field survey for the purposes of showing the physical features of the land and should not be used for any other purpose.
2. Title boundaries have been complied from S.P.1661 amd were not verified or marked at the time of this survey.
3. Services shown on this plan were located where possible by fiels survey. There are not a complete picture of services on site. All service locations are to be verified before commencement of any work on site, in particular those services not previously located through field survey.
4.The location of the sewer main has been shown for diagrammatic purposes only and has not been measured at the correct height.
5. Not all adjacent dwellings have been located due to obstructions to line of sight.
6. Woolcott surveys can not accept liability whatsoever for loss or damage caused to any underground service whether shown by our survey or not.
7. This note is an integral part of this plan/data. Reproduction of this plan or any part of it without this note being included in full will render the information shown on such a reproduction invalid and not suitable for use without prior authority of Wollcoss Surveys.
8. Horizontal Datum is plane and arbitrary.
9. Vertical Datum is AHD'83 based on SPM5738
10. Contour unterval is 0.2m, index is 1.0m.

EXPLANATORY NOTES:
HOBART COUNCIL INTERM PLANNING SCHEME

10.4.3 - Site coverage and private open space for all dwellings

A1	(a)	Site Coverage: Max. 50% of site = 295.50m² Proposed site coverage: 200.57m² (33.94%)
	(b)	Impervious Surfaces: Min. 25% of site to be free of impervious surfaces = 147.48m² Proposed area free of impervious surfaces: 314.49m² (53.21%)

No.	Date	Int.	
E	07 Jan. 20	JM	
D	20 Dec. 19	ST	
C	17 Dec. 19	ST	
B	26 Nov. 2019	ST	
A	8 Nov. 2019	ST	

Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

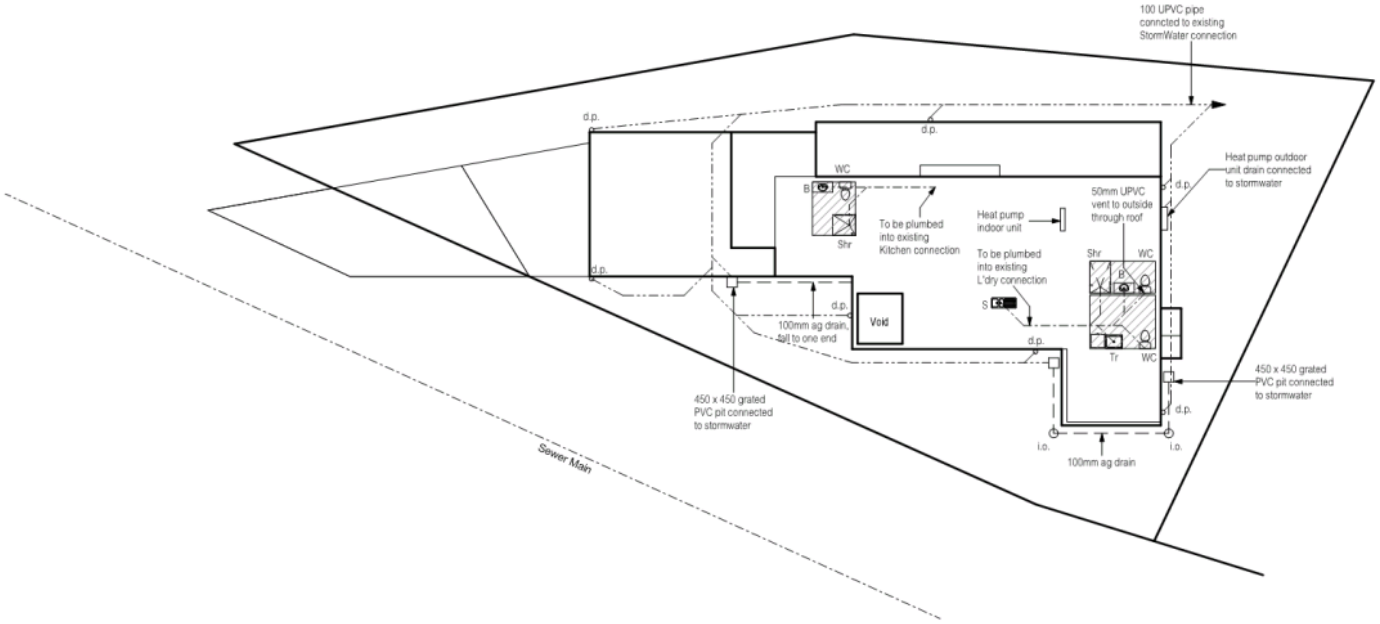
Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danval Place
WEST HOBART

another perspective drafting&design

SITE PLAN

Drawn	PJ/ST	AP2019-1681
Date	17 September 2019	Sheet
Scale	1 : 200	01/05

DRAINAGE LEGEND		
Abbreviation	Fixture	Min. Outlet Size
B	Basin	40Ø
Bth	Bath	40Ø
Shr	Shower	40Ø
S	Sink	50Ø
Tr	Trough	40Ø
WC	Water Closet Pan	100Ø
d.p.	Downpipe	90Ø
— · — · —	Sewer Line (100Ø UPVC) (unless noted otherwise)	
— · · — · · —	Stormwater Line (100Ø UPVC) (unless noted otherwise)	



Refer to Roof Plan for downpipe calculations

Soil Classification: TBC

Refer to Soil Report for nominated founding depth and description of founding material.

All Materials and construction to comply with AS/NZ3500 Part 2 & Part 3:2003

- Wet areas to comply with NCC 3.8.1.2 and AS3740

No.	Date	Int.

Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:

ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info

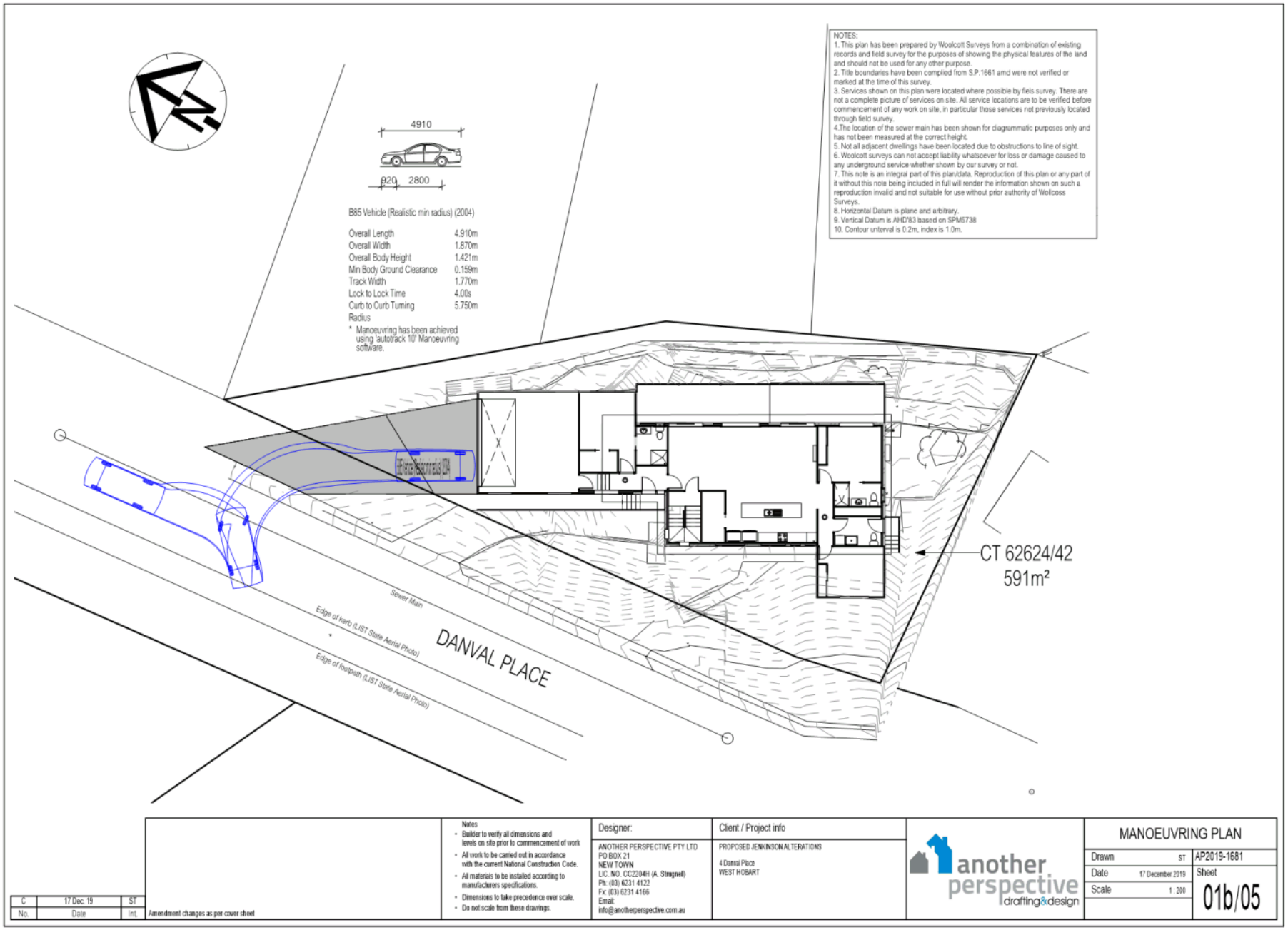
PROPOSED JENKINSON ALTERATIONS

4 Danval Place
WEST HOBART

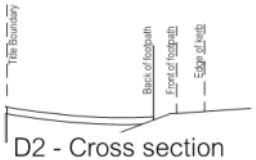
another perspective drafting&design

DRAINAGE PLAN

Drawn	ST	AP2019-1681
Date	5 November 2019	Sheet
Scale	1 : 200	01a/05


NOTES:
1. This plan has been prepared by Woolcott Surveys from a combination of existing records and field survey for the purposes of showing the physical features of the land and should not be used for any other purpose.
2. Title boundaries have been complied from S.P.1661 amd were not verified or marked at the time of this survey.
3. Services shown on this plan were located where possible by fiels survey. There are not a complete picture of services on site. All service locations are to be verified before commencement of any work on site, in particular those services not previously located through field survey.
4.The location of the sewer main has been shown for diagrammatic purposes only and has not been measured at the correct height.
5. Not all adjacent dwellings have been located due to obstructions to line of sight.
6. Woolcott surveys can not accept liability whatsoever for loss or damage caused to any underground service whether shown by our survey or not.
7. This note is an integral part of this plan/data. Reproduction of this plan or any part of it without this note being included in full will render the information shown on such a reproduction invalid and not suitable for use without prior authority of Wollcoss Surveys.
8. Horizontal Datum is plane and arbitrary.
9. Vertical Datum is AHD'83 based on SPM5738
10. Contour unterval is 0.2m, index is 1.0m.
4910
820
2800
B85 Vehicle (Realistic min radius) (2004)
Overall Length 4.910m
Overall Width 1.870m
Overall Body Height 1.421m
Min Body Ground Clearance 0.159m
Track Width 1.770m
Lock to Lock Time 4.00s
Curb to Curb Turning Radius 5.750m
* Manoeuvring has been achieved using 'autotrack 10' Manoeuvring software.
CT 62624/42
591m²
Sewer Main
Edge of kerb (LIST State Aerial Photo)
Edge of footpath (LIST State Aerial Photo)
DANVAL PLACE
C 17 Dec. 19 ST
No. Date Int. Amendment changes as per cover sheet
Notes
• Builder to verify all dimensions and levels on site prior to commencement of work
• All work to be carried out in accordance with the current National Construction Code.
• All materials to be installed according to manufacturers specifications.
• Dimensions to take precedence over scale.
• Do not scale from these drawings.
Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au
Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danval Place
WEST HOBART
another perspective drafting&design
MANOEUVRING PLAN
Drawn ST
Date 17 December 2019
Scale 1 : 200
AP2019-1681
Sheet
01b/05

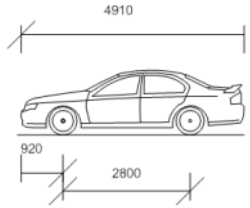
D1 - Cross section

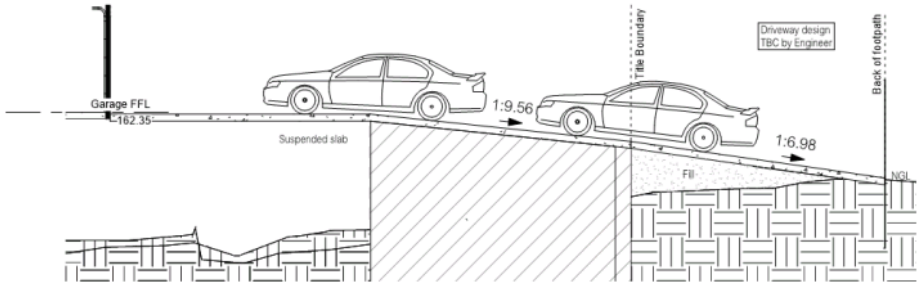


D2 - Cross section

D3 - Cross section

D4 - Crossover



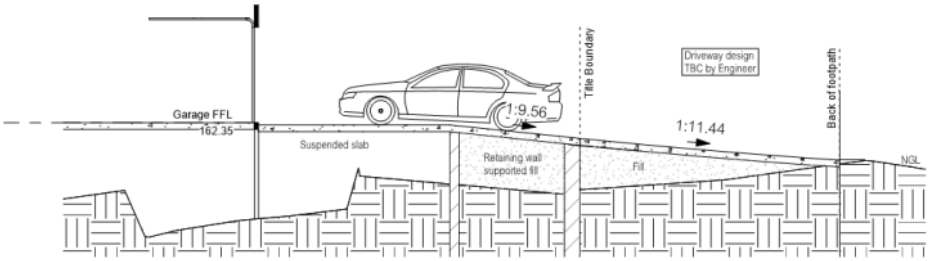


D5 - Driveway Long Section

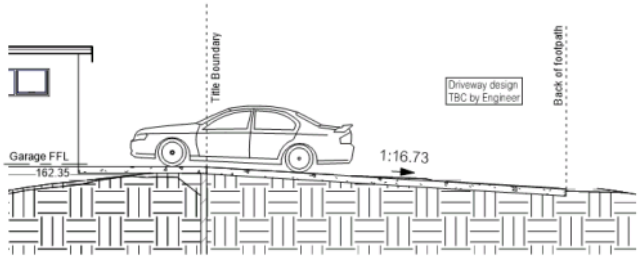
B85 Vehicle (Realistic min radius) (2004)

Overall Length	4.910m
Overall Width	1.870m
Overall Body Height	1.421m
Min Body Ground Clearance	0.159m
Track Width	1.770m
Lock to Lock Time	4.00s
Curb to Curb Turning Radius	5.750m

* Manoeuvring has been achieved using 'autotrack 10' Manoeuvring software.



D6 - Driveway Long Section



D7 - Driveway Long Section

No.	Date	Int.	
E	07 Jan. 20	JM	Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

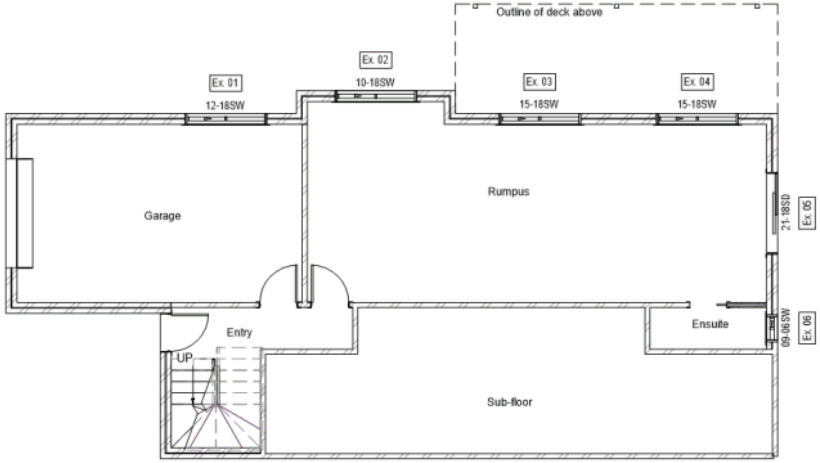
Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danvail Place
WEST HOBART

another perspective drafting&design

DRIVEWAY SECTIONS

Drawn	JM	AP2019-1681
Date	06 January 2020	Sheet
Scale	1 : 100	01c/05



Existing house floor plan drawn up from sale plan.

Floor Area = 87.61m²
Not including sub-floor

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

another perspective drafting&design

EXISTING GROUND FLOOR PLAN

Drawn	ST	AP2019-1681
Date	5 November 2019	Sheet
Scale	1 : 100	02/05

Existing house floor plan drawn up from sale plan.

Floor Area = 120.07m²

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:

ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info

PROPOSED JENKINSON ALTERATIONS

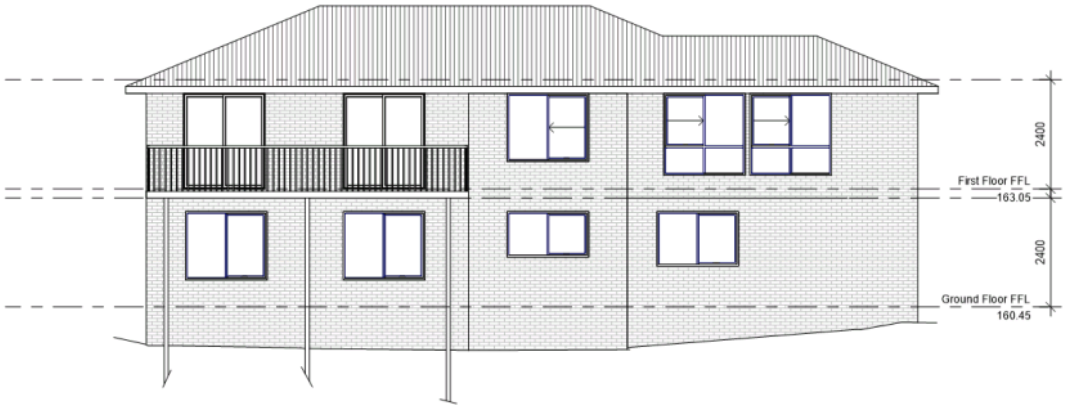
4 Danval Place
WEST HOBART

another perspective drafting&design

EXISTING FIRST FLOOR PLAN

Drawn	ST	AP2019-1681
Date	5 November 2019	Sheet
Scale	1 : 100	02a/05

Existing North Elevation



Existing East Elevation

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

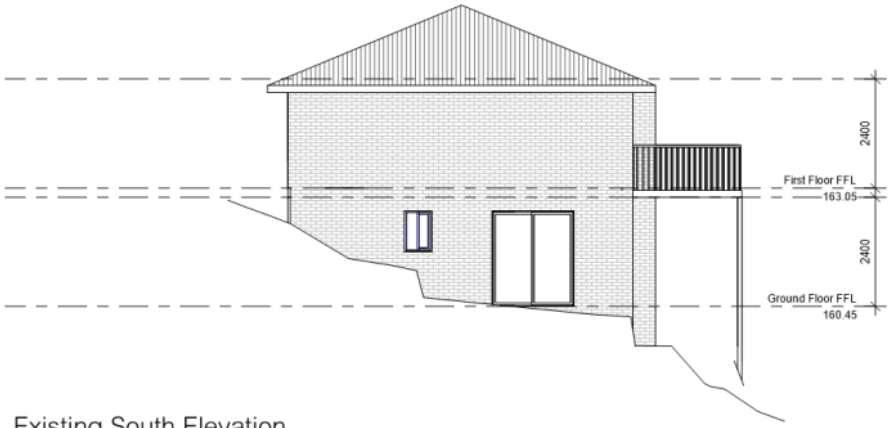
Client / Project info
PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

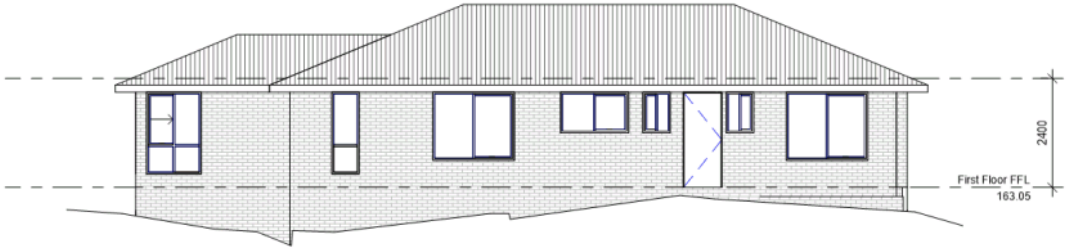
another perspective drafting&design

EXISTING ELEVATIONS SHEET 1

Drawn	ST	AP2019-1681	
Date	5 November 2019	Sheet	03/05
Scale	1 : 100		



Existing South Elevation



Existing West Elevation

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

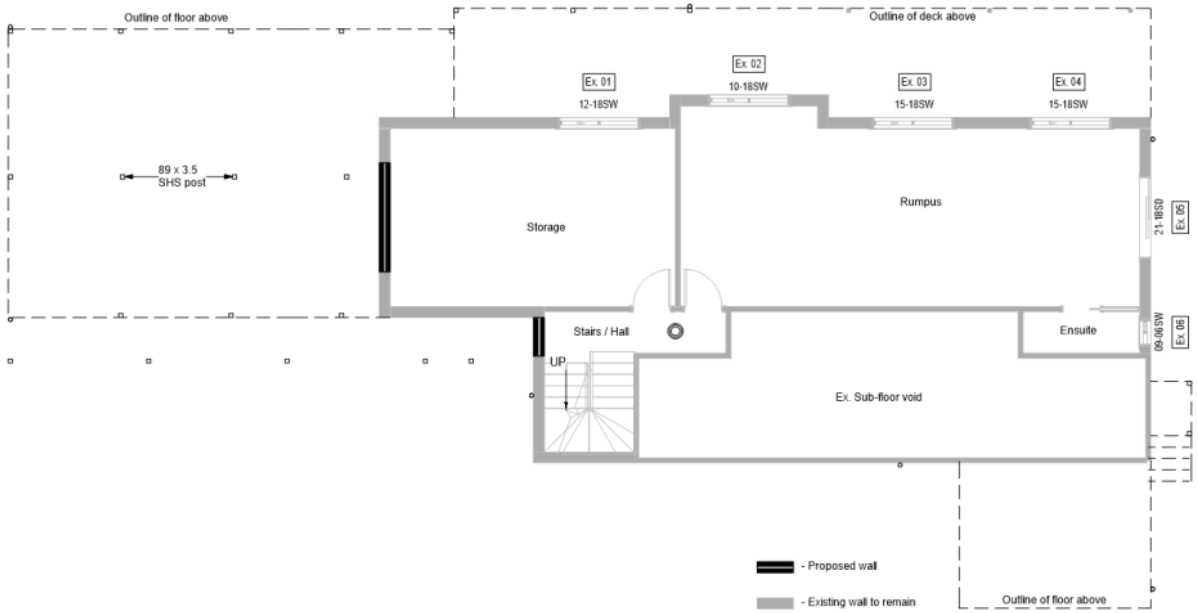
Client / Project info
PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

another perspective drafting&design

EXISTING ELEVATIONS SHEET 2

Drawn	ST	AP2019-1681	
Date	5 November 2019	Sheet	
Scale	1 : 100	03a/05	



Floor Area = 87.61m²

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:

ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info

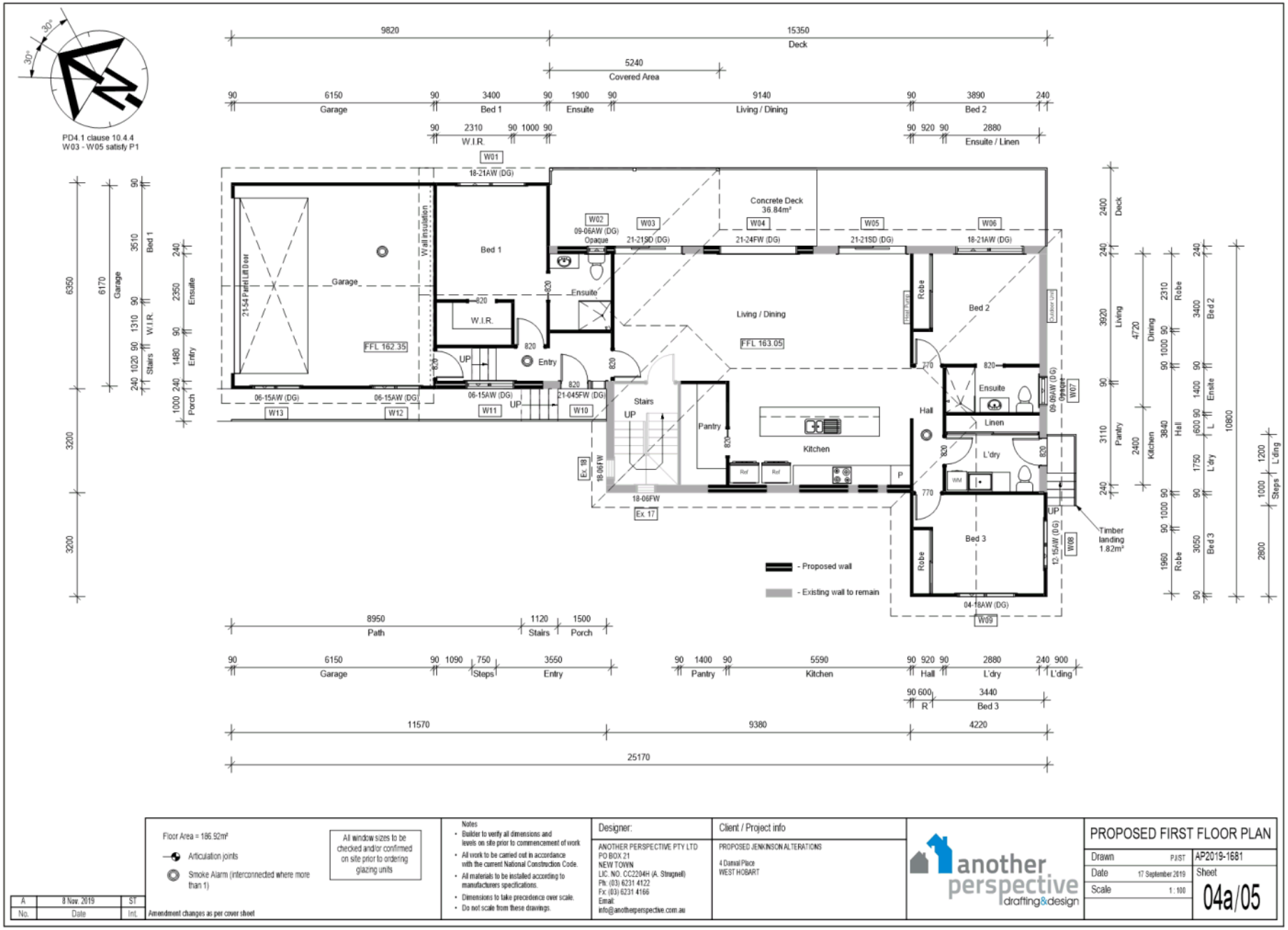
PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

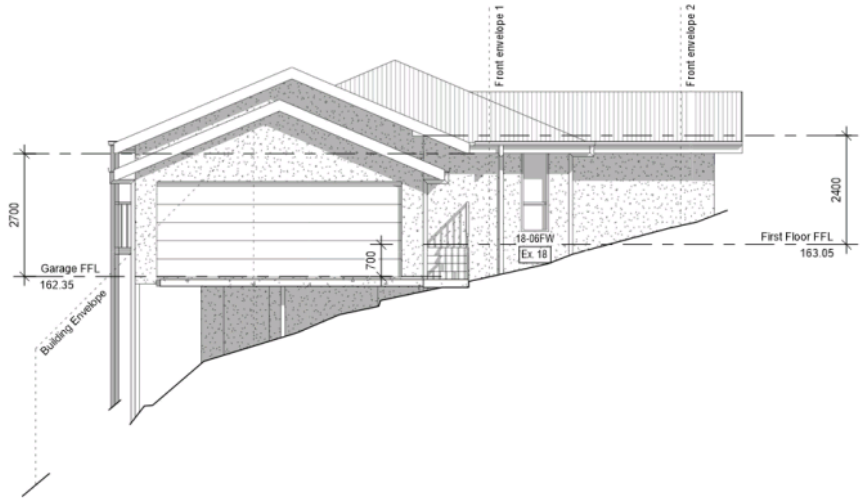
another perspective drafting&design

PROPOSED GROUND FLOOR PLAN

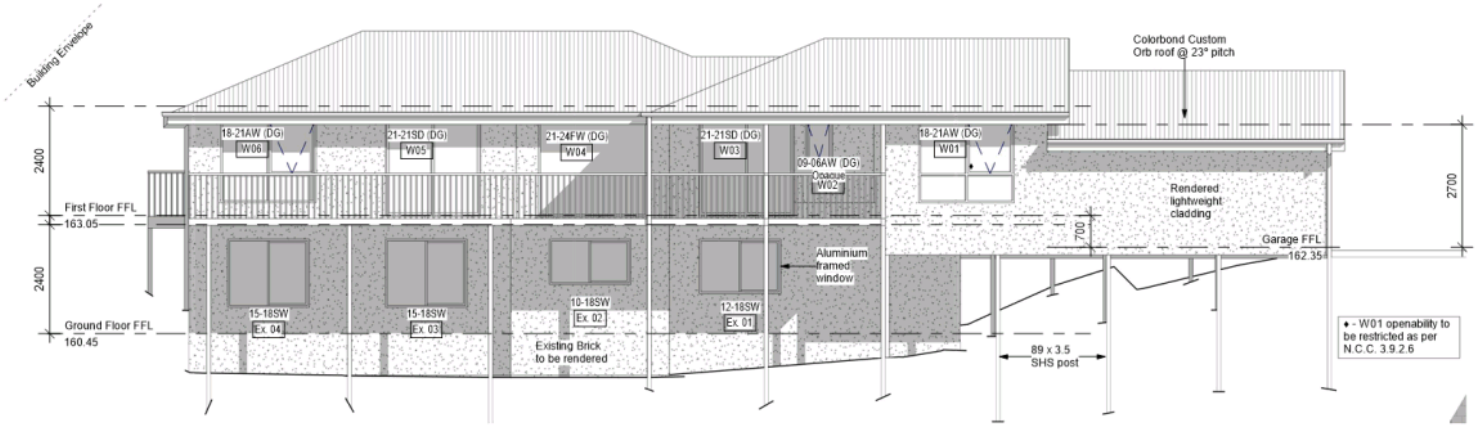
Drawn	ST	AP2019-1681	
Date	5 November 2019	Sheet	04/05
Scale	1 : 100		


PD4.1 clause 10.4.4
W03 - W05 satisfy P1
Garage
Bed 1
Ensuite
Living / Dining
Bed 2
W.I.R.
Ensuite / Linen
Deck
Covered Area
Concrete Deck
36.84m²
Entry
Stairs
Pantry
Kitchen
Hall
Linen
L'dry
Bed 3
Porch
Path
Steps
R
Timber landing
1.82m²
- Proposed wall
- Existing wall to remain
Floor Area = 186.92m²
Articulation joints
Smoke Alarm (interconnected where more than 1)
All window sizes to be checked and/or confirmed on site prior to ordering glazing units
Notes
Builder to verify all dimensions and levels on site prior to commencement of work
All work to be carried out in accordance with the current National Construction Code.
All materials to be installed according to manufacturers specifications.
Dimensions to take precedence over scale.
Do not scale from these drawings.
Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au
Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danvail Place
WEST HOBART
another perspective drafting&design
PROPOSED FIRST FLOOR PLAN
Drawn PJ/ST
Date 17 September 2019
Scale 1 : 100
AP2019-1681
Sheet
04a/05
A 8 Nov. 2019 ST
No. Date Int.
Amendment changes as per cover sheet

Material	Colour
Rendered Brick	tbc
Colorbond Roof	tbc
FC Sheet	tbc



Proposed North Elevation



Proposed East Elevation

All window sizes to be checked and/or confirmed on site prior to ordering glazing units

No.	Date	Int.	
A	8 Nov. 2019	ST	Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

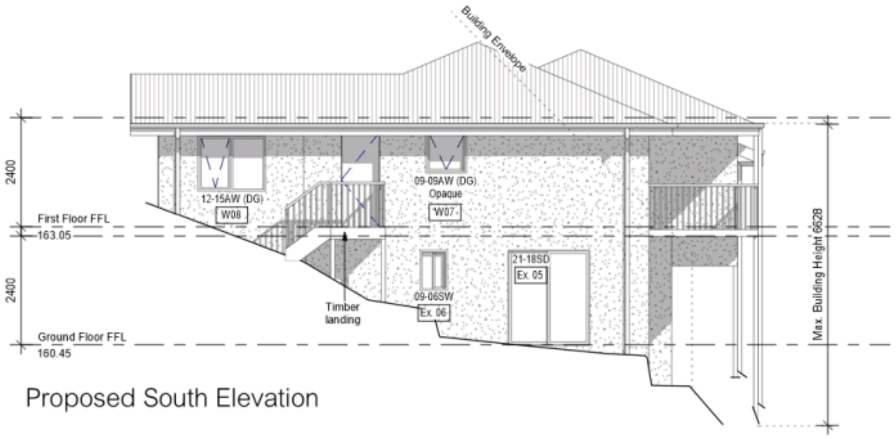
Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danvail Place
WEST HOBART

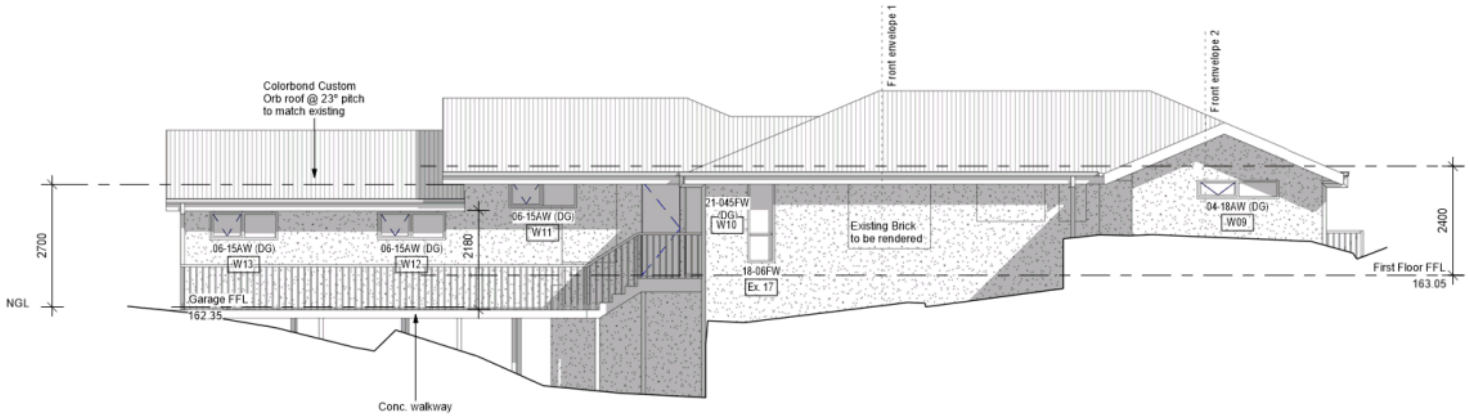
another perspective drafting&design

PROPOSED ELEVATIONS
SHEET 1

Drawn	PJ/ST	AP2019-1681
Date	2 October 2019	Sheet
Scale	1 : 100	05/05



Proposed South Elevation



Proposed West Elevation

All window sizes to be checked and/or confirmed on site prior to ordering glazing units

No.	Date	Int.	
A	8 Nov. 2019	ST	Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danvail Place
WEST HOBART

another perspective drafting&design

PROPOSED ELEVATIONS
SHEET 2

Drawn	PJ/ST	AP2019-1681
Date	2 October 2019	Sheet
Scale	1 : 100	05a/05

No.	Date	Int.	
A	8 Nov. 2019	ST	Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:

ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info

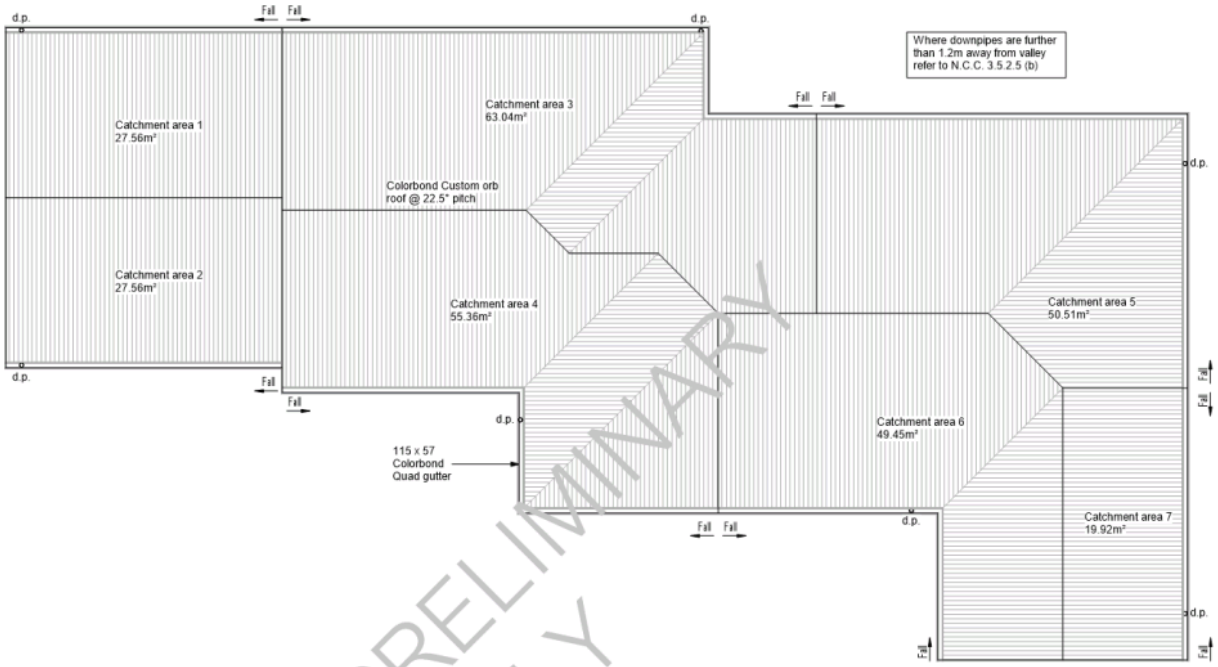
PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

another perspective drafting&design

PERSPECTIVES

Drawn	ST	AP2019-1681
Date	17 September 2019	Sheet
Scale		05b/05



PRELIMINARY ONLY

DOWNPIPE AND ROOF CATCHMENT AREA CALCULATIONS (as per AS/NZS 3500.3)		
Ah	242.47	Area of Roof (including 115mm Quad gutter) (m²)
Ac	293.39	Ah x Slope factor (Table 3.2 from AS/NZS 3500.3) (m²)
Ae	6555	Cross sectional area of assumed 57 x 115 Quad Gutter. (mm²)
DRI	100	Design Rainfall Intensity (determined from Figure E8 from AS/NZS 3500.3)
ACDP	64	Catchment area per Downpipe (determined from Figure 3.5(A) from AS/NZS 3500.3) (m²)
Required Downpipes	4.59	Ac ÷ Acdp
Downpipes Provided	7	

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

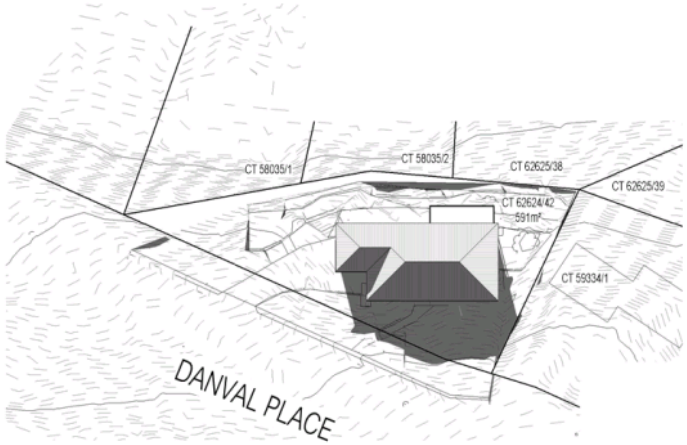
Client / Project info
PROPOSED JENKINSON ALTERATIONS
4 Danvail Place
WEST HOBART

another perspective drafting&design

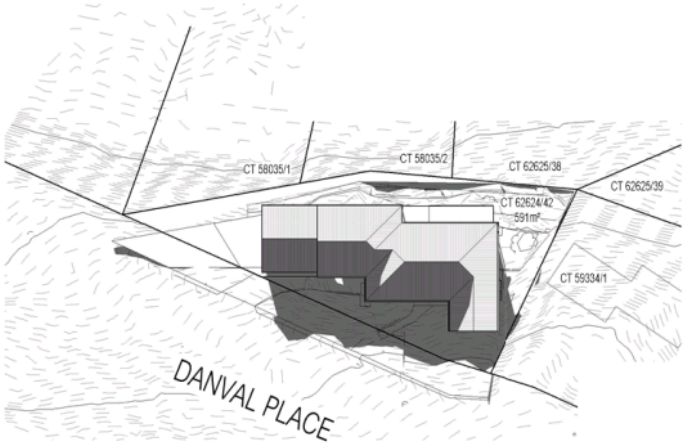
ROOF PLAN

Drawn	ST	AP2019-1681
Date	5 November 2019	Sheet
Scale	1 : 100	11/05

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

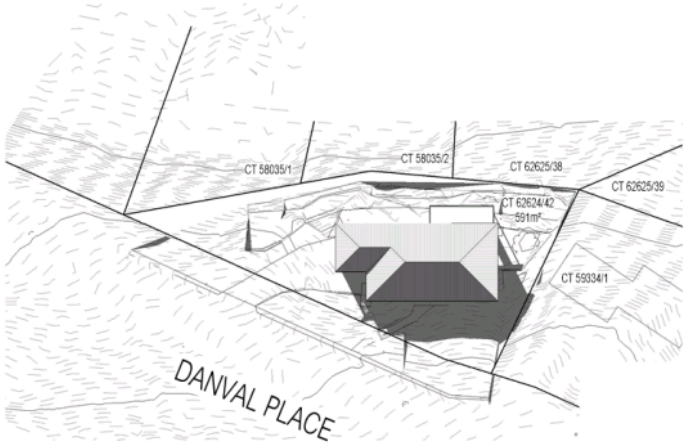
4 Danval Place
WEST HOBART

another perspective drafting&design

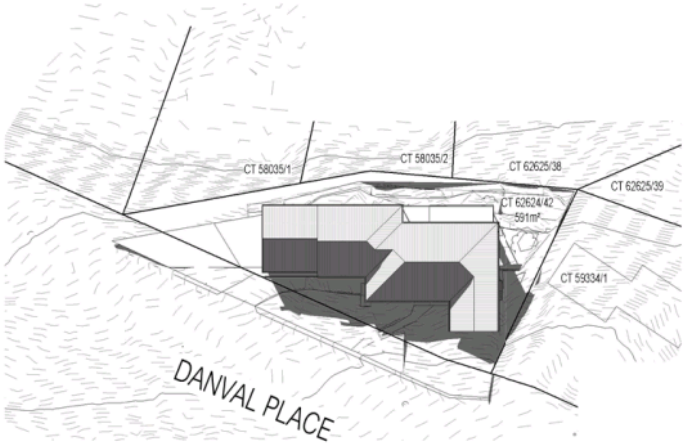
SHADOW DIAGRAM 9AM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD1/07

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

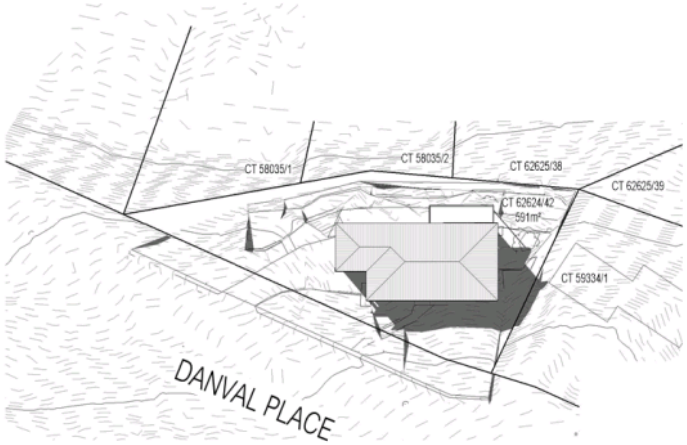
4 Danval Place
WEST HOBART

another perspective drafting&design

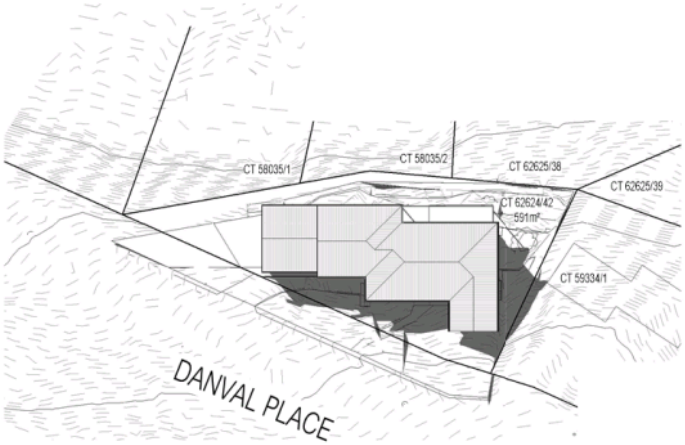
SHADOW DIAGRAM 10AM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD2/07

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

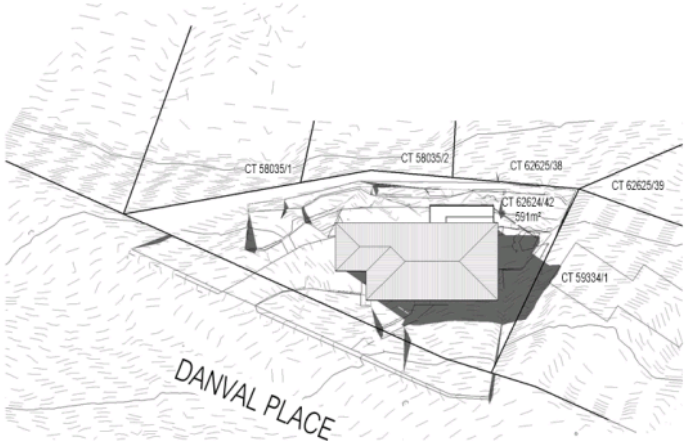
4 Danval Place
WEST HOBART

another perspective drafting&design

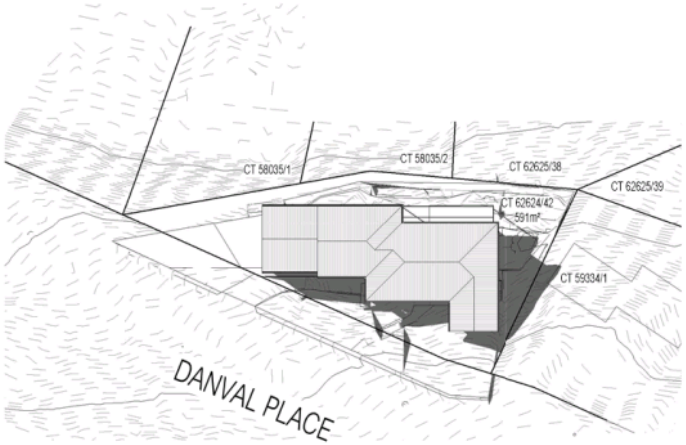
SHADOW DIAGRAM 11AM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD3/07

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

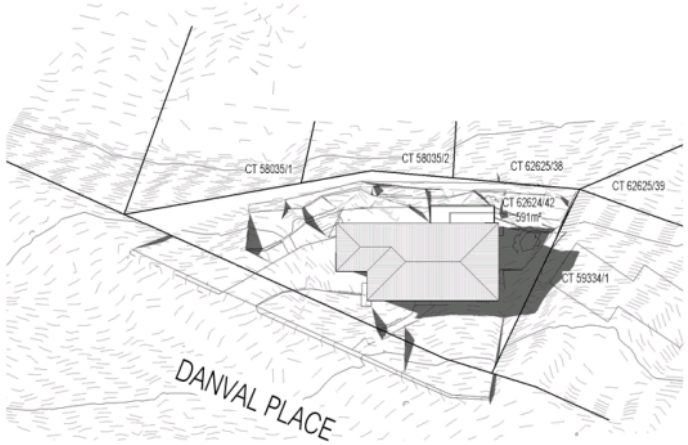
4 Danval Place
WEST HOBART

another perspective drafting&design

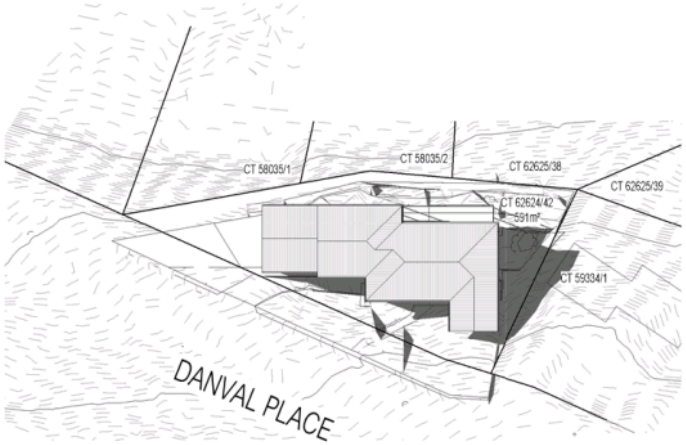
SHADOW DIAGRAM 12PM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD4/07

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

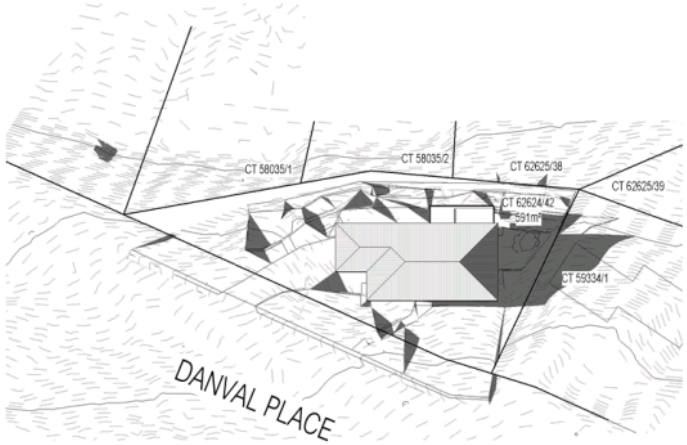
4 Danval Place
WEST HOBART

another perspective drafting&design

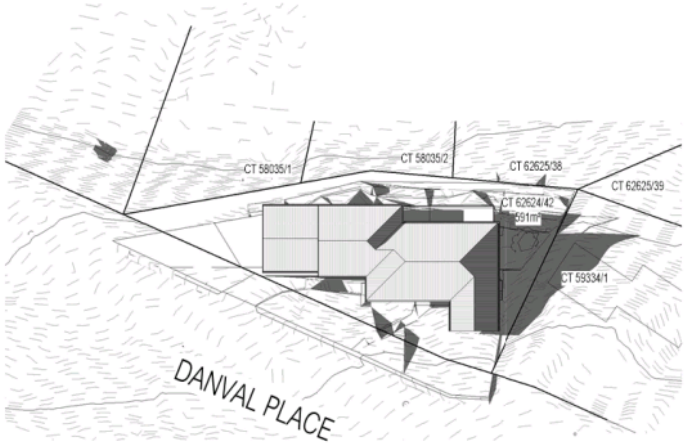
SHADOW DIAGRAM 1PM

Drawn	ST	AP2019-1681	
Date	26 November 2019	Sheet	
Scale	1 : 500	SD5/07	

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

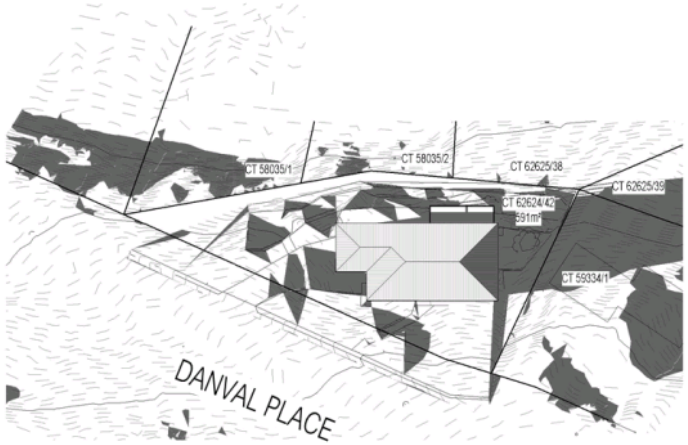
4 Danval Place
WEST HOBART

another perspective drafting&design

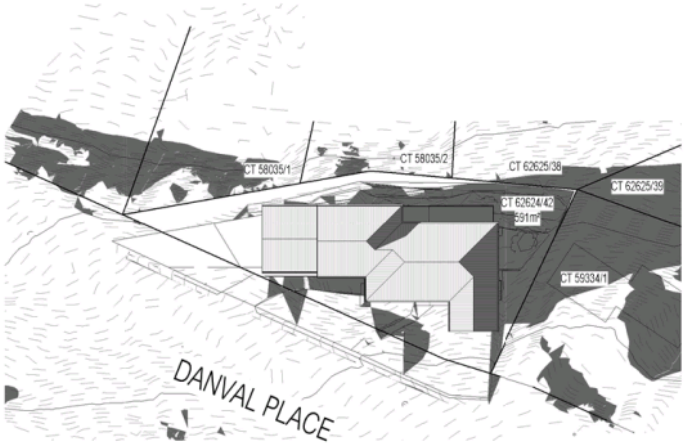
SHADOW DIAGRAM 2PM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD6/07

NOTES
- LATITUDE: -42°88'
  LONGITUDE: 147°31'
- No allowance for surrounding topography, trees, structures or fences.
- Terrain surface derived from detail survey and LIDAR data.



EXISTING



PROPOSED

No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:
ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info
PROPOSED JENKINSON ALTERATIONS

4 Danval Place
WEST HOBART

another perspective drafting&design

SHADOW DIAGRAM 3PM

Drawn	ST	AP2019-1681
Date	26 November 2019	Sheet
Scale	1 : 500	SD7/07

Level 1, 67 Letitia Street
NORTH HOBART TAS 7000
Ph: (03) 6231-4122
Fax: (03) 6231-4166

17 December 2019

Hobart City Council
GPO Box 503
Hobart TAS 7001

Re: 4 Danval Place WEST HOBART – Application No. PLN-19-818

Dear Sir/Madam,

I refer to your letter dated 12 December 2019 requesting additional information with regards to the planning application for 4 Danval Place WEST HOBART VALLEY.

ENGr Fi 2 Infrastructure

1. Refer to attached email from TasNetworks regarding works adjacent to power pole.

2. Refer to updated Site Plan (sheet 01) in amended plan set (amendment C) showing additional sections of vehicle crossover within and adjacent to the Danval Place Highway reservation (as per discussion with Meghan Kluver-Jones).

3. Refer to Manoeuvring Plan (sheet 01b) in amended plan set showing vehicle movements from the proposed crossover.

   Note that the worst case scenario of exiting the driveway has been shown (i.e. reversing out and driving down hill).
   Reversing and driving in the opposite direction (i.e. up hill, and turning in the cul-de-sac) provides an easier exit than the one shown.

If you require further information with regards to this submission, please let me know.

Regards,

Stuart French
Office Manager
Another Perspective Pty Ltd

From: Odin Kelly
To: Peter Johns
Subject: RE: General question...
Date: Wednesday, 27 November 2019 11:23:10 AM
Attachments: image001.jpg
image003.gif
image004.png
image005.jpg

G'day Peter

Apologies for the delayed response.

We recommend that the same distance is maintained that current exists and note that council may also have further standards that relate to turning of vehicles etc.

I'd also like to note the topography of the ground in this area and any development within the vicinity of the pole should not compromise the structural integrity of the pole.

If you require any further information, please don't hesitate to contact me

Cheers

Odin Kelly
Consultant Planner
Strategic Asset Management
P: 6271 6717 E odin.kelly@tasnetworks.com.au

Monday & Wednesday

1 – 7 Maria Street, Lenah Valley 7008
PO Box 606, Moonah TAS 7009

www.tasnetworks.com.au
@TasNetworks
/TasNetworks

From: Peter Johns <peter.johns@anotherperspective.com.au>
Sent: Tuesday, 19 November 2019 1:56 PM
To: Odin Kelly <Odin.Kelly@tasnetworks.com.au>
Subject: General question...

CAUTION: This email comes from an external source. Do not click links or open attachments unless you recognise the sender and know that the content is safe.

Hi Odin,

Hopefully this is a simpler question than the last couple....

We have a job (at 4 Danval Place WEST HOBART) where we are looking to move a driveway.
The slight complication is that there is a telegraph pole in the vicinity (it is hoped to move the driveway to the other side of the pole).

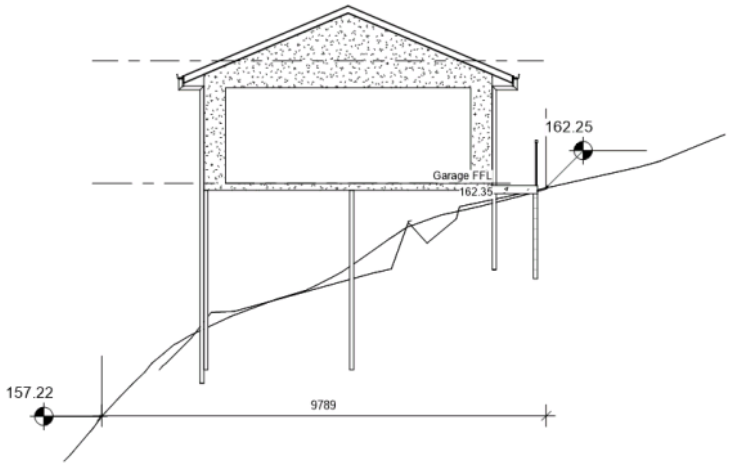
Is there a set distance that we need to be clear of a pole in this instance?
Are you also able to advise what, if any, approvals are required for a new crossover in the general vicinity of an existing telegraph pole?

If you require further info please let me know.

Cheers,
Peter

Peter Johns
Design Services Manager

The information contained in this message, and any attachments, may include confidential or privileged information and is intended solely for the intended recipient(s). If you are not an intended recipient of this message, you may not copy or deliver the contents of this message or its attachments to anyone. If you have received this message in error, please notify me immediately by return email or by the telephone number listed above and destroy the original message. This organisation uses third party virus checking software and will not be held responsible for the inability of third party software packages to detect or prevent the propagation of any virus how so ever generated.



No.	Date	Int.	
			Amendment changes as per cover sheet

Notes
- Builder to verify all dimensions and levels on site prior to commencement of work
- All work to be carried out in accordance with the current National Construction Code.
- All materials to be installed according to manufacturers specifications.
- Dimensions to take precedence over scale.
- Do not scale from these drawings.

Designer:

ANOTHER PERSPECTIVE PTY LTD
PO BOX 21
NEW TOWN
LIC. NO. CC2204H (A. Strugnell)
Ph: (03) 6231 4122
Fx: (03) 6231 4166
Email:
info@anotherperspective.com.au

Client / Project info

PROPOSED JENKINSON ALTERATIONS

4 Danvail Place
WEST HOBART

another perspective drafting&design

SITE SECTION

Drawn	ST	AP2019-1681
Date	26 February 2020	Sheet
Scale	1 : 100	AA/AA

7.2.3 63 GIBLIN STREET, LENAH VALLEY - SUBDIVISION (ONE ADDITIONAL LOT) PLN-19-454 - FILE REF: F20/27209

Address:	63 Giblin Street, Lenah Valley
Proposal:	Subdivision (One Additional Lot)
Expiry Date:	14 April 2020
Extension of Time:	Not applicable
Author:	Richard Bacon

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a subdivision (one additional lot) at 63 Giblin Street Lenah Valley TAS 7008 for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.6.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the subdivision includes a proposed Lot 1 which does not achieve the minimum lot size required for an internal lot under Table 10.1.

Attachment A:	PLN-19-454 - 63 GIBLIN STREET LENAH VALLEY TAS 7008 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-19-454- 63 GIBLIN STREET LENAH VALLEY TAS 7008 - CPC Agenda Documents ⇩

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	14 April 2020
Application No:	PLN-19-454
Address:	63 GIBLIN STREET , LENAH VALLEY
Applicant:	Chris Andrews (C L Andrews and Associates Pty Ltd) 57 Mount Rumney Road
Proposal:	Subdivision (One Additional Lot)
Representations:	Two
Performance criteria:	General Residential Zone Subdivision and Development Standards, and Parking and Access Code

1. Executive Summary

1.1 Planning approval is sought for a subdivision (one additional lot) at 63 Giblin Street Lenah Valley.

1.2 More specifically the proposal includes:

- Proposed lot 2 would be the front lot containing the existing dwelling, and would measure 564 square metres in area.
- Proposed lot 1 would be the rear lot measuring 550 square metres in area, including a 100 square metre and 3.6 metre wide access strip to Giblin Street.

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

1.3.1 General Residential Zone Development Standards - Subdivision and Siting

1.3.2 Parking and Access Code - Vehicle Passing

1.4 Two representations objecting to the proposal were received within the statutory advertising period between the 28th January and the 12th February 2020.

1.5 The proposal must be refused.

1.6 The final decision is delegated to the Council.

2. Site Detail

2.1 No.63 Giblin Street is within the General Residential Zone and is occupied by a dwelling. It is 1113 square metres in area. It is in an established residential area. Thee intersection of Giblin Street and Augusta Road is approximately 70m to the south.

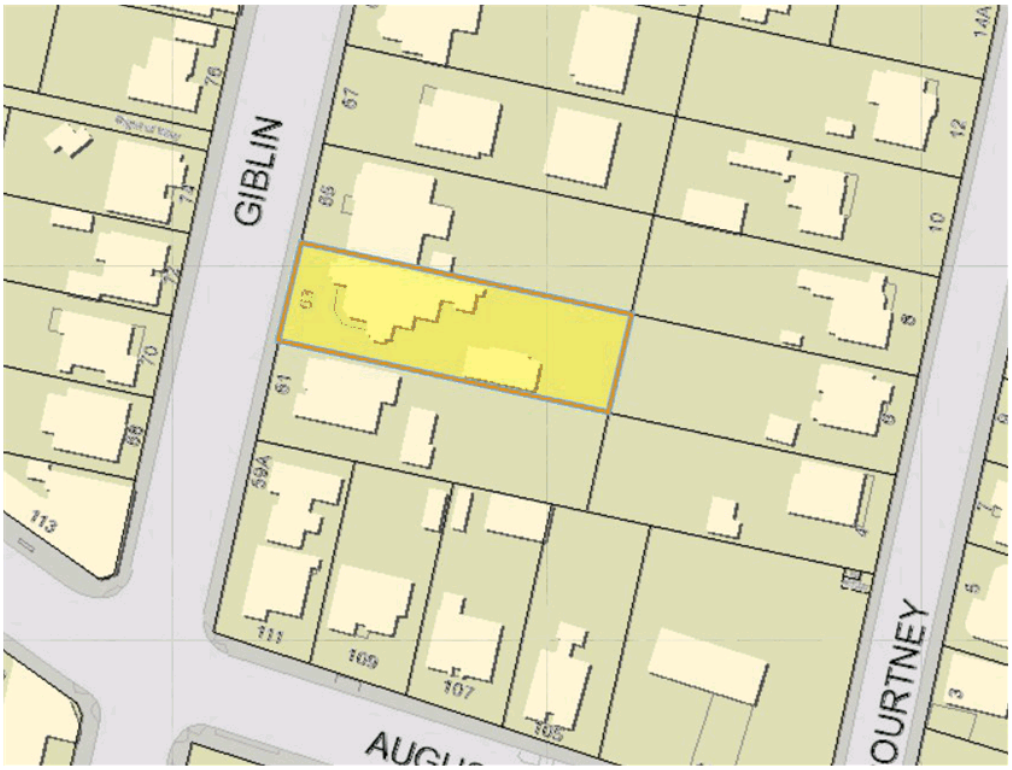


Figure 1 above: location plan with site central to image, highlighted yellow.

Figure 2 above: aerial photograph with site central to image, bordered in blue.

Figure 3 above: Giblin Street view of site central to image.

3. Proposal

3.1 Planning approval is sought for a subdivision (one additional lot) at No.63 Giblin Street Lenah Valley.

3.2 More specifically the proposal is for:

- Proposed lot 2 would be the front lot and contain the existing dwelling, and would measure 564 square metres in area.
- Proposed lot 1 would be the rear lot and would measure 550 square metres in area, including a 100 square metres and 3.6 metre wide access strip to Giblin Street.

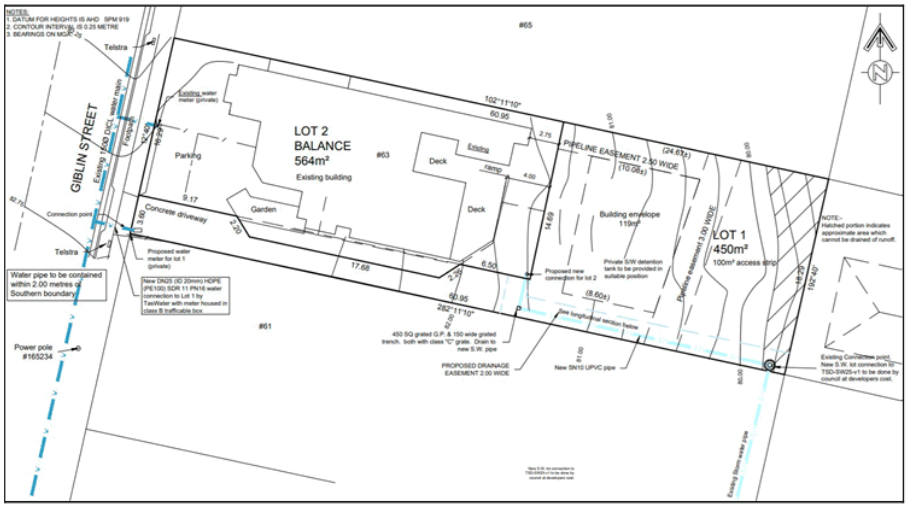


Figure 4: Proposed plan of subdivision.

4. Background

4.1 Previous PLN-15-00424 for a subdivision (one additional lot) at the subject site was issued planning approval by Council dated the 30th June 2015. It was assessed under the previous City of Hobart Planning Scheme 1982.

4.2 The previously approved plan was similar to that currently proposed, with the exception that lot 2 (the front lot) measured 665 square metres (now 564 square metres), and lot 1 measured 450 square metres (now 550 square metres). Under the previously approved plan, lot 1 would have had right of way access only, across lot 2. In comparison, the current proposal has a full 3.6m wide access strip as part of lot 1.

4.3 An application for an extension of the previous permit was made under ETA-18-28 dated the 9th March 2018. The extension of time application was refused as at the time of request, the planning permit had already expired on the 30th June 2017 (or with the 6 month allowance under the *Land Use Planning and Approvals Act 1993*, on the 30th December 2017).

4.4 An application for a partial demolition, extension and alterations to the existing dwelling at the site under PLN-19-884 was planning approved dated the 16th January 2020. The works under that application would be contained within the proposed lot 2 under the subject application.

5. Concerns raised by representors

5.1 Two representations objecting to the proposal were received within the statutory advertising period between the 28th January and the 12th February 2020.

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.

Amenity impact from future development -concern at small proposed lot size, and probable two storey dwelling; -two storey building unacceptable in context of its location; concern at side and rear setbacks of future development; -loss of privacy from such development; -noise impact from future development; -visual impact from future development; -overshadowing impact from future development.
Lot size -proposed lot size too small.
Traffic -traffic concern.
Pedestrian traffic -pedestrian traffic concern given schools in vicinity; -traffic danger to school children; -traffic danger to pedestrians; -traffic danger to cyclists.
Traffic noise -detrimental impact of traffic noise.
Vehicle access -vehicle access and right of way concern.
Water runoff -concern at potential stormwater and other runoff.

Use -existing building at No.63 already divided into two dwellings; -proposal would result in three dwellings on the site. (Planners note: the site is rated by Council as a single dwelling.)
Other -will disturb root systems of neighbouring trees.
Other comment -We urge Council to undertake a comprehensive assessment of the current traffic issues in the immediate area of the Giblin Street/ Augusta road intersection before making any decisions to approve this application and any applications for subdivision in this immediate area. -We urge Council to prioritise the safety and well being of the local residents and general public ahead of the desire for property owners to cash in on the boom in property prices by applying for subdivision. -We also request that if the subdivision is approved, that any future planning application for building a residence on Lot 1 are made available to us (and others) and that we are provided with the opportunity to make a representation to Council in relation to such a planning application.

6. Assessment

6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.

6.3 The existing use is residential and no change of use is proposed.

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 Subdivision and Development Standards:

Subdivision lot size - lot 1 – Part D 10.6.1 P1
Subdivision building area – Part D 10.6.1 P2
Subdivision internal lot– Part D 10.6.1 P4
Rear setback - Part D 10.4.2 P3

6.5.5 Parking and Access Code

Vehicle passing - Part E 6.7.3 P1

6.6 Each performance criterion is assessed below.

6.7 Subdivision lot size Part D 10.6.1 P1

6.7.1 The acceptable solution at clause 10.6.1 A1 states as follows.

The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.

Table 10.1 specifies a minimum size for an internal lot of 550 square metres <u>not including any access strip</u>.

6.7.2 The proposal includes rear lot 1 with a size of 550 square metres including the access strip, which is 100sqm in area. This means the lot size for the purposes of assessment against 10.6.1 A1 is 450 square metres.

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

6.7.4 The performance criterion at clause 10.6.1 P1 provides as follows:

The size of each lot must satisfy all of the following:
(a) variance above the maximum lot size in Table 10.1 only to the extent

necessary due to demonstrated site constraints;
(b)be consistent with any applicable Local Area Objectives or Desired Future Character Statements for the area.

6.7.5 Performance criterion 10.6.1 P1 only contemplates increasing the maximum size area of a lot above that permitted under table 10.1 (550 square metres). It does not allow Council to approve lots which are below the minimum lot size and so these lots are effectively prohibited under the standard. Clause 10.6.1 P1 only allows Council to approve lots above the maximum lot size where necessary to address site constraints (e.g. a very steep lot) and the variance is consistent with any applicable Local Area Objectives or Desired Future Character Statement (of which there are none for the General Residential Zone).

6.7.6 Council has received legal advice from Page Seager which concluded that the maximum lot size in A1 has a corresponding performance criteria in P1; however the minimum lot size in A1 does not have a corresponding performance criteria in P1. The advice stated that it is not unusual for an acceptable solution to have either (a) no performance criteria at all or (b) performance criteria that responds to only certain parts of its corresponding acceptable solution, and so there is nothing particularly unusual in the drafting of the clauses.

6.7.7 The legal advice concludes that "put simply, the acceptable solution as to a minimum lot size in Acceptable Solution A1 of clause 10.6.1 has no corresponding performance criteria and therefore must be complied with ..... <u>the result is that the minimum lot size requirement set out in Table 10.1 is fixed, must be complied with, and failure to comply renders a subdivision prohibited.</u>"

6.7.7 The applicant was provided with the following advice following the initial lodgement of the proposal.

> 'Please be advised that under the Hobart Interim Planning Scheme 2015, the site is within the General Residential Zone where, under Clause 10.6 Table 10.1 an internal lot must have a minimum lot size of 550 square metres not including an access strip. Lot 1 would have a size of 550 square metres including the access strip.
>
> The concern is that Clause 10.6.1 effectively prohibits the current proposal.

Please be advised that the final decision for any application ultimately rests with Council Aldermen at any Council meeting.

I note that the new Tasmanian Planning Scheme which would ultimately replace the current Interim Planning Scheme is pending and that potentially there would be no mandatory minimum lot size'.

6.7.8 The proposal to create a 450 square metre internal lot (with a 100 square metre access strip) in the General Residential Zone, which is smaller than the minimum lot size of 550 square metres (not including any access strip) required by clause 10.6.1 A1, does not comply with the performance criterion clause 10.6.1 P1, is prohibited by the provisions of the planning scheme, and must be refused.

6.8 Subdivision building area Part D 10.6.1 P2

6.8.1 The acceptable solution at clause 10.6.1 A1 (f) states a subdivision building area of 10m by 15m in size.

6.8.2 The proposal includes a building area for lot 1 of approximately 10 metres by 13 metres in size with a total of 119 square metres in area.

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

6.8.4 The performance criterion at clause 10.6.1 P2 provides as follows:

The design of each lot must contain a building area able to satisfy all of the following:
(a) be reasonably capable of accommodating residential use and development;
(b) meets any applicable standards in codes in this planning scheme;
(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;
(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;
(e) provides for sufficient useable area on the lot for both of the following;
(i) on-site parking and manoeuvring;
(ii) adequate private open space.

6.8.5 The proposed subdivision building area would be below that specified under the Acceptable Solution, being 119 square metres as opposed to the permitted 150 square metres. The space available for subdivision

building area is constricted by the position of the existing frontage dwelling, and a rear underground main. A land area of the size proposed is considered likely to be able to accommodate a dwelling within the building envelope under Clause 10.4.2 of the Scheme, while making allowance for rear private open space, parking and access on the remaining land within the lot.

Concern has been raised that the proposed subdivision building area would require the future development of a two level dwelling. The site is within the General Residential Zone where the permitted building envelope under Clause 10.4.2 allows a potential height of up to 8.5 metres subject to boundary setbacks. Again, the proposed subdivision building area is considered to allow for reasonable scope for any future dwelling on the site.

6.8.6 The proposal complies with the performance criterion.

6.9 Subdivision internal lot Part D 10.6.1 P4

6.9.1 There is no acceptable solution for Clause 10.6.1 A4.

6.9.2 The proposal includes an internal lot with an access strip frontage width of 3.6 metres.

6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at Clause 10.6.1 P4 provides as follows:

An internal lot must satisfy all of the following:
(a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;
(b) it is not reasonably possible to provide a new road to create a standard frontage lot;
(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;
(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;
(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;
(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;

(g) passing bays are provided at appropriate distances to service the likely future use of the lot;
(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;
(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.
(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

6.9.5 With respect to (a), the proposed lots will gain access off Giblin Street, which is a road that existed prior to the planning scheme coming into operation.
With respect to (b), it is not possible to create a new road to provide a greater frontage for the proposed rear lot 1.
With respect to (c), there appears no other practicable way to gain access to the rear of the lot.
With respect to (d) and (e), the subdivision will create a new lot that will be reasonable able to accommodate further residential development in line with the requirements of the planning scheme.
With respect to (f), the proposed rear lot 1 has a 3.6m wide access strip providing access to Giblin Street.
With respect to (g), the proposal is assessed below against the performance criteria for passing bays (see paragraph 6.11), with the Council's Senior Development Engineer indicating conditional support for the proposal.
With respect to (h), the access strip is not adjacent to any other access strips.
With respect to (i), a condition to this effect would be imposed on any permit issued.
With respect to (j), this is not applicable as the site does not address public open space or a public right of way.

6.9.6 The proposal complies with the performance criterion.

6.10 Setback and Building Envelope Part D 10.4.2 P3

6.10.1 The acceptable solution at clause 10.4.2 A3 requires compliance with the building envelope including a 4 metre rear boundary setback.

6.10.2 The proposal includes an existing rear outbuilding on lot 2 within 4 metres of the proposed new rear property boundary.

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

6.10.4 The performance criterion at clause 10.4.2 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.

6.10.5 The rear of the existing dwelling on Lot 2 contains a deck and an attached outbuilding. The rear boundary of the proposed Lot 1 would be setback 4.0 metres from the deck, and 2.75 metres at its closest point to the rear outbuilding. The rear boundary of Lot 1 would be setback 7.51 metres from the rear wall of the dwelling proper.

The rear boundary setback of the dwelling proper and the attached low deck, from the proposed rear boundary of Lot 1, would meet the Acceptable Solution under Clause 10.4.2 A3. The outbuilding would be the sole basis of discretion in this regard. There is considered unlikely to be any excessive visual impact from such an arrangement, for either Lot. Impact in terms of morning sun to Lot 2, or afternoon sun to Lot 1, is likewise considered within acceptable bounds. On balance, impact on the amenity of either the amenity of the existing dwelling on Lot 2, or any future dwelling on Lot 1, is considered unlikely to be excessive.

Application PLN-19-884 was approved dated the 16th January 2020 and includes a minor rear extension. The setback of the approved extension would be 2.150 metres from the boundary of the proposed lot 1. Again, impact on the amenity of either the amenity of the existing dwelling on Lot 2, or any future dwelling on Lot 1, is considered unlikely to be excessive.

6.10.6 The proposal complies with the performance criterion.

6.11 Vehicle Passing Areas along an Access Part E 6.7.3 P1

6.11.1 The acceptable solution at clause E6.7.3 A1 states as follows.

Vehicular passing areas must:
(a) be provided if any of the following applies to an access:
(i) it serves more than 5 car parking spaces;
(ii) is more than 30 m long;
(iii) it meets a road serving more than 6000 vehicles per day;
(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;
(c) have the first passing area constructed at the kerb;
(d) be at intervals of no more than 30 m along the access.

6.11.2 The proposal includes an passing bays that do not comply with the Acceptable Solution.

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

6.11.4 The performance criterion at clause E6.7.3 P1 provides as follows:

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:
(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;
(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;
(c) suitability for the type and volume of traffic likely to be generated by the use or development;
(d) ease of accessibility and recognition for users.

6.11.5 Assessment of the performance criterion by Council's Senior Development Engineer follows.

Council's Senior Development Engineer indicates that the passing bays as proposed do not meet the performance criteria, and as such recommends that the proposal can be supported in terms of vehicle passing area requirements, subject to the following conditions being imposed on any permit issued.

- Passing bay 5.5m wide and 6m long to be provided at the kerb prior to the sealing of the final plan.
- Crossover widened to TSD to match passing bay prior to sealing of final plan.

6.11.6 The proposal complies with the performance criterion subject to conditions.

7. Discussion

7.1 Planning approval is sought for a subdivision (one additional lot) at 63 Giblin Street Lenah Valley.

7.2 The application was advertised and received two representations. The representations raised concerns including inadequate lot size, loss of amenity and traffic.

7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered unacceptable in terms of subdivision lot size provisions under the Scheme.

7.4 The applicant has been consulted with regard to subdivision standards under the Planning Scheme, and has been advised of the likely officer recommendation of refusal of the proposal.

As stated, the applicant was provided with advice following the initial lodgement of the proposal that the proposal was contrary to the requirements of clause 10.6.1 A1 and P1. The applicant proceeded with the application as originally lodged notwithstanding this advice.

The applicant has granted an extension of time to allow for Council consideration of the proposal.

The application was deferred at the applicant's request dated 25/2/2020, to allow for the resolution of driveway passing requirements (under the Parking and Access Code) with Council's Senior Development Engineer.

7.5 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Manager Surveying Services and Manager Parks. The officers have raised no objection to the proposal, subject to conditions.

7.6 The proposal is for a subdivision that creates a sub-minimal internal lot (Lot 1). There is no discretion to approve a sub-minimal internal lot under performance criterion 10.6.1 P1, and so the proposal must be refused.

8. Conclusion

8.1 The proposed subdivision (one additional lot) at 63 Giblin Street Lenah Valley TAS 7008 does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and must be refused.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a subdivision (one additional lot) at 63 Giblin Street Lenah Valley TAS 7008 for the following reasons:

1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.6.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the subdivision includes a proposed Lot 1 which does not achieve the minimum lot size required for an internal lot under Table 10.1.

(Richard Bacon)

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

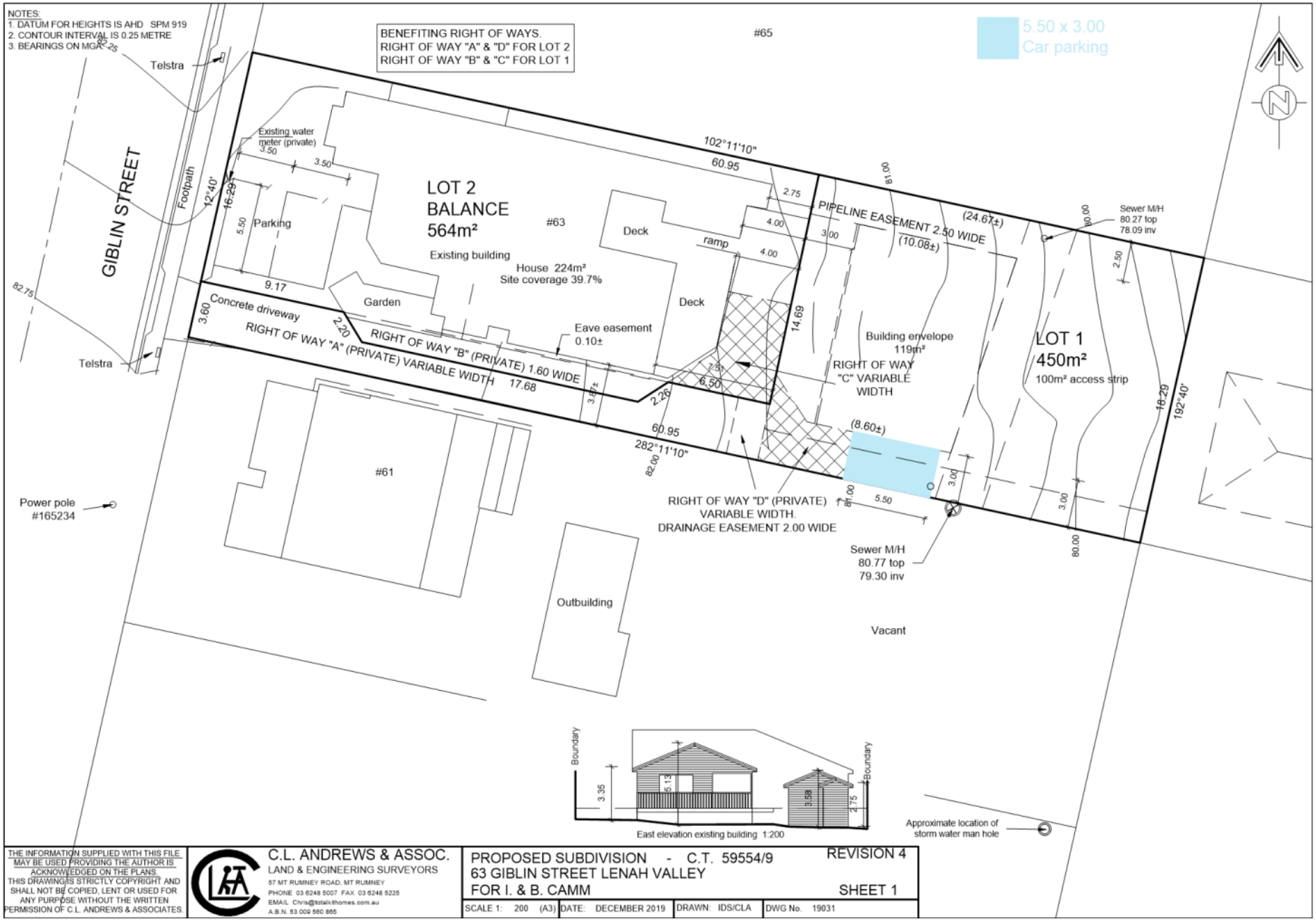
(Ben Ikin)
Senior Statutory Planner

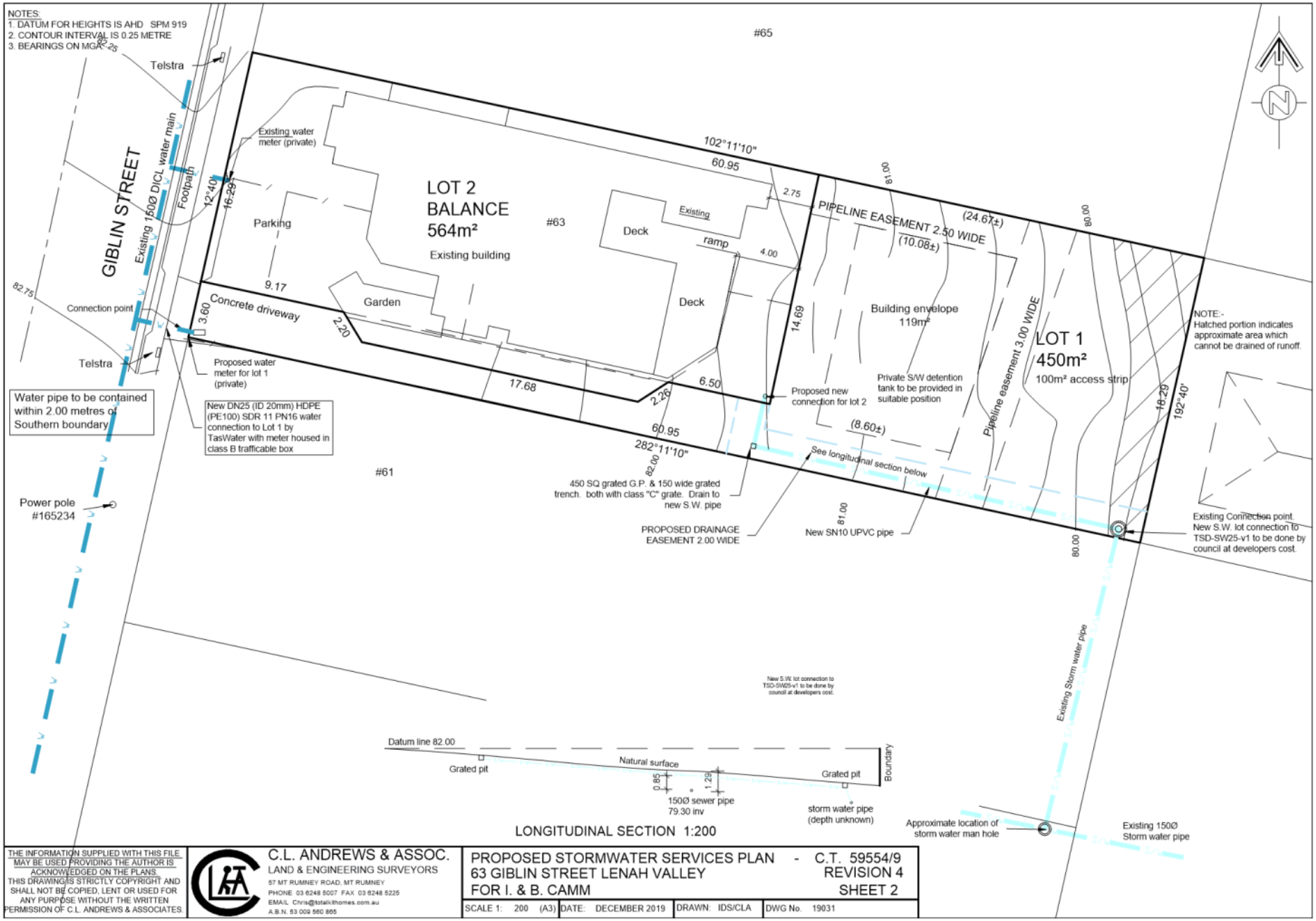
As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

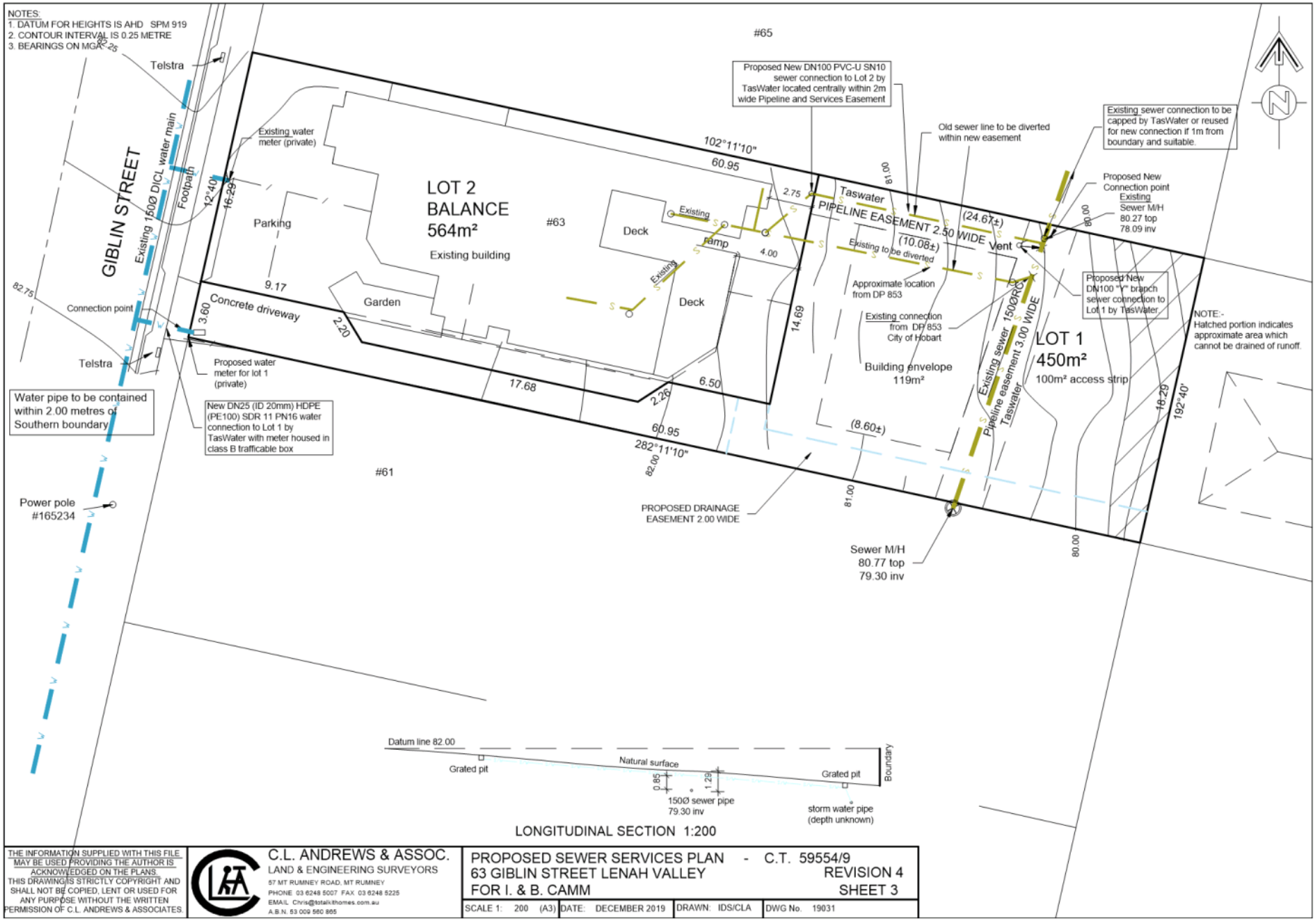
Date of Report: 25 February 2020

Attachment(s):

Attachment B - CPC Agenda Documents


NOTES:
1. DATUM FOR HEIGHTS IS AHD SPM 919
2. CONTOUR INTERVAL IS 0.25 METRE
3. BEARINGS ON MGA
BENEFITING RIGHT OF WAYS.
RIGHT OF WAY "A" & "D" FOR LOT 2
RIGHT OF WAY "B" & "C" FOR LOT 1
#65
5.50 x 3.00
Car parking
Telstra
GIBLIN STREET
Footpath
Existing water meter (private)
LOT 2
BALANCE
564m²
#63
Existing building
House 224m²
Site coverage 39.7%
Parking
Deck
ramp
Garden
Concrete driveway
RIGHT OF WAY "A" (PRIVATE) VARIABLE WIDTH
RIGHT OF WAY "B" (PRIVATE) 1.60 WIDE
Eave easement 0.10±
PIPELINE EASEMENT 2.50 WIDE
Building envelope 119m²
RIGHT OF WAY "C" VARIABLE WIDTH
LOT 1
450m²
100m² access strip
Sewer M/H 80.27 top 78.09 inv
RIGHT OF WAY "D" (PRIVATE) VARIABLE WIDTH.
DRAINAGE EASEMENT 2.00 WIDE
Sewer M/H 80.77 top 79.30 inv
#61
Power pole #165234
Outbuilding
Vacant
Boundary
East elevation existing building 1:200
Approximate location of storm water man hole
THE INFORMATION SUPPLIED WITH THIS FILE MAY BE USED PROVIDING THE AUTHOR IS ACKNOWLEDGED ON THE PLANS.
THIS DRAWING IS STRICTLY COPYRIGHT AND SHALL NOT BE COPIED, LENT OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF C.L. ANDREWS & ASSOCIATES.
C.L. ANDREWS & ASSOC.
LAND & ENGINEERING SURVEYORS
57 MT RUMNEY ROAD, MT RUMNEY
PHONE 03 6248 5007 FAX 03 6248 5225
EMAIL Chris@totalkithomes.com.au
A.B.N. 53 009 560 865
PROPOSED SUBDIVISION - C.T. 59554/9
63 GIBLIN STREET LENAH VALLEY
FOR I. & B. CAMM
REVISION 4
SHEET 1
SCALE 1: 200 (A3)
DATE: DECEMBER 2019
DRAWN: IDS/CLA
DWG No. 19031


NOTES:
1. DATUM FOR HEIGHTS IS AHD SPM 919
2. CONTOUR INTERVAL IS 0.25 METRE
3. BEARINGS ON MGA
GIBLIN STREET
Existing 150Ø DICL water main
Footpath
Telstra
Connection point
Existing water meter (private)
Parking
LOT 2
BALANCE
564m²
Existing building
#63
#65
#61
Deck
Existing ramp
Garden
Concrete driveway
102°11'10"
60.95
282°11'10"
PIPELINE EASEMENT 2.50 WIDE
(10.08±)
(24.67±)
Building envelope
119m²
Private S/W detention tank to be provided in suitable position
Pipeline easement 3.00 WIDE
LOT 1
450m²
100m² access strip
192°40'
NOTE:-
Hatched portion indicates approximate area which cannot be drained of runoff.
Water pipe to be contained within 2.00 metres of Southern boundary
Proposed water meter for lot 1 (private)
New DN25 (ID 20mm) HDPE (PE100) SDR 11 PN16 water connection to Lot 1 by TasWater with meter housed in class B trafficable box
Proposed new connection for lot 2
See longitudinal section below
450 SQ grated G.P. & 150 wide grated trench. both with class "C" grate. Drain to new S.W. pipe
PROPOSED DRAINAGE EASEMENT 2.00 WIDE
New SN10 UPVC pipe
Existing Connection point. New S.W. lot connection to TSD-SW25-v1 to be done by council at developers cost.
Power pole #165234
Existing Storm water pipe
Datum line 82.00
Natural surface
Grated pit
Boundary
150Ø sewer pipe 79.30 inv
storm water pipe (depth unknown)
Approximate location of storm water man hole
Existing 150Ø Storm water pipe
LONGITUDINAL SECTION 1:200
THE INFORMATION SUPPLIED WITH THIS FILE MAY BE USED PROVIDING THE AUTHOR IS ACKNOWLEDGED ON THE PLANS. THIS DRAWING IS STRICTLY COPYRIGHT AND SHALL NOT BE COPIED, LENT OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF C.L. ANDREWS & ASSOCIATES.
C.L. ANDREWS & ASSOC.
LAND & ENGINEERING SURVEYORS
57 MT RUMNEY ROAD, MT RUMNEY
PHONE 03 6248 5007 FAX 03 6248 5225
EMAIL Chris@totalkithomes.com.au
A.B.N. 53 009 560 865
PROPOSED STORMWATER SERVICES PLAN - C.T. 59554/9
63 GIBLIN STREET LENAH VALLEY REVISION 4
FOR I. & B. CAMM SHEET 2
SCALE 1: 200 (A3) DATE: DECEMBER 2019 DRAWN: IDS/CLA DWG No. 19031


NOTES:
1. DATUM FOR HEIGHTS IS AHD SPM 919
2. CONTOUR INTERVAL IS 0.25 METRE
3. BEARINGS ON MGA
GIBLIN STREET
Existing 150Ø DICL water main
Footpath
Telstra
Existing water meter (private)
Parking
LOT 2
BALANCE
564m²
Existing building
#63
Deck
Garden
Concrete driveway
Connection point
Proposed water meter for lot 1 (private)
New DN25 (ID 20mm) HDPE (PE100) SDR 11 PN16 water connection to Lot 1 by TasWater with meter housed in class B trafficable box
Water pipe to be contained within 2.00 metres of Southern boundary
Power pole #165234
#61
#65
Proposed New DN100 PVC-U SN10 sewer connection to Lot 2 by TasWater located centrally within 2m wide Pipeline and Services Easement
Old sewer line to be diverted within new easement
Existing sewer connection to be capped by TasWater or reused for new connection if 1m from boundary and suitable.
Proposed New Connection point
Existing Sewer M/H 80.27 top 78.09 inv
Taswater
PIPELINE EASEMENT 2.50 WIDE
Existing to be diverted
Approximate location from DP 853
Existing connection from DP 853 City of Hobart
Building envelope 119m²
Existing sewer 150ØRC
Pipeline easement 3.00 WIDE
Taswater
LOT 1
450m²
100m² access strip
Proposed New DN100 "Y" branch sewer connection to Lot 1 by TasWater
NOTE:- Hatched portion indicates approximate area which cannot be drained of runoff.
PROPOSED DRAINAGE EASEMENT 2.00 WIDE
Sewer M/H 80.77 top 79.30 inv
102°11'10"
60.95
282°11'10"
192°40'
Datum line 82.00
Grated pit
Natural surface
150Ø sewer pipe 79.30 inv
storm water pipe (depth unknown)
Boundary
LONGITUDINAL SECTION 1:200
THE INFORMATION SUPPLIED WITH THIS FILE MAY BE USED PROVIDING THE AUTHOR IS ACKNOWLEDGED ON THE PLANS. THIS DRAWING IS STRICTLY COPYRIGHT AND SHALL NOT BE COPIED, LENT OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF C.L. ANDREWS & ASSOCIATES.
C.L. ANDREWS & ASSOC.
LAND & ENGINEERING SURVEYORS
57 MT RUMNEY ROAD, MT RUMNEY
PHONE 03 6248 5007 FAX 03 6248 5225
EMAIL Chris@totalkithomes.com.au
A.B.N. 53 009 560 865
PROPOSED SEWER SERVICES PLAN - C.T. 59554/9
63 GIBLIN STREET LENAH VALLEY
FOR I. & B. CAMM
REVISION 4
SHEET 3
SCALE 1: 200 (A3)
DATE: DECEMBER 2019
DRAWN: IDS/CLA
DWG No. 19031

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
59554	9
EDITION	DATE OF ISSUE
3	31-Jul-1998

SEARCH DATE : 20-Jan-2020
SEARCH TIME : 09.12 AM

DESCRIPTION OF LAND

City of HOBART
Lot 9 on Diagram 59554 (formerly being 14-19TS)
Derivation : Part of 242 Acres Gtd. to E.S.P. Bedford & Anr.
Prior CT 2751/79

SCHEDULE 1

B836657 TRANSFER to IAN DONALD SCOTT CAMM and BAUKJE TINE CAMM Registered 06-Feb-1995 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C105182 MORTGAGE to Commonwealth Bank of Australia Registered 31-Jul-1998 at 12.01 PM

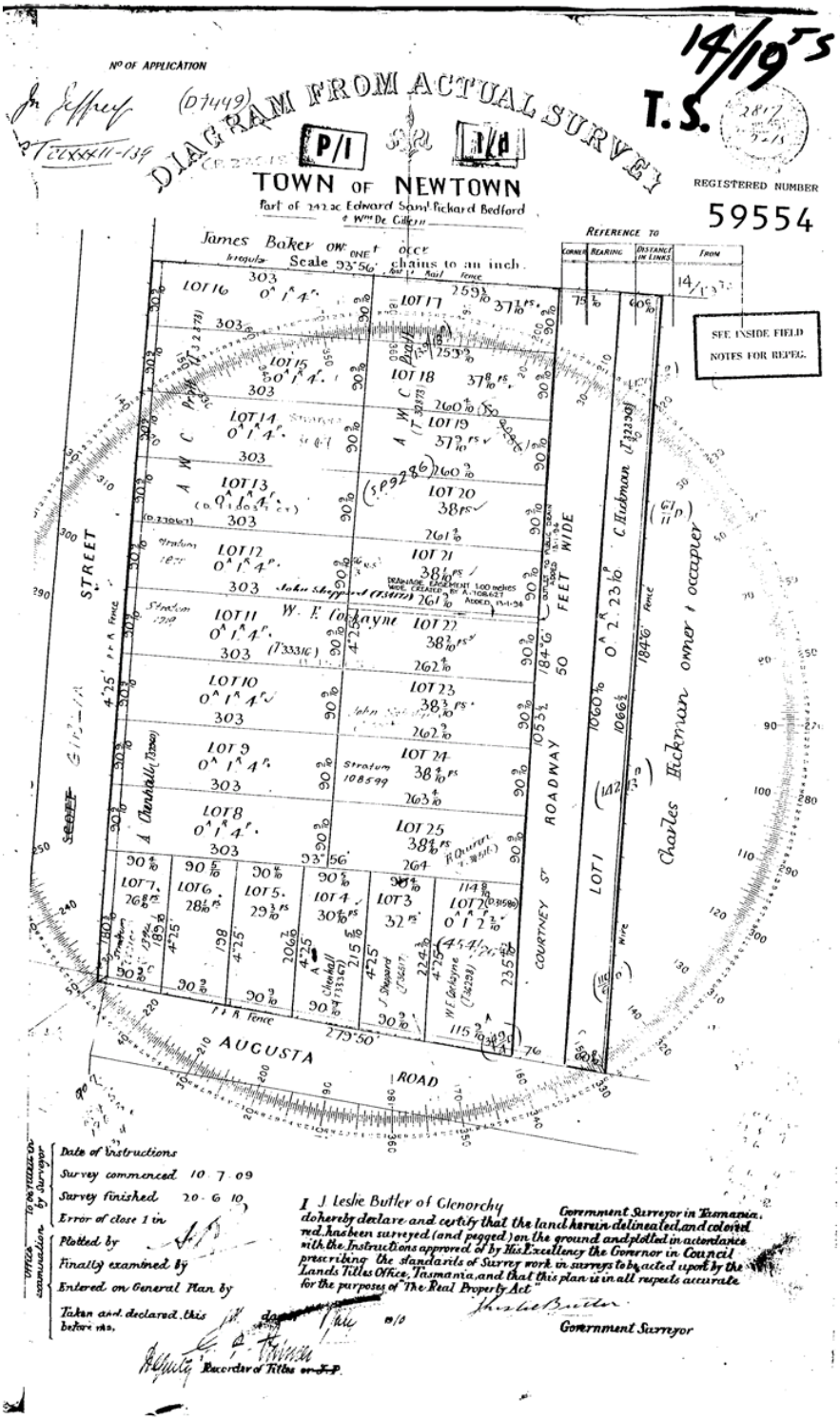
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-19-454		Council notice date	24/07/2019
TasWater details				
TasWater Reference No.	TWDA 2019/01059-HCC		Date of response	18/11/2019
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	63 GIBLIN ST, LENAH VALLEY		Property ID (PID)	5500485
Description of development	Subdivision – 2 Lots			

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
CL Andrews	Plan of Subdivision / 19031 /1,2	--	May 2019

Conditions

Pursuant to the *Water and Sewerage Industry Act* 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

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.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

3. 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.
   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.

4. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.

DEVELOPMENT ASSESSMENT FEES

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. $211.63 for development assessment; and

   b. $149.20 for Consent to Register a Legal Document

The payment is required by the due date as noted on the statement when issued by TasWater.

Advice

General

For information on TasWater development standards, please visit

https://www.taswater.com.au/Development/Technical-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

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

7.2.4 67 WOODCUTTERS ROAD, TOLMANS HILL - PARTIAL DEMOLITION, EXTENSION AND ALTERATIONS PLN-20-8 - FILE REF: F20/27249

Address:	67 Woodcutters Road, Tolmans Hill
Proposal:	Partial Demolition, Extension and Alterations
Expiry Date:	10 April 2020
Extension of Time:	Not applicable
Author:	Michael McClenahan

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, extension and alterations at 67 Woodcutters Road, Tolmans Hill 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-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - 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 2020/00020-HCC dated 16/01/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit does not approve a change of use to the existing single dwelling on the site. The use must remain as a single dwelling unless further and separate planning approval is sought and obtained from the Council.

Reason for condition

To clarify the scope of the permit

PLN s4

Prior to the issue of any approval/consent under the *Building Act 2016*, or commencement of work on site (whichever occurs first), revised plans must be submitted and approved showing:

1. **The extension to the existing dwelling with an absolute height not exceeding 6.395m above natural ground level at any point.**

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

Advice:

The plans submitted informally to Council on 23 February 2020 (drawing DA10 Rev. 3 and DA 11 Rev 2, both dated 21/2/2020) are considered to satisfy this condition.

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 sw8

Prior to first occupation, a stormwater detention system in accordance MinD Architects drawing DA12 Revision 3 must be installed to limit stormwater discharges from the roofed area on the site to a maximum of 2.5 L/s.

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 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 commencement of use, 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).*

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 driveway 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 that jockey parking is permitted.

Advice:

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

Reason for condition

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

ENG 4

The 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 commencement of use.

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 two (2).

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.

ADVICE

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016.* Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

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

TOLMANS HILL LOCAL AREA PLAN

The Tolmans Hill Local Area Plan (Stage 2) is available here.

Front fences must not be erected on the property, and side boundary fences must be in accordance with the provisions of the Tolmans Hill Local Area Plan (Stage 2).

This approval and subsequent conditions are given in the knowledge that the Part 5 Agreement on the title (CT. 131194/92) to the property is effective and binds the applicant to the restrictions and controls of the Tolmans Hill Local Area Plan (Stage 2).

Plant species listed in Council's Restricted Plant List: Potentially Invasive Species Generally Unsuitable for Planting in or Adjacent Bushland, Riparian and Coastal Areas (June 2011) must not be planted on the lot (available here).

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.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click here for more information.

NOISE REGULATIONS

Click here for information with respect to noise nuisances in residential areas.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

Attachment A:	PLN-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - CPC Agenda Documents ⇩
Attachment C:	PLN-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - CPC Supporting Documents (Supporting information)

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	10 April 2020
Application No:	PLN-20-8
Address:	67 WOODCUTTERS ROAD , TOLMANS HILL
Applicant:	Wai Ho Au (Mind Architects Pty Ltd) 3 Adele Court
Proposal:	Partial Demolition, Extension and Alterations
Representations:	Four (4)
Performance criteria:	Parking and Access Code

1. Executive Summary

1.1 Planning approval is sought for Partial Demolition, Extension and Alterations, at 67 Woodcutters Road Tolmans Hill.

1.2 More specifically the proposal includes:

- Removal of existing concrete footpath and hardstand area to south and east of the existing dwelling.
- Construction of new two storey extension to existing dwelling on south eastern elevation. The extension will include a lounge room, bar and kitchen area and toilet on ground floor, and bedroom with ensuite, study, play room, and bathroom on the upper floor.
- Access will remain with the existing dwelling through the ground floor living areas.
- Construction of new ground floor deck along eastern elevation of existing dwelling.
- Construction of new concrete slab and parking area to south of existing dwelling with two parking spaces.
- Installation of new rain water tank on northern elevation.

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

1.3.1 Parking and Access Code - Layout of Parking Areas

1.4 Four (4) representations objecting to the proposal was received within the statutory advertising period between 04/02/20 - 19/02/20.

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 subject site is located at 67 Woodcutters Road, Tolmans Hill. The site is an irregular shaped residential lot approximately 1193m² in size and topographically has a ground level fall from the eastern Woodcutters Road frontage downhill to the eastern rear boundary. The site is presently occupied by a two storey residential dwelling. The surrounding area is characterised by residential uses and sits within Stage 2 of the Tolmans Hill Local Area Plan.

Figure 1: Aerial image of the subject site (bordered in blue) and surrounding area.

3. Proposal

3.1 Planning approval is sought for Partial Demolition, Extension and Alterations.

3.2 More specifically the proposal is for:

- Removal of existing concrete footpath and hardstand area to south and east of the existing dwelling.
- Construction of two storey extension to existing dwelling on south eastern elevation. The extension will include a lounge room, bar and kitchen area and toilet on ground floor, and bedroom with ensuite, study, play room, and bathroom on the upper floor.
- Access will remain with the existing dwelling through the ground floor living areas.
- Construction of new ground floor deck along eastern elevation of existing dwelling.
- Construction of new concrete slab and parking area to south of existing dwelling with two parking spaces.
- Installation of new rain water tank on northern elevation.

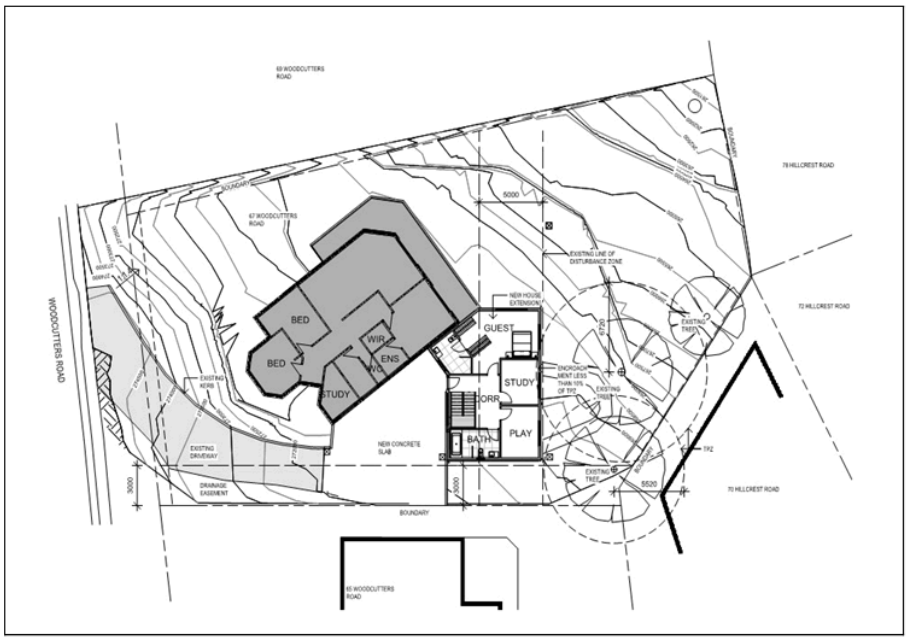


Figure 2: Site plan illustrating proposed extension and parking area.

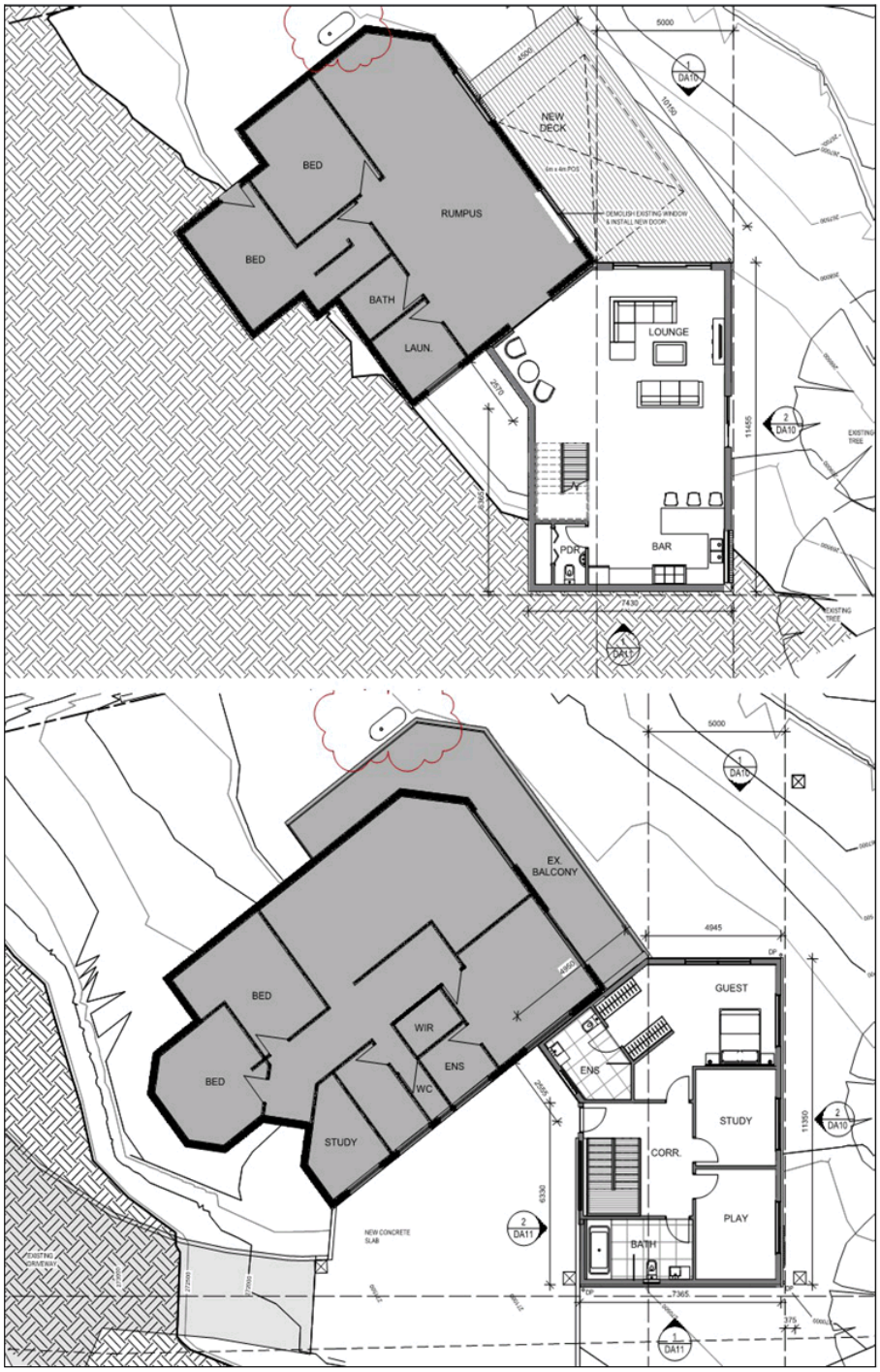


Figure 3: Floor plans of the proposed alterations and extension.

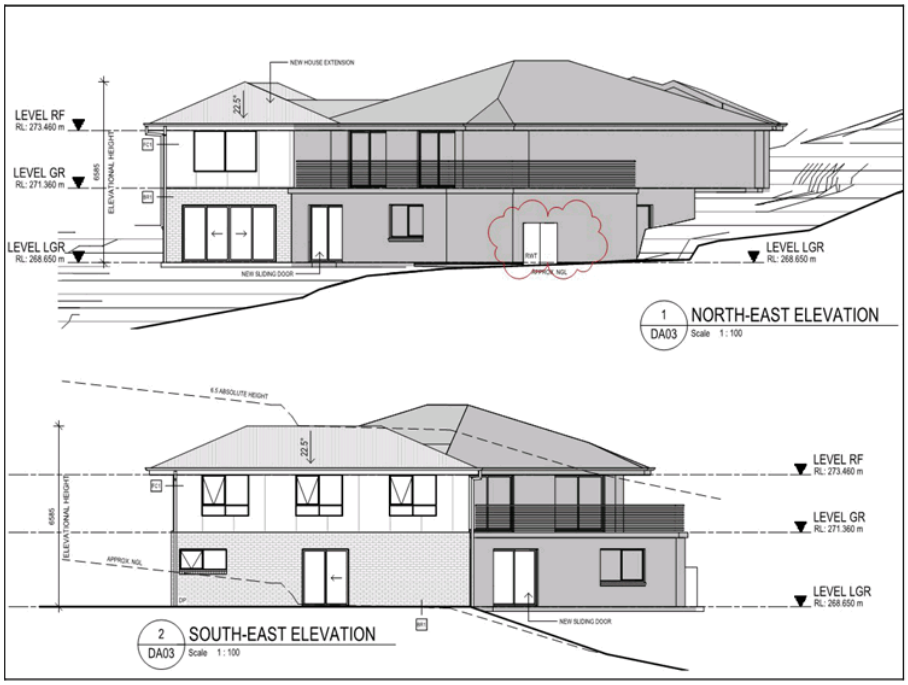


Figure 4: North-East and South-East elevations of existing dwelling and proposed extension.

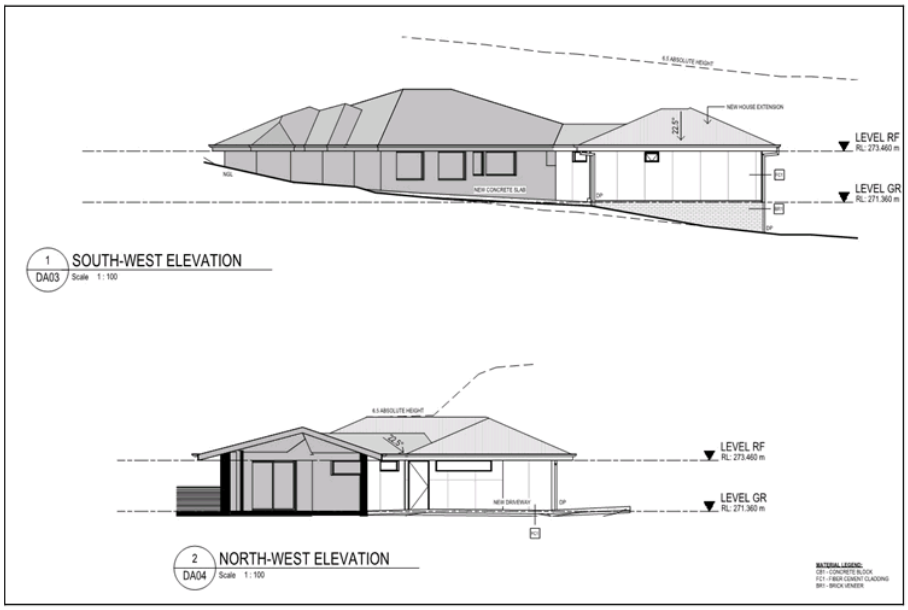


Figure 5: South-West and North-West elevations of existing dwelling and proposed extension.

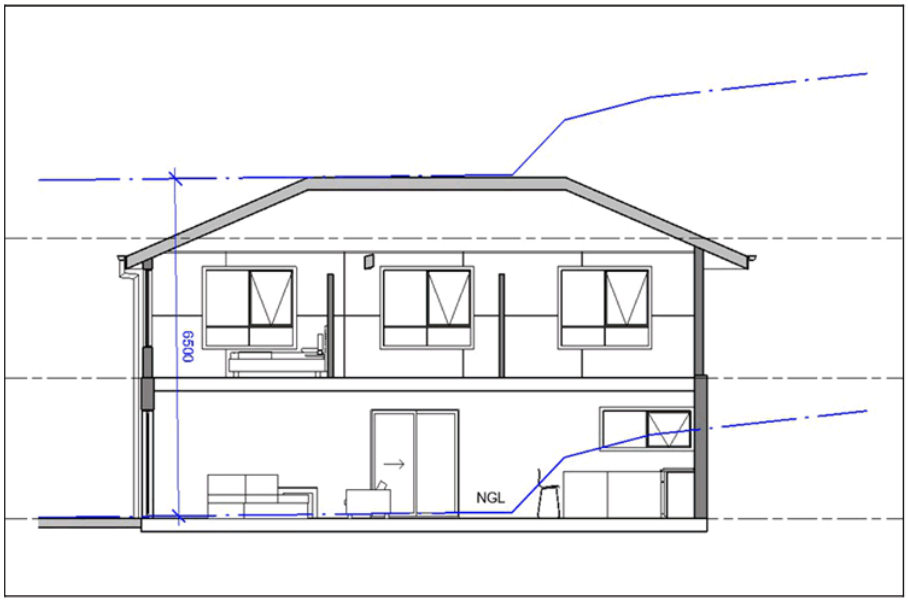


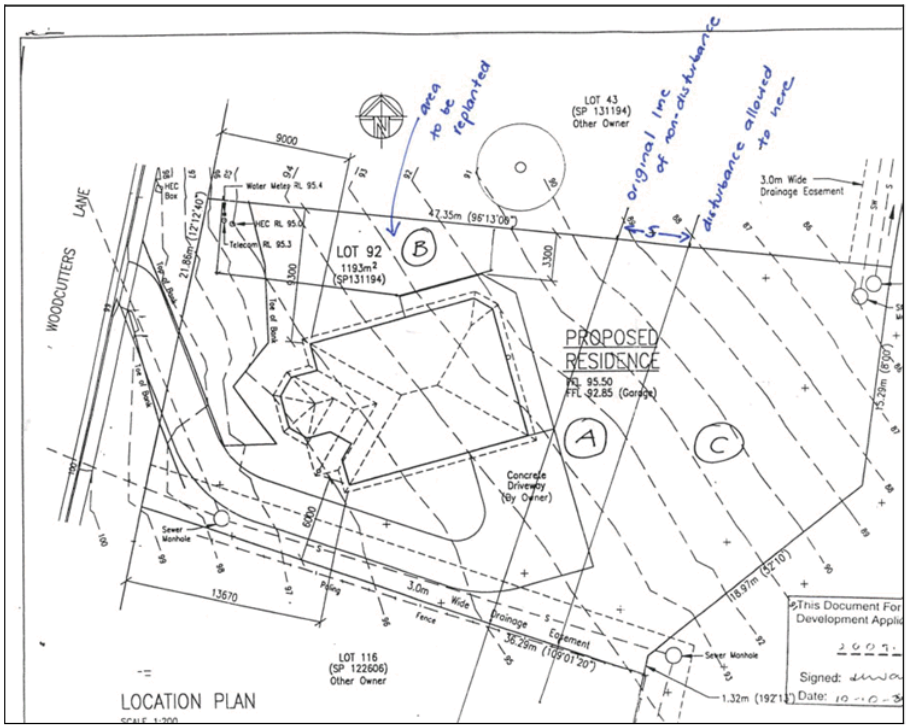
Figure 6: Section of proposed extension illustrating natural ground level and the absolute height level (6.5m).

4. Background

4.1 The property has been the subject of enforcement action (ENF-16-00388-01) for conversion of an approved garage to a bedroom and rumpus room leaving no approved car parking spaces on the site.

4.2 A pre-application enquiry (PAE-19-183) was submitted seeking to formalise the conversion of the garage to a living space, a new extension and alterations to the existing dwelling, and creation of two new car parking spaces. The applicant was advised that a formal development application would be required.

4.3 In 2001 the Council agreed to extend the area of disturbance beyond that shown in stage 2 of the local area plan for this site (lot 92). The change is shown below such that A is the increased area of disturbance, B is an area that was required to be planted to offset the increased area of disturbance, and C is the area to remain undisturbed. The change was done in response to advice received from the TFS that vegetation contained within the area A was likely to be a fire hazard for the existing dwelling.



5. Concerns raised by representors

5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 04/02/20 - 19/02/20.

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.

The increased size of the deck at the rear will allow for overlooking into adjoining private open space to a much greater extent.
Development will set a bad precedent by allowing existing views to be blocked and impact upon the value of adjoining properties.
Concerns for the amenity of adjoining properties with respect to overshadowing and reduction in sunlight.
Concerns for increased risk of flooding through concentrating surface water flow as a result of the proposed development
Concerns for use of the property as 'Student Accommodation' with 9 bedrooms, 4 1/2 bathrooms and 2 kitchens and will operate at a density inconsistent with the area.
Comment on previous trees removed on the site.
Concerns architect has not responded to site specific design or the Tolmans Hill Local Area Plan, particularly with reference to extensions and constructions which are in a terraced manner.
Issue with consistency with Tolmans Hill Local Area Plan (Stage 2) and its "Desired Future Character." Specific concerns with the projection beyond the 6.5m absolute height and the proposals inconsistency with the performance option that there is no adverse visual impact caused by the buildings as viewed from any point outside the site referring to no impact on views from adjacent properties.
Concerns for the potential use of parking on the site which will be inconsistent with the approval of two spaces.

6. Assessment

6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

6.2 The site is located within the Low Density Residential Zone of the *Hobart Interim Planning Scheme 2015*.

6.3 The existing use is Residential (single dwelling). There is no proposed change of use. The existing use is a no permit required use in the zone.

6.4 The proposal has been assessed against:

6.4.1 D12.0 Low Density Residential Zone

6.4.2 E6.0 Parking and Access Code

6.4.3 E7.0 Stormwater Management Code

6.4.4 E10.0 Biodiversity Code

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

6.5.1 Layout of Parking Areas - E6.7.5 P1

6.6 Each performance criterion is assessed below.

6.7 Layout of Parking Areas - E6.7.5 P1

6.7.1 The acceptable solution at clause 6.7.5 A1 requires in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.

6.7.2 The proposal includes a "jockey parking" arrangement which does not satisfy section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.

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 6.7.5 P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

(a)avoidance of conflicts betweenusersincluding vehicles,cyclistsand pedestrians;
(b)avoidance of unreasonable interference with the flow of traffic on adjoining roads;
(c)suitability for the type and volume of traffic likely to be generated by

the use or development;
(d)ease of accessibility and recognition for users.

6.7.5 Referral was made to Council's Senior Development Engineer who has provided the following assessment:

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.

Comment:
Feasible

Residential car parking space layout may utilise 'Jockey Parking' configuration in which the one car parking space is behind another car parking space provided it serves the same dwelling and is not designated for visitors. Submitted documentation appears to show only a minor conflict between the two car parking spaces but meet these parameters and therefore may be accepted under Performance Criteria P1:E6.7.5 given the driveway configuration.

6.7.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for Partial Demolition, Extension and Alterations at 67 Woodcutters Road, Tolmans Hill.

7.2 The subject site sits within Stage 2 of the Tolmans Hill Local Area Plan and is referred to as Lot 92 within this document. The local area plan is applied through a Part 5 agreement on each title and all residents and owners are legally bound by the agreement. The proposed partial demolition, extension and alterations to the dwelling at 67 Woodcutters Drive has demonstrated compliance with all preferred options in the local area plan. The extension will be wholly contained within the (extended) area of disturbance for the lot and all exterior surfaces will be of a compliant tone. The proposal has demonstrated compliance with the lot requirement for absolute height of 6.5m and elevational height of 7.5m (explained in Figure 7 below and demonstrated in Figure 6 above). The performance option for the clauses regarding height have a consideration of impact on views, visibility and visual impact, however because the proposal is compliant with the acceptable solutions there is no ability to assess the proposal against these issues. No other

minor features such as fencing, continuous front hedges clotheslines, or work areas were proposed.

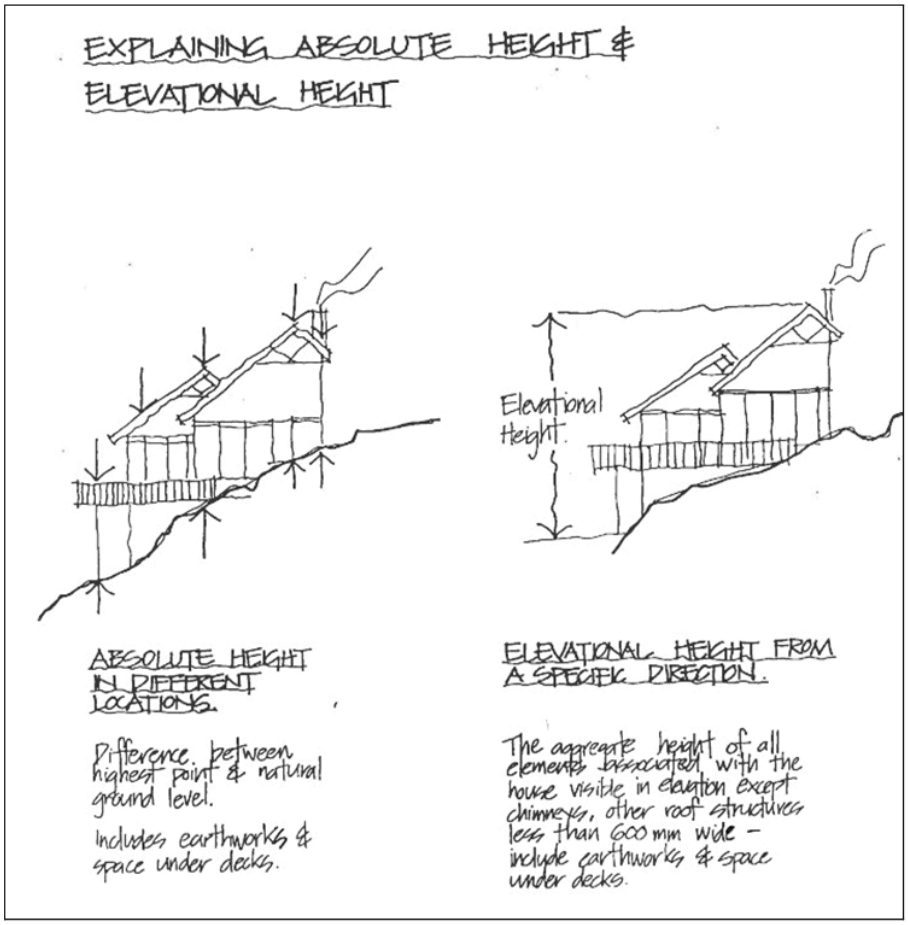


Figure 7: Excerpt of explanation of absolute and elevational height from Tolmans Hill Local Area Plan (Stage 2).

7.3 The application was advertised and received four (4) representations. The representations raised the following concerns which have been specifically addressed below:

The increased size of the deck at the rear will allow for overlooking into adjoining private open space to a much greater extent Comment: There will be no change in size to the existing upper floor deck. A new lower floor deck will be constructed with a height of less than 1m above natural ground level and will have a setback of greater than 3m from side boundaries and greater than 4m from the rear boundary. The proposed new deck has demonstrated compliance with clause 10.4.6 A1.
Development will set a bad precedent by allowing existing views to be blocked and impact upon the value of adjoining properties Comment: The impact upon views or property values is not a consideration under the *Hobart Interim Planning Scheme 2015.* The proposal has also demonstrated compliance with the absolute building height against the Tolmans Hill Local Area Plan (Stage 2) with an absolute height of less than 6.5m.
Concerns for the amenity of adjoining properties with respect to overshadowing and reduction in sunlight Comment: The proposal has demonstrated compliance with all setbacks and building envelope standard under clause 12.4.2 and therefore there is no requirement for assessment of potential overshadowing impacts. Any impacts that do occur are therefore considered by the planning scheme to be reasonable.
Concerns for increased risk of flooding through concentrating surface water flow as a result of the proposed development Comment: The proposal has demonstrated compliance with the Stormwater Management Code and a supplied engineering report has confirmed that "the stormwater concept design has been designed for a 1 in 20 year ARI 5 minute storm event and we confirm that the Stormwater Run-Off will be no greater than the pre-existing run-off."
Concerns for use of the property as 'Student Accommodation' with 9 bedrooms, 4 1/2 bathrooms and 2 kitchens and will operate at a density inconsistent with the area. Comment: The proposal is for an extension to an existing single dwelling and no change of use is proposed. A condition in relation to this issue has been recommended.

Concern for previous trees removed on the site Comment: Any removals of vegetation outside the area of disturbance on the site must be assessed by Council. The proposed application involves no development outside of the area of disturbance and proposes no removal of vegetation.
Concerns architect has not responded to site specific design or the Tolmans Hill Local Area Plan, particularly with reference to extensions and constructions which are in a terraced manner. Comment: The proposed application has demonstrated compliance with all aspects of the Tolmans Hill Local Area Plan (Stage 2).
Issue with consistency with Tolmans Hill Local Area Plan (Stage 2) and its "Desired Future Character." Specific concerns with the projection beyond the 6.5m absolute height and the proposals inconsistency with the performance option that there is no adverse visual impact caused by the buildings as viewed from any point outside the site referring to no impact on views from adjacent properties. Comment: The applicant has confirmed and demonstrated (Figure 6) that the proposed extension will remain below the maximum absolute height of 6.5m. Further discussions with the applicant has resulted in a further reduction in height below 6.5m (Figure 8) which will be conditioned. Given this compliance, no assessment against the performance option is to be undertaken.
Concerns for the potential use of parking on the site which will be inconsistent with the approval of two spaces Comment: The proposal includes two parking spaces and is in compliance with clause 6.6.1 A1 of the Parking and Access Code.

7.4 Further discussions were undertaken with the applicant regarding the concerns presented by representors following the public notification period. The applicant confirmed that the proposal remained consistent with the General Residential Zone Development Standards as well as the Absolute Height of the Tolmans Hill Local Area Plan (Stage 2) and supplied a section diagram demonstrating this (Figure 6). In order to further reduce height and bulk the applicant offered a minor redesign which would further reduce the absolute height of the extension from 6.5m to 6.395m which is demonstrated below in Figure 8. This proposed reduction will be placed under condition **PLN s4**. Plans of the redesign are also provided at Attachment C to this report.

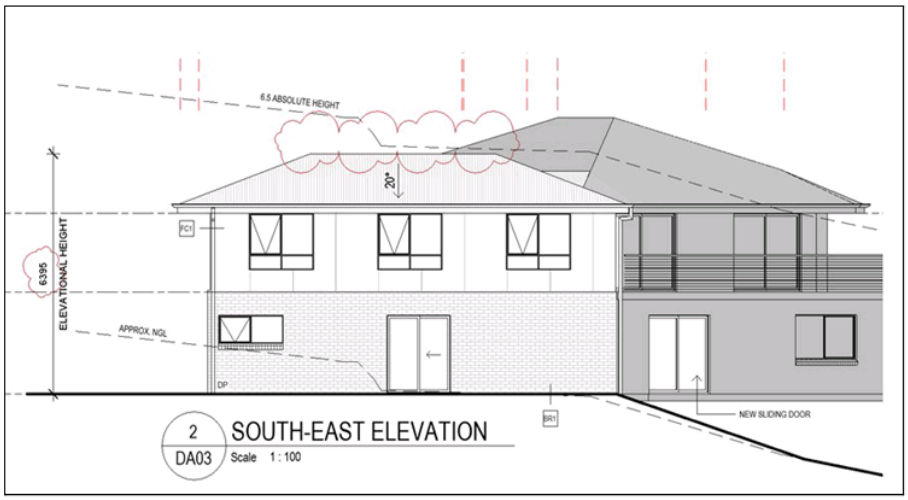


Figure 8: Reduced height extension proposal.

7.5 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well. The proposal is considered to be compliant with the requirements of the Tolmans Hill Local Area Plan (Stage 2).

7.6 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.

7.7 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Partial Demolition, Extension and Alterations at 67 Woodcutters Road, Tolmans Hill 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 Partial Demolition, Extension and Alterations at 67 Woodcutters Road, Tolmans Hill 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-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - 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 2020/00020-HCC dated 16/01/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit does not approve a change of use to the existing single dwelling on the site. The use must remain as a single dwelling unless further and separate planning approval is sought and obtained from the Council.

Reason for condition

to clarify the scope of the permit

PLN s4

Prior to the issue of any approval/consent under the *Building Act 2016*, or commencement of work on site (whichever occurs first), revised plans must

be submitted and approved showing:

1. **The extension to the existing dwelling with an absolute height not exceeding 6.395m above natural ground level at any point.**

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

Advice: The plans submitted informally to Council on 23 February 2020 (drawing DA10 Rev. 3 and DA 11 Rev 2, both dated 21/2/2020) are considered to satisfy this condition.

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 sw8

Prior to first occupation, a stormwater detention system in accordance MinD Architects drawing DA12 Revision 3 must be installed to limit stormwater discharges from the roofed area on the site to a maximum of 2.5 L/s.

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 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 commencement of use, 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).*

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 driveway 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 that jockey parking is permitted.

Advice:

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

Reason for condition

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

ENG 4

The 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 commencement of use.

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 two (2).

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.

ADVICE

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

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

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016.* Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

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

TOLMANS HILL LOCAL AREA PLAN

The Tolmans Hill Local Area Plan (Stage 2) is available here.

Front fences must not be erected on the property, and side boundary fences must be in accordance with the provisions of the Tolmans Hill Local Area Plan (Stage 2).

This approval and subsequent conditions are given in the knowledge that the Part 5 Agreement on the title (CT. 131194/92) to the property is effective and binds the applicant to the restrictions and controls of the Tolmans Hill Local Area Plan (Stage 2).

Plant species listed in Council's Restricted Plant List: Potentially Invasive Species Generally Unsuitable for Planting in or Adjacent Bushland, Riparian and Coastal Areas (June 2011) must not be planted on the lot (available here).

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.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click here for more information.

NOISE REGULATIONS

Click here for information with respect to noise nuisances in residential areas.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

FEES AND CHARGES

Click here for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

(Michael McClenahan)
Assistant Planner

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

(Ben Ikin)
Senior Statutory Planner

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

Date of Report: 2 March 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - CPC Supporting Documents

Planning: #196008

Property

67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007

People

Applicant
*
Mind Architects Pty Ltd
Wai Ho Au
3 Adele Court
Hoppers Crossing VIC 3029
0410595465
davidau1989@gmail.com

Owner
*

Pei Ran
tony_rg@ymail.com
TOLMANS HILL TAS 7007
0423960324
tony_rg@ymail.com

Entered By
WAI HO AU
17 / 19 QUEEN STREET
SANDY BAY TAS 7005
0410595465
davidau1989@gmail.com

Use

Single dwelling

Details

Have you obtained pre application advice?

- Yes

If YES please provide the pre application advice number eg PAE-17-xx

PAE-19-183

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.
*

- No

Is the application for SIGNAGE ONLY? If yes, please enter $0 in the cost of development, and you must enter the

number of signs under Other Details below.
*

- No

If this application is related to an enforcement action please enter Enforcement Number

Details

What is the current approved use of the land / building(s)?
*

Residential

Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage)
*

Dwelling extension

Estimated cost of development
*

280000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
250.51	171.10	1193

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
2	2	Other (no selection chosen)

Other Details

Does the application include signage?
*

No

How many signs, please enter 0 if there are none involved in this application?
*

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

- No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)
*
Title_Combined.pdf

Plans (proposed, existing)
*
Tolmans Hill_Architectural Drawings_20200108.pdf

Covering Letter
Taswater response_20200108.pdf

RESULT OF SEARCH

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131194	92
EDITION	DATE OF ISSUE
7	30-May-2016

SEARCH DATE : 20-May-2019
SEARCH TIME : 07.25 PM

DESCRIPTION OF LAND

City of HOBART
Lot 92 on Sealed Plan 131194
Derivation : Part of 633Acres Granted to R.Murray
Prior CT 122657/1

SCHEDULE 1

M565578 TRANSFER to RAN PEI Registered 30-May-2016 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 131194 EASEMENTS in Schedule of Easements
SP 131194 FENCING PROVISION in Schedule of Easements
C56888 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 17-Nov-1997 at 12.01 PM
C142240 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 04-Dec-1998 at noon
E47368 MORTGAGE to National Australia Bank Limited Registered 30-May-2016 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

OWNER FREDERICK JAMES GRANT & ANNABELLE WENDY ALLISION GRANT

FOLIO REFERENCE 122657/1
54348-1

GRANTEE PART OF 633Ac GTD TO ROBERT LATHROP MURRAY

PLAN OF SURVEY

BY SURVEYOR JOHN L CERUTTY
CROWER & CERUTTY
6 BAYFIELD STREET, RODNY PARK
A DIVISION OF CC&R PTY. LTD. ACN 009521984

LOCATION

CITY OF HOBART

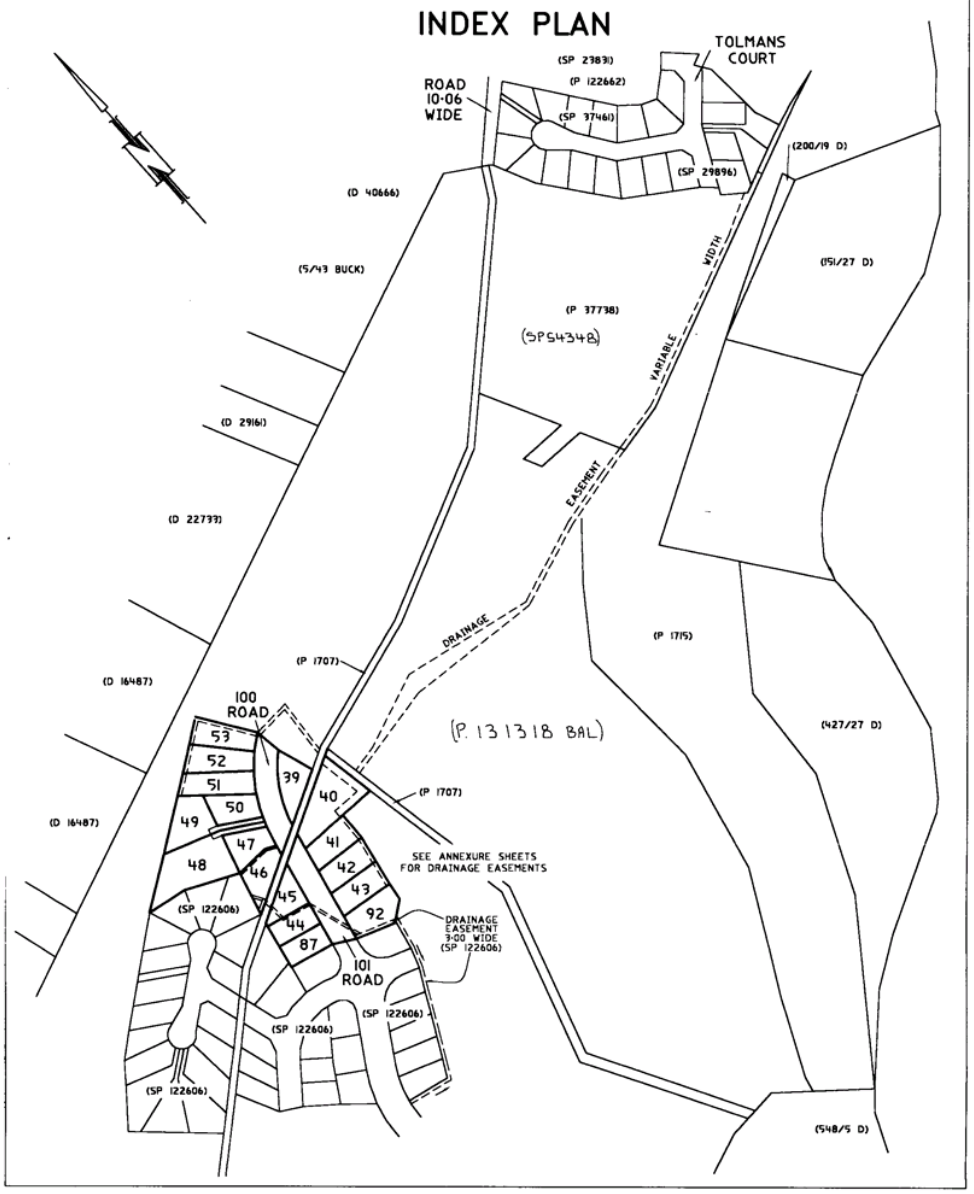
SCALE 1:3000 LENGTHS IN METRES

REGISTERED NUMBER
SP 131194

APPROVED
EFFECTIVE FROM - 4 DEC 1998
Recorder of Titles

MAPSHEET MUNICIPAL CODE No. 114 (5224-12)	LAST UPI No. FB821	LAST PLAN No P 122657	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

INDEX PLAN



FOLIO PLAN

DEPUTY RECORDER OF TITLES

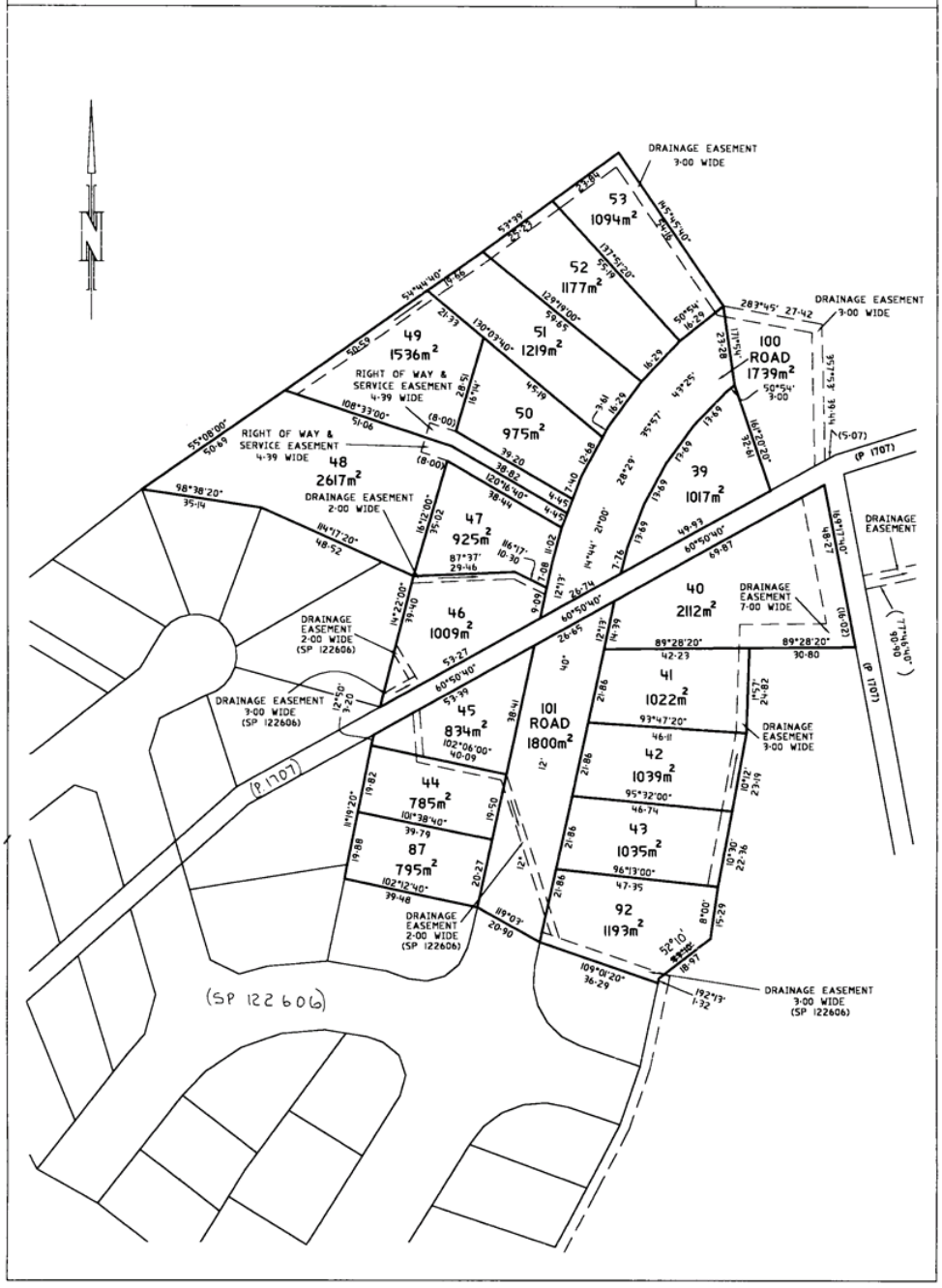
Issued Pursuant to the Land Titles Act 1980

~~SURVEY NOTES~~
~~SHEET 2 OF SHEETS~~
LENGTHS IN METRES

DELETE AS APPLICABLE

PLAN OF SURVEY
ANNEXURE SHEET
SHEET 1 OF 1 SHEETS
SCALE 1:1000

Registered Number
SP 131194

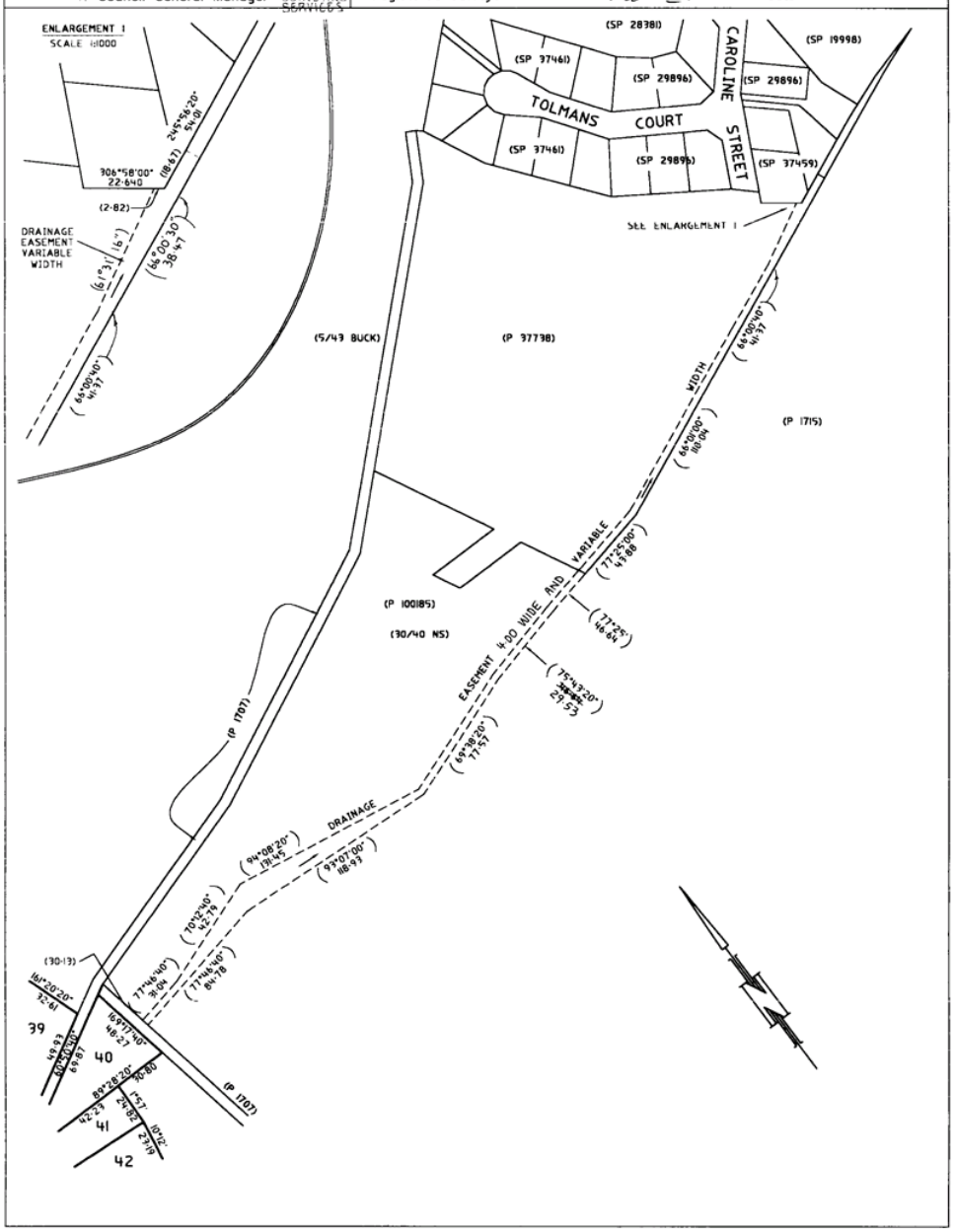


FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

PLAN OF SURVEY ANNEXURE SHEET SHEET 2 OF 2 SHEETS	OWNER FREDERICK JAMES GRANT & ANNABELLE WENDY ALLISION GRANT FOLIO REFERENCE CT 122657/1 SCALE 1: 2000 LENGTHS IN METRES	Registered Number SP131194
SIGNED FOR IDENTIFICATION PURPOSES A Council General Manager - SURVEYING SERVICES	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET. Registered Surveyor date 24.10.98	



SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SCHEDULE OF EASEMENTS	REGISTERED NUMBER
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 131194

PAGE 1 OF 4 PAGE/S

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.

Lot 44 and Lot 92 are

SUBJECT TO a right drainage (appurtnent to lots 61 to 65, 67, 77 to 78, 100, 102, 116 to 120 on Sealed Plan 122606) over that portion of the Drainage Easement marked E G on Plan 122657 as passes through such lot.

LOT 45 is

SUBJECT TO a right of Drainage (appurtenant to Lots 61 to 65, 67, 77, 78 and 100 on Sealed Plan No 122606) over that portion of the Drainage Easement marked D E on Sealed Plan No 122606 as passes through such lot.

LOT 46 is

SUBJECT TO a right of drainage (appurtenant to Lot 63 to 65, 67 and 100 on Sealed Plan No 122606) over the Drainage Easement marked A B on Plan No 122657.

COMMON SEAL TASMANIAN TRUSTEES LIMITED A.C.N. 009 475 629

The Common Seal of Tasmanian Trustees Limited was hereunto affixed by authority of the Directors in the presence of

DIRECTOR

SECRETARY

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: F.J.GRANT & A.W.A GRANT	PLAN SEALED BY: THE HOBART CITY COUNCIL
FOLIO REF: 761·5	DATE: 20 NOVEMBER 1998
SOLICITOR & REFERENCE: MURDOCH CLARKE COSGROVE & DRAKE	761·5 REF NO.
	Council Delegate A/MANAGER SURVEYING SERVICES

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

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 4 PAGES	Registered Number SP 131194
SUBDIVIDER: FOLIO REFERENCE:	

SUBJECT TO a right of Drainage (appurtenant to Lots 61 to 65, 67, 77 to 78 and 100 on Sealed Plan No 122606) over the Drainage Easement marked C B on Plan No 122606.

Lot 48 is

TOGETHER WITH a right of carriageway over the Right of Way and Service Easement 4.39 metres wide passing through Lot 49 hereon.

TOGETHER WITH a Service Easement (as herein defined) over the Right of Way and Service Easement 4.39 metres wide passing through Lot 49 hereon.

SUBJECT TO a right of carriageway over the Right of Way and Service Easement 4.39 metres wide as appurtenant to Lot 49 hereon.

SUBJECT TO a Service Easement (as herein defined) over the Right of Way and Service Easement 4.39 metres wide as appurtenant to Lot 49 hereon.

Lot 49 is

TOGETHER WITH a right of carriageway over the Right of Way and Service Easement 4.39 metres wide passing through Lot 48 hereon.

COMMON TRUSTEES LIMITED A.C.N. 009 475 629 SEAL

The Common Seal of Tasmanian Trustees Limited was hereunto affixed by authority of the Directors in the presence of

DIRECTOR

SECRETARY

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

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 4 PAGES	Registered Number SP 131194
SUBDIVIDER: FOLIO REFERENCE:	

TOGETHER WITH a Service Easement (as herein defined) over the Right of Way and Service Easement 4.39 metres wide passing through Lot 48 hereon.

SUBJECT TO a right of carriageway over the Right of Way and Service Easement 4.39 metres wide as appurtenant to Lot 48 hereon.

SUBJECT TO a Service Easement (as herein defined) over the Right of Way and Service Easement 4.39 metres wide as appurtenant to Lot 48 hereon.

FENCING PROVISION

In respect of each lot shown on the plan (except lots 100 and 101) the Vendors (Frederick James Grant and Annabelle Wendy Alison Grant) 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, Telstra, Aurora Energy Pty Ltd (ACN 082 464 622) and Her Majesty the Queen to lay use and maintain forever water mains, pipes, drains, mains, channels, gutters, sewers, wires, 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 hereon and marked "Right of Way and Service Easement 4.39 metres wide" and the right for their surveyors and workmen from time to time and

NOTE: Every annexed page must be signed by the parties to the dealing. In 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.

The Common Seal of Tasmanian Trustees Limited was hereunto affixed by authority of the Directors in the presence of

DIRECTOR

SECRETARY

COMMON SEAL TASMANIAN TRUSTEES LIMITED A.C.N. 099 475 629

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 4 PAGES	Registered Number SP 131194
SUBDIVIDER: FOLIO REFERENCE:	

at all times hereafter to enter into and upon the said strips of land or any part thereof bringing upon the Service Easement 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.

SIGNED by FREDERICK JAMES GRANT AND ANNABELLE WENDY ALISON GRANT as the Registered Proprietors of the land comprised in the Folio of the Register Volume
in the presence of:

R J BADENOCH
Solicitor
16 Victoria St
HOBART TAS. 7000

The Common Seal of Tasmanian Trustees Limited was hereunto affixed by authority of the Directors in the presence of

..... DIRECTOR

..... SECRETARY

COMMON
TASMANIAN TRUSTEES LIMITED
A.C.N. 009 475 629
SEAL

S:\COMMERCIAL\RJB\GRANT\SCHEDULE OF EASEMENTS.DOC

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.

Gmail

Au Wai Ho <davidau1989@gmail.com>

OK to proceed; TWSI 2019/00437-HCC; 67 WOODCUTTERS RD, TOLMANS HILL; New carport and house extension

TasWater Development Mailbox <Development@taswater.com.au>
To: Au Wai Ho <davidau1989@gmail.com>

Wed, Jan 8, 2020 at 3:09 PM

Hi David

As discussed, the driveway as proposed over the sewer main is satisfactory and would not require CCW. You may wish to apply for an Exemption $39.68.

Greg Clausen

Assessment Engineer, Development Services

(03) 6237 8242

greg.clausen@taswater.com.au

taswater

From: Au Wai Ho <davidau1989@gmail.com>
Sent: Wednesday, 18 December 2019 5:40 PM
To: Clausen, Greg <Greg.Clausen@taswater.com.au>; George Severini (AssetSafe) <gseverini@assetsafe.com.au>
Subject: Re: Significant concerns with proposed work within easement; TWSI 2019/00437-HCC; 67 WOODCUTTERS RD, TOLMANS HILL; New carport and house extension

Hi Greg,

Thank you for your advice. We cut back the driveway. So no retaining wall is required inside the easement and only a bit of fill is over the easement. See attached.

Please let us know if you need any further information. Thank you!

Cheers,

David

MinD Architects

PROPOSED HOUSE EXTENSION

67 WOODCUTTERS ROAD, TOLMANS HILL, TAS

ARCHITECTURAL DRAWING

DRAWINGS NO.	DRAWING NAME
DA00	COVER
DA01	EXISTING & DEMOLITION PLANS
DA02	SITE PLAN
DA03	LEVEL LOWER GROUND
DA04	LEVEL GROUND
DA10	ELEVATIONS
DA11	ELEVATIONS
DA12	STORMWATER CONCEPT PLAN
DA13	DRIVEWAY SECTION

SITE INFORMATION	
TITLE REF	131194/92
PROPERTY ID	1895336
SITE AREA	1193 sq.m
DENSITY	1/1193 sq.m = 1193 < 1000 sq.m (REMAIN EXISTING)
SITE COVERAGE	255.79 sq.m / 1193 sq.m = 21.44% <25%
PERVIOUS SURFACES	768.06 sq.m / 1193 sq.m / 100% = 64.38%>25%

LOCAL AREA PLAN - DISTURBANCE ZONE AND LANDSCAPE PLAN REMAIN THE SAME.

EXISTING HOUSE	
LEVEL LOWER GROUND	112.40 sq.m
LEVEL GROUND	138.11 sq.m
NEW HOUSE EXTENSION	
LEVEL LOWER GROUND	86.23 sq.m
LEVEL GROUND	84.87 sq.m
TOTAL AREA	421.61 sq.m

ISSUE	REVISION	DRN	CHK/ APP	DATE
1	DEVELOPMENT APPLICATION	SX	SX	06/01/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410555465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

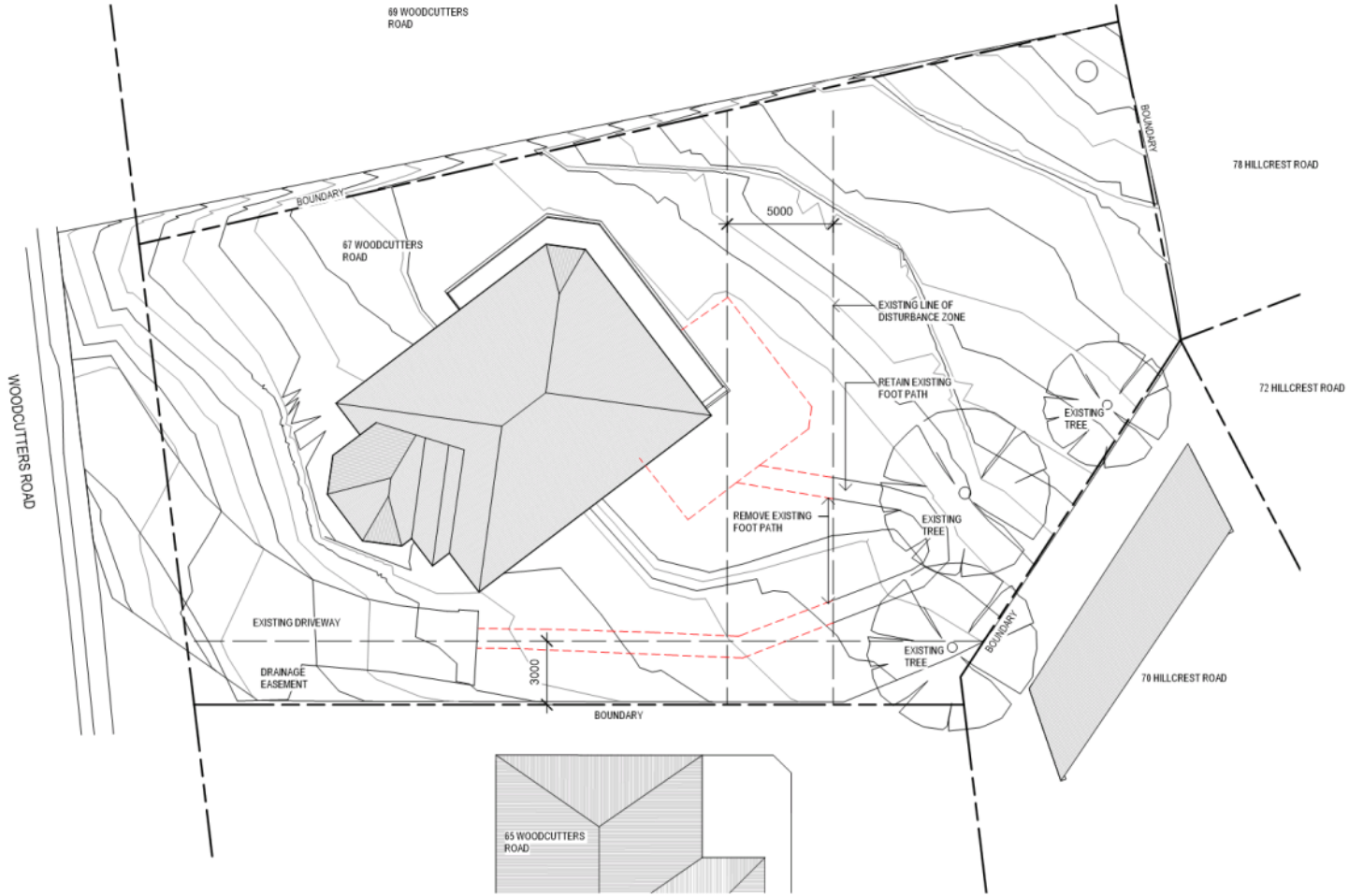
- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- CHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

PROJECT: HOUSE EXTENSION
PROJECT ADDRESS: 67 WOODCUTTERS DRIVE, TOLMANS HILL
CLIENT: RAN PEI & GUANG REN

DRAWING TITLE: COVER
PROJECT NO.: 1908

SCALE: 1 : 50 @ A3
DRAWING No.: DA00
REVISION: 1

1/28/2020 7:04:33 PM



ISSUE	REVISION	DRN	CHK / APP	DATE
1	DEVELOPMENT APPLICATION	DA	DA	09/12/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 電話 0410595465
EMAIL 電郵 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- ROHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

NORTH:

PROJECT:
HOUSE EXTENSION

PROJECT ADDRESS:
67 WOODCUTTERS DRIVE, TOLMANS HILL

CLIENT:
RAN PEI & GUANG REN

DRAWING TITLE:
EXISTING & DEMOLITION PLANS

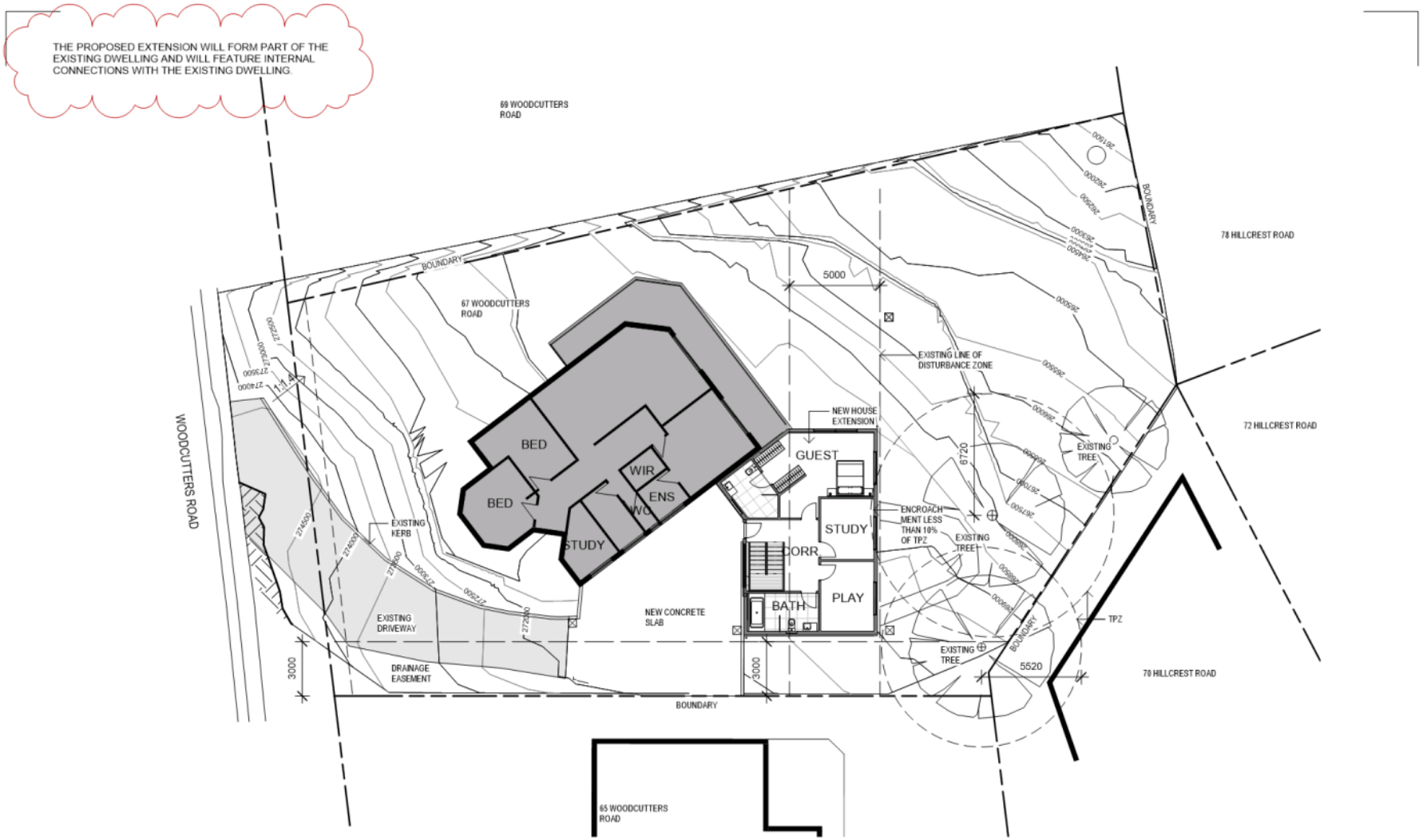
PROJECT NO.:
1908

SCALE:
1 : 200 @ A3

DRAWING No.:
DA01

REVISION:
1

1/28/2020 7:04:35 PM



TREE PROTECTED ZONE (TPZ)
- THE TPZ IS CALCULATED AS A RADIUS FROM THE CENTRE OF THE TREE, BEING 12x THE DIAMETER OF THE TREE AT BREAST HEIGHT (1.4m ABOVE GROUND LEVEL)

ISSUE	REVISION	DRN	CHK/APP	DATE
1	DEVELOPMENT APPLICATION	SA	SA	06/11/20
2	RESPONSE TO COUNCIL RFI	SA	SA	21/01/20

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410555465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- CHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THE DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

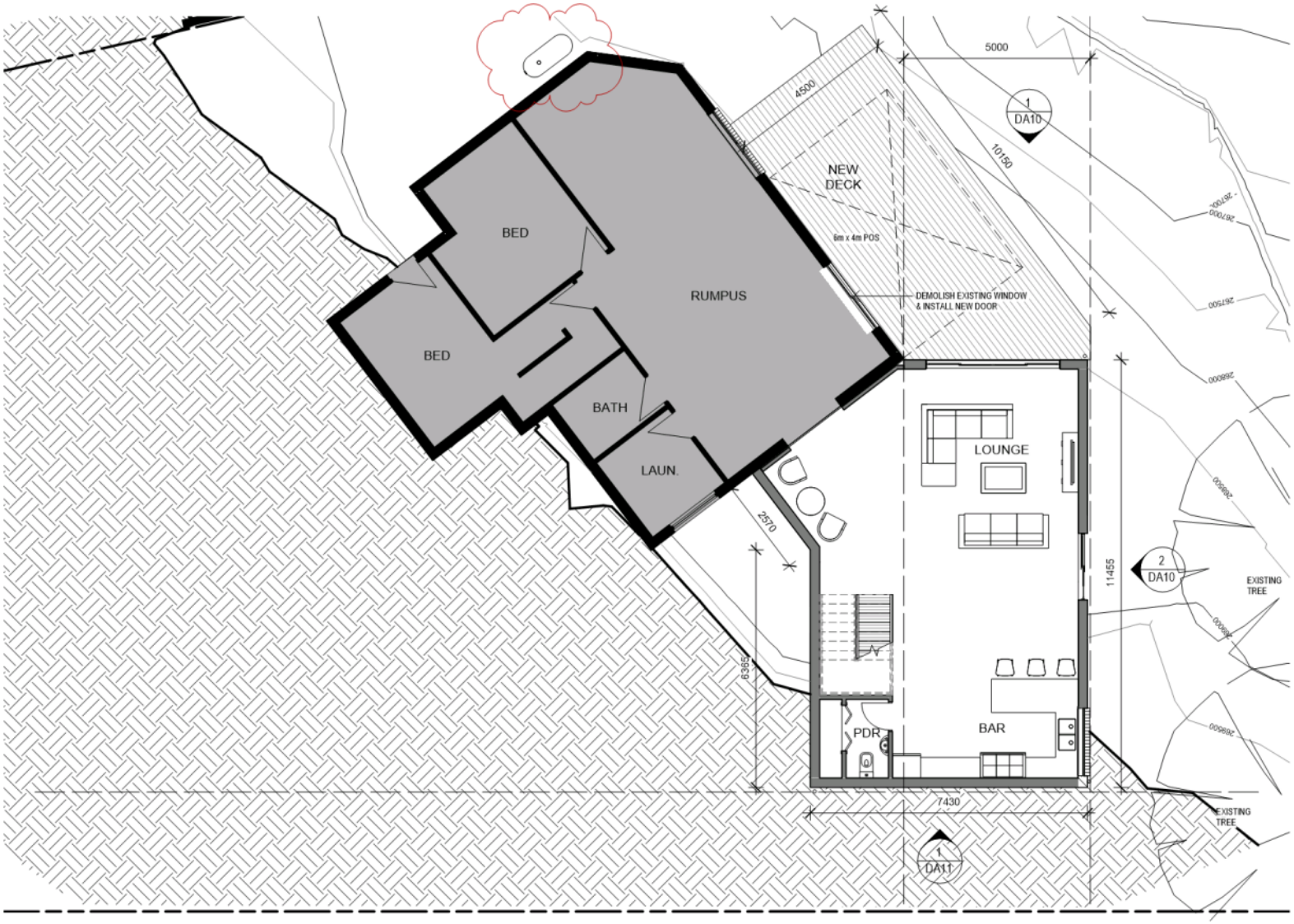
NORTH:

PROJECT: HOUSE EXTENSION
PROJECT ADDRESS: 67 WOODCUTTERS DRIVE, TOLMANS HILL
CLIENT: RAN PEI & GUANG REN

DRAWING TITLE: SITE PLAN
PROJECT NO.: 1908

SCALE: 1 : 200 @ A3
DRAWING No.: DA02
REVISION: 2

1/28/2020 7:04:39 PM



ISSUE	REVISION	DRN	CHK/APP	DATE
1	DEVELOPMENT APPLICATION	SA	SA	08/01/2020
2	RESPONSE TO COUNCIL RFI	SA	SA	21/01/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410555465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- CHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

NORTH:

PROJECT:
HOUSE EXTENSION

PROJECT ADDRESS:
67 WOODCUTTERS DRIVE,
TOLMANS HILL

CLIENT:
RAN PEI & GUANG REN

DRAWING TITLE:
LEVEL LOWER GROUND

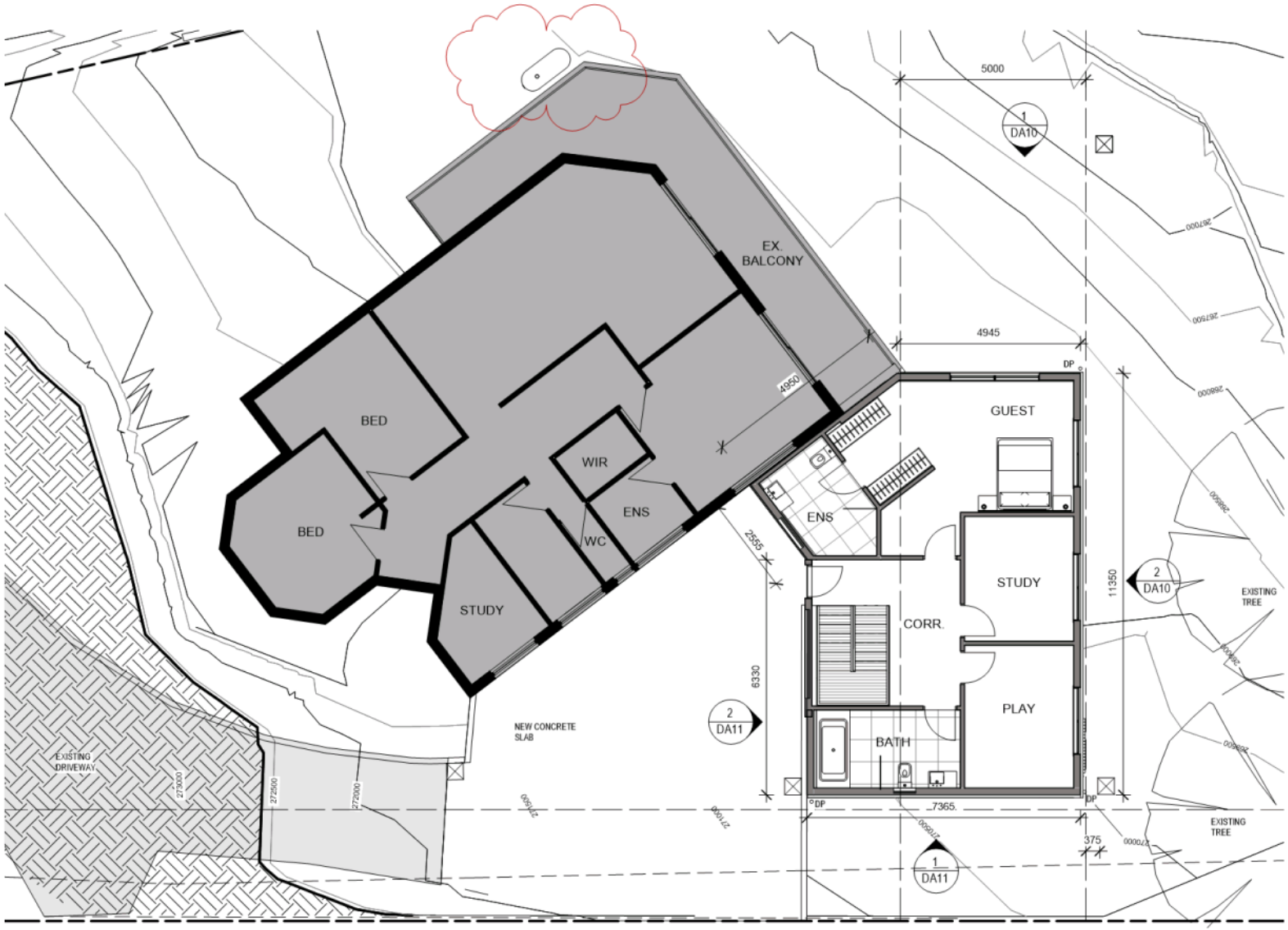
PROJECT NO.:
1908

SCALE:
1 : 100 @ A3

DRAWING No.:
DA03

REVISION:
2

1/28/2020 7:04:43 PM



ISSUE	REVISION	DRN	CHK/APP	DATE
1	DEVELOPMENT APPLICATION	SA	SA	06/11/2020
2	RESPONSE TO COUNCIL RFI	SA	SA	27/11/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410555465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- RCHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

NORTH:

PROJECT:
HOUSE EXTENSION

PROJECT ADDRESS:
67 WOODCUTTERS DRIVE,
TOLMANS HILL

CLIENT:
RAN PEI & GUANG REN

DRAWING TITLE:
LEVEL GROUND

PROJECT NO.:
1908

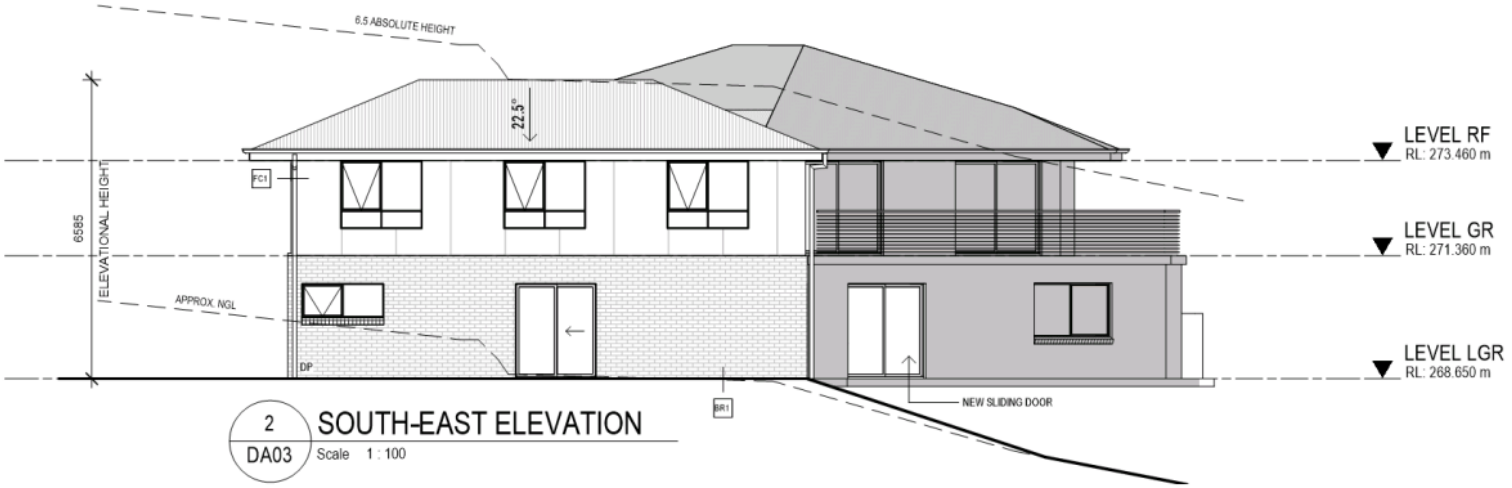
SCALE:
1 : 100 @ A3

DRAWING No.:
DA04

REVISION:
2

1/28/2020 7:04:51 PM

1 DA03 NORTH-EAST ELEVATION
Scale 1 : 100



2 DA03 SOUTH-EAST ELEVATION
Scale 1 : 100

MATERIAL LEGEND:
CB1 - CONCRETE BLOCK
FC1 - FIBER CEMENT CLADDING
BR1 - BRICK VENEER

ISSUE	REVISION	DRN	CHK/APP	DATE
1	DEVELOPMENT APPLICATION	SA	SA	06/01/2020
2	RESPONSE TO COUNCIL RFI	SA	SA	21/01/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电話 0410555465
EMAIL 电郵 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED
WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- ROHEEK AND VERIFY ALL DIMENSIONS ON SITE
- READ THE DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER
RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

PROJECT:
HOUSE EXTENSION

PROJECT ADDRESS:
67 WOODCUTTERS DRIVE, TOLMANS HILL

CLIENT:
RAN PEI & GUANG REN

DRAWING TITLE:
ELEVATIONS

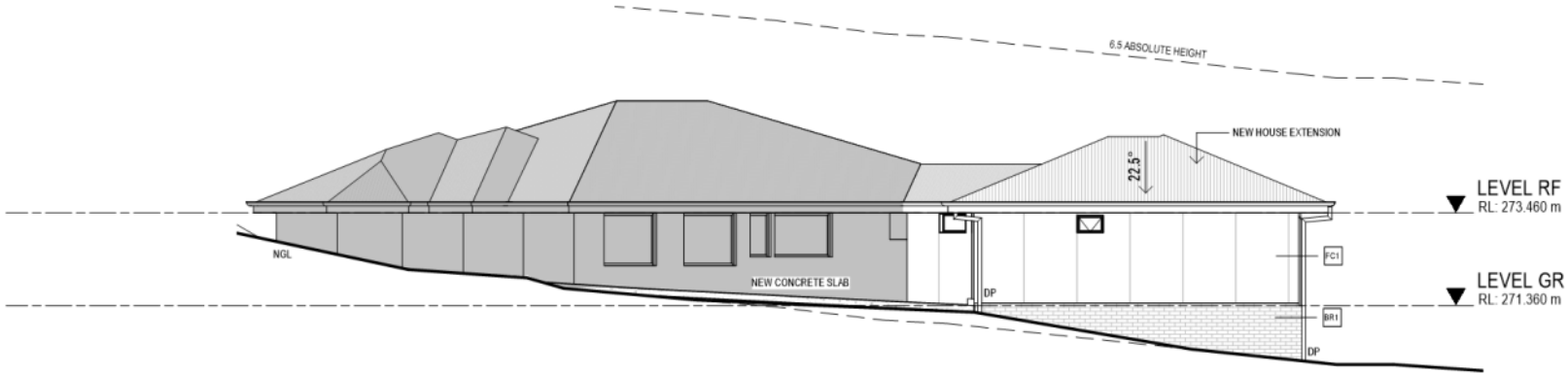
PROJECT NO.:
1908

SCALE:
1 : 100 @ A3

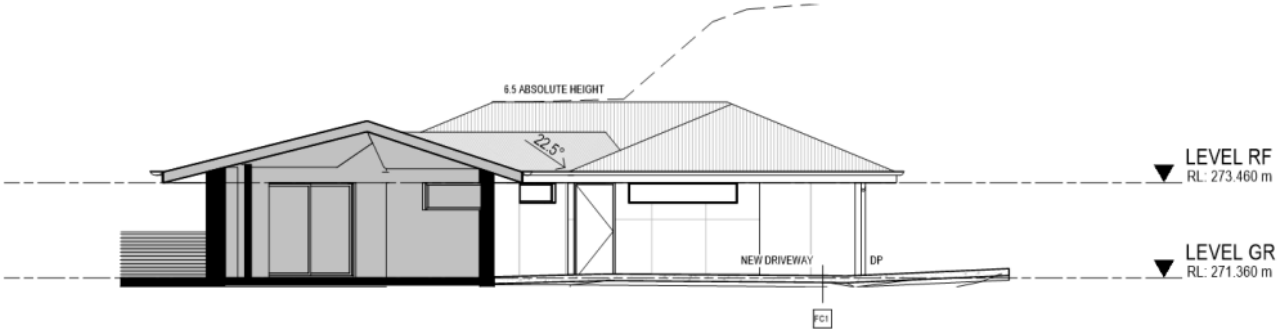
DRAWING No.:
DA10

REVISION:
2

1/28/2020 7:04:54 PM



1 DA03 SOUTH-WEST ELEVATION
Scale 1 : 100



2 DA04 NORTH-WEST ELEVATION
Scale 1 : 100

MATERIAL LEGEND:
CB1 - CONCRETE BLOCK
FC1 - FIBER CEMENT CLADDING
BR1 - BRICK VENEER

ISSUE	REVISION	DRN	CHK/ APP	DATE
	DEVELOPMENT APPLICATION	SX	SX	06/01/2020

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410555465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- ROHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THE DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

PROJECT:
HOUSE EXTENSION

PROJECT ADDRESS:
67 WOODCUTTERS DRIVE, TOLMANS HILL

CLIENT:
RAN PEI & GUANG REN

DRAWING TITLE:
ELEVATIONS

PROJECT NO.:
1908

SCALE:
1 : 100 @ A3

DRAWING No.:
DA11

REVISION:
1

1/28/2020 7:04:55 PM

STORMWATER ASSESSMENT:

SITE AREA: 1192m2

RAINFALL INTENSITY (1:20 ARI 5 MIN) = 90.5 l/s

PRE-DEVELOPEMENT

HOUSE ROOF = 138m2
DRIVEWAY AREA = 80m2
TOTAL IMPERVIOUS AREA = 218m2
TOTAL PERVIOUS AREA = 974m2

CO-EFFCIENT OF RUN-OFF = 0.9 X 218 + 0.4 X 974 / 1192 = 0.49

PEAK DISCHARGE = 0.49 X 90.5 X 1192 / 3600 = 14.7 L/S

POST DEVELOPMENT

HOUSE ROOF = 138m2
EXTENSION = 87m2
DRIVEWAY = 180m2
TOTAL IMPERVIOUS AREA = 405m2
TOTAL PERVIOUS AREA = 787m2

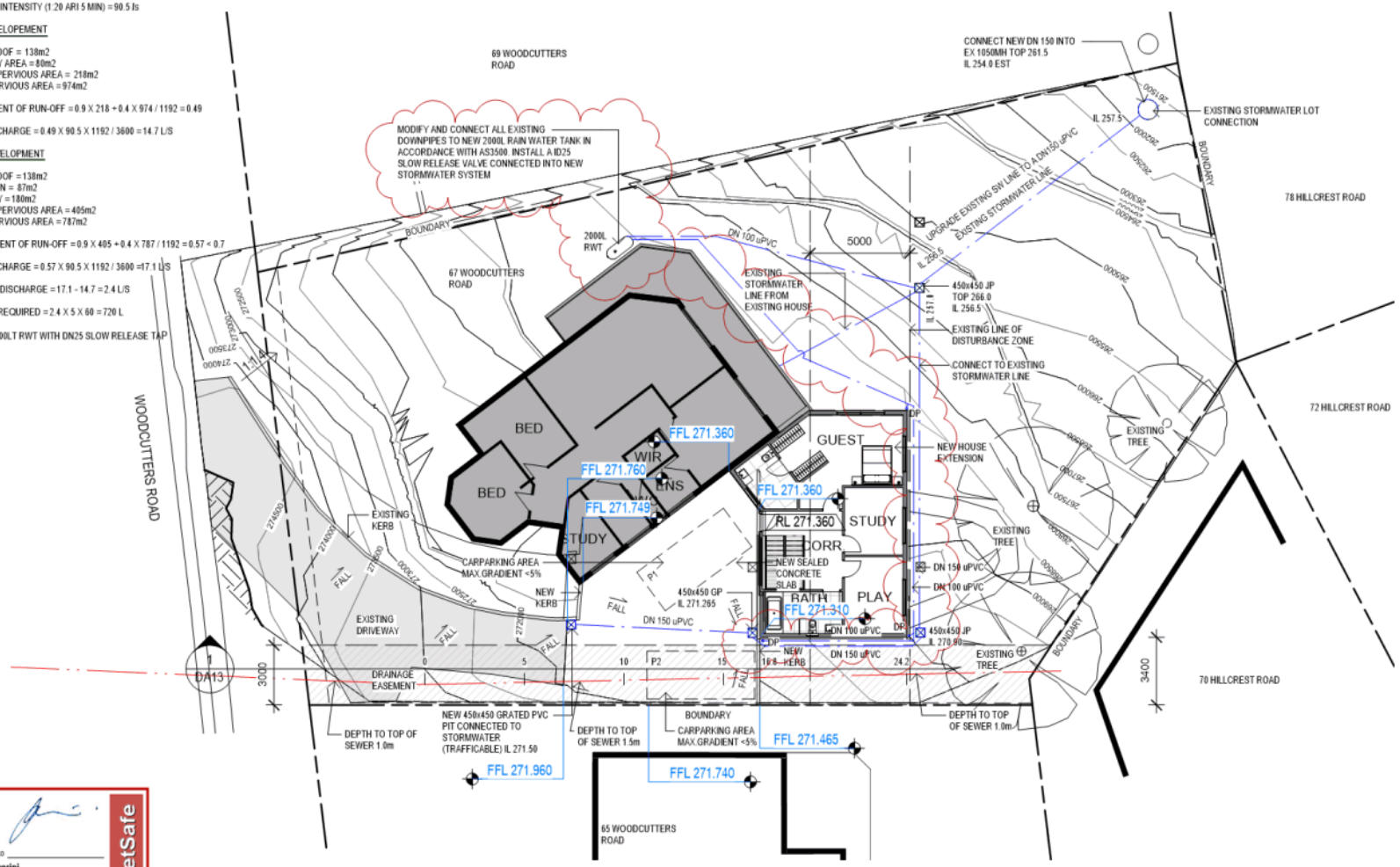
CO-EFFICIENT OF RUN-OFF = 0.9 X 405 + 0.4 X 787 / 1192 = 0.57 < 0.7

PEAK DISCHARGE = 0.57 X 90.5 X 1192 / 3600 = 17.1 L/S

SURPLUS DISCHARGE = 17.1 - 14.7 = 2.4 L/S

OSD VOL REQUIRED = 2.4 X 5 X 60 = 720 L

ADOPT 2000LT RWT WITH DN25 SLOW RELEASE TAP



ENGINEERS AUSTRALIA
Reg No. 412510
George Severini,
BEng ME Aust CPEng NER APEC Engineer IntPE(Aus)
Date: 28/1/2020
Tas Building Practitioner No. CC1822J
AssetSafe

ISSUE	REVISION	DRN	CHK/APP	DATE
1	RESPONSE TO COUNCIL RFI	SA	SA	21/01/2020
2	DEVELOPMENT APPLICATION RFI 1	SA	SA	13/07/2019
3	ENGINEER RAG RFI	SA	SA	12/12/2019

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 电话 0410595465
EMAIL 电邮 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- CHECK AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

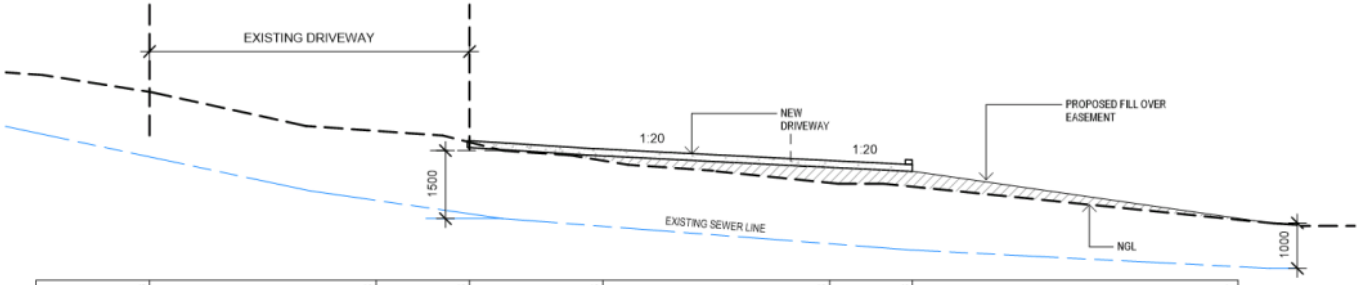
NORTH:

PROJECT: HOUSE EXTENSION
PROJECT ADDRESS: 67 WOODCUTTERS DRIVE, TOLMANS HILL
CLIENT: RAN PEI & GUANG REN

DRAWING TITLE: STORMWATER CONCEPT PLAN
PROJECT NO.: 1908

SCALE: 1 : 200 @ A3
DRAWING No.: **DA12**
REVISION: **3**

1/21/2020 7:47:09 PM



DESIGN LEVELS	272.993	272.125	271.915	271.745	271.495	271.238	270.167
EXISTING LEVELS	272.993	272.125	271.877	271.488	270.981	270.898	270.167
CUT/ FILL	0.00	0.00	+0.04	+0.25	+0.51	+0.34	+0.00
CHAINAGE	0.00	5.00	7.06	10.00	15.00	20.00	24.20

1 / DA12 DRIVEWAY LONG SECTION
Scale 1 : 100

ISSUE	REVISION	DRN	CHK / APP	DATE
1	ENGINEERING RFI	DA	DA	12/12/2019

MinD. ARCHITECTS AssetSafe ENGINEER

ARCHITECT 設計師 DAVID WAI HO AU
PHONE 電話 0410595465
EMAIL 電郵 DAVIDAU1989@GMAIL.COM

REASON FOR ISSUE
DEVELOPMENT APPROVAL

- THIS DRAWING AND THE CONTENTS HEREIN ARE THE COPYRIGHT OF MIND ARCHITECTS
- NO PART OF THE DRAWING AND THE DESIGN CONTAINED HEREIN MAY BE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF A DIRECTOR OF MIND ARCHITECTS.
- DO NOT TAKE MEASUREMENTS DIRECTLY FROM THIS DRAWING.
- REMEDY AND VERIFY ALL DIMENSIONS ON SITE
- READ THIS DRAWING IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL OTHER RELATED DRAWINGS.
- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY FOUND HEREIN.

NORTH:

PROJECT: HOUSE EXTENSION
PROJECT ADDRESS: 67 WOODCUTTERS DRIVE, TOLMANS HILL
CLIENT: RAN PEI & GUANG REN

DRAWING TITLE: DRIVEWAY SECTION
PROJECT NO.: 1908

SCALE: 1 : 100 @ A3
DRAWING No.: DA13
REVISION: 1

1/28/2020 7:04:55 PM

AssetSafe

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

Form **55**

To: Ran Pei & Guang Ren *Owner /Agent*
67 Woodcutters Drive *Address*
Tolmans Hil *Suburb/postcode*

Qualified person details:

Qualified person: George Severini
Address: GPO Box 1855
Hobart 7001
Phone No: 0413 272 057
Fax No:
Licence No: CC1822J
Email address: gseverini@assetsafe.com.au

Qualifications and Insurance details: BE Civil MIE Aust CPEng NER *(description from Column 3 of the Director of Building Control's Determination)*

Speciality area of expertise: Civil & Hydraulic Engineering *(description from Column 4 of the Director of Building Control's Determination)*

Details of work:

Address: 67 Woodcutters Drive
Tolmans Hill
Lot No:
Certificate of title No:

The assessable item related to this certificate: Proposed Driveway and Car Parking Area – Driveway, Retaining Wall, Stormwater & Sewer.

(description of the assessable item being certified)
Assessable item includes –
- *a material;*
- *a design*
- *a form of construction*
- *a document*
- *testing of a component, building system or plumbing system*
- *an inspection, or assessment, performed*

Certificate details:

Certificate type: Civil/Hydraulics *(description from Column 1 of Schedule 1 of the Director's Determination – Certificates by Qualified Persons for Assessable items n)*

This certificate is in relation to the above assessable item, at any stage, as part of - *(tick one)*

building work, plumbing work or plumbing installation or demolition work: ✓

or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

AssetSafe

Documents:	Drawings prepared by Mind Architects David Wai Ho Au Drawings No. 1908 Sheet DA12 and DA13.
Relevant calculations:	None.
References:	AS1170.1, AS3600, AS3700, AS3500 and relevant sections of the BCA.

Substance of Certificate: (what it is that is being certified)

This certificate confirms that I George Severini on behalf of AssetSafe have undertaken a driveway, retaining wall, stormwater and sewer drainage design review for the proposed extension at address listed above in accordance with the relevant Australian Standards and BCA. This certificate includes driveway, stormwater pits and sewer pipes as detailed on the referenced drawings above.

Stormwater Assessment:
The stormwater concept design has been designed for a 1in 20 year ARI 5 minute storm event and we confirm that the Stormwater Run-Off will be no greater than the pre-existing run-off. The increase in Stormwater Run-Off from the proposed extension and pavement has been accommodated by installing a 2000lt Rain Water Tank with a DN25 slow release tap.

Our assessment for 1:100 overland flow and overflows is low risk which means any overflow will be directed around the dwelling downhill properties and will have minimal impact on dwelling downstream.

Scope and/or Limitations

AssetSafe have not been engage to undertaken inspection. Inspections will be required in accordance with the minimum requirements of the Build Act 2000 and as instructed by the Building Surveyor. In some cases these inspections can be undertaken by the building surveyor.

If inspections are requested we will charge $200/hr + GST including any outgoing costs. If site conditions vary from the design criteria set out in the drawings AssetSafe shall be notified for further recommendations.

Any additional works shall be charged at $200/hr + GST.

I certify the matters described in this certificate.

	Signed:	*Certificate No:*	*Date:*
Qualified person:	G Severini, *BE Civil MIE Aust CPEng NPER*	28/1/2020	SC-19099

Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-8		Council notice date	9/01/2020
TasWater details				
TasWater Reference No.	TWDA 2020/00020-HCC		Date of response	16/01/2020
TasWater Contact	Rachael Towns	Phone No.	03 6345 6346	
Response issued to				
Council name	HOBART CITY COUNCIL			
Contact details	coh@hobartcity.com.au			
Development details				
Address	67 WOODCUTTERS RD, TOLMANS HILL		Property ID (PID)	1895336
Description of development	Partial Demolition, Extension and Alterations			

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
MinD. Architects	Prokect 1908Dwg DA12	2	12/12/2019

Conditions

Pursuant to the *Water and Sewerage Industry Act* 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connection / sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.

2. Any modified property service connections must be carried out by TasWater at the developer's cost.

56W CONSENT

3. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

   The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;

   a. Existing pipe depth and proposed finished surface levels over the pipe;

   b. The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;

   c. A note on the plan indicating how the pipe location and depth were ascertained.

DEVELOPMENT ASSESSMENT FEES

4. The applicant or landowner as the case may be, must pay a development assessment fee of $211.63 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required by the due date as noted on the statement when issued by TasWater.

Advice

General

For information on TasWater development standards, please visit

https://www.taswater.com.au/Development/Technical-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.

- 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

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

7.2.5 342 SANDY BAY ROAD, SANDY BAY 1/ 344-346 SANDY BAY ROAD, SANDY BAY ADJACENT CROWN LAND PLN-20-146 - FILE REF: F20/27286

Address:	342 Sandy Bay Road, Sandy Bay, 1/344-346 Sandy Bay Road, Sandy Bay Adjacent Crown Land`
Proposal:	Subdivision (Lot Consolidation)
Expiry Date:	14 April 2020
Extension of Time:	Not applicable
Author:	Michael McClenahan

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (lot consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and adjacent crown land 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-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SUB s1

An amendment to Strata Plan 144514 must be submitted to Council in accordance with the requirements of sections 19 and 31 of the Strata Titles Act 1998, once the Planning Scheme Amendment to rezone Lot 1 and the land comprised in CT 76753/1 to General Residential has been approved.

Reason for condition

To enable Lot 1 and CT 76753/1 to be added to CT 144154/1 and the common property for Strata Plan 144514

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.

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.

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

COUNCIL RESERVES

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

FEES AND CHARGES

Click here for information on the Council's fees and charges.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click here. All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884.*

Attachment A:	PLN-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - CPC Agenda Documents ⇩

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	14 April 2020
Application No:	PLN-20-146
Address:	342 SANDY BAY ROAD , SANDY BAY 1 / 344 - 346 SANDY BAY ROAD , SANDY BAY ADJACENT CROWN LAND
Applicant:	Bronwyn Mellor (PDA Surveyors) 127 Bathurst Street
Proposal:	Subdivision (Lot Consolidation)
Representations:	Not applicable (section 43A application)
Performance criteria:	Zone Development Standards Historic Heritage Code Inundation Prone Areas Code Coastal Erosion Code

1. Executive Summary

1.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road and adjacent Crown Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur.

1.2 The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

More specifically the proposal includes:

- Subdivision: Consolidation of lots CT. 76753/1 and CT. 144154/1, which are in the same ownership, along with a 22sqm portion of Crown owned land, to result in one single 450.5sqm lot.
- Rezoning: The consolidated 450.5sqm lot is to be zoned General Residential in entirety. This requires the 22sqm lot of Crown own land to be rezoned from Environmental Management to General Residential, and lot CT. 76753/1 being rezoned from Open Space to General Residential.

1.3 Section 43A applications are those which seek to amend the planning scheme combined with a planning application that relies on the amendment to the planning scheme. As such, s43A applications allow the Council to consider planning applications that would otherwise not be allowed, because it allows the Council to consider the planning application against the amendment that is also proposed.

In this planning application, the proposal is for the consolidation of three lots into one, containing an existing residential use. Two of the three lots are currently zoned Open Space or Environmental Management, which effectively proscribe the creation of a new lot with a residential use. As such, the planning scheme amendment seeks to rezone the land zoned Open Space and Environmental Management to General Residential, where the creation of a new lot with a residential use is allowable.

The advertising period associated with Section 43A proposals commences after the application has been determined by Council.

1.4 The proposed subdivision (lot consolidation) relies on performance criteria to satisfy the following standards and codes:

1.3.1 General Residential Zone Development Standards for Subdivision - Lot Design
1.3.2 Historic Heritage Code - Subdivision
1.3.3 Inundation Prone Areas Code - Medium and High Inundation Hazard Areas
1.3.4 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas

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 subject site is comprised of two titles in the same ownership, the first being 1/344-346 Sandy Bay Road CT. 144154/1, which is 297sqm in area, and 342 Sandy Bay Road CT. 76753/1, which is 131.5sqm, as well as a small 22sqm portion of Crown land which has no title or address but in practical terms forms part of the adjacent marina.

1/344-346 Sandy Bay Road contains an existing dwelling. 342 Sandy Bay Road contains a driveway and part of boat shed owned and used by 1/344-346 Sandy Bay Road. The small 22sqm portion of Crown land contains the remainder of the boatshed owned and used by 1/344-346 Sandy Bay Road.

The site is located on the foreshore area of the Derwent River and sits adjacent to public open space and a car parking area for the Derwent Sailing Squadron.

Figure 1: Aerial image which shows 342 (on the left) and 1/344-3467 Sandy Bay Road (on the right) bordered in blue. The other half of the boat shed can be seen adjacent to the top (waterside) of 342 Sandy Bay Road, and this is the portion of Crown Land that forms part of the site.

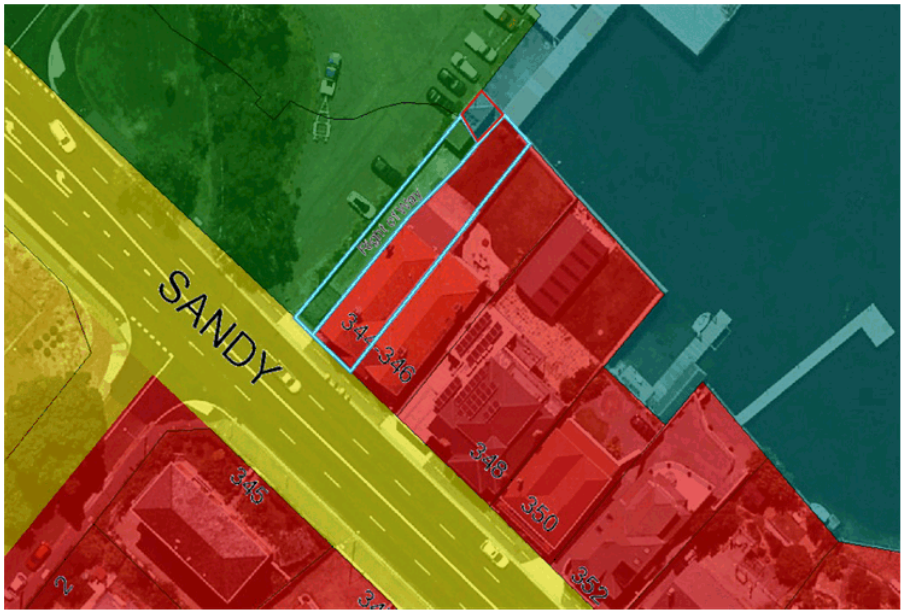


Figure 2: Aerial image showing the existing zoning. Green: Open Space Zone, red: General Residential Zone, and aqua: Environmental Management Zone. 1/344-346 Sandy Bay Road is zone General Residential. 342 Sandy Bay Road is zoned Open Space. The small portion of Crown Land that forms part of the subject site is zoned Environmental Management (bordered in red). The proposed planning scheme amendment would result in the entire site being zoned General Residential (the red zoning).

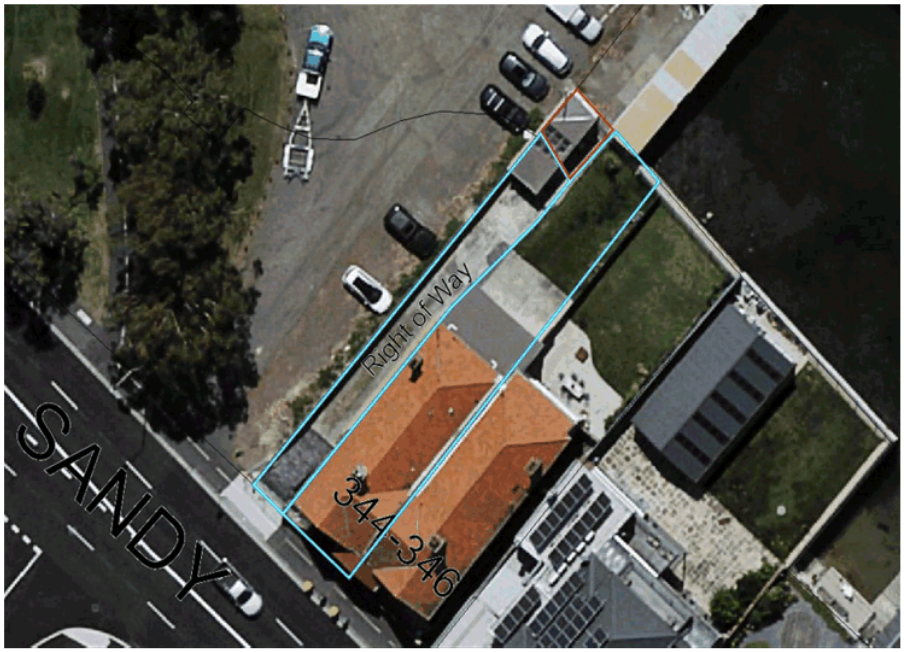


Figure 3: Showing all land forming the subject site - 342 and 1/344-346 Sandy Bay Road are bordered in blue, and the portion of Crown owned land is bordered in red. The proposed subdivision (lot consolidation) seeks to combine all parcels of land into one new lot of 450.5sqm.

3. Proposal

3.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road, and adjacent Cronw Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur.

3.2 The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

More specifically the proposal includes:

- Subdivision: Consolidation of lots CT. 76753/1 and CT. 144154/1, which are in the same ownership, along with a 22sqm portion of Crown owned land, to result in one single 450.5sqm lot.
- Rezoning: The consolidated 450.5sqm lot is to be zoned General Residential in entirety. This requires the 22sqm lot of Crown own land to be rezoned from Environmental Management to General Residential, and lot CT. 76753/1 being rezoned from Open Space to General Residential.

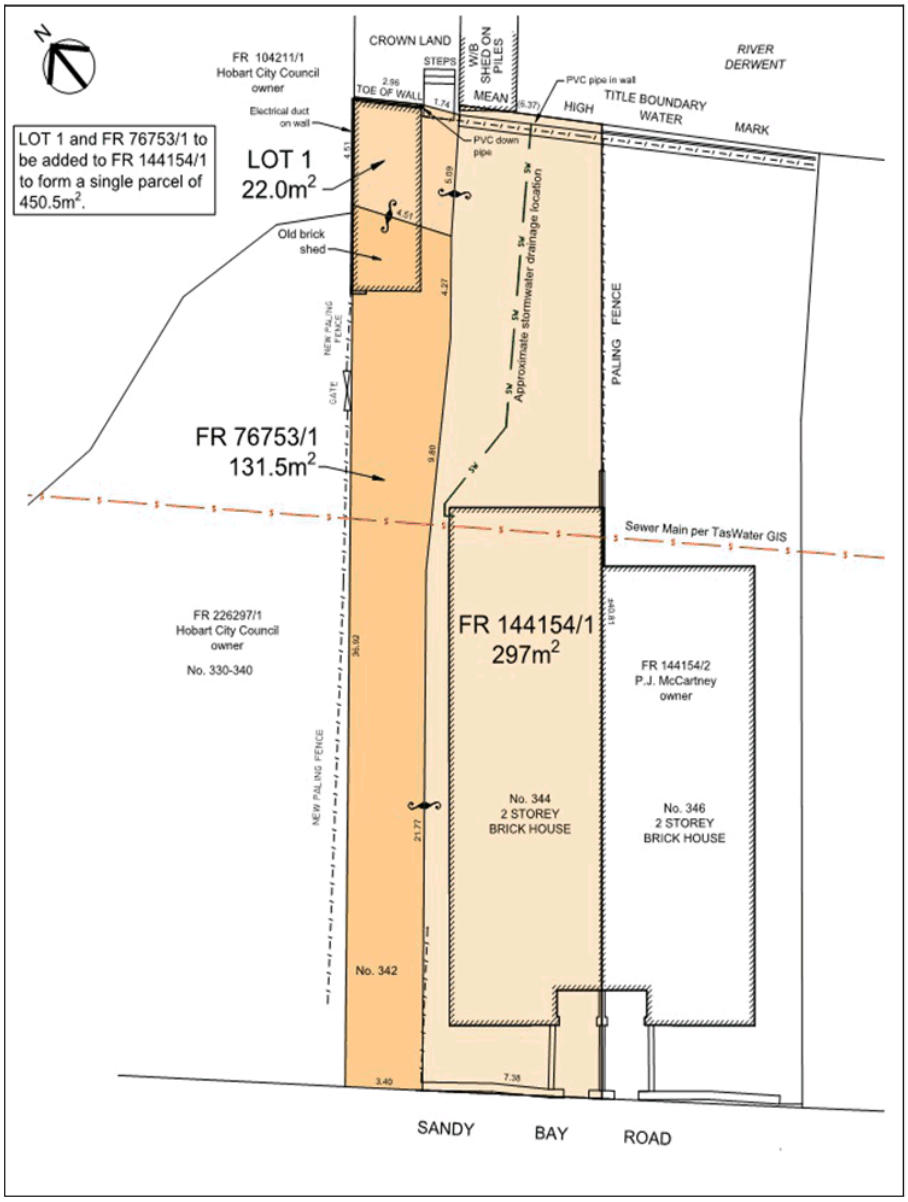


Figure 4: Proposed plan of subdivision.

4. Background

4.1 All titles on the subject site were previously zoned Residential 2 under the City of Hobart Planning Scheme 1982. It is contended by the applicant that the subsequent zoning under the Hobart Interim Planning Scheme 2015 for lot CT 76753/1 at 342 Sandy Bay Road to Open Space was undertaken erroneously. There is no further background information relevant to the application.

5. Concerns raised by representors

5.1 The advertising period associated with Section 43A application commences after the application has been determined by Council.

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, Open Space, and Environmental Management Zone of the *Hobart Interim Planning Scheme 2015*. However, because this planning application forms part of a section 43A planning scheme amendment application, the proposed subdivision is considered only against the standards of the General Residential zone, because that is the zoning the site will have if the planning scheme is amended.

6.3 The existing use is Residential (single dwelling). There is no proposed change of use. The existing use is a no permit required use in the zone.

6.4 The proposal has been assessed against:

6.4.1 D10.0 General Residential Zone

6.4.2 E2.0 Potentially Contaminated Land Code

6.4.3 E3.0 Landslide Code

6.4.4 E5.0 Road and Railway Assets Code

6.4.5 E6.0 Parking and Access Code

6.4.6 E7.0 Stormwater Management Code

6.4.7 E13.0 Historic Heritage Code

6.4.8 E15.0 Inundation Prone Areas Code

6.4.9 E16.0 Coastal Erosion Hazard 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: -

Lot Design - Part D 10.6.1 P3

6.5.2 Historic Heritage Code:-

Subdivision - Part E 13.9.3 P1

6.5.3 Inundation Prone Areas Code:-

Medium and High Inundation Hazard Areas - Part E 15.8.1 P1

6.5.4 Coastal Erosion Code:-

Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P1; P2

6.6 Each performance criterion is assessed below.

6.7 Lot Design - Part D 10.6.1 P3

6.7.1 The acceptable solution at clause 10.6.1 A3 requires the frontage for each lot must comply with the minimum frontage specified in Table 10.2, which for a lot adjoining public open space is 12m.

6.7.2 The lot will have a frontage of 10.78m.

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

6.7.4 The performance criterion at clause 10.6.1 P3 provides as follows:

The frontage of each lot must satisfy all of the following:

(a) provides opportunity for practical and safe vehicular and pedestrian access;

(b) provides opportunity for passive surveillance between residential development on the lot and the public road;

(c) is no less than 6m.

6.7.5 The lot will have a frontage width of 10.78m and the existing lots contain a driveway access. This lot will continue to use this driveway access and the proposed subdivision will not alter the total existing frontage width. This lot will provide an opportunity for continue practical and safe vehicular and pedestrian access. The existing frontage contains a brick and picket fence along the Sandy Bay Road frontage with an approximate total height of 1.7m. The dwelling on the site sits at a higher position than the road and will continue to enjoy passive surveillance opportunities between the residential development and the public lot. The total width of the frontage will not be less than 6m.

6.7.6 The proposal complies with the performance criterion.

6.8 Historic Heritage Code - Subdivision - Part E 13.9.3 P1

6.8.1 There is no acceptable solution at clause 13.9.3 A1.

6.8.2 The proposal includes a proposed subdivision of property titles which are located within a Heritage Precinct.

6.8.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause 13.9.3 P1 provides as follows:

Subdivision must not result in any of the following:

(a) detriment to the historic cultural heritage significance of the precinct, as set out in Table E13.3;
(b) a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct;

(c) potential for a confused understanding of the development of the precinct;
(d) an increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct

6.8.5 The proposed subdivision will include titles which are located within a Heritage Precinct (Sandy Bay 8) and as such were referred to Council's Cultural Heritage Officer. The officer has provided the following assessment:

The proposal is for a lot consolidation and will not result in any detriment to the cultural heritage significance of the precinct, will not create a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct and will have no impact upon future incompatible development.

6.8.6 The proposal complies with the performance criterion.

6.9 Inundation Prone Areas Code - Medium and High Inundation Hazard Areas - Part E 15.8.1 P1

6.9.1 There is no acceptable solution for clause 15.8.1 A1.

6.9.2 The proposal includes subdivision within a Medium Inundation Hazard Area.

6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at clause 15.8.1 P1 provides as follows:

Subdivision of a lot, all or part of which is within a Medium or High Inundation Hazard Area must be for the purpose of one or more of the following:

(a) separation of existing dwellings;

(b) creation of a lot for the purposes of public open space, public reserve or utilities;

(c) creation of a lot in which the building area, access and services are outside the hazard area, with the exception of stormwater.

6.9.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The habitable buildings are located outside the inundation hazard areas. Access to the proposed lot would be outside the inundation hazard areas. Water and sewage are located outside the inundation hazard area

6.9.6 The proposal complies with the performance criterion.

6.10 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P1

6.10.1 There is no acceptable solution for clause 16.8.1 A1.

6.10.2 The proposal includes a subdivision within a Coastal Erosion Hazard Area

6.10.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.10.4 The performance criterion at clause 16.8.1 P1 provides as follows:

Subdivision of a lot, all or part of which is within an Coastal Erosion Hazard Area must be for the purpose of one or more of the following:

(a) separation of existing dwellings;

(b) creation of a lot for the purposes of public open space, public reserve or utilities;

(c) creation of a lot in which the building area, access and services are outside the Coastal Erosion Hazard Area.

6.10.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The habitable buildings are located outside the inundation hazard areas. Access to the proposed lot would be outside the inundation hazard areas. Water and sewage are located outside the inundation hazard area. The proposal complies with P1.

6.10.6 The proposal complies with the performance criterion.

6.11 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P2

6.11.1 There is no acceptable solution for clause 16.8.1 A2.

6.11.2 The proposal includes a subdivision within a Coastal Erosion Hazard Area

6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause 16.8.1 P2 provides as follows

Subdivision must satisfy all of the following:

(a) not increase risk to adjoining or nearby property;
(b) any increased reliance on public infrastructure must not result in a unacceptable level of risk;
(c) need for future remediation works is minimised;
(d) access to the lot will not be lost or substantially compromised by coastal hazards on or off-site;
(e) no building area is located within the Coastal Erosion Hazard Area;
(f) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;
(g) not be prohibited by the relevant zone standards.

6.11.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The proposed subdivision would not change erosion risk or increase reliance on public infrastructure. The proposed subdivision would not change the need for any future remedial works. Access to the site is outside the mapped coastal erosion and inundation hazard areas. The habitable buildings are outside the coastal erosion hazard area. Council does not have a policy for developer contributions. The subdivision is not prohibited by the zone standards.

6.11.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road and adjacent Crown Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur. The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

7.2 The proposal has been assessed against the relevant provisions of the planning scheme, as if it were amended in accordance with the section 43A application, and is considered to perform well.

7.3 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Health Officer, Cultural Heritage Officer, Environmental Development Planner, Survey Officer, and Park Planner. The officers have raised no objection to the proposal, subject to conditions.

7.4 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Subdivision (Lot Consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and Adjacent Crown Land 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 Subdivision (Lot Consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and Adjacent Crown Land 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-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SUB s1

An amendment to Strata Plan 144514 must be submitted to Council in accordance with the requirements of sections 19 and 31 of the Strata Titles Act 1998, once the Planning Scheme Amendment to rezone Lot 1 and the land comprised in CT 76753/1 to General Residential has been approved.

Reason for condition

To enable Lot 1 and CT 76753/1 to be added to CT 144154/1 and the common property for Strata Plan 144514

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.

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 Infrastructure By law. Click here for more information.

COUNCIL RESERVES

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

FEES AND CHARGES

Click here for information on the Council's fees and charges.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click here.

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884.*

(Michael McClenahan)
Assistant 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: 4 March 2020

Attachment(s):

Attachment B - CPC Agenda Documents

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
76753	1
EDITION	DATE OF ISSUE
6	19-Apr-2018

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.56 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Diagram 76753 (formerly being 265-8D)
Derivation : Part of 52A-2R Gtd. to D. Lord.
Prior CT 3197/40

SCHEDULE 1

(M583834) M680004 TRANSFER to PAUL JAMES MCCARTNEY
Registered 19-Apr-2018 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BURDENING EASEMENT a right of carriage way for the balance of
the land comprised in Certificate of Title Volume 91
Folio 171 over the said land within described
E119668 MORTGAGE to National Australia Bank Limited
Registered 19-Apr-2018 at 12.02 PM

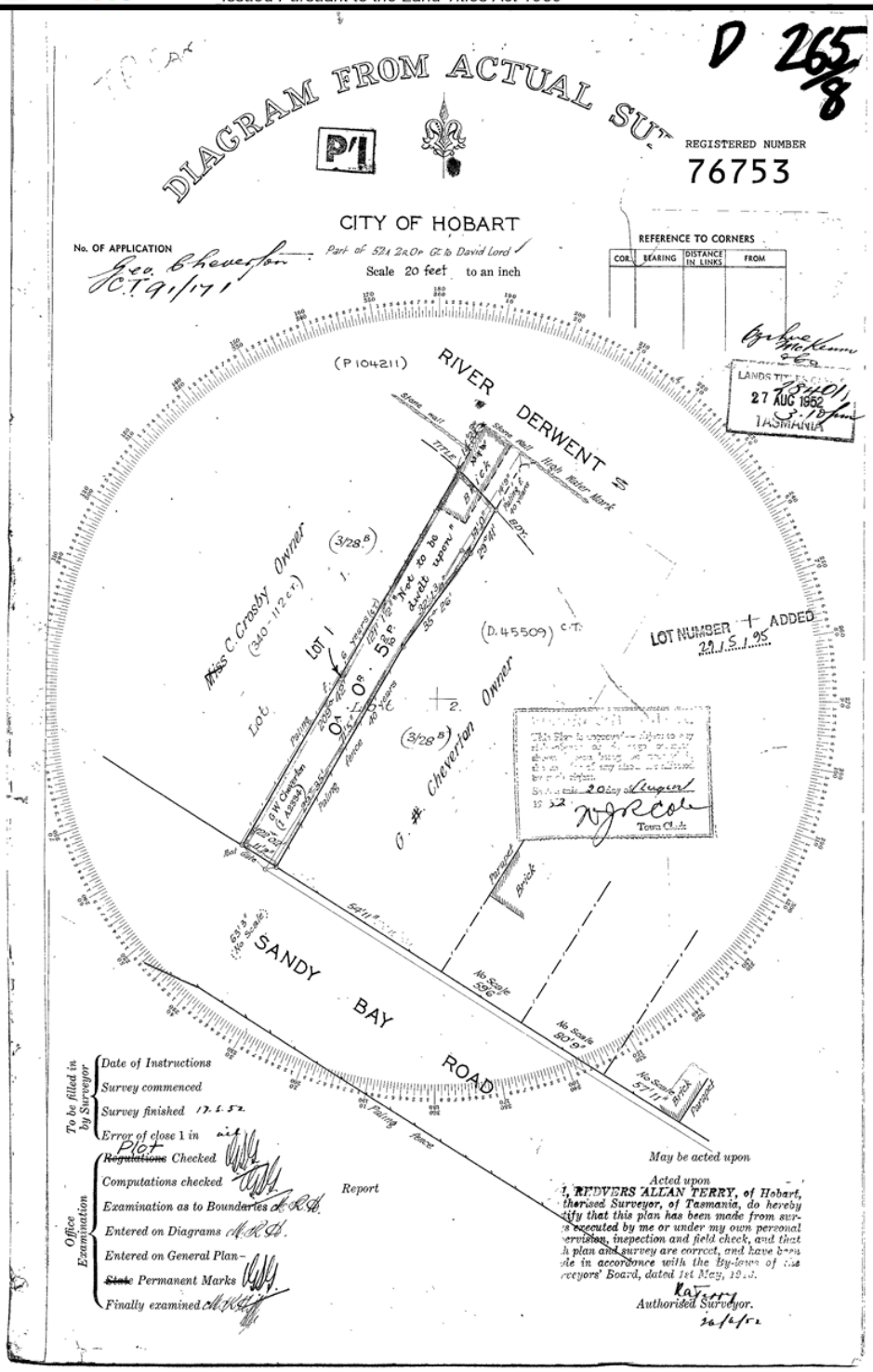
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
144154	1
EDITION	DATE OF ISSUE
6	19-Apr-2018

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.58 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Strata Plan 144154 and a general unit entitlement operating for all purposes of the Strata Scheme being a 1 undivided 1/2 interest
Derived from Strata Plan 144154
Derivation : Whole of Lot 40883 Granted to the Public Trustee as personal representative of the estate of Edward Tolman Domeney and Part of 52A-2R-0Ps Gtd to D Lord

SCHEDULE 1

(M583834) M680004 TRANSFER to PAUL JAMES MCCARTNEY
Registered 19-Apr-2018 at 12.01 PM

SCHEDULE 2

The registered proprietor holds the lot and unit entitlement subject to any interest noted on common property Folio of the Register volume 144154 folio 0
347/8 CROWN GRANT: Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
BENEFITING EASEMENT: Right of Carriageway [appurtenant to the land marked A.B.F.E. on D 45509) over the land marked A.B.C.D. on D 45509
B363736 ADHESION ORDER under Section 477A of the Local Government Act 1962 Registered 09-Jan-1991 at noon
E119668 MORTGAGE to National Australia Bank Limited
Registered 19-Apr-2018 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

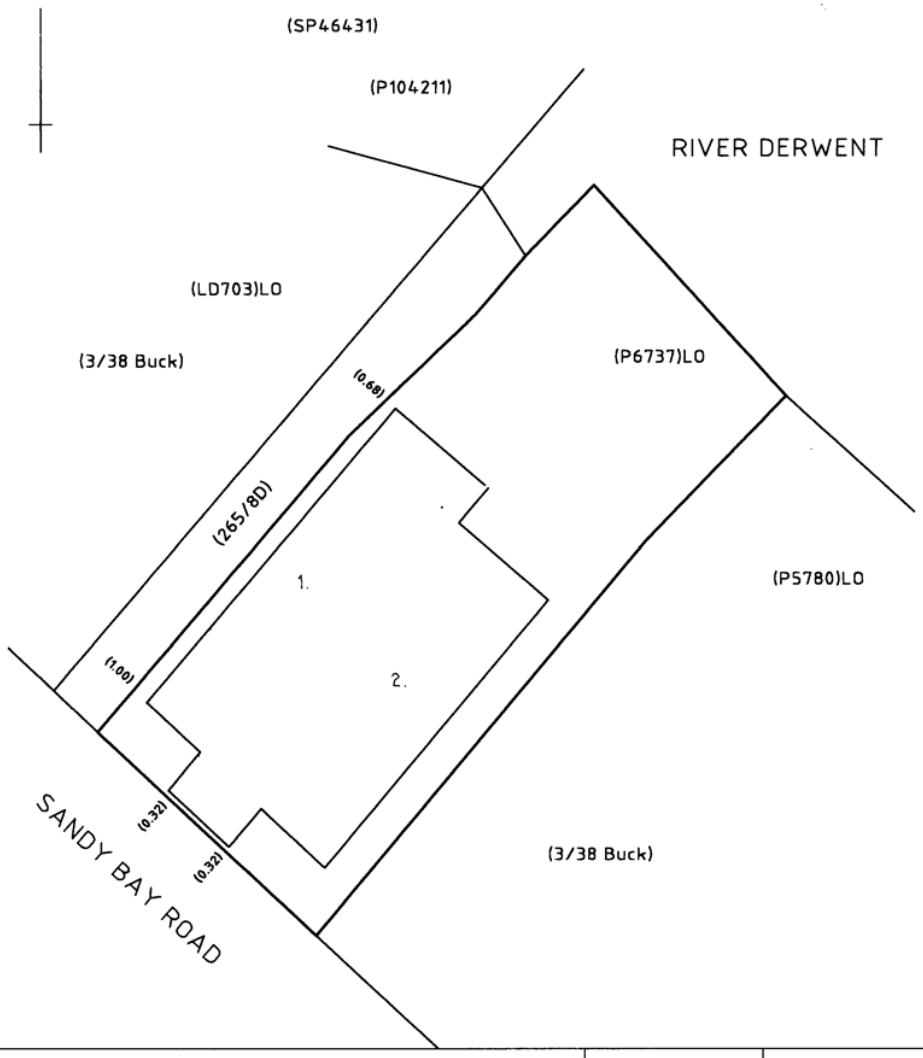
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

CITY/TOWN HOBART SUBURB/LOCALITY SANDY BAY FOLIO REFERENCE C.T.45509-1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. D45509	STRATA PLAN SHEET 1 OF 5 SHEETS	REGISTERED NUMBER **144154**
	NAME OF STRATA SCHEME 344-346 SANDY BAY ROAD, SANDY BAY	STRATA TITLES ACT 1998 REGISTERED - 8 AUG 2005 Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114 (5225-52) / LAST UPI No. GNDB1	SCALE 1:200 / LENGTHS IN METRES	

SITE PLAN



NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
(ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAT 2.00 METRES TO BE SHOWN ON SHEET 1.

STAGED/COMMUNITY DEVELOPMENT SCHEME No. (IF APPLICABLE)

Council Delegate — Date 26/7/05 — Registered Land Surveyor — Date 27/6/05

LODGED BY LARK & CREESE

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 2 OF 5 SHEETS

STRATA TITLES ACT 1998

Council Delegate — Date 26/7/2005

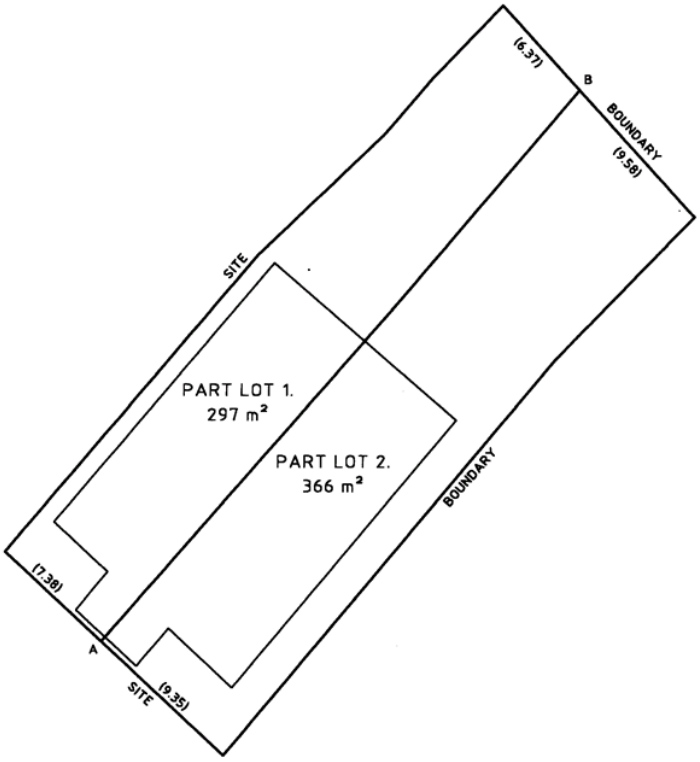
Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM TWO METRES BELOW GROUND LEVEL TO THE CENTRE OF THE CEILING ABOVE & ITS PROLONGATION THEREOF.

MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

GROUND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 3 OF 5 SHEETS

STRATA TITLES ACT 1998

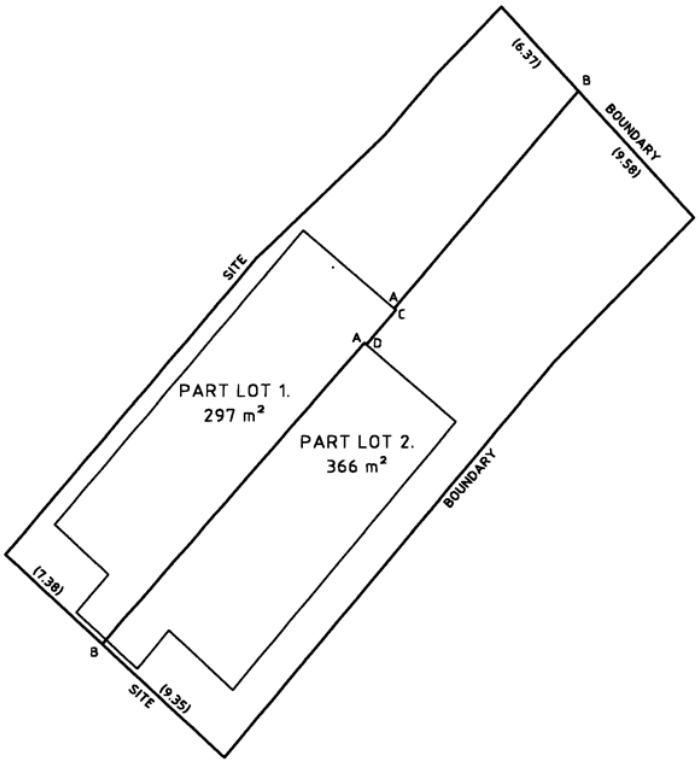
Council Delegate — Date 26/7/2005

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE FACE OF WALLS MARKED A C D.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE CENTRE OF THE FLOOR BELOW & ITS PROLONGATION THEREOF TO THE UNDERSIDE OF THE EAVES ABOVE. AND THEIR PROLONGATIONS THEREOF.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

FIRST FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

STRATA PLAN

SHEET 4 OF 5 SHEETS

STRATA TITLES ACT 1998

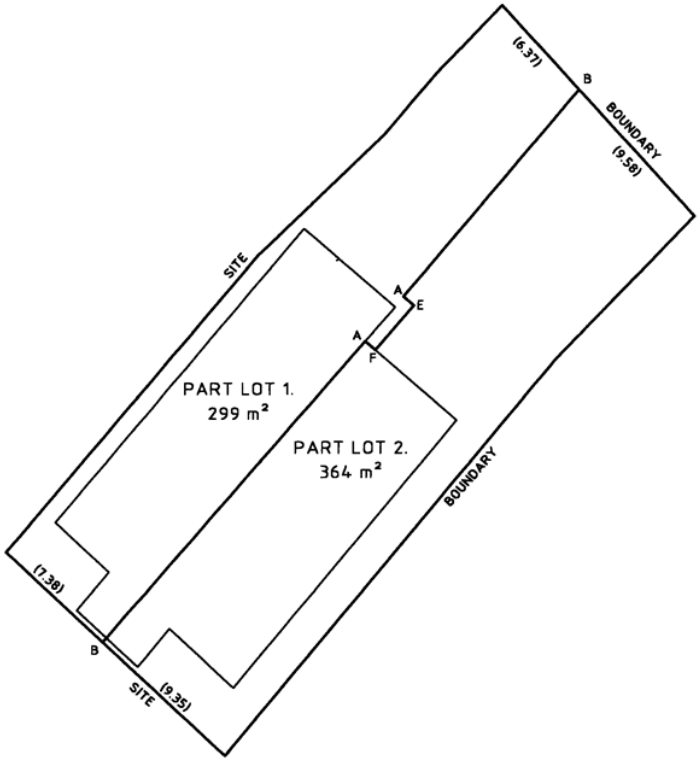
Council Delegate — Date 24/7/05

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE EDGE OF GUTTERING MARKED A E F.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE UNDERSIDE OF THE EAVES TO A HEIGHT OF 15 METRES ABOVE GROUND LEVEL. AND THEIR PROLONGATIONS.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

SECOND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

the List

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 5 OF 5 SHEETS

STRATA TITLES ACT 1998

Registered Number

144154

NAME OF THE BODY CORPORATE: STRATA CORPORATION No. 144154, 344-346 SANDY BAY ROAD, SAND BAY.

ADDRESS FOR THE SERVICES OF NOTICES: 344-346 Sandy Bay Road, Sandy Bay Road 7005

SURVEYORS CERTIFICATE

I, Nicholas Mark Creese of Mount Nelson a surveyor registered under the Land Surveyors Act 2002 certify that the building or buildings erected on the site and drawn on sheet 1 of this plan are within the site boundaries of the folio stated on sheet 1 and any encroachment beyond those boundries is properly authorised according to law.

Registered Land Surveyor — date: 6/5/05 — ref no.: 05094

COUNCIL CERTIFICATE

I certify that the HOBART CITY Council has:

(a) approved the lots shown in this plan and

(b) issued this certificate of approval in accordance with section 31 of the Strata Titles Act 1998.

Council Delegate — date: 26/7/2005 — ref no.: 564560

GENERAL UNIT ENTITLEMENTS

LOT	UNIT ENTITLEMENT
1.	1
2.	1
TOTAL	2

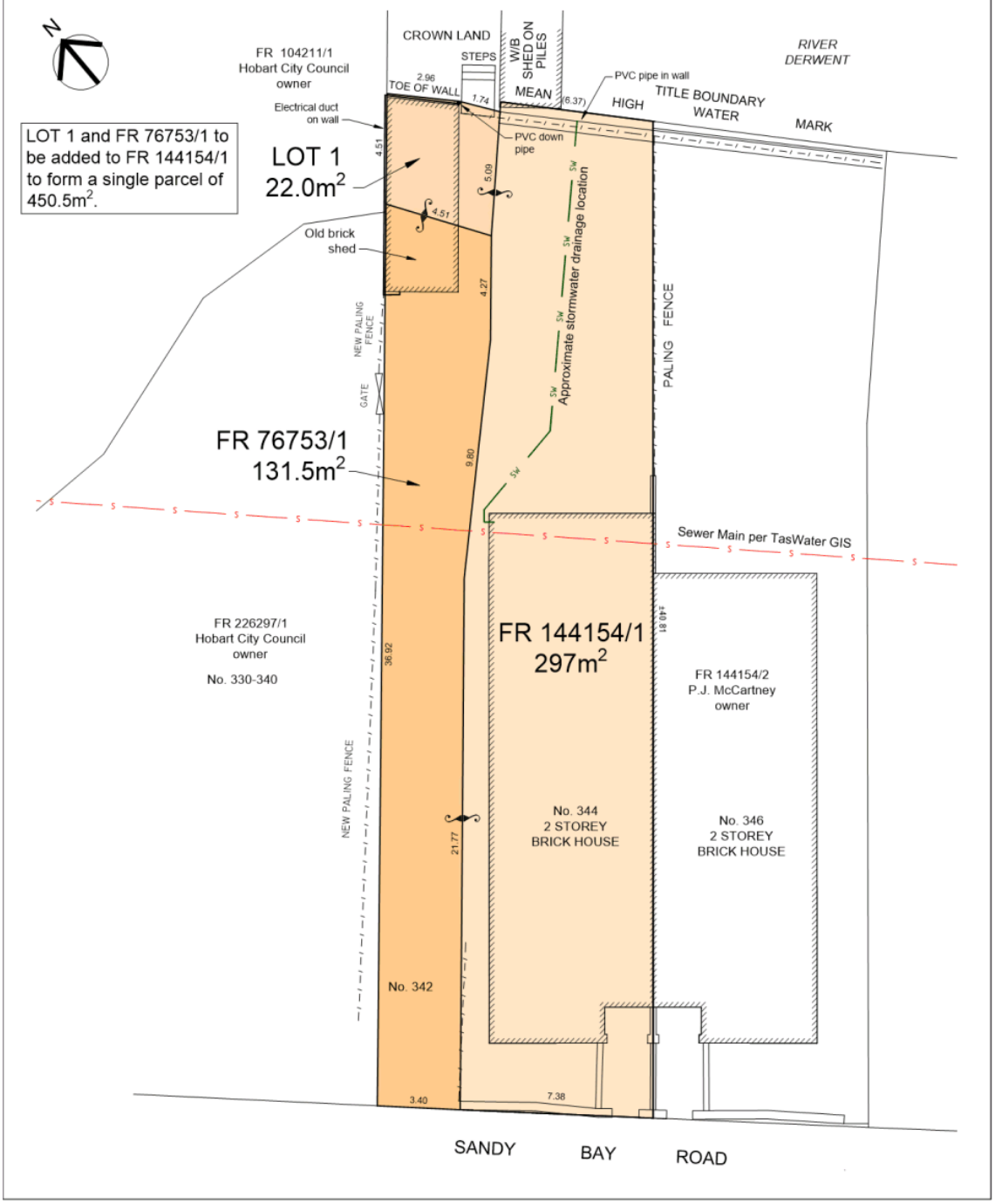
PLAN OF SUBDIVISION

PDA Surveyors Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 606 328
127 Bathurst Street
Hobart, Tasmania, 7000
www.pda.com.au
Also at: Kingston, Launceston & Burnie
PHONE: +61 03 6234 3217
FAX: +61 03 6234 5085
EMAIL: pda.hbt@pda.com.au

Owners	Paul James McCartney; The Crown	Address	342 & 344 Sandy Bay Road
		Council	Hobart City Council
Title References	FR 144154/1, FR 76753/1	Planning Scheme	Hobart Interim Planning Scheme 2015
		Zone & Overlay	10.0 General Residential, 19.0 Open Space, 116.HER, 116.LDS, 116.SLR, 116.CEH
Schedule Of Easements	As shown.		

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Scale	Date	PDA Reference	Map reference	PID	Point of Interest GDA94 MGA55
1:150	30 April 2019	V1145M-2	5225-52	2633549	527 109 E, 5 250 195 N



Treasurer
Minister for the Environment, Parks and Heritage
Level 9 15 Murray Street HOBART TAS 7000 Australia
Ph: +61 3 6165 7670

Tasmanian Government

Ms Bronwyn Mellor
PDA Surveyors
127 Bathurst Street
HOBART TAS 7000

Dear Ms Mellor

LODGEMENT OF SECTION 43A COMBINED PLANNING SCHEME AMENDMENT AND DEVLOPMENT APPLICAITON
342 SANDY BAY ROAD, SANDY BAY

This letter, is issued pursuant to section 43D(1)(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA). It confirms that PDA Surveyors obo Dr Paul McCartney has Crown consent to the making of this Application with the Hobart City Council for the enclosed Combined Planning Scheme Amendment and Development Application under section 43A of LUPAA.

Crown consent is only for the proposal listed below (as detailed in the enclosed application and supporting documents):

Scheme Amendment:	Rezoning of the private freehold title CT 76753/1 from Open Space to General Residential, and a portion of Crown land from Environmental Management to General Residential
Development Application:	Subdivision (consolidation) of private titles CT 144154/1 and CT 76753/1 with a parcel of untitled Crown land

The Crown consent is only given to the lodgment of this application. Any variation will require further consent from the Crown.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the proposed development, your client will be required to obtain separate and distinct consent from the Crown.

If you require further information regarding the above, please contact Kylie Lemin, Parks and Wildlife Service, by telephone on 6165 4680 or by email to kylie.lemin@parks.tas.gov.au

Yours sincerely

Peter Gutwein MP
Minister for the Environment, Parks and Heritage

MIN19/25980

HOBART
C.M. Terry, B. SURV. (Tas.), M.SSSI. (Director)
H. Clement, B. SURV. (Tas.), M.SSSI (Director)
M.S.G. Denholm, B. GEOM. (Tas.), M.SSSI (Director)
T.W. Walter, Dip. Surv & Map; (Director)
A.M. Peacock, B. APP. SC. (SURV), M.SSSI. (Consultant)
D. Panton, B.E. M.I.E. AUST., C.P.ENG. (Consultant)
A. Collins, Ad. Dip. Surv & Map, (Senior Associate)
M. McQueen, B.E., M.I.E. AUST., C.P.ENG. (Associate)
L.H. Kiely, Ad. Dip. Civil Eng, Cert IV I.T., (Associate)
KINGSTON
A.P. (Lex) McIndoe, B. SURV. (Tas.), M.SSSI. (Director)
LAUNCESTON
J.W. Dent, OAM, B. SURV. (Tas.), M.SSSI. (Director)
M.B. Reid, B. GEOM.(HONS) (Tas.), M.SSSI M.AIPM (Associate)
BURNIE/DEVONPORT
A.J. Hudson, B. SURV. (Tas.), M.SSSI. (Director)
A.W. Eberhardt, B. GEOM. (Tas.), M.SSSI (Director)

PDA Surveyors Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 806 325

127 Bathurst Street
Hobart Tasmania, 7000
Phone (03) 6234 3217

ABN 71 217 806 325
Email: pda.hbt@pda.com.au
www.pda.com.au

PDA Reference: V1145M

13 December 2019

The General Manager
Hobart City Council

Submitted via: Online portal at https://apply.hobartcity.com.au/Common/Common/terms.aspx

Dear Sir/Madam,

S43A Combined Planning Scheme Amendment and Planning Permit Application
Land at 342 & 344 Sandy Bay Road, Sandy Bay

In accordance with instructions from our client Dr. Paul McCartney attached is an application to for a Combined Application for Planning Scheme Amendment and Subdivision, pursuant to S43A of the Land Use Planning and Approvals Act 1993 (LUPAA).

To support this application, the following is provided:

- Consent from the landowner;
- Consent from the Minister for Environment, Parks and Heritage (Crown Landowner Consent) to make the application;
- Planning Assessment Report;
- Plan of subdivision (consolidation of lots); and
- Current copies of titles.

If you need to clarify any information in this application, please contact myself or Bronwyn Mellor – Senior Planner at this office.

Yours faithfully
PDA Surveyors

Per:

Mark Peacock
Consultant & Registered Land Surveyor

PDA Surveyors
Surveying, Engineering & Planning

127 Bathurst Street
Hobart, Tasmania, 7001
Phone (03) 6234 3217

ABN 71 217 806 325
Email: pda.hbt@pda.com.au
www.pda.com.au

S43A COMBINED PLANNING SCHEME AMENDMENT
AND SUBDIVISION APPLICATION

342-344 Sandy Bay Road
Sandy Bay

PLANNING ASSESSMENT REPORT

2 December 2019

HOBART - KINGSTON - HUONVILLE - LAUNCESTON - DELORAINE - BURNIE - DEVONPORT

© PDA SURVEYORS 2019
This document is and shall remain the property of PDA Surveyors. The document may only be used for the purposes for which it was commissioned. Unauthorised use of this document in any form whatsoever is prohibited.

LIMITATION
This report has been prepared on behalf of and for the exclusive use of PDA Surveyor's client, and is subject to and issued in connection with the provisions of the agreement between PDA Surveyors and its client. PDA Surveyors accepts no liability or responsibility in respect of any use of or reliance upon this report by any third party.

REPORT PREPARED FOR: Dr Paul McCartney

Document Status

Revision	Author	Reviewer	Date
0	Bronwyn Mellor	Mark Peacock	16th April 2019
1	Bronwyn Mellor	Tom Reilly	18th April 2019
2	Bronwyn Mellor	Mark Peacock	15th May 2019
3	Bronwyn Mellor	Tom Reilly	16th May 2019
4	Bronwyn Mellor		2nd May 2019

Contributors:

Mark Peacock (Consultant)
Registered Land Surveyor
B.SURV(Tas.),M.SSSI

Tom Reilly
Senior Planner
BEnvDes, LLB, GCertEnvPlan

Bronwyn Mellor
Senior Planner
GradDipRurRegPlan MPIA

CONTENTS

1. Introduction 1
1.1 Purpose of the Report 1
1.2 Application documentation 1
2. Site and Settlement 1
2.1 Subject land 1
2.2 Surrounding Area 2
3. Planning Scheme, Servicing & Assessment 3
3.1 Applicable planning scheme, Zone, Overlays & Codes 3
3.2 Service Infrastructure 9
3.3 Summary 10
4. S43A Amendment and Application Proposal 10
5. Land Use Planning and Approvals Act 1993 10
5.1 Objectives – Schedule 1, Part 1 10
5.2 Objectives – Schedule 1, Part 2 11
5.3 State Policies 13
5.3.1 State Policy on the Protection of Agricultural Land 2009 13
5.3.2 State Policy on Water Quality Management 1997 13
5.3.3 Tasmanian State Coastal Policy 1996 13
5.3.4 National Environmental Protection Measures 13
5.4 Regional and Local Policy 13
5.4.1 The Southern Tasmania Regional Land Use Strategy 2010-2035 13
5.4.2 Hobart City Council Heritage Studies 15
5.5 Adjacent Municipal Areas 15
5.6 Gas Pipelines Act 2000 15
6. Subdivision – Hobart Interim Planning Scheme 2015 15
7. Assessment & Conclusion 16

1. INTRODUCTION

1.1 PURPOSE OF THE REPORT

On behalf of the landowner, Dr. P McCartney, we request the Hobart City Council to initiate S43A Combined Planning Scheme Amendment (PSA) and Planning Permit Application to alter the Hobart Interim Planning Scheme 2015 and consecutively consider an application for planning permit to subdivide the land.

When the land was purchased by the current land owner, it was understood that the land at 342-346 contained two dwellings, a driveway, boatshed and service yards. Following investigation of title boundaries, it became apparent that part of the boatshed is in fact located on a portion of Crown Land. Aside from zoning irregularities, the ownership of the land that the boatshed is located on is the major reason for this Planning Scheme Amendment being initiated.

The PSA seeks to correctly reconcile/align long standing land use and development with ownership, zones and lot layout.

This report will demonstrate that the current zone boundaries are in the wrong location and do not correctly align with ownership and built form patterns. This application seeks to correct the anomaly.

1.2 APPLICATION DOCUMENTATION

The application comprises the following documentation:

- S43A Planning Assessment Report
- Plan of Subdivision (Annexure 1)
- Crown Landowner Consent (Annexure 2)
- Title documentation (Annexure 3)

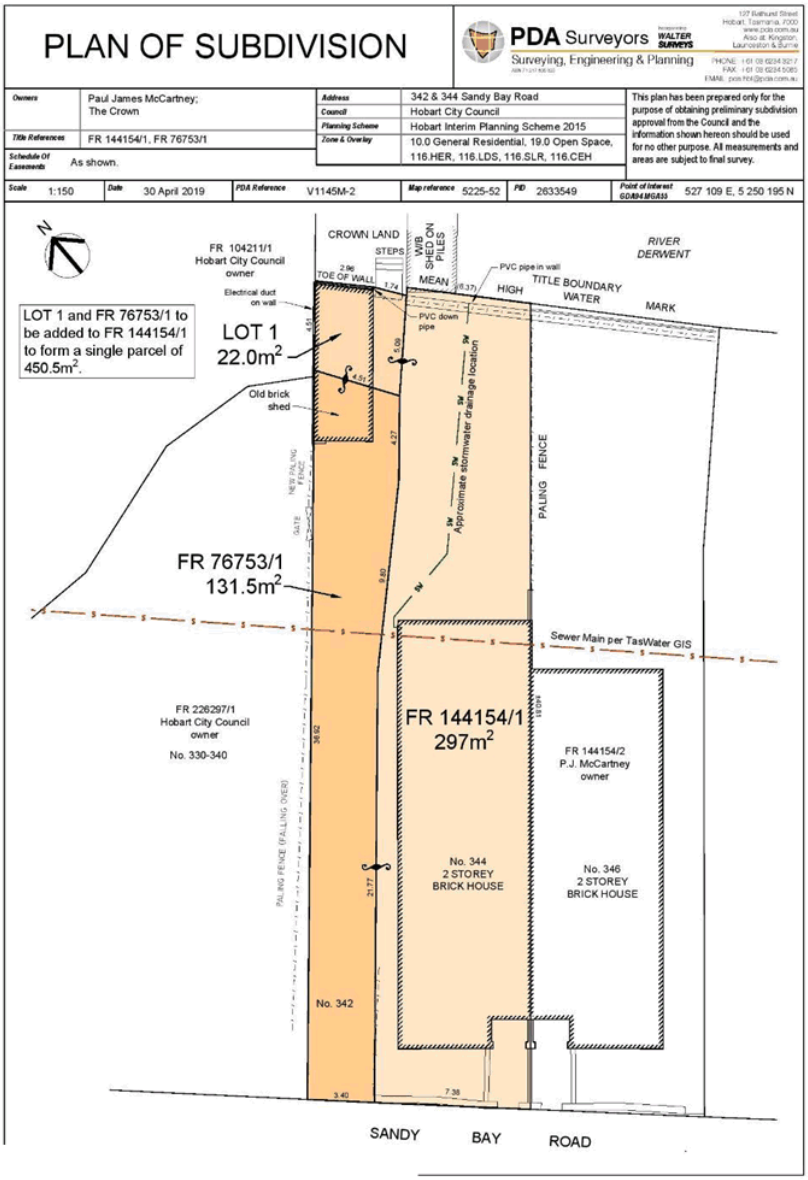
2. SITE AND SETTLEMENT

2.1 SUBJECT LAND

The subject land is located along the foreshore area in Sandy Bay, adjacent to the public space/car parking area adjoining the Derwent Sailing Squadron, slipway and marina.

The subject land contains one of two conjoined dwellings, a driveway, rear open yard and a boat shed. The landowner of the subject land also owns the dwelling at 346 which is currently used for visitor accommodation. The dwelling at 346 is not part of this application.

The subject land also involves a portion of Crown Land that directly abuts the land described above. The land involved in the Planning Scheme Amendment and Planning Permit Application is shown and described below.



Driveway	FR76753/1
344 Sandy Bay Road	FR144154/1
346 Sandy Bay Road	FR144154/2
Crown Land portion	Land shown on this plan as 22.0m2
Note: 'Crown Land Portion' is only a part of a lot owned by the Crown	

The Federation Queen Anne c1900 styled conjoined dwellings on the site are part of a much larger historic precinct. Planning Scheme controls within this historic precinct seek to conserve the buildings within that area as they all contribute to "form one conservation area because of the importance of Sandy Bay Road in the history and development of the area and the consistency of major residential building forms (Sandy Bay Conservation Area Heritage Study, City of Hobart)".

Although the conjoined dwellings on the site are not individually identified through the Heritage Study and HIPS controls, there are a number of buildings along the waterfront strip of Sandy Bay Road that are individually identified. Houses at 348, 356 & 362 Sandy Bay Road are located in the waterfront strip with the subject land, within the greater conservation precinct.

The conservation area study relevant to this portion of Sandy Bay Road states that, "The earlier houses (generally 1890-1900) are set on large lots (some sub-divided) with the houses set well back and with commanding views and set in established gardens. Later development is on slightly smaller lots with substantial but more modest buildings. There are only a few buildings on the waterside at the eastern end of the precinct, these date from around the turn of the century."

The existing boat shed that is partly located on private land and partly on Crown Land is constructed from red brick and mortar construction (much the same construction type as the dwellings on the site). It is unknown to this report if the boatshed fabric holds any historic value to the Sandy Bay Road conservation area, however the boatshed location and use may provide some link to the nautical historic character of the area.

2.2 SURROUNDING AREA

History of Surrounding Area

"Sandy Bay Road is the early route through the district containing some of its earliest development and major residences and commercial/retail buildings from most periods of its history. Many of the major residences have been constructed either facing the road on the high side or facing the water with the secondary facades to the road. The road encompasses residential areas, shopping centres and stretches with dramatic views of the river." (Conservation Area Heritage Study) (CAHS)

The character of the surrounds are described best by the conservation study that states:
"This unusual conservation area extends the length of Sandy Bay Road from Nutgrove to Byron Street and comprises a number of related but physically separated precincts. They form one conservation area because of the importance of Sandy Bay Road in the history and development of the area and the consistency of major residential building forms seen along its length. The form of the road is of interest as it meanders around the water and as it takes in a range of topographies from gentle slopes to escarpments and retaining walls to seawalls. The physical form of the road tells the story of the development of the district."

The key features of the Sandy Bay Road precinct are "the high quality of many of the individual houses and estates, the range of substantial buildings from 1830 to the 1970's and the overall consistency and integrity of the buildings. Despite several subdivisions and intrusions the drive along Sandy Bay Road is most informative in understanding the social importance of the Sandy Bay area."(CAHS)

The policy for the Sandy Bay Road Conservation Area aims to (amongst other things) is to retain the 19th and 20th century character, the scale of single and two storey dwellings on single lots and maintain current lot sizes.

Current surrounding land uses

The modern day interaction within the conservation precinct and residential dwellings in Sandy Bay is that Sandy Bay Road is a main thoroughfare to southern suburbs of greater Hobart and the interaction with the surrounding yacht clubs, marinas, dry docks and marina.

The immediate adjoining land is made up of the Derwent Sailing Squadron grounds, dry dock and wharves. The squadron itself has its own history and progression of development and adds to the heritage fabric of the area. The Squadron through their website state that:

- "The Derwent Sailing Squadron, under the name of the Domain Sailing Squadron, was formed in February 1906 by a group of yachtsmen who wanted to sail boats smaller and more affordable than those in vogue at the time. Not long after, the name was changed to the Derwent Sailing Squadron."

That part of the sailing squadron area directly to the rear of the subject site contains a number of smaller boat storage sheds and are similar in scale to that of the boatshed on the subject site.

The other main use in the direct surrounding area is informal car parking abutting the site and informal open space areas within the Marieville Esplanade area that fronts the sailing squadron area and provides a parkland setting for the more industrial wharf/squadron area.

3. PLANNING SCHEME, SERVICING & ASSESSMENT

3.1 APPLICABLE PLANNING SCHEME, ZONE, OVERLAYS & CODES

Hobart Interim Planning Scheme 2015

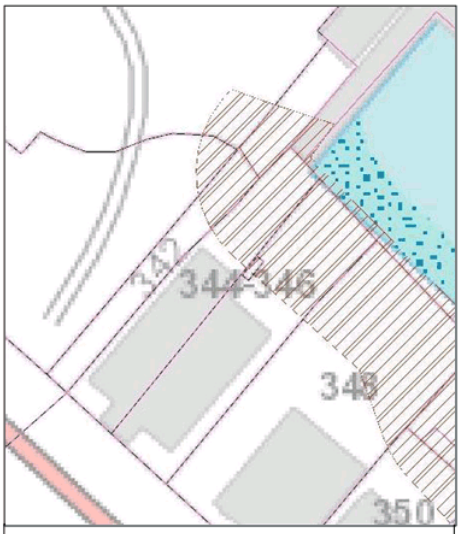
The subject land is subject to the provisions of the Hobart Interim Planning Scheme 2015 (HIPS).
The land is partially located in:

- General Residential Zone (houses and rear yards);
- Open Space Zone (driveway and part of boatshed); and
- Environmental Management Zone (portion of the boatshed on Crown Land)

The whole of the site is located in a Heritage Precinct (Precinct SB8) Overlay (local control through HIPS). The area containing the rear yards, the boat shed and dock area are also partly located in the Coastal Erosion & Inundation Hazard Area Overlays' and also a Landslide Hazard Area Overlay (see plans below).

Heritage Precinct SB8 (Sandy Bay)

Landslide Hazard Area



Coastal Erosion Hazard Area

Coastal Inundation Hazard Area

Source: LISTmap

Clause 5.8 Strata Division

This part of the Scheme states that there is a general exemption from needing a planning permit for "Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved." In the event that the PSA is supported, the minor alteration to the Strata Plan can be permitted through the Strata Titles Act.

Clause 9.7 Subdivision

This Clause of the Scheme states that:

A permit is required for development involving a plan of subdivision.

A permit for development involving a plan of subdivision is discretionary, unless:

a) For adjustment of a boundary in accordance with clause 9.3.1

b) The subdivision is prohibited in accordance with clause 8.9; or

c) The plan of subdivision must not be approved under section 84 *Local Government (Building and Miscellaneous Provisions) Act 1993.*

General Residential Zone

The purpose of the Zone is to:

- To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- To provide for compatible non-residential uses that primarily serve the local community.
- To provide for the efficient utilisation of services.
- To encourage residential development that respects the neighbourhood character.
- To provide a high standard of residential amenity.

- To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Open Space Zone

The purpose of the Zone is to:

- To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- To encourage open space networks that are linked through the provision of walking and cycle trails.
- To encourage passive recreational opportunities, and allow for tourist operation uses, which are consistent with the protection of bushland and foreshore values.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Environmental Management Zone

The purpose of the Zone is to:

- To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.
- To only allow for complementary use or development where consistent with any strategies for protection and management.
- To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.
- To recognise and protect highly significant natural values on private land.
- To protect natural values in un-developed areas of the coast.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Heritage Precinct Overlay (Precinct SB8)

This Overlay identifies the Heritage Precinct number SB8, which is the Precincts reference listed in the Historic Heritage Code at Table E13.2 (see below for detail).

Coastal Inundation Hazard Area Overlay

This Overlay identifies that the area of the site directly adjoining the river edge is subject to coastal inundation with a low degree of hazard. The Overlay 'description' and 'comments' state that:

- This area is "Resilient because of artificial protection (storm bite / near-term recession zones)" - Description
- "This area has been identified as vulnerable to a coastal recession by 2100 based on current sea level rise models, soil type, and the geomorphology of the area. Or is protected by coastal defences for erosion. Location: Sandy Bay" – Comments

Landslide Hazard Area Overlay

This Overlay identifies that the central part of the site is subject to landslide with a low degree of hazard. The Overlay 'description' and 'comments' state that:

- "The areas of Hobart-Glenorchy have a deep seated slide susceptibility (Rosetta scenario)" - Description
- "This area has no known active landslides, however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT)." – Comments

Historic Heritage Code

This code applies to development involving land defined in the code in a Heritage Precinct. The land has been previously identified in this report as having historic significance as part of a Heritage Precinct (SB8) which is part of one of the Sandy Bay residential precincts.

The objective of this code is to ensure that subdivision within a Heritage Precinct is consistent with historic patterns of development and does not create potential for future incompatible development.

This objective is achieved through the proposal being consistent with the performance criteria listed as follows:

- Subdivision must not result in any of the following:
  - Detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.
  - A pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct.
  - Potential for a confused understanding of the development of the precinct.
  - An increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct.
  - Subdivision must comply with any relevant design criteria / conservation policy listed in Table E13.2.

Table 13.2 identifies why the precinct is of historic importance, as follows:

- The key historical role of the road in the development of the precinct and the buildings and features that demonstrate that history.
- The large number of exceptionally fine residences dating from 1830 through to the present day
- The small number of commercial buildings creating a village character including some which are of individual heritage significance.
- The very fine groups of residential buildings representing varying phases of development and demonstrating attitudes to subdivision, styles of building, landscaping and the social importance of properties with high levels of exposure.

Inundation Prone Areas Code

This code applies to development of buildings and works dependent on a coastal location, (including the subdivision of land for such buildings and works).

To ensure that the proposal is consistent with this Code, the subdivision of land must be for the purposes of creation of a lot for buildings or works dependent on a coastal location and must not be prohibited by the relevant zone standards.

A residential use in the Environmental Management Zone and the Open Space Zone are prohibited. The proposal currently is technically at odds with the objectives and performance standards of this Code.

Landslide Code

This code applies to development of buildings and works dependent on a coastal location, (including the subdivision of land for such buildings and works) on land in the Coastal Erosion Hazard Area.

To ensure that subdivision does not create opportunity for development that will be unnecessarily exposed to unacceptable risk from erosion, recession or wave run up, the proposal must be consistent with the following performance criteria:
Subdivision of a lot, all or part of which is within a Coastal Erosion Hazard Area must be for the purpose of one or more of the following:

a) Separation of existing dwellings.
b) Creation of a lot for the purposes of public open space, public reserve or utilities
c) Creation of a lot in which the building area, access and services are outside the Coastal Erosion Hazard Area

Subdivision must also satisfy all of the following:

a) Not increase risk to adjoining or nearby property
b) Any increased reliance on public infrastructure must not result in a unacceptable level of risk;
c) Need for future remediation works is minimised
d) Access to the lot will not be lost or substantially compromised by coastal hazards on or off-site
e) No building area is located within the Coastal Erosion Hazard Area
f) Provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works
g) Not be prohibited by the relevant zone standards

Road and Railway Assets Code

Sandy Bay Road at this point is a road that is controlled by the Local Council and this Code does not apply to this proposal on the basis that the road is not a class 1 or 2 road.

Parking and Access Code

This Code applies to all applications for development (which by default also includes subdivision).

The proposal to re-zone land and subdivide crown land that contains an existing building will not alter any parking or access to either dwelling on the land. If anything, the re-zoning of the land along the driveway area is proposed to be zoned for residential purposes and consolidated with the dwelling at 344, therefore strengthening the driveway and parking areas with the predominant residential use on the land.

On the basis that there is no substantial buildings and works proposed, and the PSA strengthens the relationship of the access and parking areas to the closest dwelling it is considered that the proposal is consistent with the objectives of this Code.

3.2 SERVICE INFRASTRUCTURE

Dwelling

Road and access

Sandy Bay Road is located in a Utility Zone and identified by the HIPS as major road infrastructure.

This report confirms that Sandy Bay Road (at this point) is not controlled through the Crown (State Growth) and therefore Crown Landowner Consent is not required for a proposal adjacent to major road infrastructure prior to the PSA or Planning Application being formally submitted.

Water, Sewer & Electricity

Water connection for the existing dwellings are provided from a reticulated water main in the street front. Power connections to dwelling is provided via underground connections to infrastructure.

The connection of the dwelling are via a sewer main that traverses under the middle of the land and appears partly under the rear of the dwelling. This sewer main also provides service to adjoining dwellings and surrounding area.

Stormwater

The dwelling is connected to an existing stormwater connection with its disposal point at the river's edge. The boat shed roof area being considerably smaller and in slightly poorer condition has more rudimentary stormwater connections. There is currently a pvc pipe located next to the steps that lead to the Crown Land from the backyard that controls part of the boatsheds stormwater.

Boatshed

The boatshed only has power running to the building. No other services exist. Stormwater connections are listed above.

3.3 SUMMARY

Scheme Controls

Based on the current provisions of the HIPS and the zoning of the land, subdivision of the land by creating an additional lot is currently prohibited as the Zone states that the subdivision must be for an allowable use. A residential/storage use that is not associated with a reserve management plan is prohibited in this Zone.

Subject site and surrounds

Given the above commentary, the subject land is suitably serviced and the site and surrounds is free from unacceptable risk or constraint.

4. S43A AMENDMENT AND APPLICATION PROPOSAL

The S43A Combined PSA and Planning Permit Application proposes the following changes be made to the Planning Scheme:

1. Change the Planning Scheme Maps by showing FR76753/1 to be zoned as General Residential Zone instead of in an Open Space Zone; and
2. Change the Planning Scheme Maps by showing the portion of the Crown Land that contains the residual portion of the boatshed as General Residential Zone instead of Environmental Management Zone.

The PSA seeks to correctly reconcile/align long standing land use and development with ownership, zones and lot layout.

There are no other changes to the local parts of the Planning Scheme in this proposal.

The planning permit application proposes to undertake a consolidation of titles (a form of subdivision) to form a whole lot that encompasses the boat shed, the dwelling at 344 Sandy Bay Road, driveway and rear yard.

5. LAND USE PLANNING AND APPROVALS ACT 1993

5.1 OBJECTIVES – SCHEDULE 1, PART 1

The objectives of the resource management and planning system of Tasmania are:

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.

Response: Ensuring that the whole of the boatshed is located within the boundaries of the site will help improve ability for better residential services/infrastructure, which in turn will protect the riverine environment.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water.

Response: It is considered that the orderly planning of this area should be supported and resolve the identified planning zone and ownership anomaly that this application has identified.

(c) To encourage public involvement in resource management and planning.

Response: The process of the Scheme Amendment will consider and undertake public involvement through public exhibition of the proposal.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c).

Response: As stated above

(e) To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Response: The owner of the land has made a commitment in proceeding with this minor amendment as it provides for the orderly planning of this area. It is sought that the State and Local Government agencies support this proposal.

5.2 OBJECTIVES – SCHEDULE 1, PART 2

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule:

(a) To require sound strategic planning and co-ordinated action by State and local government.

Response: As stated in this report, the proposal is consistent with the strategic direction set by State and Local Government policy.

(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.

Response: It is considered that the Council and the Tasmanian Planning Commission can appropriately assess and determine this application within the current system of planning instruments.

(c) To ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

Response: The following matters will be better controlled by the proposal:

- *Cultural Heritage*
- *Protection of ownership and delineation of public/private spheres*
- *Consolidation of ownership will improve services on the site to reduce possible impact to riverine environment.*

(d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.

Response: This application does not make any changes in wording to the planning scheme and therefore will not impact on integration of policy through different tiers of government.

(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.

Response: The Council is considering a planning scheme amendment and planning permit application in a combined process.

(f) To promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.

Response: This application will in a very small way promote the wellbeing of the current landowner and future landowners of the subject site as it will ultimately secure the ownership of a building that was thought to be in their ownership.

The change in zoning will provide for an opportunity to consider future use and development on the site, because at the moment the provisions prohibit residential development in an Open Space or Environmental Management Zone.

The proposal will clearly delineate the line between public and private land within this area.

(g) To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

Response: The ultimate consolidation of ownership and zoning that matches the residential use on the land will further secure the conservation of the heritage precinct that the subject land is a part of.

(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

Response: The proposal will ultimately lessen buildings in the ownership of the Crown that it is legally liable to maintain and be responsible for.

(i) To provide a planning framework which fully considers land capability.

Response: The capability of this land for its intended or proposed purpose is not a matter for consideration.

5.3 STATE POLICIES

5.3.1 State Policy on the Protection of Agricultural Land 2009

The land is not located close to any agricultural zones or land. This State Policy is not relevant in this instance.

5.3.2 State Policy on Water Quality Management 1997

This State Policy provides direction regarding the following:

"Regulatory authorities must require that erosion and stormwater controls are specifically addressed at the design phase of proposals for new developments, and ensure that best practice environmental management is implemented at development sites in accordance with clause 31 of this Policy."

The proposal has demonstrated that stormwater and erosion matters have been considered.

5.3.3 Tasmanian State Coastal Policy 1996

The State Coastal Policy states:

"Places and items of cultural heritage will be identified, legally protected, managed and conserved where appropriate."

Regarding Residential Development – "Care will be taken to minimise, or where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas."

The proposal seeks to consolidate the ownership of a property that is part of a precinct area that is culturally significant, which in turn will better protect the integrity of the historic precinct.

5.3.4 National Environmental Protection Measures

The National Environmental Protection Measures (NEPMs), which have been adopted as State Policies, relate to ambient air quality, diesel vehicle emissions, assessment of site contamination, used packing material, movement of controlled waste between States and Territories and the national pollutant inventory. Given the scope of the proposal, the NEMPs are not considered relevant in this instance.

5.4 REGIONAL AND LOCAL POLICY

5.4.1 The Southern Tasmania Regional Land Use Strategy 2010-2035

The Coast

This part of the policy states that, "Zone existing undeveloped land within the coastal area, Environmental Management, Recreation or Open Space unless:

- The land is utilised for rural resource purposes; or
- It is land identified for urban expansion through a strategic planning exercise consistent with this Regional Land Use Strategy."

Commentary: *The Regional Strategy seeks to apply an Environmental Management, Recreation or Open Space Zone to vacant land in a coastal area.*

This zoning pattern on the site and surrounding area is reflected in the current Planning Scheme. However the boundary between the Open Space Zone, Environmental Management Zone and the General Residential Zone boundaries are incorrectly mapped.

If the Zones were applied correctly to be consistent with the intent of the Regional Strategy, it would have mirrored what this application seeks to create.

Given the clear policy direction from the Regional Strategy, it can only be concluded, that an error in the location of the Zone boundaries has occurred in the past as the public land zoning (Open Space Zone & Environmental Management Zone) has been applied to private land (albeit that a boat shed has been built across a boundary line).

On this basis, the Planning Scheme Amendment seeks to correct this existing anomaly.

Managing Risks and Hazards

Landslide

- Protect life and property from possible effects of land instability.
- Prevent further development in declared landslip zones.
- Require the design and layout of development to be responsive to the underlying risk of land instability.
- Allow use and development in areas at risk of land instability only where risk is managed so that it does not cause an undue risk to occupants or users of the site, their property or to the public.

Flooding

- Minimise the risk of loss of life and property from flooding Southern Tasmania Regional Land Use Strategy 2010–2035
- Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.
- Include provisions in planning schemes for use and development in flood prone areas based upon best practice in order to manage residual risk.

Cultural Values

Other than identifying that cultural values with regard to built form and precincts/areas being protected through multiple tiers of government and heritage studies, this policy particularly (which is of relevance to this proposal) states the following:

- Provide a degree of flexibility to enable consideration of development applications involving the adaptive reuse of heritage buildings that might otherwise be prohibited.

5.4.2 Hobart City Council Heritage Studies

The Council have existing various heritage studies that were the strategic justification for the creation of the Heritage Precinct Overlay that applies to the land and surrounding dwellings to form one of many significant heritage precincts in Sandy Bay.

The designation of heritage precincts is based on the heritage areas in the current CHPS1982 as well as those areas identified in various heritage studies. The heritage precinct statements in Table E13.2 of the Planning Scheme are derived from the various heritage studies.

5.5 ADJACENT MUNICIPAL AREAS

On the basis that the change to multiple zone boundaries involves a land area of 176.5m2 that merely seeks to correct the zoning for an existing land use that has been in place since c1900 it is unlikely to have any impact on adjoining municipality areas.

5.6 GAS PIPELINES ACT 2000

The subject site is not affected by the gas pipeline corridor. The requirements in the *Gas Pipelines Act 2000* are therefore not applicable.

6. SUBDIVISION – HOBART INTERIM PLANNING SCHEME 2015

The Planning Permit Application proposes to:

1. Subdivide the Crown Land creating an additional lot that contains a portion of the boatshed.
2. Then in the same subdivision process consolidate the lot that contains the boat shed with CT76753-1 (driveway) and adjoining CT144154-1 (dwelling at 344 Sandy Bay Road).
3. The subdivision will also include an alteration of Strata Plan 144154 to show consolidation of driveway and boat shed with Lot 1.

The subdivision of land will require the consent of all landowners. Processes with the managers of the Crown Land portion (ParksTas) have been completed prior to this combined application and necessary consents are attached to this report.

In the event that Council is inclined to support the Scheme Amendment, we request that Council also grant a permit for the subdivision of the land to facilitate consolidation of the driveway to the dwelling and better conserve the boatshed to the dwelling that it visually and architecturally belongs to.

7. ASSESSMENT & CONCLUSION

We request that the Council initiate and support this combined Planning Scheme Amendment and planning permit application that seeks to apply the most appropriate zoning to an existing residential use for the following reasons:

- The proposal will provide better cultural heritage protection through appropriate zoning for the consolidation of the boatshed with the dwelling on the site.
- The subdivision will better conserve the heritage precinct that the subject land is located in by consolidating the dwelling, driveway and boatshed in a single lot.
- The subdivision and zoning changes will better and more correctly delineate the line between public and private uses in the surrounding area.
- The proposal is consistent with State, Regional and Local policy direction.
- The proposal is consistent with the current provisions of the Hobart Interim Planning Scheme 2015 in that it seeks to better conserve a heritage precinct listed in the Scheme, albeit that the current zoning does not allow it to occur.
- We submit that the current zoning implementation from the former Scheme translation was incorrectly applied in this instance.

Aside from the above demonstrated consistency with policy and planning scheme direction, this report places particular light on the commentary at Part 5.4 of this report where it is contended that an error has occurred in the past at some stage with the zoning of this land (aside from the construction of the boatshed over the existing boundary). This report identifies that the implementation of the Regional Strategy's recommendations has led to a minor error in the zoning of this site.

Bronwyn Mellor

From: Paul McCartney <McCartney@eyesurgeons.com.au>
Sent: Tuesday, 3 December 2019 9:19 AM
To: Bronwyn Mellor
Subject: RE: 342-344 Sandy Bay Road, Sandy Bay

Please proceed and lodge
Looking at the letter the minister has signed - will we need a separate approval for thew sale of the land?
I think you are aware I paid a deposit to DPIWIE about 4-6weeks ago.

Paul

From: Bronwyn Mellor [mailto:Bronwyn.Mellor@pda.com.au]
Sent: Tuesday, 3 December 2019 9:09 AM
To: Paul McCartney
Cc: Mark Peacock
Subject: 342-344 Sandy Bay Road, Sandy Bay

Dear Paul

In Mark's absence until the 12th December, this email has attached the final revised documents that are to be submitted to Hobart City Council to formally request a Combined Planning Scheme Amendment and Planning Permit Application.

This application seeks permission to amend the zoning of the land and also the subdivision of the land.

During the year it has taken a substantial amount of time to obtain the Ministers consent as the landowner for the crown land portion to make this application (which we now have) which is also attached.

The main planning report attached has not substantially changed from what you have already seen earlier this year, just a few minor refinements on my part.

I would be keen to submit the application this week, if you still remain happy for us to proceed. Given the passage of time since we had your initial consent to make the application, I thought it best to check with you.

If you need to discuss this at all, please contact me at our Hobart Office on 62343217.

Kind Regards, Bronwyn

Bronwyn Mellor
Senior Planner

PHONE: +61 3 6234 3217
127 Bathurst Street, Hobart 7000
www.pda.com.au

PDA Surveyors
Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 856 315

This office will close on Friday 20th December 2019 at 12 noon
and re-open on Monday 6th January 2020 at 8.30 am
Partners and staff extend to you the compliments of the season.

The information contained in this e-mail message and any attached files may be the subject of legal professional privilege. Any form of review, copying, disclosure, modification,distribution and/or publication of the information in this e-mail, other than by the intended recipient, is prohibited. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and delete all copies of this transmission together with any attachments.

Please consider the environment before printing this email.

Please consider the environment before printing this e-mail.

HOBART EYE SURGEONS CONFIDENTIALITY NOTICE AND DISCLAIMER

Information in this transmission is intended only for the person(s) to whom it is addressed and may contain privileged and/or confidential information. If you are not the intended recipient, any disclosure, copying or dissemination of the information is unauthorised and you should delete/destroy all copies and notify the sender. No liability is accepted for any unauthorised use of the information contained in this transmission.

8. REPORTS

8.1 HIPS 2015 Planning Scheme Amendment PSA-20-1 and S.43A Permit (PLN-20-146) - Rezoning and Subdivision (Lot Consolidation) - 342-344 Sandy Bay Road
File Ref: F20/17870; PSA-20-1

Report of the Assistant Planner and the Development Planner of 11 March 2020 and attachments.

Delegation: Council

REPORT TITLE: **HIPS 2015 PLANNING SCHEME AMENDMENT PSA-20-1 AND S.43A PERMIT (PLN-20-146) - REZONING AND SUBDIVISION (LOT CONSOLIDATION) - 342-344 SANDY BAY ROAD**

REPORT PROVIDED BY: Assistant Planner
Development Planner

1. Report Purpose and Community Benefit

1.1. The purpose of this report is to consider an application under the provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA), from PDA Surveyors on behalf of Dr Paul McCartney to amend the *Hobart Interim Planning Scheme 2015* (HIPS 2015) by rezoning part of the property at 324 Sandy Bay Road from Open Space to General Residential, and part of an adjacent area of Crown Land from Environmental Management to General Residential. The amendment is described in the applicant's submission in ***Attachment B***.

1.2. Pursuant to s43A of LUPAA, the planning scheme amendment application is combined with a planning permit application for 'subdivision (lot consolidation)' The Development Appraisal Planner's report is provided in ***Attachment A,*** and the applicant's submission is provided in ***Attachment B***.

1.3. The proposal benefits the community by ensuring that land is appropriately zoned and that development and use is undertaken in a fair an orderly manner.

2. Report Summary

2.1. The proposal is to rezone the existing lot at 342 Sandy Bay Road, Sandy Bay (title reference: CT 76753/1) from Open Space to General Residential to align with the zoning of the remainder of the property at 344 Sandy Bay Road (title reference CT 144154/1). A section of Crown Land to the north-east of 342 Sandy Bay Road, which contains part of an existing boat shed, is proposed to be rezoned from Environmental Management to General Residential.

2.2. It is also proposed that overlay of Heritage Precinct SB8, which covers the existing subject site, be extended to cover the area of Crown Land that will be rezoned to General Residential.

2.3. A development application for subdivision (lot consolidation) has also been submitted, and will be considered concurrently with the proposed amendment. The report relating to the development application is provided in ***Attachment A***.

2.4. The subject site includes both 342 and 344 Sandy Bay Road and currently contains one of two conjoined dwellings, a driveway, rear

open yard and a boat shed. The site includes two titles, CT 76753/1 (no.342) containing the driveway and part of the boat shed, and CT 144154/1 (no. 344) containing the dwelling and yard. The other part of the boat shed is sited on a portion of Crown Land that directly abuts the subject site to the north-east.

2.5. The area of Crown Land containing part of the existing boatshed is proposed to be subdivided and purchased by the owner of 342 and 344 Sandy Bay Road, then adhered together with 342 and 344 Sandy Bay Road to form a single lot that encompasses the whole boat shed, the dwelling, the driveway and the rear open yard. Permission has been granted by the Crown to make the application.

2.6. The subject site is located along the foreshore area in Sandy Bay and sits adjacent to the public space and parking area adjoining the Derwent Sailing Squadron, slipway and marina.

2.7. The site is located on the boundary of the General Residential Zone, Open Space Zone and Environmental Management Zone. The surrounding area is characterised by a mix of uses including single dwellings, multiple dwellings, passive recreation, and community meeting uses.

2.8. The proposed rezoning is considered to be an appropriate amendment to the HIPS 2015 for the following reasons:

2.8.1. The split zoning over the existing boat shed does not represent the longstanding development and use of the land;

2.8.2. Consolidating the subject site as a single zone integrates the existing land use and development on the site;

2.8.3. Removing a small area of the Open Space Zone and Environmental Management Zone is not considered to impede the operation of those zones, given these areas of land are in private usage and were not available for the purposes that those zones envisage.

3. Recommendation

That:

1. Pursuant to Section 34(1) (b) of the former provisions of the Land Use Planning and Approvals Act 1993, the Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to rezone the property at 342 Sandy Bay Road from Open Space to General Residential, to rezone a portion of adjacent Crown Land from Environmental Management to General Residential, as indicated in the rezoning plans provided in Attachment B, and to

extend the Sandy Bay 8 Heritage Precinct overlay across the section of rezoned Crown Land.

2. ***Pursuant to Section 35 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council certify that the PSA-20-1 Amendment to the Hobart Interim Planning Scheme 2015 meets the requirements of Section 32 of the former provisions of the Land Use Planning and Approvals Act 1993, and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification marked as Attachment C.***

3. ***Pursuant to Section 38 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council place the PSA-20-1 Amendment to the Hobart Interim Planning Scheme 2015 and PLN-20-146 development application on public exhibition for a 28 day period following certification.***

4. ***Pursuant to Section 43A of the former provisions of the Land Use Planning and Approvals Act 1993, Council grant a permit for Subdivision (Lot Consolidation) at 342 and 344 Sandy Bay Road, Sandy Bay, containing the conditions specified in Attachment A.***

4. Background

Existing Situation

4.1. The subject site includes both 342 and 344 Sandy Bay Road and currently contains one of two conjoined dwellings, a driveway, rear open yard and a boat shed. The site includes two titles, CT 76753/1 (no. 342) containing the driveway and part of the boat shed and CT 144154/1 (no. 344) containing the dwelling and yard. The other part of the boat shed is sited on a portion of Crown Land that directly abuts the subject site to the north-east.

4.2. The land subject to the proposed rezoning (342 Sandy Bay Road, Sandy Bay) is a fully serviced 131.5m^2 lot zoned Open Space (see **Figure 1**).

4.3. The site is located on the boundary with the General Residential Zone, characterised by older houses on small lots or multiple dwellings and the Open Space Zone, characterised by use of land for informal leisure and recreation and community meeting buildings. It also abuts the Environmental Management Zone, which covers part of the River Derwent, including private and public piers and a marina (refer to Figure 1 below).

Figure 1: *subject site (outlined in blue) showing existing zoning (red: General Residential, green: Open Space, aqua: Environmental Management, dark yellow: Particular Purpose Zone 3 – University of Tasmania (Sandy Bay Campus)).*

4.4. The subject site (342 and 344 Sandy Bay Road) contains two titles (CT 76753/1 and CT144154/1). The driveway and boat shed on 342 Sandy Bay Road are related to the use of the dwelling on 344 Sandy Bay Road, which is a two storey c1900 conjoined dwelling.

4.5. Land uses in the immediate area are mixed – predominantly residential to the south and south-east of the site, passive recreation and community meeting and entertainment to the north-west, the University of Tasmania playing fields to the south-west and a large marina projecting into the River Derwent to the east.

4.6. A site investigation submitted by the applicant reveals there is no information to suggest potentially contaminating activities have existed on the subject site. There have been land uses on adjoining sites that have deposited contaminates. Previously testing of soils on the adjoining property have indicated there is little or no potential risk to human and environmental health. However, testing did identify pockets of contaminated soils that require management (if excavated). No excavation is proposed as part of the amendment or development application.

4.7. The subject site is within Sandy Bay Heritage Precinct 8 under the Historic Heritage Code of the HIPS 2015. This heritage area is residential in nature and is significant because of the key historical role of the road in the development of the area, the large number of exceptionally fine residences dating from 1830, the mall number of commercial buildings creating a village character, and the very fine groups of residential buildings representing varying phases of development.

4.8. Between 10m and 7m from the rear boundary of the subject site is covered by the Coastal Hazard Inundation overlay (see figure 2 below) which is classified as ‘low’ coastal inundation hazard. A small portion of the rear boatshed which presently sits on Crown Land, but which is to form part of the proposed subdivision, will fall under the classification of medium coastal hazard inundation hazard. Any future development under this overlay will require assessment under the Inundation Prone Areas Code of the HIPS 2015.

***Figure 2**: Coastal Inundation Overlay (yellow: 'low' risk, orange: 'medium risk').*

4.9. A small centre portion of the subject site is subject to the Landslide Hazard Band 2013 overlay and classified as 'low' landslide hazard (see figure 3 below). Under the Landslide Code of the HIPS 2015 any use or development for buildings or subdivision creating no more than two lots within the low landslide hazard area is considered exempt from assessment. The area of the subject site covered by the Landslide Hazard Band 2013 is not subject to rezoning.

Figure 3**:** *Landslide Hazard Band 2013 ('low' risk)*

4.10. The Waterway and Coastal Protection Areas overlay extends 40m from the high water mark of tidal waters, which encompasses the entirety of the subject site. Under the Waterway and Coastal Protection Code the proposal is considered exempt under clause 11.4.1 (b) as this application proposes rezoning and development that does not involve clearing of vegetation or soil disturbance.

4.11. Between 10m and 15m of the rear of the subject site is under the Coastal Hazard Band Erosion overlay which is classified as low coastal erosion hazard (see figure 4 below). Any future development under this overlay will require assessment under the Coastal Erosion Hazard Code of the HIPS 2015.

Figure 4: *Coastal Hazard Band Erosion overlay ('low')*

Planning Scheme Provisions

4.12. The Zone Purpose Statement for the Open Space Zone are:

To provide land for open space purposes including for passive recreation and natural or landscape amenity.

To encourage open space networks that are linked through the provision of walking and cycle trails.

To encourage passive recreational opportunities, and allow for tourist operation uses, which are consistent with the protection of bushland and foreshore values.

4.13. Within the Open Space Zone, 'no permit required' uses are passive recreation, natural and cultural values management, and utilities (only if minor utilities and underground). There are no 'permitted' uses. 'Discretionary uses' are community meeting and entertainment, domestic animal breeding, boarding or training (only if for training animals), emergency services, food services, general retail and hire, pleasure boat facility, sports and recreation, tourist operation, visitor accommodation (only if camping and a caravan park or overnight camping area), utilities, and vehicle parking. All other uses are prohibited.

4.14. There are a number of use standards that control the impact of uses in the Open Space Zone, where they are in proximity to the residential

zone. Development standards generally relate to the form, function, and safety of buildings and associated landscaping and fencing.

4.15. The Zone Purpose Statements for the Environmental Management Zone are:

To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.

To only allow for complementary use or development where consistent with any strategies for protection and management.

To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.

To recognise and protect highly significant natural values on private land.

To protect natural values in un-developed areas of the coast.

4.16. Within the Environmental Zone ‘no permit required’ uses are natural and cultural values management, and passive recreation. ‘Permitted’ uses are community meeting and entertainment, educational and occasional care, emergency services, food services, general retail and hire, pleasure boat facility, research and development, residential, sports and recreation, tourist operation, utilities, vehicle parking, and visitor accommodation. All ‘permitted’ uses are conditional upon a reserve management plan applying to their use. ‘Discretionary’ uses community meeting and entertainment, emergency services, extractive industry, pleasure boat facility, port and shipping, research and development, resource development, resource processing, sports and recreation, tourist operation, utilities, vehicle parking, and visitor accommodation.

4.17. The single use standard in the Environmental Management Zone controls the impact of uses on Reserved Land. Development standards generally relate to the form, function, safety, and attractiveness of buildings.

4.18. The Zone Purpose Statements for the General Residential Zone are:

To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

To provide for compatible non-residential uses that primarily serve the local community.

To provide for the efficient utilisation of services.

To encourage residential development that respects the neighbourhood character.

To provide a high standard of residential amenity.

To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

4.19. Within the General Residential Zone, single dwellings are 'no permit required', with other residential use classes (except more intense home based businesses) and visitor accommodation 'permitted'. Some non-residential uses such as food services, general retail and hire, and limited business and professional services uses are 'discretionary' if not displacing residential uses. A number of community uses such as community meeting and entertainment, educational and occasional care, emergency services, and sport and recreation are also 'discretionary'.

4.20. Use standards and development standards are aimed towards protecting residential amenity.

5. Proposal and Implementation

5.1. The proposal is to rezone the entire title (CT 76753/1) at 342 Sandy Bay Road from Open Space to Residential. The proposal is to also rezone a portion of Crown Land (which contains part of the existing private boatshed associated with the house at 344 Sandy Bay Road) from Environmental Management to General Residential. The owner of 342-344 Sandy Bay Road intends to purchase this portion of Crown Land.

5.2. The intention is to bring the site into greater uniformity and reflect the existing established development and use of the land, and existing structures built on the land. The area proposed to be rezoned is shown in Figure 5 below.

5.3. It is also proposed that planning approval be granted for subdivision, under s43A of LUPAA, which will extend the boundary of CT 76753/1 to encompass the entirety of the rear boat shed, and to combine this

area with CT 76753/1 and CT 144154/1 to form a single parcel of land of approximately 450.5m^2 in size.

Figure 5: *proposed rezoning of 342 Sandy Bay Road and adjacent Crown Land.*

Justification – Applicant's Submission

5.4. The applicant considers that the requested amendment is justified for the following reasons:

5.4.1. The proposed rezoning seeks to correctly reconcile and align long-standing land use and development with ownership, zones and lot layout.

5.4.2. The proposal will provide better cultural heritage protection through appropriate zoning for the consolidation of the boatshed with the dwelling on the site.

5.4.3. The proposal will better conserve the heritage precinct that the subject land is located in by consolidating the dwelling, driveway and boatshed in a single lot.

5.4.4. The subdivision and zoning changes will better and more correctly delineate the line between public and private uses in the surrounding area.

5.4.5. The proposal is consistent with the Schedule 1 Objectives of LUPAA in that:

5.4.5.1. The proposal will promote the sustainable development and maintenance of natural and physical resources by ensuring the whole of the boatshed is located within the boundaries of the site and will help improve the ability for better residential services/infrastructure, which will in turn will protect the riverine environment.

5.4.5.2. The proposal will provide for the fair, orderly and sustainable use and development of air, land and water through resolving the identified planning zone and ownership anomaly.

5.4.5.3. The proposal will encourage public involvement throug the public exhibition of the proposal

5.4.5.4. The proposal will facilitate economic development though better residential services, resolving an identified anomaly and will encourage public involvement

5.4.5.5. The proposal will promote the sharing of responsibility for resource management and planning between spheres of goerment, the community and industry through proceeding with this minor amendment as it provides for the orderly planning of this area. It is sought that the State and Local government agencies support this proposal.

5.4.5.6. The proposal will be consistent with the strategic direction set by State and Local Government policy

5.4.5.7. The submission can be appropriately assessed and determined within the current system of planning instruments

5.4.5.8. The proposal will consolidate ownership and zoning that will further secure the conservation of the heritage precinct and delineate the line between public and private land

5.4.5.9. The proposal will not alter the wording in the planning scheme and will not impact on the integration of policy

5.4.6. The proposal does not contradict the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) in that, while the strategy seeks to apply an Environmental Management, Recreation or Open Space Zone to vacant land in a coastal area, the subject area is not vacant land and the rezoning will better reflect the existing pattern of zoning in this area

(delineating public and private land) and will correct a zone boundary anomaly.

5.4.7. The proposal is consistent with the current provisions of the *Hobart Interim Planning Scheme 2015* in that it seeks to better conserve a heritage precinct listed in the Scheme, albeit that the current zoning does not allow it to occur.

5.4.8. The current zoning may have been incorrectly applied in this instance.

Justification – Comment

5.5. The applicant has submitted some valid reasons supporting the proposed rezoning.

5.6. The proposed rezoning of the portion of Crown Land from Environmental Management to General Residential will better reflect the existing and long-standing land use of a private boatshed that was likely constructed around the 1920s.

5.7. With respect to the overlays for Innundation Prone Areas and Coastal Erosion Hazards, the proposal has been reviewed by the Environmental Development Planner and is considered to be acceptable. The rezoning seeks to formalise an existing situation and does not provide significant opportunity for further development. If any further development were to occur within the rezoned areas, it would be subject to assessment under the applicable codes.

5.8. The proposed rezoning of the driveway and part of the boatshed at 342 Sandy Bay Road from Open Space to General Residential recognises that this section of land is for private use, and is not available for public recreation. The Open Space Zone is an inappropriate zone for this lot, and rezoning to General Residential reflects the existing use of the lot in conjunction with the house at 344 Sandy Bay Road.

5.9. The proposed rezoning of two areas of land from public-focused zones to a residentially-focussed zone will clarify the delineation between public and private land and uses in the area.

5.10. As they currently stand, the areas proposed to be rezoned are not capable of meeting the purposes of the Environmental Management and Open Space Zones as they are in private usage for residential purposes. The use of the two areas of land to be rezoned are significantly better aligned to the Zone Purpose Statements of the General Residential Zone. The Crown has consented to the making of the rezoning application.

5.11. Many of the properties along the waterfront in the immediate vicinity of the subject site include protrusions into the River Derwent that are covered by the Environmental Management Zone. In general, these

protrusions project beyond the shoreline and would be secured to the riverbed, and therefore the Environmental Management Zone is appropriate to manage impacts of this infrastructure on the river.

5.12. The existing boatshed at 342 Sandy Bay Road is constructed on existing hardstand area that is now part of the shoreline, although likely on reclaimed land. The boatshed does not project further towards the River Derwent than the existing title boundary for the associated dwelling at 344 Sandy Bay Road.

5.13. The existing outbuilding (indoor pool) at the rear of the nearby property at 348 Sandy Bay Road is of similar postion relative to the shoreline and clearly delinieates the separation between private and public through its siting on solid land behind a retaining wall.

5.14. The applicant suggests that the rezoning will assist in preserving heritage values associated with the Heritage Precinct (SB8). In order for this to apply, the boundary of Heritage Precinct SB8 will need to be extended to the proposed new boundary of the consolidated site. It is therefore proposed that, in addition to the rezoning, the extent of th Heritage Precinct Overlay is also amended.

5.15. Extending Heritage Precinct SB8 to cover the entirety of the boatshed will ensure any future development will require assessment under the Historic Heritage Code of the HIPS 2015.

6. Strategic Planning and Policy Considerations

6.1. The proposed amendment is consistent with the objectives of the Capital City Strategic Plan 2019-29, in particular with the following outcomes:

6.1.1. Hobart keeps a strong sense of place and identity, even as the city changes;

6.1.2. In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place;

6.1.3. People have a range of opportunities to participate in the economic life of the city;

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. None.

7.2. Impact on Future Years' Financial Result

7.2.1. None.

7.3. Asset Related Implications

7.3.1. None.

8. Legal, Risk and Legislative Considerations

8.1. The *Land Use Planning and Approvals Act 1993* (LUPAA) requires that planning scheme amendments must seek to further the objectives of Schedule 1 of the Act and be prepared in accordance with State Policies.

8.2. The objectives of the Act require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with the other Schedule 1 objectives.

8.3. It is considered that the proposed amendment meets the objectives of LUPAA, in particular it:

8.3.1. Assists sound strategic planning by not prejudicing the achievement of the relevant Zone Objectives or the STRLUS objectives;

8.3.2. Is consistent with the objective to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

8.3.3. Provides greater flexibility to address changes in local environmental, social and economic circumstances;

8.3.4. Allows for a more efficient use of the existing infrastructure and facilities;

8.3.5. Is consistent with the objective to provide for the consolidation of approvals for land use and development;

8.3.6. Facilitates the integration of compatible and complementary land use activities in a managed and safe environment;

8.3.7. Provides for the exercise of greater flexibility to fully consider the capability of the land.

8.4. The subject site is located within the ‘coastal zone’ of 1km from the coast, and therefore the *State Coastal Policy 1996* applies. The proposed amendment is consistent with the outcomes of this policy as it reflects existing urban residential development on land that is already designated for this use.

8.5. S32(e) of the *former provisions* of LUPAA requires that planning scheme amendments must avoid the potential for land use conflicts in adjacent planning scheme areas. This amendment is considered to be appropriate in the context of the provisions for surrounding zones, and the existing use and development on land immediately surrounding

the site. The rezoning will result in the subject site itself having less potential for land use conflicts, given that it consolidates the site in a single zone. It is not adjacent to any areas controlled by a different planning scheme.

8.6. S32(f) of the *former provisions* of LUPAA requires that planning scheme amendments must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The size, location and configuration of the land proposed for rezoning is such that it will not have any regional implications.

8.7. S30O of LUPAA requires that an amendment to an interim planning scheme is as far as practicable consistent with the regional land use strategy. It is considered that the amendment is consistent with the Southern Tasmania Regional Land Use Strategy STRLUS in that it:

8.7.1. Adopts a more integrated approach to planning and infrastructure by providing consistent zoning that reflects existing and future uses

8.7.2. Supports the managing of residential growth and zoning

8.7.3. Delineates the separation between private and public land

8.7.4. Creates liveable communities

9. Environmental Considerations

9.1. The proposed amendment is not considered to have any significant environmental impacts given the development and use is already existing.

10. Social and Customer Considerations

10.1. The proposal is not considered to have any negative impact on social inclusion.

11. Marketing and Media

11.1. There are no marketing or branding implications of this amendment.

12. Community and Stakeholder Engagement

12.1. Council has requested that reports which recommend the initiation of planning scheme amendments address the need to conduct a public meeting or forum to explain the proposed amendments and also outline the explanatory information to be made available. These are addressed below

12.1.1. It is not considered that a public forum is necessary to explain the proposed amendment to the public as it is relatively simple and self-explanatory.

12.1.2. The following information will be made available on the website: a copy of this report, a copy of the formal amendment document and the applicant's submission.

13. Delegation

13.1. Delegation rests with the Council

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.

Michael McClenahan
ASSISTANT PLANNER

Sarah Crawford
DEVELOPMENT PLANNER

Date: 11 March 2020
File Reference: F20/17870; PSA-20-1

Attachment A: Development Application Assessment ⇩
Attachment B: Applicant's Submission ⇩
Attachment C: Instrument of Certification ⇩

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 March 2020
Expiry Date:	14 April 2020
Application No:	PLN-20-146
Address:	342 SANDY BAY ROAD , SANDY BAY 1 / 344 - 346 SANDY BAY ROAD , SANDY BAY ADJACENT CROWN LAND
Applicant:	Bronwyn Mellor (PDA Surveyors) 127 Bathurst Street
Proposal:	Subdivision (Lot Consolidation)
Representations:	Not applicable (section 43A application)
Performance criteria:	Zone Development Standards Historic Heritage Code Inundation Prone Areas Code Coastal Erosion Code

1. Executive Summary

1.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road and adjacent Crown Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur.

1.2 The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

More specifically the proposal includes:

- Subdivision: Consolidation of lots CT. 76753/1 and CT. 144154/1, which are in the same ownership, along with a 22sqm portion of Crown owned land, to result in one single 450.5sqm lot.
- Rezoning: The consolidated 450.5sqm lot is to be zoned General Residential in entirety. This requires the 22sqm lot of Crown own land to be rezoned from Environmental Management to General Residential, and lot CT. 76753/1 being rezoned from Open Space to General Residential.

1.3 Section 43A applications are those which seek to amend the planning scheme combined with a planning application that relies on the amendment to the planning scheme. As such, s43A applications allow the Council to consider planning applications that would otherwise not be allowed, because it allows the Council to consider the planning application against the amendment that is also proposed.

In this planning application, the proposal is for the consolidation of three lots into one, containing an existing residential use. Two of the three lots are currently zoned Open Space or Environmental Management, which effectively proscribe the creation of a new lot with a residential use. As such, the planning scheme amendment seeks to rezone the land zoned Open Space and Environmental Management to General Residential, where the creation of a new lot with a residential use is allowable.

The advertising period associated with Section 43A proposals commences after the application has been determined by Council.

1.4 The proposed subdivision (lot consolidation) relies on performance criteria to satisfy the following standards and codes:

1.3.1 General Residential Zone Development Standards for Subdivision - Lot Design
1.3.2 Historic Heritage Code - Subdivision
1.3.3 Inundation Prone Areas Code - Medium and High Inundation Hazard Areas
1.3.4 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas

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 subject site is comprised of two titles in the same ownership, the first being 1/344-346 Sandy Bay Road CT. 144154/1, which is 297sqm in area, and 342 Sandy Bay Road CT. 76753/1, which is 131.5sqm, as well as a small 22sqm portion of Crown land which has no title or address but in practical terms forms part of the adjacent marina.

1/344-346 Sandy Bay Road contains an existing dwelling. 342 Sandy Bay Road contains a driveway and part of boat shed owned and used by 1/344-346 Sandy Bay Road. The small 22sqm portion of Crown land contains the remainder of the boatshed owned and used by 1/344-346 Sandy Bay Road.

The site is located on the foreshore area of the Derwent River and sits adjacent to public open space and a car parking area for the Derwent Sailing Squadron.

Figure 1: Aerial image which shows 342 (on the left) and 1/344-3467 Sandy Bay Road (on the right) bordered in blue. The other half of the boat shed can be seen adjacent to the top (waterside) of 342 Sandy Bay Road, and this is the portion of Crown Land that forms part of the site.

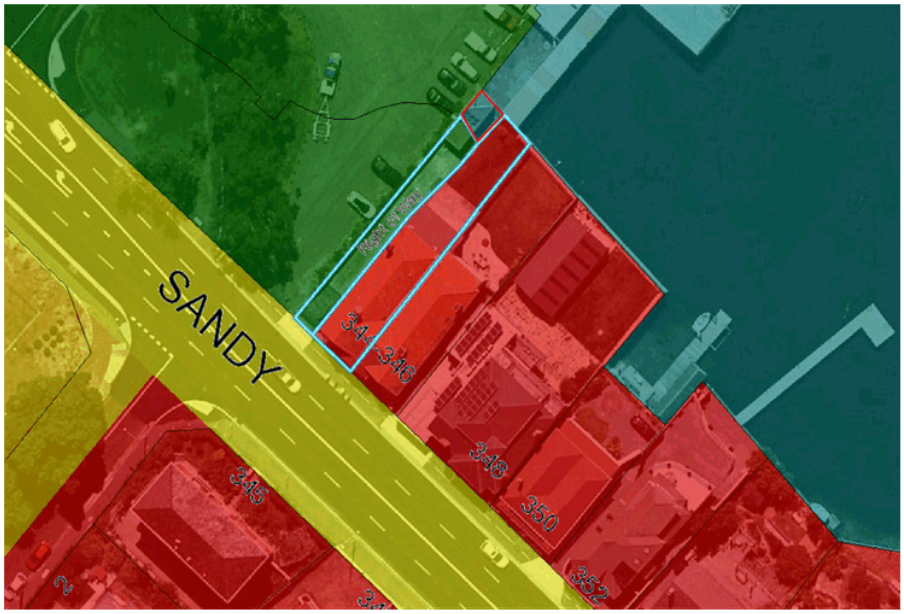


Figure 2: Aerial image showing the existing zoning. Green: Open Space Zone, red: General Residential Zone, and aqua: Environmental Management Zone. 1/344-346 Sandy Bay Road is zone General Residential. 342 Sandy Bay Road is zoned Open Space. The small portion of Crown Land that forms part of the subject site is zoned Environmental Management (bordered in red). The proposed planning scheme amendment would result in the entire site being zoned General Residential (the red zoning).

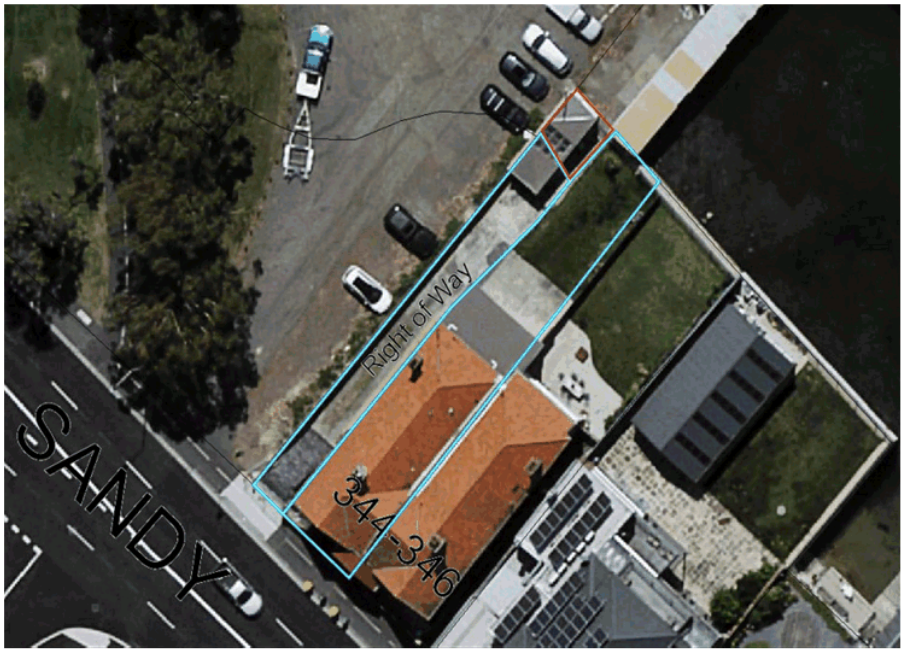


Figure 3: Showing all land forming the subject site - 342 and 1/344-346 Sandy Bay Road are bordered in blue, and the portion of Crown owned land is bordered in red. The proposed subdivision (lot consolidation) seeks to combine all parcels of land into one new lot of 450.5sqm.

3. Proposal

3.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road, and adjacent Cronw Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur.

3.2 The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

More specifically the proposal includes:

- Subdivision: Consolidation of lots CT. 76753/1 and CT. 144154/1, which are in the same ownership, along with a 22sqm portion of Crown owned land, to result in one single 450.5sqm lot.
- Rezoning: The consolidated 450.5sqm lot is to be zoned General Residential in entirety. This requires the 22sqm lot of Crown own land to be rezoned from Environmental Management to General Residential, and lot CT. 76753/1 being rezoned from Open Space to General Residential.

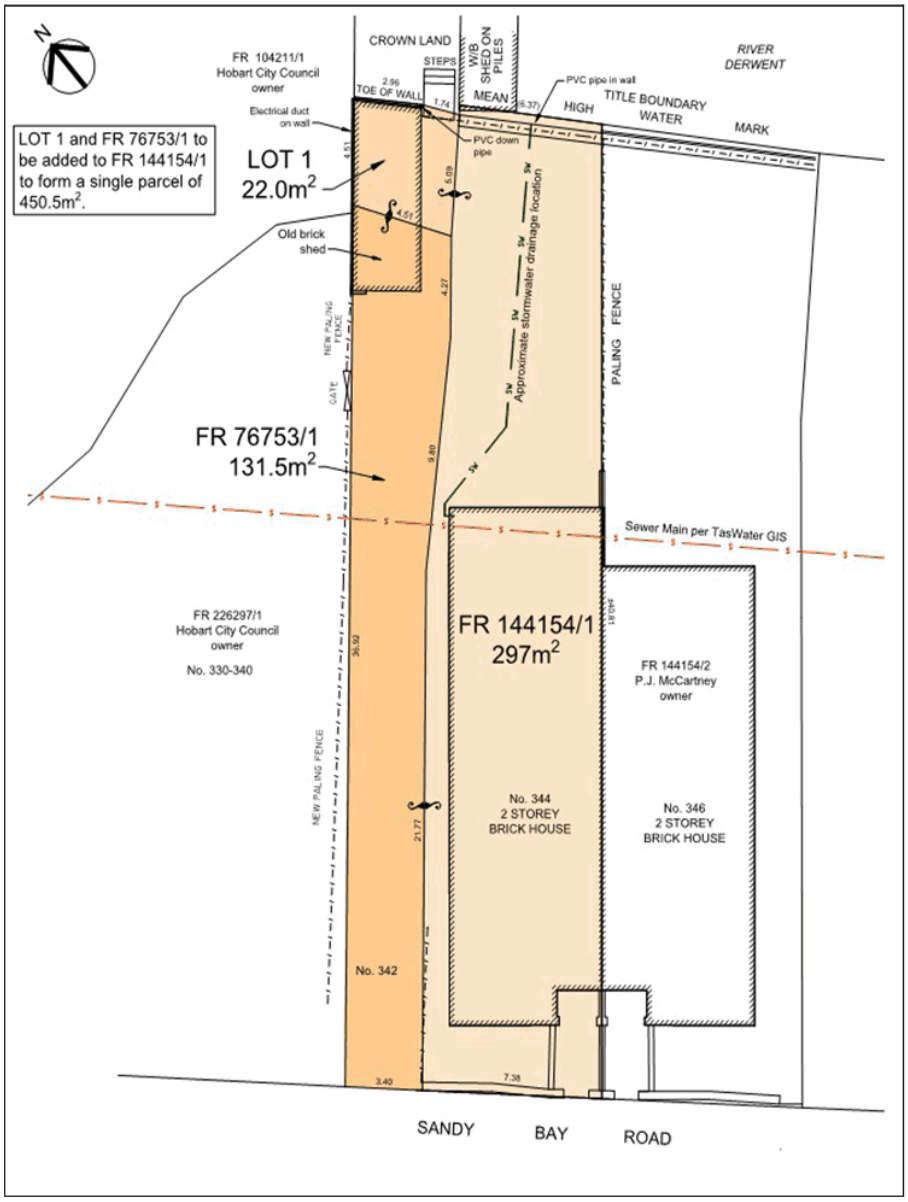


Figure 4: Proposed plan of subdivision.

4. Background

4.1 All titles on the subject site were previously zoned Residential 2 under the City of Hobart Planning Scheme 1982. It is contended by the applicant that the subsequent zoning under the Hobart Interim Planning Scheme 2015 for lot CT 76753/1 at 342 Sandy Bay Road to Open Space was undertaken erroneously. There is no further background information relevant to the application.

5. Concerns raised by representors

5.1 The advertising period associated with Section 43A application commences after the application has been determined by Council.

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, Open Space, and Environmental Management Zone of the *Hobart Interim Planning Scheme 2015*. However, because this planning application forms part of a section 43A planning scheme amendment application, the proposed subdivision is considered only against the standards of the General Residential zone, because that is the zoning the site will have if the planning scheme is amended.

6.3 The existing use is Residential (single dwelling). There is no proposed change of use. The existing use is a no permit required use in the zone.

6.4 The proposal has been assessed against:

6.4.1 D10.0 General Residential Zone

6.4.2 E2.0 Potentially Contaminated Land Code

6.4.3 E3.0 Landslide Code

6.4.4 E5.0 Road and Railway Assets Code

6.4.5 E6.0 Parking and Access Code

6.4.6 E7.0 Stormwater Management Code

6.4.7 E13.0 Historic Heritage Code

6.4.8 E15.0 Inundation Prone Areas Code

6.4.9 E16.0 Coastal Erosion Hazard 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: -

Lot Design - Part D 10.6.1 P3

6.5.2 Historic Heritage Code:-

Subdivision - Part E 13.9.3 P1

6.5.3 Inundation Prone Areas Code:-

Medium and High Inundation Hazard Areas - Part E 15.8.1 P1

6.5.4 Coastal Erosion Code:-

Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P1; P2

6.6 Each performance criterion is assessed below.

6.7 Lot Design - Part D 10.6.1 P3

6.7.1 The acceptable solution at clause 10.6.1 A3 requires the frontage for each lot must comply with the minimum frontage specified in Table 10.2, which for a lot adjoining public open space is 12m.

6.7.2 The lot will have a frontage of 10.78m.

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

6.7.4 The performance criterion at clause 10.6.1 P3 provides as follows:

The frontage of each lot must satisfy all of the following:

(a) provides opportunity for practical and safe vehicular and pedestrian access;

(b) provides opportunity for passive surveillance between residential development on the lot and the public road;

(c) is no less than 6m.

6.7.5 The lot will have a frontage width of 10.78m and the existing lots contain a driveway access. This lot will continue to use this driveway access and the proposed subdivision will not alter the total existing frontage width. This lot will provide an opportunity for continue practical and safe vehicular and pedestrian access. The existing frontage contains a brick and picket fence along the Sandy Bay Road frontage with an approximate total height of 1.7m. The dwelling on the site sits at a higher position than the road and will continue to enjoy passive surveillance opportunities between the residential development and the public lot. The total width of the frontage will not be less than 6m.

6.7.6 The proposal complies with the performance criterion.

6.8 Historic Heritage Code - Subdivision - Part E 13.9.3 P1

6.8.1 There is no acceptable solution at clause 13.9.3 A1.

6.8.2 The proposal includes a proposed subdivision of property titles which are located within a Heritage Precinct.

6.8.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause 13.9.3 P1 provides as follows:

Subdivision must not result in any of the following:

(a) detriment to the historic cultural heritage significance of the precinct, as set out in Table E13.3;
(b) a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct;

(c) potential for a confused understanding of the development of the precinct;
(d) an increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct

6.8.5 The proposed subdivision will include titles which are located within a Heritage Precinct (Sandy Bay 8) and as such were referred to Council's Cultural Heritage Officer. The officer has provided the following assessment:

The proposal is for a lot consolidation and will not result in any detriment to the cultural heritage significance of the precinct, will not create a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct and will have no impact upon future incompatible development.

6.8.6 The proposal complies with the performance criterion.

6.9 Inundation Prone Areas Code - Medium and High Inundation Hazard Areas - Part E 15.8.1 P1

6.9.1 There is no acceptable solution for clause 15.8.1 A1.

6.9.2 The proposal includes subdivision within a Medium Inundation Hazard Area.

6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at clause 15.8.1 P1 provides as follows:

Subdivision of a lot, all or part of which is within a Medium or High Inundation Hazard Area must be for the purpose of one or more of the following:

(a) separation of existing dwellings;

(b) creation of a lot for the purposes of public open space, public reserve or utilities;

(c) creation of a lot in which the building area, access and services are outside the hazard area, with the exception of stormwater.

6.9.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The habitable buildings are located outside the inundation hazard areas. Access to the proposed lot would be outside the inundation hazard areas. Water and sewage are located outside the inundation hazard area

6.9.6 The proposal complies with the performance criterion.

6.10 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P1

6.10.1 There is no acceptable solution for clause 16.8.1 A1.

6.10.2 The proposal includes a subdivision within a Coastal Erosion Hazard Area

6.10.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.10.4 The performance criterion at clause 16.8.1 P1 provides as follows:

Subdivision of a lot, all or part of which is within an Coastal Erosion Hazard Area must be for the purpose of one or more of the following:

(a) separation of existing dwellings;

(b) creation of a lot for the purposes of public open space, public reserve or utilities;

(c) creation of a lot in which the building area, access and services are outside the Coastal Erosion Hazard Area.

6.10.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The habitable buildings are located outside the inundation hazard areas. Access to the proposed lot would be outside the inundation hazard areas. Water and sewage are located outside the inundation hazard area. The proposal complies with P1.

6.10.6 The proposal complies with the performance criterion.

6.11 Coastal Erosion Code - Subdivision in Coastal Erosion Hazard Areas - Part E 16.8.1 P2

6.11.1 There is no acceptable solution for clause 16.8.1 A2.

6.11.2 The proposal includes a subdivision within a Coastal Erosion Hazard Area

6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause 16.8.1 P2 provides as follows

Subdivision must satisfy all of the following:

(a) not increase risk to adjoining or nearby property;
(b) any increased reliance on public infrastructure must not result in a unacceptable level of risk;
(c) need for future remediation works is minimised;
(d) access to the lot will not be lost or substantially compromised by coastal hazards on or off-site;
(e) no building area is located within the Coastal Erosion Hazard Area;
(f) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;
(g) not be prohibited by the relevant zone standards.

6.11.5 Referral was made to Council's Environmental Development Planner who has provided the following assessment:

The proposed subdivision would not change erosion risk or increase reliance on public infrastructure. The proposed subdivision would not change the need for any future remedial works. Access to the site is outside the mapped coastal erosion and inundation hazard areas. The habitable buildings are outside the coastal erosion hazard area. Council does not have a policy for developer contributions. The subdivision is not prohibited by the zone standards.

6.11.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for a Subdivision (Lot Consolidation), at 342 and 1/344-346 Sandy Bay Road and adjacent Crown Land. The planning application also forms part of a section 43A application under the *Land Use Planning and Approvals Act 1993* to amend the *Hobart Interim Planning Scheme 2015* by rezoning part of the subject site to allow for the subdivision to occur. The existing situation is that there are three lots containing a dwelling and its associated driveway and boatshed, and all three lots have different zonings. The proposal will result in the dwelling, driveway and boatshed all being contained on a single 450.5sqm lot, and that lot will be rezoned General Residential.

7.2 The proposal has been assessed against the relevant provisions of the planning scheme, as if it were amended in accordance with the section 43A application, and is considered to perform well.

7.3 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Health Officer, Cultural Heritage Officer, Environmental Development Planner, Survey Officer, and Park Planner. The officers have raised no objection to the proposal, subject to conditions.

7.4 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Subdivision (Lot Consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and Adjacent Crown Land 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 Subdivision (Lot Consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and Adjacent Crown Land 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-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SUB s1

An amendment to Strata Plan 144514 must be submitted to Council in accordance with the requirements of sections 19 and 31 of the Strata Titles Act 1998, once the Planning Scheme Amendment to rezone Lot 1 and the land comprised in CT 76753/1 to General Residential has been approved.

Reason for condition

To enable Lot 1 and CT 76753/1 to be added to CT 144154/1 and the common property for Strata Plan 144514

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.

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 Infrastructure By law. Click here for more information.

COUNCIL RESERVES

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

FEES AND CHARGES

Click here for information on the Council's fees and charges.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click here.

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884.*

(Michael McClenahan)
Assistant 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: 4 March 2020

Attachment(s):

Attachment B - CPC Agenda Documents

HOBART
C.M. Terry, B. SURV. (Tas.), M.SSSI. (Director)
H. Clement, B. SURV. (Tas.), M.SSSI (Director)
M.S.G. Denholm, B. GEOM. (Tas.), M.SSSI (Director)
T.W. Walter, Dip. Surv & Map; (Director)
A.M. Peacock, B. APP. SC. (SURV), M.SSSI. (Consultant)
D. Panton, B.E. M.I.E. AUST., C.P.ENG. (Consultant)
A. Collins, Ad. Dip. Surv & Map, (Senior Associate)
M. McQueen, B.E., M.I.E. AUST., C.P.ENG. (Associate)
L.H. Kiely, Ad. Dip. Civil Eng, Cert IV I.T., (Associate)
KINGSTON
A.P. (Lex) McIndoe, B. SURV. (Tas.), M.SSSI. (Director)
LAUNCESTON
J.W. Dent, OAM, B. SURV. (Tas.), M.SSSI. (Director)
M.B. Reid, B. GEOM.(HONS) (Tas.), M.SSSI M.AIPM (Associate)
BURNIE/DEVONPORT
A.J. Hudson, B. SURV. (Tas.), M.SSSI. (Director)
A.W. Eberhardt, B. GEOM. (Tas.), M.SSSI (Director)

PDA Surveyors Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 806 325

127 Bathurst Street
Hobart Tasmania, 7000
Phone (03) 6234 3217

ABN 71 217 806 325
Email: pda.hbt@pda.com.au
www.pda.com.au

PDA Reference: V1145M

13 December 2019

The General Manager
Hobart City Council

Submitted via: Online portal at https://apply.hobartcity.com.au/Common/Common/terms.aspx

Dear Sir/Madam,

S43A Combined Planning Scheme Amendment and Planning Permit Application
Land at 342 & 344 Sandy Bay Road, Sandy Bay

In accordance with instructions from our client Dr. Paul McCartney attached is an application to for a Combined Application for Planning Scheme Amendment and Subdivision, pursuant to S43A of the Land Use Planning and Approvals Act 1993 (LUPAA).

To support this application, the following is provided:

- Consent from the landowner;
- Consent from the Minister for Environment, Parks and Heritage (Crown Landowner Consent) to make the application;
- Planning Assessment Report;
- Plan of subdivision (consolidation of lots); and
- Current copies of titles.

If you need to clarify any information in this application, please contact myself or Bronwyn Mellor – Senior Planner at this office.

Yours faithfully
PDA Surveyors

Per:

Mark Peacock
Consultant & Registered Land Surveyor

PDA Surveyors
Surveying, Engineering & Planning

127 Bathurst Street
Hobart, Tasmania, 7001
Phone (03) 6234 3217

ABN 71 217 806 325
Email: pda.hbt@pda.com.au
www.pda.com.au

S43A COMBINED PLANNING SCHEME AMENDMENT
AND SUBDIVISION APPLICATION

342-344 Sandy Bay Road
Sandy Bay

PLANNING ASSESSMENT REPORT

2 December 2019

HOBART - KINGSTON - HUONVILLE - LAUNCESTON - DELORAINE - BURNIE - DEVONPORT

© PDA SURVEYORS 2019
This document is and shall remain the property of PDA Surveyors. The document may only be used for the purposes for which it was commissioned. Unauthorised use of this document in any form whatsoever is prohibited.

LIMITATION
This report has been prepared on behalf of and for the exclusive use of PDA Surveyor's client, and is subject to and issued in connection with the provisions of the agreement between PDA Surveyors and its client. PDA Surveyors accepts no liability or responsibility in respect of any use of or reliance upon this report by any third party.

REPORT PREPARED FOR: Dr Paul McCartney

Document Status

Revision	Author	Reviewer	Date
0	Bronwyn Mellor	Mark Peacock	16th April 2019
1	Bronwyn Mellor	Tom Reilly	18th April 2019
2	Bronwyn Mellor	Mark Peacock	15th May 2019
3	Bronwyn Mellor	Tom Reilly	16th May 2019
4	Bronwyn Mellor		2nd May 2019

Contributors:

Mark Peacock (Consultant)
Registered Land Surveyor
B.SURV(Tas.),M.SSSI

Tom Reilly
Senior Planner
BEnvDes, LLB, GCertEnvPlan

Bronwyn Mellor
Senior Planner
GradDipRurRegPlan MPIA

CONTENTS

1. Introduction 1
1.1 Purpose of the Report 1
1.2 Application documentation 1
2. Site and Settlement 1
2.1 Subject land 1
2.2 Surrounding Area 2
3. Planning Scheme, Servicing & Assessment 3
3.1 Applicable planning scheme, Zone, Overlays & Codes 3
3.2 Service Infrastructure 9
3.3 Summary 10
4. S43A Amendment and Application Proposal 10
5. Land Use Planning and Approvals Act 1993 10
5.1 Objectives – Schedule 1, Part 1 10
5.2 Objectives – Schedule 1, Part 2 11
5.3 State Policies 13
5.3.1 State Policy on the Protection of Agricultural Land 2009 13
5.3.2 State Policy on Water Quality Management 1997 13
5.3.3 Tasmanian State Coastal Policy 1996 13
5.3.4 National Environmental Protection Measures 13
5.4 Regional and Local Policy 13
5.4.1 The Southern Tasmania Regional Land Use Strategy 2010-2035 13
5.4.2 Hobart City Council Heritage Studies 15
5.5 Adjacent Municipal Areas 15
5.6 Gas Pipelines Act 2000 15
6. Subdivision – Hobart Interim Planning Scheme 2015 15
7. Assessment & Conclusion 16

1. INTRODUCTION

1.1 PURPOSE OF THE REPORT

On behalf of the landowner, Dr. P McCartney, we request the Hobart City Council to initiate S43A Combined Planning Scheme Amendment (PSA) and Planning Permit Application to alter the Hobart Interim Planning Scheme 2015 and consecutively consider an application for planning permit to subdivide the land.

When the land was purchased by the current land owner, it was understood that the land at 342-346 contained two dwellings, a driveway, boatshed and service yards. Following investigation of title boundaries, it became apparent that part of the boatshed is in fact located on a portion of Crown Land. Aside from zoning irregularities, the ownership of the land that the boatshed is located on is the major reason for this Planning Scheme Amendment being initiated.

The PSA seeks to correctly reconcile/align long standing land use and development with ownership, zones and lot layout.

This report will demonstrate that the current zone boundaries are in the wrong location and do not correctly align with ownership and built form patterns. This application seeks to correct the anomaly.

1.2 APPLICATION DOCUMENTATION

The application comprises the following documentation:

- S43A Planning Assessment Report
- Plan of Subdivision (Annexure 1)
- Crown Landowner Consent (Annexure 2)
- Title documentation (Annexure 3)

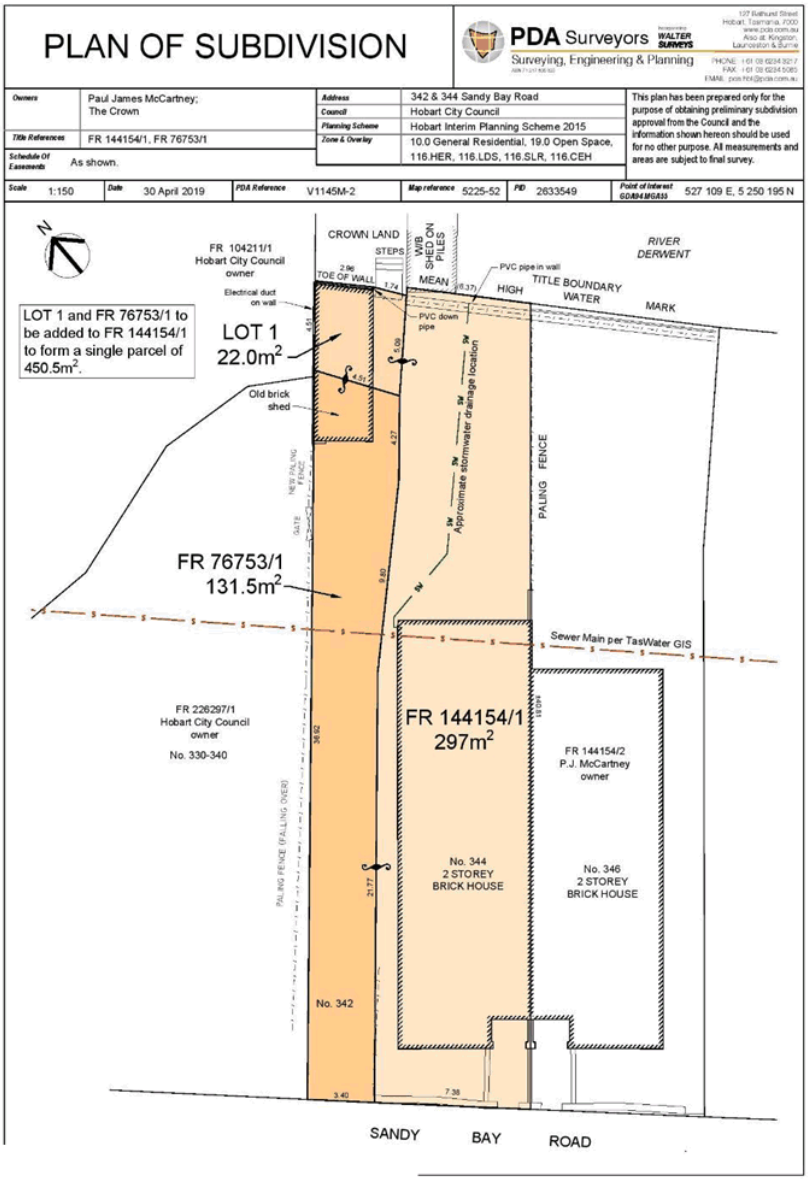
2. SITE AND SETTLEMENT

2.1 SUBJECT LAND

The subject land is located along the foreshore area in Sandy Bay, adjacent to the public space/car parking area adjoining the Derwent Sailing Squadron, slipway and marina.

The subject land contains one of two conjoined dwellings, a driveway, rear open yard and a boat shed. The landowner of the subject land also owns the dwelling at 346 which is currently used for visitor accommodation. The dwelling at 346 is not part of this application.

The subject land also involves a portion of Crown Land that directly abuts the land described above. The land involved in the Planning Scheme Amendment and Planning Permit Application is shown and described below.



Driveway	FR76753/1
344 Sandy Bay Road	FR144154/1
346 Sandy Bay Road	FR144154/2
Crown Land portion	Land shown on this plan as 22.0m2
Note: 'Crown Land Portion' is only a part of a lot owned by the Crown	

The Federation Queen Anne c1900 styled conjoined dwellings on the site are part of a much larger historic precinct. Planning Scheme controls within this historic precinct seek to conserve the buildings within that area as they all contribute to "form one conservation area because of the importance of Sandy Bay Road in the history and development of the area and the consistency of major residential building forms (Sandy Bay Conservation Area Heritage Study, City of Hobart)".

Although the conjoined dwellings on the site are not individually identified through the Heritage Study and HIPS controls, there are a number of buildings along the waterfront strip of Sandy Bay Road that are individually identified. Houses at 348, 356 & 362 Sandy Bay Road are located in the waterfront strip with the subject land, within the greater conservation precinct.

The conservation area study relevant to this portion of Sandy Bay Road states that, "The earlier houses (generally 1890-1900) are set on large lots (some sub-divided) with the houses set well back and with commanding views and set in established gardens. Later development is on slightly smaller lots with substantial but more modest buildings. There are only a few buildings on the waterside at the eastern end of the precinct, these date from around the turn of the century."

The existing boat shed that is partly located on private land and partly on Crown Land is constructed from red brick and mortar construction (much the same construction type as the dwellings on the site). It is unknown to this report if the boatshed fabric holds any historic value to the Sandy Bay Road conservation area, however the boatshed location and use may provide some link to the nautical historic character of the area.

2.2 SURROUNDING AREA

History of Surrounding Area

"Sandy Bay Road is the early route through the district containing some of its earliest development and major residences and commercial/retail buildings from most periods of its history. Many of the major residences have been constructed either facing the road on the high side or facing the water with the secondary facades to the road. The road encompasses residential areas, shopping centres and stretches with dramatic views of the river." (Conservation Area Heritage Study) (CAHS)

The character of the surrounds are described best by the conservation study that states:
"This unusual conservation area extends the length of Sandy Bay Road from Nutgrove to Byron Street and comprises a number of related but physically separated precincts. They form one conservation area because of the importance of Sandy Bay Road in the history and development of the area and the consistency of major residential building forms seen along its length. The form of the road is of interest as it meanders around the water and as it takes in a range of topographies from gentle slopes to escarpments and retaining walls to seawalls. The physical form of the road tells the story of the development of the district."

The key features of the Sandy Bay Road precinct are "the high quality of many of the individual houses and estates, the range of substantial buildings from 1830 to the 1970's and the overall consistency and integrity of the buildings. Despite several subdivisions and intrusions the drive along Sandy Bay Road is most informative in understanding the social importance of the Sandy Bay area."(CAHS)

The policy for the Sandy Bay Road Conservation Area aims to (amongst other things) is to retain the 19th and 20th century character, the scale of single and two storey dwellings on single lots and maintain current lot sizes.

Current surrounding land uses

The modern day interaction within the conservation precinct and residential dwellings in Sandy Bay is that Sandy Bay Road is a main thoroughfare to southern suburbs of greater Hobart and the interaction with the surrounding yacht clubs, marinas, dry docks and marina.

The immediate adjoining land is made up of the Derwent Sailing Squadron grounds, dry dock and wharves. The squadron itself has its own history and progression of development and adds to the heritage fabric of the area. The Squadron through their website state that:

- "The Derwent Sailing Squadron, under the name of the Domain Sailing Squadron, was formed in February 1906 by a group of yachtsmen who wanted to sail boats smaller and more affordable than those in vogue at the time. Not long after, the name was changed to the Derwent Sailing Squadron."

That part of the sailing squadron area directly to the rear of the subject site contains a number of smaller boat storage sheds and are similar in scale to that of the boatshed on the subject site.

The other main use in the direct surrounding area is informal car parking abutting the site and informal open space areas within the Marieville Esplanade area that fronts the sailing squadron area and provides a parkland setting for the more industrial wharf/squadron area.

3. PLANNING SCHEME, SERVICING & ASSESSMENT

3.1 APPLICABLE PLANNING SCHEME, ZONE, OVERLAYS & CODES

Hobart Interim Planning Scheme 2015

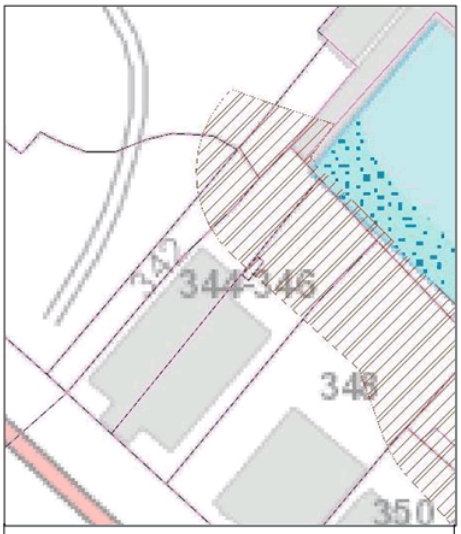
The subject land is subject to the provisions of the Hobart Interim Planning Scheme 2015 (HIPS).
The land is partially located in:

- General Residential Zone (houses and rear yards);
- Open Space Zone (driveway and part of boatshed); and
- Environmental Management Zone (portion of the boatshed on Crown Land)

The whole of the site is located in a Heritage Precinct (Precinct SB8) Overlay (local control through HIPS). The area containing the rear yards, the boat shed and dock area are also partly located in the Coastal Erosion & Inundation Hazard Area Overlays' and also a Landslide Hazard Area Overlay (see plans below).

Heritage Precinct SB8 (Sandy Bay)

Landslide Hazard Area



Coastal Erosion Hazard Area

Coastal Inundation Hazard Area

Source: LISTmap

Clause 5.8 Strata Division

This part of the Scheme states that there is a general exemption from needing a planning permit for "Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved." In the event that the PSA is supported, the minor alteration to the Strata Plan can be permitted through the Strata Titles Act.

Clause 9.7 Subdivision

This Clause of the Scheme states that:

A permit is required for development involving a plan of subdivision.

A permit for development involving a plan of subdivision is discretionary, unless:

a) For adjustment of a boundary in accordance with clause 9.3.1

b) The subdivision is prohibited in accordance with clause 8.9; or

c) The plan of subdivision must not be approved under section 84 *Local Government (Building and Miscellaneous Provisions) Act 1993*.

General Residential Zone

The purpose of the Zone is to:

- To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- To provide for compatible non-residential uses that primarily serve the local community.
- To provide for the efficient utilisation of services.
- To encourage residential development that respects the neighbourhood character.
- To provide a high standard of residential amenity.

- To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Open Space Zone

The purpose of the Zone is to:

- To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- To encourage open space networks that are linked through the provision of walking and cycle trails.
- To encourage passive recreational opportunities, and allow for tourist operation uses, which are consistent with the protection of bushland and foreshore values.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Environmental Management Zone

The purpose of the Zone is to:

- To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.
- To only allow for complementary use or development where consistent with any strategies for protection and management.
- To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.
- To recognise and protect highly significant natural values on private land.
- To protect natural values in un-developed areas of the coast.

There are no Local Area Objectives or Desired Future Character Statements listed in this Zone.

Heritage Precinct Overlay (Precinct SB8)

This Overlay identifies the Heritage Precinct number SB8, which is the Precincts reference listed in the Historic Heritage Code at Table E13.2 (see below for detail).

Coastal Inundation Hazard Area Overlay

This Overlay identifies that the area of the site directly adjoining the river edge is subject to coastal inundation with a low degree of hazard. The Overlay 'description' and 'comments' state that:

- This area is "Resilient because of artificial protection (storm bite / near-term recession zones)" - Description
- "This area has been identified as vulnerable to a coastal recession by 2100 based on current sea level rise models, soil type, and the geomorphology of the area. Or is protected by coastal defences for erosion. Location: Sandy Bay" – Comments

Landslide Hazard Area Overlay

This Overlay identifies that the central part of the site is subject to landslide with a low degree of hazard. The Overlay 'description' and 'comments' state that:

- "The areas of Hobart-Glenorchy have a deep seated slide susceptibility (Rosetta scenario)" - Description
- "This area has no known active landslides, however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT)." – Comments

Historic Heritage Code

This code applies to development involving land defined in the code in a Heritage Precinct. The land has been previously identified in this report as having historic significance as part of a Heritage Precinct (SB8) which is part of one of the Sandy Bay residential precincts.

The objective of this code is to ensure that subdivision within a Heritage Precinct is consistent with historic patterns of development and does not create potential for future incompatible development.

This objective is achieved through the proposal being consistent with the performance criteria listed as follows:

- Subdivision must not result in any of the following:
  - Detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.
  - A pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct.
  - Potential for a confused understanding of the development of the precinct.
  - An increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct.
  - Subdivision must comply with any relevant design criteria / conservation policy listed in Table E13.2.

Table 13.2 identifies why the precinct is of historic importance, as follows:

- The key historical role of the road in the development of the precinct and the buildings and features that demonstrate that history.
- The large number of exceptionally fine residences dating from 1830 through to the present day
- The small number of commercial buildings creating a village character including some which are of individual heritage significance.
- The very fine groups of residential buildings representing varying phases of development and demonstrating attitudes to subdivision, styles of building, landscaping and the social importance of properties with high levels of exposure.

Inundation Prone Areas Code

This code applies to development of buildings and works dependent on a coastal location, (including the subdivision of land for such buildings and works).

To ensure that the proposal is consistent with this Code, the subdivision of land must be for the purposes of creation of a lot for buildings or works dependent on a coastal location and must not be prohibited by the relevant zone standards.

A residential use in the Environmental Management Zone and the Open Space Zone are prohibited. The proposal currently is technically at odds with the objectives and performance standards of this Code.

Landslide Code

This code applies to development of buildings and works dependent on a coastal location, (including the subdivision of land for such buildings and works) on land in the Coastal Erosion Hazard Area.

To ensure that subdivision does not create opportunity for development that will be unnecessarily exposed to unacceptable risk from erosion, recession or wave run up, the proposal must be consistent with the following performance criteria:
Subdivision of a lot, all or part of which is within a Coastal Erosion Hazard Area must be for the purpose of one or more of the following:

a) Separation of existing dwellings.
b) Creation of a lot for the purposes of public open space, public reserve or utilities
c) Creation of a lot in which the building area, access and services are outside the Coastal Erosion Hazard Area

Subdivision must also satisfy all of the following:

a) Not increase risk to adjoining or nearby property
b) Any increased reliance on public infrastructure must not result in a unacceptable level of risk;
c) Need for future remediation works is minimised
d) Access to the lot will not be lost or substantially compromised by coastal hazards on or off-site
e) No building area is located within the Coastal Erosion Hazard Area
f) Provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works
g) Not be prohibited by the relevant zone standards

Road and Railway Assets Code

Sandy Bay Road at this point is a road that is controlled by the Local Council and this Code does not apply to this proposal on the basis that the road is not a class 1 or 2 road.

Parking and Access Code

This Code applies to all applications for development (which by default also includes subdivision).

The proposal to re-zone land and subdivide crown land that contains an existing building will not alter any parking or access to either dwelling on the land. If anything, the re-zoning of the land along the driveway area is proposed to be zoned for residential purposes and consolidated with the dwelling at 344, therefore strengthening the driveway and parking areas with the predominant residential use on the land.

On the basis that there is no substantial buildings and works proposed, and the PSA strengthens the relationship of the access and parking areas to the closest dwelling it is considered that the proposal is consistent with the objectives of this Code.

3.2 SERVICE INFRASTRUCTURE

Dwelling

Road and access

Sandy Bay Road is located in a Utility Zone and identified by the HIPS as major road infrastructure.

This report confirms that Sandy Bay Road (at this point) is not controlled through the Crown (State Growth) and therefore Crown Landowner Consent is not required for a proposal adjacent to major road infrastructure prior to the PSA or Planning Application being formally submitted.

Water, Sewer & Electricity

Water connection for the existing dwellings are provided from a reticulated water main in the street front. Power connections to dwelling is provided via underground connections to infrastructure.

The connection of the dwelling are via a sewer main that traverses under the middle of the land and appears partly under the rear of the dwelling. This sewer main also provides service to adjoining dwellings and surrounding area.

Stormwater

The dwelling is connected to an existing stormwater connection with its disposal point at the river's edge. The boat shed roof area being considerably smaller and in slightly poorer condition has more rudimentary stormwater connections. There is currently a pvc pipe located next to the steps that lead to the Crown Land from the backyard that controls part of the boatsheds stormwater.

Boatshed

The boatshed only has power running to the building. No other services exist. Stormwater connections are listed above.

3.3 SUMMARY

Scheme Controls

Based on the current provisions of the HIPS and the zoning of the land, subdivision of the land by creating an additional lot is currently prohibited as the Zone states that the subdivision must be for an allowable use. A residential/storage use that is not associated with a reserve management plan is prohibited in this Zone.

Subject site and surrounds

Given the above commentary, the subject land is suitably serviced and the site and surrounds is free from unacceptable risk or constraint.

4. S43A AMENDMENT AND APPLICATION PROPOSAL

The S43A Combined PSA and Planning Permit Application proposes the following changes be made to the Planning Scheme:

1. Change the Planning Scheme Maps by showing FR76753/1 to be zoned as General Residential Zone instead of in an Open Space Zone; and
2. Change the Planning Scheme Maps by showing the portion of the Crown Land that contains the residual portion of the boatshed as General Residential Zone instead of Environmental Management Zone.

The PSA seeks to correctly reconcile/align long standing land use and development with ownership, zones and lot layout.

There are no other changes to the local parts of the Planning Scheme in this proposal.

The planning permit application proposes to undertake a consolidation of titles (a form of subdivision) to form a whole lot that encompasses the boat shed, the dwelling at 344 Sandy Bay Road, driveway and rear yard.

5. LAND USE PLANNING AND APPROVALS ACT 1993

5.1 OBJECTIVES – SCHEDULE 1, PART 1

The objectives of the resource management and planning system of Tasmania are:

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.

Response: Ensuring that the whole of the boatshed is located within the boundaries of the site will help improve ability for better residential services/infrastructure, which in turn will protect the riverine environment.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water.

Response: It is considered that the orderly planning of this area should be supported and resolve the identified planning zone and ownership anomaly that this application has identified.

(c) To encourage public involvement in resource management and planning.

Response: The process of the Scheme Amendment will consider and undertake public involvement through public exhibition of the proposal.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c).

Response: As stated above

(e) To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Response: The owner of the land has made a commitment in proceeding with this minor amendment as it provides for the orderly planning of this area. It is sought that the State and Local Government agencies support this proposal.

5.2 OBJECTIVES – SCHEDULE 1, PART 2

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule:

(a) To require sound strategic planning and co-ordinated action by State and local government.

Response: As stated in this report, the proposal is consistent with the strategic direction set by State and Local Government policy.

(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.

Response: It is considered that the Council and the Tasmanian Planning Commission can appropriately assess and determine this application within the current system of planning instruments.

(c) To ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

Response: The following matters will be better controlled by the proposal:

- *Cultural Heritage*
- *Protection of ownership and delineation of public/private spheres*
- *Consolidation of ownership will improve services on the site to reduce possible impact to riverine environment.*

(d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.

Response: This application does not make any changes in wording to the planning scheme and therefore will not impact on integration of policy through different tiers of government.

(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.

Response: The Council is considering a planning scheme amendment and planning permit application in a combined process.

(f) To promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.

Response: This application will in a very small way promote the wellbeing of the current landowner and future landowners of the subject site as it will ultimately secure the ownership of a building that was thought to be in their ownership.

The change in zoning will provide for an opportunity to consider future use and development on the site, because at the moment the provisions prohibit residential development in an Open Space or Environmental Management Zone.

The proposal will clearly delineate the line between public and private land within this area.

(g) To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

Response: The ultimate consolidation of ownership and zoning that matches the residential use on the land will further secure the conservation of the heritage precinct that the subject land is a part of.

(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

Response: The proposal will ultimately lessen buildings in the ownership of the Crown that it is legally liable to maintain and be responsible for.

(i) To provide a planning framework which fully considers land capability.

Response: The capability of this land for its intended or proposed purpose is not a matter for consideration.

5.3 STATE POLICIES

5.3.1 State Policy on the Protection of Agricultural Land 2009

The land is not located close to any agricultural zones or land. This State Policy is not relevant in this instance.

5.3.2 State Policy on Water Quality Management 1997

This State Policy provides direction regarding the following:

"Regulatory authorities must require that erosion and stormwater controls are specifically addressed at the design phase of proposals for new developments, and ensure that best practice environmental management is implemented at development sites in accordance with clause 31 of this Policy."

The proposal has demonstrated that stormwater and erosion matters have been considered.

5.3.3 Tasmanian State Coastal Policy 1996

The State Coastal Policy states:

"Places and items of cultural heritage will be identified, legally protected, managed and conserved where appropriate."

Regarding Residential Development – "Care will be taken to minimise, or where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas."

The proposal seeks to consolidate the ownership of a property that is part of a precinct area that is culturally significant, which in turn will better protect the integrity of the historic precinct.

5.3.4 National Environmental Protection Measures

The National Environmental Protection Measures (NEPMs), which have been adopted as State Policies, relate to ambient air quality, diesel vehicle emissions, assessment of site contamination, used packing material, movement of controlled waste between States and Territories and the national pollutant inventory. Given the scope of the proposal, the NEMPs are not considered relevant in this instance.

5.4 REGIONAL AND LOCAL POLICY

5.4.1 The Southern Tasmania Regional Land Use Strategy 2010-2035

The Coast

This part of the policy states that, "Zone existing undeveloped land within the coastal area, Environmental Management, Recreation or Open Space unless:

- The land is utilised for rural resource purposes; or
- It is land identified for urban expansion through a strategic planning exercise consistent with this Regional Land Use Strategy."

Commentary: *The Regional Strategy seeks to apply an Environmental Management, Recreation or Open Space Zone to vacant land in a coastal area.*

This zoning pattern on the site and surrounding area is reflected in the current Planning Scheme. However the boundary between the Open Space Zone, Environmental Management Zone and the General Residential Zone boundaries are incorrectly mapped.

If the Zones were applied correctly to be consistent with the intent of the Regional Strategy, it would have mirrored what this application seeks to create.

Given the clear policy direction from the Regional Strategy, it can only be concluded, that an error in the location of the Zone boundaries has occurred in the past as the public land zoning (Open Space Zone & Environmental Management Zone) has been applied to private land (albeit that a boat shed has been built across a boundary line).

On this basis, the Planning Scheme Amendment seeks to correct this existing anomaly.

Managing Risks and Hazards

Landslide

- Protect life and property from possible effects of land instability.
- Prevent further development in declared landslip zones.
- Require the design and layout of development to be responsive to the underlying risk of land instability.
- Allow use and development in areas at risk of land instability only where risk is managed so that it does not cause an undue risk to occupants or users of the site, their property or to the public.

Flooding

- Minimise the risk of loss of life and property from flooding Southern Tasmania Regional Land Use Strategy 2010–2035
- Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.
- Include provisions in planning schemes for use and development in flood prone areas based upon best practice in order to manage residual risk.

Cultural Values

Other than identifying that cultural values with regard to built form and precincts/areas being protected through multiple tiers of government and heritage studies, this policy particularly (which is of relevance to this proposal) states the following:

- Provide a degree of flexibility to enable consideration of development applications involving the adaptive reuse of heritage buildings that might otherwise be prohibited.

5.4.2 Hobart City Council Heritage Studies

The Council have existing various heritage studies that were the strategic justification for the creation of the Heritage Precinct Overlay that applies to the land and surrounding dwellings to form one of many significant heritage precincts in Sandy Bay.

The designation of heritage precincts is based on the heritage areas in the current CHPS1982 as well as those areas identified in various heritage studies. The heritage precinct statements in Table E13.2 of the Planning Scheme are derived from the various heritage studies.

5.5 ADJACENT MUNICIPAL AREAS

On the basis that the change to multiple zone boundaries involves a land area of 176.5m2 that merely seeks to correct the zoning for an existing land use that has been in place since c1900 it is unlikely to have any impact on adjoining municipality areas.

5.6 GAS PIPELINES ACT 2000

The subject site is not affected by the gas pipeline corridor. The requirements in the *Gas Pipelines Act 2000* are therefore not applicable.

6. SUBDIVISION – HOBART INTERIM PLANNING SCHEME 2015

The Planning Permit Application proposes to:

1. Subdivide the Crown Land creating an additional lot that contains a portion of the boatshed.
2. Then in the same subdivision process consolidate the lot that contains the boat shed with CT76753-1 (driveway) and adjoining CT144154-1 (dwelling at 344 Sandy Bay Road).
3. The subdivision will also include an alteration of Strata Plan 144154 to show consolidation of driveway and boat shed with Lot 1.

The subdivision of land will require the consent of all landowners. Processes with the managers of the Crown Land portion (ParksTas) have been completed prior to this combined application and necessary consents are attached to this report.

In the event that Council is inclined to support the Scheme Amendment, we request that Council also grant a permit for the subdivision of the land to facilitate consolidation of the driveway to the dwelling and better conserve the boatshed to the dwelling that it visually and architecturally belongs to.

7. ASSESSMENT & CONCLUSION

We request that the Council initiate and support this combined Planning Scheme Amendment and planning permit application that seeks to apply the most appropriate zoning to an existing residential use for the following reasons:

- The proposal will provide better cultural heritage protection through appropriate zoning for the consolidation of the boatshed with the dwelling on the site.
- The subdivision will better conserve the heritage precinct that the subject land is located in by consolidating the dwelling, driveway and boatshed in a single lot.
- The subdivision and zoning changes will better and more correctly delineate the line between public and private uses in the surrounding area.
- The proposal is consistent with State, Regional and Local policy direction.
- The proposal is consistent with the current provisions of the Hobart Interim Planning Scheme 2015 in that it seeks to better conserve a heritage precinct listed in the Scheme, albeit that the current zoning does not allow it to occur.
- We submit that the current zoning implementation from the former Scheme translation was incorrectly applied in this instance.

Aside from the above demonstrated consistency with policy and planning scheme direction, this report places particular light on the commentary at Part 5.4 of this report where it is contended that an error has occurred in the past at some stage with the zoning of this land (aside from the construction of the boatshed over the existing boundary). This report identifies that the implementation of the Regional Strategy's recommendations has led to a minor error in the zoning of this site.

HOBART
C.M. Terry, B. SURV. (Tas.), M.SSSI. (Director)
H. Clement, B. SURV. (Tas.), M.SSSI (Director)
M.S.G. Denholm, B. GEOM. (Tas.), M.SSSI (Director)
T.W. Walter, Dip. Surv & Map; (Director)
A.M. Peacock, B. APP. SC. (SURV), M.SSSI. (Consultant)
D. Panton, B.E. M.I.E. AUST., C.P.ENG. (Consultant)
A. Collins, Ad. Dip. Surv & Map, (Senior Associate)
M. McQueen, B.E., M.I.E. AUST., C.P.ENG. (Associate)
L.H. Kiely, Ad. Dip. Civil Eng, Cert IV I.T., (Associate)
KINGSTON
A.P. (Lex) McIndoe, B. SURV. (Tas.), M.SSSI. (Director)
LAUNCESTON
J.W. Dent, OAM, B. SURV. (Tas.), M.SSSI. (Director)
M.B. Reid, B. GEOM.(HONS) (Tas.), M.SSSI M.AIPM (Associate)
BURNIE/DEVONPORT
A.J. Hudson, B. SURV. (Tas.), M.SSSI. (Director)
A.W. Eberhardt, B. GEOM. (Tas.), M.SSSI (Director)

PDA Surveyors Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 806 325

127 Bathurst Street
Hobart Tasmania, 7000
Phone (03) 6234 3217

ABN 71 217 806 325
Email: pda.hbt@pda.com.au
www.pda.com.au

Planning Permit V1145M

11 February 2020

The General Manager
Hobart City Council
Submitted via: Online Application Portal

Dear Sir/Madam,

Section 43A Application – Combined Planning Scheme Amendment & Planning Permit Application PSA-20-1 for land at 342-344 Sandy Bay Road, Sandy Bay

In response to Council's request for further information for the above application, the following information is provided:

1. Attached is a Plan detailing the existing and proposed zoning for the subject land;
2. Also attached is a signed consent from the landowner;
3. It is estimated that the construction date of the boatshed could reasonably be circa 1920's, based on the following:
   - The Plan of Drainage (dated 1925) shows a footprint/outline of the boatshed;
   - The built form of the boatshed shows construction detail of an art deco style building shown through the boundary wall with V-shaped ends and decorative, but functional brick cap. On the inside wall of the boatshed, there is also a feature line of darker coloured bricks exposed that again makes a connection to geometric shapes of an art deco style. The timber section of the driveway façade of the boatshed contains a circular window that is also typical of an art deco style.
   - The boatshed also includes window construction detail that may show earlier construction styling of a Victorian Era style, but this is at odds with the predominant construction art deco style.
   - Without undertaking a more in depth survey of the construction methods and detailed building materials of the boatshed, it is difficult to date the building accurately, but based on the above information it is reasonably estimated that the boatshed could have been built anywhere between 1920-1930.
   - Additional photos are provided to compare the typical construction of art deco style against the construction of the boatshed (see below).

OFFICES ALSO AT:
- 6 Freeman Street, Kingston, 7050 (03) 6229 2131
- 8/16 Main Road, Huonville, 7109 (03) 6264 1277
- 3/23 Brisbane Street, Launceston, 7250 (03) 6331 4099
- 16 Emu Bay Road, Deloraine, 7304 (03) 6362 2993
- 6 Queen Street, Burnie, 7320 (03) 6431 4400
- 63 Don Road, Devonport, 7310 (03) 6423 6875

4. Photographs are attached of all elevations of the boatshed. (Source: PDA Surveyors and Google Maps)
5. It is proposed that the new Strata Plan (and common property) will maintain the current height limits across the two titles that are subject to this proposal. In the event that Council determines to approve the Planning Scheme Amendment and Planning Permit for subdivision, an altered Strata Plan will be prepared as a procedural matter.

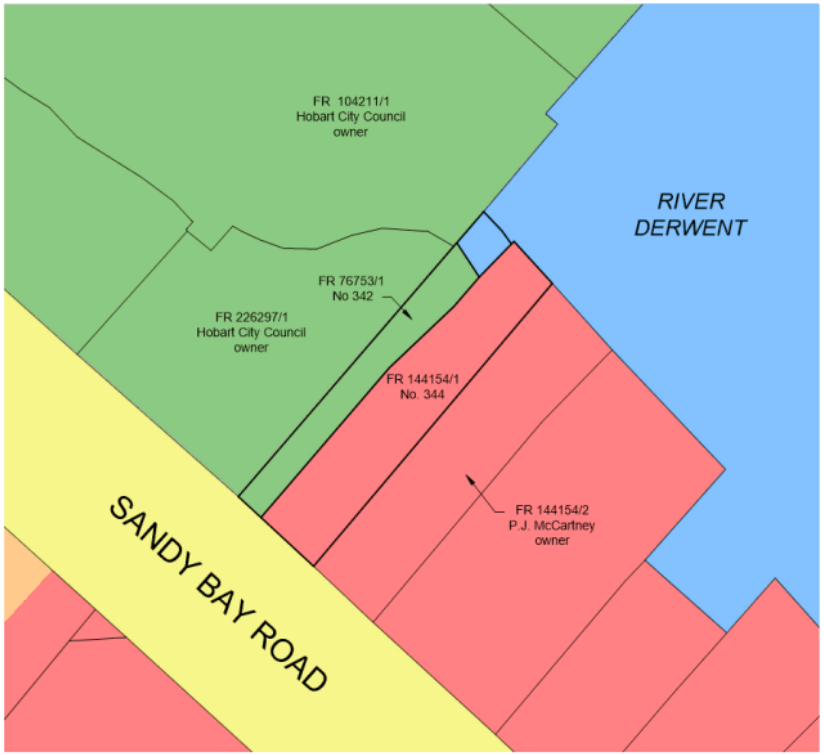
If you need to clarify any information in this application, please contact me at this office.

Yours faithfully
PDA Surveyors

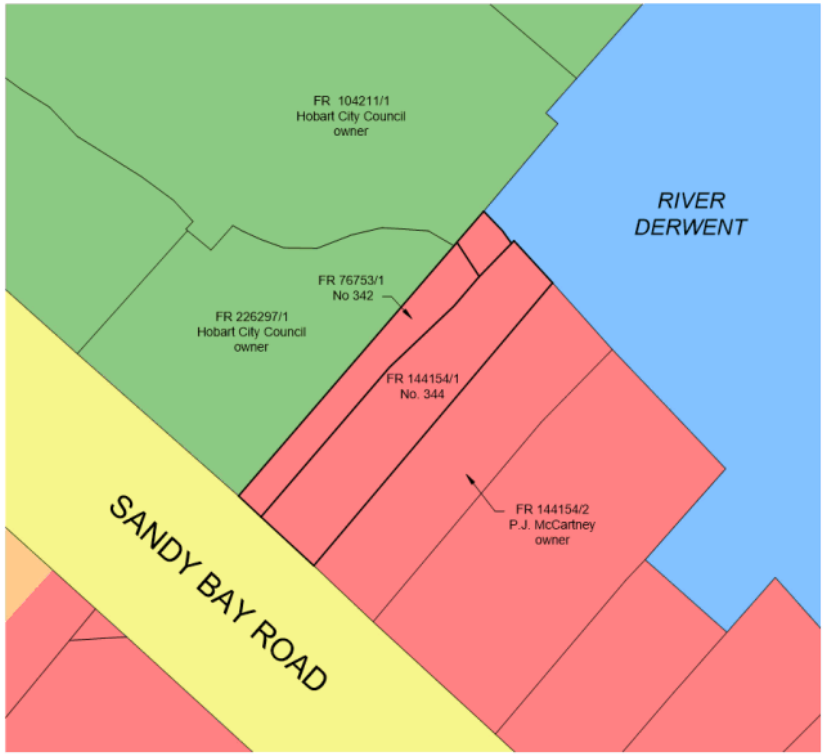
Per:

Bronwyn Mellor
Senior Planner

PHOTOGRAPHS OF THE BOATSHED
(SOURCE: PDA SURVEYORS AND GOOGLE STREET VIEW)



1 EXISTING ZONING
1:500



2 PROPOSED ZONING
1:500

N

LEGEND
- Title boundary
- Adjacent boundary
- 10.0 General Residential
- 19.0 Open Space
- 28.0 Utilities
- 29.0 Environmental Management

REV	AMENDMENTS	DRAWN	DATE	APPR
E				
D				
C				
B				
A				

SCALE: 0 1 2 5 10 25m

SURVEYOR: - GEODIVIL: -
DRAWN: BM CHECKED: BM
DATE: 4 FEBRUARY 2020

PROPOSED REZONING PLAN
342-344 SANDY BAY ROAD, SANDY BAY
for PAUL JAMES MCCARTNEY

PDA Surveyors
Surveying, Engineering & Planning
77 Gunn Street
Devonport, Tasmania, 7310
www.pda.com.au
Also at: Burnie, Launceston, Hobart & Kingston
PHONE: +61 03 6423 6875
EMAIL: pda.dpt@pda.com.au

SCALE: 1:500 PAPER: (A3)
JOB NUMBER: DRAWING: V1145M - 3

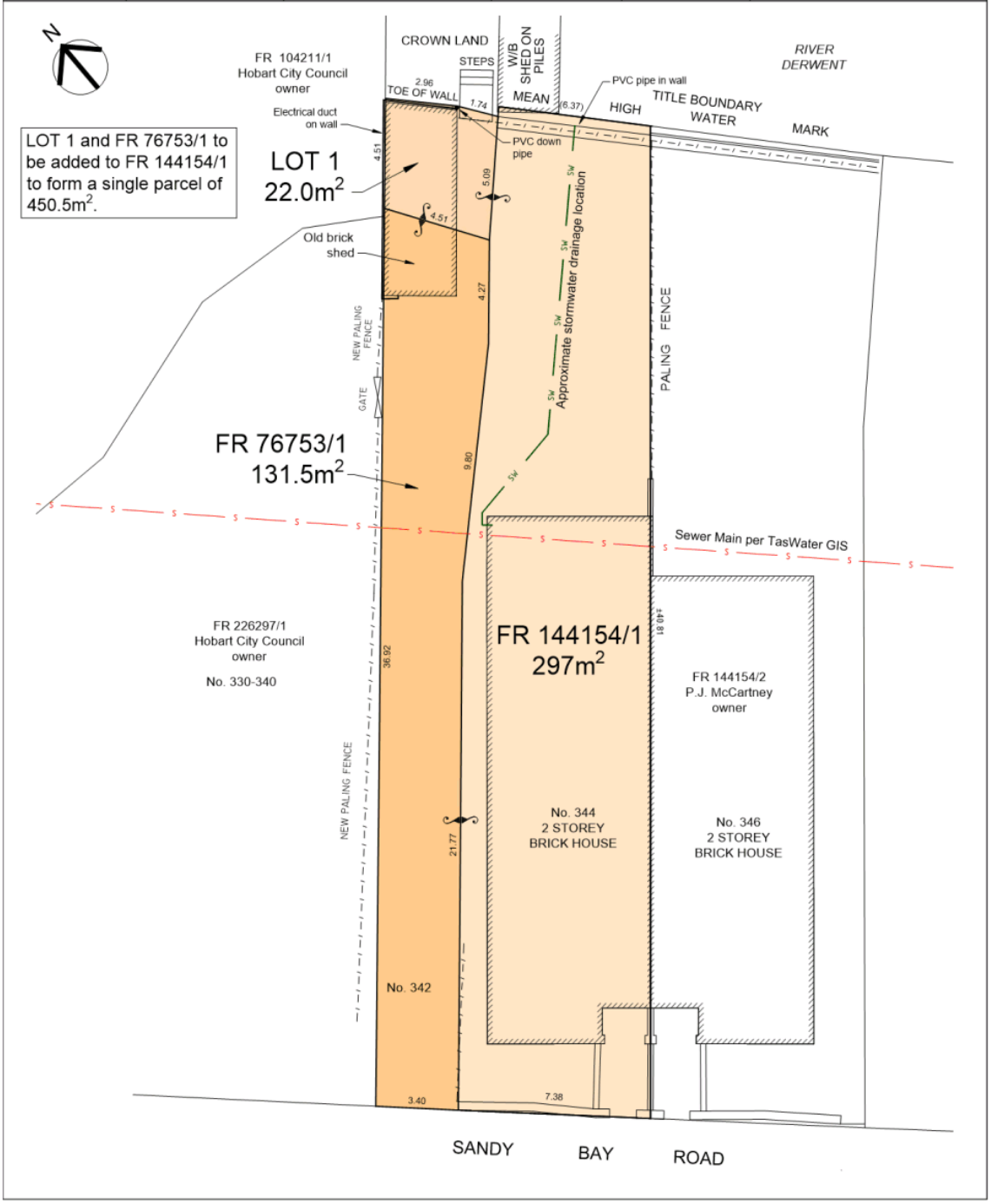
PLAN OF SUBDIVISION

PDA Surveyors Incorporating WALTER SURVEYS
Surveying, Engineering & Planning
ABN 71 217 606 328
127 Bathurst Street
Hobart, Tasmania, 7000
www.pda.com.au
Also at: Kingston, Launceston & Burnie
PHONE: +61 03 6234 3217
FAX: +61 03 6234 5085
EMAIL: pda.hbt@pda.com.au

Owners	Paul James McCartney; The Crown	Address	342 & 344 Sandy Bay Road
		Council	Hobart City Council
Title References	FR 144154/1, FR 76753/1	Planning Scheme	Hobart Interim Planning Scheme 2015
		Zone & Overlay	10.0 General Residential, 19.0 Open Space, 116.HER, 116.LDS, 116.SLR, 116.CEH
Schedule Of Easements	As shown.		

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Scale	Date	PDA Reference	Map reference	PID	Point of Interest GDA94 MGA55
1:150	30 April 2019	V1145M-2	5225-52	2633549	527 109 E, 5 250 195 N



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
76753	1
EDITION	DATE OF ISSUE
6	19-Apr-2018

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.56 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Diagram 76753 (formerly being 265-8D)
Derivation : Part of 52A-2R Gtd. to D. Lord.
Prior CT 3197/40

SCHEDULE 1

(M583834) M680004 TRANSFER to PAUL JAMES MCCARTNEY
Registered 19-Apr-2018 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BURDENING EASEMENT a right of carriage way for the balance of
the land comprised in Certificate of Title Volume 91
Folio 171 over the said land within described
E119668 MORTGAGE to National Australia Bank Limited
Registered 19-Apr-2018 at 12.02 PM

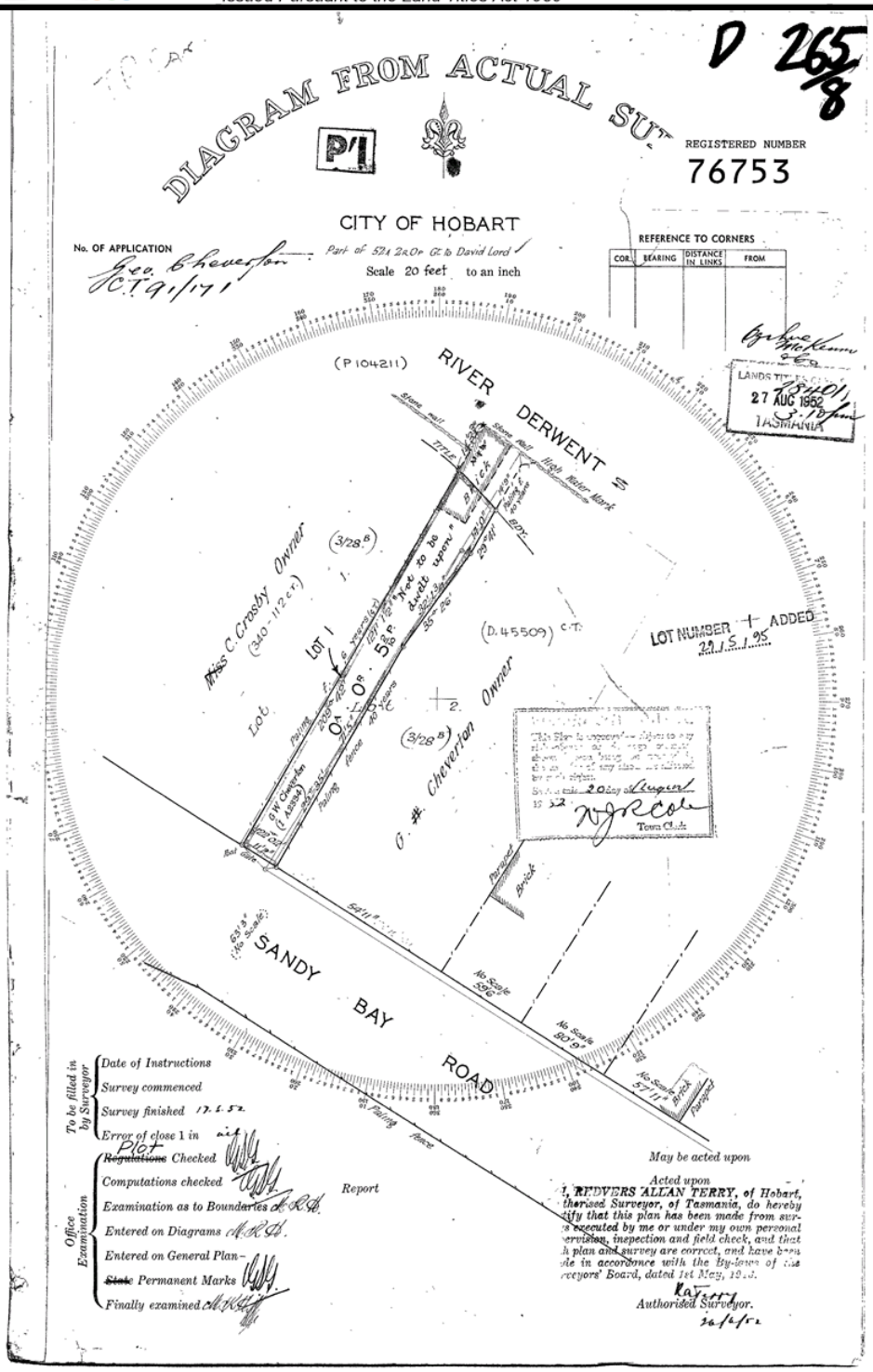
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
144154	0
EDITION	DATE OF ISSUE
1	08-Aug-2005

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.58 AM

DESCRIPTION OF LAND

City of HOBART
The Common Property for Strata Scheme 144154
Derivation : Whole of Lot 40883 Granted to the Public Trustee as personal representative of the estate of Edward Tolman Domeney and Part of 52A-2R-0Ps Gtd to D Lord
Prior CT 45509/1

SCHEDULE 1

STRATA CORPORATION NUMBER 144154, 344-346 SANDY BAY ROAD, SANDY BAY

SCHEDULE 2

347/8 CROWN GRANT: Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
BENEFITING EASEMENT: Right of Carriageway [appurtenant to the land marked A.B.F.E. on D 45509) over the land marked A.B.C.D. on D 45509
B363736 ADHESION ORDER under Section 477A of the Local Government Act 1962 Registered 09-Jan-1991 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
144154	1
EDITION	DATE OF ISSUE
6	19-Apr-2018

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.58 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Strata Plan 144154 and a general unit entitlement operating for all purposes of the Strata Scheme being a 1 undivided 1/2 interest
Derived from Strata Plan 144154
Derivation : Whole of Lot 40883 Granted to the Public Trustee as personal representative of the estate of Edward Tolman Domeney and Part of 52A-2R-0Ps Gtd to D Lord

SCHEDULE 1

(M583834) M680004 TRANSFER to PAUL JAMES MCCARTNEY
Registered 19-Apr-2018 at 12.01 PM

SCHEDULE 2

The registered proprietor holds the lot and unit entitlement subject to any interest noted on common property Folio of the Register volume 144154 folio 0
347/8 CROWN GRANT: Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
BENEFITING EASEMENT: Right of Carriageway [appurtenant to the land marked A.B.F.E. on D 45509) over the land marked A.B.C.D. on D 45509
B363736 ADHESION ORDER under Section 477A of the Local Government Act 1962 Registered 09-Jan-1991 at noon
E119668 MORTGAGE to National Australia Bank Limited
Registered 19-Apr-2018 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

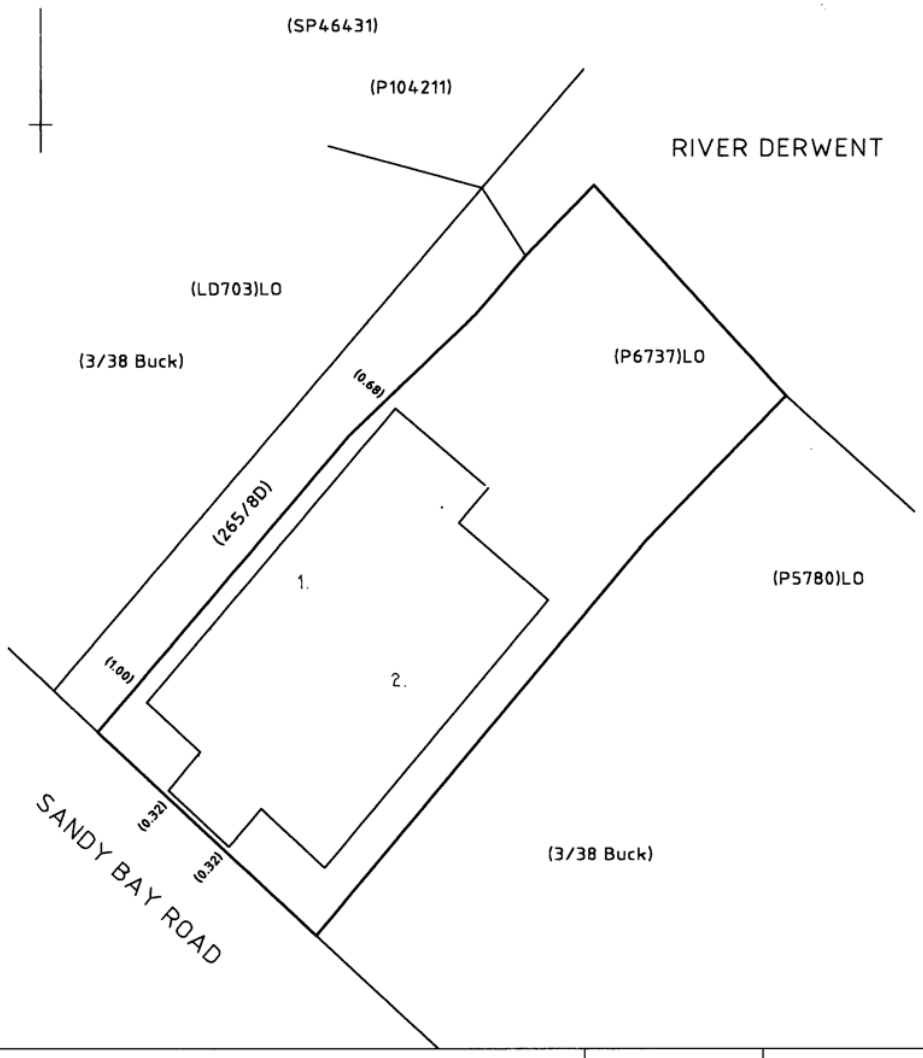
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

CITY/TOWN HOBART SUBURB/LOCALITY SANDY BAY FOLIO REFERENCE C.T.45509-1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. D45509	STRATA PLAN SHEET 1 OF 5 SHEETS	REGISTERED NUMBER **144154**
	NAME OF STRATA SCHEME 344-346 SANDY BAY ROAD, SANDY BAY	STRATA TITLES ACT 1998 REGISTERED - 8 AUG 2005 Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114 (5225-52) / LAST UPI No. GND81	SCALE 1:200 / LENGTHS IN METRES	

SITE PLAN



NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
(ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAT 2.00 METRES TO BE SHOWN ON SHEET 1.

STAGED/COMMUNITY DEVELOPMENT SCHEME No. (IF APPLICABLE)

Council Delegate — Date 26/7/05
Registered Land Surveyor — Date 27/6/05

LODGED BY LARK & CREESE

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 2 OF 5 SHEETS

STRATA TITLES ACT 1998

Council Delegate — Date 26/7/2005

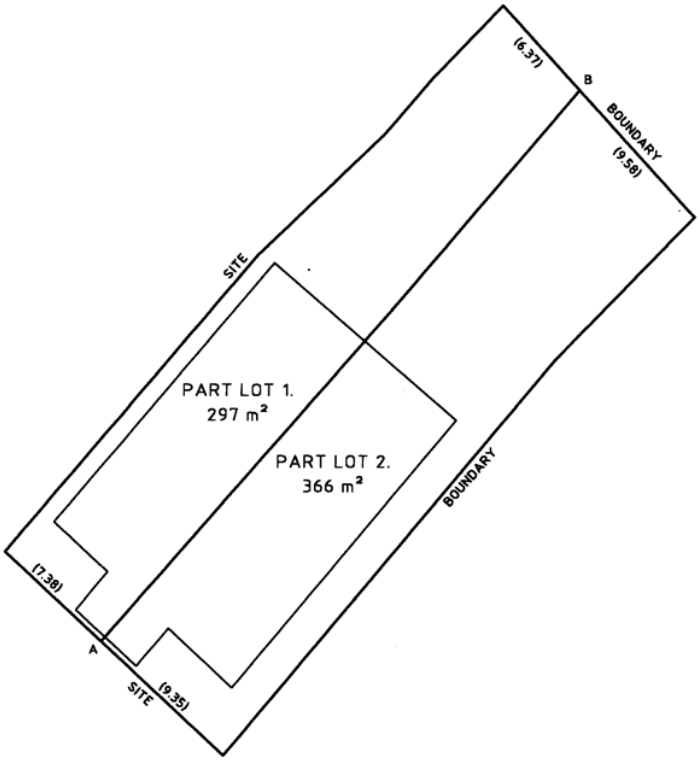
Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM TWO METRES BELOW GROUND LEVEL TO THE CENTRE OF THE CEILING ABOVE & ITS PROLONGATION THEREOF.

MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

GROUND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 3 OF 5 SHEETS

STRATA TITLES ACT 1998

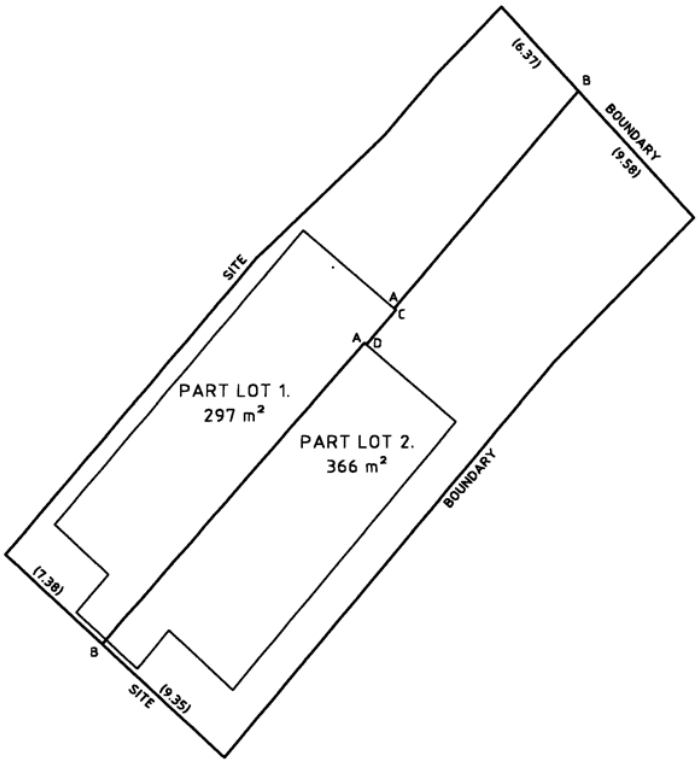
Council Delegate — Date 26/7/2005

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE FACE OF WALLS MARKED A C D.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE CENTRE OF THE FLOOR BELOW & ITS PROLONGATION THEREOF TO THE UNDERSIDE OF THE EAVES ABOVE. AND THEIR PROLONGATIONS THEREOF.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

FIRST FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

STRATA PLAN

SHEET 4 OF 5 SHEETS

STRATA TITLES ACT 1998

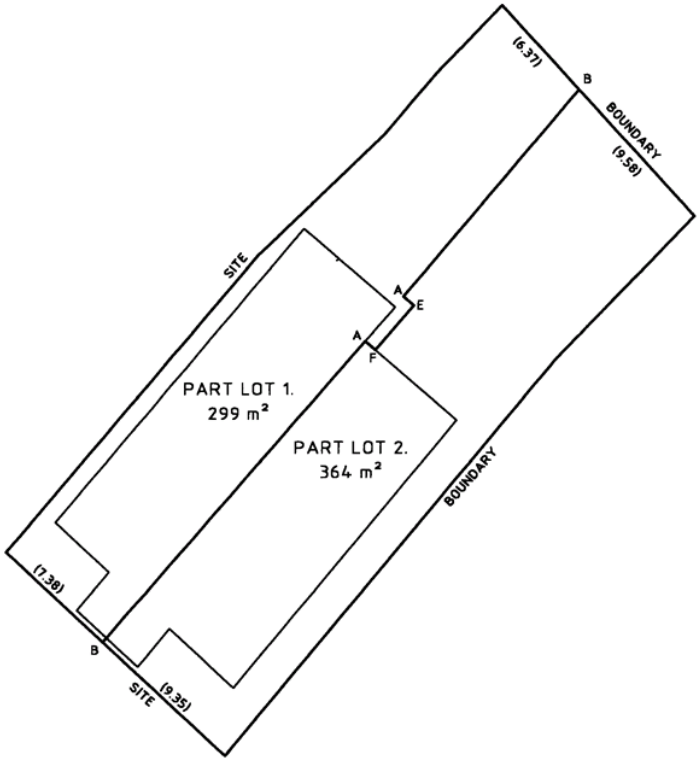
Council Delegate — Date 24/7/05

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE EDGE OF GUTTERING MARKED A E F.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE UNDERSIDE OF THE EAVES TO A HEIGHT OF 15 METRES ABOVE GROUND LEVEL. AND THEIR PROLONGATIONS.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

SECOND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

the List

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 5 OF 5 SHEETS

STRATA TITLES ACT 1998

Registered Number

144154

NAME OF THE BODY CORPORATE: STRATA CORPORATION No. 144154, 344-346 SANDY BAY ROAD, SAND BAY.

ADDRESS FOR THE SERVICES OF NOTICES: 344-346 Sandy Bay Road, Sandy Bay Road 7005

SURVEYORS CERTIFICATE

I, Nicholas Mark Creese of Mount Nelson a surveyor registered under the Land Surveyors Act 2002 certify that the building or buildings erected on the site and drawn on sheet 1 of this plan are within the site boundaries of the folio stated on sheet 1 and any encroachment beyond those boundries is properly authorised according to law.

Registered Land Surveyor — date: 6/5/05 — ref no.: 05094

COUNCIL CERTIFICATE

I certify that the HOBART CITY Council has:

(a) approved the lots shown in this plan and

(b) issued this certificate of approval in accordance with section 31 of the Strata Titles Act 1998.

Council Delegate — date: 26/7/2005 — ref no.: 564560

GENERAL UNIT ENTITLEMENTS

LOT	UNIT ENTITLEMENT
1.	1
2.	1
TOTAL	2

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
144154	0
EDITION	DATE OF ISSUE
1	08-Aug-2005

SEARCH DATE : 03-Dec-2019
SEARCH TIME : 09.58 AM

DESCRIPTION OF LAND

City of HOBART
The Common Property for Strata Scheme 144154
Derivation : Whole of Lot 40883 Granted to the Public Trustee as personal representative of the estate of Edward Tolman Domeney and Part of 52A-2R-0Ps Gtd to D Lord
Prior CT 45509/1

SCHEDULE 1

STRATA CORPORATION NUMBER 144154, 344-346 SANDY BAY ROAD, SANDY BAY

SCHEDULE 2

347/8 CROWN GRANT: Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
BENEFITING EASEMENT: Right of Carriageway [appurtenant to the land marked A.B.F.E. on D 45509) over the land marked A.B.C.D. on D 45509
B363736 ADHESION ORDER under Section 477A of the Local Government Act 1962 Registered 09-Jan-1991 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

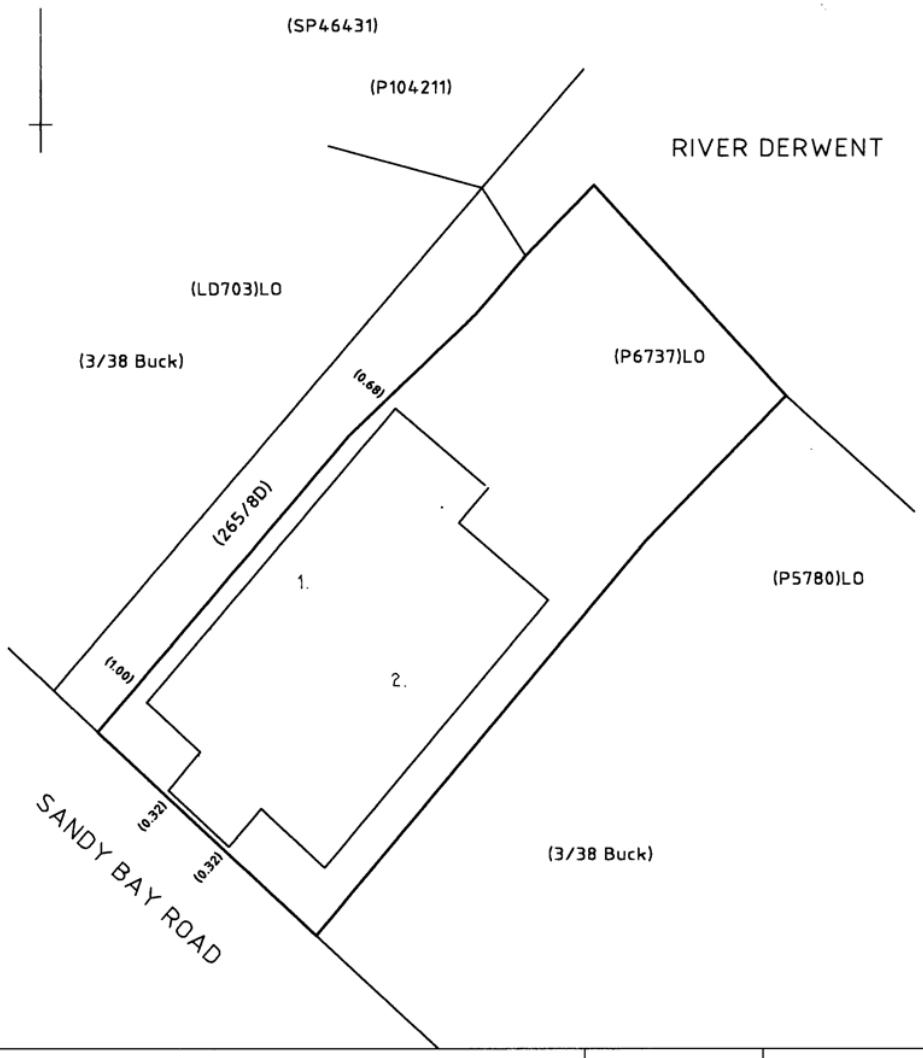
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

CITY/TOWN HOBART SUBURB/LOCALITY SANDY BAY FOLIO REFERENCE C.T.45509-1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. D45509	STRATA PLAN SHEET 1 OF 5 SHEETS	REGISTERED NUMBER **144154**
	NAME OF STRATA SCHEME 344-346 SANDY BAY ROAD, SANDY BAY	STRATA TITLES ACT 1998 REGISTERED - 8 AUG 2005 Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114 (5225-52) / LAST UPI No. GNDB1	SCALE 1:200 / LENGTHS IN METRES	

SITE PLAN



NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
(ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAT 2.00 METRES TO BE SHOWN ON SHEET 1.

STAGED/COMMUNITY DEVELOPMENT SCHEME No. (IF APPLICABLE)

Council Delegate — Date 26/7/05
Registered Land Surveyor — Date 27/6/05

LODGED BY LARK & CREESE

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 2 OF 5 SHEETS

STRATA TITLES ACT 1998

Council Delegate — Date 26/7/2005

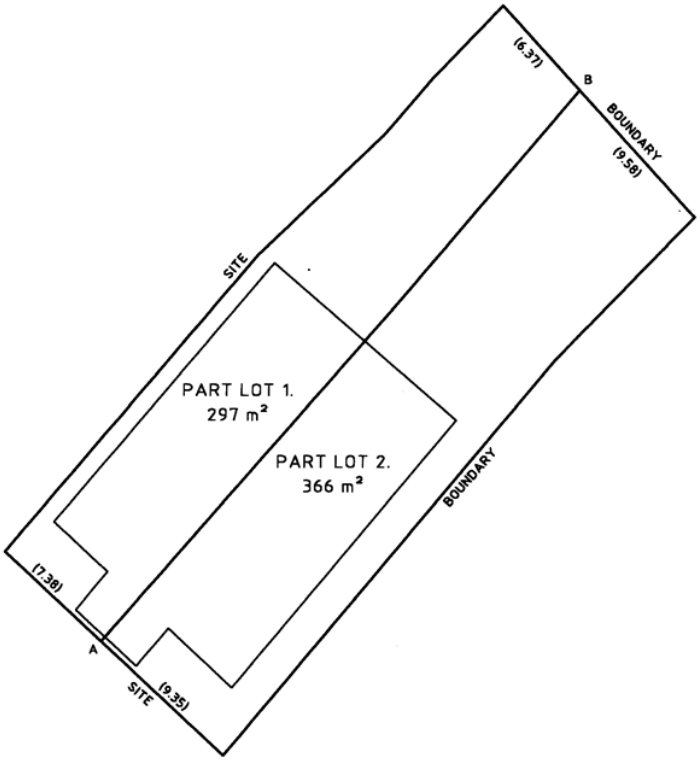
Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM TWO METRES BELOW GROUND LEVEL TO THE CENTRE OF THE CEILING ABOVE & ITS PROLONGATION THEREOF.

MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

GROUND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 3 OF 5 SHEETS

STRATA TITLES ACT 1998

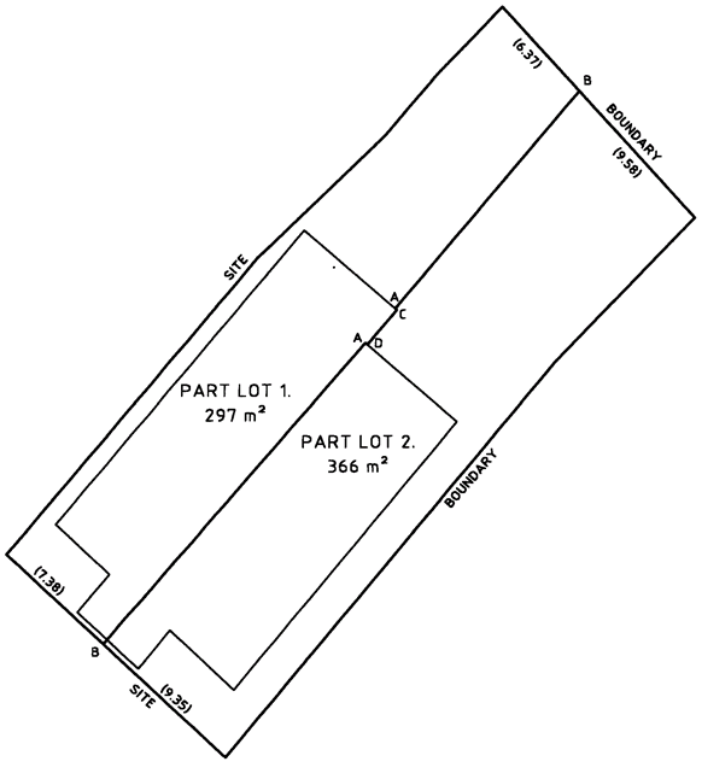
Council Delegate — Date 26/7/2005

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE FACE OF WALLS MARKED A C D.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE CENTRE OF THE FLOOR BELOW & ITS PROLONGATION THEREOF TO THE UNDERSIDE OF THE EAVES ABOVE. AND THEIR PROLONGATIONS THEREOF.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

FIRST FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

STRATA PLAN

SHEET 4 OF 5 SHEETS

STRATA TITLES ACT 1998

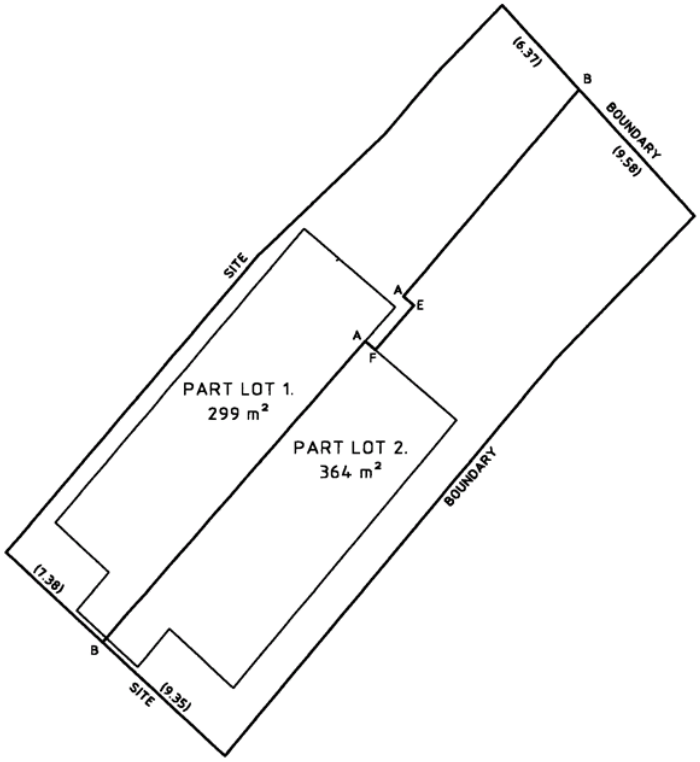
Council Delegate — Date 24/7/05

Registered Number **144154**

ALL HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES AND ARE ALONG:
- SITE BOUNDARIES.
- CENTRE OF BRICK WALL OR EXTENSION THEREOF MARKED A B.
- OUTSIDE EDGE OF GUTTERING MARKED A E F.

THE VERTICAL BOUNDARIES OF THE LOTS EXTEND FROM THE UNDERSIDE OF THE EAVES TO A HEIGHT OF 15 METRES ABOVE GROUND LEVEL. AND THEIR PROLONGATIONS.
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

SECOND FLOOR
SCALE 1:200



Registered Land surveyor — Date 27/6/05

the List

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

STRATA PLAN

SHEET 5 OF 5 SHEETS

STRATA TITLES ACT 1998

Registered Number

144154

NAME OF THE BODY CORPORATE: STRATA CORPORATION No. 144154, 344-346 SANDY BAY ROAD, SAND BAY.

ADDRESS FOR THE SERVICES OF NOTICES: 344-346 Sandy Bay Road, Sandy Bay Road 7005

SURVEYORS CERTIFICATE

I, Nicholas Mark Creese of Mount Nelson a surveyor registered under the Land Surveyors Act 2002 certify that the building or buildings erected on the site and drawn on sheet 1 of this plan are within the site boundaries of the folio stated on sheet 1 and any encroachment beyond those boundries is properly authorised according to law.

Registered Land Surveyor — date: 6/5/05 — ref no.: 05094

COUNCIL CERTIFICATE

I certify that the HOBART CITY Council has:

(a) approved the lots shown in this plan and

(b) issued this certificate of approval in accordance with section 31 of the Strata Titles Act 1998.

Council Delegate — date: 26/7/2005 — ref no.: 564560

GENERAL UNIT ENTITLEMENTS

LOT	UNIT ENTITLEMENT
1.	1
2.	1
TOTAL	2

Hobart City Council
GPO Box 503
Hobart TAS 7001

Dear Sir/Madam

LANDOWNER CONSENT – S43A COMBINED PLANNING SCHEME AMENDMENT AND PLANNING PERMIT APPLICATION, Land at 342-344 Sandy Bay Road, Sandy Bay (FR76753/1 & FR144154/1)

I am the owner of the land known as 342-344 Sandy Bay Road, Sandy Bay (FR76753/1 & FR144154/1).

I confirm that PDA Surveyors act on my behalf for the above proposal and I provide consent to make this application, pursuant to the provisions of the Land Use Planning and Approvals Act 1993.

Yours faithfully

.....
(Landowner signature)

Dr. P McCartney
DR PAUL JAMES McCARTNEY
(Land owner name)

Date: 3/2/2020

Treasurer
Minister for the Environment, Parks and Heritage
Level 9 15 Murray Street HOBART TAS 7000 Australia
Ph: +61 3 6165 7670

Tasmanian Government

Ms Bronwyn Mellor
PDA Surveyors
127 Bathurst Street
HOBART TAS 7000

Dear Ms Mellor

LODGEMENT OF SECTION 43A COMBINED PLANNING SCHEME AMENDMENT AND DEVLOPMENT APPLICAITON
342 SANDY BAY ROAD, SANDY BAY

This letter, is issued pursuant to section 43D(1)(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA). It confirms that PDA Surveyors obo Dr Paul McCartney has Crown consent to the making of this Application with the Hobart City Council for the enclosed Combined Planning Scheme Amendment and Development Application under section 43A of LUPAA.

Crown consent is only for the proposal listed below (as detailed in the enclosed application and supporting documents):

Scheme Amendment:	Rezoning of the private freehold title CT 76753/1 from Open Space to General Residential, and a portion of Crown land from Environmental Management to General Residential
Development Application:	Subdivision (consolidation) of private titles CT 144154/1 and CT 76753/1 with a parcel of untitled Crown land

The Crown consent is only given to the lodgment of this application. Any variation will require further consent from the Crown.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the proposed development, your client will be required to obtain separate and distinct consent from the Crown.

If you require further information regarding the above, please contact Kylie Lemin, Parks and Wildlife Service, by telephone on 6165 4680 or by email to kylie.lemin@parks.tas.gov.au

Yours sincerely

Peter Gutwein MP
Minister for the Environment, Parks and Heritage

MIN19/25980

City of HOBART

HOBART INTERIM PLANNING SCHEME 2015

PSA-20-1 AMENDMENT

INSTRUMENT OF CERTIFICATION

It is hereby certified that draft Amendment PSA-20-1 to the Hobart Interim Planning Scheme 2015 meets the requirements specified in section 32 of the *former provisions* of the Land Use Planning and Approvals Act 1993.

The Common Seal of the Hobart City
Council is fixed hereon, pursuant to
Council's resolution of ?? 2020
in the presence of:

……..General Manager

……..Deputy General Manager

Date: .....

8.2 Projected Population and Economic Growth Model
File Ref: F19/153991

Report of the Senior Advisor Economic Development and the Director Community Life of 10 March 2020.

Delegation: Council

REPORT TITLE: **PROJECTED POPULATION AND ECONOMIC GROWTH MODEL**

REPORT PROVIDED BY: Senior Advisor Economic Development
Director Community Life

1. Report Purpose and Community Benefit

1.1. The purpose of this report is to investigate the development of a useable model of projected population and economic growth for the Greater Hobart region.

1.2. The use of such a model to assist with Council decision-making would provide assurances to the community that decision-making is based on quality and up-to-date data and analysis.

2. Report Summary

2.1. At its meeting held on 1 April 2019, the Council resolved that:

1. *A report be prepared into the development of a usable model of projected population and economic growth of the Greater Hobart region. This modelling tool is to be integrated into Hobart City Council planning, infrastructure, strategy development and decision-making.*
2. *The report also consider using the United Nations Sustainable Development Goals as a framework to achieve sustainable development.*

2.2. This report is a response to the above resolution.

2.3. The Council has access to a number of data sets and tools including:

- The Tasmanian Treasury population projections through to 2042.
- Aurin which is a Federal Government funded data workbench providing governments and universities with access to 5000+ multi-disciplinary datasets from hundreds of data sources.
- Profile ID which is a Tasmanian Government funded resource providing public access to a user-friendly dashboard of Local Government Area (LGA), regional and state level data largely derived from the Australian Bureau of Statistics.
- Economic Gaps and Opportunities report by AEC Group covering Greater Hobart (including industry growth and decline projections). This was commissioned by all of the Greater Hobart councils plus Brighton.

2.4. Although these sources are very useful and can provide insights into the changing requirements of the city, such requirements are dynamic and the majority of the available data provides only a snapshot in time which can become dated quickly.

2.5. Should the Council be seeking to inform a specific decision at a key point in time, additional modelling of existing data would need to be undertaken to ensure it was current and considered the impact of the specific decision.

2.5.1. There is not a one size fits all model that would be able to constantly provide the Council with data for a wide range of decision making scenarios. This is a specialist requirement and would need to be and has in the past been commissioned externally.

2.6. Recruiting an in-house resource to provide data, modelling and advice was considered. Continuing to commission external parties however is still considered to be the best option for a number of reasons discussed later in this report.

2.7. In terms of using the United Nations Sustainable Development Goals (SDGs) as a framework to achieve sustainable development, this is being considered in the development of the City's strategic measurement framework.

3. Recommendation

That:

1. The Council continues to commission specialist external economic data, modelling and analysis as specific situations arise requiring it.

2. The Council notes that the United Nations' Sustainable Development Goals are being considered in the development of the City's strategic measurement framework.

4. Background

4.1. At its meeting held on 1 April 2019, the Council resolved that:

1. A report be prepared into the development of a usable model of projected population and economic growth of the Greater Hobart region. This modelling tool is to be integrated into Hobart City Council planning, infrastructure, strategy development and decision-making.

2. The report also consider using the United Nations Sustainable Development Goals as a framework to achieve sustainable development.

4.2. The rationale for the notice of motion is as follows:

"We as a Council are being asked to make significant decisions on planning and infrastructure matters without proper information on the projected population and economic growth of Hobart. We need this information readily in order to future-proof our decisions for our community. In light of the housing crisis, climate change and the significant growth Hobart has already undergone in recent years, it is poor governance to consider things like implementing a height limit or moving the university into the CBD without knowing what the future requirements of the city are."

4.3. The Council has access to a number of data sets and tools to aid in the gathering, analysis and presentation of complex data. Some of this information is open access and some is only available to government entities. Key resources are:

Tasmanian Treasury Population Projections

4.3.1. The Tasmanian Treasury in 2017 released their population projections to 2042. Three series have been projected indicating high, medium and low growth scenarios. The projections have been prepared using the Regional Population Projection Program (RePPP) designed by Dr Tom Wilson of Charles Darwin University. Dr Wilson is a leading demographic modeller. The projections are modelled to LGA level.

Aurin

4.3.2. Aurin is a resource available to Australian government employees, as well as people employed by and studying at university. Aurin provides access to 5000+ data sets and provides researchers with the ability to be able to cross reference and interrogate data in order to answer their research questions. Aurin data includes demographics and social indicators, economic activity and productivity, urban design, housing, liveability and infrastructure. Aurin also enables the user to display their data on maps of the region in question.

Two Council officers took part in a half day training on Aurin earlier in 2019. The range of data and flexibility of the system to enable analysis of bespoke questions was impressive. It became apparent however that Aurin is a tool for qualified and experienced data analysts and researchers. The data is complex and extensive and the way in which the data can be compared is not intuitive. Aurin provides step-by-step guides to certain scenarios which can be followed but generating an answer to a research question specific to the City of Hobart is much more difficult and beyond the skill and capacity of the economic development team.

Profile ID

4.3.3. Profile ID is a user-friendly interface with demographic and population data (largely census based). Access to this tool has been funded by the Tasmanian Government for a period of three years (to 2022).

4.3.3.1. Data has been split into community, social atlas and economic and the dashboard allows a user to easily access and compare data at LGA level with other LGAs and the State.

4.3.3.2. There is also an economic modelling tool (with access limited to government employees only) that enables the estimate of flow on effects of changes of employment or sales within specific industries. Other economic tools available include calculating the economic impact of an event and location quotient analysis that gives an indication of industry specialisations in regions. The tools have been developed by the National Institute of Economic and Industry Research (NIEIR).

4.3.3.3. Profile ID is user-friendly but much of the data is from the 2016 census. The tool provides data but not analytical insights. The range of scenarios that the tool can model are limited.

Economic Gaps and Opportunities Analysis

4.3.4. The City of Hobart along with Kingborough Council, the City of Clarence, the City of Glenorchy and Brighton Council have commissioned an economic study looking at the region as a whole as well as each LGA. AEC Group has used its expertise to provide employment projections to 2051.

Specific Analysis

4.4. It is felt that all of the data sources listed can assist Elected Members in understanding future requirements of the city.

4.4.1. As is often the case with projections however, as time goes on they can appear to be quite different to actual population and economic growth. This is because events and scenarios can take place that cannot realistically be anticipated. An example is the visit to Tasmania of the President of China Xi Jinping and the effect this had on Chinese visitor numbers. Another example is the effect that MONA has had on the creative and tourism industries in Tasmania.

4.5. For this reason, it is recommended that when a decision must be made by Elected Members in relation to the city, economic research would need to be conducted into the economy and population at that point, as well as analysis in terms of the specific economic impact of the decision.

4.6. This kind of analysis is conducted fairly regularly by the City of Hobart. Examples over the last two years are:

- Economic impact of Street Eats Franko (early 2018)
- Taste of Tasmania Economic Impact Report (February 2018)
- Salamanca Market stallholder survey (January 2019)
- Economic Gaps and Opportunities Study of Greater Hobart (May 2019)
- Precinct Plan (October 2019)
- International Relations Measurement System (October 2019)

4.7. Given the regularity the Council commissions such research, discussions have been had about the potential of pooling funding to recruit an in-house resource and building capacity within the Council. Upon investigation, it was concluded that the best option for the Council is still to commission data, modelling and analysis from external sources. This is for the following reasons:

4.7.1. Consultants are a step removed from the Council which can create the perception that they are more impartial and in some cases more qualified to give advice.

4.7.2. Should the Council receive what it perceived to be inadequate advice from an external consultancy, the Council would have the option to legally pursue the consultancy for compensation. This would not be an option with in-house advice.

4.7.3. Many of the economic consultancies such as AEC Group, Deloitte and SGS Economics have developed their own models for estimating a number of things such as industry growth (employment numbers), population growth, export / import demand etc., all of which have an impact on the city. These models have been developed by experts and are protected assets. If the Council was to employ an individual, they would not have access to this intellectual property.

4.8. In terms of using the United Nations Sustainable Development Goals (SDGs) as a framework to achieve sustainable development, this is being considered in the development of the City’s strategic measurement framework. A project plan is currently being reviewed by the General Manager.

5. Proposal and Implementation

5.1. It is proposed that the Council continues to commission data, modelling and analysis from external economic consultancies as situations arise requiring specific advice.

6. Strategic Planning and Policy Considerations

6.1. Examining ways in which the Council can access the most up-to-date data and analysis in terms of their decision making is in line with Pillar 8 of the *Capital City Strategic Plan 2019-29* that works towards the following outcome:

8.1 Hobart is a city of best practice, ethical governance and transparent decision-making, specifically

8.1.4 Make effective use of research, evaluation and data to inform the City's work and respond to trends and changes.

6.2. This report also speaks closely to Pillar 4 of the *Capital City Strategic Plan 2019-29*:

4.5 Hobart's economy is strong, diverse and resilient, specifically

4.5.1 Understand and respond to the strategic context of the Hobart economy at regional, state, national and international levels.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. There is no impact on this year's current operating result as external economic advice has been budgeted for in different areas of the Council.

7.2. Impact on Future Years' Financial Result

7.2.1. Estimations of financial impact are difficult to provide as often situations arise requiring data and advice that cannot be anticipated.

7.3. Asset Related Implications

7.3.1. There are no asset related implications associated with this matter.

8. Legal, Risk and Legislative Considerations

8.1. Commissioning external economic advice reduces the risk when compared with employing an in-house resource as legal recourse would be available to the Council should external advice not be deemed adequate.

9. Environmental Considerations

9.1. Many of the 17 SDGs are related to environmental sustainability. Examples are:

- Goal 6: Clean water and sanitation.
- Goal 7: Affordable and clean energy.
- Goal 11. Sustainable cities and communities.
- Goal 13. Climate action.

9.1.2. Considering these goals in the context of the City's Strategic Measurement Framework would frame the environment as a high Council and community priority.

10. Social and Customer Considerations

10.1. When decisions are made by the Council in relation to matters of sensitivity such as building heights, it would provide comfort to the community to know that Elected Members had accessed the most up-to-date data and analysis available.

11. Marketing and Media

11.1. As per the Council's Strategic Plan 2019-29, part of the Council's brand is to achieve outcome 8.1 which is for Hobart as a city of best practice, ethical governance and transparent decision making. Ensuring decision makers have access to the best available data and analysis in their decision-making will help to contribute to that.

12. Community and Stakeholder Engagement

12.1. The authors have consulted with the Director City Innovation and Manager City Information in the writing of this report.

13. Delegation

13.1. This matter is one for the Council.

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.

Lucy Knott
SENIOR ADVISOR ECONOMIC DEVELOPMENT

Tim Short
DIRECTOR COMMUNITY LIFE

Date: 10 March 2020
File Reference: F19/153991

8.3 City Planning - Advertising Report
File Ref: F20/27208

Memorandum of the Director City Planning of 11 March 2020 and attachment.

Delegation: Committee

City of HOBART

MEMORANDUM: CITY PLANNING COMMITTEE

City Planning - Advertising Report

Attached is the advertising list for the period 24 February 2020 to 6 March 2020.

RECOMMENDATION

That:

1. ***That the information be received and noted.***

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.

Neil Noye
DIRECTOR CITY PLANNING

Date: 11 March 2020
File Reference: F20/27208

Attachment A: City Planning - Advertising Report ⇩

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-84	8 SWAN STREET	NORTH HOBART	Partial Change of Use to Visitor Accommodation	$0.00	24/03/2020	ayersh	Director	26/02/2020	12/03/2020
PLN-20-21	306 LENAH VALLEY ROAD	LENAH VALLEY	Alterations and Extension (Studio)	$140,000.00	26/02/2020	ayersh	Director	05/03/2020	20/03/2020
PLN-20-99	19 GREGORY STREET	SANDY BAY	Alterations (Re-Roofing)	$18,000.00	26/03/2020	baconr	Director	24/02/2020	10/03/2020
PLN-20-125	69 VIEW STREET	SANDY BAY	Change of Use to Visitor Accommodation	$0.00	03/04/2020	baconr	Director	28/02/2020	14/03/2020
PLN-19-700	41 ALEXANDER STREET	SANDY BAY	Partial Demolition, Extension, Alterations and Change of Use to Boarding House	$384,750.00	25/11/2019	baconr	Council	05/03/2020	20/03/2020
PLN-19-933	379 ELIZABETH STREET	NORTH HOBART	Extension to Operating Hours	$0.00	30/01/2020	Foalem	Council	02/03/2020	17/03/2020
PLN-19-63	10 SELFS POINT ROAD	NEW TOWN	Partial Demolition, Alterations and Extensions to Domestic Animal Breeding, Boarding or Training	$500,000.00	28/03/2019	Foalem	Council	04/03/2020	19/03/2020
PLN-19-944	10 GREGSON AVENUE	NEW TOWN	Outbuilding	$15,000.00	31/01/2020	langd	Director	25/02/2020	11/03/2020
PLN-20-121	37 RED CHAPEL AVENUE	SANDY BAY	Partial Demolition and Alterations	$50,000.00	03/04/2020	langd	Director	27/02/2020	13/03/2020
PLN-20-29	34 MARIEVILLE ESPLANADE	SANDY BAY	Partial Demolition, Extension, Alterations and Five Multiple Dwellings (Four Existing, One New)	$500,000.00	03/03/2020	langd	Director	02/03/2020	17/03/2020
PLN-20-111	64 - 68 LIVERPOOL STREET	HOBART	Partial Demolition and Alterations	$12,000.00	31/03/2020	langd	Director	02/03/2020	17/03/2020
PLN-20-98	137 LIVERPOOL STREET	HOBART	Partial Demolition and Alterations	$10,000.00	26/03/2020	langd	Director	03/03/2020	18/03/2020
PLN-20-131	19 WIGNALL STREET	NORTH HOBART	Outbuilding	$17,000.00	07/04/2020	langd	Director	05/03/2020	20/03/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-139	40 ELIZABETH STREET	HOBART	Signage	$0.00	09/04/2020	langd	Director	05/03/2020	20/03/2020
PLN-20-117	1 / 800 SANDY BAY ROAD	SANDY BAY	Partial Demolition and Alterations	$150,000.00	03/04/2020	maxwellv	Director	04/03/2020	19/03/2020
PLN-19-923	493 NELSON ROAD	MOUNT NELSON	Subdivision (One Lot and Balance)	$0.00	28/01/2020	mcclenahanm	Director	24/02/2020	10/03/2020
PLN-19-909	109 - 113 LIVERPOOL STREET	HOBART	Partial Demolition, Alterations and Signage	$100,000.00	23/01/2020	mcclenahanm	Director	26/02/2020	12/03/2020
PLN-20-59	490 HUON ROAD	SOUTH HOBART	Garage, Deck and Swimming Pool	$150,000.00	16/03/2020	mcclenahanm	Director	26/02/2020	12/03/2020
PLN-20-105	78 - 80 BATHURST STREET	HOBART	Signage	$4,000.00	27/03/2020	mcclenahanm	Director	28/02/2020	14/03/2020
PLN-20-85	15 ANCANTHE AVENUE	LENAH VALLEY	Dwelling	$250,000.00	24/03/2020	mcclenahanm	Director	03/03/2020	18/03/2020
PLN-20-11	14 ANDREW STREET	NORTH HOBART	Partial Demolition, Extension, Alterations and Front Fencing	$350,000.00	21/02/2020	nolanm	Director	26/02/2020	12/03/2020
PLN-20-90	78 LANSDOWNE CRESCENT	WEST HOBART	Alterations	$17,485.00	25/03/2020	nolanm	Director	26/02/2020	12/03/2020
PLN-20-95	21 HOPE STREET	NEW TOWN	Partial Demolition, Alterations and Extension	$145,000.00	25/03/2020	nolanm	Director	02/03/2020	17/03/2020
PLN-20-75	127 - 131 MACQUARIE STREET	HOBART	Signage	$0.00	19/03/2020	nolanm	Director	03/03/2020	18/03/2020
PLN-20-112	63 A PATRICK STREET	HOBART	Partial Demolition, Alterations and Landscaping	$250,000.00	01/04/2020	nolanm	Director	04/03/2020	19/03/2020
PLN-20-129	2 / 26 JEANNETTE COURT	LENAH VALLEY	Change of Use to Visitor Accommodation	$0.00	07/04/2020	sherriffc	Director	03/03/2020	18/03/2020
PLN-20-128	36 MARIEVILLE ESPLANADE	SANDY BAY	Alterations to Previously Approved Extension	$9,999.00	06/04/2020	widdowsont	Director	27/02/2020	13/03/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-56	12 ST JOHNS AVENUE	NEW TOWN	Public Art Installation	$70,000.00	12/03/2020	wilsone	Director	25/02/2020	11/03/2020
PLN-20-92	52 KNOCKLOFTY TERRACE	WEST HOBART	Partial Demolition, Alterations, Extension and Outbuilding (Studio)	$160,000.00	25/03/2020	wilsone	Director	02/03/2020	17/03/2020
PLN-20-103	1 ASCOT AVENUE	SANDY BAY	Partial Demolition, Alterations, and Alterations to Car Parking, Driveway, and Landscaping	$20,000.00	27/03/2020	wilsone	Director	02/03/2020	17/03/2020
PLN-20-126	3 BRISBANE STREET	HOBART	Partial Demolition and Alterations	$120,000.00	06/04/2020	wilsone	Director	05/03/2020	20/03/2020

8.4 Delegated Decisions Report (Planning)
File Ref: F20/27261

Memorandum of the Director City Planning of 11 March 2020 and attachment.

Delegation: Committee

City of HOBART

MEMORANDUM: CITY PLANNING COMMITTEE

Delegated Decisions Report (Planning)

Attached is the delegated planning decisions report for the period 25 February 2020 to 10 March 2020.

RECOMMENDATION

That:

1. ***That the information be received and noted.***

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.

Neil Noye
DIRECTOR CITY PLANNING

Date: 11 March 2020
File Reference: F20/27261

Attachment A: Delegated Decisions Report (Planning) ⇩

11 March 2020

Delegated Decisions Report (Planning)

25 applications found.

Approved All

Planning Description	Address	Works Value	Decision	Authority
PLN-17-667 Dwelling	18A SONNING CRESCENT SANDY BAY TAS 7005	$ 350,000	Approved	Delegated
PLN-19-408 Partial Demolition and Alteration	18 EARL STREET SANDY BAY TAS 7005	$ 5,000	Exempt	Delegated
PLN-19-584 Partial Demolition, Alterations, Ancillary Dwelling, and Driveway	5 GIBLIN STREET LENAH VALLEY TAS 7008	$ 150,000	Approved	Delegated
PLN-19-753 Partial Demolition, Extension and Alterations	61 TASMA STREET NORTH HOBART TAS 7000	$ 120,000	Approved	Delegated
PLN-19-830 Partial Demolition, Extension and Alterations	9 LAWLEY CRESCENT SOUTH HOBART TAS 7004	$ 10,000	Approved	Delegated
PLN-19-863 Partial Demolition, Alterations and Car Parking	53 SANDY BAY ROAD BATTERY POINT TAS 7004	$ 120,000	Approved	Delegated
PLN-19-883 Front Fencing	10 DAVID AVENUE SANDY BAY TAS 7005	$ 10,000	Approved	Delegated
PLN-19-919 Partial Demolition, New Front Fence and Change of Use to Visitor Accommodation	22 FELTHAM STREET NORTH HOBART TAS 7000	$ 0	Approved	Delegated
PLN-19-929 Partial Demolition, Alterations and Extension	4 PROCTORS ROAD DYNNYRNE TAS 7005	$ 200,000	Approved	Delegated
PLN-19-939 Dwelling	29 PILLINGER DRIVE FERN TREE TAS 7054	$ 300,000	Approved	Delegated
PLN-20-10 Partial Demolition, Extension and Alterations, Carport, Outbuilding and Front Fencing	97 PRINCES STREET SANDY BAY TAS 7005	$ 800,000	Approved	Delegated
PLN-20-109 Partial Demolition and Alterations	152 COLLINS STREET HOBART TAS 7000	$ 49,000	Exempt	Delegated
PLN-20-114 Tree removal	21/571 NELSON ROAD MOUNT NELSON TAS 7007	$ 1,500	Exempt	Delegated
PLN-20-136 Partial Demolition, Alterations and Extension	55 WELLWOOD STREET LENAH VALLEY TAS 7008	$ 65,000	Exempt	Delegated
PLN-20-2 Partial Demolition, Extension, Alterations and Front Fencing	12 SCOTT STREET GLEBE TAS 7000	$ 280,000	Approved	Delegated
PLN-20-24 Signage	35-43 BRISBANE STREET HOBART TAS 7000	$ 0	Approved	Delegated
PLN-20-31 Alterations and Signage	50/5A GLADSTONE STREET BATTERY POINT TAS 7004	$ 0	Approved	Delegated
PLN-20-38 Change of Use to Visitor Accommodation	4/2A SAYER CRESCENT SANDY BAY TAS 7005	$ 350,000	Approved	Delegated
PLN-20-42 Partial Demolition, Extension and Alterations	4 ASCOT AVENUE SANDY BAY TAS 7005	$ 250,000	Approved	Delegated
PLN-20-44 Partial Demolition, Alterations and Signage	2/122 LIVERPOOL STREET (AKA 2/65 MURRAY ST) HOBART TAS 7000	$ 49,500	Approved	Delegated
PLN-20-52 Partial Demolition, Alterations and Ancillary Dwelling	11 ALLAMBEE CRESCENT GLEBE TAS 7000	$ 150,000	Not Required	Delegated
PLN-20-57 Dwelling	12 BEAUMONT ROAD LENAH VALLEY TAS 7008	$ 350,000	Approved	Delegated
PLN-20-69 Partial Demolition and Alterations	2 THIRZA STREET NEW TOWN TAS 7008	$ 50,000	Approved	Delegated
PLN-20-79 Partial Change of Use to Visitor Accommodation	183 HARRINGTON STREET HOBART TAS 7000	$ 0	Approved	Delegated

Planning Description	Address	Works Value	Decision	Authority
PLN-20-86 Alterations	557 CHURCHILL AVENUE SANDY BAY TAS 7005	$ 9,107	Exempt	Delegated

8.5 Monthly Building Statistics - 1 February - 29 February 2020
File Ref: F20/27307

Memorandum of the Director City Planning of 11 March 2020 and attachments.

Delegation: Council

City of HOBART

MEMORANDUM: CITY PLANNING COMMITTEE

Monthly Building Statistics - 1 February - 29 February 2020

Attached is the monthly building statistics for the period 1 February to 29 February 2020.

RECOMMENDATION

That:

The Director City Planning reports:

During the period 1 February 2020 to 29 February 2020, 37 permits were issued to the value of $6,405,825 which included:

(i) 22 for Extensions/Alterations to Dwellings to the value of $2,446,825;

(ii) 4 New Dwellings to the value of $1,900,000; and

(iii) No Major Projects.

During the period 1 February 2019 to 28 February 2019, 50 permits were issued to the value of $64,030,867 which included:

(i) 22 for Extensions/Alterations to Dwellings to the value of $4,192,867;

(ii) 10 New Dwellings to the value of $4,064,500; and

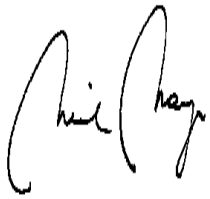
(iii) 4 Major Projects:

(a) 34 Davey Street, Hobart - Commercial Extension (Parliament Square) - $46,300,000;
(b) 2 Churchill Avenue, Sandy Bay - New Commercial Building (University of Tasmania, Base Building Only) - $4,000,000;
(c) 42 Argyle Street, Hobart - Commercial Internal Alterations (New Lift), $1,600,000;
(d) 11 Franklin Wharf, Hobart - Commercial Internal Alterations (Night Club), $1,500,000;

1. In the twelve months ending 29 February 2020, 599 permits were issued to the value of $243,723,952; and

2. In the twelve months ending 28 February 2019, 657 permits were issued to the value of $541,936,072.

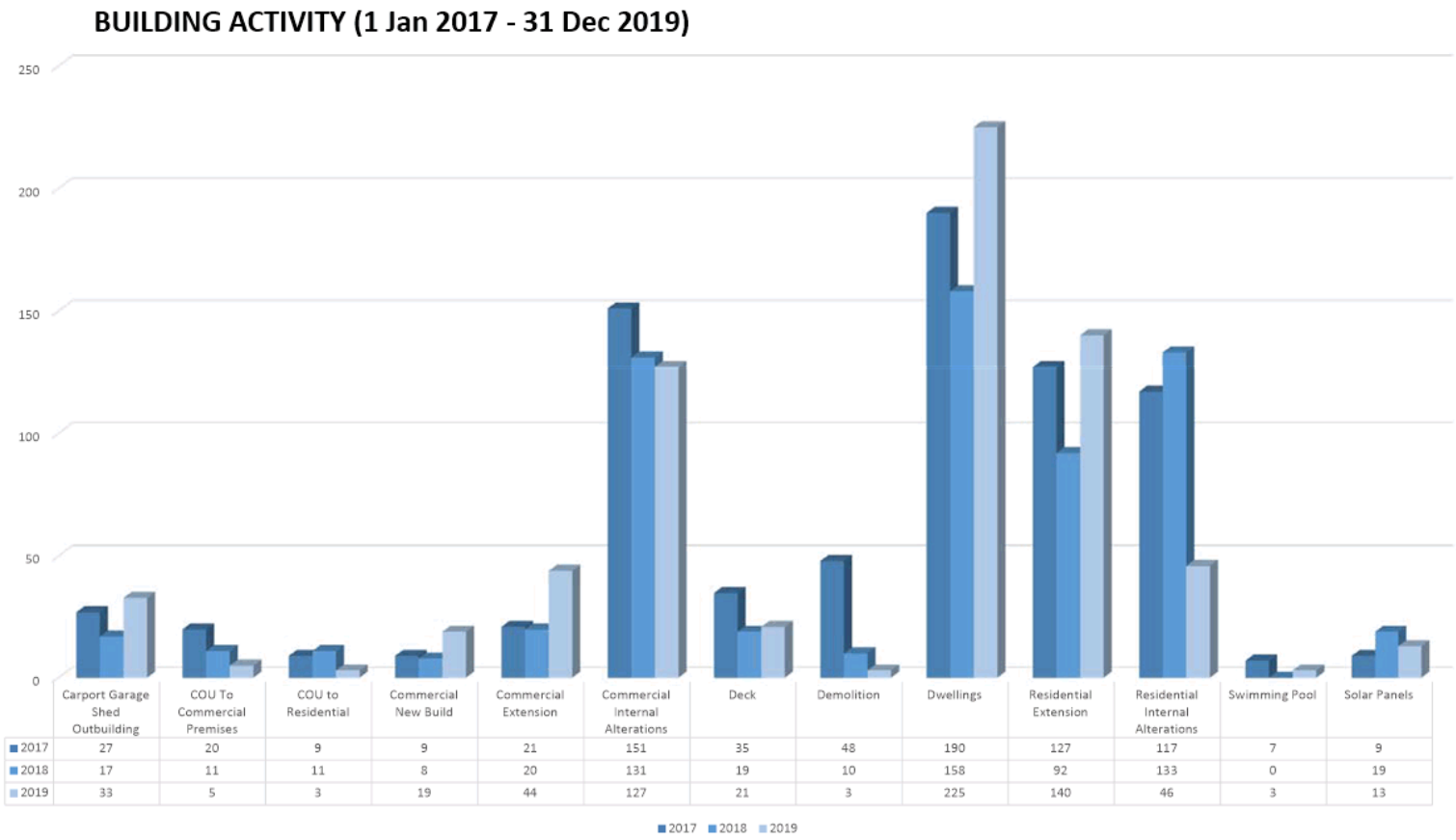
As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Neil Noye
DIRECTOR CITY PLANNING

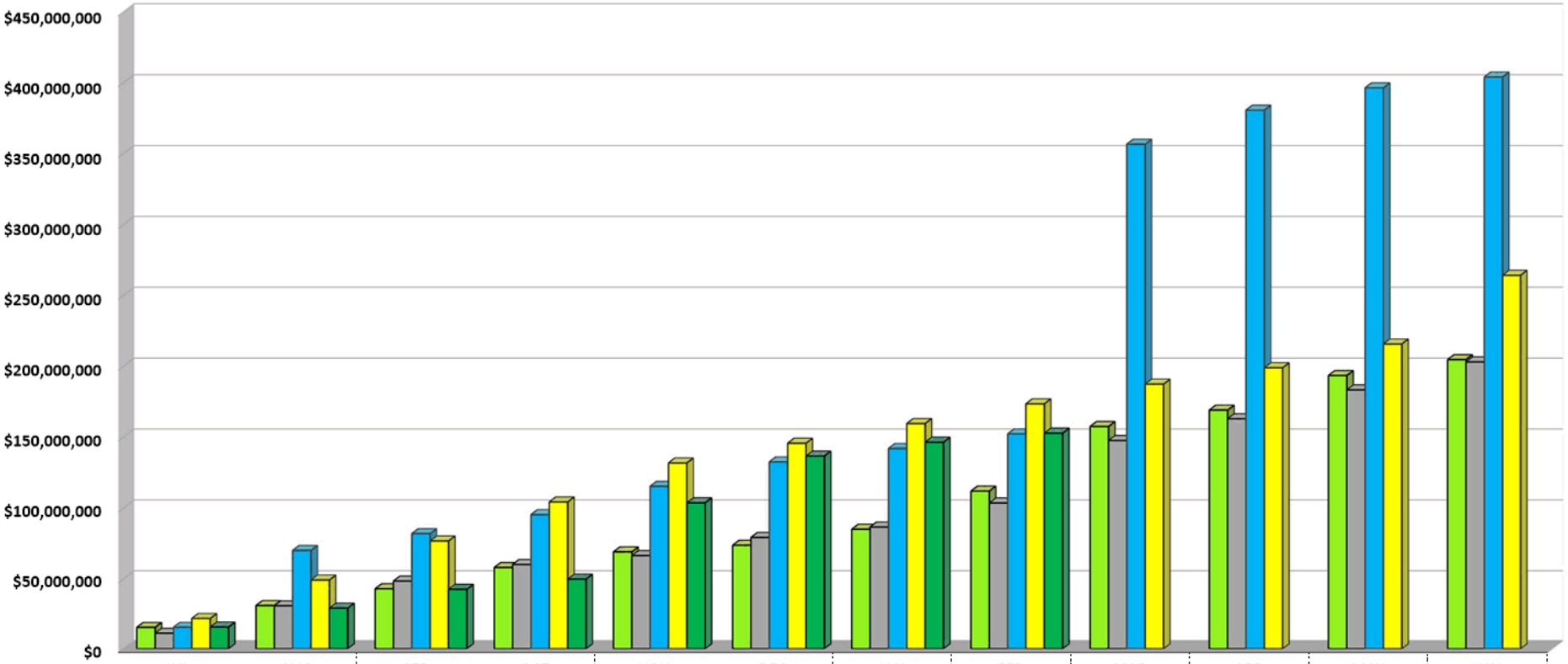
Date: 11 March 2020
File Reference: F20/27307

Attachment A: 2019 Building Application Types - amended ⇩
Attachment B: Building Permits Value ⇩
Attachment C: Building Permits Issued ⇩
Attachment D: New Dwellings - Monthly Comparisons ⇩



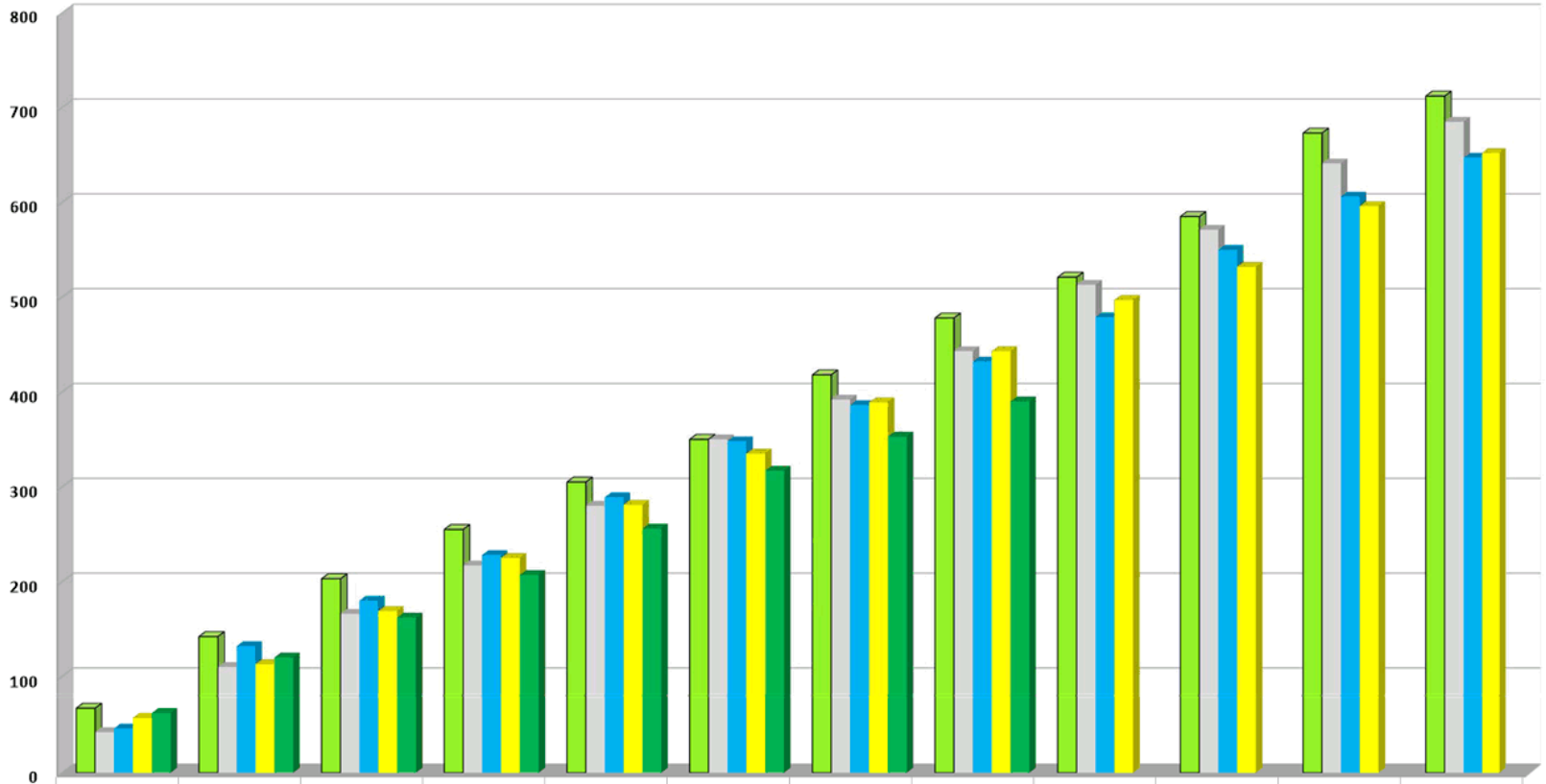
	Carport Garage Shed Outbuilding	COU To Commercial Premises	COU to Residential	Commercial New Build	Commercial Extension	Commercial Internal Alterations	Deck	Demolition	Dwellings	Residential Extension	Residential Internal Alterations	Swimming Pool	Solar Panels
2017	27	20	9	9	21	151	35	48	190	127	117	7	9
2018	17	11	11	8	20	131	19	10	158	92	133	0	19
2019	33	5	3	19	44	127	21	3	225	140	46	3	13

Building Permits Value (Accumulative Monthly Totals)
5 Year Comparison 2015/2016 - 2019/2020

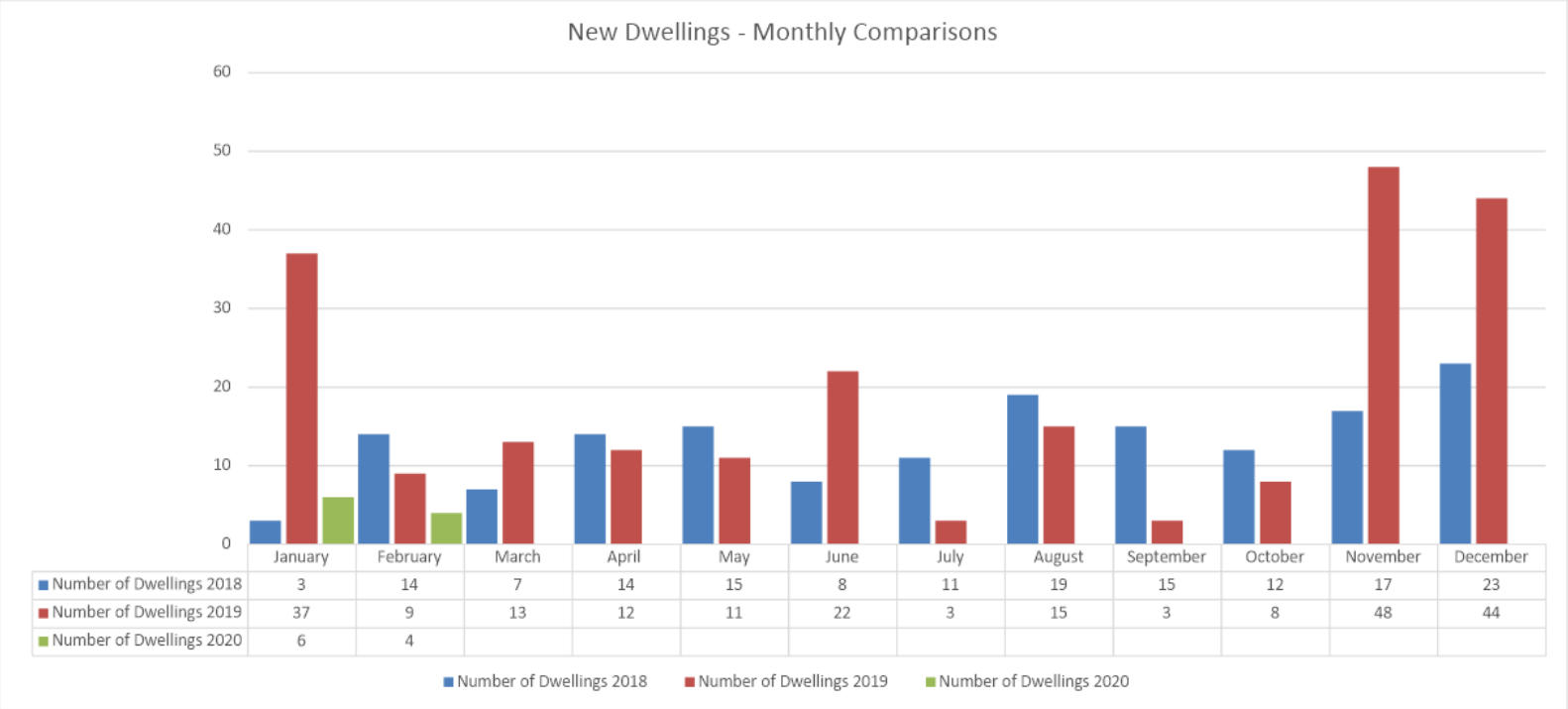


	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
2015/2016	$15,443,800	$31,142,341	$43,194,824	$58,199,392	$69,212,138	$73,858,018	$85,203,666	$112,093,110	$157,658,780	$169,206,674	$193,638,762	$204,845,266
2016/2017	$11,206,504	$30,991,536	$48,624,096	$60,309,895	$66,580,198	$79,372,432	$86,750,753	$103,717,937	$147,792,405	$163,153,205	$183,515,114	$203,213,166
2017/2018	$15,485,684	$70,232,963	$82,097,850	$95,501,122	$115,506,625	$132,715,917	$142,141,420	$152,449,826	$356,836,990	$380,853,859	$396,591,049	$404,209,241
2018/2019	$21,840,010	$49,365,867	$76,891,724	$104,417,581	$131,943,438	$145,844,470	$159,745,502	$173,646,534	$187,547,566	$199,090,897	$215,895,568	$264,345,999
2019/2020	$15,677,986	$29,299,421	$42,843,016	$50,003,725	$103,866,589	$136,844,014	$146,618,662	$153,024,487				

Building Permits Issued (Accumulative Monthly Totals)
5 Year Comparison 2015/2016 - 2019/2020



	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
2015/2016	67	142	203	255	305	350	418	478	521	585	673	712
2016/2017	42	110	166	217	280	350	392	443	513	571	641	685
2017/2018	46	132	180	228	289	348	386	432	479	550	606	647
2018/2019	57	113	169	225	281	335	389	443	497	532	596	652
2019/2020	62	120	162	207	256	317	353	390				



	January	February	March	April	May	June	July	August	September	October	November	December
Number of Dwellings 2018	3	14	7	14	15	8	11	19	15	12	17	23
Number of Dwellings 2019	37	9	13	12	11	22	3	15	3	8	48	44
Number of Dwellings 2020	6	4										

9. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the General Manager or the General Manager's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
   (i) offer an argument or opinion; or
   (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
   (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
   (ii) a written response will be provided to all Elected Members, at the appropriate time.
   (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

10. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion

The following items were discussed: -

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Questions Without Notice