



CITY OF HOBART

AGENDA

City Planning Committee Meeting

Open Portion

Monday, 28 September 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 care about 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 are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

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

APOLOGIES AND LEAVE OF ABSENCE

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City Planning Committee Meeting (Open Portion) held Monday, 28 September 2020 at 5:00 pm.

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, 14 September 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

7.1.1 728 A SANDY BAY ROAD, SANDY BAY - DWELLING PLN-20-308 - FILE REF: F20/102698

Address:	728 A Sandy Bay Road, Sandy Bay
Proposal:	Dwelling
Expiry Date:	31 October 2020
Extension of Time:	Not applicable
Author:	Victoria Maxwell

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for dwelling at 728A SANDY BAY ROAD 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-20-308 728A SANDY BAY 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 2020/00732-HCC dated 12/06/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The east facing windows must be low reflectivity glazing.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected.

PLN s2

No clearing of land within the Lower Sandy Bay Escarpment is approved, other than the removal of declared weeds.

Advice

For the purposes of this condition the Lower Sandy Bay Escarpment is as described in clause 12.4.10 of the Hobart Interim Planning Scheme 2015. It is the area seaward of the Lower Sandy Bay Escarpment Line.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected.

PLN s3

No part of the dwelling must extend seaward of the Lower Sandy Bay Escarpment Line.

Advice

For the purposes of this condition the Lower Sandy Bay Escarpment Line is as described in clause 12.4.10 of the Hobart Interim Planning Scheme 2015. It is the line closest to the River Derwent.

Reason for condition

To clarify the scope of the permit and to ensure the landscape values of the Derwent Estuary are protected.

PLN s4

The external colour palette must use subdued colours. Prior to the issue of any approval under the *Building Act 2016* details of the proposed external colour palette (include samples) must be submitted and approved by the Director City Planning. All work required by this condition must be undertaken in accordance with the approved details.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, tank overflows 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 sw2.1

A pre-construction structural condition assessment and visual record (e.g. video and photos) of the Council's stormwater infrastructure adjacent to the proposed development, must be submitted to the Council prior to the commencement of work or issue of consent under the *Building Act 2016* (whichever occurs first).

The condition assessment must include at least:

- 1. A Site Plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled. Assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan.**
- 2. A digital recording of a CCTV Inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The recording must be in a 'Wincan' compatible format.**
- 3. Photos of any existing drainage structures connected to or modified as part of the development.**

The CCTV recording will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording, then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction structural condition assessment and visual record (e.g. video and photos) of the Council's stormwater main adjacent to the proposed development must be submitted to the Council upon completion of work and/or prior to commencement of use (whichever occurs first). The condition assessment must include at least:

- 1. A Site Plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled. Assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan.**

2. **A digital recording of a CCTV Inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The recording must be in a 'Wincan' compatible format.**
3. **Photos of any existing drainage structures connected to or modified as part of the development.**

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw3

The proposed works including foundations and overhangs must be designed to ensure the protection of and access to the Council's stormwater main along the boundary of 728A and 726A Sandy Bay Road.

A detailed design must be submitted and approved prior to the issuing of any consent under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. **Demonstrate how the design will provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching.**
2. **Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks**

from the works to the nearest external surface of the main. 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 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 (or a structurally designed wall) must be installed to prevent vehicles running off the edge of the eastern end of the carport.

Advice

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

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

Reason for condition

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

ENG 3a

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

Reason for condition

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

ENG 3b

The parking area and turntable design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The parking area and turntable design must:

- 1. Be prepared and certified by a suitably qualified engineer;**
- 2. Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;**
- 3. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use;**
- 4. Include full structural design and construction specifications of the proposed turntable; and**
- 5. Show dimensions, levels, computations, and other details as Council deem necessary to satisfy the above requirement.**

Advice

Design plans to satisfy this condition must be submitted via the Councils online portal as an application for condition endorsement (CEP).

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 1

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 adjacent to the subject site must be provided to the Council prior to any commencement of works.

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

Reason for condition

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

ENV 2

Sediment and erosion control measures, 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.

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 2016.

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.

BUILDING OVER AN EASEMENT

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*.

PLANNING

The subject land may contain African Boxthorn (*Lycium ferocissimum*), which is a Declared Weed under the Weed Management Act 1999. Please refer to the following link dppwe.tas.gov.au/invasive-species/weeds/weeds-index/declared-weeds-index/african-boxthorn for detailed information on its management, including control options.

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

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.

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](#).

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

NOISE REGULATIONS




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

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-20-308 - 728A SANDY BAY ROAD SANDY BAY TAS 7005 - Planning Committee or Delegated Report ↓  |
| Attachment B: | PLN-20-308 728A SANDY BAY ROAD SANDY BAY TAS 7005 - CPC Agenda Documents ↓  |
| Attachment C: | PLN-20-308 728A SANDY BAY ROAD SANDY BAY TAS 7005 - CPC Supporting Documents - Preliminary Geo-technical report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 28 September 2020
Expiry Date: 31 October 2020
Application No: PLN-20-308
Address: 728 A SANDY BAY ROAD , SANDY BAY
Applicant: Calvin Markham (Room11 Architects)
358B macquarie st
358B macquarie st
Proposal: Dwelling
Representations: Four (4)
Performance criteria: Low Density Residential Zone Development Standards, Parking and Access Code

1. Executive Summary

1.1 Planning approval is sought for a dwelling, at 728A Sandy Bay Road, Sandy Bay.

- 1.2 More specifically the proposal includes:
- construction of a two storey dwelling,
 - the lower floor will contain gym, bathroom, laundry and sauna, with a sculpture garden underneath an undeveloped portion of the upper floor,
 - the upper floor contains the main living space, with a combined living, kitchen, dining area on the eastern side, two bedrooms, both with ensuites on the south western corner, parking for two cars, with a vehicle turntable in the north west corner and a courtyard with lap pool in the centre southern section,
 - an open void with landscape tree is proposed in the centre of the northern section of the dwelling, with a studio space adjacent to this landscape feature,
 - on the roof, is proposed a roof deck, accessed from the studio below, via a spiral staircase. The deck will include a small enclosed area, glassed on the north, east and southern sides, with a solid western wall,
 - the deck area to the north of the roof enclosure will be glass balustrade on north, east and western sides,
 - the dwelling will be constructed on piers built just above the 20m contour and therefore outside the Lower Sandy Bay Escarpment area, however the upper floor, will extend beyond the piers and hang out into the escarpment area,
 - the dwelling will be built close to both side boundaries and cover all of the flatter area of the lot,
 - the roof profile is almost flat with a 1% fall towards the central open areas,
 - windows are kept to the front and rear walls, with no windows on either north or southern elevations,
 - internal glass walls around the courtyard assist in sharing light with between internal and external areas.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Low Density Residential Zone Development Standards - Side Setbacks, Building Envelope, Private Open Space Location, Site coverage and Siting Buildings Close to the Lower Sandy Bay Escarpment
 - 1.3.2 Parking and Access - Layout of Parking Areas
- 1.4 Four (4) representations objecting the proposal were received within the statutory advertising period between 4th and 18th August 2020.
- 1.5 The proposal is recommended for approval subject to conditions.

- 1.6 The final decision is delegated to the City Planning Committee, because more than two and less than five objections were received, and the officer recommendation is for approval.

2. Site Detail

- 2.1 The site is located on the eastern side of Sandy Bay Road, abutting the high water mark of Derwent River foreshore. Surrounding uses are predominantly single dwellings on a range of lot configurations, varying from the original long strip large lots, to more recent subdivisions creating internal lots of similar proportions to the subject site. The two northern properties have been subdivided in a similar fashion to the subject site, forcing development along a line of approximately 17m from high water mark.



Figure 1: Location Plan (Geo Cortex, 2020)

- 2.2 The lot is an internal (battle-axe) lot, gaining access to Sandy Bay Road via a shared right of way along the southern boundary. The eastern boundary is high water mark. There is a drainage easement running down the southern boundary and stormwater and sewer lines running along the eastern section near the toe of the slope, along the 4m contour above the narrow beach. There is currently no access to the beach, with remnant vegetation assisting to maintain the bank integrity.



Figure 2: Site Plan (Geo Cortex, 2020)

- 2.3 The site falls down to the east, with a slope of 23m fall over 49m (1:2 approximately). The site falls 11m over 23m, with a steep bank of 12m drop over 16m down to the high water mark. The driveway within the site is already constructed and gains a relatively level grade through substantial retaining walls on the western side.



Figure 3: Views south across the lots, showing the existing driveway retaining wall near western boundary (www.realestate.com.au, 2019)

- 2.4 The site is predominantly cleared and put down to grass. Remnant vegetation is retained on the steep cliffs of the escarpment down to the foreshore. Adjacent development to the north is within 2m of the mutual boundary. The southern neighbouring lot contains a dwelling close to Sandy Bay Road, with a large garden containing a number of mature trees along that mutual boundary. The western neighbour is setback more than 11m and 4m above the subject property.



Figure 3: Aerial views from south and east (www.realestate.com.au, 2019)



Figure 4: Steep slope down to foreshore (Officer photo, 2020)



Figure 5: Proposed building site, looking north to neighbours' dwelling (Officer photo, 2020)



Figure 6: view of site from driveway (Officer photo, 2020)

3. Proposal

3.1 Planning approval is sought for a Dwelling at 728A Sandy Bay Road, Sandy Bay.

3.2 More specifically the proposal includes:

- construction of a two storey dwelling,
- the lower floor will contain gym, bathroom, laundry and sauna, with a sculpture garden underneath an undeveloped portion of the upper floor,
- the upper floor contains the main living space, with a combined living, kitchen, dining area on the eastern side, two bedrooms, both with ensuites on the south western corner, parking for two cars, with a vehicle turntable in the north west corner and a courtyard with lap pool in the centre southern section,
- an open void with landscape tree is proposed in the centre of the northern section of the dwelling, with a studio space adjacent to this landscape feature,
- on the roof, is proposed a roof deck, accessed from the studio below, via a spiral staircase. The deck will include a small enclosed area, glassed on the north, east and southern sides, with a solid western wall,
- the deck area to the north of the roof enclosure will be glass balustrade on north, east and western sides,
- the dwelling will be constructed on piers built just above the 20m contour and therefore outside the Lower Sandy Bay Escarpment area, however the upper floor, will extend beyond the piers and hang out into the escarpment area,
- the dwelling will be built close to both side boundaries and cover all of the flatter area of the lot,
- the roof profile is almost flat with a 1% fall towards the central open areas,
- windows are kept to the front and rear walls, with no windows on either north or southern elevations,
- internal glass walls around the courtyard assist in sharing light with between internal and external areas.

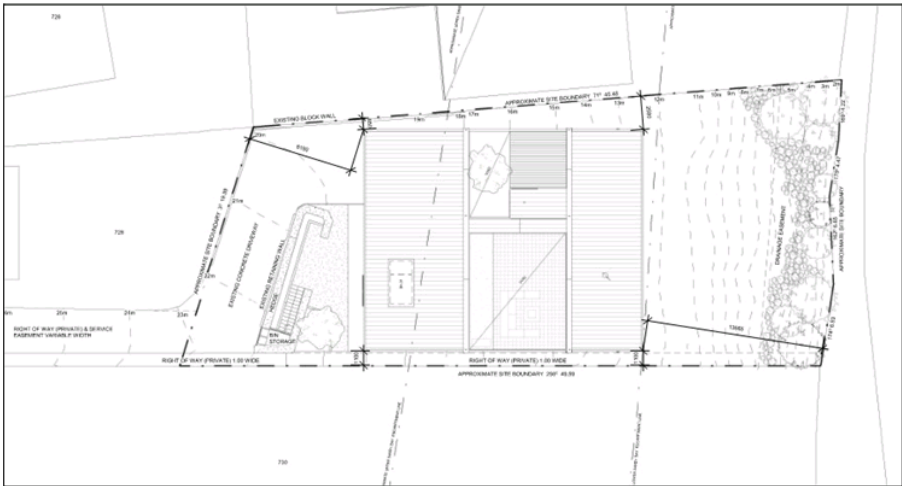


Figure 7: Applicant Site Plan (Room 11, 2020)

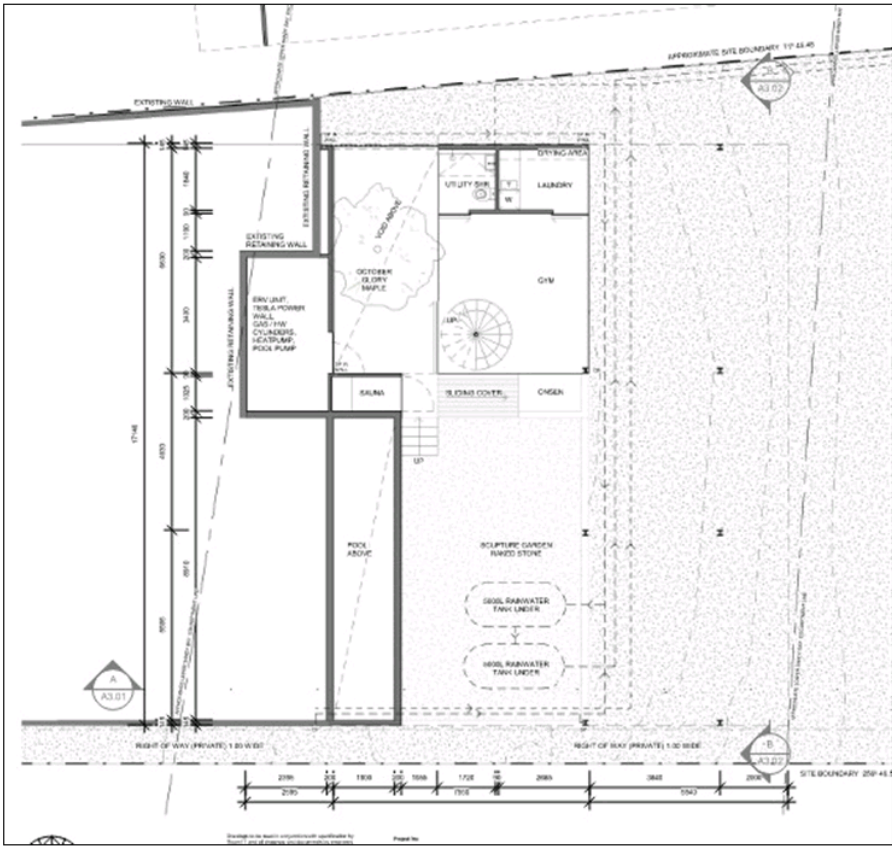


Figure 8: Lower Floor Plan (Room 11, 2020)



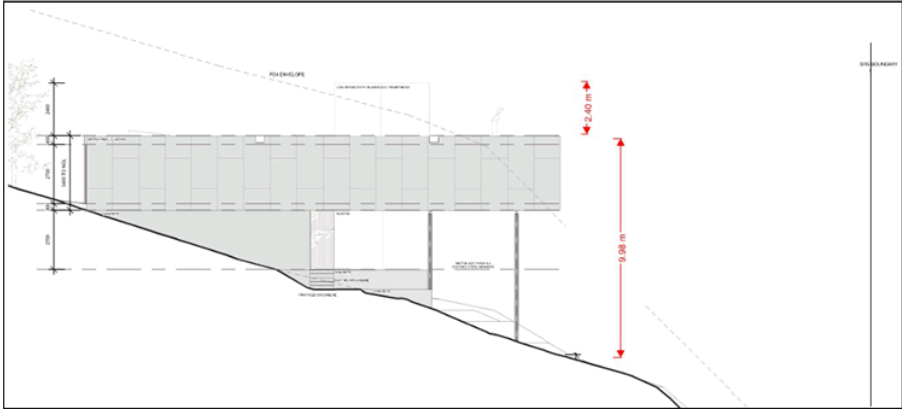


Figure 11: Southern elevation (Room 11, 2020)

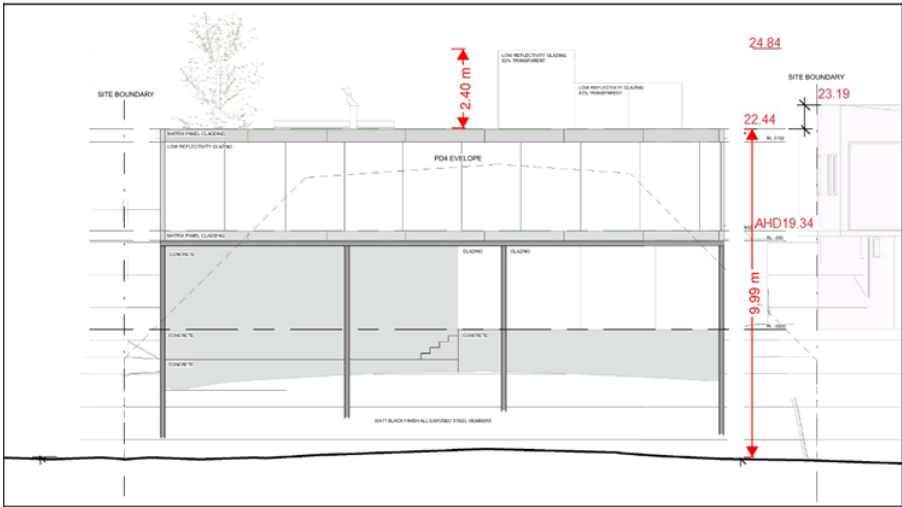


Figure 12: Eastern Elevation (Room 11 , 2020)

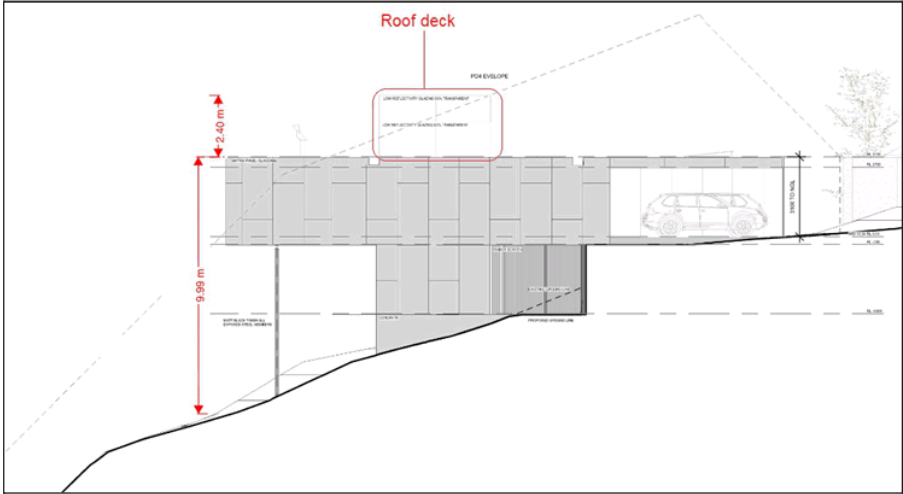


Figure 13: North Elevation (Room 11, 2020)

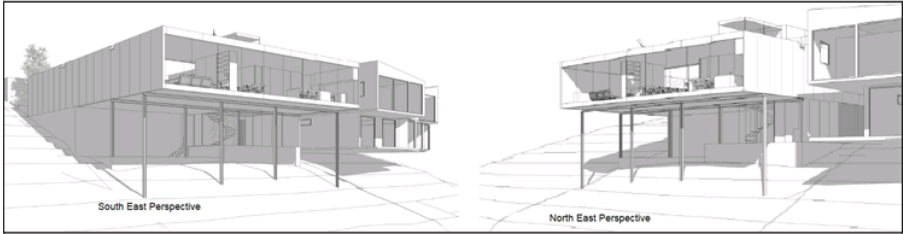


Figure 14: Eastern Perspectives (Room 11, 2020)

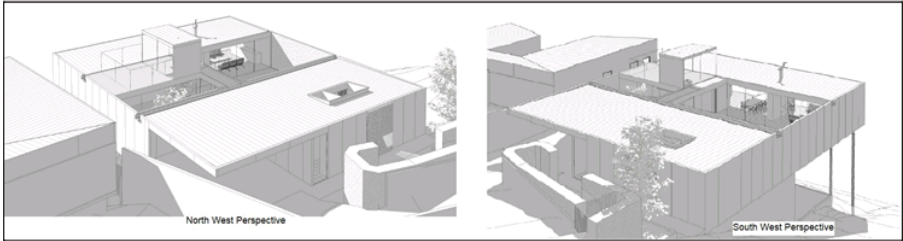


Figure 15: Western Perspectives (Room 11, 2020)

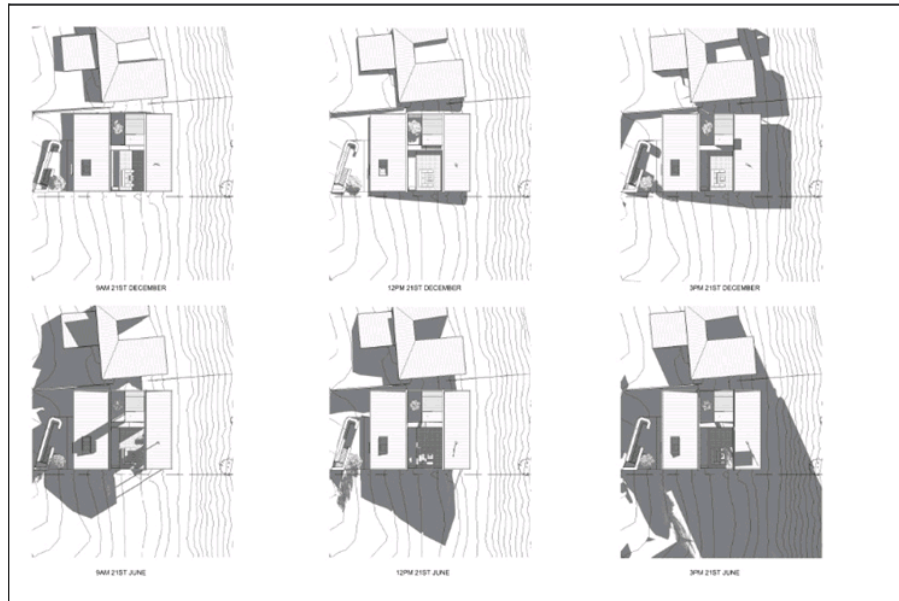


Figure 16: Sunshade Diagrams (Room 11, 2020)

4. Background

- 4.1 PLN-06-00521-01 approved the subdivision to create the subject lot. It also proposed demolition of the original dwelling located centrally in the property and construction of two (2) new dwellings. The upper dwelling was constructed, but not the lower one, proposed in a similar location to the current application. The new title (subject property) was created and has been sold.

5. Concerns raised by representors

- 5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 4th and 18th August 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>The Sandy Bay Escarpment has a long history of subsidence and concern is raised that the proposed structure will create instability that could impact on adjoining properties in relation to E 3.0 Landslide Code of the planning scheme;</p>
--

The continuing of building structures on with encroaching into the Sandy Bay Escarpment is placing pressure on land stability. Subsidence is evident along the Escarpment when walking along the foreshore;
With climate change altering southern weather patterns, resulting in king tides, strong swell/wave action at the base of the escarpment, the continual encroachment into the Escarpment adds to its weakening (images included of landslide on a nearby property);
No evidence of current risk assessment regarding land subsidence and coastal erosion for the proposed structure
Reference is made to a previous 2006 planning application on site which provided a geo-technical report, which states that the likelihood of landslide is possible, especially under adverse conditions, which would result in extensive to moderate damage to the structure, possibly extending beyond site boundaries. This could cause considerable damage to adjacent properties, given the proposed proximity of development to side boundaries;
The previous proposal's geo-technical report indicated Dolerite bedrock, but this was contradicted by opposing assessment, which indicated the site was more likely underlain by Tertiary sediment, which is more prone to instability. This contradiction needs to be addressed by way of additional geo technical investigation, because of its important ramification to the overall site stability;
Concern is raised that no geo technical investigation has been undertaken to evaluate stability issues;
Why was there no requirement to assess coastal erosion to determine the effect on the base of the escarpment? There is no dispute that climate change factors contribute to the undercutting of the toe of the slope.
"Ultimately, one of the key factors in landslide development is the failure to take into account the geology and morphological history of the site and surrounding land. On sloping land, it is critical that development is in sympathy with the slope of the land and the geology of the site. If not, there is the real potential that inappropriate development will induce land instability", quoted from report by former Engineering Geologist, Richard Donaldson;
The proposed dwelling projects horizontally outside the building envelope, which creates a bulk into the water views of adjacent dwellings;
The projection extends 1 metre into the Escarpment;
The proposed dwelling projects vertically outside the building envelope, creating a cubic obstruction of views and facilitating looking directly into adjoining property living and private open space;

The building appears to be proposed too close to side boundaries;
Staff are encouraged to inspect the proposal from adjoining properties to fully understand the potential impact, to officers undertake due diligence in their assessment;
A three storey building almost entirely sea side of the Sandy Bay Escarpment, negatively impacts view from the Derwent River to the surrounding area;
A stepped down building, following the natural lay of the land and being two instead of three storey could be supported, provided it did not protrude above adjacent dwellings maximum heights;
The drawings do not show elevations and survey detail relative to adjacent properties to enable an accurate assessment.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Low Density Residential zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is vacant land. The proposed use is Residential - Single Dwelling. The existing use is a No Permit Required use in the zone. The proposed use is a No Permit Required use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 12 - Low Density Residential Zone
 - 6.4.2 E 6.0 Parking and Access Code
 - 6.4.3 E 7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Low Density Residential Zone:

Setbacks and Building Envelope - 12.4.2 P3

Site Coverage - 12.4.3 P1

Private Open Space Location - 12.4.3 P2

Siting buildings close to the Lower Sandy Bay Escarpment - 12.4.10 P1

6.5.2 Parking and Access Code:

Layout of Parking Areas - E6.7.5 P1

6.6 Each performance criterion is assessed below.

6.7 Setbacks and Building Envelope - 12.4.2 P3

6.7.1 The acceptable solution at clause 12.4.2 A3 requires development to fit within a three dimensional building envelope and be setback more than 1.5m from the side boundaries if the building has a wall longer than 9m or 1/3rd the length of the boundary.

6.7.2 The proposal includes a portion of the eastern side of the dwelling, extending outside the building envelope in both the northern and southern side walls and viewing deck. As well, 9.1m of the northern western section of the northern wall and the whole of the southern wall are located less than 1.5m from the side boundaries.

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 criteria at clause 12.4.2 P3 provide 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.

- 6.7.5 Because of its slope and the Lower Sandy Bay Escarpment area, it is virtually impossible to build on the subject site and stay within the building envelope. The lot was created prior to the coming into effect of the current planning controls and Lower Sandy Bay Escarpment Line restriction. Consequently, the dwelling design is similar in profile and siting to other dwellings in the vicinity on similar lot configurations.

Representations were lodged raising concerns over the visual bulk of the building, loss of views and the building being located too close to the boundary. Views are not protected by the planning scheme. Building on or within 1.5m of a side boundary can be approved under the above Performance Criteria.

Being located to the south of such existing dwellings, the proposed structure will not cause an unreasonable reduction in sunlight to habitable rooms on the adjacent lots. Whilst it does overshadow a section of the garden of 730 Sandy Bay Road, that portion of the garden is not considered the principal area of private open space for that dwelling. It is already screened by existing mature trees on its northern boundary and the portion of land that is affected by loss of sunlight is insubstantial given the size of the lot. Certainly if a lot had been created following the existing configurations on 730 Sandy Bay Road, the situation may be different.

The visual impacts caused by the bulk and scale of the proposed dwelling extending beyond the building envelope are only relevant to 726A Sandy Bay Road, because the other adjoining properties are sufficiently setback from and above the subject site. Therefore consideration will focus on the impact on this property. 726A Sandy Bay Road has been built to a similar arrangement to the proposed dwelling, stretching across the lot. There are three south facing windows at first floor that will be affected by the proposed dwelling. These relate to a kitchen, study and living rooms respectively.



Figure 17: View of 726A Sandy Bay Road setback from subject site (Officer photo, 2020)

- 6.7.6 The above photo shows the setback from the northern neighbour. From this, even a dwelling fitting within the building envelope would create a visual impact on the three south facing windows.

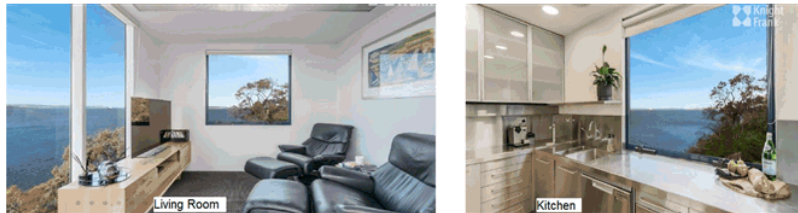


Figure 18: 726A Sandy Bay Road - views from south facing windows over the site (www.realestate.com.au, 2020).

- 6.7.7 As can be seen from the photos above, the south facing windows will change from views across to Bruny Island to a blank wall. However these are borrowed views over the site. The design of the neighbouring dwelling, very much focuses views to the east facing floor to ceiling windows. Given the interconnection between these living spaces and the abundance of visual drama through the large expanses of north and east facing glass, it is difficult to support refusal of the proposal because of the impact on these smaller south facing windows. Undoubtedly, there will be a loss of views, however, virtually any development on the subject site would cause some degree of impact due to the proportions of a structure

that the site dictates must be built adjacent to these windows. In evaluating the hierarchy of views from this combined living space, it is clear that the dominant view is easterly. It should also be stressed that the planning scheme does not preserve residents' views.

The affected windows are not the sole source of light, with wide wall openings and sliding doors on the north side of these rooms, to connect to the living space.

Given the size of the south facing windows in comparison to the large openings into the main living area, including the northern sharing of light and views, it is considered that the visual impact is not unreasonable for this neighbour. The representation raising concerns over the impact of the bulk and scale of the building on surrounding properties is not supported.

6.7.8 The proposal complies with the performance criterion.

6.8 Private Open Space Location - 12.4.3 P2

6.8.1 The acceptable solution at clause 12.4.3 A2 requires private open space to not be located to the south of the dwelling unless it receives at least 3 hours of sunlight to 50% of the area between 9.00 am and 3.00 pm on 21st June

6.8.2 The sun shade diagrams show that the open void on the southern side of the dwelling has less than 50% of the area gaining sunlight at 9am and by 12pm virtually no sunlight will reach the open space after that. However, the roof deck would receive virtually all day sun, but this is not directly accessible from a living 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 12.4.3 P 2 provides as follows:

A dwelling must have private open space that:

(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:

(i) conveniently located in relation to a living area of the dwelling; and

(ii) orientated to take advantage of sunlight.

- 6.8.5 Whilst the courtyard will be shaded on 21st June, it will still function suitably as an extension to the dwelling. It will provide a pleasant interconnection between inside and outside enjoyment of the property. It is sufficient in area to allow for children's play, the lap pool and fire pit also allow for outside relaxation, dining and entertaining.

The open roof and glassed internal walls, facilitates natural light to the courtyard. Locating private open space on the northern side would gain even less light because of the siting of 726A so close to the mutual boundary. The location away from this structure with the internal glass walls, facilitates the maximum light into the courtyard and into the south western portion of the dwelling.

- 6.8.6 The proposal complies with the performance criterion.

6.9 Site Coverage - 12.4.3 P1

- 6.9.1 The acceptable solution at clause 12.4.3 A1 requires no more than 25% of the site to be covered with roofed structures and that any part of a site east of the Lower Sandy Bay Escarpment Line shall not be included in the site area for the purpose of calculating the site coverage under sub-clause (a).
- 6.9.2 The proposal includes a dwelling that covers approximately 370m² on an area of the property 660m². The site area is 959.5m², however the removal of the area east of the escarpment line reduces the site area to 660m² approximately. This produces approximately 56% site coverage.
- 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 12.4.3 P1 provides as follows:

Dwellings must have:

- (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:*
- (i) outdoor recreational space consistent with the projected requirements of the occupants; and*
 - (ii) operational needs, such as clothes drying and storage; and*

- (b) have reasonable space for the planting of gardens and landscaping.*
- (c) not be out of character with the pattern of development in the surrounding area; and*
- (d) not result in an unreasonable loss of natural or landscape values.*

- 6.9.5 The provision of private open space has been discussed above and is considered satisfactory in this instance. The northern void for the installation of a feature tree and the landscaping of the courtyard provides some opportunity for landscape softening around the dwelling.

The design of the dwelling follows the character of existing development on adjacent lots in terms of scale, location and design.

The building site is currently grassed, with all remnant vegetation located on the escarpment slope. It is important that this vegetation be retained for visual and slope structural integrity of the escarpment when viewed from the River Derwent.

- 6.9.6 The proposal complies with the performance criterion.

6.10 Siting Buildings Close to the Lower Sandy Bay Escarpment 12.4.10 P1

- 6.10.1 The acceptable solution at clause 12.4.10 A1 requires buildings to be sited a minimum of 20m landward of the Lower Sandy Bay Escarpment.

- 6.10.2 The proposal includes the dwelling located 14m from the eastern boundary (high water mark).

- 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 12.4.10 P1 provides as follows:

A building must be sited and designed to minimise unreasonable impacts on views of the escarpment from the Derwent Estuary by means that must include all of the following:

- (a) minimising land disturbance, and retention of native vegetation;*
- (b) the use of suitable landscaping;*
- (c) the use of non-reflective materials on facades visible from the estuary;*
- (d) the use of subdued colours on external building surfaces;*
- (e) no part of a building shall extend seaward of the Lower Sandy Bay*

Escarpment Line (shown on the Local Overlay Maps).

- 6.10.5 The Lower Sandy Bay Escarpment identifies a strip of land between high water mark and the 10m contour and behind a 20m wide buffer strip, as depicted in the image below.



Figure 19: The subject site is bordered in blue. The Lower Sandy Bay Escarpment is highlighted in pink, and the 20m buffer is highlighted in yellow. The Lower Sandy Bay Escarpment Line is the point at which the pink and yellow highlighting meet.

- 6.10.6 The proposed building covers the entire 20m buffer, but does not extend into the escarpment strip below the 10m contour.

In order to build 20m east of the escarpment line, development on the subject site would be restricted to an area approximately 11m deep due to the location of the existing driveway. The design of the building is similar in scale and profile to adjacent development to the north. Refer to image below.



Figure 20: Showing development to the north, with the site indicatively bordered in red. Source: realestate.com.au.

- 6.10.7 No significant excavation is proposed and the pier footings closer to the escarpment will minimise soil disturbance in this area. The bulk of the weight of the building is to the west and associated with the vehicle turntable and the lap pool. Whilst the eastern elevation extends to the escarpment line, the piers are located approximately 2m away from the escarpment boundary and crest of the slope. A condition is recommended to clarify that no part of the dwelling is to extend seaward of the Lower Sandy Bay Escarpment Line.

A number of representation grounds raised concerns over potential loss of structural integrity of the slope by the development. Unfortunately the planning scheme does not require geo-technical assessment of the impact development may have on the slope. Concerns more relate to visual impact when viewed from the estuary. The applicant provided a preliminary geo-technical report in response to the representation grounds, which indicated that the site appeared to consist of various depths of uncontrolled fill, overlying duplex soils on Jurassic dolerite. The report concluded that a full more detailed geo-technical report would be required as part of the building application. The representations and preliminary Geo-technical report were referred to Council's Environmental Development Planner, who advised that because the site is not identified as landslip potential, Council cannot require such geo-technical investigation as part of the planning application and the representation grounds could not be supported.

In terms of protecting the structural integrity of neighbouring properties,

building approval includes protections for adjacent properties as a consequence of construction works to build the dwelling. Therefore concerns over structural impact on adjacent properties are not supported under the planning scheme as they will be addressed as part of the building application.

The requirement to retain natural vegetation under the escarpment provisions is important and a condition will be imposed to ensure that such vegetation is maintain and protected.

The colour scheme is neutral and muted, complying with the performance criteria. A condition of approval is recommended to ensure this.

The eastern elevation has low reflectivity glazing. This is important to reduce the potential for bird strike. The open courtyard and significant expanse of glass, on either sides of the living area and viewing platform represent significant risk for bird injury. A condition is recommended to ensure this.

In light of the above the proposal is considered to be sited and designed to minimise unreasonable impacts on views of the escarpment from the Derwent Estuary.

6.10.8 The proposal complies with the performance criterion.

6.11 Layout of Parking Areas E6.7.5 P1

6.11.1 The acceptable solution at clause E6.7.5 A1 requires layout of car parking spaces, access aisles, circulation roadways and ramps to 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. This relates to the grade of the access, turning areas, etc.

6.11.2 The proposal includes an access with a vehicle turntable and steep manoeuvring area.

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 clauses E6.7.4 P1 and E6.7.5 P1 provides as follows:

E6.7.5 P1

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.

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

The application is for a new dwelling on an existing, vacant internal lot off Sandy Bay Rd (the lot has frontage to the River Derwent).

The access, driveway and manoeuvring area was constructed as part of the original 2006 application to split the lot off the back of 728. The access is exclusive to 728A - 728 has a double garage fronting Sandy Bay Road.

It is proposed to provide two car parking spaces which meet the Acceptable Solution of the Hobart Interim Planning Scheme 2015.

The proposed dwelling and double carport encroach into the existing manoeuvring area which renders it unusable. A turntable is thus proposed within the carport to enable on-site turning.

Existing service connection points for stormwater and sewer are located on the public mains parallel and adjacent to the northern boundary.

Discretions:

E6.7.4 On-site turning - Detailed design of the turntable is required. This can be provided during the building permit application and a condition is provided to this effect.

E6.7.5 - Layout of Parking Areas - A vehicle barrier will be required adjacent to the far wall of the carport due to the carport being suspended at this end (alternatively a structural wall may be incorporated).

Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m Class 1A): Acceptable.

Car Parking Space Design Envelope (AS2890.1 Fig 5.2 300mm clearance on side): Acceptable.

Headroom: (AS2890.1 Fig 5.3 = 2.2m clearance): Acceptable.

Parking Space Gradient (5%): Acceptable.

Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): N/A

Garage Door Width & Apron (AS2890.1 Fig 5.4 = 2.4m wide => 7m wide apron): Acceptable.

B85 Turning Paths: Acceptable.

Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): Acceptable.

Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m): N/A
Existing - no changes proposed

Transitions (AS2890.1 Section 2.5.3 = 12.5% summit, 15% sag => 2m transition): N/A Existing - no changes proposed

Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): DISCRETION - A vehicle barrier will be required adjacent to the far wall of the carport due to the carport being suspended at this end (alternatively a structural wall may be incorporated) CONDITION FOR VEHICLE BARRIERS

Blind Aisle Length (AS2890.1 Fig 2.3 = 6x spaces max if public): N/A

Blind Aisle End Widening (AS2890.1 Fig 2.3 = 1m extra): N/A

Circulation Roadways & Ramps: N/A

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

6.11.6 Note that although on-site turning is proposed in the application it is not required by the planning scheme to be provided and is therefore not a discretion.

6.11.7 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for a Dwelling at 728A Sandy Bay Road, Sandy Bay.

7.2 The application was advertised and received four (4) representations. The representations raised concerns including loss of views and privacy from the roof deck extending outside the building envelope, the bulk and scale of the structure extending outside the building envelope and potential for land instability with development within the Lower Sandy Bay Escarpment area. The bulk and scale and geo-technical stability issues have been previously discussed above.

- 7.3 The representations regarding loss of privacy relate to the roof top deck and viewing platform. A number of representations were received regarding this. The main concern is that currently all views are eastward, providing relative privacy for dwellings north, south and west of the subject site. The roof platform will allow westerly views towards adjacent dwellings and their outdoor areas. The deck area does not extend within 3m of any boundary and affected private open space is at least 30m from the proposed roof deck. The applicant was requested to consider its removal, but refused; indicating the roof deck was integral to the design. Notwithstanding the new views to the west, given the distance to affected dwellings these representations cannot be supported under the planning scheme provisions.
- 7.4 During the site inspection for the current application, a number of specimens of African Boxthorn (a statutory weed) were discovered on site. Advice requiring compliance with the Weed Management Act 1999 is included on the permit.
- 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, Stormwater Technical Officer and Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.
- 7.7 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Dwelling at 728A SANDY BAY ROAD 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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Dwelling at 728A SANDY BAY ROAD 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-20-308 728A SANDY BAY 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 2020/00732-HCC dated 12/06/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The east facing windows must be low reflectivity glazing.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected

PLN s2

No clearing of land within the Lower Sandy Bay Escarpment is approved, other than the removal of declared weeds.

Advice: For the purposes of this condition the Lower Sandy Bay Escarpment is as described in clause 12.4.10 of the Hobart Interim Planning Scheme 2015. It is the area seaward of the Lower Sandy Bay Escarpment Line.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected

PLN s3

No part of the dwelling must extend seaward of the Lower Sandy Bay Escarpment Line.

Advice: For the purposes of this condition the Lower Sandy Bay Escarpment Line is as described in clause 12.4.10 of the Hobart Interim Planning Scheme 2015. It is the line closest to the River Derwent.

Reason for condition

To clarify the scope of the permit and to ensure the landscape values of the Derwent Estuary are protected

PLN s4

The external colour palette must use subdued colours. Prior to the issue of any approval under the *Building Act 2016* details of the proposed external colour palette (include samples) must be submitted and approved by the Director City Planning. All work required by this condition must be undertaken in accordance with the approved details.

Reason for condition

To ensure the landscape values of the Derwent Estuary are protected

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, tank overflows 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 sw2.1

A pre-construction structural condition assessment and visual record (e.g. video and photos) of the Council's stormwater infrastructure adjacent to the proposed development, must be submitted to Council prior to the commencement of work or issue of consent under the Building Act (whichever occurs first).

The condition assessment must include at least:

1. **A Site Plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled. Assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan.**
2. **A digital recording of a CCTV Inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The recording must be in a 'Wincan' compatible format.**
3. **Photos of any existing drainage structures connected to or modified as part of the development.**

The CCTV recording will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording, then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction structural condition assessment and visual record (e.g. video and photos) of the Council's stormwater main adjacent to the proposed development must be submitted to Council upon completion of work and/or prior to commencement of use (whichever occurs first).

The condition assessment must include at least:

1. A Site Plan clearly showing the location of the investigation, with access points and all segments and nodes shown and labelled. Assets found to have a different alignment from that shown on Council's plans shall be marked on the ground and on the plan.
2. A digital recording of a CCTV Inspection and written condition assessment report in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The recording must be in a 'Wincan' compatible format.
3. Photos of any existing drainage structures connected to or modified as part of the development.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw3

The proposed works including foundations and overhangs must be designed to ensure the protection of and access to the Council's stormwater main along the boundary of 728A and 726A Sandy Bay Road.

A detailed design must be submitted and approved prior to the issuing of any consent under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. Demonstrate how the design will provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching.
2. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.

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 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 (or a structurally designed wall) must be installed to prevent vehicles running off the edge of the eastern end of the carport.

Advice:

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

Reason for condition

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

ENG 3a

The parking area and turntable must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved

alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Reason for condition

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

ENG 3b

The parking area and turntable design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The parking area and turntable design must:

1. **Be prepared and certified by a suitably qualified engineer;**
2. **Be generally in accordance with the Australian Standard AS/NZS2890.1:2004;**
3. **Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use;**
4. **Include full structural design and construction specifications of the proposed turntable; and**
5. **Show dimensions, levels, computations, and other details as Council deem necessary to satisfy the above requirement.**

Advice:

- *Design plans to satisfy this condition must be submitted via the Councils online portal as an application for condition endorsement (CEP)*
- *Once the design 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 ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 1

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 adjacent to the subject site must be provided to the Council prior to any commencement of works.

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

Reason for condition

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

ENV 2

Sediment and erosion control measures, 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.

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.

BUILDING OVER AN EASEMENT

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*.

PLANNING

The subject land may contain African Boxthorn (*Lycium ferocissimum*), which is a Declared Weed under the Weed Management Act 1999. Please refer to the following link <http://https://dpiwwe.tas.gov.au/invasive-species/weeds/weeds-index/declared-weeds-index/african-boxthorn> for detailed information on its management, including control options.

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

STORM WATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

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.

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](#).

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

NOISE REGULATIONS

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

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: 16 September 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - CPC Supporting Documents - Preliminary Geo-technical report

Planning: #205029

Property

728A SANDY BAY ROAD SANDY BAY TAS 7005

People

Applicant

*

Room11 Architects
Calvin Markham
358B macquarie st
358B macquarie st
SOUTH HOBART TAS 7004
62248642
calvin@room11.com.au

Owner

*

Michael James
728A Sandy Bay Rd
SANDY BAY TAS 7005
0416 825 006
michael.b.james@me.com

Entered By

ROOM 11 ARCHITECTS
0429 704 272
kate@room11.com.au

Use

Single dwelling

Details

Have you obtained pre application advice?

☐

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)?

*

low density residential

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

*

new dwelling, swimming pool and garage

Estimated cost of development

*

900000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
0.00	430.00	960

Carparking on Site

N/A

Total parking spaces	Existing parking spaces	
2	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?

☐ No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

*

FolioPlan-152913-2 (1).pdf

Title (Folio text and Plan and Schedule of Easements)

*

FolioText-152913-2.pdf

Title (Folio text and Plan and Schedule of Easements)

*

ScheduleOfEasements-152913-2.pdf

Plans (proposed, existing)

*

728A SANDY BAY RD 2020.05.22 REV A.pdf

Covering Letter

728A Sandy Bay Rd Cover Letter.pdf

**Room11**

Studio 358B Macquarie St, South Hobart 7004, Tasmania

Post PO Box 116, South Hobart 7004, Tasmania

Telephone 03-6224-8642

Email info@room11.com.au Website www.room11.com.au

Sited along the slope of the sandy bay escarpment, the proposed dwelling sits consistently with over forty other neighbouring houses, perched over the Derwent Estuary between the escarpment lines of the planning scheme.

The design seeks to deal delicately with the steep gradient of the site. The entrance to the building is firmly grounded at the top of the escarpment, the main body of the building then gracefully spans towards the estuary as a slender single story.

The siting, elevation and volume reflect the scale of its immediate neighbours at 724a and 726a. The height in keeping with 726a allows natural light to the internal living, and outdoor spaces, areas that would otherwise be overshadowed by 726A if the residence sat lower.

The neighbour to the north-west at 726A has a series of small windows approximately 1.7m from the boundary. Our proposal is set back a further 2.85m from the boundary to allow these windows to still gain access to Derwent Estuary views.

Its courtyard layout provides level, sunlit, private outdoor space and allows light into habitable areas without overlooking the neighbouring dwellings. Considered glazing looks inward to the courtyard and outward onto the estuary, rather than through to the neighbouring properties.

The residence's carport hidden from the street frontage utilizes a turntable and minimises the often unsightly area required for vehicle manoeuvring on site.

Landscaping additionally functions to enhance the site. A curated garden at the entrance provides amenity while also concealing waste bins and services. At the lower end of the site planted native vegetation will help to provide a visual screen from the estuary. This vegetation will also ameliorate winds that batter the site and neighbouring sites.

A carefully considered, subdued materials palette helps the building to blend into its surroundings. Its slender steel structure finished in black will recede beneath the building. Earthy cement sheet cladding and timber batten screens will grey and age into place.

Highly finessed and precisely detailed, these characteristics will carry through to the interiors to create a home that sensitively responds to its site.

Yours sincerely,
Room 11 Architects



Thomas Bailey

Architects AIA
Director
Room11

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A5.01	



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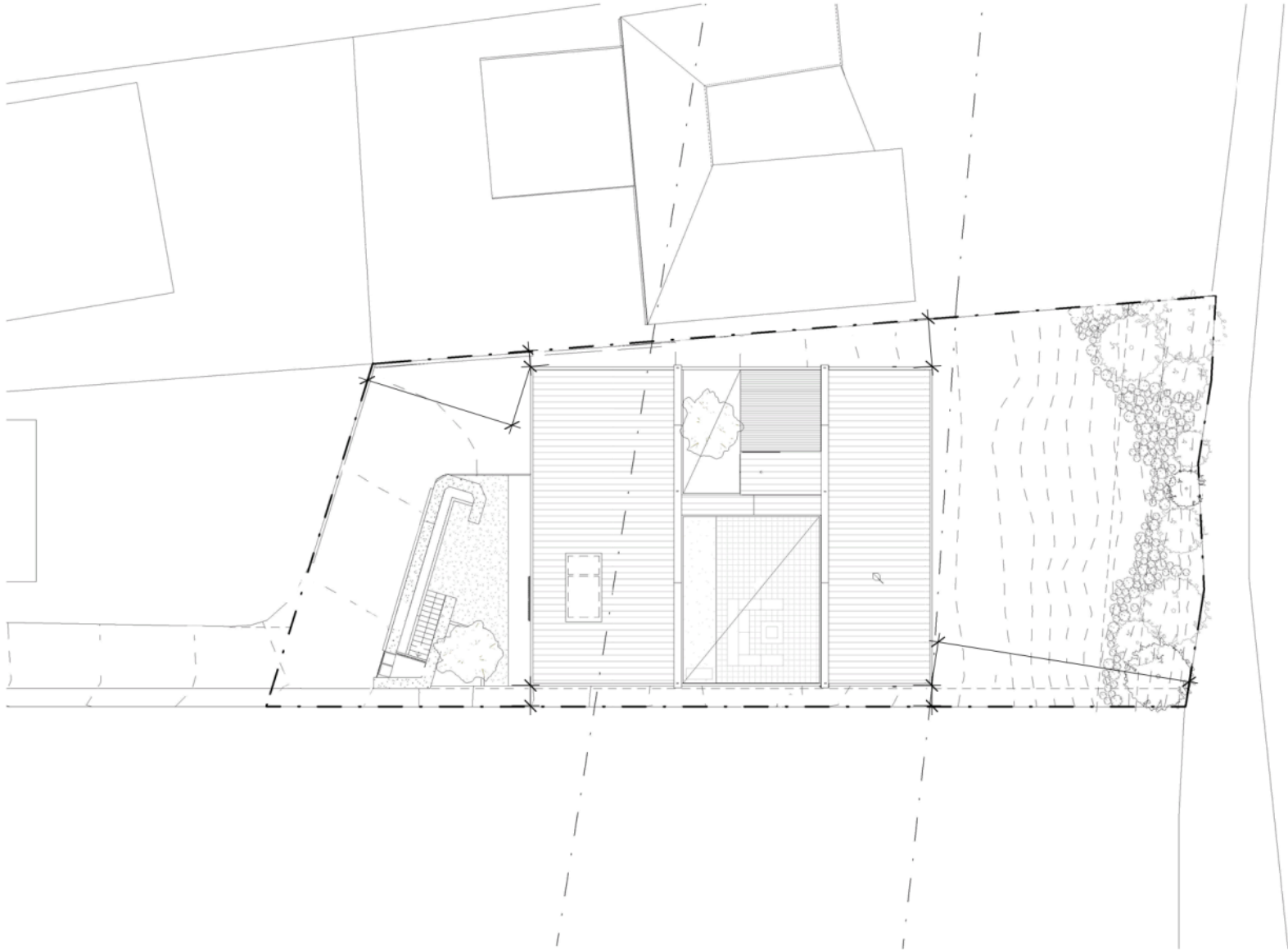


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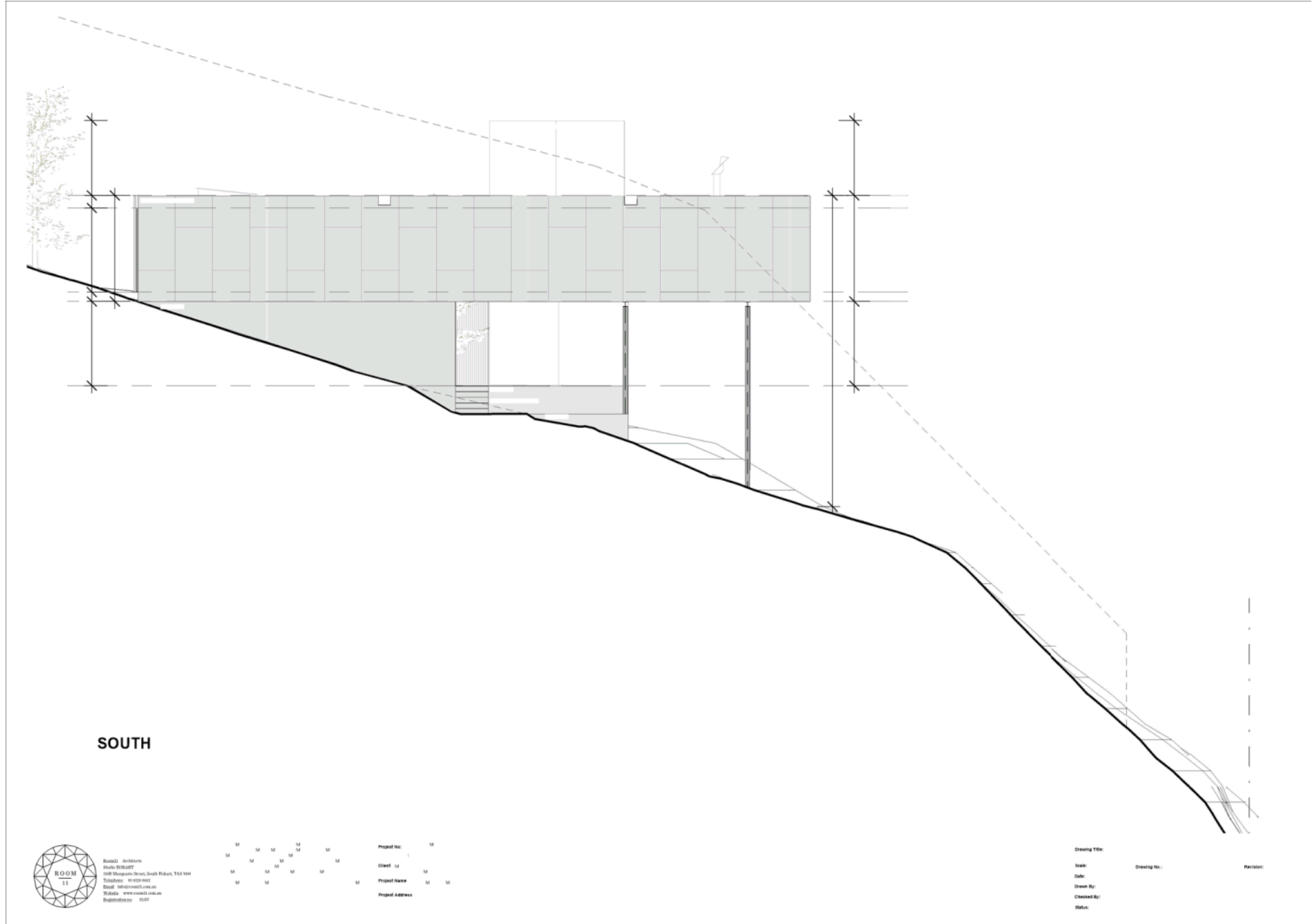
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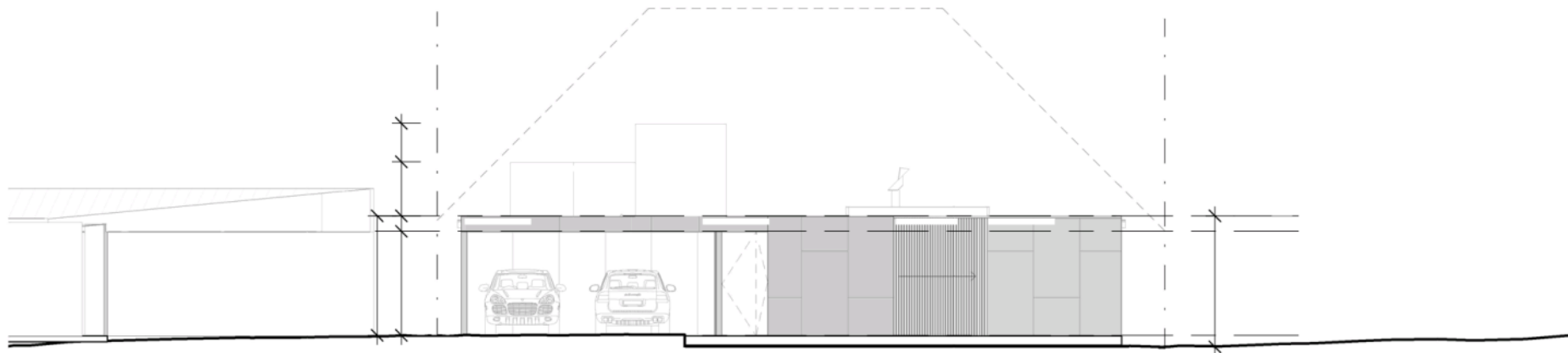
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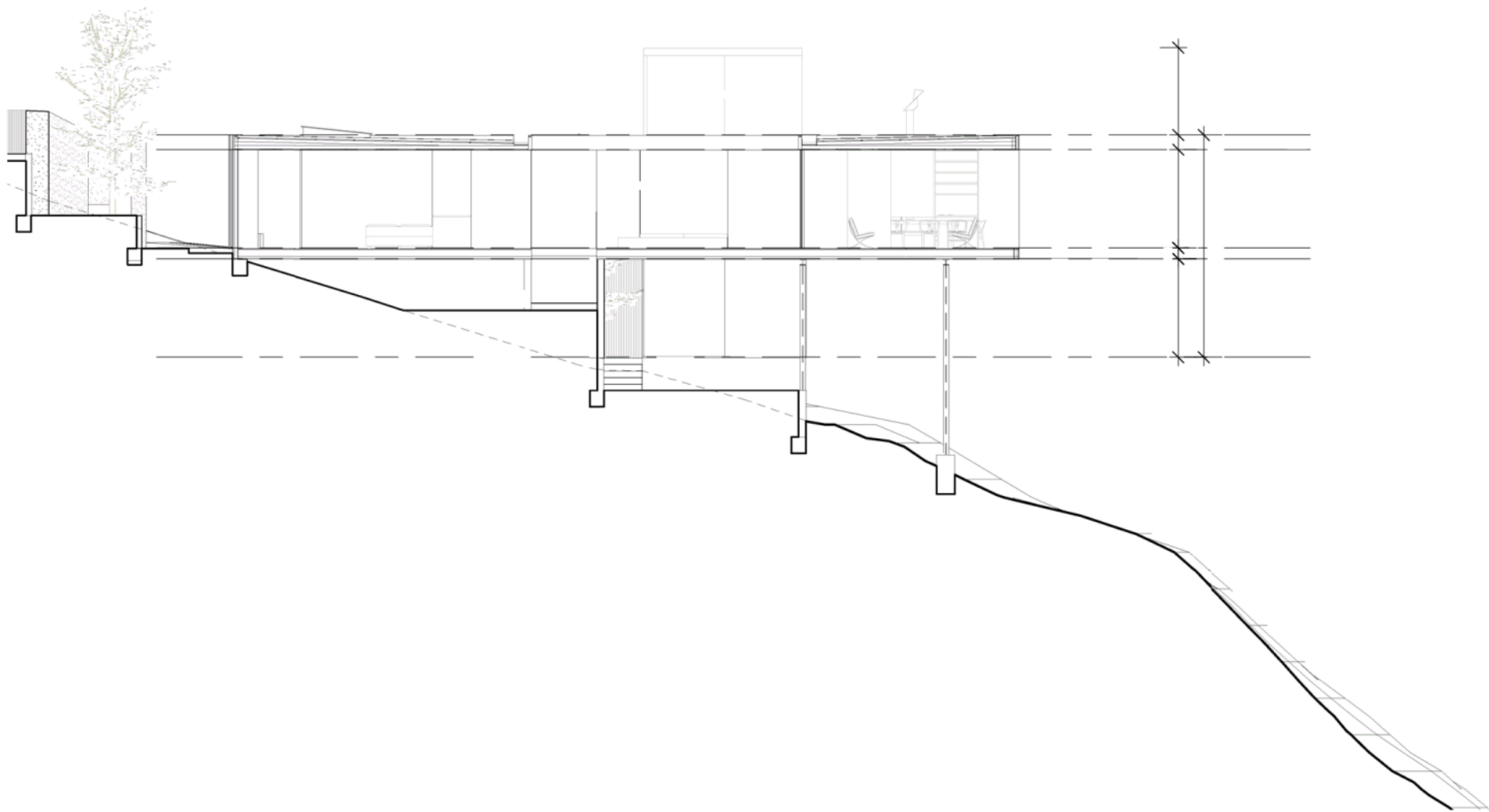


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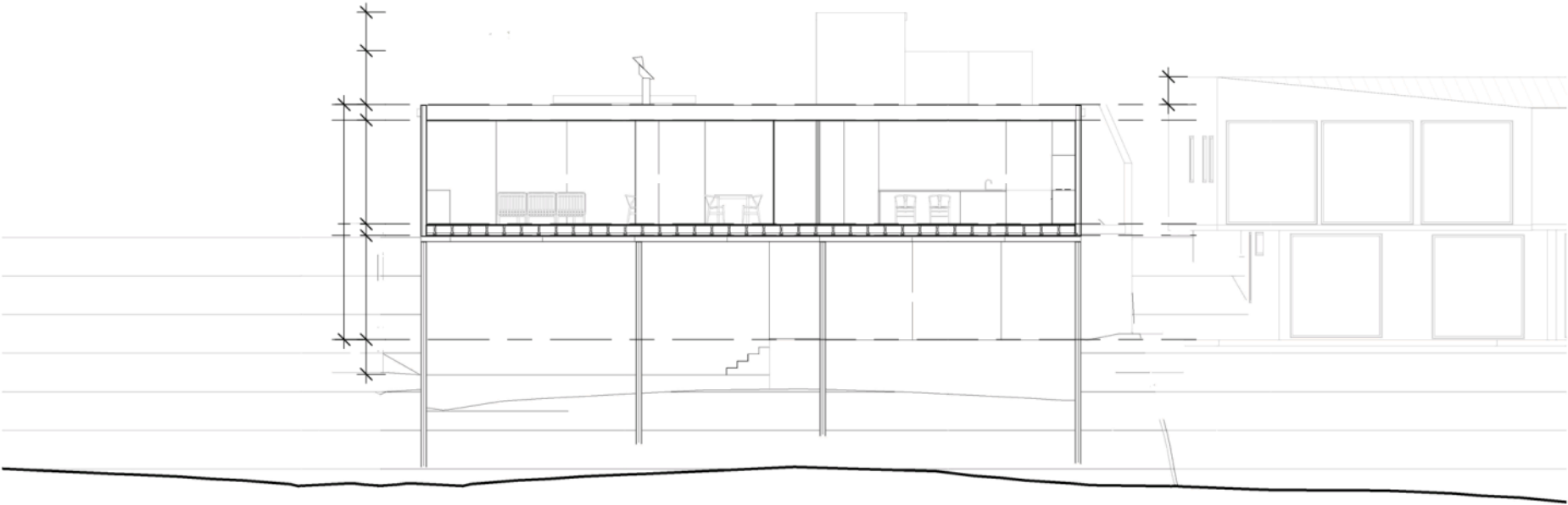
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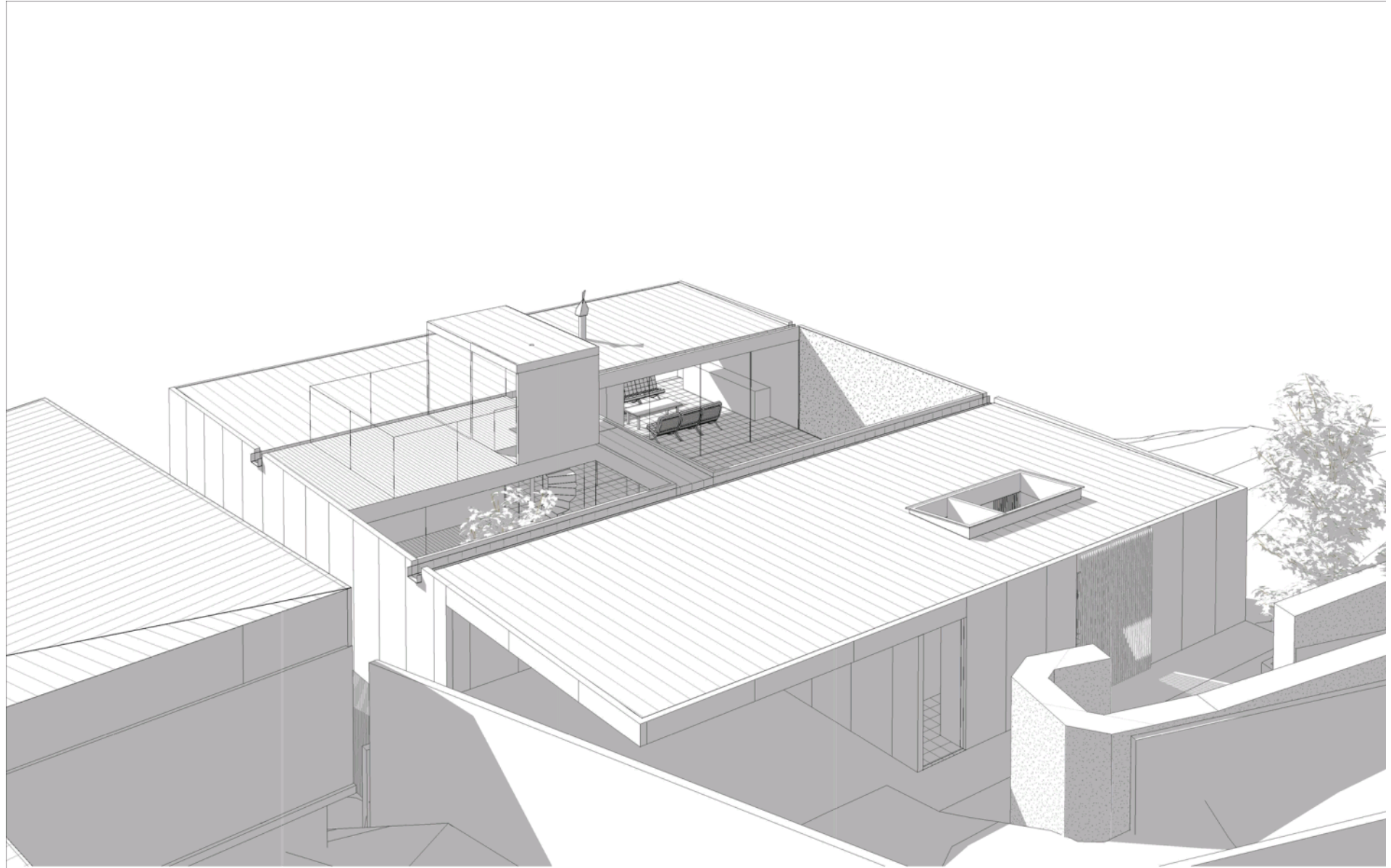
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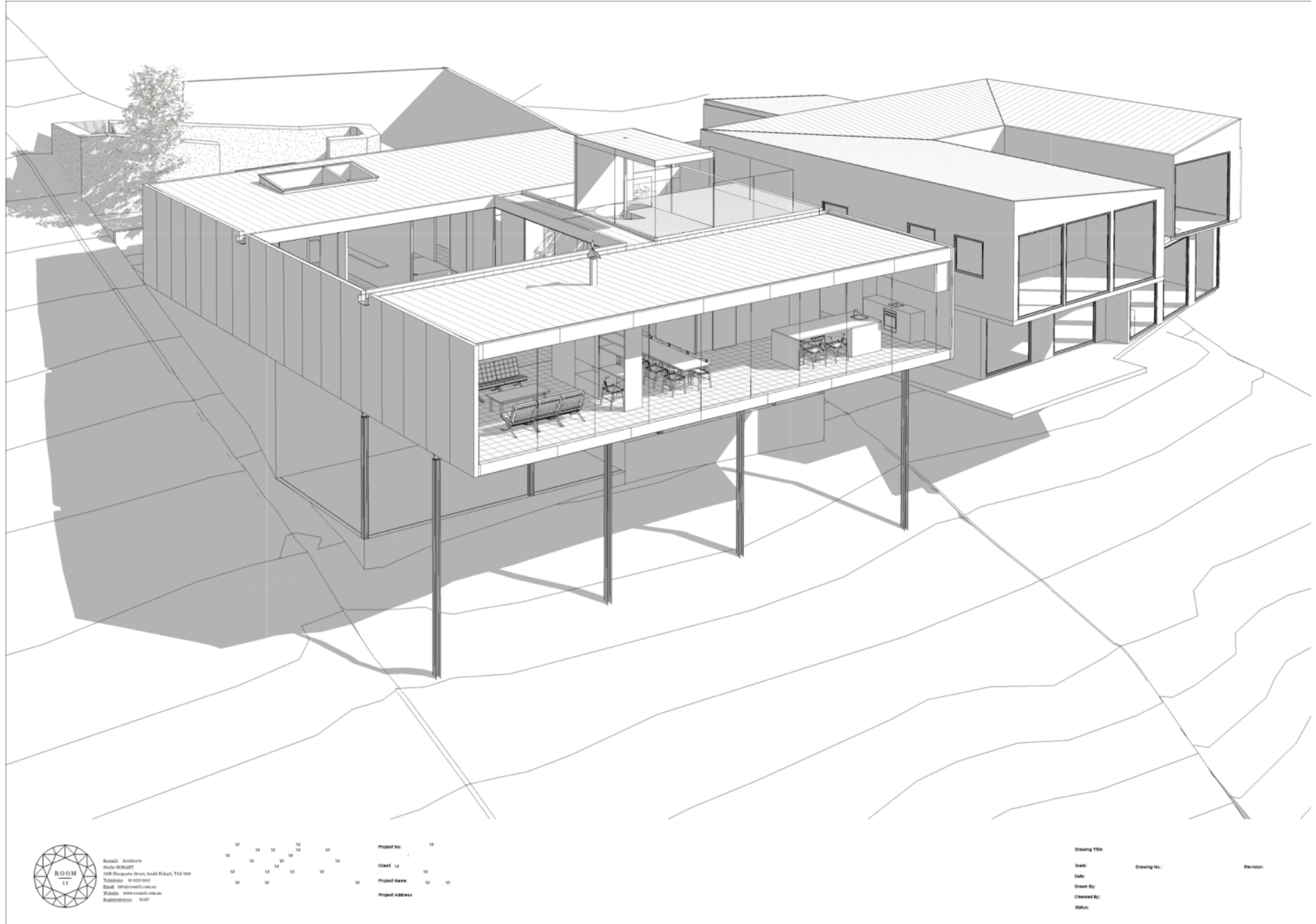
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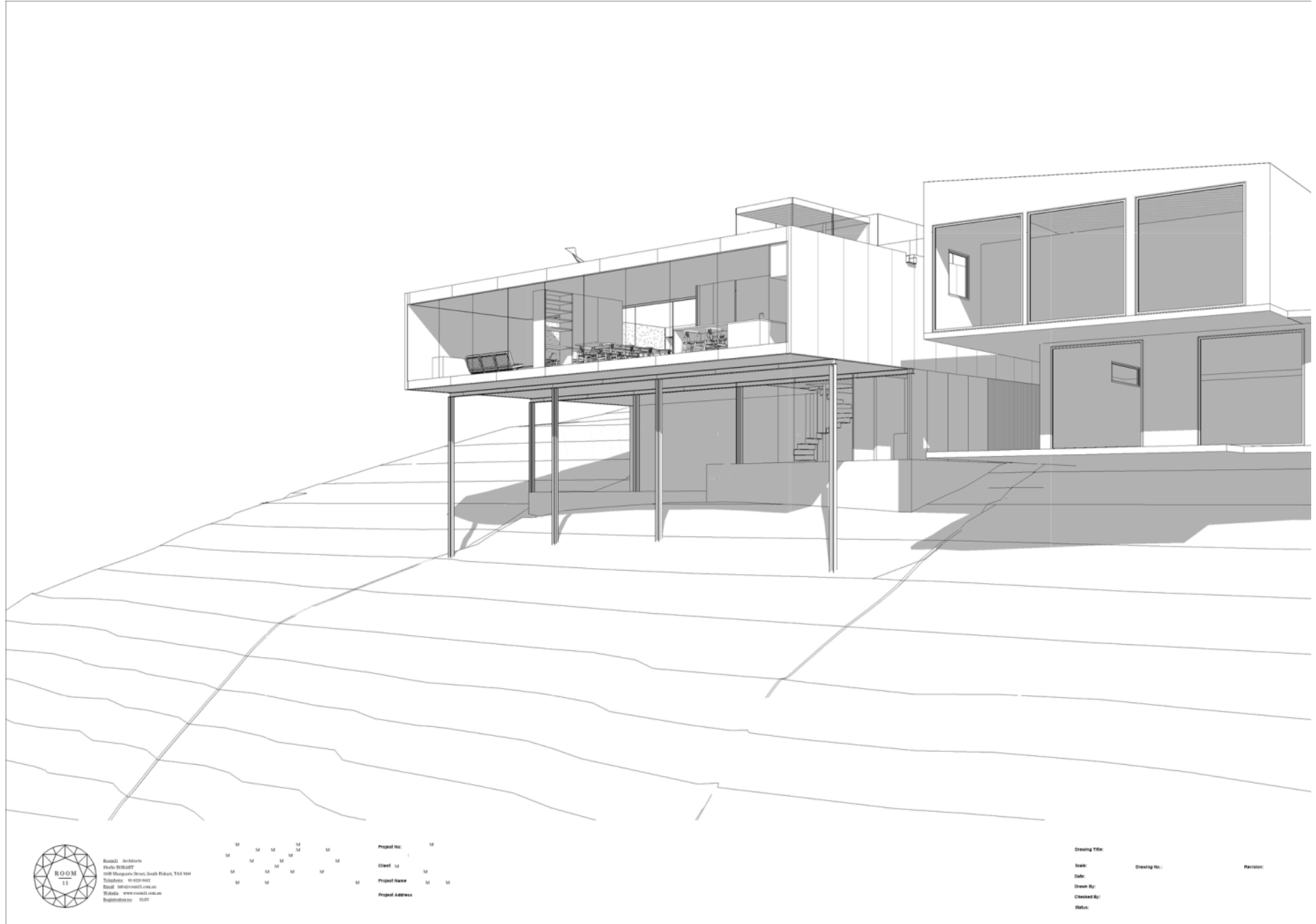
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**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 152913	FOLIO 1
EDITION 3	DATE OF ISSUE 17-Sep-2009

SEARCH DATE : 28-May-2020

SEARCH TIME : 01.25 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Sealed Plan 152913

Derivation : Part of 30 Acres Granted to Daniel Anderson.

Prior CT 23604/4

SCHEDULE 1

C676516 TRANSFER to LILIAN MARIE SAMSON and ANDREW MACDONALD
LONGDEN Registered 20-Feb-2008 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP152913 EASEMENTS in Schedule of Easements

SP152913 FENCING COVENANT in Schedule of Easements

C932582 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 17-Sep-2009 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 152913	FOLIO 2
EDITION 3	DATE OF ISSUE 07-Jul-2017

SEARCH DATE : 25-May-2020

SEARCH TIME : 01.46 PM

DESCRIPTION OF LAND

City of HOBART

Lot 2 on Sealed Plan 152913

Derivation : Part of 30 Acres Granted to Daniel Anderson.

Prior CT 23604/4

SCHEDULE 1

M638129 TRANSFER to MEGAN ELIZABETH JAMES and MICHAEL BRIAN
JAMES Registered 07-Jul-2017 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP152913 EASEMENTS in Schedule of Easements

SP152913 FENCING COVENANT in Schedule of Easements

E98516 MORTGAGE to Westpac Banking Corporation Registered
07-Jul-2017 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 152913

PAGE 1 OF 2 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

RIGHTS OF DRAINAGE

Lot 2 is subject to a right of drainage appurtenant to Hobart City Council over the Drainage Easement 2.00 Wide shown on the plan.

RIGHTS OF WAY

Lot 1 is subject to a right of carriageway appurtenant to Lot 2 over the Right of Way (Private) & Service Easement Variable Width shown on the plan.

Lot 2 is together with a right of carriageway over the Right of Way (Private) & Service Easement Variable Width shown on the plan.

Lot 2 is subject to a right of carriageway appurtenant to Lot 1 over the Right of Way (Private) AB 1.00 wide shown on the plan.

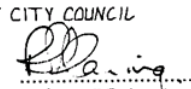
Lot 1 is together with a right of carriageway over the Right of Way (Private) AB 1.00 wide shown on the plan.

SERVICE EASEMENT

Lot 1 is subject to a service easement appurtenant to Lot 2 over the Right of Way (Private) & Service Easement Variable Width shown on the plan.

Lot 2 is together with a service easement over the Right of Way (Private) & Service Easement Variable Width shown on the plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: GENDERS DEVELOPMENTS PTY LTD	PLAN SEALED BY: HOBART CITY COUNCIL
FOLIO REF: 23604/4	DATE: 17-10-2007
SOLICITOR	5642141
& REFERENCE: ABETZ CURTIS REF: 70291	REF NO.
	 Council Delegate MANAGER SURVEYING SERVICES
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 2 PAGE/S	Registered Number SP 152913
SUBDIVIDER: GENDERS DEVELOPMENTS PTY LTD FOLIO REFERENCE: 23604/4	

INTERPRETATION

"Service Easement" means the full and free right of every person who is entitled to an estate or interest in possession in the land indicated as Lot 2 or any part thereof with which such said right shall be capable of enjoyment in common with the owner of Lot 1, the Hobart City Council, Telstra, Aurora Energy, and the Crown to lay use and maintain forever water mains, pipes, drains, mains, channels, gutters, sewers, wires, cables and other conducting media of such size and number as shall from time to time be required in the strip of land shown on the plan hereon and marked "Right of Way (Private) & Service Easement Variable Width" and the right for their surveyors and workmen from time to time and at all times hereafter to enter into and upon the said strip of land or any part thereof bringing upon the Service Easement such machinery and other things as it shall think fit and proper to inspect the condition thereof and to repair, amend and cleanse PROVIDED HOWEVER that any damage occasioned thereby shall be made good.

FENCING COVENANT

GENDERS DEVELOPMENTS PTY LTD

The Owners of each Lot on the Plan hereby covenant with the Vendor that the Vendor shall not be required to fence.

SIGNED for and on behalf of GENDERS)
 DEVELOPMENTS PTY LTD (ACN 114 247 880))
 in accordance with the provisions of Section 127)
 of the Corporations Act 2001)

Director PETER GENDERS
 SOLE DIRECTOR & SOLE SECRETARY

Director/Secretary

SIGNED for and on behalf of NATIONAL)
 AUSTRALIA BANK LIMITED by its duly)
 authorised officer *Timothy Bea*)



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.



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER Genders Developments Pty Ltd FOLIO REFERENCE CT.23604-4 GRANTEE : PART OF 30 acres GRANTED TO DANIEL ANDERSON		PLAN OF SURVEY BY SURVEYOR NOEL LEARY of NOEL LEARY & ASSOC. 132 DAVEY STREET HOBART 7000 LOCATION CITY OF HOBART SCALE 1: 500 LENGTHS IN METRES		REGISTERED NUMBER SP152913 APPROVED EFFECTIVE FROM 10 JAN 2008 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No.114 (5124-13,23)	LAST UPI No GQR04	LAST PLAN No. D.23604	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

The diagram shows a survey plan with two lots. Lot 1 is 635m² and Lot 2 is 961m². The plan is bounded by Sandy Bay Road to the west and River Derwent to the east. Various boundary measurements are provided in feet and inches. A north arrow is located in the upper left corner. The plan also shows easements and a right of way (private) 1.00 wide.

<i>[Signature]</i> COUNCIL DELEGATE	17/10/2007 DATE
--	--------------------



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-308	Council notice date	29/05/2020
TasWater details			
TasWater Reference No.	TWDA 2020/00732-HCC	Date of response	12/06/2020
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246
Response issued to			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
Development details			
Address	728A SANDY BAY RD, SANDY BAY	Property ID (PID)	2836346
Description of development	New dwelling		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Room 11	Site Plan / A0.02	B	28/05/2020
Conditions			
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:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing 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. 			
56W CONSENT			
<ol style="list-style-type: none"> 4. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within two metres of TasWater's DN150 sewer located in the adjoining property adjacent to the north boundary. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 5. 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 fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater. 			



Advice

General

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

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

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. A copy of the GIS is included in email with this notice and should aid in updating of the documentation. The location of this infrastructure as shown on the GIS is indicative only.

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

56W Consent

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (e) Existing pipe depth and proposed finished surface levels over the pipe;
- (f) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (g) A note on the plan indicating how the pipe location and depth were ascertained.

Declaration

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

Authorised by

Jason Taylor
Development Assessment Manager

TasWater Contact Details

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



PRELIMINARY GEOTECHNICAL ASSESSMENT

*728A Sandy Bay Road, Sandy Bay,
Hobart
Tasmania*

September 2020

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1 INTRODUCTION

Geo-Environmental Solutions Pty Ltd (GES) were engaged by Room 11 Architects c/o Michael James, to carry out a preliminary geotechnical investigation assessment of the proposed residential development on 728A Sandy Bay Road in Sandy Bay, Hobart (C.T. – 152913/2) – hereby referred to as 'The Site'.

The proposed development site is accessed via a driveway from Sandy Bay Road as shown in figure 1.

This report outlines the key findings of the preliminary geotechnical investigation assessment based upon desktop review and site walkover and field investigations.

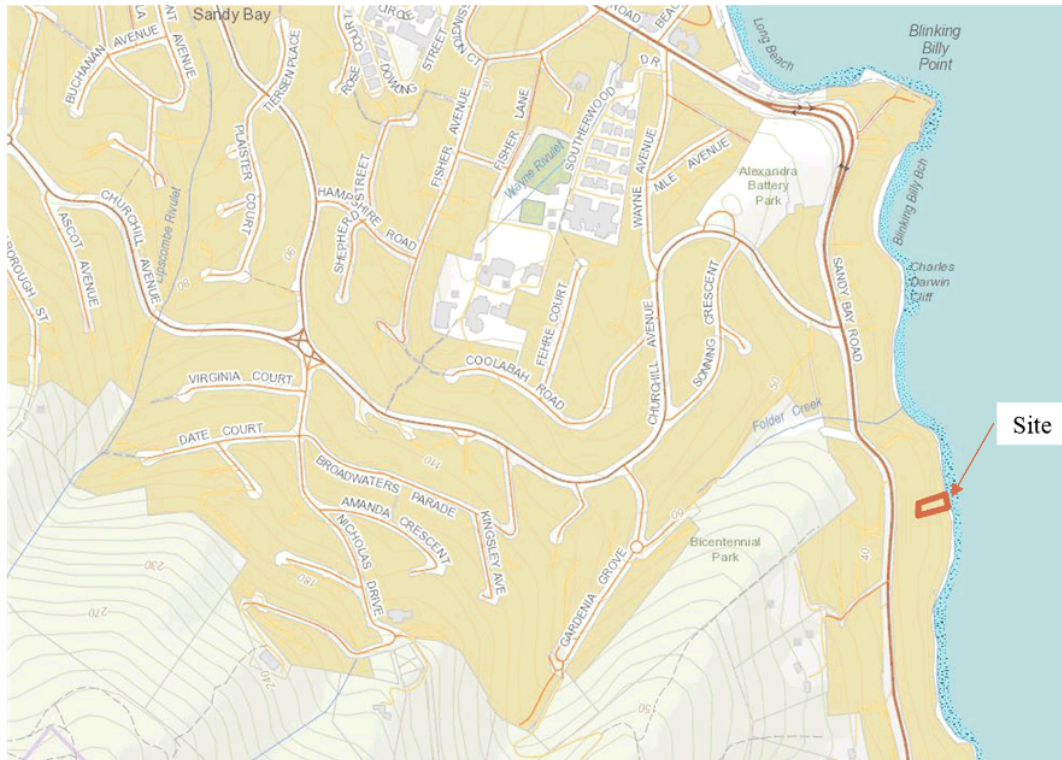


Figure 1 Location of the site.

1.1 Proposed Development

It is understood that the proposed new development is a three-storey residential dwelling constructed with matrix panel cladding and concrete floors. A 1.5m wide by 1.8m deep lap pool of approx. 9m length has been proposed on the ground floor. Anticipated loads from the dwelling are moderate.

2 OBJECTIVES AND SCOPE OF WORK

2.1 Project Objectives

Based on our understanding of the project and the information provided by the client, the following outlines the main objectives of the preliminary geotechnical investigation:

- Assess the subsurface conditions at the site relevant to the proposed development;
- Provide information on likely depth to rock and assess likely excavability;
- Comment on expected depth of groundwater;
- Comment on the proposed developments effect on the stability of the site and associated escarpment; and
- Provide any recommendations for further geotechnical investigations.

3 INFORMATION PROVIDED

GES has been provided with preliminary information relating to the location of the development on the property.

3.1 Previous Investigations

GES are not aware of any previous investigations that have been carried out at the site.

4 GEOLOGICAL CONTEXT

4.1 Site Details and Setting

The property covers an area of approximately 965m² and is bound to the east by the Derwent River and to the north, west and south by residential development. The area of the proposed development is in the central part of the subject title. The area upslope of the proposed development is occupied by an existing concrete driveway that provides access to the site. The proposed development is to extend to the lower Sandy Bay Escarpment Line located approx. 10m from the eastern site boundary. The site is moderately to steeply sloping with measured slope angles between 25° and 40° in the location on the proposed dwelling. The escarpment line delineates a rounded, convex break in slope where slope angles increase to >60° and descend from approx. 10m AHD to the shoreline of the Derwent River. The escarpment has medium-dense vegetation cover and appears stable in its present form. No recent debris was observed at the toe of the escarpment. Uncontrolled fill was observed during investigations and was likely emplaced when earthworks were performed during construction of the dwelling at 728 Sandy Bay Road and the site driveway in 2008.

4.2 Geological Setting

Based on the MRT 1:25,000 Mineral Resources Tasmania (MRT) mapping of the site geology comprises of the following geological units:

Map Unit: Jdc – Dolerite and related rocks of grainsize >3mm.

Soils typical to that derived from Dolerite rocks were encountered onsite. Weathered, coarse-grained dolerite boulders were observed outcropping in the escarpment.

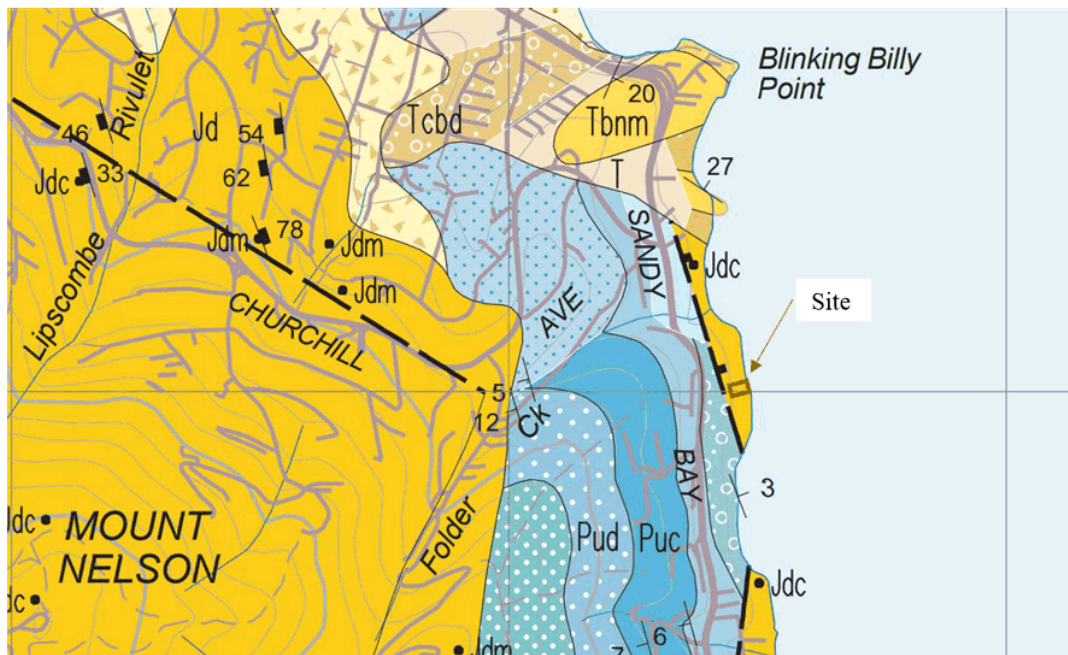


Figure 2 Location of the site with mapped geology indicated – site underlain by Jurassic Dolerite

5 INTERIM PLANNING SCHEME OVERLAYS

The site contains no planning scheme overlays. The Lower Sandy Bay Escarpment Line and the Line 20m Distant from the Escarpment Line transect the site.

6 PRELIMINARY GEOTECHNICAL INVESTIGATION

6.1 Field Investigations

The fieldwork involved a site walkover, the completion of a number of hand augers and assessment of surface rock and soil conditions.

6.2 Soil conditions

Soil conditions across the site appear to consist of various depths of uncontrolled fill overlying duplex soils developing on Jurassic dolerite. Sub-surface investigations identified highly plastic clays overlying gravelly clays and achieved auger refusal on weathered dolerite between 0.7m and 1.2m below ground surface. Dolerite was observed outcropping in the escarpment. It is likely the soil depth is variable, with an expected range of 0.5 to approx. 1.5m.

6.3 Groundwater

During the investigation, no groundwater was detected or identified. Groundwater may be present at depths of 5-10m within the fractured dolerite rock (depending upon slope position). Further detailed geotechnical

investigations would be required to identify if groundwater could be encountered within the planned excavation depths.

6.4 Rock condition

Where exposed dolerite was observed it is noted to be of low to medium strength and appears as boulder deposits within a finer grained matrix. Rock strength at depth will variable according to localised weathering. Further detailed drilling and core testing may be required to assess the condition and bearing capacity of rock at depth.

7 PRELIMINARY SITE CLASSIFICATION

7.1 Foundations

A preliminary site classification has been assigned according to “AS2870-2011 Residential Slabs & Footings” the site has been classified as **Class M** (20-40mm I^c range), the profile is likely to be moderately reactive and is expected to exhibit moderate ground surface movements from moisture fluctuations.

8 DISCUSSION AND RECOMMENDATIONS

8.1 Excavation Assessment

Excavation of all soil material across the site to shallow depths is likely to be achieved with ease with conventional hydraulic excavation machinery, however deeper excavation is likely to require considerable effort. Preliminary advice for excavation is:

- Shallow <2m excavation – likely to be achieved with conventional excavators (min 13t) with GP buckets and rippers
- Excavation 2-4m – likely to require large excavation machinery (>13t) with rippers and rock breakers
- Excavation > 4m depth – (Not recommended).

At this point in time, deep site excavation is considered a major risk to the project in terms of ongoing stability at the site.

8.2 Soil management

The plastic clay soil on site are unlikely to be suitable for use as construction fill. The topsoils may be suitable for reuse on landscaping works. Further assessment of the dolerite rock would be necessary should the material wish to be reused on site.

8.3 Groundwater

Groundwater is not thought to present issues for excavations on site.

9 RECOMMENDATIONS

The following recommendations have been made by GES:

- Further geotechnical reporting must be produced to assess site stability and foundation construction prior to detailed design.

GES have been contracted by Michael James to provide further geotechnical reporting assessing the site stability and foundation construction methods in September 2020.

10 LIMITATIONS STATEMENT

This Assessment Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and Michael James ('the Client'). To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the Report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that discussed in this Report. In preparing this Report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this Report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible geotechnical parameter or soil contaminant over the whole area of the site. Soil and rock samples collected from the investigation area are assumed to be representative of the areas from where they were collected and not indicative of the entire site. The conclusions discussed within this report are based on observations and/or testing at these investigation points.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required.

No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party.



**7.1.2 12 KELLY STREET, BATTERY POINT- PARTIAL DEMOLITION,
ALTERATIONS AND EXTENSION
PLN-20-488 - FILE REF: F20/102710**

Address: 12 Kelly Street, Battery Point

Proposal: Partial Demolition, Alterations and Extension

Expiry Date: 1 October 2020

Extension of Time: Not applicable

Author: Helen Ayers

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and extension at 12 Kelly 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-20-488 - 12 KELLY STREET BATTERY POINT TAS 7004 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

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

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.

HER 16

The proposed solid masonry walling to replace the wire fencing and vegetation on the northern boundary between the dwelling and the garage is not approved, and must be omitted from the building application drawings.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the walling in accordance with the above requirement.

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

Advice:

It is noted that a solid side boundary fence / wall with a maximum building height of 2.1m above the natural ground level is exempt from requiring planning approval. Should you wish to construct a wall to this height it could be included in the building application drawings and would be considered to satisfy the above requirement.

Reason for condition

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

ADVICE

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

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

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.

RIGHT OF WAY

The private right of way at the rear of the application site 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.

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.

HERITAGE

It is recommended the applicant consider in conjunction with other users of the right-of-way, an alternative paint colour, such as red/brown/terracotta on the rear wall to provide continuity with the existing colours of adjoining and neighbouring walls.

- Attachment A: PLN-20-488 - 12 KELLY STREET BATTERY
POINT TAS 7004 - Planning Committee or
Delegated Report ↓ 
- Attachment B: PLN-20-488 - 12 KELLY STREET BATTERY
POINT TAS 7004 - CPC Agenda Documents ↓ 
- Attachment C: PLN-20-488 - 12 KELLY STREET BATTERY
POINT TAS 7004 - Planning Referral Officer
Cultural Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 28 September 2020
Expiry Date: 1 October 2020
Application No: PLN-20-488
Address: 12 KELLY STREET , BATTERY POINT
Applicant: Nicholas Terry (SPACE)
1 Danval Place
1 Danval Place
Proposal: Partial Demolition, Alterations and Extension
Representations: Three (3)
Performance criteria: Inner Residential Zone Development Standards, Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 12 Kelly Street, Battery Point.
- 1.2 More specifically the proposal includes:
 - Demolition of the existing 1970's rear dwelling addition.
 - Construction of a new rear dwelling addition, including kitchen, dining, laundry and bathroom.
 - Construction of a new northern side boundary fence at the front of the dwelling.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Inner Residential Zone Development Standards - Site Coverage, and Private Open Space
 - 1.3.2 Historic Heritage Code - Development Standards for a Heritage Precinct
- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 31 August and 14 September 2020.
- 1.5 The proposal is recommended for approval subject to conditions.

- 1.6 The final decision is delegated to the City Planning Committee, because more than two but less than five objections have been received, and the officer recommendation is for approval.

2. Site Detail

- 2.1 The application site is a regularly shaped 213m² lot on the eastern side of Kelly Street, Battery Point. There is currently an existing dwelling built in the rear half of the lot, which is adjacent to both side, and the rear boundaries, with a small garage located toward the front of the northern boundary. There is a small area of private open space to the front of the dwelling between the garage and the adjacent property to the south. There is also a very small courtyard to the rear of the dwelling.



Figure 1: The location of the application site is highlighted in yellow.

3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 12 Kelly Street, Battery Point.

3.2 More specifically the proposal is for:

- Demolition of the existing 1970's rear dwelling addition.
- Construction of a new rear dwelling addition, including kitchen, dining, laundry and bathroom.
- Construction of a new northern side boundary fence at the front of the dwelling.

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 31 August and 14 September 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.

<i>Right of Way:</i>
Representors are concerned that the construction works will result in a reduction of access to for other dwellings reliant upon the right of way to the rear of the application site.
Representors have indicated a desire for communication throughout the construction phase to ensure that any disturbance to access is forewarned and minimised.
Representors have expressed concern that waste and / or building materials may be stored in the right of way through construction, which would inhibit use of the right of way by other occupants along it.
Representors are concerned that damage may occur to the right of way through construction and are have requested that any such damage be repaired by the developer.
Representors have suggested that the rear wall of the proposed dwelling addition should not be painted white as proposed, but should be painted a colour that is more compatible with the other rear walls along the right of way, such as a terracotta, red or brown.

Representors have indicated that the right of way is an attraction for visitors and tourists and has had roses planted adjacent to most of the walls along it.
<i>Drainage:</i>
Representors are concerned that drainage is not adequately addressed in the proposal plans. They suggest that this is an ongoing concern which has been raised previously.
One representor has indicated that there appears to be a stormwater down pipe located within the right of way. They go on to question where the pipe connects as there is no detail provided.
<i>Plans:</i>
One representor has suggested that the plans are incorrect in that they are inconsistent for the proposed wall heights.
One representor has suggested that lower walls and a hipped roof design would be more appropriate for the area.
One representor has indicated that the adjacent right of way has not been accurately depicted on the plans. They suggest that it should be shown as part of two titles, not one, and that the plans are therefore not correct.
One representor has suggested that the existing wall and ground levels shown on the plans are not accurate for the site or the adjoining properties.
<i>Loss of Sunlight:</i>
One representor is concerned that the shadows caused by the increased wall height will result in loss of sunlight to the dwelling to the south of the application site. The representor has indicated that this will have a negative impact on the thermal efficiency of the adjacent dwelling as it has been designed with a significant thermal mass (insulated concrete floor) which requires direct sunlight for optimum efficiency, and any reduction in direct sunlight will reduce its efficiency.
One representor is concerned that the proposed increased southern wall height will result in a loss of sunlight to the adjacent dwelling to the south and as such will reduce the value of the dwelling.
<i>Finishes:</i>

One representor has requested permission to render and paint the southern wall to ameliorate the potential bulk and massing of the wall in the confined adjacent courtyard.
<i>Building and Plumbing Permits:</i>
One representor has raised concern that the plumbing for the dwellings at 16, 14, 12, and 10 Kelly Street all run through the rear yards or additions to the existing dwellings, and as such the representor is concerned that construction will result in disturbance or damage to this service. They have requested advance notice of any disruption to the service, and that any damage be repaired in a timely manner.
One representor is concerned that given the confined space in which works are to occur there is the potential for damage to adjoining properties. They have requested advance notice of any works with the potential to impact adjacent properties and assurance that the developer will be responsible for any repairs that may be required should damage occur.
One representor has noted that the southern boundary of the application site is shown in a different location to the existing boundary wall. The representor suggests that this boundary is in dispute and as such seeks involvement in the final decision as to where the boundary may be located and any subsequent works which may occur on the property to the south if the boundary location is found to be inaccurate.

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 There is no change to the existing Residential (Single Dwelling) use of the site. The existing use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:

- 6.4.1 Part D - 11.0 Inner Residential Zone
 - 6.4.2 Part E - E7.0 Stormwater Management Code
 - 6.4.3 Part E - 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:

Site Coverage and Private Open Space - Part D 11.4.3 P1 and P2
 - 6.5.2 Historic Heritage Code:

Development Standards for Heritage Precincts - Part E E13.8.1 P1 and E13.8.2 P1, and P3
- 6.6 Each performance criterion is assessed below.
- 6.7 Site Coverage and Private Open Space - Part D 11.4.3 P1 and P2
- 6.7.1 The acceptable solutions at clauses 11.4.3 A1 and A2 require dwellings to have a maximum site coverage of 50% and a minimum north facing private open space area that is 24m² with a minimum 3m dimension which is directly adjacent to and accessible from a habitable room of a dwelling.
 - 6.7.2 The proposal includes 50.8% site cover, and a 2.9m by 2.8m north facing (though adjacent to the northern dwelling boundary wall) courtyard adjacent to the living, kitchen and dining rooms. There is additional private open space at the front of the dwelling, to the south of the garage, and adjacent to the front bedroom.
 - 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 criteria at clauses 11.4.3 P1 and P2 provide as follows:

P1 - Dwellings must have:

(a) private open space that is of a size and dimensions that are

appropriate for the size of the dwelling and is able to accommodate:

- (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and*
- (ii) operational needs, such as clothes drying and storage;*

unless the projected requirements of the occupants are considered to be satisfied by public open space in close proximity; and

- (b) reasonable space for the planting of gardens and landscaping.*

P2 - A dwelling must have private open space that:

(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that is:

- (i) conveniently located in relation to a living area of the dwelling; and*
- (ii) orientated to take advantage of sunlight;*

unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.

- 6.7.5 The site cover is only increased by 3m² from the existing site cover. The private open space to the front of the dwelling remains unchanged and as such provides opportunity for the planting of gardens. The outdoor space to the rear of the dwelling replaces a previous small portion of outdoor space that was dimensioned to be less usable for an extension to the dwelling. The rear courtyard is now enclosed on three sides with opening doors of the dwelling which enable it to be utilised as an extension to all of the primary living spaces of the dwelling should it be desired. As such, whilst the space is quite small, the amenity for occupants is improved over the existing arrangement by the proposed configuration.

- 6.7.6 The proposal complies with the performance criterion.

- 6.8 Development Standards for Heritage Precincts - Part E E13.8.1 P1 and E13.8.2 P1, and P3

- 6.8.1 There is no acceptable solution for E13.8.1 A1 and E13.8.2 A1 and A3.
- 6.8.2 The proposal includes demolition and new work up to and including the rear boundary wall adjoining the right of way to the property known as 10 Kelly Street. The proposal also includes the removal of a wire fence with grafted vegetation located near the front entrance of the property on the northern boundary between the dwelling and the garage, and proposes a replacement solid masonry 2.6m wall.
- 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 and P3 provide as follows:

E13.8.1 Demolition

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 Buildings and Works other than Demolition

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.

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

- 6.8.5 The application has been assessed by Council's Senior Cultural Heritage Officer, who has provided the following comment:

The proposal does not involve the demolition of fabric that is of heritage value and therefore the proposal satisfies E13.8.1 P1.

In regards to the new development are the rear of the property it follows the height, materials and form of other rear walls and structures within the right of way/laneway and is consistent with the character of the streetscape and precinct. The only matter that requires resolution is the proposed colour as raised by two of the three representations. Given the existing wall is white and the proposed new wall will also be white, the provisions of the Historic Heritage Code do not compel the applicant to change the colour, nor is there a case for including it as a condition of permit. However, advice could be included in the permit suggesting an alternative colour as recommended by neighbours. This element of the proposal does not result in detriment or detract from the statements of significance and therefore satisfies E13.8.2 P1 and P3.

The following is in regards to the walling near the front entrance of the dwelling on the northern boundary between the dwelling and the garage. The proposed removal of the wire fence with grafted vegetation and replacement with a new section of rendered masonry walling that will measure 2.6m high is not approved and does not satisfy E13.8.2 P3. The proposed height and solid form of the wall will detract from the precinct and will obscure the dwelling's architectural and heritage features from the streetscape. A reduction in height to meet the permitted 2.1 boundary fence provisions is acceptable.

In summary, the proposal is acceptable subject to condition when assessed against the above provisions of the Historic Heritage Code of the Scheme.

- 6.8.6 The officer's report is provided as an attachment to this report.
- 6.8.7 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 12 Kelly Street, Battery Point.

- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including drainage, the plans, proposed finishes, loss of sunlight, the right of way to the east of the application site, and the subsequent building and plumbing process.
- 7.3 The representors have raised concern with the construction phase of the proposed addition, and are worried that there will be an impediment to their use of the right of way located behind the application site. The right of way does not form part of the application site, and there are no works proposed within the right of way. As such, the right of way is not something that can be considered through this application. And issues that may arise during the construction would be civil matters, to be resolved between the developer and the other users of the right of way.
- 7.4 The representors have also raised issue with the accuracy of the application plans, and are concerned that the proposed building will be constructed higher than is approved as the representors are unsure where the natural ground line should be. The plans that are approved cannot be significantly altered without further approval. As such, if the building permit plans are submitted and the building is higher than that which was approved for planning, then the building permit will not be supported by planning. As such, there is no chance that the proposed height of the building will change significantly without the neighbours being provided further opportunity to review the plans.
- 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, and Cultural Heritage 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 Partial Demolition, Alterations and Extension at 12 Kelly 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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition, Alterations and Extension at 12 Kelly 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-20-488 - 12 KELLY STREET BATTERY POINT TAS 7004 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

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

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.

HER 16

The proposed solid masonry walling to replace the wire fencing and vegetation on the northern boundary between the dwelling and the garage is not approved, and must be omitted from the building application drawings.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the walling in accordance with the above requirement.

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

Advice:

- *It is noted that a solid side boundary fence / wall with a maximum building height of 2.1m above the natural ground level is exempt from requiring planning approval. Should you wish to construct a wall to this height it could be included in the building application drawings and would be considered to satisfy the above requirement.*

Reason for condition

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

ADVICE

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

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

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.

RIGHT OF WAY

The private right of way at the rear of the application site 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.

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.

HERITAGE

It is recommended the applicant consider in conjunction with other users of the right-of-way, an alternative paint colour, such as red/brown/terracotta on the rear wall to provide continuity with the existing colours of adjoining and neighbouring walls.



(Helen Ayers)

Development Appraisal Planner

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



(Ben Ikin)

Senior Statutory Planner

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

Date of Report: 17 September 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

12 Kelly Street Battery Point TAS 7004

DEMOLITION AND EXTENSION TO EXISTING DWELLING + NEW FENCE

DRAWING SCHEDULE	
Drawing No.	Drawing Name

A001	COVER SHEET
A100	SITE PLAN
A101	EXISTING CONDITIONS
A200	FLOOR PLAN- EXISTING/ DEMOLITION
A201	FLOOR PLAN- PROPOSED
A300	ROOF- EXISTING/ DEMOLITION
A301	ROOF- PROPOSED
A400	ELEVATION- NORTH
A410	ELEVATION- EAST
A420	ELEVATION- SOUTH
A500	SECTION- PROPOSED

PROJECT DETAILS	
OWNER/ CLIENT: ANNE & DARRYL PITT	
PROJECT ADDRESS: 12 KELLY STREET BATTERY POINT TAS 7004	
LAND TITLE REF. NO.: 112893/ 1	
TASMANIAN PLANNING SCHEME ZONING: 11.0 INNER RESIDENTIAL	
PLANNING SCHEME OVERLAY HERITAGE PRECINCT. CODE 116.	
SITE AREA: 212.75m ²	
EXISTING BUILDING AREA: 105m ²	
PROPOSED PRIVATE OPEN SPACE 8.7m ²	
EXISTING BUILDING AND PROPOSED EXTENSION AREA: 108m ²	
PROPOSED PRIVATE OPEN SPACE 8.7m ²	
DESIGNERS NAME: NICK TERRY	
<div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div> NO. DATE: _____ </div> <div> BY: _____ <small>DESIGNER</small> </div> </div>	

PROJECT:
RENOVATION/ EXTENSION
12 KELLY STREET BATTERY POINT TAS

TITLE:
COVER SHEET

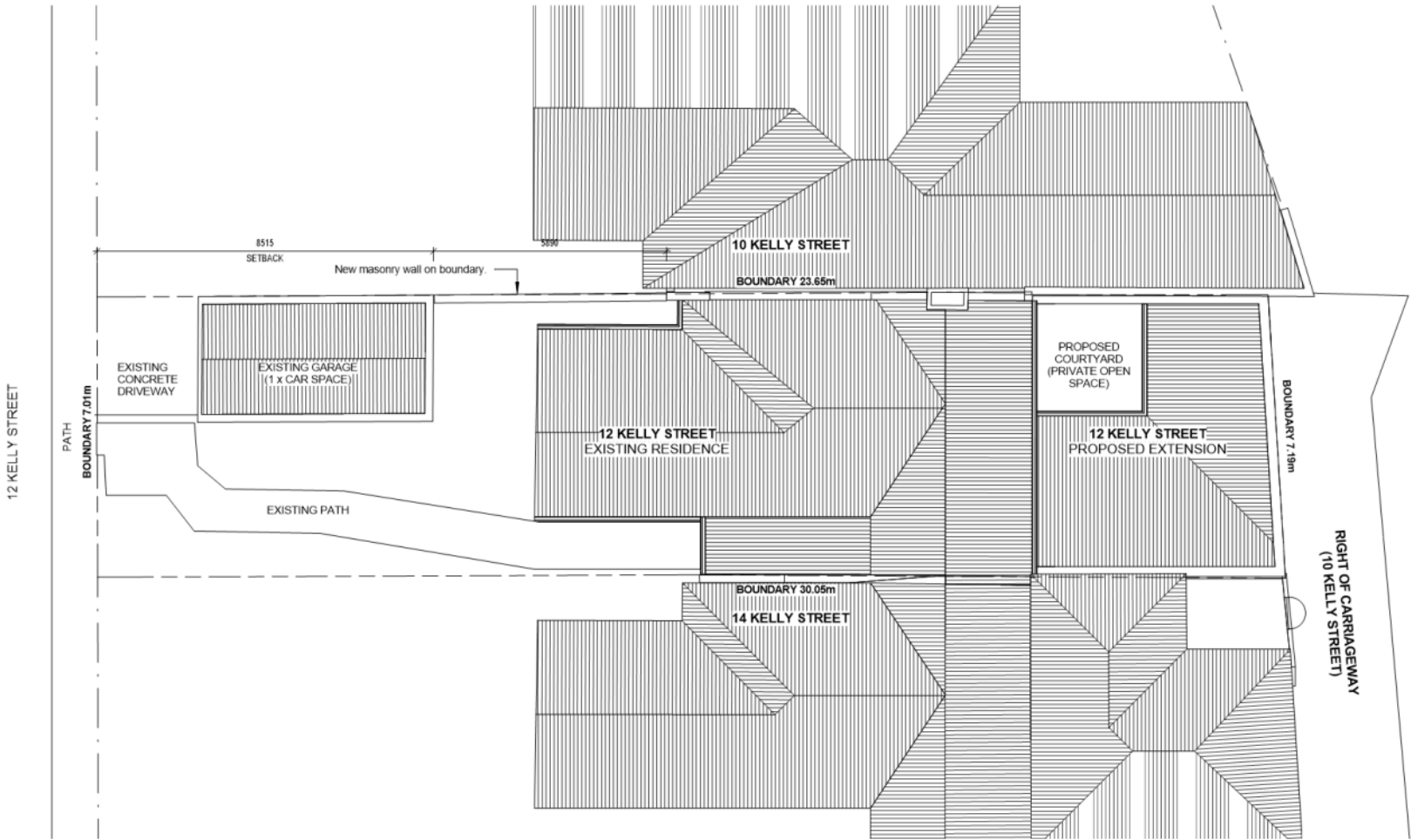


CLIENT: ANNE & DARRYL PITT

DATE: AUG 2020
DRAWN BY: NT
SCALE: 1 : 50 @ A3

ANNUAL	20002
LIBRARY	A001





1 SITE PLAN
1 : 100

PROJECT:
RENOVATION/ EXTENSION
12 KELLY STREET BATTERY POINT TAS

TITLE:
SITE PLAN



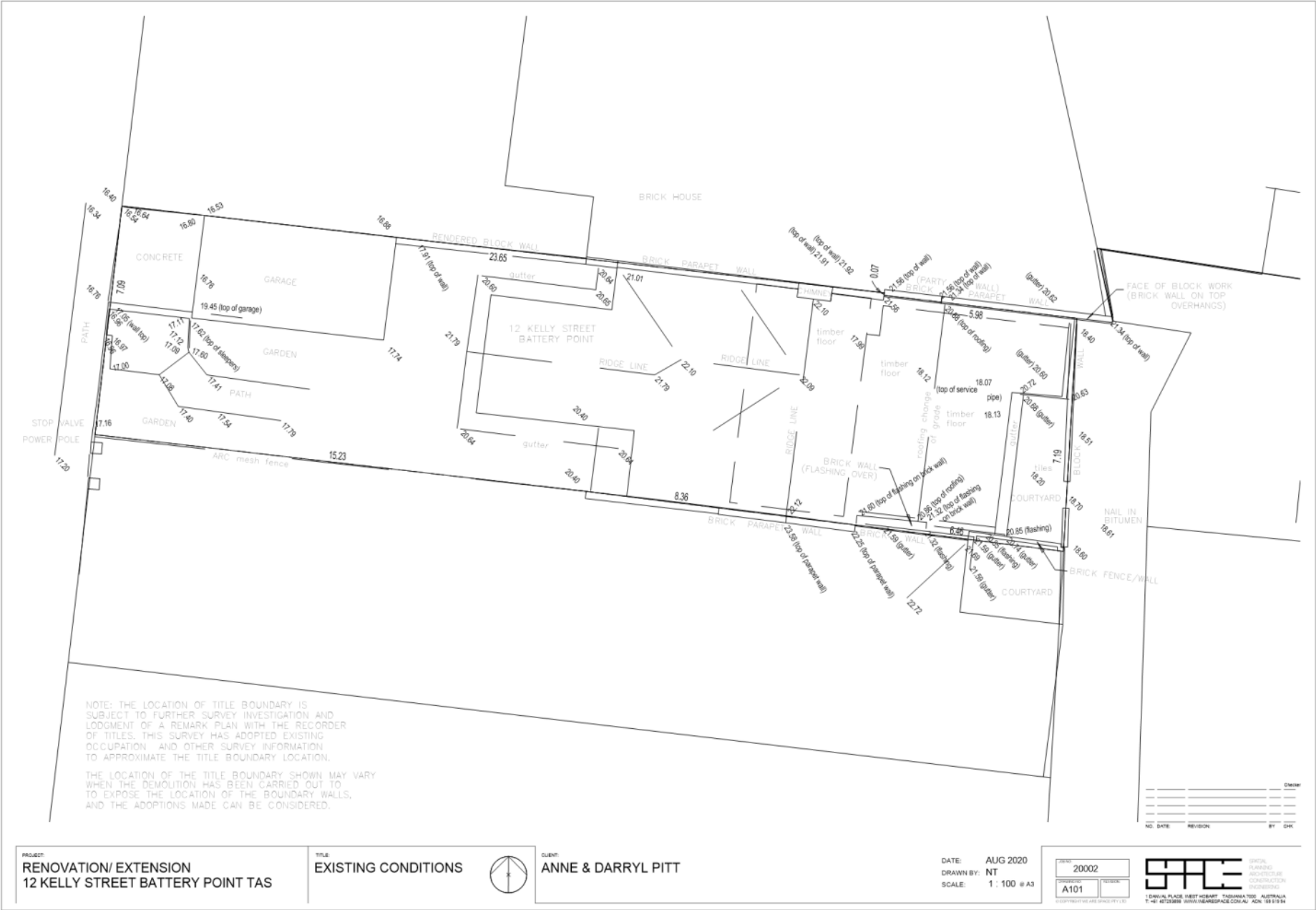
CLIENT:
ANNE & DARRYL PITT

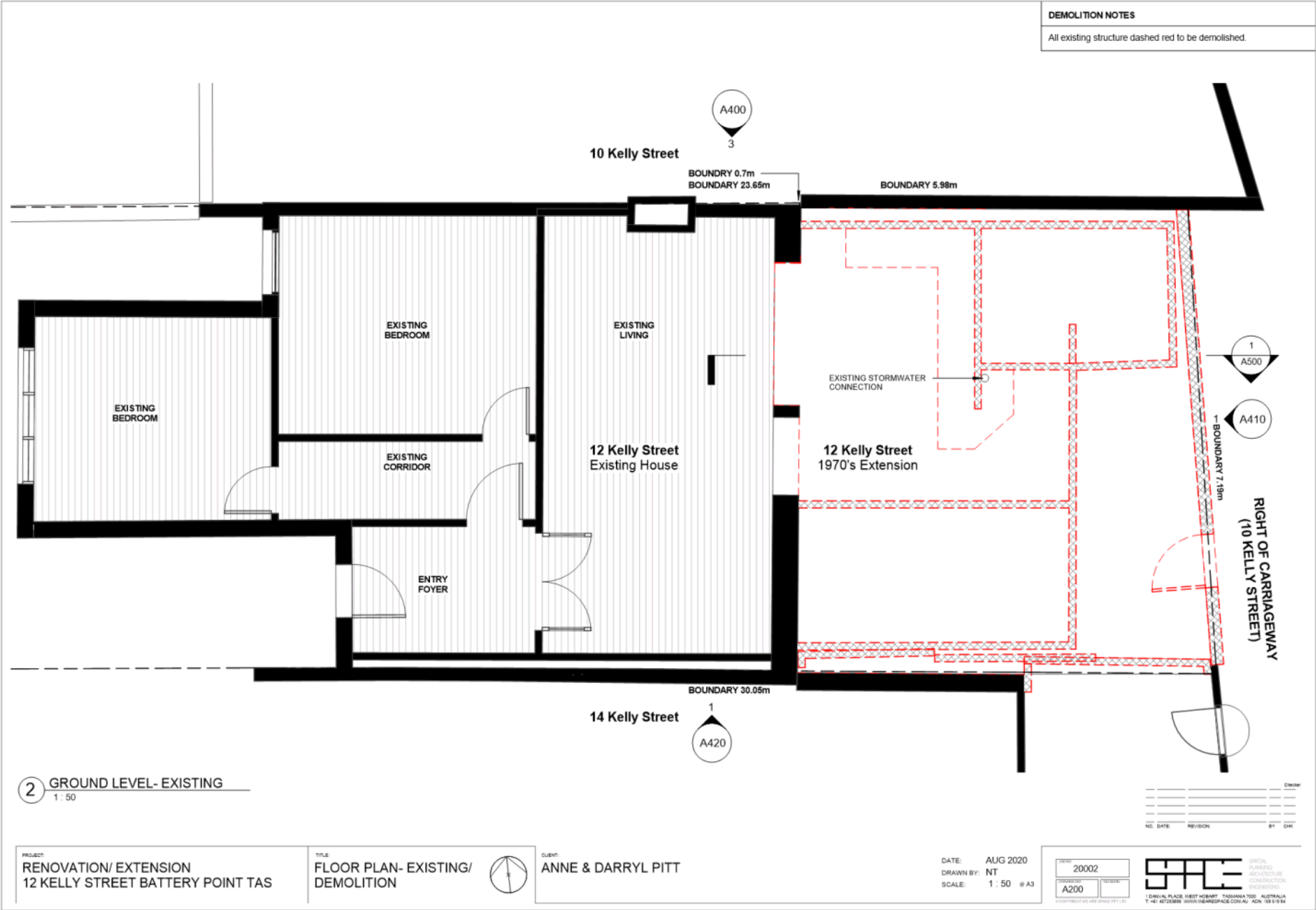
DATE: AUG 2020
DRAWN BY: NT
SCALE: 1 : 100 @ A3

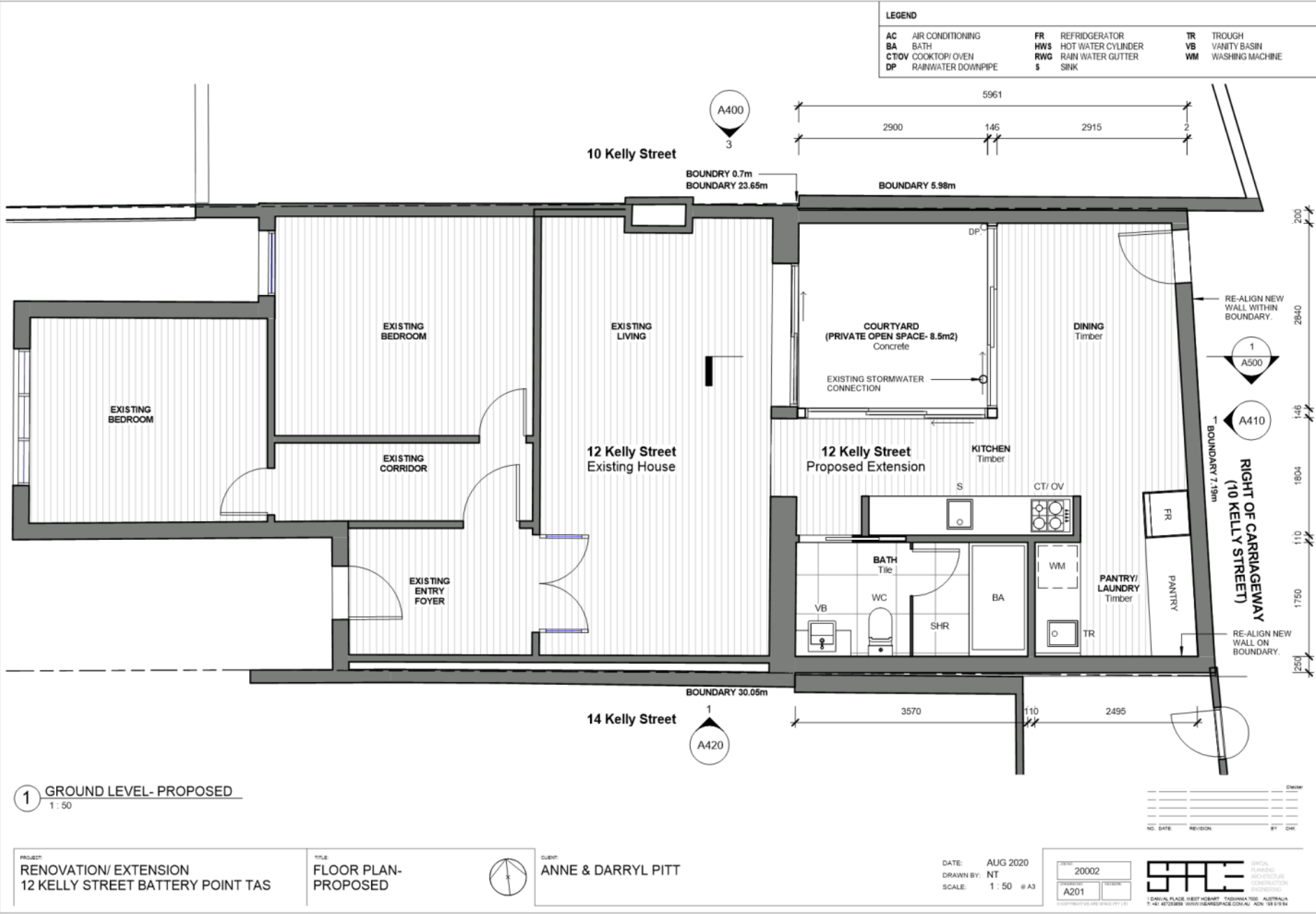
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A100	

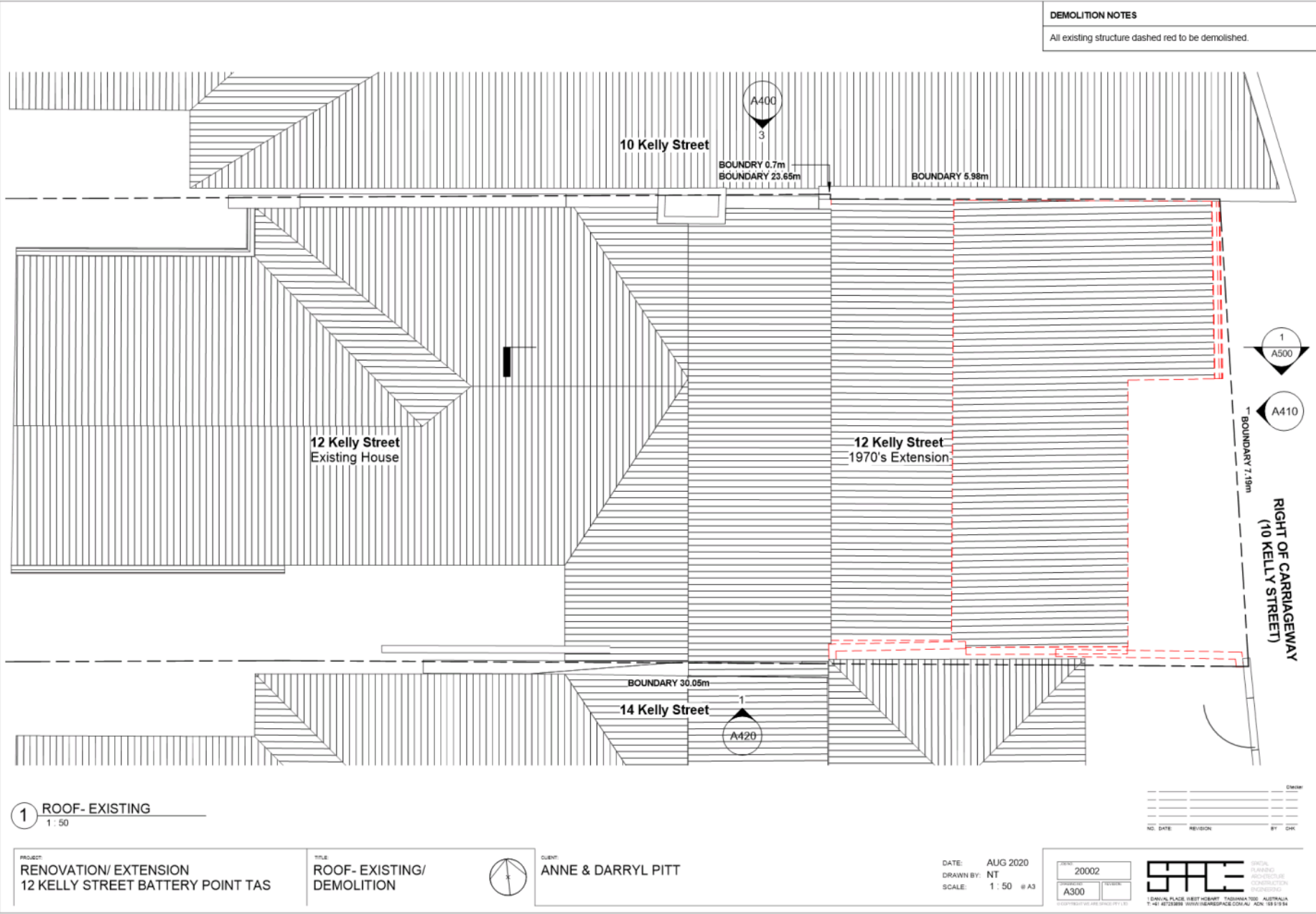
SACE
SPECIAL
PLANNING
ARCHITECTURE
CONSTRUCTION
ENGINEERING
1 DANAL PLACE WEST HOBBART TASMANIA 7502 AUSTRALIA
P: +61 87538888 WWW.HOUSESPACE.COM.AU A/CN: 155 613 94

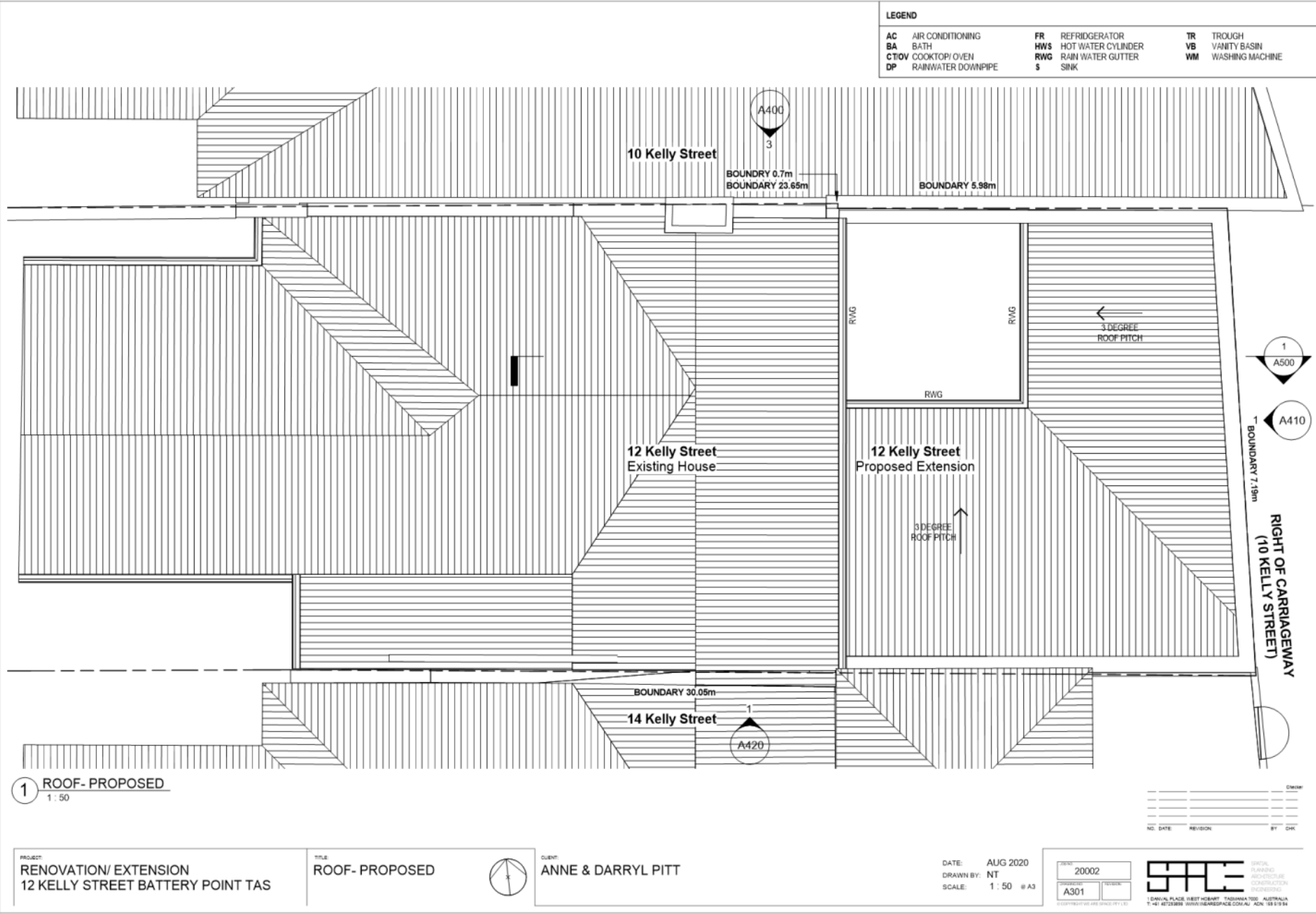
NO.	DATE	REVISION	BY	CHK

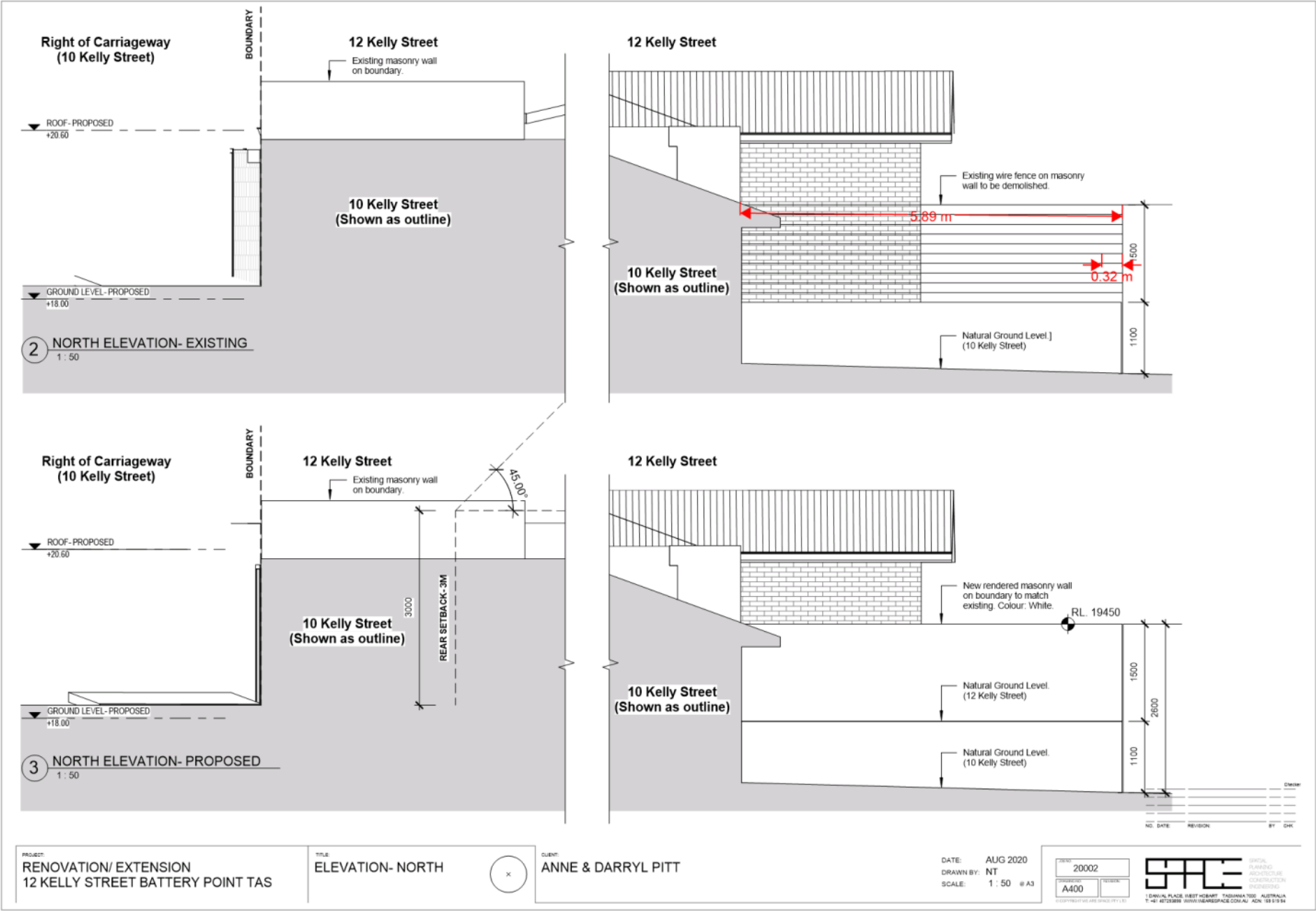


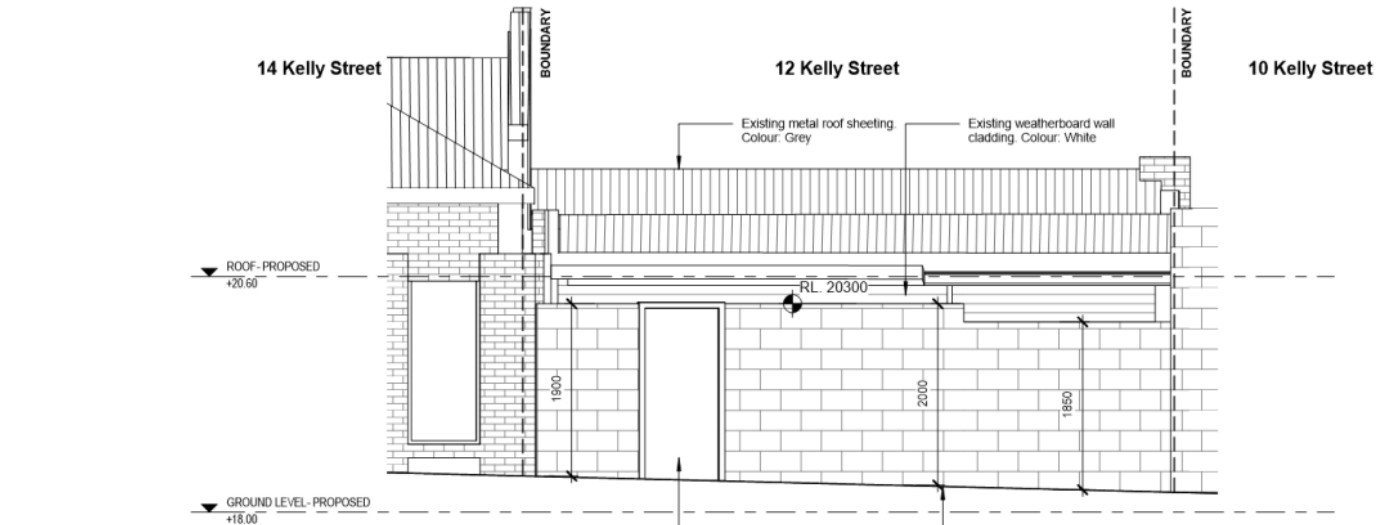




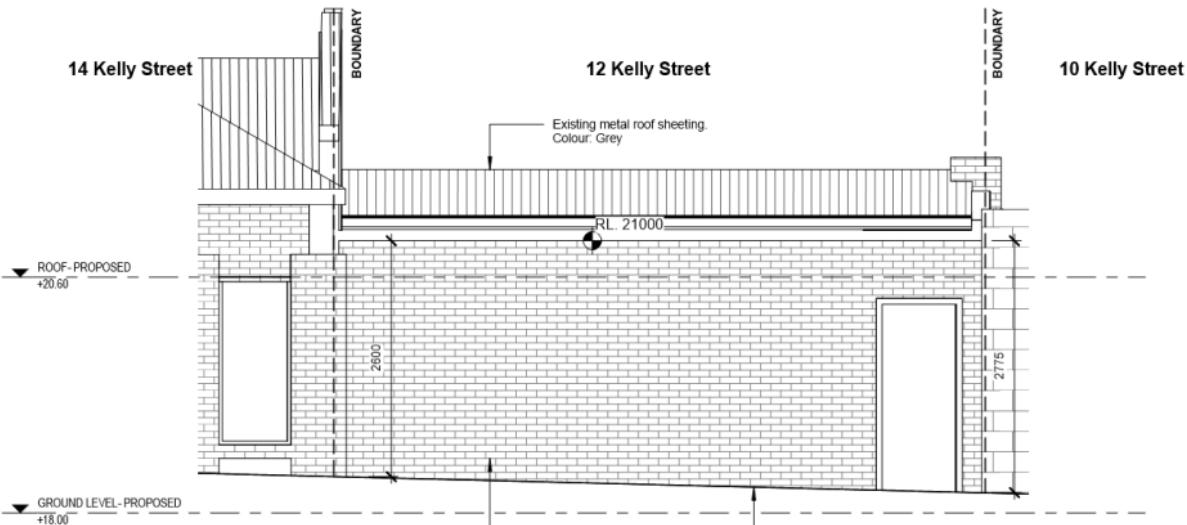








3 EAST ELEVATION- EXISTING
1 : 50



1 EAST ELEVATION- PROPOSED
1 : 50

PROJECT:
RENOVATION/ EXTENSION
12 KELLY STREET BATTERY POINT TAS

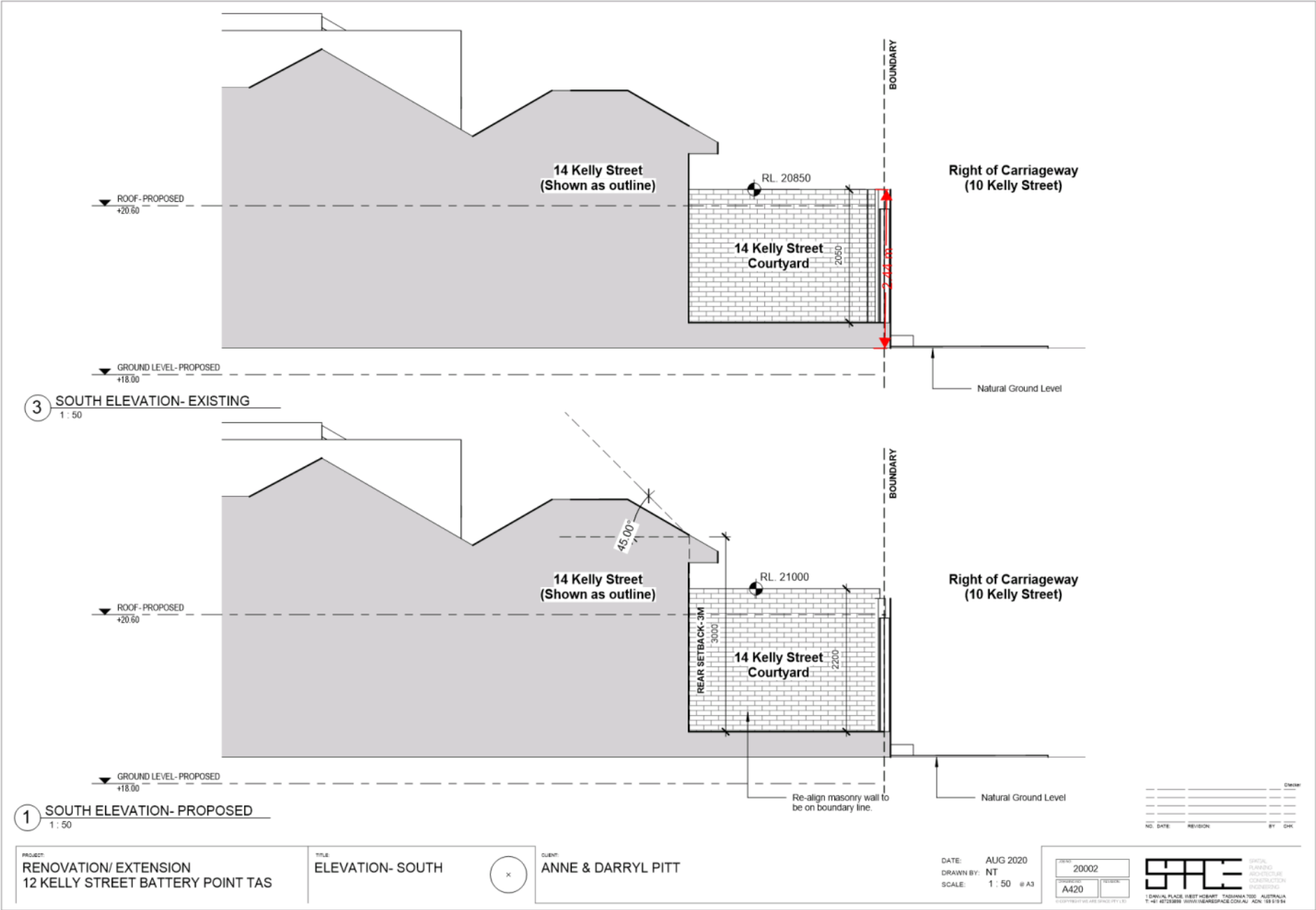
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ELEVATION- EAST

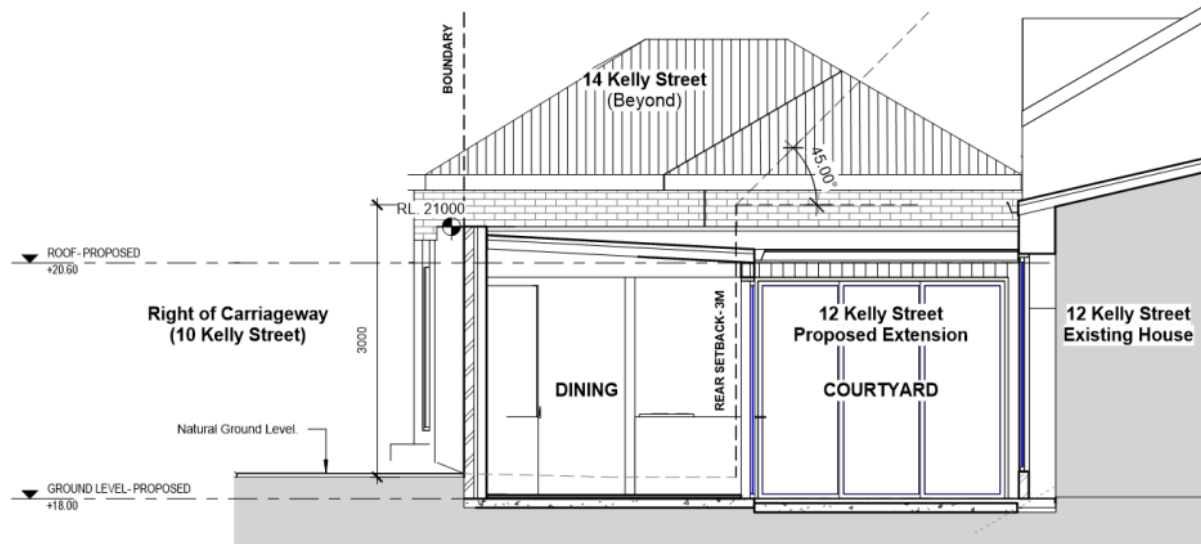
CLIENT:
ANNE & DARRYL PITT

DATE: AUG 2020
DRAWN BY: NT
SCALE: 1 : 50 @ A3

20002
A410

SACE
DIGITAL
PLANNING
ARCHITECTURE
CONSTRUCTION
ENGINEERING
1 GRANVILLE PLACE WEST HOBART TASMANIA 7000 AUSTRALIA
P: +61 8723888 WWW.HOUSESPACE.CO.UK A/N: 155 513 514





1 Section 1
1 : 50

PROJECT:
RENOVATION/ EXTENSION
12 KELLY STREET BATTERY POINT TAS

TITLE:
SECTION- PROPOSED

CLIENT:
ANNE & DARRYL PITT

DATE: AUG 2020
DRAWN BY: NT
SCALE: 1 : 50 @ A3

20002	
A500	

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1 DANAL PLACE WEST HOBART TASMANIA 7502 AUSTRALIA
T +61 8723888 10100 WWW.SACEONLINE.COM.AU ACR 155 5/13/14

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
112893	1
EDITION	DATE OF ISSUE
6	10-Nov-2008

SEARCH DATE : 30-Jul-2020

SEARCH TIME : 07.02 PM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Plan 112893
Being the land described in Conveyance 37/6031
Derivation : Part of 4 acres 1 rood 10 perches granted to
James Kelly
Derived from A14859

SCHEDULE 1

M202431 TRANSFER to DARRYL JOHN PITT and ANNE ROBYN PITT
Registered 10-Nov-2008 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
16/3675 CONVEYANCE: Benefiting Easement: Right to pass and
repass over the Right of Way shown on plan number
112893
16/3675 CONVEYANCE: Benefiting Easement: Drainage right as
may subsist and be capable of taking effect for the
discharge of storm water
16/3675 CONVEYANCE: Burdening Easement: Drainage right
(appurtenant to Ernst Joseph Cooper and Frederick
Charles Carroll their heirs and assigns) as may
subsist and be capable of taking effect for the
discharge of storm water under the land herein
described

UNREGISTERED DEALINGS AND NOTATIONS


No unregistered dealings or other notations

**FOLIO PLAN**


RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FILE NUMBER A.14859 GRANTEE PART OF 4-1-10 GTD. TO JAMES KELLY		CONVERSION PLAN LOCATION CITY OF HOBART (SEC.X3) CONVERTED FROM 37/6031 NOT TO SCALE LENGTHS IN METRES		Registered Number P.112893 APPROVED 18 AUG 1994  Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 21	LAST UPI No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN M.J.Y.

SKETCH BY WAY OF ILLUSTRATION ONLY
 EXCEPTED LANDS



A-183

Planning: #210370

Property

12 KELLY STREET BATTERY POINT TAS 7004

People

Applicant
=

SPACE
Nicholas Terry
1 Danval Place
1 Danval Place
WEST HOBART TAS 7000
0407293898
nicholasrvterry@gmail.com

Owner
=

Anne Pitt
12 Kelly Street
BATTERY POINT TAS 7004
0431576978
annepitt@aapl.net.au

Entered By
NICHOLAS RALPH WILLIAM TERRY
0407 293 898
nicholasrvterry@gmail.com

Use

Single dwelling

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)?

Residential

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

Demolition and extension to existing building, New Fence

Estimated cost of development

150000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
105.00	108.00	213

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
1	1	1) Other (no selection chosen)

Other Details

Does the application include signage?

No

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

0

Tasmania Heritage Register

is this property on the Tasmanian Heritage Register?

☐ No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

Folio Text and Plan-112893-1.pdf

Plans (proposed, existing)

12 Kelly Street_Battery Point_DA.pdf

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	
Date Completed:	
Address:	12 KELLY STREET, BATTERY POINT
Proposal:	Partial Demolition, Alterations and Extension
Application No:	PLN-20-488
Assessment Officer:	Helen Ayers,

Referral Officer comments:

This place is located in the Battery Point 1 heritage precinct which is significant for the following reasons.

This precinct 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.*

The proposal involves demolition and new work up to and including the rear boundary wall adjoining the right of way to the property known as 10 Kelly Street.

Currently the rear wall and entry varies and is 1.85 m high in one location and elsewhere, 1.9 to 2.0 metres high. The following image shows the existing condition.



Rear wall (white painted wall) from rear of 12 Kelly St. Source: Council image September 2020

The proposal will result in an increase the height of the rear structures and boundary wall and will vary from 2.6 m to 2.775 m. The rear door in the rear wall will be relocated and the new rear wall will be painted white.

The building fabric that is proposed to be demolished is from the 1970s and the rear fence is concrete block.

The proposal also includes the removal of a wire fence with grafted vegetation located near the front entrance of the property on the northern boundary between the dwelling and the garage, and proposes a replacement solid masonry 2.6m wall.

Three (3) representations were received. The following heritage related comment was received.

"The cottage at 12 Kelly Street backs onto a right of way/laneway. This is an old laneway . Over the years roses have been planted on most of the fences/ walls. The site is regularly viewed and visited by tourists and photographers . The application states the new brick wall should be painted white. I submit that a new white wall will not fit with the sense of the laneway. A red/brown colour would be preferable in that continuity of colour would enhance the area visually. White would detract from sense of consistency in this area. "

The proposed demolition and new work will be assessed against E13.8.1 P1 and E13.8.2 P1 and P3.

The proposal does not involve the demolition of fabric that is of heritage value and therefore the proposal satisfies E13.8.1 P1.

In regards to the new development are the rear of the property it follows the height, materials and form of other rear walls and structures within the right of way/laneway and is consistent with the character of the streetscape and precinct. The only matter that requires resolution is the proposed colour as raised by two of the three representations. Given the existing wall is white and the proposed new wall will also be white, the provisions of the Historic Heritage Code do not compel the applicant to change the colour, nor is there a case for including it as a condition of permit. However, advice could be included in the permit suggesting an alternative colour as recommended by neighbours. This element of the proposal does not result in detriment or detract from the statements of significance and therefore satisfies E13.8.2 P1 and P3.

The following is in regards to the walling near the front entrance of the dwelling on the northern boundary between the dwelling and the garage. The proposed removal of the wire fence with grafted vegetation and replacement with a new section of rendered masonry walling that will measure 2.6m high is not approved and does not satisfy E13.8.2 P3. The proposed height and solid form of the wall will detract from the precinct and will obscure the dwelling's architectural and heritage features from the streetscape. A reduction in height to meet the permitted 2.1 boundary fence provisions is acceptable.

In summary,

The proposal is acceptable subject to condition when assessed against the above provisions of the Historic Heritage Code of the Scheme.

Sarah Waight
Senior Cultural Heritage Officer
14 Sept 2020

**7.1.3 321 CHURCHILL AVENUE, SANDY BAY ADJACENT ROAD
RESERVE - PARTIAL DEMOLITION, ALTERATIONS AND
ADDITIONS
PLN-20-350 - FILE REF: F20/100289**

Address: 321 Churchill Avenue, Sandy Bay Adjacent Road Reserve

Proposal: Partial Demolition, Alterations and Additions

Expiry Date: 5 November 2020

Extension of Time: Not applicable

Author: Mark O'Brien

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and additions at 321 Churchill Avenue, Sandy Bay adjacent road reserve 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-20-350 - 321 CHURCHILL AVENUE SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 8

The front fence along the Churchill Avenue boundary must be no more than 1.2m in height above natural ground level to match the height of existing front fencing. Fencing must be supported independently from road infrastructure.

Reason for condition

To provide reasonable opportunity for privacy for dwellings and to maintain the streetscape.

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.

ENG r1

The front fence within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings of the front fence within the Churchill Avenue highway reservation must be submitted and approved, prior to the commencement of work and must show that the fence is supported independently from road assets.

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

Advice:

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

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

Reason for condition

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

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 stabilised 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.

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

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 an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

STORMWATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION


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


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-20-350 - 321 CHURCHILL AVENUE SANDY BAY TAS 7005 - Planning Committee or Delegated Report ↓ 

Attachment B: PLN-20-350 - 321 CHURCHILL AVENUE SANDY BAY TAS 7005 - CPC Agenda Documents ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 28 September 2020
Expiry Date: 5 November 2020
Application No: PLN-20-350
Address: 321 CHURCHILL AVENUE , SANDY BAY
ADJACENT ROAD RESERVE
Applicant: BEE NEWMAN
PO BOX 116
Proposal: Partial Demolition, Alterations and Additions
Representations: Zero
Performance criteria: General Residential Zone Development Standards

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Additions, at 321 Churchill Avenue Sandy Bay, and the adjacent road reserve.
- 1.2 More specifically the proposal includes:
- refurbishment of existing carport and access stairs (with part of the existing carport located in the Churchill Avenue road reservation);
 - construction of new bin store and access stairs (with part of the bin store compound located in the Churchill Avenue road reservation);
 - internal alterations to kitchen and bathrooms;
 - external additions including new deck and 'pop-out' for dining area; and
 - replacement of front fencing
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 General Residential Zone Development Standards - Front Setback, Building Envelope
- 1.4 No representations were received during the statutory advertising period between 21 August 2020 and 4 September 2020.

- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because no representations were received and the proposal includes works in Council's Road Reserve.

2. Site Detail

- 2.1 The site is approximately 750m² and contains an existing single dwelling and carport. The carport is located partly within the Churchill Avenue road reservation due to topographical constraints. Land is sloping from Churchill Avenue down to the rear boundary of the site at a grade of around 35%. The site is in an established residential area containing single and multiple dwellings. A pedestrian way borders the north-western boundary of the lot. This site context is depicted in Figure 1 below.



Figure 1: Location Plan

3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Additions, at 321 Churchill Avenue Sandy Bay, and the adjacent road reserve.

3.2 More specifically the proposal includes:

- refurbishment of existing carport and access stairs (with part of the existing carport located in the Churchill Avenue road reservation);
- construction of new bin store and access stairs (with part of the existing carport located in the Churchill Avenue road reservation);
- internal alterations to kitchen and bathrooms;
- external additions including new deck and 'pop-out' for dining area; and
- replacement of front fencing.

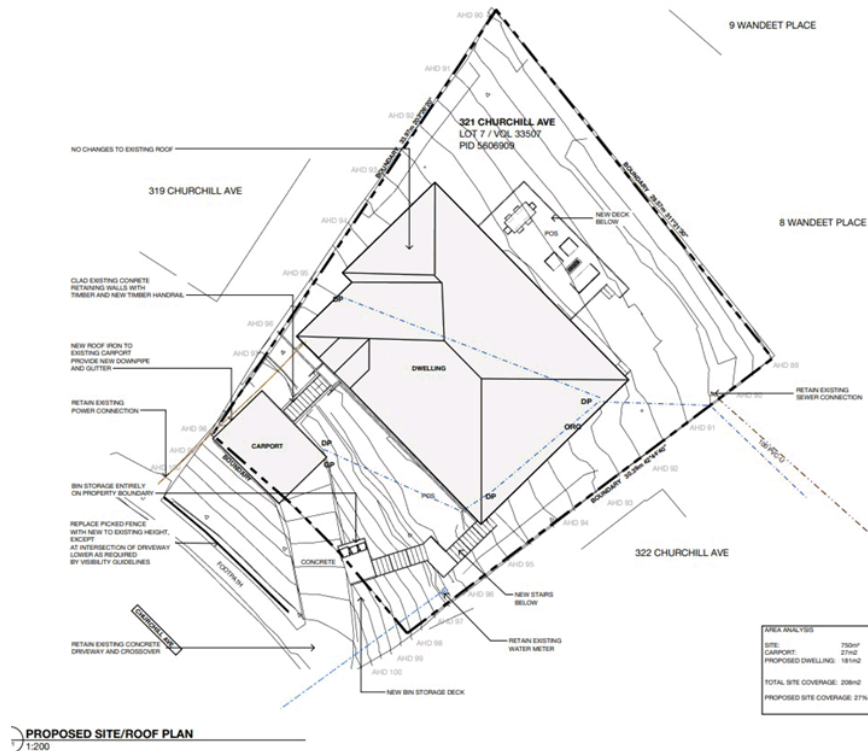


Figure 2: Site Plan

4. Background

- 4.1 The proposal was submitted with the consent of Council's General Manager for elements of the development that are located within the Churchill Avenue road reservation (GMC-20-43). As a result, the proposal was referred to Council's Road Engineer for assessment, who supports the proposal subject to conditions.

5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 21 August 2020 and 4 September 2020.

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 residential, which 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 – Part D 10.4.2 P1; P3
Outdoor Storage Areas – Part D 10.5.3 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope Part D 10.4.2 P1
- 6.7.1 The acceptable solution at clause 10.4.2 A1 requires development to be setback at least 4.5m from the frontage to Churchill Avenue.

- 6.7.2 The proposal includes a new bin store that is less than 4.5m from the frontage to Churchill Avenue.
- 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause 10.4.2 P1 provides as follows:
- A dwelling must:*
- (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and*
- (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.*
- 6.7.5 Topography in the immediate area of the site features an east/north-east facing slope at grades in excess of 20%. Due to this existing topography, properties on the eastern/northern side of Churchill Avenue, as is the subject site, commonly feature development with a reduced front setback. Primarily, the reduced front setbacks in the area are required to provide suitable vehicle and pedestrian access to dwellings.
- The proposed 0m setback for the new bin store compound and refurbishment of existing carport is compatible with existing dwellings in the street, taking the above topographical constraints into consideration. For example, the adjoining properties at 319 and 323 Churchill Avenue include raised parking decks within the front setback area. Both these parking decks are setback less than 1m from Churchill Avenue.
- 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 10.4.2 A3 requires development to be within a prescribed building envelope.
- 6.8.2 The proposal includes development that is outside the prescribed building envelope.
- 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 The recent Tribunal decision of *McCullagh v Glamorgan Spring Bay Council and Ors*, which specifically considered this clause, determined that once a proposal extends outside the acceptable solution building envelope, a detailed assessment of the performance criterion must be carried out, without reference to the acceptable solution. That is, the permitted building envelope does not provide the test of 'reasonableness' against which a discretionary application is assessed. Instead, the development must be assessed on its merits against the provisions of the performance criterion; that is, (a) does the development cause an unreasonable loss of amenity to neighbours by reduction in sunlight to a habitable room (other than a bedroom), overshadowing of private open space, or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, and (b) does the development provide separation between dwellings on adjoining lots that is compatible with that prevailing in the vicinity?

The site is adjoining land at 319 Churchill Ave (northwest of site), 10 Wandeet Pl (north of site), 9 Wandeet Pl (northeast of site), 8 Wandeet Pl (east of site), and 323 Churchill Ave (southeast of site) containing existing single or multiple dwellings. A pedestrian access way linking Churchill Avenue with Wandeet Place also adjoins the northeast property

boundary. This site context is depicted in Figure 3 below. As indicated above, to test whether the proposal will result in an unreasonable loss of amenity to neighbours, considerations for overshadowing, visual impact and separation distances are explored below.

Overshadowing

Shadow diagrams submitted in support of the application show that the proposed development will not result in overshadowing to a habitable room or private open space of adjoining properties at 319 Churchill Ave, 10 Wandeet Pl, 9 Wandeet Pl, and 8 Wandeet Pl. However, shadow diagrams do indicate that minor overshadowing of the public open space at 323 Churchill Ave is expected. The extent of overshadowing resulting from the proposal is limited to late afternoon periods only (roughly between 2pm-3pm) and will extend only marginally into the private open space (around 2m) before all land in the area is in shadow as a result of the prevailing topography and existing built form. It is also likely that overshadowing will not extend above the height of existing boundary fencing and vegetation.

The impact of overshadowing is not unreasonable.

Visual Impact

Due to topography, vegetation buffers and existing built form, only partial views of the proposed development would be visible from adjoining properties at any given point. The new deck and bin store compound represents modest additions to the existing dwelling and have been sited and designed to minimise visual impact. The deck is setback no less than 4.5m from the nearest property boundary, and will feature timber cladding, glazing and post supports to reduce the apparent bulk of the structure. Timber cladding also features on the new bin store compound and refurbished carport, both of which would only be visible from the more elevated positions of 319 and 323 Churchill Ave, thereby reducing their apparent scale.

The most substantial views of the new deck would be from the adjoining properties at 8, 9 and 10 Wandeet Pl, given that they are lower in elevation than the subject site. However, again due to siting and existing site conditions, visual impact is minimal. That is, the deck will be viewed within the backdrop of the existing dwelling, and when viewed from these adjoining properties will not extend substantially beyond the existing built form. In addition, direct views between the adjoining properties and the

proposed development will be minimal given the existing vegetation buffers.

Visual impact is not unreasonable.

Separation

The existing dwelling is separated from adjoining dwellings by a minimum distance of approximately 4.5m. The proposal will not result in any reduction to this minimum separation distance and is therefore considered to be compatible with the prevailing area.

In summary, the proposal does not introduce an unreasonable loss of amenity by overshadowing or visual impact, and provides separation distances compatible with those prevailing in the area.



Figure 3 - Land adjoining the subject site

6.8.6 The proposal complies with the performance criterion.

6.9 Outdoor Storage Areas Part D 10.5.3 P1

- 6.9.1 The acceptable solution at clause 10.5.3 A1 requires the bin store to be located behind the building line.
- 6.9.2 The proposal includes the bin store located in front of the building line.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause 10.5.3 P1 provides as follows:

Outdoor storage areas must satisfy all of the following:

(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;

(b) not encroach upon car parking areas, driveways or landscaped areas.

- 6.9.5 The proposed bin store compound is to be screened with 1.2m high timber batten screening and will be located below street level. The bin store will be located next to the existing driveway, facilitating convenient access to the street without impacting vehicle manoeuvring. Existing vegetation screening along front boundary fence will provide further visual screening from Churchill Avenue.
- 6.9.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Additions, at 321 Churchill Avenue Sandy Bay and the adjacent road reserve.
- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Road Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Partial Demolition, Alterations and Additions at 321 Churchill Avenue 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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition, Alterations and Additions at 321 Churchill Avenue 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-20-350 - 321 CHURCHILL AVENUE SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 8

The front fence along the Churchill Avenue boundary must be no more than 1.2m in height above natural ground level to match the height of existing front fencing. Fencing must be supported independently from road infrastructure.

Reason for condition

To provide reasonable opportunity for privacy for dwellings. and to maintain the streetscape.

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).

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

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

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The front fence within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

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- *The applicant is required to 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.*
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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.

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(Mark O'Brien)

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: 10 September 2020

Attachment(s):

Attachment B - CPC Agenda Documents

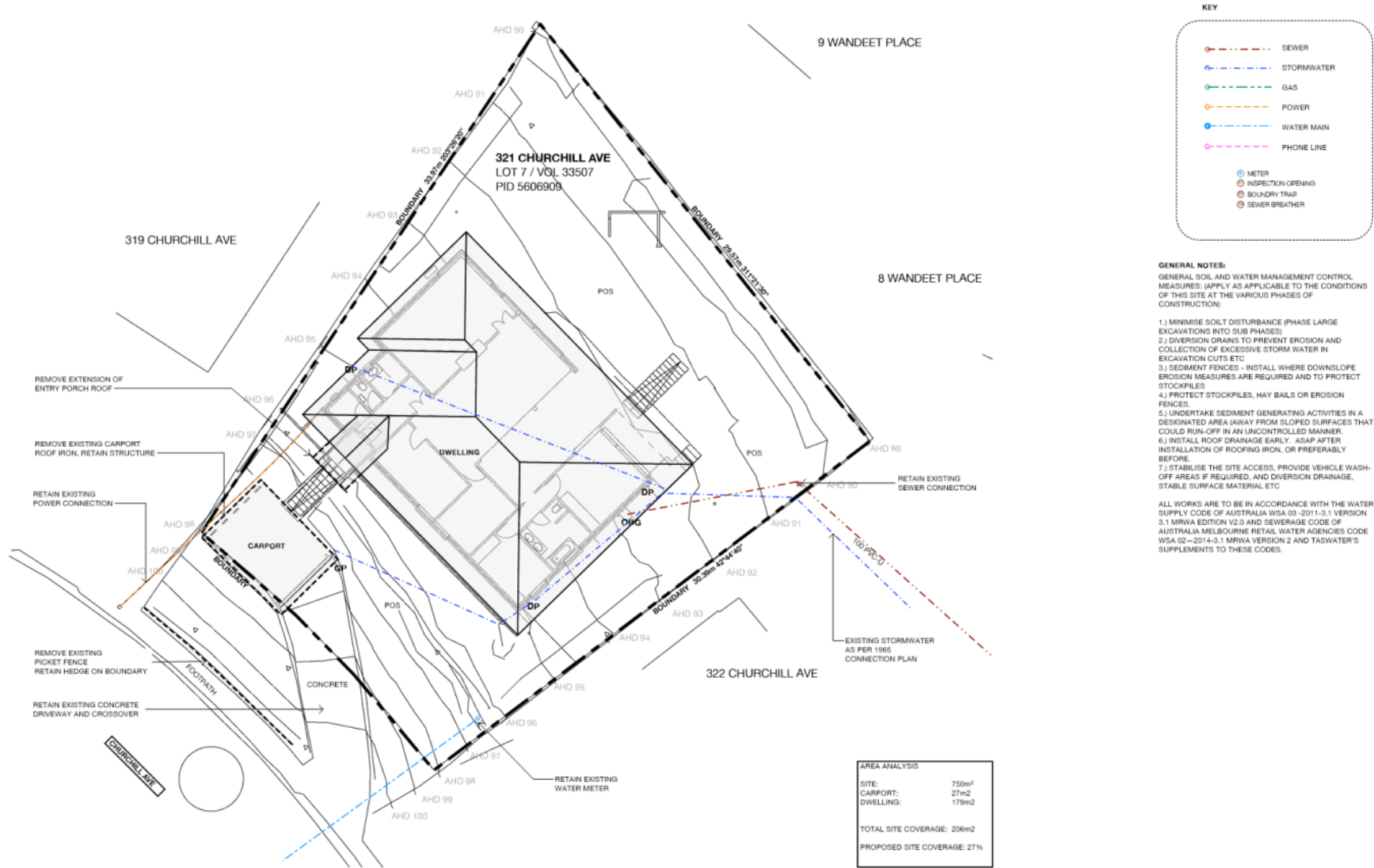
DEVELOPMENT DOCUMENTATION
FOR

321 CHURCHILL AVE, SANDY BAY

LOT 7 / VOL 33507
PID 5606909
WIND SPEED: N2
SOIL CLASSIFICATION: TBC
CLIMATE ZONE: 7
BAL: NONE

COUNCIL: HOBART CITY
ZONE: GENERAL RESIDENTIAL (10)

- 001 CONTENTS
- 100 EXISTING / PROPOSED SITE/ROOF PLAN
- 101 PROPOSED SITE/ROOF PLAN
- 102 EXISTING / DEMOLITION FLOOR PLANS
- 103 EXISTING / DEMOLITION ELEVATIONS
- 200 PROPOSED GROUND FLOOR
- 201 PROPOSED LOWER FLOOR PLAN
- 300 PROPOSED ELEVATIONS
- 301 PROPOSED ELEVATIONS
- 700 SHADOW STUDY



1
100
EXISTING / DEMOLITION SITE/ROOF PLAN
1:200

PO BOX 116, NORTH HOBART, TAS, 7502
WWW.NEXTSEARCHARCHITECTS.COM.AU
BAPTIST: 75621531 | 0816278
0800 51 800 478-804

ISS: 0407 619 517 | STU: 0404 100 632
INFORMATION@SEARCHARCHITECTS.COM.AU

REV	DATE	DESCRIPTION
A	20/07/2020	Fence, after bar position
B	13/08/2020	Additional elevations
-	-	-
-	-	-

REV	DATE	DESCRIPTION
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-	-	-
-	-	-
-	-	-

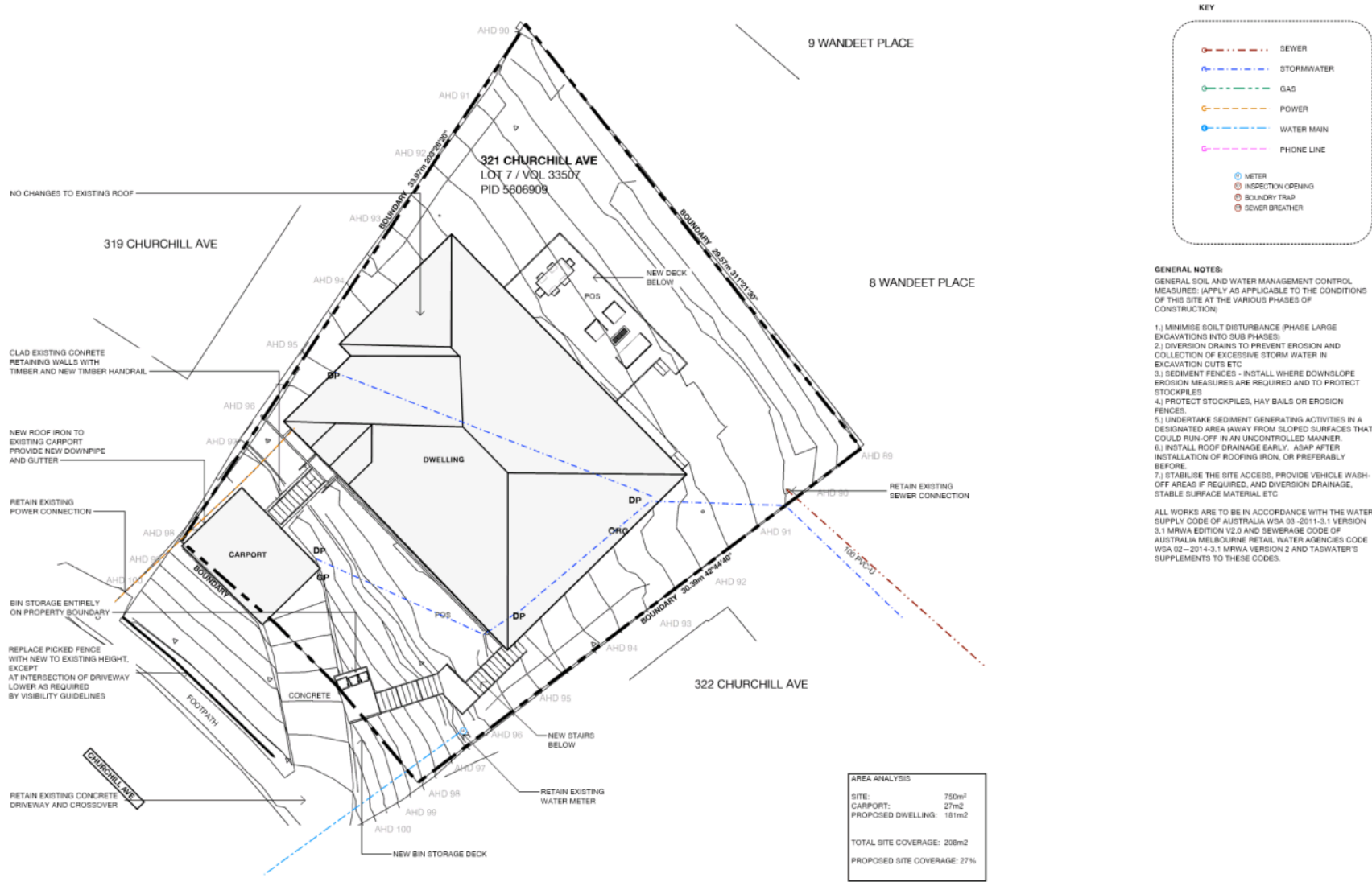
PROJECT
321 CHURCHILL ALTS
STEVE TOCHNER & USA HOLLISTER
321 CHURCHILL AVE, SANDY BAY
TASMANIA, 7506

SCALE
DATE
DRAWN
ISSUE
REV

1:200 @A3
13/08/2020
BAN NG
DA
B

DRAWING
EXISTING / DEMOLITION
SITE/ROOF PLAN
DRAWING NO.
28420_100

GENERAL NOTES: Contractor shall verify all dimensions on-site before undertaking work or stop drawings. Further dimensions take precedence over this drawing. DO NOT SCALE. Dimensions are indicative only. Must cross-reference with details and maintain minimum dimensions according to NCC. All work must be in accordance with NCC at relevant Australian Standards, drawing is copyright and the property of NEXT 90 Architects.



1 PROPOSED SITE/ROOF PLAN
1:200



PO BOX 116 NORTH HOBART TAS 7502
WWW.NEXT50ARCHITECTS.COM.AU
BPT/AG: 756271631 / CG/0726
ABN: 51 806 478 804
BEE 0427 678 517 / STU 0424 709 632
INFO@NEXT50ARCHITECTS.COM.AU

REV	DATE	DESCRIPTION
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B	13/08/2020	Additional elevations
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-	-	-

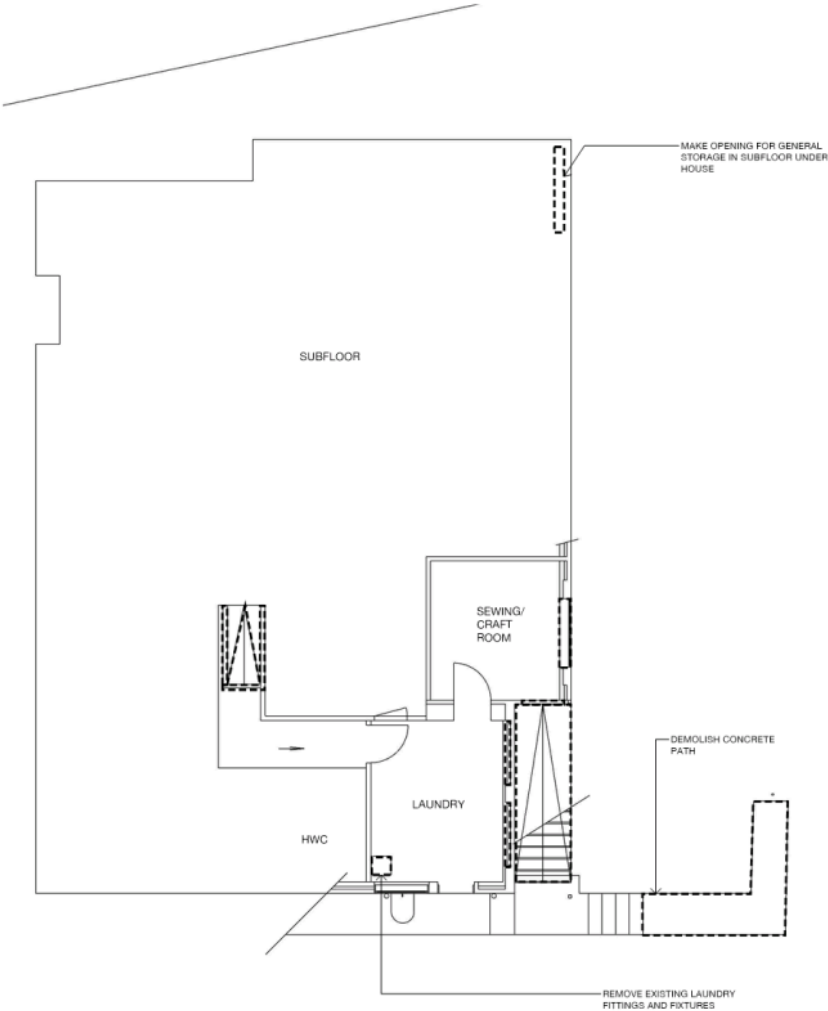
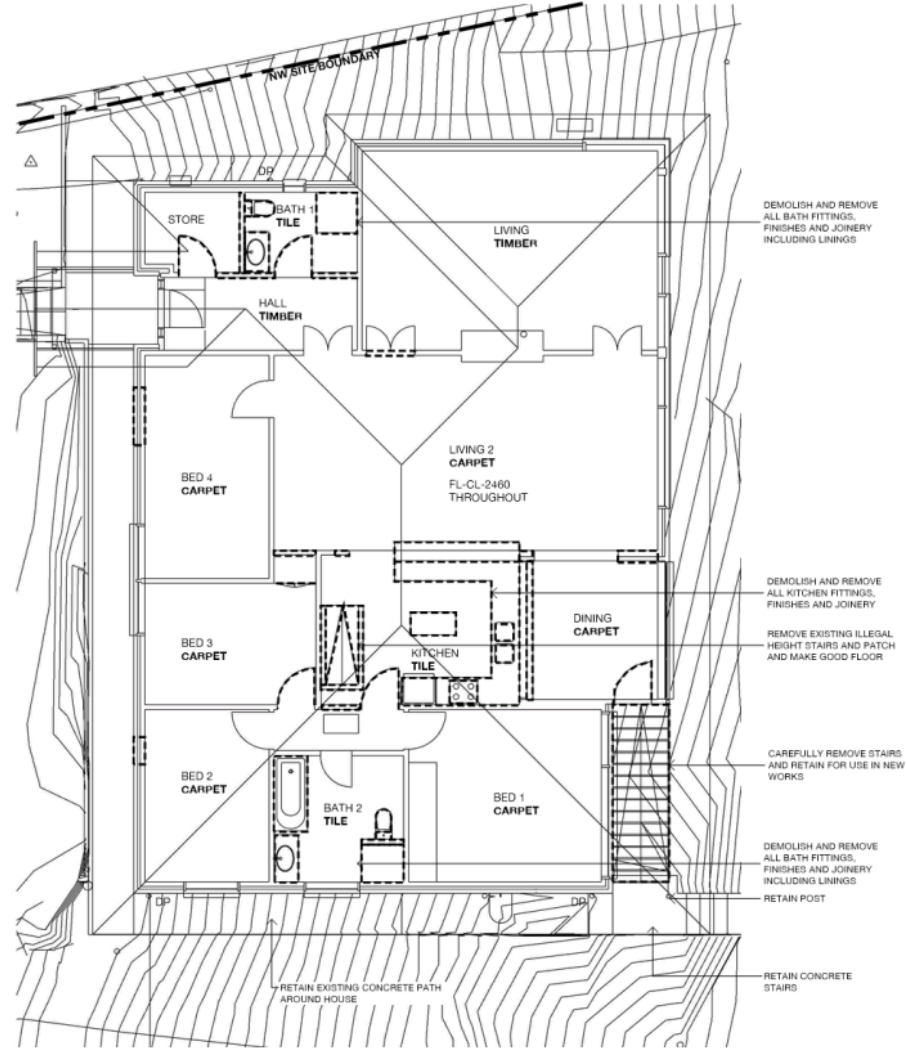
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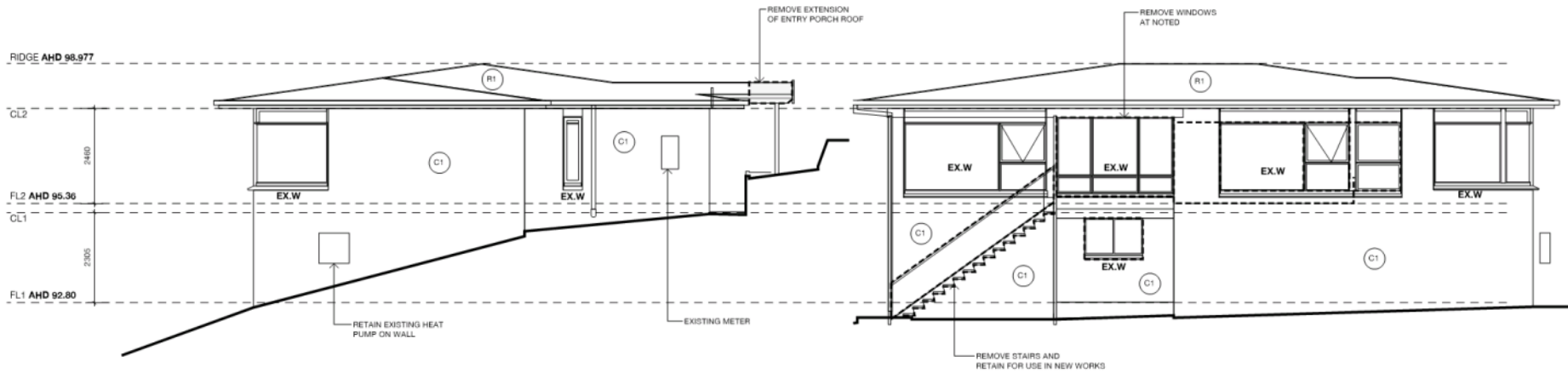
PROJECT
321 CHURCHILL ALTS
STEVE TOCHNER & USA HOLLISTER
321 CHURCHILL AVE, SANDY BAY
TASMANIA, 7506

SCALE	DATE
1:200 @ A3	13/08/2020
DRAWN	BAN NG
ISSUE	DA
REV	B

DRAWING
**PROPOSED
SITE/ROOF PLAN**
DRAWING NO.
28420_101

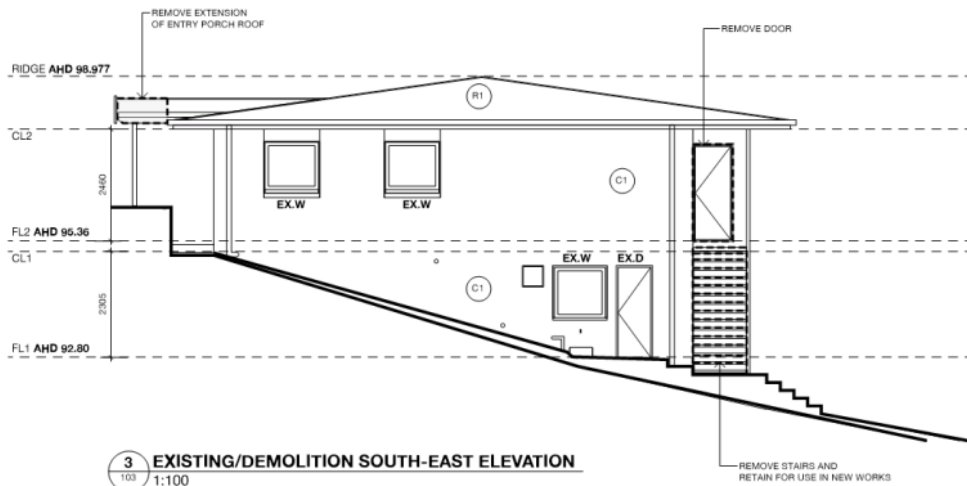
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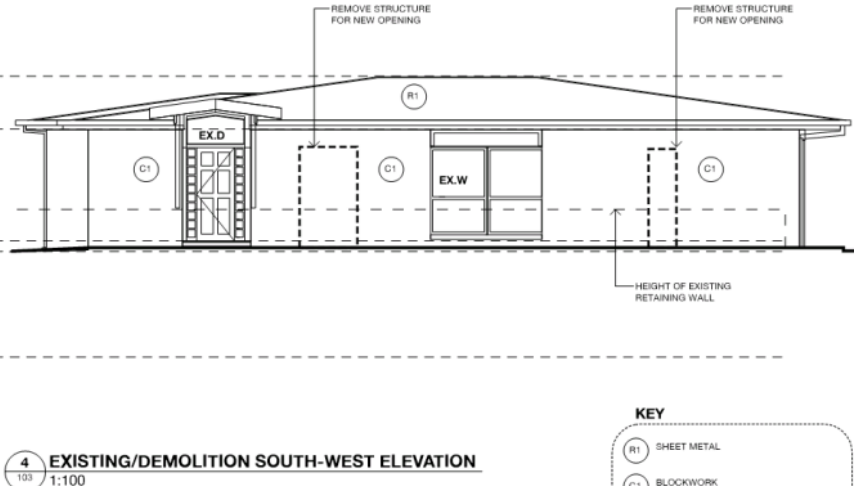


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1:100

2 EXISTING/DEMOLITION NORTH-EAST ELEVATION
1:100



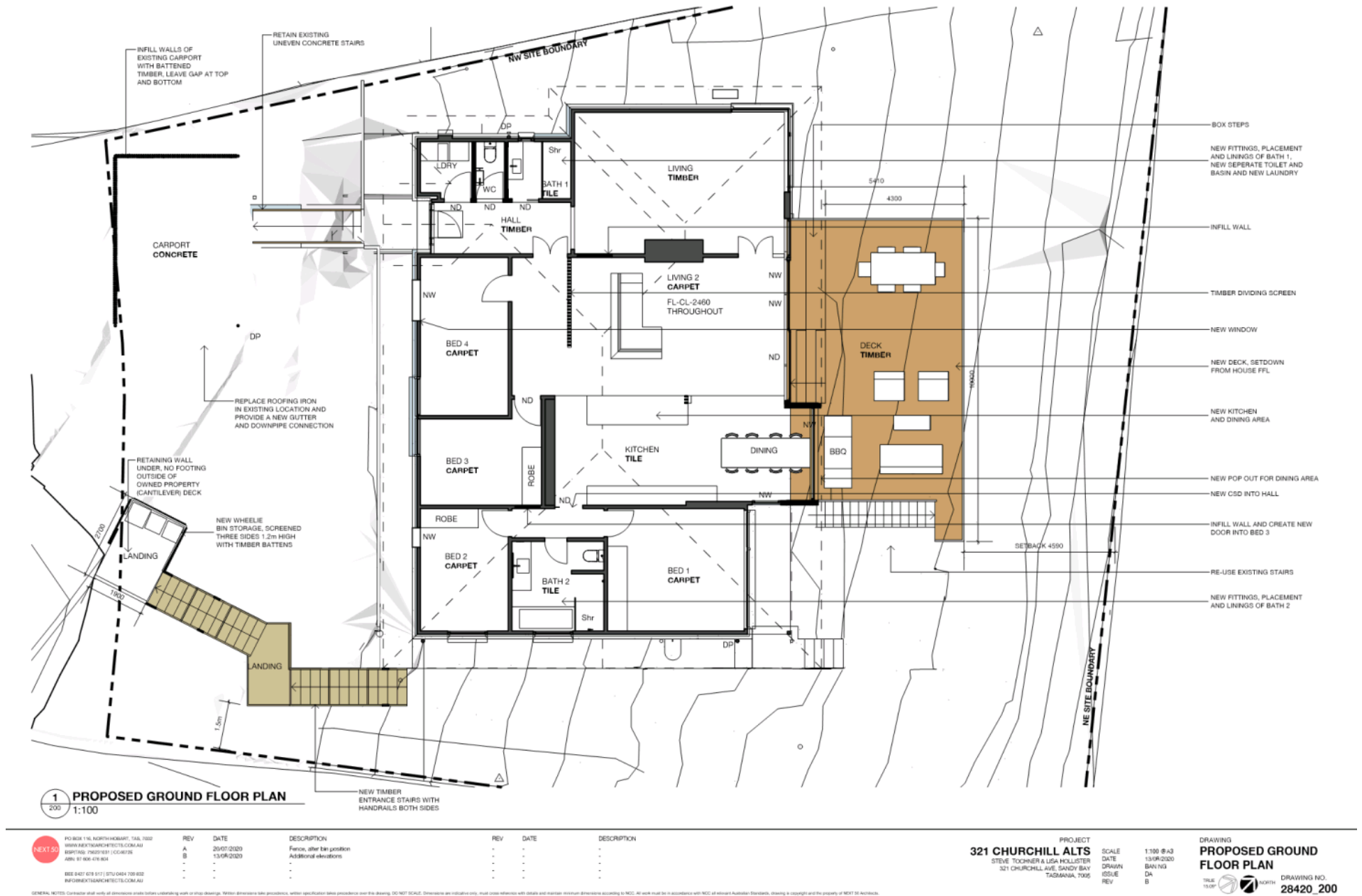
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1:100



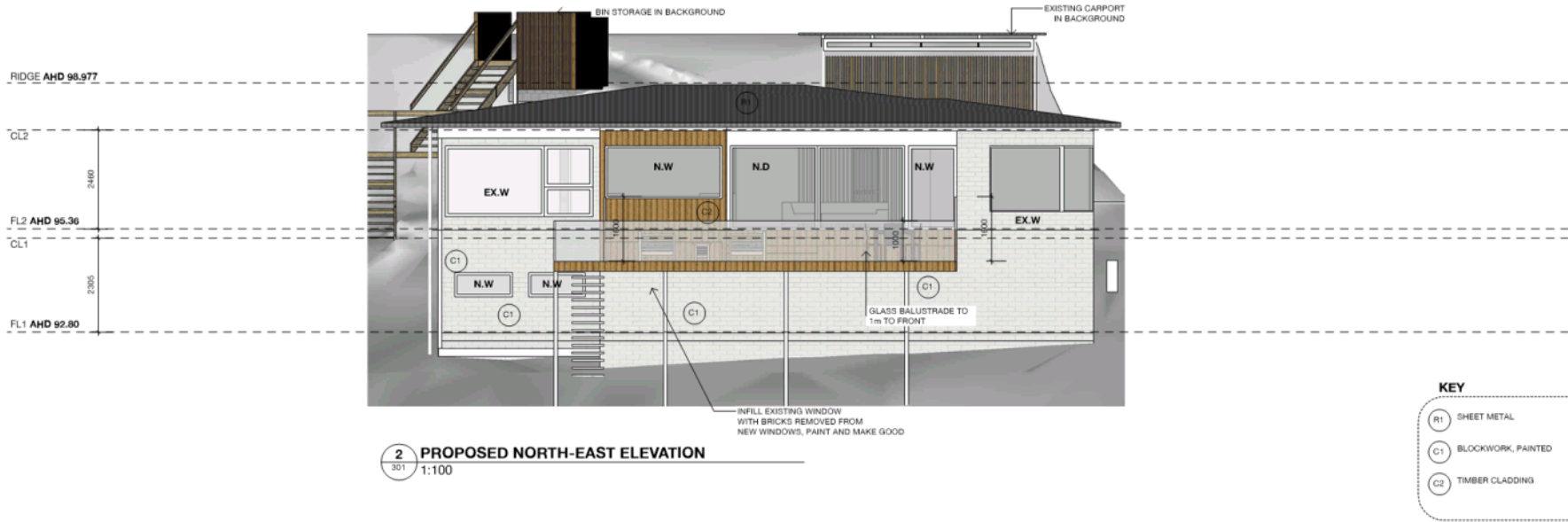
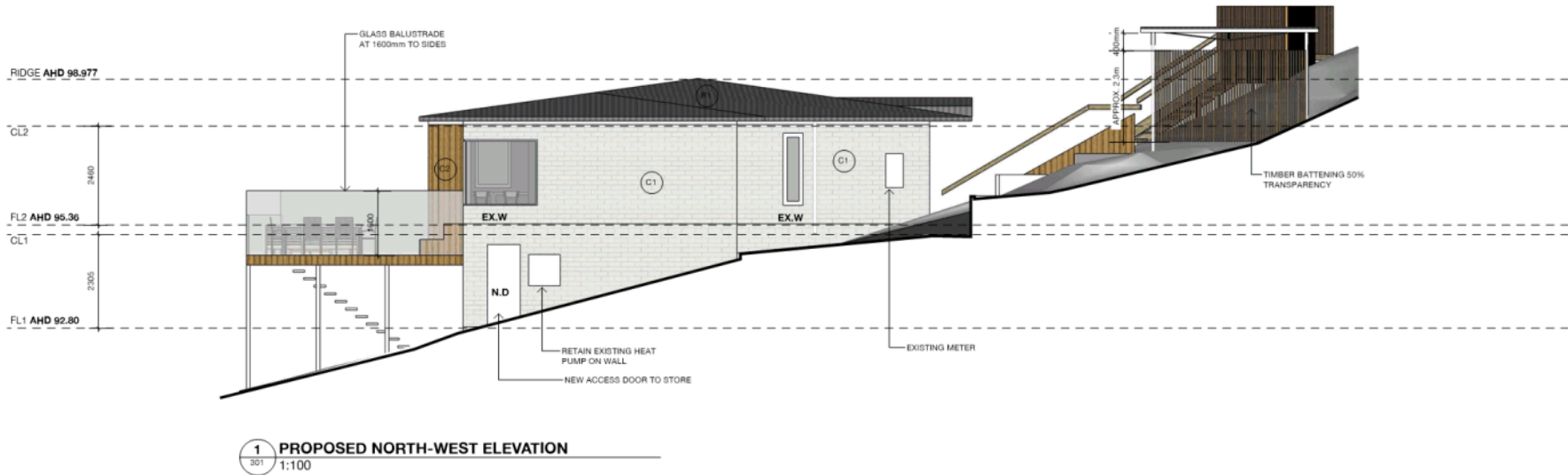
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KEY

- R1 SHEET METAL
- C1 BLOCKWORK



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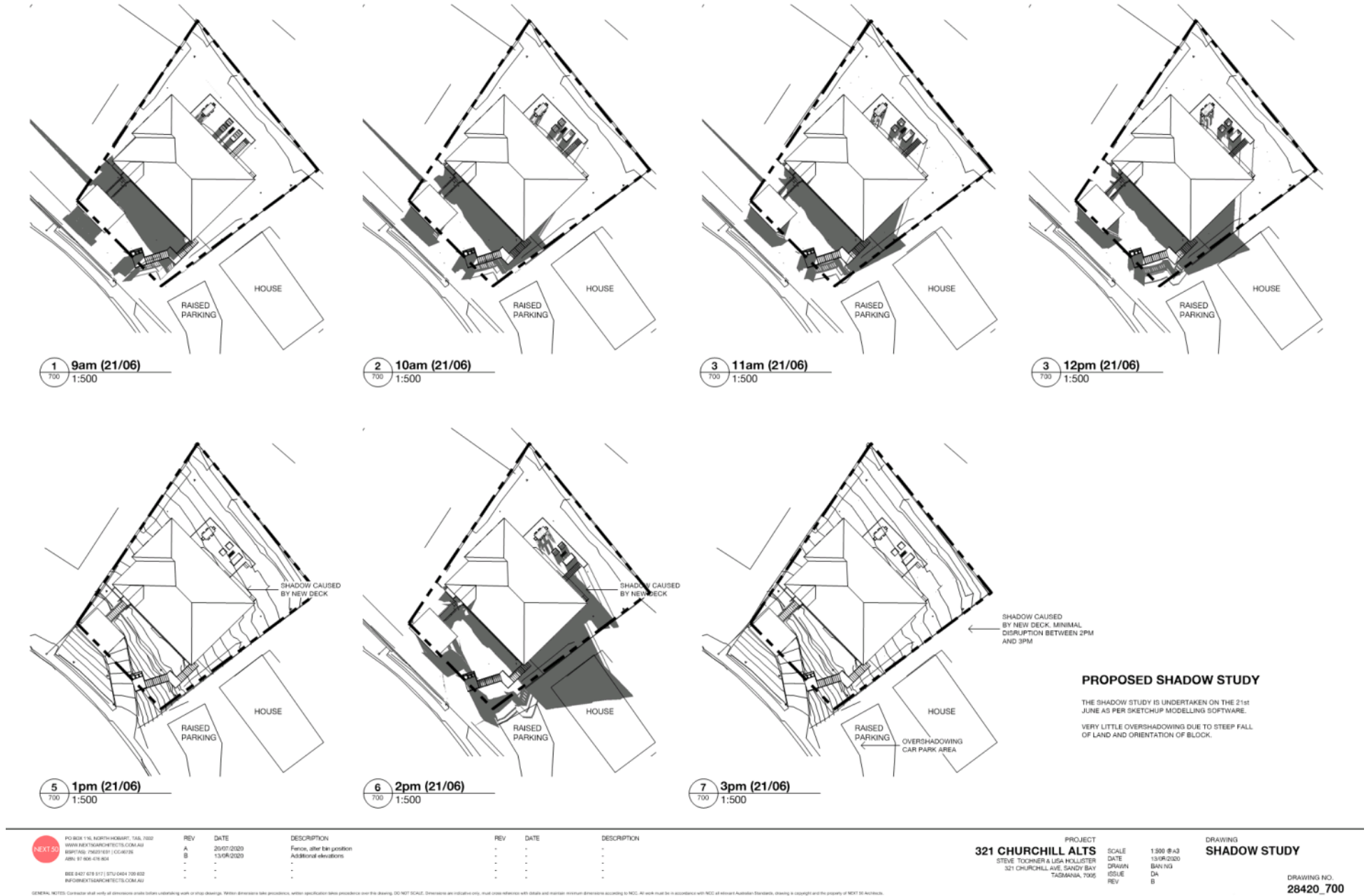


KEY

- R1 SHEET METAL
- C1 BLOCKWORK, PAINTED
- C2 TIMBER CLADDING

	PO BOX 116 NORTH HOBART TAS 7502 WWW.NEXT50ARCHITECTS.COM.AU MARTIN 79627831 C060726 ANN 01 908 478 804	REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION	PROJECT 321 CHURCHILL ALTS STEVE TOCHNER & USA HOLLISTER 321 CHURCHILL AVE, SANDY BAY TASMANIA, 7505	SCALE 1:100 @A3 DATE 13/09/2020 DRAWN DA ISSUE REV	DRAWING PROPOSED ELEVATIONS DRAWING NO. 28420_301
	REV A	20/07/2020	Fence, after bin position	-	-	-	-			
	REV B	13/09/2020	Additional elevations	-	-	-	-			
	REV C	-	-	-	-	-	-			
	REV D	-	-	-	-	-	-			

GENERAL NOTES: Contractor shall verify all dimensions on-site before undertaking work on shop drawings. Further dimensions take precedence over this drawing. DO NOT SCALE. Dimensions are indicative only, must cross-reference with details and maintain minimum dimensions according to NCC. All work must be in accordance with NCC at relevant Australian Standards, drawing is copyright and the property of NEXT 50 Architects.



Next 50 Architects
PO Box 116
North Hobart, Tas, 7002
ABN 97 606 476 804
0427 679 517

Planning Report – 321 Churchill Ave, Sandy Bay

To: Hobart City Council
Date: 11th June 2020

Dear Hobart City Council,

This document is to accompany the application for development for 321 Churchill Ave, Sandy Bay.

The project is to undertake internal alterations to an existing dwelling, including upgrading 2 bathrooms and 1 kitchen. The works will give the existing carport a facelift and provide a new deck and landscaping to better connect the external spaces, which are all located on a relatively steep slope. The landing to the new stairs will encroach the existing boundary and be partly located on public land, so permission is also being sort to undertake these works. Note it is proposed the works cantilever only, and all footings remain on 321 Churchill Ave.

The proposed works have been tested against the applicable codes within the Hobart Interim Planning Scheme. Please find following a summary and detailed assessment.

Kind regards,



Bee Newman
Director, Next 50 Architects

SUMMARY ASSESSMENT

D 10.0 GENERAL RESIDENTIAL ZONE

CLAUSE	ACCEPTABLE SOLUTIONS	PERFORMANCE CRITERIA
10.4.1 Residential Density for Multiple Dwellings	A1-N/A	
10.4.2 Setbacks and building envelope for all dwellings	A1 A2	A3
10.4.3 Site coverage and private open space for all dwellings	A1 A2 A3	
10.4.4 Sunlight and overshadowing for all dwellings	A1 A2-A3-N/A	
10.4.5 Width of openings for garages and carports for all dwellings	A1	
10.4.6 Privacy for all dwellings	A1 A2 A3	
10.4.7 Frontage fences for all dwellings	A1	
10.4.8 Waste storage for multiple dwellings	A1-N/A	

DETAILED ASSESSMENT – D10. GENERAL RESIDENTIAL ZONE

10.4.1 Residential Density for Multiple Dwellings

To provide for suburban densities for multiple dwellings that:

- (a) make efficient use of suburban land for housing; and
 (b) optimise the use of infrastructure and community services.*

Development Standard	Assessment
A1 Details not shown.	Not Applicable, as the proposed works are not a multiple dwelling.

10.4.2 Setbacks and building envelope for all dwellings

To control the siting and scale of dwellings to:

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and
 (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and
 (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
 (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.*

Development Standard	Assessment
A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The dwelling and alterations are setback (a) over 4.5m from the primary frontage and are therefore compliant with A1. The new steps are located on the boundary of the property, but as noted they are considered excluded. The proposed works are therefore compliant with A1.

<p>A2</p> <p>A garage or carport must have a setback from a frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>	<p>There are no proposed changes to the size or location of the existing garage, it is therefore compliant with A2.</p>
<p>P3</p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p style="padding-left: 20px;">(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p style="padding-left: 20px;">(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p style="padding-left: 20px;">(iii) overshadowing of an adjoining vacant lot; or</p> <p style="padding-left: 20px;">(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>	<p>The proposed deck sits outside of the acceptable building envelope due to the steep fall of the land. The deck has been designed to step down lower the living space it is accessed from to further reduce the scale and appearance when viewed from an adjoining lot and also maintain the view from the existing dwelling.</p> <p>Please refer to the shadow diagrams for additional information confirming the siting and scale of the deck does not cause unreasonable loss of sunlight to a habitable room or private open space of a dwelling on an adjoining lot.</p> <p>The works are similar in nature to the neighboring property deck recently completed at 319 Churchill which looks down into 321.</p> <p>The proposed works are therefore compliant with A1.</p>

10.4.3 Site Coverage and Private Open Space for All Dwellings

To provide:

- (a) for outdoor recreation and the operational needs of the residents; and*
(b) opportunities for the planting of gardens and landscaping; and
(c) private open space that is integrated with the living areas of the dwelling; and
(d) private open space that has access to sunlight

Development Standard	Assessment
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<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>The existing dwelling and proposed alterations have a total site coverage of 27%, which is not more than 50% (a) and maintains area free from impervious surfaces of over 25% (c) and is therefore compliant with A1.</p>
<p>A2</p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p style="padding-left: 40px;">(i) 24 m²; or</p> <p style="padding-left: 40px;">(ii) 12 m², if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p style="padding-left: 40px;">(i) 4 m; or</p> <p style="padding-left: 40px;">(ii) 2 m, if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>The proposed alterations provide an area of private open space deck accessed off the living room, which is a deck that is greater than (a)(i) 24m², and has a minimum horizontal dimensions of (i) 4m, and being located on the north, receive at least 3 hours of sunlight to 50% of the area between 9:00am and 3:00pm on the 21st June (d), is not located on the buildings frontage (e), is flat with minimum falls for drainage (f), and is not used for vehicle parking (g). The private open space is therefore compliant with A2.</p>

10.4.4 Sunlight and Overshadowing*To provide:*

- (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and
 (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

Development Standard	Assessment
A1 A dwelling must have at least one habitable room (other than a bedroom) window that faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A).	The existing dwelling and alterations retain glazing in the living spaces that face north and the development is therefore compliant with A1.
A2 <i>Details not shown.</i>	Not Applicable, as the proposed works are not a multiple dwelling.
A3 <i>Details not shown.</i>	Not Applicable, as the proposed works are not a multiple dwelling.

10.4.5 Width of Openings for Garages and Carports*To reduce the potential for garage or carport openings to dominate the primary frontage.*

Development Standard	Assessment
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	No proposed changes to width of existing carport, it is therefore compliant with A1,

10.4.6 Privacy for all dwellings*To reduce the potential for loss of privacy for dwellings.*

Development Standard	Assessment
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace,	There is a proposed deck that has a finished floor surface that is more than 1m above natural ground level. It is setback over 4.5m from the rear boundary, and over 3m from the side boundaries and is therefore compliant with A1.

<p>parking space, or carport has a setback of at least 4 m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	
<p>A2</p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3 m from a side boundary;</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary;</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>	<p>There are proposed alterations to glazing on rooms with a finished floor surface that is more than 1m above natural ground level. They are however setback over 4.5m from the rear boundary, and over 3m from the side boundaries and are therefore compliant with A1.</p>
<p>A3</p> <p><i>Details not shown.</i></p>	<p>Not Applicable, as the proposed works are not a multiple dwelling.</p>

10.4.7 Frontage Fences

To control the height and transparency of frontage fences to:

- (a) provide adequate privacy and security for residents; and
- (b) allow the potential for mutual passive surveillance between the road and the dwelling; and
- (c) provide reasonably consistent height and transparency.

Development Standard	Assessment
<p>A1</p> <p>A fence (including a free-standing wall) within 3m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 3m of a</p>	<p>The proposed fence is a vertical timber batten, to a height of 1.8m with a uniform transparency of 30%, the proposed development is therefore compliant with A1.</p>

primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	
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10.4.8 Waste Storage for Multiple Dwellings

To provide for the storage of garbage and recycling bins for multiple dwellings.

Development Standard	Assessment
A1 Details not shown.	Not Applicable, as the proposed works are not a multiple dwelling.



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

11 August 2020

Bee Newman (Next 50 Architects)
PO Box 116
NORTH HOBART TAS 7002

[mailto: bee@next50architects.com.au](mailto:bee@next50architects.com.au)

Dear Sir/Madam

**321 CHURCHILL AVENUE, SANDY BAY - WORKS IN ROAD RESERVE NOTICE OF
LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-20-43**

Site Address:

321 Sandy Bay Road, Sandy Bay

Description of Proposal:

Partial Demolition and Alterations and Works in the Road Reserve

Applicant Name:

Bee Newman
Next 50 Architects

PLN (if applicable):

PLN-20-350

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

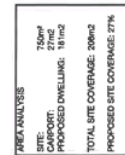


(N D Heath)

GENERAL MANAGER

Relevant documents/plans:

Proposed Site/Roof Plan - Drawing no 28420_101 Rev A



1 PROPOSED SITE/ROOF PLAN
101 1:200

REV	DATE
A	2005/02/02

PO BOX 118, NORTH HAVEN, TN, 38921
 WWW.MEDTRONICSINTECH.COM/US
 SUPPLY: 762-231-301 | CCART@E
 ADR: 87 808 478 808
 TEL: 662 429 937 | STU: 662 429 822
 INFO@MEDTRONICSINTECH.COM/US

© 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685,

PROJECT
321 CHURCHILL ALTS
STATIONER LEX MARK
211 CHURCHILL ALTS
TASMANIA 7505

DRAWING NO. 28420_101
NORTH
TITLE
DATE
SCALE
DATE
DRAWN
ISSUED
REV

DRAWING
PROPOSED
SITEROOF PLAN

1:500 A3
30/07/2020
BAM/KZ
CA
A

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
33507	7
EDITION	DATE OF ISSUE
7	21-Jan-2020

SEARCH DATE : 11-Jun-2020

SEARCH TIME : 01.41 PM

DESCRIPTION OF LAND

City of HOBART

Lot 7 on Plan 33507

Derivation : Part of 52A-3R-0Ps Granted to George Flexmore

Derived from A12322

SCHEDULE 1M792494 TRANSFER to STEVEN WAYNE TOCHNER and LISA MICHELLE
HOLLISTER Registered 21-Jan-2020 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any

45/0493 CONVEYANCE: BENEFITING EASEMENT: Right of Drainage
over the drainage easement shown passing through Lot
8 on Plan 33507UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

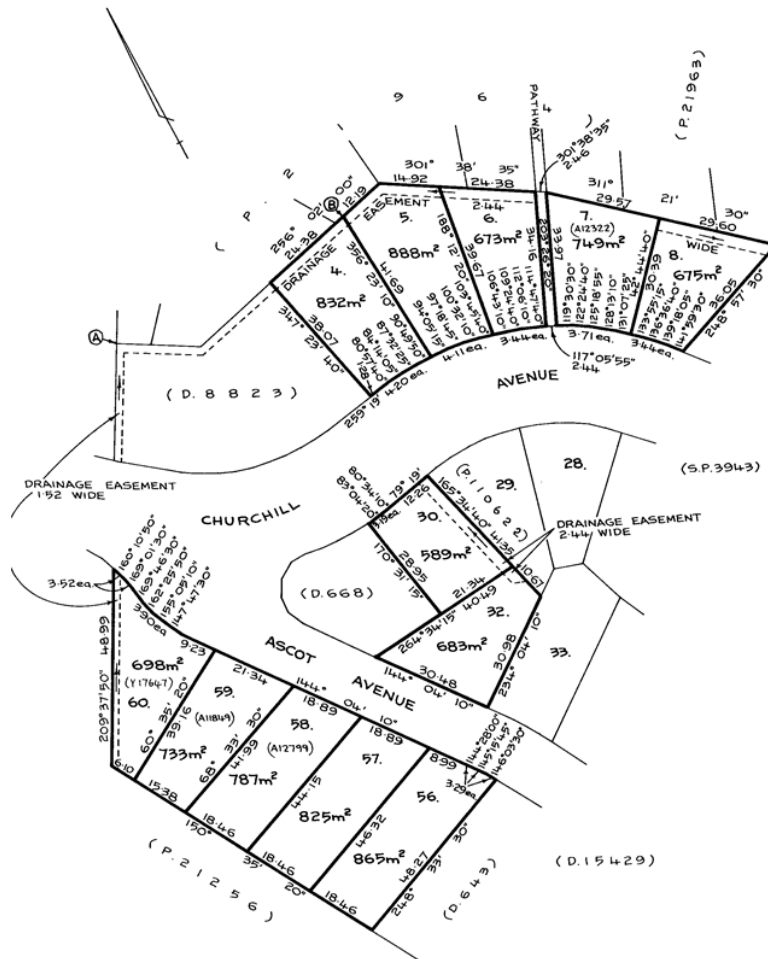
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Owner: L.T. ACT 1980.	PLAN OF SURVEY by Surveyor..... of land situated in the	Registered Number: P.33507
Title Reference: Y.8337.	CITY OF HOBART.	Approved Effective from: 11/06/2020
Grantee: PART OF 52:3:0 GEORGE FLEXMORE.	SCALE 1:750 MEASUREMENTS IN METRES	Recorder of Titles

COMPILED BY 72/19



**7.1.4 21 CROSS STREET, NEW TOWN ADJACENT ROAD RESERVE -
PARTIAL DEMOLITION, BUS SHELTER AND ASSOCIATED
WORKS
PLN-20-370 - FILE REF: F20/102757**

Address:	21 Cross Street, New Town Adjacent Road Reserve
Proposal:	Partial Demolition, Bus Shelter and Associated Works
Expiry Date:	1 October 2020
Extension of Time:	Not applicable
Author:	Helen Ayers

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, bus shelter and associated works at 21 Cross Street, New Town 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-20-370 - 21 CROSS STREET NEW TOWN TAS 7008 - 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: 6340 dated 16 September 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

HER 17a

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

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing exterior colours and materials in accordance with the above requirement.

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

Reason for condition

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

ADVICE

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

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

PLUMBING PERMIT

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OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

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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).

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-20-370 - 21 CROSS STREET NEW TOWN
TAS 7008  Planning Committee or Delegated
Report ↓
- Attachment B: PLN-20-370 - 21 CROSS STREET NEW TOWN
TAS 7008 - CPC Agenda Documents ↓ 
- Attachment C: PLN-20-370 - 21 CROSS STREET NEW TOWN
TAS 7008 - Planning Referral Officer Cultural
Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 28 September 2020
Expiry Date: 1 October 2020
Application No: PLN-20-370
Address: 21 CROSS STREET , NEW TOWN
ADJACENT ROAD RESERVE
Applicant: Cathryn Kerr (Hobart City Council)
16 Elizabeth Street
Proposal: Partial Demolition, Bus Shelter and Associated Works
Representations: None
Performance criteria: Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Bus Shelter and Associated Works, at 21 Cross Street and the adjacent road reserve, New Town.
- 1.2 More specifically the proposal includes:
 - Demolition of a section of the front retaining wall at 21 Cross Street.
 - New bus shelter, with seating recessed into the site and roof protruding over the footpath.
 - New retaining wall section to 21 Cross Street.
 - New garbage bins adjacent to the bus shelter and bus stop.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Historic Heritage Code - Demolition, Building and Works on a Heritage Place and in a Heritage Precinct
- 1.4 No representations were received during the statutory advertising period between 31 August and 14 September 2020.
- 1.5 The proposal is recommended for approval subject to conditions.

- 1.6 The final decision is delegated to the City Planning Committee because Council is the applicant, the proposal includes Council land, and no representations were received.

2. Site Detail

- 2.1 The application site is a 1692m² lot on the corner of Cross Street and New Town Road. The site contains a former church and its associated halls, which are now used for a variety of commercial purposes. The works are proposed to occur centrally at the New Town Road frontage, with the roof of the bus shelter protruding out over the footpath.



Figure 1: The location of the application site is highlighted in yellow

3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Bus Shelter and Associated Works, at 21 Cross Street and the adjacent road reserve, New Town.

3.2 More specifically the proposal is for:

- Demolition of a section of the front retaining wall at 21 Cross Street.
- New bus shelter, with seating recessed into the site and roof protruding over the footpath.
- New retaining wall section to 21 Cross Street.
- New garbage bins adjacent to the bus shelter and bus stop.

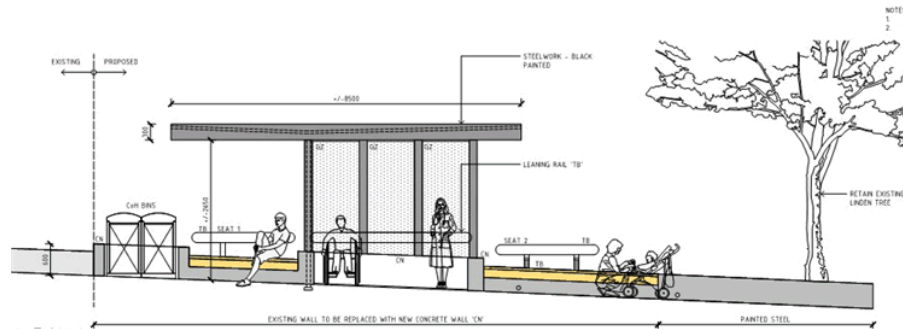


Figure 2: New Town Road elevation of proposed works

4. Background

- 4.1 Planning application PLN-19-645 was lodged for a similar shelter and associated works. The previous application included the removal of a tree at the front of 21 Cross Street to facilitate the works. The Tasmanian Heritage Council refused the proposal for this reason. When this refusal was received by Council the applicant was notified that we were bound to refuse the proposal, and instead chose to withdraw their application.

5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 31 August and 14 September 2020.

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 and Utility Zones of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is General Retail and Hire. The proposed additional use is Utilities. The proposed additional use is a permitted use in the zones.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 15.0 Urban Mixed Use Zone
 - 6.4.2 Part D - 28.0 Utilities Zone
 - 6.4.3 Part E - E7.0 Stormwater Management Code
 - 6.4.4 Part E - 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:-
 - Development Standards for Heritage Places - Part E E13.7.1 P1 and E13.7.2 P1, P2 and P3*
 - Development Standards for Heritage Precincts - Part E E13.8.1 P1 and E13.8.2 P1*
- 6.6 Each performance criterion is assessed below.
- 6.7 Development Standards for Heritage Places - Part E E13.7.1 P1 and E13.7.2 P1, P2 and P3 and E13.8.1 P1 and E13.8.2 P1
- 6.7.1 There are no acceptable solutions for E13.7.1 A1 and E13.7.2 A1, A2 and A3 and E13.8.1 A1 and E13.8.2 A1.
 - 6.7.2 The proposal includes a new bus shelter and associated landscaping at 21 Cross Street.
 - 6.7.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
 - 6.7.4 The performance criterion at clauses E13.7.1 P1 and E13.7.2 P1, P2 and

P3 and E13.8.1 P1 and E13.8.2 P1 provide as follows:

E13.7.1 - Demolition

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) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;

(b) there are no prudent and feasible alternatives;

(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;

(d) significant fabric is documented before demolition.

E13.7.2 - Buildings and Works other than Demolition

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.

E13.8.1 - Demolition

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 - Buildings and Works other than Demolition

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.

- 6.7.5 The application has been assessed by Council's Cultural Heritage Officer, who has provided the following comment:

Demolition E13.7.1 P1 E13.8.1 P1 (Heritage Place and Heritage Precinct)

The drawings indicate that a section of concrete retaining wall is proposed to be demolished. This element is not considered significant or fabric of heritage value to the place or precinct. The proposed demolition satisfies E 13.7.1 P1 and E 13.8.1 P1.

New Work E13.7.2 P1, P2 and P3 (Heritage Place)

The new bus stop will be recessed into the raised grassed area of the heritage listed site and incorporates landscaping elements such as seating, retaining walls, rubbish bins and planting. The structure of the bus shelter is to be painted black and is a modest and transparent design. The proposed works are smaller than the former Church and the proposed tones will be visually recessive and the type of infrastructure associated with a main transport

route. The proposed works including landscaping and hard bus stop infrastructure are considered sympathetic in design to the historic heritage values of the listed place, there is no loss of heritage values through incompatible design and are designed in what is clearly identifiable as new materials. The proposed works satisfy E 13.7.2 P1, P2, & P3 and

New Work E13.8.2 P1 (Heritage Precinct)

The awning to the bus shelter is located within the road reservation. This component of the proposal is exempt under clause E13.4.1 (m) of the Exemptions of the Historic Heritage Code. The remaining work, as described above, is modest and consistent with the character of the New Town Road precinct with its mix of buildings, infrastructure, landscaping and built forms along the street. The proposal does not result in detriment of the heritage values of the precinct and satisfies E13.8.2 P1.

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

6.7.7 The proposal complies with the performance criteria.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Bus Shelter and Associated Works, at 21 Cross Street and the adjacent road reserve, New Town.
- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, and Graduate Road Asset Engineer, and Graduate Traffic Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal was referred to Heritage Tasmania, who have provided conditions for approval should a permit issue.
- 7.6 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Partial Demolition, Bus Shelter and Associated Works at 21 Cross Street, New Town 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 City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition, Bus Shelter and Associated Works at 21 Cross Street, New Town 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-20-370 - 21 CROSS STREET NEW TOWN TAS 7008 - 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: 6340 dated 16 September 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

HER 17a

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

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing exterior colours and materials in accordance with the above requirement.

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

Reason for condition

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

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(Helen Ayers)

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: 15 September 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report (Cultural Heritage Officer)

Enquiries to: Sarah Bendeich
☎: 2338 2551
✉: coh@hobartcity.com.au
Our Ref: SKB:SKB
(document11)
Your Ref:

23/06/2020

Development Appraisal Unit
City of Hobart
GPA Box 503
HOBART TAS 7001

Dear Sir/Madam

**DEVELOPMENT APPLICATION
21 CROSS STREET NEW TOWN
BUS SHELTER AND CHANGES TO RETAINING WALL**

This letter is provided to support the application for planning permission to install a public bus shelter adjacent to New Town Road, New Town. The bus shelter is proposed to be installed on the boundary of the privately owned property at 21 Cross Street, New Town, with alterations to a boundary retaining wall to allow accessible use of the shelter and access from the footpath.

1. Background

- 1.1. The City of Hobart is undertaking streetscape improvement works in New Town Road, New Town, as part of its Local Retail Precincts Plan and Transforming Hobart capital works program.
 - 1.2. In planning the upgrade, City of Hobart officers have worked collaboratively with members of the community and the representatives of the property owner at 21 Cross Street to develop a streetscape design that will deliver improved pedestrian access and a more sociable, attractive and welcoming public space.
 - 1.3. New Town Road is a key public transport corridor linking Hobart with Glenorchy and the northern suburbs, and providing efficient and high quality bus services on New Town Road is a priority for the Tasmanian State Government.
-

- 1.4. The Hobart City Council has given approval for the implementation of the streetscape improvements, providing that all necessary planning permissions are met.
- 1.5. The proposed improvements include new and renewed footpaths, new pedestrian crossing facilities, street trees, landscaping, furniture and public art at various points along New Town Road between Pedder Street in the south, and the Woolworths store in the north.
- 1.6. Planning staff provided pre-planning advice that the majority of the streetscape works are 'planning exempt'
- 1.7. This application is for works that are not exempt, those being at **21 Cross Street**.
- 1.8. A previous development application was submitted for these works, but the application was refused at the request of the Tasmanian Heritage Council due to the previous application's proposal to remove and replace a tree on the site.
- 1.9. This current development application is different from the previous one, in that there is no proposal to remove any trees from the site as part of the works.

2. Proposed bus shelter and alterations to a low boundary wall

- 2.1. The property at 21 Cross Street is listed as a heritage place in the Hobart Interim Planning Scheme and is located within the heritage precinct known as NT4. Formerly the Wesleyan Church, the church building is now used as a retail outlet selling antique furniture, and it is a significant landmark along the road corridor.
- 2.2. A Metro Tasmania outbound bus stop is located adjacent to 21 Cross Street on New Town Road. The bus stop is well used by students from the nearby Sacred Heart College and people visiting the precinct to access the shops and services throughout the day.
- 2.3. A previous bus shelter at this bus stop was removed by Metro Tasmania to improve DDA access along the footpath. Currently, people waiting for the bus are observed sitting on the low boundary wall of 21 Cross Street.
- 2.4. The proposal is to install a bus shelter, seating, rubbish bins and landscaping within the 21 Cross Street property, at the interface of the private property and road reserve.
- 2.5. Proposed works also include removal of an existing concrete retaining wall, construction of a new portion of retaining wall so that a shelter and seating can be set back and thus providing greater width within on the footpath for bus patrons to wait for a bus, and for pedestrians to walk past.
- 2.6. The existing concrete retaining wall is in a poor state of repair and its replacement seems appropriate in conjunction with the other associated works.

3. Consultation

- 3.1. The proposal for the bus shelter at 21 Cross Street has been developed in consultation with CoH staff including the Senior Cultural Heritage Officer,

Program Leader Arboriculture and Nursery, Senior Transport Engineer, Senior Advisor City Place Making and Urban Designer and Metro Tasmania.

3.2. Sarah Lindsay and Josh McCrossin of LXN Architecture have been representing the property owner of 21 Cross Street during extensive consultation.

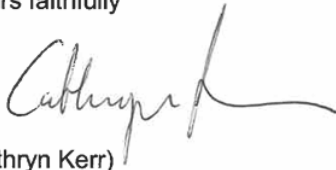
3.3. The owner of 21 Cross Street has indicated support for the arrangement and a licence agreement has been negotiated which would allow the City of Hobart to use the land for the purpose of providing the bus shelter to the public.

4. Attached documents

4.1. The following documents are attached with this application:

- Architectural Plans
- Record of title

Yours faithfully



(Cathryn Kerr)

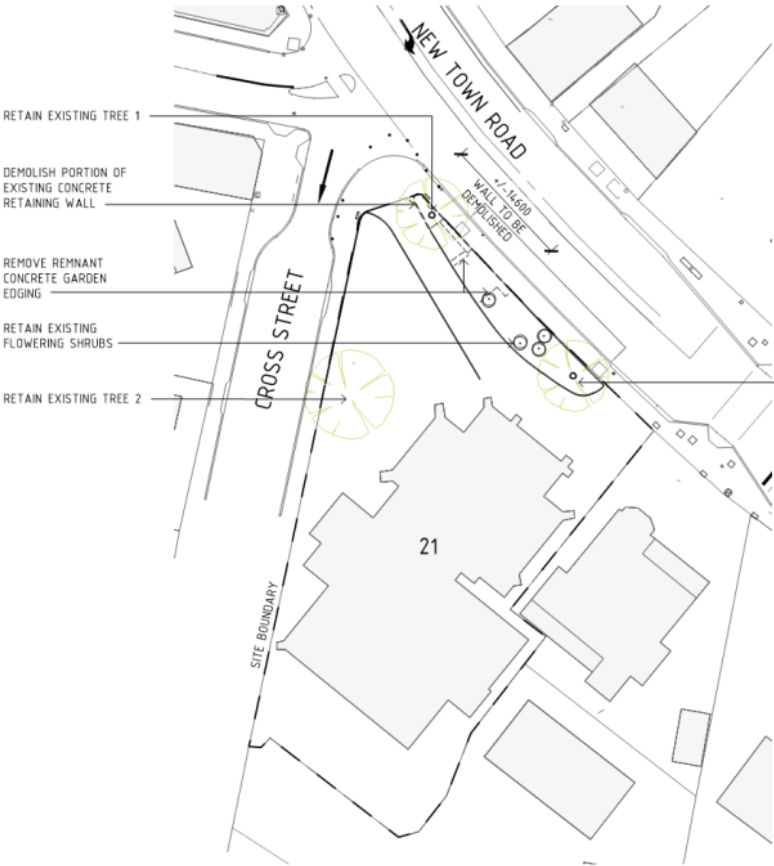
PRINCIPAL ADVISOR CITY PLACE MAKING

Attachment(s)

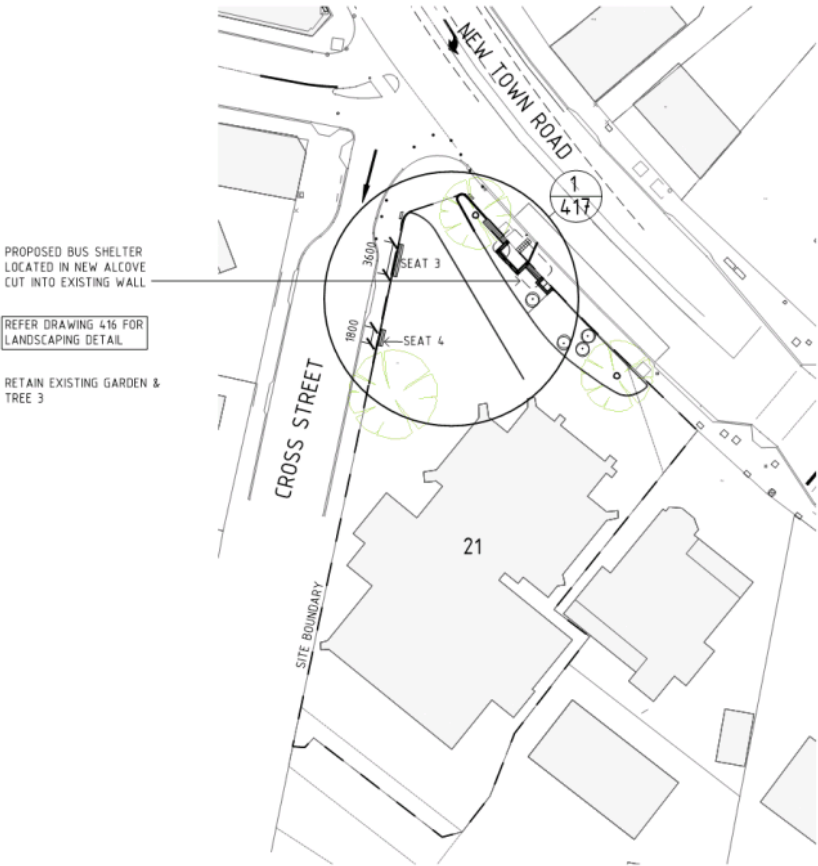
Drawings: 21 Cross Street Proposed Bus Shelter & Modified Perimeter Wall, sheet 415, 416, 417, 419

Property Title: Volume 157073 Folio 4

- NOTES
- 1. DO NOT SCALE OFF DRAWINGS
 - 2. CHECK ALL DIMENSIONS ON-SITE



DEMOLITION PLAN
Scale 1:500

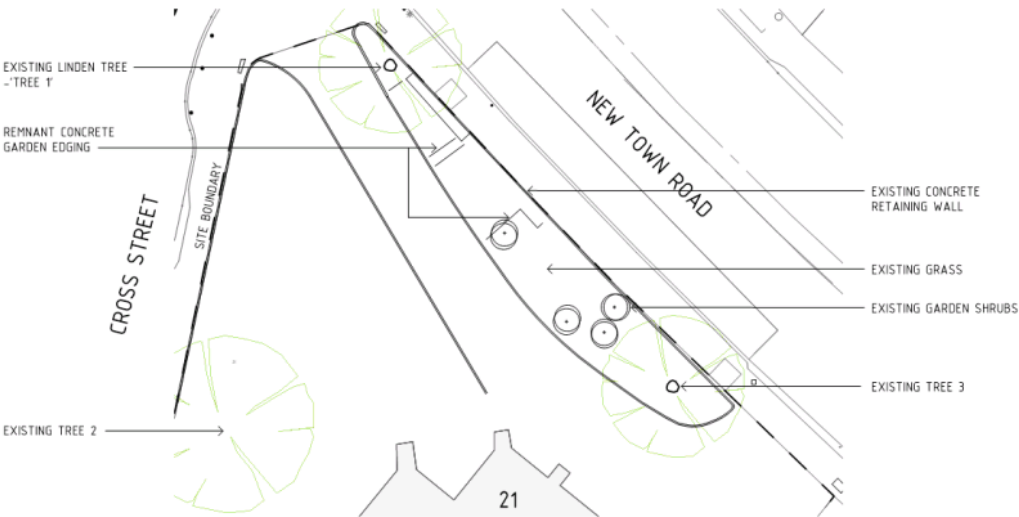


PROPOSED PLAN
Scale 1:500

REV	DESCRIPTION	DATE
A	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16
B	REVISED BUS SHELTER LAYOUT	19/03/18
C	REVISED DRAWING FOR DECISION	26/04/16
D	DEVELOPMENT APPLICATION ISSUE	29/07/16
E	DEVELOPMENT APPLICATION REJUDGE	27/08/16
F	DEVELOPMENT APPLICATION REJUDGE	28/08/16
G	ADDITIONAL LANDSCAPING INFORMATION	20/10/19
H	RETAIN ALL EXISTING TREES, CHANGE TO WALL MATERIAL ADJACENT UNDER TREE 1	12/05/20
I	GENERAL REVISIONS	12/05/20

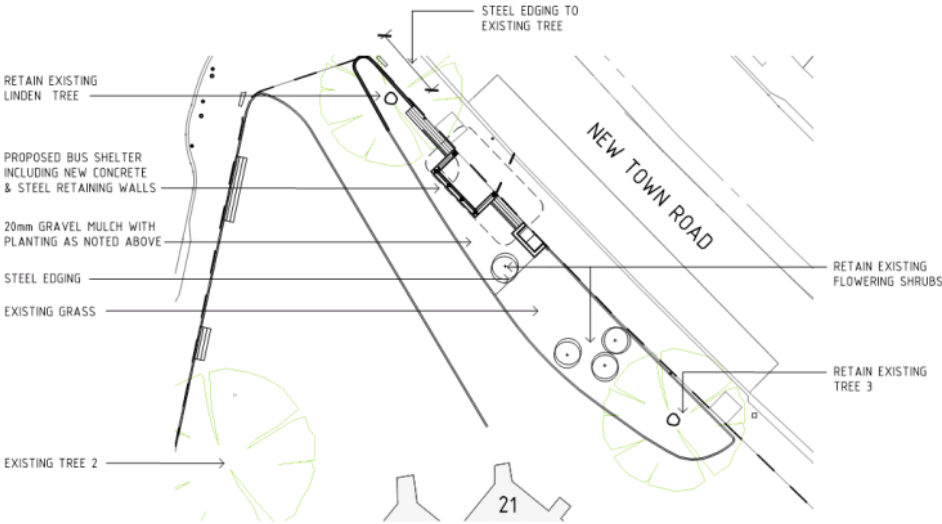
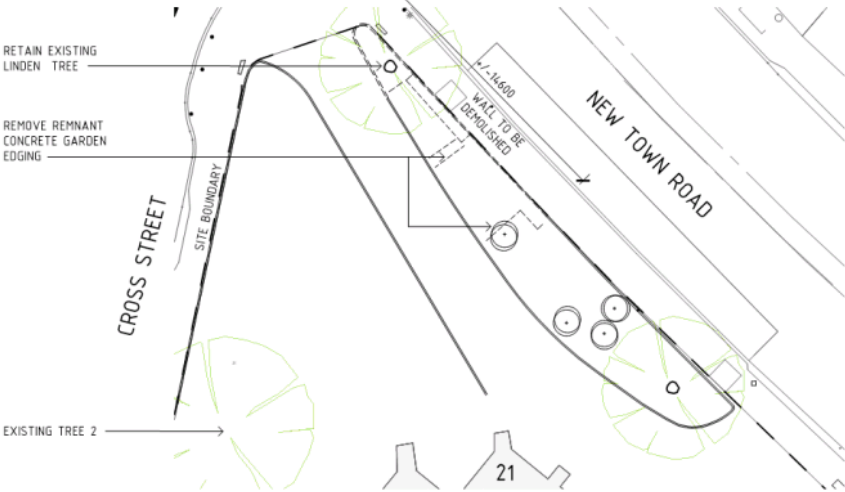




PROJECT DESCRIPTION	DRAWN	SPS NUMBER	SHEET SIZE
NEW TOWN RETAIL PRECINCT STREETScape UPGRADE	KB	RFS17-0090	A3
DRAWING TITLE	CHECKED	FILE LOCATION	NEW TOWN RAIL STATION
21 CROSS STREET - PROPOSED BUS SHELTER & MODIFIED PERIMETER WALL	MS	LOCAL SHED 415	
CITY	DATE	SHEET NUMBER	REVISION
CITY PLACEMAKING	12/05/20	415	J
	SCALE		
	1:500		

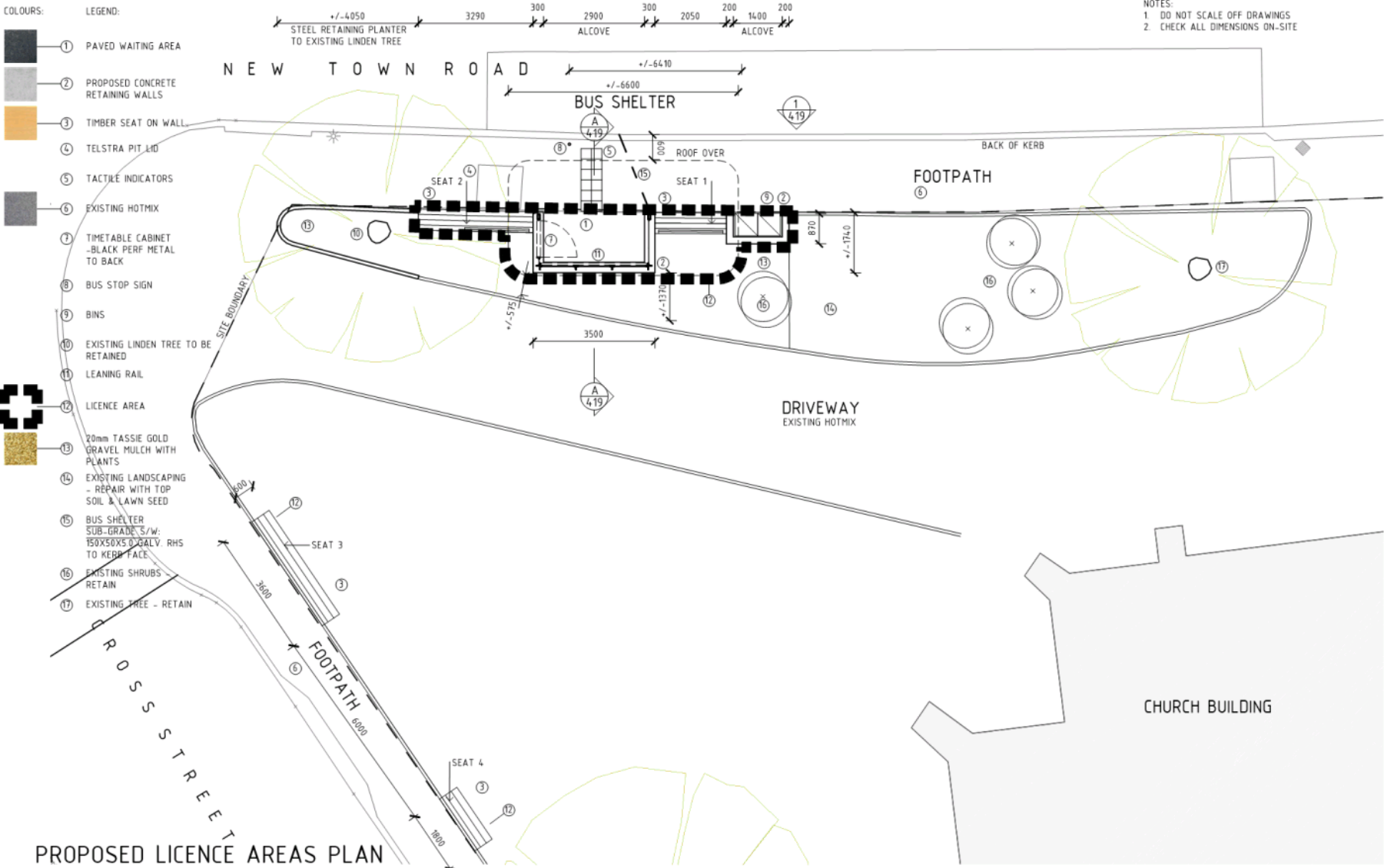


- NOTES
1. DO NOT SCALE OFF DRAWINGS
 2. CHECK ALL DIMENSIONS ON-SITE

- PROPOSED PLANTS: (3/50M)
- ECHEVERIA CVS (GLAUCA)
 - SENECIO SERPENS (BLUE CHALK STICKS)
 - IRIS RETICULATA (DWARF IRIS)
 - ANIGOZANTHOS CVS (KANGAROO PAWS - SEVERAL SORTS)

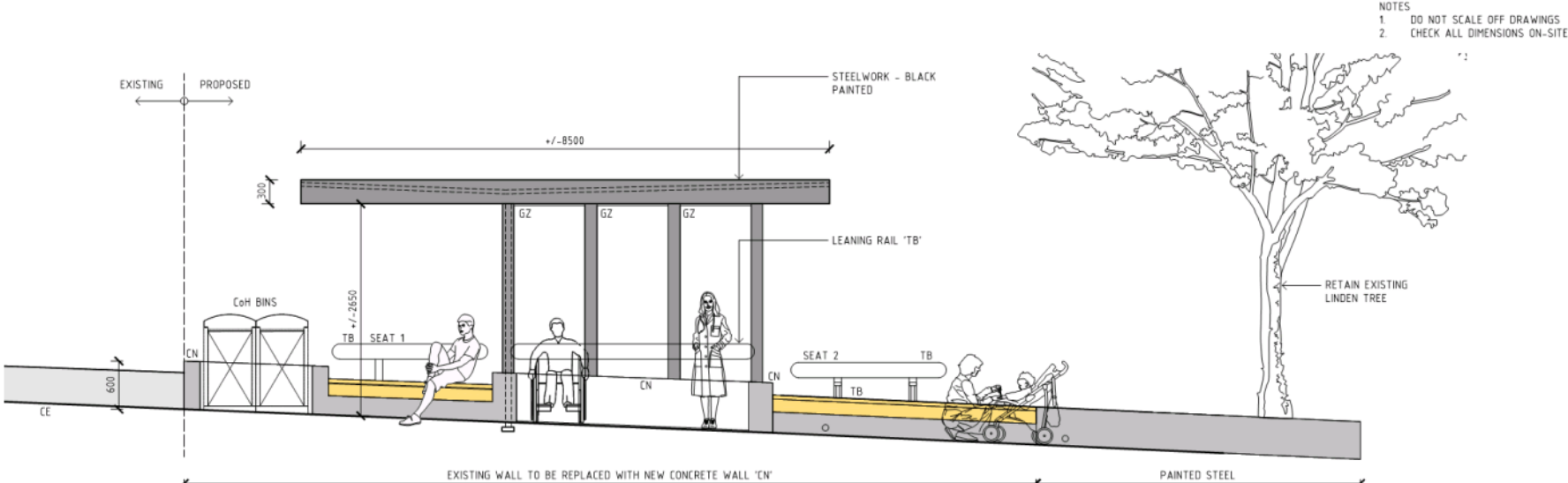


REV		DESCRIPTION	DATE	 City of HOBART		PROJECT DESCRIPTION		
A		RETAIN EXISTING LINDEN TREE IN STEEL, EGGING	12/05/20			NEW TOWN RETAIL PRECINCT STREETSCAPE UPGRADE		
B		GENERAL REVISION	12/05/20			DRAWING TITLE		
						21 CROSS STREET - EXISTING/ DEMOLITION & PROPOSED LANDSCAPE PLANS		
						CLIENT		
						CITY PLACEMAKING		
						DRAWN	RPS NUMBER	SHEET SIZE
						KB	RFS17-0090	A3
						CHECKED	FILE LOCATION NEW TOWN LAYOUTS	STANDARD
						MS	L1001 SHELTER.dwg	
						DATE	SHEET NUMBER	REVISION
						12/05/20		
						SCALE	416	B
						1:250		

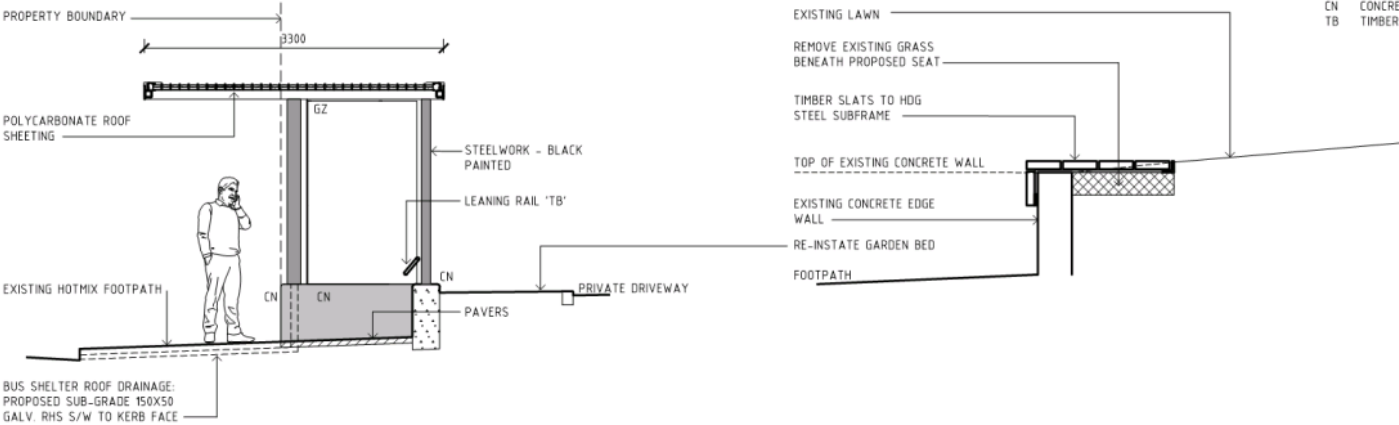


REV	DESCRIPTION	DATE	PROJECT DESCRIPTION	DRAWN	RPS NUMBER	SHEET SIZE
A	RELOCATE BUS SHELTER	10/04/2019	NEW TOWN RETAIL PRECINCT STREETSCAPE UPGRADE	KB	RFS17-0090	A3
B	GENERAL RE-DESIGN	10/04/2019		CHEVRO		
C	ADD DIMENSIONS	10/04/2019	DRAWING TITLE	MS	FILE LOCATION NEW TOWN LINDEN STREET BUS SHELTER.dwg	
D	REVISED EXTENT OF NEW WALLING	26/06/2019				
E	DEVELOPMENT APPLICATION ISSUE	23/08/2019				
F	DEVELOPMENT APPLICATION RE-ISSUE	23/08/2019				
G	DEVELOPMENT APPLICATION RE-ISSUE	23/08/2019				
H	ADDITIONAL LANDSCAPE DETAIL	23/08/2019				
I	RETAIN EXISTING LINDEN TREE IN STEEL EDDING	23/08/2019				
J	GENERAL RE-DESIGN	10/05/2020				
K	GENERAL RE-DESIGN	10/05/2020				

CITY OF HOBART	HOBART COUNCIL CENTRE 16 ELIZABETH STREET HOBART TAS 7000 T: (08) 6236 2000 F: (08) 6236 1000 E: hobart@cityofhobart.com.au www.cityofhobart.com.au	PROJECT DESCRIPTION NEW TOWN RETAIL PRECINCT STREETSCAPE UPGRADE DRAWING TITLE 21 CROSS STREET - PROPOSED BUS SHELTER LAYOUT PLAN CITY CITY PLACEMAKING	DRAWN KB CHECKED MS DATE 12/05/20 SCALE 1:50	SHEET NUMBER 417 REVISION K
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ELEVATION 1
Scale 1:50



TYPICAL CROSS-SECTION A-A
Scale 1:50

CROSS STREET SEATS 3 & 4
SECTION TYPICAL
Scale 1:20

REV	DESCRIPTION	DATE
A	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16
B	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16
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F	DEVELOPMENT APPLICATION RE-ISSUE	23/08/16
G	RETAIN EXISTING LINDEN TREE IN STEEL, EDDING	12/05/20
H	GENERAL REVISIONS	12/05/20



PROJECT DESCRIPTION	NEW TOWN RETAIL PRECINCT STREETScape UPGRADE
DRAWING TITLE	21 CROSS STREET - PROPOSED BUS SHELTER ELEVATION & SECTION
CITY	CITY PLACEMAKING

DRAWN	KB	RFS17-0090	SHEET SIZE	A3
CHECKED	MS	FILE LOCATION NEW TOWN UPGRADE STAGE 4 BUS SHELTER 4.dwg	REVISION	
DATE	12/05/20	SHEET NUMBER	419	H
SCALE	1:50			



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

18 August 2020

Cathryn Kerr
16 Elizabeth Street
HOBART TAS 7000

mailto: kerrc@hobartcity.com.au

Dear Sir/Madam

**21 CROSS STREET, NEW TOWN - WORKS IN ROAD RESERVE NOTICE OF LAND
OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-20-50**

Site Address:

21 Cross Street, New Town

Description of Proposal:

Partial Demolition, Bus Shelter and Associated Works

Applicant Name:

City of Hobart
Cathryn Kerr

PLN (if applicable):

PLN-20-370

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)

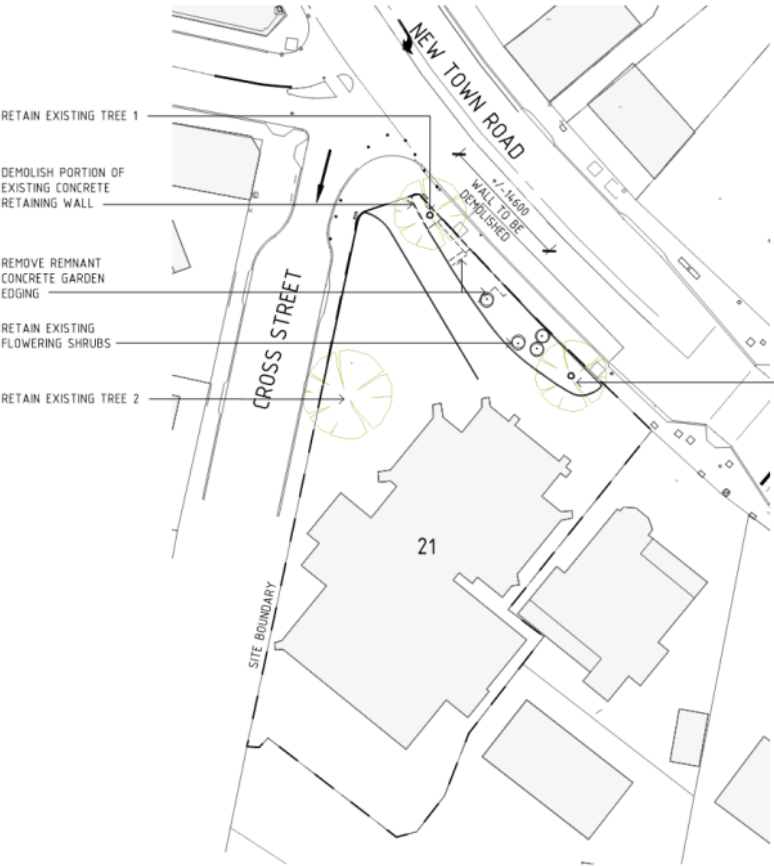
GENERAL MANAGER

Relevant documents/plans:

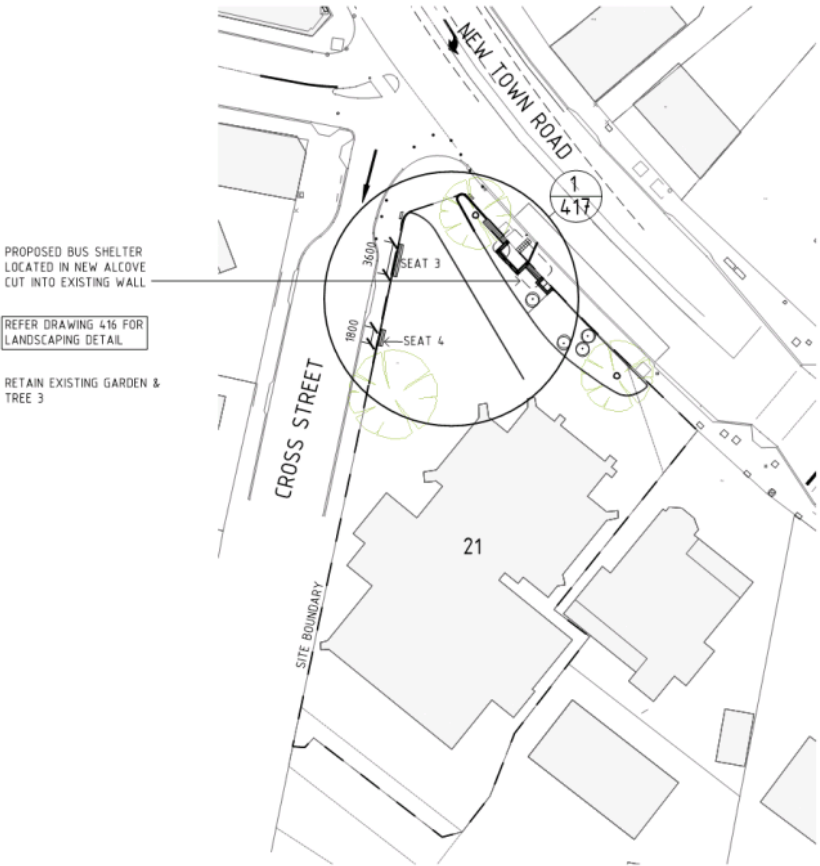
Plans by City of Hobart

415 Rev J, 416 Rev B, 417 Rev K, 419 Rev H

- NOTES
- 1. DO NOT SCALE OFF DRAWINGS
 - 2. CHECK ALL DIMENSIONS ON-SITE



DEMOLITION PLAN
Scale 1:500



PROPOSED PLAN
Scale 1:500

Approved - General
Manager Consent Only
[GMC-20-50]
18/08/2020

REV	DESCRIPTION	DATE
A	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16
B	REVISED BUS SHELTER LAYOUT	19/03/18
C	REVISED DRAWING FOR DECISION	26/04/16
D	DEVELOPMENT APPLICATION ISSUE	29/07/16
E	DEVELOPMENT APPLICATION REJUDGE	27/08/16
F	DEVELOPMENT APPLICATION REJUDGE	28/08/16
G	ADDITIONAL LANDSCAPING INFORMATION	20/10/19
H	RETAIN ALL EXISTING TREES, CHANGE TO WALL MATERIAL ADJACENT UNDER TREE 1	12/05/20
I	GENERAL REVISIONS	12/05/20

DATE

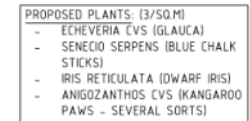
 **City of HOBART**

HOBART COUNCIL CENTRE
16 ELIZABETH STREET
GPO BOX 503
T: (08) 6236 2300
F: (08) 6236 1200
E: hobart@city.hobart.tas.gov.au
www.hobartcity.com.au





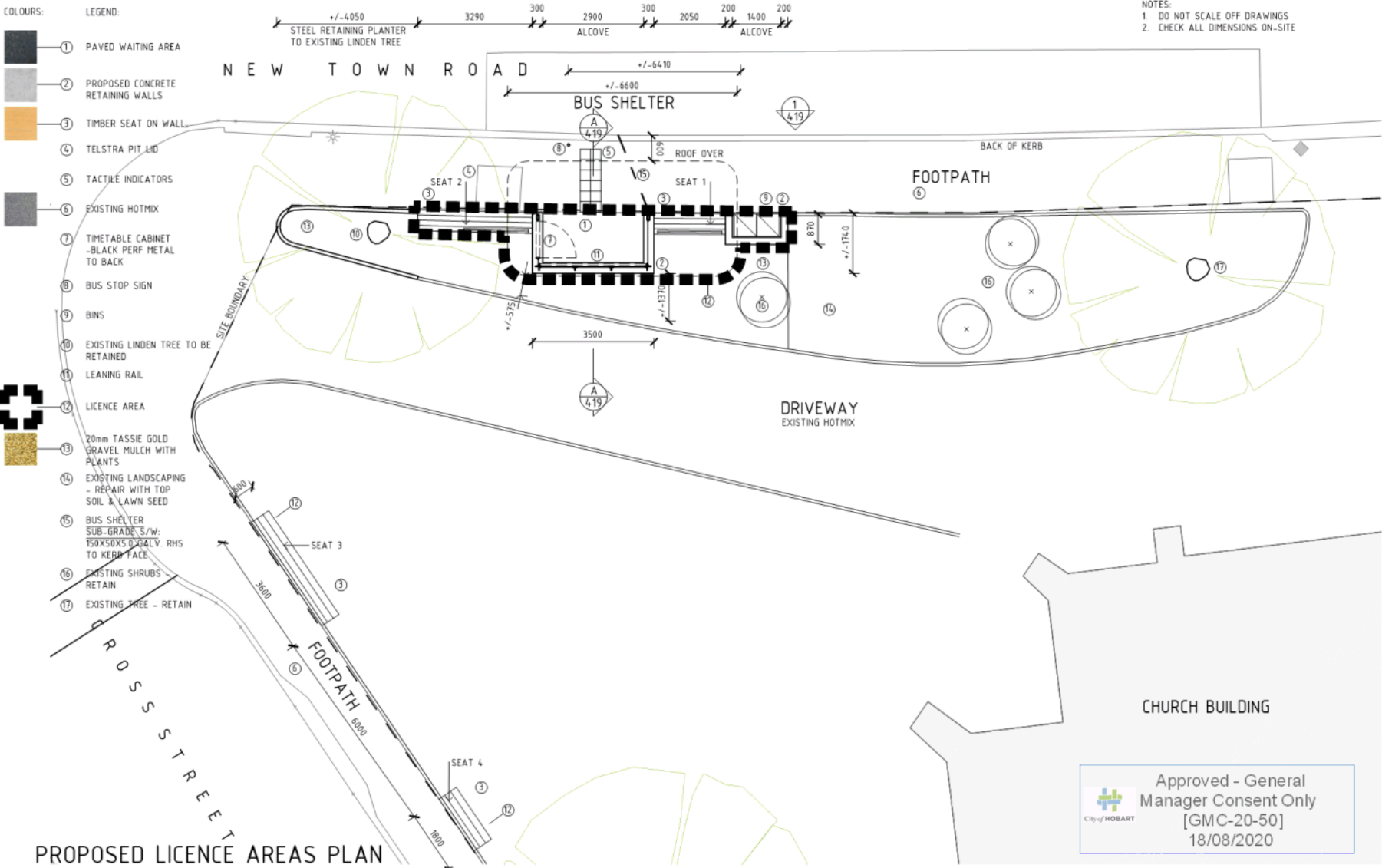
PROJECT DESCRIPTION
NEW TOWN RETAIL PRECINCT STREETScape UPGRADE
DRAWING TITLE
21 CROSS STREET - PROPOSED BUS SHELTER & MODIFIED PERIMETER WALL
CITY
CITY PLACEMAKING

DRAWN	DATE	SCALE	SHEET NUMBER	SHEET SIZE
KB	12/05/20	1:500	RFS17-0090	A3
CHKD BY	MS		FILE LOCATION NEW TOWN RAIL STATION L101 BUS SHELTER 416	
DATE	12/05/20		415	J



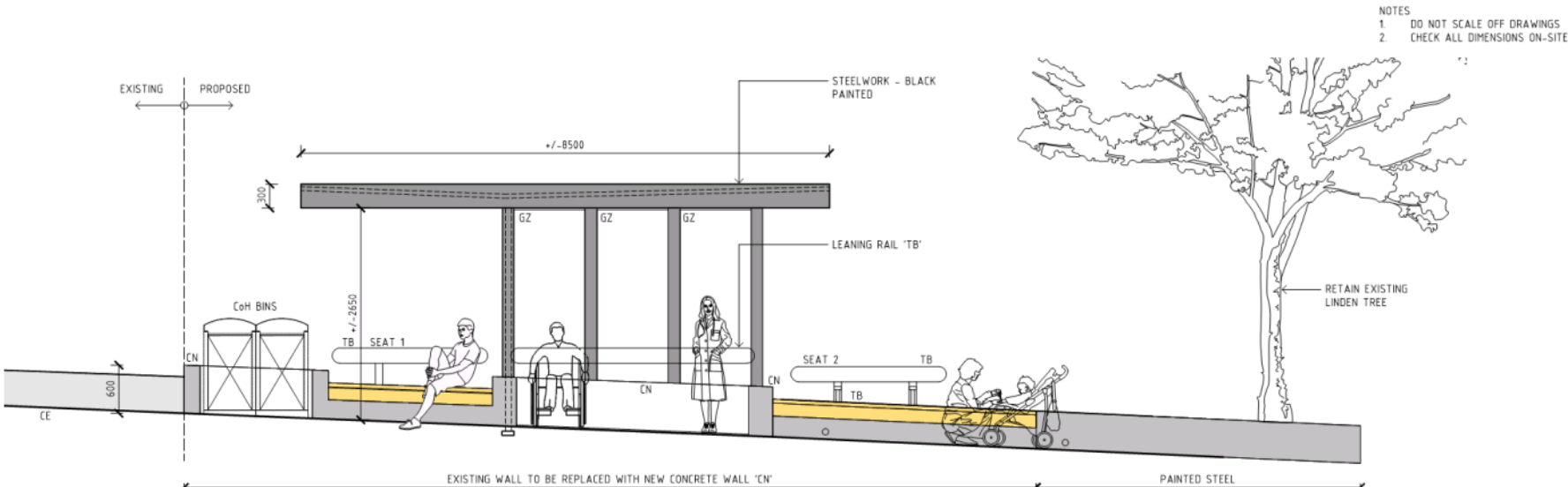
Scale 1:250

REV	DESCRIPTION	DATE	 City of HOBART		PROJECT DESCRIPTION	DRAWN	DPS NUMBER	SHEET SIZE
1	RETAIN EXISTING LINEN TREE IN STEEL EGGING REDACTED, REVISION	12/05/20 12/05/20			HOBART COUNCIL CENTRE 100 ELIZABETH STREET (DPS NO. 900) T: (03) 6230 2711 F: (03) 6234 1957 E: info@hobartcity.com.au www.hobartcity.com.au	NEW TOWN RETAIL PRECINCT STREETScape UPGRADE	KB	RFS17-0090
					DRAWING TITLE	PROJECTED	FILE LOCATION	REVISION
					21 CROSS STREET - EXISTING/ DEMOLITION & PROPOSED LANDSCAPE PLANS	MS	NEW TOWN LANDSCAPE UPGRADE LRG CHLSTER.dwg	
					CLIENT	DATE	SHEET NUMBER	
					CITY PLACEMAKING	12/05/20	416	B
						SCALE		
						1:250		

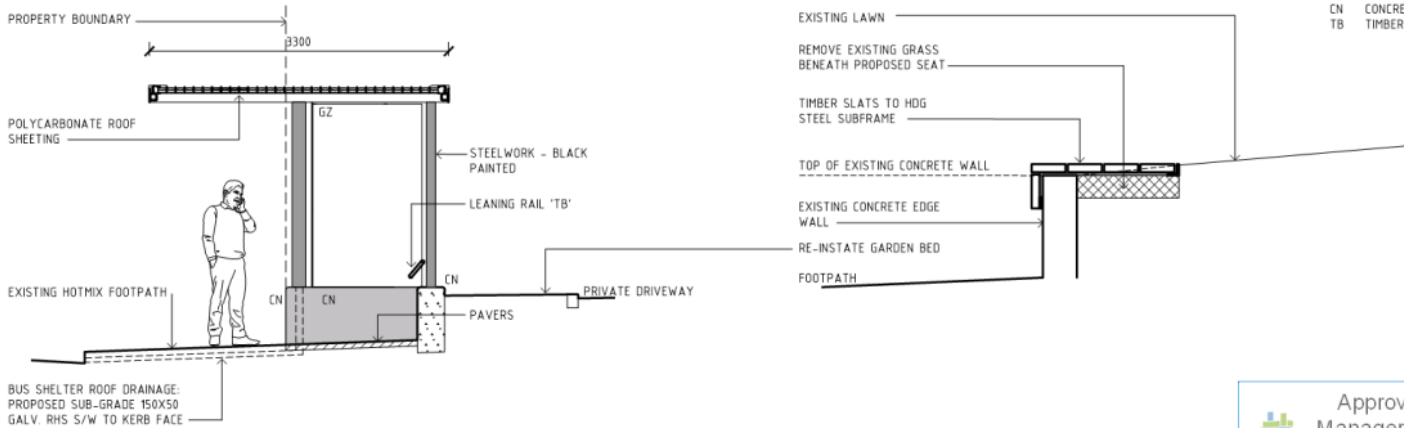


REV	DESCRIPTION	DATE	PROJECT DESCRIPTION	DRAWN	RPS NUMBER	SHEET SIZE
A	RELOCATE BUS SHELTER	10/04/2019	NEW TOWN RETAIL PRECINCT STREETSCAPE UPGRADE	KB	RFS17-0090	A3
B	GENERAL RE-DESIGN	10/04/2019		CHEVRO	FILE LOCATION NEW TOWN LOCAL STREET	
C	ADD DIMENSIONS	10/04/2019		MS	21 CROSS STREET - PROPOSED BUS SHELTER LAYOUT PLAN	
D	REVISED EXTENT OF NEW WALLING	26/06/2019				
E	DEVELOPMENT APPLICATION ISSUE	23/08/2019				
F	DEVELOPMENT APPLICATION RE-ISSUE	23/08/2019				
G	DEVELOPMENT APPLICATION RE-ISSUE	23/08/2019				
H	ADDITIONAL LANDSCAPE DETAIL	23/08/2019				
I	RETAIN EXISTING LINDEN TREE IN STEEL EDDING	23/08/2019				
J	GENERAL REVISIONS	10/05/2020				

City of HOBART	HOBART COUNCIL CENTRE 16 ELIZABETH STREET HOBART TAS 7000 T: (08) 6236 1000 F: (08) 6236 1001 E: hobart@cityofhobart.com.au www.hobartcity.com.au	PROJECT DESCRIPTION NEW TOWN RETAIL PRECINCT STREETSCAPE UPGRADE DRAWING TITLE 21 CROSS STREET - PROPOSED BUS SHELTER LAYOUT PLAN CITY CITY PLACEMAKING	DRAWN KB CHECKED MS DATE 12/05/20 SCALE 1:50	SHEET NUMBER 417 KEYWORD K
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ELEVATION 1
Scale 1:50



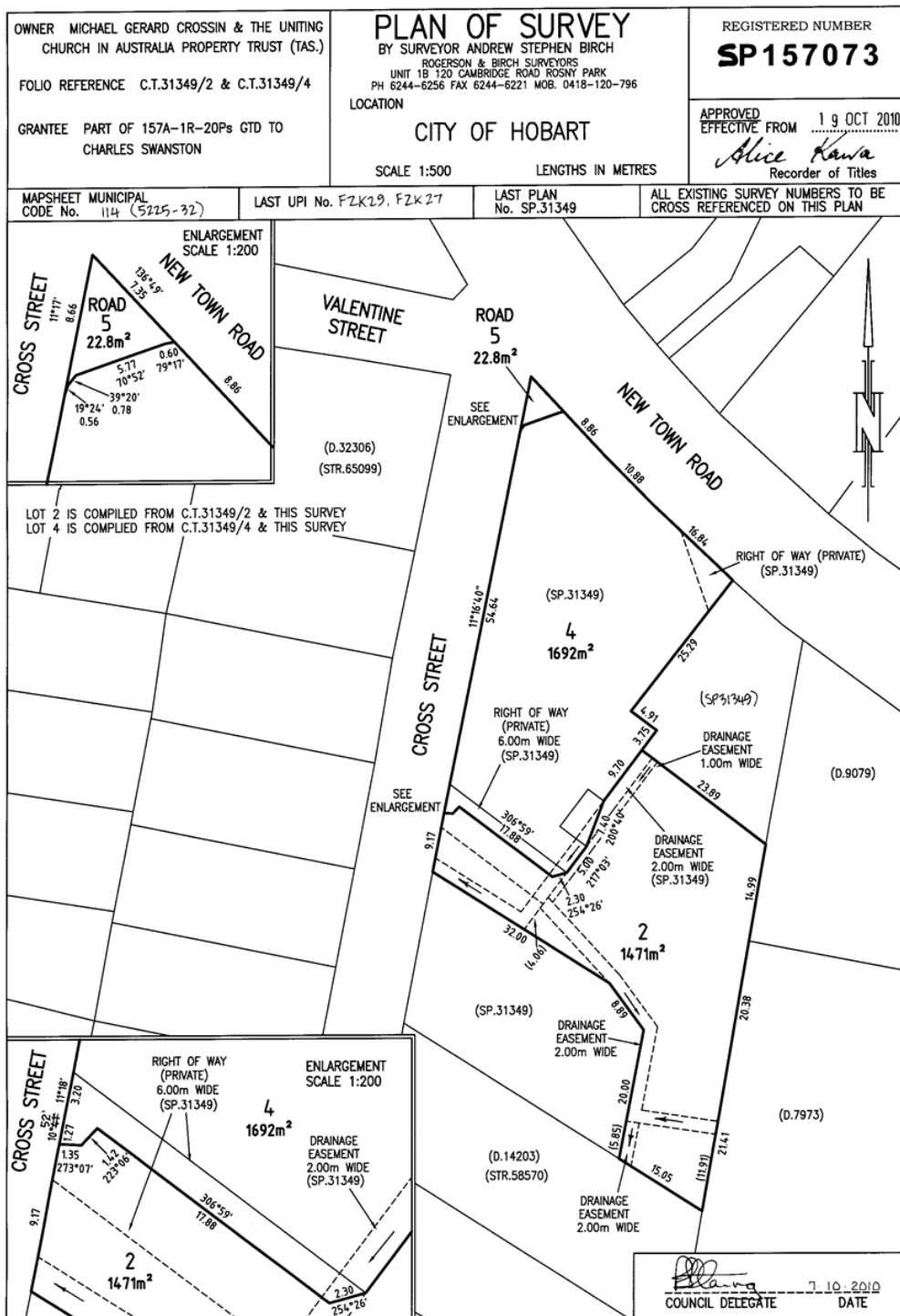
TYPICAL CROSS-SECTION A-A
Scale 1:50

CROSS STREET SEATS 3 & 4
SECTION TYPICAL
Scale 1:20

Approved - General
Manager Consent Only
[GMC-20-50]
18/08/2020

REV.	DESCRIPTION	DATE	PROJECT DESCRIPTION	DRAWN	DATE	SHEET NUMBER	SHEET SIZE
A	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16	NEW TOWN RETAIL PRECINCT STREETScape UPGRADE	KB	RFS17-0090	A3	
B	CONCRETE WALLING, EXPANDED ROOF OVERHANG	20/06/16		MS	FILE LOCATION NEW TOWN LAUNCH STAGE		
C	REVISED ELEVATIONS	20/06/16					
D	DEVELOPMENT APPLICATION ISSUE	20/06/16					
E	DEVELOPMENT APPLICATION RE-ISSUE	20/06/16					
F	DEVELOPMENT APPLICATION RE-ISSUE	20/06/16					
G	RETAIN EXISTING LINDEN TREE IN STEEL, EDDING	20/06/16					
H	GENERAL REVISIONS	20/06/16					

City of HOBART	HOBART COUNCIL CENTRE 16 ELIZABETH STREET HOBART TAS 7000 P: (08) 6236 2000 F: (08) 6236 1000 E: hobart@cityofhobart.com.au	21 CROSS STREET - PROPOSED BUS SHELTER ELEVATION & SECTION	12/05/20	419	H
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**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 157073	FOLIO 4
EDITION 1	DATE OF ISSUE 19-Oct-2010

SEARCH DATE : 18-Sep-2019

SEARCH TIME : 04.22 PM

DESCRIPTION OF LAND

City of HOBART

Lot 4 on Sealed Plan 157073

Derivation : Part of 157A-1R-20P Gtd to Charles Swanston

Prior CTs 31349/4 and 31349/2

SCHEDULE 1

C618919 & C845064 TRANSFER to MICHAEL GERARD CROSSIN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP157073 EASEMENTS in Schedule of Easements

SP157073 COVENANTS in Schedule of Easements

SP157073 FENCING COVENANT in Schedule of Easements

SP31349 COVENANTS in Schedule of Easements

SP31349 FENCING COVENANT in Schedule of Easements

C618920 MORTGAGE to National Australia Bank Limited

Registered 17-Mar-2005 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 157073	FOLIO 4
EDITION 1	DATE OF ISSUE 19-Oct-2010

SEARCH DATE : 08-Jul-2020

SEARCH TIME : 10.03 AM

DESCRIPTION OF LAND

City of HOBART

Lot 4 on Sealed Plan 157073

Derivation : Part of 157A-1R-20P Gtd to Charles Swanston

Prior CTs 31349/4 and 31349/2

SCHEDULE 1

C618919 & C845064 TRANSFER to MICHAEL GERARD CROSSIN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP157073 EASEMENTS in Schedule of Easements

SP157073 COVENANTS in Schedule of Easements

SP157073 FENCING COVENANT in Schedule of Easements

SP31349 COVENANTS in Schedule of Easements

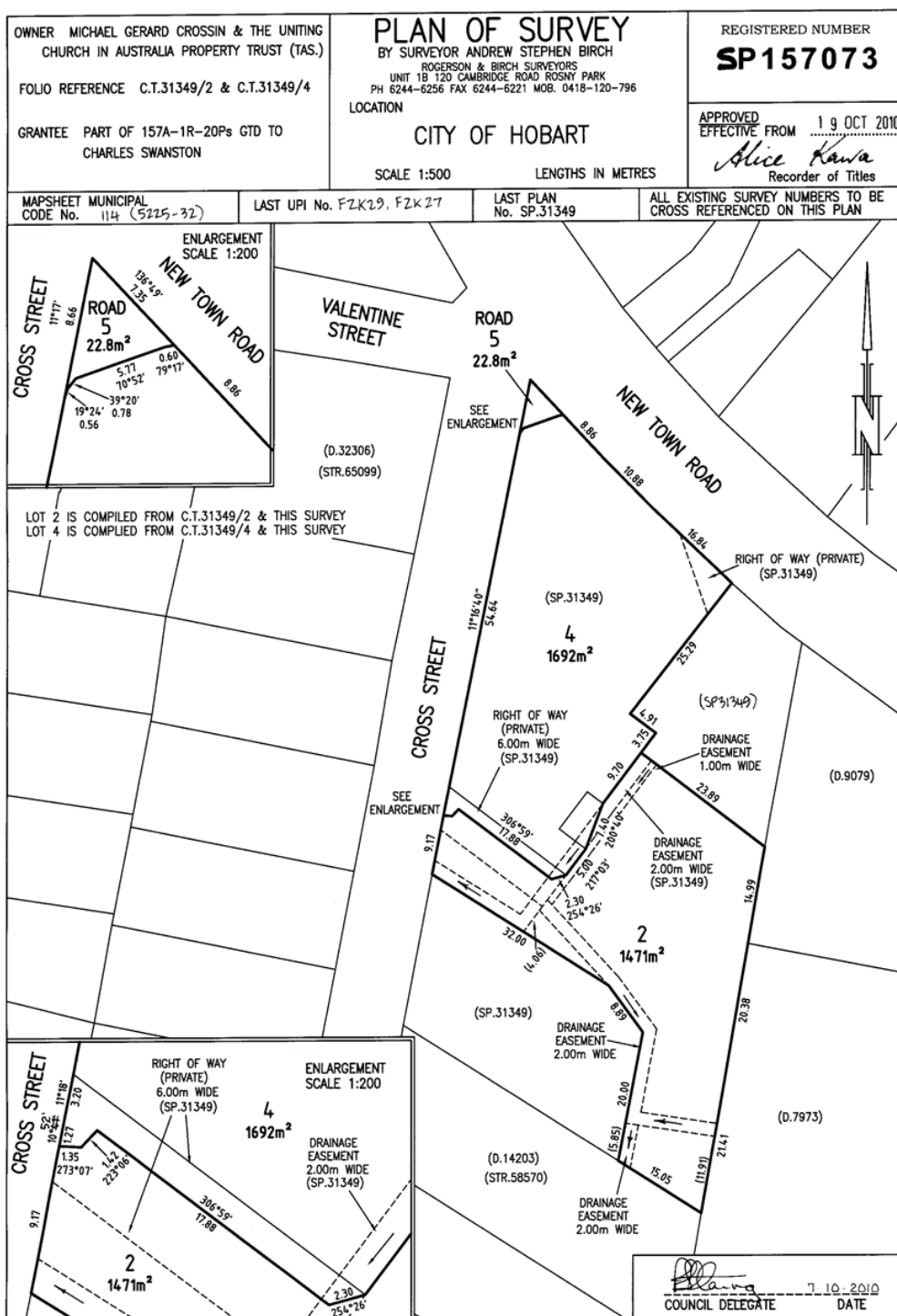
SP31349 FENCING COVENANT in Schedule of Easements

C618920 MORTGAGE to National Australia Bank Limited

Registered 17-Mar-2005 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p align="center">Registered Number</p> <p align="center">SP157073</p>
--	---

PAGE 1 OF 3 PAGE/S
3**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.

Council Easement

Each lot on the plan is SUBJECT TO such rights of drainage over the drainage easements shown on the plan and passing through such lots as maybe necessary and required for the benefit of the HOBART CITY COUNCIL.

Building Covenants

The owner of Lot 2 on the plan covenants with the owners for the time being of Lot 4 on the plan and Lot 1 of Sealed Plan 31349 to the intent that the burden of these covenants may run with and bind the covenantor's lot and each and every part of it and that the benefit of these covenants shall be annexed to and devolve with each and every part of Lot 4 on the Plan and Lot 1 on sealed Plan 31349 shown on the plan to observe the following stipulations:

1. Not to erect on the said lot more than one main building PROVIDED THAT this covenant shall not hinder nor prevent the erection of stratum title units on the said Lot.
2. Not to use the main building erected on the said Lot for any purpose other than a private dwelling house PROVIDED THAT this covenant shall not hinder nor prevent the erection of stratum title units on the said Lot.

See page 3 for Covenants**Fencing Covenant**

The owner(s) of each lot on the Plan covenants with the Vendors Uniting Church in Australia Property Trust (Tas.) and Michael Gerard Crossin that the vendors shall not be required to fence.

Rights of Way

Lot 4 is SUBJECT TO a Right of Carriageway marked "Right of Way (Private)" appurtenant to lot 3 on Sealed Plan 31349 as shown on the Plan.

Lot 4 is TOGETHER WITH a Right of Carriageway marked "Right of Way (Private) 6.00 Wide" over lot 2 as shown on the Plan.

Lot 2 is SUBJECT TO a Right of Carriageway marked "Right of Way (Private) 6.00 Wide" appurtenant to lot 4 as shown on the Plan.

Easements continue page 3

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: Uniting Church and Crossin</p> <p>FOLIO REF: 31349/2 & 4</p> <p>SOLICITOR & REFERENCE: Jason Samec - Butler McIntyre</p>	<p>PLAN SEALED BY: THE HOBART CITY COUNCIL</p> <p>DATE: 7.10.2010</p> <p>754.7500</p> <p>REF NO.</p> <p align="right"> Council Delegate MANAGER SURVEILLING SERVICES </p>
<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 $\frac{2}{3}$ PAGES	Registered Number SP157073
SUBDIVIDER: M.G. CROSSIN & THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (TAS.) FOLIO REFERENCE: 31349/2 & 4	

The Common Seal of the Uniting Church in
Australia Property Trust (Tas) was hereunto
affixed in pursuance of a resolution passed at
a meeting of the Members of the Trust in the
presence of:- ROBERT ANTHONY EWING

Member of Trust: *[Signature]*Member of Trust: *[Signature]*

IMAS HENRIETTA THOMPSON

SIGNED by MICHAEL GERARD CROSSIN
IN THE PRESENCE OF:

[Signature] Rhonda Pye Rhonda Pye
[Signature] administrator
[Signature] 33 Tamarind Av
[Signature] Bogangar NSW 2488

NATIONAL AUSTRALIA BANK LIMITED
as mortgagee under mortgage No. C618920
hereby consents to this Schedule of Easements

[Signature]

[Signature]
CARLY BARNES
ASSOCIATE
10/86 COLLINS 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.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 3 OF 3 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP157073</p>
<p>SUBDIVIDER: - MICHAEL GERARD CROSSIN AND THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (TAS)</p> <p>FOLIO REFERENCE: - 31349/2 AND 4</p>	
<p>COVENANTS</p> <p>Lot 2 on the plan and that part of Lot 4 on the plan formerly comprised in Lot 2 on SP31349 are each burdened by the Restrictive Covenants created by Sealed Plan 31349 in the following terms:</p> <ol style="list-style-type: none"> 1. Not to erect on the said lot more than one main building PROVIDED THAT this covenant shall not hinder more prevent the erection of strata title units on the said Lot. 2. Not to use the main building erected on the said Lot for any purpose other than a private dwelling house PROVIDED THAT this covenant shall not hinder nor prevent the erection of strata title units on the said Lot. <p>EASEMENTS CONTINUE</p> <p>Lots 2 and 4 on the Plan are each SUBJECT TO a Right of Carriageway (appurtenant to Lot 4 on SP31349) over such portion of the Right of Way (Private) 6.00 wide (SP31349) as passes through such Lot.</p>	
<p>NOTE: - Every annexed sheet 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.</p>	

Planning: #207195

Property

21 CROSS STREET NEW TOWN TAS 7008

People

Applicant
*
Hobart City Council
Cathryn Kerr
16 Elizabeth Street
HOBART TAS 7000
6238 2719
kerrc@hobartcity.com.au

Owner
*
Michael Crossin
21 Cross Street
NEW TOWN TAS 7008
6238 0113
josh@kn.com.au

Entered By
CATHRYN KERR
16 ELIZABETH STREET
HOBART TAS 7000
6238 2719
kerrc@hobartcity.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)?

shop

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

New bus stop shelter on street frontage

Estimated cost of development

50000.00

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

1692

Carparking on Site

Total parking spaces Existing parking spaces

0

N/A

!! Other (no selection chosen)

Other Details

Does the application include signage?

No

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

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

• Yes

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

FolioPlan-157073-4 +.pdf

Plans (proposed, existing)

CROSS STREET DA DRAWINGS_REV 2_200512.pdf

Covering Letter

Letter for planning submission Cross St.pdf



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-20-370
THC WORKS REF: 6340
REGISTERED PLACE NO: 2695
APPLICANT: City of Hobart
DATE: 16 September 2020

NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place: 21 Cross Street, New Town.
Proposed Works: Bus shelter and associated works.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with PLN-20-370, advertised 31 August 2020, subject to the following conditions:

1. **Demolition and construction works within the Tree Protection Zone of the Linden tree must be undertaken by hand, and done so under the superintendence of a person with suitable expertise in arboriculture. This person must ensure the protection of the Linden tree at all stages of the development.**
2. **A maintenance program to ensure the ongoing health and vigour of the Linden tree must be developed by the person referred to in condition 1 of this permit, and must be implemented for a period of no less than 1 year after the completion of works.**
3. **At the cessation of the maintenance program referred to in condition 2, a statement from a person with suitable expertise in arboriculture must be provided to the Tasmanian Heritage Council which summarises the efficacy of that program, and reports on the condition of the tree at that time.**

Reason for conditions 1, 2 & 3.

To ensure the health of the Linden tree is not compromised by the works.

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

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

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:	Sarah Waight
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	21 CROSS STREET, NEW TOWN ADJACENT ROAD RESERVE
Proposal:	Partial Demolition, Bus Shelter and Associated Works
Application No:	PLN-20-370
Assessment Officer:	Helen Ayers,

Referral Officer comments:

The applicant is seeking to build a new bus shelter and associated landscaping at 21 Cross Street.

This place is located within a heritage place listed in Table E13.1 of the Historic Heritage Code (Cross Street Uniting Church) and also located in the New Town 4 Heritage Precinct. The precinct has the following statements of significance:

This precinct is significant for reasons including:

- 1. It contains examples of Georgian, Victorian and Federation commercial and residential buildings that illustrate the growth of the area as a local service centre along a historically early main arterial road and transport route.*
- 2. It contains individual high quality examples of architectural styles in a streetscape that is eclectic in form and scale.*
- 3. The residences in close proximity to the main road contribute to an understanding of the historical pattern of its development and the tendency to reside in close proximity to commercial and community facilities.*

By way of background, this is a modified proposal that was refused by the Tasmanian Heritage Council as it involved the removal of a tree. This application differs and the tree is to be retained.

The following clauses of the Historic Heritage Code apply:

E13.7.1 P1 - Demolition - Heritage Place
E13.8.1 P1 - Demolition - Heritage Precinct

E13.7.2 P1, P2, P3- New Work - Heritage Place
E13.8.2 P1 - New Work - Heritage Precinct

Demolition E13.7.1 P1 E13.8.1 P1 (Heritage Place and Heritage Precinct)

The drawings indicate that a section of concrete retaining wall is proposed to be demolished. This element is not considered significant or fabric of heritage value to the place or precinct. The proposed demolition satisfies E 13.7.1 P1 and E 13.8.1 P1.

New Work E13.7.2 P1, P2 and P3 (Heritage Place)

The new bus stop will be recessed into the raised grassed area of the heritage listed site and incorporates landscaping elements such as seating, retaining walls, rubbish bins and planting.

The structure of the bus shelter is to be painted black and is a modest and transparent design. The proposed works are smaller than the former Church and the proposed tones will be visually recessive and the type of infrastructure associated with a main transport route. The proposed works including landscaping and hard bus stop infrastructure are considered sympathetic in design to the historic heritage values of the listed place, there is no loss of heritage values through incompatible design and are designed in what is clearly identifiable as new materials. The proposed works satisfy E 13.7.2 P1, P2, & P3 and

New Work E13.8.2 P1 (Heritage Precinct)

The awning to the bus shelter is located within the road reservation. This component of the proposal is exempt under clause E13.4.1 (m) of the Exemptions of the Historic Heritage Code. The remaining work, as described above, is modest and consistent with the character of the New Town Road precinct with its mix of buildings, infrastructure, landscaping and built forms along the street. The proposal does not result in detriment of the heritage values of the precinct and satisfies E13.8.2 P1.

Sarah Waight
Senior Cultural Heritage Officer
15 September 2020

8. REPORTS

8.1 Smoke - Free Hobart Project Update **File Ref: F20/78774**

Memorandum of the Manager Environmental Health of 22 September 2020.

Delegation: Committee



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Smoke - Free Hobart Project Update

The purpose of this memorandum is to provide elected members with an update on Smoke-free Hobart which was established following the Council resolution of 15 April 2019 to declare a smoke-free central business district.

Since the appointment of the Tobacco Project Officer (TPO) in August 2019, over 200 no smoking signs have been placed on footpaths, rubbish bins, poles and seats in smoke-free areas, as well as large temporary corflute signs erected from time to time in Hunter Street and Elizabeth Street Mall to raise awareness of existing and new smoke-free areas. Flyers have been distributed to all taxi companies, UTAS and cruise ship operators, as well as hand delivered to all businesses within the smoke-free central business district.

Daily patrols have been conducted since the commencement of the position, with many hundreds of people being spoken to and educated or issued a warning in both existing and new smoke-free areas. The Covid-19 pandemic interrupted the planned high profile launch of the smoke-free CBD, and this has required a significant re-think of the implementation plan. Following the shutdown of the city and the financial hardship for many that has followed, the gradual return to people to the CBD indicates that many people remain unaware of the new smoke-free areas. New people on a daily basis are spoken to and repeat offenders are a rarity.

As expected, some issues have arisen with smokers starting to form groups at locations just outside the designated smoke-free area. The TPO has endeavoured to work with affected businesses and individuals to reduce the impact of this. Smokers are appropriately moving outside of the boundary to smoke, however groups naturally form from time to time and smoke drift can impact pedestrians and workers.

Smoking in the bus mall continues to be problematic, and since the declaration of the CBD in April 2020 reducing smoking in Kemp Street / Purdy's Mart, a traditional and long term smoking area, has been a focus with positive inroads being made. A total of 51 complaints have been received and addressed over this period.

Council has lobbied for an increase in the smoking distance from doorways from 3m to 5m. The Local Government Association of Tasmania considered this proposal at their 3 July 2019 meeting with the motion being carried. Advice from the Department of Health was that this suggestion was not supported as it would be difficult to enforce, and that an entire smoke-free CBD was seen as more effective. As previously advised, there has also been a delay at state government level in relation

to the declaration of the Royal Hobart Hospital as a smoke-free area. Amendments to the *Public Health Act 1997* in relation to this are scheduled to be introduced to Parliament in 2021.

In relation to the identification of additional smoke-free areas in the Hobart local government area, the city in partnership with the Menzies Institute is applying for a Health Tasmania Grant to conduct ongoing research and community consultation to examine the impact of the CBD declaration and any future expansion. If successful, the rigorous data captured through this project will enable evidence-based recommendations to be presented to the Council in future.

In the interim, the TPO is responding to requests for extensions to the existing boundaries by capturing the information and undertaking increased monitoring. Criteria is being developed to compliment any research data and enable a transparent assessment in relation to any future recommendations. The draft criteria are;

- *Has there been a significant increase in the amount of smokers in the area as a consequence of the smoke free area?*
- *Is this likely to be a long term negative outcome or is it expected to be a short term displacement of smokers that is expected to diminish in time?*
- *Can this be resolved by using reasonable alternative measures to mitigate the problem?*
- *Does this impact the health of vulnerable people due to repeated exposure?*
- *Will inclusion of the smoke free area then result in significant impact to others?*

The TPO currently provides representation on the Tasmanian Tobacco Coalition and has established relationships with relevant stakeholders including the Tasmanian Drug Education Network and Tasmanian Health Promotion Practices and Partnerships. Collaborative work is ongoing to support smoking cessation programs, an example being prior to the Covid-19 pandemic we partnered with Quit Tasmania to host carbon monoxide testing in the Mall.

RECOMMENDATION

That:

- 1. A further update to the City Planning Committee be provided in February 2021.***

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.



Felicity Edwards
**MANAGER ENVIRONMENTAL
HEALTH**

Date: 22 September 2020
File Reference: F20/78774

8.2 Urban Design Advisory Panel - Membership
File Ref: F20/101778

Report of the Director City Planning of 22 September 2020 and attachments.

Delegation: Committee

REPORT TITLE: URBAN DESIGN ADVISORY PANEL - MEMBERSHIP**REPORT PROVIDED BY:** Director City Planning**1. Report Purpose and Community Benefit**

- 1.1. This report seeks approval for the appointment of five members for the Urban Design Advisory Panel.
- 1.2. Three positions were advertised in *The Mercury* on 22 August 2020. The positions that are required to be filled is the position of the chair, a member with both planning and urban design expertise and a member who currently holds an academic position in urban design. As per the Terms of Reference, these roles are for a tenure of three years.
- 1.3. Two positions were nominated by the Tasmanian Chapters of the Australian Institute of Architects and the Australian Institute of Landscape Architects as per the Terms of Reference, these roles are for a tenure of three years.

2. Report Summary

- 2.1. The Council, at its meeting on 24 February 2020, resolved to seek expressions of interest in the positions for the chairperson, the member with both planning and urban design expertise and the member who currently holds an academic position in urban design be called and the current incumbents be invited to nominate for these positions.
- 2.2. As a result of the expressions of interest process, five nominations were received, one nominated for the position of chairperson. Four of the nominations also sought to be considered for the position of the member with both planning and urban design and zero applications for the member with an academic position in urban design.
- 2.3. The Tasmanian Australian Institute of Architects and the Tasmanian Australian Institute of Landscape Architects each nominated one person from each Institute.
- 2.4. The respective nominations are
 - 2.4.1. Chairperson
 - 2.4.1.1. George Wilkie
 - 2.4.2. Member with Planning and Urban Design Expertise
 - 2.4.2.1. Fiona Abercrombie-Howroyd
 - 2.4.2.2. Lucy Burke-Smith
 - 2.4.2.3. Trent Henderson

- 2.4.2.4. Ian James (current member)
- 2.4.3. Member with an Academic Position in Urban Design
 - 2.4.3.1. No applications received
- 2.4.4. Member nominated from the Tasmanian Australian Institute of Architects
 - 2.4.4.1. Keith Drew
- 2.4.5. Member nominated from the Tasmanian Australian Institute of Landscape Architects
 - 2.4.5.1. Susan Small
- 2.5. A copy of their respective nominations are attached (**Attachment A**).
- 2.6. Given the absence of a nomination for the new position on the panel for an academic in urban design it would be open to the Council to readvertise this position or to amend the terms of reference (**Attachment B**) and appoint two members with both planning and urban design experience.
- 2.7. Both the current Chair of the Urban Design Advisory Panel, Peter Curtis, and the member nominated by the Tasmanian Chapter of the Australian Institute of Architects, Jamieson Allom, will no longer continue as members. They have both been long standing members of the panel and their significant service to Council should be acknowledged

3. **Recommendation**

That:

1. ***In respect to the nominee for the Urban Design Advisory Panel as chairperson with urban design and public administration experience the Council appoint:-***
 - (i) ***George Wilkie***
2. ***In respect to the nominee for the Urban Design Advisory Panel with both planning and urban design experience the Council appoint either:-***
 - (i) ***Fiona Abercrombie-Howroyd***
 - (ii) ***Lucy Burke-Smith***
 - (iii) ***Trent Henderson***

(iv) Ian James

3. In respect to the nominee from the Tasmanian Australian Institute of Architects the Council appoint:-

(i) Keith Drew

4. In respect to the nominee from the Tasmanian Australian Institute of Landscape Architects the Council appoint:-

(i) Susan Small

5. Given the absence of a nomination for the member who is a current urban design academic the Council either

(i) readvertises the position for a further expressions of interest; or

(ii) amend the terms of reference and appoint two members with both planning and urban design experience; or

(iii) not proceed with appointing a member for this position.

6. That the Lord Mayor on behalf of the Council formally thank both Peter Curtis and Jamieson Allom for their significant service as members of the Urban Design Advisory Panel.

4. Background

4.1. The Urban Design Advisory Panel (UDAP) was formed in October 2011 to principally provide independent urban design advice to promote good design and quality urban environment. The Panel has six members with one allocated to the State Architect, however, this position remains unfilled by State Government since 2011.

4.2. The Council, at its meeting of 24 February 2020, resolved to seek expressions of interest in the positions for the chairperson, the member with both planning and urban design expertise and the member who currently holds an academic position in urban design be called and the current incumbents be invited to nominate for these positions.

Nominations requested from each from the Tasmanian Chapters of the Australian Institute of Architects and the Australian Institute of Landscape Architects.

4.3. Due to the Covid 19 pandemic advertising of the positions were deferred till 22 August 2020. As a result of the expressions of interest process, five nominations were received, one nominated for the position of chairperson. Four of the nominations sought to be considered for the position of the member with both planning and urban design. All five

nominations meet the necessary qualification and experience for the respective positions.

5. Proposal and Implementation

5.1. Five eligible nominations were received for the two of the positions, no one applied for the position that the member hold an academic position in urban design. There was one applicant for the chairperson position and the current incumbent chairperson has not renominated. The remaining four applicants applied for the position the member with both planning and urban design.

5.2. The respective nominations are

5.2.1. Chairperson

5.2.1.1. George Wilkie

5.2.2. Member with Planning and Urban Design Expertise.

5.2.2.1. Fiona Abercrombie-Howroyd

5.2.2.2. Lucy Burke-Smith

5.2.2.3. Trent Henderson

5.2.2.4. Ian James

5.3. A copy of their respective nominations are attached (**Attachment A**).

5.4. The Council is required to select the successful nominees.

5.5. Given the absence of a nomination for the new position on the panel for an urban design academic it would be open to the Council to readvertise this position or to amend the terms of reference (**Attachment B**) and appoint two members with both planning and urban design experience. The Council could also resolve to leave the position vacant.

5.6. Both the current Chair of the Urban Design Advisory Panel, Peter Curtis, and the member nominated by the Tasmanian Chapter of the Australian Institute of Architects, Jamieson Allom, will no longer continue as members. They have both been long standing members of the panel and their significant service to Council should be acknowledged.

6. Strategic Planning and Policy Considerations

6.1. The Urban Design Advisory Panel assists the Council in delivering the following strategies that are outlined in the Capital City Strategic Plan 2019-29

Pillar 7.2 focuses on development that enhances Hobart's unique identity, human scale and built heritage.

Pillar 7.2.5 Embrace opportunities to ensure new developments and redevelopments contribute to and reflect Hobart histories, heritage and culture.

Pillar 7.2.6 Advocate for the inclusion of public spaces and public infrastructure in large private developments.

The Urban Design Advisory panel assist Council in the delivery of these goals as it provides a "sounding board" for urban design policy that the City may wish to consider.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. The cost of sitting fees has been allocated within the Development Appraisal function budget.

7.2. Impact on Future Years' Financial Result

7.2.1. The cost of sitting fees will be allocated within the Development Appraisal function budget for future years.

8. Legal, Risk and Legislative Considerations

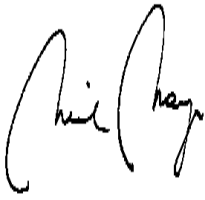
8.1. The UDAP is an advisory body only and does not make any statutory decisions. However, as an advisory panel it needs to have suitably qualified and experience members and the nominations received for the positions satisfy that requirement.

9. Delegation

9.1. The appointment of members of the Urban Design Advisory Panel for the position of chairperson with suitable urban design and public administration experience and for the member with both planning and urban design expertise is a matter for the Council to determine.



9.2. Council to appoint the nominated members for each of the Tasmanian Australian Institute of Architects and the Tasmanian Australian Institute of Landscape Architects.

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: 22 September 2020
File Reference: F20/101778

Attachment A: Nominations for Urban Design Advisory Panel-redacted ↓ 
Attachment B: Urban Design Advrsory Panel - Terms of Reference ↓ 

Mr Neil Noye
Director City Planning
City of Hobart

3 September 2020

noyen@hobartcity.com.au

Dear Mr Neil Noye

Re Expression of Interest in the Role of Chairman
Urban Design Advisory Panel

I have read the Invitation for Nominations to fill the role of a member and to undertake the Chairmanship of the Urban Design Advisory Panel.

Please accept, my personal request for consideration to be appointed to this position.

As you know I was a foundation member of UDAP and attended every meetings of the board until my retirement for employment with the City of Hobart.

I have attached a copy of my Curriculum Vitae for your reference.

The role of UDAP is of particular value at this time as there are significant demands from the development industry applying for permission to construct important infrastructure, commercial offices, apartments and hospitality projects in the City Centre.

UDAP provides an important forum, where developer teams are offered opportunities to discuss their projects with a qualified and experienced panel.

Thank you for this opportunity

Your faithfully

George Wilkie



Curriculum Vitae

George Cooke Wilkie



Current

Author and Design Consultant

Recent until 5 May 2019

Executive Manager City Design
Hobart City Council

Responsible for the Urban Design, Architectural Design and the Management and Superintendence of Projects outlined in the Inner City Action Plan and the addenda projects added thereto.

When appointed to this role in 2010 it was my responsibility to work with the Directors of Infrastructure, Planning and Economic Development to prepare the Inner City Action Plan, the first stage of the Inner City Development Plan and in response to the report by Gehl Architects, Hobart; A City with People in Mind, November 2010.

Member – City of Hobart, Urban Design Advisory Panel

Chair – City Action Planning Team

Convenor – Forum for Urban Design Excellence – Tasmania

A representative forum for the advancement of urban design in Tasmania.

Members include the University of Tasmania, the Tasmanian State Architect, Australian Institute of Architects, the Australian Institute of Landscape Architects, the Planning Institute of Australia, Consult Australia, the Building Designers Association, Tasmania and the Hobart City Council.

Assessor – Building design awards 2011, Building Designers Association, Tas.

November 2007 to November 2010

Manager Architectural Projects
Hobart City Council

Responsible for the provision of architectural and landscape architectural professional services to the Council. Projects included completion of the Long Beach Seawall and Public Recreational Park project, project management and contract administration of the Council Office Annex upgrade, designer and project manager for the additions to the Domain Tennis Centre, design architects for the Huon Road Bushland Administration offices, the Franklin Square public toilets upgrade and many smaller projects. Asset Maintenance Manager for all buildings owned and operated by the Council.

Certificate of Achievement– High Performance Leadership Training Course
Hobart City Council & Griffith

Until November 2007

Senior Partner
Wilkie Interiors Architects Planners
Leura 2780 NSW

Projects include:

Chapel, Offices & Mausoleum complex at Liverpool General Cemetery, 2007

A modern chapel able to accommodate over 100 mourners. It is fitted with a sophisticated audio-visual system that can play and record a wide range of visual material plus provide a voice and music audio system.

The chapel is acoustically designed and air-conditioned to allow quality use of a 600 pipe organ.

A modern air-conditioned reception room with a food and beverage kitchen is provided for after service gatherings.

The management of cemetery trust has modern public reception facilities, workstation equipped offices and staff facilities.

Under the chapel, reception and office facilities there is a mausoleum containing 23 family vaults (ranging in capacity from 9 to 20 caskets). The vaults are accessed by two basilica style naves finished in polished stone and incorporate a sanctuary.

Other architectural projects:

Chapel, Offices and Crematorium complex for Richmond (NSW) Cemetery

Site Design, Chapel, Offices and Crematorium for Leura Lawn Cemetery

Chapel and Crematorium for the Moss Vale General Cemetery

Commercial/Industrial Master Plan & Building Design, Egan Industrial Estate

Commercial/Industrial Design for Shaw Developments

Retail/Warehouse Complex Design for St Vincent de Paul Society, Katoomba

Multiple Residential Design, Documentation and Superintendence Projects

Interior Design and Office Fit-out Project for Roche Diagnostics

Design of major project for Kennards Self Storage at Penrith

Design of Office Additions for Total Construction Pty Ltd

Design & Documentation, major office fit-out for FMK Norwest Park, Sydney.

Design & Documentation, significant additions to Heritage residence Leura

The majority of the projects require detailed analysis of the NSW Environmental Planning and Assessment Act, the NSW Heritage Act, LGA Local Environment Plans, LGA Development Control Plans, Bushfire Legislation, Codes and Conditions.

In residential projects, all designs were assessed under the NSW BASIX environmental system, specifically emphasis on energy and water efficiency and environmental impacts. All projects in NSW require Statements of Environmental Effects or Environmental Impact Statements; these are produced in house at the practice.

The BMCC is surrounded by the Blue Mountains World Heritage National Park and many precincts and buildings in the upper mountain villages – Wentworth Falls, Leura, Katoomba, Blackheath and Mt. Victoria have a significant number of heritage listed items, streetscape and landscape protections.

In 2000 we received a heritage citation from the City of Lithgow for Innovative Heritage Building Design, for adaptive reuse of stables at Meads Farm (previously the Kerosene Inn c 1860), Little Hartley.

Academic Career

Program Director
Faculty of Design Architecture and Building
University of Technology NSW

Experience includes:

Director of Interior Design Degree Program

This position required:

Administration of the four-year fulltime Interior Design Program

Membership of the Faculty Management Committee

Membership of the Faculty Board

Membership of the Faculty Board of Examiners

Member of (and sometime chair of) the Interior Design, Heads of Program Association

Chair of Interior Design Program meetings

Chair of the Course Review Panel

Management of the Program Staff, including the Program Assistant, six fulltime academic staff members, up to twenty part-time lecturers and two resource (library) staff.

Management of the Interior Design Program Budget

Directing the Interior Design Course

Preparing regular course reviews

Development of research programs

Overseeing the quality of the teaching and learning activities of the program to meet the requirements of the over 200 students studying at any one time

Reviewing course content, delivery and assessment

Ensuring all students were provided with the correct information to understand and decide their progress through the course

Counsel students requiring assistance for any reason

Maintaining an outreach program to maintain sound relationship with the professional and industry bodies associated with interior design

Membership of the NSW Heritage Network.

Membership of the Design Institute of Australia

Ensured that all information was correct when provided to prospective applicants through published documents, Internet sites and secondary school course advisors

Assessed the quality and quantity of applicants to ensure suitable entry standards

Ensured that disadvantaged applicants were provided with opportunity to gain entry to the program

The Interior Design Program has offered students sound major study in the requirements of the interior design profession and a wide range of minor study options. Minor studies included; production design (in association with the Australian Film, Television and Radio School), Production Design for Theatre, Furniture Design, Photograph and associated studies.

A number of international exchange programs were developed during my directorship, particularly with Germany and the United Kingdom.

Senior Lecturer - Interior Design

During the time spent at UTS (and the Sydney College of the Arts- prior to amalgamation with UTS), I prepared courses, ran studios and assessed students in all years of the design component of the interior degree course.

During my directorship the students achieved high design standards, employment rates on graduation were high and many graduates have become partners and directors of major interior design practices.

Students from my studios have won many student and other design competitions, the most significant of these was a commendation in the Darwin Parliament House Competition.

Senior Lecturer - Interior Technologies

Building and services technologies are an important component of a modern Interior Design course. I developed and taught courses in the construction and fit-out technologies required to document commercial office designs, hospitality including accommodation and food services designs, retail and shopping precincts designs, residential dwelling and apartment designs...

Senior Lecturer - Conservation & Heritage Interior Design

Many interior design commissions require the adaptive reuse of heritage-listed buildings. I actively developed and conducted courses in the conservation and intervention processes required to ensure quality outcomes in this field.

Visiting Lecturer - Conservation & Heritage –
Masters Program, Property Management

This course required communicating to students, who are predominately employed in the property development industries, the attitudes and methodologies required to sympathetically work with heritage listed properties, to achieve commercial viability while maintaining the community's requirements to retain the heritage values of the subject properties.

Students are provided with lectures, studies and activities that develop their skills in; understanding heritage controls, preparing heritage assessments and preparing the necessary applications to the control authorities.

Lecturer - Land Economics
University of Western Sydney

The Hawkesbury Agricultural College (University of Western Sydney) had a long history in educating students to work in the real property valuation profession. The Land Economy course, of which I was a foundation member, extended the role of the property valuer to a pro-active member of the property development industry. The course provided studies that combined the knowledge of valuation with a wider knowledge of development planning, this moved the role of the profession from placing a value on an existing property, to working with client bodies to determine with a degree of economic accuracy the commercial value of proposed developments.

Architectural and Construction Management Career, NSW

Managing Director, Interior Design
Cann Architects

Responsibilities:

To manage the Interior Design departments of Cann Architects, in the Sydney, Perth, Brisbane, Gold Coast and Cairns Offices.

Cann Architects was a large architectural practice that was established in Perth and had expanded to maintain practices in Sydney, Brisbane, the Gold Coast and Cairns.

My role was to establish a parallel multi-state interior design practice.

My time with Cann was a sabbatical experience for one year. It was a highly rewarding experience and allowed me to work on large projects throughout Australia.

Manager, Design and Construction
Australian Safeway Stores

Responsibilities:

To negotiate with real estate companies and building developers, to prepare the design briefs, employ and supervise architectural, engineering and other consultants, to administer the building and fit-out contracts, for all of the Companies supermarkets and warehouses in Sydney.

Australian Safeway Stores Ltd was the Australian arm of the second largest food retailer and manufacturer in the USA.

It had an established presence in Melbourne and aimed to move into the Sydney Market.

I was charged with designing and building the Sydney supermarkets and supporting warehouses.

Safeway was at the cutting edge of supermarket design and was responsible for many of the design features still taken as representing supermarket shopping in Australia. The stores were the most energy efficient of all the major operators.

Early Career in Architecture, Victoria

Architectural Designer – Residential apartments
D J Ryan Developments Pty Ltd

Partner Architect – Residential and Industrial Design and Documentation
John P Hammond Jr. Pty Ltd

Design Architect – Commercial Offices, Industrial Complexes and Warehouses
Paynter and Dixon Pty Ltd

Architectural Designer – Residential dwellings, townhouses and apartments
McLean Brothers, Builders

Architectural Assistant – Design and documentation of Mt Tom Price, WA.
Peter Goodman and Associates

Architectural Assistant – John Baird Architect
Residential design and documentation

Publications

George Wilkie, Building Your Own Home, New Holland (1984 to Present Ed 2011)

George Wilkie, Alterations and Additions to Your Home, Lansdowne (1998)

George Wilkie, Practical Garden Planning, Child & Associates (1990)

George Wilkie, Do it yourself, Weldon (1991)

Education & Qualifications

Architectural Fellowship Diploma
Royal Melbourne Institute of Technology
Studied at RMIT for five years fulltime and three atelier years
Completed the NSW Board of Architects registration examination in 1973.

Registered Architect NSW – Registration No. 3667 – 17 June 1975

Registered Architect, Tasmanian Board of Architects –

Accredited Building Practitioner, Tasmania, Architect, No. CC4907 L

Associate of the Royal Australian Institute of Architects –
26 September 1977 - Registered Number 10377

Graduate Diploma in Town and Country Planning, University of Sydney
6 April 1981

Graduate Diploma in Education, Sydney Teachers College, University of Sydney
1 May 1981

Associate (Design Education) of the Design Institute of Australia
Serial Number 299 – 22 August 1985

Courses in AS 4000 Contract by Standards Australia

Courses in BASIX NSW Department of Planning and Infrastructure

Numerous Continuing Education Units for the NSW Board of Architects registration requirements

Other experiences

International Union of Architects,
Conference of Architecture and People,
Oxford, United Kingdom

Special Consultation Conference,
City of St Petersburg,
Russian Federation

Regular commentator on radio stations 2GB (with Mickie DeStoop) and ABC 702 (with Sally Loane),
speaking and responding to questions on architecture, interior design and heritage.

Weekly contributor, for 5 years, to the property section of the Sydney Morning Herald, writing articles on
residential architecture and home construction.

7 September 2020

The General Manager
Hobart City Council
GPO Box
HOBART 7001 Tasmania

Dear Sir

Vacancies - Urban Design Advisory Panel (the Panel), City of Hobart

I refer to your advertisement in *The Mercury*, dated 22 August 2020, for nominees to fill vacancies on the abovenamed Panel. I wish to be nominated for the General Vacancy, "(O)ne nominee to fill the role of member, with both planning and urban design expertise."

I note the Terms of Reference for the Panel (HCC, 16/123, Feb 2018), which state that the Panel should provide

- Independent urban design advice promoting good design and a high quality urban environment.
- Advice to applicants on significant development in the central city prior to the lodgement of an application for a planning permit.
- Advice to the Council on formal planning applications for significant developments, limited to compliance with relevant urban design provisions of the Council's planning schemes.
- Urban design advice to the Council as it sees necessary on appropriate urban design controls and on both City of Hobart and privately initiated relevant planning scheme changes and
- Urban design advice to the Council on significant City of Hobart capital works projects.

Firstly, may I commend the Panel on its work since its inception in 2011, a period which has seen rapid development on an unprecedented scale over the previous twenty years. Development applications to the City of Hobart have ranged from small scale inner urban infills to large inner-city proposals significantly outside the parameters of the Tasmanian Planning System.

While I note the Panel's considerations are limited to the relevant urban design provisions of the planning scheme applicable for a site, it is also noted that the Panel needs to draw on broad urban design principles in order to provide advice to the City Planning Committee. In my view, this system works and there is manifest evidence of this over the last few years. Advice from the Panel has allowed proponents to modify their proposals as appropriate prior to formally lodging applications. Notable examples are the Palace Hotel, 28 Elizabeth Street, Fragrance Hotel, 2-6 Collins Street, and the redevelopment of Civic Square.

I recognise and understand that there is an important role for grass roots community involvement in the development of the City of Hobart and I note that, as there has been an escalation in the number and complexity of development applications, there has also been an incremental growth in vested interest groups. I wish to make it clear that I am a planning professional who is completely independent of any community-based groups that might have an interest in proposals that may come before the Panel for its consideration. This enables me to offer the City of Hobart the highest level of integrity when considering matters of public interest.

With over 20 years' experience in both the Tasmanian public sector and as a consultant, as detailed on my *Curriculum Vitae*, I also offer detailed knowledge of the Tasmanian Planning System and the broader policy environment, which are informed by best practice principles of urban design and land use and transport planning.

I believe that I would make a credible and rigorous contribution to the Panel's work, and I look forward to an opportunity to discuss this General Vacancy with you or your nominee further.

Yours faithfully



Fiona Abercrombie-Howroyd
Abercrombie-Howroyd and Associates



Encl

**Curriculum Vitae**

Name Fiona Abercrombie-Howroyd
Director, Abercrombie-Howroyd and Associates

Address [REDACTED]

Phone [REDACTED]

e-mail [REDACTED]

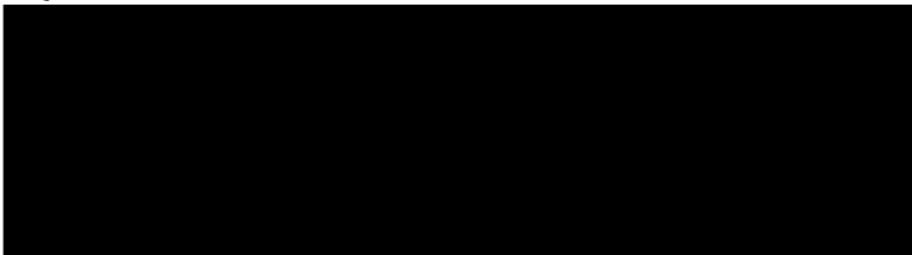
Qualifications Master of Public Administration, UTas (2002).
Diploma, Australian Institute of Company Directors, (2003)

Education The Friends' School, Hobart
Rosny College.

Current enrolment (deferred) Graduate Diploma, Environmental Planning, UTas

Summary of experience

- Academic role in post graduate urban planning program at University of Tasmania
- Principal author of studies, reports, papers, business cases and policy for local, State and Commonwealth governments
- 20 years' experience in land use planning, transport, infrastructure, energy efficiency, world heritage and natural resource management
- Management roles in the Departments of Infrastructure Energy and Resources, Treasury and Finance, and Premier and Cabinet, Tasmanian Government
- Highest level project management experience at intergovernmental levels
- Presentations and speaker at seminars, conferences and workshops for the Tasmanian government at State, national and international levels
- Consultant to peak bodies and governments on policy and technology standards for Intelligent Transport Systems (ITS)
- Co-convenor (with Planning Institute of Australia/UTas) of the biennial Abercrombie Lecture, Tasmania, 2006 – current.

Referees

Artwork: 'Late night chat is filled with dreams'. Yayoi Kusama (2009), Whitney Museum of American Art ©

Career History

August 2019- current

Casual Lecturer, School of Geography and Spatial Sciences, University of Tasmania.

August 2017-January 2018

As Director, Abercrombie-Howroyd and Associates

- Developed a comparative analysis of Hobart against Australian capital cities and international cities against geopolitical and spatial indicators to enable detailed discussion with officers and elected officials from the City of Hobart.
- Reviewed outcomes of public consultation on Modules 1-4 of the City of Hobart Transport Strategy
- Developed Table of Contents for a draft Transport Strategy for the City of Hobart.

April -September 2016

Director, Abercrombie-Howroyd and Associates contracted by Hobart City Council to develop framework for City of Hobart's Transport Strategy 2018-2030 and draft Module 1, Freight, Port and Air, as template for public consultation. This template was used for all further consultation documentation.

August to November 2015

As student in Graduate Diploma, Environmental Planning, UTAS, completed a professional placement at the Hobart City Council. Project: scoping and a draft Table of Contents for a Transport Plan for the City of Hobart.

Oct 2010 – June 2014

Manager, Major Initiatives, Office of Energy Planning and Conservation, DIER.

- Managed policy and projects in renewable energy, alternative fuels (transport), climate change, energy efficiency.
- Principle author, *Tasmanian Oil Price Vulnerability Study 2012* for the Tasmanian Government (ISBN 978-0-646-91434-3).
- Established and managed King and Flinders Islands Renewable Energy Fund, \$1m over 4 yrs. <http://www.tasenergyheating.com/-solar-hot-water.html>
<http://www.visitflindersisland.com.au/flinders-island-clean-green-airport-shuttle/>

July 2007 – May 2010

Assistant Director, Forest Policy, DIER.

- Authored Tasmanian Govt component of Australian Govt reports to World Heritage Committee (UNESCO) 2005-2009 on Tasmanian Wilderness World Heritage Area.
- Management of Secretariat for Environment and Resources Heads of Agency and coordination of relevant issues for whole of government.
- Management of *Tasmanian Community Forest Agreement* (Tasmanian and C'wealth funding totaling \$221m). Management of annual reporting to C'wealth on expenditure and implementation for whole of government.
- Review Team for 2nd Tasmanian Regional Forest Agreement Review 2008, with Reviewer, John Ramsay.

Aug 2005 – June 2007

Senior Policy Analyst, Policy Division, DPAC

- Provision of Whole of Govt policy advice on land use planning, natural resources, infrastructure, transport, energy, world heritage, and climate change.
- Tasmanian Government representative on COAG Climate Change Working Group and National Emissions Trading Taskforce
- Management of the *Tasmanian Community Forest Agreement*, reporting on expenditure and budgets.

- Team leader assessing annual Budget submissions from Government Agencies (DoE, DIER).

Jan – Aug 2005

Senior Policy Analyst, Local Government Division, DPAC

- Key Performance Indicator Report for Tasmanian Local Government 2003-04
- Development of an evaluation framework for five year review of KPIs.

Nov 2003 – Dec 2004

Project Manager, Land Transport Safety, Dept of Infrastructure Energy and Resources.

Introduction of regulations on Driving Hours Record for heavy vehicle industry in Tasmania.

Apr – May 2004

Acting Manager, Ministerial Liaison Unit, Dept of Infrastructure Energy and Resources.

Aug 2002 – Nov 2003

Senior Project Officer, Business Case to redevelop the Motor Registry System [MRS], for Tasmanian Government.

Inter-Agency Steering Committee team delivered a Business Case to Cabinet to redevelop the MRS to deliver “whole of government” outcomes. A \$24.5m project over seven years.

Oct 2001 – Jun 2002 Assistant Director, Office of the Tasmanian Energy Regulator, Dept of Treasury and Finance.

- Stages 1-3 pipeline construction licences, licensing framework for Duke Energy under the *Gas Act 2000*; establishment, publication and monitoring of standards and codes for gas entities
- Licensing of Woolnorth Wind Farm Stage 1 and conversion of Bell Bay Power Station
- 12 concurrent public consultations for licences and codes
- Planning and policy for entry into National Electricity Market for distribution and retail
- Development of draft licensing framework for Joint Advisory Panel on Basslink
- Management of the Gas and Electricity Customer Consultative Committees
- Management of the Tasmanian Electricity Code and derogations process.

July 1999 – Oct 2001 Project Manager, National Intelligent Access Project (IAP), DIER and Standing Committee on Transport.

The IAP is a nationally consistent program to monitor heavy vehicles through in-vehicle telematics/GPS. Delivery to market is via an innovative public/private partnership model. The Project was developed in DIER and successfully transferred to Austroads in 2001 for implementation, final feasibility being accepted by Australian Transport Council in 2003. <https://www.onlinepublications.austroads.com.au/items/AP-R223-03>

Sep 1998 - Jul 1999 Policy Adviser, Aviation and Transport Logistics, DIER.

Affiliations/memberships

- Planning Institute of Australia (Tasmania)

Consultancies

- Contracted by Hobart City Council to develop project documentation and Module 1 for the City of Hobart Transport Strategy 2018-2030, from January 2016 to January 2018.
- Consulted to Intelligent Transport Systems Australia and Victorian Govt on national policy required to establish a national Centre of Excellence for ITS.

Presentations and papers

- Spatial Planning Program, Royal Town Planning Institute Annual Conference, London, June/July 2005
- Panelist, Australasian Fleet Managers Association Conference, Hobart, May 2003

- Paper presented in Technical Program at International Road Federation World Congress, Paris 2001
- Adviser to OECD, Paris, 2001 on Intelligent Transport Systems
- Workshop, Department of the Environment Transport and the Regions, London, 2001
- Australian delegate, International Standards Organisation, Cologne, 2001.

Professional Development

- DIER Senior Management Training Program 2010 - 2014
- Occupational Health and Safety course, TAFE, May 2008
- Certificate, Advanced Benefit Cost Analysis, University of Queensland, 2004
- "Managing Up", Searson Buck, 2004
- Certificate, Effective Negotiations (ENS), 2004
- Certificate, Thomsett Business Systems Analysis, 2003
- Certificate, Private /Public Partnerships University of Queensland, 2000

LUCY BURKE-SMITH

ARCHITECT & HERITAGE CONSULTANT



Lucy is a registered architect with specialist experience in built heritage and post graduate qualifications in heritage conservation. She has over 17 years experience in the management of delivery and management of complex, large-scale conservation and infrastructure projects and extensive experience as a participant in, and leader of, multidisciplinary teams. In addition Lucy has over 14 years demonstrated experience in public administration through senior management roles in government. During her time in government Lucy was responsible for ensuring quality design and conservation outcomes for the significant heritage property portfolio's of The Rocks and Port Arthur Historic Sites.

PROFESSIONAL EXPERIENCE

Purcell Architecture

Associate

2017 - present

Leadership role within the practice. Responsible for the co-ordination and delivery of a broad portfolio of architectural, masterplanning and heritage consultancy projects for Commonwealth, State, Local Government and private clients. Asia Pacific representative on the Purcell Board of Trustees.

Port Arthur Historic Sites Management Authority (PAHSMA)

Conservation Manager

2013 - 2017

Senior management role. Responsible for conservation and management across three of the historic sites forming the Australian Convict Sites World Heritage Listing. Project Managed the delivery of the Penitentiary Precinct Conservation Project and Port Arthur Visitor Centre.

Sydney Harbour Foreshore Authority (SHFA)

Heritage Architect

2006 - 2013

Senior management role. The SHFA managed over 100 heritage listed places within The Rocks heritage precinct. Responsible for the conservation management of this portfolio on behalf of the government, inclusive of State Agency Heritage Guidelines. Part of this role included delegated authority from the NSW Heritage Council for the determination of applications under the NSW Heritage Act 1977. Consultation and engagement with project proponents to ensure quality design and conservation outcomes for this significant urban precinct.

NSW Government Architects Office

Graduate of Architecture

2004 - 2006

Project Lead and support on a range of architectural, urban design and conservation projects for State Government Agencies.

NSW Public Works

Graduate Program

2003 - 2004

Rotation through State Government departments inclusive of Project Management roles and as Assessment Officer at the NSW Heritage Branch.



EDUCATION

Registered Architect

Tas ARB No. 898, NSW ARB No. 8242

Grad Cert Heritage Conservation

University of Sydney

BArch Hons I

University of Newcastle

BSc (Architecture)

University of Newcastle

COMMITTEES AND PANELS

Australian Institute of Architects (Tas) Awards

Jury Chair 2020

Purcell Employee Ownership Trust

Board of Trustees (current)

Cascade Female Factory Design Competition

Competition Advisor 2017-2018

PUBLICATIONS, CONFERENCES AND TEACHING

Sessional (USYD) Masters of Conservation

New Design in Old Settings 2019

Australia ICOMOS Conference

Penitentiary Precinct Conservation Project 2015

Architecture Bulletin

Provoke 2018

Ambitions 2016

SELECT PROJECTS

Bridgewater Bridge

Lead consultant in providing strategic heritage advice to State Growth. This advice seeks to manage and monitor the potential impacts of an upgrade to the Bridge across the complex features of the Bridgewater Crossing inclusive of the convict built causeway and existing and previous bridges.

Client: Department of State Growth, Tasmania



Bridgewater Bridge (Source: Libraries Tas)

Treasury Complex and Public Buildings, Hobart

Lead author for a Conservation Management Plan for the Treasury Complex and Public Buildings, prepared in collaboration with ERA Planning. The CMP which is intended to inform future feasibility studies, and adaptive re-use thus ensuring long term conservation throughout any future development.

Client: Department of Treasury and Finance, Tasmania



Treasury Complex and Public Buildings (Source: Purcell)

Morwell Power Station and Briquette Factory, Morwell, Victoria

Lead author of a Conservation Management Plan (CMP) for the state heritage listed Morwell Power Station and Briquette Factory, located in amongst a collection of post-war industrial power generation sites in the La Trobe Valley. The CMP will provide a detailed understanding and practical significance assessment of remnant structures that enabled power generation and production of coal briquettes to assist future management, conservation and use of the site, including the identification for change and development.

Client: Gippsland Infrastructure



Morwell Power Station and Briquette Factory (Source: Purcell)

Cascade Female Factory Historic Site, Hobart

Provision of professional advice and management of the multi-staged international design competition. This included management of the competition Jury in accordance with AIA Competition Guidelines and State Government procurement considerations. Development of the functional brief was undertaken in consultation with PAHSMA. Following the award of competition Purcell were retained to provide continued support to ensure that the design development retained integrity against the functional and budget objectives with ongoing client side review of design development.

Client: Port Arthur Historic Sites Management Authority (PAHSMA)

Port Arthur Penitentiary Conservation Project, Tasmania

This project was awarded the prestigious UNESCO Asia Pacific Award for New Design in Heritage Context. The project sought to stabilise the symbolic Port Arthur Penitentiary with minimal intervention to the heritage fabric and values of the place. The developed solution stands as an exemplar and one that UNESCO cites as a 'vocabulary being clearly of its own time yet deferential to the iconic historic building'.



Port Arthur Penitentiary (Source: PAHSMA)

Last Printed: 7/9/20



Monday, 7 September 2020

Mr N Heath
General Manager
City of Hobart
GPO Box 503
HOBART TAS 7001

Attention of Mr Neil Noye
Director City Planning

Dear Mr Heath,

APPLICATION FOR POSITION – URBAN DESIGN ADVISORY PANEL

For the Attention of Mr Neil Noye

I wish to register my nomination for the City of Hobart's Urban Design Advisory Panel.

I am passionate about the connection to place that is obtained through people remaining and engaging with that space. Within an urban environment this is achieved with quality urban design that engages a diverse spread of people and fosters a safe and inclusive public space.

I am a Registered Planner with the Planning Institute of Australia with over fifteen years working in the Tasmanian Planning System, the majority of which has been as a Local Government Planner at Kingborough or Huon Valley Councils. I have gained a sound understanding of the importance of good public policy through working as both a statutory and strategic planner and whilst coordinating the Planning and Development Unit at Huon Valley Council. As can be seen by my attached Curriculum Vitae, I have had considerable experience with public space design, particularly in the context of understanding how individuals and a community can form an attachment to a space which has the potential to foster economic development for the businesses surrounding and associated with that space.

Trent Henderson

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Last Printed: 7/9/20

My extensive experience working as an urban planner is strengthened by my academic research within this field. Throughout my academic career there has been as strong focus on the community's sense of place and how development and design can impact both negatively and positively on such an attachment. I have since obtained a Master of Environmental Planning with a core focus on urban design and place attachment, utilising the development opportunities for Kingston Central Business Area as a study focus. My master's degree has been supplemented with a Graduate Certificate of Urban Design, further exploring in detail urban design principles. Additionally, my recent completion in of a certificate in Busines Sustainability Management, from the University of Cambridge explored the economic opportunities that present themselves through focusing on and implementing the United Nation's Sustainable Development Goals, particularly for generating local development and reinvigorating local economies. These sentiments are driving core principles behind placemaking currently voiced from urbanist thinking for new local economic focus post COVID-19 and the impact this will have on how urban space will now be used.

Peoples' connection to the place, specifically within the urban environment, is a core passion of mine that sees me constantly researching and engaging in the field as a matter of course, which keeps me up to date with smart cities principles, safety by design and equitable access concepts to name but a few. As such, I know that I would be an asset to the City of Hobart's Urban Design Advisory Panel. My experience as a local government planner along with previous professional Board Membership, especially with the Local Government Professionals Australia (Tasmania), and my advisory role for the University of Tasmania Master of Planning Course Advisory Committee, means I am eminently suitable for the advisory role and have a strong understanding of the requirements of Council.

Please find attached my curriculum vitae that details my experience and knowledge for the advisory position.

I look forward to discussing the position with you or your representative as soon as possible. I can be contacted anytime on either my mobile [REDACTED] or via email [REDACTED]

Yours sincerely,



Trent Henderson (RPIA)

Trent Henderson

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Last Printed: 7/9/20

Curriculum Vitae

Trent Jason Henderson**Professional Membership & Experience:****Registered Planner of the Planning Institute of Australia (RPIA)****Associate Member of the International Council on Monuments and Sites (Australian ICOMOS)****Member of Local Government Professionals Australia****since 2015**

- Corporate Member July 2020 to Current,
- Board Member Local Government Professionals Tasmania Oct 2019 to June 2020,
- President Southern Branch Tasmania Sept 2019 to June 2020,
- Secretary Southern Branch Tasmania 2016 to 2019
- Tasmanian Representative – LGPA National Research Committee Sept 2015 – Sept 2016.
- Won the 2015 Australasian Local Government Managers Challenge.

Board Member of Immaculate Heart of Mary Catholic School**since 2016****June 2020 to Current – Red Seal Urban & Regional Planning – Principle Planner, own Town Planning Consultancy.****October 2019 to Current – University of Tasmania Master of Planning Course Advisory Committee Member****September 2017 – Residential Representative for New Town Retail Precinct Upgrade – City of Hobart, Project Action Team member.****May 2016 to June 2020 – Senior Planning Officer – Huon Valley Council**

- Lead and coordinate Huon Valley Council's Planning and Development Services Unit,
- Member of Council's Major Projects Committee,
- Provide in-house planning advice for the *Huonville & Ranelagh Master Plan*,
- Coordinate land use planning and development engineering services,
- Development, maintenance and review of Council's Planning Scheme, land use strategies and related policies,
- Assess planning applications, planning scheme amendments, and related matters,
- Advise developers, community members, Councillors and internal staff on planning and development engineering matters,
- Represent Huon Valley Council at the Appeals Tribunals and other public planning forums,
- Lead, mentor and oversee statutory and strategic planners and development engineer,
- Other Council roles – Contact Officer, Mental Health First Aider,

January 2010 to October 2015 – University Research Associate, School of Geography & Environmental Studies, University of Tasmania

- This position involved working with academic research staff on the analysis of Planning Policy at international, federal, state, and local government levels with a particular focus on planning design policies for regional development and how individuals and a community can form an attachment to a place through such Planning Policy.

Trent Henderson

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Last Printed: 7/9/20

March 2006 to May 2016 – Planning Officer – Kingborough Council

- Planning Officer for ten years in a position that covered both strategic and statutory aspects of planning. Council roles included Acting Senior Planner, and involvement in:
 - Numerous development applications, particularly Telecommunication Towers or applications involving a community asset plus assessment or design impact on public space,
 - Represent Kingborough Council at the Appeals Tribunals and public planning forums,
 - Take the New Urbanist inspired Kingston Green Master Plan and draft initial provisions for the Specific Area Plans within the Interim Planning Scheme 2015, whilst maintaining the urban design principles of New Urbanism,
 - Take the Former Kingston High School Site Master Plan prepared by Consultants and draft the initial Specific Area Plans provision for the Kingborough Interim Planning Scheme 2015, whilst maintaining the pedestrian and play based objectives of the master plan,
 - With Councils Sport & Recreation Planner undertake a Municipality survey of public open space and develop the base for a strategy & contribution policy,
 - Working with Council's Sport & Recreation Planner, Urban Designer, and various Developers to negotiate, design, and implement the following new public parks,
 - corner Dianella Drive & Burwood Drive Blackmans Bay,
 - corner Incana Road & Hyssope Road Margate,
 - corner Sunsail Street & Space Court Snug,
 - open space layout in Whitewater Creek subdivision development,
 - plus, numerous revamps and trails,
 - Inaugural member of the Significant Tree Advisor Panel.

August & September 2007 – Secondment with Heritage Tasmania

- Secondment part of the Kingborough Council's review of cultural heritage policy.

June 2005 to March 2006 – Place-maker – Female Factory Historic Site Ltd.

- Co-ordinated over 100 volunteers along with schools, government and private industry groups for an historic re-enactment of the arrival in Hobart (1829) of the first principle female convict ship *Harmony*, with the aim of initiating community engagement and promoting the importance of the convict women's heritage site and the initial European Settlement of Australia as part of the process for listing the site as a UNESCO World Heritage Site.

August 2005 to March 2006 – Consultant Field Researcher – Myriad Research Consultancy**August 2005 to March 2006 – Consultant Market Researcher for Taste of The Huon (Inc.)****2005 – Facilitator at Community Workshops – The Channel Enterprise (Inc.)**

- This event involved engaging the local Woodbridge community in the establishment of a Charter of Community Values at the Woodbridge: Tourism and Development conference and facilitated workshops on tourism, development and the planning system.

2005 - Field Researcher – Events Tasmania**Formal Education:****2019 Business Sustainability Management – Institute for Sustainable Leadership, University of Cambridge**

- Sustainability challenges & opportunities, leadership & effective change management, through addressing climate change & implementing the United Nation's Sustainable Development Goals.

2014 Graduate Certificate of Urban Design – Deakin University

- Completed areas of study: Urban Perspectives, Managing Change & Innovation, Interdisciplinary Planning & Design, Urban Ecologies, Advanced Project Management, Research Methodology, and Built Environment Integrated Project.

Trent Henderson

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Last Printed: 7/9/20

2009 Master of Environmental Planning

- School of Geography and Environmental Studies at University of Tasmania
- Field of research: Cultural Landscape and community attachment to place. Research paper explored the hypothesis of whether an authentic attachment of place can be established through good urban design policy, focusing on Kingston Central Business Area and the opportunities with the former high school redevelopment.

2007 Graduate Diploma of Environmental Planning (course work)

- School of Geography and Environmental Studies at University of Tasmania
- Areas of study: Sustainable Land Use Management, GIS Analysis, Natural Area Management, Environmental Impact Assessment, Conservation Management Planning, Protected Area Management, Ecosystem Conservation, plus Leadership, Influence & Dispute Resolution

2005 Bachelor of Arts with Honours

- The School of Geography and Environmental Studies, University of Tasmania
Thesis Title: *The Impact of Tourism and Development on the 'Sense of Place' of Small Communities: Case Study of Woodbridge, Tasmania.*

2003 Bachelor of Arts - University of Tasmania

Majors: Geography & Environmental Studies, English Literature.
Minors: History, Politics & Policy.

Additional Professional Qualification & Experience:

Regularly attended workshops/seminars hosted by PIA and other professional organisations such as ICOMOS, AILA and LGPro.

- | | |
|--------------|---|
| Aug 2020 - | <i>The New Local – Building Resilient & Regenerative Places</i> , 4-part place-making webinar workshop, by Gilbert Rochecouste & Michael Shuman from <i>Village Well</i> |
| 2017 - | Mentored a combined Kingborough Huon Valley team at LG Pro Tasmania Management Challenge |
| 2016 - | Affiliated Researcher Peter Underwood Centre for Educational Attainment |
| 2016 - | Climate Change – Chifley Business School & Planning Institute of Australia |
| July 2015 - | Joint presented at the 2015 Local Government Professionals Research Symposium |
| June 2015 - | Won the Australasian LG Professionals Australia Management Challenge |
| Sept 2014- | Erosion & Sediment Control on Construction Sites – Cert L2 QLD TAFE |
| June 2012 - | GIS and Census Data Analysis, University of Melbourne |
| July 2011 - | GIS Analysis for Planners, University of Melbourne & PIA |
| 2011 - | Legislation & Governance - Chifley Business School & PIA |
| July 2010 - | Construction Induction, Workplace Standards Tasmania (White Card) |
| April 2010 - | Urban Design - Chifley Business School & Planning Institute of Australia |
| Feb 2010 - | Place-making Workshop with David Engwicht |
| Nov 2006 – | Risk-based Land Use Planning – Emergency Management Australia |
| Oct 2005 - | Thematic Interpretive Workshop - Professor Sam Ham, Idaho University and Tourism Tasmania. |
| July 2005 - | Industry Skills in Tourism, Statement of Attainment, Southern Training, Employment & Placement Solutions. |

Trent Henderson

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Last Printed: 7/9/20

References



From: [Ian James](#)
To: [Records Unit](#)
Subject: Nomination to the Urban Design Advisory Panel
Date: Thursday, 27 August 2020 6:38:39 PM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To:
The General Manager
Hobart City Council

Re:
Recently advertised 'Invitation for Nominations to the Urban Design Advisory Panel'

Dear Sir

I wish to re-nominate as a member of the Urban Design Advisory Panel with 'both planning and urban design expertise'.

I was initially appointed to a 2 year term with the panel in May 2018 and I trust that my input to the panel has been of assistance in promoting better urban design outcomes within the City of Hobart. I have thoroughly enjoyed the opportunity to be involved in what is an interesting time in the city's development and am keen to continue for a further 3 year term.

I have more than 40 years professional experience as an urban designer, mostly within local government, which can be summarised as follows:

- 1977 Associateship in Architecture, WA Institute of Technology.
- 1977 – 1994 Employed at the City of Perth Planning Department as urban designer and subsequently as Manager of the City's Urban Development Unit.
- 1994 – 1999 Private practice Ian James Urban Design.
- 1999 – 2017 Employed at the City of Fremantle as Strategic Urban Designer.
- 2018 – 2020 Member Hobart Urban Design Advisory Panel.

I have had considerable experience in all areas of urban design, including preparation of:

- Strategic urban design and development plans.
- Planning and design policies and guidelines.
- Planning scheme amendments.
- Concept designs for city places and local centres.
- Managing design consultancies and architectural competitions

I consider that I can bring useful experience and skills to the UDAP, particularly:

- Extensive urban design understanding and experience in the planning and development of cities.
- Previous involvement in a design advisory committee dealing with architects and applicants for major developments.
- Provision of urban design comment to elected members on major developments.
- Close collaboration with town planners and other design professionals.

- Considerable understanding and experience with planning schemes and other planning frameworks.

I can be contacted by phone on [REDACTED] if you require any further information.

Yours sincerely
Ian James

Sent from [Mail](#) for Windows 10

From: [Jennifer Nichols](#)
To: [Cassandra Ross](#)
Cc: [Fiona McMullen](#)
Subject: RE: Urban Design Advisory Panel Nominations
Date: Monday, 7 September 2020 3:37:31 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[President's Prize - short citation.docx](#)

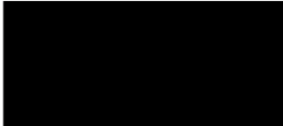
CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Cassandra,

On behalf of the Australian Institute of Architects Tasmanian Chapter I wish to put forward Keith Drew as our nomination for the Hobart City Urban Design Advisory Panel.

I have attached a short citation to give a background on Keith who recently was awarded the Presidents prize. Please let me know if you require anything further.

Keith's contact details are below;
Keith Drew



Kind regards

Jennifer

Jennifer Nichols
Executive Director Tasmania and International Chapter

Australian Institute of Architects
1/19a Hunter Street
Hobart, TAS 7000



**Australian
Institute of
Architects**

*We respectfully acknowledge the Traditional Custodians
of the lands on which we work and pay respect to their
Elders past, present and emerging.*



President's Prize 2020 – Keith Drew FRAIA

The 2020 President's Prize recognises an individual who has made a significant contribution to the architecture profession in Tasmania through mentorship, advocacy and practice.

Born in Queensland, Keith studied at the Queensland Institute of Technology, winning the Board of Architects Queensland Prize in 1982 at the culmination of his studies. Soon after, Keith and his partner took a road trip to Tasmania and saw the old schoolhouse at Lachlan (now the Agrarian Kitchen). They loved it so much that they bought it and turned it into their family home.

At this time, Keith took a job at JAWS Architects (formally Jacob Allom Wade). Jamieson Allom remembers Keith, coming down from Queensland, and applying for a position and that they were 'very impressed with him'.

'He confirmed our initial impression, soon becoming an important member of the firm and later a director in the mid-90s.'

It was during this time that Keith began his involvement with the Australian Institute of Architects, initially as a graduate representative within the Tasmanian Chapter before registering as an Architect (No. 412) in 1987. He served on the Chapter's Professional Development and Practice Committees and was Tasmanian Chapter President from 1995–1996 and a National Councillor.

Soon after 2000, Keith left JAWS and moved to Melbourne for Bates Smart. But Tasmania was home, and he soon returned to start his own practice, Keith Drew Architects, which soon grew and, in 2006, became Xsquared Architects when he partnered with Peter Scott. In 2004 he was awarded a fellowship of the Australian Institute of Architects.

Co-workers speak of him as a very patient teacher and a people person. They note the respect he shows for colleagues and the high levels of trust and responsibility he gives them. In practice one of his key traits has always been that of 'building people up'.

Keith is an excellent all-round architect: adept at client relations, design, technical and contractual matters, construction issues, management and compliance. His favourite projects are usually community-based, either a school, a public building or designing for the vulnerable through health facilities.

Keith's expertise also extends beyond the realms of pure practice: he has long been examiner of choice for the local registration practice exams, he continues to support the PALS program as a knowledgeable tutor, and is a Tasmanian Chapter Senior Counsellor. Since 2009, Keith has been the Architects Accreditation Council of Australia (AACA) Architect Practice Exam Regional Convenor (Tas), and is currently the National Convenor, along with being a director of the AACA.

Keith is always open to a passionate discussion about architecture, and is often a hair away from pulling out a napkin or envelope to begin a diagram or drawing. Not many people have served their profession with the energy, professionalism and care that Keith has.

Congratulations, Keith, on being such a worthy recipient of the Institute's Tasmanian Chapter President's Prize for 2020.

From: [Jerry de Gryse](#)
To: [Cassandra Ross](#); [UDAP Panel](#)
Cc: [Small Sue](#); [Ben Stockwin](#)
Subject: Re: Urban Design Advisory Panel Nominations
Date: Wednesday, 19 August 2020 4:02:52 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Neal

On behalf of the Australian Institute of Landscape Architects (Tasmania) (AILA), I write to re-nominate Susan Small to represent our organisation on the City of Hobart Urban Design Advisory Panel.

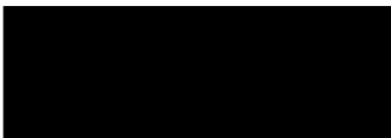
We know that Sue has enjoyed her role on the panel and understand from feedback from the professional community that she has made a very positive contribution to its proceedings.

Thank you for the opportunity for AILA to contribute to design in our City. We know that landscape architecture has much to offer in the realm of urban design.

Please do not hesitate to call on me if you require anything further from AILA.

Regards
Jerry de Gryse
FAILA, AILA Chapter President

Landscape architects plan and design for life outside. Our traditions are age old, our profession youthful in spirit, our numbers growing. Founded in 1966, the Australian Institute of Landscape Architects leads the profession in its mission to sustain people and place.





Urban Design Advisory Panel Terms of Reference

The Urban Design Advisory Panel has been formed by a resolution of the Council to assist it in promoting quality urban design outcomes of significant developments within the City of Hobart.

1. Purpose

The purpose of the Urban Design Advisory Panel ('the Panel') is to

- Provide independent urban design advice promoting good design and a high quality urban environment.
- Provide advice to applicants on significant development in the central city prior to the lodgement of an application for a planning permit.
- Provide advice to the Council on formal planning applications for significant developments, limited to compliance with relevant urban design provisions of the Council's planning schemes.
- Provide urban design advice to the Council as it sees necessary on appropriate urban design controls and on both City of Hobart and privately initiated relevant planning scheme changes.
- Provide urban design advice to the Council on significant City of Hobart capital works projects.

2. Membership

Membership of the Panel is in accordance with the resolution passed by the Council at its meeting on 16 July 2012, being (6) members consisting of the Tasmanian State Architect (currently vacant), a member who currently holds an academic position in urban design, a nomination each from the Tasmanian Chapters of the Australian Institute of Architects and the Australian Institute of Landscape Architects (including proxies) a member with both planning and urban design expertise and a chairman with suitable urban design and public administration experience. With the exception of the State Architect members will be appointed for a period of three years and are:

- Required to declare if they have a conflict of interest and may not take part in any panel meeting for which they have declared a conflict of interest.
- Subject to confidentiality requirements, that apply to City of Hobart staff and consultants



Urban Design Advisory Panel Terms of Reference

- Required to agree to these terms of reference as part of their contract with City of Hobart for specific services and terms.

Members will be paid a fee of \$168 per hour for preparation, site inspections, attendance at meetings and finalising of minutes, with a maximum payment of \$840 for the chair and \$672 for all other members.

City of Hobart officers will also attend meetings of the Panel, providing secretariat support, advice on regulatory and specialist matters, and a communication channel to those involved in the subsequent decision making process.

3. Proposal Review

Design assessment criteria and or design guidelines in the relevant planning scheme will form the basis for an urban design panel review. They are only to be considered for formal planning applications. In the absence of criteria or design guidelines within the planning schemes, the Panel may look at the following matters for all other proposals where advice is being sought:

- Quality of the architecture and its contextual relationship to Hobart;
- Visual appearance and design principles including scale and composition, architectural details, articulation of facades and the treatment of rooftops;
- The relationship of the proposed development to street, public spaces and adjacent buildings and to the character of surrounding areas;
- The location of activities and their relationship to streets and public spaces particularly at the ground floor;
- The design of pedestrian and vehicle entrances and access to and around buildings;
- The relationship to existing heritage buildings and significant open spaces in the vicinity;
- The amenity and quality of outdoor spaces associated with the development;
- The integration of publically accessible artworks into the development;
- Circulation and servicing;
- Safety for users and pedestrians;



Urban Design Advisory Panel Terms of Reference

- The design of buildings to maximise sustainability; for example in water heating, lighting, heating, natural ventilation, and stormwater reduction, treatment, storage and re-use, and building materials and life cycle;
- To ensure efficient energy use systems are utilised, both within the buildings and in relation to the entire development; and
- Ensure protection and conservation of listed heritage buildings, items and sites.

The Panel shall consider only those proposals that meet the following criteria:

- Proposals requiring planning consent that are located within the area covered by the *Sullivans Cove Planning Scheme 1997* and the *Hobart Interim Planning Scheme 2015* (Central Business, General Business, Commercial and Urban Mixed Use Zones and when proposed developments exceed 2000 m² in floor area or 3 storey's in height).
- Any City of Hobart capital works project with a value of \$1 million or greater, which is intended for public use, or to which the public have regular access and that the Council or the General Manager consider would benefit from receiving urban design advice.
- Any other development that a Director considers that the Council would benefit from receiving urban design advice.

4. Frequency and Location of Meetings

Meetings of the Panel are to be conducted on an as needed basis. The Panel members will be advised by email and will be given five (5) working days' notice.

Meetings will be closed to the public and the subsequent minutes are not to be distributed to any member of the public unless agreed to by the proponent or where the City of Hobart is legislatively obliged to do so.

Meetings will either be held in person at the City of Hobart offices or through video conferencing.

5. Meeting Administration

A quorum is obtained by the attendance of at least three members of the Panel. In the absence of the chairman, the Panel will elect an acting chairman.



Urban Design Advisory Panel Terms of Reference

The advice provided to both Council and Council officers will be provided with reasons based on agreement from the majority of members.

Minutes will be prepared by a Council officer and reviewed by the chairman to ensure a true and correct record of appropriate recommendations made at the meeting. The Panel's minutes will be circulated to the panel members, the proponent, the Lord Mayor, the Deputy Lord Mayor and Elected Members, the General Manager, the Director City Planning and the Manager Development Appraisal within 10 working days of the meeting.

Applicants/proponents are entitled to present to the Panel their proposal and answer questions from the panel in the interest of developing a better understanding of the proposal when considered prior to being lodged as a formal planning application.

6. Review of Terms of Reference

The Terms of Reference is to be reviewed at least every three years.

7. Last Updated

XXXXXX

8.3 Delegated Decisions Report (Planning)
File Ref: F20/102425

Memorandum of the Director City Planning of 22 September 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 7 September 2020 to 18 September 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: 22 September 2020
File Reference: F20/102425

Attachment A: Delegated Decisions Report (Planning) ↓

21 September 2020

Delegated Decisions Report (Planning)

35 applications found.

Planning Description	Address	Works Value	Decision	Authority
PLN-19-148 Partial Demolition, Alterations, extension and Three Multiple Dwellings (Two Existing, One New)	14 MARLBOROUGH STREET SANDY BAY TAS 7005	\$ 25,000	Withdrawn	Applicant
PLN-19-901 Change of Use to Visitor Accommodation	6 SLOANE STREET BATTERY POINT TAS 7004	\$ 0	Withdrawn	Applicant
PLN-19-930 Partial Demolition, Alterations and Change of Use to Two Multiple Dwellings	14 MARLBOROUGH STREET SANDY BAY TAS 7005	\$ 10,000	Withdrawn	Applicant
PLN-20-195 Demolition, Tree Removal, Park Upgrade and Associated Works	410 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 370,000	Withdrawn	Applicant
PLN-20-199 Dwelling	40C NICHOLAS DRIVE SANDY BAY TAS 7005	\$ 1,000,000	Approved	Delegated
PLN-20-204 Partial Demolition and Dwelling	15 ROSE COURT SANDY BAY TAS 7005	\$ 900,000	Withdrawn	Applicant
PLN-20-305 Partial Demolition, Alterations and Extension	15 BEECHWORTH ROAD SANDY BAY TAS 7005	\$ 200,000	Withdrawn	Applicant
PLN-20-315 Partial Demolition and Alterations	7 YARDLEY STREET NORTH HOBART TAS 7000	\$ 90,000	Approved	Delegated
PLN-20-327 Partial Demolition, Alterations and Extension	1/30 NEWDEGATE STREET NORTH HOBART TAS 7000	\$ 230,000	Withdrawn	Applicant
PLN-20-365 Ancillary Dwelling and Carparking	54 CASCADE ROAD SOUTH HOBART TAS 7004	\$ 45,000	Approved	Delegated
PLN-20-434 Alterations and Signage	109-113 LIVERPOOL STREET HOBART TAS 7000	\$ 50,000	Approved	Delegated
PLN-20-440 Partial Demolition and Change of Use to Multiple Dwelling (One Existing, One New)	25 ANGLESEA STREET SOUTH HOBART TAS 7004	\$ 150,000	Approved	Delegated
PLN-20-445 Ancillary Dwelling	23 PILLINGER DRIVE FERN TREE TAS 7054	\$ 175,000	Approved	Delegated
PLN-20-447 Signage	109-113 LIVERPOOL STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-20-449 Partial Demolition, Alteration, Extension, Change of Use to General Retail and Hire, and Signage	98-110 ARGYLE STREET HOBART TAS 7000	\$ 200,000	Approved	Delegated
PLN-20-450 Partial Demolition, Alterations and Extension	4 GOURLAY STREET WEST HOBART TAS 7000	\$ 300,000	Approved	Delegated
PLN-20-457 Two Multiple Dwellings	8 DOWDING CRESCENT NEW TOWN TAS 7008	\$ 478,000	Approved	Delegated
PLN-20-469 Front Fencing and Landscaping	15 FORBES AVENUE WEST HOBART TAS 7000	\$ 6,000	Approved	Delegated
PLN-20-471 Alterations, Extension and Swimming Pool	24 THELMA DRIVE WEST HOBART TAS 7000	\$ 140,000	Approved	Delegated
PLN-20-477 Partial Demolition, Alterations and Extension	671 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 200,000	Approved	Delegated
PLN-20-478 Carport	4 LASSWADE AVENUE SANDY BAY TAS 7005	\$ 4,000	Approved	Delegated
PLN-20-480 Partial Demolition, Alterations and Extension	2/24 FEHRE COURT SANDY BAY TAS 7005	\$ 48,000	Approved	Delegated
PLN-20-489 Partial Demolition, Alterations and Extension	11 RED KNIGHTS ROAD SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-20-491 Carport	6 RUPERT AVENUE MOUNT STUART TAS 7000	\$ 5,000	Approved	Delegated
PLN-20-500 Dwelling	16 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 380,675	Approved	Delegated
PLN-20-511 Carport	50 FORSTER STREET NEW TOWN TAS 7008	\$ 9,000	Approved	Delegated
PLN-20-518 Signage	99 BATHURST STREET HOBART TAS 7000	\$ 2,000	Approved	Delegated
PLN-20-529 Partial Demolition and Alterations	6 GROSVENOR STREET SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated
PLN-20-536 Partial Demolition and Alterations	6 SPRINGVALE AVENUE NEW TOWN TAS 7008	\$ 100,000	Approved	Delegated
PLN-20-538 Alterations (Solar Panels)	35 DE WITT STREET BATTERY POINT TAS 7004	\$ 6,000	Approved	Delegated
PLN-20-556 Alterations	23D MCAULAY ROAD SANDY BAY TAS 7005	\$ 20,000	Exempt	Delegated
PLN-20-562 Partial Demolition, Alterations, Extension and Ancillary Dwelling	21 WOODCUTTERS ROAD TOLMANS HILL TAS 7007	\$ 45,000	Exempt	Delegated
PLN-20-577 Subdivision (Boundary Adjustment)	23 ALCIDES AVENUE LENA VALLEY TAS 7008	\$ 0	Approved	Delegated
PLN-20-597 Partial Demolition and Alterations	22 WILLOWDENE AVENUE SANDY BAY TAS 7005	\$ 55,000	Not Required	Delegated
PLN-20-600 Change of Use to Visitor Accommodation	22 SHARPS ROAD LENA VALLEY TAS 7008	\$ 0	Approved	Delegated

8.4 City Planning - Advertising Report
File Ref: F20/102841

Memorandum of the Director City Planning of 22 September 2020 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

City Planning - Advertising Report

Attached is the advertising list for the period 7 September 2020 to 18 September 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: 22 September 2020
File Reference: F20/102841

Attachment A: City Planning - Advertising Report ↓ 

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-571	21 - 27 ELIZABETH STREET	HOBART	Partial Change of Use to Educational and Occasional Care	\$0	14/10/2020	ayersh	Director	11/09/2020	25/09/2020
PLN-20-523	3 ALBUERA STREET	BATTERY POINT	Alterations	\$16,000	12/10/2020	ayersh	Director	15/09/2020	29/09/2020
PLN-20-362	391 SANDY BAY ROAD	SANDY BAY	Visitor Accommodation Unit, New Front Gate and Signage	\$100,000	12/10/2020	ayersh	Director	18/09/2020	02/10/2020
PLN-20-520	1 BAKER STREET	NEW TOWN	Partial Demolition, Alterations and Extension	\$150,000	18/10/2020	baconr	Director	11/09/2020	25/09/2020
PLN-20-589	20 BENJAFIELD TERRACE	MOUNT STUART	Partial Demolition, Alterations, and Extension	\$45,000	21/10/2020	baconr	Director	14/09/2020	28/09/2020
PLN-20-581	136 NELSON ROAD	MOUNT NELSON	Partial Demolition and Alterations and New Deck	\$20,000	24/10/2020	baconr	Director	18/09/2020	02/10/2020
PLN-20-578	9 WATERLOO CRESCENT	BATTERY POINT	Alterations	\$100	16/10/2020	langd	Director	15/09/2020	29/09/2020
PLN-20-565	12 SEYMOUR STREET	NEW TOWN	Partial Demolition, Alterations and Extension	\$180,000	13/10/2020	maxwellv	Director	07/09/2020	21/09/2020
PLN-20-542	5 HARBROE AVENUE	NEW TOWN	Partial Demolition and Relocation of Outbuilding	\$5,000	05/10/2020	maxwellv	Director	07/09/2020	21/09/2020
PLN-20-481	59 RIALANNAH ROAD	MOUNT NELSON	Two Multiple Dwellings (One Existing, One New)	\$347,000	24/10/2020	maxwellv	Director	08/09/2020	22/09/2020
PLN-20-514	163 ELIZABETH STREET	HOBART	Change of Use to General Retail and Hire and Signage	\$0	07/10/2020	maxwellv	Director	08/09/2020	22/09/2020
PLN-20-552	2 / 5 FITZROY PLACE	SANDY BAY	Partial Demolition and Alterations	\$55,000	25/10/2020	maxwellv	Director	10/09/2020	24/09/2020
PLN-20-254	184 - 186 CAMPBELL STREET	NORTH HOBART	Subdivision (Four Additional Lots) and Demolition	\$40,000	13/10/2020	maxwellv	Director	11/09/2020	25/09/2020
PLN-20-525	28 WELLWOOD STREET	LENAH VALLEY	Partial Demolition, Alterations and Extension	\$150,000	05/10/2020	mcclenahanm	Director	10/09/2020	24/09/2020
PLN-20-544	25 LEFROY STREET	NORTH HOBART	Partial Demolition and Alterations	\$80,000	05/10/2020	nolanm	Director	08/09/2020	22/09/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-300	35 SALVATOR PLACE	WEST HOBART	Driveway and Carparking	\$20,000	07/10/2020	nolanm	Director	10/09/2020	24/09/2020
PLN-20-513	119 COLLINS STREET	HOBART	Partial Demolition, Alterations, Signage and Partial Change of Use to Food Services	\$500,000	10/10/2020	nolanm	Director	14/09/2020	28/09/2020
PLN-20-360	NICHOLAS DRIVE	SANDY BAY	Fire Trail and Associated Works	\$50,000	22/12/2020	nolanm	Council	17/09/2020	01/10/2020
PLN-20-521	26 HAMILTON STREET	WEST HOBART	Partial Demolition, Alterations and Extension	\$350,000	18/10/2020	obrienm	Director	11/09/2020	25/09/2020
PLN-20-438	518 HUON ROAD	SOUTH HOBART	Security Fence and Gates	\$100,000	08/10/2020	obrienm	Council	15/09/2020	29/09/2020
PLN-20-550	19 ALLISON STREET	WEST HOBART	Partial Demolition and Alterations	\$9,000	06/10/2020	sherriffc	Director	07/09/2020	21/09/2020
PLN-20-555	15 ALLISON STREET	WEST HOBART	Partial Demolition, Alterations and Extension	\$80,000	10/10/2020	sherriffc	Director	07/09/2020	21/09/2020
PLN-20-155	39 PRINCES STREET	SANDY BAY	Partial Demolition, Alterations, New Front Fencing and Two Multiple Dwellings (One Existing, One New)	\$210,000	21/10/2020	sherriffc	Director	08/09/2020	22/09/2020
PLN-20-148	23 SUMMERHILL ROAD	WEST HOBART	Two Multiple Dwellings (One Existing, One New)	\$250,000	02/11/2020	sherriffc	Council	10/09/2020	24/09/2020
PLN-20-104	202 - 206 MACQUARIE STREET PLN-20-104 - ADJACENT ROAD RESERVE	HOBART	New Building for 40 Multiple Dwellings, Educational and Occasional Care (Childcare Centre), and General Retail and Hire, Business and Professional Services and Food Services	\$36,000,000	01/10/2020	sherriffc	Council	17/09/2020	01/10/2020
PLN-20-372	90 PEDDER STREET	NEW TOWN	Demolition and Outbuilding	\$25,000	01/10/2020	widdowsont	Director	15/09/2020	29/09/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-368	19 VIEW STREET	SANDY BAY	Partial Demolition, Alterations, Extension and Front Fencing	\$500,000	24/10/2020	wilsone	Committee	09/09/2020	23/09/2020
PLN-20-548	24 SALAMANCA SQUARE	BATTERY POINT	Extension to Operating Hours	\$0	07/10/2020	wilsone	Director	11/09/2020	25/09/2020
PLN-20-361	10 BIMBADEEN COURT	WEST HOBART	Two Multiple Dwellings	\$950,000	03/11/2020	wilsone	Director	15/09/2020	29/09/2020

9. COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report

A report indicating the status of current decisions is attached for the information of Elected Members.

RECOMMENDATION

That the information be received and noted.

Delegation: Committee

Attachment A: CITY PLANNING COMMITTEE STATUS REPORT
- August 2020

<p style="text-align: center;">CITY PLANNING COMMITTEE – STATUS REPORT OPEN PORTION OF THE MEETING July 2020</p>				
Ref.	Title	Report / Action	Action Officer	Comments
1	<p>SUSTAINABLE BUILDING PROGRAM Open Council 15 December 2014 Item 10; Open CPC Item 8, 20 July 2015</p>	<ol style="list-style-type: none"> 1. The Council consider the development of a Sustainable Building Program based on Environmental Upgrade Finance (EUFs) in collaboration with the Tasmanian Government; 2. A detailed report for the Council's consideration, including the segmentation study and business case, be prepared on the Sustainable Buildings Program, based on EUFs by June 2015; 3. That a further report be prepared providing data on the uptake of EUFs in other cities; and 4. A report be prepared on the merits of the Council joining the Green Building Council of Australia along with the 49 of local city councils that have joined this organisation, that provides networks, training and capacity for the private and public sectors understanding sustainable building work. 	Director City Innovation	<p>The Tasmanian Government closed the project on 30 May 2019 following submission of the final report by SGS Economics and Planning Consultants (Oct 2018).</p> <p>The report concluded that a EUF did not present a viable option for Tasmania due to there being insufficient demand to achieve necessary uptake.</p> <p>The State Government indicated that the SGS report is not for public release and that the City must seek approval of the Crown before making any media statements regarding the project.</p> <p>Council is currently waiting on a response from the State Government to a letter sent from the Lord Mayor in 2019 requesting clarification of the consultant's findings, prior to reporting to the Council.</p>

Progress report to August 2020

2	<p>PROPOSED NEW HERITAGE ADVISORY COMMITTEE Open CPC Item 9, 20 July 2015</p>	<p>A report be sought on the merits of establishing a Heritage Advisory Committee in line with other councils' Heritage Advisory Committees operating around Australia.</p>	<p>Director City Planning</p>	<p>A workshop regarding the application of heritage precincts under the <i>Hobart Interim Planning Scheme 2015</i> was conducted on 31 July 2018.</p> <p>A report in regard to the establishment of a Heritage Advisory Committee was considered by the City Planning Committee on 17 February 2020 and Committee deferred a decision to enable further consultation with Elected Members.</p>
3	<p>CLIMATE CHANGE POLICY REVIEW Open CPC Item 7, 4 April 2016</p>	<p>A report be prepared that builds on the City's existing corporate mitigation measures and recommends new climate change mitigation policies, strategies and programs to further reduce both corporate and community emissions and considers potential targets.</p>	<p>Director City Innovation</p>	<p>The Draft Sustainable Hobart Action Plan was approved by Council for release for community consultation on May 25, 2020. A program of consultation and engagement, adapted to meet Covid-19 requirements, was begun in mid-July and is shortly closing on the City's YourSay site.</p> <p>Following community consultation, the Action Plan will be edited if necessary, and presented to Council to consider for endorsement.</p>

4	<p>19-27 CAMPBELL STREET, 29 CAMPBELL STREET, 19 COLLINS STREET, CT.198531/2, ADJACENT ROAD RESERVATIONS, HOBART (UTAS CIPAD) Open CPC 4 April 2016 - Supp. item 6.2.1</p>	<p>That the Council explore options for increasing pedestrian and bicycle access in the vicinity of the UTAS Creative Industries and Performing Arts Development at 19-27 Campbell Street and 19 Collins Street, Hobart in conjunction with the redevelopment of the site.</p>	<p>Director City Planning</p>	<p>This will be addressed as part of the ICAP AP06 Campbell Street Upgrade project. The current trial traffic and parking arrangements in Campbell Street have been in place for some 9 months.</p> <p>Delays in RHH K-Block acceptance and Hedberg occupation along with restrictions on use of Theatre Royal (COVID-19) have restricted trial observations.</p> <p>A report evaluating these provisions will be submitted to the Council at the conclusion of the trial period, enabling the consideration of more permanent arrangements in lower Campbell Street, with this report being expected in June 2021.</p>
5	<p>FRONT FENCING Open Committee 23 October 2017</p>	<p>That the Council significantly promote the risk of building front fences without appropriate Council approval and for this information to be promoted in writing to the architectural community and via suitable media platforms such as Capital City News and social media.</p>	<p>Director City Planning</p>	<p>Article placed in Capital City News and promoted via social media. Communication with architectural community still to be actioned. To be included in the announcements regarding Open Office.</p>

6	<p>GLENORCHY TO HOBART PUBLIC TRANSIT CORRIDOR PROJECT UPDATE Open Council 20 August 2018</p>	<ol style="list-style-type: none"> 1. The Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016) be provided to the State Government. 2. The Council engage with State and Federal Government in relation to process and opportunities for governance change to help drive urban renewal projects such as proposed with the Glenorchy to Hobart Public Transit Corridor Project. <ol style="list-style-type: none"> (i) A report be prepared on the formation of a steering committee, which is to be chaired by the Lord Mayor, to undertake the work required. 3. The Glenorchy to Hobart Public Transit Corridor Study outcomes (GHD Oct 2016) be considered as part of a future City Deal proposal. 4. A communications strategy be developed in relation to the Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016). 5. A further report be prepared regarding the potential for a medium density mixed use development project on the Hobart owned land forming part of the corridor 	Director City Planning	<p>The Glenorchy to Hobart Public Transit Corridor Implementation Facilitation Report - LUTI Consultants (June 2018) was presented to the Open City Planning Committee of 13 August 2018.</p> <p>Based on the advice from Minister Gutwein and the decision of the Glenorchy City Council made on 30 July 2018, further activities by the Hobart Glenorchy Public Transit Corridor Committee were put on hold pending finalisation of the Hobart City Deal process.</p> <p>The City Deal has now been finalised and the Northern Suburbs Transit Corridor has been recognised as a priority area for urban renewal. A greater diversity of housing solutions will be encouraged along the corridor. As well as providing housing outcomes, this will support the delivery of the most effective public transport solution, reduce congestion and the Australian Government will invest \$25 million as part of its congestion initiative.</p> <p>Further action in relation to this item will be progressed through the City Deal process.</p> <p>Completed</p>
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8	<p>HISTORIC URBAN LANDSCAPES BALLARAT Open Committee 29 October 2018</p>	<p>A further report on:</p> <ul style="list-style-type: none"> (i) The outcomes of discussions between City of Hobart officers and the City of Ballarat about its consultation process for any learning on getting people involved in supporting local heritage precincts in their city; (ii) A rolling consultation process be undertaken over the next four years for local heritage precincts ratepayers, asking questions much like the City of Ballarat has, to check the planning premises; and (iii) To further investigate how planning conflicts between use of building stock in the precincts and desires for current and future use can be managed as social, cultural and economic demands change over time in our City. 	Director City Planning	<p>Discussions have been held with the City of Ballarat and their plan to sustain Ballarat's Heritage has been reviewed. The plan took 4 years to develop and required the expenditure of considerable resources. Given current budgetary and resource constraints the City is not in a position to progress a project such as this. http://www.hulballarat.org.au/cb_pages/ballarat_heritage_plan.php</p> <p>Consultation in relation to heritage precincts will be undertaken as part of the exhibition of the Hobart Local Provisions Schedule.</p> <p>Completed</p>
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9	<p>REGULATION OF SOCIAL FOOD DELIVERY VEHICLES Open Council 19 August 2019</p>	<ol style="list-style-type: none"> 1. The Council develop and distribute to relevant persons and companies an information brochure that summarises the food safety obligations of social food delivery vehicle drivers. 2. The Council's Environmental Health Officers undertake an audit within the next four (4) months of social food delivery vehicles operating in North Hobart in order to determine compliance with the Food Act 2003 and Food Safety Standards. 3. A further report be provided in relation to the monitoring of complaints in regards to the carriage of food in social food delivery vehicles in August 2020. 	Director City Planning	<ol style="list-style-type: none"> 1. Completed 2. The audit is not proceeding as per advice received from the Department of Health. 3. Report in October still planned to be presented.
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10. 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."

10.1 Parking Conditions

File Ref: F20/92617; 13-1-10

Memorandum of the Director City Planning of 15 September 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

PARKING CONDITIONS

Meeting: City Planning Committee

Meeting date: 17 August 2020

Raised by: Deputy Lord Mayor Burnet

Question:

Can the Director advise on the possibility of having shared cars and creating shared car zones in medium density areas such as North Hobart?

Response:

This matter will be included in the scope of the proposed Hobart Parking Policy 2021 to be commenced shortly. Any outcomes of this project will be reported to the Council.

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

Neil Noye
DIRECTOR CITY PLANNING

Date: 15 September 2020
File Reference: F20/92617; 13-1-10

11. 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.

12. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion

The following items were discussed: -

- | | |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Questions Without Notice |