



CITY OF HOBART

AGENDA

City Planning Committee Meeting

Open Portion

Monday, 15 June 2020

at 5:00 pm

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.

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City Planning Committee Meeting (Open Portion) held Monday, 15 June 2020 at 5:00.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

COMMITTEE MEMBERS

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

Apologies:

Leave of Absence: Nil.

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

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, 16 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 HOBART INTERIM PLANNING SCHEME 2015

7.1.1 10 WHELAN CRESCENT, WEST HOBART - PARTIAL DEMOLITION, ALTERATIONS, EXTENSION AND CARPORT PLN-19-377 - FILE REF: F20/56880

Address: 10 Whelan Crescent, West Hobart

Proposal: Partial Demolition, Alterations, Extension and Carport

Expiry Date: 21 July 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 partial demolition, alterations, extension and carport at 10 Whelan Crescent West Hobart for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because it would result in an unreasonable loss of amenity to the adjoining properties at Nos.12 and 8 Whelan Crescent, due to the excessive visual impact caused by the apparent scale, bulk and proportions of the dwelling extension when viewed from the adjoining lots.

Attachment A: PLN-19-377 - 10 WHELAN CRESCENT WEST HOBART TAS 7000 - Planning Committee or Delegated Report 

Attachment B: PLN-19-377 - 10 WHELAN CRESCENT WEST HOBART TAS 7000 - CPC Agenda Documents 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 21 July 2020
Application No: PLN-19-377
Address: 10 WHELAN CRESCENT , WEST HOBART
Applicant: Jeremiah Dwyer
33B Bramble Street
Proposal: Partial Demolition, Alterations, Extension and Carport
Representations: Ten (10)
Performance criteria: General Residential Zone Development Standards

1. Executive Summary

- 1.1 Planning approval is sought for a partial demolition, alterations, extension and carport at 10 Whelan Crescent West Hobart.
- 1.2 More specifically the proposal includes:
 - two storey rear extension with deck; and
 - new front carport.
- 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 (carport), both side setbacks (extension) and side setback (carport).
- 1.4 Ten (10) representations objecting to the proposal were received within the statutory advertising period between the 1st and 15th of May 2020.
- 1.5 The proposal is recommended for refusal.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The site is within the General Residential Zone. The site contains an existing single dwelling, and is within an established residential area.



Above: aerial photograph with the site highlighted.



Above: view from rear of neighbouring property 12 Whelan Crescent, towards applicant site.



Above: street view showing side wall of existing garage from direction of 12 Whelan Crescent.



Above: view from rear of neighbouring property 8 Whelan Crescent, towards applicant site.



Above: view from rear neighbouring property at 15 Corby Avenue, towards applicant site.

3. Proposal

- 3.1 Planning approval is sought for a partial demolition, alterations, extension and carport at 10 Whelan Crescent.
- 3.2 More specifically the proposal is for:
- two storey rear extension with deck;
 - new front carport.



Above: Montages of the proposal.



Above: A site plan of the proposal imposed onto a GIS image. The red hatching denotes existing building to be demolished. Dark green denotes the carport at the front and extension at the rear. The light green denotes the proposed deck.

4. Background

- 4.1 The proposal before Council is the second iteration of the design. The original proposal was advertised and received 15 objections. The original proposal was significantly larger than that proposed, and the applicant was advised that it would not receive officer support.



Above: The originally advertised proposal.

5. Concerns raised by representors

- 5.1 Ten (10) representations have been received to the re-advertised proposal advertised between the 1st and 15th of May 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.

<p>Visual impact</p> <ul style="list-style-type: none"> -too high and too wide; -concerns about size, height and general bulk of the extension; -negative visual impact on the area; -inappropriate design; -unsympathetic scale; -'domineering form that will tower over neighbouring properties'; -shows a complete lack of regard for context, community and aesthetics; -'block like appearance and dark visual bulk'; -does not provide consistency with surroundings in terms of bulk, massing and proportion; -'over scaled ' and 'not sympathetic'; -its scale, bulk and mass is very imposing and does not follow the

natural contour of the hillside;
-loss of light, view and sky;
-'oppressive appearance';
-'highly visible from all adjacent backyards';
-would 'loom' above homes on Corby Avenue;
-'obtrusive' design;
-concern at the 'large extent to which the proposed development, including the carport, is outside of the building envelope';
-'visually intrusive';
-proposal would add 8.8 metres of wall, 7.4 metres high, along my side boundary with a setback of 1.9 metres;
-'it would be a large dark blank monolithic structure with no articulation or design features that would soften or mitigate the visual intrusion of this expansive wall';
-unreasonable impact on neighbouring property;
-unreasonable visual intrusion when viewed from neighbouring backyard;
-'will negatively impact my use and enjoyment of living areas including kitchen, dining/living room, primary entrance and rear deck';
-concern at visual impact of carport, also a 'large, dark, blank monolithic structure with no articulation or design features';
-'disproportionate scale';
-'architecturally crude, imposing and intrusive';
-'staggeringly oversized';
-'invasive, inconvenient and inconsiderate';
-'overdevelopment, incongruous to pattern of established development';
-'excessive';
-'oversized', 'ugly';
-'bulk looming directly over us';
-will dominate private open space.

Overshadowing

-overshadowing of neighbouring properties;
 -We are also concerned regarding the overshadowing of No.8 Whelan Crescent,
 particularly in the winter months where for a significant amount of time the whole property is in shadow due to the size and scale of the proposed development;
 -fails to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space;
 -severe impact on neighbouring properties at Nos.8 and 12 Whelan Crescent;
 -loss of light, view and sky;
 -reduction of sunlight to habitable rooms;
 -significant overshadowing of neighbouring living areas;
 -'will negatively impact my use and enjoyment of living areas including kitchen, dining/living room, primary entrance and rear deck';
 -unreasonable overshadowing to kitchen and private outdoor area, particularly in the blocking of the sun to my kitchen early in the morning. I am an early morning person and I brought the house because the sunrise lights up the kitchen';
 -loss of all sun to primary entrance at side of neighbouring dwelling, turning the entrance into a 'cold, dark laneway';
 -proposed carport would add visual bulk along side boundary, additional to that of the existing garage which would be removed;
 -loss of daylight to southern bedroom;
 -'dramatic overshadowing';
 -loss of sunlight and amenity to neighbouring dwelling.

Privacy

-loss of privacy;
 -loss of privacy and amenity of rear Corby Avenue properties;
 -proposal will look into the back yards and rear windows of Corby Avenue properties;
 -rear tree screening Corby Avenue properties is old and likely to be removed in near future, exacerbating overlooking impact;
 -concern at visibility of proposed upper deck spa;
 -loss of privacy to Corby Avenue properties;
 -loss of privacy to adjacent dwelling;
 -concern at loss of privacy from new entrance adjacent to neighbouring dwelling;
 -entry 2 'will look straight into my living space';
 -direct vision from internal staircase into my home;
 -entry 2 not screened;
 -frosted film on windows not a permanent solution to privacy concerns.

<p>Amenity and community</p> <ul style="list-style-type: none"> -loss of amenity from light pollution and noise; -'It is not thoughtful, not community minded and not appropriate'; -loss of 'neighbourly values'; -huge loss of amenity regarding privacy, visual impact and overshadowing.
<p>Design, character and townscape</p> <ul style="list-style-type: none"> -not in keeping with Federation era properties in the vicinity; -large garage and modern addition clashes with the general ambience and streetscape of the neighbourhood; -not sympathetic to architectural vernacular of the suburb; -neighbourhood character is not respected; -concern at materials and design, in particular the use of cement sheet; -'inconsiderate' design; -large, flat roof, block shape, cement sheet walls out of character with surrounding neighbourhood; -approval would set precedent in unique and historic suburb; -'not compatible with the neighbouring area'; -'no consistent or considerate with the neighbourhood'; -'would undermine the beauty of our historic suburb'; -'unsympathetic' impact on 'iconic hill' - the hill is 'uniquely Hobart in its look and homogenous feel'.
<p>Planning Scheme provisions</p> <ul style="list-style-type: none"> -proposal not compliant with side setback requirements; -substantial breach of setbacks an building envelope standards; -carport exceeds building envelope.
<p>Carport</p> <ul style="list-style-type: none"> -carport out of character with the street and other carports/sheds; -carport detracts from existing streetscape character and amenity; -carport dramatically exceeds building envelope.
<p>Parking</p> <ul style="list-style-type: none"> -wider carport reduces on street parking; -loss of street parking, where the street is already constrained of parking; -concern at loss of on street parking, worsening restriction on parking in the vicinity.

<p>Green corridor and natural values</p> <ul style="list-style-type: none"> -proposed extension protrudes into the 'green corridor created by the backyards along this stretch of Whelan Crescent'; -concern at intrusion into 'green corridor'; -loss of open space; -loss of historic scenic quality; -loss of 'sanctuary for birdlife and spaces for private enjoyment'.
<p>Tree removal</p> <ul style="list-style-type: none"> -concern at tree removal and loss of vegetation; -loss of vegetation will increase impact.
<p>Use</p> <ul style="list-style-type: none"> -concern at potential use as two 'multiple' dwellings; -parking concern if two (multiple) dwelling development eventuates; -size of proposal already amounts to 'essentially an additional house being built on the block'; -concern at 'dual occupancy' development; -concern at potential visitor accommodation. <p><i>(Planner note: the proposal is defined as a single dwelling on the basis that there is a single laundry only, shared between the two levels).</i></p>
<p>Noise, light, activity</p> <ul style="list-style-type: none"> -noise, light and activity related to entry 2, would detract from neighbours amenity; -likely to compromise acoustic amenity.
<p>Other</p> <ul style="list-style-type: none"> -concerns at accuracy of plans; -concern at potential for withdrawn hot tub to be reintroduced at later date; -rear deck to be built in concrete - a curiously expensive option unless the owner plans to enclose later and install a hot tub; -'opportunistic application' pushing beyond Scheme standards 'while offering no mitigating factors such a design that responds to the terrain or that would have less impact on the neighbouring properties'; -lack of eaves will result in increase air conditioning use.
<p>Other comments:</p> <ul style="list-style-type: none"> -We would suggest that there be a further reduction in the size of the property as well as increased excavation to lower its height. -Articulation of building from former plan has not fundamentally changed and revised proposal is no more attractive than the withdrawn proposal. -Acknowledgement that plan has been amended and improved in response to concerns, but still large and intrusive. -I request that, should the development be recommended for approval

it includes conditions on the permit which ensure:

- a. The new windows on the existing dwelling which are for bathroom and ensuite are fostered glass for privacy.
- b. The existing vegetation (olive trees) along the boundary with 12 Whelan Cres is maintained, and
- c. On demolition of the existing garage and side entry, the side fence is reinstated on the boundary (as identified by a surveyor), and
- d. Construction is confined to the surveyed boundaries of 10 Whelan Cres, West Hobart.

-This plan not substantially different from previous one.

-Overdevelopment incongruous to established pattern of development
-Whelan Crescent, Corby Avenue as well as much of West Hobart is characterised by modest, well sited, historic dwellings on generous blocks with substantial front and rear yards. The abundance of private open space, with generally well maintained gardens gives this part of Hobart its historically significant scenic quality and creates sanctuary for birdlife and spaces for private enjoyment. Dwellings on Whelan Crescent and Corby Avenue benefit from a green buffer, created by rear-adjointing back yards. Dwellings on both streets benefit from consistent front and rear setbacks, which ensures no single dwelling imposes on its adjoining neighbours more than its neighbours impose on it. The proposed development radically departs from the established bulk and scale of houses on Corby Avenue and Whelan Crescent and shows none of the restraint and civic decorum possessed by the existing house at number 10 Whelan Crescent and its neighbours.

-The proposed development is plainly excessive, would likely result in substantial loss of amenity for surrounding neighbours, is at odds with the prevailing pattern of development and should not be approved in its current form.

-The proposal is out of keeping with the character of the neighbourhood.

- West Hobart is a very special and highly valued residential area, prized for its historic significance, its sense of community, and its extent local architectural vernacular. This proposal shows no sensitivity for the existing character of the area, and no consideration for any of the neighbours that the proposed building will impact upon.

- The green corridor created by the dwellings having substantial rear setbacks provides sanctuary for birdlife and ample spaces for private

enjoyment. The proposed development significantly departs from the existing nature of the dwellings on Corby Avenue and Whelan Crescent both in terms of bulk and scale, and lacks any awareness and sensitivity to the established character of the area.

- The proposed development projects beyond the prevailing rear setbacks of adjoining houses in Whelan Crescent, and others in the immediate area. Given sloping site and the fact that it encroaches beyond all other dwellings in the area, the rear projection of the proposed development creates unreasonable bulk and scale. The proposal is likely to dominate the views from our back yard, with the proposed living areas that constitute this bulk looming directly over us.

- The 17-18m prevailing rear setbacks of dwellings on Whelan Crescent create a green corridor and separation from dwellings on Corby Avenue, mitigating loss of privacy and any negative impact that outdoor living spaces have on neighbours.

- 'West Hobart is a wonderful suburb with a unique character, which can potentially be enhanced by appropriate development and improvements to existing properties'.

- 'From the north and northwest perspectives, it appears as part of the main building in appearance and contributes to the visual bulk that protrudes rather aggressively into the green corridor created by the backyards along this stretch of Whelan Crescent.

According to the European Commission

<http://www.eea.europa.eu/publications/urban-adaptation-to-climate-change>:

Recent studies have highlighted the importance of boosting green urban areas and connecting fragments of green space with ecological corridors to improve biodiversity

and animal species dispersal within the urban landscape. If

adequately designed, green corridors can improve urban ventilation, allowing for cooler air from outside to

penetrate into the more densely built areas, and reducing thus the urban heat island effect. Urban green areas can also have positive effects for human health and climate

change adaptation. The capacity of vegetation to retain water is an important flood prevention feature that can reduce peak discharges'.

-This development will create a negative outcome to the overall social and community values of the street and area and this iconic hill in the

inner city of Hobart Town.

-The development if it proceeds will also create a planning/development precedent that will be hard to repeal into the future. Please protect Hobart's inner city suburbs from adverse and insensitive developments'.

-Hillside features on cover of the 2001 Hobart City Council publication '100 Hobart Houses 1901-2000'. Concern at loss of uniquely Hobart look and homogenous feel.

-'Excessive and should not be approved in its current form'.

-I would like to re-iterate my strong objection to the proposal in its current form, and invite the Planning Officer and Hobart City Councillors to please contact me regarding the impact that this would have on our amenity.

Suggestions

- Scale back the size of the extension.
- Step down the extension to follow the slope of the land.
- That there be condition that property does not become two de-facto dwellings.

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 and proposed use is a dwelling. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Part D - 10 General Residential Zone

- 6.4.2 E6.0 Parking and Access Code
- 6.4.3 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone:-
- Setbacks and Building Envelope – front setback (carport), both side setbacks (extension) and side setback (carport) Part D 10.4.2 P2, P3*
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope (carport) Part D 10.4.2 P2
- 6.7.1 The acceptable solution at clause 10.4.2 A1 requires a carport front setback of 5.5 metres.
- 6.7.2 The proposal includes a carport with nil front setback.
- 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 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.*
- 6.7.5 Assessment of the performance criterion follows.
- The front carport would replace an existing single garage that is also positioned on the front property boundary. Other front garage/carport arrangements exist at most other properties on the lower side of Whelan Crescent in the vicinity. Given the steep slope, options for any practicable alternatives would appear limited.
- The proposal is considered consistent with the Performance Criteria.
- 6.7.6 The proposal complies with the performance criterion.
- 6.8 Setback and Building Envelope Part D 10.4.2 P3

- 6.8.1 The acceptable solution at clause 10.4.3 (a) and (b) requires building envelope minimum side setbacks on both sides.
- 6.8.2 The proposal includes a dwelling extension outside of the permitted building envelope on both sides under clause 10.4.2 (a).
The proposal also includes a carport that does not meet the permitted building envelope with respect to side setback under clause 10.4.2 (a) or (b).
- 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 P3 provides as follows:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

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

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

(iii) overshadowing of an adjoining vacant lot; or

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

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

- 6.8.5 In terms of the impact on 8 Whelan Crescent, this is a side neighbouring property to the east/southeast of the applicant site on a similar gradient.

Shadowing:

The submitted sunshade diagram indicates as follows.

- Summer: No impact at 9am, no impact at midday, small impact along side boundary at 3pm.
- Autumn: No impact at 9am, no impact at midday, small impact to front yard and western side of the house at 3pm.
- Winter: No impact at 9am, small impact along side boundary at midday, large impact to front yard and house at 3pm.
- Spring: No impact at 9am, no impact at midday, moderate impact to front yard and house at 3pm.

In terms of this property's private open space, it is noted that the rear yard remains unaffected by the proposal at all times of the day throughout the

year. In line with recent Tribunal decisions, because the dwelling retains a significant portion of private open space (the entire rear garden) that is unaffected by the proposal, the overshadowing of open space is not considered unreasonable.

In terms of shadowing the dwelling, no elevational plans were provided to demonstrate where the shadows hit this dwelling. Notwithstanding this, given the dwelling is only impacted at the end of the day at autumn, winter and spring, and that for the remainder of the day the dwelling is unaffected by the proposal, overshadowing of the dwelling is not considered unreasonable.

Visual impact:

In terms of visual impact, the dwelling with rear extension would present as a virtually continuous side wall of 20.8 metres in length. This compares with the side wall length of the present building of around 12.5 metres. The height would range from the single to two storey height of the existing dwelling, to the two storey height of the proposed extension. The existing dwelling has a side setback from this neighbouring side boundary ranging from 2.105 to 2.864 metres. The extension would have a side setback ranging from 2.580 to 2.912 metres.

The concern is the likely degree of visual impact to this neighbouring property. While the impact may be mitigated to an extent by the articulation and variety of materials proposed in the extension, and the presence of screening planting on this neighbour's land along the shared boundary, this is not considered to be sufficient to lessen the impact to such an extent that impact on this neighbour's amenity is not unreasonable. As such, on balance, it is considered that likely impact on the amenity of this neighbour is unreasonable.

- 6.8.6 In terms of the impact on 12 Whelan Crescent, this side neighbouring property is to the west/northwest of the applicant site on a similar gradient.

Overshadowing:

The submitted sunshade diagrams indicate as follows.

- Summer: Moderate impact along side boundary, eastern side of house, and front yard at 9am. No impact at midday or 3pm.
- Autumn: Moderate impact along side boundary, eastern side of house and front yard at 9am. No impact at midday or 3pm.
- Winter: Small impact along side boundary and front yard, and very small impact to house at 9am. No impact at midday or 3pm.
- Spring: Small impact along side boundary and front yard, and very

small impact to house at 9am. No impact at midday or 3pm.

The assessment of the overshadowing impact on this property is considered to be the same as 8 Whelan Crescent above. Given the entire rear yard remains unaffected by the proposal through out the year, the overshadowing impact of the proposal on this property's private open space is not considered to be unacceptable.

Similarly in terms of the overshadowing of the dwelling, given that it remains unaffected by the proposal at least from 12 midday at all times of the year (and notably significantly earlier than that in winter), the proposal is not considered to have an unreasonable impact on this dwelling in terms of overshadowing.

Visual impact:

In terms of visual impact, the dwelling with rear extension would present as a virtually continuous side wall of a total of 20.8 metres in length. This compares with the side wall length of the present building of around 12.5 metres. This 20.8 metres length would be added the 6 metre side wall length of the carport, which would be separated from the front of the dwelling by a gap of around 2.2 metres. The height would range from the single to two storey height of the existing dwelling, to the full two storey height of the proposed extension, and the single to two storey height of the proposed carport.

The existing dwelling has a side setback of 1.163 metres. The extension would have a side setback of from 2.148 metres, and the carport would be virtually on the side boundary with a minimal setback of 0.164 of a metre.

With regard to the carport, it is acknowledged that the existing garage is positioned on this same section of side boundary, and that there is further vegetation on the applicant side behind the garage and adjacent to the boundary. Given the limited additional length of side facing wall over and above that existing, and its position at or near the site frontage, the carport component of the proposal is not considered likely to have an excessive impact. Such impact is not considered sufficient to warrant any recommendation to either refuse or further modify.

With regard to the rear extension, it is acknowledged that there is screening planting to the rear of the applicant dwelling, adjacent to the side boundary. Such vegetation, being on the applicant side, cannot be relied on to provide screening to the neighbouring site.

It is also acknowledged that the extension uses a variety of materials and is articulated to an extent, which do help to lessen the visual impact of the proposal.

The concern remains, however, with the overall length of walls as existing and as proposed, facing the side neighbouring property.

The concern is the likely degree of visual impact to this neighbouring property. The concern is whether or not the degree of impact is considered to warrant either a refusal of modification of the proposal. On balance, likely impact on the amenity of this neighbour is considered to be unreasonable.

- 6.8.7 In terms of the impact on 15 Corby Avenue, this rear neighbouring property is to the northeast of the applicant site on a steep downhill gradient. The submitted sunshade diagrams indicate there would be no overshadowing of this property at any time of the year. The amended plan meets the building envelope in terms of rear setback. The impact of the proposal on this neighbour is considered to be acceptable.
- 6.8.8 In terms of the impact on 17 Corby Avenue, this rear neighbouring property is to the north of the applicant site on a steep downhill gradient. The submitted sunshade diagrams indicate there would be no overshadowing of this property at any time of the year. The amended plan meets the building envelope in terms of rear setback. The impact of the proposal on this neighbour is considered to be acceptable.
- 6.8.9 Lastly, the objectives for this standard include the following:

(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings

The neighbourhood between Whelan Crescent and Corby Avenue is characterised by dwellings of a variety of front setbacks but mostly sited near the respective street frontages on a steep cross-slope. Dwellings generally display a reasonable compatibility in terms of overall size, and the block is characterised by a continuous strip of open space generally along the alignment of the rear fences. The proposal would extend the length of the existing dwelling from around 12.5 metres to a total of 20.8 metres, and would extend into the central area of the block. The rear setback of the dwelling at No.15 Corby Avenue is of the order of 10 metres, and that of No.17 Corby Avenue, of the order of 15 metres. The proposed rear setback would be a minimum of 8.424 metres. This

character is shown in the images below:



Above: The site is labelled. The image shows the extent of development at the rear of nearby properties fronting Whelan Crescent. Source: Microsoft Maps.



Above: A GIS image with the green lines indicatively showing the rear building line of dwellings in the vicinity, fronting both Whelan Crescent and Corby Avenue. The site is bordered in blue. The yellow dashed line on the site indicates the edge of the deck - i.e. the rearmost part of the proposed extension.

The images above demonstrate there is some consistency of form and siting of dwellings. The proposal is not considered to be flagrantly incongruous with this consistency, but at the same time it also not considered to be indisputably harmonious or in keeping with it. This relative inconsistency is considered to lower the visual quality of the proposal, which in turn exacerbates the proposal's visual impact on the two adjacent dwellings which as set out above is considered to be unreasonable.

- 6.8.10 The proposal does not comply with the performance criterion with regard to likely impact on neighbouring properties at Nos. 12 and 8 Whelan Crescent.

7. Discussion

- 7.1 Planning approval is sought for a partial demolition, alterations, extension and carport at 10 Whelan Crescent West Hobart.
- 7.2 The application was advertised and received ten (10) representations. The representations raised concerns including visual impact, overshadowing, domineering scale and form and unsympathetic materials.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered unacceptable with regard to likely impact on the amenity of neighbouring properties.
- 7.4 The proposal has been assessed by Council's Development Engineer. The officer has raised no objection to the proposal, subject to conditions.
- 7.5 The has been ongoing applicant and neighbour/representor consultation. A number of requests for extensions of time have been progressively granted by the applicant.
The site and neighbouring properties were initially visited, and neighbours met, dated the 14th November 2019.
It is acknowledged that considerable effort has been made by the applicant to address concerns raised and to modify the plans accordingly.
Concerns remain with regard to the likely impact of the amended proposal on side neighbouring properties.
- 7.6 The applicant (Jeremiah Dwyer) was contacted dated the 27th May 2020 and advised of the following:
-the 10 representations received;
-the consideration of the proposal at the meeting of the City Planning Committee on the 15th June 2020 and the required decision of full Council on the 22nd June 2020.
-the Development Appraisal Planner recommendation remains of refusal.

There has remained ongoing consultation with the applicant and representors.
- 7.7 The proposal is recommended for refusal.

8. Conclusion

- 8.1 The proposed partial demolition, alterations, extension and carport at 10 Whelan Crescent West Hobart does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations, extension and carport at 10 Whelan Crescent West Hobart for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because it would result in an unreasonable loss of amenity to the adjoining properties at Nos.12 and 8 Whelan Crescent, due to the excessive visual impact caused by the apparent scale, bulk and proportions of the dwelling extension when viewed from the adjoining lots.



(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: 2 June 2020

Attachment(s):

Attachment B - CPC Agenda Documents

DEVELOPMENT APPLICATION: PROPOSED ALTERATIONS AND ADDITIONS TO 10 WHELAN CRESCENT, WEST HOBART**DIRECTOR'S LIST:**

FOR: DYLAN BURNIE & ANDREW RYAN

SITE: 10 WHELAN CRESCENT, WEST HOBART, 7000

LAND TITLE: 57809/41

PLANNING PERMIT: TBD

ZONING: GENERAL RESIDENTIAL

SITE AREA: 516.65m²

PROPOSED FOOTPRINT: 222.01m²

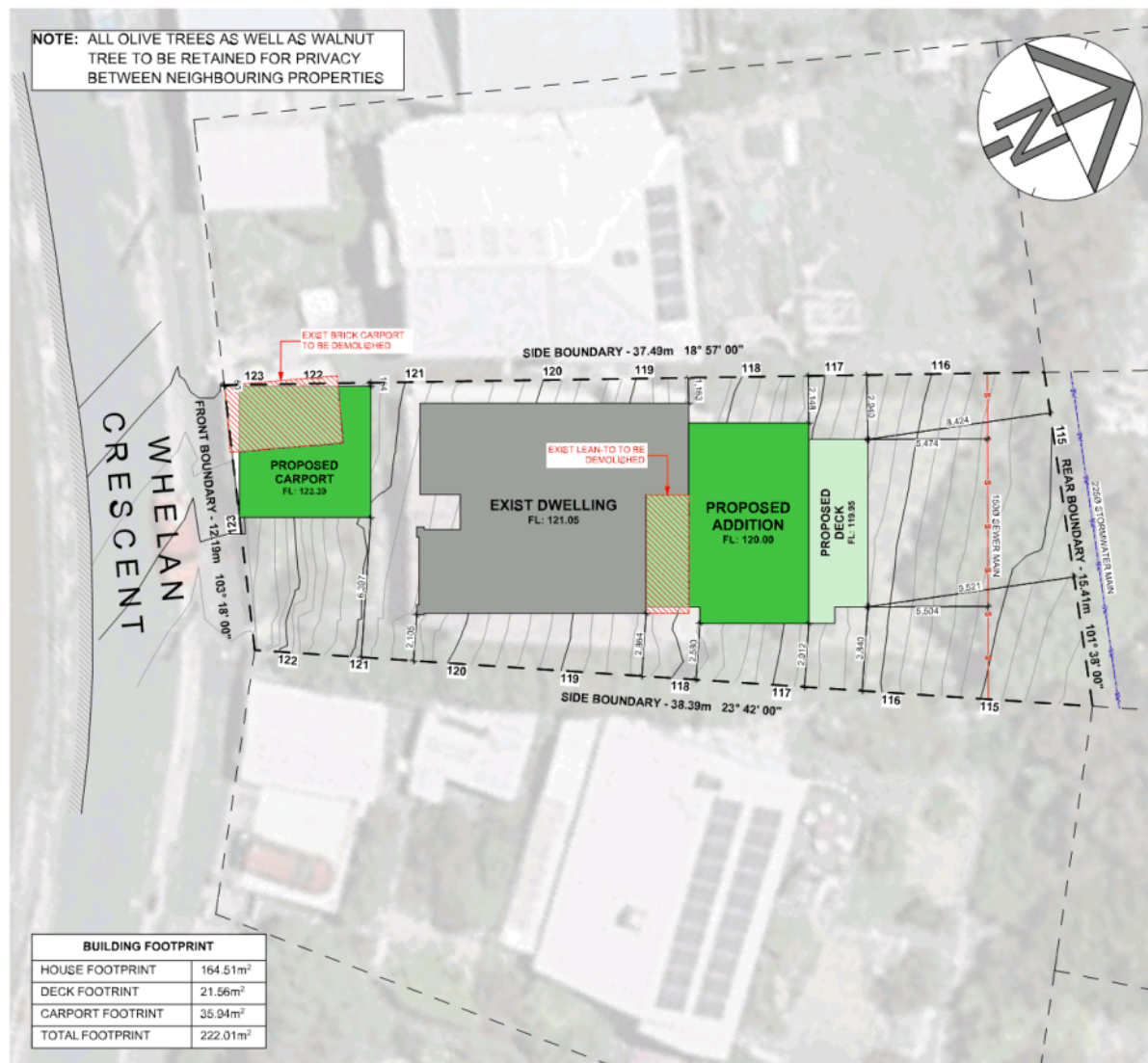
SITE COVERAGE: 42.97%

BAL: BAL LOW

SOIL CLASSIFICATION: TBD

DRAWING SCHEDULE:

DA.01	SITE PLAN	26.02.20
DA.02	EXIST GROUND FLOOR PLAN	26.02.20
DA.03	PROPOSED GROUND FLOOR PLAN	26.02.20
DA.04	EXIST SUB-FLOOR PLAN	26.02.20
DA.05	PROPOSED SUB-FLOOR PLAN	26.02.20
DA.06	EXIST CARPORT	26.02.20
DA.07	PROPOSED CARPORT	26.02.20
DA.08	ROOF PLAN	26.02.20
DA.09	ELEVATIONS 1 OF 2	26.02.20
DA.10	ELEVATIONS 2 OF 2	26.02.20
DA.11	3D IMAGES 1 OF 2	26.02.20
DA.12	3D IMAGES 2 OF 2	26.02.20
DA.13	SUN STUDY 1 OF 2	26.02.20
DA.14	SUN STUDY 2 OF 2	26.02.20



338 BRAMBLE STREET,
RIDGEWAY, TAS, 7054
0439336257
jdwyer@arncliffehobart.net.au

Amendments

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PROJECT:

PROPOSED EXTENSION TO RESIDENCE AT 10 WHELAN CRESCENT, WEST HOBART, TAS 7000

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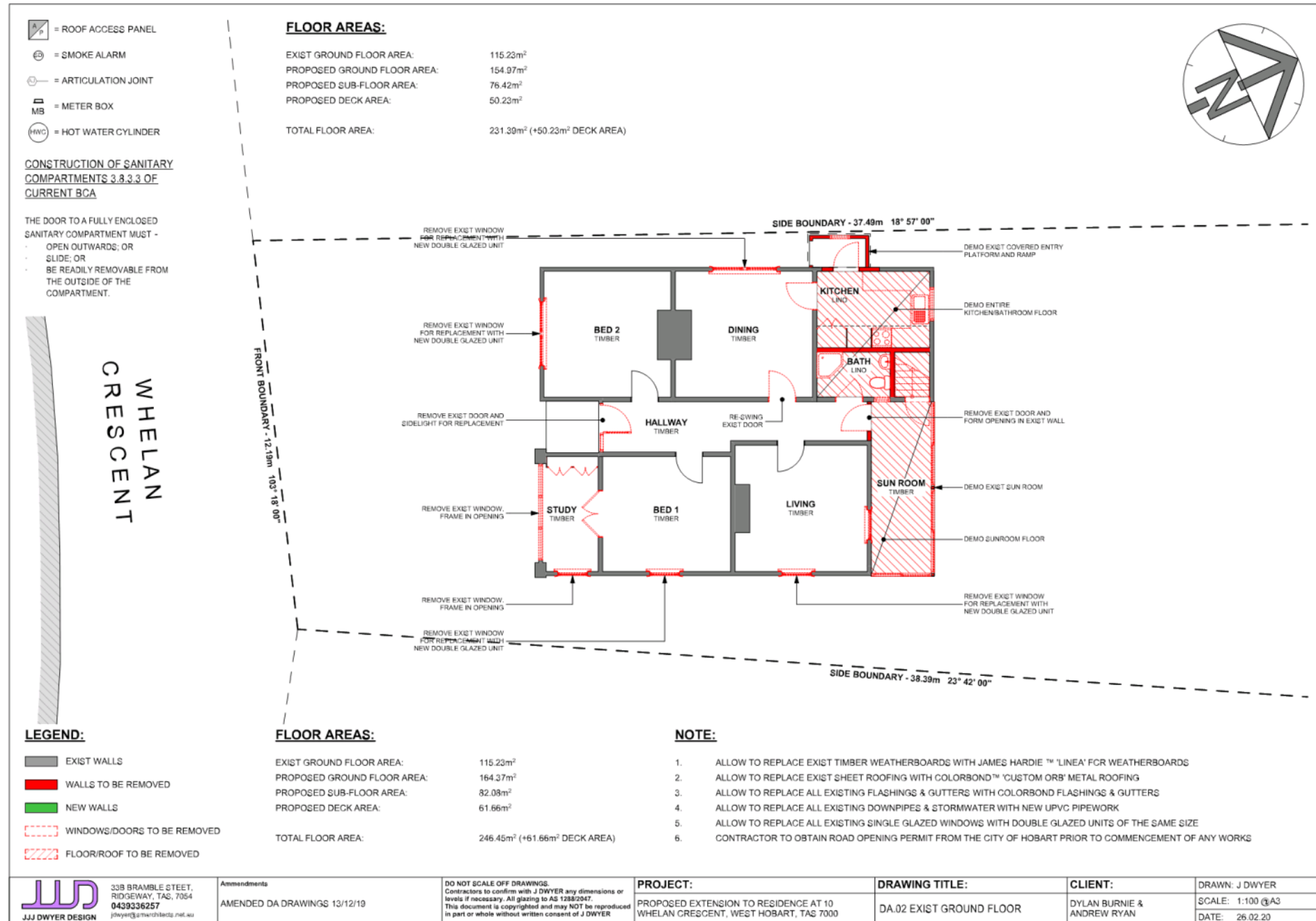
DA.01 SITE PLAN

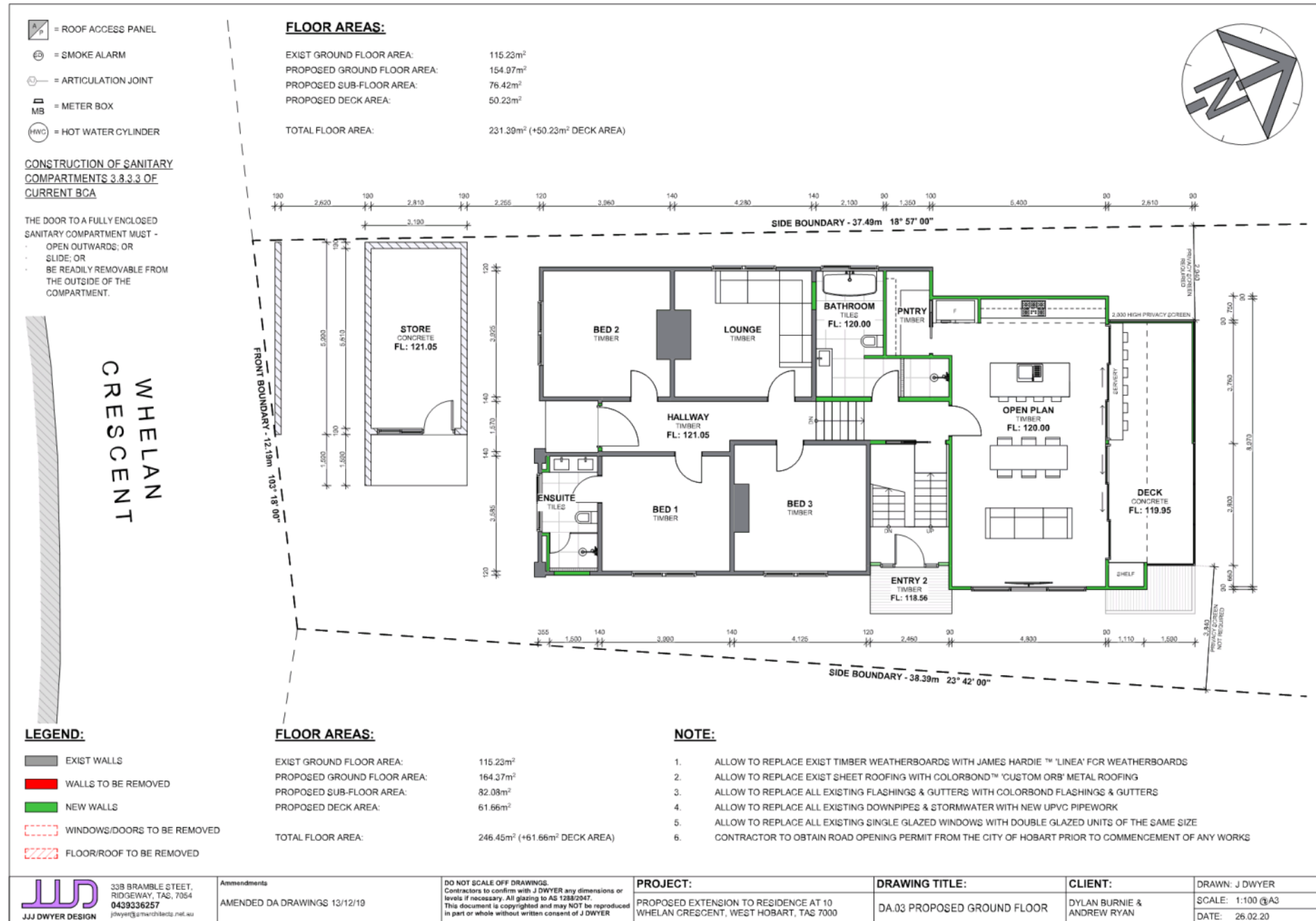
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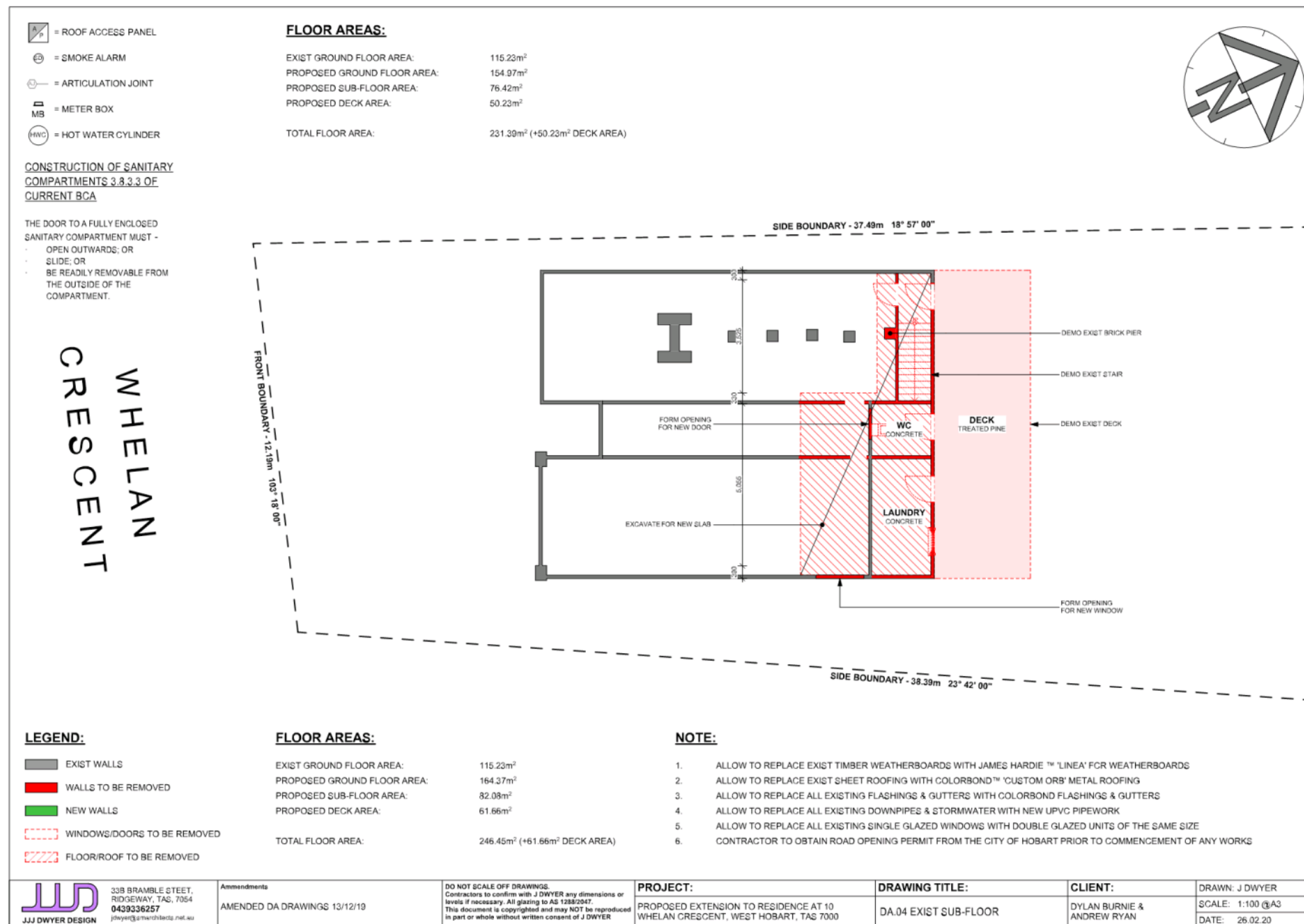
DYLAN BURNIE & ANDREW RYAN

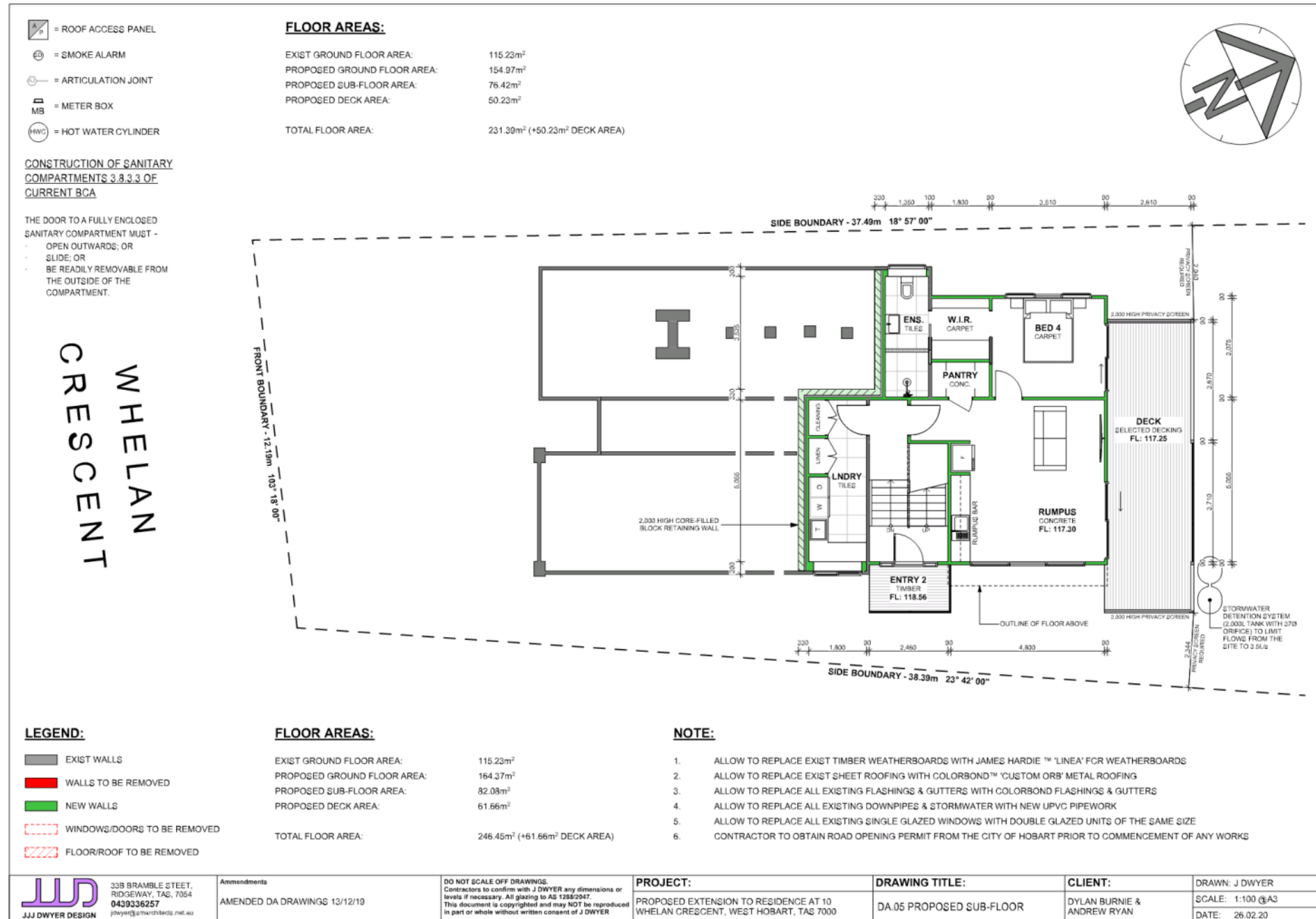
DRAWN: J DWYER

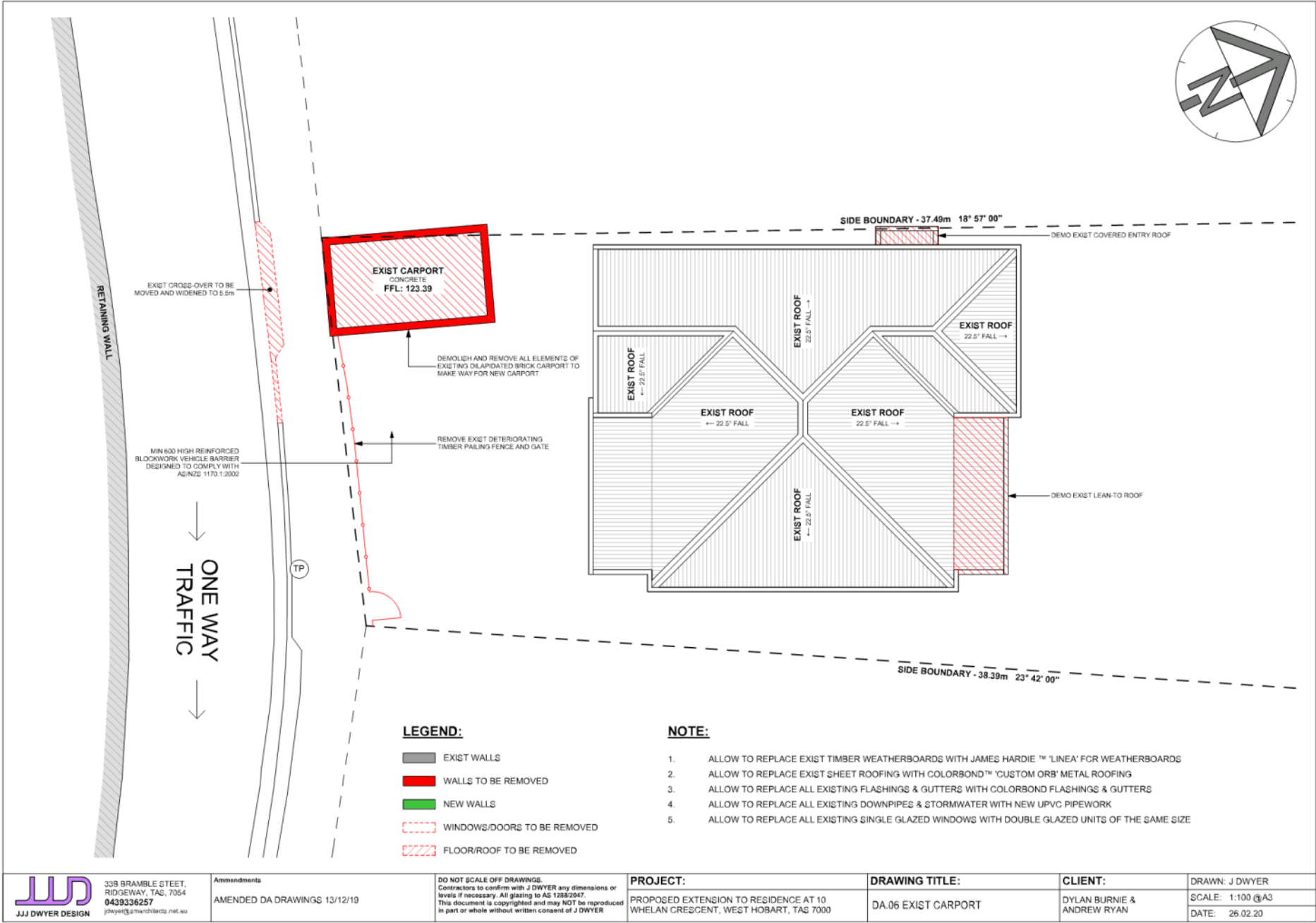
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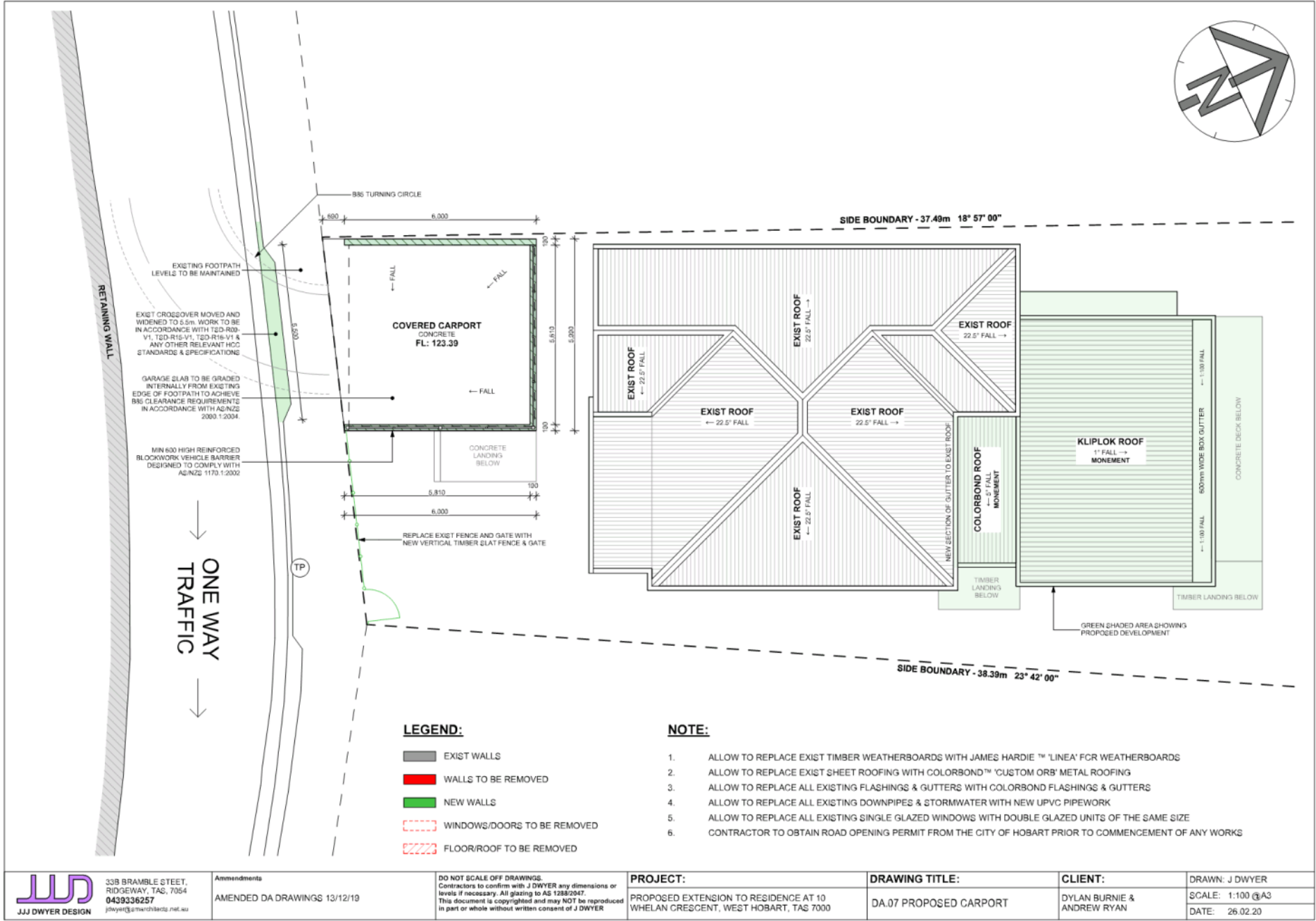


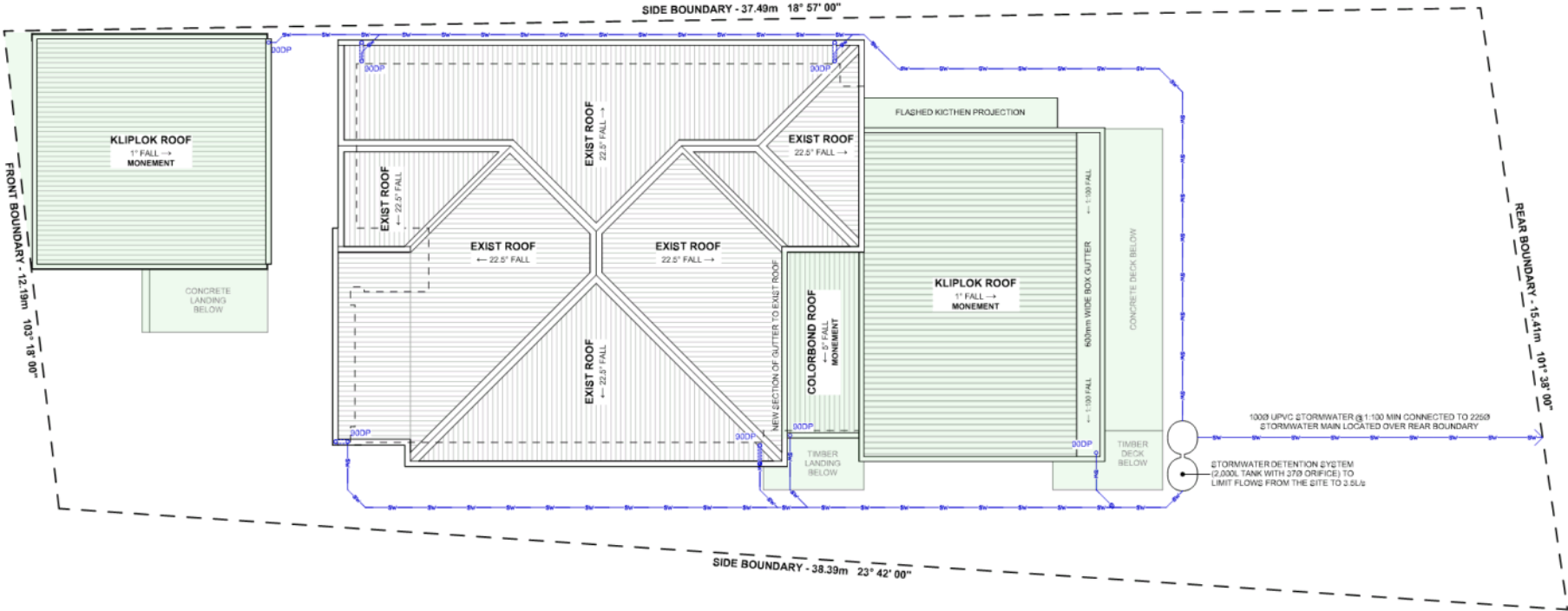









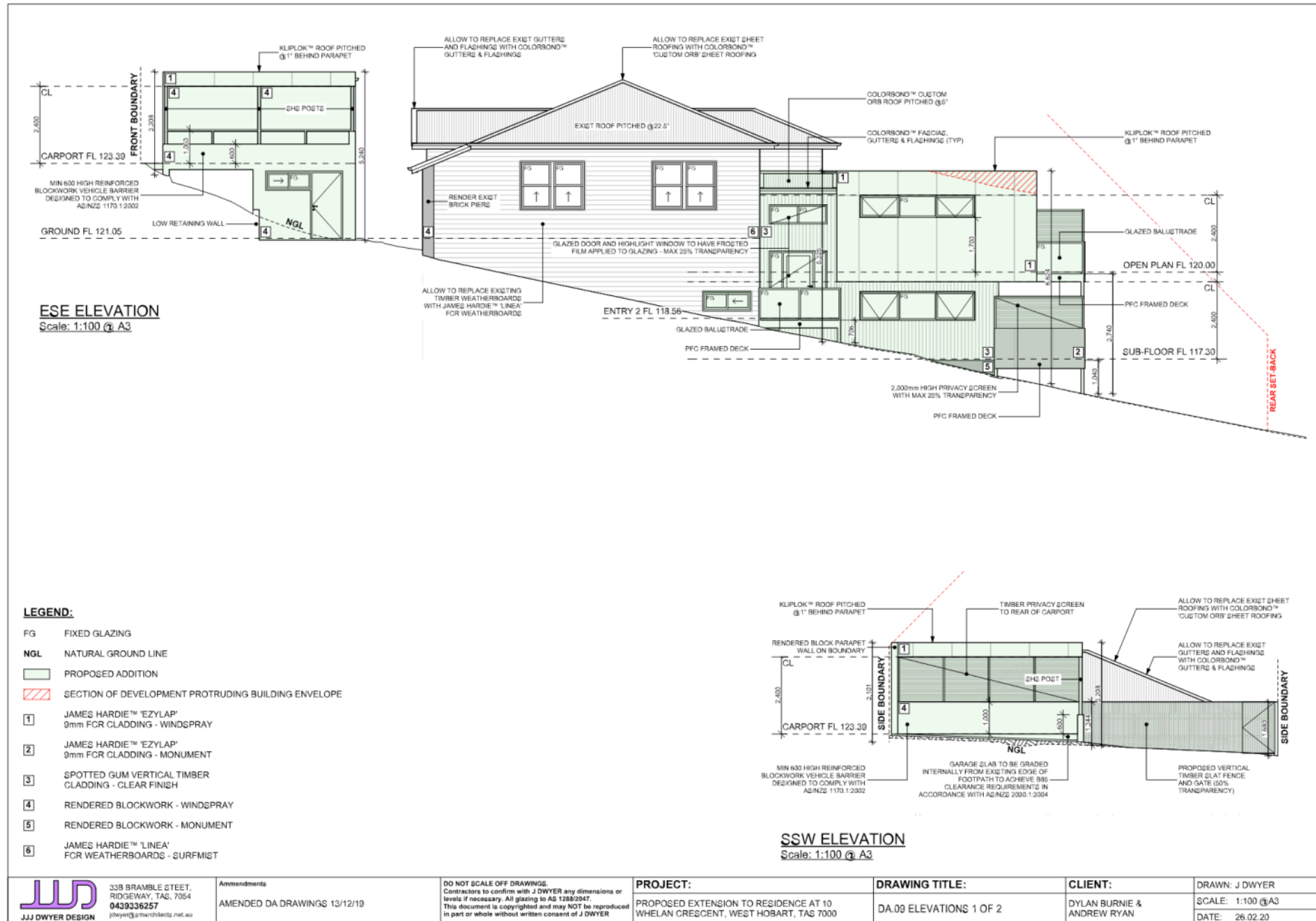


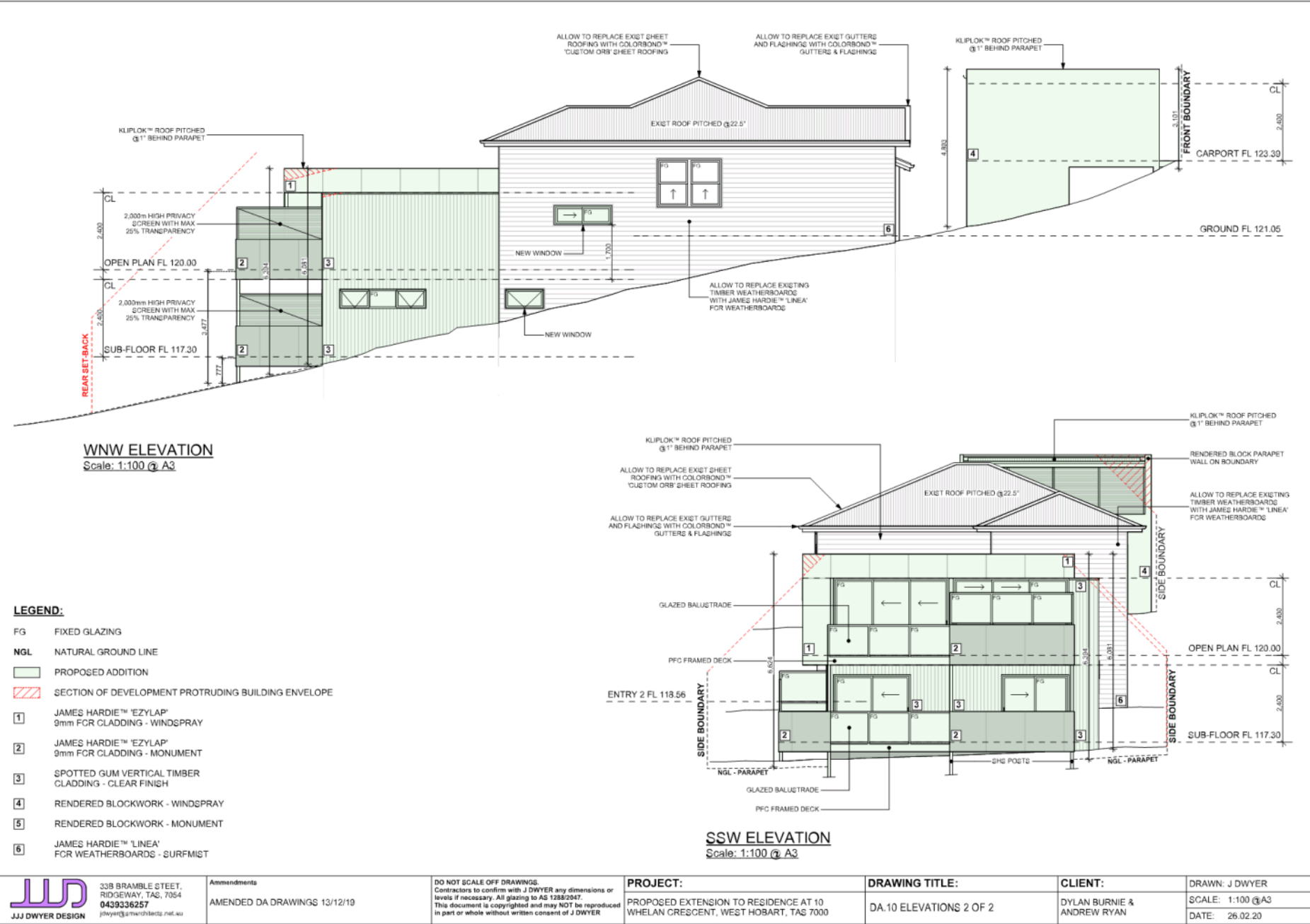


NOTE:

1. ALLOW TO REPLACE EXIST TIMBER WEATHERBOARDS WITH JAMES HARDIE™ 'LINEA' FCR WEATHERBOARDS
2. ALLOW TO REPLACE EXIST SHEET ROOFING WITH COLORBOND™ 'CUSTOM ORB' METAL ROOFING
3. ALLOW TO REPLACE ALL EXISTING FLASHINGS & GUTTERS WITH COLORBOND FLASHINGS & GUTTERS
4. ALLOW TO REPLACE ALL EXISTING DOWNPIPES & STORMWATER WITH NEW UPVC PIPEWORK
5. ALLOW TO REPLACE ALL EXISTING SINGLE GLAZED WINDOWS WITH DOUBLE GLAZED UNITS OF THE SAME SIZE
6. CONTRACTOR TO OBTAIN ROAD OPENING PERMIT FROM THE CITY OF HOBART PRIOR TO COMMENCEMENT OF ANY WORKS

 <p>338 BRAMBLE STREET, RIDGEWAY, TAS, 7054 0439336257 jdwyer@arncliffehobart.net.au</p>	<p>Amendments</p> <p>AMENDED DA DRAWINGS 13/12/19</p>	<p>DO NOT SCALE OFF DRAWINGS. Contractors to confirm with J DWYER any dimensions or levels if necessary. All glazing to AS 1288/2047. This document is copyrighted and may NOT be reproduced in part or whole without written consent of J DWYER</p>	<p>PROJECT:</p> <p>PROPOSED EXTENSION TO RESIDENCE AT 10 WHELAN CRESCENT, WEST HOBART, TAS 7000</p>	<p>DRAWING TITLE:</p> <p>DA.08 ROOF PLAN</p>	<p>CLIENT:</p> <p>DYLAN BURNIE & ANDREW RYAN</p>	<p>DRAWN: J DWYER</p> <p>SCALE: 1:100 @A3</p> <p>DATE: 26.02.20</p>
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SOUTH-EAST VIEW



NORTH-EAST VIEW



NNE VIEW



NNW VIEW



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PROJECT:

PROPOSED EXTENSION TO RESIDENCE AT 10
WHELAN CRESCENT, WEST HOBART, TAS 7000

DRAWING TITLE:

DA.11 3D IMAGES 1 OF 2

CLIENT:

DYLAN BURNIE &
ANDREW RYAN

DRAWN: J DWYER

SCALE: N/A @ A3

DATE: 26.02.20



SERVERY AREA




OPEN PLAN

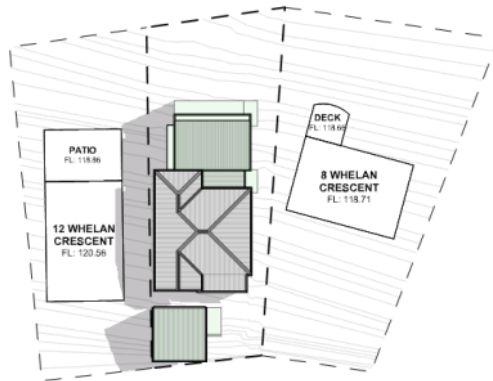


KITCHEN

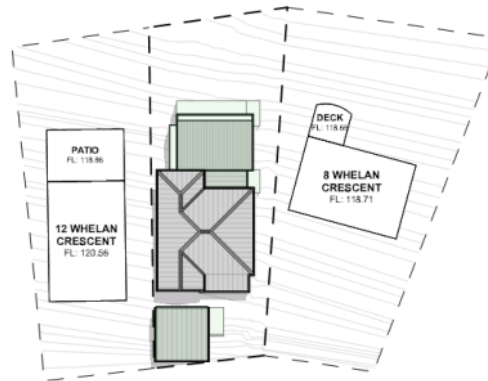


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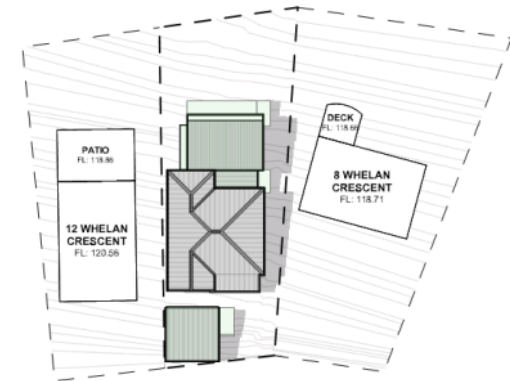
 <p>338 BRAMBLE STEET, RIDGEWAY, TAS, 7054 0439336257 jdwyer@jdwyerdesign.net.au</p>	<p>Amendments</p> <p>AMENDED DA DRAWINGS 13/12/19</p>	<p>DO NOT SCALE OFF DRAWINGS. Contractors to confirm with J DWYER any dimensions or levels if necessary. All glazing to AS 1288/2047. This document is copyrighted and may NOT be reproduced in part or whole without written consent of J DWYER</p>	<p>PROJECT:</p> <p>PROPOSED EXTENSION TO RESIDENCE AT 10 WHELAN CRESCENT, WEST HOBART, TAS 7000</p>	<p>DRAWING TITLE:</p> <p>DA.12 3D IMAGES 2 OF 2</p>	<p>CLIENT:</p> <p>DYLAN BURNIE & ANDREW RYAN</p>	<p>DRAWN: J DWYER</p> <p>SCALE: N/A @ A3</p> <p>DATE: 26.02.20</p>
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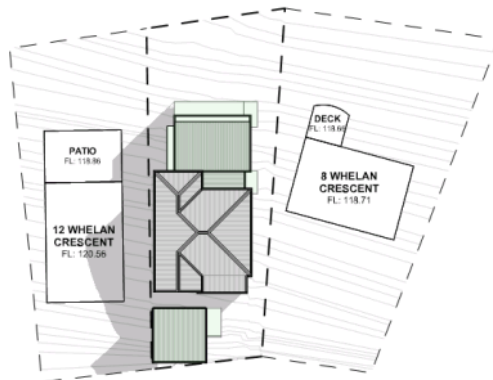
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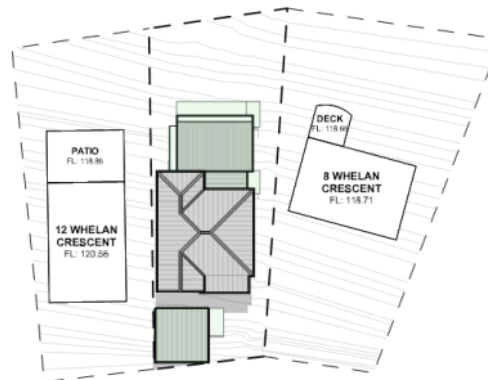
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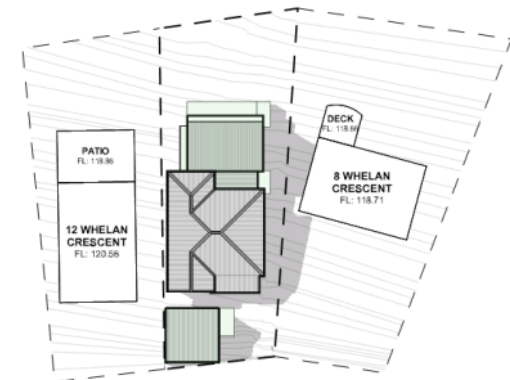
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MARCH 21 - 9am
Scale: 1:500 @ A3



MARCH 21 - 12pm
Scale: 1:500 @ A3



MARCH 21 - 3pm
Scale: 1:500 @ A3



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jdwyer@armchitects.net.au

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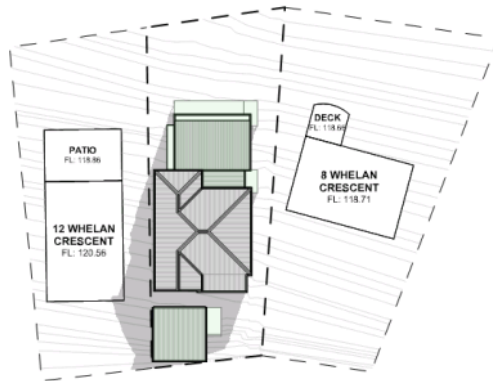
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PROJECT:
PROPOSED EXTENSION TO RESIDENCE AT 10
WHELAN CRESCENT, WEST HOBART, TAS 7000

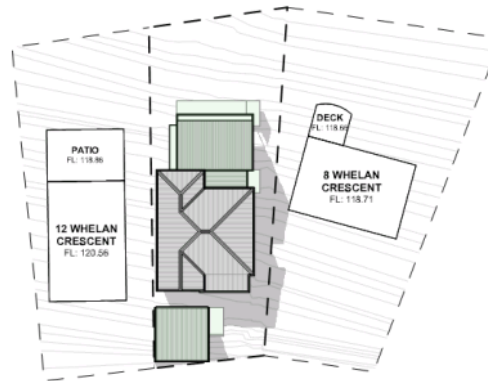
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DA.13 SUN STUDY 1 OF 2

CLIENT:
DYLAN BURNIE &
ANDREW RYAN

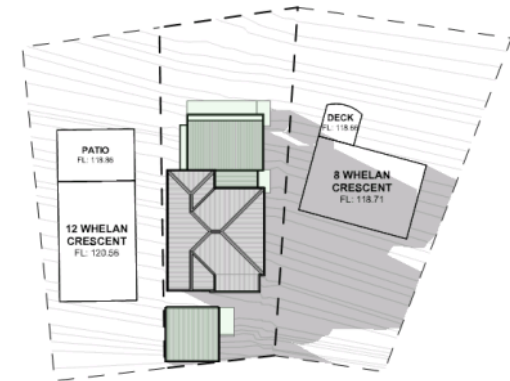
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DATE: 26.02.20



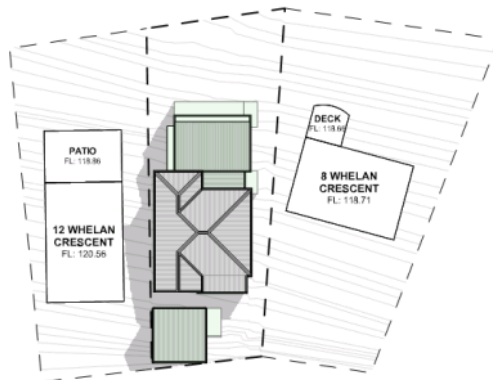
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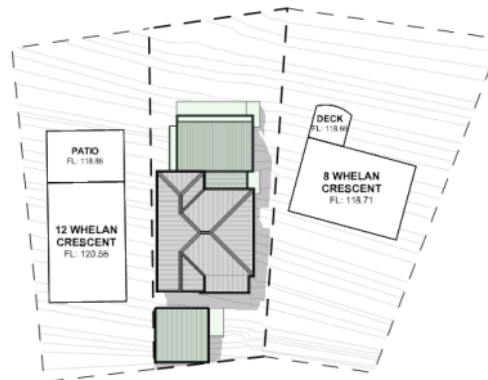
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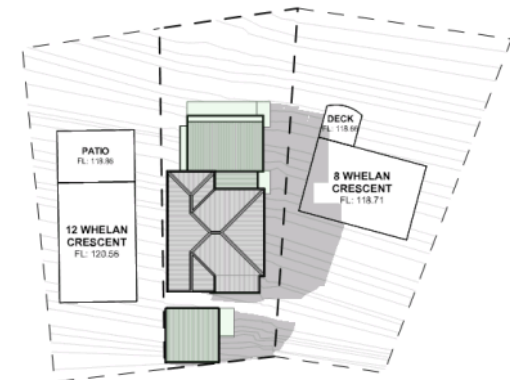
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SEPTEMBER 21 - 9am
Scale: 1:500 @ A3



SEPTEMBER 21 - 12pm
Scale: 1:500 @ A3



SEPTEMBER 21 - 3pm
Scale: 1:500 @ A3



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PROJECT:
PROPOSED EXTENSION TO RESIDENCE AT 10
WHELAN CRESCENT, WEST HOBART, TAS 7000

DRAWING TITLE:
DA.14 SUN STUDY 2 OF 2

CLIENT:
DYLAN BURNIE &
ANDREW RYAN

DRAWN: J DWYER
SCALE: 1:500 @ A3
DATE: 26.02.20



To whom it may concern,

We, Dylan Burnie and Andrew Ryan, give our consent to Jeremiah Dwyer to act as our agent to deal with the Hobart City Council in regards to our Proposed development at 10 Whelan Crescent, West Hobart.

We give permission for Jeremiah to lodge the Planning Application, as well as the Applications for Building and Plumbing Permits on our behalf.

Signed  

Dylan Burnie & Andrew Ryan

25/06/2019

**JJJ DWYER DESIGN**

0439336257

jdwyer@smarchitects.net.au

To whom it may concern,

Please accept this proposal for additions and renovations to the residence at 10 Whelan Crescent, West Hobart:

Proposed Development includes removing the existing single car garage located on the front boundary and replacing it with a new open carport for two vehicles:

The existing blockwork garage is 2,680mm high and 3,090mm wide.

The existing carport is rather derelict and too small to safely park my client's work vehicle. It also is built slightly over the neighbouring boundary (12 Whelan Crescent).

Aside from creating more parking spaces on a very tight street, the main reason for the proposed new carport is to act as an area for materials deliveries and space for subcontractor vehicles to park during construction.

One of the main challenges highlighted for this development will be site access as Whelan street is very tight, with a lot of parked cars.

Therefore, an area of off-street parking will be essential to minimise the potential inconvenience that work vehicles and materials deliveries could have on the residents of Whelan Crescent.



Fig. 1: Existing garage on front boundary at 10 Whelan Crescent

The proposed open carport is to be built at the same FFL as the existing, and with the core-filled blockwork parapet wall on the boundary being 3,000mm above the slab, it is only 320mm higher than existing one.

**JJJ DWYER DESIGN**

0439336257

jdwyer@smarchitects.net.au

Although the proposed carport is to be wider to accommodate multiple vehicles, the fact that it will be open on 3 sides (excepting the parapet wall on boundary) will effectively reduce the feeling of mass on the front boundary than what the current closed brick garage does.

HCC Interim planning scheme Clause 10.4.2 Performance criteria 2 (P2) states:

'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.'

The neighbouring properties of 10 Whelan Crescent all have some form of Carport/garage on their front boundary.

This is because the land of all the properties on the bottom side of Whelan crescent slope sharply away from the road and therefore need to build carports/garages hard on the boundary to get any off-street parking.



Fig. 2: Garages on property front boundary (12 & 14 Whelan Crescent)



Fig. 3: Garage and double carport on property front boundary (8 Whelan Crescent)

**JJJ DWYER DESIGN**

0439336257

jdwyer@smarchitects.net.au



Fig.4 Garages on property front boundary (6 & 4 Whelan Crescent)

As displayed in Fig. 2, 3 and 4 you can see that garages/carports on the boundary are the norm for bottom side of Whelan Crescent.

It is with this in consideration, as well as the obvious practical and logistical implications, that I believe that the proposed carport satisfies the HCC Interim planning scheme Clause 10.4.2 Performance criteria 2 (P2).

Yours sincerely,

Jeremiah Dwyer Principal – JJJDwyer Design

BEnvDes, CPP50911 Diploma of Building Design

**RESULT OF SEARCH**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 57809	FOLIO 41
EDITION 5	DATE OF ISSUE 14-Jun-2018

SEARCH DATE : 25-Jun-2019

SEARCH TIME : 01.11 PM

DESCRIPTION OF LAND

City of HOBART

Lot 41 on Plan 57809 (formerly being P773)

Derivation : Part of 9A-1R-36Ps. Gtd. to J. Bowden.

Prior CT 2758/1

SCHEDULE 1

M641891, M693429 & M695263 TRANSFER to ANDREW PETER WILLIAM
RYAN and DYLAN ROYCE BURNIE as tenants in common in
equal shares Registered 14-Jun-2018 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
E136802 MORTGAGE to Commonwealth Bank of Australia
Registered 14-Jun-2018 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

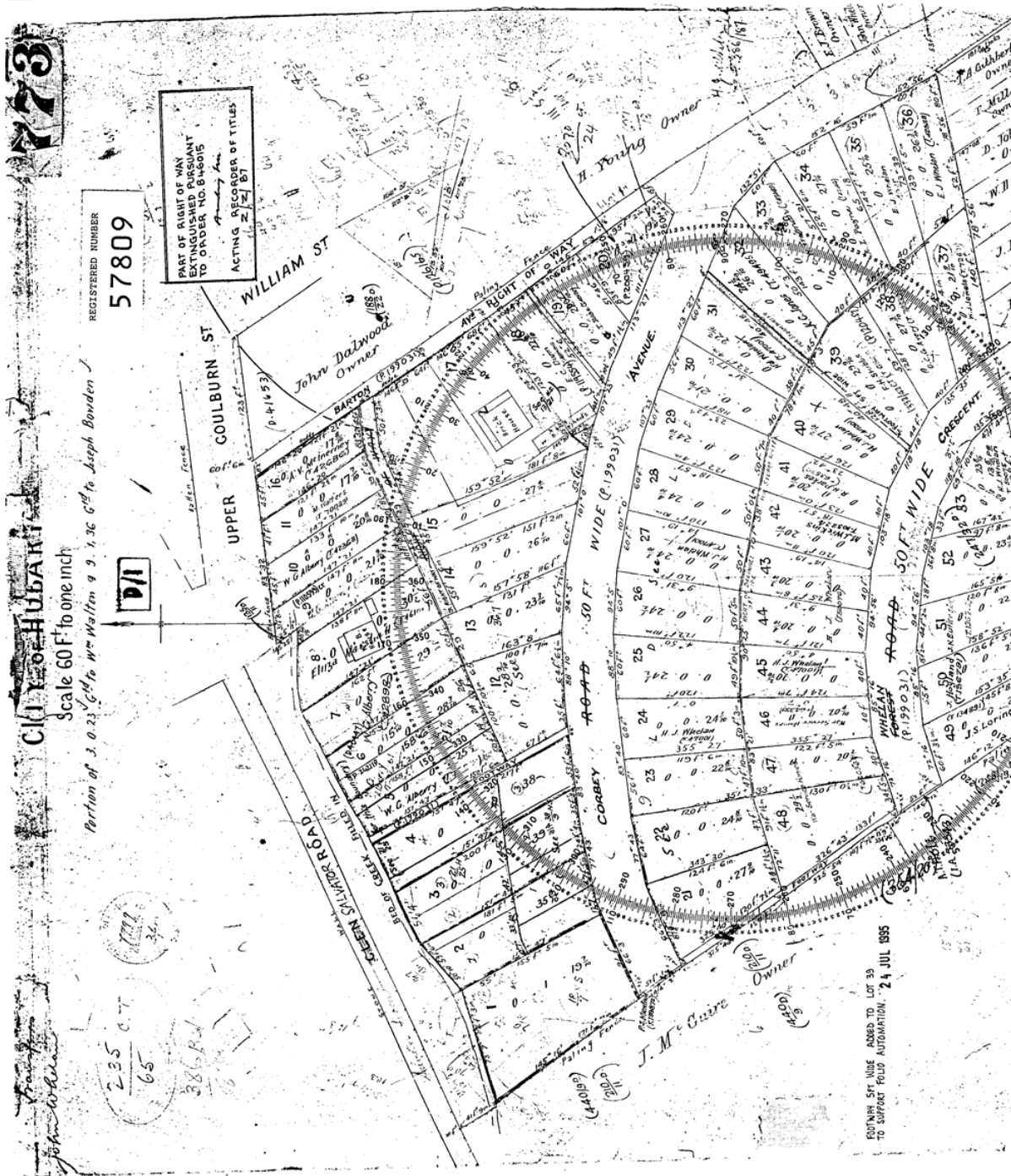
No unregistered dealings or other notations



FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

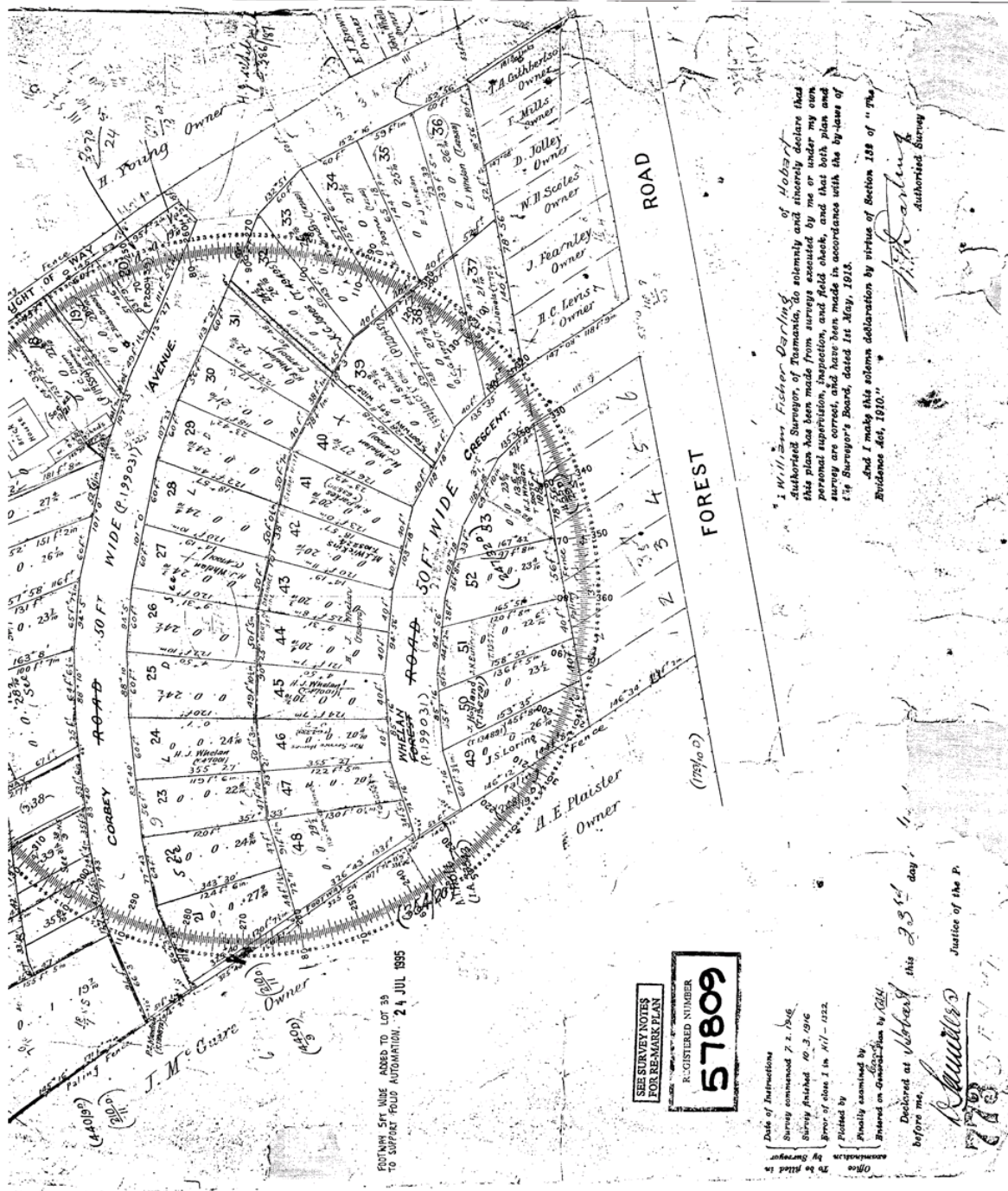




FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**7.1.2 18 ABERDEEN STREET, GLEBE AND ADJACENT ROAD RESERVE
- DRIVEWAY AND ASSOCIATED INFRASTRUCTURE
PLN-18-536 - FILE REF: F20/56652**

Address: 18 Aberdeen Street, Glebe and Adjacent Road Reserve

Proposal: Driveway and Associated Infrastructure

Expiry Date: 2 July 2020







Extension of Time: Not applicable

Author: Michaela Nolan

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for driveway and associated infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.14 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the driveway is not in accordance with the requirements of the road authority.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it includes the demolition of landscape elements and vegetation that contribute to the historic cultural heritage significance of the precinct.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it includes works that would result in detriment to the historic cultural heritage significance of the precinct.

- Attachment A: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000  Planning Committee or Delegated
Report ↓
- Attachment B: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000 -CPC Agenda Documents ↓ 
- Attachment C: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000 - Planning Referral Officer Cultural
Heritage Report ↓ 
- Attachment D: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000 - Referral Officer Report - Development
Engineering Report ↓ 
- Attachment E: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000 - Documentation for General Manager
Consent ↓ 
- Attachment F: PLN-18-536 - 18 ABERDEEN STREET GLEBE
TAS 7000 - TasWater SPAN ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 2 July 2020
Application No: PLN-18-536
Address: 18 ABERDEEN STREET , GLEBE
ADJACENT ROAD RESERVE
Applicant: David Reid
18 Aberdeen Street
Proposal: Driveway and Associated Infrastructure
Representations: Twenty One (21)
Performance criteria: Parking and Access Code, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation.
- 1.2 More specifically the proposal includes:
- A Driveway from Aberdeen Street to the rear of 18 Aberdeen Street over the adjoining road reservation of Lovett Street.
 - Provision within the driveway design to allow future access to a vacant lot on Lovett Street.
 - A car parking space at the rear of 18 Aberdeen Street and access for recreational equipment, service access and firewood.
 - New stormwater drainage from the existing house at 18 Aberdeen Street and the proposed driveway on Lovett Street. The stormwater infrastructure would extend down to connect to an existing stormwater main at the Bayley Street end of Lovett Street.
 - Removal of five trees on Lovett Street.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Parking and Access Code: Access to a Road

- 1.3.2 Historic Heritage Code: Demolition, Buildings and Works Other than Demolition
- 1.4 Twenty one (21) representations objecting to the proposal were received within the statutory advertising period between .
- 1.4 No representations were received during the statutory advertising period between 11 May 2020 and 25 May 2020.
- 1.5 The proposal is recommended for refusal.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The subject site is located in an established residential area on the south-west side of Aberdeen Street, opposite the intersection with the Upper Domain Road. The site includes 18 Aberdeen Street which has an existing single dwelling and the adjoining undeveloped road reservation of Lovett Street which extends between Aberdeen Street and Bayley Street.



Figure 1: location of the subject site at 18 Aberdeen Street (outlined in blue) and the adjacent road reservation of Lovett Street (outlined in red).



Figure 2: the subject site at 18 Aberdeen Street (outlined in blue) and the adjacent road reservation of Lovett Street (outlined in red).

3. Proposal

- 3.1 Planning approval is sought for Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation.
- 3.2 More specifically the proposal is for:
- A Driveway from Aberdeen Street to the rear of 18 Aberdeen Street over the adjoining road reservation of Lovett Street.
 - Provision within the driveway design to allow future access to a vacant lot on Lovett Street.
 - A car parking space at the rear of 18 Aberdeen Street and access for recreational equipment, service access and firewood.
 - New stormwater drainage from the existing house at 18 Aberdeen Street and the proposed driveway on Lovett Street. The stormwater infrastructure would extend down to connect to an existing stormwater main at the Bayley Street end of Lovett Street.
 - Removal of five trees on Lovett Street.

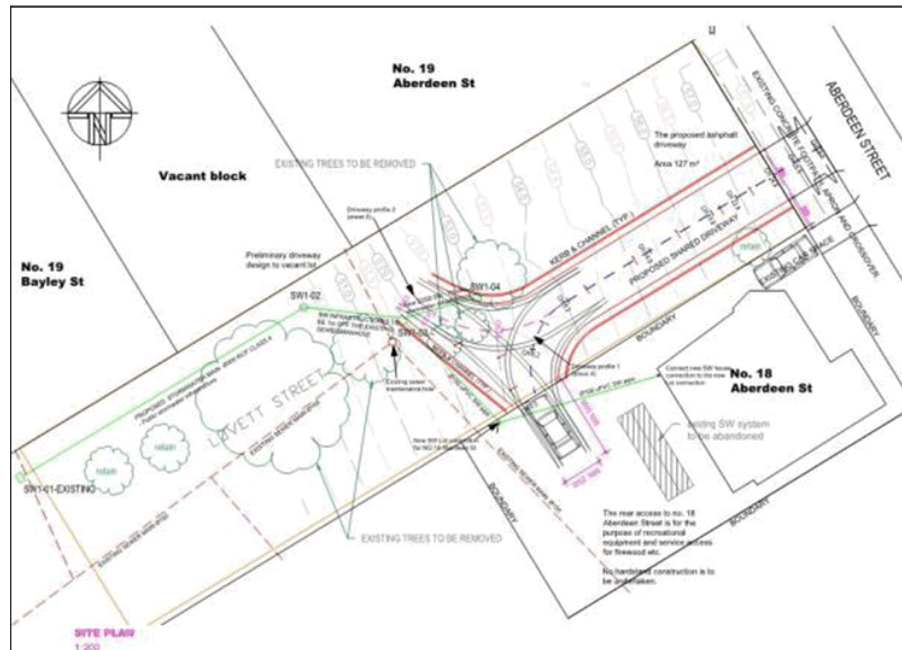


Figure 3: the proposed development at 18 Aberdeen Street, and Lovett Street, Glebe.

4. Background

- 4.1 The application is the result of enforcement action. A gravel driveway was constructed over Lovett Street which lead from Aberdeen Street to the rear of 18 Aberdeen Street without the required approvals from the Council. The location of the gravel driveway can be seen in the aerial image below.



Figure 4: aerial image of Lovett Street, showing the driveway that has been constructed to access the rear of 18 Aberdeen Street.

- 4.2 Discussions and meetings were held between the applicant and Council officers during the application process to explain and clarify the information required to meet further information requests.

5. Concerns raised by representors

- 5.1 Twenty one (21) representations objecting to the proposal were received within the statutory advertising period between 11 May 2020 and 25 May 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.

Owners of the land	
•	The land is owned by the Trustees of the Diocese of Tasmania.
•	Managed by the Hobart City Council as a 'green road'.
•	The land is known as Lovett Street, however it is undeveloped and is a green space within Glebe.
•	The land acts as public open space.
•	The plans appear misleading as the driveway is wholly on Lovett Street not on 18 Aberdeen Street. This land is not owned by the applicant.

•	Concern that the owners of the land have not given approval for the development.
•	Question who will own the land after construction of the driveway and is the land going to be sold.
•	There should have been consultation with the residents of Glebe.
•	An understanding that Lovett Street had been gifted to the Hobart City Council to be retained in trust for the whole Glebe community, not just one or two residents.
•	Consent of the General Manager should not be taken as endorsement of the proposal.
•	Concern that many residents of Glebe would be unaware that Lovett Street was gifted and held in trust by the Council.
•	Question whether the land will continue to be held in trust or will it be gifted to the applicant.
•	What would be the public liability for future users of the land or will it be closed off.
•	Will there be any compensation to the Glebe Community for loss of amenity.
•	The applicant has not told the owners of the land that they were making the application and as such do not comply with S52.1 of LUPAA 1993.
•	There is no indication that the owners of the land have given consent. There should also be details of public liability and responsibility for repair to infrastructure during development and its on-going use.
Privatisation of public land	
•	The development would provide personal and private benefit to one individual while removing an asset from the community.
•	The development would act as subdivision of Lovett Street as part of it would be for private use.
•	Concern that there would be a precedent for development of houses on Lovett Street in the future.
•	Concern that there would be a precedent for development to happen on public land elsewhere in the municipality.
•	This development would increase the value of 18 Aberdeen Street at the expense of other neighbouring properties.
•	Concern that Lovett Street may become private land through 'active use arguments' Can there be a future claim for vacant possession of the land if this development goes ahead.
•	The applicant has no right to use public land for personal use.

• Lovett Street should be left undeveloped and accessible to the whole community, not just one resident.
• If this development is approved, can anyone claim vacant land to develop.
• A private driveway is not an appropriate use of public land.
• The existing gravel driveway would not comply with current standards and as such is seeking approval to construct a road on the site.
• It appears as though the Bayley Street end of Lovett Street is also being used as a private garden with trees, a compost heap, and path being established.
Use of land for the community
• Lovett Street is a feature of Glebe and has been for a long time.
• The land should be used for community purposes with the owner's permission.
• There should be community consultation before there is any development of Lovett Street.
• Lovett Street should be used for a community garden or a park with seats installed for everyone to enjoy the views
• Many residents are physically unable to walk the tracks of the Domain. Lovett Street is more accessible green space.
• Green space should be increased in suburbs. They moderate temperature, protect from wind and reduce health costs. Green spaces also reduce the impact on stormwater systems by slowing water flow and reducing soil erosion. They also absorb carbon dioxide and provide habitat for wildlife.
• Lovett Street is currently a safe place for children to play and to walk dogs.
• The appeal of Lovett Street as open space will be lost with the development of a private driveway.
• The possibility of a community garden on Lovett Street was raised with council previously. Advice was given that the space would need to be rented. Would the owner of the driveway also have to pay rent.
• The green space created by Lovett Street connects Glebe with the Domain. Development of the site would destroy that connection.
• The Hobart City Council should either leave the land as it is with better signage as a reserve, improve it as public open space with signage, a garden and footpath, or sell it at market value with funds raised to enhance other public spaces in Glebe.

Heritage
<ul style="list-style-type: none"> • Living in Glebe comes with a need to accept the heritage limitations and many places don't have off-street parking or vehicle access to the rear. • Lovett Street is an integral part of the Glebe Heritage Precinct and has been undeveloped for more than 130 years. • If approved it would send a message that there was less value placed on remnant public land within a heritage precinct and undermines the principles in the meaning of the heritage precinct. • The development is not consistent with the heritage values and character of the Glebe. • The Glebe Heritage Precinct is significant for two reasons; the three sections of land granted to church groups and the garden setting of properties and parkland spaces providing connection to the domain. These are unique to Glebe and not found anywhere else. • Lovett Street is part of the first street layout and represents part of the earliest planned residential developments. It has remained unchanged and undeveloped since the late 1800s. It provides a link to the earliest days of the suburb. • The heritage importance of the undeveloped parkland nature of Lovett Street is as important to Glebe as the buildings. • The development must comply with the development standards for heritage precincts under E13.8 of the planning scheme. • There would be damage to and destruction of historical landscaping and the removal of trees, these features contribute to its heritage significance. Accordingly the development must meet the performance criteria for demolition in a heritage precinct. The development would not meet the performance criteria or the exceptions for demolition in a heritage precinct as it would benefit only the residents of 18 Aberdeen Street and possibly 19 Bayley Street at the expense of the whole community. • The development would take over a quarter of the parkland and sever Lovett Street's natural connection to the Domain. • Lovett Street should be recognised as a reserve. • Present day Glebe appears similar to photographs of 1800's Glebe. • The development must comply with E13.8.2 Buildings and Works other than Demolition. • The development would take up over a quarter of Lovett Street and would dissect and privatise one of Glebe's key parklands.

•	Table E13.2 lists the Glebe as having parkland spaces and that these connect the suburb with the Queens Domain. The proposed development would not be consistent with this.
•	The development does not comply with E13.8.2.P1 or P5. It does not comply with P1 as the development would be detrimental to the heritage significance of the heritage precinct. It has heritage significance in its own right and as part of the precinct. It does not comply with P5 because of the removal of landscaping which contributes to the streetscape values and character of Glebe.
•	The size of the driveway will make Lovett street appear to be part of 18 Aberdeen Street.
•	The destruction caused by the illegal driveway will be intensified because the new driveway will have to comply with standards. It will be wider and broader with kerbing.
•	The Council has the power to enforce the removal of the current unapproved driveway.
•	The existing illegal development and the proposed further development are not sympathetic to the character of the glebe heritage precinct.
•	The design and siting of the existing and proposed works result in detriment to the historic cultural heritage significance of the glebe heritage precinct
•	The existing and proposed works involve the removal of areas of landscaping between a dwelling and the street (Lovett Street). This removal results in the loss of elements of landscaping that contribute to the historic cultural significance streetscape values and character of the glebe heritage precinct
•	The development is effectively a subdivision of Lovett Street with separate interests over it.
•	The occupants of 18 Aberdeen could claim a right of occupation. Thus could be by easement, license or other grantor formal lease agreement.
•	One of the key elements of the Glebe heritage precincts significance is its parkland spaces. These are important and reinforce the precincts connection with the Queen Domain. The Lovett street parkland block is one such example and has survived surrounding development intact for over a century.
•	Confusion as to how there can be such development on land not just not owned by the applicant, but reserve land. Particularly one with heritage value that should be protected but the planning scheme.

•	If Lovett Street remaining as undeveloped parkland for over a century cannot be considered as a significant feature of the glebe heritage precinct worthy of protection, then code 13.8 of the scheme operates as little more than window dressing
•	Future development to connect to the vacant lot would further detract from the heritage significance of Lovett Street.
•	The Lovett Street parkland block is an indelible feature of the Glebe and has remained undeveloped for over a century. Its positive impact on the streetscape and townscape is highly valued by the community. The Public Notice for this application identified Lovett Street as an 'adjacent road reserve'. That is exactly how the community regards it: a street that should be reserved as parkland. The Hobart Interim Planning Scheme 2015 has clearly defined measures to protect Lovett Street, and application PLN-18-536 should be refused. Furthermore, the existing illegal works to the Lovett Street parkland site should be removed and remedied.
Roads and parking	
•	The driveway would need to comply with highway and drainage requirements so would become a permanent piece of sealed road.
•	The development would make it difficult for any other adjoining lots to apply for a similar driveway. This could lead to adjacent driveways with channels and kerb.
•	Will the costs of the compliant crossover constructed by the council be recovered from the applicant.
•	Who will be responsible for the new driveway.
•	Will access and right of way be impacted.
•	The driveway with Kerbing restricts public right to walk freely across Lovett Street.
•	The construction of the driveway will impede future development of Lovett Street as a road, or for other uses such as park, open space or playground.
•	Who is sharing the driveway and who will have access to and be able to use both arms of the driveway. Will other properties adjoining Lovett Street be able to access the rear of their properties over the driveway.
•	Parking is already difficult in Aberdeen Street. The removal of on-street car parking with the construction of the crossover in the recent road upgrades has exacerbated the problem.
•	Car parking demand is high from residents with more than one car, commuters and AirBnB's.

•	18 Aberdeen Street already has off street car parking.
•	In addition to the off street car parking space, the resident can access two residential parking permits. The additional parking spaces provide more car parking to 18 Aberdeen Street at the cost of on-street car parking to all residents of Glebe.
•	If this application is not approved, the existing crossover should be removed. If the application is approved will the cost of the crossover be recovered from the applicant.
•	Limited car parking is a trade-off for the proximity of Glebe to the city and the Domain.
•	Both properties already have off street car parking.
•	Many properties in Glebe have no vehicle access to their back yard. Why should this access, with a significant increase in property value, be provided to one or two residents at the cost of permanent loss of what is now effectively community land.
•	There is not infrastructure for the parking of vehicles at the rear of 18 Aberdeen Street and it appears that there is no intention to build any.
•	There appears to be little intention to build parking infrastructure at the rear of 18 Aberdeen Street. Concern that the green space of Lovett Street is being removed for a driveway that would get little use.
The vacant lot	
•	There is no preliminary driveway design for access to the vacant lot.
•	The vacant lot is not vacant, it is used by and contains the garden of the adjoining property at 19 Bayley Street.
•	Concern that the plan states that the driveway would provide future access to the vacant lot. However the plans as submitted do not allow for this access as it does not align with that property. The design would not allow for a driveway that would reach the lot.
•	The vacant lot is part of the adjoining lot at 19 Bayley Street which has car parking. Therefore there is no justification for the Council to provide access to this lot. Access to this lot should be through 19 Bayley Street.
Tree removal	
•	There should be no removal of trees on Lovett Street.
•	The application would destroy green space and remove topsoil.
•	The trees are an important part of Lovett Street and Glebe as a whole.

<ul style="list-style-type: none"> The large chestnut tree would not survive construction of the driveway. This tree is estimated to be 20 years old, however it appears older than this. Can the age of the tree be verified.
Illegal use of the land
<ul style="list-style-type: none"> The applicant has already constructed an illegal gravel driveway on Lovett Street. Lovett Street is already being illegally used by the applicant to store a boat on a trailer, firewood and rubbish bins. These illegal uses of the land have already damaged the integrity of the site as public land and made it appear as private land. The boat that is parked on Lovett Street should be required to be moved.

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 at 18 Aberdeen Street is single dwelling. The proposal is for development only, there would be no change of use and no intensification of the existing use. The existing use is a no permit required use in the zone. Lovett Street is an undeveloped lot that is part of the road reservation as a 'green road'. It is informally used for passive recreation.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 11 Inner Residential Zone
 - 6.4.2 E5.0 Road and Railway Assets Code
 - 6.4.3 E6.0 Parking and Access Code
 - 6.4.4 E7.0 Stormwater Management Code

6.4.5 E13.0 Historic Heritage Code

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

6.5.1 Parking and Access Code:

Access to a Road - Part E6.7.14.P1

6.5.2 Historic Heritage Code:

Demolition - Part E13.8.1.P1

Buildings and Works Other than Demolition - Part E13.8.2.P1

- 6.6 Each performance criterion is assessed below.

6.7 Access to a Road - Part E6.7.14.P1

- 6.7.1 The acceptable solution at clause E6.7.14 requires access to a road to be in accordance with the requirements of the road authority.
- 6.7.2 The proposal includes a driveway on land that is shown as highway on the Municipal Map.
- 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 There is no performance criterion at clause E6.7.14.P1.
- 6.7.5 The application was referred to the Council's Development Engineer and Acting Manager Roads and Capital Works for assessment.
- 6.7.6 The Council's Acting Manager Roads and Capital Works has provided the following comments on behalf of the Council's as a road authority:

The proposal involves construction of a private driveway over Council land currently shown as highway on the municipal map.

It is acknowledged that the applicant has gone to significant lengths to provide a design which shows that a suitable driveway can be constructed. However, the construction of a private driveway presents challenges that may not be overcome regardless of whether planning approval is granted:

- Ongoing maintenance of the driveway would be a private responsibility, however the land is currently a green road and would need to be 'downgraded' to yellow on the municipal map or closed entirely. Both of these are subject to contest by other parties.
- Any future highway construction is made more expensive by the need to demolish or modify the infrastructure that is proposed.
- The amenity of other potential users of the land is impacted for private gain.
- The land is on a consideration list for construction as a public walkway. This may be made more difficult by the proposed works.

The proposed driveway is not to the satisfaction of the road authority and should be refused.

- 6.7.7 The Council's Development Engineer has provided the following assessment against the requirements of the planning scheme and in accordance with the recommendation of the Council's Acting Manager Roads and Capital Works:

The proposal does not meet the acceptable solution with respect to clause 6.7.14 A1 of the Hobart Interim Planning Scheme 2015 because the access to a road must be in accordance with the requirements of the road authority. Council is of the opinion that the access to the road should not be supported in its current configuration.

Therefore, in a council related engineering context, the proposal cannot be supported.

- 6.7.8 The officer's report is provided as an attachment to this report.

- 6.7.9 The proposal does not comply with the performance criterion.

6.8 Historic Heritage Code: Demolition - Part E13.8.1.P1

- 6.8.1 There is no acceptable solution for demolition within a heritage precinct.

- 6.8.2 The proposal includes demolition in the form of tree removal and works within Heritage Precinct G1.

- 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 E13.8.1.P1 provides as follows:

Demolition must not result in the loss of any of the following:
(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;
(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;
unless all of the following apply;
(i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
(ii) there are no prudent or feasible alternatives;
(iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.

- 6.8.5 The proposal was referred to the Council's Cultural Heritage Officer who has provided the following assessment

A number of representations raised concerns related to the removal of vegetation on the site. It is considered that the proposed demolition, excavation and subsequent development will significantly impact the way Lovett Street currently contributes to the heritage precinct, as an early street that has remained undeveloped as an informal parkland space since the 1890s (see figure 1.). Lovett Street contributes to the Glebe townscape, and facilitates a link to the Queens Domain. The statements of significance for the Glebe include; 4. 'The garden settings of properties and parkland spaces are important and reinforce the precinct's connection to the Queens Domain.' The demolition of trees, vegetation, and landscape elements of Lovett Street would stand in direct contrast to this statement. The proposed development on Lovett Street would sever the visual continuity of park space, greenery, and gardens leading up to the Queens Domain.

The asphalt driveway, and associated gutters, kerbing, and channeling proposed on the site has a surface area of 127 m², and will encompass approximately half of the upper portion of Lovett Street. It is considered that the demolition of landscape elements and vegetation to allow for the development of a private asphalt driveway will result in the loss of the historic cultural heritage

significance of the precinct. The effective demolition of the current landscape and proposed hard surfacing of a large section of the site for a private driveway, will obstruct and prevent Lovett Street to carry on its traditional and intended function of providing open pedestrian access between Bayley and Aberdeen Street. Performance Criteria 1 of E13.8.1 is not satisfied.

6.8.6 The officer's report is provided as an attachment to this report.

6.8.7 The proposal does not comply with the performance criterion.

6.9 Historic Heritage Code: Buildings and Works Other than Demolition - Part E13.8.2.P1

6.9.1 There is no acceptable solution for building and works in a heritage precinct.

6.9.2 The proposal includes works within Heritage Precinct G1.

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 E13.8.2.P1 provides as follows:

Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.

6.9.5 The proposal was referred to the Council's Cultural Heritage Officer who has provided the following assessment

The street layout and readable pattern of development of The Glebe is significant for its three distinct sections land grants to the Trinity Parish of the Anglican Church, the Presbyterian Church, and The Catholic Church. This is enforced through the 1st statement of significance for the Glebe 1 Heritage Precinct; 'The precinct demonstrates the three distinct sections of land granted to church groups which were leased and developed initially, in the 1880s and 1890s by the Anglican and Presbyterian Churches.' These two Anglican and Presbyterian land grants provide a setting of steep streets and tightly positioned dwellings that provide high levels of articulation, and deliver backdrop views for West, North, and Central Hobart.

The Glebe 1 Heritage Precinct retains a strong street and original subdivision pattern that remains highly intact to the present day. These historic streets should remain physically and visually accessible as thoroughfares. The proposal of a private driveway and associated infrastructure such as guttering, kerbs, and channeling, on what has been part the 'public realm' for over 140 years would diminish the historical links of the original street layout and early development pattern of the precinct. Lovett Street has long formed an important element of the Glebe Heritage Precinct and is visible in early photographs of the Glebe (see fig.1) and appears on early maps of the area (see figs 2, 3 and 4). It is deemed that the proposed works will result in detriment to the historic cultural heritage significance of the Glebe Heritage Precinct. It is considered that the early street layout and historical pattern of development would be obstructed and diminished through the development of private infrastructure on Lovett Street.

A number of representations state that; 'Living in Glebe means accepting the heritage limitations of the area, including the fact that many residences do not have off-street parking or vehicle access to the rear of properties.' The 1890s subdivision pattern for Glebe was established well before the era of mass car ownership, with many Glebe residences being constructed without the provision for off street parking. 18 Aberdeen Street is one such residence and its historical layout is to have a narrow street frontage with no intended provision or capacity for vehicle access to the rear of the property. It should be noted that 18 Aberdeen Street currently has one car parking space located at the front of the residence. The fact that 18 Aberdeen Street is located directly adjacent to Lovett Street should not mean that this allows 18 Aberdeen vehicle access to its rear yard. Large driveways and asphalt surfacing are not consistent with the historic streetscape and the heritage values and character of Glebe. The development would result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2. Performance Criteria 1 of E13.8.1 is not satisfied.

In conclusion the proposed works do not satisfy the relevant provisions of the Historic Heritage Code E13 of HIPS 2015.



Fig 1 Below: c.1895 Photograph taken from Knocklofty looking to the Glebe, Lovett Street outlined in red. (Image source: AOT NS1013-1-996)

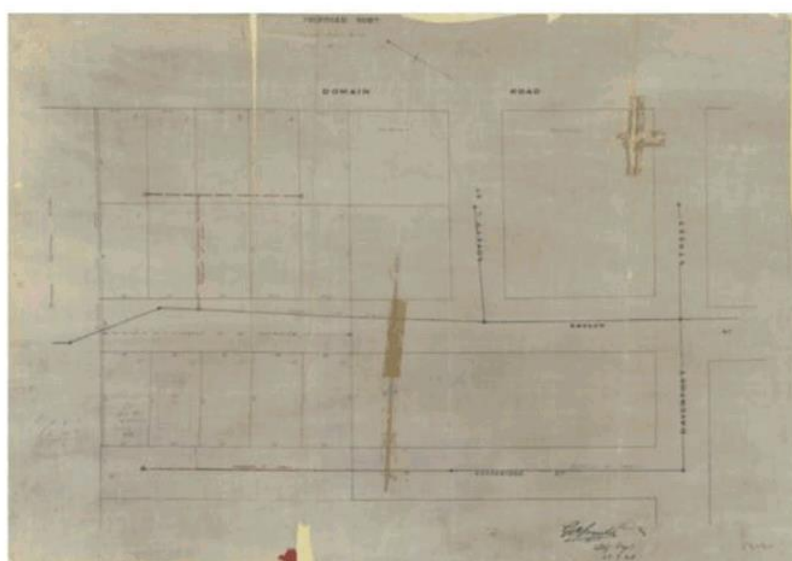
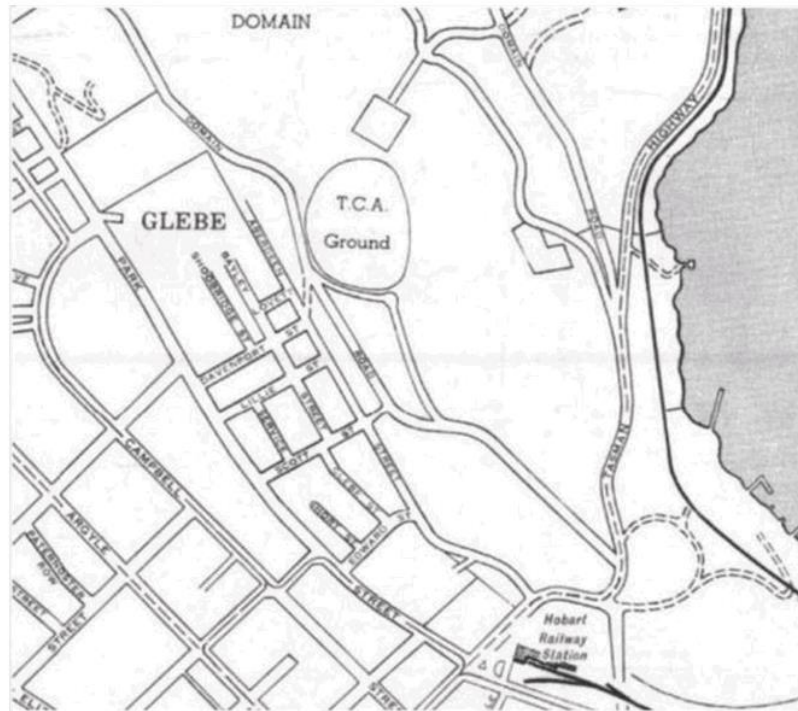
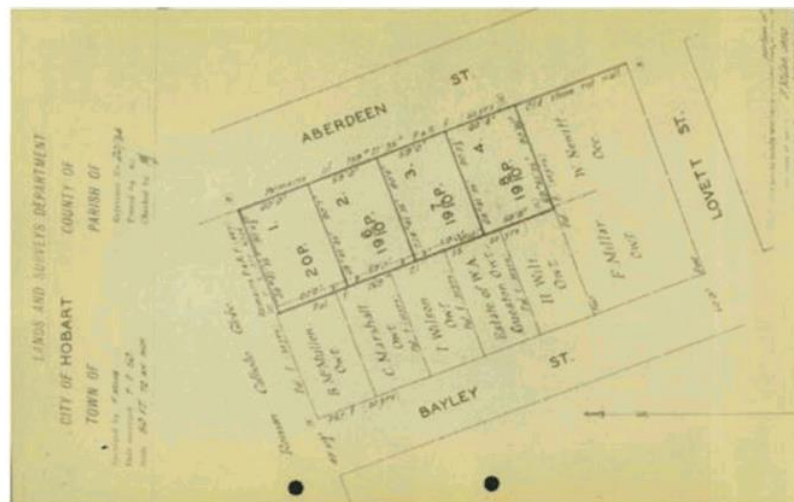


Fig 2: c. 1927 Subdivision plan showing Lovett Street. (ATO: AG174-1-2586)



Above Fig 3: 1948 Map of Hobart depicting Lovett Street. (COH Archives)



Above Fig 4: 1950 subdivision plan showing Lovett Street. (ATO: AG174-1-107)

- 6.9.6 The officer's report is provided as an attachment to this report.
- 6.9.7 The proposal does not comply with the performance criterion.

7. Discussion

- 7.1 This planning application is for a Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation.
- 7.2 The application was advertised and received twenty one (21) representations. The representations raised concerns including the use of public land for private purposes, the impact the development will have on future use of Lovett Street by the community and its heritage significance, car parking and access to the vacant lot, and the existing unapproved driveway. The engineering and heritage concerns have been addressed in the assessment against the relevant performance criteria above.
- 7.3 Concerns were raised by representors about the validity of the application and whether the applicant had notified the owners of the land and received the consent of the General Manager of the Hobart City Council. Section 51(1) of the Land Use and Planning Approvals Act 1993 provides as follows:
- (1) If -*
(a) the applicant for a permit is not the owner of the land in respect of which the permit is required; and
(b) the land is not –
...
(iii) land administered by the Crown or a council; and
(c) the planning scheme does not provide otherwise –
the applicant must include in the application for the permit a declaration that the applicant has notified the owner of the intention to make the application.
- 7.4 Lovett Street is privately owned, however it is designated as a 'green road' on the Council's Municipal Map and is maintained by the Council. As such the land meets section 52(1)(iii) in that it is land administered by a council. Therefore, the applicant is not required to include a declaration that they have notified the owners of the land to make a valid application. The consent of the General Manager of the Hobart City Council was granted on 14 August 2018 and submitted as part of the planning application documents on 15 August 2018. Accordingly the application is a valid application. Nevertheless, separate from the planning process, because Lovett Street is privately owned, for construction works to occur on the land where they are not undertaken by the Council as a highway authority, the consent of the landowner will be required.

- 7.5 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to not satisfy the relevant provisions.
- 7.6 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Acting Manager Roads and Capital Works, Park Planner, Stormwater Services Engineer and Cadastral Surveyor. The officers have raised objection to the proposal and recommended refusal.
- 7.7 The proposal is recommended for refusal.

8. Conclusion

- 8.1 The proposed Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.14 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the driveway is not in accordance with the requirements of the road authority.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it includes the demolition of landscape elements and vegetation that contribute to the historic cultural heritage significance of the precinct.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it includes works that would result in detriment to the historic cultural heritage significance of the precinct.



(Michaela Nolan)

Development Appraisal Planner

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



(Ben Ikin)

Senior Statutory Planner

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

Date of Report: 2 June 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report - Cultural Heritage Report

Attachment D - Referral Officer Report - Development Engineering Report

Attachment E - Documentation for General Manager Consent

Attachment F - TasWater SPAN

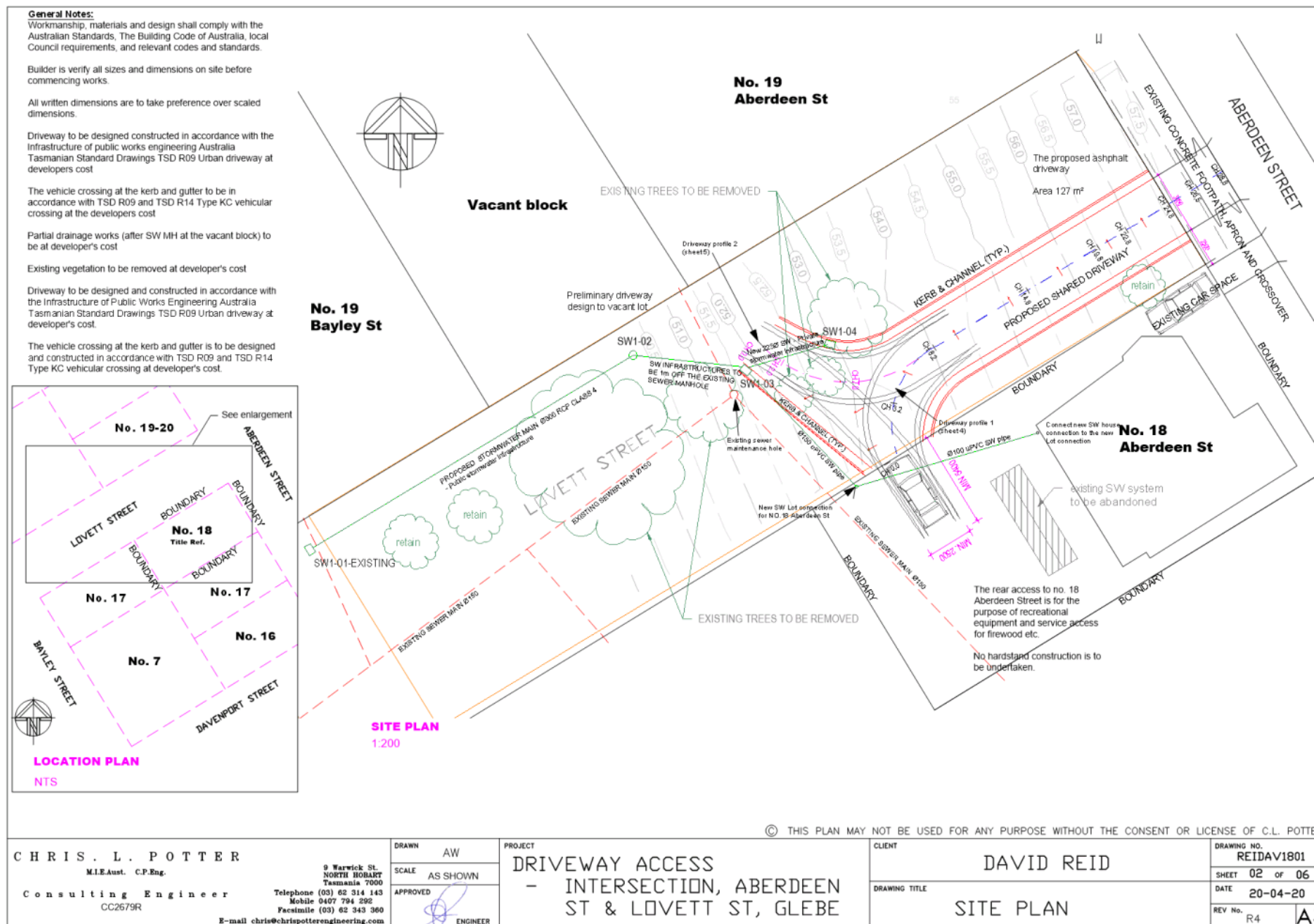
Proposed Driveway
at
18 Aberdeen St, Glebe, Tasmania 7000
for
David Reid

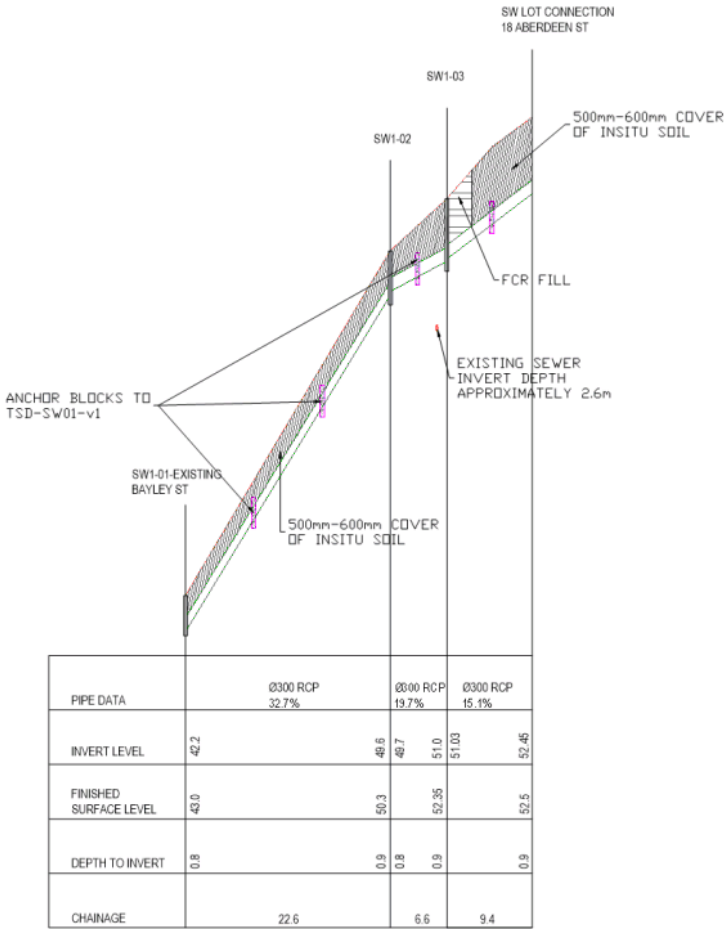
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Page 1	Cover page
Page 2	Site plan
Page 3	Proposed SW line profile
Page 4	Driveway long section 1
Page 5	Driveway long section 2
Page 6	Cross-sections

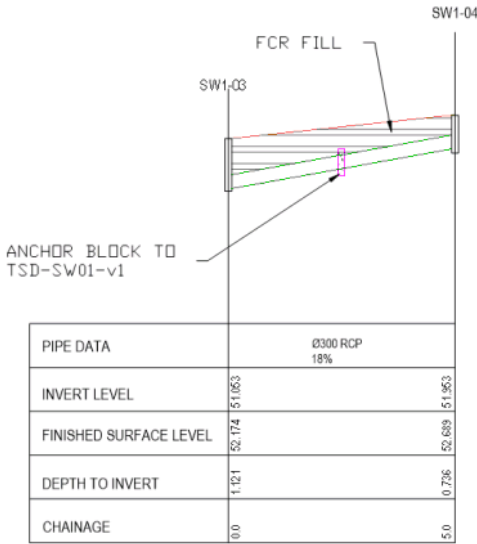
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<div>CHRIS . L . POTTER</div> <div>M.I.E.Aust. C.P.Eng.</div> <div>Consulting Engineer</div> <div>CC2679R</div> <div>9 Warwick St. NORTH HOBART Tasmania 7000 Telephone (03) 62 314 143 Mobile 0407 794 292 Facsimile (03) 62 343 360 E-mail chris@chrispotterengineering.com</div>	DRAWN	AW	<div>PROJECT</div> <div>DRIVEWAY ACCESS</div> <div>- INTERSECTION, ABERDEEN</div> <div>ST & LOVETT ST, GLEBE</div>	<div>CLIENT</div> <div>DAVID REID</div> <div>DRAWING TITLE</div> <div>COVER PAGE</div>	DRAWING NO.	REIDAV1801		
	SCALE	AS SHOWN			SHEET	01	OF	06
	APPROVED				DATE	20-04-20		
	ENGINEER				REV No.	R4	A3	





PROPOSED SW LINE PROFILE
1:500 HORIZONTAL
1:100 VERTICAL



PROPOSED SW LINE PROFILE
1:100 HORIZONTAL
1:100 VERTICAL

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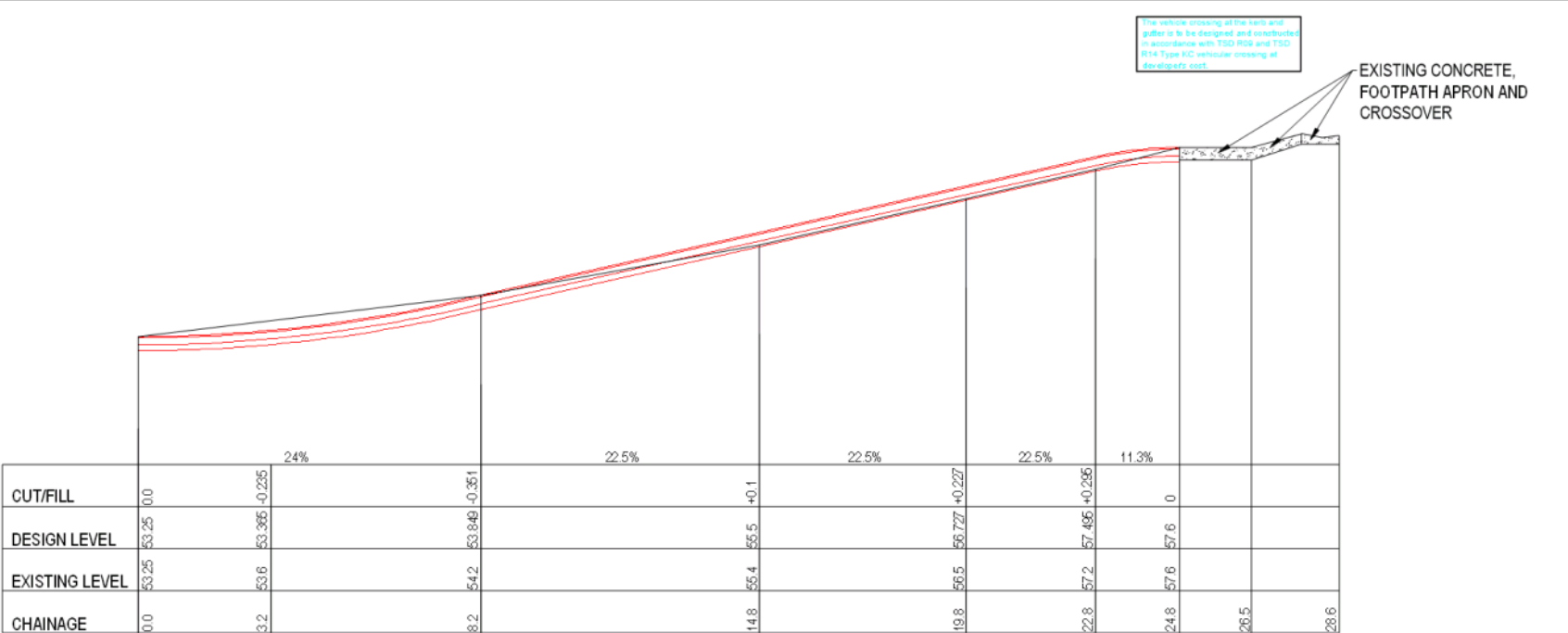
CHRIS. L. POTTER
M.I.E.Aust. C.P.Eng.
Consulting Engineer
CC2679R
9 Warwick St.
NORTH HOBART
Tasmania 7000
Telephone (03) 62 314 143
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E-mail chris@chrispotterengineering.com

DRAWN
AW
SCALE
AS SHOWN
APPROVED
ENGINEER

PROJECT
DRIVEWAY ACCESS
- INTERSECTION, ABERDEEN
ST & LOVETT ST, GLEBE

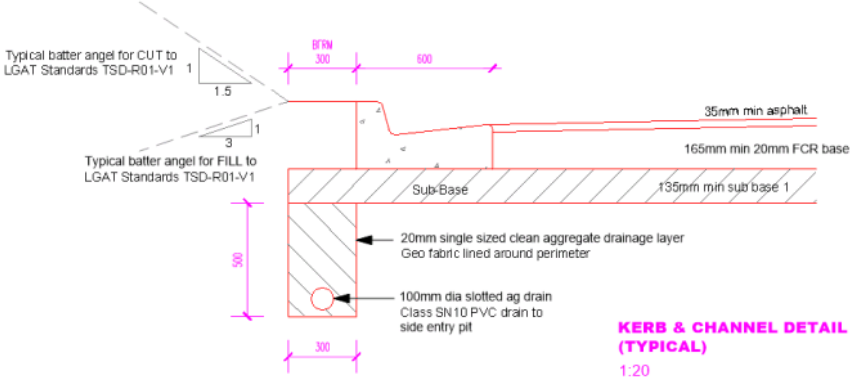
CLIENT
DAVID REID
DRAWING TITLE
SW PROFILE

DRAWING NO.
REIDAV1801
SHEET 03 OF 06
DATE 20-04-20
REV No. R4 A3



DRIVEWAY LONG SECTION
1:100

Driveway to be designed and constructed in accordance with the Infrastructure of Public Works Engineering Australia Tasmanian Standard Drawings TSD R09 Urban driveway at developer's cost.



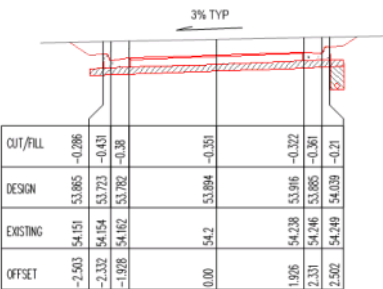
KERB & CHANNEL DETAIL
(TYPICAL)
1:20

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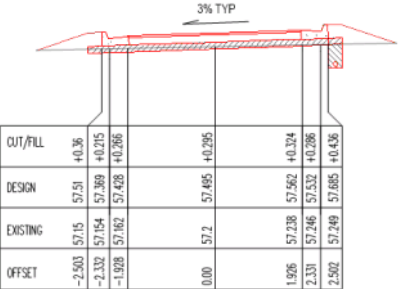
CHRIS. L. POTTER M.I.E.Aust. C.P.Eng. Consulting Engineer CC2679R 9 Warwick St. NORTH HOBART Tasmania 7000 Telephone (03) 62 314 143 Mobile 0407 794 292 Facsimile (03) 62 343 360 E-mail chris@chrispotterengineering.com	DRAWN AW	PROJECT DRIVEWAY ACCESS - INTERSECTION, ABERDEEN ST & LOVETT ST, GLEBE	CLIENT DAVID REID	DRAWING NO. REIDAV1801
	SCALE AS SHOWN		DRAWING TITLE DRIVEWAY SECTION 1	SHEET 04 OF 06
	APPROVED 			DATE 20-04-20
	ENGINEER			REV No. R4
				A3



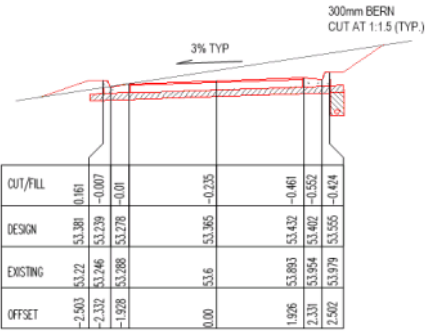
C H R I S . L . P O T T E R M.I.E.Aust. C.P.Eng. 9 Warwick St. NORTH HOBBART Tasmania 7000 Telephone (03) 62 314 143 Mobile 0407 794 206 Facsimile (03) 62 343 360 CC6279R E-mail chris@chrispottersengineering.com	DRAWN AW	PROJECT DRIVEWAY ACCESS - INTERSECTION, ABERDEEN ST & LOVETT ST, GLEBE	CLIENT DAVID REID	DRAWING NO. REIDAV1801
	SCALE AS SHOWN		DRAWING TITLE DRIVEWAY SECTION 2	SHEET 05 of 06
	APPROVED  ENGINEER		DATE 20-04-20	REV No. R4



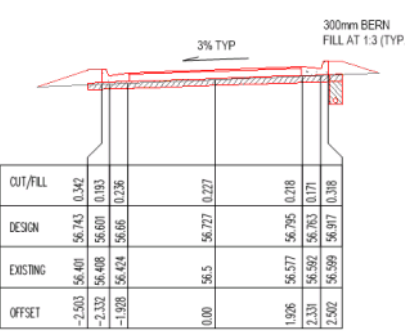
CH 8.2



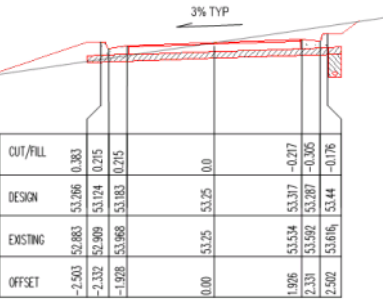
CH 22.8



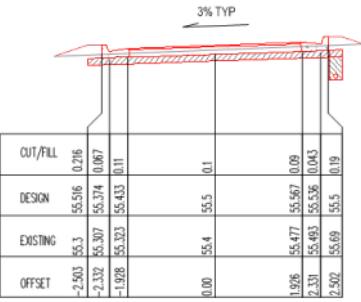
CH 3.2



CH 19.8

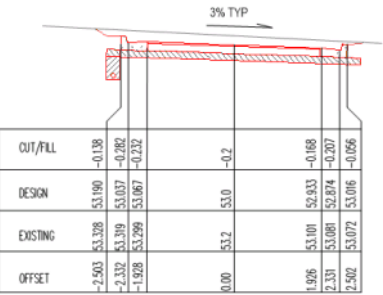


CH 0.0

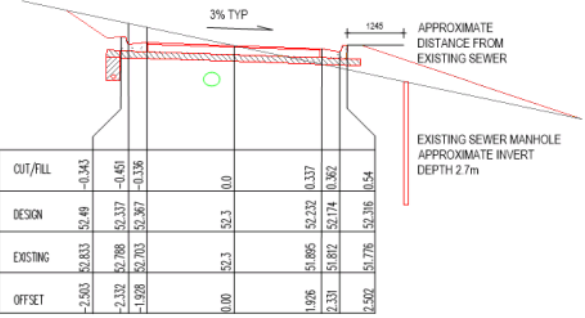


CH 14.8

ADDITIONAL CROSS-SECTIONS FOR VACANT LOT ACCESS
Please Note: No. 18 Aberdeen St and the vacant lot are to share the same main driveway sections (i.e. Ch8.2 - CH22.8)



CH 7.0



CH 2.0

Cross-sections
1:100

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E-mail chris@chrispotterengineering.com

DRAWN AW

SCALE AS SHOWN

APPROVED

ENGINEER

PROJECT

DRIVEWAY ACCESS
- INTERSECTION, ABERDEEN
ST & LOVETT ST, GLEBE

CLIENT

DAVID REID

DRAWING TITLE

CROSS-SECTIONS

DRAWING NO.

REIDAV1801

SHEET 06 OF 06

DATE 20-04-20

REV No. R4

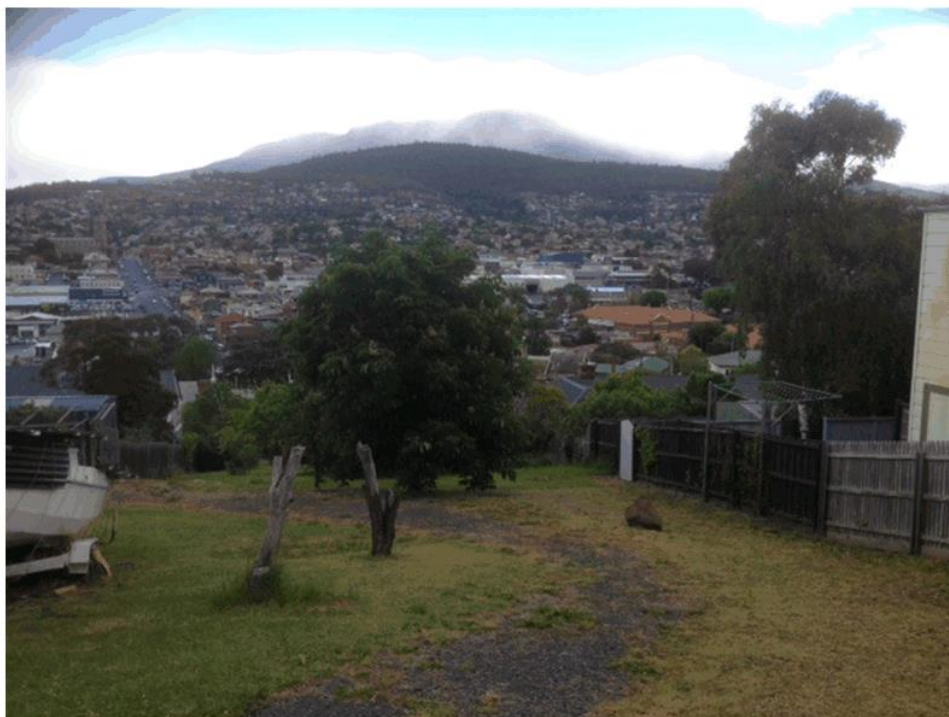
A3

Lovett St - Tree

There is one tree that may be affected by this application.

It is a small chestnut approximately 20 years old and 6 metres high as shown in the centre of the picture below.

The tree is approximately 1 metre from the edge of the proposed gutter.



Dear Michaela,

Following is the letter from my engineer with details that you requested be put through the portal.

Regards.

David Reid

Hi Dave

After discussed with Chris, I have marked the bottom two trees to be retained, and the tree at the top of the vacant area to be retained as well. Please find the attached signed drawings. The drawings have been submitted to council through the portal.

To answer the items listed in the council response letter (including: additional email exchange between you and the council dated 16th April 2020):

1. Please disregard all previously submitted drawings and assess the "REIDAV1801-Rev 4 (20-04-2020)" set only. The previous drawings contains errors (i.e. 750mm difference at chainage 0.0).
2. No retaining structures required according to AS2890 - 2.4.5.3
3. Notes for trees to be removed/retained has been added.
4. Batter angles for cut/fill are indicated according to LGAT standard drawings.

Since the portal doesn't allow me to add comments/answers to the council letter. Would you mind forwarding listed points above to the council's Program Leader Road Service and Meg.

Regards

Allen Wang, BEng (Geotechnical) Honours, Graduate Engineer

Chris L. Potter Consulting Engineers

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
237119		1
EDITION	DATE OF ISSUE	
2	28-Jul-2004	
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 Plan 237119
Derivation : Part of 10 Acres Gtd. to W. Tarleton & Ors.
Prior CT 3464/55

SCHEDULE 1

C555964 TRANSFER to DAVID BALFOUR REID and BEVERLEY ANNE REID
Registered 28-Jul-2004 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

TASMANIAN LAND TITLES OFFICE

Transfer

Section 58 Land Titles Act 1980.



C555964

THE TRANSFEROR for the consideration specified below (receipt of which from the transferee is hereby acknowledged) HEREBY TRANSFERS to the TRANSFEREE the estate and interest specified in the land described hereunder subject to the mortgages and encumbrances registered thereon including any created by dealings lodged for registration before the lodging of this transfer.

DESCRIPTION OF LAND				
Folio of the Register				If subject to existing mortgages - list here
Volume	Folio	Volume	Folio	If part of land - describe part
				If easement created- describe easement
3464	55			

Estate and Interest:

In fee simple

Transferor:

David Balfour Reid + Beverley Anne Reid
Teacher Optometrist

Transferee:

18 Aberdeen St Hobart 18 Aberdeen St Hobart
David Balfour Reid + Beverley Anne Reid as trustees for the
Balfour Reid Family Trust

Consideration:

*\$ 205,000*Dated this *29th* day of *June* *2004*

Signed by the Transferor

in the presence of

Reid

Garry John Wilson
(Resident Officer) 31 Dodges Hill Rd.

Dodges Ferry
7173

Land Titles Office Use Only

28 JUL 2004

T
Version 1

THE BACK OF THIS FORM MUST NOT BE USED

TASMANIAN STAMP DUTY
 LODGEMENT NO. SE-000012-0405
 RECEIPT NO. 100110789
 DATE 16 JUL 2004
 CONSIDERATION 205,000.00
 DUTY 1778

Stamp Duty



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OS 112

ANNEXURE TO CERTIFICATE OF TITLE

VOL. 3464

FOL. 55



M. J. ...
Recorder of Titles

Lot 1 of this plan consists of all the
land comprised in the above-mentioned
cancelled folio of the Register

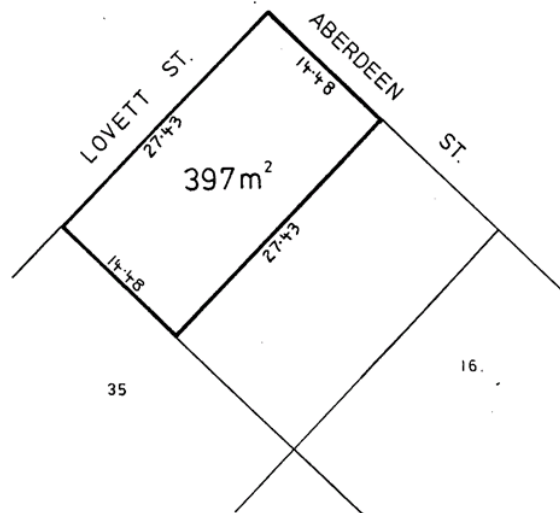
REGISTERED NUMBER

237119

PROPERTY ADDRESS

18 Aberdeen Street,
GLEBE.

MEAS. IN METRES
HOBART
P.226



N

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 112119	FOLIO 1
EDITION 1	DATE OF ISSUE 07-Jul-1994

SEARCH DATE : 15-Aug-2018

SEARCH TIME : 11.46 AM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 112119

Derivation : Part of 10 Acres Granted to W.Tarleton, W,lovell
& W.Sharland

Prior CT 106004/1

SCHEDULE 1

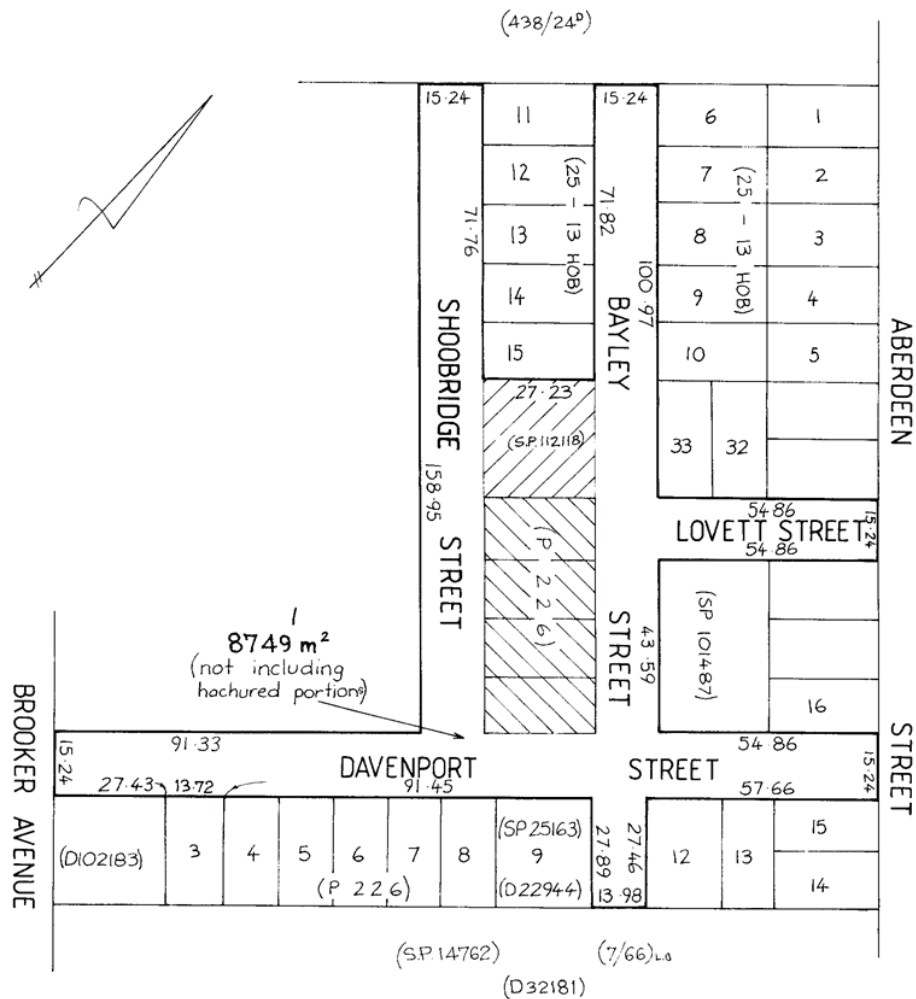
THE TRUSTEES OF THE DIOCESE OF TASMANIA

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



Application Referral Cultural Heritage - Response

From:	Allie Costin
Recommendation:	Proposal is unacceptable.
Date Completed:	
Address:	18 ABERDEEN STREET, GLEBE ADJACENT ROAD RESERVE
Proposal:	Driveway and Associated Infrastructure
Application No:	PLN-18-536
Assessment Officer:	Michaela Nolan,

Referral Officer comments:

Hobart is one of the earliest Australian cities to feature a glebe. Land was granted to churches for the purpose of establishing religion in the Australian colonies. The granting of glebes was made possible by the British Parliament, when it passed the Church Building Act in 1836. The Hobart Glebe comprises three distinct sections granted to the Trinity Parish of the Anglican Church, the Presbyterian Church, and the Roman Catholic Church. The Anglican and Presbyterian Glebes were leased and developed in the 1880s and 1890s whereas the Roman Catholic Glebe was not developed until the 1950s.

The application relates to the development of a private driveway on Lovett Street. Lovett Street was named after William Lovett, Auditor General of Tasmania (b.1825 – d.1900). Lovett Street is located in the section known as Trinity Glebe that was developed in the 1880s by the Anglican Church. Since this period Lovett Street has provided pedestrian access between Bayley and Aberdeen Streets. Lovett Street has never been developed as a thoroughfare road for modern vehicle traffic likely due to its steep gradient, and as such it has developed a unique quality providing a vegetated greenspace that provides public movement between streets. Similar pedestrian streets and laneways can be seen in other 19th century subdivisions throughout Hobart such as West Hobart and Sandy Bay. Lovett Street is owned by The Trustees of the Diocese of Tasmania.

As outlined in HIPS 2015 the Glebe 1 Heritage Precinct is significant for reasons including:

1. It demonstrates the three distinct sections of land granted to church groups which were leased and developed initially, in the 1880s and 1890s by the Anglican and Presbyterian Churches.
2. It contains the largest collection of weatherboard Victorian and Federation houses in Hobart.
3. The individual residential buildings and elements contribute to a coherent precinct highly visible throughout Hobart.
4. The garden settings of properties and parkland spaces are important and reinforce the precincts connection to the Queens Domain.
5. The large number of landmark residential and institutional buildings that are of historic and architectural merit.
6. The original and/or significant external detailing, finishes and materials demonstrating a high

degree of integrity with a homogenous historic character.

The proposal is for the construction of an asphalted private driveway on the site of Lovett Street to provide vehicle access to the rear of number 18 Aberdeen Street. The proposal must be assessed against The Hobart Interim Planning Scheme's Heritage Code, specifically E13.8 Development Standards for Heritage Precincts. There were twenty two (22) representations received in relation to this application, all in opposition to the proposal. A number of the representations included heritage concerns which are summarised below, and have been addressed in the attached heritage assessment.

Summary of heritage concerns raised by representors:

- Lovett Street is part of the first street layout and represents part of the earliest planned residential developments. It has remained unchanged and undeveloped since the late 1800s. It provides a link to the earliest days of the suburb.
- There would be damage to and destruction of historical landscaping and the removal of trees, these features contribute to its heritage significance
- The development would take over a quarter of the parkland and sever Lovett Street's natural connection to the Domain.
- The design and siting of the existing and proposed works result in detriment to the historic cultural heritage significance of the glebe heritage precinct
- One of the key elements of the Glebe heritage precincts significance is its parkland spaces. These are important and reinforce the precincts connection with the Queen Domain. The Lovett street parkland block is one such example and has survived surrounding development intact for over a century.
- Living in Glebe comes with a need to accept the heritage limitations and many places don't have off-street parking or vehicle access to the rear.
- Present day Glebe appears similar to photographs of 1800's Glebe.
- The Lovett Street parkland block is an indelible feature of the Glebe and has remained undeveloped for over a century. Its positive impact on the streetscape and townscape is highly valued by the community.

E13.8 Development Standards for Heritage Precincts

E13.8.1 Demolition

Objective:

To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

Performance Criteria 1

Demolition must not result in the loss of any of the following:

- (a) buildings or works that contribute to the historic cultural heritage significance of the precinct;*
- (b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;*

A number of representations raised concerns related to the removal of vegetation on the site. It is considered that the proposed demolition, excavation and subsequent development will significantly impact the way Lovett Street currently contributes to the heritage precinct, as an early street that has remained undeveloped as an informal parkland space since the 1890s (see figure 1.). Lovett Street contributes to the Glebe townscape, and facilitates a link to the Queens Domain. The statements of significance for the Glebe include; 4. 'The garden settings of properties and parkland spaces are important and reinforce the precincts connection to the Queens Domain.' The demolition of trees, vegetation, and landscape elements of Lovett Street would stand in direct contrast to this statement. The proposed development on Lovett Street would sever the visual continuity of park space, greenery, and gardens leading up to the

Queens Domain.

The asphalt driveway, and associated gutters, kerbing, and channeling proposed on the site has a surface area of 127 m², and will encompass approximately half of the upper portion of Lovett Street. It is considered that the demolition of landscape elements and vegetation to allow for the development of a private asphalt driveway will result in the loss of the historic cultural heritage significance of the precinct. The effective demolition of the current landscape and proposed hard surfacing of a large section of the site for a private driveway, will obstruct and prevent Lovett Street to carry on its traditional and intended function of providing open pedestrian access between Bayley and Aberdeen Street. Performance Criteria 1 of E13.8.1 is not satisfied.

E13.8.2 Buildings and Works other than Demolition

Objective:

To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct.

Performance Criteria 1.

Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.

The street layout and readable pattern of development of The Glebe is significant for its three distinct sections land grants to the Trinity Parish of the Anglican Church, the Presbyterian Church, and The Catholic Church. This is enforced through the 1st statement of significance for the Glebe 1 Heritage Precinct; 'The precinct demonstrates the three distinct sections of land granted to church groups which were leased and developed initially, in the 1880s and 1890s by the Anglican and Presbyterian Churches.' These two Anglican and Presbyterian land grants provide a setting of steep streets and tightly positioned dwellings that provide high levels of articulation, and deliver backdrop views for West, North, and Central Hobart.

The Glebe 1 Heritage Precinct retains a strong street and original subdivision pattern that remains highly intact to the present day. These historic streets should remain physically and visually accessible as thoroughfares. The proposal of a private driveway and associated infrastructure such as guttering, kerbs, and channeling, on what has been part the 'public realm' for over 140 years would diminish the historical links of the original street layout and early development pattern of the precinct. Lovett Street has long formed an important element of the Glebe Heritage Precinct and is visible in early photographs of the Glebe (see fig.1) and appears on early maps of the area (see figs 2, 3 and 4). It is deemed that the proposed works will result in detriment to the historic cultural heritage significance of the Glebe Heritage Precinct. It is considered that the early street layout and historical pattern of development would be obstructed and diminished through the development of private infrastructure on Lovett Street.

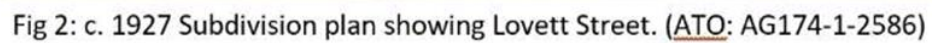
A number of representations state that; 'Living in Glebe means accepting the heritage limitations of the area, including the fact that many residences do not have off-street parking or vehicle access to the rear of properties.' The 1890s subdivision pattern for Glebe was established well before the era of mass car ownership, with many Glebe residences being constructed without the provision for off street parking. 18 Aberdeen Street is one such residence and its historical layout is to have a narrow street frontage with no intended provision or capacity for vehicle access to the rear of the property. It should be noted that 18 Aberdeen Street currently has one car parking space located at the front of the residence. The fact that 18 Aberdeen Street is located directly adjacent to Lovett Street should not mean that this allows 18 Aberdeen vehicle access to its rear yard. Large driveways and asphalt surfacing are not consistent with the historic streetscape and the heritage values and character of Glebe. The development would result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2. Performance Criteria 1 of E13.8.1 is not satisfied.

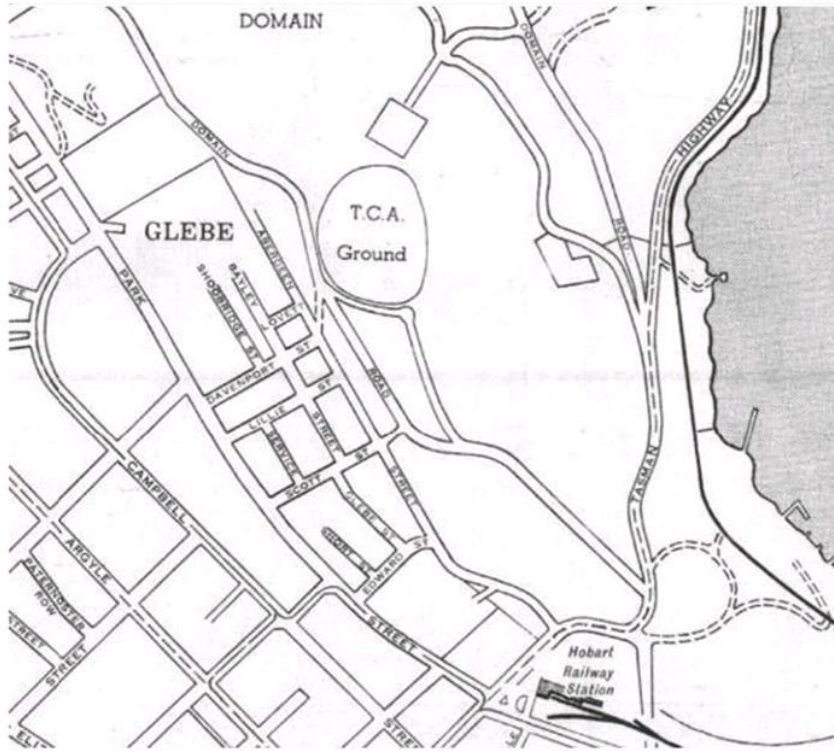
In conclusion the proposed works **do not satisfy** the relevant provisions of the Historic Heritage Code E13 of HIPS 2015.

Allie Costin
29th of May 2020

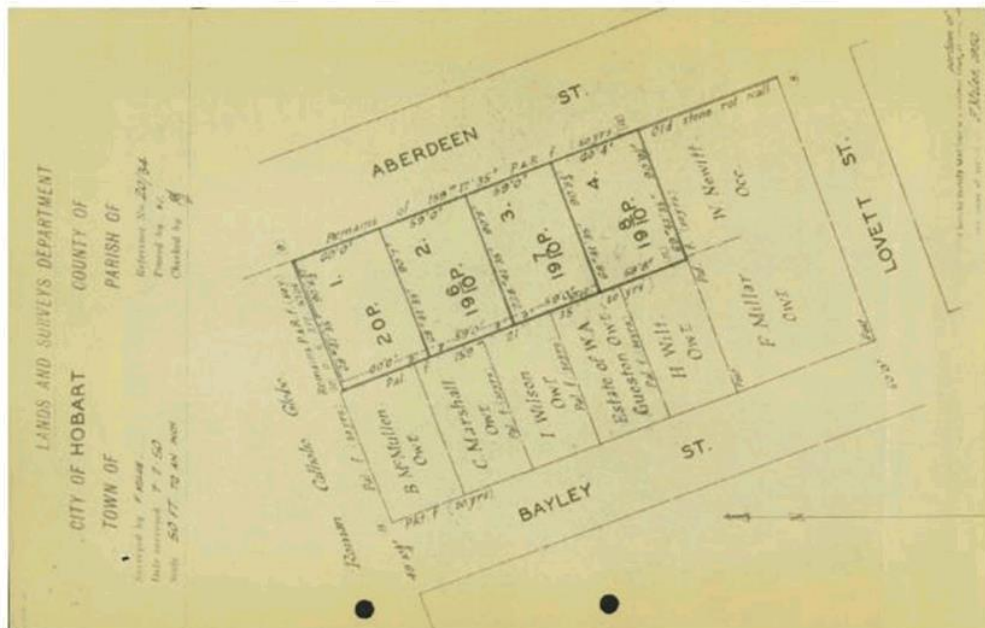


Fig 1 Below: c.1895 Photograph taken from Knocklofty looking to the outlined in red. (Image source: AOT NS1013-1-996)





Above Fig 3: 1948 Map of Hobart depicting Lovett Street. (COH Archives)



Above Fig 4: 1950 subdivision plan showing Lovett Street. (ATO: AG174-1-107)

Application Referral Development Engineering - Response

From:	Stefan Gebka - Development Engineering
Recommendation:	Proposal is unacceptable.
Date Completed:	
Address:	18 ABERDEEN STREET, GLEBE ADJACENT ROAD RESERVE
Proposal:	Driveway and Associated Infrastructure
Application No:	PLN-18-536
Assessment Officer:	Michaela Nolan,

Referral Officer comments:

E5.0 Road and railway access code

E5.1 Purpose			E5.1.1 The purpose of this provision is to: (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
E5.2 Application of this Code	YES	NO	
			This Code applies to use or development of land:
	Yes	No	(a) that will require a new vehicle crossing, junction or level crossing; or
	Yes	No	(b) that intensifies the use of an existing access; or
	Yes	No	(c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
	Yes	No	(i) a rail network;
	Yes	No	(ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.
Clause for Assessment			Comments / Discussion (in bold)
Clause 5.5.1 Existing road accesses and junctions			<u>Documentation submitted to date appears not to invoke clause E5.5.1.</u> <u>No intensification of existing road accesses and/or junctions proposed.</u>
NOT APPLICABLE			

Clause 5.5.2 Existing level crossings			<u>Documentation submitted to date appears not to invoke clause E5.5.2.</u>
NOT APPLICABLE			No intensification of an existing level crossings proposed.
Clause 5.6.1 development adjacent to roads and railways			<u>Documentation submitted to date appears not to invoke clause E5.6.1.</u>
NOT APPLICABLE			No development adjacent to category 1 or category 2 road proposed.
Clause 5.6.2 road and access junctions			<u>Documentation submitted to date appears not to invoke clause E5.6.2.</u>
NOT APPLICABLE			No new accesses or access junctions proposed.
Clause 5.6.3 new level crossings			<u>Documentation submitted to date appears not to invoke clause E5.6.3.</u>
NOT APPLICABLE			No new level crossings proposed.
Clause 5.6.4 sight distance at access and junctions			<u>Documentation submitted to date appears not to invoke clause E5.6.4.</u>
NOT APPLICABLE			No new accesses (road) and/or junctions proposed.

E 6.0 Parking and Access Code

E6.1 Purpose			E6.1.1
			The purpose of this provision is to:
	Yes	N/A	(a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;
	Yes	N/A	(b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;
	Yes	N/A	(c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;
	Yes	N/A	(d) ensure parking areas are designed and located in conformity with recognised standards to enable safe, easy and efficient use and contribute to the creation of vibrant and liveable places;

	Yes	N/A	(e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;
	Yes	N/A	(f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;
	Yes	N/A	(g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;
	Yes	N/A	(h) provide for safe servicing of use or development by commercial vehicles.
E6.2 Application of this Code	YES	—	This code applies to all use and development.
Clause for Assessment			Comments / Discussion (in bold)
Clauses 6.6's are all to do with parking number assessment. These will be assessed by planner based on DE assessment of the following relevant clauses. NOT APPLICABLE			The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.6's.</u> Submitted documentation appears to indicate no proposed changes to car parking requirements.
Clause 6.7.1 number of vehicle accesses ACCEPTABLE SOLUTION			The number of vehicle accesses must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears to be able to satisfy the Acceptable Solution for clause E6.7.1.</u> Acceptable solution: The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater. - COMPLIANT One (1x) crossover (18 Aberdeen Street frontage) - Existing, no additional crossover(s) proposed. One (1x) crossover (Lovett Street frontage) - Existing, no additional crossover(s) proposed.

<p>Clause 6.7.2 design vehicle access</p> <p>NOT APPLICABLE</p>		<p>The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.2.</u></p> <p>Submitted documentation appears to indicate no changes to the existing vehicle access.</p> <p>No car parking approved for the rear of 18 Aberdeen Street.</p>
<p>Clause 6.7.3 vehicle passing</p> <p>NOT APPLICABLE</p>		<p>Vehicle passing must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.4.</u></p> <p>Submitted documentation appears to indicate no facility / requirement for vehicle passing.</p> <p>Acceptable solution - A1: Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces; - No</p> <p>(ii) is more than 30 m long; - No</p> <p>(iii) it meets a road serving more than 6000 vehicles per day; - No</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; - N/A</p> <p>(c) have the first passing area constructed at the kerb; - N/A</p> <p>(d) be at intervals of no more than 30 m along the access. - N/A</p>

<p>Clause 6.7.4 on site turning</p> <p>NOT APPLICABLE</p>		<p>On-site turning must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.4.</u></p> <p>Acceptable solution - A1: On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; - COMPLIES (b) it meets a road carrying less than 6000 vehicles per day. - COMPLIES</p> <p>Submitted documentation appears to indicate no facility / requirement for on-site turning.</p>
<p>Clause 6.7.5 layout of parking area</p> <p>NOT APPLICABLE</p>		<p>The layout of the parking area must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause 6.7.5.</u></p> <p>Submitted documentation appears to indicate no new parking area(s) on-site. Only access to the rear of the property.</p>
<p>Clause 6.7.6 surface treatment</p> <p>ACCEPTABLE SOLUTION</p>		<p>The surface treatment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date does satisfy the Acceptable Solution for clause E6.7.6.</u></p> <p>Acceptable Solution - A1: - COMPLIANT Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</p> <p>Submitted plans indicate an 35mm asphalt surface treatment and able to be drained to an approved stormwater system. Condition on Planning Permit to ratify timing.</p>

Clause 6.7.7 Lighting of parking area Planner and health unit to assess	—	—	Planner to assess
Clause 6.7.8 Landscaping Planner to assess	—	—	Planner to assess
Clause 6.7.9 motor bike parking NOT APPLICABLE			<p>The motor bike parking must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.9.</u></p> <p>Acceptable Solution A1 (E6.6.3): The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p> <p>NO REQUIREMENT (<19 car parking spaces).</p>

<p>Clause 6.7.10 bicycle parking</p> <p>NOT APPLICABLE</p>			<p>The bicycle parking must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.10.</u></p> <p><u>Acceptable Solution A1:</u> The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p> <p><u>Acceptable Solution A2:</u> The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p> <p>User Class: Residential</p> <p>Table E6.2 sets out the number of bicycle parking spaces required. The requirement for spaces for a use or development listed in the first column of the table is set out in the second and forth columns of the table with the corresponding class set out in the third and fifth columns. If the result is not a whole number, the required number of (spaces) is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.</p> <p>NO REQUIREMENT</p>
<p>Clause 6.7.11 bicycle end trip</p> <p>Planner to assess</p>	—	—	Planner to assess
<p>Clause 6.7.12 siting of car parking</p> <p>Planner to assess based on DE assessment of Clause 6.7.5 layout of parking area</p>	—	—	Planner to assess
<p>Clause 6.7.13 facilities for commercial vehicles</p> <p>NOT APPLICABLE</p>			<p>The facilities for commercial vehicles must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.13.</u></p> <p>Submitted documentation appears to indicate no commercial vehicles loading, unloading or manoeuvring.</p>

<p>Clause 6.7.14 access to a road</p> <p>ACCEPTABLE SOLUTION</p>		<p>The access to a road must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E6.7.14.</u></p> <p>Acceptable Solution A1: Access to a road must be in accordance with the requirements of the road authority. - NON COMPLIANT - APPLICATION MUST BE REFUSED</p> <p>Performance Criteria - P1: No Performance Criteria</p> <p>Referred to the Roads Unit for determination and conditioning.</p> <p>The Program Leader Road Services has stated the following;</p> <p><i>"The proposal involves construction of a private driveway over Council land currently shown as highway on the municipal map. It is acknowledged that the applicant has gone to significant lengths to provide a design which shows that a suitable driveway can be constructed. However, the construction of a private driveway presents challenges that may not be overcome regardless of whether planning approval is granted:</i></p> <ul style="list-style-type: none"> <i>• Ongoing maintenance of the driveway would be a private responsibility, however the land is currently a green road and would need to be 'downgraded' to yellow on the municipal map or closed entirely. Both of these are subject to contest by other parties</i> <i>• Any future highway construction is made more expensive by the need to demolish or modify the infrastructure that is proposed.</i> <i>• The amenity of other potential users of the land is impacted for private gain</i> <i>• The land is on a consideration list for construction as a public walkway. This may be made more difficult by the proposed works.</i> <p><i>The proposed driveway is not to the satisfaction of the road authority and should be refused."</i></p>
<p>Clause 6.7.15 access to Niree Lane</p> <p>NOT APPLICABLE</p>		<p>The access to Niree Lane must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.15.</u></p> <p>No development proposed within Niree Lane.</p>

E 7.0 Stormwater			
E7.1.1 Purpose			<p>E7.1.1</p> <p>The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.</p>
E7.2 Application of this Code	YES	N/A	This code applies to development requiring management of stormwater. This code does not apply to use.
Clause for Assessment			Comments / Discussion (in bold)
<p>A1 (SW disposed to Public SW Inf via Gravity / P1 (onsite/pump))</p> <p>ACCEPTABLE SOLUTION</p>			<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A1).</u></p> <p><u>Acceptable Solution A1:</u> Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p> <p>Submitted plans appear to indicate stormwater from new impervious surfaces being able to be disposed of by gravity to public stormwater infrastructure.</p> <p>To be verified at Plumbing Permit stage.</p>

<p>A2 (WSUD) /P2 (Mechanical Treatment)</p> <p>NOT APPLICABLE</p>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A2).</u></p> <p><u>Acceptable Solution A2:</u> A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m²; - No (b) new car parking is provided for more than 6 cars; - No (c) a subdivision is for more than 5 lots - No</p> <p>Submitted documentation appears to indicate no requirement for stormwater treatment.</p>
<p>A3 (Minor SW System)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A3).</u></p> <p><u>Acceptable Solution A3:</u> A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; - Feasible (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. - Feasible</p> <p><u>Performance Criteria – P3:</u> No Performance Criteria.</p> <p>Referred to the Environmental Engineering Unit for determination and conditioning.</p>

<p>A4 (Major SW System accommodates 1:100 ARI)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A4).</u></p> <p><u>Acceptable Solution A4:</u> A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p> <p><u>Performance Criteria – P4:</u> No Performance Criteria.</p> <p>Submitted documentation appears to indicate a proposed stormwater main.</p> <p>Referred to the Environmental Engineering Unit for determination and conditioning.</p>

PROTECTION OF COUNCIL INFRASTRUCTURE

Council infrastructure at risk	Why?
Stormwater pipes	Not required
Council road network	Yes - During construction

COMMENTS:**Summary:**

Planning approval is sought for Driveway and Associated Infrastructure at 18 Aberdeen Street, Glebe and the adjacent Lovett Street road reservation.

More specifically the proposal includes:

- A Driveway from Aberdeen Street to the rear of 18 Aberdeen Street over the adjoining road reservation of Lovett Street
- Provision within the driveway design to allow future access to a vacant lot on Lovett Street.
- A car parking space at the rear of 18 Aberdeen Street and access for recreational equipment, service access and firewood.
- New stormwater drainage from the existing house at 18 Aberdeen Street and the proposed driveway on Lovett Street. The stormwater infrastructure would extend down to connect to an existing stormwater main at the Bayley Street end of Lovett Street.
- Removal of five trees on Lovett Street.

CONDITIONS:

Due to the scope of the proposal, the application has been referred to the Council's Manager Roads and Capital Works, Council's Stormwater Unit and Manager Surveying Services. The delegated officers' responses, including recommendations are inserted in the respective referral reports.

Manager Surveying Services:

"I have no interest in or objection to this application so will not provide a formal response in JARVIS.

However I am aware that over the last 25 years or so we have had several parties approach the HCC regarding the possibility of closing Lovett Street as a highway and purchasing the fee simple from the "Trustees of the Diocese of Tasmania" (Church of England) and developing the land for residential purposes. None of these proposals proceeded.

In 1995 the Council resolved not to close Lovett Street and it was indicated at a meeting on 15 March 2001 that the Council would be likely to retain that position unless agreement could be reached with adjoining owners who use the land for frontage or access.

It is my understanding that adjoining owners would not consent to foregoing their access over Lovett Street, and this application demonstrates their intent to further exercise their rights.

In short, Lovett Street is a Public Highway administered by the HCC under the provisions of the Local Government Highways Act 1982 and the proposal PLN-18-536 is consistent with that status.

I note that the General manager has consented to the making of this planning application.

Regards

Peter Fleming

Manager Surveying Services | Surveying Services Unit | City Infrastructure Division"

The proposal does not meet the acceptable solution with respect to clause 6.7.14 A1 of the Hobart Interim Planning Scheme 2015 because the access to a road must be in accordance with the requirements of the road authority. Council is of the opinion that the access to the road should not be supported in its current configuration.

Therefore, in a council related engineering context, the proposal cannot be supported.

General Conditions:

ENG1: Pay Costs

ENG 2a: Vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed

ENG 3a: The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004

ENG 3c: The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Chris L. Potter Consulting Engineer documentation received by the Council on the 21st April 2020

ENG 4: Surface treatment

ENG 5: The number of car parking spaces approved on the site (at the frontage of no. 18 Aberdeen Street – existing), for use is one (1):

ENG 6: No car parking spaces are approved within Council's Lovett Street Highway Reservation or at the rear of no.18 Aberdeen Street as part of this planning permit.

ENG sw5: The new stormwater infrastructure must be constructed

ENV 2: SWMP design

ADVICE:

- **Dial before you dig**
- **Fees and charges**
- **Building Permit**
- **Plumbing Permit—**
- **Driveway surfacing over highway reservation**
- **Occupation of the Public Highway**

- ~~Condition endorsement engineering~~

REPRESENTATIONS:

The planner has summarised the representation received.

The majority of representations raised issues were in relation to the Highway Reservation administered by the Council and Heritage concerns.

The relevant reps were referred to the Roads Unit for a response.

The relevant reps (Roads Unit) concerns are as follows;

Roads and parking

- The driveway would need to comply with highway and drainage requirements so would become a permanent piece of sealed road.
- The development would make it difficult for any other adjoining lots to apply for a similar driveway. This could lead to adjacent driveways with channels and kerb.
- Will the costs of the compliant crossover constructed by the council be recovered from the applicant
- Who will be responsible for the new driveway
- Will access and right of way be impacted.
- The driveway with Kerbing restricts public right to walk freely across Lovett Street.
- The construction of the driveway will impede future development of Lovett Street as a road, or for other uses such as park, open space or playground.
- Who is sharing the driveway and who will have access to and be able to use both arms of the driveway. Will other properties adjoining Lovett Street be able to access the rear of their properties over the driveway.
- Parking is already difficult in Aberdeen Street. The removal of on-street car parking with the construction of the crossover in the recent road upgrades has exacerbated the problem
- Car parking demand is high from residents with more than one car, commuters and AirBnB's
- 18 Aberdeen Street already has off street car parking.
- In addition to the off street car parking space, the resident can access two residential parking permits. The additional parking spaces provide more car parking to 18 Aberdeen Street at the cost of on-street car parking to all residents of glebe.
- If this application is not approved, the existing crossover should be removed. if the application is approved will the cost of the crossover be recovered from the applicant.
- Limited car parking is a trade-off for the proximity of Glebe to the city and the Domain.
- Both properties already have off street car parking.
- Many properties in Glebe have no vehicle access to their back yard. Why should this access, with a significant increase in property value, be provided to one or two residents at the cost of permanent loss of what is now effectively community land.
- There is not infrastructure for the parking of vehicles at the rear of 18 Aberdeen Street and it appears that there is no intention to build any.

The vacant lot

- There is no preliminary driveway design for access to the vacant lot
 - The vacant lot is not vacant, it is used by and contains the garden of the adjoining property at 19 Bayley Street.
 - Concern that the plan states that the driveway would provide future access to the vacant lot. However the plans as submitted do not allow or this access as it does not align with that property. The design would not allow for a driveway that would reach the lot.
 - The vacant lot is part of the adjoining lot at 19 Baylet Street which has car parking.
- Therefore there is no justification for the Council to provide access to this lot. Access to this lot

should be through 19 Bayley Street.

and some other parts which may be relevant:

Illegal use of the land

- The applicant has already constructed an illegal gravel driveway on Lovett Street.
- Lovett Street is already being illegally used by the applicant to store a boat on a trailer, firewood and rubbish bins.
- These illegal uses of the land have already damaged the integrity of the site as public land
- The boat that is parked on Lovett Street should be required to be covered.

Owners of the land

- The land is owned by the Trustees of the Diocese of Tasmania
- Managed by the Hobart City Council as a 'green road'
- The land is known as Lovett Street, however it is undeveloped and is a green space within Glebe
- The land acts as public open space
- The plans appear misleading as the driveway is wholly on Lovett Street not on 18 Aberdeen Street. This land is not owned by the applicant.
- Concern that the owners or the land have not given approval for the development
- Question who will own the land after construction of the driveway and is the land going to be sold.
- There should have been consultation with the residents of Glebe
- An understanding that Lovett Street had been gifted to the Hobart City Council to be retained in trust for the whole Glebe community, not just one or two residents
- Consent of the General Manager should not be taken as endorsement of the proposal.
- Concern that many residents of Glebe would be unaware that Lovett Street was gifted and held in trust by the Council.
- Question whether the land will continue to be held in trust or will it be gifted to the applicant.
- What would be the public liability for future users of the land or will it be closed off.

Privatisation of public land

- The development would provide personal and private benefit to one individual while removing an asset from the community.
- The development would act as subdivision of Lovett Street as part of it would be for private use.
- Concern that there would be a precedent for development of houses on Lovett Street in the future.
- Concern that there would be a precedent for development to happen on public land elsewhere in the municipality.
- This development would increase the value of 18 Aberdeen Street at the expense of other neighbouring properties.
- Concern that Lovett Street may become private land through 'active use arguments' Can there be a future claim for vacant possession of the land if this development goes ahead.
- The applicant has no right to use public land for personal use.
- Lovett Street should be left undeveloped and accessible to the whole community, not just one resident.
- If this development is approved, can anyone claim vacant land to develop.
- A private driveway is not an appropriate use of public land.



Enquiries to: Cindy Elder
☎: (03) 6238 836
✉: coh@hobartcity.com.au
Our Ref: R0639 (F18/89275)
DA-18-37425

14 August 2018

Mr David Reid
18 Aberdeen Street
GLEBE TAS 7000

Via Email: david.reid@edupro.com.au

Dear Mr Reid

NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION

Site Address: **Lovett Street, Glebe**

Description of Proposal: **Shared driveway, private stormwater infrastructure and public stormwater infrastructure**

Applicant Name: **David Reid**

PLN (if applicable): **N/A**

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 or as the owner/administrator of the land.

Yours sincerely



(N. D. Heath)
GENERAL MANAGER


Attachment: **Land Owner Consent**

Hobart Town Hall
50 Macquarie Street
Hobart TAS 7000

Hobart Council Centre
16 Elizabeth Street
Hobart TAS 7000

City of Hobart
GPO Box 503
Hobart TAS 7001

T 03 6238 2711
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 CityofHobartOfficial
ABN 39 055 343 428
Hobart City Council



R0639 (F18/89275)
DA-18-37425
CLE:SLW

LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION

Site Address: **Lovett Street, Glebe**

Description of proposal: **Shared driveway, private stormwater infrastructure and public stormwater infrastructure**

Applicant Name: **David Reid**

PLN (if applicable): **N/A**

The land indicated above is owned or is administered by the Hobart City Council.

The applicant proposes to lodge an application for a permit, pursuant to the *Land Use Planning and Approvals Act 1993*, in respect to the proposal described above.

Part or all of the application proposes use and/or development on land owned or administered by the City located at Lovett Street, Glebe.

Being and as General Manager of the Hobart City Council, I provide written permission to the making of the application pursuant to Section 52(1B)(b) of the *Land Use Planning and Approvals Act 1993*.


(N. D. Heath)
GENERAL MANAGER

Date: 14/8/18

This consent is for the making of a planning application only and does not constitute landlord consent for the development to occur.

Attachments/Plans: **Drawing Nos REIDAV1801. Sheets 01, 02, 03 and 04**

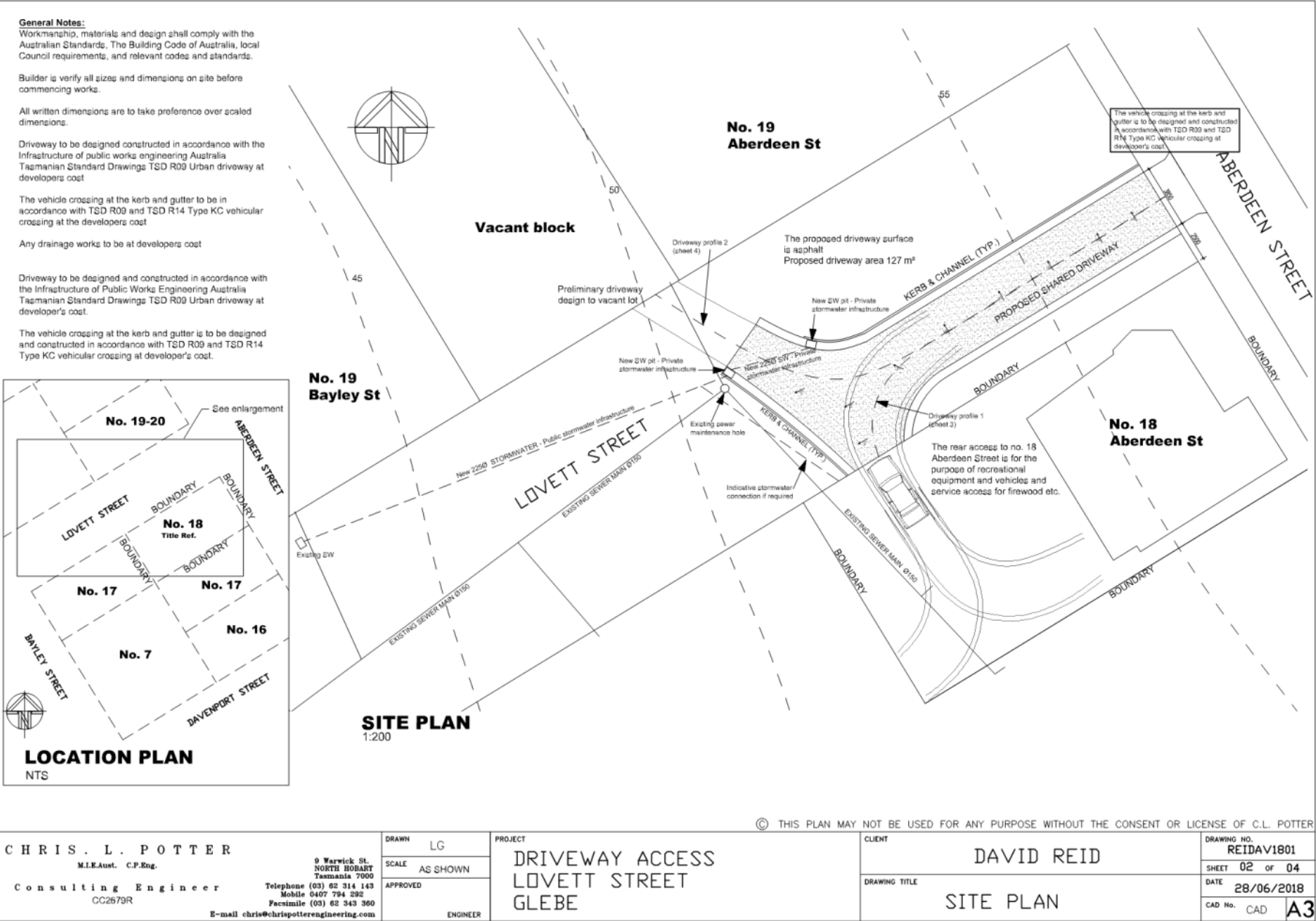
MISSION ~ TO ENSURE GOOD GOVERNANCE OF OUR CAPITAL CITY.

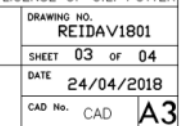
Proposed Driveway
at
18 Aberdeen St, Glebe, Tasmania 7000
for
David Reid

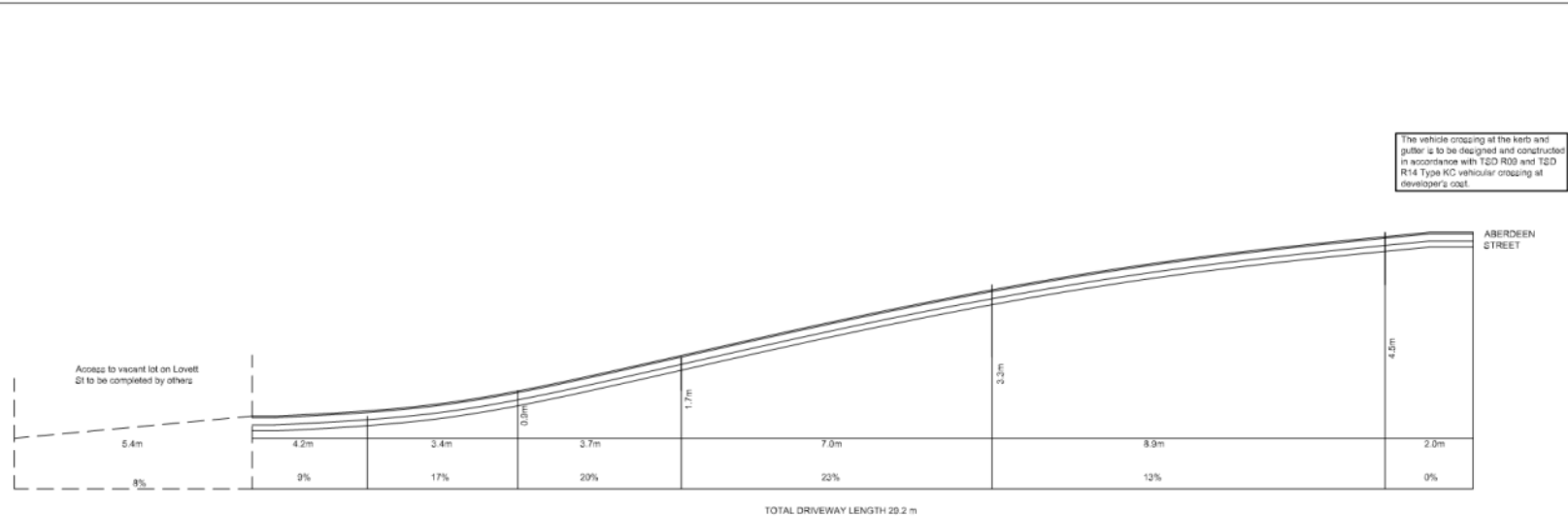
Title No:	237119/1
Page 1	Cover page
Page 2	Site plan
Page 3	Driveway long section 1
Page 4	Driveway long section 2

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C H R I S . L . P O T T E R M.I.E.Aust. C.P.Eng. C o n s u l t i n g E n g i n e e r CC2679R E-mail chris@chrispottengineering.com	DRAWN LG	PROJECT DRIVEWAY ACCESS LOVETT STREET GLEBE	CLIENT DAVID REID	DRAWING NO. REIDAV1801	
	SCALE AS SHOWN			SHEET 01 of 04	
	APPROVED			DATE 24-04-18	
		ENGINEER	DRAWING TITLE COVER PAGE	CAD No. CAD	A3



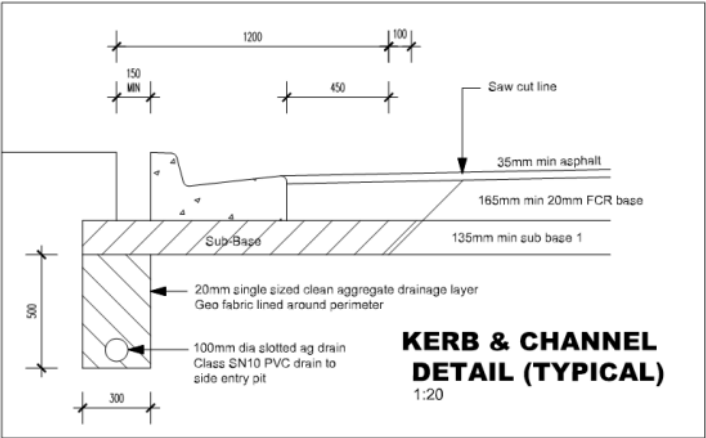




DRIVEWAY LONG SECTION - TO VACANT LOT
1:100

Driveway to be designed and constructed in accordance with the Infrastructure of Public Works Engineering Australia Tasmanian Standard Drawings TSD R09 Urban driveway at developer's cost.

The vehicle crossing at the kerb and gutter is to be designed and constructed in accordance with TSD R09 and TSD R14 Type KC vehicular crossing at developer's cost.



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DRAWN LG
SCALE AS SHOWN
APPROVED
ENGINEER

PROJECT
**DRIVEWAY ACCESS
LOVETT STREET
GLEBE**

CLIENT
DAVID REID
DRAWING TITLE
DRIVEWAY SECTION 2


DRAWING NO.
REIDAV1801
SHEET 04 OF 04
DATE 24/04/2018
CAD No. CAD **A3**



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-18-536	Council notice date	11/09/2018
TasWater details			
TasWater Reference No.	TWDA 2018/01505-HCC	Date of response	08/04/2020
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	18 ABERDEEN ST, GLEBE	Property ID (PID)	5653529
Description of development	Driveway		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Chris L. Potter	REIDAV1801 Sheets 1 to 6		01/04/2020
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost. Ground levels over the TasWater assets must not be altered without the written approval of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 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. <p>The payment is required by the due date as noted on the statement when issued by TasWater.</p>			
Advice			
<p>General</p> <p>For information on TasWater development standards, please visit https://www.taswater.com.au/Development/Technical-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p>			
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		

**7.1.3 41 ALEXANDER STREET, SANDY BAY - PARTIAL DEMOLITION,
ALTERATIONS, EXTENSION AND CHANGE OF USE TO
BOARDING HOUSE
PLN-20-256 - FILE REF: F20/56423**

Address: 41 Alexander Street, Sandy

Proposal: Partial Demolition, Alterations, Extension and
Change of Use to Boarding House

Expiry Date: 23 July 2020

Extension of Time: Not applicable

Author: Richard Bacon

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and change of use to boarding house at 41 Alexander Street Sandy Bay TAS 7005 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-20-256 - 41 ALEXANDER STREET SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00587-HCC dated 7 May 2020 as attached to the permit.

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 1

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

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips,

including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

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.


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.

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| Attachment A: | PLN-20-256 - 41 ALEXANDER STREET SANDY BAY TAS 7005 - Planning Committee or Delegated Report ↓  |
| Attachment B: | PLN-20-256 - 41 ALEXANDER STREET SANDY BAY TAS 7005 - CPC Agenda Documents ↓  |
| Attachment C: | PLN-20-256 - 41 ALEXANDER STREET SANDY BAY TAS 7005 - Planning Referral Officer Development Engineering Report ↓  |

Attachment D: PLN-20-256 - 41 ALEXANDER STREET SANDY
BAY TAS 7005 - Planning Referral Officer Cultural
Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 23 July 2020
Application No: PLN-20-256
Address: 41 ALEXANDER STREET , SANDY BAY
Applicant: Young Sebastian (Oramatis Studio)
212 Elizabeth Street
Proposal: Partial Demolition, Alterations, Extension and Change of Use to Boarding House
Representations: 17
Performance criteria: Parking and Access Code, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for a partial demolition, alterations, extension and change of use to boarding house, at 41 Alexander Street Sandy Bay.
- 1.2 More specifically the proposal includes:
 - Conversion of the existing dwelling into a boarding house.
 - A rear extension to the existing dwelling to contain three additional boarding house rooms.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Parking and Access Code
 - 1.3.2 Historic Heritage Code
- 1.4 A total of 17 representations objecting to the proposal were received within the statutory advertising period between 8th and the 22nd May 2020.
- 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 site is within the Inner Residential Zone.

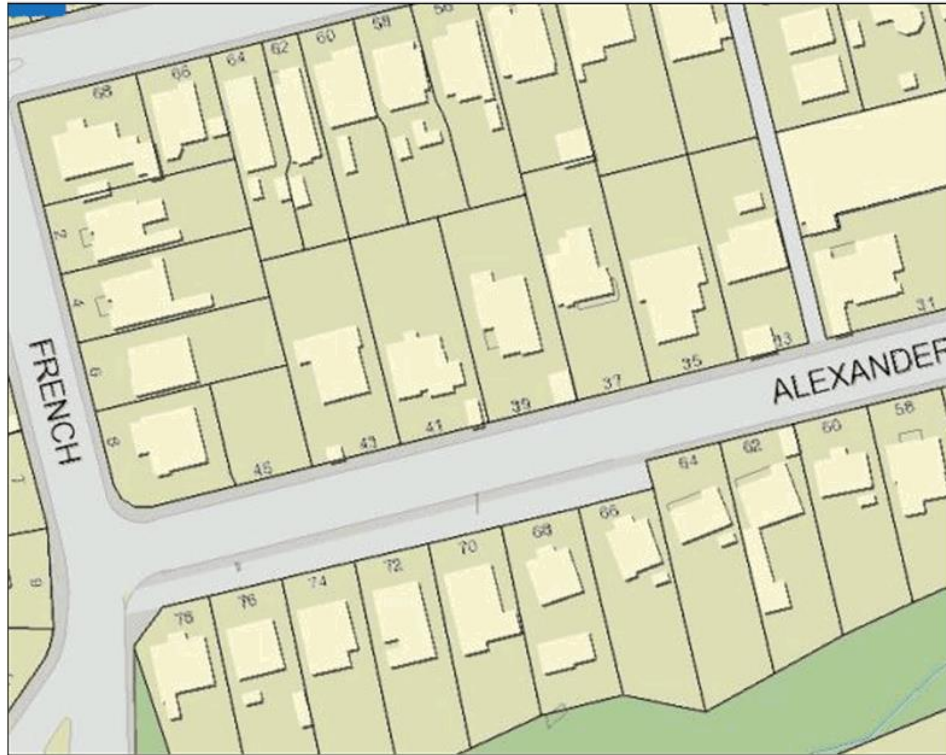


Figure 1 above: location plan.



Figure 2 above: aerial photograph with site in center of image.



Figure 3 above: street view of site.



Figure 4 above: view towards site from side neighbouring property at No.43 Alexander Street.



Figure 5 above: view towards site from side neighbouring property at No.39 Alexander Street.



Figure 6 above: view towards site from rear neighbouring property at No.60 View Street.

3. Proposal

- 3.1 Planning approval is sought for a partial demolition, alterations, extension and change of use to boarding house, at 41 Alexander Street Sandy Bay.
- 3.2 More specifically the proposal is for:
 - Conversion of the existing dwelling to a boarding house.
 - A rear extension to contain three additional boarding house rooms.

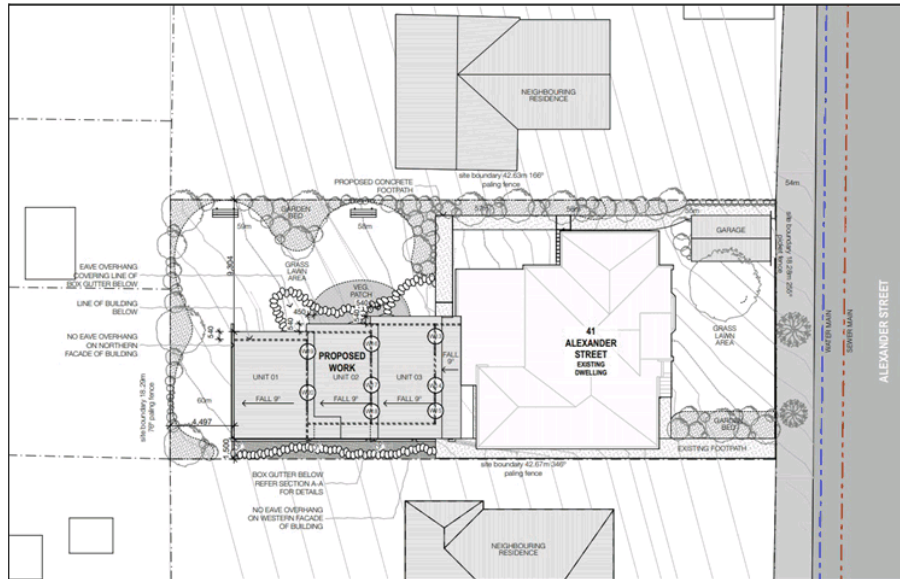


Figure 7: Proposed site plan.

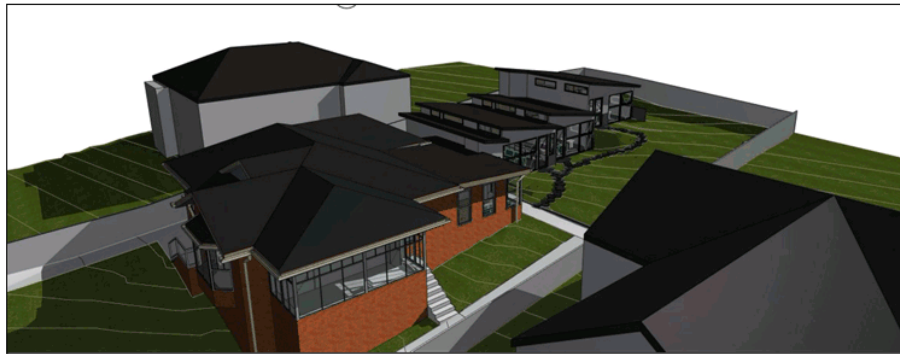


Figure 8: Aerial perspective of the proposal.

4. Background

- 4.1 A previous similar application at the site under PLN-19-700 attracted 21 representations and was refused by the Director City Planning under delegation in place during the corona virus pandemic, dated the 8 April 2020 on the following grounds.
1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 A1 or P1 of the Hobart Interim Planning Scheme 2015 because it includes the removal of the front garden tree which contributes to the historic cultural heritage significance of the 'Golf Links Estate' Heritage Precinct, and it has not been demonstrated that:
 - (i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
 - (ii) there are no prudent or feasible alternatives; and
 - (iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.
 2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 A5 or P5 of the Hobart Interim Planning Scheme 2015 because the removal of the front garden tree would result in the loss of an element of landscaping between the dwelling and the street that contributes to the historic cultural significance or the streetscape values and character of the 'Golf Links Estate' Heritage Precinct.
- 4.2 The current proposal would not remove the front garden tree, which addresses both of the above reasons for refusal.

5. Concerns raised by representors

- 5.1 A total of 17 representations objecting to the proposal were received within the statutory advertising period between the 8th and 22nd May 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.

Use

- The proposal to change use to "Boarding House" is a fundamental and major change to the character of a residential area that has a heritage zoning;
- The proposed development is also incompatible with the current single house residential character of the surrounding area;
- There won't be an onsite manager;
- Short term stays will be permitted which will further degrade our neighbourhood;
- concern at unsympathetic developments aimed at the student market being hastily erected;
- These types of development are completely at odds with the residential neighbourhoods which make Hobart a desirable community to live in.

Parking

- Limited carparking in already high demand area;
- The proposed garaging and parking for vehicles inadequate will add to congestion. The provision of off-street parking does not appear to match demands arising from proposed additional dwellings on site. This will add to traffic and parking issues in Alexander Street and add to parking issues in the immediately surrounding streets;
- concern at single parking space provision;
- This application fails to provide the required number of OSP places. Provision of only one car space for a dwelling with 8 individually let rooms will result in loss of on street parking amenity for existing residents. As is evidenced by the requirements of the Interim Planning Scheme to allocate parking places for visitors there needs to be a recognition of the needs of existing residents for visitors to park within reasonable walking distance. Sadly this amenity has already been severely eroded by the present change of use to street with a number of residences let to students – many of whom have their own vehicles. Many of these places are quasi-boarding houses at present. Approval of this application may open the door for a number of previously rejected development applications being submitted again with change of use to boarding house. Alexander St as the neighbouring street to the University is used as a street for free parking for University students and staff during term. The Interim Planning Scheme enshrines the needs of residents and their visitors of new or redeveloped dwellings to have capacity to park at these residences. Any appraisal of new or redevelopment should similarly recognise the needs of existing residents who should not suffer significant loss of this already scarce

amenity.

There is woefully inadequate parking for residents at present. 24 of the 42 addresses have either zero or 1 off street parking places. This was a street originally developed in the 1920s by one or no car families. Many of the houses are let to an increasingly affluent student population many of whom own cars. OSP exemption had already been extended for 54 Alexander St and application for similar exemption granted for 56 Alexander. Recent rulings have already resulted in loss of on street parking amenity for existing residences.

Aspirational goals of students and general populace to make use of bicycles and public transport are laudable but are not founded in reality. A hilly capital with cold winters results in cars being the transport of choice. The University bike park area is poorly patronised. Photographic evidence is easy to collect to assess effectiveness of plan. In the meantime the existing residents continue to lose amenity, visitors are unable to park and amenity is eroded;

- Significant loss of amenity for residents - on street parking, access for visitors;
- 1 off street parking spot for a 5 bedroom house is already inadequate and means most of the cars for these occupants are parked in the street;
- Adding 3 more rooms could mean at least 3, if not more, people living on the premise. This is more cars blocking our street;
- What about the provision for visitors to have parking in the street? Or the availability of parking for University students? Right now the street looks half empty but once we fully recover from Covid-19 it will be back to chock-a-block;
- unrealistic for Council to grant an exemption to the required parking;
- inadequate existing parking for residents.

Access

-concern at impact of proposal on parking and pedestrian mobility in the street.

Servicing including rubbish removal

-The proposed development will add another eight bins each week for weekly garbage, recycling, and green waste removal in a crowded street and further affect parking and or pedestrian mobility in the street;

-concern at rubbish accumulation and noise;

- There is already a considerable problem with the way students manage their waste. They put rubbish in recycling bins and often leave rubbish piled besides their rubbish bins. Every bin day there is rubbish blowing around our streets. The University and the Council don't seem to give a flip. Why would you if you don't live here? One of our residents often walks the street with a plastic garbage bag and picks up all the trash;

-More students living in this street means more rubbish bins and more rubbish. There's hardly room now between the parked cars for these bins to sit. On top of this, more rubbish will blow down our street and out to the Derwent River. It's not good enough but no one takes responsibility for any of this;

-proposal will see more transient occupation with less understanding regarding Council by-laws and noise;

-concern at rodent problem associated with poor rubbish practices.

Amenity and open space

-The proposed development is also incompatible with the current single house residential character of the surrounding area. The proposed additional dwellings removing considerable open space from the site and appear to be very close to property boundaries with consequential impacts on neighbouring properties;

-To approve the application for 41 Alexander St to be a boarding house will see a decline in the amenity of those in neighbouring houses. The complaints regarding rubbish accumulation and noise of recent tenants of the 5 bedroom dwelling were ignored by both tenants and the landlord. The assurance that this will be managed as the owner lives nearby is no guarantee that this will be honoured. It hasn't been to date and there is no assurance it would be in the future;

-all trees in the backyard will be removed.

Heritage and character

- proposal does not meet community expectations;
- failure to maintain Golf Links heritage values;
- Alexander Street is full of many single-storey heritage (circa 1930 era) homes and cottages and this development would be out of character with that. While there are already some two-storey dwellings, these are behind other one-storey homes and are not visible from the road;
- This is a heritage precinct and the proposal is not a sympathetic development, it is completely out of character with the street. Almost all the current dwellings on that side of Alexander Street are heritage (c 1930) single storey weatherboard houses, while the proposed dwellings are very modern. The design is still in no way sympathetic to the heritage area - sloping flat roof line and modern materials. In this new proposal they have tried to comply with the heritage requirements (by leaving the established garden and not cutting down any trees to make room for an additional parking spot) this would mean that although there would potentially be 15 residents there would only be one parking space (ie the current garage). The other heritage concerns remain that the unit furthest from the road is so high that it would be clearly visible behind the existing house. There are currently some two storey buildings but these are all behind existing houses so not clearly visible from the road whereas the proposed development would have a big visual impact on the streetscape;
- concern at loss of aesthetics and character;
- This third application indicates the new construction is visible from the street. The first application recognised that maintaining heritage value of the street was important enough to have this hidden – why is this now being ignored?
- lack of meeting of requirements for maintenance of the heritage value of the Golf Links Estate;
- loss of unique character.

<p>Density and precedent</p> <p>-concern at precedent for modern, high density living;</p> <p>-The intent of the Planning Scheme should see no difference as to whether this is one dwelling or multiple dwellings – the knock-on effect of having 8 bedrooms is over a 35% increase in number of tenants. It would appear that there is no mechanism to decide when the number of residents of a street has reached its tipping point re on-street parking, traffic, rubbish accumulation... The council would appear to be powerless to ensure that residents in boarding houses and similar are required to meet their community expectations of effective rubbish disposal. Past experience in Alexander St is that houses operated as boarding houses have rubbish accumulating for weeks on end – no one tenant sees this as their responsibility;</p> <p>-concern at a total of 15 people on a normal suburban block - this surely exceeds density rules, even when not submitted as 'multiple dwellings'.</p>
<p>Loss of property value</p> <p>-I am concerned this change of accommodation/building status will deteriorate the value / resale of houses in the neighbourhood.</p>
<p>Loss of privacy</p> <p>-loss of privacy to neighbouring properties.</p>
<p>Overshadowing</p> <p>-overshadowing of neighbouring properties.</p>
<p>Noise</p> <p>-concern that noise impact from existing use will increase.</p>
<p>Health</p> <p>-in light of current pandemic, need for physical distancing results in high density living being less desirable.</p>
<p>Other</p> <p>-concern at construction access;</p> <p>-Visitors to the house will (and currently do) stand out near the street to smoke their cigarettes, then flick the finished butts onto the private property (mine) next door. Along with their empty cigarette packets;</p> <p>-application for short term gain by the developer.</p> <p>- The development as presented in the documents and plans does not appear to conform to planning scheme in number of areas. These matters have direct and ongoing impact on surrounding residents and the neighbourhood and as a result the application as submitted should be rejected.</p> <p>- It seems to us that people are allowed to buy properties, let them degrade through lack of maintenance to a stage where " development " is the best salvage option. I would suggest that the</p>

HCC could be more proactive in encouraging property owners to maintain their property to an acceptable standard. All prospective buyers should be made aware that these type of developments are not permitted and not to factor such developments into their purchase decisions.

- No grey area to potentially exploit.
- We absolutely oppose this application.
- Specifically, in relation to the development next door at 41 Alexander Street, I have watched the degradation of the property with its unkempt gardens, rubbish littering the front and the ever-present taxis (driven by the students living in the premises) blocking our driveway. The owner continues in wanting to increase their student housing empire by changing the zoning to "Boarding House" and effectively more than doubling the occupancy on the site and I must object to this.
- This development is clearly aimed at cashing in on the university housing market. I ask you, if the university is being relocated to the city – why do we need even more housing in Sandy Bay? Since my last representation against this development the University of Tasmania has announced a dramatic reduction courses and with that would be decreased demand for housing around the University. Surely the numbers of overseas students requiring housing will be diminished hence the need for even more accommodation. I urge you to consider this development in the longer term.
- Ten years from now we'll be left with empty boarding houses in neighbourhoods where once stood quality, historic single family homes. Housing prices will plummet.
- As mentioned previously, this particular developer is clearly aiming at the University housing market.
- If you think this development is going to make a dent in Hobart's housing crisis, I urge you to think again. In fact, according to The Housing and Homelessness Strategy 2016-2019 published by The Hobart City Council, "Tertiary homelessness is experienced by people staying in accommodation that falls below minimum community standards (e.g. boarding houses and caravan parks)." If you, as a council, state that boarding houses fall below minimum community standards why would you approve one...even for university students?
- The increased approval of boarding houses in the area is of grave concern to me. Not only do boarding houses not meet minimum community standards they change the whole fabric of the neighbourhood. I ask you, is your plan for Hobart to become a shanty town of boarding houses?

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 a dwelling. The proposed use is a boarding house. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 11 Inner Residential Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
 - 6.4.4 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Parking and Access Code:-
Number of Car Parking Spaces Part E 6.6.1 P1
 - 6.5.2 Historic Heritage Code:-
Demolition, Building and Works within a Heritage Precinct Part E13.8.1 P1, and E13.8.2 P1, P2, P3, P5
- 6.6 Each performance criterion is assessed below.
- 6.7 Parking: Number of Car Parking Spaces - Part E6.6.1 P1
- 6.7.1 The acceptable solution at clause E6.6.1 A1 (Table E6.1) requires a total

of 3 parking spaces for boarding house use, being 1 space per staff member and 1 space per 3 bedrooms.

- 6.7.2 The proposal includes one (1) on site parking space.
- 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 E6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400 m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Historic Heritage Code.*

- 6.7.5 Assessment of the performance criterion follows.

- The site is 320 metres from Churchill Avenue which is a public transport bus route.

- The site is reasonably centrally located being some 2.2 kilometres from the city centre (GPO) and in close proximity to the University of Tasmania main Sandy Bay campus. Therefore, in addition to public transport availability, the site is considered reasonably accessible with regard to walking.
- Alexander Street is also the subject to a resident parking permit scheme, with a 2 hour limit for non residents during working hours.

Council's Senior Development Engineer comment is as follows.

- The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.6.1 (a) and as such, shall be assessed under Performance Criteria.
- Acceptable solution - A1: The number of on-site car parking spaces must be: (a) no less than and no greater than the number specified in Table E6.1; - NON COMPLIANT
 - The existing number of parking spaces = 1x. The existing demand for a 2+ bed room dwelling (Table E6.1 = 2x) is 2 car parking spaces. On this basis there is an existing deficiency of one car parking space.
 - The proposed number of parking spaces = 1x. The proposed demand for an 8 bed room boarding house (Table E6.1 = 1 car parking space per 3 tenants) is 2.7 rounded to 3 car parking spaces. Proposed deficiency is two car parking spaces or an increase of deficiency of one car parking space. On this basis it requires Performance Criteria Assessment.

Performance Criteria - P1:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand; -

Comment: The likely car parking demand may be less one car parking space per three tenants as the property is very close walking distance to the university and is likely to house university students.

(b) the availability of on-street and public car parking in the locality; -

Comment: There is a large pool of on-street parking in the area which is in very high demand at present due to the proximity of the university. Quite a

bit of this parking is timed parking which allows residence to park for longer periods. This development would not be eligible for residential parking permits and as such would not be permitted to park long term in the timed parking areas. By converting this dwelling to a boarding house will increase the availability of timed parking zones for other residence in the area, but non-timed parking spaces may have a greater level of competition between users.

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

Comment: Metro Tasmania operate regular bus services along a number of street which is within 400 metres of the subject site.

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

Comment: The site is located a convenient walking distance from the University, schools and services.

(e) the availability and suitability of alternative arrangements for car parking provision; -

Comment: No alternative parking provision is available or considered necessary.

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; -

Comment: Not applicable.

(g) any car parking deficiency or surplus associated with the existing use of the land; -

Comment: There is an existing deficiency of one car parking space.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; -

Comment: Not applicable.

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; -

Comment: Not applicable.

(j) any verified prior payment of a financial contribution in lieu of parking for the land; -

Comment: Not applicable.

(k) any relevant parking plan for the area adopted by Council; -

Comment: Not applicable.

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code; -

Comment: Not applicable.

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code. -

Comment: No impact.

Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme. Based on the deficiency increasing by one car parking space only, the proximity to university (likely tenants are university students), proximity of public transport and the fact that there is a reasonable amount of timed parking which will not be available to the proposed development, Council's Senior Development Engineer supports the development.

It is noted that there are a number of representations regarding parking issues. This was discussed with Council's Senior Traffic Engineer who advised that a deficiency of one car parking space does not give sufficient grounds to refuse the application particularly as the timed parking areas will be freed up slightly for local residence.

6.7.6 The officer's report is provided at Attachment C to this report.

6.7.7 The proposal complies with the performance criterion.

6.8 Demolition, Building and Works in a Heritage Precinct - Part E13.8.1 P1, E13.8.2 P1, P2, P3

6.8.1 There is no acceptable solution for E13.8.1 (demolition) or E13.8.2 (building and works).

6.8.2 The proposal includes demolition, building and works 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 criteria at clauses E13.8.1 P1, and E13.8.2 P1, P2, and P3 provide as follows:

E13.8.1 P1

Demolition must not result in the loss of any of the following:

- (a) buildings or works that contribute to the historic cultural heritage significance of the precinct;*
 - (b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;*
- unless all of the following apply;*
- (i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
 - (ii) there are no prudent or feasible alternatives;*
 - (iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.*

E13.8.2 P1

Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.

E13.8.2 P2

Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.

E13.8.2 P3

Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.

- 6.8.5 Assessment of the performance criterion by Council's Cultural Heritage Officer follows.

41 Alexander Street was the subject of a previous application under PLN-20-700.

This application was refused on heritage grounds due to the proposed demolition of a tree, section of fence and carport between the house and the street.

The applicant has modified the proposal to ensure the tree, fence and carport will be retained.

My previous concerns have been addressed.

As was noted in my previous report the proposed extension at the rear of the house, is well setback, will be glimpsed behind, and will not dominate, the existing house when viewed from the street.

It will not be individually visually dominant in the streetscape. It is important to note that the statement of significance for the precinct refer to 'intact streetscapes'.

My comments can only refer to impacts on the streetscape.
Thus the proposed development satisfies E 13.8.1 P1 (b) and E 13.8.2 P1, P3 and P5

However, The Council has received representations. Within these documents people have referred to the character of the area.

The word Character comes from *kharaktēr* -a greek word meaning 'a stamping tool'. It is thus a mark or impression. It is possible to think of character, not as something intrinsic but rather as something ascribed by other. Character is inextricably linked with how people feel about something. It seems people feel that this development is inconsistent with the qualities of the precinct to which they ascribe value.

In this instance, there is a sense of houses being at the front of lots and vegetated spaces at the rear of blocks. Traditionally a house has a public street front and a private back garden. Together, house and garden form an urban block. Hard (or built form) at the perimeter and green (or soft space) at the center. The consistency of this pattern in the precinct is notable, historic and a function of the original 1918 subdivision. The Golf Links Estate Subdivision is the basis of the Golf Links Estate Precinct.

The proposed extension would be a change to spatial patterns in the precinct. The currently soft, central, green space will become a hard, built space. Inserting built form into gardens, constitutes attrition to a collection of separate, private, green spaces which form a collective green center to

the urban block. The consistency of the historic spatial pattern will be disrupted.

The provisions of the Heritage Code do not provide me with a legal basis to refuse this application, but the representations make it clear, that some members of the community are concerned regarding loss of historic heritage character.

6.8.6 The officer's report is provided at Attachment D below.

6.8.7 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for a partial demolition, alterations, extension and change of use to boarding house, at 41 Alexander Street Sandy Bay.
- 7.2 The application was advertised and received 17 representations. The representations raised concerns including including density, garage setback, parking and heritage, as well as concerns regarding lack of site maintenance, rubbish removal and the increased number of people at the site. It is noted that the proposal complies with the acceptable solutions for site coverage, setback and building envelope, and privacy. The proposal is for a boarding house use, which is permitted in the zone, and does not require an assessment of density.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable subject to conditions.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions. The reports of the Council's Senior Development Engineer and Cultural Heritage Officer are provided as attachments to this report.
- 7.5 There has been representor/neighbour and applicant consultation. The applicant has been advised of the representations received. The applicant has granted an extension of time to allow Council consideration of the proposal.
- 7.6 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed partial demolition, alterations, extension and change of use to boarding house at 41 Alexander Street Sandy Bay TAS 7005 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, alterations, extension and change of use to boarding house at 41 Alexander Street Sandy Bay TAS 7005 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-20-256 - 41 ALEXANDER STREET SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00587-HCC dated 7 May 2020 as attached to the permit.

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 1

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

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that

could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

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.

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.



(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: 2 June 2020

Attachment(s):

Attachment B - CPC Agenda Documents

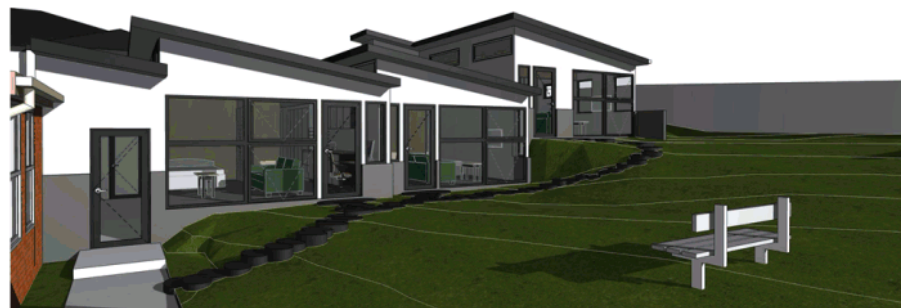
Attachment C - Planning Referral Officer Development Engineering Report

Attachment D - Planning Referral Officer Cultural Heritage Report

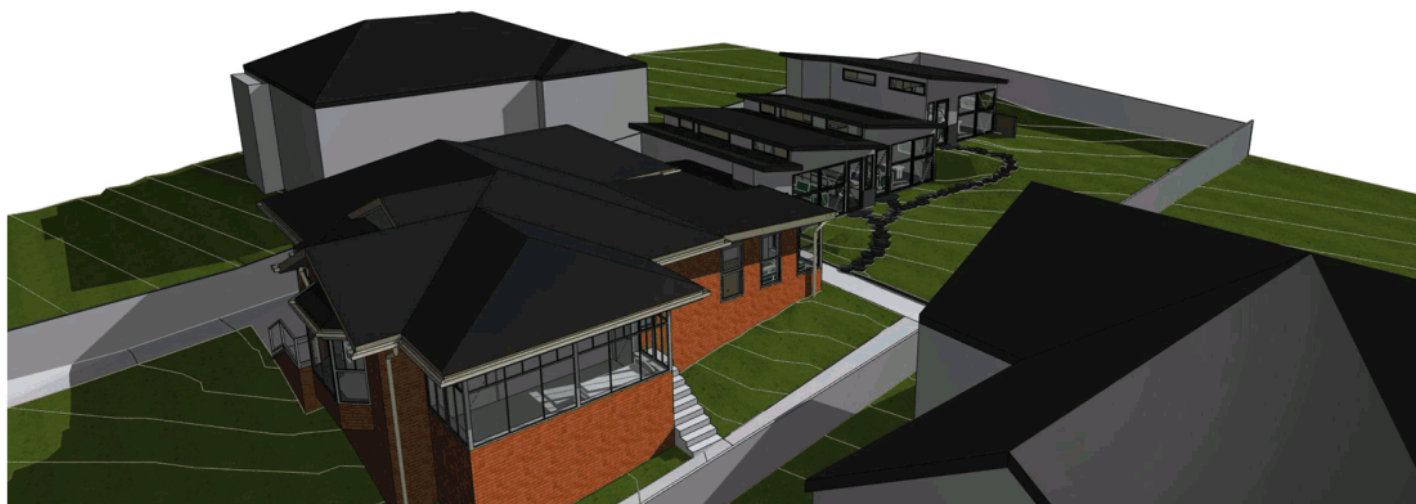
HOUSE HUANG EXTENSION + ALTERATIONS

DRAWING REGISTER

AA000	DRAWING INDEX
AA101	SITE PLAN
AA102	DEMOLITION PLAN
AA103	FLOOR PLAN
AA104	FLOOR PLAN GARAGE
AA105	RCP
AA201	ELEVATIONS
AA202	ELEVATIONS
AA203	ELEVATIONS
AA204	ELEVATIONS - GARAGE
AA301	SECTION A - A
AA302	SECTION B - B
AA401	DETAILS



1
- BACKYARD PERSPECTIVE



2
- AERIAL PERSPECTIVE

GENERAL NOTES

GENERAL
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DO NOT SCALE FROM THIS DRAWING

THE CONTRACTOR SHALL CONFIRM ON SITE EXISTING CONDITIONS, LEVELS AND DIMENSIONS PRIOR TO COMMENCEMENT OF WORKS

ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION

ALL LEVELS INDICATED PERTAIN TO FINISHED LEVELS AND NOT STRUCTURAL LEVELS UNLESS OTHERWISE INDICATED

MATERIALS AND WORK PRACTICES SHALL COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC) AND OTHER RELEVANT CODES REFERRED TO IN THE NCC

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS, SPECIFICATIONS AND DRAWINGS

PROPRIETARY ITEMS, SYSTEMS AND ASSEMBLIES ARE TO BE ASSEMBLED, INSTALLED OR FIXED IN CONFORMANCE WITH THE CURRENT WRITTEN RECOMMENDATIONS AND INSTRUCTIONS OF THE MANUFACTURER OR SUPPLIER

WORKPLACE HEALTH AND SAFETY
ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE PROJECT SAFE DESIGN REPORT

ALL CONTRACTORS MUST CARRY OUT WORKS IN ACCORDANCE WITH CURRENT HEALTH AND SAFETY LEGISLATION AND BEST PRACTICE INCLUDING PREPARATION OF A CONSTRUCTION SAFETY MANAGEMENT PLAN

LAND TITLE REFERENCE
VOLUME(PLAN): 55178
FOLIO (LOT): 253

DESIGN WIND SPEED
WIND LOADING TO AS 4055: N3

SOIL CLASSIFICATION
SOIL CLASSIFICATION TO AS 2870: T8A

CLIMATE ZONE FOR THERMAL DESIGN
CLIMATE ZONE TO BCA FIGURE 1.1.4: 7

BUSHFIRE PRONE AREA BAL RATING
BUSHFIRE ATTACK LEVEL (BAL) TO AS 3959: n/a

CORROSION ENVIRONMENT
CORROSION ENVIRONMENT TO AS/NZS 2212: n/a

KNOWN SITE HAZARDS: n/a

SCHEDULE OF AREAS
EXISTING FLOOR AREA: 164m²
PROPOSED DWELLING FLOOR AREA: 117m²
SITE AREA: 780m²
SITE COVERAGE: 281m²
SITE COVERAGE PERCENTAGE: 36%

FOR
APPROVAL
ONLY
NOT FOR CONSTRUCTION

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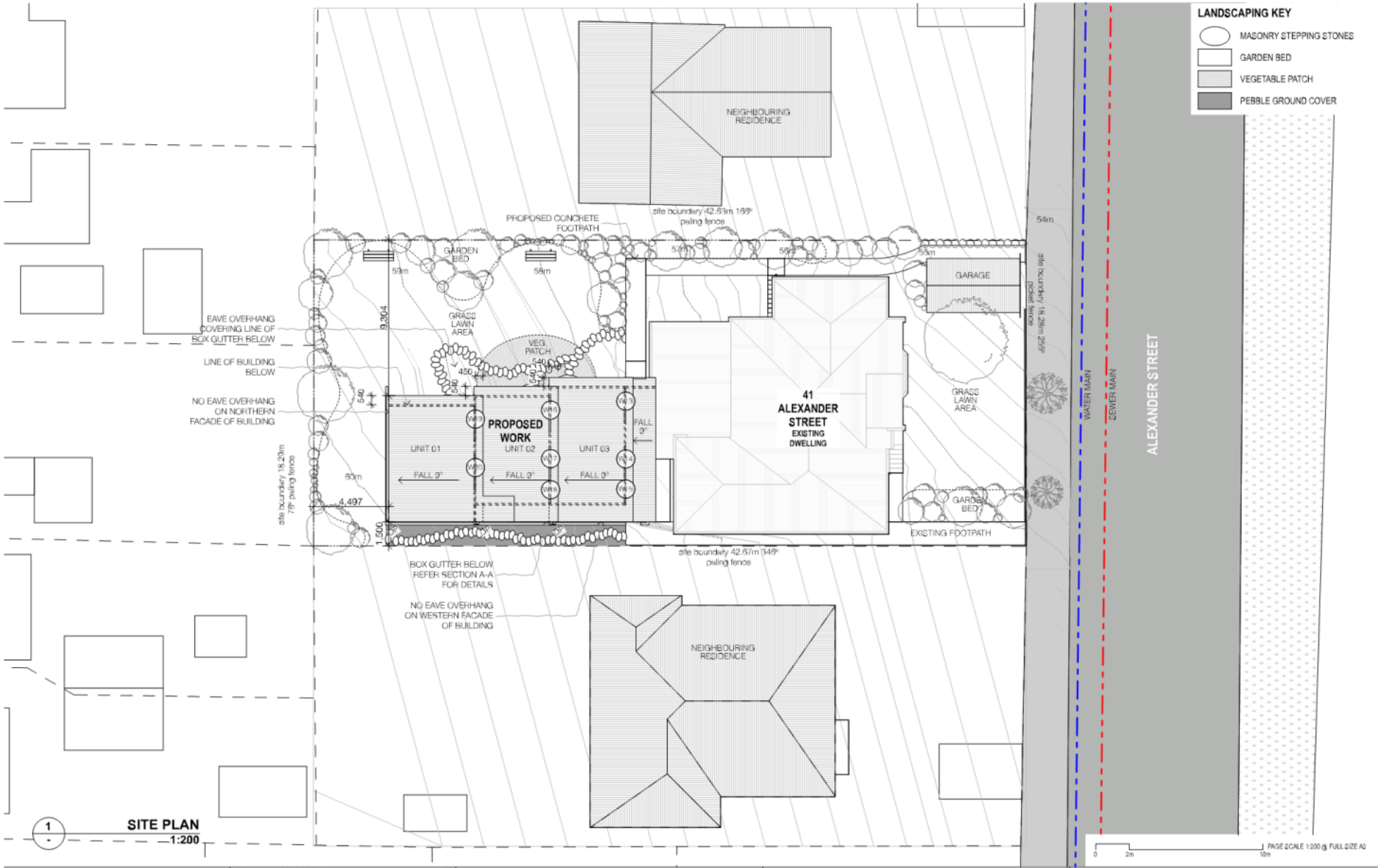
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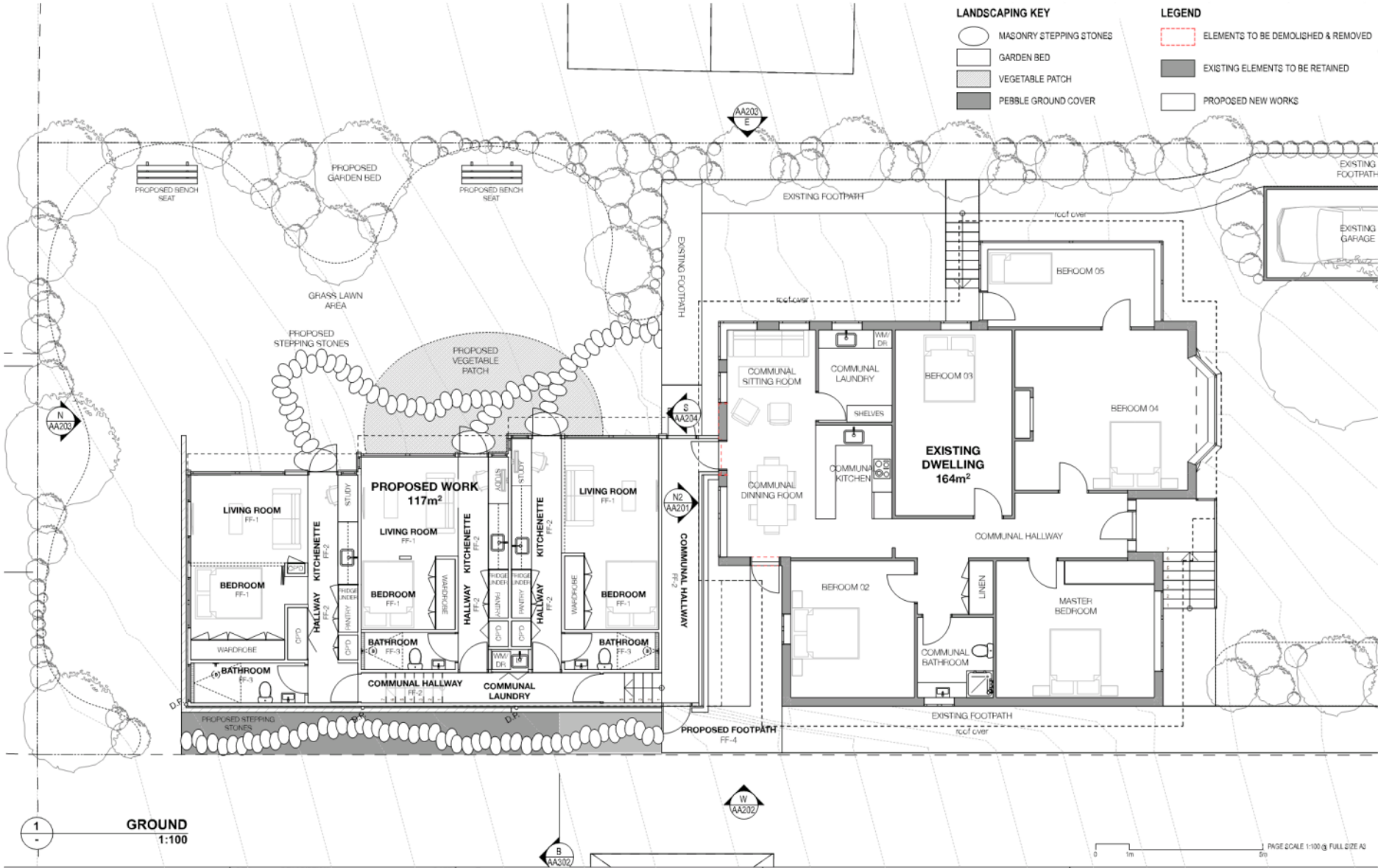
HOUSE HUANG
EXTENSION + ALTERATIONS

41 ALEXANDER STREET SANDY BAY TAS 7006
YIYI HUANG

22/4/20

1929 A001 - D
DRAWING INDEX





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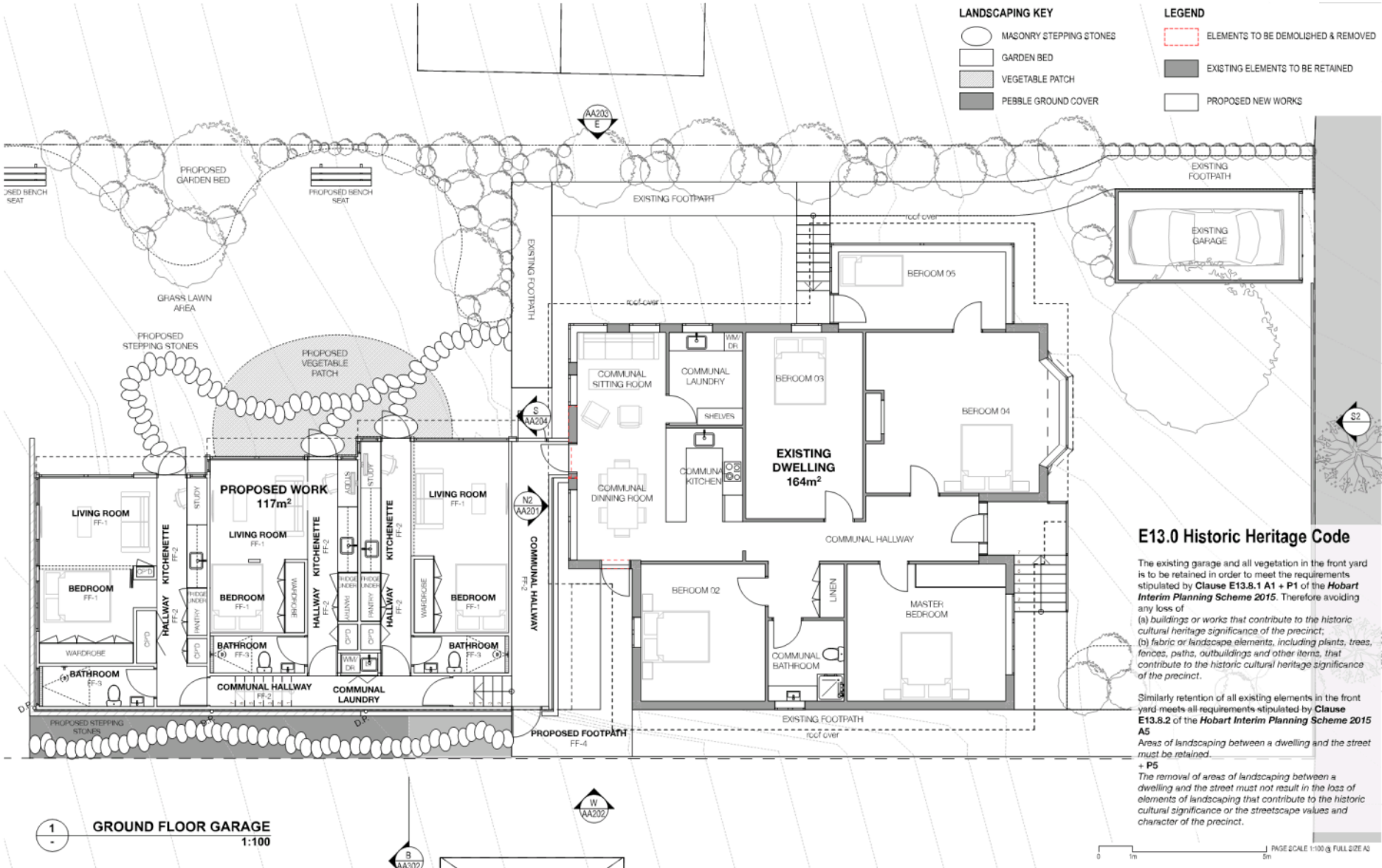
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**HOUSE HUANG
EXTENSION + ALTERATIONS**

41 ALEXANDER STREET SANDY BAY TAS 7006
YIYI HUANG

22/4/20
**1929 A003 - D
GROUND FLOOR**



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LEGEND

- SM SHEET METAL - DARK COLOUR
- CS CEMENT SHEET
- RB RENDERED BLOCK WORK
- G CLEAR GLAZING
- EX EXISTING FINISH



1 NORTH ELEVATIONS EX HOUSE
1:100

GENERAL NOTES:

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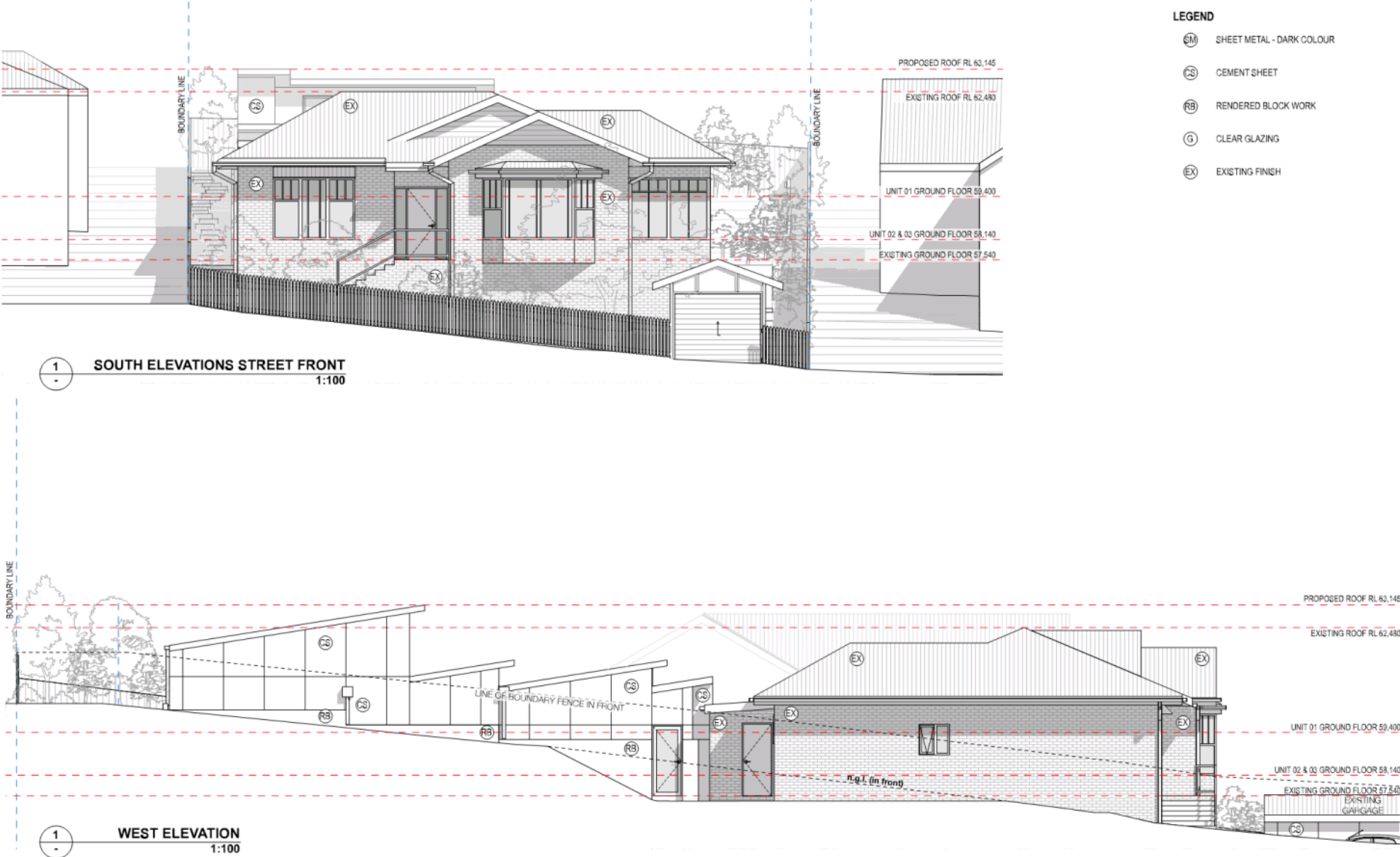
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HOUSE HUANG
EXTENSION + ALTERATIONS

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22/4/20

1929 A005 - C
ELEVATIONS



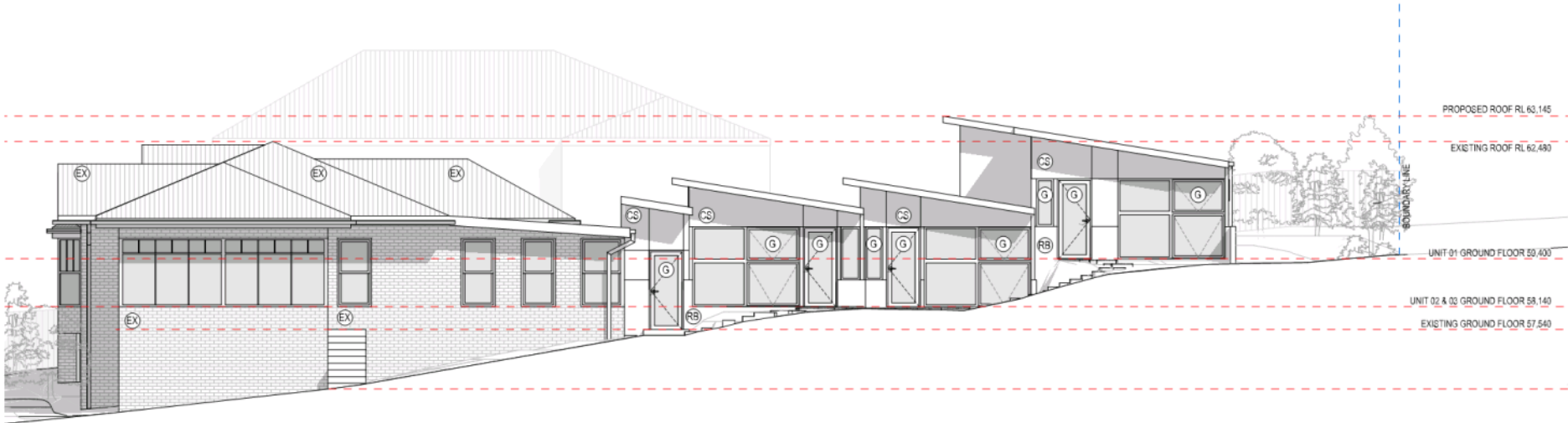
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LEGEND

- SM SHEET METAL - DARK COLOUR
- CS CEMENT SHEET
- RB RENDERED BLOCK WORK
- G CLEAR GLAZING
- EX EXISTING FINISH



1 NORTH ELEVATION
1:100



1 EAST ELEVATION
1:100

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HOUSE HUANG
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1929 A007 - C
ELEVATIONS



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EAST ELEVATION
1:100

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HOUSE HUANG
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1929 A008 - C
ELEVATIONS - GARAGE



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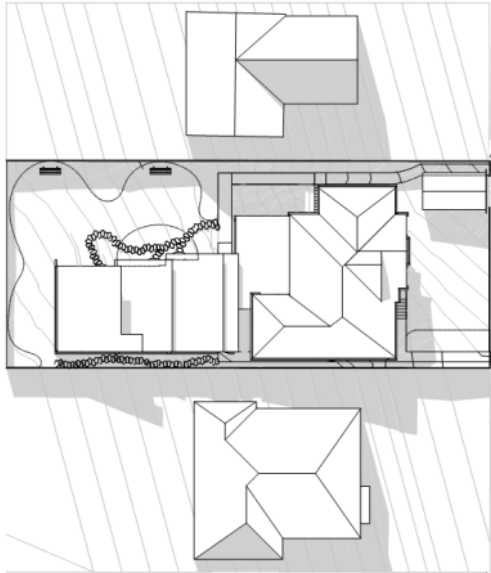

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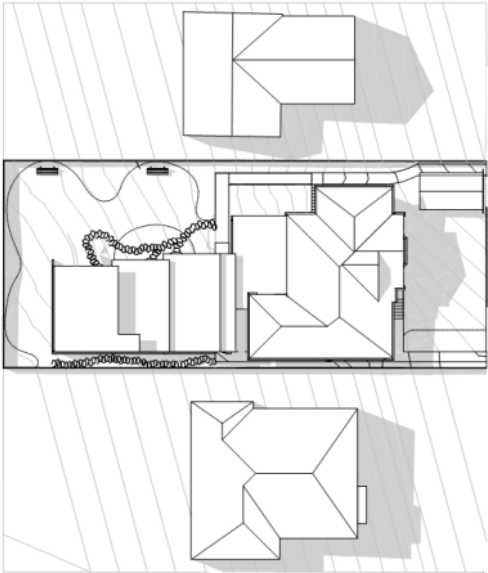
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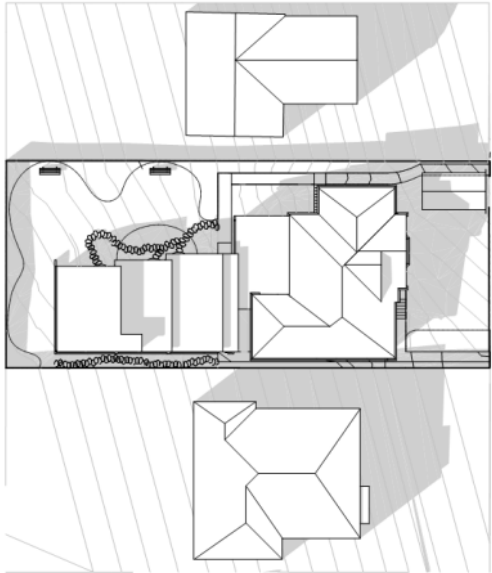
1929 A009 - C
SECTION A - A



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX MARCH 21 @ 9AM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX MARCH 21 @ 12PM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX MARCH 21 @ 3PM

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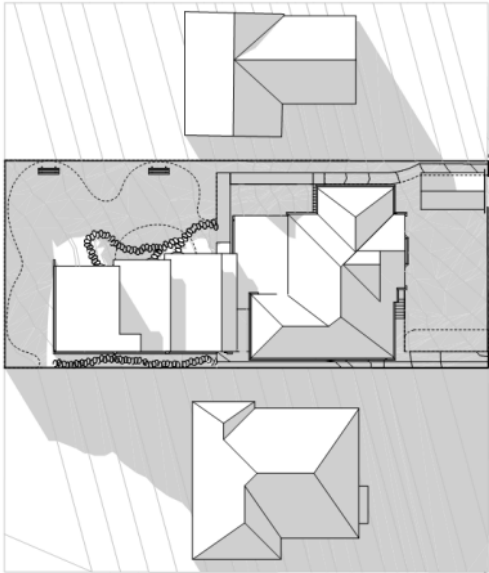
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EXTENSION + ALTERATIONS**

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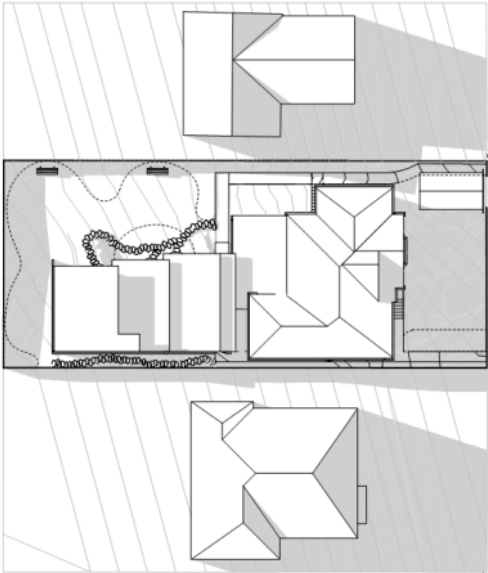


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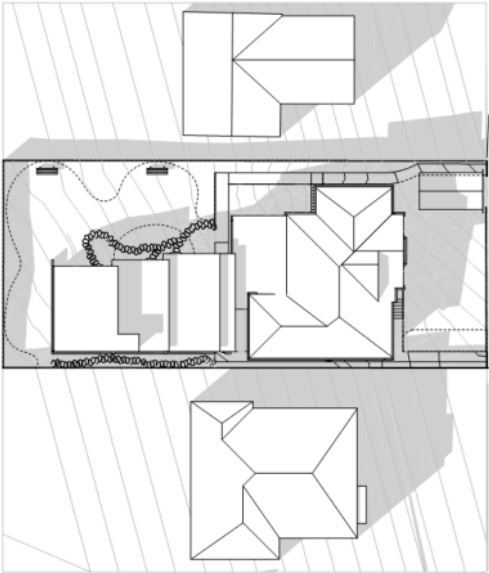
**1929 A010 - D
SHADOW DIAGRAMS MARCH**



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE WINTER SOLSTICE JUNE 21 @ 9AM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE WINTER SOLSTICE JUNE 21 @ 12PM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE WINTER SOLSTICE JUNE 21 @ 3PM

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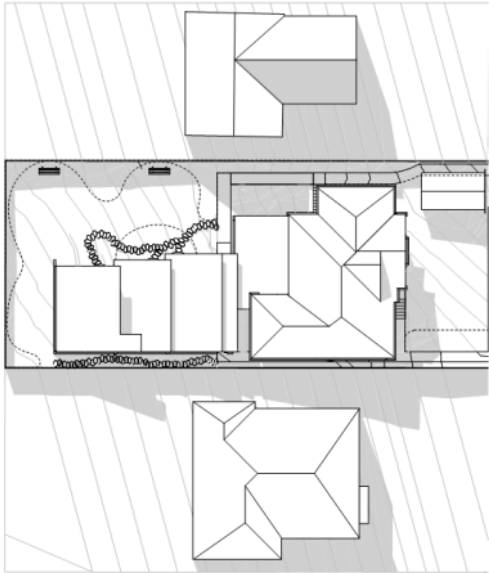
**HOUSE HUANG
EXTENSION + ALTERATIONS**

41 ALEXANDER STREET SANDY BAY TAS 7006
YIYI HUANG

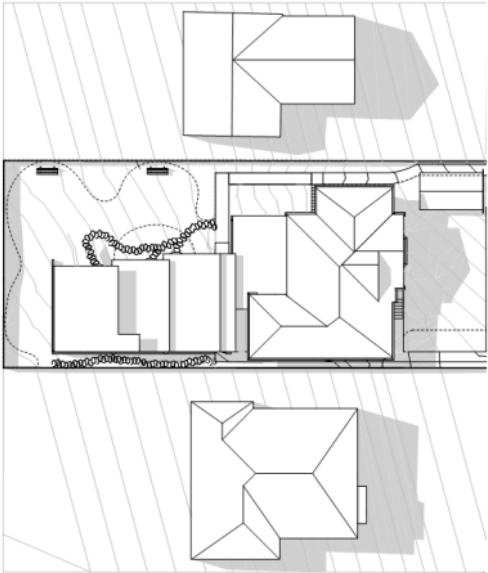


22/4/20

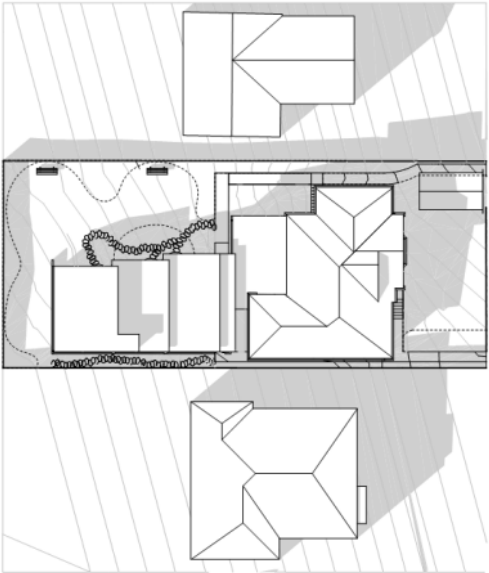
**1929 A011 - D
SHADOW DIAGRAMS JUNE**



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX SEPTEMBER 21 @ 9AM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX SEPTEMBER 21 @ 12PM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE VERNAL EQUINOX SEPTEMBER 21 @ 3PM

GENERAL NOTES:

Contractors shall verify all dimensions and levels on site before commencement of any work.
Contractors shall clarify any discrepancies before commencement of any work. Drawings must not be scaled.
Contractors shall submit samples and shop drawings before commencing work. All work shall be carried out in accordance with the Building Code of Australia and all relevant Australian Standards. These designs, plans, specifications and the copyright herein are the property of Oramatis Studio and must not be used, reproduced or copied wholly or in part without the written permission of Oramatis Studio.

Volumes/Residential/2019/1023_41 ALEXANDER STREET SANDY BAY/0000 ARCH/AD1023 200420 BA 41 ALEXANDER STREET V5.pn

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DESCRIPTION
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DA RESUBMISSION TO COUNCIL
DA RESUBMISSION TO COUNCIL
DA RESUBMISSION TO COUNCIL

DATE
17/10/19
17/2/20
28/2/20
22/4/20



Oramatis Studio

212 Elizabeth Street, Hobart
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e: admin@oramatis.com.au
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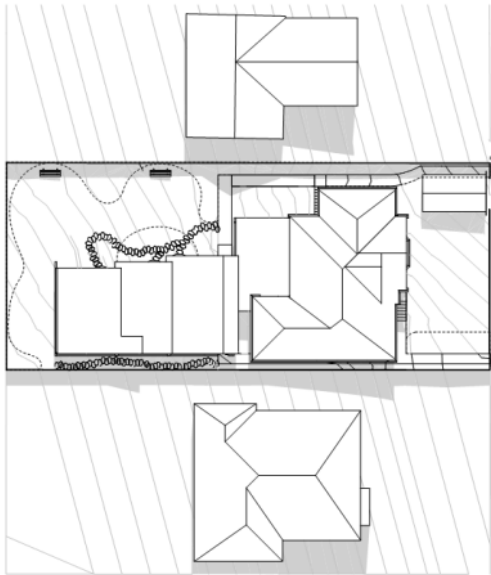
**HOUSE HUANG
EXTENSION + ALTERATIONS**

41 ALEXANDER STREET SANDY BAY TAS 7006
YIYI HUANG

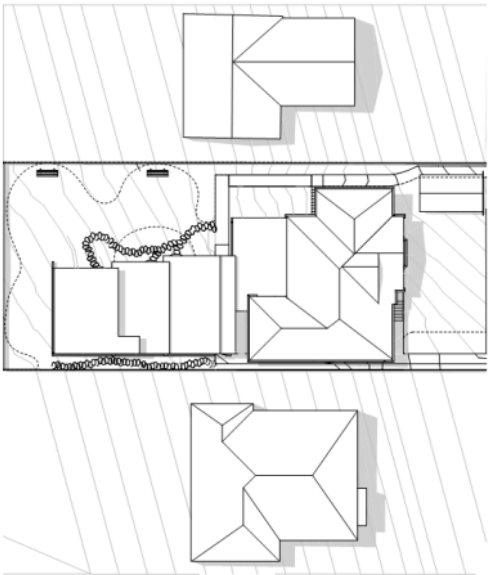


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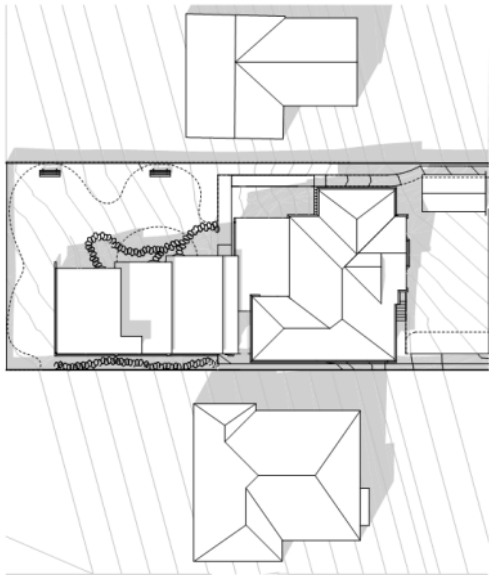
**1929 A012 - D
SHADOW DIAGRAMS SEPTEMBER**



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE SUMMER SOLSTICE DECEMBER 21 @ 9AM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE SUMMER SOLSTICE DECEMBER 21 @ 12PM



SHADOW PROJECTION CAST BY PROPOSED EXTENSION
ON THE SUMMER SOLSTICE DECEMBER 21 @ 3PM

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Volumes/Residential/2019/1023_41 ALEXANDER STREET SANDY BAY/0000 ARCH/AD1023 200420 BA 41 ALEXANDER STREET V5.ppt

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**HOUSE HUANG
EXTENSION + ALTERATIONS**

41 ALEXANDER STREET SANDY BAY TAS 7006
YIYI HUANG



22/4/20

**1929 A013 - D
SHADOW DIAGRAMS DECEMBER**



RESULT OF SEARCH

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 55178	FOLIO 253
EDITION 9	DATE OF ISSUE 06-Jul-2011

SEARCH DATE : 11-Jul-2019

SEARCH TIME : 04.57 PM

DESCRIPTION OF LAND

City of HOBART

Lot 253 on Plan 55178 (formerly being P767)

Derivation : Part of 167A-2R-0Ps. gtd. to D. Lord.

Prior CT 3003/56

SCHEDULE 1M274777 TRANSFER to YI YI HUANG Registered 13-Apr-2010 at
12.01 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

BURDENING EASEMENT: Full and free right for Co-operative Estates Limited and its successors in title and the owners and occupiers for the time being of any other portion of the land comprised and described in Certificate of Title 233 Folio 21 of using all sewers and drains now or hereafter to be made in or over any portion of the said land comprised and described in the said Certificate of Title for the benefit if any existing or future buildings on any portion of the said land and which sewers and drains traverse the land comprised herein with power at any time upon giving previous reasonable notice to enter upon the land comprised herein to make lay repair and cleanse and maintain any pipes or drains the person or persons entering to make good all damage to the surface occasioned thereby.

D14586 MORTGAGE to National Australia Bank Limited
Registered 06-Jul-2011 at 12.01 PMUNREGISTERED DEALINGS AND NOTATIONS

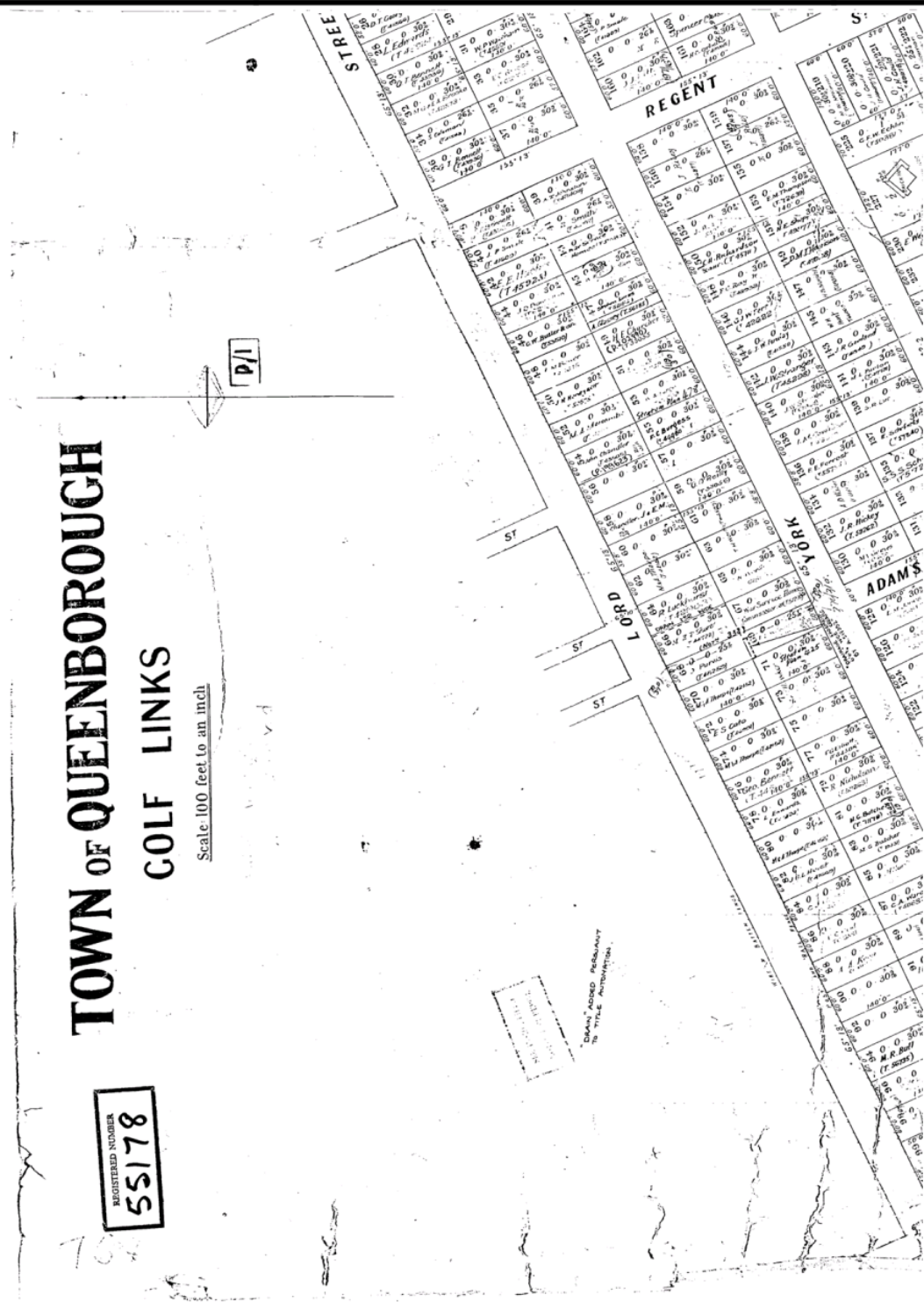
No unregistered dealings or other notations



FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

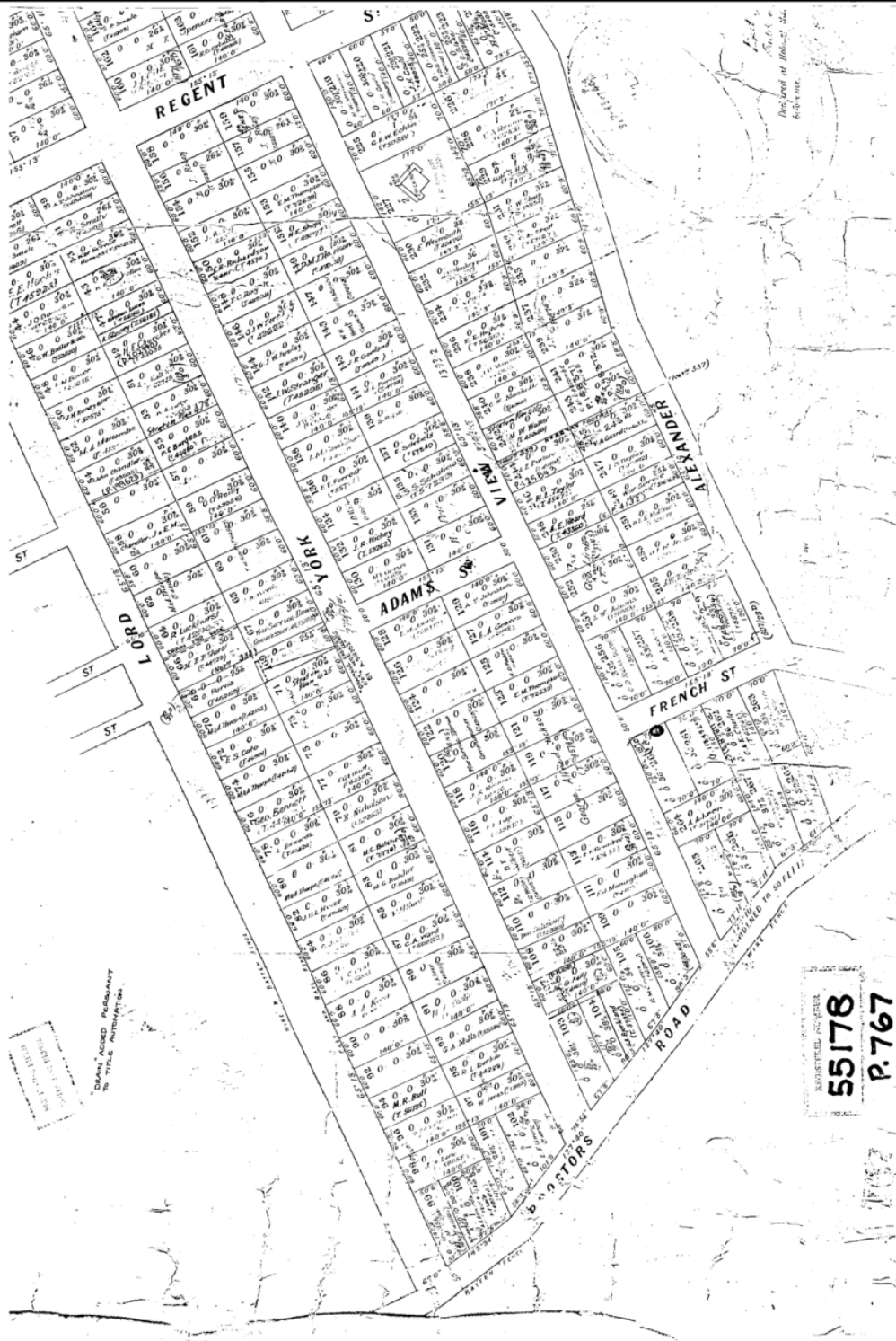




FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-256	Council notice date	4/05/2020
TasWater details			
TasWater Reference No.	TWDA 2020/00587-HCC	Date of response	7/05/2020
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	41 ALEXANDER ST, SANDY BAY	Property ID (PID)	5600072
Description of development	Partial demolition, alterations, extension and change of use to boarding house		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Oramatis Studio	1929 A003-D	D	22/04/2020
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act</i> 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection / sewerage system and connection for this Boarding House development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> a. 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			

**Declaration**

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

Authorised by

A handwritten signature in black ink, appearing to read "J. Taylor".

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		

Application Referral Development Engineering - Response

From:	Rob Cooper - SDE
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	41 ALEXANDER STREET, SANDY BAY
Proposal:	Partial Demolition, Alterations, Extension and Change of Use to Boarding House
Application No:	PLN-20-256
Assessment Officer:	Richard Bacon,

Referral Officer comments:

E5.0 Road and railway access code

E5.1 Purpose			E5.1.1 The purpose of this provision is to: (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
E5.2 Application of this Code	YES	NO	No change to existing access or parking numbers. Code not triggered.
			This Code applies to use or development of land:
	Yes	No	(a) that will require a new vehicle crossing, junction or level crossing; or
	Yes	No	(b) that intensifies the use of an existing access; or
	Yes	No	(c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
	Yes	No	(i) a rail network;
	Yes	No	(ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

E 6.0 Parking and Access Code

E6.1 Purpose			E6.1.1 The purpose of this provision is to:
---------------------	--	--	--

	Yes	N/A	(a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;
	Yes	N/A	(b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;
	Yes	N/A	(c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;
	Yes	N/A	(d) ensure parking areas are designed and located in conformity with recognised standards to enable safe, easy and efficient use and contribute to the creation of vibrant and liveable places;
	Yes	N/A	(e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;
	Yes	N/A	(f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;
	Yes	N/A	(g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;
	Yes	N/A	(h) provide for safe servicing of use or development by commercial vehicles.
E6.2 Application of this Code	YES	—	This code applies to all use and development.
Clause for Assessment			Comments / Discussion (in bold)
<p>Clauses 6.6's are all to do with parking number assessment. These will be assessed by planner based on DE assessment of the following relevant clauses.</p> <p>PERFORMANCE CRITERIA</p>			<p>The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.6.1 (a) and as such, shall be assessed under Performance Criteria.</u></p> <p><u>Acceptable solution - A1:</u> The number of on-site car parking spaces must be: (a) no less than and no greater than the number specified in Table E6.1; - NON COMPLIANT</p> <p>The existing number of parking spaces = 1x. The existing demand for a 2+ bed room dwelling (Table E6.1 = 2x) is 2 car parking spaces. On this basis there is an existing deficiency of one car parking space.</p> <p>The proposed number of parking spaces = 1x. The proposed demand for an 8 bed room boarding house (Table E6.1 = 1 car parking space per 3 tenants) is 2.7 rounded to 3 car parking spaces. Proposed deficiency is two car parking spaces or an increase of deficiency of one car parking space.</p>

On this basis it requires Performance Criteria Assessment.

Performance Criteria - P1:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand; - **The likely car parking demand may be less one car parking space per three tenants as the property is very close walking distance to the university and is likely to house university students.**

(b) the availability of on-street and public car parking in the locality; - **There is a large pool of on-street parking in the area which is in very high demand at present due to the proximity of the university. Quite a bit of this parking is timed parking which allows residence to park for longer periods. This development would not be eligible for residential parking permits and as such would not be permitted to park long term in the timed parking areas. By converting this dwelling to a boarding house will increase the availability of timed parking zones for other residence in the area, but non-timed parking spaces may have a greater level of competition between users.**

(c) the availability and frequency of public transport within a 400m walking distance of the site; - **Metro Tasmania operate regular bus services along a number of street which is within 400 metres of the subject site.**

(d) the availability and likely use of other modes of transport; - **The site is located a convenient walking distance from the University, schools and services.**

(e) the availability and suitability of alternative arrangements for car parking provision; - **No alternative parking provision is available or considered necessary.**

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; - **Not applicable.**

(g) any car parking deficiency or surplus associated with the existing use of the land; - **There is an existing deficiency of one car parking space.**

(h) any credit which should be allowed for a car parking

		<p>demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; - Not applicable.</p> <p>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; - Not applicable.</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land; - Not applicable.</p> <p>(k) any relevant parking plan for the area adopted by Council; - Not applicable.</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code; - Not applicable.</p> <p>(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code. - No impact.</p> <p>Based on the above assessment and given the submitted documentation, the parking provision may be accepted under <i>Performance Criteria P1:E6.6.1</i> of the Planning Scheme. Based on the deficiency increasing by one car parking space only, the proximity to university (likely tenants are university students), proximity of public transport and the fact that there is a reasonable amount of timed parking which will not be available to the proposed development, Council SDE supports the development.</p> <p>It is noted that there are a number of representations regarding parking issues. This was discussed with Council's Senior Traffic Engineer who advised that a deficiency of one car parking space does not give sufficient grounds to refuse the application particularly as the timed parking areas will be freed up slightly for local residence.</p>
<p>Clause 6.7.1 number of vehicle accesses</p> <p>NOT APPLICABLE</p>		<p>The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.1.</u></p> <p>1x existing to be continued to be used.</p>

Clause 6.7.2 design vehicle access NOT APPLICABLE		<p>The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.2.</u></p> <p>No change to existing access design.</p>
Clause 6.7.3 vehicle passing NOT APPLICABLE		<p>Vehicle passing must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.4.</u></p> <p>Submitted documentation appears to indicate no facility / requirement for vehicle passing.</p> <p>Acceptable solution - A1: Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces; - No</p> <p>(ii) is more than 30 m long; - No</p> <p>(iii) it meets a road serving more than 6000 vehicles per day; - No</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; - N/A</p> <p>(c) have the first passing area constructed at the kerb; - N/A</p> <p>(d) be at intervals of no more than 30 m along the access. - N/A</p>
Clause 6.7.4 on site turning NOT APPLICABLE		<p>On-site turning must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.4.</u></p> <p>Acceptable solution - A1: On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units; - COMPLIES</p> <p>(b) it meets a road carrying less than 6000 vehicles per day. - COMPLIES</p> <p>Clause not triggered as no change to existing.</p>

Clause 6.7.5 layout of parking area NOT APPLICABLE			<p>The layout of the parking area must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause 6.7.5.</u></p> <p>Clause not triggered as no change to existing.</p>
Clause 6.7.6 surface treatment NOT APPLICABLE			<p>The surface treatment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.6.</u></p> <p>No new surfaces</p>
Clause 6.7.7 Lighting of parking area Planner and health unit to assess	—	—	Planner to assess
Clause 6.7.8 Landscaping Planner to assess	—	—	Planner to assess
Clause 6.7.9 motor bike parking NOT APPLICABLE			<p>The motor bike parking must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.9.</u></p> <p><u>Acceptable Solution A1 (E6.6.3):</u> The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p> <p>NO REQUIREMENT (<19 car parking spaces).</p>

<p>Clause 6.7.10 bicycle parking</p> <p>NOT APPLICABLE</p>			<p>The bicycle parking must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.10.</u></p> <p><u>Acceptable Solution A1:</u> The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p> <p><u>Acceptable Solution A2:</u> The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p> <p>User Class: Residential</p> <p>Table E6.2 sets out the number of bicycle parking spaces required. The requirement for spaces for a use or development listed in the first column of the table is set out in the second and forth columns of the table with the corresponding class set out in the third and fifth columns. If the result is not a whole number, the required number of (spaces) is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.</p> <p>NO REQUIREMENT</p>
<p>Clause 6.7.11 bicycle end trip</p> <p>Planner to assess</p>	—	—	Planner to assess
<p>Clause 6.7.12 siting of car parking</p> <p>Planner to assess based on DE assessment of Clause 6.7.5 layout of parking area</p>	—	—	Planner to assess
<p>Clause 6.7.13 facilities for commercial vehicles</p> <p>NOT APPLICABLE</p>			<p>The facilities for commercial vehicles must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.13.</u></p> <p>Submitted documentation appears to indicate no commercial vehicles loading, unloading or manoeuvring.</p>

Clause 6.7.14 access to a road NOT APPLICABLE			The access to a road must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.14.</u> No change to existing access
Clause 6.7.15 access to Niree Lane NOT APPLICABLE			The access to Niree Lane must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.15.</u> No development proposed within Niree Lane.

E 7.0 Stormwater

E7.1.1 Purpose			E7.1.1 The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.
E7.2 Application of this Code	YES	N/A	This code applies to development requiring management of stormwater. This code does not apply to use.
Clause for Assessment			Comments / Discussion (in bold)
A1 (SW disposed to Public SW Inf via Gravity / P1 (onsite/pump)) ACCEPTABLE SOLUTION			The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A1).</u> <u>Acceptable Solution A1:</u> Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure. Submitted plans appear to indicate stormwater from new impervious surfaces being able to be disposed of by gravity to public stormwater infrastructure. To be verified at Plumbing Permit stage. CONDITION ENG SW1

<p>A2 (WSUD) /P2 (Mechanical Treatment)</p> <p>NOT APPLICABLE</p>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A2).</u></p> <p><u>Acceptable Solution A2:</u> A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m²; - No (b) new car parking is provided for more than 6 cars; - No (c) a subdivision is for more than 5 lots - No</p> <p>Submitted documentation appears to indicate no requirement for stormwater treatment.</p>
<p>A3 (Minor SW System)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A3).</u></p> <p><u>Acceptable Solution A3:</u> A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; - Feasible (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. - Feasible</p> <p><u>Performance Criteria – P3:</u> No Performance Criteria.</p> <p>Increase of 130m² impervious area should be able to be serviced by existing kerb and gutter connection.</p>

<p>A4 (Major SW System accommodates 1:100 ARI)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A4).</u></p> <p><u>Acceptable Solution A4:</u> A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p> <p><u>Performance Criteria – P4:</u> No Performance Criteria.</p> <p>Increase of 130m² impervious area should be able to be serviced by existing kerb and gutter connection with overflows to the street.</p>

PROTECTION OF COUNCIL INFRASTRUCTURE

Council infrastructure at risk	Why?
Stormwater pipes	Not required
Council road network	Not required

COMMENTS:**CONDITIONS:**

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

General Conditions:

ENG1: Pay Costs
ENG sw1: Stormwater
ENV1: SWMP

ADVICE:

- Dial before you dig
- Fees and charges
- Building Permit
- Plumbing Permit

Application Referral Cultural Heritage - Response

From:	Megan Baynes
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	41 ALEXANDER STREET, SANDY BAY
Proposal:	Partial Demolition, Alterations, Extension and Change of Use to Boarding House
Application No:	PLN-20-256
Assessment Officer:	Richard Bacon,

Referral Officer comments:

41 Alexander Street was the subject of a previous application PLN-20-700.

This application was refused on heritage grounds due to the proposed demolition of a tree, section of fence and carport between the house and the street.

The applicant has modified the proposal to ensure the tree, fence and carport will be retained. My previous concerns have been addressed.

As was noted in my previous report the proposed extension at the rear of the house, is well setback will be glimpsed behind, and will not dominate, the existing house when viewed from the street.

It will not be individually visually dominant in the *streetscape*. It is important to note that the statement of significance for the precinct refer to '*intact streetscapes*'.

My comments can only refer to impacts on the streetscape.

Thus the proposed development satisfies E 13.8.1 P1 (b) and E 13.8.2 P1, P3 and P5

However, The Council has received (need to confirm) representations. Within these documents people have referred to the *character* of the area.

The word Character comes from *kharaktēr* -a greek word meaning 'a stamping tool'. It is thus a mark or impression. It is possible to think of *character*, not as something intrinsic but rather as something *ascribed by other*. Character is inextricably linked with how people feel about something. It seems people *feel* that this development is inconsistent with the qualities of the precinct to which they ascribe value.

In this instance, there is a *sense* of houses being at the front of lots and vegetated spaces at the rear of blocks. Traditionally a house has a public street front and a private back garden. Together, house & garden form an urban block. Hard (or built form) at the perimeter and green (or soft space) at the center. The consistency of this pattern in the precinct is notable, historic and a function of the original 1918 subdivision. The Golf Links Estate Subdivision is the basis of the Golf Links Estate Precinct.

The proposed extension would be a change to spatial patterns in the precinct. The currently soft, central, green space will become a hard, built space. Inserting built form into gardens, constitutes attrition to a collection of separate, private, green spaces which form a collective

green center to the urban block. The consistency of the historic spatial pattern will be disrupted.

The provisions of the Heritage Code do not provide me with a legal basis to refuse this application, but the representations make it clear, that some members of the community are concerned regarding loss of historic heritage character.

This matter is now the responsibility of the the elected members.

MB
CHO
14
05
2020

**7.1.4 1/73 FISHER AVENUE, SANDY BAY COMMON LAND OF PARENT
TITLE - CHANGE OF USE TO VISITOR ACCOMMODATION
PLN-20-246 - FILE REF: F20/56790**

Address: 1/73 Fisher Avenue, Sandy Bay Common Land
of Parent Title

Proposal: Change of Use to Visitor Accommodation

Expiry Date: 23 July 2020

Extension of Time: Not applicable

Author: Richard Bacon

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay TAS 7005 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-20-246 - 1/73 FISHER AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved, to the satisfaction of the Council's Director City Planning. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. **To limit, manage, and mitigate noise generated as a result of the visitor accommodation.**
2. **To limit, manage, and mitigate behavioural issues caused as a result of the visitor accommodation.**
3. **To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.**
4. **To specify the location and number of parking spaces provided on site (two (2)), and where occupants/visitors should park if onsite parking spaces are fully utilised.**
5. **To specify the maximum permitted occupancy of the visitor accommodation.**

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation.

Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

ENG 5

The number of car parking spaces approved for use on the site is two (2).

Reason for condition

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

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*.

NOISE REGULATIONS

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

VISITOR ACCOMMODATION


More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable “bed and breakfast” parking permit.

Attachment A: PLN-20-246 - 1/73 FISHER AVENUE SANDY BAY
TAS 7005 - Planning Committee or Delegated
Report ↓ 

Attachment B: PLN-20-246 - 173 FISHER AVENUE SANDY BAY
TAS 7005 - CPC Agenda Documents ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 15 June 2020
Expiry Date: 23 July 2020
Application No: PLN-20-246
Address: 1 / 73 FISHER AVENUE , SANDY BAY
COMMON LAND OF PARENT TITLE
Applicant: Campbell Cooper
1/73 Fisher Ave
Proposal: Change of Use to Visitor Accommodation
Representations: Three (3)
Performance criteria: Planning Directive No. 6 - Exemption and Standards for Visitor
Accommodation in Planning Schemes, Parking and Access Code

1. Executive Summary

- 1.1 Planning approval is sought for a change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay.
- 1.2 More specifically the proposal includes:
 - A change to visitor accommodation of the three bedroom dwelling at No.1/73 Fisher Avenue.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes - Strata title site.
 - 1.3.2 Parking and Access Code - Onsite Parking Provision
- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between the 5th and 19th May 2020.
- 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 site is within the General Residential Zone. The site is a stratum title lot, shared with 2/73 Fisher Avenue. Both 1 and 2 Fisher Avenue rely on access shared with 69 and 71 Fisher Avenue.

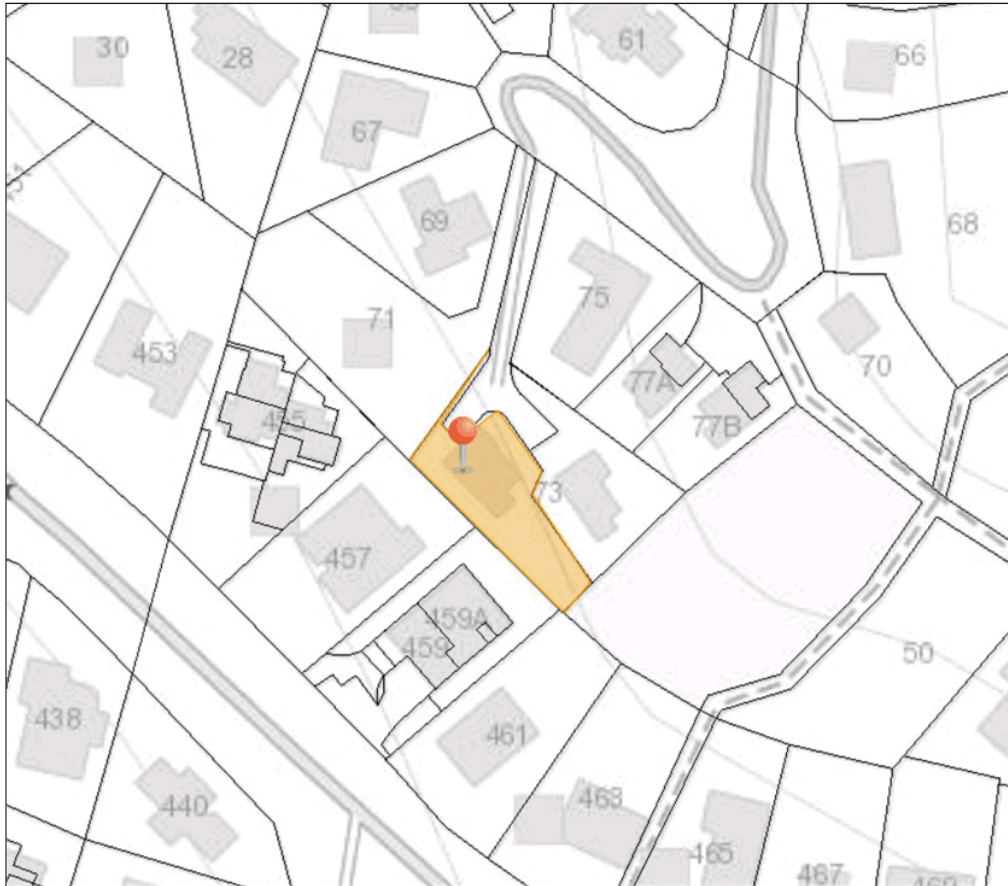


Figure 1 above: location plan. The site is highlighted.



Figure 2 above: aerial photograph showing subject site highlighted.



Figure 3 above: aerial image showing highlighted in blue the properties which share a common access - 1 and 2/73 Fisher Avenue, 71 Fisher Avenue, and 69 Fisher Avenue.

3. Proposal

- 3.1 Planning approval is sought for a change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay.
- 3.2 More specifically the proposal is for:
- A change to visitor accommodation of the three bedroom dwelling at No.1/73 Fisher Avenue.

4. Background

- 4.1 There appears no recent background on Council's files (Trim).

5. Concerns raised by representors

- 5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between 5th and 19th May 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.

<p>Noise and anti-social behaviour</p> <ul style="list-style-type: none">-Concern at the potential for noise and anti-social behaviour from any visitor accommodation use;-Short term accommodation will alter the peaceful amenity of the area due to the behaviour of tourists here for a good time. <p><i>Development Appraisal Planner note: a condition requiring a Visitor Accommodation Management Plan is considered warranted under any planning approval issued.</i></p>
<p>Parking</p> <ul style="list-style-type: none">-concern at parking problems;-We object to the proposed change to Visitor Accommodation at 1/73 Fisher Avenue.-1/73 Fisher Avenue shares a driveway with three other residences. This driveway is on our boundary. In the past there have been problems with cars parking in that shared access and preventing residents from leaving their properties. This will be a problem with visitor accommodation at 1/73.

Access

-The section of Fisher Avenue providing access to 1/73 is a narrow, steep and twisting single lane carriageway.
-There is poor line of sight visibility with no linemarkings.
-There are no designated parking spaces.
-There are no footpaths
-There is no turning bay.
-There are hidden entrances
-The speed limit is 50KPH which is physically impossible but seen as a challenge by some.
-Local elderly residents frequently walk to and from their homes on this section of Fisher Avenue. They/we must walk on the road as there are no footpaths. To add more vehicles driven at unsafe speeds by people unfamiliar with the area is highly undesirable and dangerous;

-We wish to object to the application for Change of use to visitor accommodation. The objection relates to the driveway access into 1/73 Fisher Avenue. The driveway is a shared access owned by ourselves at No 71 Fisher Avenue and 1/73 Fisher Ave. The shared access also gives right of access to No 69 Fisher Avenue. The driveway is narrow and does not allow for parking. The problem in the past has been caused by tenants not able to park within the boundaries of 1/73 Fisher Avenue and parking in the right of way not giving us access. The only off street parking available is approximately 150mtrs away from the property. This is a steep incline from the roadway to the property and normally not an option.

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 a multiple dwelling. The proposed use is visitor

accommodation. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.

6.4 The proposal has been assessed against:

6.4.1 Part D - 10 General Residential Zone

6.4.2 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes

6.4.3 E6.0 Parking and Access Code

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

6.5.1 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes

Strata title lots - 3.1(e) P2

6.5.2 Parking and Access Code:-

Onsite Parking Provision - E6.6.1 P1

6.6 Each performance criterion is assessed below.

6.7 Strata Title Lots - Part 3.1(e) P2

6.7.1 The acceptable solution at clause 3.1(e) A2 of Planning Directive 6 requires that the site is not part of a strata site.

6.7.2 The proposal is for a change of use to a dwelling that is on a strata lot.

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 3.1(e) P2 provides as follows:

Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme, having regard to:
(a) the privacy of residents;
(b) any likely increase in noise;

- (c) the residential function of the strata scheme;*
- (d) the location and layout of the lots;*
- (e) the extent and nature of any other nonresidential uses; and*
- (f) any impact on shared access and common property.*

- 6.7.5 The site is occupied by two detached multiple dwellings. The subject dwelling is to the western side of the site.

There is some potential for disruption to residents. On the other hand, the dwellings are detached with separate entrances and parking. The proposed use is considered a similar activity to the use it would replace. It is considered unlikely to result in any excessive increase in noise, or impairment of the use of the site as a whole.

The proposal is considered reasonable with regard to the Performance Criterion PD6 Clause 3.1(e) P2.

It is noted that representations have been received raising concerns including with regard to the potential for noise and anti-social behaviour. The concern arises from stated problems regarding the previous private rental of the subject dwelling. Given the internal lot location of the current two multiple dwelling development, a Visitor Accommodation Management Plan is considered warranted as a condition of any planning approval of the proposal.

- 6.7.6 The proposal complies with the performance criterion.

6.8 Parking and Access Code Part E6.6.1 P1

- 6.8.1 The acceptable solution at clause E6.6.1 A1 states parking provision must be no greater and no lesser than that specified in Table E6.1, which is one space.

- 6.8.2 The proposal includes two (2) existing spaces on site.

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

- 6.8.4 The performance criterion at clause E6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:
(a) car parking demand;

- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

- 6.8.5 The existing and longstanding use of the site is as two multiple dwellings. The subject dwelling 1/73 Fisher Ave has two (2) parking spaces which accords with the Table E6.1 requirement. The requirement for a visitor accommodation unit is a single (1) parking space. Under the Planning Scheme, the existing use complies in terms of parking. Under the proposal, the use would be one (1) space in surplus.

While in surplus, the proposal is not considered likely to result in any unreasonable loss of character or amenity to the surrounding neighbourhood in terms of parking. The proposal is not considered contrary to the Performance Criterion.

Council's Development Engineer comment is as follows:

Several representations have been received regarding the number of

parking spaces (in that they are insufficient) and whilst it is noted that the parking demand will not change due to the proposal, a condition will be provided specifying the number of parking spaces approved on the site (to a maximum of two (2)) to prevent any impact on the neighbouring residents due to parking overspill.

Council's Development Engineer recommends conditional approval.

6.8.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for a change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay.
- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including concern at potential noise and anti-social behaviour, and parking and access.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable.
- 7.4 The proposal has been assessed by Council's Development Engineer. The officer has raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay TAS 7005 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 change of use to visitor accommodation at 1/73 Fisher Avenue Sandy Bay TAS 7005 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-20-246 - 1/73 FISHER AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved, to the satisfaction of the Council's Director City Planning. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

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the visitor accommodation is in operation.

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To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

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

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If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.



(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)

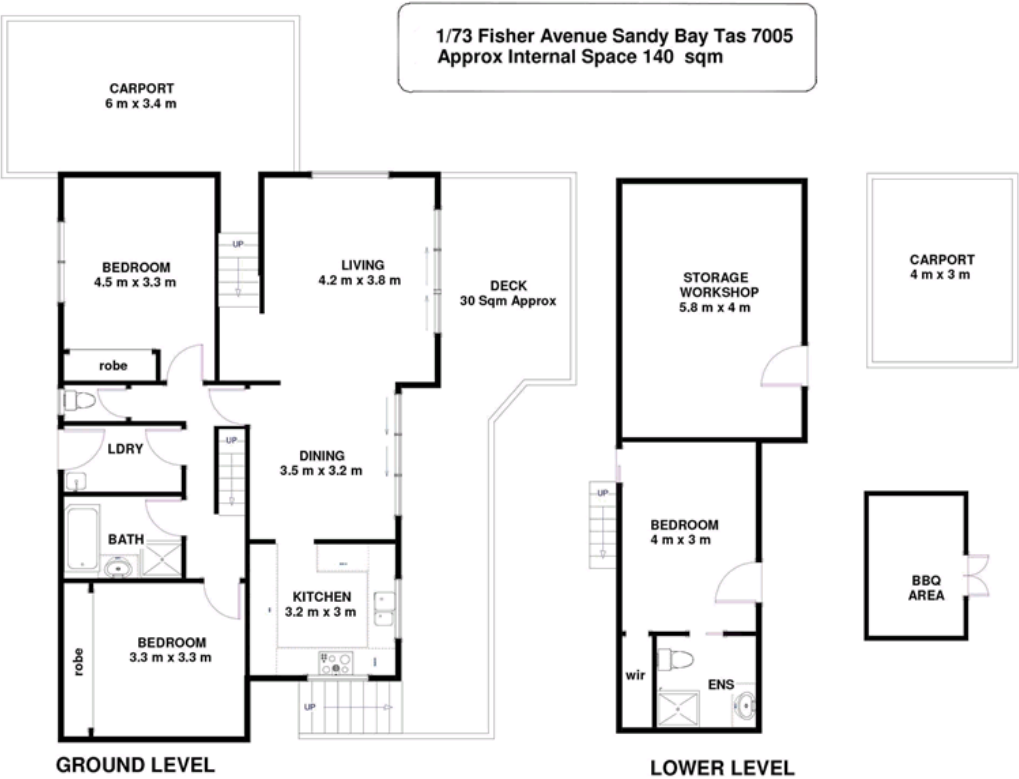
Senior Statutory Planner

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: 2 June 2020

Attachment(s):

Attachment B - CPC Agenda Documents



Disclaimer: All measurements and floor plan details are for informational purposes only.
We make no warranties or representations, express or implied, as to the accuracy of this
rendering. Independent property size verification is recommended. The approximate internal
area measurement does not directly reflect the government evaluation of the property area.

27 April 2020

City of Hobart
Planning Applications
16 Elizabeth Street,
Hobart Tasmania 7001

To whom it may concern,

RE: PLANNING PERMIT APPLICATION | UNIT 1, 73 FISHER AVENUE, SANDY BAY

This cover letter is in support of my application for a permit for visitor accommodation ("Visitor Accommodation") for Unit 1, 73 Fisher Ave, Sandy Bay (the "Property"). The reason a permit is required is because the Property is part of a strata scheme.

Background

The Property is partially used for my own residential purposes, but it is not my permanent place of residence. I am making the application in order to offer the Property for Visitor Accommodation during periods that I am not using the Property for my own residential purposes. I do not intend offering the Property as Visitor Accommodation on a full time basis.

I purchased the Property in January 2020, with settlement in March 2020. Since settlement, I and my family have been residing full time at the Property (which has been possible because our employment and our children's education are both currently being done remotely). However, our usual permanent place of residence is Melbourne. We intend to remain at the Property until COVID-19 restrictions allow schools and our places of employment to re-open in Victoria, which we expect will not be until July 2020.

When we return to Melbourne, we will continue to regularly use the Property for our own residential accommodation purposes. My wife is originally from Hobart and I am originally from Northern Tasmania. Most of our extended family live in Hobart and we purchased the Property because it is close to our immediate family living in Sandy Bay and Mt Nelson. My wife also travels regularly to Hobart for work. Excluding the COVID-19 period, we expect to reside at the Property approx. 13 weeks (25%) of each year.

In order to help with paying the bills, we would like to offer the Property for Visitor Accommodation when we are not residing at the Property. We are unable to offer the Property for longer term residential tenancy due to our own use of the Property.

It is also our intention to relocate to Hobart in the next few years. When that occurs, the Property will become our permanent place of residence.

Description of the Property

The Property is Lot 1 of Strata Corporation 57780. There is one other property in the Strata Corporation (Unit 2, 73 Fisher Avenue, Sandy Bay). The Property is a general unit entitlement operating for all purposes of the Strata Scheme being a 5 undivided 1/10 interest.

We have been advised that the body corporate for the Strata Corporation is inoperative and that each unit maintains their own insurance.

The common property relating to the strata is a short, shared driveway. Otherwise, the dwellings on Units 1 and 2 are separate.

The existing floor area of the habitable dwellings is 120m² and the site area is 410m².

The Property is zoned "General Residential" pursuant to the Hobart Interim Planning Scheme 2015.

Planning Directive No. 6 'Exemptions and Standards for Visitor Accommodation in Planning Schemes

I note the following with regards to the Planning Directive No. 6 'Exemptions and Standards for Visitor Accommodation in Planning Schemes':

- Acceptable Solution A1: the proposed Visitor Accommodation will be within an existing habitable building that has a gross floor area of not more than 200m². The proposed Visitor Accommodation therefore complies with A1.
- Acceptable Solution A2: the Property is part of a lot, as defined in the *Strata Titles Act 1998*, that is part of a strata scheme where another lot within that strata scheme is used for a residential use. Acceptable Solution A2 therefore does not apply and the performance criteria P2 must be considered.

Considering the performance criteria P2, as set out below, it is my view that the proposed Visitor Accommodation does not cause an unreasonable loss of amenity to long term residents occupying other lots within the strata scheme (being, for present purposes, Unit 2).

Performance criteria P2	Comments in relation to the Property
<i>The privacy of residents</i>	<ul style="list-style-type: none"> • The dwellings on Unit 1 are free-standing and not connected to the dwellings on Unit 2. • The strata is set on a sloping block and Unit 1 sits at the high end of the block. When sitting inside the main living areas of the dwelling in Unit 1, the only visible parts of Unit 2 are the roof (refer to Photo 1 and Photo 2, included with this application). • The Property has a balcony sitting adjacent to the boundary with Unit 2. Given the elevation of Unit 1, even standing at the edge of the balcony, the views are primarily overlooking the shared driveway and carport of Unit 2 (refer to Photo 3 and Photo 4). • The backyard of Unit 1 is adjacent to the dwelling of Unit 2. The backyard is fully fenced, and the trees and garden area creates privacy from Unit 2 and the other surrounding dwellings (refer to Photo 5 and Photo 6). • Unit 1 has two undercover, off-street carparks, which will be sufficient to ensure that any residents are not required to park on the street and disrupt other residents (refer to Photo 7).
<i>Any likely increase in noise</i>	<ul style="list-style-type: none"> • We would not expect any incremental noise from the proposed Visitor Accommodation than would otherwise be experienced if the Property was occupied full-time for general residential purposes. • The dwelling on Unit 1 is a 3 bedroom house in a quiet residential area, some distance away from the entertainment areas of Hobart. We would expect that any customers of the proposed Visitor Accommodation would primarily be families, rather than younger groups who may create more noise.

	<ul style="list-style-type: none"> Given the Property will be used part of the time as our personal residence and contains our personal furniture and other items, we intend to be very selective about who stays in the property and only allow families or older couples to stay in the Property. We will have a strict “no parties” policy. We will only allow single bookings at any one time – we would not separate rooms or floors of the house for multiple groups to stay at the same time. Given the nature of demand for short-stay accommodation, we expect many days in which the Property will be vacant. On these days, there will obviously be no noise from the Property.
<i>The residential function of the strata scheme</i>	<ul style="list-style-type: none"> We do not believe the proposed Visitor Accommodation will impact the residential function of the strata scheme, as the Property will only be used part of the time for short stay accommodation and in the longer term will not be used at all for short stay accommodation. As noted under ‘Background’ above, my primary reason for purchasing the Property was for my family’s own general residential purposes, not the proposed Visitor Accommodation. I will continue to use the Property for my own residential purposes approx. 25% of the time; and in the medium term, I intend to relocate permanently to Hobart, at which point I will use the Property for my family’s own general residential purposes 100% of the time.
<i>The location and layout of the lots</i>	<ul style="list-style-type: none"> The location and layout of the lots is conducive to creating privacy between the Unit 1, Unit 2 and other surrounding properties. The density of the lots is not high. There is only one other lot within the strata. The combined area of Unit 1 and Unit 2 is 1,090m², with the Property occupying 410m² and Unit 2 occupying the remaining area. The density of other surrounding properties is not particularly high. Unit 2 is located towards the Eastern boundary of the property. It is therefore adjacent to the backyard of Unit 1. As noted above, there is fencing (with screening) and extensive garden cover providing privacy to Unit 1 from Unit 2; and the elevation and location of Unit 1 means that it primarily overlooks the shared driveway and carport of Unit 2. The only shared area between the lots is a common driveway. As noted below, there is expected to be limited impact on the shared access.
<i>The extent and nature of any other non-residential uses</i>	There are no other non-residential uses in the strata or the surrounding properties.
<i>Any impact on shared access and common property</i>	<ul style="list-style-type: none"> The only shared area between the lots is a common driveway. Impact on this shared access is expected to be minimal. The common driveway is clearly marked with “no parking” signs (see Photo 8). We would inform any person staying in the Property that their car cannot be left in the shared access.

	<ul style="list-style-type: none">• The Property has off-street parking for two cars and we would therefore not foresee any need for those staying at the Property to park or disrupt the shared access.• We do not propose to put any signage up indicating that the Property is being used for Visitor Accommodation that would disrupt residents.
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I look forward to your response. If you require any further information or would like to discuss my application, please contact me on 0402 238 428.

Yours sincerely,

Campbell Cooper

PHOTO 1 – VIEW FROM LIVING ROOM



PHOTO 2 – VIEW FROM DINING ROOM



PHOTO 3 – VIEW FROM BALCONY



PHOTO 4 – VIEW FROM BALCONY



PHOTO 5 – PRIVATE BACKYARD



PHOTO 6 – PRIVATE BACKYARD



PHOTO 7 – TWO OFF-STREET CAR SPOTS



PHOTO 8 – SIGNAGE IN SHARED DRIVEWAY



30 April 2020


City of Hobart
Planning Applications
16 Elizabeth Street,
Hobart Tasmania 7001

To whom it may concern,

RE: APPLICATION NO. PLN-20-246 | UNIT 1, 73 FISHER AVENUE, SANDY BAY

I declare that I am the applicant and I have notified the owner of Unit 2, 73 Fisher Avenue, Sandy Bay, of my intention to make the application.

Yours sincerely,



Campbell Cooper



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Conveyancing and Law of Property Act 1884

STRATUM PLAN

REGISTERED NUMBER

No. 1474

Sheet 1 of 3 Sheets

City or Town HOBART

Locality SANDY BAY

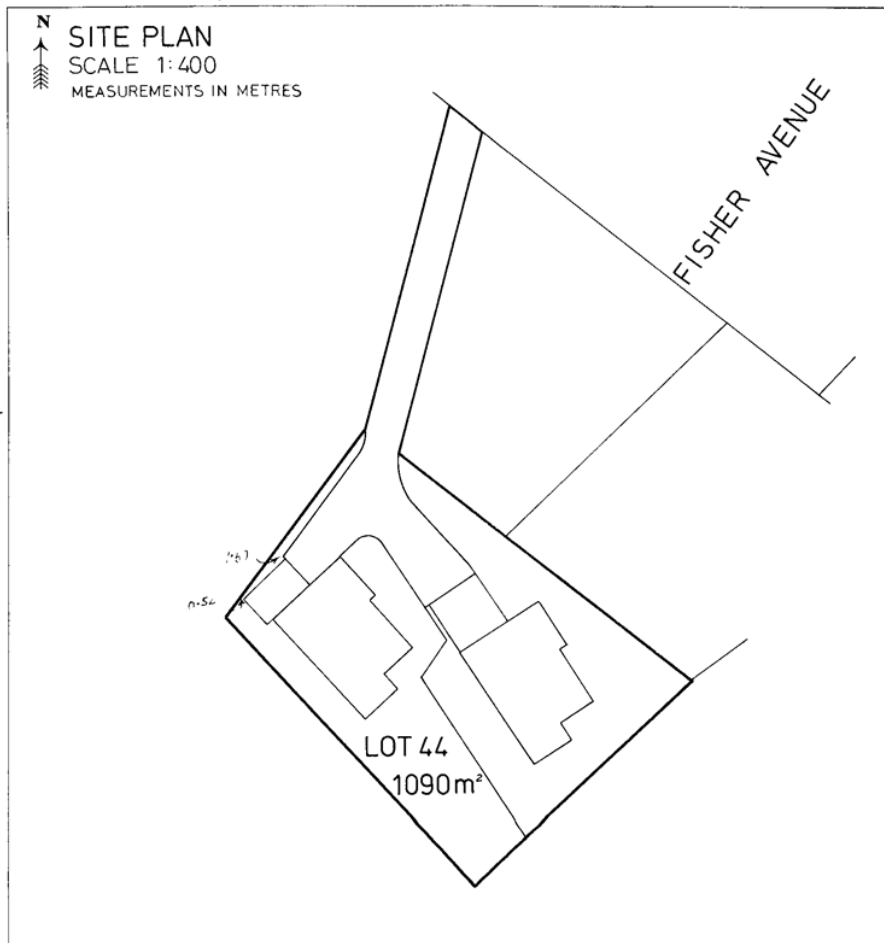
Reference to Title C.T. 3861 / 37

Site comprises the whole portion of Lot 44 on Plan Diagram No. S.P. 14858 in the

Lands Titles Office

The name of the building is 73 FISHER AVENUE SANDY BAY HOBART

External
surface
boundaries of
the site and
the location of
the building
in relation
thereto to
be delineated
in this space

REGISTERED this 14th day of December 1982, No.

ACTING DEPUTY Recorder of Titles

This plan is lodged for registration by J. Brink

OS 1535



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

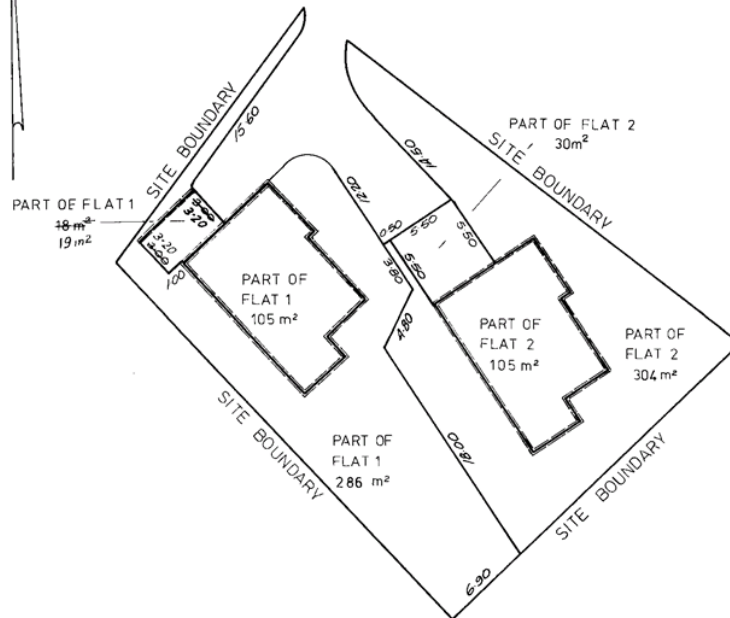


Sheet 2 of 3 Sheets

GROUND FLOOR

SCALE 1:300

MEASUREMENTS IN METRES



- NOTE :
1. ALL HORIZONTAL BOUNDARIES ARE SHOWN BY HEAVY, UNBROKEN LINES.
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 7. THE VERTICAL BOUNDARIES OF THOSE PARTS OF FLAT 1 AND FLAT 2 SHOWN AS 304m² AND 286m² EXTEND FROM GROUND LEVEL TO A HEIGHT OF 2.4 METRES, AND FORM PORTIONS OF THE SITE.
 8. THE VERTICAL BOUNDARIES OF THOSE PARTS OF FLAT 1 AND FLAT 2 SHOWN AS 19m² AND 30m² EXTEND FROM GROUND LEVEL TO THE CENTRE OF THE CEILING OF THE CARPORT.



FOLIO PLAN

RECORDED OF TITLES

Issued Pursuant to the Land Titles Act 1980



Sheet.....3.....of.....3.....Sheets

A/. Town Clerk/~~Council Clerk~~

The address for service of notices on the company is:—

73 FISHER AVENUE
SANDY BAY 7005

UNIT ENTITLEMENTS

[illegible]

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER LEWIS ANDREWS
of BELLERIVE
a surveyor registered under the *Land Surveyor's Act* 1909, hereby certify that the building erected on the site described and delineated on sheet 1 of this plan is within the external boundaries of the title stated on sheet 1.

Dated this 18th day of OCTOBER 1982

Registered Surveyor

COUNCIL CLERK'S CERTIFICATE

I certify that the subdivision shown in this plan
has been approved by the HOBART

City _____ Council

Dated this 23rd day of November 1982.

A/Town Clerk/~~Council Clerk~~

FOR OFFICE USE ONLY

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
57780	1
EDITION	DATE OF ISSUE
7	09-Apr-2020

SEARCH DATE : 27-Apr-2020

SEARCH TIME : 09.52 AM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Strata Plan 57780 (formerly being STR1474) and a
general unit entitlement operating for all purposes of the
Strata Scheme being a 5 undivided 1/10 interest

Derived from Strata Plan 57780

Derivation : Parts of 34A-1R-0Ps. and 7A-0R-0Ps. Gtd. to Henry
Bowcher

Prior CT 3996/99

SCHEDULE 1M813094 TRANSFER to CAMPBELL JOHN COOPER Registered
09-Apr-2020 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
The registered proprietor holds the lot and unit entitlement
subject to any interest noted on common property
Folio of the Register volume 57780 folio 0BENEFITING EASEMENT: Right of Drainage over the drainage
easement shown on SP 14858

SP 8566 & SP 14858 FENCING PROVISION in Schedule of Easements

E215774 MORTGAGE to Macquarie Bank Limited Registered
09-Apr-2020 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 57780	FOLIO 0
EDITION 3	DATE OF ISSUE 27-Nov-2000

SEARCH DATE : 27-Apr-2020

SEARCH TIME : 09.52 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 57780 (formerly being STR1474)

Derivation : Parts of 34A-1R-0Ps. and 7A-0R-0Ps. Gtd. to Henry Bowcher

Prior CT 3861/37

SCHEDULE 1

STRATA CORPORATION NO. 57780, 73 FISHER AVENUE, HOBART

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BENEFITING EASEMENT: Right of Drainage over the drainage easement shown on SP 14858

SP 8566 & SP 14858 FENCING PROVISION in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
57780	2
EDITION	DATE OF ISSUE
8	06-Aug-2012

SEARCH DATE : 30-Apr-2020

SEARCH TIME : 10.22 AM

DESCRIPTION OF LAND

City of HOBART

Lot 2 on Strata Plan 57780 (formerly being STR1474) and a
general unit entitlement operating for all purposes of the
Strata Scheme being a 5 undivided 1/10 interest

Derived from Strata Plan 57780

Derivation : Parts of 34A-1R-0Ps. and 7A-0R-0Ps. Gtd. to Henry
Bowcher

Prior CT 3996/100

SCHEDULE 1M362961 TRANSFER to CHRISTOPHER ANTHONY HUGHES and YASEMEN
SANLI Registered 06-Aug-2012 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
The registered proprietor holds the lot and unit entitlement
subject to any interest noted on common property
Folio of the Register volume 57780 folio 0BENEFITING EASEMENT: Right of Drainage over the drainage
easement shown on SP 14858

SP 8566 & SP 14858 FENCING PROVISION in Schedule of Easements

D56024 MORTGAGE to Commonwealth Bank of Australia
Registered 06-Aug-2012 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Conveyancing and Law of Property Act 1884

STRATUM PLAN

REGISTERED NUMBER

No. 1474

Sheet 1 of 3 Sheets

City or Town HOBART

Locality SANDY BAY

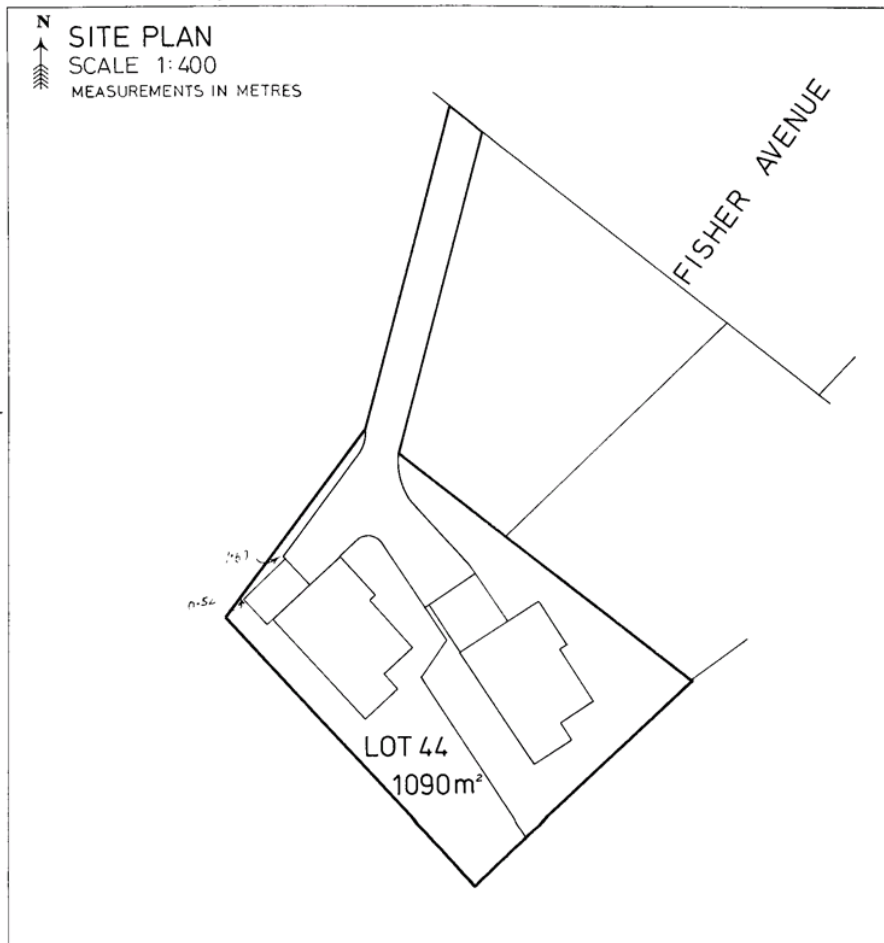
Reference to Title C.T. 3861 / 37

Site comprises the whole portion of Lot 44 on Plan Diagram No. S.P. 14858 in the

Lands Titles Office

The name of the building is 73 FISHER AVENUE SANDY BAY HOBART

External
surface
boundaries of
the site and
the location of
the building
in relation
thereto to
be delineated
in this space

REGISTERED this 14th day of December 1982, No.

ACTING DEPUTY Recorder of Titles

This plan is lodged for registration by J. Brkic

OS 1535



FOLIO PLAN

RECORDER OF TITLES

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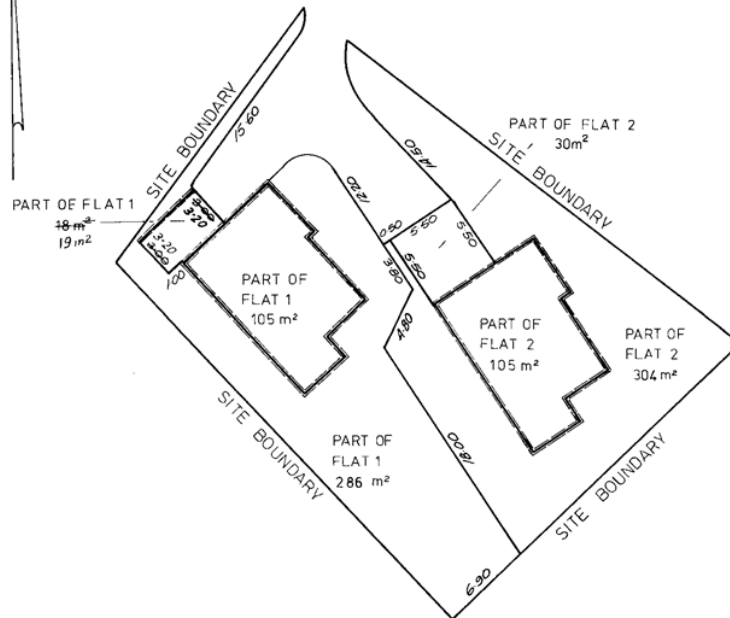


Sheet 2 of 3 Sheets

GROUND FLOOR

SCALE 1:300

MEASUREMENTS IN METRES



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**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 57780	FOLIO 0
EDITION 3	DATE OF ISSUE 27-Nov-2000

SEARCH DATE : 30-Apr-2020

SEARCH TIME : 10.22 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 57780 (formerly being STR1474)

Derivation : Parts of 34A-1R-0Ps. and 7A-0R-0Ps. Gtd. to Henry Bowcher

Prior CT 3861/37

SCHEDULE 1

STRATA CORPORATION NO. 57780, 73 FISHER AVENUE, HOBART

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BENEFITING EASEMENT: Right of Drainage over the drainage easement shown on SP 14858

SP 8566 & SP 14858 FENCING PROVISION in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**7.1.5 64 ANGLESEA STREET, 57 ANGLESEA STREET SOUTH HOBART
AND ADJACENT ROAD RESERVE - EXTENSION TO CARPARK
AND ASSOCIATED WORKS
PLN-19-837 - FILE REF: F20/56094**

Address: 64 Anglesea Street, 57 Anglesea Street, South Hobart and Adjacent Road Reserve

Proposal: Extension to Carpark and Associated Works

Expiry Date: 4 July 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 extension to car park and associated works at 64 ANGLESEA STREET SOUTH HOBART TAS 7004 and adjacent road reserve and 57 Anglesea Street 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-19-837 64 ANGLESEA STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 17

Any lighting of the car park must not operate outside the hours of operation for the church and must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

PLN s1

This permit approves the 28 space car park and associated works. This permit does not constitute approval of any other use or development on the site.

Reason for condition

To clarify the scope of this permit.

ENG sw1

All stormwater from the proposed development (including, but not limited to, the diverted swale, 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).

Reason for condition

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

ENG sw3

The proposed development must be designed to ensure the protection and access to the Council's stormwater network including Hobart Rivulet.

A detailed design must be submitted and approved prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed design must demonstrate how the design will ensure the protection and provide access to the Council's stormwater network.

All work required by this condition must be undertaken in

accordance with the approved detailed design.

Advice:

The applicant is required submit detailed design documentation to satisfy this condition via the 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 requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

Detailed engineering drawings must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed engineering drawings must include:

- 1. the location of the proposed connection; and**
- 2. the size of the connection appropriate to satisfy the needs of the development.**

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

Advice:

The applicant is advised to submit detailed design drawings via a Council City Amenity Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via

the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Amenity Division.

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main extension must be designed and constructed prior to the commencement of the use.

Engineering drawings must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The engineering drawings must:

- 1. Be certified by a qualified and experienced civil engineer.**
- 2. Be shown in both plan and long-section - the proposed stormwater main extension and connection, including but not limited to, flows, hydraulic grade lines, clearances, cover, gradients, sizing, material and pipe class.**
- 3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.**
- 4. Demonstrate the outfall has, or will have, sufficient erosion protection for the increased flows to this point.**
- 5. Show the pit collecting the upslope swale drain within the**

- property boundary and as privately owned and maintained.
6. **Show a single public stormwater connection for these works.**
 7. **Clearly distinguish between public and private infrastructure.**
 8. **Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines.**

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

Advice:

The applicant is required submit detailed design documentation to satisfy this condition via the 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.

Once the condition endorsement has been issued, an [Application to Construct Public Infrastructure](#) is required to carry out the works.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

Stormwater pre-treatment and detention for stormwater discharges from the development must be installed prior to first use or issue of any completion (whichever occurs first).

A stormwater management report and design must be submitted and approved, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The stormwater management report and design must:

1. **Be prepared by a suitably qualified engineer.**

2. **Include final detailed design of the proposed treatment train.**
3. **Include detailed design and supporting calculations of the detention, sized such that there is no increase in flows from the developed site for the worst-case 5% AEP storm event. All assumptions must be clearly stated. The design drawings must include the layout, the inlet and outlet (including long section), outlet size, overflow, discharge rate and emptying time.**
4. **Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

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

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

Reason for condition

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

ENG tr1

Traffic management within the access driveway, circulation roadway and parking module (parking spaces and aisles) must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking), must be submitted and approved, prior to commencement of the use. The design drawing(s) must be prepared by a suitably qualified person and include (but not be limited to):

- 1. Signage indicating that the car parking area is available for members of the public to turn around (if a public turning bay is not provided).**
- 2. Delineation of pedestrian pathways along the shared vehicular circulation roadway.**

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

Advice:

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

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

Reason for condition

In the interests of user safety and the amenity of the occupiers of the development.

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).

Advice:

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

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the 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 additional car parking spaces approved on the site is twenty eight (28). Car parking spaces in accordance with AS/NZS 2890.6 2009 are to be provided for people with a disability at a rate of 1 per 50 total car parking spaces.

All new parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement

markers in accordance with Australian Standards AS/NZS 2890.1 2004 or AS/NZS 2890.6 2009 (where applicable), prior to commencement of use.

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.**

Any damage must be immediately reported to Council.

A photographic record of the Council's infrastructure, including Hobart Rivulet, 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 r3

Prior to the commencement of use, the proposed access and other infrastructure within and adjacent the highway reservation must be designed and constructed in accordance with:

Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing, or suitable alternative as approved by the Council City Amenity.

Design drawings must be submitted and approved by the City's Road unit prior to any approval to construct. The design drawings must:

- 1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property.**
- 2. Detail any existing services or infrastructure at or near the proposed driveway crossover.**
- 3. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.**
- 4. Show swept path templates in accordance with AS/NZS 2890.1 2004 (B99 design template).**
- 5. Show that vehicular and pedestrian sight lines are met as per AS/NZS**
 - 1. 2890.1 2004.**
- 6. Include a signage and linemarking plan. Note also condition ENG tr1.**
- 7. Include a lighting plan for the street and car park in accordance with relevant Australian Standards. Note also condition PLN s1.**
- 8. Include a design of the gate indicating how this will operate without impacting on car parking numbers.**
- 9. 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 signage plan must demonstrate how the new access will be two way, and how members of the public will be instructed to turn around (if a dedicated turning bay on the highway reservation is not provided).

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.

Where triggered under the Infrastructure Bylaw, a Road Opening Permit and a Permit to Construct Public infrastructure may be required for the works Failure to address condition endorsement requirements prior to submitting for approval may result in unexpected delays.

Reason for condition

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

ENG s1

A method of allowing members of the public to safely turn around near the end of Anglesea Street must be provided prior to commencement of use of the proposed vehicular access. This may be provided by one of the following two methods:

- 1. A right of carriageway in favour of Hobart City Council is to be registered on CT 158319/2 to allow vehicles to safely pass from the existing gate at the southern end of Council's road within CT 158319/100 and over the existing driveway, carpark and proposed carpark back to Council's road. This right of way is to be the satisfaction of Council and is to be registered on CT 158319/2 prior to the commencement of works; or**

2. **A dedicated turning area to the satisfaction of Council City Amenity Division is to be designed and constructed within the Angelsea Street highway reservation. This turning area is to be independent of the proposed vehicular access.**

Reason for condition

To ensure that works will comply with the Council's standard requirements and that vehicles can legally turn around at the terminus of Angelsea Street.

ENV 2

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

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

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

Advice:

Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

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

ADVICE

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

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

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

NEW SERVICE CONNECTION

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

STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's 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.

WEED CONTROL


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


FEES AND CHARGES


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

DIAL BEFORE YOU DIG

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

Attachment A: PLN-19-837 - 64 ANGLESEA STREET SOUTH
HOBART TAS 7004 - Planning Committee or
Delegated Report ↓ 

Attachment B: PLN-19-837 64 ANGLESEA STREET SOUTH
HOBART TAS 7004 - Attachment B - CPC Agenda
Documents ↓ 

Attachment C: PLN-19-837 - 64 ANGLESEA STREET SOUTH
HOBART TAS 7004 - Planning Referral Officer
Cultural Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 4 July 2020
Application No: PLN-19-837
Address: 64 ANGLESEA STREET , SOUTH HOBART
ADJACENT ROAD RESERVE
57 ANGLESEA STREET , SOUTH HOBART
Applicant: JOHN ETHERINGTON
LEVEL 1 90-92 MURRAY STREET
Proposal: Extension to Car Park and Associated Works
Representations: Two (2)
Performance criteria: Landslide Code, Road and Railway Assets Code, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Extension to Car Park and Associated Works, at 64 and 57 Anglesea St and within the adjacent road reservation.
- 1.2 More specifically the proposal includes:
- Construction of a 28 space additional parking area for the church site to connect to the existing parking areas, providing two way traffic flow.
 - Construction of new entrance into the car park from the eastern boundary of the property onto Anglesea Street.
 - Installation of a barrier gate inside the entrance to the car park to block off access after hours.
 - Provision of a turning area within the entrance of the car park for vehicles travelling down Anglesea Street after hours.
 - Construction of stormwater detention devices to retain and then direct stormwater from the car park into Council stormwater system.
 - Installation of two (2) 8m high light poles for illumination of the car park.
 - Planting of landscaping along the northern boundary of the car park.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Landslide Code - Development within a Landslide Hazard Area
 - 1.3.2 Roads and Rail Assets Code - Number of Accesses
 - 1.3.3 Parking and Access Code - Number of Parking Spaces, Number of Motorcycle Spaces, Number of Accesses, Design of Vehicle Accesses
 - 1.3.4 Historic Heritage Code - Building and Works in a Heritage Precinct
- 1.4 Two (2) representations objecting to the proposal were received within the statutory advertising period between 1st and 15th May 2020.
- 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 site is located on the northern bank of the Hobart Rivulet on the former warehouse and cordial bottling plant. The site is surrounded by undeveloped bushland to the north, east and west on the northern side of the rivulet. Across the rivulet to the south is a mix of educational establishments and residential development.



Figure 1: Location plan (Geo Cortex, 2020)

The site is flat, with a very gentle south slope towards the rivulet. To the north is a steep vegetated bank. This is council owned and maintained. The proposed car park will be close to the subject site northern boundary. It is predominantly cleared and put down to grass. There is a stormwater drain that runs along the foot of the steep slope. This currently catches runoff from the slope, directing it into council stormwater services.

The church occupies a large building, centrally located on site. There is an existing 30 vehicle car park to the north of the church building. Around the church hard stand area is a further 30 space car park on the western side and 5 spaces including accessible parking on the eastern wall of the church. An overflow car park containing some 80 vehicle spaces is located to the west of the church building also.

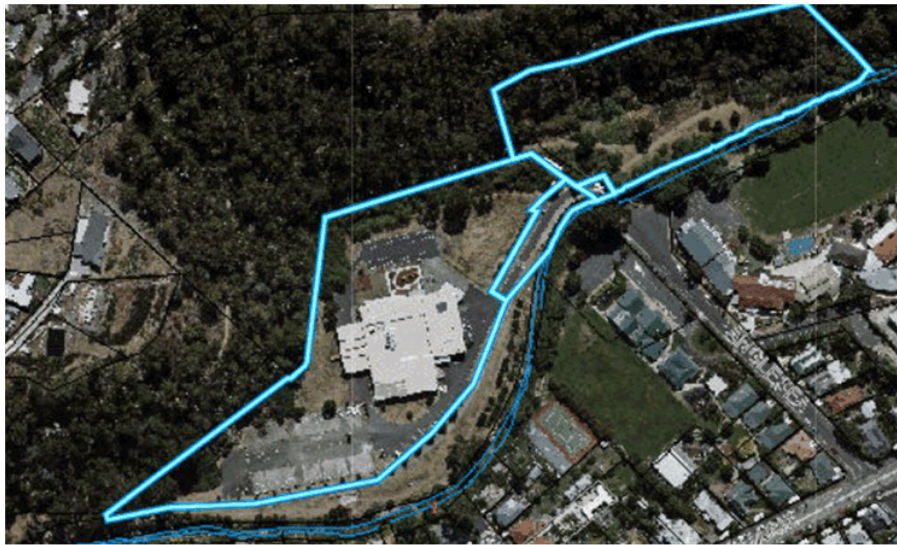


Figure 2: Site Plan (including Council land to the east containing affected services) (Geo Cortex, 2020)

Anglesea Street is a dead end, culminating at the church boundary. The church has a boom gate which is closed out of hours at the end of Anglesea Street. There is a pull in/turning bay approximately 80m from the boom gate, near the foot of the slope on the northern boundary. Adjacent to this pull in bay is substantial water infrastructure, which is related to the previous alignment of the Fenton line and a direct connection, with reducing pressure valve for the previous cordial factory.

A boardwalk extends along a section of the rivulet on the southern side of the road, connecting the rivulet track from the west and east.

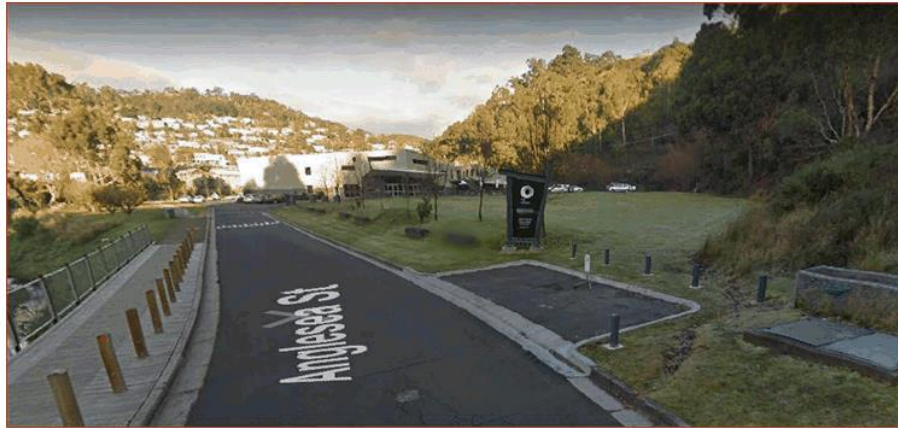


Figure 3: View of proposed and existing car parking and church building (Google Streetview, 2020)

The proposed access into the new car park is currently a turning bay and pull in area for service vehicles (at times) for the water values, shown in the photos below. The area also contains a church sign and concrete retaining structure, possibly relating to the water supply for the former use of the site. Both of these two structures will require removal or relocation to make way for the car park and access.



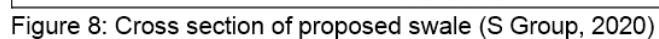
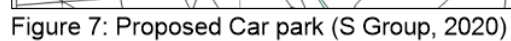
Figure 4: View of proposed entrance and TasWater infrastructure (Officer photo, 2020)

3. Proposal

- 3.1 Planning approval is sought for Extension to Car Park and Associated Works, at 64 and 57 Anglesea Street and within the adjacent road reservation.
- 3.2 More specifically the proposal includes:
- Construction of a 28 space additional parking area for the church site to connect to the existing parking areas, providing two way traffic flow.
 - Construction of new entrance into the car park from the eastern boundary of the property onto Anglesea Street.
 - Installation of a barrier gate inside the entrance to the car park to block off access after hours.
 - Provision of a turning area within the entrance of the car park for vehicles travelling down Anglesea Street after hours.
 - Construction of stormwater detention devices to retain and then direct stormwater from the car park into Council stormwater system.
 - Installation of two (2) 8m high light poles for illumination of the car park.
 - Planting of landscaping along the northern boundary of the car park.



Figure 5: Applicant Site Plan (S Group, 2020)



4. Background

- 4.1 The C3 church gained approval to convert the previous factory site to a church (place of public worship) in PLN-09-01441-01. PLN-14-00926-01 approved change of use of part of the site to offices (the building application of the same number also included the use of welfare institution). This latter application indicated on the application form the existing uses were public place of worship, restaurant, shop and playground. The church website indicates it is used as a convention centre and cafe and can accommodate events from 10 to 1000 people.
- 4.2 The existing car parking areas were approved in the first 2009 permit.
- 4.3 The consent of the General Manager to lodge the planning application was given on 5 July 2019.

5. Concerns raised by representors

- 5.1 Two (2) representations objecting to the proposal were received within the statutory advertising period between 1st and 15th May 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.

The existing car park is rarely full and it seems wasteful to create an additional car park when the current is hardly used
The main use appears to be a bike park for local children
The existing car park already detracts from the peaceful and pleasant nature of the Rivulet Track
The area for the new car park is a plover nesting ground, foraging area for pademelons and used by children for a play area.
It would be a shame to convert this beautiful natural part of Hobart to yet more barren concrete
It is in the public's best interest if this project does not go ahead and instead leaves the Rivulet as family friendly small piece of paradise in an already largely constructed area.

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 Community Meeting and Entertainment. The proposed use is Community Meeting and Entertainment. The existing use is a Discretionary use in the zone. The proposed use is a Discretionary use in the zone. The applicants have not indicated any change to the proposed use in terms of increased patron numbers or intensity of use.
- 6.4 The proposal has been assessed against:
- 6.4.1 D11.0 Inner Residential Zone
 - 6.4.2 E 3.0 Landslide Code
 - 6.4.3 E 5.0 Road and Railway Assets Code
 - 6.4.4 E 6.0 Parking and Access Code
 - 6.4.5 E 7.0 Stormwater Management Code
 - 6.4.6 E 13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Landslide Code:-
Development in a Landslide Hazard Area - E3.7.1 P1
 - 6.5.2 Road and Railway Assets Code:-
Number of Accesses - E5.6.2 P2
 - 6.5.3 Parking and Access Code:-

Number of Parking Spaces - E6.6.1 P1

Number of Motorcycle Spaces - E6.6.3 P1

Number of Accesses - E6.7.1 P1

Design of Vehicle Accesses - E6.7.2 P1

6.5.4 Historic Heritage Code:-

Building and Works within in a Heritage Precinct - E13.8.2 P1 and P2

6.6 Each performance criterion is assessed below.

6.7 Road and Railway Assets Code - Number of Accesses - E5.6.2 P2

6.7.1 The acceptable solution at clause E 5.6.2 A2 requires no more than one access providing both entry and exit in an speed zone of 60km/h or less.

6.7.2 The proposal includes a second two way entrance onto Anglesea Street, which is a 50km/h speed environment.

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 E 5.6.2 P2 provides as follows:

For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;*
- (b) the nature of the road;*
- (c) the speed limit and traffic flow of the road;*
- (d) any alternative access to a road;*
- (e) the need for the access or junction;*
- (f) any traffic impact assessment; and*
- (g) any written advice received from the road authority.*

6.7.5 The application was referred to Council's Development Engineer and Program Leader Road Services, who provided the following advice:

- The road and access junctions must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable

Solution for clause E5.6.2 and as such, shall be assessed under Performance Criteria.

- Acceptable solution - A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h. - N/A
- Acceptable solution - A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less. - NON COMPLIANT

Performance Criteria - P2:

For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

(a) the nature and frequency of the traffic generated by the use; -

Comment: All traffic generated by the proposed development will be for the church and it is likely due to congregation times that significant numbers of vehicles will turn up within 30 minutes of each other and depart within 30 minutes of each other.

(b) the nature of the road; -

Comment: Angelsea Street is a constructed minor urban road maintainable by the Council. There is a turning head at the southern side of the bridge, before the road crosses the rivulet. Beyond this point the only property accessing the road is the C3 Church. Angelsea Street is a dead end terminating at the Church existing access with no cul-de-sac head. There is a turning area where the proposed new access is to be located.

(c) the speed limit and traffic flow of the road; -

Comment: The general urban speed limit of 50km/h applies to Angelsea Street but due to the lack of through traffic the speed environment is likely to be low. The traffic, other than Church traffic at worship times is likely to be very low.

(d) any alternative access to a road; -

Comment: There is an alternative access to the parking area via the existing access point, and it is understood that the second access is to provide a more efficient ingress/egress during events at the centre

(e) the need for the access or junction; -

Comment: The church has indicated that due to the worship times and

users all arriving at and leaving within a small timeframe either side of the worship, the second access is needed to reduce congestion .

(f) any traffic impact assessment; and -

Comment: NA

(g) any written advice received from the road authority. -

Comment: The road authority has granted in-principle approval, including General Manager consent, for the proposal and will apply conditions on the permit to ensure that the safety and amenity of road users is not unduly compromised by the development.

Based on the above assessment and given the submitted documentation, the proposed access / access junction meets the requirements may therefore be accepted under Performance Criteria P2: E5.6.2 of the Planning Scheme.

6.7.6 The proposal complies with the performance criterion.

6.8 Landslide Code - Development in a Landslide Hazard Area - E3.7.1 P1

6.8.1 There is no acceptable solution for clause E 3.7.1.

6.8.2 The proposal includes a portion of the car park that falls into the the Landslide Hazard area.

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 clause E 3.7.1 P1 provides as follows:

Buildings and works must satisfy all of the following:

(a) no part of the buildings and works is in a High Landslide Hazard Area;

(b) the landslide risk associated with the buildings and works is either:

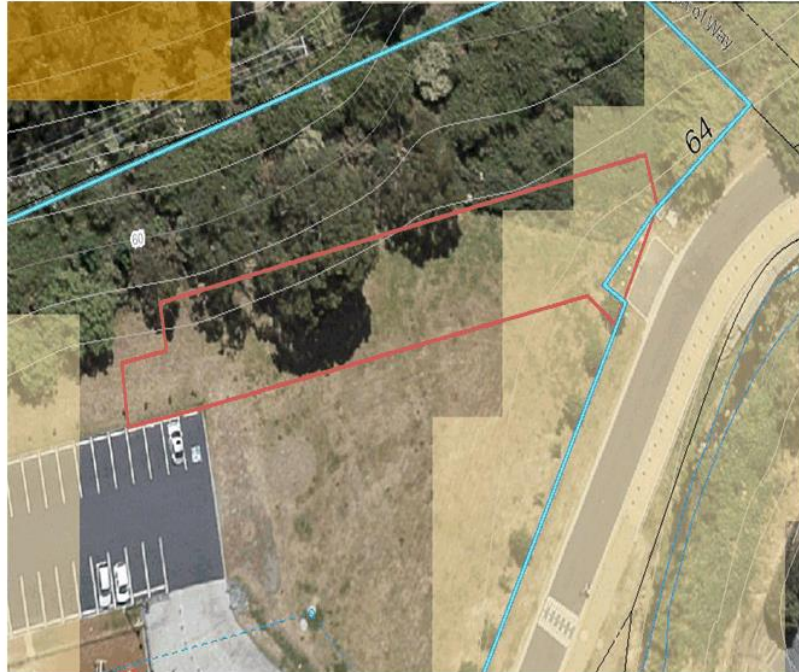
(i) acceptable risk; or

(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

6.8.5 The application was referred to Council's Environmental Development

Planner, who advised the following;

The Landslide Code applies because a portion of the proposed new car park would be located within a Landslide Hazard Area (refer to Figure 1 below).



Approximate car park footprint and Landslide Hazard Areas

The area of the proposed car park extension is within a Low Landslide Hazard Band due to the modelled risk of debris flow.

No Code exemptions apply.

The relevant standards are under clause E3.7.1 'Buildings and Works, other than Minor Extensions'. There is no acceptable solution. Performance criterion P1 states the following:

Buildings and works must satisfy all of the following:

- (a) no part of the buildings and works is in a High Landslide Hazard Area;*
- (b) the landslide risk associated with the buildings and works is either:*
 - (i) acceptable risk; or*

(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

No part of the works would be within a High Landslide Hazard Area.

'Acceptable risk' is defined as 'a risk society is prepared to accept as it is. That is; without management or treatment'. The Landslide Hazard Area overlay has been applied in this location due to the modelled risk of debris flow. This is a debris flow run-out area rather than a source area so the works would not increase the likelihood of a debris flow occurring. Large debris flows in Tasmania are rare, and even if one were to occur, only a small portion of the car park is within the modelled run-out corridor and the asset is of relatively low value so consequences would be relatively small.

In my opinion, given that the works will not increase landslide risk, landslide likelihood is relatively low and landslide consequences would be relatively low, it is reasonable to assume that society would generally accept such a risk without management or treatment.

The exercise of discretion is recommended.

6.8.6 The proposal complies with the performance criterion.

6.9 Historic Heritage Code - Building and Works within in a Heritage Precinct - E13.8.2 P1 and P2

6.9.1 There is no acceptable solution for 13.8.2.

6.9.2 The proposal includes works within the Heritage precinct for the Hobart Rivulet HR1.

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 13.8.2 provides as follows:

P1 Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2

P2 Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2,

except if a heritage place of an architectural style different from that characterising the precinct.

P3 Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.

P4 New front fences and gates must be sympathetic in design, (including height, form, scale and materials), and setback to the style, period and characteristics of the precinct.

P5 The removal of areas of landscaping between a dwelling and the street must not result in the loss of elements of landscaping that contribute to the historic cultural significance or the streetscape values and character of the precinct.

- 6.9.5 The application was referred to Council Cultural Heritage planner, who advised as follows;

The proposal seeks the hard and soft landscaping plus lighting of an area of open land to create an area of car parking to act as an extension of existing car parking facilities at a Community Church.

The land forms part of the grounds of a former industrial use, converted and now run as a Community Church. The land in question forms part of the designated Hobart Rivulet Heritage Precinct (HR1) as set out in the Hobart Interim Planning Scheme 2015.

This precinct is significant for reasons including:

1. The numerous remaining buildings, complexes, intact infrastructure and archaeological features which demonstrate the importance of the Rivulet in the development of early Hobart industrial activity and settlement.
2. The significant former Female Factory complex of structures and features which are contained within an important visual and physical setting.
3. The contribution by the Rivulet to the aesthetic and visual qualities of the Precinct and wider Hobart area through its diverse setting and structures along its length.
4. Its representation of a multitude of integrated historical themes, a complex history and a wide variety of elements and physical features.

The proposed works would remove an area of grassed open land standing between the Rivulet and a heavily planted area of bushland

occupying a steep hillside.

The proposed extension of the car parking beyond the existing area of car parking is considered highly unfortunate as it would significantly extend the visual impact of the developed site beyond the former industrial building, making a notable visual intrusion into an area that forms the context to a significant wedge of bushland. Whilst some small degree of additional soft landscaping is proposed, this would not mitigate the clear loss of grassland and the associated visual impact, increased by the introduction of two tall lighting poles that would throw significant lighting onto the site in question.

Notwithstanding the above however, it is acknowledged that when examining the proposal against the context of the described special characteristics as set out above, it is noted that the surrounding bushland and hillsides are not specifically identified in this location. Although dot point 4 does refer to 'physical features', it is considered that to some degree, the association of the Rivulet with various 'industrial' structures is indelibly established and that visual impact would not be so great as to have a detrimental impact upon the ability of the observer to view and understand the surrounding bushland setting

It is therefore considered that the proposal would not result in detriment to the historic cultural heritage significance of the Precinct as stated under Clauses E.13.8.2 P1 and P2 to a degree to warrant refusal or amendment by way of condition and thus acceptable when measured against the performance criteria of HIPS 2015. However, it is advised that it would appear reasonable to limit the impact of the proposed lighting poles by way of linking their times of illumination to that the approved operating hours of the Church.

- 6.9.6 The officer's report is provided as an attachment to this report.
- 6.9.7 The proposal complies with the performance criterion.
- 6.10 Parking and Access Code - Number of Parking Spaces - E6.6.1 P1
 - 6.10.1 The acceptable solution at clause 6.6.1 requires the number of parking spaces to comply with Table E 6.1. The Use Class Church requires 1 car parking space for each 15m² or 3x seats whichever is greater. The approximate area of the Church is 3400m² which is a requirement of 226 car parking spaces.

6.10.2 The proposal includes existing is approximately 170 spaces, so existing deficiency of 56. And proposed is total of 198 spaces, so the deficiency is reducing to 28.

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 E6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; - Not applicable.*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

- 6.10.5
- The application was referred to Council's Development Engineer, who advised as follows;
 -

- The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.6.1 (a) and as such, shall be assessed under Performance Criteria.
- Acceptable solution - A1: The number of on-site car parking spaces must be: (a) no less than and no greater than the number specified in Table E6.1; - NON COMPLIANT
 - Table E6.1 of HIPS under Use Class Church requires 1 car parking space for each 15m² or 3x seats whichever is greater.
 - The approximate area of the Church is 3400 which is a requirement of 226 car parking spaces.
 - Existing is approximately 170 spaces, so existing deficiency of 56.
 - Proposed is total of 198 spaces, so the deficiency is reducing to 28.
- Requires Performance Assessment

Performance Criteria - P1:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand; -

Comment: Due to the location of the church there is likely to be a parking demand similar to table E6.1. This is because the church is location away from local residence and services.

(b) the availability of on-street and public car parking in the locality; -

Comment: There is some onstreet parking available on Angelsea but once this is used up then a reasonable walk is needed across the bridge to access additional parking.

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

Comment: Metro Tasmania operate regular bus services along Macquarie Street which is within 400 metres of the subject site.

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

Comment: The use of bicycles may occur due to the cycle track along the Rivulet.

(e) the availability and suitability of alternative arrangements for car parking provision; -

Comment: No alternative parking provision is available or considered necessary.

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; -

Comment: Not applicable.

(g) any car parking deficiency or surplus associated with the existing use of the land; -

Comment: Not applicable.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; -

Comment: Not applicable.

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; -

Comment: Not applicable.

(j) any verified prior payment of a financial contribution in lieu of parking for the land; -

Comment: Not applicable.

(k) any relevant parking plan for the area adopted by Council; -

Comment: Not applicable.

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code; -

Comment: Not applicable.

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code. -

Comment: No impact.

Based on the above assessment and given the submitted documentation,

the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme. This is particularly due to the parking deficiency decreasing.

6.10.6 The proposal complies with the performance criterion.

6.11 Parking and Access Code - Number of Motorcycle Spaces E6.6.3 P1

6.11.1 The acceptable solution at clause 6.6.3 requires the number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.

6.11.2 The proposal does not include any motorcycle spaces.

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 6.6.3 P1 provides as follows:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

(a) motorcycle parking demand: Likely to be a similar demand for motorcycles as transport for the church as there is for other commercial activities.

(b) the availability of on-street and public motorcycle parking in the locality;

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

(d) the availability and suitability of alternative arrangements for motorcycle parking provision.

6.11.5 The application was referred to Council's Development Engineer, who advised the following;

- The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable

Solution for clause E6.6.3 and as such, shall be assessed under Performance Criteria.

- Acceptable solution - A1:
 - The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. - NON COMPLIANT
 - No motorcycle parking spaces are currently provided or proposed. This clause would require 9 motorcycle parking spaces.
 - Requires Performance Criteria assessment.

Performance Criteria - P1:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

(a) motorcycle parking demand; -

Comment: Likely to be a similar demand for motorcycles as transport for the church as there is for other commercial activities.

(b) the availability of on-street and public motorcycle parking in the locality;
-

Comment: There is no dedicated motorcycle parking locally onstreet although more motorcycles can fit onstreet than cars in the same location and as such motorcycles may be able to fit where cars are not able to park onstreet.

(c) the availability and likely use of other modes of transport; -

Comment: There is a cycle path which may be used by some patrons of the church and bus routes within 400m.

(d) the availability and suitability of alternative arrangements for motorcycle parking provision.

Comment: NA

The fact that there is significant amounts of additional hard surface area within the parking layout (existing) which may be utilised by motorcycles

(where cars can not fit) plus the fact that motorcycles are capable of parking in a car parking space, Council support the deficiency of motorcycle parking spaces under Performance Criteria P1.

6.11.6 The proposal complies with the performance criterion.

6.12 Parking and Access Code - Number of Accesses - E6.7.1 P1

6.12.1 The acceptable solution at clause 6.7.1 requires no more than one access point per road frontage.

6.12.2 The proposal includes two access points onto Anglesea Street.

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 6.7.1 P1 provides as follows:

The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:

(a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points;

(b) whether the additional access points can be provided without compromising any of the following:-

(i) pedestrian safety, amenity and convenience;

(ii) traffic safety;

(iii) residential amenity on adjoining land;

(iv) streetscape;

(v) cultural heritage values if the site is subject to the Local Historic Heritage Code;

(vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.

6.12.5 The application was referred to Council's Development Engineer and Council's Road Authority, who advised the following;

- The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable

Solution for clause E6.7.1 and as such, shall be assessed under Performance Criteria.

- Acceptable solution: The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater. - NON COMPLIANT

Performance Criteria - P1: The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:

(a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points; -

Comment: Feasible

(b) whether the additional access points can be provided without compromising any of the following:-

(i) pedestrian safety, amenity and convenience;-

Comment: Feasible

(ii) traffic safety; -

Comment: Concern was raised by Council Road Authority and Development Engineering Staff that the proposed access will remove the public turning area for the Council maintained highway reservation road of Angelsea Street. This issue is covered in clause E6.7.2 further.

(iii) residential amenity on adjoining land; -

Comment: NA

(iv) streetscape; -

Comment: NA

(v) cultural heritage values if the site is subject to the Local Historic Heritage Code; -

Comment: NA

(vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity. -

Comment: NA

Based on the above assessment and given the submitted documentation, the number of vehicle accesses may be accepted under Performance Criteria P1:E6.7.1 of the Planning Scheme, noting the assessment under

E6.7.2 and related conditions.

6.12.6 The proposal complies with the performance criterion.

6.13 Parking and Access Code - Design of Vehicle Accesses - E6.7.2 P1

6.13.1 The acceptable solution at clause 6.7.2 requires vehicle accesses 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.

6.13.2 The proposal includes access width of 6.8m, which is wider than the 5m maximum stipulated under AS 2890.1.

6.13.3 The proposal does not comply with the Acceptable Solution; therefore assessment against the performance criterion is relied on.

6.13.4 The performance criterion at clause 6.7.2 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.

6.13.5 The application was referred to Council's Development Engineer, who advised the following;

- The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).
- Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.2 and as such, shall be assessed under Performance Criteria.
- Acceptable Solution - A1: Design of vehicle access points must comply with all of the following:
 - (a) 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 - NON COMPLIANT

- The access width is proposed to be 6.8m which is wider than the 5m max stipulated under AS2890.1. As such this needs Performance Criteria Assessment.

Performance Criteria - P1:

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; -

Comment: Concern was raised by the Road Authority and Dev Eng staff about conflicts between users, this is discussed below and is mitigated via conditions.

(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; -

Comment: Concern was raised by the Road Authority and Dev Eng staff about conflicts between users, this is discussed below and is mitigated via conditions.

(c) suitability for the type and volume of traffic likely to be generated by the use or development; -

Comment: Feasible

(d) ease of accessibility and recognition for users. -

Comment: Feasible

The proposed access location is situated where an existing turning bay is located within the highway reservation. This existing public turning bay is the only mechanism for members of the public to currently turn around once crossing the bridge over Hobart Rivulet. The proposal is to remove this turning bay and replace it with a private vehicle access to the proposed development site. The proposal is to remove the only legal mechanism for members of the public to turn their vehicles around on a public highway reservation. This presented a significant concern for Council Development Engineering staff who raised the issue a number of times with Council Road Authority and in particular the Program Leader Road Services. They are of the opinion that when the gates of the development site are open then the public may drive through the

development site (in one access and out of the other) in order to turn around, and if the development site gates are closed then the public may utilise the proposed access as a turning bay. This is thus supported by the Program Leader Road Services on the basis that (1) access is two way for both accesses, (2) the gates at the proposed access are designed to open inwards and are sufficiently clear of the Council road kerb to allow vehicles sufficient space to turn around and (3) that access through the development site is permitted when the gates are open.

This advice has been taken by the Development Engineering staff and reviewed from a legal perspective and run passed the Surveying team at Council who advise that in order to achieve the requirements of the Road Authority a Right of Way benefitting Council will need to be placed on the title prior to the commencement of works. In order to facilitate the developer in coming to a detailed design that they are happy with Council Senior Development Engineer believes a condition which gives the developer the option for (a) a RoW benefitting Council or (b) a new turning area to the satisfaction of Council to be constructed in the Highway Reservation.

On the basis of the above, Council is supportive of the proposal under Performance Criteria P1:E6.7.2 of the Planning Scheme subject to the following conditions:

ENG r3: Detailed design of access to TSD or Road Authority requirements, including but not limited to width, crossover, gate design and configuration, ability for turning movements. Access to be two way.
ENG s1: Prior to commencement of works either (a) RoW or (b) detailed design of proposed new turning bay in the highway reservation.
Construction of new turning bay prior to commencement of use of proposed access.

- 6.13.6 The proposal complies with/does not comply with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Extension to Car Park and Associated Works.

- 7.2 The application was advertised and received two (2) representations. The representations raised concerns including unnecessary additional parking, impact on the natural values by additional concrete, impact on native fauna and children's play area.

The grounds of representation were referred to Council's Open Space Planner for additional comment, who advised the following;

With development of the rivulet track and other infrastructure, weed control and landscaping, the City has aimed at creating and enhancing a peaceful and pleasant, family-friendly small piece of paradise in Hobart Rivulet Park. The proposed car park is a private land development, outside the park, that would not detract greatly from the achievement of those aims. The existing planted line of trees will continue to provide some screening of the proposed car park area, apart from the removal of one tree. Adequate grass and bush areas will remain in the area for masked lapwings and pademelons, both of which are common species.

- 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 Development Engineer, Cultural Heritage Officer, Council's Program Leader Road Services, Stormwater Officer, Open Space Planner and Environmental Development Planner.

Council's Environmental Development Planner advised the following in regard to the Inundation Prone Areas Code

The proposed car park would be constructed over an existing cut-off drain that captures excess runoff from the hillside to the north-west during large rain events. Development is therefore proposed on flood-prone land and the Inundation Code applies.

The relevant code standards are under clause E15.7.4 'Riverine Inundation Hazard Areas'. None of the standards are applicable to this proposal as they all relate to buildings.

The relevant code purpose statement under clause E15.1.1 states the following:

The purpose of this provision is to...

(b) manage development in areas at risk from periodic or permanent inundation so that:

(i) people, property and infrastructure are not exposed to an unacceptable level of risk...

The proposal includes the re-routing of the swale drain around the new car park. According to the submitted documents, the 900mm-wide swale would cater for 1:100 year ARI rain events. This is considered adequate to satisfy the code purpose statement.

The officers have raised no objection to the proposal, subject to conditions. Heritage and Development ENGINEERING referral officer reports are provided as attachments to this report.

7.5 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Extension to Car Park and Associated Works at 64 ANGLESEA STREET SOUTH HOBART TAS 7004 and adjacent road reserve 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 Extension to Car Park and Associated Works at 64 ANGLESEA STREET SOUTH HOBART TAS 7004 and adjacent road reserve and 57 Anglesea Street 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-19-837 64 ANGLESEA STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 17

Any lighting of the car park must not operate outside the hours of operation for the church and must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

PLN s1

This permit approves the 28 space car park and associated works. This permit does not constitute approval of any other use or development on the site.

Reason for condition

To clarify the scope of this permit.

ENG sw1

All stormwater from the proposed development (including, but not limited to,

Detailed engineering drawings must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed engineering drawings must include:

1. the location of the proposed connection; and
2. the size of the connection appropriate to satisfy the needs of the development.

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Amenity Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Amenity Division.*
- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main extension must be designed and constructed prior to the commencement of the use.

Engineering drawings must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The engineering drawings must:

1. Be certified by a qualified and experienced civil engineer.
2. Be shown in both plan and long-section - the proposed stormwater main extension and connection, including but not limited to, flows, hydraulic grade lines, clearances, cover, gradients, sizing, material and pipe class.

the diverted swale, 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).

Reason for condition

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

ENG sw3

The proposed development must be designed to ensure the protection and access to the Council's stormwater network including Hobart Rivulet.

A detailed design must be submitted and approved prior to the issuing of any approval under the Building Act 2016 or commencement of works (which ever occurs first). The detailed design must demonstrate how the design will ensure the protection and provide access to the Council's stormwater network.

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via the 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 requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment.
4. Demonstrate the outfall has, or will have, sufficient erosion protection for the increased flows to this point.
5. Show the pit collecting the upslope swale drain within the property boundary and as privately owned and maintained.
6. Show a single public stormwater connection for these works.
7. Clearly distinguish between public and private infrastructure.
8. Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via the 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.*
- *Once the condition endorsement has been issued, an [Application to Construct Public Infrastructure](#) is required to carry out the works.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

Stormwater pre-treatment and detention for stormwater discharges from the development must be installed prior to first use or issue of any completion (whichever occurs first).

A stormwater management report and design must be submitted and approved, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The stormwater management report and

design must:

1. **Be prepared by a suitably qualified engineer.**
2. **Include final detailed design of the proposed treatment train.**
3. **Include detailed design and supporting calculations of the detention, sized such that there is no increase in flows from the developed site for the worst-case 5% AEP storm event. All assumptions must be clearly stated. The design drawings must include the layout, the inlet and outlet (including long section), outlet size, overflow, discharge rate and emptying time.**
4. **Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

- *Once the detailed design and report has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG tr1

Traffic management within the access driveway, circulation roadway and parking module (parking spaces and aisles) must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking),

must be submitted and approved, prior to commencement of the use. The design drawing(s) must be prepared by a suitably qualified person and include (but not be limited to):

1. **Signage indicating that the car parking area is available for members of the public to turn around (if a public turning bay is not provided).**
2. **Delineation of pedestrian pathways along the shared vehicular circulation roadway.**

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

Advice:

- *Once the traffic management design drawings have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

In the interests of user safety and the amenity of the occupiers of the development.

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).

Advice:

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

Reason for condition

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

the relevant Australian Standard.

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the 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 additional car parking spaces approved on the site is twenty eight (28). Car parking spaces in accordance with AS/NZS 2890.6 2009 are to be provided for people with a disability at a rate of 1 per 50 total car parking spaces.

All new parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004 or AS/NZS 2890.6 2009 (where applicable), prior to commencement of use.

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.**

Any damage must be immediately reported to Council.

A photographic record of the Council's infrastructure, including Hobart

Rivulet, 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 r3

Prior to the commencement of use, the proposed access and other infrastructure within and adjacent the highway reservation must be designed and constructed in accordance with:

- **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing, or suitable alternative as approved by the Council City Amenity.**

Design drawings must be submitted and approved by the City's Road unit prior to any approval to construct. The design drawings must:

1. **Show the cross and long section of the driveway crossover within the highway reservation and onto the property.**
2. **Detail any existing services or infrastructure at or near the proposed driveway crossover.**
3. **Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.**
4. **Show swept path templates in accordance with AS/NZS 2890.1 2004 (B99 design template).**
5. **Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.**
6. **Include a signage and linemarking plan. Note also condition ENG tr1.**
7. **Include a lighting plan for the street and car park in accordance with**

- relevant Australian Standards. Note also condition PLN s1.
8. Include a design of the gate indicating how this will operate without impacting on car parking numbers.
 9. 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 signage plan must demonstrate how the new access will be two way, and how members of the public will be instructed to turn around (if a dedicated turning bay on the highway reservation is not provided).*
- *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.*
- *Where triggered under the Infrastructure Bylaw, a Road Opening Permit and a Permit to Construct Public infrastructure may be required for the works*
- *Failure to address condition endorsement requirements prior to submitting for approval may result in unexpected delays.*

Reason for condition

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

ENG s1

A method of allowing members of the public to safely turn around near the end of Anglesea Street must be provided prior to commencement of use of the proposed vehicular access. This may be provided by one of the following two methods:

1. **A right of carriageway in favour of Hobart City Council is to be registered on CT 158319/2 to allow vehicles to safely pass from the existing gate at the southern end of Council's road within CT 158319/100 and over the existing driveway, carpark and proposed carpark back to Council's road. This right of way is to be the satisfaction of Council and is to be registered on CT 158319/2 prior to the commencement of works;**
or
2. **A dedicated turning area to the satisfaction of Council City Amenity**

Division is to be designed and constructed within the Angelsea Street highway reservation. This turning area is to be independent of the proposed vehicular access.

Reason for condition

To ensure that works will comply with the Council's standard requirements and that vehicles can legally turn around at the terminus of Angelsea Street.

ENV 2

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

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

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

Advice:

- *Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for Condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning

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

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

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

NEW SERVICE CONNECTION

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

STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's 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.

WEED CONTROL

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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



(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: 28 May 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Attachment C - Planning Referral Officer Cultural Heritage Report

Attachment D - Planning Referral Officer Development Engineering Report

Planning: #192800

Property

64 ANGLESEA STREET SOUTH HOBART TAS 7004

People

Applicant

*

JOHN ETHERINGTON
0405 498 065
john@sgroup.com.au

Owner

*

Christian City Church (Tasmania) Inc.
Stuart Davey-Sypkes
64 Angelsea Street
SOUTH HOBART TAS 7000
0458 797 537
stuart@sypkes.com.au

Entered By

JOHN ETHERINGTON
0405 498 065
john@sgroup.com.au**Use**

Other

Details

Have you obtained pre application advice?

- ☒ Yes

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

PAE-19-104

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)?

*

Church

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

*

Extension of existing Car parking, construction of new parking

Estimated cost of development

*

200000.00

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

Carparking on Site

N/A

Total parking spaces Existing parking spaces ☐ 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?

• ☐

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

*

Certificate of Title.pdf

Plans (proposed, existing)

*

20191120 C3 Church Parking Extension DA.pdf

GM or Crown consent

GM Consent to Lodge a Planning Application - 64 Anglesea Street - John Etherington.pdf

Covering Letter

20191120 Cover letter.pdf



20th November 2019

C3 Church Car Park extension – 64 Anglesea Street, South Hobart

PAE-19-104

To whom it may concern,

In response to our pre planning assessment feedback from Ben Ikin, please find to follow and Development Application for the proposed Parking Extension.

We have been engaged by C3 Church to look at extending their existing carparking that is currently used daily by staff and visitors to the facilities and for services on Sundays.

The church usually locks it's gates out of business hours and therefore the existing access road has an council owned turning bay.

The turning bay is currently used Monday to Friday by members of the public who park in the space for all day parking, this area is usually occupied by 7:30am with people walking into the city via the Rivulet Track, this generally makes the turning bay unusable, the proposed existing would be locked of out of hours and the area could be used as a turning bay when these gates are closed.

The proposed parking extension proposal would provide an additional 28 parking spaces for use to the church community.

I trust that contents of this letter and the attached documentation have satisfactorily addressed the proposed project. If there are any further questions or queries on the above, please do not hesitate to contact S. Group directly.

Yours Sincerely,

John Etherington

Chase. Wonder.

C3 CHURCH HOBART
CAR PARK EXTENSION
64 ANGLESEA STREET, HOBART

DRAWING SCHEDULE:

Sheet No:	Drawing:	Rev:	Revision Date:
A000	Cover		
A101	Proposed Parking Plan	A B	25/3/20 7/4/20

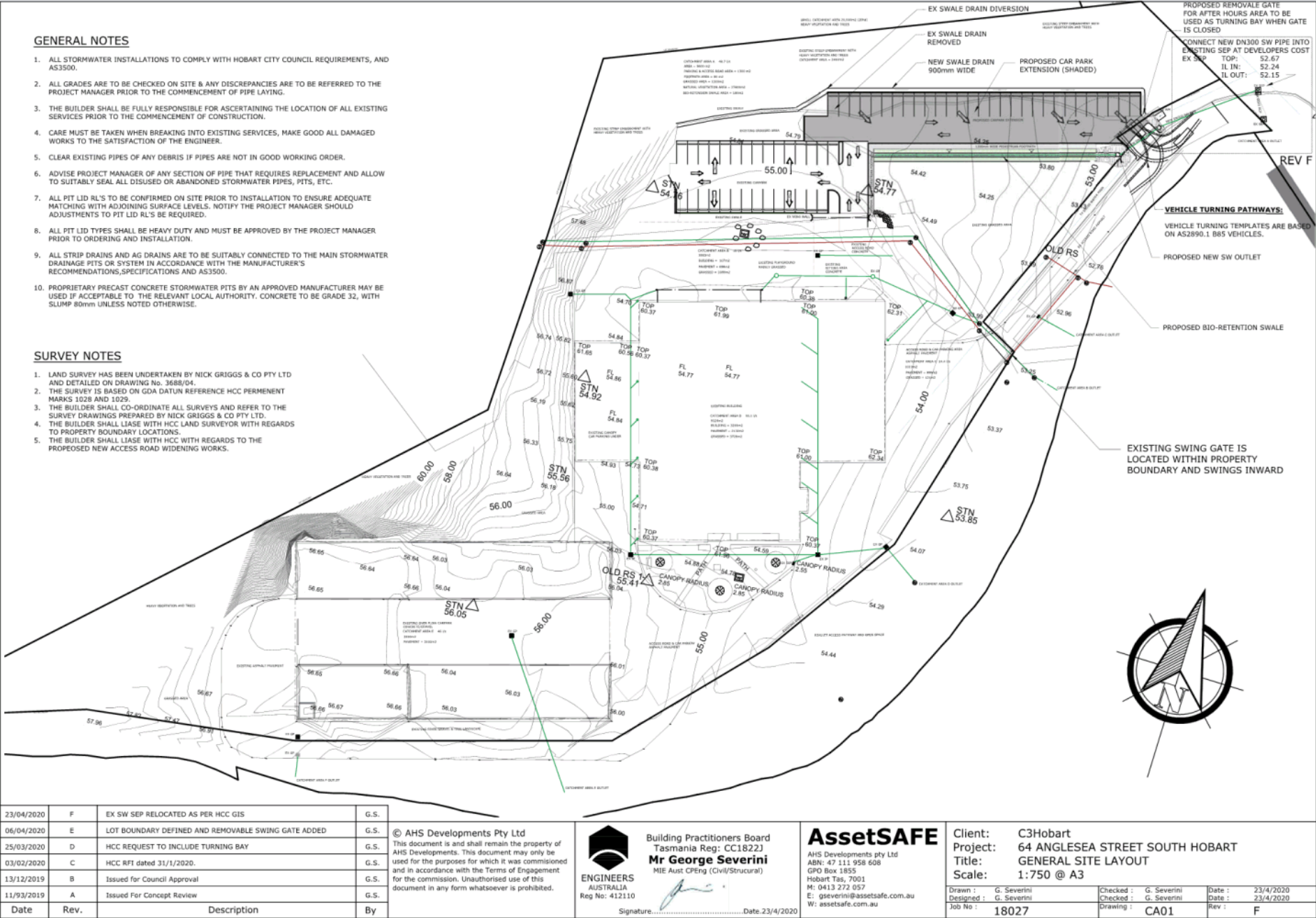


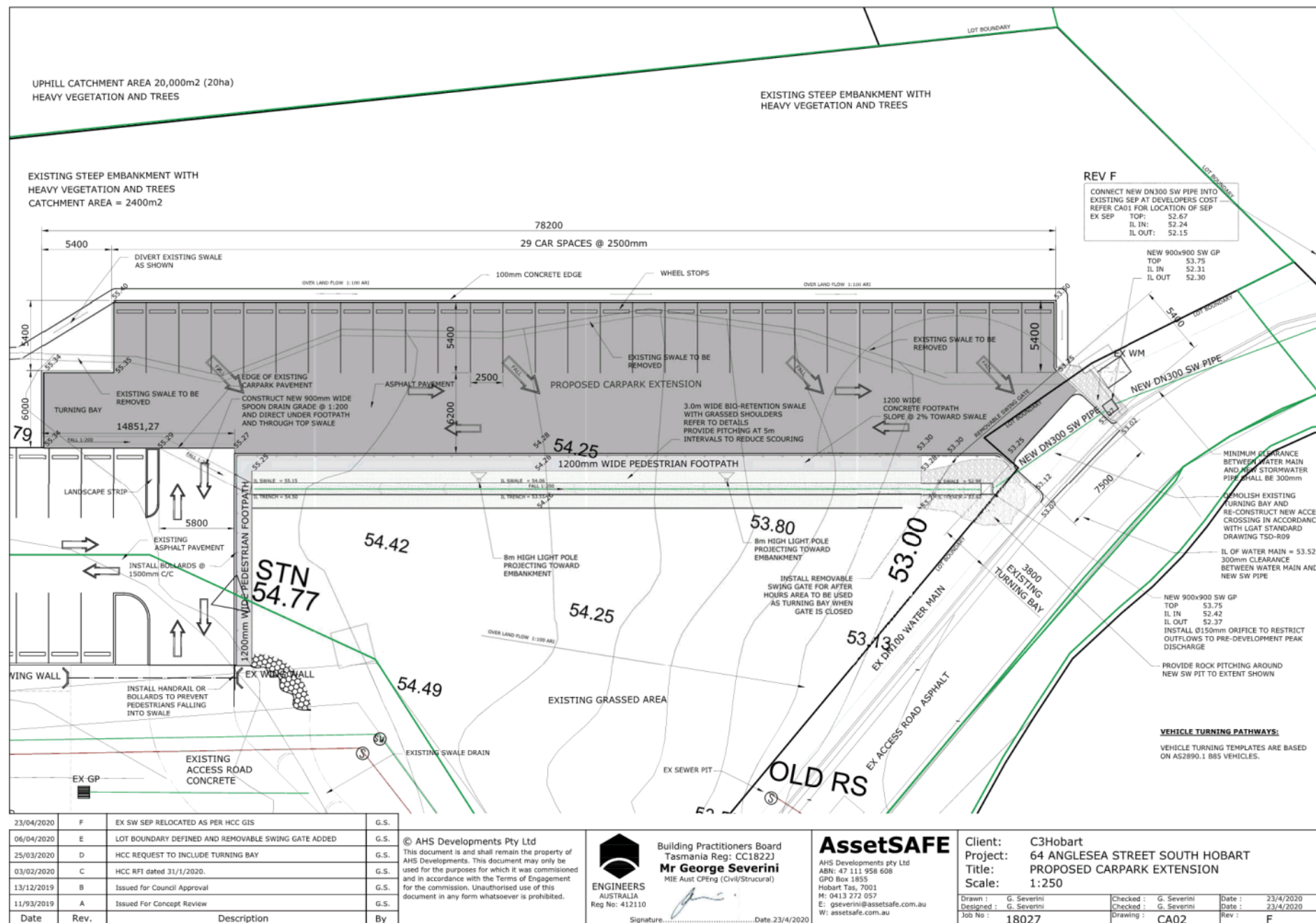
LOCATION PLAN

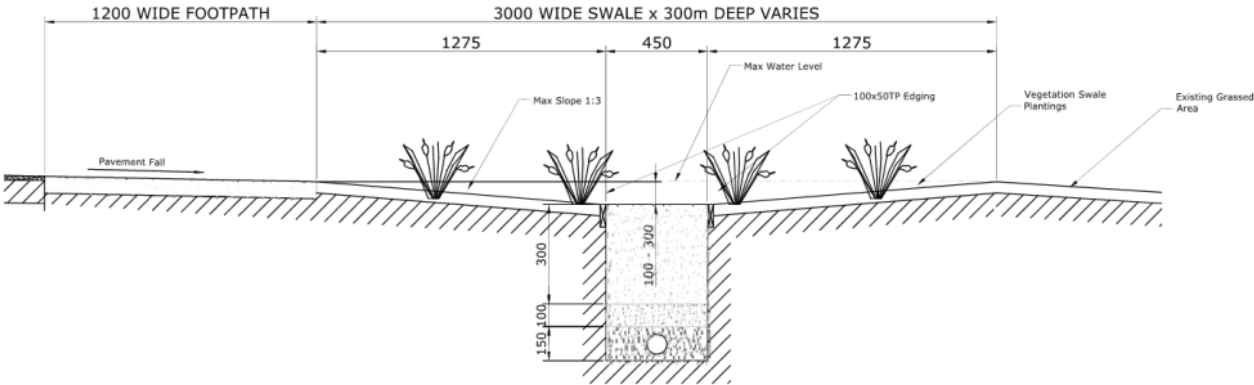
DEVELOPMENT APPLICATION ISSUE

S. Chase Wonder	Project Name	64 Anglesea Street, Hobart	Issue No	BA
	Client	C3 Church Hobart	Issue Date	A000
	Issue	Cover	Issue No	
	Issue Date		Issue No	

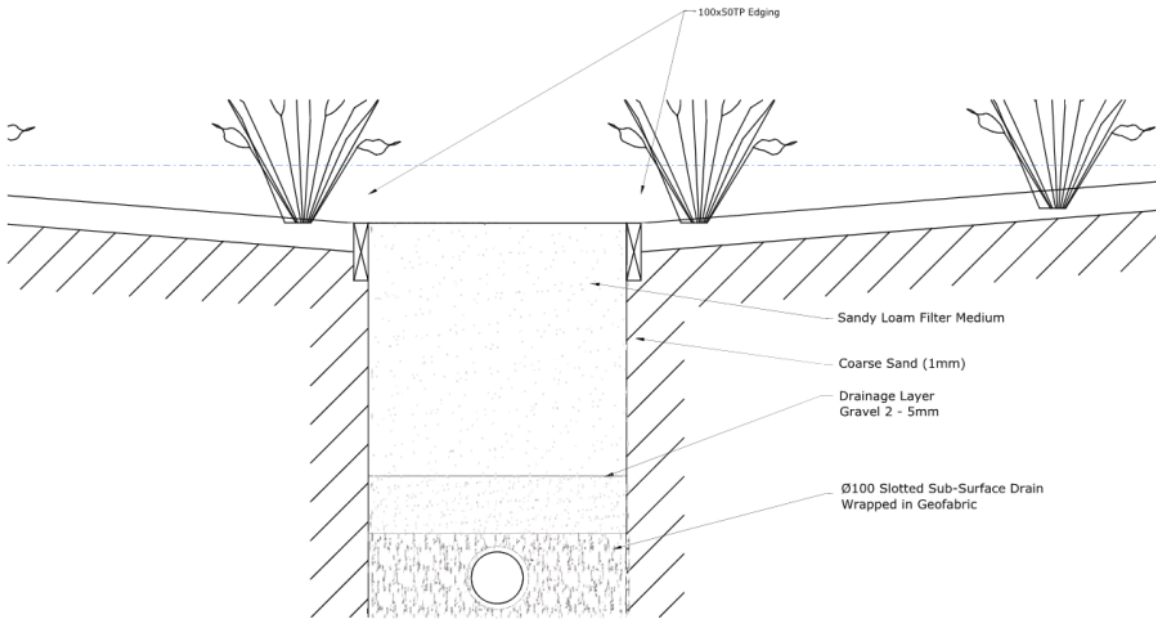








Swale/Absorption Trench Drain Detail A
Scale 1:10



23/04/2020	F	EX SW SEP RELOCATED AS PER HCC GIS	G.S.
06/04/2020	E	LOT BOUNDARY DEFINED AND REMOVABLE SWING GATE ADDED	G.S.
25/03/2020	D	HCC REQUEST TO INCLUDE TURNING BAY	G.S.
03/02/2020	C	HCC RFI dated 31/1/2020.	G.S.
13/12/2019	B	Issued for Council Approval	G.S.
13/10/2019	A	Issued For Concept Review	G.S.
Date	Rev.	Description	By

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Building Practitioners Board
Tasmania Reg: CC1822J
Mr George Severini
MIE Aust CPEng (Civil/Structural)

Signature:.....Date: 23/4/2020

AssetSAFE

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Client: C3Hobart
Project: 64 ANGLESEA STREET SOUTH HOBART
Title: CARPARK EXTENSION BIO-RETENTION TRENCH
Scale: 1:10 and 1:20

Drawn : G. Severini	Checked : G. Severini	Date : 23/4/2020
Designed : G. Severini	Drawing : CA03	Rev : F
Job No : 18027		

STORMWATER ASSESSMENT

Land Area = 22247 m2 (ZONED Inner Residential)

Pre-Development

OVERALL ASSESSMENT

Existing Building Roof Area = 3384 m2 (C=0.95)
 Existing Pavement = 8393m2 (C=0.9)
 (Includes Overflow & West Pavement)
 Total Pervious Area = 10570 m2

Rainfall Intensity (1:20 years ARI 5 minute) = 86.9 mm/hr (BOM Site)

Rainfall Intensity (1:100 year ARI 5 minute) = 120 mm/hr (BOM Site)

Pre- Development Peak Discharge = $((0.95 \times 86.9 \times 3384) + (0.9 \times 86.9 \times 8393) + (0.2 \times 86.9 \times 10570)) / 3600 = 310 \text{ l/s}$ Average Co-efficient of Run-Off = $((0.95 \times 3384) + (0.9 \times 8393) + ((0.2 \times 10570))) / 22247 = 0.58 < 0.75 \text{ Target}$

Actual site has 4 outlets to the Hobart Rivulet:

CONSIDER EACH INDIVIDUAL OUTLET AND SUB-CATCHMENTS:

Catchment Area A:**Pre-Development**

Total Area = 5600m2
 Car Park Pavement Area C=0.9 = 400m2
 Access Road Pavement Area C=0.9 = 400m2
 Grassed Area Flat Slope<1% C=0.2 = 2400m2
 Natural Vegetation Slope>25% C=0.2 = 2400m2

Effective Co-efficient of Run-Off = $(0.9 \times 400 + 0.9 \times 400 + 0.2 \times 2400 + 0.2 \times 2400) / 5600 = 0.3$ Pre-Development Peak Discharge = $0.3 \times 86.9 \times 5600 / 3600 = 40.6 \text{ l/s}$

SW Outlet Size Required = DN225 uPVC 1:200 min grade

Post Development

Total Area = 5600m2
 Roof Area = 0m2
 Pavement Area = 1380m2
 Bio-Retention Swale = 180m2
 Grassed Area Flat Slope<1% = 1300m2
 Natural Vegetation Slope>25% = 2740m2

Effective Co-Efficient of Run-Off = $(0.9 \times 1300 + 0.2 \times 180 + 0.2 \times 1300 + 0.2 \times 2740) / 5600 = 0.36$ Post-Development Discharge = $0.36 \times 86.9 \times 5600 / 3600 = 48.7 \text{ l/s}$

SW Outlet Size Required = DN300 @ 1:200 MIN GRADE (Actual outlet size to be confirmed)

Surplus Surface Run-Off = $48.7 - 40.6 = 8.1 \text{ l/s}$ OSD Vol Required = $8.1 \times 5 \times 60 = 2400 \text{ liters for 1:20 ARI 5 min storm event}$ Orifice Area Required = $0.0406 / (0.6 \times \text{SQRT}(2 \times 9.81 \times 0.75))) = 0.0176 \text{ m}^2$

Orifice Diameter Required = 150mm

If we use pre-development flows then the total volume to be stored will be;

= $40.6 \times 5 \times 60 = 12,180 \text{ liters}$ Bio-retention Vol Provided = $0.3 \times 0.45 \times 0.55 \times 56m = 4,158 \text{ liters}$ Swale Volume = $0.5 \times (1.75+0.525) \times 56m = 19,600 \text{ liters}$ Total Stored Volume = $4158 + 19600 = 23,758 \text{ liters} > 12,180 \text{ liters required}$ **Catchment Area B:**

Total Area = 1893m2
 Roof Area = 107m2
 Pavement Area = 698m2
 Pervious Area = 1088m2

Post-Development Discharge = $((0.95 \times 61.4 \times 107) + (0.9 \times 61.4 \times 698) + (0.3 \times 61.4 \times 1088)) / 3600 = 18.0 \text{ l/s}$
 SW Outlet Required = DN150 Actual Outlet #300 RCP Adequate

Catchment Area C:

Total Area = 1019m2
 Roof Area = 0m2
 Pavement Area = 898m2
 Pervious Area = 121m2

Post-Development Discharge = $((0.9 \times 61.4 \times 898) + (0.3 \times 61.4 \times 121)) / 3600 = 14.4 \text{ l/s}$
 SW Outlet Required = DN150 Actual Outlet #150 RCP Adequate

Catchment Area D:

Total Area = 9124m2
 Roof Area = 3266m2
 Pavement Area = 2132m2
 Pervious Area = 3726m2

Post-Development Discharge = $((0.95 \times 61.4 \times 3266) + (0.9 \times 61.4 \times 2132) + (0.3 \times 61.4 \times 3726)) / 3600 = 90.1 \text{ l/s}$
 SW Outlet Required = DN150 Actual Outlet #300 RCP Adequate

Catchment Area E:

Total Area = 3000m2
 Roof Area = 0m2
 Pavement Area = 3000m2
 Pervious Area = 0m2

Post-Development Discharge = $(0.9 \times 61.4 \times 3000) / 3600 = 46.0 \text{ l/s}$
 SW Outlet Required = DN225 Actual Outlet #150 RCP Not Adequate - Install detention or Absorption Swales)

POST-DEVELOPMENT

Note: Catchments B, C, D & E remain unchanged.

STORMWATER ASSESSMENT (EXISTING BOUNDARY SWALE)

Up Hill Embankment Catchment Area = 20,000m2 (20ha)

Catchment Area A:**Pre-Development**

Total Area = 5600m2

Pre-Development Peak Discharge (ARI 1:20) = $0.3 \times 86.9 \times 5600 / 3600 = 40.6 \text{ l/s}$ Pre-Development Peak Discharge (ARI 1:100) = $0.3 \times 120 \times 5600 / 3600 = 56.0 \text{ l/s}$

CATCHMENTS AREA ABOVE SITE 20,000m2

Pre-Development Peak Discharge (ARI 1:20) = $0.2 \times 86.9 \times (20,000) / 3600 = 95.6 \text{ l/s}$ Total Pre-Development Discharge (ARI 1:20) = $95.6 + 40.6 = 136.2 \text{ l/s}$ Pre-Development Peak Discharge (ARI 1:100) = $0.2 \times 120 \times (20,000) / 3600 = 133 \text{ l/s}$ Total Pre-Development Discharge (ARI 1:100) = $133 + 56 = 189 \text{ l/s}$ **Post Development**Effective Co-Efficient of Run-Off = $(0.9 \times 1300 + 0.2 \times 180 + 0.2 \times 1300 + 0.2 \times 2740) / 5600 = 0.36$ Post-Development Discharge (ARI 1:20) = $0.36 \times 86.9 \times 5600 / 3600 = 48.7 \text{ l/s}$ Total Post-Development Discharge (ARI 1:20) = $95.6 + 48.7 = 144.3 \text{ l/s}$

SW Outlet Size Required = DN300 @ 1:200 MIN GRADE

CHECK ARI 1:100 OVERLAND FLOW FROM UPHILL CATCHMENT

Post-Development Discharge (ARI 1:100) = $0.36 \times 120 \times 5600 / 3600 = 67.2 \text{ l/s}$ Total Post-Development Discharge (ARI 1:20) = $67.2 + 133 = 200 \text{ l/s}$

DN300 RCP SW PIPE 1:200 MIN UNDER CAPACITY FOR 1:100 ARI. OVERLAND FLOW WILL FLOW OVER ROAD RESERVE LOW RISK TO ASSET

BIO-RETENTION WATER QUALITY ASSESSMENT

E7.1 Target Requirement TSS < 80%
 TP < 45%
 TN < 45%

Catchment Area A = 5600 m2
 Pavement Area = 1300 m2
 Grassed/Vegetated Area = 4040m2
 Swale Base 59m Long x 0.9m = 180 m2

Overall Land Slope Flat Area < 2%

Soil Type = Clay

Fraction Impervious (f) = 0.9 = Car Park/Roads
 0.2 = Natural Veg/Grassed Area
 0.2 = Swale Grass 50mm

Vegetation Height = 50mm

Swale Slope = 1%

Mean Annual Rainfall = 500 mm (BOM Site 491.3mm)

Figure 2.2, a bio-retention at the reference site needs a surface area of 3% to achieve the target pollutant removal.

Contributing impervious area = 45% x 5600 = 2520m2

Reference Bio-retention Swale = $0.03 \times 2520 \text{ m}^2 = 75.6 \text{ m}^2$ Adjustment Factor = $0.0041 (500) + 0.9728 = 3.0$

Required Bio-Retention Area = 76m2

Bio-Retention Swale Area = $3 \text{ m wide} \times 56 \text{ m} = 168 \text{ m}^2 > 76 \text{ m}^2 \text{ OK.}$

Actual Surface Area provided = 6% to that of impervious area.

TSS = 90%+ > 80% OK
 TP = 75%+ > 45% OK
 TN = 50%+ > 45% OK

Adopt 3000 wide swale base with 450 x 550 Deep bio-retention trench.

23/04/2020	F	EX SW SEP RELOCATED AS PER HCC GIS	G.S.
06/04/2020	E	LOT BOUNDARY DEFINED AND REMOVABLE SWING GATE ADDED	G.S.
25/03/2020	D	HCC REQUEST TO INCLUDE TURNING BAY	G.S.
03/02/2020	C	HCC RFI dated 31/1/2020.	G.S.
13/12/2019	B	Issued for Council Approval	G.S.
13/10/2019	A	Issued For Concept Review	G.S.
Date	Rev.	Description	By

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Building Practitioners Board
 Tasmania Reg: CC1822J
Mr George Severini
 MIE Aust CPEng (Civil/Structural)

Signature.....Date: 23/4/2020

AssetSAFE

AHS Developments Pty Ltd
 ABN: 47 111 958 608
 GPO Box 1855
 Hobart Tas, 7001
 M: 0413 272 057
 E: gseverini@assetsafe.com.au
 W: assetsafe.com.au

Client: C3Hobart
 Project: 64 ANGLESEA STREET SOUTH HOBART
 Title: CARPARK SW ASSESSMENT & TREATMENT
 Scale: NTS

Drawn : G. Severini	Checked : G. Severini	Date : 23/4/2020
Designed : G. Severini	Checked : G. Severini	Date : 23/4/2020
Job No : 18027	Drawing : CA04	Rev : F



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

20 January 2020

John Etherington (S Group)
Level 1, 90-92 Murray Street
HOBART TAS 7000

mailto:john@sgroup.com.au

Dear Sir/Madam

**64 ANGLESEA STREET, SOUTH HOBART - WORKS ON COUNCIL STORMWATER
NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-
19-42**

Site Address:

64 Anglesea Street, South Hobart

Description of Proposal:

C3 Church - Car park extension involving the City's stormwater services

Applicant Name:

John Etherington
S Group

PLN (if applicable):

PLN-19-837

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.

Hobart Town Hall
50 Macquarie Street
Hobart TAS 7000

Hobart Council Centre
16 Elizabeth Street
Hobart TAS 7000

City of Hobart
GPO Box 503
Hobart TAS 7001

T 03 6238 2711
F 03 6234 7109
E coh@hobartcity.com.au
W hobartcity.com.au

CityofHobartOfficial
ABN 39 055 343 428
Hobart City Council

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:

Drawings by S. Group - A000 and A101

Civil Drawings by AssetSAFE - CA01 Rev. B, C02 Rev. B, CA03 Rev. B, CA04 Rev. B

Letter from S. Group dated 17th December 2019



17th December 2019

Re: General Managers Consent

C3 Church Car Park extension – 64 Anglesea Street, South Hobart

PAE-19-837

Attention: Road & Environmental Engineering Unit & Stormwater Assets officers.

To whom it may concern,

In response to our development application and subsequent letter from HCC we are seeking General Managers consent to build over and alter stormwater services within the existing council owned land.

We have been engaged by C3 Church to look at extending their existing carparking that is currently used daily by staff and visitors to the facilities and for services on Sundays.

The church usually locks it's gates out of business hours and therefore the existing access road has an council owned turning bay that is used during the out of hours times.

This turning bay is currently used Monday to Friday by members of the public who park in the space for all day parking, this bay is usually occupied by 7:30am with people walking into the city via the Rivulet Track, this generally makes the turning bay unusable.

The proposed parking extension proposes that the new carpark exit point would sit over this turning bay, the proposed carpark exit will have a gate that would be closed off out of hours and can thereafter be used as the turning bay in the out of hours times and therefor satisfies the requirement for a turning bay.

The proposed stormwater works would be as documented in the supplied drawings prepared by AssetSafe which allows for the collection and removal of surface water from the new parking via the detailed swale drain and connection to existing SW services.

I trust that contents of this letter and the attached documentation have satisfactorily addressed the proposed project. If there are any further questions or queries on the above, please do not hesitate to contact S. Group directly.

Yours Sincerely,

John Etherington



t. 03 6251 3906

w. www.sgroup.com.au

e. info@sgroup.com.au

abn. 86996265268

Chase. Wonder.

C3 CHURCH HOBART
CAR PARK EXTENSION
64 ANGLESEA STREET, HOBART

DRAWING SCHEDULE:

Sheet No:	Drawing:	Rev:	Revision Date:
A000	Cover		
A101	Proposed Parking Plan		



LOCATION PLAN

Approved - General
Manager Consent Only
[GMC-19-42]
20/01/2020

DEVELOPMENT APPLICATION ISSUE

S. Chase Wonder	Project Name	64 Anglesea Street, Hobart	Project Number	BA
	Client	C3 Church Hobart	Project Stage	A000
	Issue	Cover	Project Date	20/01/2020
	Project Description			

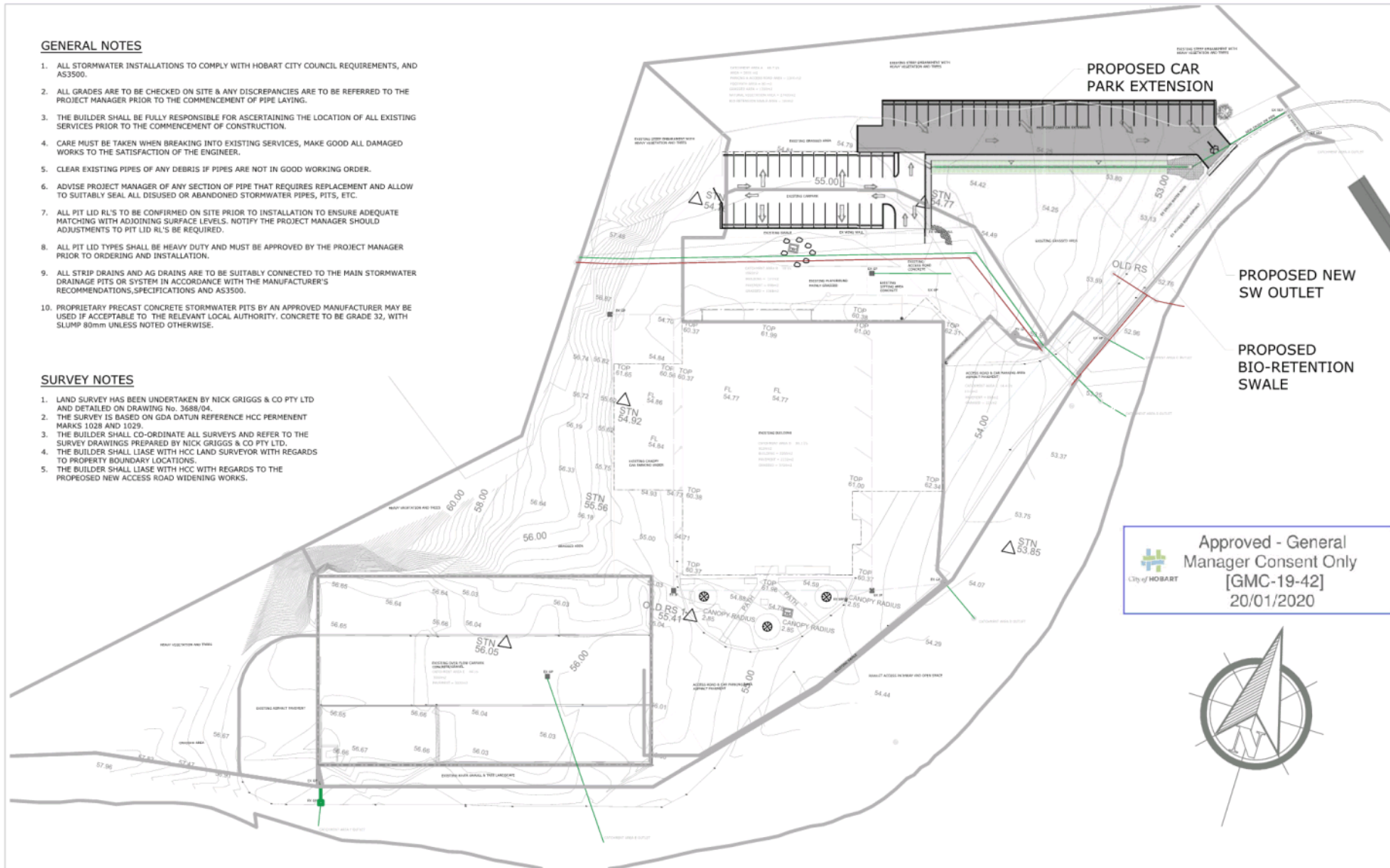


GENERAL NOTES

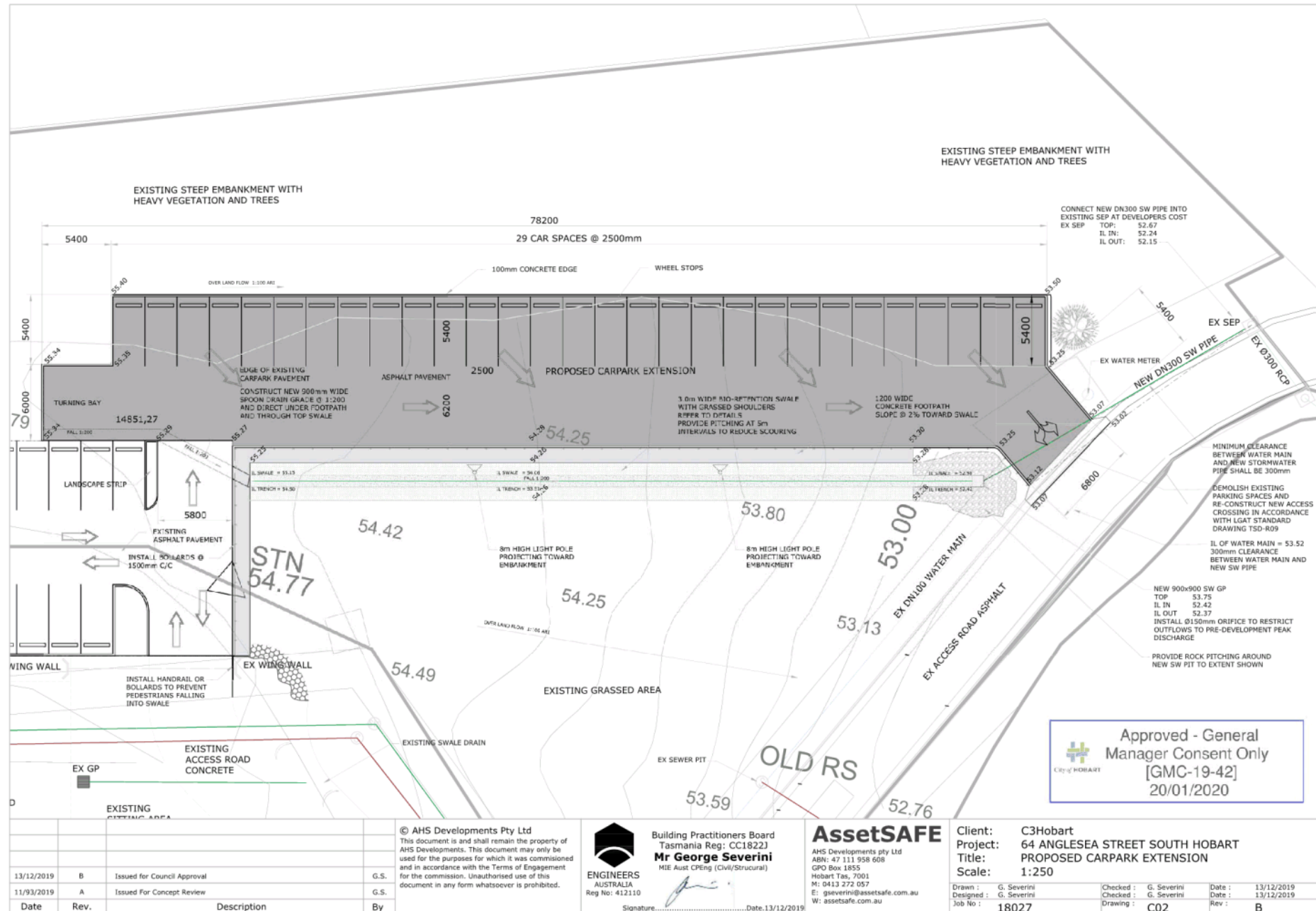
1. ALL STORMWATER INSTALLATIONS TO COMPLY WITH HOBBART CITY COUNCIL REQUIREMENTS, AND AS3500.
2. ALL GRADES ARE TO BE CHECKED ON SITE & ANY DISCREPANCIES ARE TO BE REFERRED TO THE PROJECT MANAGER PRIOR TO THE COMMENCEMENT OF PIPE LAYING.
3. THE BUILDER SHALL BE FULLY RESPONSIBLE FOR ASCERTAINING THE LOCATION OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
4. CARE MUST BE TAKEN WHEN BREAKING INTO EXISTING SERVICES, MAKE GOOD ALL DAMAGED WORKS TO THE SATISFACTION OF THE ENGINEER.
5. CLEAR EXISTING PIPES OF ANY DEBRIS IF PIPES ARE NOT IN GOOD WORKING ORDER.
6. ADVISE PROJECT MANAGER OF ANY SECTION OF PIPE THAT REQUIRES REPLACEMENT AND ALLOW TO SUITABLY SEAL ALL DISUSED OR ABANDONED STORMWATER PIPES, FITS, ETC.
7. ALL PIT LID R/L'S TO BE CONFIRMED ON SITE PRIOR TO INSTALLATION TO ENSURE ADEQUATE MATCHING WITH ADJOINING SURFACE LEVELS. NOTIFY THE PROJECT MANAGER SHOULD ADJUSTMENTS TO PIT LID R/L'S BE REQUIRED.
8. ALL PIT LID TYPES SHALL BE HEAVY DUTY AND MUST BE APPROVED BY THE PROJECT MANAGER PRIOR TO ORDERING AND INSTALLATION.
9. ALL STRIP DRAINS AND AG DRAINS ARE TO BE SUITABLY CONNECTED TO THE MAIN STORMWATER DRAINAGE FITS OR SYSTEM IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS SPECIFICATION AS3500.
10. SLUMPY PRECAST CONCRETE STORMWATER FITS BY AN APPROVED MANUFACTURER MAY BE USED IF ACCEPTABLE TO THE RELEVANT LOCAL AUTHORITY. CONCRETE TO BE GRADE 32, WITH SLUMP 80mm UNLESS NOTED OTHERWISE.

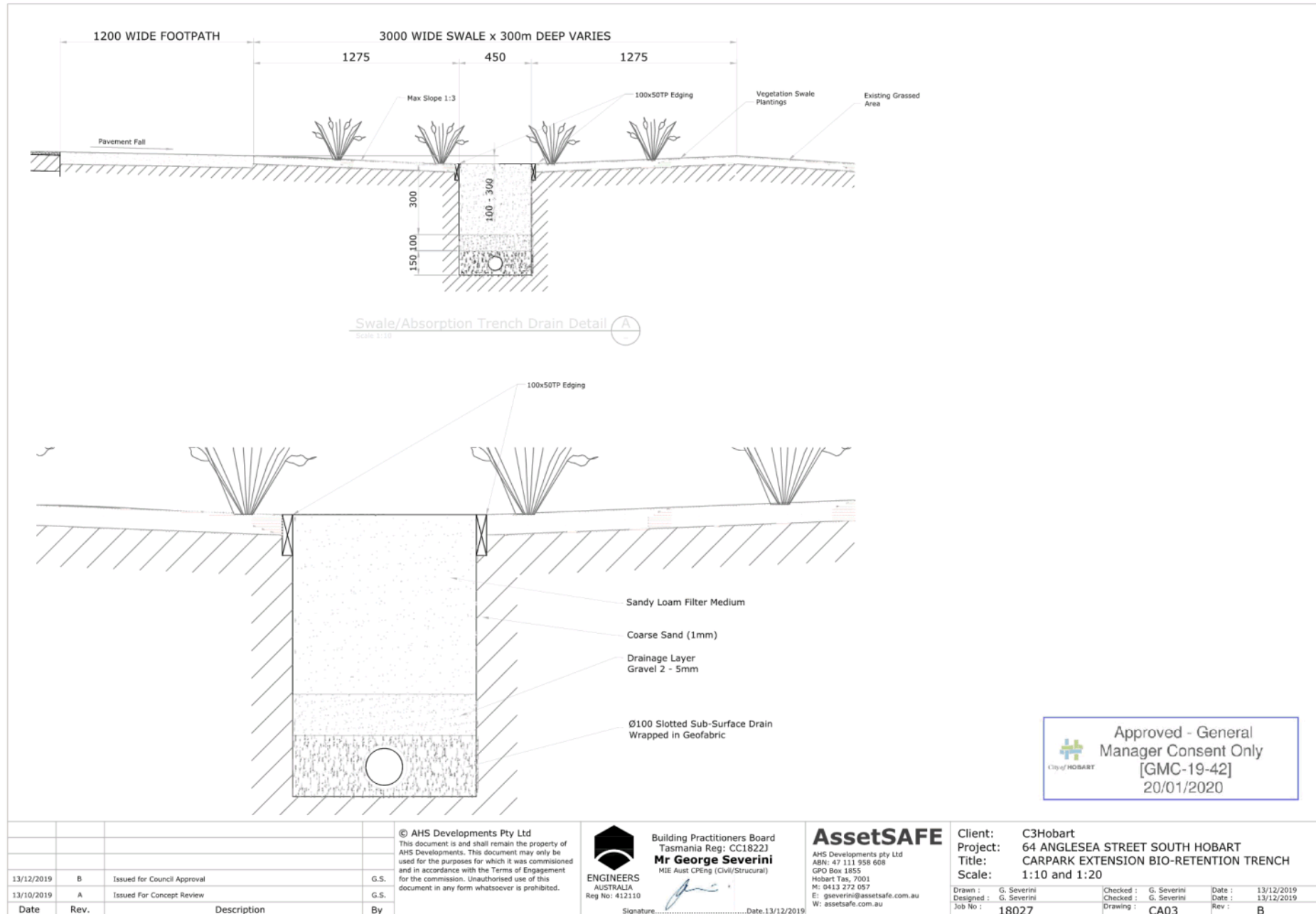
SURVEY NOTES

1. LAND SURVEY HAS BEEN UNDERTAKEN BY NICK GRIGGS & CO PTY LTD AND DETAILED ON DRAWING NO. 3688/04.
2. THE SURVEY IS BASED ON GDA DATUM REFERENCE HCC PERMANENT MARKS 1028 AND 1029.
3. THE BUILDER SHALL CO-ORDINATE ALL SURVEYS AND REFER TO THE SURVEY DRAWINGS PREPARED BY NICK GRIGGS & CO PTY LTD.
4. THE BUILDER SHALL LIASE WITH HCC LAND SURVEYOR WITH REGARDS TO PROPERTY BOUNDARY LOCATIONS.
5. THE BUILDER SHALL LIASE WITH HCC WITH REGARDS TO THE PROPOSED NEW ACCESS ROAD WIDENING WORKS.



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13/12/2019	B	Issued for Council Approval	G.S.								
11/93/2019	A	Issued For Concept Review	G.S.								
Date	Rev.	Description	By	Signature	Reg No: 4121210	Date: 11/12/2019	Job No: 18027	Checked: G. Severini	Checked: G. Severini	Date: 13/12/2019	Rev: B





Drawn : G. Severini	Checked : G. Severini	Date : 13/12/2019
Designed : G. Severini	Checked : G. Severini	Date : 13/12/2019
Job No : 18027	Drawing : CA04	Rev : B



Enquiries to: Cindy Elder
 ☎: (03) 6238 836
 ✉: coh@hobartcity.com.au
 Our Ref: **F19/91855**

5 July 2019

Mr John Etherington
 Level 1, 90-92 Murray Street
 Hobart TAS 7000

Via Email: john@sgroup.com.au

Dear Mr Etherington

NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION

Site Address: **64 Anglesea Street, South Hobart**

Description of Proposal: **removal of turning bay and construction of carpark access on Anglesea street highway reservation**

Applicant Name: **John Etherington**

PLN (if applicable): **PAE-19-104**

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 or as the owner/administrator of the land.

Yours faithfully


 (N. D. Heath)
 GENERAL MANAGER

Attachment: **Land Owner Consent**

Hobart Town Hall
 50 Macquarie Street
 Hobart TAS 7000

Hobart Council Centre
 16 Elizabeth Street
 Hobart TAS 7000

City of Hobart
 GPO Box 503
 Hobart TAS 7001

T 03 6238 2711
 F 03 6238 7109
 ✉ coh@hobartcity.com.au
 W hobartcity.com.au

 CityofHobartCouncil
 ABN 49 055 943 426
 Hobart City Council

**LAND OWNER CONSENT TO
LODGE A PLANNING APPLICATION**

Site Address: **64 Anglesea Street, South Hobart**

Description of Proposal: **removal of turning bay and construction of carpark access on Anglesea Street highway reservation**

Applicant Name: **John Etherington**

PLN (if applicable): **PAE-19-104**

The land indicated above is owned or is administered by the Hobart City Council.

The applicant proposes to lodge an application for a permit, pursuant to the *Land Use Planning and Approvals Act 1993*, in respect to the proposal described above.

Part or all of the application proposes use and/or development on land owned or administered by the City located at removal of turning bay and construction of carpark access on Anglesea street highway reservation (as shown on the attached plans).

Being and as General Manager of the Hobart City Council, I provide written permission to the making of the application pursuant to Section 52(1B)(b) of the *Land Use Planning and Approvals Act 1993*.


(N. D. Heath)
GENERAL MANAGER

Date: 5/7/19

This consent is for the making of a planning application only, and does not constitute landlord consent for the development to occur.

Attachments/Plans: landlord consent request, S group proposed parking plan, existing plan view

MISSION - TO ENSURE GOOD GOVERNANCE OF OUR CAPITAL CITY

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980**SEARCH OF TORRENS TITLE**

VOLUME 158319	FOLIO 2
EDITION 3	DATE OF ISSUE 08-Nov-2013

SEARCH DATE : 11-Oct-2017
 SEARCH TIME : 08.25 AM

DESCRIPTION OF LAND

City of HOBART
 Lot 2 on Plan 158319
 Derivation : Part of 25A-3R-34Ps. Gtd. to Charles Swanston &
 Anor. and Part of 22A-0R-1Ps. Gtd. to T.J. Crouch & Anor.
 Prior CT 6974/3


SCHEDULE 1

M251498 TRANSFER to CHRISTIAN CITY CHURCH (TASMANIA) INC
 Registered 13-Oct-2009 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 C667850 BURDENING EASEMENT: a right of drainage and sewerage
 (appurtenant to Lot 1 on P.135446) over the Drainage
 Easement 3.00 wide and that portion of Drainage
 Easement 2.00 wide shown passing through Lot 2 on P.
 158319
 SP6974 BENEFITING EASEMENT: a right of carriageway over the
 Right of Way marked ABCD on P.158319
 SP6974 BENEFITING EASEMENT: a right of carriageway over the
 Right of Way marked EFGH on P.158319
 SP6974 BURDENING EASEMENT: is subject to a right for the
 Purchaser in Conveyance 27/5749 for the running of
 drainage (as more particularly set forth therein) over
 the Drainage Easement 1.52 wide marked NK on P.158319
 C867414 BENEFITING EASEMENT: a pipeline easement over the
 land marked "Pipeline Easement" 2.00 wide on P.158319
 C967423 AGREEMENT pursuant to Section 71 of the Land Use
 Planning and Approvals Act 1993 Registered
 04-Nov-2010 at noon
 D107173 MORTGAGE to Commonwealth Bank of Australia
 Registered 08-Nov-2013 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS




the list

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Tasmanian
Government

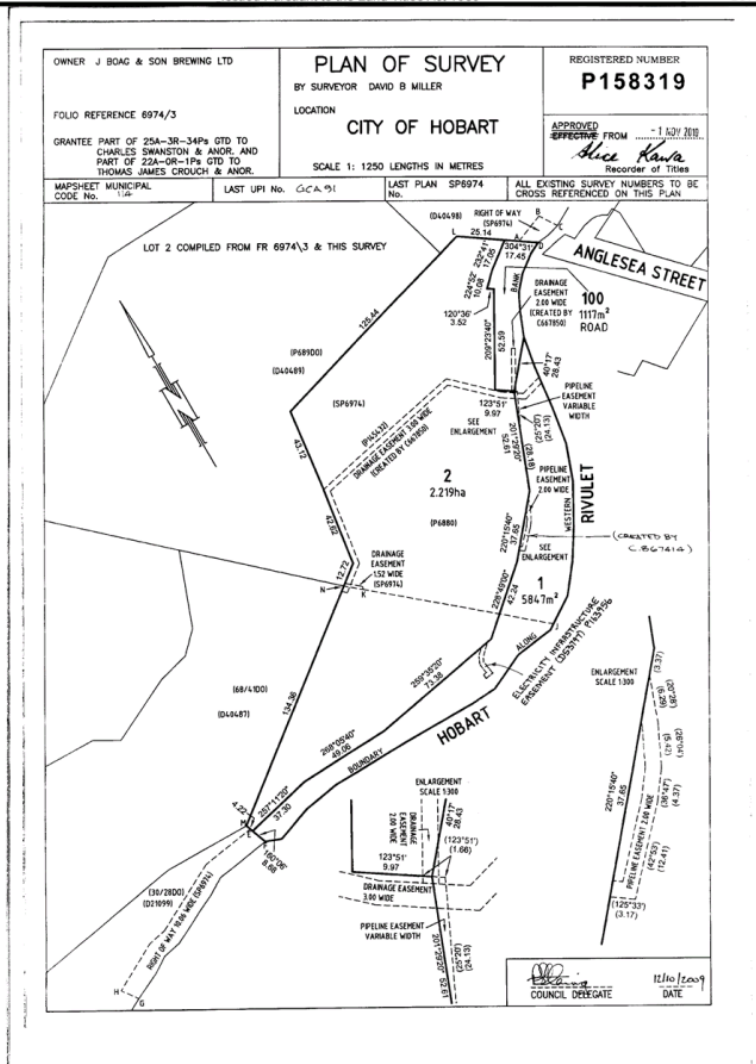
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





PLAN-RELATED DOCUMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



COUNCIL APPROVAL [insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993] The subdivision shown in this plan is approved The Hobart City Council hereby declares pursuant to section 90 of the Local Government (Building and Miscellaneous Provisions) Act 1993 that this dealing is not in contravention of Division 3 of the above Act. <i>[Signature]</i> 12/10/2009 Manager Surveying Services		Registered Number P 158319
In witness whereof the common seal of the HOBART CITY COUNCIL has been affixed, pursuant to a resolution of the Council of the said municipality passed the day of 20 , in the presence of us Director Development & Environmental Services Manager Surveying Services Council Reference 70-76-1		
NOMINATIONS For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993 the owner has nominated Solicitor to act for the owner ROGERSON & BIRCH, SURVEYORS, Surveyor to act for the owner		
OFFICE EXAMINATION: Indexed Computed <i>[Signature]</i> 7/6/2010 Examined <i>[Signature]</i> 7/6/2010		

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 158319	FOLIO 100
EDITION 1	DATE OF ISSUE 04-Nov-2010

SEARCH DATE : 03-Apr-2020
SEARCH TIME : 05.05 PM

DESCRIPTION OF LAND

City of HOBART
Lot 100 on Plan 158319
Derivation : Part of 25A-3R-34Ps. Gtd. to Charles Swanston &
Anor. and Part of 22A-0R-1Ps. Gtd. to T.J. Crouch & Anor.
Prior CT 6974/3

SCHEDULE 1

C867414 TRANSFER to HOBART CITY COUNCIL Registered
04-Nov-2010 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C667850 BURDENING EASEMENT: a right of drainage and sewerage
(appurtenant to Lot 1 on P.135446) over the that
portion of the Drainage Easement 2.00 wide shown
passing through Lot 100 on P.158319.
SP6974 BENEFITING EASEMENT: a right of carriageway over the
Right of Way marked ABCD on P.158319

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 40498	FOLIO 1
EDITION 2	DATE OF ISSUE 30-Jun-2015

SEARCH DATE : 03-Apr-2020
SEARCH TIME : 05.02 PM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Diagram 40498
Being the land described in Conveyance No. 52/5435
Derivation : Part of 22A-0R-1Ps. Gtd. to T.J. Crouch & R.
Worley
Prior CT 4630/86

SCHEDULE 1

HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
12/387 GRANT OF EASEMENT - Burdening Easement: right to lay
and maintain water pipes (as varied by Grant of
Easement No. 19/9976) over the Pipeline Easement
shown on Diagram No. 40498
29/6659 CONVEYANCE- Benefiting Easement: right of way over
the Pathway marked A.B.C.D. on Diagram No. 40498
27/5749 CONVEYANCE - Burdening Easement: drainage right for
Howard Lang Munday over the Drainage Easement 1.52
metres wide shown on Diagram No. 40498

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORD OF TITLES

Issued Pursuant to the Land Titles Act 1980



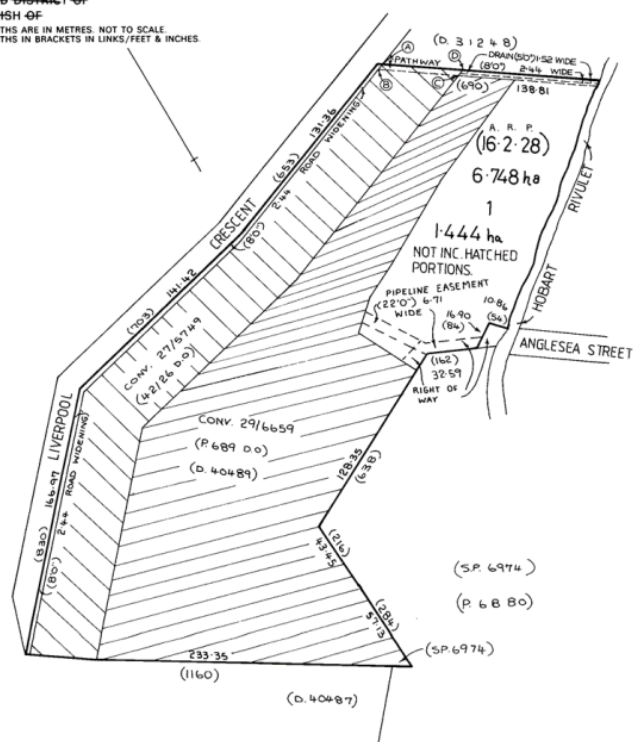
APPROVED <i>26 JUN 1950</i>	CONVERSION PLAN	REGISTERED NUMBER
RECORDER OF TITLES	CONVERTED FROM 52/5435	D.40498
FILE NUMBER A 7874	GRANTEE PART OF 22-0-1 GTD. TO THOMAS JAMES CROUCH £ ROBERT WORLEY.	DRAWN <i>1-44</i> 10. 7. 59.

SKETCH BY WAY OF ILLUSTRATION ONLY

CITY/TOWN OF HOBART
~~LAND DISTRICT OF~~

PARISH OF

LENGTHS ARE IN METRES. NOT TO SCALE.
LENGTHS IN BRACKETS IN LINKS/FEET & INCHES



Application Referral Cultural Heritage - Response

From:	Nick Booth
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	64 ANGLESEA STREET, SOUTH HOBART ADJACENT ROAD RESERVE 57 ANGLESEA STREET, SOUTH HOBART
Proposal:	Extension to Car Park and Associated Works
Application No:	PLN-19-837
Assessment Officer:	Victoria Maxwell,

Referral Officer comments:

The proposal seeks the hard and soft landscaping plus lighting of an area of open land to create an area of car parking to act as an extension of existing car parking facilities at a Community Church.

The land forms part of the grounds of a former industrial use, converted and now run as a Community Church. The land in question forms part of the designated Hobart Rivulet Heritage Precinct (HR1) as set out in the Hobart Interim Planning Scheme 2015.

This precinct is significant for reasons including:

1. The numerous remaining buildings, complexes, intact infrastructure and archaeological features which demonstrate the importance of the Rivulet in the development of early Hobart industrial activity and settlement.
2. The significant former Female Factory complex of structures and features which are contained within an important visual and physical setting.
3. The contribution by the Rivulet to the aesthetic and visual qualities of the Precinct and wider Hobart area through its diverse setting and structures along its length.
4. Its representation of a multitude of integrated historical themes, a complex history and a wide variety of elements and physical features.

The proposed works would remove an area of grassed open land standing between the Rivulet and a heavily planted area of bushland occupying a steep hillside.

The proposed extension of the car parking beyond the existing area of car parking is considered highly unfortunate as it would significantly extend the visual impact of the developed site beyond the former industrial building, making a notable visual intrusion into an area that forms the context to a significant wedge of bushland. Whilst some small degree of additional soft landscaping is proposed, this would not mitigate the clear loss of grassland and the associated visual impact, increased by the introduction of two tall lighting poles that would throw significant lighting onto the site in question.

Notwithstanding the above however, it is acknowledged that when examining the proposal against the context of the described special characteristics as set out above, it is noted that the surrounding bushland and hillsides are not specifically identified in this location. Although

dot point 4 does refer to 'physical features', it is considered that to some degree, the association of the Rivulet with various 'industrial' structures is indelibly established and that visual impact would not be so great as to have a detrimental impact upon the ability of the observer to view and understand the surrounding bushland setting

It is therefore considered that the proposals would not result in detriment to the historic cultural heritage significance of the Precinct as stated under Clauses E.13.8.2 P1 and P2 to a degree to warrant refusal or amendment by way of condition and thus acceptable when measured against the performance criteria of HIPS 2015. However, it is advised that it would appear reasonable to limit the impact of the proposed lighting poles by way of linking their times of illumination to that the approved operating hours of the Church.

Nick Booth
Heritage Officer
21 May 2020

7.1.6 3 DE WITT STREET, BATTERY POINT - OUTBUILDING (GARAGE AND STUDIO)
PLN-20-192 - FILE REF: F20/55791

Address: 3 De Witt Street, Battery Point

Proposal: Outbuilding (Garage and Studio)

Expiry Date: 23 June 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 an outbuilding (garage and studio) at 3 De Witt Street, Battery Point 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-20-192- 3 DE WITT STREET BATTERY POINT TAS 7004 - 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, THC Works Ref: 6223 dated 14 May 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

The southern side of the roof terrace must be screened.

The enclosed portion of the southern side of the roof terrace must have obscure glazing (an obscure film is acceptable), or be otherwise screened, to a height of 1.7m above the finished floor level of the roof terrace, with the equivalent of no more than 25% uniform transparency.

The open portion of the southern side of the roof terrace must be screened (obscuring glazing or glazing with an obscure film is acceptable) to a height of 1.7m above the finished floor level of the terrace with a uniform transparency equivalent to no more than 25%.

The screening/obscuring glazing/obscure film must be installed prior to first use of the roof terrace, and must be maintained for the life of the roof terrace.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved demonstrating compliance with the above requirements. All work required by this condition must be undertaken in accordance with the approved revised plans.

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

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 commencement of use.

All impervious areas which can be drained via gravity (including charged systems) must be drained via gravity. The pump

system must be limited to capture stormwater only from areas which cannot be drained via gravity. All pump rising main discharges must occur to a private dispersion pit such that only gravity flow from the property to the Council kerb and gutter stormwater connection occurs.

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 3a

The proposed 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 a car turntable is approved. The car turntable must have sufficient clearance to allow a 899 vehicle (5.2m long) to adequately turn around without conflicting with any structures.

Advice:

The turntable width of 4.8m is likely to be sufficient to cater for the wheel positions of the vehicle. The clearance requirement is to ensure that vehicles that overhand the turntable width do not conflict with any structures.

Reason for condition

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

ENG4

Prior to the commencement of use:

- **The proposed driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed as a durable all-weather surface which does not create dust or mud generation or sediment transport.**
- **The surface shall be drained to the Council's stormwater infrastructure.**

Advice:

The existing driveway surface on the right of way is considered a durable all weather surface.

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 one (1).

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

Once confirmed, please call one of the City's Customer Service Officers on 6238

2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

BUILDING PERMIT

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

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

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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

BUILDING OVER AN EASEMENT OR DRAIN

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

In order to build over a drain, you will require the written consent of the General

Manager of Council, in accordance with section 73 of the Building Act 2016.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

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 vapors. 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-20-192 - 3 DE WITT STREET BATTERY
POINT TAS 7004 - Planning Committee or
Delegated Report ↓  |
| Attachment B: | PLN-20-192 - 3 DE WITT STREET BATTERY
POINT TAS 7004 - CPC Agenda Documents ↓  |
| Attachment C: | PLN-20-192 - 3 DE WITT STREET BATTERY
POINT TAS 7004 - Planning Referral Officer
Cultural Heritage Report ↓  |



City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Committee:	22 June 2020
Expiry Date:	23 June 2020
Application No:	PLN-20-192
Address:	3 DE WITT STREET , BATTERY POINT
Applicant:	Graeme Corney (Graeme Corney architect & heritage consultant) 3/78A Esplanade
Proposal:	Outbuilding (Garage and Studio)
Representations:	Three
Performance criteria:	Inner Residential Zone Development Standards, Parking and Access Code Stormwater Management Code, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Outbuilding (Garage and Studio), at 3 de Witt Street Battery Point.
- 1.2 More specifically the proposal includes:
 - Construction of a two storey outbuilding at the rear of the property, comprising a garage at ground floor and a partially open and partially enclosed roof terrace at first floor.
 - The ground floor will have a floor area of approximately 59m² and will include a single car internal garage, bathroom and lift.
 - The upper floor will have a floor area of approximately 59m² and will include a partially enclosed and partially open roof terrace.
 - The structure will have a maximum height of 6.57m above natural ground level on the western elevation.
 - The structure will be setback 3.4m from the rear boundary, 0m from the north eastern side boundary and 2m from the south western side boundary.
 - Installation of vehicle turntable in driveway between existing dwelling and proposed garage.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Inner Residential Zone Development Standards - Privacy
 - 1.3.2 Parking and Access Code - Number of Car Parking Spaces, Layout of Parking Area, Surface Treatment of Parking Areas
 - 1.3.3 Stormwater Management Code - Stormwater Drainage and Disposal
 - 1.3.3 Historic Heritage Code - Heritage Place and Precinct.
- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 16/04/20 - 30/04/20.
- 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 3 De Witt Street, Battery Point and is an irregular sized residential lot approximately 500m² in size. The site presently comprises a single storey dwelling with rear extension, the remaining site is landscaped open space. The site is accessible via a right of way shared with the adjoining property, 1 De Witt Street.



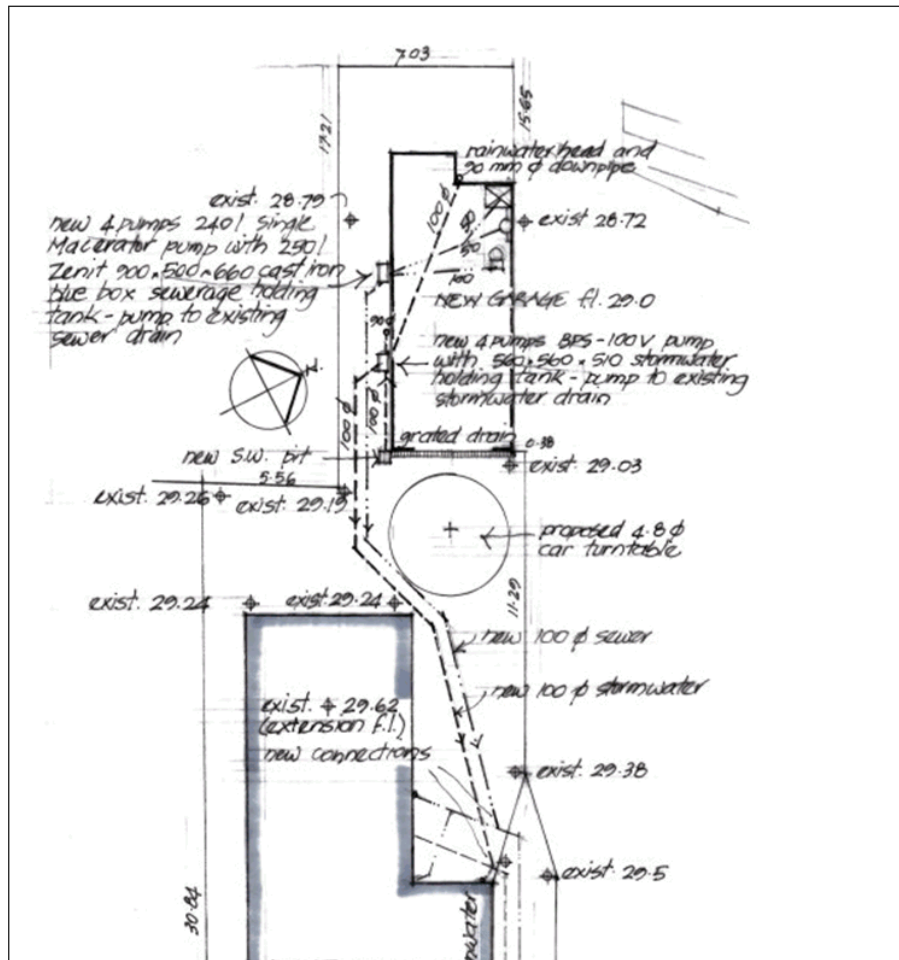
Figure 1: Aerial image of the subject site (bordered in blue) and surrounding area.

3. Proposal

- 3.1 Planning approval is sought for an Outbuilding (Garage and Studio) at 3 de Witt Street Battery Point.

3.2 More specifically the proposal is for:

- Construction of a two storey outbuilding at the rear of the property, comprising a garage at ground floor and a partially open and partially enclosed roof terrace at first floor.
- The ground floor will have a floor area of approximately 59m² and will include a single car internal garage, bathroom and lift.
- The upper floor will have a floor area of approximately 59m² and will include a partially enclosed and partially open roof terrace.
- The structure will have a maximum height of 6.57m above natural ground level on the western elevation.
- The structure will be setback 3.4m from the rear boundary, 0m from the north eastern side boundary and 2m from the south western side boundary.
- Installation of vehicle turntable in driveway between existing dwelling and proposed garage.



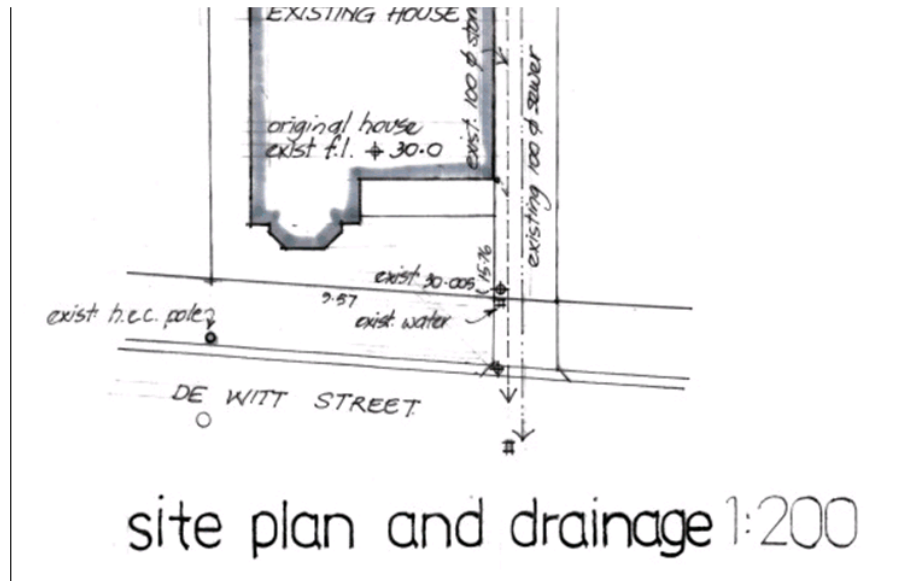


Figure 2: Site plan of proposed turntable, garage and outbuilding

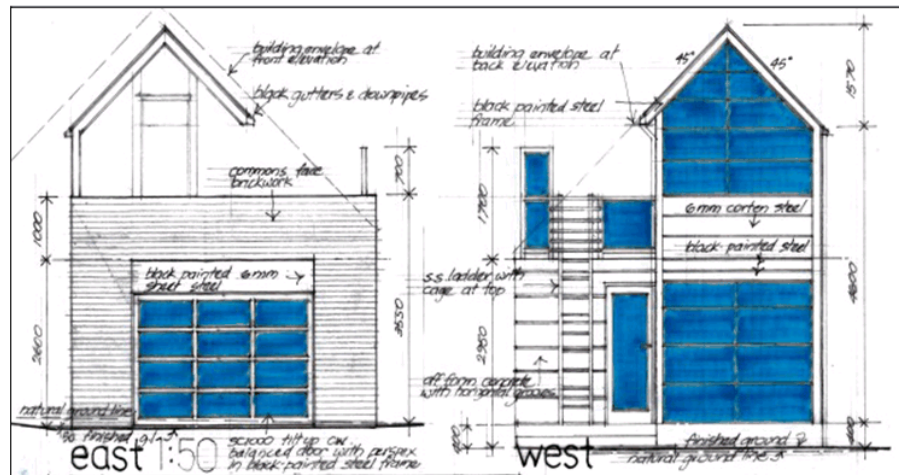


Figure 3: East and West elevations of proposed garage and outbuilding. The blue paneling shown on the east elevation is perspex. On the west elevation it is clear glazing, except for the 1.7m high screening on the left hand side of the ladder which is part of the obscure glazed screening wrapping around the northern side of the rooftop garden.

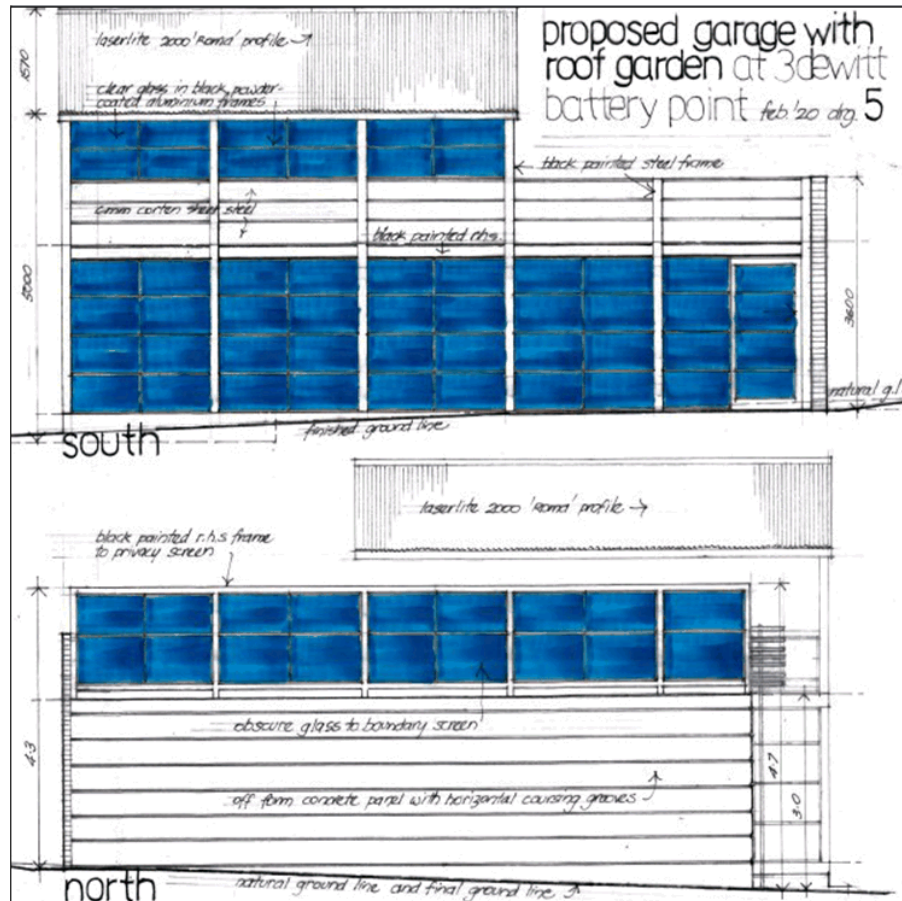


Figure 4: North and South elevations of proposed garage and outbuilding. For the north elevation the blue paneling indicates obscure glass screening to 1.7m high. For the south elevation, the blue paneling is clear glazing.

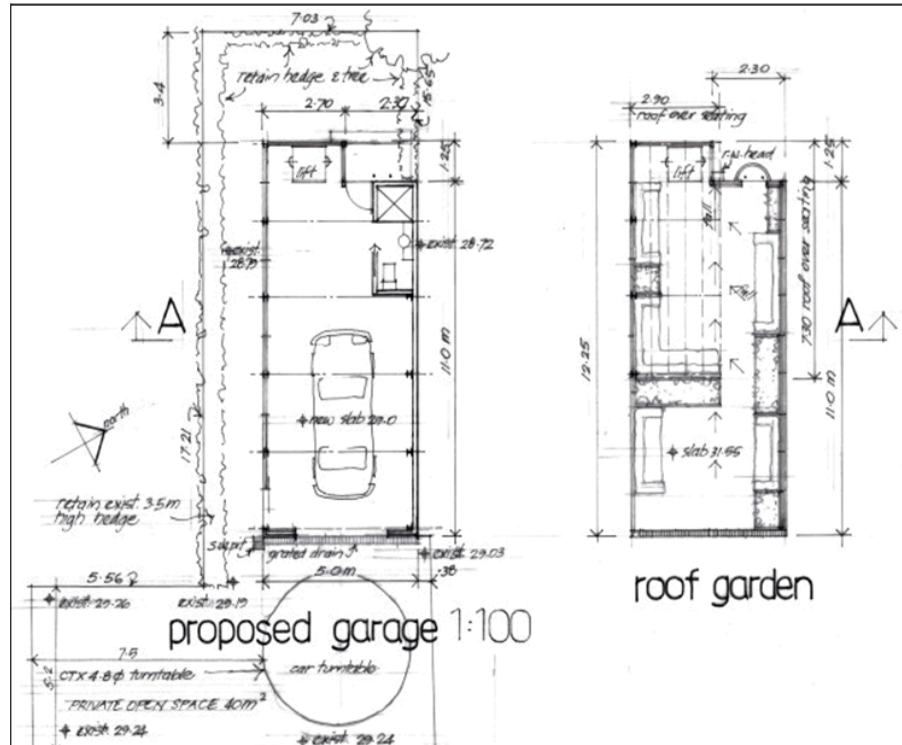


Figure 5: Floor plans of proposed garage and outbuilding.

4. Background

4.1 There is no relevant background for this application.

5. Concerns raised by representors

5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between 16/04/20 - 30/04/20.

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.

Issue raised with naming of the project as a 'garage with a rooftop garden' as a rooftop garden is a term for 'a flat or pitched roof surface that is planted using a growing medium over a waterproof membrane'. With a lift, shower, toilet and basin and a substantial first story of 59m ² which has three and a half sides enclosed, it should not be classed as garage with roof-top garden. It needs to be renamed for the use it is intended. That needs to be clarified.
Concern that this structure could morph into a self-contained unit, avoiding the normal planning protocols.
Concerns for the height of the proposal which will tower over adjoining properties and will be unsympathetic with respect to height and the character of adjoining heritage properties
Concerns that car turntable is an unnecessary intrusion to the area as vehicle access has been already possible on the property
Concerns for loss of privacy into adjoining garden area and rear of the house due to the height of the proposed building
Concerns the material finishes used are not compatible with the heritage character of the area
Concerns of the use of a "wall" as a boundary with an adjoining lot

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 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 D11.0 Inner Residential Zone
- 6.4.2 E6.0 Parking and Access Code

- 6.4.3 E7.0 Stormwater Management Code
- 6.4.4 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Inner Residential Zone:-
- Privacy – Part D 11.4.6 P1*
(Please note that in the Inner Residential Zone, the building envelope provisions do not apply to developments in the Battery Point 1 Heritage Precinct)
- 6.5.2 Parking and Access Code:-
- Number of Car Parking Spaces - E6.6.1 P1*
Layout of Parking Area E6.7.5 P1
Surface Treatment of Parking Areas - E6.7.6 P1
- 6.5.3 Stormwater Management Code:-
- Stormwater Drainage and Disposal - E7.7.1 P1*
- 6.5.4 Historic Heritage Code:-
- Heritage Place - E13.7.1 P1, E13.7.1 P1, P2 and P3*
Heritage Precinct BP1 - E13.8.1 P1, E13.8.2 P1, E13.8.4 P3 and P6
- 6.6 Each performance criterion is assessed below.
- 6.7 Privacy – Part D 11.4.6 P1
- 6.7.1 The acceptable solution at clause 11.4.6 A1 requires that a roof terrace, balcony or deck that has a finished floor 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 floor level with a uniform transparency of no more than 25%, along the sides facing a side or rear boundary unless the setback is at least 3m from the boundary.
- 6.7.2 The proposal includes a roof terrace that is partially open and partially enclosed, with a setback of less than 3m from the southern side boundary without the requisite screening to 1.7m in height.

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 11.4.6 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 1m 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.*

6.7.5 Given the extent of glazing proposed and the siting of the building it is considered worthwhile to reiterate:

- Any glazing to the ground floor meets the acceptable solution for privacy on the basis that it is not at first floor or above.
- The first floor of the proposed building is a partially open and partially enclosed roof terrace. The enclosed portion is within the south western corner, with the rest of the floor area remaining open roof terrace. The northern side of the roof terrace (all open) is located on the side boundary but will have screening with obscure glass to 1.7m in height, so it meets the acceptable solution for privacy.
- The entire building is setback more than 3m from the rear boundary, and as a consequence the first floor roof terrace is compliant with the acceptable solution for privacy.

As such, the only aspect of the proposal not complying with the acceptable solution for privacy is the south facing portion of the first floor roof terrace - both the enclosed and open portions. The open portion is treated with a 1m high clear glass balustrade, and the enclosed portion has 2m high clear glazing. This setback to the shared boundary here is 2m, and it is noted that there is an existing 3.5m high hedge also on this boundary, which extends to about the same height as the proposed 1m high glass balustrading. Refer to image below.

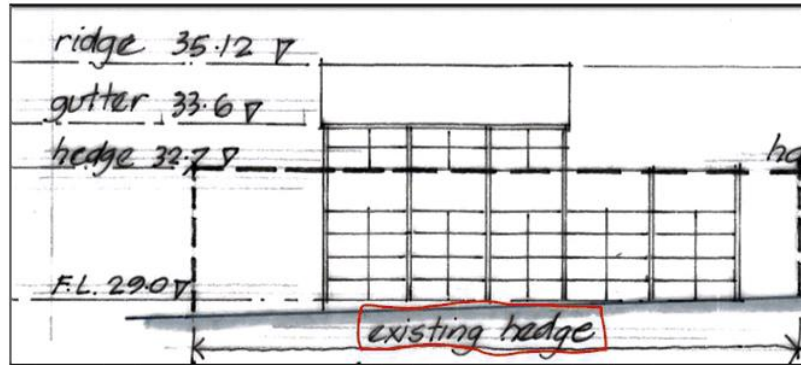


Figure 6: Showing the extent and height of the existing hedge.

The adjoining properties to the south are 1 and 3 Logan Street:



Figure 7: Showing the relationship of the rear gardens of the adjoining properties at 1 and 3 Logan Street (circled) and the location for the proposed outbuilding.



Figure 8: A Microsoft Maps image showing the subject site (indicated by a tick) and the neighbouring properties at 1 and 3 Logan Street (indicated by a cross) and the hedge between them (circled).

While a 2m setback and the presence of the existing substantial hedge will mitigate any privacy impacts which may arise, given the close proximity of the deck to these neighbours, its first floor height, and its direct orientation towards these neighbours' rear properties, it is considered appropriate to require screening with obscure glazing/film to 1.7m in height for the length of the south facing roof terrace - both the enclosed and open portions, in accordance with the acceptable solution, and to match that occurring on the northern side. A condition to this effect is recommended.

6.7.6 The proposal complies with the performance criterion.

6.8 Number of Car Parking Spaces - E6.6.1 P1

6.8.1 The acceptable solution at clause 6.6.1 A1 requires that the number of on-site car parking spaces must be no less than and no greater than the number specified in Table E6.1, which for a single dwelling with more than two bedrooms on the subject site is two spaces.

6.8.2 The proposal is for one car parking space for a dwelling with more than two bedrooms.

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 6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

- 6.8.5 Referral was made to Council's Senior Development Engineer who has provided the following assessment:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand; -

Comment: The likely parking demand will be 2x car parking spaces.

- (b) the availability of on-street and public car parking in the locality; -

Comment: There is a relatively large supply of on-street parking in the

surrounding road network. Much of the available parking is in the form of time-restricted parking, with authorised residents excepted. Observations indicate that there is a large pool of parking that would be available to meet the potential demands of 1x residential parking space, particularly after normal working hours.

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

Comment: Metro Tasmania operate regular bus services within 400 metres of the subject site.

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

Comment: The site is located a convenient walking distance from shops, schools and services.

(e) the availability and suitability of alternative arrangements for car parking provision; -

Comment: No alternative parking provision is available or considered necessary.

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; -

Not applicable.

(g) any car parking deficiency or surplus associated with the existing use of the land; -

Comment: Existing deficiency of 2x parking spaces.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; -

Not applicable.

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; -

Not applicable.

(j) any verified prior payment of a financial contribution in lieu of parking for the land; -

Not applicable.

(k) any relevant parking plan for the area adopted by Council; -
Not applicable.

(l) the impact on the historic cultural heritage significance of the site if
subject to the Local Heritage Code; -
Not applicable.

(m) whether the provision of the parking would result in the loss, directly or
indirectly, of one or more significant trees listed in the Significant Trees
Code. -
No impact.

Conclusion:

Based on the above assessment and given the submitted documentation,
the parking provision may be accepted under Performance Criteria
P1:E6.6.1 of the Planning Scheme. This is particularly due to the actual
parking deficiency decreasing.

6.8.6 The proposal complies with the performance criterion.

6.9 Layout of Parking Area E6.7.5 P1

6.9.1 The acceptable solution at clause 6.7.5 A1 requires that the layout of car
parking spaces 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.

6.9.2 The proposal includes a car turntable to allow for turning, a turntable is not
considered under AS/NZS 2890.1.

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 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.*

6.9.5 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

AS2890.1 does not consider car turntables. As one is proposed this must be performance criteria assessment.

The turntable is 4.8m wide with 700mm clearance on all sides. This gives sufficient clearance for a B99 vehicle to have clearance, condition to ensure.

6.9.6 The proposal complies with the performance criterion.

6.10 Surface Treatment of Parking Areas - E6.7.6 P1

6.10.1 The acceptable solution at clause 6.7.1 A1 requires that parking spaces and vehicle circulation roadways must be paved or treated with a durable all-weather pavement and drained to an approved stormwater system.

6.10.2 The proposal will not be paved or treated with a durable all-weather pavement.

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 6.7.6 P1 provides as follows:

Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:

- (a) the suitability of the surface treatment;*
- (b) the characteristics of the use or development;*
- (c) measures to mitigate mud or dust generation or sediment transport.*

6.10.5 Referral was made to Council's Senior Development Engineer who has provided the following assessment:

Parking spaces and vehicle circulation roadways must not unreasonably

detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:

(a) the suitability of the surface treatment; -

Comment: Feasible

(b) the characteristics of the use or development; -

Comment: Feasible

(c) measures to mitigate mud or dust generation or sediment transport. -

Comment: Feasible

The existing access via a ROW is gravel after the first few meters. This will remain as is and the new paved area is likely to be continued in the same material. This does not appear to cause any dust or debris being trafficked onto the footpath or road and as such is supported for use within the property. A condition should be placed to ensure it is a durable all-weather surface.

Based on the above assessment and given the submitted documentation, the surface treatment may be accepted under Performance Criteria P1:E6.7.6 of the Planning Scheme.

6.10.6 The proposal complies with the performance criterion.

6.11 Stormwater Drainage and Disposal - E7.7.1 P1

6.11.1 The acceptable solution at clause 7.7.1 A1 requires that stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

6.11.2 The proposal includes new impervious surfaces which will be drained by a pump system to public stormwater infrastructure.

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 7.7.1 P1 provides as follows:

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

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles*
- (b) collected for re-use on the site;*
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

- 6.11.5 Referral was made to Council's Senior Development Engineer who has provided the following assessment:

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

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles -

Comment: Feasible

- (b) collected for re-use on the site; -
- Not applicable

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

Comment: Feasible

Conclusion:

Submitted plans show all the new impervious areas (driveway and garage roof) draining to a pump sump which then pumps to the existing private stormwater system which discharges to a kerb and gutter connection.

This is not supported as the garage roof is capable of draining via gravity. A modified design is required, this can be conditioned for.

- 6.11.6 The proposal complies with the performance criterion.

- 6.12 Historic Heritage Code E13.0 - Listed Place and Battery Point Heritage Precinct

- 6.12.1 The subject site is a Heritage Place and is located within the Battery Point 1 Heritage Precinct and as such was referred to Council's Cultural Heritage Officer who has provided the following assessment.

3 De Witt Street, in Battery Point, is a single storey masonry house which was probably built during the turn of the last century. Plans held by Council from 1910 show a matching pair of houses at No. 1 and 3 De Witt Street.

The house at No. 3 has a traditional footprint at the street edge with a pitched roof, bay window, veranda and ornamented parapets. A slate roof and articulated chimneys are intact, as are an original front door and timber sash windows.

The house has been adapted and modified over the years, and a modern glazed extension has been built at the rear.

The house has what appears to be a modern replica wrought iron front fence and very formal renaissance-style planting and fountain in the space between the footpath and façade. The house is painted cream and beige.

The applicant is seeking to construct a structure described as a garage and roof garden in the space behind the house. The property is a listed place and located in BP1 and therefore the Historic Heritage Code needs to be considered.

Demolition

The submitted plans indicate that there will not be any demolition of buildings or landscape and therefore the application satisfies E 13.7.1 A1 and E 13.8.1 A1

Works

The submitted plans indicate that a double storey building is proposed. This structure is intended to function as a garage at ground level, with a roof garden above. The proposed structure features extensive glazing on the northern and western elevations, with moderate glazing on the east and north elevations.

Typologically, this structure is a curious hybrid. Typically a garage is a single story, fully enclosed and utilitarian building. In this instance, the Architect has prepared a design which presumably responds to the client's particular brief.

The location of the proposed structure, set well back behind the building line, is considered acceptable.

The height of the proposed garage/roof garden responds to the datum of the ridge of the original house. The proposed structure will not be visible

above the existing house and its height is considered acceptable.

The proposal is unusual. The proposed fenestration design is considered to have more in common with a contemporary dwelling or studio - with a high proportion of glazing.

Battery Point is notable for being a collection of buildings from a wide range of architectural periods. From early Colonial, Victorian, Federation, interwar, postwar, moderne and postmodern design, the locale is a register of the evolution of architecture style.

The proposed building of glass and concrete is a contemporary design - but it is part of the evolution of architectural taste and style and this is not considered to be problematic.

The proposed works are satisfy E 13.7.2 P1, P2, P3, E.13.8.2 P1, E 13.8.4 P3 P6.

The Council has received 3 representations and in one of these raise heritage is a matter raised as of concern.

Material choices and the design of fenestration is raised as being potentially incompatible with historic heritage culture.

As has been previously stated, the scale and setback of the proposed structure is informed by the significant fabric of the existing house and the development is considered to have an acceptable impact of cultural heritage values.

6.12.2 The officer's report is provided at Attachment C to this report.

6.12.3 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for an Outbuilding (Garage and Studio), at 3 de Witt Street Battery Point.

- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including about the height and materials of the proposal, loss of privacy, potential for use to change beyond the permit, and appropriateness of the car turntable.

Representation concerns regarding materials, height and privacy have all been addressed under Section 6 of this report. It should be noted that in the Battery Point 1 Heritage Precinct, the building envelope provisions do not apply so considerations of overshadowing and visual bulk are not assessed in the same way as properties not in this Precinct, and responsibility for the assessment of the appropriateness of the built form falls to the Council's Cultural Heritage Officer (report attached). It is also noted with respect to privacy, that a condition in relation to the south facing portion of the roof terrace is recommended.

Concerns that the proposal may be used for something other than that indicated on the plans are noted. It is considered unlikely that the building could be used as anything other than that proposed without further physical works, which would likely require planning approval given the heritage status of the site. Similarly, changing the building to an independent dwelling would require approval, and visitor accommodation is prohibited in Battery Point, unless it meets with one of the exemptions in the State Government's Planning Directive 6 for Visitor Accommodation.

With respect to the turntable, advice from Council's Development Engineers is that the proposal would ensure vehicle access and egress of the site could be completed in a safer arrangement than what presently exists. The turntable would be at ground level and would not represent an unreasonable intrusion into the driveway and rear private open space.

- 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 Development Engineer and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions. The Tasmanian Heritage Council has also approved the proposal without conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Outbuilding (Garage and Studio) at 3 De Witt Street, Battery Point 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 an Outbuilding (Garage and Studio) at 3 De Witt Street, Battery Point 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-20-192 - 3 DE WITT STREET BATTERY POINT TAS 7004 - 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, THC Works Ref: 6223 dated 14 May 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

The southern side of the roof terrace must be screened.

The enclosed portion of the southern side of the roof terrace must have obscure glazing (an obscure film is acceptable), or be otherwise screened, to a height of 1.7m above the finished floor level of the roof terrace, with the equivalent of no more than 25% uniform transparency.

The open portion of the southern side of the roof terrace must be screened (obscuring glazing or glazing with an obscure film is acceptable) to a height of 1.7m above the finished floor level of the terrace with a uniform transparency equivalent to no more than 25%.

The screening/obscuring glazing/obscure film must be installed prior to first use of the roof terrace, and must be maintained for the life of the roof terrace.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved demonstrating compliance with the above requirements. All work required by this condition must be undertaken in accordance with the approved revised plans.

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

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 commencement of use.

All impervious areas which can be drained via gravity (including charged systems) must be drained via gravity. The pump system must be limited to capture stormwater only from areas which can not be drained via gravity. All pump rising main discharges must occur to a private dispersion pit such that only gravity flow from the property to the Council kerb and gutter stormwater connection occurs.

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 3a

The proposed 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 a car turntable is approved. The car turntable must have sufficient clearance to allow a B99 vehicle (5.2m long) to adequately turn around without conflicting with any structures.

Advice:

- *The turntable width of 4.8m is likely to be sufficient to cater for the wheel positions of the vehicle. The clearance requirement is to ensure that vehicles that overhand the turntable width do not conflict with any structures.*

Reason for condition

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

ENG 4**Prior to the commencement of use:**

- **The proposed driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed as a durable all-weather surface which does not create dust or mud generation or sediment transport.**
- **The surface shall be drained to the Council's stormwater infrastructure.**

Advice: The existing driveway surface on the right of way is considered a durable all-weather surface.

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 one (1).

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations,

codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

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

BUILDING PERMIT

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

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

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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

BUILDING OVER AN EASEMENT OR DRAIN

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

In order to build over a drain, you will require the written consent of the General Manager of Council, in accordance with section 73 of the Building Act 2016.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

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: 19 May 2020

Attachment(s):

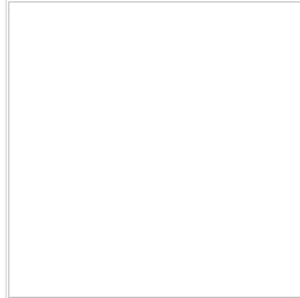
Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

Planning: #201384

Property

3 DE WITT STREET BATTERY POINT TAS 7004

**People****Applicant**

*

Graeme Corney architect & heritage consultant
Graeme Corney
3/78A Esplanade
ROSE BAY TAS 7015
0448014005
corneygr@bigpond.net.au

Owner

*

Gareth and Fiza Eade
3
De Witt
BATTERY POINT TAS 7004
0424228444
Gareth.Eade@sca.com.au

Entered By

GRAEME CORNEY
0448 014 005
corneygr@bigpond.net.au

Use

Other

Details

Have you obtained pre application advice?

☒ Yes

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)?

*

residential

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

*

Proposed garage with roof garden

Estimated cost of development

*

100000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
226.00	344.00	500

Carparking on Site

Total parking spaces Existing parking spaces

1	1	<input type="checkbox"/> 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)

*

3 De Witt Street schedule of easements.pdf

Plans (proposed, existing)

*

3 De Witt St, Battery Point drg 1 23March2020.pdf

Plans (proposed, existing)

*

3 De Witt St, Battery Point drg 2 23March2020.pdf

Plans (proposed, existing)

*

3 De Witt St, Battery Point drg 3 23March2020.pdf

Plans (proposed, existing)

*

3 De Witt St, Battery Point drg 4 23March2020.pdf

Plans (proposed, existing)

*

3 De Witt St, Battery Point drg 5 23March2020.pdf

Supporting Documents

Planning Report

3 De WittStreet DA report 27March2020.pdf

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**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
139311	2
EDITION	DATE OF ISSUE
5	15-Jun-2018

SEARCH DATE : 13-Dec-2019

SEARCH TIME : 02.55 PM

DESCRIPTION OF LAND

City of HOBART

Lot 2 on Sealed Plan 139311

Derivation : Part of 90 Acres Located to William Sorell and
Whole of Lot 38507 Gtd. to Macford Pty. Ltd.

Prior CTs 138079/1, 138079/2 and 197802/1

SCHEDULE 1C407183, C455492 & C948372 TRANSFER to PETER SAMUEL PEARCE
Registered 16-Sep-2010 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 139311 EASEMENTS in Schedule of Easements

SP 139311 FENCING COVENANT in Schedule of Easements

M692567 MORTGAGE to MyState Bank Limited Registered
15-Jun-2018 at noonUNREGISTERED DEALINGS AND NOTATIONS

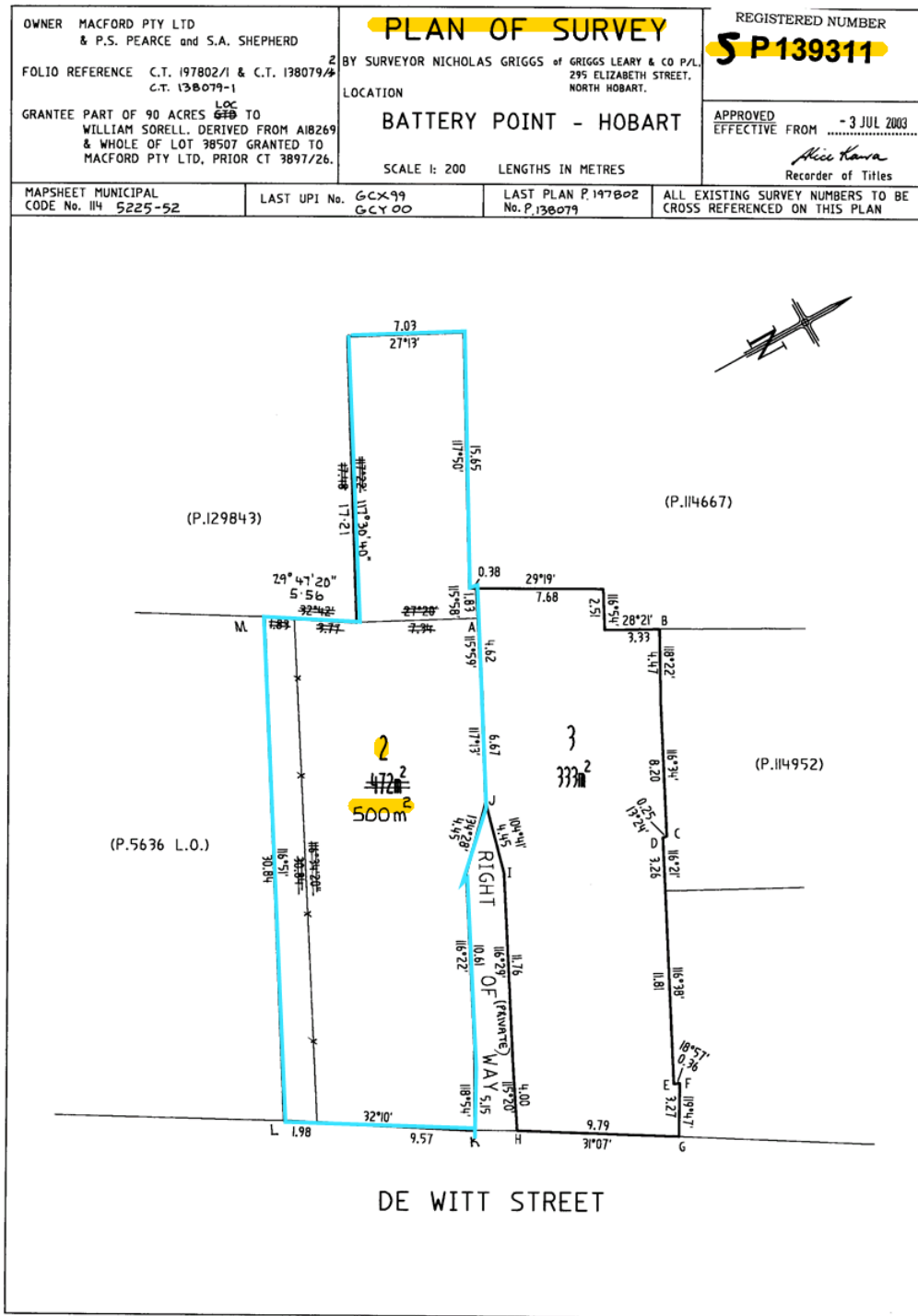
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SCHEDULE OF EASEMENTS**

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

Registered Number

SP 139311PAGE 1 OF 1 PAGE/S
2**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.

EASEMENTS

Lots 2 and 3 on the plan are together with a Right of Carriage Way over the Right of Way shown on the plan.

COVENANTS

The owners of each lot on the plan covenant with the Vendor Macford Pty Ltd that the Vendor shall not be required to fence.

The COMMON SEAL of MACFORD PTY LTD
ACN 009 525 080
registered proprietor Certificate of Title

Volume 197802 Folio 1 was hereunto affixed

in the presence of:



[Signature]
J. RICHARDSON
(WITNESS TO ANNE CRAWFORD)

[Signature]
J. RICHARDSON
(WITNESS TO IAN CRAWFORD)

[Signature]
Ann Crawford
[Signature]
J. H. Crawford

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Griggs, Leary & Co. Pty. Ltd	PLAN SEALED BY: Hobart City Council
FOLIO REF: 197802/1	DATE: 5th May 2003
SOLICITOR & REFERENCE: Clerk Walker & Stops C020976	5573887 REF NO.
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO
SCHEDULE OF EASEMENTS

PAGE 2 OF 2 PAGES

Registered Number

SP 139311

SUBDIVIDER: Griggs, Leary & Co. Pty. Ltd
FOLIO REFERENCE: 197802/1

SIGNED by **SALLY ANNE SHEPHERD** and
PETER SAMUEL PEARCE registered
proprietors of Certificate of Title Volume
138079 Folio 1 in the presence of:

S. Shepherd
P. Pearce

W. J. [Signature]

Solicitor

W. J. [Signature]

(WITNESS to SALLY ANNE SHEPHERD)

[Signature]

PUBLIC SERVANT

WITNESS to Peter Samuel Pearce

EXECUTED by **NATIONAL AUSTRALIA****BANK LIMITED** registered Mortgage

B477097:

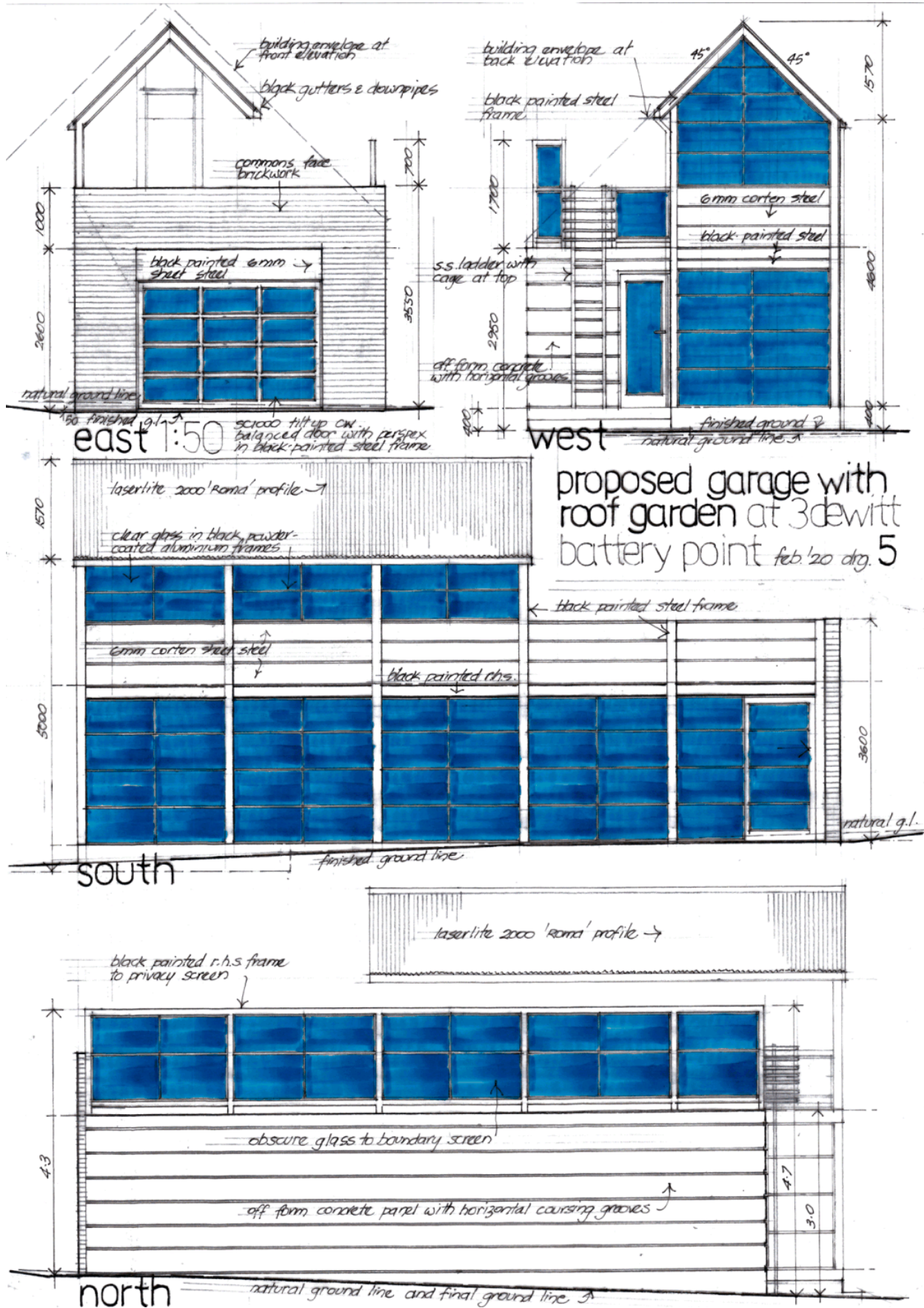
Chris Kenny

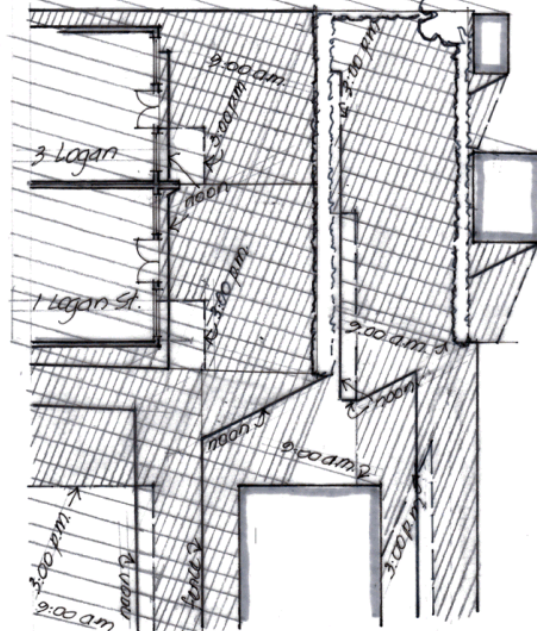
BY ITS ATTORNEY CHRISTOPHER BROWNE PENNY
UNDER POWER OF ATTORNEY NO 21/2011 & AMENDED
BY 71/2013 (WHO STATES THAT HE/SHE HOLDS THE
OFFICE IN THE NATIONAL AUSTRALIA BANK LIMITED
INDICATED UNDER HIS/HER SIGNATURE AND WHO
DECLARES THAT HE/SHE HAS RECEIVED NO NOTICE
OF REVOCATION OF THE SAID POWER) IN THE
PRESENCE OF:

[Signature]

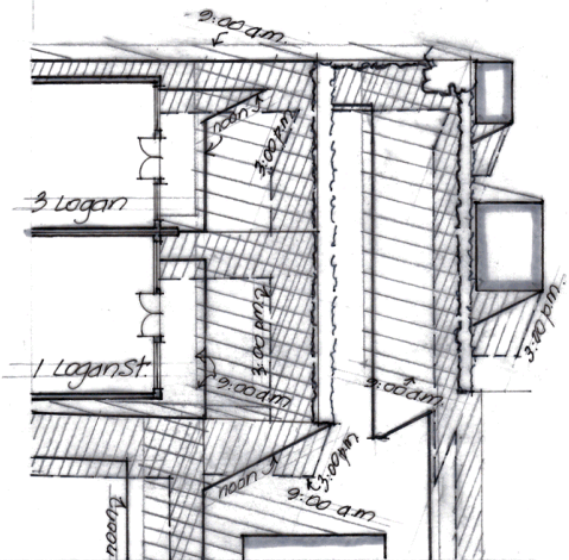
SIMON PHILLIPS
BANK OFFICER
107/65 COLLINGWOOD ST
HOBART

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.



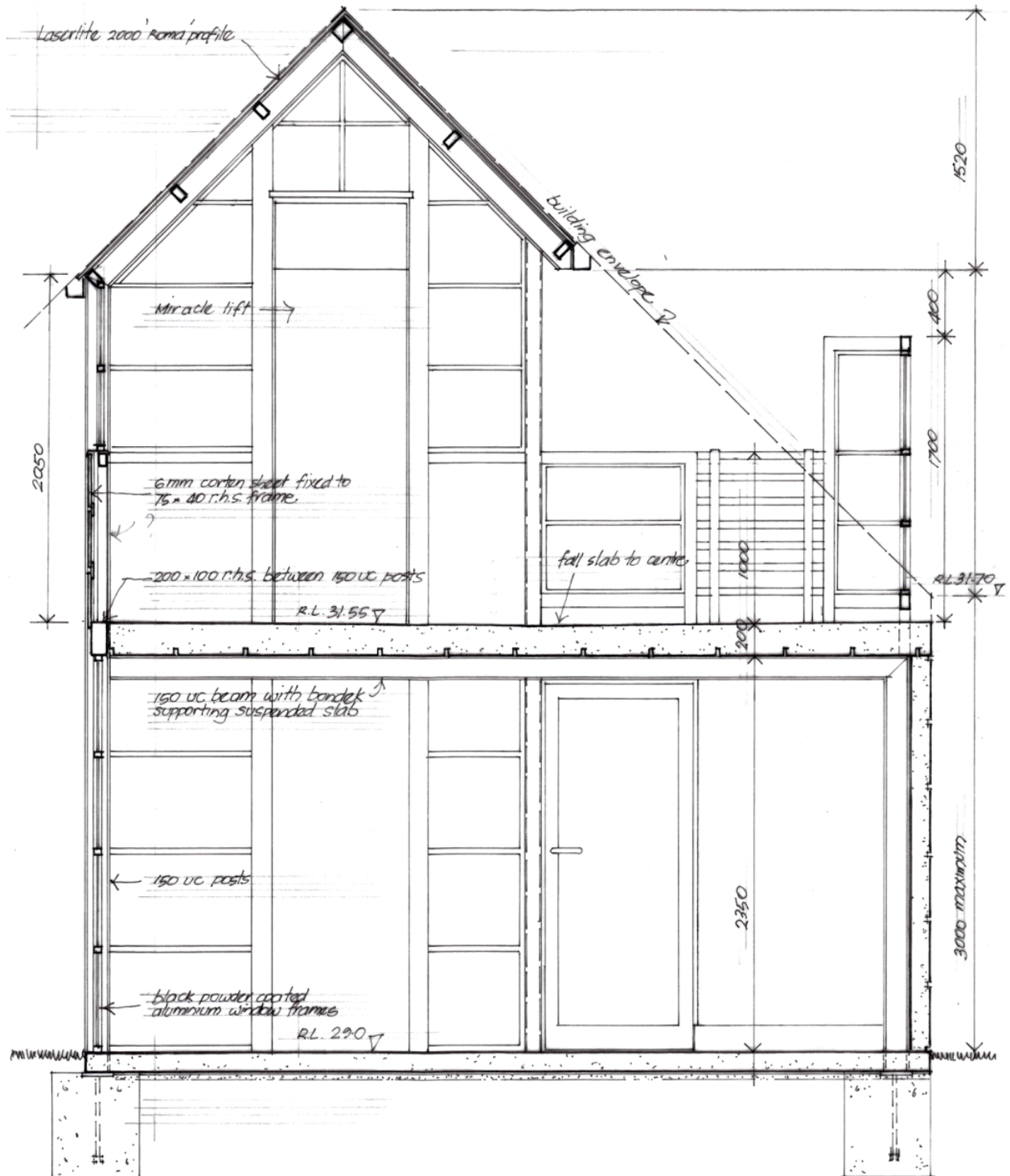


existing shadows 21 June



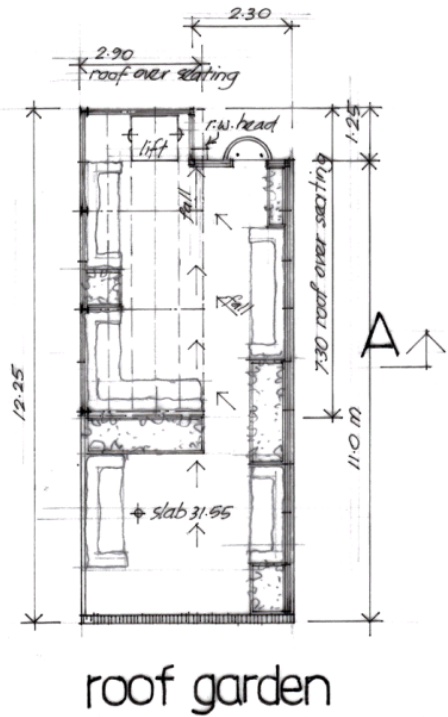
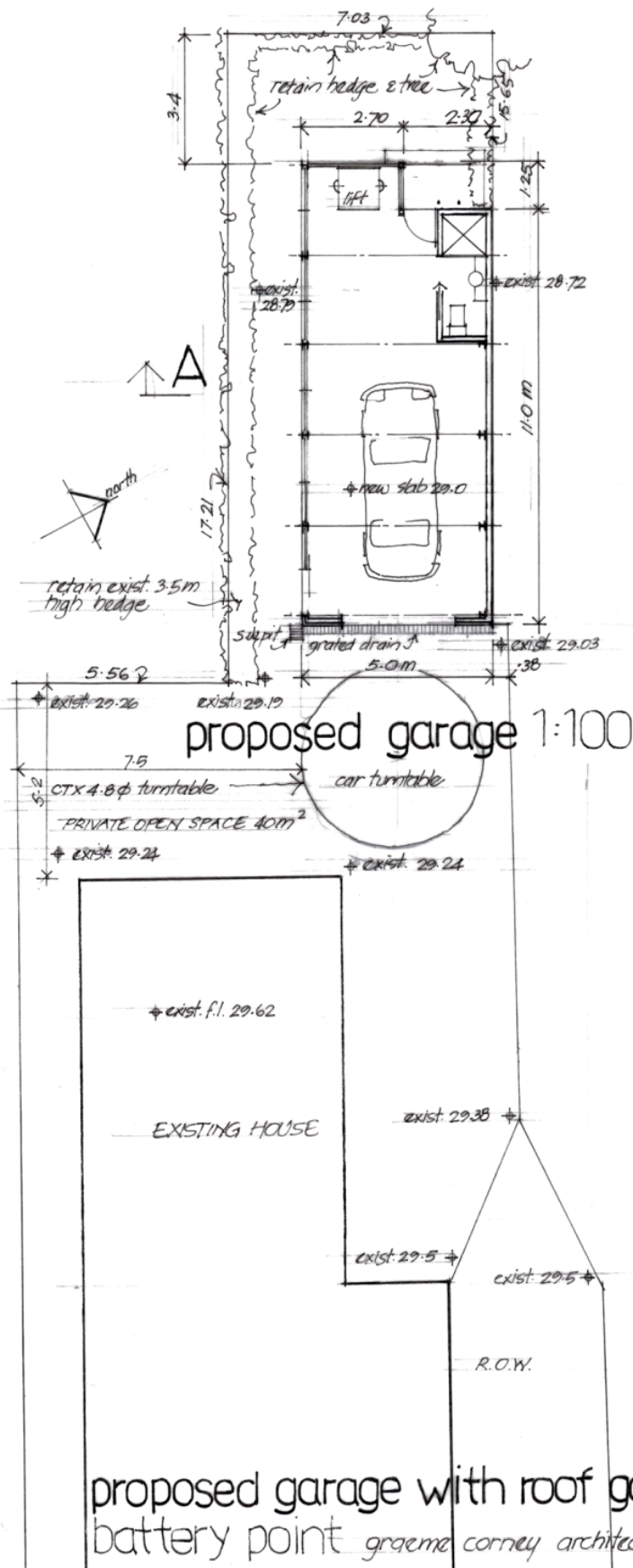
existing shadows 21 March

proposed garage with roof garden at 3 de witt st,
battery point *graeeme corney architect & heritage consultant feb'20 drg.* 4

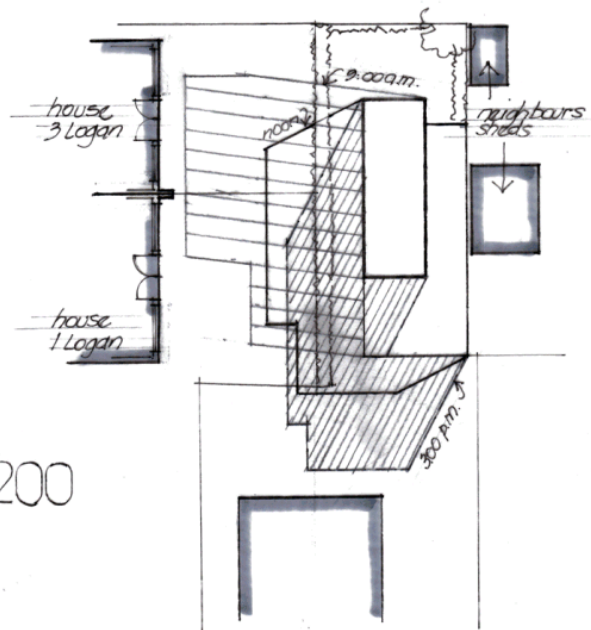
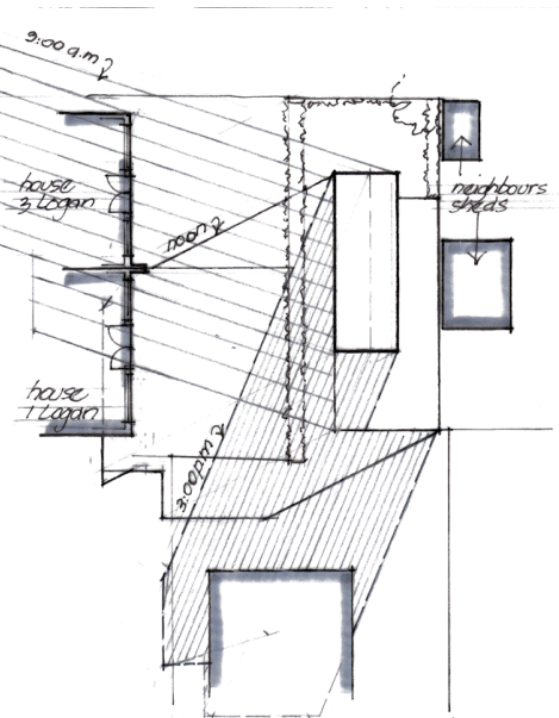
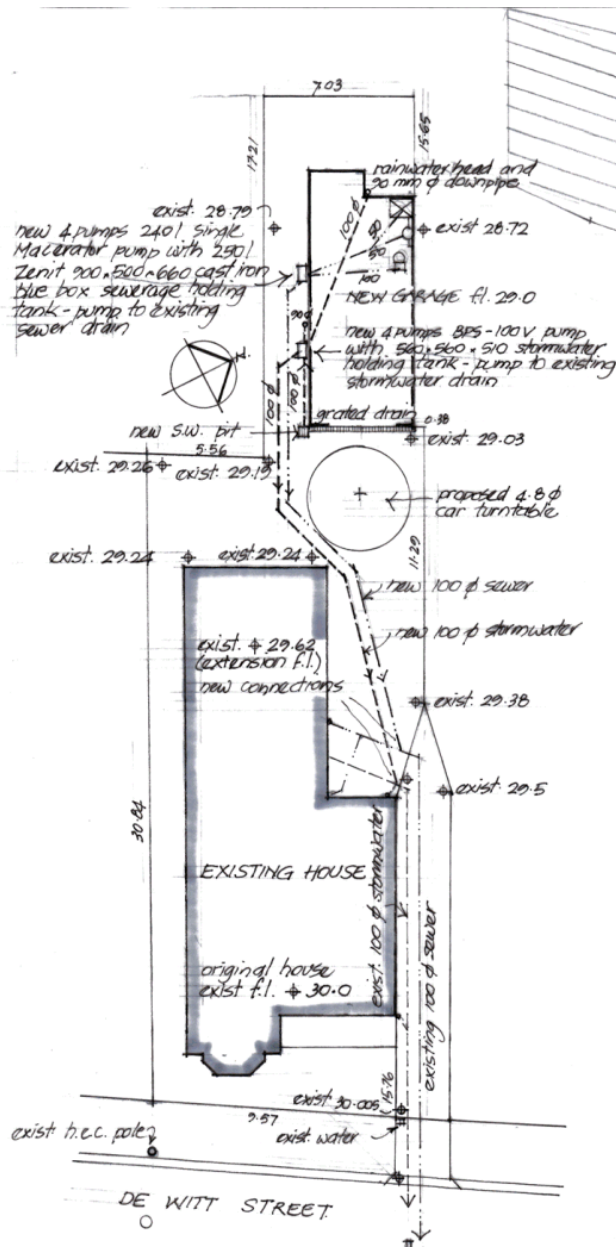


section AA 1:20

proposed garage with roof garden at 3 dewitt
st. battery point gracie cornay architect heritage consultant feb'20 drg. 3



proposed garage with roof garden at 3 dewitt street
battery point graeme corney architect & heritage consultant feb '20 drg. 2



site plan and drainage 1:200

lot area: 500 m^2

existing floor area:	
ground:	186
first:	40

ground: 186

first: 40

additional floor area:

ground: 59

first: 59

total floor area: 845 2

ground: 245 m^2

First: 99 m^2

proposed garage with roof garden at 3 de witt st,
battery point *graeeme corney architect & heritage consultant feb'20 drg. 1*

**DEVELOPMENT APPLICATION,
3 De Witt Street, Battery Point**

27 March 2020

Prepared by

graeme corney architect & heritage consultant
3/78a Esplanade, Rose Bay 7015 tel (03) 6243 1994 or 0448 014 005**Figure 1** Façade of 3 De Witt Street with joint ROW to right hand side**1 Introduction**

3 De Witt Street, Battery Point is one of two similar heritage registered Victorian town houses that share a common driveway. Car parking off site is difficult because on site turning is problematic and reversing up a narrow R.O.W. is difficult.

The owners Gareth and Fiza Eade have commissioned me to design a garage with roof garden. The garage will be accompanied by a car turntable to allow turning in this confined rear yard.

2 Context

In 2003 a rear extension of kitchen/dining/living was made by the previous owners. They also completed hedging and landscape works. The extension and part of the hedging is shown in the following photograph.

The rear yard is an unusual shape –as shown on the site plan. The site narrows down to a width of 7m at the rear. This shape makes vehicular turning impossible.



Figure 2 2003 extension with 3.5m high hedging shown in right of photo

Lot Area:	500 sq.m.
Existing Floor Area:	186 sq.m.
Ground:	186 sq.m.
Loft:	40 sq.m.
Additional Floor Area:	
Ground:	59 sq.m.
First:	59 sq.m.
Total Floor Aea:	
Ground:	245 sq.m.
First:	99 sq.m.



Figure 3 google earth showing rear yard, sheds beyond northern boundary, P.O.S. to yards beyond southern boundary hedge.

2 The Proposal

The proposal does not involve any works to the house itself. The proposed works are described in the attached drawings 1-5 inclusive and are as follows:

1. Construction of a single garage with roof garden above.
2. Installation of a car turntable to allow onsite turning in a tight space.
3. Installation of stormwater and sewerage pumps to facilitate drainage from the garage which is a little lower than the existing drainage allows.

The garage contains a domestic lift to facilitate the access to the roof garden for the owner's elderly mother.

The garage also contains a toilet/basin/shower for the use of the roof garden. The shower allows cleaning before entry to the house.

The proposed structure employs a boundary wall of concrete with ruled joints referencing stone coursing to the northern (side) boundary; commons brickwork to the garage front; tinted glass, black finished steel columns and black powder-coated window frames; and 'cor-ten' sheet steel cladding to the southern and western elevations. The

design is contemporary with references to traditional construction. The small roof over part of the roof garden is pitched at 45 degrees and is within the building envelope. A privacy screen protecting the privacy of residents to the northern side is outside the building envelope.



Figure 4 Rear narrow yard where the garage will be located. Note the 3.5m hedge height on the southern boundary (left side of photo)

The documents that accompany this DA are as follows:

Title Plan: SP 139311/2

Title Schedule of Easements:

Drg Content

- 1 Site Plan and Drainage. Also Proposed Shadow Diagrams
- 2 Floor Plans
- 3 Section through Garage/Roof Garden
- 4 Existing Shadow Diagrams and Height Comparison against Southern Boundary
- 5 Elevations

3 Heritage significance of 3 De Witt Street

3 De Witt Street is entered in the following heritage schedules:

3.1 Tasmanian Heritage Register

The Tasmanian Heritage Register (THR) has 3 De Witt Street entered as R1227

The site was permanently entered on 9 December 1998.
The THR is administered by the Tasmanian Heritage Council.

3.2 Hobart Planning Scheme

3 De Witt Street is entered as item 893 on the HIPS Table E13.1. This scheme is administered by the Hobart City Council.

The Statements of heritage significance held in the Tasmanian Heritage Register for 3 De Witt Street are as follows:

- | | |
|---------------|---|
| Criterion (a) | none |
| Criterion (b) | none |
| Criterion (c) | none |
| Criterion (d) | 3 De Witt Street is of historic heritage significance because of its ability to demonstrate the principal characteristics of single storey Victorian Italianate domestic buildings. |
| Criterion (e) | none |
| Criterion (f) | 3 De Witt Street is of historic heritage significance because its townscape associations are regarded as important to the community's sense of place. |
| Criterion (g) | none |
| Criterion (h) | none |

Despite these statements of significance being minimalist and despite there being no mention of an association with its designer or owners, for the purpose of measuring potential heritage impacts of this particular low key proposal, they suffice.

4 The City of Hobart Planning Scheme

The Hobart City Interim Planning Scheme 2015 has 3 De Witt Street entered in its table E13.1. 3 De Witt Street is also within Heritage Precinct BP1.

Precinct BP1 is significant for reasons including:

1. The wide variety of architectural styles and historic features ranging from entire streets of 19th century Colonial Georgian cottages, to Victorian, Edwardian and Pre and Post War examples of single and attached houses that are of historic and architectural merit, many of which demonstrate housing prior to mass car ownership.
2. It is primarily a residential area with a mix of large substantial homes and smaller workers cottages on separate lots, gardens, an unstructured street layout, and lot sizes that show successive re-subdivision into narrow lots that demonstrate early settlement patterns of Hobart.
3. The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.

'E13.7 Development Standards for Heritage Places' and 'E13.8 Development Standards for Heritage Precincts' both apply to this application.

For proposed development within the 3 De Witt Street site the Planning Scheme provides the following heritage protection:

- E13.7.1 Objective To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.
- E13.7.2 Objective To ensure that development at a heritage place is: (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.
- E13.8.1 Objective To ensure demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.
- E13.8.2 Objective To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct.
- E13.8.3 Objective To ensure that subdivision within a heritage precinct is consistent with historic patterns of development and does not create potential for future incompatible development.

All these aspects of development require the approval of the Hobart City Council.

5 Assessment of Proposal against Planning Scheme

The following list of considerations is taken from the HCC Planning Scheme.

E13.7.1 Demolition

Acceptable Solutions	Performance Criteria	discussion
A1 No acceptable solution	P1 Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied: (a); (b); (c); and (d).	There is no demolition proposed.

E13.7.2 Buildings and Works other than Demolition

Acceptable Solutions	Performance Criteria	discussion
A1 No acceptable solution	P1 Development must not result any of the following: (a) loss of historic cultural heritage to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes; (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.	The proposed garage is contemporary in design but employs references to traditional building such as the ruled joints in the concrete northern wall to reflect traditional stone coursing; the commons brickwork to the face of the garage; and the pitched roof over part of the roof garden. The design intention is to be contemporary but compatible in design and material with the heritage aspects of the site. Materials are dark in colour. There is a 2003 extension between

		the original house and the proposed garage. There will be no loss of streetscape elements.
A2 No acceptable solution	P2 Development must be designed to be subservient and complementary to the place through characteristics including: (a) Scale and bulk, materials, built form and fenestration; (b) Setback from the frontage; (c) Siting with respect to buildings, structures and listed elements; (d) Using less dominant materials and colours.	The proposed garage is sited well behind the house and accordingly will be well hidden. Its scale and bulk is much smaller than the house. It will be visually subservient. The garage will sit behind a respectful modern 2003 rear extension and so the garage's contemporary style will not be out of place and will be complimentary to the buildings on the site. It employs less dominant dark colours.
A3 No acceptable solution	P3 Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.	The existing fenestration of the 2003 extension is large panes of tinted glass –which do not look out of place next to the original house. The proposed garage repeats those fenestration patterns and similarly will not look out of place.
A4 No acceptable solution	P4 Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.	The proposed garage is a separate addition rather than an extension. Its separation from the house and its siting behind the 2003 extension affords it to be contemporary in style. These aspects provide it with more design scope and assist to not detract from the historic cultural heritage significance of the place.
A5 New front fences	P5 n/a	There is no proposal to build a new front fence.
A6 Areas of landscaping between a dwelling and the street must be retained.	P5 n/a	There are no changes proposed for the landscaping between the dwelling and street.

E13.8.1 Demolition

Acceptable Solutions	Performance Criteria	discussion
A1 No acceptable solution	P1 Demolition must not result in the loss of any of the following:	There is no demolition proposed.

	<p>(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;</p> <p>(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct ;</p> <p>unless all of the following apply: (i); (ii); (iii)</p>	
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E13.8.2 Buildings and Works other than Demolition

Acceptable Solutions	Performance Criteria	discussion
A1 No acceptable solution	P1 Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.	<p>The proposed garage is contemporary in design but employs references to traditional building such as the ruled joints in the concrete northern wall to reflect traditional stone coursing; the commons brickwork to the face of the garage; and the pitched roof over part of the roof garden. The design intention is to be contemporary but compatible in design and material with the heritage aspects of the site. Materials are dark in colour.</p> <p>The siting of the proposed garage is behind a 2003 extension and is well back to the rear of the site where it is not visible from the street. Its concealed location ensures that it will not result in any detriment to the significance of the precinct.</p>
A2 No acceptable solution	P2 Design and siting of buildings and works must comply with any relevant design criteria /conservation policy listed in Table E13.2, except if a heritage place or an architectural style different from that characterising the precinct.	There is no relevant design criteria/conservation policy listed in Table E13.2
A3 No acceptable solution	P3 Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.	<p>The proposed garage is well concealed at the back of the site amongst high hedges and neighbouring sheds and contemporary houses. It's design and subdued materials will not look out of place in this setting. Accordingly it will not result in any</p>

		detriment to the significance of the precinct.
A4 New front fences	P4 n/a.	No new front fence is proposed.
A5 Areas of landscaping between a dwelling and the street must be retained.	P5 n/a	No removal of landscaping is proposed.

Conclusions

The proposed garage with roof garden is clearly contemporary in design. Its location behind the 2003 house extension; towards the rear of the site where it does not form any part of the streetscape; and its setting amongst high hedges, neighbouring garden sheds and adjacent contemporary houses ensures it will not look out of place in its context.

The proposed roof garden for the most part stays within its building envelope. A privacy screen protecting the privacy of its northern neighbour's is partly outside the building envelope but is considered to be 'neighbourly'.

The roof garden provides an opportunity for the owners to extend their limited garden space which will be lost to the garage itself. The provision of the garage with car turntable provides for the removal of that car from the street. Off street parking is otherwise difficult to manage as it requires a long reversing manoeuvre in a tight right of way.

The shadow diagrams focus on the potential impacts on 1 and 3 Logan Street. The diagrams show the shadows that currently exist from established hedging and fencing and compare those shadows to the proposed garage and roof garden. It would seem that the proposed shadowing is minimal and reasonable.

Herewith is the application for your consideration.



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-20-192
THC WORKS REF: 6223
REGISTERED PLACE NO: 1706
FILE NO: 09-58-93 THC
APPLICANT: Graeme Corney
DATE: 14 May 2020

NOTICE OF HERITAGE DECISION

(Historic Cultural Heritage Act 1995)

The Place: 3 De Witt Street, Battery Point
Proposed Works: New garage

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 the documentation submitted with Development Application PLN-20-192, advertised on 16/04/2020.

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

A handwritten signature in purple ink, appearing to read 'Ian Boersma'.

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

Application Referral Cultural Heritage - Response

From:	Megan Baynes
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	3 DE WITT STREET, BATTERY POINT
Proposal:	Outbuilding (Garage and Studio)
Application No:	PLN-20-192
Assessment Officer:	Michael McClenahan,

Referral Officer comments:

3 De Witt Street, in Battery Point, is a single storey masonry house which was probably built during the turn of the last century. Plans held by Council from 1910 show a matching pair of houses at No. 1 and 3 De Witt Street.

The house at No. 3 has a traditional footprint at the street edge with a pitched roof, bay window, veranda and ornamented parapets. A slate roof and articulated chimneys are intact, as are an original front door and timber sash windows.

The house has been adapted and modified over the years, and a modern glazed extension has been built at the rear.

The house has what appears to be a modern replica wrought iron front fence and very formal renaissance-style planting and fountain in the space between the footpath and façade. The house is painted cream and beige.

The applicant is seeking to construct a structure described as a garage and roof garden in the space behind the house. The property is a listed place and located in BP1 and therefore the Historic Heritage Code needs to be considered.

Demolition

The submitted plans indicate that there will not be any demolition of buildings or landscape and therefore the application satisfies E 13.7.1 A1 and E 13.8.1 A1

Works

The submitted plans indicate that a double storey building is proposed. This structure is intended to function as a garage at ground level, with a roof garden above. The proposed structure features extensive glazing on the northern and western elevations, with moderate glazing on the east and north elevations.

Typologically, this structure is a curious hybrid. Typically a garage is a single story, fully enclosed and utilitarian building. In this instance, the Architect has prepared a design which presumably responds to the client's particular brief.

The location of the proposed structure, set well back behind the building line, is considered acceptable.

The height of the proposed garage/roof garden responds to the datum of the ridge of the original house. The proposed structure will not be visible above the existing house and its height is considered acceptable.

The proposal is unusual. The proposed fenestration design is considered to have more in common with a contemporary dwelling or studio - with a high proportion of glazing.

Battery Point is notable for being a collection of buildings from a wide range of architectural periods. From early Colonial, Victorian, Federation, interwar, postwar, moderne and postmodern design, the locale is a register of the evolution of architecture style.

The proposed building of glass and concrete is a contemporary design - but it is part of the evolution of architectural taste and style and this is not considered to be problematic. The proposed works are satisfy E 13.7.2 P1, P2, P3, E.13.8.2 P1, E 13.8.4 P3 P6.

The Council has received 3 representations and in one of these raise heritage is a matter raised as of concern.

Material choices and the design of fenestration is raised as being potentially incompatible with historic heritage culture.

As has been previously stated, the scale and setback of the proposed structure is informed by the significant fabric of the existing house and the development is considered to have an acceptable impact of cultural heritage values.

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2020

**7.1.7 COMMON LAND OF PARENT TITLE, 211/1 SANDY BAY ROAD,
HOBART - CHANGE OF USE TO DWELLING
PLN-20-262 - FILE REF: F20/56933**

Address: Common Land of Parent Title, 211/1 Sandy Bay Road, Hobart

Proposal: Change of Use to Dwelling

Expiry Date: 27 July 2020

Extension of Time: Not applicable

Author: Deanne Lang

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for the change of use to dwelling at 211/1 Sandy Bay Road, 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 except PLN-20-262 - 211/1 Sandy Bay Road Hobart and common land of parent title Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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*.

STRATA AMENDMENT

The applicant is advised to make application to the Recorder of Titles to amend the strata plan pursuant to the provisions of Part 2 Division 6 of the Strata Titles Act 1998 in order to delete the reference to lot 211 in the notation contained on sheets 4 and 5 of Strata Plan 151831 "The approved use of Lot 211 is serviced apartment". – Click [here](#) for more information.

- | | |
|---------------|--|
| Attachment A: | PLN-20-262 - COMMON LAND OF PARENT TITLE
- Planning Committee or Delegated Report ↓  |
| Attachment B: | PLN-20-262 - 211/1 SANDY BAY ROAD HOBART
TAS 7000 AND COMMON LAND OF PARENT
TITLE - CPC Agenda Documents ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 27 July 2020
Application No: PLN-20-262
Address: COMMON LAND OF PARENT TITLE
211 / 1 SANDY BAY ROAD , HOBART
Applicant: Leno Taglieri (Taglieri Holdings P/L ATF Tag Team Trust)
65 Hillcrest Road
65 Hillcrest Road
Proposal: Change of Use to Dwelling
Representations: Five
Performance criteria: Urban Mixed Use Zone Development Standards, E6.0 Parking and Access Code, E9.0 Attenuation Code

1. Executive Summary

- 1.1 Planning approval is sought for Change of Use to Dwelling, at 211/1 Sandy Bay Road.
- 1.2 More specifically the proposal includes:
- change of use from a two storey one bedroom visitor accommodation unit to a dwelling;
 - the proposed dwelling has a total floor area of 57.4sqm;
 - no alterations are proposed; and
 - there is no dedicated car parking space on site and none is proposed.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Urban Mixed Use Zone Development Standards - Residential Amenity
 - 1.3.2 E6.0 Parking and Access Code - Onsite Parking Provision
 - 1.3.3 E9.0 Attenuation Code - Sensitive Use
- 1.4 Five representations objecting to the proposal were received within the statutory advertising period between 19 May - 2 June 2020.

- 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 within the building at 1 Sandy Bay Road which is (predominantly) a serviced apartment complex on the corner of Davey Street and Sandy Bay Road. The site is within walking distance of Hobart's CBD, Salamanca and Waterfront precincts and other tourist sites.



Fig. 1 - aerial view of the subject site which is highlighted in yellow



Fig. 2 - the subject building

3. Proposal

- 3.1 Planning approval is sought for change of use to dwelling, at 211/1 Sandy Bay Road.
- 3.2 More specifically the proposal is for:
- change of use from a two storey one bedroom visitor accommodation unit to a dwelling;
 - the proposed dwelling has a total floor area of 57.4sqm;
 - no alterations are proposed; and
 - there is no dedicated car parking space on site and none is proposed.

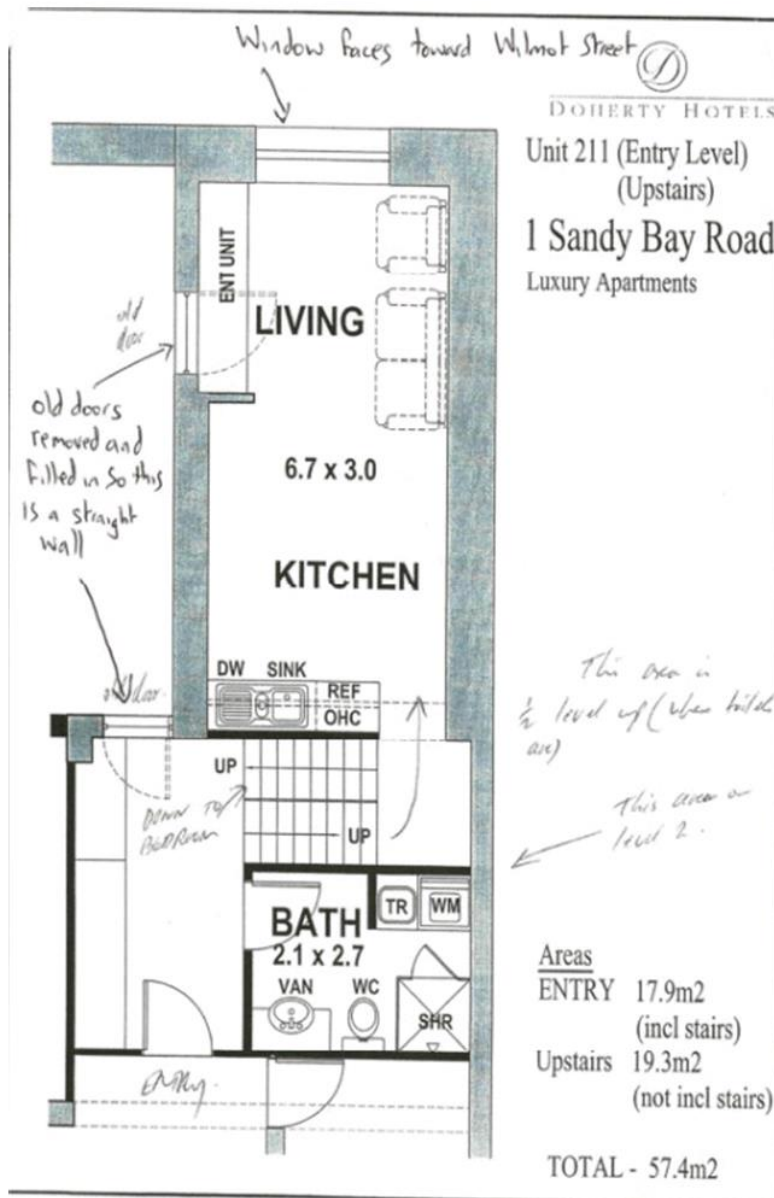


Fig. 3 - ground floor level

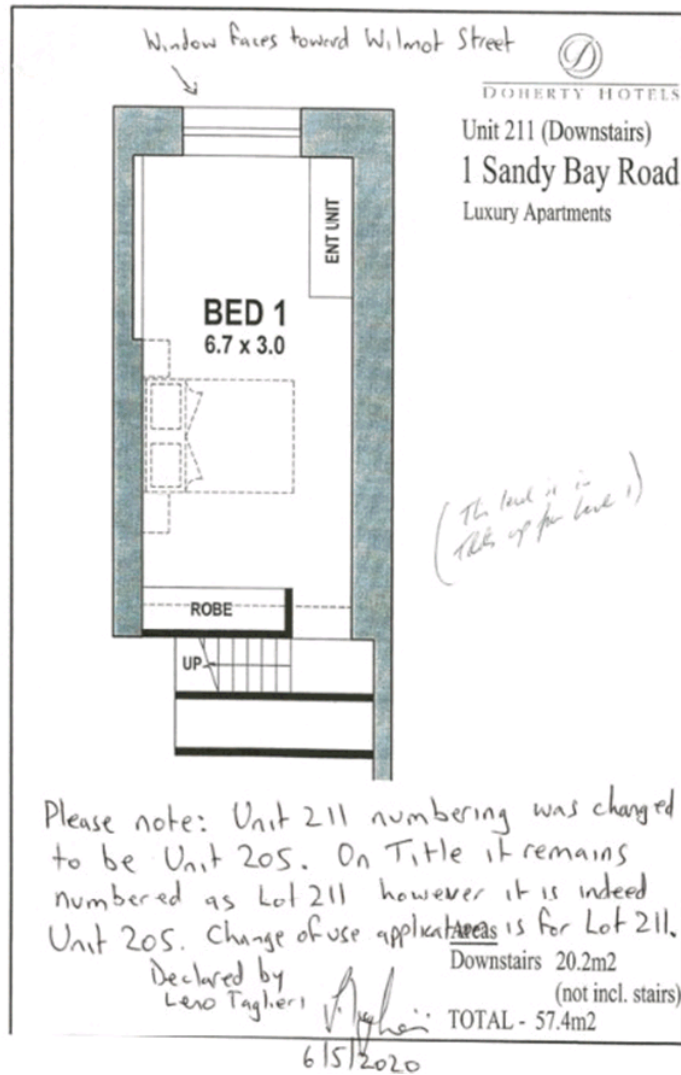


Fig.4- first floor level

4. Background

- 4.1 The subject site is located within 1 Sandy Bay Road which is (predominantly) a serviced apartment complex on the corner of Davey Street and Sandy Bay Road. The building was converted from the former 'Telstra Central Exchange' and the change of use was approved under PLN-05-00226 on 26 April 2005. A condition was applied on the permit which stated:

23. The occupation and use of each 'serviced apartment' for each registered occupant is to be no greater than a maximum of 6 months at one time.

Reason for condition

To achieve the intended use of the 'serviced apartments as 'short term occupancy'.

- 4.2 An application PLN-10-01284 for a change of use to flat at lot 405, 1 Sandy Bay Road was approved on 28 January 2011, under the *City of Hobart Planning Scheme 1982*.

An application PLN-15-00214 for a change of use to flat at lot 204, 1 Sandy Bay Road was approved on 8 April 2015, under the *City of Hobart Planning Scheme 1982*.

Both units are single storey and have a floor area less than the unit which is the subject of this application.

- 4.3 The subject site was previously contained within the Commercial and Residential Zone under the *City of Hobart Planning Scheme 1982*. A dwelling was a permitted use within this zone.

The subject site is within the Urban Mixed Use Zone under the *Hobart Interim Planning Scheme 2015*. A dwelling is a permitted use within this zone.

5. Concerns raised by representors

- 5.1 Five representations objecting to the proposal were received within the statutory advertising period between 19 May - 2 June 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.

Background to the use of the property

We purchased our unit on the basis that the whole building was overseen by the management of Mantra and they would approve any guests, keep an eye on security and make sure all the paying guests were looking after the property. If this apartment becomes a dwelling with a long term tenant, we are concerned about the changed use which may result with the occupants using the apartment in a different way - naturally wanting to have visitors, and perhaps parties and thus impacting on the rest of the apartments.

Suitability of the unit to be used as a dwelling

We are concerned that these apartments have been specifically set up as a short term accommodation only and are not suitable for use as a normal dwelling.

Lot 211 (the subject site) is not suitable as a dwelling as:

- there is no onsite parking or storage facility;
- there is no hotplate/cooking facility;
- there is no exhaust fan and the split level design of the apartment will increase the likelihood of triggering the smoke alarm for the whole building as there are no opening windows;
- the triggering of the smoke alarm may cause closure of the existing Mantra operation and affect the investment of all the other owners;
- there are no balconies or opening windows;
- no mail facilities for private residences;
- there is limited internet access - so it could impact on the internet services that Mantra can offer guests;
- Mantra will have no noise control over the apartment with the potential for disturbance to numerous 'in house' guests
- Mantra will be unable to contact the apartment from reception as the PABX phone service will be disconnected;
- Security and after hours access for lot 211 compromises the safety of Mantra managed 'in house' hotel clientele;
- Lot 211 may improperly use the lifts in the absence of Mantra management which could incapacitate the whole building;
- Council approved a change of use for lot 405 in 2013 is now used as an AirBnB which has had an impact on the body corporate. Owners need to feel part of a 'managed team' rather than a 'free form 'unsupervised owner.

Lot 211 is a split level apartment unlike the 2 other lots Council has previously approved.

Private Investment and Impact on Mantra's Viability on the Site

We are concerned that this change may set a precedent that would jeopardise our investment and viability of Mantra to operate at this building. 1 Sandy Bay Road operates as a hotel with owners of these rooms dependent on the excellent management of Mantra to operate and run this business and manage their investment.

Should more owners be allowed to leave the hotel "pool" and thereby the original agreement and purpose for which this site was established, the entire business model is compromised - not only for the 54 individual owners but also for the hotel management company.

During this time of uncertainty, we understand that the owner wants to make a change but we feel that this is detrimental to our investment.

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 Urban Mixed Use Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is visitor accommodation. The proposed use is residential. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Part D - 15 Urban Mixed Use Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E9.0 Attenuation Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:

- 6.5.1 Urban Mixed Use Zone:-
Residential Amenity D.15.4.8 P1 and P3
- 6.5.2 E6.0 Parking and Access Code:-
Onsite Parking Provision - E6.6.1 P1
- 6.5.3 Part E9.0 Attenuation Code:-
Sensitive Use - E9.7.2 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Residential Amenity - Part D 15.4.8 P1
- 6.7.1 The acceptable solution at clause 15.4.8 A1 requires at least one habitable room window (other than a bedroom) to face between 30 degrees west of north and 30 degrees east of north.
- 6.7.2 The proposal includes a change of use to a dwelling. There is one habitable (living room) window which does not face between 30 degrees west of north and 30 degrees east of north.
- 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 15.4.8 P1 provides as follows:
A dwelling must be sited and designed to optimise sunlight to at least one habitable room (other than a bedroom).
- 6.7.5 The objective of the residential amenity provisions within the Urban Mixed Use Zone aims to provide a reasonable level of residential amenity to the occupants of a residential property.
- The unit subject to the change of use contains one habitable (living room) window which faces south east. The proposed dwelling contains one bedroom and therefore it is reasonable to assume there will be a maximum of 2 people occupying the unit. While the window faces south east, it is considered that the window will receive sufficient sunlight within the living area to provide for a reasonable level of residential amenity for

the occupants of the proposed dwelling.

6.7.6 The proposal complies with the performance criterion.

6.8 Residential Amenity - Part D 15.4.8 P3

6.8.1 The acceptable solution at clause 15.4.8 A3 requires an outdoor living space to have an area no less than 10sqm with a width of no less than 2m.

6.8.2 The proposal does not include any dedicated open space.

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 15.4.8P3 provides as follows:

Outdoor living space must be provided for a dwelling with dimensions sufficient for the projected requirements of the occupants.

6.8.5 As stated above, objective of the residential amenity provisions within the Urban Mixed Use Zone is to provide a reasonable level of residential amenity to the occupants of a residential property.

As stated above, the unit subject to the application is a one bedroom unit and it is reasonable to assume it will have a maximum capacity of 2 persons. While there is no onsite outdoor living space, the property is directly opposite St David's Park which would far exceed any reasonable expectation of private open space which would need to be provided to a one bedroom dwelling.

The site is also within easy walking distance of many other areas of open space and several fitness centres within the Salamanca area and Hobart's Central Business District. As such, it is considered that St David's Park opposite the subject site and several fitness centres within walking distance will provide in excess services/space for the projected requirements of the occupants

6.8.6 The proposal complies with the performance criterion.

6.9 Onsite Parking Provision - E6.6.1 P1

6.9.1 The acceptable solution at Table E6.1 requires one onsite car parking

space per one bedroom unit.

- 6.9.2 The proposal does not provide any onsite car parking spaces.
- 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 E6.6.1 P1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

- 6.9.5 The objective of the number of onsite car parking provisions in this instance is to ensure that there is enough car parking to meet the needs of

all uses of a use or development, taking into account the level of parking available or outside of the land and access afforded by other modes of transport. In this instance the objective also aims to ensure that the development does not detract from the amenity of users or the locality by preventing regular parking overspill.

While there are 14 onsite car parking spaces, these are located upon common land and are not dedicated to any particular unit.

As discussed above, the proposal is to allow for a change of use to a one bedroom dwelling. As stated above, the property is within walking distance Salamanca and Hobart's CBD which contain supermarkets, retail, commercial and cafe/restaurants. Therefore many occupants may not rely on a private vehicle or at most will have a maximum of one car.

A bus stop servicing the southern suburbs of Hobart and beyond is located directly outside the building on Davey Street, while another bus route is located diagonally opposite the building on Sandy Bay Road. A bus stop heading towards the northern suburbs of Hobart is located outside the building on its Sandy Bay Road frontage.

The proposal was referred to Council's Development Engineer, who provided the following comments:

The parking demand does not change as table E6.1 has existing use demand for parking as 1 space per visitor accommodation unit. This is changing to 1 space for a single bedroom dwelling. As such no change to parking deficiency over existing. Supported under E6.6.1 P1 as there is an existing deficiency which is highlighted in P1 (g). As the deficiency is the same as before the proposal is supported under P1.

6.9.6 The proposal complies with the performance criterion.

6.10 Sensitive Use - E9.7.2 P1

6.10.1 There is no acceptable solution for a 'sensitive use' within the attenuation distance of an activity listed in Table 9.1 of the Code.

6.10.2 The proposal includes a change of use to a 'sensitive use'. The site is within 200m of a 'late night music venue' at 192 Macquarie Street ('The Duke Hotel').

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 E9.7.2 P1 provides as follows:

Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:

(a) the nature of the use with potential to cause environmental harm; including;

(i) operational characteristics;

(ii) scale and intensity;

(iii) degree of hazard or pollution that may emitted from the activity;

(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;

(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions

6.10.5 The objective of the standards for sensitive uses in proximity to use with potential to cause environmental harm is to ensure that the new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm.

The application was referred to Council's Environmental Development Planner who assessed the application and provided the following report:

The Attenuation Code applies because development for 'sensitive use' is proposed within the attenuation distance of an activity listed in Table E9.1 of the Code. The site is within 200m of a 'late night music venue' at 192 Macquarie Street ('The Duke Hotel'). No exemptions apply.



The relevant standards are under clause E9.7.2 of the Code ('Development for Sensitive Use in Proximity to Use with Potential to cause Environmental Harm').

There is no acceptable solution for A1.

Performance criterion P1 states the following:

Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:

(a) the nature of the use with potential to cause environmental harm; including:

- (i) operational characteristics;*
- (ii) scale and intensity;*
- (iii) degree of hazard or pollution that may emitted from the activity;*

(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;

(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions

Given the separation distance of 183m, the location of the apartment within the building, the screening buildings between the two sites and the relatively high ambient noise levels in the area, there is no likelihood of the proposed dwelling being subject to environmental harm from noise emissions from the The Duke Hotel.

6.10.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for a change of use to dwelling, at 211/1 Sandy Bay Road.
- 7.2 The application was advertised and received five representations. The representations raised concerns including the suitability of the unit to be used as a dwelling, the lack of parking, security issues and the flow on affects to the individual owners investment and the viability of Mantra managing the property.
- 7.3 The representations are largely confined to body corporate and building issues. A dwelling is a permitted use within the Urban Mixed Use Zone. While the mixture of permanent residential and visitor accommodation may result in conflicts, there is no provision under the Hobart Interim Planning Scheme to refuse the application on this basis.
- 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 Development Engineer and Environmental Development Planner. 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 change of use to dwelling at 211/1 Sandy Bay Road 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 the Change of Use to Dwelling at 211/1 Sandy Bay Road, 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 except PLN-20-262 - 211/1 Sandy Bay Road Hobart and common land of parent title Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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

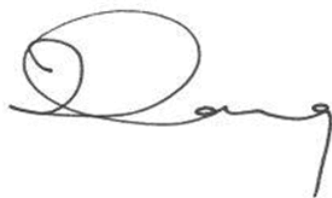
You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

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

STRATA AMENDMENT

The applicant is advised to make application to the Recorder of Titles to amend the strata plan pursuant to the provisions of Part 2 Division 6 of the Strata Titles Act 1998 in order to delete the reference to lot 211 in the notation contained on sheets 4 and 5

of Strata Plan 151831 "The approved use of Lot 211 is serviced apartment". – Click [here](#) for more information.



(Deanne Lang)

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: 4 June 2020

Attachment(s):

Attachment B - CPC Agenda Documents

1st May 2020

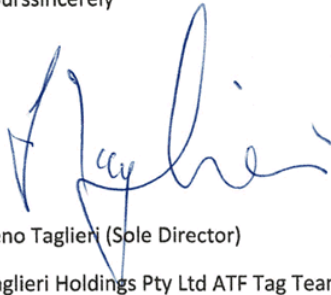
Subject: Unit 205 / 1 Sandy Bay Road Hobart 7000, Change of use from Visitor Accommodation to Dwelling

Today I spoke to Deann Lang for advice on what was required to change the use of the above apartment. Deann advised that I should submit the application on the HCC Development site and note that she had instructed me to apply for the change of use in this way. I have provided in the attachments the information Deann asked me to include.

I am the sole Director of the company that owns this apartment. I would appreciate early processing of this application as due to the Covid-19 restrictions in place this apartment cannot be rented (no visitors to Tasmania or Tasmanians travelling) and I am under substantial financial hardship without an income from the property when the mortgage and all other outgoings are still needing to be paid. I intend to lease it long term so it will assist in easing Hobart's lack of affordable housing.

Please do not hesitate to contact me immediately should any additional information be required.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Leno Taglieri', with a stylized flourish at the end.

Leno Taglieri (Sole Director)

Taglieri Holdings Pty Ltd ATF Tag Team Trust

Planning: #203480

Property

205/1 SANDY BAY ROAD HOBART TAS 7000

People

Applicant

"

Taglieri Holdings P/L ATF Tag Team Trust
Leno Taglieri
65 Hillcrest Road
65 Hillcrest Road
TOLMANS HILL TAS 7007
0418120885
Taglieri@bigpond.com

Owner

"

Taglieri Holdings P/L ATF Tag Team Trust
Leno Taglieri
65 Hillcrest Road
65 Hillcrest Road
TOLMANS HILL TAS 7007
0418120885
Taglieri@bigpond.com

Entered By

LENO TAGLIERI
65 HILLCREST ROAD
TOLMANS HILL TAS 7007
0418 120 885
taglieri@bigpond.com

Use

Multiple dwellings

Details

Have you obtained pre application advice?

• Yes

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

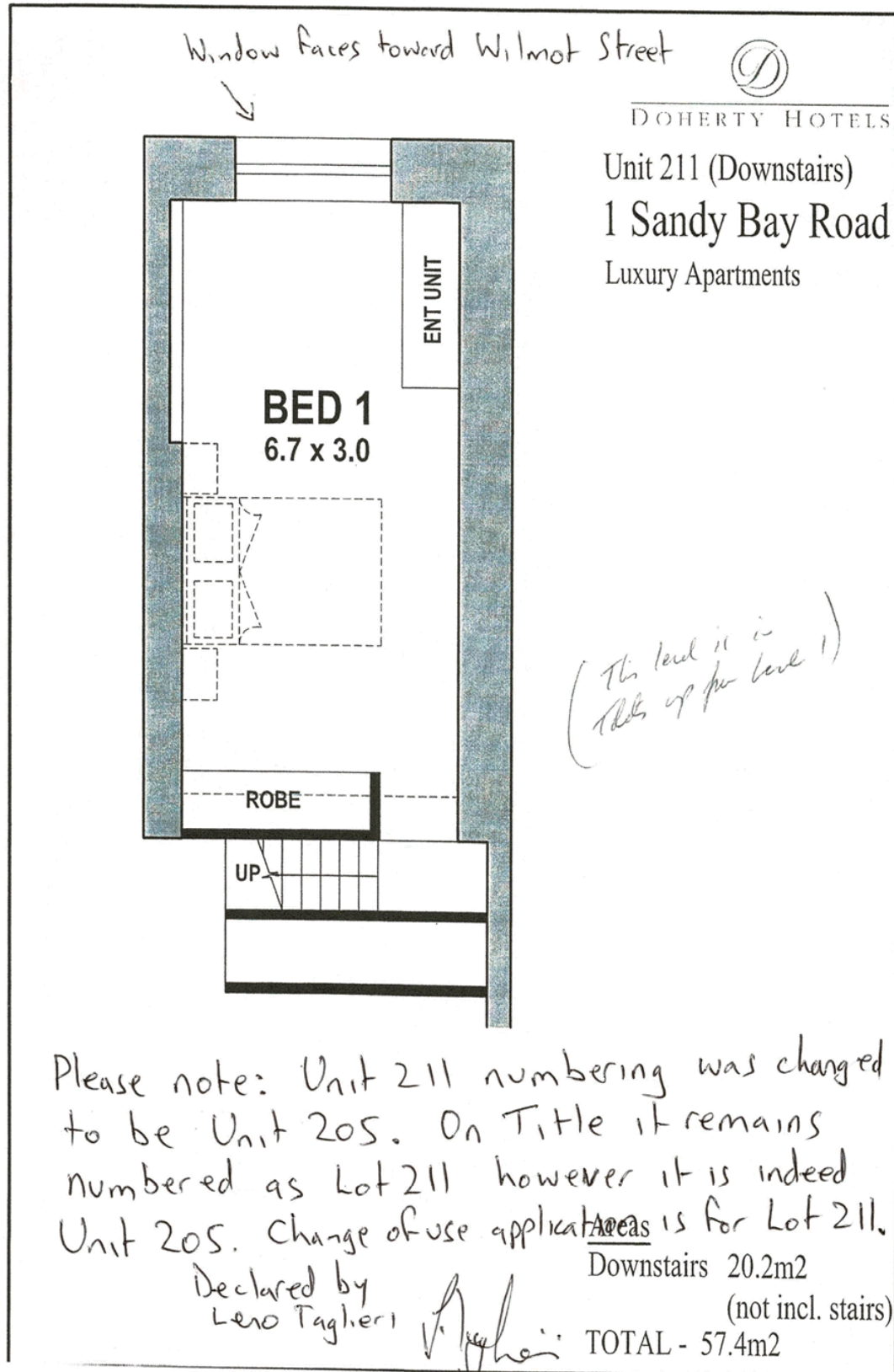
No number given but I was advised by Deann Lang to include that she had advised me to apply in this way

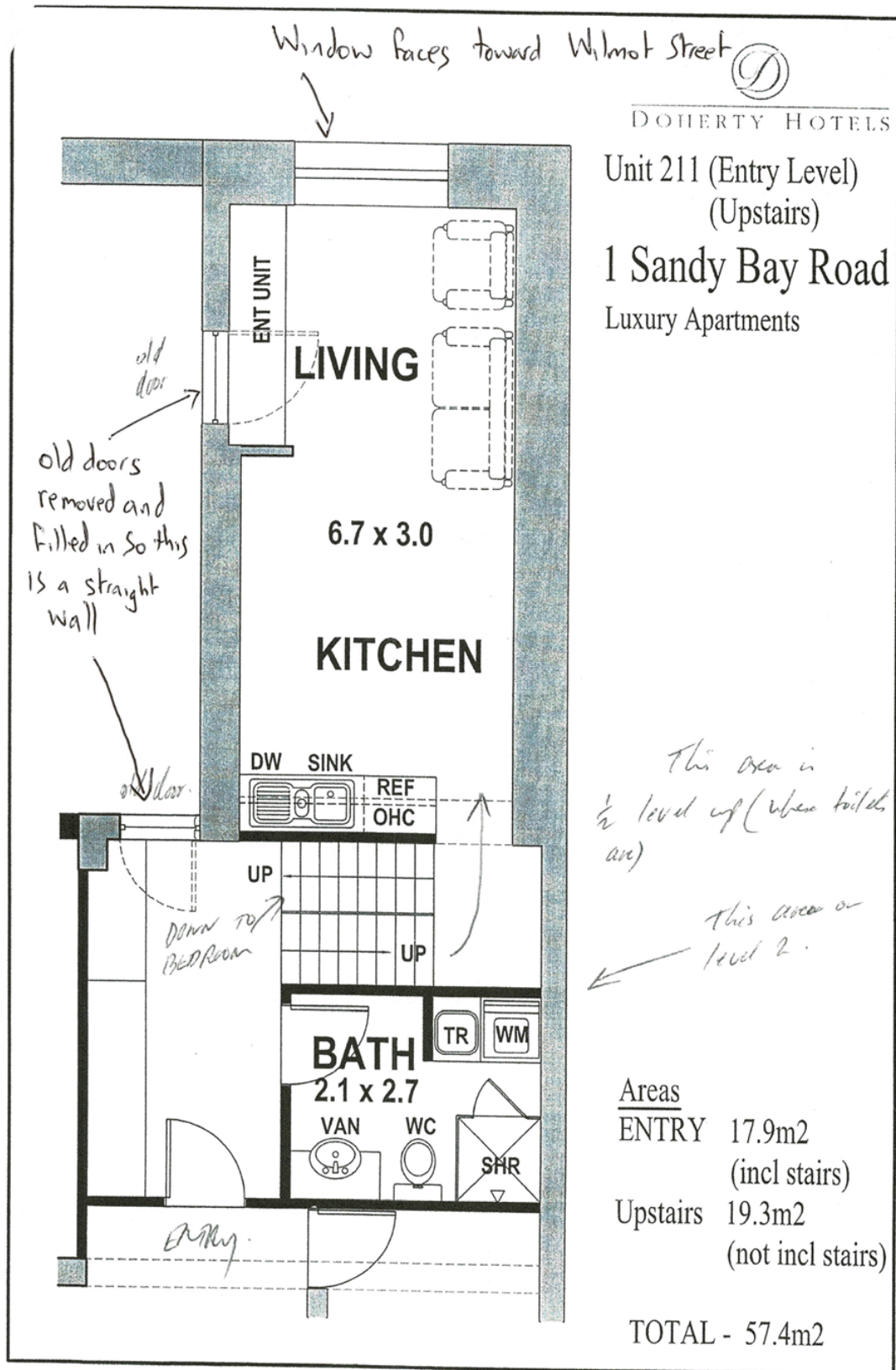
Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

• 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. <input type="radio"/> Yes <input checked="" type="radio"/> No		
If this application is related to an enforcement action please enter Enforcement Number <input type="text"/>		
Details		
What is the current approved use of the land / building(s)?		
Visitor Accommodation Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) <input type="text"/>		
Change of use from Visitor Accommodation to Dwelling Estimated cost of development <input type="text"/>		
Existing floor area (m2) Proposed floor area (m2) Site area (m2) <input type="text"/> <input type="text"/> <input type="text"/>		
Carparking on Site		
Total parking spaces Existing parking spaces <input type="text"/> N/A <input type="text"/> <input type="text"/> <input type="text"/> Other (no selection chosen)		
Other Details		
Does the application include signage?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
How many signs, please enter 0 if there are none involved in this application?		
<input type="text"/>		
Tasmania Heritage Register		
Is this property on the Tasmanian Heritage Register? <input type="radio"/> Yes <input checked="" type="radio"/> No		
Documents		
Required Documents		
Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000143.jpg Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000144.jpg Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000145.jpg Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000146.jpg Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000147.jpg Title (Folio text and Plan and Schedule of Easements)		
<input type="text"/> CCI_000148.jpg Title (Folio text and Plan and Schedule of Easements)		

+
CCI-000149.jpg
Plans (proposed, existing)
+
CCI-000141.jpg
Plans (proposed, existing)
+
CCI-000142.jpg
Covering Letter
CCI-000150.jpg



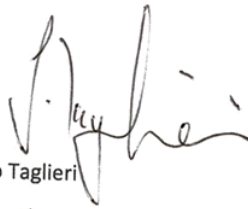


DECLARATION

Re: Unit 205 (Lot 211) 1 Sandy Bay Rd Hobart Change of use from Visitor accommodation to dwelling

I, Leno Taglieri as the Sole Director of the owner (Taglieri Holdings Pty Ltd ATF Tag Team Trust) and the applicant for this change of use application sincerely and solemnly declare that I have advised STM Strata Management as the Body Corporate Manager for the Body Corporate at this address; that is, Strata Corporation NO. 151831, 1 Sandy Bay Road, Apartments.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Leno Taglieri', with a stylized flourish at the end.

Leno Taglieri

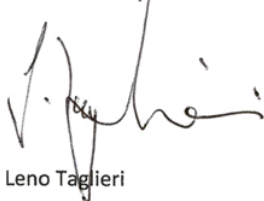
Date: 6th May 2020

DECLARATION

Re: Unit 205 (Lot 211) 1 Sandy Bay Rd Hobart Change of use from Visitor accommodation to dwelling

I, Leno Taglieri am the Sole Director of the owner (Taglieri Holdings Pty Ltd ATF Tag Team Trust) and the applicant for this change of use application. I am authorised to act on behalf of the owner.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Leno Taglieri', with a stylized flourish at the end.

Leno Taglieri

Date: 6th May 2020

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
151831	0
EDITION	DATE OF ISSUE
1	25-Jul-2007

SEARCH DATE : 06-May-2020

SEARCH TIME : 04.19 PM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 151831

Derivation : Part of 3A-0R-6Ps. (Section R.3.) Gtd. to A.
Moodie.

Prior CT 144793/1

SCHEDULE 1

STRATA CORPORATION NUMBER 151831, 1 SANDY BAY ROAD, APARTMENTS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

151831 FIRST BY-LAWS lodged with the strata plan

SP144793 EASEMENTS in Schedule of Easements

C812033 APPLICATION for registration of change of by-laws
Registered 12-Sep-2007 at noonC909381 APPLICATION for registration of change of by-laws
Strata Corporation No. 151831 Registered 04-May-2009
at noonM445104 APPLICATION by owners to amend strata plan 151831 by
deleting reference to Lot 405 from the notation
contained on sheet 8 of the plan regarding 'approved
use' Registered 17-Jan-2014 at noonE13580 APPLICATION by owners to amend strata plan 151831 by
deleting Lot 204 as a serviced apartment Registered
29-Sep-2015 at noonE35677 APPLICATION for registration of change of by-laws
Registered 10-Feb-2016 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
151831	0
EDITION	DATE OF ISSUE
1	25-Jul-2007

SEARCH DATE : 06-May-2020

SEARCH TIME : 04.19 PM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 151831

Derivation : Part of 3A-0R-6Ps. (Section R.3.) Gtd. to A.
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deleting Lot 204 as a serviced apartment Registered
29-Sep-2015 at noonE35677 APPLICATION for registration of change of by-laws
Registered 10-Feb-2016 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
151831	211
EDITION	DATE OF ISSUE
3	18-Jan-2012

SEARCH DATE : 06-May-2020

SEARCH TIME : 04.19 PM

DESCRIPTION OF LAND

City of HOBART

Lot 211 on Strata Plan 151831 and a general unit entitlement
operating for all purposes of the Strata Scheme being a 155
undivided 1/10016 interest

Derived from Strata Plan 151831

Derivation : Part of 3A-0R-6Ps. (Section R.3.) Gtd. to A.
Moodie.SCHEDULE 1M348325 TRANSFER to TAGLIERI HOLDINGS PTY LTD Registered
18-Jan-2012 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
The registered proprietor holds the lot and unit entitlement
subject to any interest noted on common property

Folio of the Register volume 151831 folio 0

SP144793 EASEMENTS in Schedule of Easements

D37045 MORTGAGE to National Australia Bank Limited
Registered 18-Jan-2012 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



CITY/TOWN HOBART		STRATA PLAN SHEET 1 OF 11 SHEETS		REGISTERED NUMBER 151831
SUBURB/LOCALITY SANDY BAY				STRATA TITLES ACT 1998 REGISTERED 25 JUL 2007
FOLIO REFERENCE CT. 144793-1		NAME OF STRATA SCHEME 1 SANDY BAY ROAD, APARTMENTS		<i>Alice Kawa</i> Recorder of Titles
SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. SP.144793		SCALE 1:300		
MAPSHEET MUNICIPAL CODE No. 115 (5224)	LAST UPI No. GCX19	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 THAN 2.00 METRES TO BE SHOWN ON SHEET 1.		<i>[Signature]</i> Council Delegate 29/6/2007 Date	<i>[Signature]</i> Registered Land Surveyor 20/6/07 Date
STAGED/COMMUNITY DEVELOPMENT. SCHEME No. (IF APPLICABLE)		LODGED BY JACKSON TREMAYNE & FAY	

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 2 OF 11 SHEETS	STRATA TITLES ACT 1998 <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <small>Council Delegate</small> </div> <div style="text-align: center;"> 29/6/2007 <small>Date</small> </div> </div>	Registered Number <div style="font-size: 24pt; font-weight: bold; text-align: center;">151831</div>
--	---	--

HEC
SUBSTATION

CARPARK

RECEPTION

GROUND
 SCALE 1:125

Registered Land Surveyor

20/6/07
Date



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p>STRATA PLAN</p> <p>SHEET 3 OF 11 SHEETS</p>	<p>STRATA TITLES ACT 1998</p> <p><i>[Signature]</i> 29/6/2007 Council Delegate Date</p>	<p>Registered Number</p> <p style="font-size: 1.5em;">151831</p>
---	---	---

LEVEL 1
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:

- CENTRELINE OF WALLS OR EXTENSION THEREOF LABELLED AA, AB.
- INSIDE FACE OF WALL OR EXTENSION THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE CENTRELINE OF THE FLOOR BELOW TO THE CENTRELINE OF THE FLOOR ABOVE.

THE APPROVED USE OF LOTS 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 IS "SERVICED APARTMENTS"

AREAS SHADED THUS ARE SERVICE DUCTS & HAVE BEEN EXCLUDED FROM LOTS

AREAS ARE APPROXIMATE ONLY

[Signature] 29/6/07
Registered Land Surveyor Date

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p style="text-align: center;">STRATA PLAN</p> <p style="text-align: center;">SHEET 4 OF 11 SHEETS</p>	<p style="text-align: center; font-size: small;">STRATA TITLES ACT 1998</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <small>Council Delegate</small> </div> <div style="text-align: center;"> <small>29/6/2007</small> <small>Date</small> </div> </div>	<p style="text-align: center; font-size: small;">Registered Number</p> <p style="text-align: center; font-size: large; font-weight: bold;">151831</p>
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PART OF
LOT 211
24m²

B
STEPS
B

LEVEL 1/2

SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY
HEAVY UNBROKEN LINES DEFINED BY:

- INSIDE FACE OF WALL OR EXTENSION
THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE
CENTRELINE OF THE FLOOR BELOW TO THE
CENTRELINE OF THE FLOOR ABOVE.

AREAS ARE APPROXIMATE ONLY

THE APPROVED USE OF LOT 211 IS "SERVICED APARTMENT"

AREAS SHADED THUS ARE
SERVICE DUCTS & HAVE BEEN
EXCLUDED FROM LOT

Registered Land Surveyor

29/6/07
Date



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN		STRATA TITLES ACT 1998	Registered Number
NEW SHEET 5 OF 11 SHEETS		 Council Delegate	151831
E13580		9-9-2015 Date	

LEVEL 2
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:

- CENTRELINE OF WALLS OR EXTENSION THEREOF LABELLED AA, AB.
- INSIDE FACE OF WALL OR EXTENSION THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE CENTRELINE OF THE FLOOR BELOW TO THE CENTRELINE OF THE FLOOR ABOVE.

THE APPROVED USE OF LOTS 201, 202, 203, 205, 206, 207, 208, 209, 210, 211 IS "SERVICED APARTMENTS"

AREAS SHADED THUS ARE SERVICE DUCTS & HAVE BEEN EXCLUDED FROM LOTS

AREAS ARE APPROXIMATE ONLY	 Registered Land Surveyor	28/4/15 Date
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FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p>STRATA PLAN</p> <p>SHEET 6 OF 11 SHEETS</p>	<p>STRATA TITLES ACT 1998</p> <p><i>[Signature]</i> 29/6/2007 Council Delegate Date</p>	<p>Registered Number</p> <p style="font-size: 1.5em;">151831</p>
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LEVEL 3
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:

- CENTRELINE OF WALLS OR EXTENSION THEREOF LABELLED AA, AB.
- INSIDE FACE OF WALL OR EXTENSION THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE CENTRELINE OF THE FLOOR BELOW TO THE CENTRELINE OF THE FLOOR ABOVE.

AREAS SHADED THUS ARE SERVICE DUCTS & HAVE BEEN EXCLUDED FROM LOTS

AREAS ARE APPROXIMATE ONLY

THE APPROVED USE OF LOTS 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311 IS "SERVICED APARTMENTS"

<p><i>[Signature]</i> Registered Land Surveyor</p>	<p>29/6/07 Date</p>
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**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 7 OF 11 SHEETS	STRATA TITLES ACT 1998 <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> <div style="text-align: center;"> <small>Council Delegate</small> </div> <div style="text-align: center;"> 29/6/2007 <small>Date</small> </div> </div>	Registered Number <div style="font-size: 24pt; font-weight: bold; text-align: center;">151831</div>
--	---	--

level 3/4
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:

- INSIDE FACE OF WALL OR EXTENSION THEREOF LABELLED BC.
- EDGE OF LANDING LABELLED CC.

VERTICAL LOT BOUNDARIES EXTEND FROM THE CENTRELINE OF THE FLOOR BELOW TO THE CENTRELINE OF THE FLOOR ABOVE.

AREAS ARE APPROXIMATE ONLY

THE APPROVED USE OF LOT 411 IS "SERVICED APARTMENT"

AREAS SHADED THUS ARE SERVICE DUCTS & HAVE BEEN EXCLUDED FROM LOTS

Registered Land Surveyor

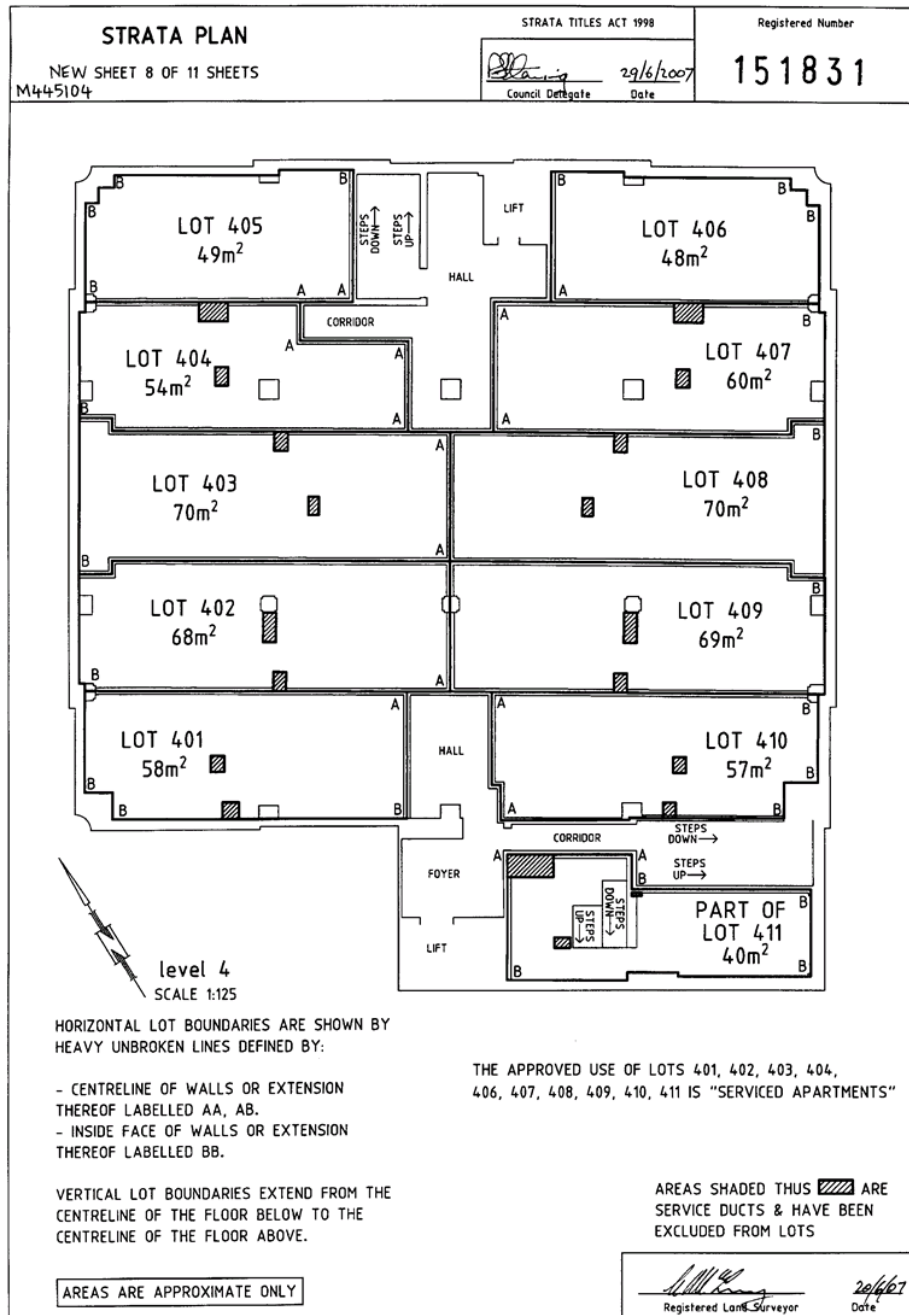
29/6/07
Date



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



STRATA PLAN SHEET 9 OF 11 SHEETS	STRATA TITLES ACT 1998 <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <small>Council Delegate</small> </div> <div style="text-align: center;"> <small>29/6/2007</small> <small>Date</small> </div> </div>	Registered Number <div style="font-size: 24pt; font-weight: bold;">151831</div>
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LEVEL 5
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:

- CENTRELINE OF WALLS OR EXTENSION THEREOF LABELLED AA, AB.
- INSIDE FACE OF WALLS OR EXTENSION THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE CENTRELINE OF THE FLOOR BELOW TO THE CENTRELINE OF THE CEILING ABOVE OR EXTENSION THEREOF.

THE APPROVED USE OF LOTS 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511 IS "SERVICED APARTMENTS"

AREAS SHADED THUS ARE SERVICE DUCTS & HAVE BEEN EXCLUDED FROM LOTS

AREAS ARE APPROXIMATE ONLY

Registered Land Surveyor

29/6/07
Date



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 10 OF 11 SHEETS	STRATA TITLES ACT 1998 <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <small>Council Delegate</small> </div> <div style="text-align: center;"> <small>29/4/2007</small> <small>Date</small> </div> </div>	Registered Number <div style="font-size: 24pt; font-weight: bold; text-align: center;">151831</div>
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LEVEL 6
SCALE 1:125

HORIZONTAL LOT BOUNDARIES ARE SHOWN BY
HEAVY UNBROKEN LINES DEFINED BY:

- INSIDE FACE OF WALLS OR EXTENSION
THEREOF LABELLED BB.

VERTICAL LOT BOUNDARIES EXTEND FROM THE
CENTRELINE OF THE FLOOR BELOW TO THE
CENTRELINE OF THE CEILING ABOVE.

THE APPROVED USE OF LOT 510 IS "SERVICED APARTMENT"

AREAS ARE APPROXIMATE ONLY

Registered Land Surveyor

20/6/07
Date



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN		Registered Number	
SHEET 11 OF 11 SHEETS		151831	
NAME OF BODY CORPORATE: STRATA CORPORATION No. 151831, 1 SANDY BAY ROAD, APARTMENTS ADDRESS FOR THE SERVICE OF NOTICES: STRATUM TITLE MANAGEMENT, 127 BATHURST STREET, HOBART, TAS. 7000			
SURVEYORS CERTIFICATE I CRAIG McDOWALL TERRY of HOBART a surveyor registered under the 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 boundaries is properly authorised according to law. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;"> Registered Land Surveyor </div> <div style="text-align: center;"> <u>29/6/07</u> Date </div> <div style="text-align: center;"> J535C Ref No </div> </div>		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 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;"> SURVEYING SERVICES MANAGER Council Delegate </div> <div style="text-align: center;"> <u>29/6/2007</u> Date </div> <div style="text-align: center;"> 5672447 Ref No </div> </div>	
GENERAL UNIT ENTITLEMENTS			
LOT	UNIT ENTITLEMENT	LOT	UNIT ENTITLEMENT
101	182	301	190
102	175	302	198
103	175	303	190
104	159	304	178
105	186	305	206
106	186	306	206
107	137	307	171
108	147	308	163
109	140	309	155
110	126	310	140
111	142	311	128
201	190	401	209
202	182	402	202
203	182	403	202
204	171	404	190
205	190	405	217
206	190	406	217
207	155	407	202
208	151	408	202
209	144	409	202
210	136	410	194
211	155	411	198
		TOTAL	
		10016	

**7.1.8 17 BEACH ROAD, SANDY BAY - DEMOLITION, NEW PUBLIC
TOILETS AND ASSOCIATED WORKS
PLN-20-180 - FILE REF: F20/57584**

Address: 17 Beach Road, Sandy Bay

Proposal: Demolition, New Public Toilets and Associated Works

Expiry Date: 16 July 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 demolition, new public toilets and associated work at 17 Beach Road, Sandy Bay 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-20-180 - 17 BEACH ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00407-HCC dated 07/05/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

Stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Should onsite disposal of stormwater be required; a Site and Soil Evaluation Report, and detailed design for drainage of stormwater on the property, prepared and certified by a suitable qualified person, must be submitted to Council prior to the commencement of work, issuing of any approval under the *Building Act 2016*.

The Site and Soil Evaluation Report must clearly address any interaction with onsite wastewater, potential land stability or erosion risks (including dispersive soils if applicable). The detailed design of soakage trenches must include a maintenance plan, pre-treatment, overflow design, trench location (including setbacks from features such as boundaries and retaining walls), dimensions, and sizing calculations for the proposed disposal system measured against all 20yr ARI rainfall events in accordance with relevant standards.

Advice:

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

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

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet and having regard of the suitability of the site.

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 s1

The installation of any proposed private stormwater soakage system must be inspected by the designer or the designer's agent. The designer on completion of the installation must certify that the installation has been constructed in accordance with the approved certified design. A signed copy of this certification is to be forwarded to Council prior to issue of a completion certificate.

Advice:

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

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

Reason for condition

To ensure stormwater is disposed of with regard of the suitability of the site.

ENV 2

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

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

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

Advice:

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

Up to \$20,000: \$150 per application.

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

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

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

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

BUILDING PERMIT

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

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

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.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a permit to construct public infrastructure, with a 12 month maintenance period and bond (please contact the Hobart City Council's City Amenity Division to initiate the permit process).

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.

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.

ENVIRONMENTAL MANAGEMENT AND COMMUNICATION PLAN

The works within Long Point Reserve associated with this permit are to be undertaken in accordance with an Environmental Management and Communications Plan, prepared by the developer to the satisfaction of the Director City Amenity. A template for the Environmental Management and Communications Plan can be provided by the Open Space Planning Team, call 03 6238 2488. This plan must be made specific for the works that will occur within the reserve.

Attachment A: PLN-20-180 - 17 BEACH ROAD SANDY BAY TAS
7005 - Planning Committee or Delegated Report ↓



Attachment B: PLN-20-180 - 17 BEACH ROAD SANDY BAY TAS
7005 - CPC Agenda Documents ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 22 June 2020
Expiry Date: 16 July 2020
Application No: PLN-20-180
Address: 17 BEACH ROAD , SANDY BAY
Applicant: DANIEL LANE
45 GOULBURN STREET
Proposal: Demolition, New Public Toilets and Associated Works
Representations: One
Performance criteria: Open Space Zone Use and Use Standards, Stormwater Management Cod

1. Executive Summary

- 1.1 Planning approval is sought for demolition, new public toilets and associated works at 17 Beach Road, Sandy Bay.
- 1.2 More specifically the proposal includes:
- The demolition of the existing toilet block (over titles 96046/16 and 96046/17).
 - Development of new toilet block to the east, closer to the beach and park, with balustraded decked area on the building roof; and a new section of pathway and landscaping.
 - The floor area of the existing building, to be demolished, is 113 sqm.
 - The internal / ground floor dimensions of the proposed building is 45 sqm to contain 8 separate toilets, and a store, and the roofed area is 112sqm.
 - Under the roofed area that is not covering building it is proposed to have open under cover area with two rinse-off showers and two wash basins.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Open Space Zone - Use, Use Standards
- 1.3.2 Stormwater Management Code - Stormwater Drainage and Disposal
- 1.4 One (1) representations objecting to the proposal was received within the statutory advertising period between 19/05/20 - 02/06/20.

- 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



Figure 1. 17 Beach Road is in the Open space Zone of the planning scheme. In the image above the building proposed to be demolished is approximately in the red circle, and the proposed development site is circled in purple.

2.2



Figure 2. 17 Beach Road. In the image above the building proposed to be demolished is approximately in the red circle, and the proposed development site is circled in purple.

2.3



Figure 3. 17 Beach Road, the proposed development site is between the pathway and the large tree.

2.4



Figure 4. 17 Beach Road, the proposed development site has many services in and around it.

2.5



Figure 5. 17 Beach Road, Municipal Map demolition is adjacent to green road, development is adjacent to red road.

3. Proposal

- 3.1 Planning approval is sought for demolition, new public toilets and associated works at 17 Beach Road, Sandy Bay.

3.2 More specifically the proposal is for:

- The demolition of the existing toilet block (over titles 96046/16 and 96046/17).
- Development of new toilet block to the east, closer to the beach and park, with balustraded decked area on the building roof; and a new section of pathway and landscaping.
- The floor area of the existing building, to be demolished, is 113 sqm.
- The internal / ground floor dimensions of the proposed building is 45 sqm to contain 8 separate toilets, and a store, and the roofed area is 112sqm.
- Under the roofed area that is not covering building it is proposed to have open under cover area with two rinse-off showers and two wash basins.

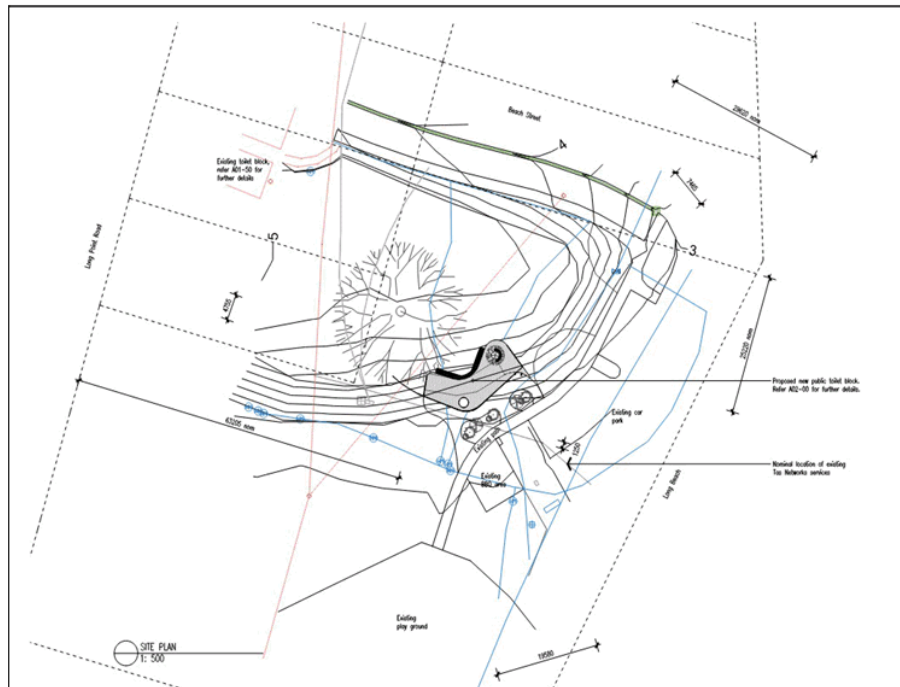
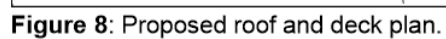


Figure 6: Site plan.



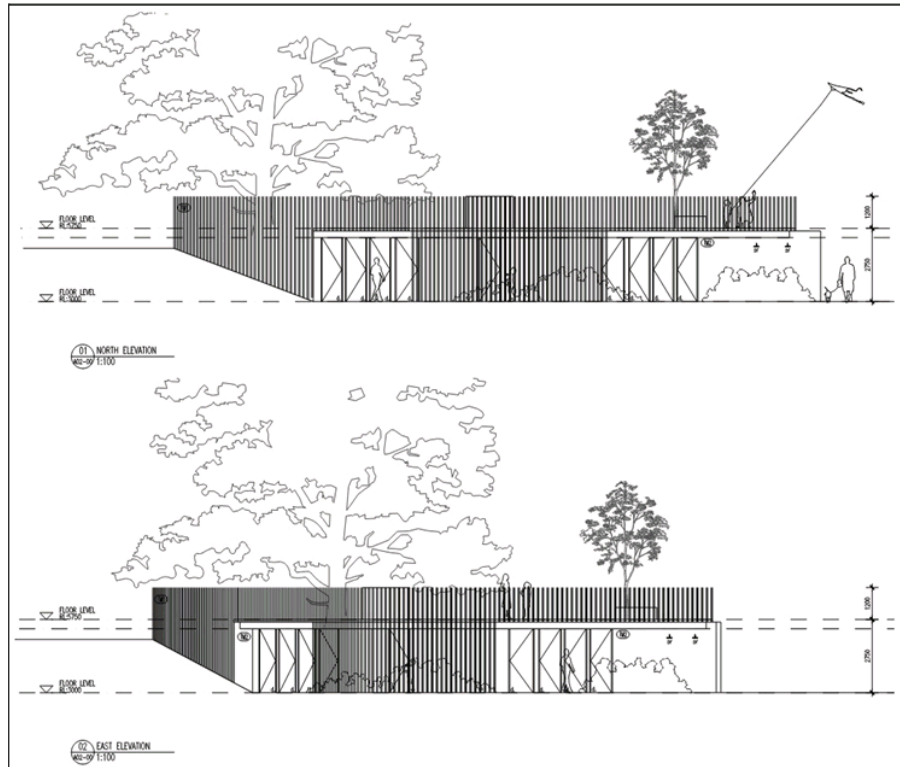


Figure 9: Elevations of proposed building.



Figure 10: Contextual artist's impression of proposed building.

4. Background

- 4.1 The proposal is Council funded proposal for public toilets in the Long Beach Reserve. Consent of the General Manager to lodge the application was granted on 17 March 2020.

5. Concerns raised by representors

- 5.1 One (1) representation objecting to the proposal was received within the statutory advertising period between 19/05/20 - 02/06/20.
- 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 site proposed is visually dominant to the entire area including the very popular children's secure play equipment which is further enhanced by the barbecue picnic area within the Merry Go Round rotunda.
The proposed site is in the midst of what was the natural amphitheater for hundreds of spectators, mostly families whose children had a wonderful day of participating in the events. One must also take in the Summer Friday twilight events future possible expansion option. The graphics show picnic tables close to toilet doors (just like a row of Porta loos) with the best of beach and water views . Graphics show promenaders flying Kites from the deck? - much safer on the acres of greens all around. There is already a vast promenade right along the Long Point beach.
The current facility contains a secure store cum maintenance area for the varied plant, plus a crib room, storage (bins, log posts etc) and significantly washing up facilities for barbecues and the occasional camper! (A solar or heat pump hot water supply would be money well spent). Basically a very sound multipurpose block with a refreshable option, that should be considered, before the Council commits to spending \$450K in times of lower cash flow for 70%(45/ 115sqm) less functionality .
Noting the Architects comment within the proposal he alludes that: - Basically it fails the Inundation criteria . - Corrosion will be very high. - Considerable use of timber decking and Battens-regular maintenance.
There is no design frame to cover the other functions that are currently incorporated nor any estimate for provision of such amenity or costs?

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 open space zone of the *Hobart Interim Planning Scheme 2015*.

- 6.3 The existing use for the 'existing toilet block' is Utilities (discretionary use) - to be demolished; the proposed use of that area is passive recreation (no permit required use).
The existing use of the development site is passive recreation (no permit required use); the proposed use for the new toilet / amenities block is Utilities (discretionary use).
- 6.4 The proposal has been assessed against:
- 6.4.1 D19.0 Open Space Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
 - 6.4.4 E15.0 Inundation Prone Areas Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Open Space Zone -
Use D19.2
Use Standards - Discretionary Use - D19.3.5 P1
 - 6.5.2 Stormwater Management Code -
Stormwater Drainage and Disposal - E7.7.1 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Use - D19.2
- 6.7.1 The toilets are classed as Utilities use and is a discretionary use in the zone.
 - 6.7.2 There is no acceptable solution with regard to use, rather clause 8.10.1 and 8.10.2 ('determining applications') states that when determining an application for a discretionary use, the Council must consider the following (in-so-far as each is relevant to the discretion being exercised):
 - *All applicable standards and codes;*

- *Any representations received;*
- *The purpose of the applicable zone;*
- *Any relevant local area objective or desired future character statement for the applicable zone;*
- *The purpose of any applicable code;*
- *The purpose of any applicable specific area plan.*

6.7.3 The zone purpose statement for the Open Space Zone says that the zone should:

- *Provide for open space purposes including for passive recreation and natural or landscape amenity.*
- *Encourage open space networks that are linked through the provision of walking and cycle trails.*
- *Encourage passive recreational opportunities, and allow for tourist operation uses, which are consistent with the protection of bushland and foreshore values.*

6.7.4 The proposal is for demolition of the existing Long Beach Reserve toilets and relocation to a nearby location. The use will support existing and encourage continued passive recreation uses in the area. The proposal will not impact upon existing walking and cycle trails. One representation was received during the notification period which raised concerns for the design of the structure and supported re-use of the existing structure on the site.

6.8 Discretionary Use - 19.3.5 P1

6.8.1 There is no acceptable solution for 19.3.5 A1

6.8.2 The proposal includes a Utilities use which is a discretionary use under the Open Space Zone Use Table.

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 19.3.5 P1 provides as follows:

Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.

6.8.5 The proposed Utilities use is for a public toilet block and associated

recreation facilities. This use will complement and support the wider Long Beach Reserve for recreational purposes and providing bathroom facilities for users of the reserve.

6.8.6 The proposal complies with the performance criterion.

6.9 Stormwater Drainage and Disposal - E7.7.1 P1

6.9.1 The acceptable solution at clause 7.7.1 A1 requires that stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

6.9.2 The proposal includes drainage from new impervious surfaces through soakage cells.

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 7.7.1 P1 provides as follows:

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

(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles

(b) collected for re-use on the site;

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

6.9.5 Referral was made to Council's Development Engineer who has provided the following assessment:

Performance Criteria - P1:

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

(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles -

Comment: Feasible

(b) collected for re-use on the site; -
Comment: N/A

(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council. -
Comment: N/A

- Submitted plans appear to indicate stormwater from new impervious surfaces mostly being able to be disposed of by gravity to public stormwater infrastructure.
- Also, submitted plans appear to indicate stormwater from ag. drains being able to be disposed of on-site via soakage devices. Discussed with Council's Plumbing Compliance Officer and Parks Leader Projects and Assets and both were accepting of this proposal.
- Based on the above assessment and given the submitted documentation, the stormwater disposal may be accepted under Performance Criteria P1:E7.7.1 (A1) of the Planning Scheme.
- To be verified at Plumbing Permit stage.

6.9.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Demolition, New Public Toilets and Associated Work, at 17 Beach Road Sandy Bay.
- 7.2 The application was advertised and received One (1) representation. The representation raised concerns including the suitability of the location, the design of the proposed toilet block, the suitability of the existing toilet block, inundation zone impacts, corrosion and regular maintenance of the structure.
- 7.3 The choice of location and design is not a planning consideration and the proposal demonstrated compliance with all development standards under the Open Space Zone. Similarly, matters of maintenance and financial matters are not a planning considerations.

- 7.4 Referral was made to Council's Environmental Development Planner who assessed the proposal against the Inundation Prone Areas Code and determined that the location of the toilet block is in proximity to the Coastal Inundation Low Hazard Area, where a very small portion of works (pedestrian access to the building proper) appears to be within the hazard area (see image below; low hazard area shown in yellow). Therefore, the Inundation Prone Areas Code is applicable. The toilet block is less than 60m² floor area and is classified as a class 10 building in the Building Codes of Australia. Therefore, the proposal meets all relevant acceptable solutions in the Inundation Prone Areas Code.

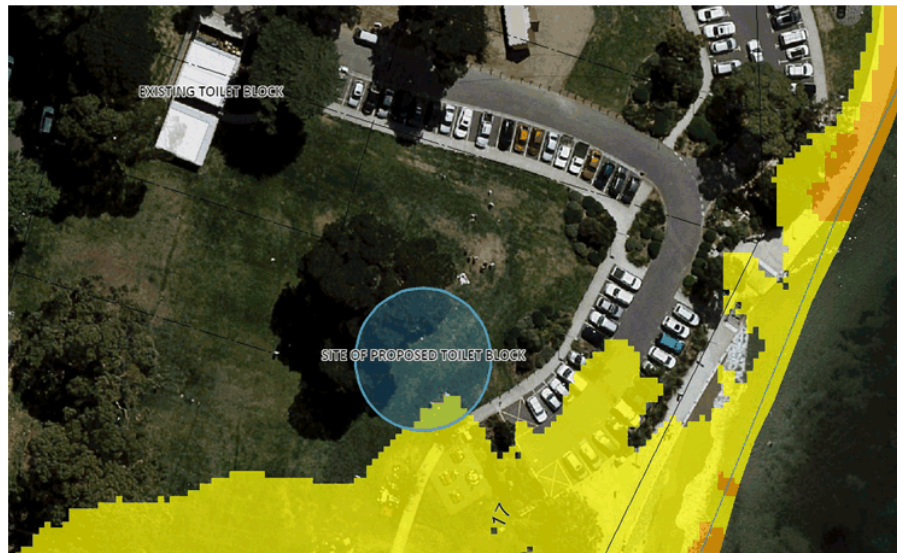


Figure 11: Site of proposed toilet block in context of Inundation Prone Areas overlay.

- 7.5 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.6 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Development Planner, and Open Space and Recreation Officer. 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 Demolition, New Public Toilets and Associated Work at 17 Beach Road, Sandy Bay 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 Demolition, New Public Toilets and Associated Work at 17 Beach Road, Sandy Bay 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-20-180 - 17 BEACH ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00407-HCC dated 07/05/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

Stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Should onsite disposal of stormwater be required; a Site and Soil Evaluation Report, and detailed design for drainage of stormwater on the property, prepared and certified by a suitable qualified person, must be submitted to Council prior to the commencement of work, issuing of any approval under the Building Act 2016.

The Site and Soil Evaluation Report must clearly address any interaction with

onsite wastewater, potential land stability or erosion risks (including dispersive soils if applicable). The detailed design of soakage trenches must include a maintenance plan, pre-treatment, overflow design, trench location (including setbacks from features such as boundaries and retaining walls), dimensions, and sizing calculations for the proposed disposal system measured against all 20yr ARI rainfall events in accordance with relevant standards.

Advice:

- *Once the drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage may result in unexpected delays.*

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet and having regard of the suitability of the site.

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 s1

The installation of any proposed private stormwater soakage system must be inspected by the designer or the designer's agent. The designer on completion of the installation must certify that the installation has been constructed in accordance with the approved certified design. A signed copy of this certification is to be forwarded to Council prior to issue of a completion certificate.

Advice:

- *Once the drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *It is advised that documentation for condition endorsement is lodged well before a Building Permit is required, as failure to address design requirements until Building Application stage may result in unexpected delays.*

Reason for condition

To ensure stormwater is disposed of with regard of the suitability of the site.

ENV 2

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

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

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

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

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

Reason for Condition

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

ADVICE

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

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

CONDITION ENDORSEMENT ENGINEERING

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

Value of Building Works Approved by Planning Permit Fee:

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

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

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

works shown on the submitted engineering drawings has been accepted.

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

BUILDING PERMIT

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

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

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.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You may require a permit to construct public infrastructure, with a 12 month maintenance period and bond (please contact the Hobart City Council's City Amenities Division to initiate the permit process).

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.

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.

ENVIRONMENTAL MANAGEMENT & COMMUNICATION PLAN

The works within Long Point Reserve associated with this permit are to be undertaken in accordance with an Environmental Management and Communications Plan, prepared by the developer to the satisfaction of the Director City Amenity. A template for the Environmental Management and Communications Plan can be provided by the Open Space Planning Team, call 03 6238 2488. This plan must be made specific for the works that will occur within the reserve.



(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 June 2020

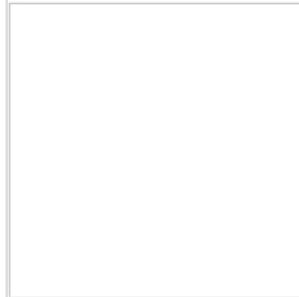
Attachment(s):

Attachment B - CPC Agenda Documents

Planning: #200824

Property

17 BEACH ROAD SANDY BAY TAS 7005

**People**

Applicant

*

DANIEL LANE
45 GOULBURN STREET
HOBART TAS 7000
03 6231 2923
daniel@prestonlane.com.au

Owner

*

Hobart City Council

16 Elizabeth Street
HOBART TAS 7000
62382956
averys@hobartcity.com.au

Entered By

DANIEL LANE
45 GOULBURN STREET
HOBART TAS 7000
03 6231 2923
daniel@prestonlane.com.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)?

*

Long Beach Reserve

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

*

Demolition of the existing public toilet facilities and construction of a new public toilet facilities

Estimated cost of development

*

453000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
113.00	45.00	9019

Carparking on Site

N/A

Other (no selection chosen)

Total parking spaces	Existing parking spaces

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?

• ☐

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

*

long beach title complete.pdf

Plans (proposed, existing)

*

18042 4.1 200318 issued for DA.pdf

GM or Crown consent

GMC-20-15 - 17 BEACH ROAD SANDY BAY TAS 7005 - Notice of Land Owner Consent to Lodge a Planning Application (including documentation).pdf

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
157665	1000
EDITION	DATE OF ISSUE
1	28-Jan-2010

SEARCH DATE : 25-Feb-2020

SEARCH TIME : 04.22 PM

DESCRIPTION OF LAND

Lot 1000 on Plan 157665 (Section 27A of the Land Titles Act.)
Derivation : Whole of Lot 1000 on Plan 157665 Gtd. to The Crown

SCHEDULE 1

C866867 TRANSFER to HOBART CITY COUNCIL Registered
28-Jan-2010 at 12.01 PM

SCHEDULE 2

C932340 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
C866867 FENCING PROVISION in Transfer
C866867 REVERSIONARY CONDITIONS set forth in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER THE CROWN FOLIO REFERENCE S27A (LTA 1980) APPLICATION C 932340 GRANTEE Whole of Lot 1000, 9198m ² , Granted to the Crown		PLAN OF TITLE LOCATION CITY OF HOBART FIRST SURVEY PLAN No. P566 COMPILED BY: HOBART CITY COUNCIL SCALE 1:750 LENGTHS IN METRES		REGISTERED NUMBER P157665 APPROVED 21 JAN 2010 <i>Shirley Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No 114	LAST UPI No GJG33	LAST PLAN No. 249/22D & 245/34D	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

COMPILED PLAN
NOT EXAMINED

NOTE: Compiled from P566, 249/22D & 245/34D

DRAWING SCHEDULE - ARCHITECTURAL										
		25/02/20	26/02/20	17/03/20						
DRAWING NUMBER	TITLE									
A00-00	Cover Sheet	F	G	H	K					
A00-01	Site Plan	F	G	H	K					
A01-50	Demolition Plan	F	G	H	K					
A02-00	Floor Plan	F	G	H	K					
A02-50	Roof Plan	F	G	H	K					
A04-00	Elevations	F	G	H	K					
A04-01	Elevations	F	G	H	K					
A05-00	Sections	F	G	H	K					



DESIGN DETAILS		
TITLE REFERENCE		
CERTIFICATE FOLD	1000	
VOLUME	15/7666	
FLOOR AREAS		
EXISTING SITE AREA	8019	M2
EXISTING GROUND FLOOR	113	M2
PROPOSED GROUND FLOOR	46	M2
PROPOSED TOTAL GROUND FLOOR	46	M2
DESIGN WIND CLASSIFICATION		
DESIGN WIND VELOCITY (V _W ,S)	M/S	M/S
DESIGN WIND VELOCITY (V _W ,U)	M/S	M/S
SOIL CLASSIFICATION	TBC	TBC
CLIMATE ZONE	7	
BAL RATING	N/A	
ALPINE AREA	N/A	
CORROSION ENVIRONMENT	C5: Very High	
OTHER HAZARDS	Coastal Inundation Hazard Area 1.26 SLR (Low)	

LOCATION OF ALL NEIGHBOURING STRUCTURES ARE INDICATIVE ONLY



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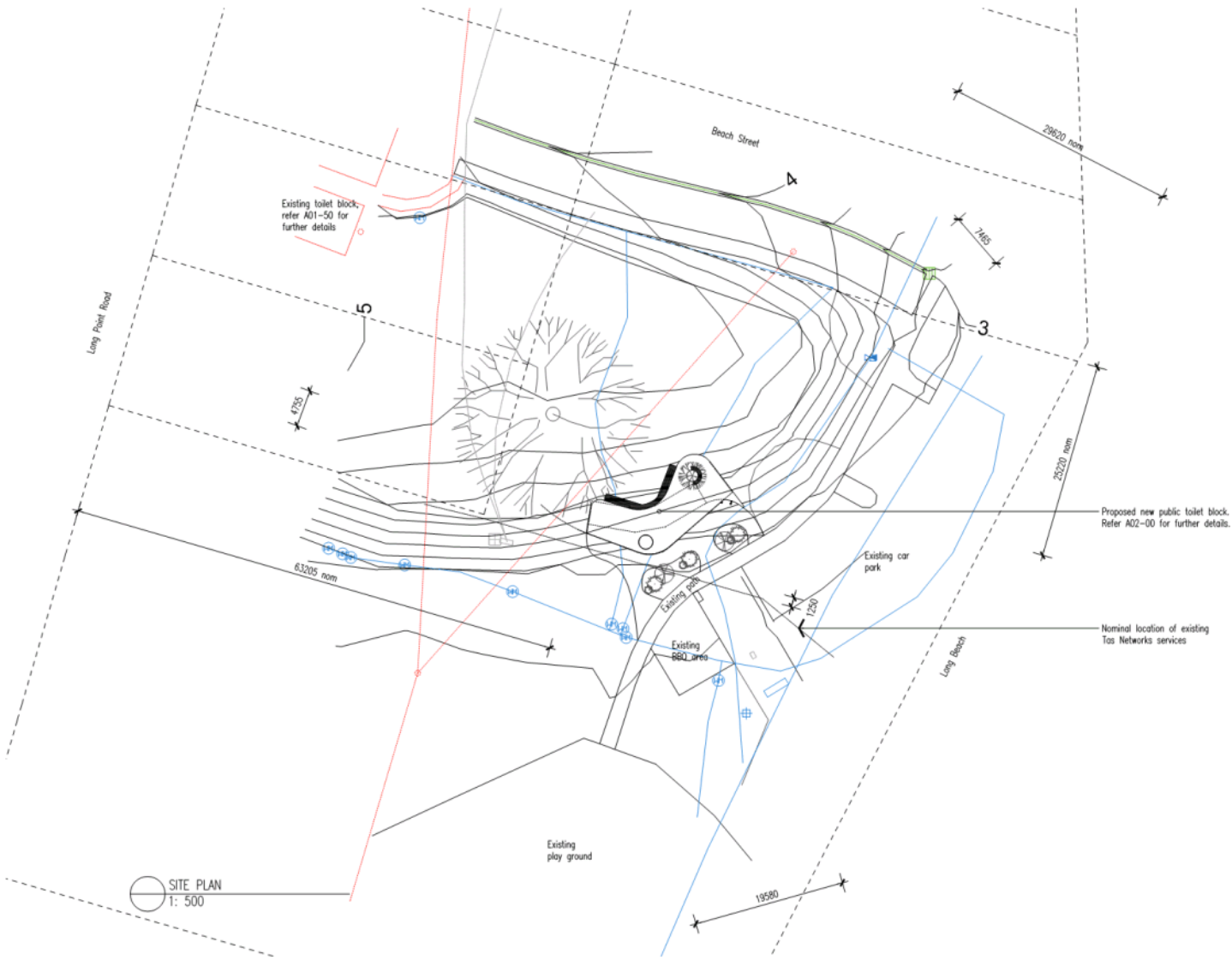
Proprietor
Project
Drawing
Scale

HOBART CITY COUNCIL
LONG BEACH
PUBLIC TOILETS
Cover Page
N/A

Revision			
D	18/08/18	Issued for order of cost estimate	BT DL
E	11/07/18	Client meeting (M)	BT DL
F	25/02/20	Client meeting (M)	BT DL
G	26/02/20	Issued for BM consent	BT DL
H	17/03/20	Issued for UA	BT DL
J	15/04/20	Revised location	BT DL
K	24/04/20	RPI response	BT DL
Project No			

Drawing Number
A00-00
K

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Proprietor HOBBART CITY COUNCIL
Project LONG BEACH PUBLIC TOILETS
Drawing Site Plan

Scale 1:500 @ A3

Revision			
D	18/08/18	Issued for order of cost estimate	BT DL
E	11/07/18	Client meeting DA	BT DL
F	25/02/20	Client meeting DA	BT DL
G	26/02/20	Issued for DA consent	BT DL
H	17/03/20	Issued for DA	BT DL
J	15/04/20	Revised location	BT DL
K	24/04/20	RPI response	BT DL

Project No 18042

Drawing Number A00-01 K

PRELIMINARY NOT FOR CONSTRUCTION

DEMOLITION NOTES
The contractor is to inspect the site, and become conversant with the limitations and constraints for access, noise, and general safety.
All demolitions are to be removed from site unless noted otherwise. Strictly no burning off on site.
Contractor to ensure all services are appropriately capped and sealed to make way for new work.
Leave all surfaces clear and free of any remnants/objects ready to make way for new works.
Remove all visible unused service pipes and conduits etc.
Builder to make the building secure throughout the building works.
Provide temporary support to existing structure as required.

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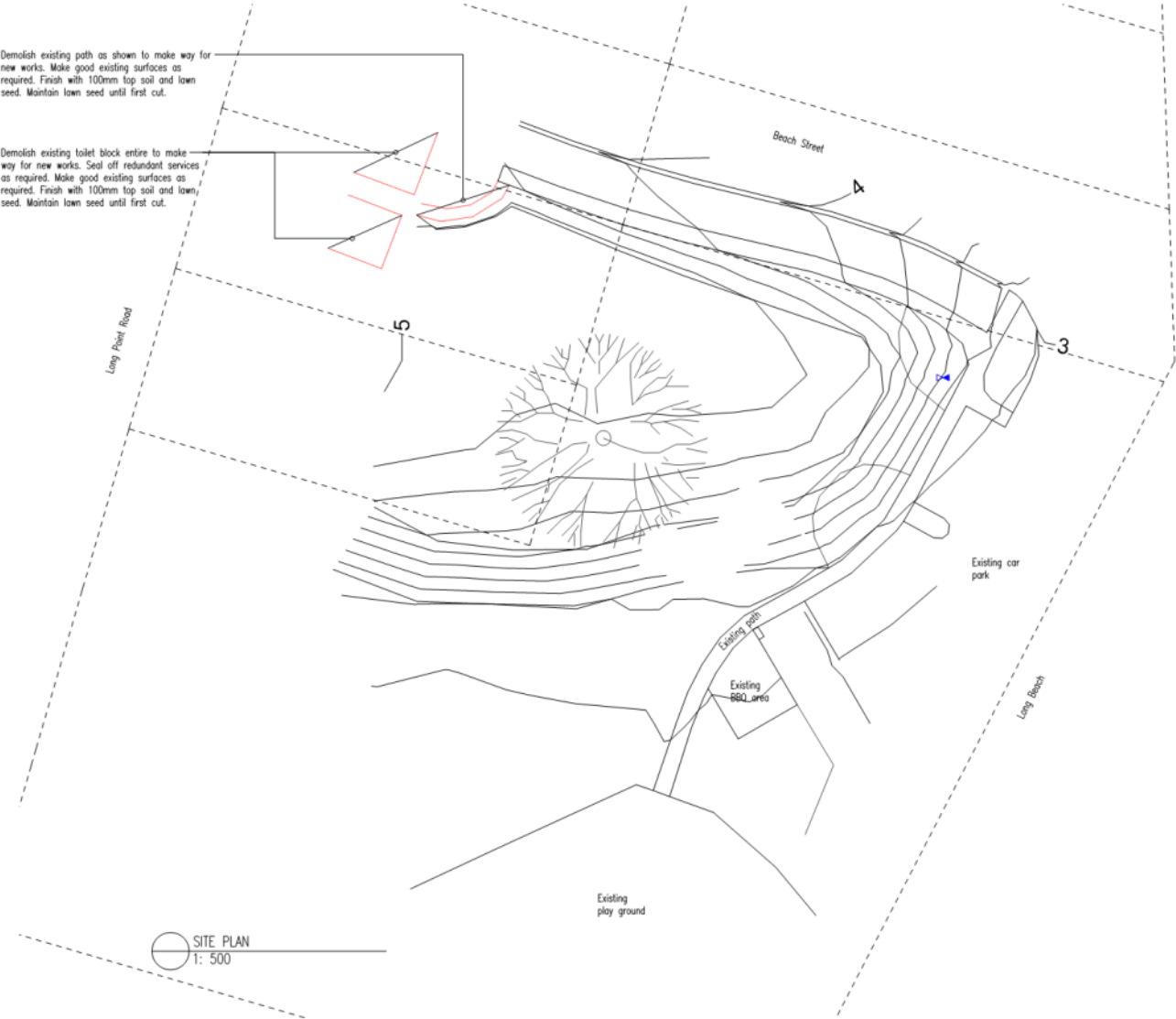
Proprietor
Project
Drawing
HOBART CITY COUNCIL
LONG BEACH
PUBLIC TOILETS
Demolition Plan

Scale
1: 500 @ A3

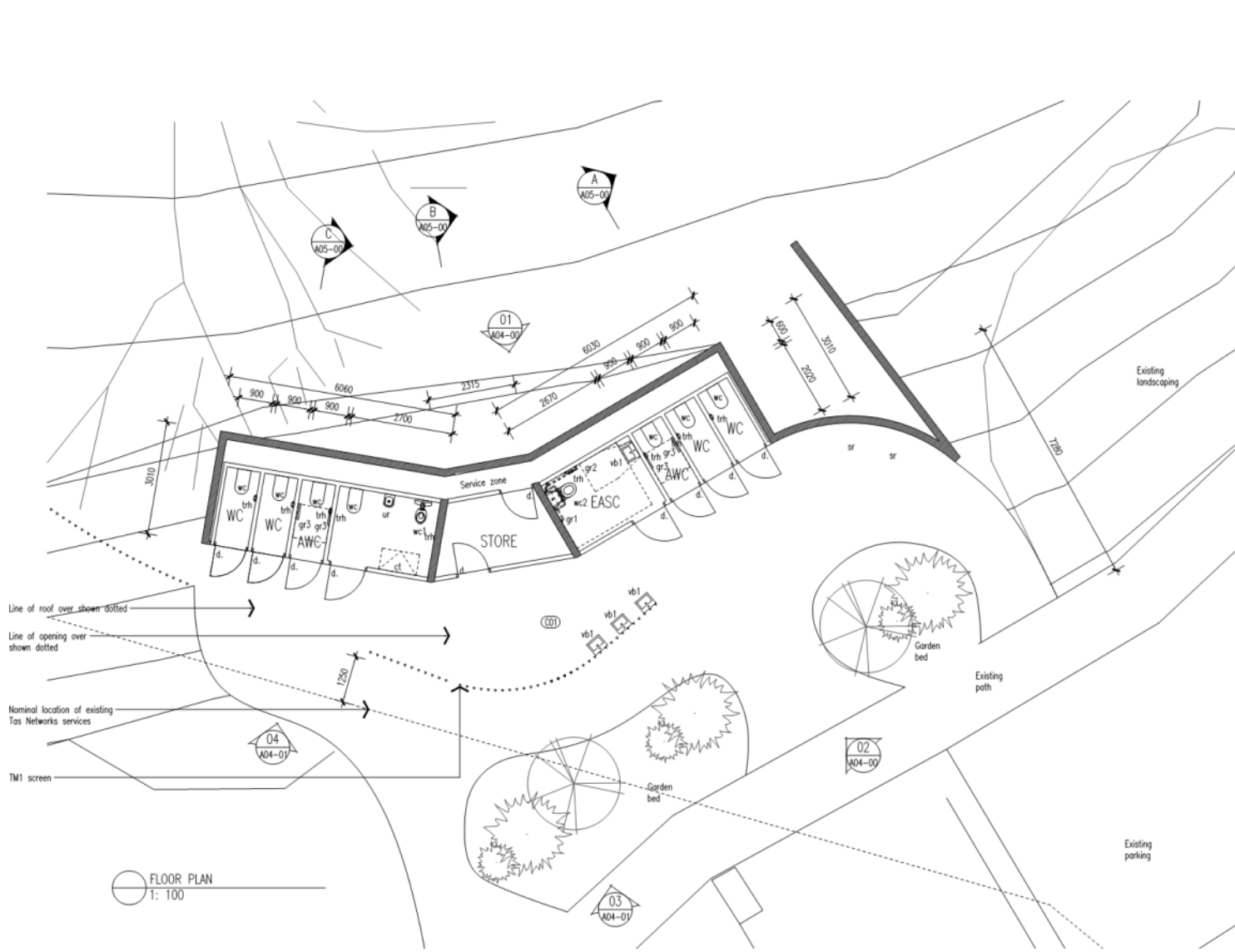
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E	11/07/18	Client meeting UA	BT DL
F	25/02/20	Client meeting UA	BT DL
G	26/02/20	Issued for DM consent	BT DL
H	17/03/20	Issued for UA	BT DL
J	15/04/20	Revised location	BT DL
K	24/04/20	RPI response	BT DL

Project No
18042

Drawing Number
A01-50 K



PRELIMINARY NOT FOR CONSTRUCTION



- FINISHES
- (TM1) 70x70 angle screens @ 100 c/s. Colour to future selection.
 - (TM2) Timber 35 mm battens @ 100 c/s.
 - (TM3) Timber decking
 - (CB1) Concrete block
 - (COT) Concrete, to match existing path ways
 - sr shower rose
 - vb1 vanity basin
 - d door

LOCATION OF ALL NEIGHBOURING STRUCTURES ARE INDICATIVE ONLY



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Proprietor HOBART CITY COUNCIL

Project LONG BEACH
PUBLICS TOILETS

Drawing Floor Plan

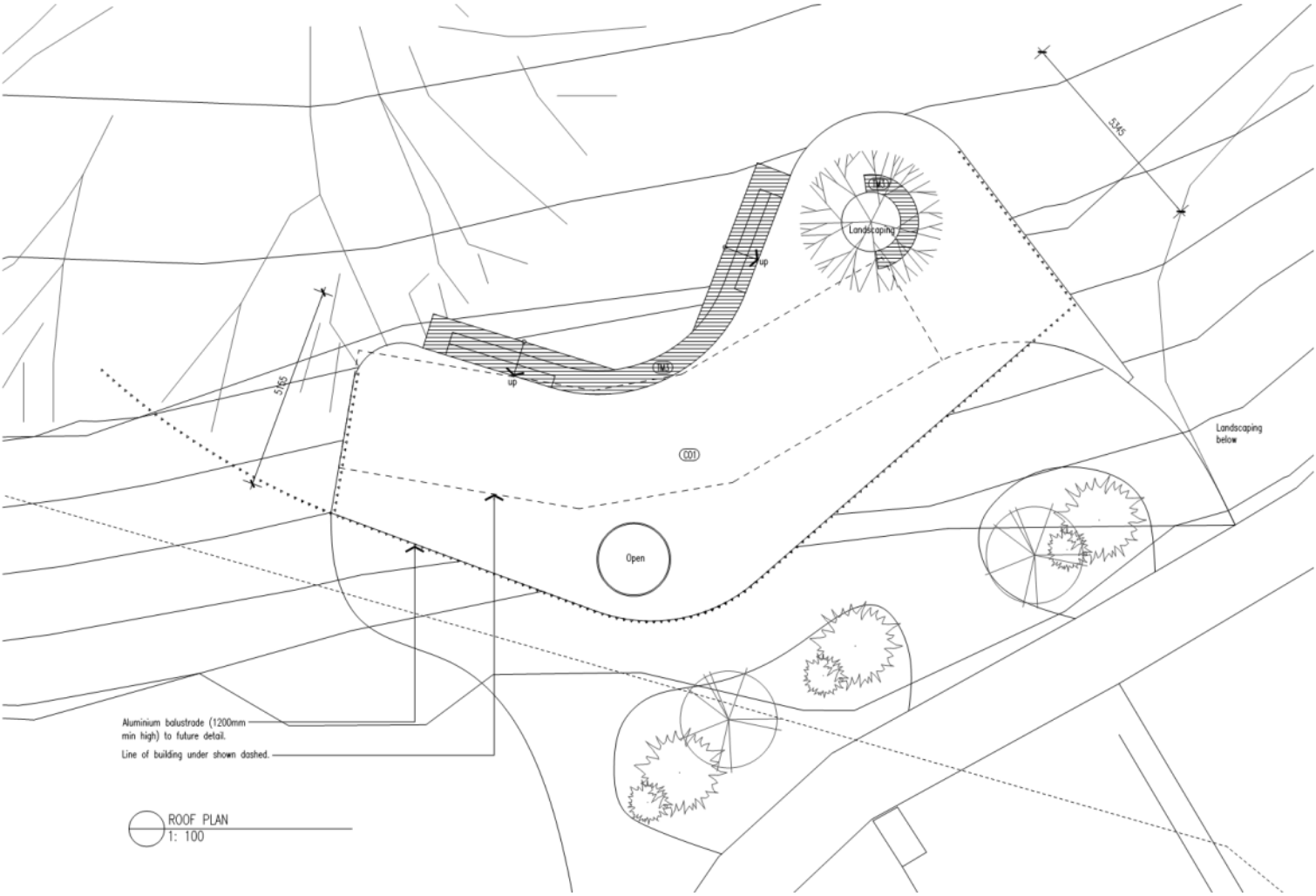
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Revision			
D	18/08/18	Issued for order of cost estimate	BT DL
E	11/07/18	Client meeting DA	BT DL
F	25/02/20	Client meeting DA	BT DL
G	26/02/20	Issued for DA consent	BT DL
H	17/03/20	Issued for DA	BT DL
J	15/04/20	Revised location	BT DL
K	24/04/20	RPI response	BT DL

Project No 18042

Drawing Number A02-00 K

PRELIMINARY NOT FOR CONSTRUCTION



- FINISHES
- (M1) 70x70 angle screens @ 100 crs. Colour to future selection.
 - (M2) Timber 35 mm battens @ 100 crs.
 - (M3) Timber decking
 - (CB) Concrete block
 - (CO) Concrete, to match existing path ways
 - sr shower rose
 - vb1 vanity basin
 - d door

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The Builder/Contractor shall verify job dimensions prior to any work commencing. Figured dimensions shall take precedence over scaled work.

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Proprietor HOBBART CITY COUNCIL
Project LONG BEACH PUBLIC TOILETS
Drawing Roof Plan

Scale 1: 100 @ A3

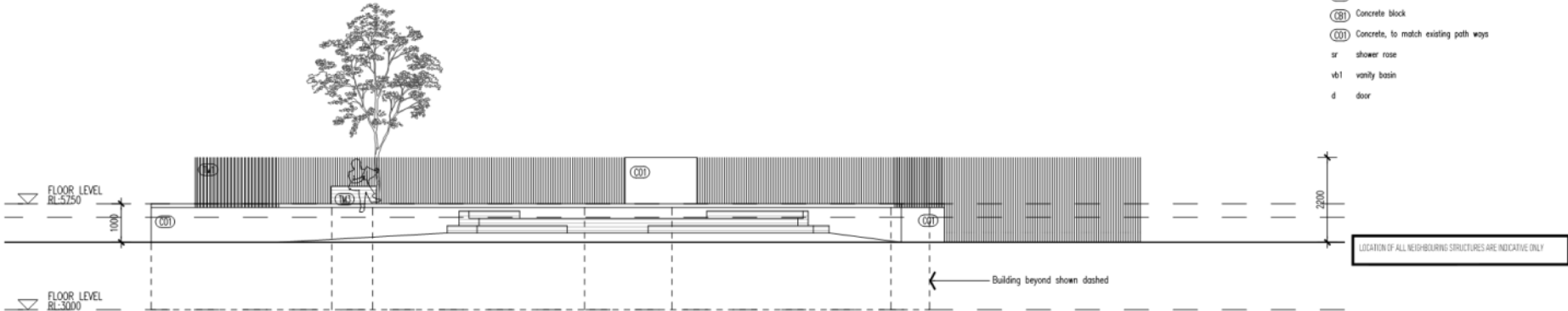
Revision			
D	18/08/18	Issued for order of cost estimate	BT DL
E	11/07/18	Client meeting UA	BT DL
F	25/02/20	Client meeting US	BT DL
G	26/02/20	Issued for BM consent	BT DL
H	17/03/20	Issued for UA	BT DL
J	15/04/20	Revised location	BT DL
K	24/04/20	RPI response	BT DL

Project No 18042

Drawing Number A02-05 K

PRELIMINARY NOT FOR CONSTRUCTION

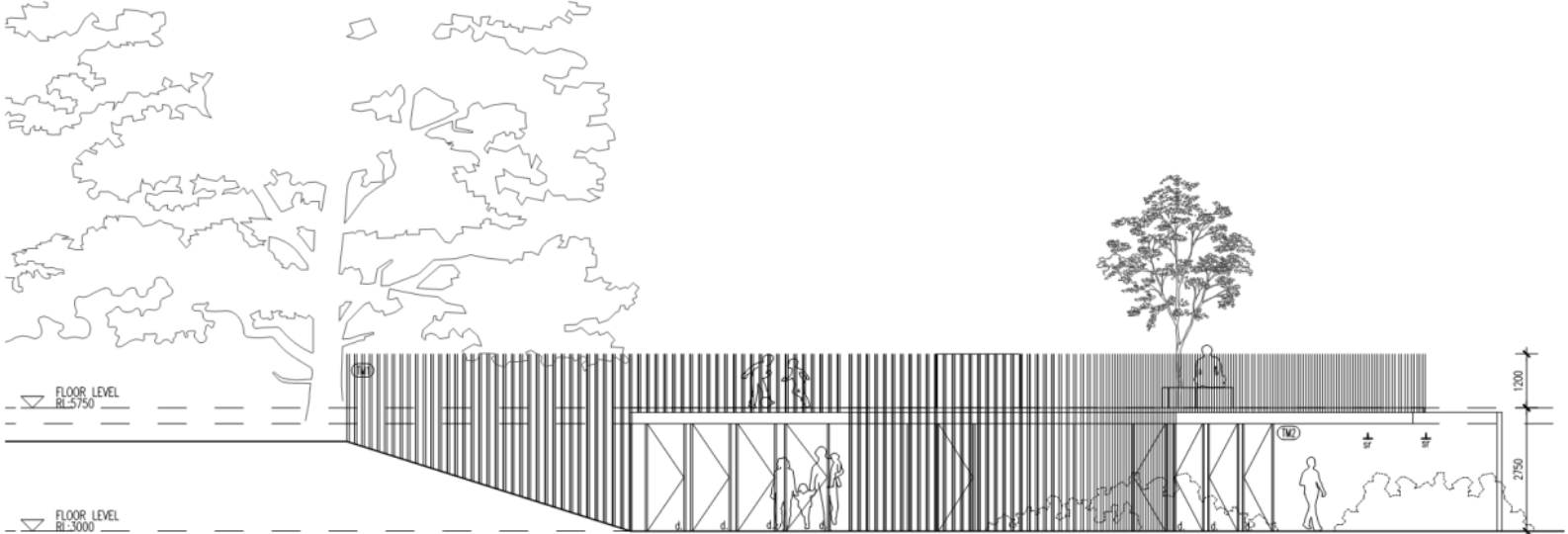
- FINISHES
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01 NORTH ELEVATION
A04-00 1:100

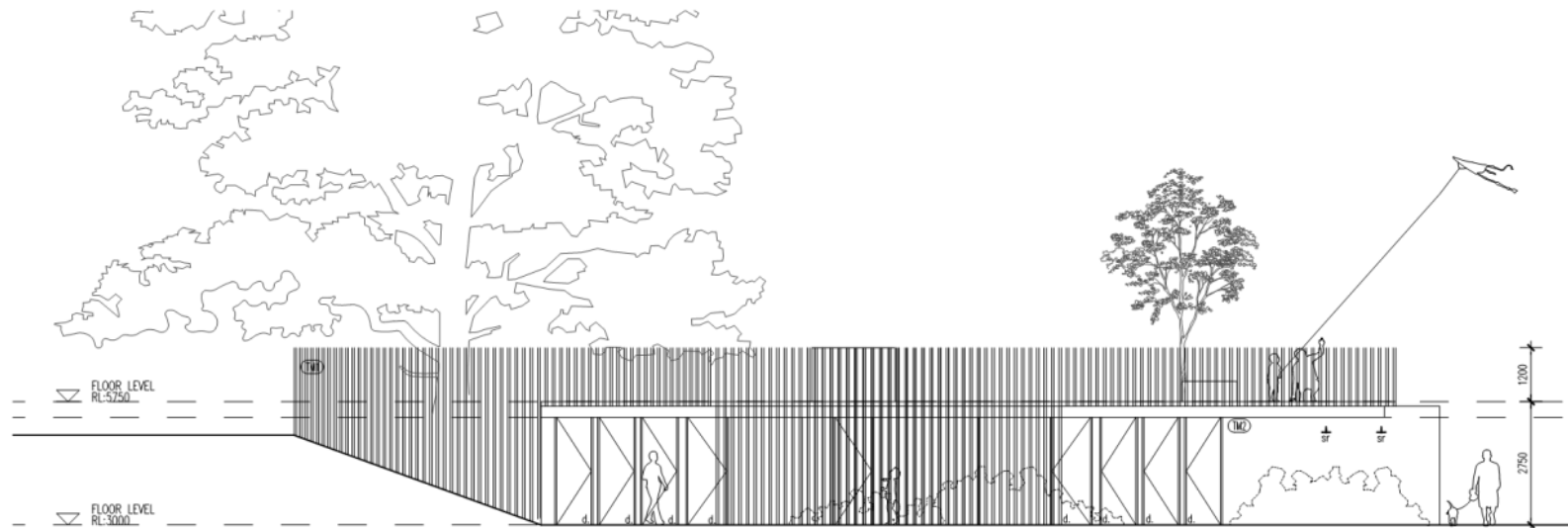


02 EAST ELEVATION
A04-00 1:100

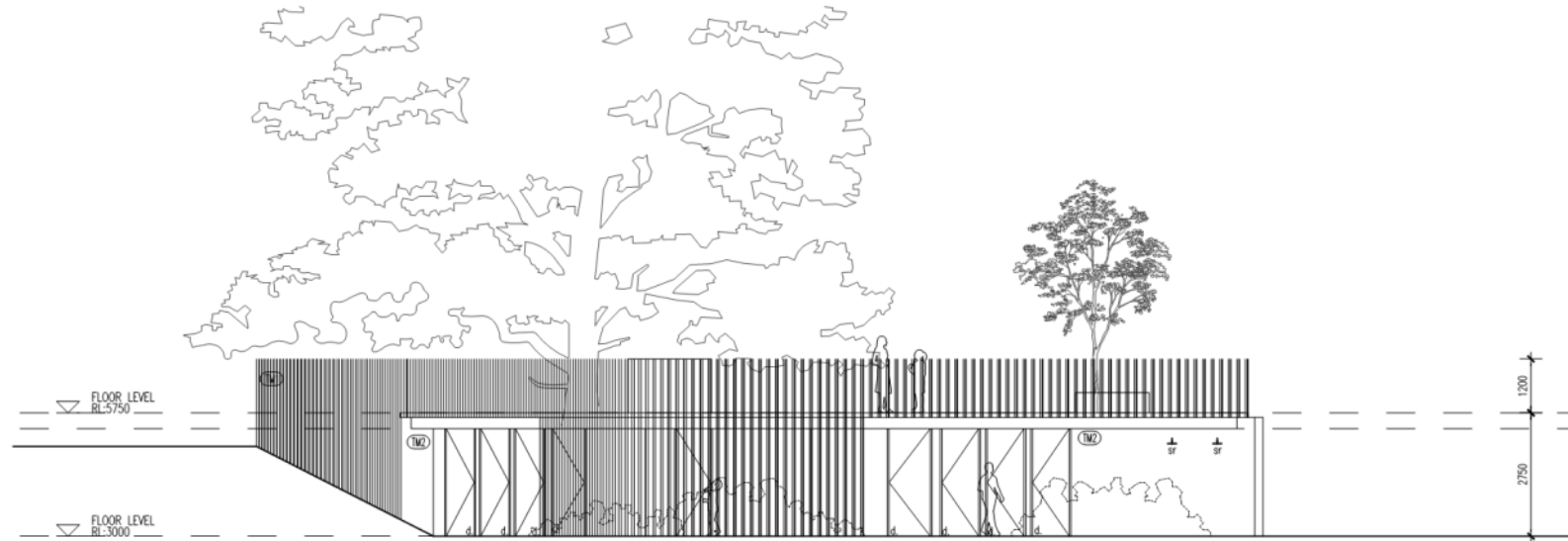
PRELIMINARY NOT FOR CONSTRUCTION

Proprietor	HOBART CITY COUNCIL		
Project	LONG BEACH PUBLIC TOILETS		
Drawing	ELEVATIONS		
Scale	1:100 @ A3		
Revision			
D 18/08/18	Issued for order of cost estimate	BT	DL
E 11/07/18	Client meeting (A)	BT	DL
F 25/02/20	Client meeting (A)	BT	DL
G 26/02/20	Issued for GP consent	BT	DL
H 17/03/20	Issued for DA	BT	DL
J 15/04/20	Revised location	BT	DL
K 24/04/20	RPI response	BT	DL
Project No	18042		

Drawing Number A04-00 K



01 NORTH ELEVATION
A02-00 1:100



02 EAST ELEVATION
A02-00 1:100

PRELIMINARY NOT FOR CONSTRUCTION



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Proprietor HOBART CITY COUNCIL
Project LONG BEACH PUBLIC TOILETS

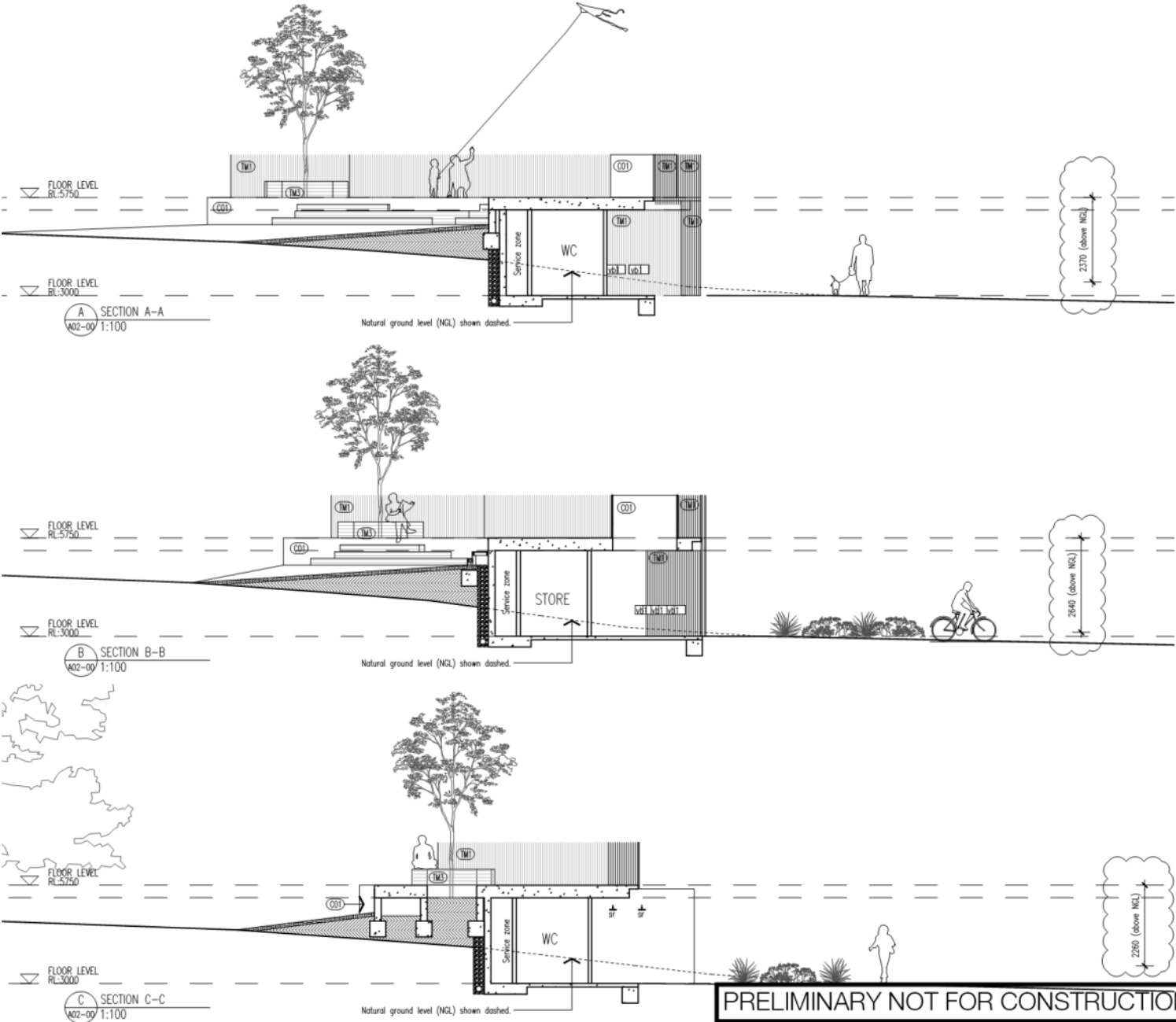
Drawing ELEVATIONS

Scale 1:100 @ A3

Revision				
D	18/08/18	Issued for order of cost estimate	BT	DL
E	22/07/18	Client meeting UA	BT	DL
F	25/02/20	Client meeting US	BT	DL
G	26/02/20	Issued for BM consent	BT	DL
H	17/03/20	Issued for UA	BT	DL
J	15/04/20	Revised location	BT	DL
K	24/04/20	RPI response	BT	DL

Project No 18042

Drawing Number A04-01 K



- FINISHES
- (TM1) 70x70 angle screens @ 100 c/s. Colour to future selection.
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Proprietor HOBBART CITY COUNCIL
Project LONG BEACH PUBLIC TOILETS
Drawing Sections

Scale 1:100 @ A3

Revision	Issued for order of cost estimate	BT	DL
D 18/08/18	Client meeting OK	BT	DL
E 22/07/18	Client meeting OK	BT	DL
F 25/02/20	Client meeting OK	BT	DL
G 26/02/20	Issued for BM consent	BT	DL
H 17/03/20	Issued for OA	BT	DL
J 15/04/20	Revised location	BT	DL
K 24/04/20	RPI response	BT	DL

Project No 18042

Drawing Number A05-00 K

HYDRAULIC SERVICES
HOBART CITY COUNCIL
LONG BEACH PUBLIC TOILETS
LONG BEACH SANDY BAY TAS 7005

INDEX


SHEET	DESCRIPTION	ISSUE
H01	INDEX & ENGINEERING NOTES	B
H02	ENGINEERING NOTES	B
H03	WORKPLACE HEALTH AND SAFETY NOTES	B
H04	SITE SERVICES BY OTHERS	B
H05	SITE SERVICES PLAN	B
H06	LOWER LEVEL DRAINAGE LAYOUT	B
H07	UPPER LEVEL DRAINAGE LAYOUT	B
H08	WATER SERVICES LAYOUT	B
H09	DETAIL SHEET - 1	B
H10	DETAIL SHEET - 2	B

GENERAL NOTES:

1. THESE DRAWING ARE TO BE READ IN CONJUNCTION WITH ARCHIVE DRAWINGS, PROJECT CONTRACT AND SPECIFICATIONS. STANDARDS REFERENCES ARE THE MOST RECENT VERSION.
2. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION UNLESS ENDORSED 'FOR CONSTRUCTION' AND AUTHORISED FOR ISSUE ACCORDINGLY.
3. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH IPWEA/LGAT STANDARD DRAWINGS AND SPECIFICATIONS, AUSTRALIAN STANDARDS, (WSAA SEWERAGE CODE OF AUSTRALIA & WATER SUPPLY CODE OF AUSTRALIA) AND TO THE SATISFACTION OF COUNCIL'S DEVELOPMENT ENGINEER.
4. ALL WORKS ARE TO BE MAINTAINED IN A SAFE CONDITION.
5. CONFIRM ALL LEVELS ON SITE PRIOR TO THE COMMENCEMENT OF WORKS.
6. CONTRACTOR TO OBTAIN APPROVALS, SERVICE CLEARANCES AND COORDINATE WORK WITH ALL RELEVANT AUTHORITIES PRIOR TO COMMENCEMENT.
7. ARCHITECTURAL AND SITE LAYOUT UNDERTAKEN AND PROVIDED BY SUPERPOD.
8. FLOOR LEVELS SET BY ARCHITECT.
9. SEWER AND WATER SERVICES SHALL BE IN ACCORDANCE WITH THE PLUMBING CODE OF AUSTRALIA, AS3500, WSAA CODES, TASWATER AND TO LOCAL AUTHORITY APPROVAL.
10. THE LOCATION OF EXISTING SERVICES AND CONNECTION POINTS WHERE SHOWN ON PLANS ARE APPROXIMATE ONLY AND SHALL BE CONFIRMED ON SITE.
11. LOCATE ALL EXISTING GAS, ELECTRICAL, TELECOMMUNICATIONS, WATER MAINS, SEWER MAINS AND STORMWATER MAINS ETC. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND ADVISE THE CLIENT OF ANYTHING THAT APPEARS NOT TO HAVE BEEN CONSIDERED IN THE DESIGN.
12. CONFIRM ALL LEVELS ON SITE PRIOR TO THE COMMENCEMENT OF WORKS.
13. HYDRAULIC LAYOUT TO BE COORDINATED WITH OTHER SERVICES. HYDRAULIC LAYOUT AS SHOWN IS NOTIONAL, LAYOUT TO BE CONFIRMED ON SITE.
14. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT A VALID PLUMBING PERMIT AND START WORKS NOTICE IS IN PLACE FOR THE WORK AND THAT THE BUILDING SURVEYOR IS NOTIFIED OF ALL SITE INSPECTION REQUESTS.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGES CAUSED BY HIS SUB-CONTRACTORS, ANY SERVICE DAMAGED IS TO BE REINSTATED IMMEDIATELY.
16. ON COMPLETION OF WORKS PROVIDE THREE SETS OF AS-CONSTRUCTED DRAWINGS AND SERVICE MANUALS ALONG WITH ELECTRONIC DRAWING FILES IN PDF AND DWG FORMATS SUITABLE FOR READING WITH A RECENT VERSION OF ADOBE/AUTOCAD TO THE SUPERINTENDENT.
17. THE CONTRACTOR IS RESPONSIBLE FOR ORGANISING ALL SITE INSPECTIONS AND OBSERVING ALL HOLD POINTS NOMINATED WITHIN THE CONTRACT, BY THE BUILDING SURVEYOR OR PLUMBING SURVEYOR.
18. NOMINAL DIAMETERS FOR PIPES (DN) REFER TO THE INSIDE DIAMETER (ID BORE).
19. CONCEAL ALL PIPEWORK IN CEILING SPACE, DUCTS, CAVITIES, WALL CHASES, CUPBOARDS ETC. UNLESS OTHERWISE APPROVED.
20. THE CONTRACTOR SHALL ALLOW TO COORDINATE WITH MECHANICAL AND REFRIGERATION SERVICES AND PROVIDE TUNDISHES CONNECTED TO SEWER OR STORMWATER AS APPROPRIATE TO ALL CONDENSATE DRAINAGE AND RELIEF VALVES. ALLOW TO PROVIDE AND INSTALL MAG IN-WALL TUNDISHES WITH STAINLESS STEEL COVER WINDOW (SUPPLIED BY NA GRIFFITH) OR EQUAL APPROVED TYPE.
21. TRENCHING FOR FLEXIBLE PIPEWORK SHALL BE IN ACCORDANCE WITH AS2566 AND AS3500.
22. ALL PIPEWORK UNDER TRAFFICABLE AREAS, SLABS OR PAVEMENTS IS TO BE FULLY BACKFILLED WITH COMPACTED FCR.

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

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

			 <div>ALDANMARK Pty. Ltd. CONSULTING ENGINEERS</div> <div>Level 9, 65 Murray Street Hobart Tas 7000 P. 03 6231 0666 F. 03 6231 0980 E. mail@aldanmark.com.au W. www.aldanmark.com.au</div>	CLIENT: HOBART CITY COUNCIL	SHEET: INDEX & ENGINEERING NOTES	DRAWN: SL		APPROVED: TW	
				ADDRESS: LONG BEACH SANDY BAY TAS 7005	PROJECT: LONG BEACH PUBLIC TOILETS	SCALE: ~	SIZE: A3	DATE: 03/04/2020	
A	PRELIM	23/04/2020			ISSUE: PRELIMINARY	PROJECT No. 18E68-13		SHEET No. H01	REV No. B
REV.	DESCRIPTION	DATE							

BUILDING HYDRAULICS:

- ALL MATERIALS AND WORKMANSHIP TO BE DONE IN ACCORDANCE WITH AS3500, PLUMBING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
- ALL DRAINAGE PIPEWORK SHALL BE UPVC CLASS SN6 U.N.O., ALL WASTE AND VENT SHALL BE DWV CLASS PIPE.
- DURING CONSTRUCTION TEMPORARILY SEAL ALL OPEN ENDS OF PIPES AND VALVES TO PREVENT ENTRY OF FOREIGN MATTER, DO NOT USE RAGS, PAPER OR WOODEN PLUGS.
- SUPPLY AND INSTALL ALL FIXTURES, VALVES, TAPWARE AND SUNDRY ITEMS AS SCHEDULED WITHIN THE SPECIFICATION.
- PROVIDE FIRE STOPS AS REQUIRED.
- CONTRACT DRAWINGS ARE DIAGRAMMATIC AND AS SUCH SHOW THE INTENT OF DESIGN. INSTALLATION TO BE AS PER AS/NZS3500. ALLOW FOR ALL BENDS, OFFSETS AND OTHER MEASURES AS NECESSARY TO AVOID INTERFERENCE WITH THE STRUCTURE AND/OR OTHER BUILDING SERVICES.
- THE LOCATION OF EXISTING SERVICES WHERE SHOWN ARE APPROXIMATE ONLY AND SHALL BE CONFIRMED ON SITE. WHERE POSSIBLE, DETERMINE LOCATION OF EXISTING POWER, TELSTRA, WATER AND DRAINAGE SERVICES PRIOR TO COMMENCING NEW WORK.
- ALL PENETRATIONS THROUGH EXISTING WALLS & SLABS SHALL BE DRILLED TO LOCATIONS APPROVED BY THE STRUCTURAL ENGINEER. DRILL PILOT HOLE PRIOR TO CORE DRILLING TO ENSURE CLEARANCE OF BEAMS AND OTHER SERVICES IN SLAB. ALL PENETRATIONS SHALL BE CORE DRILLED TO SUIT PIPE SIZE. ALLOWANCE FOR 10 mm CLEARANCES SHALL BE MADE FOR FIRE PROOFING.
- MAKE GOOD ALL DISTURBED SURFACES TO MATCH EXISTING.
- MAINTAIN SERVICES TO EXISTING FIXTURES AT ALL TIMES. WHERE CHANGEOVER IS REQUIRED, LIAISE WITH THE CLIENT PRIOR TO THE SHUTTING DOWN OF ANY SERVICE.
- CONTRACTOR TO PROVIDE ALL DOCUMENTS, APPROVALS, CERTIFICATES, WARRANTIES, LOG BOOKS, ETC. UPON COMPLETION OF WORKS TO THE ARCHITECT. ALL FEES AND INSPECTIONS TO BE INCLUDED AND ARRANGED BY THE CONTRACTOR.
- REFER TO THE DRAWINGS FOR SANITARY FIXTURE AND TAP SELECTIONS. SUPPLY AND FIX ACCESSORIES NECESSARY FOR THE CORRECT INSTALLATION OF THE FIXTURES AND EQUIPMENT.

STORMWATER NOTES:

- STORMWATER PIPE INFRASTRUCTURE HAS BEEN DESIGNED TO CONVEY A 20 YEAR AVERAGE RECURRENCE INTERVAL (ARI) AT A 5 MINUTE STORM DURATION. WITH OVERLAND FLOW PATHS PROVIDED FOR 1:100 ARI. IT IS ASSUMED THAT THE DOWNSTREAM INFRASTRUCTURE AND/OR ENVIRONMENT CAN SAFELY RECEIVE THE 1:20 ARI EVENT WITH A 5 MINUTE STORM DURATION.
- ALL MATERIALS AND WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH AS3500, NCCA, PLUMBING CODE OF AUSTRALIA, COUNCIL STANDARD DRAWINGS AND SPECIFICATION AND TO THE SATISFACTION OF COUNCIL'S DEVELOPMENT ENGINEER.
- ALL ROOF DRAINAGE SHALL BE INSTALLED IN ACCORDANCE WITH AS3500.3 AND THE REQUIREMENT FOR OVERFLOWS DONE TO SATISFY THE REQUIREMENTS OF THE NCCA.
- ALL PIPEWORK SHALL BE MINIMUM DN100 UPVC SN4 AT 1:100 GRADE (1.00%) UNLESS NOMINATED OTHERWISE ON PLANS.
- MINIMUM GRADE OF PAVED AREAS AND PIPEWORK SHALL BE 1 IN 100 UNLESS NOTED OTHERWISE.
- INSTALL ALL AG DRAINS TO THE REQUIREMENTS OF AS3500 AND PART 3.1.2 OF THE NCCA.
- PROVIDE INSPECTION OPENINGS TO ALL DRAINAGE PIPEWORK IN ACCORDANCE WITH AS3500 REQUIREMENTS EVEN IF NOT SHOWN IN DRAWINGS.
- ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE LOCAL AUTHORITY'S BY-LAWS AND AS/NZS3500.
- STORMWATER TRENCHES, PIPE BEDDING AND BACK FILLING TO COMPLY WITH THE CONCRETE PIPE ASSOCIATION OF AUSTRALIA INSTALLATION REQUIREMENTS FOR TYPE H2 SUPPORT.
- BELOW GROUND PIPEWORK AND FITTINGS TO BE UPVC SWHD, JOINTS SHALL BE OF SOLVENT CEMENT TYPE OR FLEXIBLE JOINTS MADE WITH APPROVED RUBBER RINGS.
- PIPEWORK SHALL BE LAID IN POSITION AND AT THE GRADES SHOWN.
- MINIMUM GRADE OF PIPEWORK SHALL BE 1 IN 100 UNLESS NOTED OTHERWISE (U.N.O.).
- MINIMUM SIZE OF PIPEWORK SHALL BE DN100.
- SURFACE WATER DRAINS, CATCH PITS/GRATED PITS, AND JUNCTION BOXES SHALL BE CONSTRUCTED AS DETAILED OR AS SPECIFIED BY THE MANUFACTURER.

TASWATER NOTES:

- ALL WORKS OUTSIDE OF THE PROPERTY BOUNDARY WILL BECOME TASWATER ASSETS.
- ENSURE ALL WORKS ARE INSTALLED IN ACCORDANCE WITH THE APPROVED DRAWINGS AND SPECIFICATIONS NOTED WITHIN THE DRAWINGS AND ISSUED PERMITS.
- ALLOW TO ORGANISE ALL APPLICATIONS TO UNDERTAKE TASWATER WORKS AS NOTED IN THE APPROVAL DOCUMENTS AND UNDERTAKE ALL REQUIRED INSPECTIONS DURING CONSTRUCTION.
- ALL WORKS ASSOCIATED WITH PUBLIC SEWER AND WATER IS TO BE CARRIED OUT IN ACCORDANCE WITH THE WSA PARTS 02 & 03 (WATER AND SEWERAGE CODES OF AUSTRALIA) AND TO THE SATISFACTION OF TASWATER.
- ALL CONNECTIONS TO EXISTING MAINS TO BE CARRIED OUT BY THE REGULATING AUTHORITY AT COST TO BUILDER UNLESS APPROVED OTHERWISE.

SEWER NOTES:

- ALL MATERIALS AND WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH AS3500, NCCA, PLUMBING CODE OF AUSTRALIA, COUNCIL STANDARD DRAWINGS AND SPECIFICATION AND TO THE SATISFACTION OF COUNCIL'S DEVELOPMENT ENGINEER.
- CONFIRM THE LOCATION AND LEVEL OF THE NOMINATED OUTLET PRIOR TO TRENCH EXCAVATION OR LAYING OF ANY DRAINS. ASCERTAIN FROM TASWATER ALL NECESSARY CONNECTION REQUIREMENTS AND INSTALL ALL WORK FOR CONNECTION IN ACCORDANCE WITH THESE REQUIREMENTS.
- SEWER TRENCHES, PIPE BEDDING AND BACK FILLING TO COMPLY WITH AS2595.
- ALL PIPEWORK SHALL BE ADEQUATELY SUPPORTED TO AS3500.
- PIPEWORK SHALL BE CONSTRUCTED OF UNPLASTICISED POLYVINYL CHLORIDE (uPVC), U.N.O.
- PIPEWORK SHALL HAVE BE MINIMUM CLASS SN4 UNLESS NOMINATED OTHERWISE ON PLANS.
- PIPEWORK SHALL BE PRESSURE TESTED PROGRESSIVELY TO ENSURE NO LEAKS.
- ALL PIPEWORK SHALL BE CONCEALED IN WALLS, VOID SPACE OR DUCTS UNLESS NOTED OTHERWISE.
- MINIMUM GRADE OF PIPEWORK SHALL BE 1:40 FOR BRANCHES AND 1 IN 60 FOR DRAINS UNLESS NOTED OTHERWISE.
- MINIMUM SIZE OF BRANCH DN65 AND MINIMUM SIZE OF DRAINS SHALL BE DN100.
- ALL FITTINGS TO BE ISOLATED BY AN APPROVED TRAP PRIOR TO CONNECTION TO THE SEWER LINE.
- PROVIDE AIR ADMITTANCE VALVE TO AS3500 REQUIREMENTS.
- INSPECTION OPENINGS SHALL BE PROVIDED IN ACCORDANCE WITH AS3500.
- ONE OVERFLOW RELIEF GULLY SHALL BE PROVIDED FOR THE SITE WHICH SHALL BE PRIMED BY AN EXTERNAL WATER SOURCE.
- WHERE PIPEWORK PENETRATES FIRE RATED WALLS OR FLOORS, A FIRE STOP COLLAR SHALL BE INSTALLED. ALL WORK SHALL BE STRICTLY INSTALLED TO THE MANUFACTURER'S RECOMMENDATIONS.
- NO SEWER CONNECTIONS SHALL BE MADE WITHIN RESTRICTED ZONES OF STACKS AS PER AS3500. INSTALL LONG RADIUS BENDS AT THE BASE OF ALL STACKS AS PER AS3500 AND INCLUDE ALL BRACKETS AND SUPPORTS.

WATER NOTES:

- WATER SERVICES TO BE CONSTRUCTED IN ACCORDANCE WITH AS3500 PARTS 1 TO 4 AND TO THE SATISFACTION OF COUNCILS (OR TAS WATER FOR EXTERNAL) DEVELOPMENT ENGINEER.
- GENERAL MATERIALS INSTALLATION & TESTING SHALL COMPLY WITH AS3500 PARTS 1 AND 4.
- AS AN ALTERNATIVE TO SILVER SOLDERED JOINTS, PRESS FITTED JOINTS MAY BE USED. ALLOW TO USE THE VIEGA PROGRESS SYSTEM WITH INSTALLATION IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS AND SPECIFICATIONS.
- ALL PIPEWORK SHALL BE CONCEALED WHERE POSSIBLE. WHERE PIPEWORK IS EXPOSED IT SHALL BE CHROME PLATED.
- WHERE PIPEWORK IS IN CONTACT WITH DISSIMILAR METALS, THE METALS SHALL BE INSULATED AGAINST B-METAL CORROSION.
- MINIMUM COVER TO BE 750mm UNDER TRAFFICABLE AREAS, 600mm ELSEWHERE UNLESS NOMINATED OTHERWISE ON PLANS.
- ALL TRENCHES UNDER TRAFFICABLE AREAS, INCLUDING DRIVEWAYS, TO BE BACKFILLED WITH COMPACTED FCR.
- ALL ISOLATION VALVES SHALL BE POSITIONED IN APPROVED ACCESSIBLE LOCATIONS.
- ALL SCREWED STOP VALVES SHALL HAVE UNION COUPLINGS AND BE ACCESSIBLE. GROUP VALVES WHEREVER POSSIBLE.
- ALL COPPER PIPEWORK SHALL BE HARD DRAWN TUBING TYPE 'B' CONFORMING TO AS 1432.
- ALL POLYETHYLENE PIPEWORK SHALL BE PN15 PE100 CONFORMING TO AS 4432.
- THRUST BLOCKS SHALL BE INSTALLED AS REQUIRED BY WSAA AND AS3500.
- HOT WATER TO BE STORED AT MINIMUM 60°C WITH TEMPERING DEVICE INSTALLED TO LIMIT OUTLET TEMPERATURE TO: 50°C TO ABLUTION AREAS, 60°C TO KITCHEN SINK, CLEANERS SINK AND LAUNDRY TROUGH AND TEMPERED TO 45°C IN DISABLED, CHILD CARE AND AGED CARE FACILITIES.
- TEMPERED, HOT WATER PIPEWORK AND VALVES SHALL BE LAGGED AS PER AS/NZS 3500.4:2003 SECTION 8 FOR CLIMATE REGION C. HOT WATER CIRCULATING LINE TO BE LAGGED WITH SECTIONAL ROCKWOOL WITH FOIL OUTER COVER. EXTERNAL LAGGING TO BE UV PROTECTED, AND LAGGING EXPOSED TO MOISTURE NEEDS TO BE MOISTURE PROTECTED. SOLAR FLOW AND RETURN LAGGING SHOULD BE RATED FOR TEMPERATURES UP TO 150°C, OTHER LAGGING RATED TO 105°C. ALL LAGGING SHOULD BE FIRE RATED TO BCA REQUIREMENTS, PVC FREE, ZERO OZONE DEPLETING POTENTIAL, LOW VOLATILE ORGANIC COMPOUNDS.
- ONE PRESSURE LIMITING VALVE SET TO 500 KPA SHALL BE PROVIDED TO ALL WATER PIPES AT THE POINT OF ENTRY INTO A BUILDING.
- HOSE BIB COCKS SHALL BE 600MM ABOVE FINISHED SURFACE LEVEL AND SHALL BE 20MM IN SIZE, U.N.O., AND FITTED WITH APPROVED VACUUM BREAKERS.
- THE PLUMBER SHALL ARRANGE FOR ALL INSPECTIONS AND TESTING OF SERVICES REQUIRED BY THE LOCAL AUTHORITY PRIOR TO CONCEALMENT.
- PRESSURE TEST HOT AND COLD WATER SERVICES TO 1.5 TIMES NORMAL WORKING PRESSURE.
- ALL TEMPERING AND THERMOSTATIC MIXING VALVES SHALL BE EASILY LOCATED FOR SAFE OH&S ACCESS.
- FOLLOWING COMPLETION OF THE WORKS, FLUSH ALL PIPING SYSTEMS AND LEAVE FREE OF FOREIGN MATTER, CLEAN OUT AERATORS, STRAINERS, FILTERS, ETC.

TRADE WASTE:

- ALL TASWATER TRADE WASTE INSTALLATIONS FOR COMMERCIAL KITCHENS SHALL HAVE NON BYPASSABLE DRY BASKET ARRESTORS FITTED TO ALL SINKS & FLOOR WASTES.
- DEPARTMENT OF EDUCATION KIOSKS AND HOME ECONOMICS CLASSROOMS SHALL HAVE NON BYPASSABLE DRY BASKET ARRESTORS FITTED TO ALL SINKS & FLOOR WASTES. ALL SINKS IN GENERAL LEARNING CLASSROOMS SHALL BE FITTED WITH NON BYPASSABLE DRY BASKET ARRESTORS.

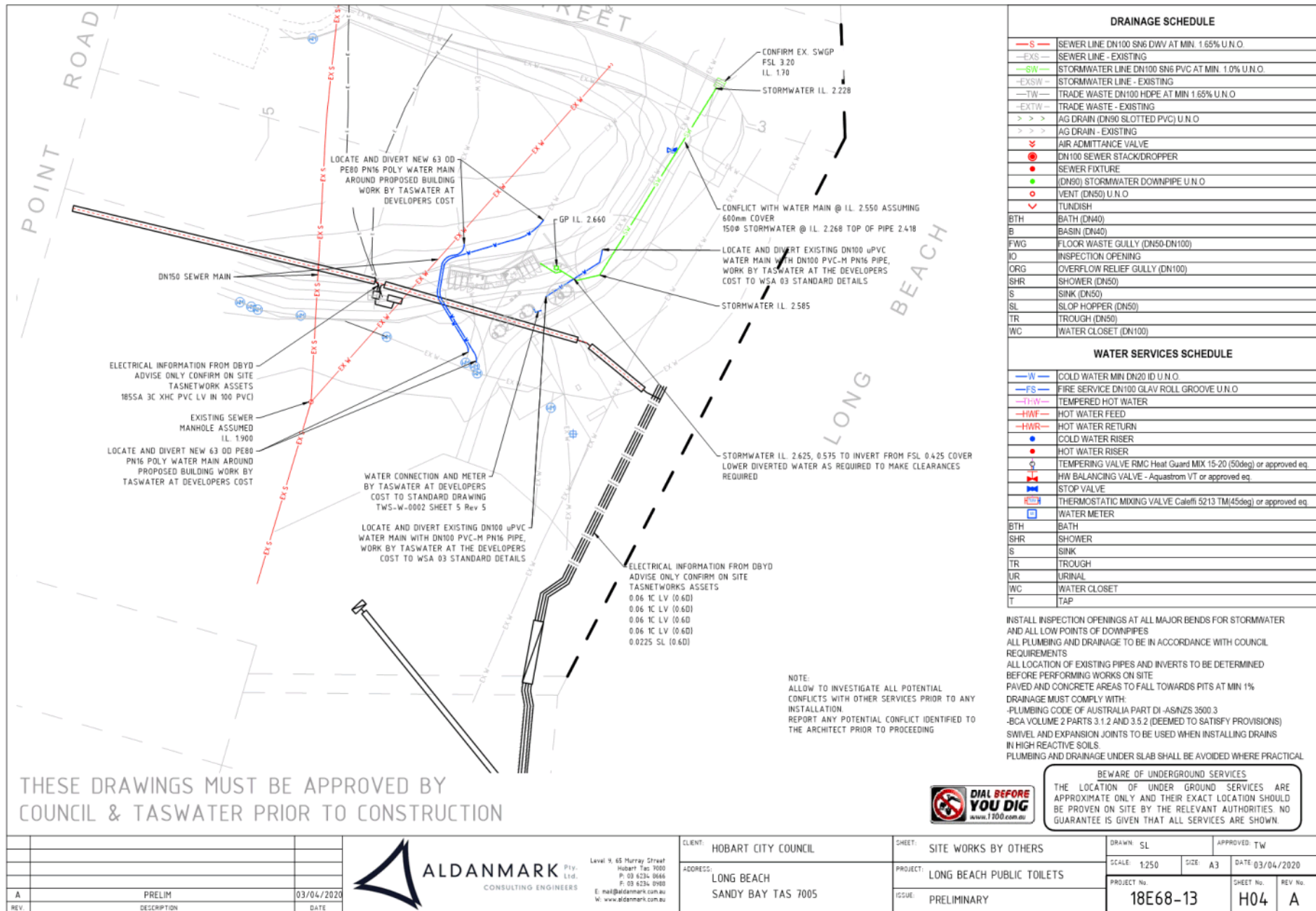
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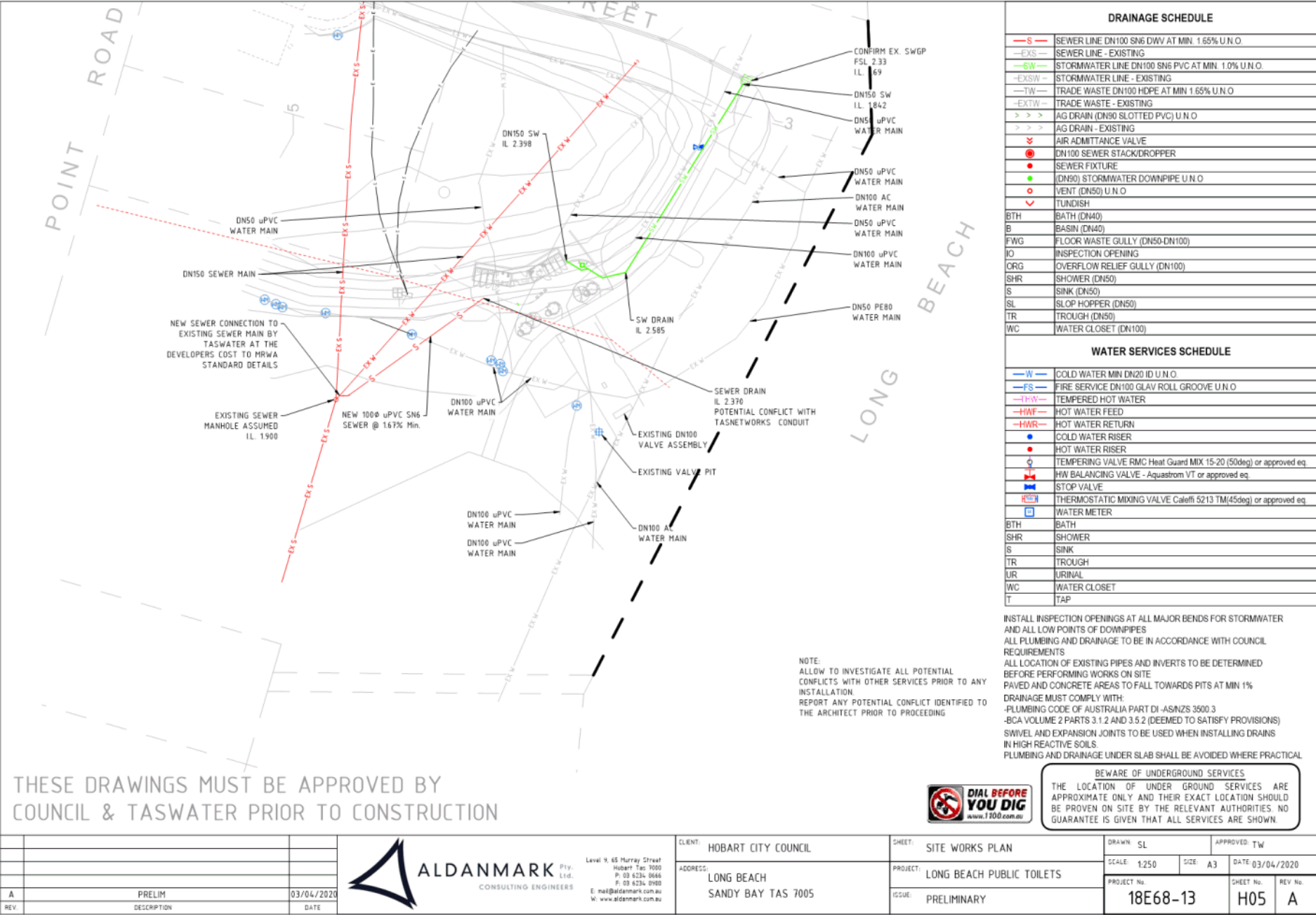
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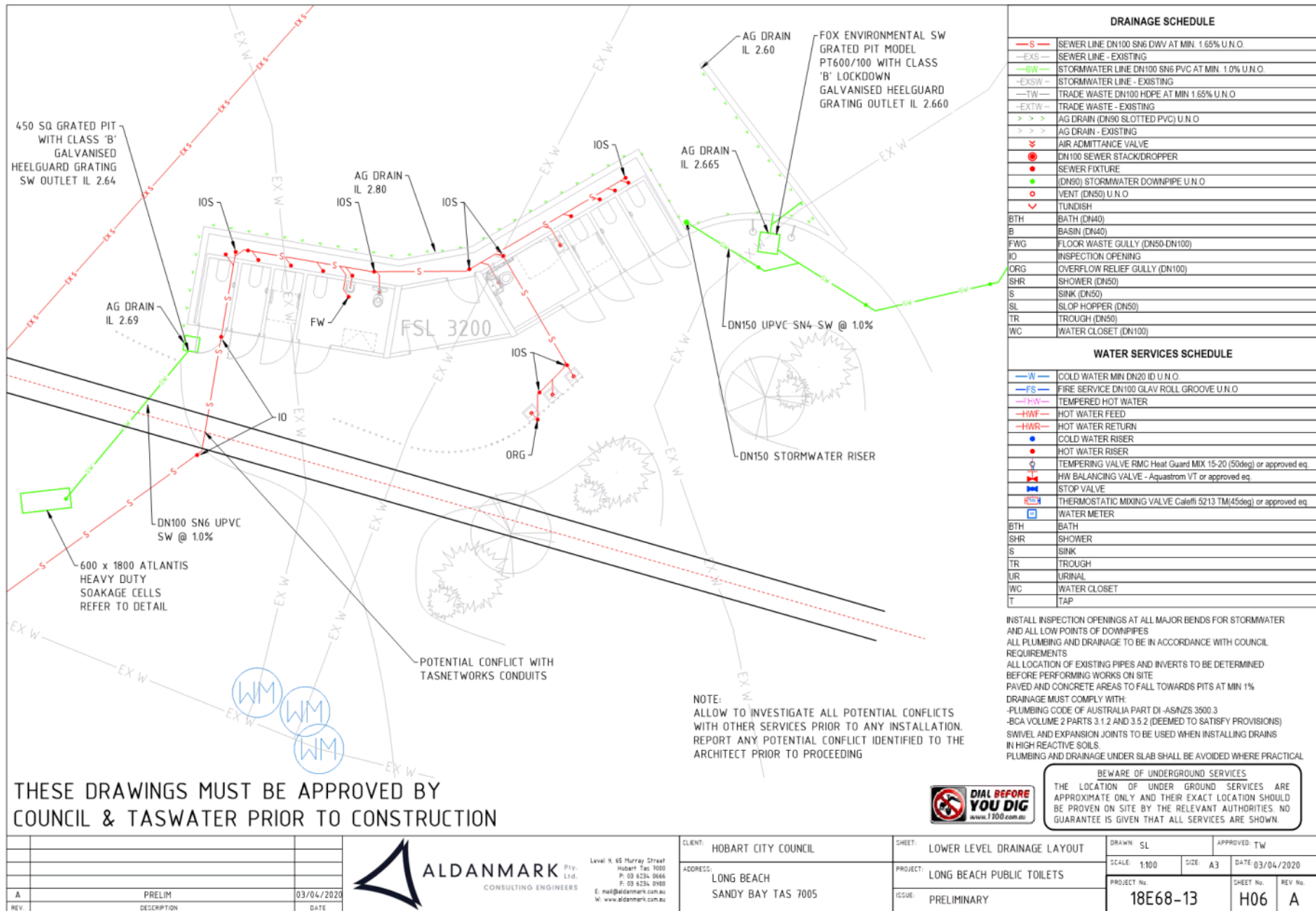
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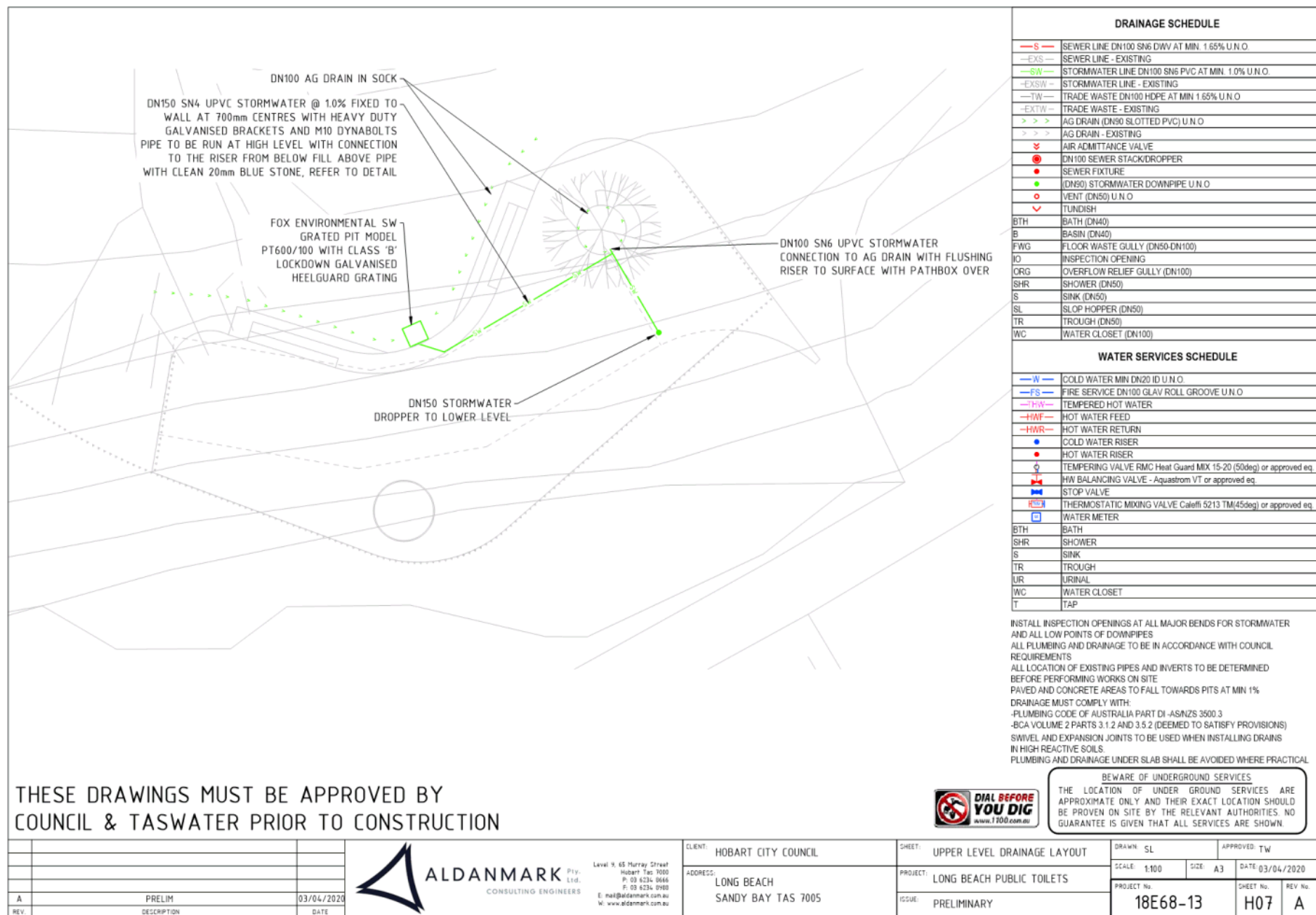
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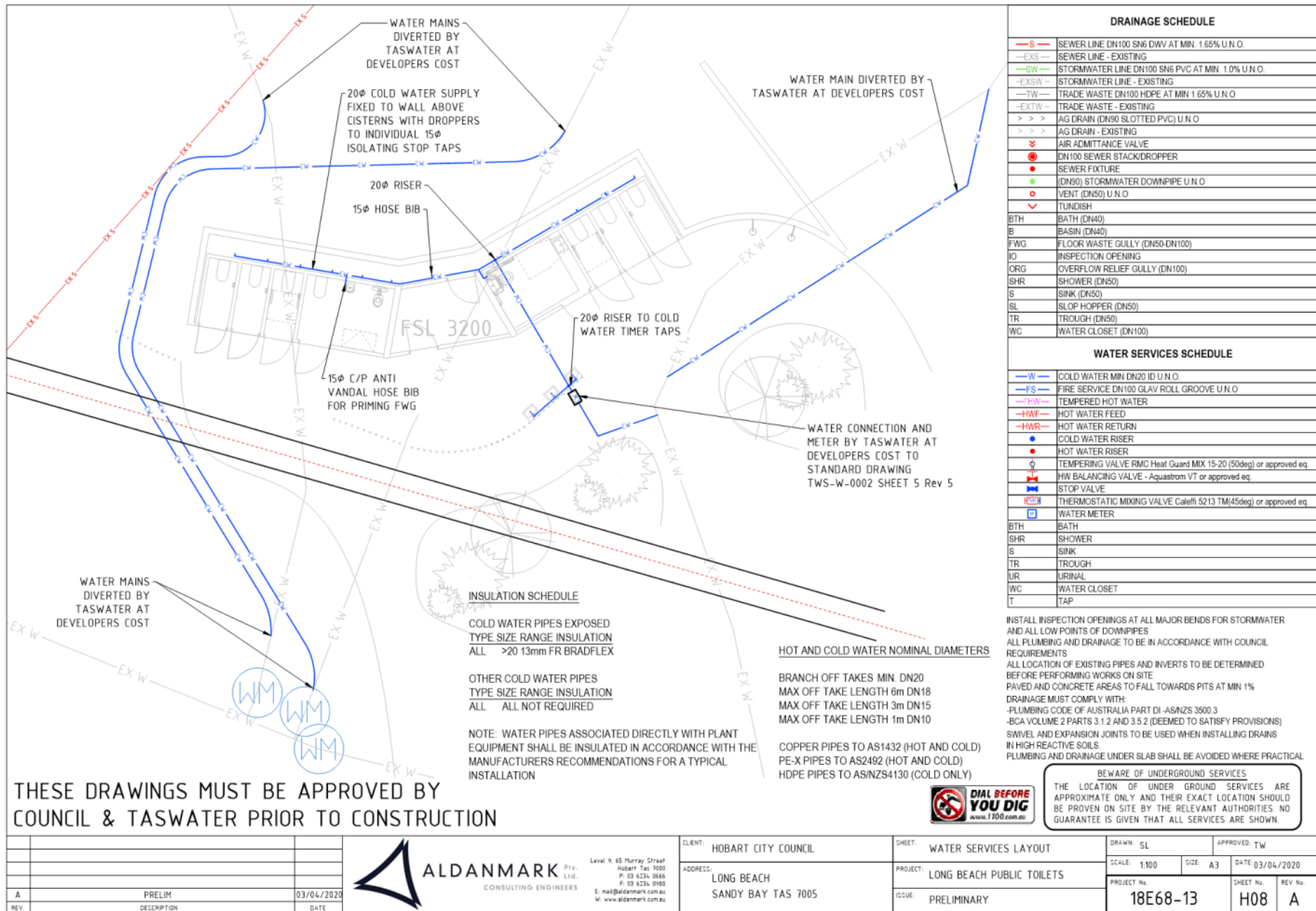
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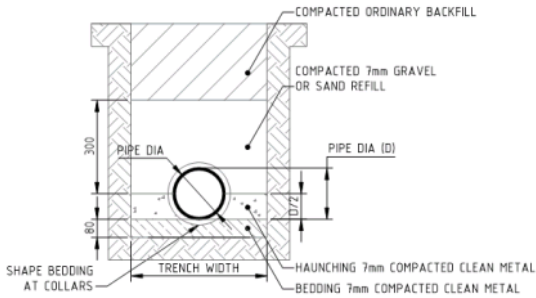






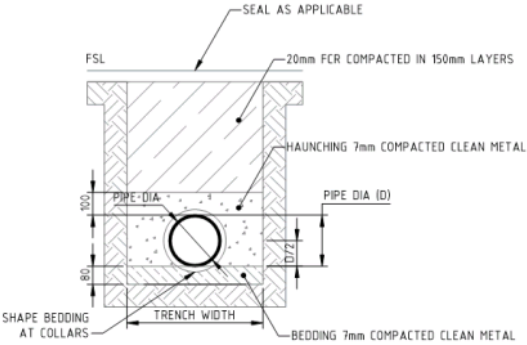






TYPICAL PIPE TRENCH DETAIL
NON-TRAFFICABLE AREAS
NOT TO SCALE

TRENCH WIDTHS	
PIPE DIAMETER	MIN TRENCH WIDTH
LESS THAN 50mm	250
75 - 100mm	450
150 - 300mm	600
ABOVE 300mm	DIA. PLUS 300mm

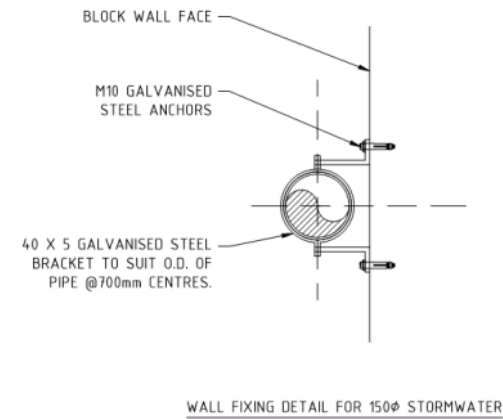


TYPICAL PIPE TRENCH DETAIL
TRAFFICABLE AREAS
NOT TO SCALE

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

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

			 <div>ALDANMARK CONSULTING ENGINEERS</div> <div>Level 9, 65 Murray Street Hobart Tas 7000 P: 03 6234 0666 F: 03 6234 0980 E: mail@aldanmark.com.au W: www.aldanmark.com.au</div>	CLIENT: HOBART CITY COUNCIL	SHEET: DETAIL SHEET - 1	DRAWN: SL	APPROVED: TW			
				ADDRESS: LONG BEACH SANDY BAY TAS 7005	PROJECT: LONG BEACH PUBLIC TOILETS	SCALE: ~	SIZE: A3	DATE: 03/04/2020		
					ISSUE: PRELIMINARY	PROJECT No: 18E68-13		SHEET No: H09	REV No: A	
A	PRELIM	03/04/2020								
REV.	DESCRIPTION	DATE								



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[illegible]



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

17 March 2020

Benn Turner (Preston Lane)
45 Goulburn Street
HOBART TAS 7000

mailto: benn@prestonlane.com.au

Dear Sir/Madam

**17 BEACH ROAD, SANDY BAY - WORKS ON COUNCIL LAND NOTICE OF LAND
OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-20-15**

Site Address:

17 Beach Road (Long Beach Reserve), Lower Sandy Bay

Description of Proposal:

New Public Toilet Facilities, Demolition of Old Public Facilities

Applicant Name:

Benn Turner
Preston Lane Architects

PLN (if applicable):

n/a

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.

Hobart Town Hall
50 Macquarie Street
Hobart TAS 7000

Hobart Council Centre
16 Elizabeth Street
Hobart TAS 7000

City of Hobart
GPO Box 503
Hobart TAS 7001

T 03 6238 2711
F 03 6234 7109
E coh@hobartcity.com.au
W hobartcity.com.au

CityofHobartOfficial
ABN 39 055 343 428
Hobart City Council

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:

Plans by Preston Lane - Revision G dated 26/02/2020

DRAWING SCHEDULE - ARCHITECTURAL										
		24/09/20	26/10/20	-	-	-	-	-	-	-
DRAWING NUMBER	TITLE									
A00-00	Cover Sheet	F	G							
A00-01	Site Plan	F	G							
A01-50	Demolition Plan	F	G							
A02-00	Floor Plan	F	G							
A02-00	Roof Plan	F	G							
A04-00	Elevations	F	G							
A04-01	Elevations	F	G							
A05-00	Sections	F	G							

DESIGN DETAILS		
TITLE REFERENCE		
CERTIFICATE FOLD	1000	
VOLUME	15/7666	
FLOOR AREAS		
EXISTING SITE AREA	8019	M2
EXISTING GROUND FLOOR	113	M2
PROPOSED GROUND FLOOR	46	M2
PROPOSED TOTAL GROUND FLOOR	46	M2
DESIGN WIND CLASSIFICATION		
DESIGN WIND VELOCITY (V _S)	M/S	M/S
DESIGN WIND VELOCITY (V _L)	M/S	M/S
SOIL CLASSIFICATION	TBC	TBC
CLIMATE ZONE	7	
BAL RATING	N/A	
ALPINE AREA	N/A	
CORROSION ENVIRONMENT	C5: Very High	
OTHER HAZARDS	Coastal Inundation Hazard Area 1.16 SLR (Low)	

Approved - General
Manager Consent Only
[GMC-20-15]
17/03/2020



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Project LONG BEACH
PUBLIC TOILETS
Drawing COVER PAGE
Scale

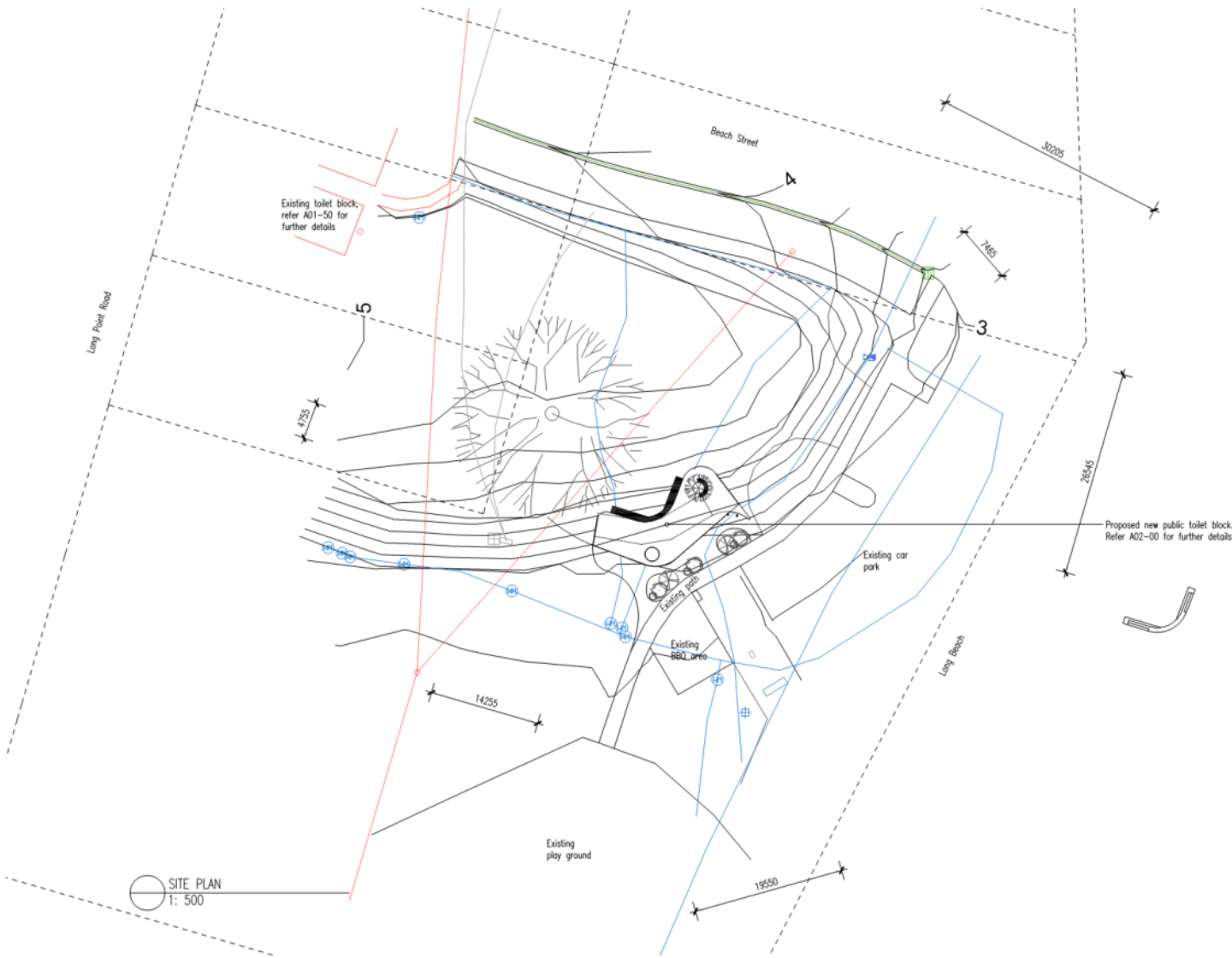
Revision			
0	18/08/18	Issued for order of cost estimate	BT DL
1	11/07/18	Client meeting OK	BT DL
2	25/02/20	Client meeting OK	BT DL
3	26/02/20	Issued for GM consent	BT DL

Project No 18042
Drawing Number

A00-00 6

PRELIMINARY NOT FOR CONSTRUCTION

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[GMC-20-15]
17/03/2020



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Lane

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Project LONG BEACH PUBLIC TOILETS

Drawing SITE PLAN

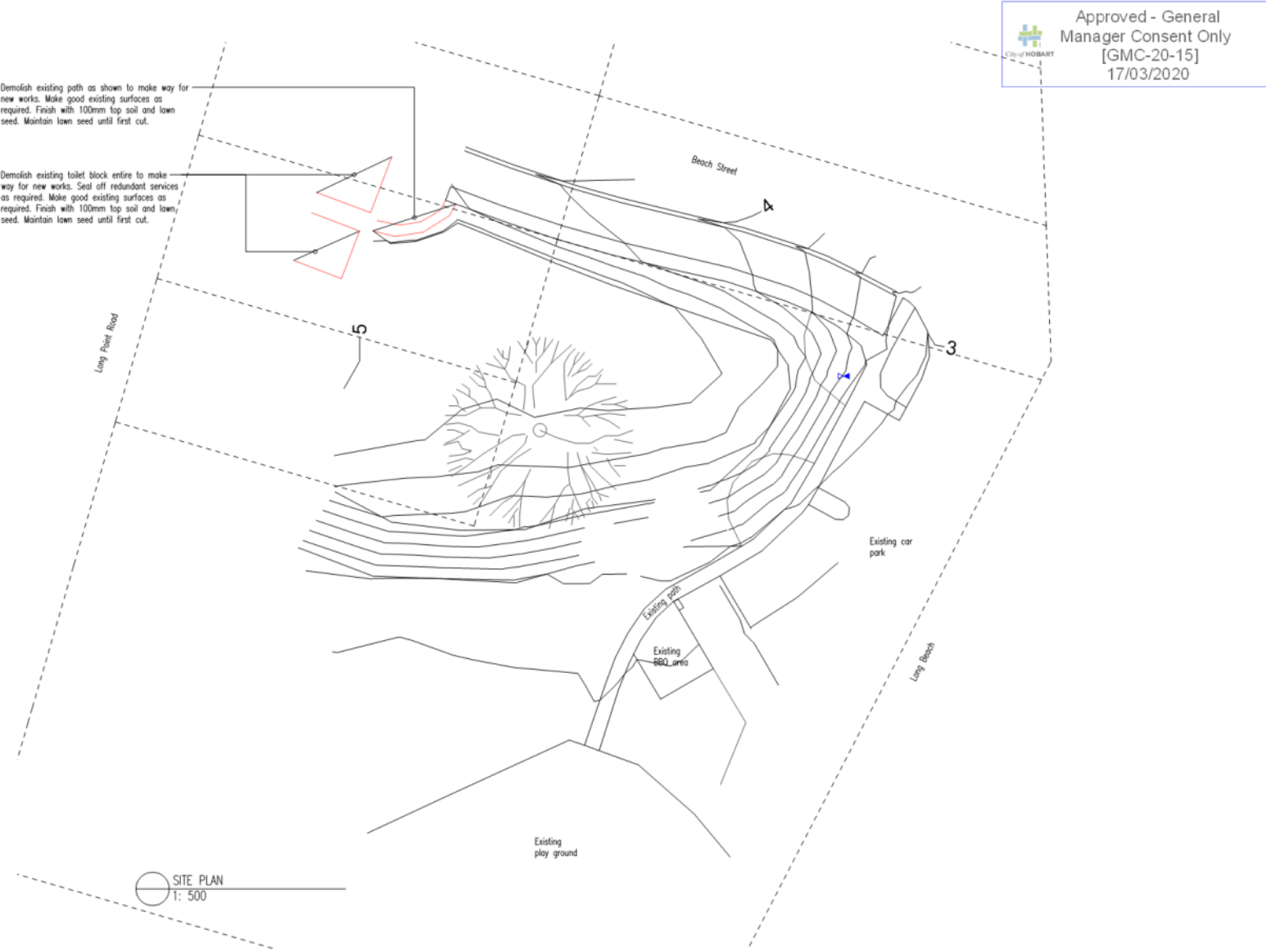
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Revision				
0	18/08/18	Issued for order of cost estimate	BT	DL
1	11/07/18	Client meeting 01	BT	DL
2	25/02/20	Client meeting 02	BT	DL
3	26/02/20	Issued for GM consent	BT	DL

Project No 18042

Drawing Number A00-01

PRELIMINARY NOT FOR CONSTRUCTION



DEMOLITION NOTES

The contractor is to inspect the site, and become conversant with the limitations and constraints for access, noise, and general safety.

All demolitions are to be removed from site unless noted otherwise. Strictly no burning off on site.

Contractor to ensure all services are appropriately capped and sealed to make way for new works.

Leave all surfaces clear and free of any remnants/objects ready to make way for new works.

Remove all visible unused service pipes and conduits etc.

Builder to make the building secure throughout the building works.

Provide temporary support to existing structure as required.



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Proprietor
Project
Drawing

HOBART CITY COUNCIL
LONG BEACH
PUBLIC TOILETS
DEMOLITION PLAN

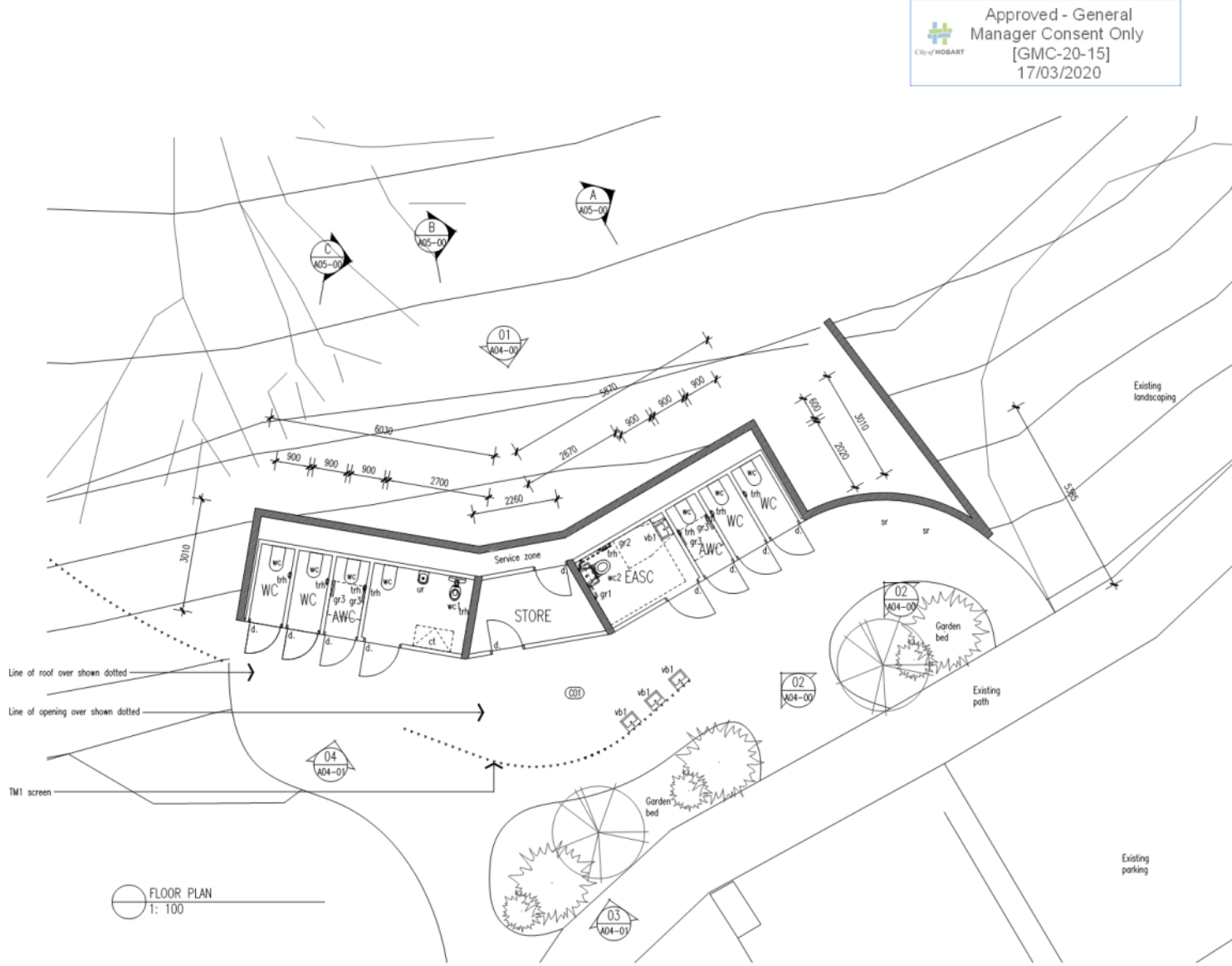
Scale
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Revision			
0	18/08/18	Issued for order of cost estimate	BT DL
1	11/07/18	Client meeting OK	BT DL
2	25/02/20	Client meeting OK	BT DL
3	26/02/20	Issued for DM consent	BT DL

Project No
18042

Drawing Number
A01-50

PRELIMINARY NOT FOR CONSTRUCTION



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Manager Consent Only
[GMC-20-15]
17/03/2020

- FINISHES
- (TM1) 70x70 angle screens @ 100 c/s. Colour to future selection.
 - (TM2) Timber 35 mm battens @ 100 c/s.
 - (TM3) Timber decking
 - (CB1) Concrete block
 - (CO1) Concrete, to match existing path ways
 - sr shower rose
 - vb1 vanity basin
 - d door

Preston
Lane

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Proprietor HOBART CITY COUNCIL
Project LONG BEACH PUBLIC TOILETS

Drawing FLOOR PLAN

Scale 1:100 @ A3

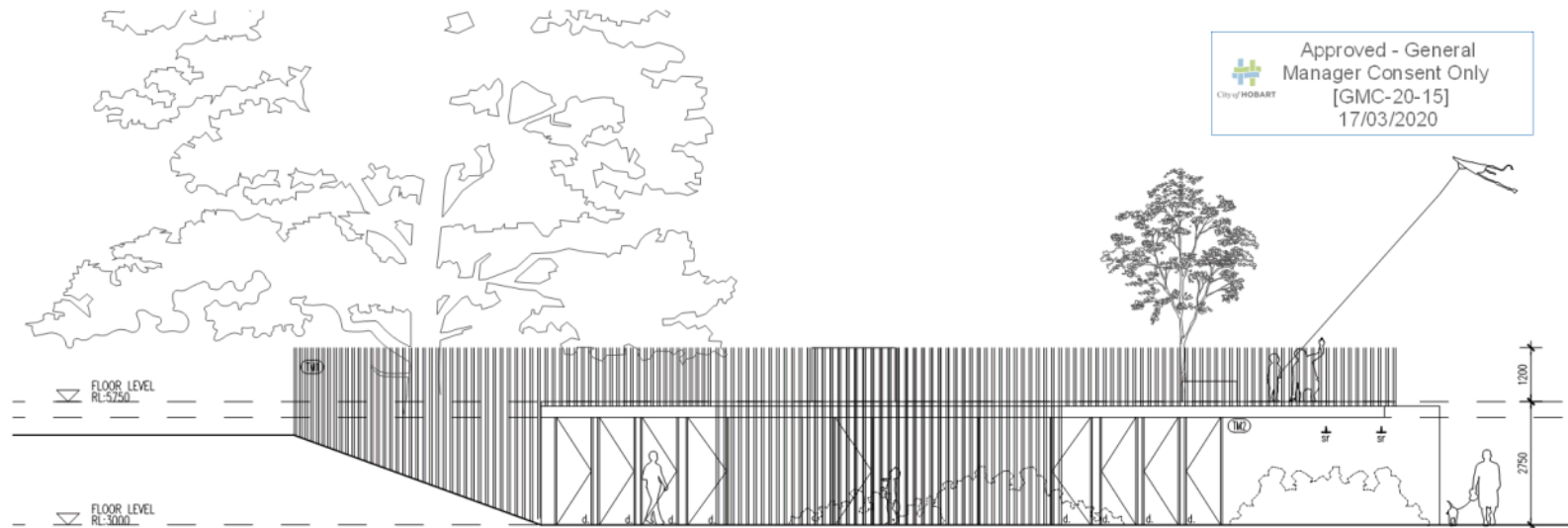
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0	18/08/18	Issued for order of cost estimate	BT DL
1	11/07/18	Client meeting OK	BT DL
2	25/02/20	Client meeting OK	BT DL
3	26/02/20	Issued for GM consent	BT DL

Project No 18042

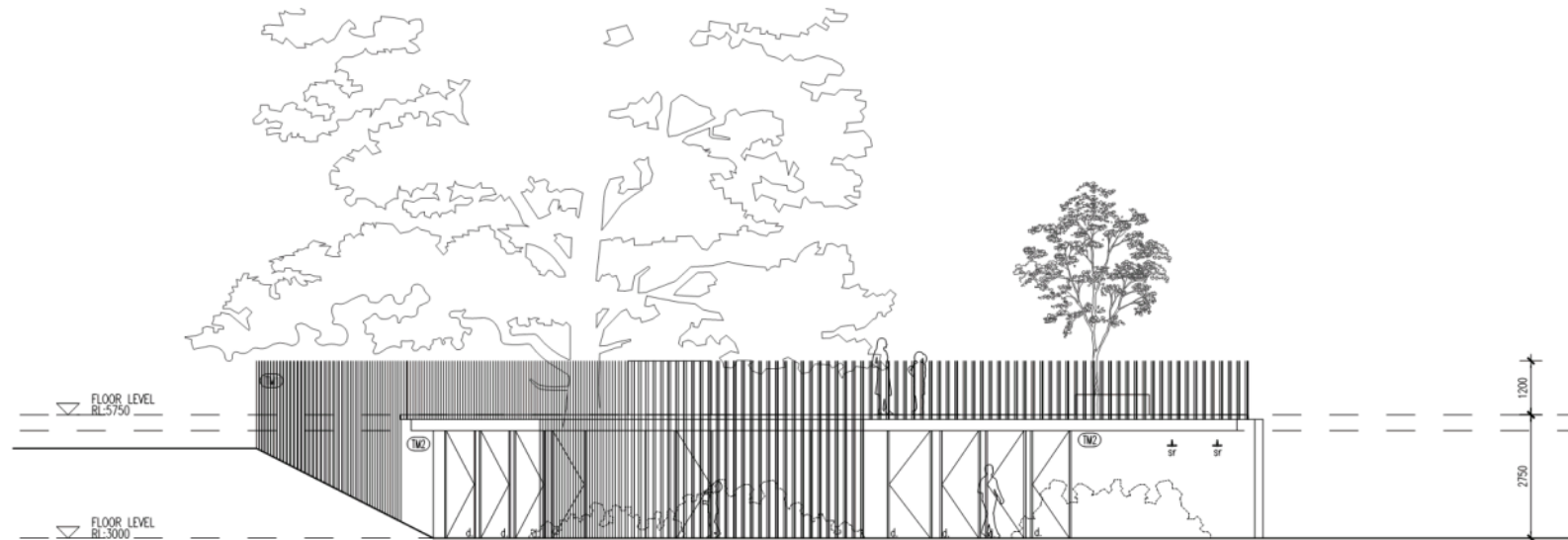
Drawing Number A02-00 8







01 NORTH ELEVATION
A02-00 1:100



02 EAST ELEVATION
A02-00 1:100



Hobart
45 Goulburn Street Hobart TAS 7000
T 61 3 6231 3923
AOC 0036179
Melbourne
9 Threl Road South Yarra VIC 3141
T 61 3 9827 8982
info@prestonlane.com.au
prestonlane.com.au

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Project LONG BEACH PUBLIC TOILETS

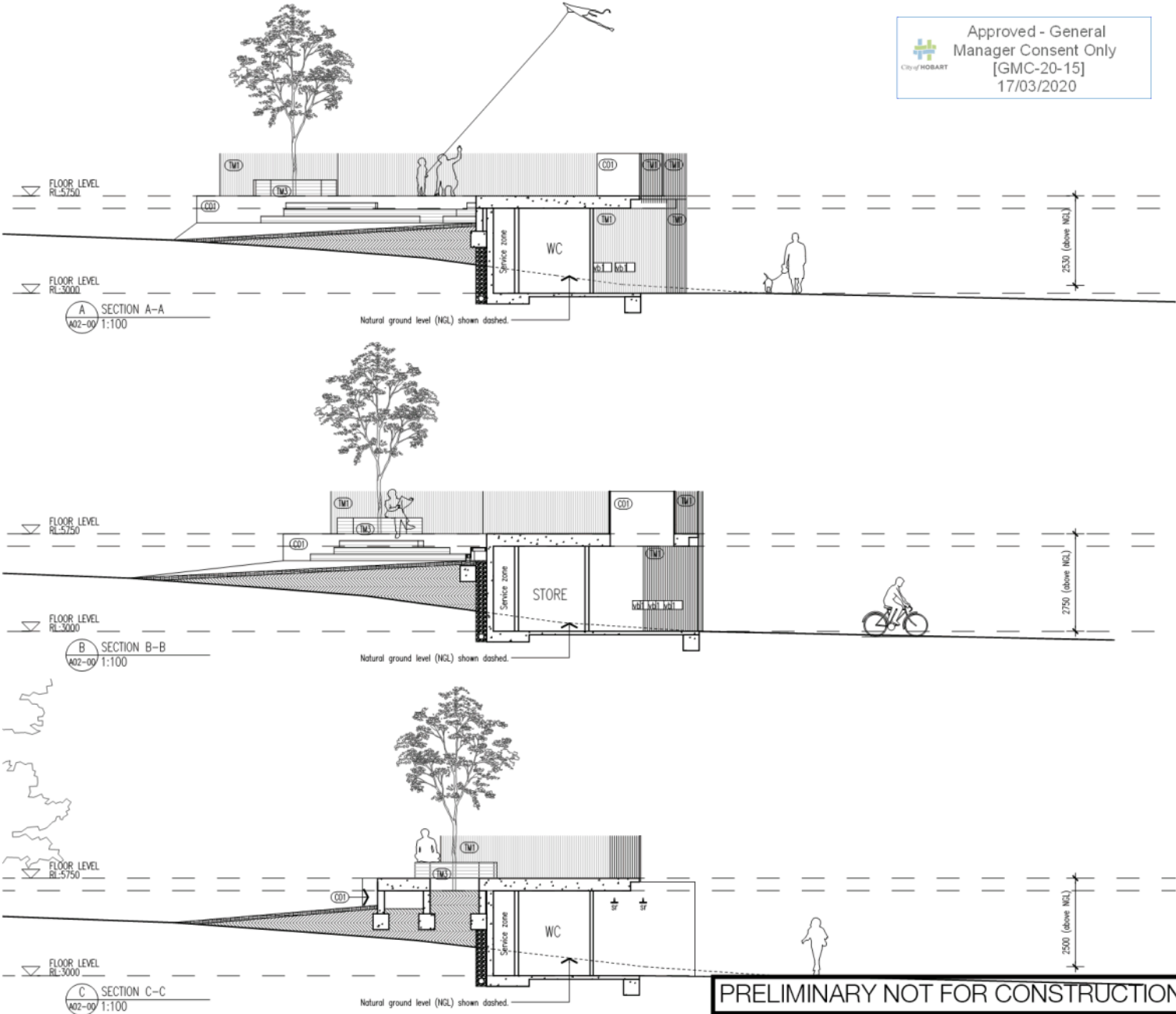
Drawing ELEVATIONS

Scale 1:100 @ A3

Revision	Issued for order of cost estimate	BT	DL
1	21/07/18	Client meeting on	BT
2	25/02/20	Client meeting on	BT
3	26/02/20	Issued for GM consent	BT

Project No 18042

Drawing Number A04-01



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Project
Drawing

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LONG BEACH
PUBLIC TOILETS

SECTION A

Scale
1:50 (A3)

Revision	Date	Issued for	By	Check
1	18/08/18	Issued for order of cost estimate	BT	DL
2	11/07/18	Client meeting 1st	BT	DL
3	25/02/20	Client meeting 2nd	BT	DL
4	26/02/20	Issued for GM consent	BT	DL

Project No
18042

Drawing Number
A05-00



LONG BEACH AMENITIES

Client Meeting 05
Artist impression

Approved - General
Manager Consent Only
[GMC-20-15]
17/03/2020



CONTEXT VIEW 1



LONG BEACH AMENITIES

Client Meeting 05
Artist impression

Approved - General
Manager Consent Only
[GMC-20-15]
17/03/2020



CONTEXT VIEW 2



LONG BEACH AMENITIES

Client Meeting 05
Artist impression

Approved - General
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[GMC-20-15]
17/03/2020



CONTEXT VIEW 3



LONG BEACH AMENITIES

Client Meeting 05
Artist impression

Approved - General
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[GMC-20-15]
17/03/2020



CONTEXT VIEW 4



LONG BEACH AMENITIES

Client Meeting 05
Artist impression

Approved - General
Manager Consent Only
[GMC-20-15]
17/03/2020



CONTEXT VIEW 5



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-180	Council notice date	30/03/2020
TasWater details			
TasWater Reference No.	TWDA 2020/00407-HCC	Date of response	7/05/2020
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	BEACH RD, SANDY BAY	Property ID (PID)	2092535
Description of development	Demolition, new public toilets and associated works		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Aldanmark	18E68-13 H04	a	3/04/2020
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act</i> 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection/ sewerage system and connection for this Toilet development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Advice: TasWater will start talks with the council over infrastructure that is not classed as TasWater's and will start a formal handing back of infrastructure. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
<ol style="list-style-type: none"> 4. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 5. Prior to applying for a Permit to Construct to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water to TasWater's satisfaction. 6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. 7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements. 			



8. Prior to the issue of a all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan "18E68-13 H04", are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to Applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

DEVELOPMENT ASSESSMENT FEES

14. 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>

**Declaration**

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

Authorised by

A handwritten signature in black ink, appearing to read "J. Taylor".

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		

**7.1.9 25 MARY STREET, NORTH HOBART - ALTERATIONS (SCREEN)
PLN-20-269 - FILE REF: F20/57890**

Address: 25 Mary Street, North Hobart
Proposal: Alterations (Screen)
Expiry Date: 23 June 2020
Extension of Time: Not applicable
Author: Richard Bacon

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations (screen) at 25 Mary Street North 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-20-269 - 25 MARY STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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*.

- Attachment A: PLN-20-269 - 25 MARY STREET NORTH
HOBART TAS 7000 - Planning Committee or
Delegated Report ↓ 
- Attachment B: PLN-20-269 - 25 MARY STREET NORTH
HOBART TAS 7000 - CPC Agenda Documents ↓

- Attachment C: PLN-20-269 - 25 MARY STREET NORTH
HOBART TAS 7000 - Planning Referral Officer
Cultural Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 15 June 2020
Expiry Date: 23 June 2020
Application No: PLN-20-269
Address: 25 MARY STREET , NORTH HOBART
Applicant: Justin Mayo
25 Mary street
Anna Mayo
25 Mary Street
Proposal: Alterations (Screen)
Representations: Three (3)
Performance criteria: Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for alterations (screen) at 25 Mary Street, North Hobart.
- 1.2 More specifically the proposal includes:
 - A 1.8m high, 2.6m wide and 23% transparent screen to the side of the existing 1.55m high rear deck, set off the side boundary by 1.6m.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Historic Heritage Code
- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between the 15th and 29th May 2020.
- 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 site is 25 Mary Street and is within the Inner Residential Zone.



Figure 1 above: location plan.



Figure 2 above: aerial photograph showing subject site with central deck to upper half of the image, and neighbouring property at No.27 Mary Street at lower half of the image.



Figure 3 above: view from existing deck on subject site, with screen to left and the side facing door and window of the neighbouring property at N.27 Mary Street visible at centre and centre right.



Figure 4 above: view from main living, kitchen and dining area on lower level of neighbouring property at No.27 Mary Street, looking towards the applicant site with deck and screen visible in background.

3. Proposal

- 3.1 Planning approval is sought for alterations (screen) at 25 Mary Street North Hobart.
- 3.2 More specifically the proposal is for:
 - A 1.8m high, 2.6m wide and 23% transparent screen to the side of the existing 1.55m high rear deck, set off the side boundary by 1.6m.



Figure 5 above: The proposed screen.

4. Background

- 4.1 A previous planning approval for alterations and additions including rear deck at No.25 Mary Street was approved under PLN-16-1137 dated the 22/12/2016. The approval was appealed under APP-17-7 with an amended permit issued dated the 14 March 2017.
- 4.2 The approved balustrading under the amended planning permit issued dated the 14 March 2017 is as follows:
- translucent glass panel;
 - height above deck ranges from 1.0m on downhill side, to 1.7m on uphill side;
 - the side boundary setback minimum is 3.0 metres.
- 4.3 The current proposal has dimensions as follows:
- slatted opaque design with 23% transparency;
 - height above deck of a uniform 1.8 metres;
 - a side boundary setback of 1.6 metres.

- 4.4 The proposed screen to the side of the rear deck (being the subject of this application) has been erected and is the subject of Council enforcement action under ENF-20-158.

5. Concerns raised by representors

- 5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between the 15th and 29th May 2020.
- 5.2 Please note that the submitted plans indicate the proposal would meet the building envelope under Clause 11.4.2 A3 of the Planning Scheme.
An extrapolation of the previously approved PLN-16-1137 (see 'Background' of this report) indicates a maximum height of the deck above natural ground level of up to 1.9 metres. While this figure is greater than the 1.55 metres shown on the submitted plans for this application, the deck height at 1.9 metres would still result in a balustrade height and side setback remaining well within the building envelope Acceptable Solution.
- 5.3 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

<p>Heritage</p> <p>-materials, design and construction unsympathetic to heritage values;</p> <p>-The screen does not provide any separation at all from the original dwelling at 25 Mary Street and thus detracts significantly from the heritage value of the original dwelling. The screen is also unsympathetic in design, material and construction to the original dwelling and therefore further detracts from the heritage value of the precinct. The screen is clearly visible from Mary Street itself, and thus its negative impact on the heritage value of the precinct extends beyond the significant impact from my dwelling.</p>
<p>Visual impact</p> <p>-eyesore;</p> <p>-The screen is positioned less than 3 metres from my house and, specifically, the main living area of my house. The screen's bulk and elevated position make an imposing and considerable impact on how it feels inside my house, and even more so when in the private open space on the northern side of my dwelling.</p>
<p>Overshadowing</p> <p>-loss of light to main living area;</p> <p>-The screen does not provide adequate separation from my dwelling at 27 Mary Street to ensure reasonable opportunity for daylight and sunlight to enter a habitable room, namely the main living, kitchen and dining area. The windows for this room provide the only northerly exposure for living areas in my dwelling and the loss of daylight and sunlight from the existing screen has been significant and devastating.</p>
<p>Previous Appeal Decision</p> <p>-The screen that has been constructed bears no resemblance in position, size, materials or form to the screen design that was agreed to by all parties through the Resource Management and Planning Appeal Tribunal, and documented in the Consent Memorandum (Tribunal Ref No. 10/17P). The Consent Memorandum instructed the Council to substitute drawings and issue an amended planning permit in relation to PLN 16-113 and, as such, the current screen that is the subject of this application represents complete and blatant contempt in relation to adherence to the amended planning permit.</p>
<p>Other comment</p> <p>-I trust my representation provides ample evidence of why this application should be rejected.</p>

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 a dwelling. The proposed use is a dwelling. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 11 Inner Residential Zone
- 6.4.2 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Historic Heritage Code:-
- Building or Works to a Listed Place - E13.7.2 P1, P2, P3 P4*
Building or Works within a Heritage Precinct - E13.8.2 P1 and P3.
- 6.6 Each performance criterion is assessed below.
- 6.7 Building or Works to a Listed Place and within a Heritage Precinct - Part E 13.7.2 P1, P2, P3, E13.8.2 P1, P2
- 6.7.1 There is no acceptable solution for 13.7.2 A1, A2, A3, or E13.8.2 A1, A2.
- 6.7.2 The proposal includes works to a Listed Place in a Heritage Precinct.
- 6.7.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criteria at clauses E13.7.2 P1, P2, P3 and E13.8.2 P1, P2 provide as follows:

E13.7.2 - Listed Place

P1

Development must not result in any of the following:

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

P2

Development must be designed to be subservient and complementary to the place through characteristics including:

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*
- (c) siting with respect to buildings, structures and listed elements;*
- (d) using less dominant materials and colours.*

P3

Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.

E13.8.2 - Heritage Precinct

P1

Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.

P2

Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.

6.7.5 Assessment of the performance criteria by Council's Cultural Heritage Officer follows.

This proposal is for a screen (2.6m x 1.8 m high) at the side rear of a place listed in Table E13.1 of the Historic Heritage Code of the Scheme. The screen is located on the side of a recently constructed rear deck between the listed place and a new rear building. The place is also

located within the West Hobart 2 Heritage Precinct.

This precinct is significant for reasons including:

1. The fine quality and quantity of Victorian/Federation and Inter-War period houses exemplify the economic boom of the early and late nineteenth and early twentieth centuries.
2. A large number of intact individual early and late nineteenth century houses of high quality architectural design, many of which possess landmark qualities.
3. The number of significant groups of late Victorian, Federation and Inter-War houses previously identified as heritage items.
4. The sections of continuous one-storey painted weatherboard and brick late Victorian/Federation facades and the general uniformity of scale create a distinctive visual impression and dramatic streetscape qualities.
5. The front and rear gardens are highly significant aesthetic features, as they reinforce its residential character.

The screen is 1.6m from the side boundary fence. Any views of the screen from the street are through the narrow gap between the two houses, ie the subject property and the neighbouring property.

The proposal must be assessed against E13.7.2 P1, P2, P3 P4 and E13.8.2 P1 and P3.

The screen is lower than the eaves of the listed place and behind the rear corner of the house. Its location and angle with respect of the footpath minimises visibility of the screen from the street and public space.

The screen is a minor extension to the house and the rear deck and does not dominate the listed place, is not incompatible in design and height and is subservient and complementary to the place. It is considered that the proposal does not detract from or result in detriment to the place or precinct.

The proposal is acceptable when assessed against the relevant provisions of the Historic Heritage Code of the Scheme.

- 6.7.6 The officer's report is provided as an attachment to this report.
- 6.7.7 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for alterations (screen) at 25 Mary Street North Hobart.
- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including heritage impact, visual impact and overshadowing.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable in terms of heritage, which is the only discretion invoked by the proposal.
- 7.4 The proposal has been assessed by Council's Cultural Heritage Officer. The officers have raised no objection to the proposal.
- 7.5 The applicant was advised of the 3 representations received.
A request for an extension of time was sent dated 1st Jun 2020.
The site and neighbouring property was visited, and the applicant and representor met, dated the 3rd June 2020.
- 7.6 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed alterations (screen) at 25 Mary Street North 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 alterations (screen) at 25 Mary Street North 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-20-269 - 25 MARY STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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*.



(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

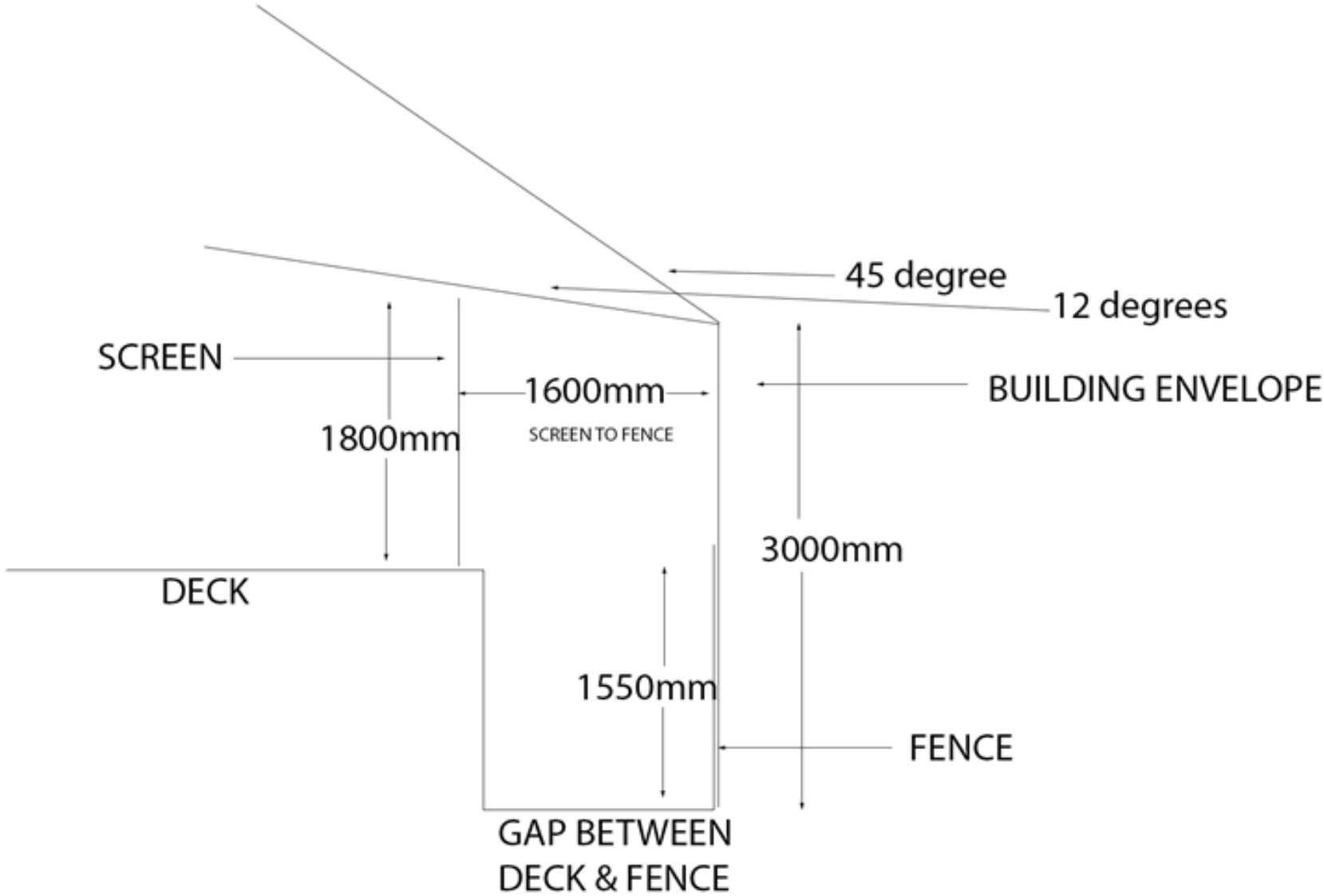
As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 9 June 2020

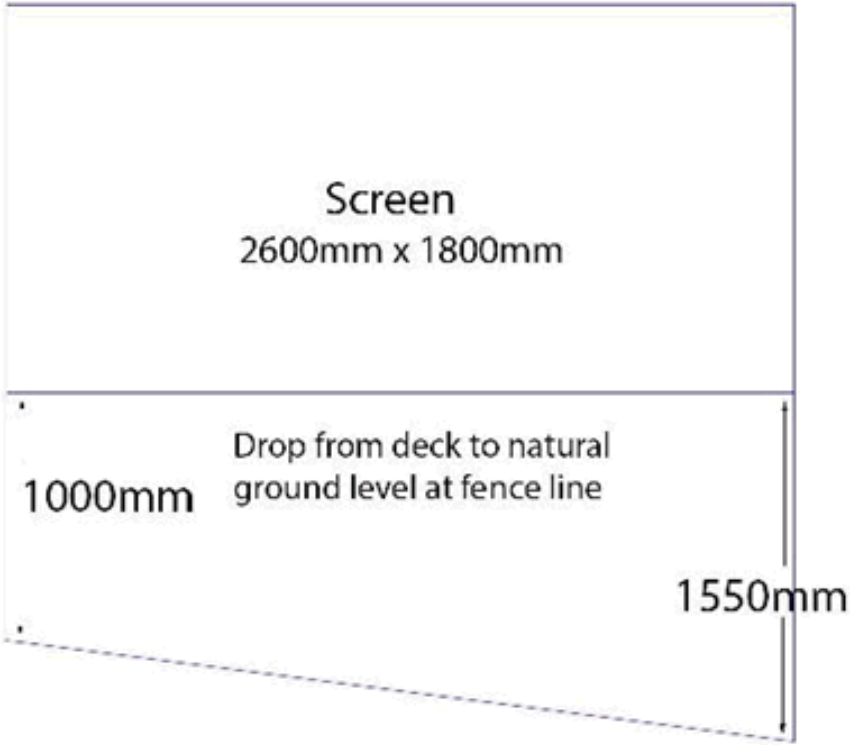
Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report



Looking from 27 Mary Street



Recent extention of 25 Mary Street

Mary street





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 202662	FOLIO 1
EDITION 8	DATE OF ISSUE 09-Jun-2015

SEARCH DATE : 21-Oct-2016

SEARCH TIME : 05.57 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 202662

Derivation : Parts of Lots 19 and 21 Sec. O.2. Gtd. to R.J.

Lucas.

Prior CT 2113/72

SCHEDULE 1

C778440 TRANSFER to JUSTIN CHARLES MAYO and ANNA JEAN MAYO
Registered 28-Aug-2007 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C810940 MORTGAGE to Perpetual Limited Registered
28-Aug-2007 at 12.02 PM

D154886 TRANSFER of MORTGAGE C810940 to Members Equity Bank
Limited Registered 09-Jun-2015 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

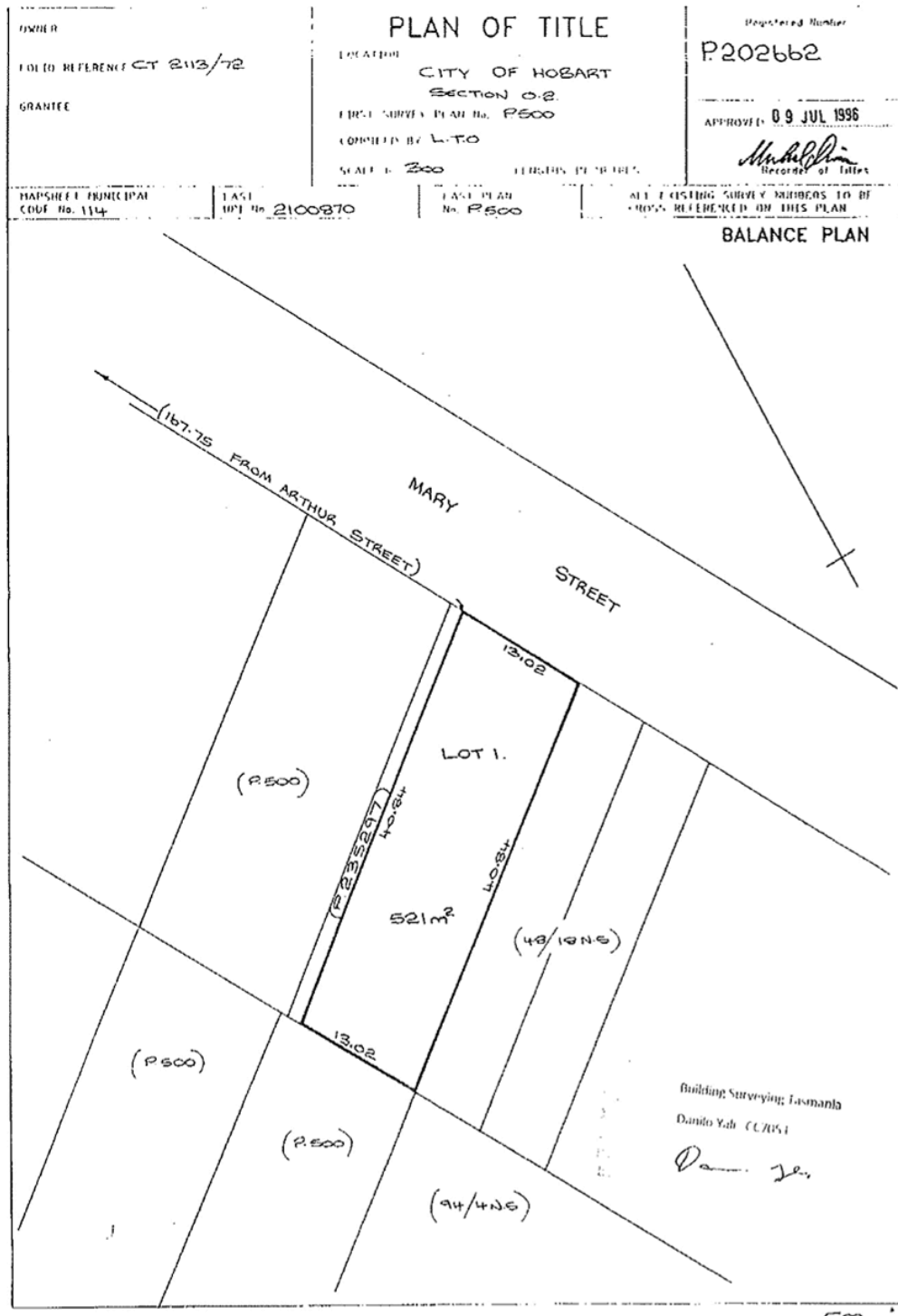
Building Surveying Tasmania
Danilo Yahi CC7041



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	25 MARY STREET, NORTH HOBART
Proposal:	Alterations (Screen)
Application No:	PLN-20-269
Assessment Officer:	Richard Bacon,

Referral Officer comments:

This proposal is for a screen (2.6m x 1.8 m high) at the side rear of a place listed in Table E13.1 of the Historic Heritage Code of the Scheme. The screen is located on the side of a recently constructed rear deck between the listed place and a new rear building. The place is also located within the West Hobart 2 Heritage Precinct.

This precinct is significant for reasons including:

- 1. The fine quality and quantity of Victorian/Federation and Inter-War period houses exemplify the economic boom of the early and late nineteenth and early twentieth centuries.*
- 2. A large number of intact individual early and late nineteenth century houses of high quality architectural design, many of which possess land mark qualities.*
- 3. The number of significant groups of late Victorian, Federation and Inter-War houses previously identified as heritage items.*
- 4. The sections of continuous one-storey painted weatherboard and brick late Victorian/Federation facades and the general uniformity of scale create a distinctive visual impression and dramatic streetscape qualities.*
- 5. The front and rear gardens are highly significant aesthetic features, as they reinforce its residential character.*

The screen is 1.6m from the side boundary fence. Any views of the screen from the street are through the narrow gap between the two houses, ie the subject property and the neighbouring property.

The proposal must be assessed against E13.7.2 P1, P2, P3 P4 and E13.8.2 P1 and P3.

The screen is lower than the eaves of the listed place and behind the rear corner of the house. Its location and angle with respect of the footpath minimises visibility of the screen from the street and public space.

The screen is a minor extension to the house and the rear deck and does not dominate the listed place, is not incompatible in design and height and is subservient and complementary to the place. It is considered that the proposal does not detract from or result in detriment to the place or precinct.

The proposal is acceptable when assessed against the relevant provisions of the Historic Heritage Code of the Scheme.

Sarah Waight
Acting Senior Cultural Heritage Officer

19 May 2020

8. REPORTS

8.1 Proposed Changes to Delegations to Determine Development Applications **File Ref: F20/57146**

Memorandum of the Manager Development Appraisal and the Director City Planning of 10 June 2020 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Proposed Changes to Delegations to Determine Development Applications

Background

Reference is made to the resolution made by the City Planning Committee on 28 October 2019, that:

2. *Council officers further investigate delegation options for planning applications in relation to:*
 - (i) *Officer delegations;*
 - (ii) *City Planning Committee delegations; and*
 - (iii) *Council delegations.*

The current delegations have been reviewed. A table is **attached** which summarises both the existing and proposed delegations to:

1. the General Manager;
2. the Director City Planning;
3. the Manager Development Appraisal;
4. the Manager Planning Policy and Heritage; and
5. the Senior Statutory Planner.

Summary of Proposed Delegations

The proposal is, in summary:

1. increase the number of representations which would trigger the consideration by Council:
 - (a) currently, a development application with three representations (objecting to the proposal) and recommended for approval may be determined by the City Planning Committee – it is proposed to increase this to five;

- (b) currently, a development application with four or more representations opposing a proposal must be determined by the Council – it is proposed to increase this to six or more representations (objecting to the proposal);
2. applications which are made by the Council are currently all determined by the Council – it is proposed that this only occurs if there are any representations opposing the proposal;
 3. applications which are made in relation to Council land are currently all determined by the Council – it is proposed that those applications which relate to the road reservation do not need to go to the Council unless there are six or more representations (objecting to the proposal); and
 4. subdivisions are currently determined by the Council where there is a proposal for more than one new lot – it is proposed that this is increased to more than three lots.
 5. all recommendations for refusal (where time allows) are still to be determined by the Council, and the Elected Members still maintain the right to call any application in to be determined by the Council.

The proposed new delegations are **attached**.

Impact of Proposed Delegations

An analysis has been carried out which suggests that this may decrease the applications considered by the Council by half. The proposed changes to the delegations is not expected to remove particularly contentious applications.

As an example, of the 7 applications determined by the Director under the expanded COVID-19 delegation over a 2 month period, 5 of those would be able to be determined under the proposed delegations:

- 2 where the Council was the applicant;
- 3 because the applications related to Council land; and
- 1 application which attracted 3 representations.

Power to Delegate

The power to make delegations is contained in s.6(3) of the *Land Use Planning and Approvals Act 1993* (LUPAA), which states:

A planning authority may, by resolution, delegate any of its functions or powers under this Act other than this power of delegation to a person employed by the authority.

The relevant power which would be delegated is the power to grant a planning permit pursuant to s.57 of LUPAA (discretionary permits) and s.58 of LUPAA (permitted permits), where certain requirements are met.

RECOMMENDATION

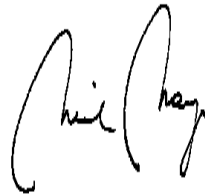
That:

- 1. The Council, pursuant to section 6(3) of the Land Use Planning and Approvals Act 1993, approve the alterations to the delegations as detailed within the document titled Proposed Delegations (Attachment B) of this report.***

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**



Neil Noye
DIRECTOR CITY PLANNING

Date: 10 June 2020
File Reference: F20/57146

Attachment A: Summary of Current Proposed  
Attachment B: Proposed Delegations  



CURRENT DELEGATIONS – DETERMINATION OF APPLICATIONS

Proposed changes to delegations shown in red

Category	<ul style="list-style-type: none"> General Manager Director City Planning Manager Planning Policy & Heritage Manager Development Appraisal Senior Statutory Planner 	City Planning Committee	Council
Recommended for refusal	X except ✓ to refuse if proposal is prohibited	X	✓
Any representations if the applicant and/or owner of the subject property is: <ul style="list-style-type: none"> an elected member; Council officer; the spouse or an immediate relative of an elected member or Council officer. 	X	X	✓
Not more than 2 representations (objections) – except if the applicant and/or owner of the subject property is: <ul style="list-style-type: none"> an elected member; Council officer; the spouse or an immediate relative of an elected member or Council officer. <p>Increase to not more than 4 representations opposing the proposal</p>	✓ if recommended for approval & doesn't need to go to full Council for any other reason	✓ but would not go to Committee unless called in by an elected member	✓ but would not go to Council unless called in by an elected member



Category	<ul style="list-style-type: none"> • General Manager • Director City Planning • Manager Planning Policy & Heritage • Manager Development Appraisal • Senior Statutory Planner 	City Planning Committee	Council
3 representations (objections) Increase to 5 representations opposing the proposal	X	✓ if recommended for approval & doesn't need to go to full Council for any other reason, so long as the CPC decision is to approve	✓ but would not go to Council unless called in by an elected member
More than 3 representations (objections) Increase to 6 or more representations opposing the proposal	X	X	✓
Building proposed in excess of 2000m ² of floor area and/or in excess of 3 storeys in height	X	X	✓
Council as applicant Allow these to be determined under delegation unless there is a representation opposing the proposal	X	X	✓
Applications relating to Council owned land For applications relating to the road reservation, allow these to be determined under delegation unless there are 5 representations opposing the proposal	X	X	✓



Category	<ul style="list-style-type: none"> • General Manager • Director City Planning • Manager Planning Policy & Heritage • Manager Development Appraisal • Senior Statutory Planner 	City Planning Committee	Council
Subdivisions that create more than 1 new lot Increase to more than 3 lots	X	X	✓
The application involves development in a Heritage Area or involves a heritage listed building and the Tasmanian Heritage Council has made an objection	X	X	✓
Applications where the Council is being requested to make or take a financial contribution from the applicant/owner (excluding cash in lieu contributions)	X	X	✓
"Emergency" <ul style="list-style-type: none"> • To determine applications in circumstances where the applicant has refused to grant an extension of time to allow the application to be considered at a scheduled meeting of the full Council • To exercise the power of the Council as planning authority pursuant to Section 59(7) of the <i>Land Use Planning and Approvals Act 1993</i>, to determine applications where no request to make a decision has been lodged with the Resource Management and Planning Appeal Tribunal 	✓	X	n/a

DELEGATIONS PURSUANT TO LAND USE PLANNING AND APPROVALS ACT 1993**GENERAL MANAGER & DIRECTOR CITY PLANNING**

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate to the General Manager and Director City Planning, the following functions and powers, to replace the corresponding delegations made on 11 May 2015 (with all other delegations made on that date to remain):

- (i) To approve applications for planning permits made under sections 57 and 58 of the *Land Use Planning and Approvals Act 1993* provided that:
- (a) not more than ~~four~~ statutory objections have been received, or in cases where the applicant and/or owner of the subject property is an Alderman or Council officer or his or her spouse or immediate relative, no statutory objections to the application have been received;
 - (b) the building proposed does not exceed 2000 m² in floor area or 3 storeys in height;
 - (c) the Council is not the applicant, ~~or where the Council is the applicant and there are no statutory objections;~~
 - (d) the application does not involve Council owned land, ~~or where the application involves part of a road reservation which is owned or maintained by the Council;~~
 - (e) the Council is not being requested to make or take a financial contribution to or receive from the applicant/owner (excluding cash in lieu contributions);
 - (f) the application does not involve development in a Heritage Area or involve a heritage listed building and the Tasmanian Heritage Council has not made an objection;
 - (g) in the case of applications for subdivision, the proposal results in the creation of not more than ~~three~~ additional lots; or
 - (h) an Alderman has not requested, any time prior to the requisite period of public notification expiring, the application for a planning permit under Section 57 be referred to the City Planning Committee for consideration.

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**DELEGATIONS TO MANAGER DEVELOPMENT APPRAISAL, MANAGER
PLANNING POLICY AND HERITAGE AND SENIOR STATUTORY PLANNER**

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate to the Manager Development Appraisal, the Manager Planning Policy and Heritage and the Senior Statutory Planner the following functions and powers, to replace the corresponding delegations made on 11 May 2015 (with all other delegations made on that date to remain):

- (i) To approve applications for planning permits made under Sections 57 and 58 of the *Land Use Planning and Approvals Act 1993*, provided that:
- (a) not more than ~~four~~ statutory objections have been received, or in cases where the applicant and/or owner of the subject property is an Alderman or Council officer or his or her spouse or immediate relative, no statutory objections to the application have been received;
 - (b) the building proposed does not exceed 2000 m² in floor area or 3 storeys in height;
 - (c) the Council is not the applicant, ~~or where the Council is the applicant and there are no statutory objections;~~
 - (d) the application does not involve Council owned land, ~~or where the application involves part of a road reservation which is owned or maintained by the Council;~~
 - (e) the Council is not being requested to make or take a financial contribution to receive from the applicant/owner (excluding cash in lieu contributions);
 - (f) the application does not involve development in a Heritage Area or involve a heritage listed building and the Tasmanian Heritage Council has not made an objection;
 - (g) in the case of applications for subdivision the proposal results in the creation of not more than ~~three~~ additional lots; or
 - (h) An Alderman has not requested, any time prior to the requisite period of public notification expiring, the application for a planning permit under Section 57 be referred to the City Planning Committee for consideration.

Deleted: two

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DELEGATIONS TO CITY PLANNING COMMITTEE

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate to the City Planning Committee the following functions and powers, to replace the corresponding delegations made on 11 May 2015 (with all other delegations made on that date to remain):

- (iii) to approve the following classes of applications made under Sections 57 and 58 of the *Land Use Planning and Approvals Act 1993* not delegated to the Director Development and Environmental Services, Manager Development Appraisal, Manager City Planning or the Senior Statutory Planner:
1. Not more than ~~five~~ statutory objections have been received;
 2. The building development proposed does not exceed 2,000m² in floor area or 3 storeys in height;
 3. The Council is not the applicant, ~~or where the Council is the applicant and there are no statutory objections~~, or the development is not on Council owned land, ~~or where the application involves part of a road reservation which is owned or maintained by the Council~~;
 4. The Council is not being requested to make or take a financial contribution to or from the development (excluding cash in lieu contributions);
 5. In the case of applications for subdivision, the proposal would create not more than ~~three~~ additional lots;
 6. The decision of Committee would not overturn the recommendation of the Council officers assessing the application; and
 7. The application is one that Council officers are not prepared to exercise their delegation on.

Deleted: three

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8.2 Monthly Building Statistics - 1 May - 31 May 2020
File Ref: F20/57647

Memorandum of the Director City Planning of 10 June 2020 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Monthly Building Statistics - 1 May - 31 May 2020

Attached is the monthly building statistics for the period 1 May – 31 May 2020.

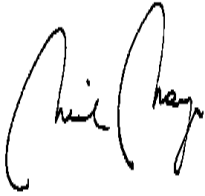
RECOMMENDATION

That:

The Director City Planning reports:

1. During the period 1 May 2020 to 31 May 2020, 36 permits were issued to the value of \$9,947,195 which included:
 - (i) 15 for Extensions/Alterations to Dwellings to the value of \$2,056,000;
 - (ii) 6 New Dwellings to the value of \$3,146,228; and
 - (iii) 0 Major Projects:
2. During the period 1 May 2019 to 31 May 2019, 16 permits were issued to the value of \$16,804,671 which included:
 - (i) 34 for Extensions/Alterations to Dwellings to the value of \$4,773,650;
 - (ii) 10 New Dwellings to the value of \$3,935,946; and
 - (iii) 1 Major Projects:
 - (a) 218 Macquarie Street (St. Michael's Collegiate) - Alterations - Stage 1 Science Block - \$4,460,000
1. In the twelve months ending 31 May 2020, 575 permits were issued to the value of \$243,777,218; and
2. In the twelve months ending 30 April 2019, 618 permits were issued to the value of \$336,329,552.


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

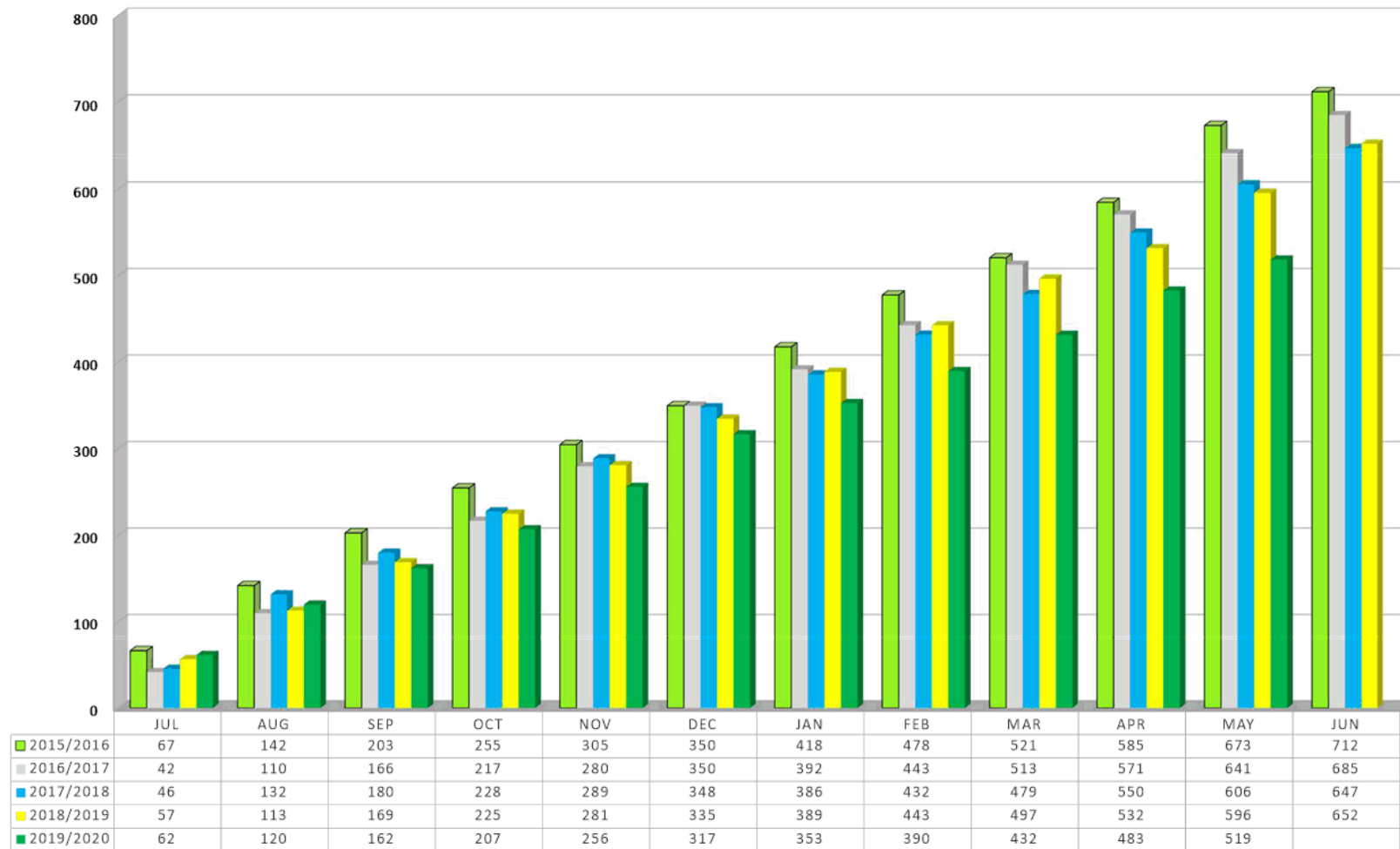
DIRECTOR CITY PLANNING

Date: 10 June 2020
File Reference: F20/57647

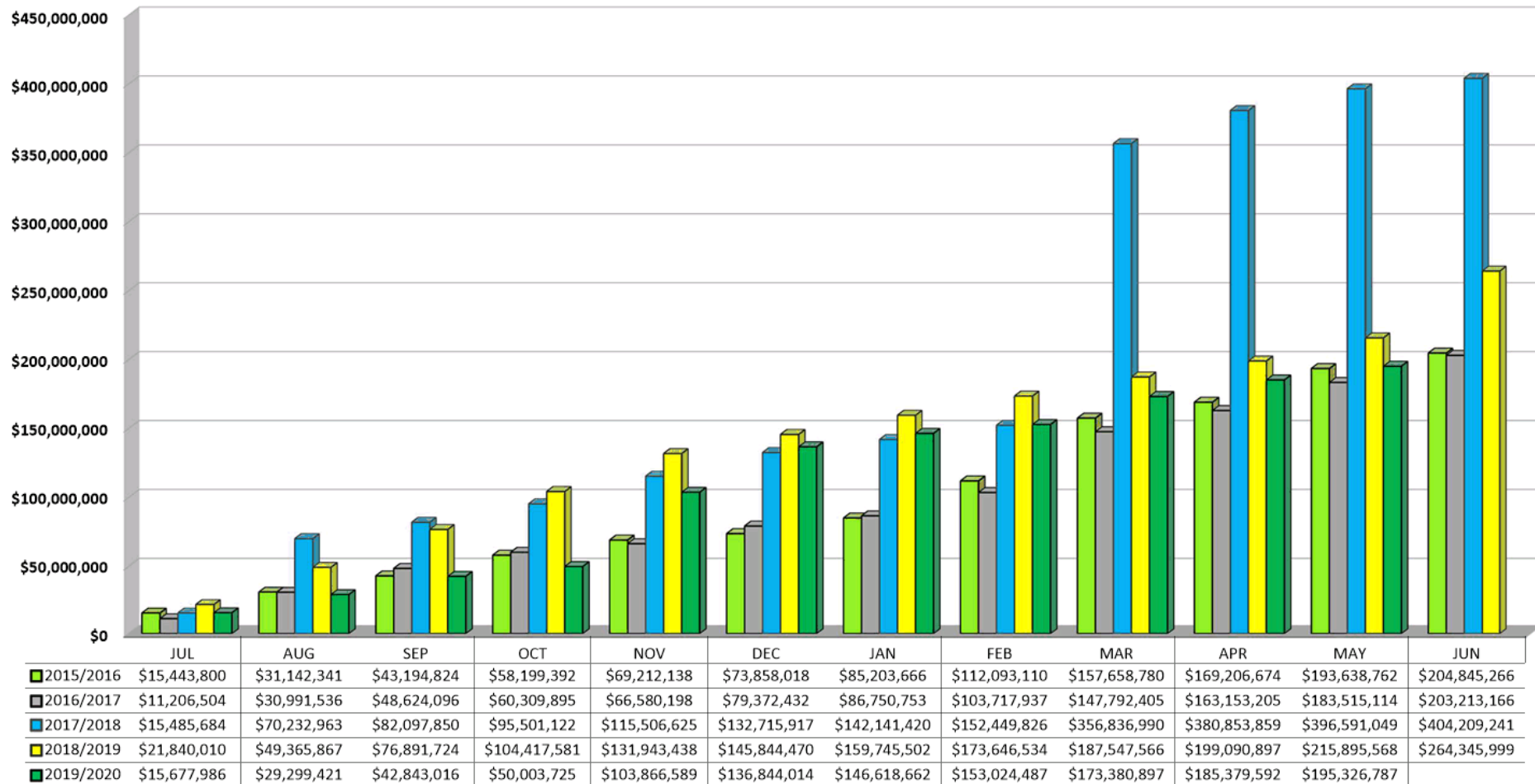
Attachment A: Number of Building Permits Issued - 5 Year Comparison - May 2020 ↓ 

Attachment B: Value of Building Permits Issued - 5 Year Comparison - May 2020 ↓ 

Building Permits Issued (Accumulative Monthly Totals)
5 Year Comparison 2015/2016 - 2019/2020



**Building Permits Value (Accumulative Monthly Totals)
5 Year Comparison 2015/2016 - 2019/2020**



8.3 Delegated Decisions Report (Planning)
File Ref: F20/57982

Memorandum of the Director City Planning of 9 June 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 9 March 2020 to 5 June 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: 9 June 2020
File Reference: F20/57982

Attachment A: Delegated Decisions Report (Planning) ↓ 

9 June 2020

Delegated Decisions Report (Planning)

166 applications found.

					Approved	Refused	Withdrawn / Cancelled	All
Planning Description	Address	Works Value	Decision	Authority				
PLN-17-469 Partial Demolition, Outbuilding and New Stormwater Infrastructure	14 DENISON STREET SOUTH HOBART TAS 7004	\$ 7,000	Approved	Delegated				
PLN-18-626 Partial Demolition, New Building for Eight Multiple Dwellings and Front Fencing	36 FEDERAL STREET NORTH HOBART TAS 7000	\$ 2,350,000	Withdrawn	Applicant				
PLN-18-721 12 Multiple Dwellings, Associated Hydraulic Infrastructure, Road Works (Extension to Star Street), Works in Road Reserve (Star Street and Jersey Street)	9 STAR STREET SANDY BAY TAS 7005	\$ 3,800,000	Approved	Delegated				
PLN-19-254 Partial Demolition and Alterations (Deck and Carport)	14 STRATTON AVENUE LENA VALLEY TAS 7008	\$ 15,000	Approved	Delegated				
PLN-19-284 Partial Demolition, Alterations and Extension	32 BURNETT STREET NORTH HOBART TAS 7000	\$ 180,000	Withdrawn	Applicant				
PLN-19-448 Partial Demolition and Alterations for Ancillary Dwelling	10 SHERBOURNE AVENUE WEST HOBART TAS 7000	\$ 20,000	Not Required	Delegated				
PLN-19-487 Two Multiple Dwellings	315 NELSON ROAD MOUNT NELSON TAS 7007 (ALSO KNOWN AS 329 NELSON ROAD CT55111/7)	\$ 500,000	Approved	Delegated				
PLN-19-532 Dwelling	610A NELSON ROAD MOUNT NELSON TAS 7007	\$ 294,288	Approved	Delegated				
PLN-19-63 Partial Demolition, Alterations and Extensions to Domestic Animal Breeding, Boarding or Training	10 SELFS POINT ROAD NEW TOWN TAS 7008	\$ 500,000	Approved	Delegated				
PLN-19-655 Partial Demolition, Extension and Alterations	11 WATKINS AVENUE WEST HOBART TAS 7000	\$ 430,000	Approved	Delegated				
PLN-19-665 Demolition and Four Multiple Dwellings	34 OLDHAM AVENUE NEW TOWN TAS 7008	\$ 990,000	Approved	Delegated				
PLN-19-700 Partial Demolition, Extension, Alterations and Change of Use to Boarding House	41 ALEXANDER STREET SANDY BAY TAS 7005	\$ 384,750	Refused	Delegated				
PLN-19-715 Partial Change of Use to Visitor Accommodation	4/4 ELLERSLIE ROAD BATTERY POINT TAS 7004	\$ 0	Approved	Delegated				
PLN-19-740 Partial Demolition, Extension and Alterations	13 ADELAIDE STREET SOUTH HOBART TAS 7004	\$ 120,000	Approved	Delegated				
PLN-19-762 Partial Demolition, Alterations and Extension	2/24A CLARE STREET NEW TOWN TAS 7008	\$ 85,000	Approved	Delegated				
PLN-19-801 Partial Demolition, Alterations and Partial Change of Use to Two Multiple Dwellings	237-245 ELIZABETH STREET HOBART TAS 7000	\$ 500,000	Approved	Delegated				
PLN-19-809 Two Multiple Dwellings (One Existing, One New) and Extended Driveway	32 COPLEY ROAD LENA VALLEY TAS 7008	\$ 777,000	Approved	Delegated				
PLN-19-841 Partial Demolition and Alterations for Three Multiple Dwellings (One Existing, Two New)	250 MACQUARIE STREET HOBART TAS 7000	\$ 450,000	Approved	Delegated				
PLN-19-873 Partial Demolition, Alterations and Partial Change of Use to Two Multiple Dwellings	2 MIDWOOD STREET NEW TOWN TAS 7008	\$ 149,500	Approved	Delegated				

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-19-874 Partial Demolition, Extension and Alterations	5 ARCHER STREET NEW TOWN TAS 7008	\$ 350,000	Approved	Delegated
PLN-19-878 Dwelling, Carport and Driveway Extension	12 ANCANTHE AVENUE LENA VALLEY TAS 7008	\$ 290,000	Approved	Delegated
PLN-19-902 Dwelling	32 HILLCREST ROAD TOLMANS HILL TAS 7007	\$ 540,000	Approved	Delegated
PLN-19-905 Partial Demolition and Alterations	98 AUGUSTA ROAD LENA VALLEY TAS 7008	\$ 200,000	Withdrawn	Applicant
PLN-19-910 Partial Demolition, Extension, Alterations and Front Fencing	38 ST GEORGES TERRACE BATTERY POINT TAS 7004	\$ 650,000	Approved	Delegated
PLN-19-923 Subdivision (One Lot and Balance)	493 NELSON ROAD MOUNT NELSON TAS 7007	\$ 0	Approved	Delegated
PLN-19-932 Demolition and Alterations to Multiple Dwelling	3-5 CHURCH STREET HOBART TAS 7000	\$ 500,000	Approved	Delegated
PLN-19-934 Subdivision (Two Lots)	53-57 COLLINS STREET HOBART TAS 7000	\$ 250,000	Approved	Delegated
PLN-19-935 Demolition	25 PRINCES STREET SANDY BAY TAS 7005	\$ 50,000	Withdrawn	Applicant
PLN-19-937 Partial Demolition and Extension	33A YORK STREET SANDY BAY TAS 7005	\$ 50,000	Approved	Delegated
PLN-19-942 Partial Demolition and Two Multiple Dwellings (One Existing, One New)	490 NELSON ROAD MOUNT NELSON TAS 7007	\$ 135,000	Approved	Delegated
PLN-19-944 Outbuilding	10 GREGSON AVENUE NEW TOWN TAS 7008	\$ 15,000	Approved	Delegated
PLN-19-945 Alterations and Extension to Previously Approved Development, Change of use to Five Multiple Dwellings (Three Existing, Two New), and Partial Change of Use to Visitor Accommodation	54 FORSTER STREET NEW TOWN TAS 7008	\$ 400,000	Approved	Delegated
PLN-20-1 Partial Change of Use to Four Multiple Dwellings	1/125 SWANSTON STREET NEW TOWN TAS 7008	\$ 0	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-20-100 Partial Demolition, Alterations, Partial Change of Use to Visitor Accommodation and Signage	340 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 500,000	Approved	Delegated
PLN-20-101 Partial Demolition and Alterations	6 SALAMANCA SQUARE BATTERY POINT TAS 7004	\$ 49,550	Exempt	Delegated
PLN-20-103 Partial Demolition, Alterations, and Alterations to Car Parking, Driveway, and Landscaping	1 ASCOT AVENUE SANDY BAY TAS 7005	\$ 20,000	Approved	Delegated
PLN-20-105 Signage	78-80 BATHURST STREET HOBART TAS 7000	\$ 4,000	Approved	Delegated
PLN-20-11 Partial Demolition, Extension, Alterations and Front Fencing	14 ANDREW STREET NORTH HOBART TAS 7000	\$ 350,000	Approved	Delegated
PLN-20-110 Dwelling	12 WESTINWOOD ROAD LENA VALLEY TAS 7008	\$ 480,000	Exempt	Delegated
PLN-20-111 Partial Demolition and Alterations	64-68 LIVERPOOL STREET HOBART TAS 7000	\$ 12,000	Approved	Delegated
PLN-20-112 Partial Demolition, Alterations and Landscaping	63A PATRICK STREET HOBART TAS 7000	\$ 250,000	Approved	Delegated
PLN-20-113 Two Multiple Dwellings (One Existing, One New)	52 SUMMERHILL ROAD WEST HOBART TAS 7000	\$ 335	Approved	Delegated

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-20-115 Partial Demolition	42-46 ARTHUR STREET WEST HOBART TAS 7000	\$ 20,000	Approved	Delegated
PLN-20-117 Partial Demolition and Alterations	1/800 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated
PLN-20-119 Front Fencing	29 MELLIFONT STREET WEST HOBART TAS 7000	\$ 1,000	Approved	Delegated
PLN-20-120 Alterations	10 EVANS STREET HOBART TAS 7000	\$ 11,000	Approved	Delegated
PLN-20-121 Partial Demolition and Alterations	37 RED CHAPEL AVENUE SANDY BAY TAS 7005	\$ 50,000	Approved	Delegated
PLN-20-123 Alterations (Covered Walkway)	395 ARGYLE STREET NORTH HOBART TAS 7000	\$ 55,000	Approved	Delegated
PLN-20-124 Signage	212-218 MACQUARIE STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-125 Change of Use to Visitor Accommodation	69 VIEW STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-20-126 Partial Demolition and Alterations	3 BRISBANE STREET HOBART TAS 7000	\$ 120,000	Approved	Delegated
PLN-20-128 Alterations to Previously Approved Extension	36 MARIEVILLE ESPLANADE SANDY BAY TAS 7005	\$ 9,999	Approved	Delegated
PLN-20-129 Change of Use to Visitor Accommodation	2/26 JEANNETTE COURT LENA VALLEY TAS 7008	\$ 0	Approved	Delegated
PLN-20-130 Extension to Outdoor Dining Area and Associated Outdoor Dining Furniture	64/4 FRANKLIN WHARF HOBART TAS 7000	\$ 20,000	Approved	Delegated
PLN-20-131 Outbuilding	19 WIGNALL STREET NORTH HOBART TAS 7000	\$ 17,000	Approved	Delegated
PLN-20-133 Partial Demolition, Alterations, Extension and Change of Use to Boarding House	9A LYNTON AVENUE SOUTH HOBART TAS 7004	\$ 50,000	Approved	Delegated
PLN-20-134 Change of Use to Visitor Accommodation	52 FOREST ROAD WEST HOBART TAS 7000	\$ 5,000	Approved	Delegated
PLN-20-137 Dwelling	76 ATHLEEN AVENUE LENA VALLEY TAS 7008	\$ 250,000	Approved	Delegated
PLN-20-138 Extension to Operating Hours	26 MONTEPELIER RETREAT BATTERY POINT TAS 7004	\$ 0	Approved	Delegated
PLN-20-139 Signage	40 ELIZABETH STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-141 Partial Demolition, Alterations, Extension, and Partial Change of Use to Two Multiple Dwellings	2 CASTRAY ESPLANADE BATTERY POINT TAS 7004	\$ 700,000	Withdrawn	Applicant
PLN-20-143 Partial Demolition, Alterations and Extension	109 PATRICK STREET WEST HOBART TAS 7000	\$ 500,000	Approved	Delegated
PLN-20-144 Alterations (Solar Panels)	24 PRINCES STREET SANDY BAY TAS 7005	\$ 14,000	Approved	Delegated
PLN-20-147 Alterations and Extension (Studio)	685 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 50,000	Approved	Delegated
PLN-20-149 Partial Demolition and Alterations and New Deck	123 CASCADE ROAD SOUTH HOBART TAS 7004	\$ 10,000	Approved	Delegated
PLN-20-153 Alterations to Car Parking and Common Property	5/80-82 HAMPDEN ROAD BATTERY POINT TAS 7004	\$ 0	Approved	Delegated
PLN-20-154 Partial Demolition and Alterations	53 RUNNYMEDE STREET BATTERY POINT TAS 7004	\$ 20,000	Approved	Delegated
PLN-20-157 Alterations and Partial Change of Use to Educational and Occasional Care	73-81 MURRAY STREET HOBART TAS 7000	\$ 150,000	Approved	Delegated
PLN-20-158 Landscaping	1/1 MONTRIVALE RISE DYNMYRNE TAS 7005	\$ 95,000	Approved	Delegated

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-20-159 Partial Demolition, Alterations and Extension	13 FEHRE COURT SANDY BAY TAS 7005	\$ 50,000	Approved	Delegated
PLN-20-16 Partial Demolition, Alterations, New Bus Shelter, Lighting, Street Furniture and Associated Works	ELIZABETH STREET ROAD RESERVE (BUS MALL) HOBART TAS 7000	\$ 250,000	Approved	Delegated
PLN-20-160 Partial Change of Use to General Retail and Hire (Laundromat) and Signage	2/202 NEW TOWN ROAD NEW TOWN TAS 7008	\$ 50,000	Approved	Delegated
PLN-20-161 Partial Demolition, Alterations and Extension	123 ARGYLE STREET HOBART TAS 7000	\$ 80,000	Approved	Delegated
PLN-20-162 Partial Demolition and Alterations	5 BRUSHY CREEK ROAD LENA VALLEY TAS 7008	\$ 50,000	Approved	Delegated
PLN-20-163 Partial Demolition and Alterations	25 ASCOT AVENUE SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated
PLN-20-164 Signage	200 LIVERPOOL STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-165 Change of Use to Visitor Accommodation	6/4 COLVILLE STREET BATTERY POINT TAS 7004	\$ 0	Withdrawn	Applicant
PLN-20-166 Deck Extension	16 GRAYS ROAD FERN TREE TAS 7054	\$ 2,500	Approved	Delegated
PLN-20-167 Partial Demolition and Front Fencing	9 WATERLOO CRESCENT BATTERY POINT TAS 7004	\$ 8,500	Approved	Delegated
PLN-20-171 Signage	80 ELIZABETH STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-172 Jetty	24 CLARKE AVENUE BATTERY POINT TAS 7004	\$ 50,000	Approved	Delegated
PLN-20-176 Partial Demolition and Subdivision (Boundary Adjustment)	127 BATHURST STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-177 Two Multiple Dwellings (One Existing, One New)	246 BATHURST STREET WEST HOBART TAS 7000	\$ 220,000	Withdrawn	Applicant
PLN-20-178 Partial Demolition and Alterations	1/43 BEDDOME STREET SANDY BAY TAS 7005	\$ 19,000	Approved	Delegated
PLN-20-18 Dwelling	48 POTTERY ROAD LENA VALLEY TAS 7008	\$ 184,100	Approved	Delegated
PLN-20-181 Signage	83 ATHLEEN AVENUE LENA VALLEY TAS 7008	\$ 0	Approved	Delegated
PLN-20-183 Three Multiple Dwellings (One Existing, One Approved, One New)	141 HAMPDEN ROAD HOBART TAS 7000	\$ 50,000	Approved	Delegated
PLN-20-184 Alterations	1/3A CRELIN STREET BATTERY POINT TAS 7004	\$ 90,000	Approved	Delegated
PLN-20-185 Partial Demolition, Alterations, Extension and Outbuilding	382-384 MACQUARIE STREET SOUTH HOBART TAS 7004	\$ 300,000	Approved	Delegated
PLN-20-19 Partial Demolition and New Building for Extension to Visitor Accommodation Use	281 LIVERPOOL STREET HOBART TAS 7000	\$ 468,611	Approved	Delegated
PLN-20-193 Partial Demolition, Alterations and Extension	28 D'ARCY STREET SOUTH HOBART TAS 7004	\$ 350,000	Approved	Delegated
PLN-20-194 Demolition	12 ST JOHNS AVENUE NEW TOWN TAS 7008	\$ 160,000	Approved	Delegated
PLN-20-200 Outbuilding	66 ADELAIDE STREET SOUTH HOBART TAS 7004	\$ 5,000	Approved	Delegated
PLN-20-201 Dwelling and Outbuildings and Associated Clearance for Bushfire Protection	70-72 PROCTORS ROAD KINGSTON TAS 7050	\$ 200,000	Approved	Delegated
PLN-20-203 Partial Demolition and Alterations	164 LIVERPOOL STREET HOBART TAS 7000	\$ 30,000	Approved	Delegated

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Planning Description	Address	Works Value	Decision	Authority
PLN-20-205 Alterations (Pergola)	50 OLINDA GROVE MOUNT NELSON TAS 7007	\$ 33,600	Approved	Delegated
PLN-20-206 Signage	83-89 BRISBANE STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-208 Partial Demolition, Alterations and Extension	140 NELSON ROAD MOUNT NELSON TAS 7007	\$ 450,000	Approved	Delegated
PLN-20-21 Alterations and Extension (Studio)	306 LENA VALLEY ROAD LENA VALLEY TAS 7008	\$ 140,000	Approved	Delegated
PLN-20-214 Signage	5 SALAMANCA SQUARE BATTERY POINT TAS 7004	\$ 5,000	Exempt	Delegated
PLN-20-215 Partial Demolition, Alterations and Partial Change of Use to Shop	16 MONTELLIER RETREAT BATTERY POINT TAS 7004	\$ 30,000	Approved	Delegated
PLN-20-216 Partial Demolition, Alterations and Front Fencing	1/4 LEFROY STREET NORTH HOBART TAS 7000	\$ 15,000	Approved	Delegated
PLN-20-217 Partial Demolition, Alterations and Extension	65 HILLCREST ROAD TOLMANS HILL TAS 7007	\$ 7,500	Approved	Delegated
PLN-20-218 Alterations (Solar Panels)	65 CROSS STREET NEW TOWN TAS 7008	\$ 6,000	Approved	Delegated
PLN-20-219 Dwelling	79 ATHLEEN AVENUE LENA VALLEY TAS 7008	\$ 400,000	Approved	Delegated
PLN-20-222 Partial Demolition, Alterations and Extension	68 PIRIE STREET NEW TOWN TAS 7008	\$ 35,000	Approved	Delegated
PLN-20-235 Alterations (Solar Panels)	168-172 LIVERPOOL STREET HOBART TAS 7000	\$ 3,000	Approved	Delegated
PLN-20-240 Alterations and Extension	2/21 FIRTH ROAD LENA VALLEY TAS 7008	\$ 10,000	Approved	Delegated
PLN-20-241 Room extension / workshop	2/21 FIRTH ROAD LENA VALLEY TAS 7008	\$ 10,000	Withdrawn	Applicant
PLN-20-248 Change of Use to Four Multiple Dwellings	23 DIGNEY STREET DYNMYRNE TAS 7005	\$ 0	Approved	Delegated
PLN-20-25 Dwelling	15 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 400,000	Approved	Delegated
PLN-20-251 Alterations (Solar Panels)	109 ELIZABETH STREET HOBART TAS 7000	\$ 3,500	Approved	Delegated
PLN-20-253 Demolition and Front Fencing	5 FRANCIS STREET BATTERY POINT TAS 7004	\$ 5,000	Approved	Delegated
PLN-20-258 Alterations	432A HUON ROAD SOUTH HOBART TAS 7004	\$ 160,000	Not Required	Delegated
PLN-20-260 Signage	254-286 LIVERPOOL STREET HOBART TAS 7000	\$ 3,500	Approved	Delegated
PLN-20-261 Signage	254-286 LIVERPOOL STREET HOBART TAS 7000	\$ 6,500	Withdrawn	Applicant
PLN-20-263 Alterations	23 KELLY STREET BATTERY POINT TAS 7004	\$ 10,000	Approved	Delegated
PLN-20-272 Partial Demolition and Alterations (Deck)	3 FEHRE COURT SANDY BAY TAS 7005	\$ 14,000	Not Required	Delegated
PLN-20-276 Signage	52 MURRAY STREET HOBART TAS 7000	\$ 0	Withdrawn	Applicant
PLN-20-28 Extension and Two Multiple Dwellings (One Existing, One New)	5 HUDSON COURT LENA VALLEY TAS 7008	\$ 400,000	Approved	Delegated
PLN-20-284 Alterations and Change of Use to Educational and Occasional Care (Ballet Studio)	131 GOULBURN STREET WEST HOBART TAS 7000	\$ 30,000	Withdrawn	Applicant
PLN-20-29 Partial Demolition, Extension, Alterations and Five Multiple Dwellings (Four Existing, One New)	34 MARIEVILLE ESPLANADE SANDY BAY TAS 7005	\$ 500,000	Approved	Delegated

Planning Description	Address	Works Value	Decision	Authority
PLN-20-290 Partial Demolition, Alterations, Extension, Garage and Studio	1 DIGNEY STREET DYNMYRNE TAS 7005	\$ 350,000	Withdrawn	Applicant
PLN-20-294 Partial Demolition, Alterations and Extension	61 CLARE STREET NEW TOWN TAS 7008	\$ 120,000	Exempt	Delegated
PLN-20-299 Reallocation of Car Parking Spaces	1/10A BRADDON AVENUE SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-20-30 Partial Change of Use to Boarding House	54 ALEXANDER STREET SANDY BAY TAS 7005	\$ 1	Approved	Delegated
PLN-20-314 Ballet Studio	67 BRISBANE STREET HOBART TAS 7000	\$ 0	Withdrawn	Applicant
PLN-20-32 Partial Demolition, Alterations, Swimming Pool, Carport, Outbuilding and Partial Change of Use to Visitor Accommodation	76 LORD STREET SANDY BAY TAS 7005	\$ 45,000	Approved	Delegated
PLN-20-33 Partial Demolition, Alterations for Additional Multiple Dwelling (One Existing and One New)	217-219 ELIZABETH STREET HOBART TAS 7000	\$ 15,000	Approved	Delegated
PLN-20-34 Partial Demolition, Extension and Alterations	11 FELTHAM STREET NORTH HOBART TAS 7000	\$ 150	Approved	Delegated
PLN-20-35 Partial Demolition, New Retaining Walls and Alterations	17 ENTERPRISE ROAD SANDY BAY TAS 7005	\$ 70,000	Approved	Delegated
PLN-20-36 Partial Demolition, Extension, Alterations and Outbuilding	38 HAMILTON STREET WEST HOBART TAS 7000	\$ 150,000	Approved	Delegated
PLN-20-37 Partial Demolition, New Dwelling and Garage	209 MURRAY STREET HOBART TAS 7000	\$ 350,000	Approved	Delegated
PLN-20-43 Stairway	10 EVANS STREET HOBART TAS 7000	\$ 200,000	Approved	Delegated
PLN-20-48 Partial Demolition, Extension and Alterations for Additional Multiple Dwelling (Four Existing, One New)	206 HARRINGTON STREET HOBART TAS 7000	\$ 50,000	Approved	Delegated
PLN-20-51 Demolition, New Building for Community Meeting and Entertainment (Museum), Alterations, Removal of Underground Fuel Tanks, Signage, and Works in the Road Reserve including Tree Removal	16 DEGRAVES STREET SOUTH HOBART TAS 7004	\$ 1,000,000	Approved	Delegated
PLN-20-53 Public Art Installation (One Bronze Sculpture)	15 DEGRAVES STREET SOUTH HOBART TAS 7004	\$ 5,000	Approved	Delegated
PLN-20-55 Partial Demolition, Alterations, Extension, Garage, and Pool	714 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 750,000	Approved	Delegated
PLN-20-56 Public Art Installation	12 ST JOHNS AVENUE NEW TOWN TAS 7008	\$ 70,000	Approved	Delegated
PLN-20-58 New Building and Outbuilding for Educational and Occasional Care, Alterations to Car Parking and Tree Removal	6 MIDWOOD STREET NEW TOWN TAS 7008	\$ 800,000	Approved	Delegated
PLN-20-59 Garage, Deck and Swimming Pool	490 HUON ROAD SOUTH HOBART TAS 7004	\$ 150,000	Approved	Delegated
PLN-20-6 Ancillary Dwelling	12 TURNIP FIELDS ROAD SOUTH HOBART TAS 7004	\$ 60,000	Approved	Delegated
PLN-20-60 Partial Demolition, Alterations and Extension	29 MELLIFONT STREET WEST HOBART TAS 7000	\$ 120,000	Approved	Delegated
PLN-20-61 Partial Demolition and Alterations (Deck)	5 BIRNGANA AVENUE SANDY BAY TAS 7005	\$ 20,000	Approved	Delegated

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-20-64 11 Multiple Dwellings, Front Fencing, Tree Removal, and Associated Works in the Road Reservation	14 KOORYONG GLEN SOUTH HOBART TAS 7004	\$ 3,000,000	Approved	Delegated
PLN-20-66 Partial Demolition, Alterations and Extension	92 WARWICK STREET HOBART TAS 7000	\$ 60,000	Approved	Delegated
PLN-20-68 Alterations (Deck)	104 SANDY BAY ROAD BATTERY POINT TAS 7004	\$ 25,000	Approved	Delegated
PLN-20-70 Front Fencing	22 MARGARET STREET SANDY BAY TAS 7005	\$ 5,000	Approved	Delegated
PLN-20-71 Partial Demolition, Alterations and Extension	23 BAY ROAD NEW TOWN TAS 7008	\$ 150,000	Approved	Delegated
PLN-20-72 Partial Demolition, Alterations and Extension	358 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 150,000	Withdrawn	Applicant
PLN-20-73 Dwelling	19 STEVENS FARM DRIVE WEST HOBART TAS 7000	\$ 600,000	Approved	Delegated
PLN-20-75 Signage	127-131 MACQUARIE STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-76 Dwelling	12 BLUESTONE RISE LENA VALLEY TAS 7008	\$ 600,000	Exempt	Delegated
PLN-20-8 Partial Demolition, Extension and Alterations	67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007	\$ 280,000	Withdrawn	Applicant
PLN-20-80 Partial Demolition, Alterations and Extension, and Alterations to Driveway	24 BIRNGANA AVENUE SANDY BAY TAS 7005	\$ 200,000	Approved	Delegated
PLN-20-81 Front Fencing	18 DUKE STREET SANDY BAY TAS 7005	\$ 9,500	Approved	Delegated
PLN-20-84 Partial Change of Use to Visitor Accommodation	8 SWAN STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-85 Dwelling	15 ANCANTHE AVENUE LENA VALLEY TAS 7008	\$ 250,000	Approved	Delegated
PLN-20-87 Dwelling and Tree Removal	133-135 JUBILEE ROAD SOUTH HOBART TAS 7004	\$ 300,000	Approved	Delegated
PLN-20-90 Alterations	78 LANSLOWNE CRESCENT WEST HOBART TAS 7000	\$ 17,485	Approved	Delegated
PLN-20-92 Partial Demolition, Alterations, Extension and Outbuilding (Studio)	52 KNOCKLOFTY TERRACE WEST HOBART TAS 7000	\$ 160,000	Approved	Delegated
PLN-20-94 Alterations	5 ANTILL STREET SOUTH HOBART TAS 7004	\$ 10,000	Approved	Delegated
PLN-20-95 Partial Demolition, Alterations and Extension	21 HOPE STREET NEW TOWN TAS 7008	\$ 145,000	Approved	Delegated
PLN-20-98 Partial Demolition and Alterations	137 LIVERPOOL STREET HOBART TAS 7000	\$ 10,000	Approved	Delegated
PLN-20-99 Alterations (Re-Roofing)	19 GREGORY STREET SANDY BAY TAS 7005	\$ 18,000	Approved	Delegated

8.4 City Planning - Advertising Report
File Ref: F20/58037

Memorandum of the Director City Planning of 10 June 2020 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

City Planning - Advertising Report

Attached is the advertising list for the period 21 May 2020 to 5 June 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: 10 June 2020
File Reference: F20/58037

Attachment A: City Planning - Advertising Report ↓

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-19-514	420 STRICKLAND AVENUE	SOUTH HOBART	Subdivision (One Additional Lot)	\$8,000.00	23/06/2020	ayersh	Director	22/05/2020	05/06/2020
PLN-20-7	55 RUNNYMEDE STREET	BATTERY POINT	Partial Demolition and Alterations	\$6,000.00	23/06/2020	ayersh	Council	25/05/2020	09/06/2020
PLN-20-207	63 DERWENTWATER AVENUE	SANDY BAY	Partial Demolition, Alterations and Extension	\$250,000.00	18/07/2020	ayersh	Director	25/05/2020	09/06/2020
PLN-20-67	11 SWAN STREET	NORTH HOBART	Partial Demolition, Alterations, Extension, Landscaping (including Tree Removal), and Car Parking	\$8,206,000.00	25/06/2020	ayersh	Director	26/05/2020	10/06/2020
PLN-20-175	19 - 27 CAMPBELL STREET	HOBART	Signage	\$70,000.00	06/07/2020	ayersh	Council	28/05/2020	12/06/2020
PLN-20-132	873 A SANDY BAY ROAD	SANDY BAY	Change of Access and Alterations to Driveway	\$20,000.00	07/07/2020	ayersh	Council	01/06/2020	16/06/2020
PLN-20-225	6 WATKINS AVENUE	WEST HOBART	Partial Demolition, Alterations and Carport	\$10,000.00	27/05/2020	ayersh	Director	02/06/2020	17/06/2020
PLN-20-255	2 / 807 SANDY BAY ROAD	SANDY BAY	Alterations (Awning)	\$83,270.00	09/07/2020	ayersh	Director	02/06/2020	03/06/2020
PLN-19-314	23 ENTERPRISE ROAD	SANDY BAY	20 Multiple Dwellings and Associated Works	\$10,000,000.00	13/07/2020	baconr	Council	21/05/2020	04/06/2020
PLN-20-242	1 / 678 HUON ROAD	FERN TREE	Partial Demolition, Alterations and Extension	\$35,000.00	22/06/2020	langd	Director	21/05/2020	04/06/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-266	121 ARGYLE STREET	HOBART	Partial Demolition, Alterations, Change of Use to Sports and Recreation (Gymnasium) and Signage	\$60,000.00	19/06/2020	langd	Director	28/05/2020	12/06/2020
PLN-20-179	61 FISHER AVENUE	SANDY BAY	Partial Demolition, Alterations and Extension	\$45,000.00	26/06/2020	langd	Director	02/06/2020	03/06/2020
PLN-20-307	34 SEYMOUR STREET	NEW TOWN	Partial Demolition, Alterations and Deck	\$5,000.00	06/07/2020	langd	Director	02/06/2020	17/06/2020
PLN-20-293	5 ST GEORGES TERRACE	BATTERY POINT	Swimming Pool	\$55,000.00	01/07/2020	langd	Director	04/06/2020	19/06/2020
PLN-20-257	3 / 1 - 3 DATE COURT	SANDY BAY	Partial Demolition, Alterations and Extension	\$40,000.00	09/07/2020	maxwellv	Director	21/05/2020	04/06/2020
PLN-20-271	13 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$350,000.00	23/06/2020	maxwellv	Director	28/05/2020	12/06/2020
PLN-20-282	6 THIRZA STREET	NEW TOWN	Partial Demolition, Alterations, and Extension	\$350,000.00	26/06/2020	maxwellv	Director	28/05/2020	12/06/2020
PLN-20-275	366 ELIZABETH STREET	NORTH HOBART	Partial Demolition, Alterations and Signage	\$200,000.00	02/07/2020	maxwellv	Director	03/06/2020	18/06/2020
PLN-20-209	41 WELLESLEY STREET	SOUTH HOBART	Partial Demolition, Alterations and Extension	\$100,000.00	27/06/2020	mcclenahanm	Director	25/05/2020	09/06/2020
PLN-19-916	9 CONGRESS STREET	SOUTH HOBART	Partial Demolition, Extension, Alterations and Front Fencing	\$250,000.00	16/06/2020	mcclenahanm	Director	27/05/2020	11/06/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-274	58 - 60 ADELAIDE STREET	SOUTH HOBART	Alterations to Previously Approved Development	\$750,000.00	24/06/2020	mcclenahanm	Director	28/05/2020	12/06/2020
PLN-20-297	79 - 81 KING STREET	SANDY BAY	Partial Demolition, Alterations and Extension	\$100,000.00	02/07/2020	mcclenahanm	Director	29/05/2020	13/06/2020
PLN-20-288	8 A BRINSMEAD ROAD	MOUNT NELSON	Extension, Carport, Workshop and Store	\$50,000.00	29/06/2020	mcclenahanm	Director	01/06/2020	16/06/2020
PLN-20-231	33 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$471,950.00	18/06/2020	nolanm	Director	25/05/2020	09/06/2020
PLN-20-188	37 VIEW STREET	SANDY BAY	Partial Demolition, Alterations and Extension	\$150,000.00	23/06/2020	nolanm	Director	29/05/2020	13/06/2020
PLN-20-279	26 APSLEY STREET	SOUTH HOBART	Partial Demolition and Outbuilding	\$42,000.00	25/06/2020	nolanm	Director	02/06/2020	17/06/2020
PLN-20-304	324 DAVEY STREET	SOUTH HOBART	Alterations (Deck) to Previously Approved Development	\$1,000,000.00	09/07/2020	nolanm	Director	05/06/2020	20/06/2020
PLN-20-63	12 A MOUNT STUART ROAD	MOUNT STUART	Partial Demolition, Alterations and Front Fence	\$40,000.00	25/06/2020	obrienm	Director	05/06/2020	22/06/2020
PLN-20-250	107 FOREST ROAD	WEST HOBART	Partial Demolition, Alterations, Extension and Front Fencing	\$450,000.00	20/06/2020	sherriffc	Director	21/05/2020	04/06/2020
PLN-20-244	132 STRICKLAND AVENUE	SOUTH HOBART	Partial Demolition, Alterations and Extension	\$70,000.00	30/06/2020	sherriffc	Director	25/05/2020	09/06/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-197	23 COMMERCIAL ROAD	NORTH HOBART	Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works	\$9,400,000.00	19/06/2020	sherriffc	Council	27/05/2020	11/06/2020
PLN-20-204	15 ROSE COURT	SANDY BAY	Partial Demolition and Dwelling	\$900,000.00	07/08/2020	sherriffc	Council	04/06/2020	19/06/2020
PLN-20-118	224 CAMPBELL STREET	NORTH HOBART	Outbuilding, Signage and Partial Change of Use to Visitor Accommodation	\$2,500.00	12/06/2020	wilsone	Director	25/05/2020	09/06/2020

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

The General Manager reports:-

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

9.1 Royal Hobart Hospital - Smoke Free
File Ref: F20/21958; 13-1-10

Memorandum of the Director City Planning of 2 June 2020.

9.2 Development / Building Activity
File Ref: F20/30657; 13-1-10

Memorandum of the Director City Planning of 2 June 2020.

9.3 8 Wynyard Street - Public Path - Open Space
File Ref: F20/55922; 13-1-10

Memorandum of the Director City Planning of 2 June 2020.

9.4 Planning / Building Data
File Ref: F20/58346; 13-1-10

Memorandum of the Director City Planning of 10 June 2020.

Delegation: Committee

That the information be received and noted.

City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Elected Members

Response to Question Without Notice

ROYAL HOBART HOSPITAL - SMOKE FREE

Meeting: City Planning Committee

Meeting date: 17 February 2020

Raised by: Deputy Lord Mayor Burnet

Question:

Can the Director please advise if the Royal Hobart Hospital campus has been declared smoke-free? If not, could we please have a letter of confirmation as to when?

Response:

Advice from the Department of Health is that the Minister has not yet approved the designation of the Royal Hobart Hospital as a smoke free area. There are proposed legislative amendments to the Public Health Act (currently planned for introduction to Parliament in 2021) to make all hospitals, schools and their surrounds smoke free areas (the Public Health Amendment Bill). While the Minister has approved work to be undertaken to identify a location for the creation of a potential outdoor smoking area at the Royal Hobart Hospital, it is my understanding that this work will be deferred for the foreseeable future, due to the current challenging operational environment of the Hospital.

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: 2 June 2020
File Reference: F20/21958; 13-1-10



City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Elected Members

Response to Question Without Notice

DEVELOPMENT / BUILDING ACTIVITY

Meeting: City Planning Committee

Meeting date: 2 March 2020

Raised by: Councillor Dutta

Question:

I refer to the Mercury article, Saturday 29th February 2020, attributed to Alderman Zucco, in which he states that there has been a drop of \$200m, in the past year. Can the Director advise/inform the committee if there is a reason for this substantial decline in development and if so could this be the cause of the inflated value of building activity in that financial year?

Response:

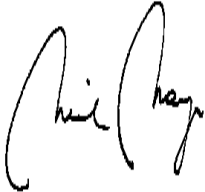
The significant drop in valuation of building permits in the financial year of approximately \$200m can be attributed to the major building permit for the Royal Hobart Hospital K Block which was approved in the previous 12 month period. The scale and value of projects of this nature are infrequent and when they do occur will provide anomalies in the trends of yearly valuation of building work approved by the Council.

The figures were inflated in March 2018 as there was a commercial extension at 48 Liverpool Street, Hobart (Royal Hobart Hospital) which had a value of \$162,000,000. To compare the periods March 2018 - February 2019 and March 2019 - February 2020, the average for Permits were:

2017	\$115,225,202
2018	\$202,202,667
2019	\$438,723,746
2020	\$333,863,949

There were No Major Projects for the Month of February 2019.

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.

A handwritten signature in black ink, appearing to read 'Neil Noye', with a stylized, cursive script.

Neil Noye
DIRECTOR CITY PLANNING

Date: 2 June 2020
File Reference: F20/30657; 13-1-10



City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Elected Members

Response to Question Without Notice

8 WYNYARD STREET - PUBLIC PATH - OPEN SPACE

Meeting: City Planning Committee

Meeting date: 25 November
2019

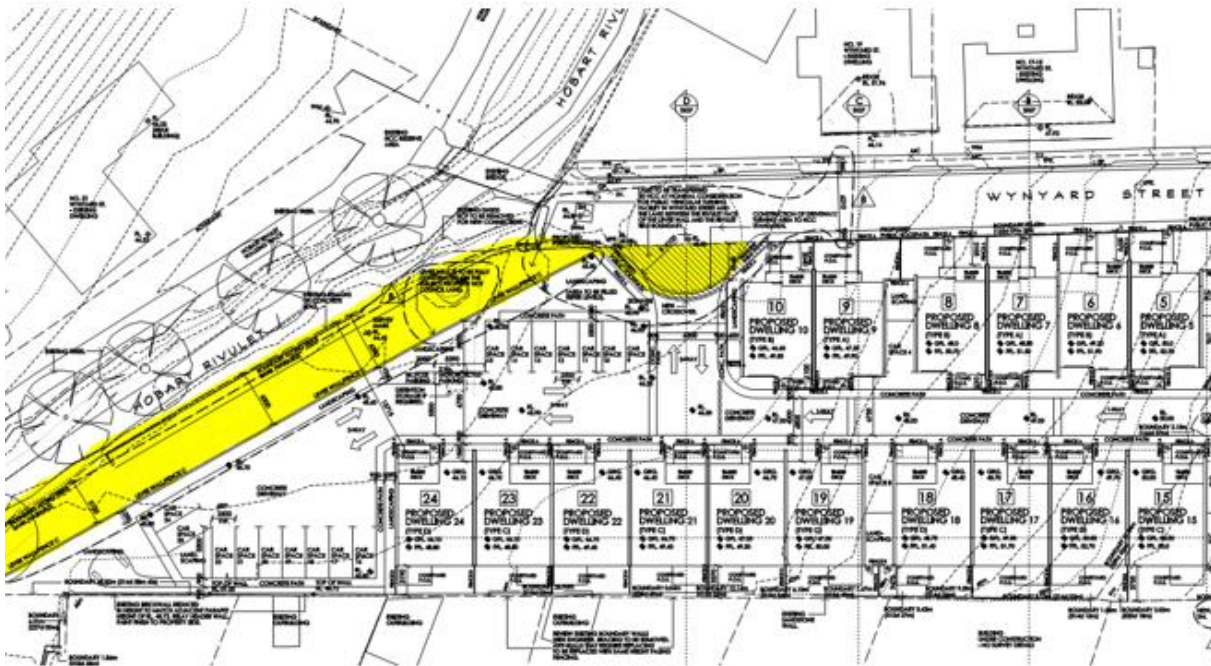
Raised by: Councillor Harvey

Question:

What happened with the planned public path to be attached to the Giameos development in South Hobart? What open space contribution was made as part of this development?

Response:

There was no public path other than standard footpath proposed to adjoin the 8 Wynyard Street development. There was also no requirement for a public open space contribution to be made as the proposal did not involve a subdivision. However through consultation with Council's Officers, it was proposed as part of the application, that the land between the face of the levee wall and the Hobart Rivulet title boundary, as well as a turning area into the development at the end of Wynyard Street be transferred to Council. The subject area is shown indicatively below:



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: 2 June 2020
File Reference: F20/55922; 13-1-10



City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Elected Members

Response to Question Without Notice

PLANNING / BUILDING DATA

Meeting: City Planning Committee

Meeting date: 2 March 2020

Raised by: Councillor Dutta

Question:

Can the Director advise if we only referred to the data on page 276 (Attachment A) to item No.19, of the City Planning Meeting of 17/2/2020, to compare the data with the current year, can it distort the planning and building data for 2019/2020?

Response:

Yes. An application at 48 Liverpool Street, Hobart (Royal Hobart Hospital), for an extension to the Hospital valued at \$162,000,000 was included within this period which would have resulted in a spike of building permit value for this year.

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: 10 June 2020
File Reference: F20/58346; 13-1-10

10. 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.

11. 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:

- Planning appeal - mediation

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 | Planning Authority Items – Consideration of Items with Deputations |
| Item No. 5 | City Acting as Planning Authority |
| Item No. 5.1 | Applications under the Hobart Interim Planning Scheme 2015 |
| Item No. 5.1.1 | PLN-20-4 2/19-21 Castray Esplanade Battery Point Tas 7004 - Appeal - Mediation
LG(MP)R 15(4)(a) |
| Item No. 6 | Questions Without Notice |