



CITY OF HOBART

AGENDA

City Planning Committee Meeting

Open Portion

Monday, 1 March 2021

at 5:00 pm

Council Chamber, Town Hall

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.

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City Planning Committee Meeting (Open Portion) held Monday, 1 March 2021 at 5:00 pm in the Council Chamber, Town Hall.

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

Apologies: Nil

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

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, 15 February 2021](#) and the Special City Planning Committee meeting held on [Monday, 22 February 2021](#), 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 48-50 NEW TOWN ROAD AND 52 NEW TOWN ROAD AND 46 NEW TOWN ROAD AND 7A CLARE STREET, NEW TOWN AND ADJACENT ROAD RESERVE - DEMOLITION, NEW BUILDING FOR HOSPITAL SERVICES, BUSINESS AND PROFESSIONAL SERVICES, AND GENERAL RETAIL AND HIRE, SIGNAGE, AND ASSOCIATED WORKS PLN-20-795 - FILE REF: F21/15437

Address:	48-50 New Town Road and 52 New Town Road and 46 New Town Road and 7A Clare Street, New Town and Adjacent Road Reserve
Proposal:	Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works
Expiry Date:	10 March 2021
Extension of Time:	Not applicable
Author:	Helen Ayers

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, new building for hospital services, business and professional services, and general retail and hire, signage, and associated works at 46, 48-50 and 52 New Town Road and 7A Clare Street New Town Tas 7008 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-20-795 - 46, 48-50 AND 52 NEW TOWN ROAD AND 7A CLARE STREET NEW TOWN TAS 7008 - 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 2020/01986-HCC dated 04/12/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

Signage panel 1 and signage panel 3 must not be illuminated. Only signage panel 2 may be illuminated. This illumination must be internal and must not flash.

The sign can only be illuminated between 7am and 8pm, and must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To clarify the scope of the permit and to ensure that the non-residential use does not unreasonably impact residential amenity.

PLN 14

The noise generated by the plant and equipment, both within the building and on the rooftop, must not cause environmental harm when measured at any boundary of the site.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLN 12

All of the proposed signage must be individual letters and / or symbols attached directly to the building facade within the nominated signage envelopes, in colours and / or tones that are similar to and compliment rather than contrast the colour of the building facade to which they are attached, to the satisfaction of the Council's Director City Planning.

Drawings must be submitted and approved, prior to the commencement of works (excluding demolition and / or decontamination).

The drawings must:

- 1. Show the size, location, materials and method of attachment of the signage to satisfy the above requirement.**
- 2. Show the proposed colour scheme for each of the signage to satisfy the above requirement.**

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

Advice:

Once the revised plans have 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 that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located and do not cause an unreasonable loss of residential amenity to nearby residential properties.

PLN 17

The lighting of the building, both internal and external, must not cause environmental harm. Lighting for the building must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

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

PLN 4

Prior to the issue of any approval under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), a landscaping plan for the soft and hard landscaping prepared by a suitably qualified landscape expert must be submitted and approved. The landscaping plan must be substantially in accordance with that approved by this permit, but it should include further consideration (e.g. faster growing species and evergreen species) to ensure a successful buffer is achieved between the building and neighbouring properties.

Prior to occupancy or the commencement of the use (whichever occurs first), confirmation from a suitably qualified landscape expert that all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Director City Planning.

The vegetation which is planted on the site pursuant to the landscaping plans must be maintained and must not be disturbed. If any vegetation dies or is destroyed, replacement vegetation of a similar size must be planted within 30 days of the death or destruction.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and provides a visual break from land in a residential zone.

PLN 5

The proposed gas valves are to be relocated to the southwestern side of the frontage, and rotate to sit along the boundary so as to reduce their visual impact when viewed from the road. The area where the gas valves were proposed is to be landscaped consistent with the remainder of the proposed frontage landscaping. The vegetation must be maintained, and replacement vegetation must be planted if any is lost.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

PLN 6

The portion of the building utilised by the hospital use must not be open to the public (other than overnight in-patients) outside of the following hours:

- **Monday to Sunday - 7am to 8pm**

The remainder of the building must not be open to the public outside the following hours:

- **Monday to Friday (excluding public holidays) - 8:30am to 5pm**
- **Saturday - 8am to 2pm**

Reason for condition

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

PLN s1

The approved use of the hospital component of the development is limited to day surgery with overnight ward rooms only. No emergency department or emergency services are approved as part of this permit.

Reason for condition

To clarify the scope of the permit and to ensure that the commercial use of the site does not unreasonably impact the surrounding residential amenity.

PLN s2

A plan showing the palette of exterior colours and materials must be prepared. Prior to the issue of any approval under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), the plan showing exterior colours and materials must be submitted and approved, to the satisfaction of the Director City Planning. Samples and revised montages may be required to be submitted in support of the proposed plan.

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

Advice:

The applicant is encouraged to consider exploring a broader range of materials and colour palate together with further breaking up and reining the appearance of the facade.

Reason for condition

To ensure the building makes a positive contribution to the streetscape and does not have an unreasonable impact on residential amenity.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The construction waste management plan must include:

- **Provisions for commercial waste services for the handling,**

storage, transport and disposal of post-construction solid waste and recycle bins from the development; and

- **Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.**

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

Advice:

Once the construction waste management plan 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.

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 can also be found on the Council's [website](#).

Reason for condition

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

ENG sw1

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

A pre-construction structural condition assessment and visual record (eg video and photos) of all Council's stormwater infrastructure within the site must be submitted to Council prior to issue of any approval under the *Building Act 2016* or commencement of work (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, with 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, in a 'Wincan' compatible format;**
- 3. clearly identify all third-party connections; and**
- 4. photos of any existing drainage structures connected to or modified as part of the development**

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

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

ENG sw2.2

Prior to occupancy or the commencement of the approved use or completion of any stage (whichever occurs first), post-construction structural condition assessments and visual record (eg video and photos) of all Council's stormwater infrastructure constructed as part of this development and all Council's stormwater infrastructure within the site must be submitted to Council.

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, with 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, in a 'Wincan' compatible format; and**
- 3. photos of any existing drainage structures connected to or modified as part of the development.**

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards, and that any Council infrastructure 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 infrastructure (existing and proposed).

A detailed design must be submitted to and approved by the Council prior to the issuing of any consent under the *Building Act 2016* or commencement of works (excluding demolition and / or decontamination) on site (whichever occurs first). The detailed design must:

- 1. Demonstrate how the design will maintain the overland flow path, 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 multiple cross-sections (including at the worst cases) 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; and**
- 3. Be certified by a suitably qualified engineer**

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

Advice:

Separate consent under s73 Building Act 2016 and s13 Urban Drainage Act 2013 is required.

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. 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 requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

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

ENG sw4

The development must be drained to Council stormwater drainage infrastructure taking into account the limited receiving capacity of Council's stormwater drainage infrastructure, and services to third-party land must be maintained.

Any new stormwater connection required must be constructed and existing redundant connections abandoned and sealed by the Council at the owner's expense, prior to the commencement of use or completion of any relevant stage (whichever occurs first).

Detailed engineering drawings for each stage must be submitted to and approved by Council, prior to issue of any consent under the *Building Act 2016* or commencement of works on site (whichever occurs first). The detailed design drawings must be prepared and certified by a suitably qualified and experienced engineer and include:

- 1. The location of the proposed connection and all existing connections;**
- 2. The size and design of the connection such that the connection is appropriate to safely service the development, and connection is free- flowing gravity discharge; and**
- 3. Long-section of the proposed connection clearly showing any nearby services, cover, grade, size, material and delineation of public and private infrastructure.**

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings and at the owner's expense.

Advice:

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

Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval.

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

Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to initiate an application for service connection

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The proposed new public stormwater infrastructure must be constructed prior to the commencement of use or issue of occupancy (whichever occurs first).

Engineering design drawings must be submitted to and approved by Council, prior to the issue of any consent under the *Building Act 2016* or commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The engineering drawings must:

- 1. Be prepared and certified by a suitably qualified and experienced engineer;**
- 2. Include plans and long-sections of the proposed stormwater infrastructure, including but not limited to, connections, hydraulic grade lines, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, and easements. The material and pipe class must reflect the reduced access to the mains. Adequate clearance from TasNetwork assets must be demonstrated;**
- 3. Connections for all potentially affected third-party land must be clearly identified and detailed. Any existing connections must be reinstated to Council standards. Provisions for servicing all titles draining towards the replaced mains must be included;**
- 4. Include calculations demonstrating that all stormwater mains are sized to accommodate a minimum 5% AEP (Annual Exceedance Probability) event flows from a fully-developed catchment, including an allowance for any future relining where setbacks less than the Tasmanian**

Subdivision Guideline standard easements will occur. The overall drainage system (including defined overland flow paths) must cater for the 1% AEP event as at 2100 (ie including climate change loading). Calculations and long-sections demonstrating this must extend upstream of the proposed realignment, demonstrating no reduction below 5% AEP capacity upstream of the works. The proposed stormwater network layout must be demonstrated to be as hydraulically efficient as practicable;

- 5. Clearly distinguish between public and private infrastructure;**
- 6. Be substantially in accordance with LGAT's Tasmanian Municipal Standard Drawings (noting Council's departures) and Tasmanian Subdivision Guidelines; and**
- 7. Include a construction program demonstrating how services to external land will be maintained, and the new mains will be protected during construction of the development.**

A digital recording of a CCTV inspection and written condition assessment report and site map must be submitted prior to Practical Completion.

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

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#). Hobart City Council's departures from them can be viewed [here](#).

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

A permit to construct public infrastructure will be required, including a 12 month maintenance period, bonds and CCTVs. Written permission from landowners will be required. Click [here](#) for more information

The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement

approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.

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

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to occupation or completion of any stage (whichever occurs first). All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure for each stage must be submitted and approved prior to the issue of any consent under the Building Act or commencement of work. The design drawings and calculations must:

- 1. prepared by a suitably qualified person; and**
- 2. include long section(s)/levels and grades to the point of discharge.**

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

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their plumbing permit application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain

a plumbing permit for the works.

Reason for condition

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

ENG sw7

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

A stormwater management report and design must be submitted to and approved by Council, prior to the issue of any approvals under the *Building Act 2016* or the commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The stormwater management report and design must:

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

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

Advice:

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

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

Reason for condition

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

ENG 13

An ongoing waste management plan for all commercial waste and recycling must be implemented post construction.

A waste management plan must be submitted and approved, prior to commencement of work on the site (excluding demolition and / or decontamination). A waste management plan must:

- 1. include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.**

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

Advice:

Once the waste management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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

ENG tr1

Approval from Council's Manager City Mobility City Planning Division must be obtained prior to issue of any approvals under the *Building Act 2016* (excluding demolition and / or decontamination) for any changes to the existing on street parking arrangements in New Town Road and Clare Street.

Advice:

Any changes to the existing on street parking arrangements in New Town Road and Clare Street do not form part of the planning approval and will require approval from Council's Manager City Mobility in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's Manager City Mobility City Planning Division with regard to the application process for any changes to the on street parking arrangements in New Town Road and Clare Street. Any request to temporarily or permanently remove any sensor requires a written application to be submitted to the Parking Operations Unit.

<https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial-Before-You-Dig-Parking-Sensors>

Reason for condition

To ensure that relevant approvals are obtained.

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition). The construction traffic and parking management plan must:

- 1. Be prepared by a suitably qualified person;**
- 2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;**
- 3. Include a start date and finish dates of various stages of works;**
- 4. Include times that trucks and other traffic associated with the works will be allowed to operate; and**
- 5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.**

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

Once the construction traffic and parking management plan 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.

A separate construction traffic and parking management plan may be submitted for each stage of the proposed development (i.e. demolition, excavation, construction).

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

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

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

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works (excluding demolition and / or decontamination) on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 1170.1:2002, must be submitted to Council.

Advice:

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

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

Reason for condition

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

ENG 2c

Prior to the commencement of use, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS 1170.1:2002.

Advice:

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

Reason for condition

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

ENG 3a

The access driveway, circulation roadways, ramps and parking

module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must be submitted to and approved by Council, prior to the issuing of any approval under the *Building Act 2016* (excluding demolition and / or decontamination).

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must:

- 1. Be prepared and certified by a suitably qualified and experienced engineer;**
- 2. Be in accordance with the Australian Standard AS/NZS2890.1:2004, AS 2890.2:2002 and AS 2890.3:2015;**
- 3. Show the location of all structural columns and obstructions**

with regard to car parking spaces and provide clearance in accordance with Figure 5.2 of AS/NZS 2890.1:2004;

- 4. Show signage and pavement marking;**
- 5. Show pedestrian bollards for egress to/from lifts and doorways;**
- 6. Show delineation of pedestrian pathways;**
- 7. Show traffic calming devices within the car park circulating area in accordance with AS/NZS2890.1:2004;**
- 8. Show car, bicycle, motorcycle parking spaces and loading/unloading bays;**
- 9. Show staff parking spaces to be suitable marked (pavement marking or signed) as staff parking; and**
- 10. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary.**

Advice:

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.

The number of jockey parking space is to be minimized and only to be used for staff parking.

Reason for condition

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

ENG 3c

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas must be constructed in accordance with the approved design drawings required by Condition ENG 3b.

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The minimum number of car parking spaces to be provided on the site is two hundred and forty eight six (248), unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design.

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

Reason for condition

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

ENG 6

The minimum number of bicycle parking spaces to be provided on the site is sixty four (64), unless approved otherwise by Council. All bicycle parking spaces must be designed in accordance with Australian Standards AS 2890.3:2015 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure that bicycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 7

The minimum number of motorcycle parking spaces to be provided on the site is twenty nine (29) unless approved otherwise by Council. All motorcycle parking spaces must be designed in accordance with Australian Standard AS/NZS 2890.1:2004 or a Council approved alternate design.

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standard AS/NZS 2890.1:2004, prior to the commencement of the use.

Reason for condition

To ensure that motorcycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 8

All loading/unloading areas must be designed in accordance with Australian Standard AS 2890.2:2002 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure loading/unloading areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 11

Prior to the commencement of the use, the kerb and channel and footpaths located at driveway crossovers to be abandoned must be reinstated and all new or altered crossovers within highway reservation must be designed and constructed generally in accordance with:

1. **LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways, TSD R14-v1 Type KC vehicular crossing, TSD-R15-v1 Type KC and TSD-R16-v1 Type KCR & B1 (heavy vehicles) or Type KCRB & B1 (heavy vehicles) and LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1, or**
2. **A Council approved alternate design.**

Design drawings must be submitted to and approved by the Council prior to the issue of any approval under the *Building Act 2016* (excluding demolition and / or decontamination). The design drawing must:

1. **Show the cross and long section of the driveway crossover within the highway reservation and onto the property;**
2. **Show the width of the driveway crossover is in accordance with AS/NZS 2890.1:2004;**

3. **Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover including any proposed relocation of infrastructure;**
4. **Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings;**
5. **Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template, including swept path for the largest anticipated emergency vehicle to access the property.);**
6. **Demonstrate on the drawings that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD;**
7. **Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004; and**
8. **Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirement.**

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).

It is advised that designers consider the detailed design of the crossover, access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces as failure to do so may result in difficulty complying with this condition.

Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Please contact Council City Amenity Division to discuss approval of alternate designs.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

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

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

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 reported to Council immediately.

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 excavation and/or earth-retaining structures (ie embankments, cuttings, retaining walls) and/or footings and/or driveway deck within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the structures supporting or within the New Town Road highway reservation must be submitted to and approved by Council, prior to the issue of any approvals under the *Building Act 2016* (excluding demolition) and must:

- 1. Be prepared and certified by a suitable qualified person and experienced engineer;**
- 2. Not undermine the stability of the highway reservation;**
- 3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works;**
- 4. Take into account any additional surcharge loadings as required by relevant Australian Standards;**
- 5. Take into account and reference accordingly any Geotechnical findings;**
- 6. Detail any mitigation measures required;**

7. **Detail the design and location of the footing adjacent to the New Town Road Highway reservation; and**
8. **The structural certificate and/or drawings should note accordingly the above.**

All work required by this condition must be undertaken in accordance with the approved certified design drawings, structural certificates, and at the Owner's expense.

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.

ENG s1

Prior to the commencement of use or completion of any stage (whichever occurs first), safe and adequate overland flow paths must be provided through the site that contain the flows for the 1% AEP (Annual Exceedance Probability) storm event as at 2100 (including climate change loading).

Detailed design drawings, report and supporting calculations for each stage prepared and certified by a suitably qualified and experienced engineer that meet the above requirement must be submitted to and approved by Council prior to issue of any consent under the *Building Act 2016* or commencement of works on site (whichever occurs first).

These must include (but are not limited to):

1. **Certification from an accredited and qualified engineer that all proposed structures within the flood zones are designed to resist inundation, erosion, undermining and likely forces from a flood event;**
2. **Details of measures to prevent sediment transport and erosion from the inundated land;**
3. **Details of the overland flow paths (eg swale, bunds and pits) in general accordance with the JSA reports and engineering plans lodged at planning stage;**
4. **Details of management of the flood zones including measures to prevent blockage of the overland flow paths;**
5. **A Flood Management Summary Plan from a qualified and experienced person that outlines the obligations for future property owners to flood and overland flow management, including;**
6. **The flood risk to the site, including depth, extent and hazard ratings for the 1% AEP at 2100 event;**
7. **Identification of all measures to convey the overland flow path through the site and their maintenance, including noting no future works or landscaping which may alter the flow of water to be carried out without approval by Council; and**
8. **Identification of all flood management measures and their required maintenance, including but not limited to: waterproofed basement levels, flood resistant doors, swale, bunds, hydraulically permeable fencing, signage, bollards.**

All work required by this condition must be undertaken and maintained in accordance with the approved drawings and report at the Owner's expense.

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 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 risks associated with inundation are adequately managed.

ENG s2

The overland flow path, ground floor level and flood protection measures must be inspected by a suitably qualified engineer.

Certification from a suitably qualified engineer that these have been constructed in accordance with the approved certified design (including dimensions and grade of the swale and bunds) must be provided to Hobart City Council prior to commencement of use or completion of any stage (whichever occurs first).

Reason for condition

To ensure that the identified flood risks are adequately managed.

ENG s3

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be designed generally in accordance with the relevant Australian Standards and Local Government Association Tasmania Standard Drawings or a Council approved alternative, prior to the commencement of use.

Design drawings must be submitted to and approved by Council prior to the issue of any approval under the *Building Act 2016* (excluding demolition and / or decontamination). The design drawings must:

- 1. Show the relocation/removal or alteration to any existing services or infrastructure;**
- 2. Include a detailed signage and pavement marking plan;**

3. **Include removal of traffic island and reinstatement of pavement details;**
4. **Show the reinstate of kerb and channel at redundant crossovers and pram ramps;**
5. **Show available clear width of the footpath (including any user road footpath);**
6. **Show traffic island, pram ramps and footpath details; and**
7. **Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirements.**

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).

The developer must consult with Metro Tasmania with regard to the relocation of the bus stop and comply with all requirements of Metro Tasmania. Written confirmation is to be provided to Council that all the requirements of Metro Tasmania has been complied with.

The developer must consult with the relevant Authority with regard to relocation/removal or alterations to existing services or infrastructure. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Please contact Council City Amenity Division to discuss approval of alternate designs.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.

- *A permit to construct public infrastructure may be required.*
- *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

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

ENG s4

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be constructed in accordance with the approved design drawings required by condition ENG s3.

Prior to the commencement of use, documentation by a suitably qualified Engineer certifying that all changes to the existing Council road infrastructure has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENV 9

A 1m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the north-western and south-western sides of the air handling unit deck prior to operation of the mechanical plant.

Reason for condition

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

ENV 10

The access strip off Clare Street must be lined on each side by solid fencing with a surface mass of greater than 15kg/m². The fencing must be a height of 1.5m above ground level for the first 4.5m in from the street boundary, and a height of 2.1m above ground level for the remainder.

Reason for condition

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

ENV 11

Commercial vehicles, other than ambulances, are prohibited from the site outside of the following hours:

- **7.00 am to 5.00 pm Monday to Friday inclusive;**
- **8.00 am to 5.00 pm Saturday; and**
- **9.00 am to 12 noon Sunday and Public Holidays.**

Reason for condition

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

ENV 12

Ambulance sirens must not be operated on the site.

Reason for condition

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

ENV 14

Hard waste (including, but not limited to, bottles, cans, and jars) must only be deposited into recycling bins within the hours of 8 am to 6 pm unless screening approved by the planning authority is installed.

Reason for condition

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

ENV 2

An approved demolition and construction environmental management plan, prepared by suitably qualified persons, must be implemented.

A demolition and construction environmental management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the *Building Act 2016*.

The plan must include, but is not limited to, the following:

- 1. Details of the proposed construction methodology and expected likely timeframes;**
- 2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and**

leaving the site);

3. **Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water);**
4. **Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:**
 - a. **A noise and vibration management plan generally consistent with AS 2436-2010 - *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:**
 - i. **identification of potentially noisy or vibration-causing construction activities;**
 - ii. **procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and**
 - iii. **details of monitoring measures and triggers for corrective actions.**
 - b. **A soil and water management plan including:**
 - i. **measures to minimise erosion and the discharge of contaminated stormwater off-site;**
 - ii. **measures to minimise dust emissions from the site;**
 - iii. **measures to manage the disposal of surface and groundwater from excavations; and**
 - iv. **measures to prevent soil and debris being carried onto the street.**
 - v. **maintenance requirements of these measures, and any staging; and**

5. **Details of proposed responsible persons, public**

communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved demolition and construction environmental management plan forms part of this permit and must be complied with.

Advice:

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

Reason for condition

To minimise the potential for environmental impacts from the construction works.

ENV s1

The new electrical transformers must be housed within a concrete-walled structure so that noise emissions from the transformers (substation) do not exceed:

- **55dB(A) (Leq) between the hours of 8 am and 6 pm;**
- **40dB(A) (Leq) between the hours of 6 pm and 8 am; and**
- **65dB(A) (Lmax) at any time;**

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s2

The diesel generator and housing must be designed and

constructed so that noise emissions from the generator does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s3

The car park exhaust system must be designed and constructed so that noise emissions from the exhaust system does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s4

A 2.7m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the western and northern edges of the plant room deck, with an opening to the north for air flow, prior to operation of the mechanical plant.

Reason for condition

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

HER 11

A construction management plan must be provided for that part of the application site of 46 New Town Road and along the northern boundary of that property, to ensure that the heritage listed house and its foundations are not negatively impacted on by vehicular movements, excavation, construction and vibration.

Prior to the issue of any approval under the *Building Act 2016*, a construction management plan must be submitted and approved by Council showing how construction and excavation will be undertaken without causing damage to the heritage listed house and its foundations. It must examine vehicular movement, excavation, construction and vibration and any other relevant or applicable construction method.

Reason for condition

To ensure that development is undertaken in a manner that does not cause loss or damage fabric of historic cultural heritage significance.

VHE 1

Recommendations in the report "Environmental Site Assessment - Version 6, 48-50 New Town Road, New Town", dated November 2020, must be implemented, for the duration of the development and use.

Reason for condition

To ensure that the risk to future occupants of the building remain low

and acceptable.

Part 5 1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to maintenance of the overland flow path and flood mitigation measures in accordance with the plans and management report approved under ENGs1 prior to the commencement of work.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a Part 5 agreement please contact the Council Development Engineering Staff.

Reason for condition

To ensure that the flood path and levels are retained.

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of (ie retaining wall, anchors, building) adjacent to the New Town Road highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the New Town Road highway reservation or any retaining structure adjacent to New Town highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a part 5 agreement please contact the Council Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

SUB s1

The titles comprising the development site (CT 252465/1 and CT 198029/1) are to be adhered in accordance with the provisions of Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

Advice:

The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

Reason for condition

To ensure compliance with statutory provisions

SUB s2

Drainage Easements in favour of the Hobart City Council over any proposed or existing public stormwater mains passing and overland flow paths through the property at 48 to 52 New Town

Road are to be created by transfer of easement in accordance with the *Land Titles Act 1980* to the satisfaction of Council. These drainage easements must be created prior to the issue of any building completion certificate under the *Building Act 2016*.

Advice:

The applicant is to be responsible for all survey and legal costs involved in the registration of the drainage easements.

Reason for condition

To ensure that any existing or proposed public stormwater mains are protected by drainage easements in favour of the Council.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

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.

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.

SPECIAL CONNECTION PERMIT

You may need a Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

BUILDING OVER AN EASEMENT

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*.

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).

NEW SERVICE CONNECTION

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

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*.

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.

METRO BUS STOP RELOCATION

Please note that Metro Tasmania must be consulted regarding the relocation of the existing bus stop and seat.

It is the developer's responsibility to ensure that all relevant approvals are obtained regarding the proposal.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSEVERS

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

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

CROSSOVER CONSTRUCTION

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

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.

TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

WORK PLACE HEALTH AND SAFETY

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

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.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For

further information on what your responsibilities are, click [here](#).

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-20-795 - 48-50 NEW TOWN ROAD NEW TOWN TAS 7008 - Planning Committee or Delegated Report ↓  |
| Attachment B: | PLN-20-795 - 46, 48-50 AND 52 NEW TOWN ROAD AND 7A CLARE STREET ~ CPC Agenda Documents ↓  |
| Attachment C: | PLN-20-795 - 48-50 NEW TOWN ROAD NEW TOWN TAS 7008 - Planning Referral Officer Cultural Heritage Report ↓  |
| Attachment D: | PLN-20-795 - 48-50 NEW TOWN ROAD NEW TOWN TAS 7008 - Planning Referral Officer Environment Health Report ↓  |
| Attachment E: | PLN-20-795 - 46, 48-50 AND 52 NEW TOWN ROAD AND 7A CLARE ~ CPC Supporting Document (Supporting information)  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Council:	15 February 2021
Expiry Date:	10 March 2021
Application No:	PLN-20-795
Address:	48 - 50 NEW TOWN ROAD , NEW TOWN 52 NEW TOWN ROAD , NEW TOWN 46 NEW TOWN ROAD , NEW TOWN 7 A CLARE STREET , NEW TOWN ADJACENT ROAD RESERVE
Applicant:	(FromNex Pty Ltd, by their Agent, Ireneinc Planning and Urban Design) c/o 49 Tasma Street
Proposal:	Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works
Representations:	Fifty one (51)
Performance criteria:	Zone Use Standards, Zone Development Standards, Potentially Contaminated Land Code, Road and Railway Assets Code, Parking and Access Code, Historic Heritage Code, Inundation Prone Areas Code, and Signs Code

1. Executive Summary

- 1.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works, at PLN-20-795 - 46, 48-50 and 52 New Town Road and 7a Clare Street, New Town.
- 1.2 More specifically the proposal includes:
 - Demolition of all existing buildings on site.
 - Construction of a new four storey building (plus roof and rooftop plant), housing both in-patient and out-patient hospital care such as surgeries and rehabilitation. It will also accommodate allied health services, and car parking for the site.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Urban Mixed Use Zone - Non-Residential Use, Entrapment Spaces, Outdoor Storage and Fencing
 - 1.3.2 Potentially Contaminated Land Code - Use Standards and Excavation
 - 1.3.3 Road and Railway Assets Code - Existing Road Accesses and Junctions
 - 1.3.4 Parking and Access Code - Number of Car Parking Spaces, Design of Vehicular Accesses, and Layout of Parking Areas
 - 1.3.5 Historic Heritage Code - Development Standards for Heritage Places, and Development Standards for Heritage Precincts
 - 1.3.6 Inundation Prone Areas Code - Riverine Inundation Hazard Areas, and Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas
 - 1.3.7 Signs Code - Use of Signs, and Development Standards for Signs
- 1.4 Seventeen (17) representations objecting to the proposal and thirty four (34) representations supporting the proposal were received within the statutory advertising period between 12 and 27 January 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council, because of the scale and form of the development, the number of representations received, and the works to occur on Council Land.

2. Site Detail

- 2.1 The application site is comprised of four properties, two of which will contain the hospital buildings, carparking, and access (48-50 and 52 New Town Road), and two of which are included as they contain service upgrades to facilitate the hospital development (46 New Town Road and 7a Clare Street).
- 2.2 The site containing the hospital proper has frontages to New Town Road, Clare Street and Seymour Street. This site is predominantly zoned Urban Mixed Use, however the access strip fronting Seymour Street is zoned Inner Residential. This access strip is also located within a heritage precinct.
- 2.3 46 New Town Road, which is included for servicing works only, is zoned Urban Mixed Use, and is also affected by the Historic Heritage Code, being an individually listed Place.
- 2.4 7a Clare Street, which is included for servicing works only, is zoned Inner Residential.
- 2.5 All properties subject to the application are affected by the Potentially Contaminated Land Code.
- 2.6 46 New Town Road and 7a Clare Street both contain privately occupied single dwellings. There is no change to this use or development as part of the current application.
- 2.7 48-50 and 52 New Town Road currently contain buildings that are occupied as offices, storage, workshop and warehouses for an electrical repairs provider, Contact Group. This use is all contained within the pre-existing buildings on the site that were formerly used as offices and studios for Win Television.

- 2.8 The existing site development occupies approximately 32% of the 7282m² site, with areas for car parking and manoeuvring provided along the whole of the eastern, New Town Road, frontage that are accessed from three crossovers along that frontage. There is also a secondary parking, manoeuvring, and storage area accessed from the Clare Street frontage which is contained behind the existing buildings when viewed from New Town Road, but presents as a car park occupying the whole site when viewed from Clare Street. A significant portion of the western side of the site is currently vegetated with grass, trees and shrubs, providing a vegetated backdrop to the majority of the dwellings that front Seymour Street. The majority of the site is generally level, however there is a steep slope down toward the adjacent residential properties to the north-west in Seymour Street, and to the northern residential property in New Town Road.
- 2.9 The surrounding area contains a mix of uses, including residential, dental, dry cleaning, and union offices. Notwithstanding this, the predominant use of the area, and in particular of 12 of the 14 properties adjacent to the subject site, is for residential purposes.
- 2.10 Site photos from an officer site visit are provided as an attachment to this report.



Figure 1: Location of application site is outlined in blue



Figure 2: Zoning of application site and surrounds. Note the two properties at the southern end of the site, 7A Clare Street and 46 New Town Road, are only included for services upgrades, they will not accommodate any of the development proper.



Figure 3: Showing the heritage status of the site and surrounds. The site is bordered in blue. Only the property at 46 New Town Road (circled in green) is heritage listed. On this part of the site only a services upgrade is proposed. Only the access strip between 15 and 17 Seymour Street (circled in pink) is within a heritage precinct. On this part of the site only front gates are proposed.



Figure 4: Google Streetview image of current site development facing north west



Figure 5: Google Streetview image of Current site development facing south west

3. Proposal

3.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works, at PLN-20-795 - 46, 48-50 and 52 New Town Road and 7a Clare Street, New Town.

3.2 More specifically the proposal is for:

- Demolition of all existing buildings on site.
- Construction of a new four storey building (plus roof and rooftop plant), housing both in-patient and out-patient hospital care such as surgeries and rehabilitation. It will also accommodate allied health services.
- The lower basement level of the building will accommodate car parking spaces as well as services for the site.
- The upper basement will accommodate further car parking, site services, and an allied health tenancy.
- The ground floor will provide two allied health tenancies, a café, a hospital ward, shared bathrooms, garbage storage, and some service infrastructure.
- Level 1 will provide four allied health tenancies and the operating theatres and recovery ward of the private hospital.

4. Background

4.1 An initial application for a hospital with allied health tenancies, PLN-19-291, was considered and refused by Council at its meeting of 2 December 2019. The application was refused for the following reasons:

1. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed hours of operation of the 24 hour hospital component of the development will have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.*
 2. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P4 of the Hobart Interim Planning Scheme 2015 because the potential timing of commercial vehicle movements could result in unreasonable adverse impact upon residential amenity.*
 3. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed building is not consistent with the built form of the surrounding buildings, offers little or no transition between the site and its surrounds, does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.*
 4. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P2 of the Hobart Interim Planning Scheme 2015 because the proposed building is not compatible with the built form of the surrounding buildings.*
 5. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.2 P2 of the Hobart Interim Planning Scheme 2015 because it does not prevent unreasonable adverse impacts on residential amenity by overshadowing, overlooking, and visual impact from adjoining Inner Residential Zoned Properties.*
 6. *The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.5 P1 of the Hobart Interim Planning Scheme 2015 because the extent, location and proposed species for the landscaping of the site is not sufficient to enhance the appearance of the development, or to avoid unreasonable adverse impact on the visual amenity of adjoining land in the Inner Residential Zone.*
- 4.2 The applicant appealed the decision, and whilst in the process of mediating with all of the parties to the appeal chose to put the appeal on hold to enable a new application to be lodged for the development of the site.

- 4.3 A second application for a private hospital with allied health tenancies, PLN-20-249, was then submitted to Council for consideration. The key differences between the two applications were:
- Increase in the rear setback of the building.
 - Stepping of the rear façade away from the adjacent residences.
 - Second basement level for car parking to enable tenancies at ground level.
 - Alteration to the building façade adjacent to New Town Road.
 - Increased landscaping to the western and northern boundaries of the site.
- 4.4 The second application was recommended for refusal to the City Planning Committee at its meeting of 17 August 2020. This recommendation was adopted by the Committee to be taken to the Council meeting the following week. The recommended grounds for refusal were:
1. *The proposal does not meet the acceptable solution, the performance criterion or the objective of clause 15.4.1 A1 and P1 of the Hobart Interim Planning Scheme 2015 because the proposed building height: is not compatible with the scale of nearby buildings; does not offer an appropriate transition in height between adjoining buildings; does not contribute positively to the streetscape; and will result in unreasonable impact on residential amenity of land in the Inner Residential Zone.*
 1. *The proposal does not meet the acceptable solution, the performance criterion or the objective of clause 15.4.1 A2 and P2 of the Hobart Interim Planning Scheme 2015 because the proposed building height within 10m of the Inner Residential Zone is not compatible with the building height of existing buildings on adjoining lots in the Inner Residential Zone; and will result in unreasonable impact on residential amenity of land in the Inner Residential Zone.*
- 4.5 The applicant sought deferral of the final decision prior to the Council meeting to enable further consideration of the design. This deferral was agreed to and the application went on hold for the applicant to consider their options.
- 4.6 On 1 October 2020 the applicant chose to withdraw their appeal of Council's decision for PLN-19-291 from the Resource Management Planning and Appeals Tribunal.
- 4.7 On 12 October 2020 the applicant chose to withdraw PLN-20-249.

- 4.8 The applicant has lodged the current (third) application to try to resolve the issues that resulted in the earlier recommendations of refusal to grant a permit for the works.
- 4.9 The new proposal has a significantly different built form from the previous two applications for the site. Most notably, the building height and setbacks to the residential properties to the north and west are now compliant with the acceptable solutions, which removes the assessment of bulk, overshadowing and amenity for properties adjacent to the boundaries. The front building facade is also far less modulated than the previous iterations of the building, with the applicant simplifying and removing detail from the facade.
- 4.10 The proposed use is substantially the same as the previous iterations, though it is now configured differently to enable the reduced apparent scale of the building. there will still be a private day surgery facility with allied health tenancies and a cafe for visitors to the site.
- 4.11 The current application was considered by the Urban Design Advisory Panel at its meeting of 20 January 2021. The Panel was generally supportive of the proposal, though did think there is room for further refinement / improvement of the design. The Panel's comments are included where relevant in section 6 of this report, and are discussed in section 7. The Panel's comments are provided in full as an attachment to this report. The Panel viewed the proposal in the Council's model. The model was built up in this area specifically for this proposal using drone imagery.

5. Concerns raised by representors

- 5.1 Seventeen (17) representations objecting to the proposal and thirty four (34) representations supporting the proposal were received within the statutory advertising period between 12 and 27 January 2021.
- 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.

Opposition
<i>Neighbourhood Character:</i>
Representors have indicated that the area is predominantly residential, and as such the proposed private hospital is not suitable for the area.

Representors have suggested that the scale and design of the proposed development is out of character with the predominantly residential area in which it is proposed to be located.
<i>Traffic:</i>
Representors have suggested that the traffic assessment does not adequately represent the current traffic volumes experienced in the surrounding streets, such as at the intersection of Clare Street and Augusta Road. The representors suggest that congestion in these streets is already excessive and will be exacerbated by the proposed use of the site.
Representors are concerned that Clare Street does not have sufficient road width to accommodate parked vehicles and two way traffic at the location of the site entrance in this street. The representors have suggested that reliance upon this entrance for service and delivery vehicles is not viable as these will cause traffic delays.
Representors are concerned that impediments to traffic flow on New Town Road near the application site, such as bus stops, traffic islands and traffic lights will compound the impacts the additional traffic entering and exiting the site will cause to the flow of traffic in the area, resulting in further congestion.
Representors have indicated that the traffic surveys relied upon in the traffic impact assessment for the proposed development were undertaken in 2009, and that this does not reflect the traffic movements experienced ten years on. they have suggested that the current situation is unable to absorb the additional traffic generated by the proposed use of the site.
Representors have criticised the use of the NWS based RTA guides in the assessment of the parking and traffic impacts of the proposed development. The representors have suggested that this guide is outdated, and does not accurately reflect the local situation.
Representors have questioned whether there will need to be time limitations imposed upon the hours of deliveries to and from the site to minimise conflict between delivery / service vehicles and commuters and school drop offs to the nearby schools.

Representors are concerned that there has not been adequate consideration of the potential for conflict between vehicles entering and exiting Hildern Street, and vehicles entering and exiting the Clare Street entrance to the site as they are almost directly opposite one another.
Representors are concerned that there has not been adequate consideration of the potential for conflict between vehicles entering and exiting the site from New Town Road, and vehicles entering and exiting Warragul Avenue from New Town Road.
One representor has questioned the forecast staffing numbers relied upon to prepare the traffic impact assessment for the proposed use. They have suggested that Council should rigorously interrogate the assertions made and conclusions drawn in this report, and suggest that specialised advice may be required.
<i>Parking:</i>
Representors are concerned that the limitations precluding parking on much of New Town Road near the site, such as bus stops and yellow lines, meant that the increase in demand generated by this development and use will result in unreasonable loss of amenity for nearby residents.
Representors have indicated that the surrounding streets are currently heavily utilised for commuter car parking. The representors suggest that there is limited capacity for overflow car parking to spill into these surrounding streets. The representors further suggest that residents will end up lobbying Council for restricted car parking and resident parking permits in the surrounding streets if the proposed hospital use establishes on the site.
Representors are concerned that the proposed changes to the New Town Road car parking, traffic islands and bus stops may impact residents ability to access their properties and to access on street parking where they have none on site.
<i>Noise:</i>
Representors have suggested that the number and type of vehicles entering and exiting the site will result in unreasonable increase in noise, reducing the amenity of the surrounding neighbourhood.

Representors are concerned that the 24 hour nature of the proposed hospital use will result in the noise of staff entering and exiting the site through the night, negatively impacting the amenity of the nearby residences.
<i>Signage:</i>
One representor has suggested that the proposed signage for the site is of concern because it is confusing and prolific.
Representors are concerned that the number and size of the signs proposed is excessive along New Town Road.
One representor has suggested that the northern sign is not appropriate as the two southern signs adequately describe the function of the building, whilst the northern sign appears to advertise ownership of the building, rather than function.
<i>Use:</i>
Representors have suggested that the intensity of the use will detrimentally impact the amenity of the surrounding residences through the noise, light spill, and traffic it will generate.
One representor has requested that the hours of operation be restricted to remove Saturday afternoon, Sunday and public holiday use of the site. the representor suggests that this is necessary to ensure residential amenity for nearby properties.
Representors have suggested that it is impossible to control the use of the hospital to preclude an emergency component that would see 24 hour vehicle movements. As such, the representors suggest that the use is inappropriate given the proximity of the building to the residential neighbours to the site.
Representors suggest that the 24 hour hospital use of the site is not compatible with the residential neighbours, and that such a use is more appropriately located in the CBD, or in a greenfield site without the encumbrance of residential neighbours.
<i>Application Documents:</i>
Representors have suggested that the application is misleading in its assertion that the proposed facility will assist with wait lists for surgeries in the public health system. The representors have suggested that this is a privately owned and run facility, and as such will only benefit the private health system.
One representor has questioned the veracity of the application documentation in it's statements surrounding the occupancy numbers and days of use for the overnight hospital ward beds.

One representor is concerned that the application includes no detail of the number of staff expected to be present on site at any one time. They have indicated that the number of specialist and clinical support staff needed for day surgeries can be significant and as such the representor has questioned the veracity of the traffic impacts cited.
Representors have indicated that the application references the limitations of the current Tasmanian health system as a reason to support the application. The representors note that this is not a relevant planning consideration and as such should have not bearing on the determination of the application.
One representor is concerned that the application site and description are confusion. They have indicated that 46 New Town Road is not part of the proposed works, and is only included due to Service works in the rear yard. The representor suggests that this has lead to confusion and concern from residents that 46 New Town Road, a heritage listed building, is proposed to be demolished as part of the works.
One representor has suggested that the application fails to provide adequate details of noise or light emissions from the proposed use to enable assessment of whether or not it complies with the relevant performance criteria. As such, the representor suggests that the proposal should be refused.
<i>Design:</i>
One representor has indicated a belief that the proposed development exceeds the permitted height and setback standards for the zone.
One representor has suggested that the design and siting on the building, in particular the New Town Road facade, is not sufficient to soften the appearance of the building in the streetscape.
Representors have suggested that the proposed building is too big for the site and the surrounding area, and represents an overdevelopment of the site.
Representors have stated that the scale of the proposed development of overbearing and out of character with the surrounding residential development, which is predominantly single storey to the west.
Representors have suggested that the scale of the proposed building will result in it dominating views from the surrounding residential properties.

Representors have suggested that the New Town Road facade of the building is not adequately articulated or glazed to prevent the building having unreasonable bulk and impacts on the amenity of the street.
Representors have questioned the applicant conclusion that the proposed facade treatment will integrate well with the existing streetscape. They suggest that the vast expanses of black cladding and brown brick are not compatible with the surrounding streetscape.
Representors are concerned that the proposed building will have an unreasonable impact on the residential amenity of the property at 46 New Town Road due to the proximity of the stairwell to the common boundary, and the overshadowing of the property resulting from the proximity of the buildings.
One representor has suggested that the proposed new building will prevent the residents of the adjacent building at 46 New Town Road from being able to utilise solar power or from drying clothes in the sun in the rear yard as it will be significantly overshadowed as a result of the proposal.
<i>Heritage:</i>
One representor is concerned that the proposed development does not satisfy clause 15.1.1.6 of the Planning Scheme in that it does not adequately protect and preserve the visual link between heritage properties and heritage precincts within the immediate vicinity, or respect the scale of the nearby heritage properties in the proposed scale and design.
Representors note that the proposed development is adjacent to older parts of Hobart that are protected through Heritage Precinct status under the Planning Scheme. The representors suggest that the proposed development is detrimental to the integrity of this heritage precinct as it fails to respect the scale and character of the precinct.
Representors are concerned that the excavation and construction has no regard to the dwelling at 46 New Town Road. The representors are concerned that the works may compromise the structure and foundations of the dwelling.
Representors have highlighted that there has been no heritage assessment of the dwelling at 46 New Town Road, or assessment of why the works should be considered minor in nature.
<i>Light Spill:</i>

Representors are concerned that there will be light spill from the building as it is proposed to operate 24 hours a day. the representors suggest that the extent of this light spill will unreasonably impact the amenity of surrounding residential properties.
Representors are concerned that the potential increased nighttime traffic generated by the development will result in light spill from headlights into nearby residences from vehicles entering and exiting the site.
<i>Privacy:</i>
Representors are concerned that the proposed building design does not adequately consider the privacy of nearby residences as it includes large windows facing the adjoining neighbours over New Town Road, as well as in Clare and Seymour Streets to the rear.
Representors are concerned that there are balconies to the rear (western side) of the proposed building which will result in a loss of privacy for the rear yards of the adjoining residences.
<i>Pollution / Contamination:</i>
One representor has suggested that the Calvary Hospital has chimneys which emit pollution into the surrounding area. They are concerned that the proposed facility will have a similar impact in this area.
Representors are concerned that the proposed excavation of the site will result in negative health implications for surrounding residents due to the type of contamination and the way in which it enters and affects the human body. The representors have suggested that the safest option for the site is to not disturb the soil.
One representor has requested that the developer advise nearby residents, businesses and schools of the potential impacts of the excavation to their health and of the timings of works so that they can take appropriate precautions.
One representor has questioned whether there will be regular testing of the ground water to determine whether it is contaminated and if it is, disposed of appropriately.
Representors are concerned that there will be noise and dust pollution coming from the site for an extended period of time during the construction of the proposed building. The representors suggest that this will cause an unreasonable loss of residential amenity for surrounding properties.

<i>Planning Scheme Compliance:</i>
Representors have suggested that the proposed new building does not comply with the Planning Scheme in terms of setbacks and heights, and as such should not be supported.
Representors have suggested that the proposal fails to satisfy the Planning Scheme requirement that non-residential use does not unreasonably impact residential amenity.
Representors have suggested that the proposal does not provide integration between the building design and the surrounding residential neighbourhood.
Representors have suggested that the proposal fails to comply with Planning Scheme provisions relating to compatibility with, and impact upon, adjoining residential buildings and uses.
<i>Landscaping:</i>
Representors are concerned that the proposed landscaping will not be appropriate for the site given the limitations on the areas in which the landscaping is proposed. The root depth and spread will be limited due to the service easements and associated requirements to prevent the roots compromising the pipes within the easements. As such, the representors are concerned that the landscaping will be unstable or unsuccessful.
Representors are concerned that the species of trees selected for the vegetated screening to the west of the building are not appropriate as they will require greater root depth and spread than can be achieved in the space provided.
<i>Media:</i>
One representor has suggested that the proposal has been inaccurately depicted in the media. They suggest that it has been depicted as providing emergency and community facilities. The representor suggests that transparency, honesty and regard for local residents has been missing from the process, and that the process is profit driven, not a genuine asset for the community.
<i>Construction:</i>
Representors are concerned that there appears to have been no consideration of how the excavation and construction will impact surrounding residents throughout what could be a lengthy process in terms of noise, dust and construction worker parking.

Representors are concerned that there will be no capacity for crib sheds, facilities, or worker parking on the site during construction. They are concerned that the road will be obstructed or closed for a lengthy period during this work.
One representor is concerned that the extent of excavation and proximity to the boundary of 46 New Town Road will render the property uninhabitable for the duration of the works as there is no consideration of how the excavation and vibration of construction will affect the structural integrity of the heritage listed building.
<i>Service Infrastructure:</i>
Representors are concerned that TasWater and Council might consider works in the property at 46 New Town Road minor, and therefore agree to undertake the works. The representor has indicated that they do not consider this an appropriate use of powers under the <i>Urban Drainage Act 2013</i> or the <i>Water and Sewerage Industry Act 2008</i> .
Representors have suggested that it is not reasonable to encumber 46 New Town Road with re-aligned infrastructure, and with it create new restrictive easements over the property without the consent and agreement of the property owner.
<i>Section 52 Notification:</i>
One representor has indicated that there was not adequate notification for the owner of a portion of the application site. The representor states that the owner received notification of the intention to lodge an application, but suggests that there was not sufficient detail provided for that land owner to understand the works proposed for their property.
Support
<i>Employment / Economy:</i>
Several representors have indicated that the proposed development will provide employment both during the construction and the ongoing operational phases.
One representor has suggested that the proposed facility offers a diversification for the Tasmanian economy away from tourism and hospitality.
Representors have suggested that the construction and ongoing operation will assist Tasmania's post Covid-19 economic recovery.

<i>Healthcare:</i>
Several representors have indicated that the proposed development will result in health care benefits within the Tasmanian community through the provision of additional facilities.
Several representors have indicated that the purpose built facility will improve health care outcomes.
Representors have indicated that the proposed facility will assist in providing for Tasmania's future health care needs.
Representors have indicated that the current Nexus Facility in South Hobart is outdated, and too small for the current requirements, so the proposed new development is a welcome update to the facilities and services offered by Nexus in the Hobart area.
Representors have suggested that the proposed development has to potential to attract new specialists to practice in Tasmania.
Representors have indicated that the overnight ward facility will be of benefit to day surgery patients without capacity to return home immediately.
Representors have suggested that the Covid-19 pandemic has demonstrated a need for such facilities to be provided in the area to enable a more independent Tasmania.
One representor has suggested that the proposed facility will enable state of the art practice and with that optimum patient outcomes.
Representors suggest that the increased surgical capacity provided by the new facility will reduce wait times for elective surgeries in Tasmania.
<i>Design / Location:</i>
Representors have indicated that the building design will enhance the surrounding streetscape, and is appropriate given the other commercial elements within the nearby streetscape.
Representors have indicated that the location is appropriate as it is on a main road and in an area that the representors suggest is becoming more commercial.
One representor has suggested that the facility will attract visitors to the area who would otherwise travel to Victoria for procedures.
Representors indicate that the proposed 'modern / purpose built facility' will be a beneficial addition to the health care options available within Tasmania.

Representors suggest that the location of the proposed facility is central to Greater Hobart and as such will provide for easy access for the wider community.
One representor has suggested that this application converts a vacant property into a desirable building.
Several representors have suggested that the current proposal positively responds to the community and Council concerns with the earlier proposals for the site.
<i>Parking:</i>
Several representors have indicated that the amount of car parking proposed for the site is good and will be of benefit to the operation of the facility given the constraints experienced at other comparable sites in Hobart.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Urban Mixed Use Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is service industry. The proposed use is Hospital Services, Business and Professional Services, and General Retail and Hire. The existing use is a discretionary use in the zone. The proposed uses are discretionary uses 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 D - 15.0 Urban Mixed Use Zone
 - 6.4.3 Part E - E2.0 Potentially Contaminated Land Code
 - 6.4.4 Part E - E5.0 Road and Railway Assets Code

- 6.4.5 Part E - E6.0 Parking and Access Code
 - 6.4.6 Part E - E7.0 Stormwater Management Code
 - 6.4.7 Part E - E13.0 Historic Heritage Code
 - 6.4.8 Part E - E17.0 Signs Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Urban Mixed Use Zone:-
 - Use Table - 15.2 (Hospital Services)*
 - Non-Residential Use - Part D 15.3.1 P1, P2 and P4*
 - Entrapment Spaces - Part D 15.4.4 P1*
 - Outdoor Storage - Part D 15.4.6 P1*
 - Fencing - Part D 15.4.7 P1*
 - 6.5.2 Potentially Contaminated Land Code:-
 - Use Standards - Part E E2.5 P1*
 - Excavation - Part E E2.6.2 P1*
 - 6.5.3 Road and Railway Assets Code:-
 - Existing Road Accesses and Junctions - Part E E5.5.1 P3*
 - 6.5.4 Parking and Access Code:-
 - Number of Car Parking Spaces - Part E E6.6.1 P1*
 - Design of Vehicular Accesses - Part E E6.7.2 P1*
 - Layout of Parking Areas - Part E E6.7.5 P1*
 - 6.5.5 Historic Heritage Code:-
 - Development Standards for Heritage Places - Part E E13.7.1 P1 and E13.7.2 P1*
 - Development Standards for Heritage Precincts - Part E E13.8.2 P4*
 - 6.5.6 Inundation Prone Areas Code:-
 - Riverine Inundation Hazard Areas - Part E E15.7.4 P1*

*Riverine, Coastal Investigation Area, Low, Medium, High Inundation
Hazard Areas - Part E E15.7.5 P1 and P2*

6.5.7 Signs Code:-

Use of Signs - Part E E17.6.1 P4

Development Standards for Signs - Part E E17.7.1 P1 and P2

6.6 Each performance criterion is assessed below.

6.7 Non-Residential Use - Part D 15.3.1 P1, P2 and P4

6.7.1 The acceptable solution at clauses 15.3.1 A1, A2 and A4 require non-residential uses to adhere to limits in relation to the hours of operation, noise emissions and commercial vehicle movements so as to not have an unreasonable negative impact on the surrounding residential amenity.

6.7.2 The proposal includes 24 hour operation, the potential for commercial vehicle movements outside of the permitted hours, and the potential for noise emissions to exceed the permitted standards.

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 clauses 15.3.1 P1, P2 and P4 provide as follows:

P1 - Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

P2 - Noise emissions measured at the boundary of the site must not cause environmental harm.

P4 - Commercial vehicle movements, (including loading and unloading and garbage removal) must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:

(a) the time and duration of commercial vehicle movements;

(b) the number and frequency of commercial vehicle movements;

(c) the size of commercial vehicles involved;

(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);

(e) noise reducing structures between vehicle movement areas and dwellings;

(f) the level of traffic on the road;

(g) the potential for conflicts with other traffic.

- 6.7.5 The application documentation includes confirmation that, whilst there is a hospital component proposed for the use of the site, this hospital will not be an emergency facility associated with the proposed use. As such, the application confirms that the hospital component of the use, whilst housing overnight patients, will not be open to the public after 8pm. The specific nature of this use facilitates its being considered acceptable in the context of the surrounding residential use. As such, a condition should be included prohibiting emergency use of the hospital, and limiting the times in which the public, other than in-patients, are able to access the site.
- 6.7.6 The proposal has been assessed by Council's Environmental Development Planner. Their full assessment is provided as an attachment to this report. In summary, the Environmental Development Planner has indicated that the documentation submitted, in conjunction with certain conditions, adequately address the performance criteria in terms of the increased noise emissions from the site resulting from the proposed use and operation of the site.
- 6.7.7 Notwithstanding this, it is noted that the performance criteria are not just limited to noise emissions from the site. They extend to include any emissions which may have an unreasonable impact on surrounding residential use due to their time, duration or extent.
- 6.7.8 Light emissions are another potential source of unreasonable impact for surrounding residential dwellings. Much like the noise, it is the 24 hour nature of the proposed use which shifts these impacts from being potentially reasonable to being potentially unreasonable. This is because both light spill from inside the hospital (through the window openings), from outside the building (from signage entry forecourt and security lighting), and from the headlights of the vehicles of shift workers,

emergency vehicles, and service vehicles (such as deliveries and waste removal) will all have the potential to impact upon the surrounding residences beyond the light intrusion that is currently experienced, or indeed that which might be experienced from a lesser scale building or from reduced hours of operation.

- 6.7.9 As such, it could be concluded that the proposed medical tenancies could be conditioned to operate as requested and the resulting impacts of this more limited intensity of use would not create an unreasonable negative impact upon the surrounding amenity.
- 6.7.10 Were this aspect of the use to be considered acceptable, the issue would still remain of the potential for light spill from the windows of the hospital component of the proposed use, light spill from security outdoor and forecourt lighting, light spill from the proposed signage, as well as with the associated staff and visitor vehicles. As such, it is considered appropriate to condition that light emissions do not have an unreasonable impact on residential amenity. Further assessment of the proposed signage is provided at section 6.22 below.
- 6.7.11 Similarly, were use limitations to be focused on the proposed medical tenancies that occupy the first two floors of the building, the matter of delivery vehicles would remain a potential cause of unreasonable negative impact for the surrounding residences. As such, it would be appropriate to condition that commercial vehicle movements to and from the site only occur within nominated hours.
- 6.7.12 Many of the impacts and considerations for commercial vehicles are considered in the Road and Railway Assets Code and the Parking and Access Code of the Scheme and as such are not addressed here. Notwithstanding this, the key consideration of the use at this standard is the timing, duration and emissions produced by commercial vehicle movements.
- 6.7.13 The applicant has submitted that all deliveries to and from the site will occur between the acceptable solution hours. They have further submitted that occasional emergency patient transport could occur out of hours. As this facility does not have an emergency care component to the use, the need for this will be infrequent, and as such will have minimal impact on nearby residential amenity. It is considered appropriate to condition that all routine deliveries occur as specified in the application documentation to ensure compliance with the Planning Scheme provisions as much as possible.

- 6.7.14 Clause 8.10 of the planning scheme also requires an assessment of discretionary uses against the relevant zone objectives, which are as follows:
- 15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.*
- 15.1.1.2 To encourage use and development at street level that generates activity and pedestrian movement through the area.*
- 15.1.1.3 To provide for design that maximises the amenity at street level including considerations of microclimate, lighting, safety, and pedestrian connectivity.*
- 15.1.1.4 To ensure that commercial use are consistent with the activity centre hierarchy.*
- 15.1.1.5 To ensure development is accessible by public transport, walking and cycling.*
- 15.1.1.6 To provide for a diversity of uses at densities responsive to the character of streetscapes, historic areas and buildings and which do not compromise the amenity of surrounding residential areas.*
- 15.1.1.7 To encourage the retention of existing residential uses and the greater use of underutilised sites as well as the reuse and adaptation of existing buildings for uses with a scale appropriate to the site and area.*
- 15.1.1.8 To ensure that the proportions, materials, openings and decoration of building facades contribute positively to the streetscape and reinforce the built environment of the area in which the site is situated.*
- 15.1.1.9 To maintain an appropriate level of amenity for residential uses without unreasonable restriction or constraint on the nature and hours of commercial activities.*
- 15.1.1.10 To ensure that retail shopping strips do not develop along major arterial roads within the zone.*
- 6.7.15 Broadly speaking no issues are raised with respect to the proposed uses, and the benefits that a private hospital would bring to the delivery of health

services in the state are acknowledged. In relation to clause 15.1.1.2, 15.1.1.3, 15.1.1.6, and 15.1.1.8 the specific concerns of the impact of the uses outlined above, and the issues with the impact of the scale of the development as assessed below, are noted.

- 6.7.16 The proposal complies with the performance criteria, subject to conditions being imposed as discussed above on any permit issued.

6.8 Passive Surveillance - Part D 15.4.4 P1

- 6.8.1 The acceptable solution at clause 15.4.4 A1 requires that there are no entrapment spaces on the site.
- 6.8.2 The proposal includes two potential entrapment spaces. The first is in the south eastern forecourt, between the building entrance, and the tiered garden beds fronting New Town Road. The second is in the southern portion of the site, between the southern protruding stair well of the building and the side fence shared with 46 New Town Road.
- 6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.8.4 The performance criterion at clause 15.4.4 P1 provides as follows:

Building design must provide for passive surveillance of public spaces by satisfying all of the following:

(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;

(b) locate windows to adequately overlook the street and adjoining public spaces;

(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;

(d) locate external lighting to illuminate any entrapment spaces around the building site;

(e) provide external lighting to illuminate car parking areas and pathways;

(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;

(g) provide for sight lines to other buildings and public spaces.

- 6.8.6 The potential entrapment space at the front of the property is as a result of a level change between the application site and the footpath, and a feature wall. As it is possible to exit the site either side of the wall, the risk associated with the space is low. However, as there is still a risk, it is recommended that appropriate lighting be installed in this location to increase visibility into the space and thus further reduce the risk of entrapment in this space.
- 6.8.7 The potential entrapment space at the side of the property is not in an area where the general public will be directed, it is more an area that will be accessed for maintenance. As such, it will likely be used during the day and will be well lit whilst in use. It is also adjacent to the side boundary of the residences at 46 New Town Road, so any untoward activity in that space outside of daylight hours is likely to be witnessed / heard by the adjacent residents.
- 6.8.8 The proposal complies with performance criterion.
- 6.9 Outdoor Storage - Part D 15.4.6 P1
- 6.9.1 The acceptable solution at clause 15.4.6 A1 requires outdoor storage areas to be fully screened from public view.
- 6.9.2 The proposal includes a garbage storage area toward the southern end of the western boundary that will be visible from neighbouring property to the south east in Clare Street.
- 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 15.4.6 P1 provides as follows:

Outdoor storage areas for non-residential uses 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 outdoor bin enclosure is located on the western boundary, so does not directly abut the residential property in question to the east. There is screening provided to three sides of the enclosure, ensuring that waste bins stored in the area are not visible from any other residential neighbours or from the street. The waste storage area is considered to be sufficiently removed from the neighbour to the east that no further screening is required.
- 6.9.6 The proposal complies with the performance criterion.
- 6.10 Fencing - Part D 15.4.7 P1
- 6.10.1 The acceptable solution at clause 15.4.7 A1 requires frontage fences to be 50% transparent above 1.2m in height.
- 6.10.2 The proposal includes replacement of all side and rear fencing (including within 4.5m of frontages) with 2.1m high solid fencing in either Corrugated metal or lapped timber palings. The proposal also includes solid, 2.1m high replacement gates and fencing to the Clare Street frontage at approximately 9m setback. The side fencing adjacent to 9a and 11 Clare Street is 1.5m high for the first 4.5m back from the road, then steps up to 2.1m for the remainder of the side fences up to and past the proposed new gate.
- 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 15.4.7 P1 provides as follows:

Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in the General Residential Zone or Inner Residential Zone which lies opposite or shares a common boundary with a site, having regard to all of the following:

- (a) the height of the fence;*
- (b) the degree of transparency of the fence;*
- (c) the location and extent of the fence;*

(d) the design of the fence;

(e) the fence materials and construction;

(f) the nature of the use;

(g) the characteristics of the site, the streetscape and the locality, including fences;

(h) any Desired Future Character Statements provided for the area.

- 6.10.5 The site is currently bounded by open chain wire fencing to both dwellings adjacent to the New Town Road and both dwellings adjacent to the Seymour Street frontages. The Clare Street frontage has a higher chain wire side fence to the west and a lapped paling side fence to the east, which angles down to the street front. The height and material for the remainder of the existing internal fencing (to the rear boundaries of the Clare and Seymour Street dwellings) is unknown.
- 6.10.6 The properties along Clare Street all have front fences and fences within 4.5m of the front boundary that are typically around 1-1.5m, increasing in height gradually along the side boundaries as they progress further back into the property. As such, the proposed solid 1.5m high fence within the first 4.5m from the front boundary is considered appropriate.
- 6.10.8 The proposal complies with the performance criterion.
- 6.11 Potentially Contaminated Land Code - Use Standards - Part E E2.5 P1
- 6.11.1 The acceptable solution at clause E2.5 A1 requires certification by the Director of the Environment Protection Authority, or a person appointed by the Director, that the land is suitable for the intended use.
- 6.11.2 The proposal includes assessment and proposed contamination management measures to ensure that the site is suitable for the intended use upon completion of works, but this has not been certified by the Director of the Environment Protection Authority, or a person appointed by the Director.
- 6.11.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause E2.5 P1 provides as follows:

Land is suitable for the intended use, having regard to:

(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or

(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or

(c) a plan to manage contamination and associated risk to human health or the environment that includes:

(i) an environmental site assessment;

(ii) any specific remediation and protection measures required to be implemented before any use commences; and

(iii) a statement that the land is suitable for the intended use.

6.11.5 The application has been assessed by Council's Senior Environmental Health Officer, who has provided the following comment:

A1 - There were no acceptable solutions submitted.

P1 - Performance Criteria (c) applies - A plan to manage contamination and associated risk to human health or the environment was provided, which includes;

(i) an environmental site assessment;

(ii) the ESA outlines specific remediation and protection measures required to be implemented before any use commences; and

(iii) the ESA includes statements that the land is suitable for the intended use.

6.11.6 The proposal complies with the performance criterion subject to condition.

6.12 Potentially Contaminated Land Code - Excavation - Part E E2.6.2 P1

6.12.1 There is no acceptable solution for E2.6.2 A1.

6.12.2 The proposal includes excavation on a contaminated site.

6.12.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.12.4 The performance criterion at clause E2.6.2 A1 provides as follows:

Excavation does not adversely impact on health and the environment, having regard to:

(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or

(b) a plan to manage contamination and associated risk to human health and the environment that includes:

(i) an environmental site assessment;

(ii) any specific remediation and protection measures required to be implemented before excavation commences; and

(iii) a statement that the excavation does not adversely impact on human health or the environment.

- 6.12.5 The application has been assessed by Council's Senior Environmental Health Officer, who has provided the following comment:

A1 - There are no acceptable solutions.

P1 - Performance Criteria (b) applies - The applicant as submitted a plan to manage contamination and associated risks to human health and the environment that includes;

(i) an environmental site assessment;

(ii) the ESA contains specific remediation and protection measures required to be implemented before excavation commences; and

(iii) the ESA includes statements that the excavation does not adversely impact on human health or the environment.

- 6.12.6 The proposal complies with the performance criterion subject to condition.

6.13 Existing road accesses and junctions - Part E E5.5.1 P3

- 6.13.1 The acceptable solution at clause E5.5.1 A3 requires vehicle movements to and from a site not to increase by more than 20% or 40 vehicles per day.

- 6.13.2 The proposal includes increased vehicle movements beyond this threshold.

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

6.13.4 The performance criterion at clause E5.5.1 P3 provides as follows:

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

6.13.5 The application has been assessed by Council's Development Engineer, who has provided the following comment:

The existing road access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). Documentation submitted to date does not satisfy the Acceptable Solution for clause E5.5.1 (A3) and as such, shall be assessed under Performance Criteria.

Acceptable Solution A3:

The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater. - NON COMPLIANT

The development accesses to the road network which has a speed limit of 50km/h and the traffic generation by the development will exceed the 20% increase or 40 vehicle requirement of the acceptable solution and is to be assessed against the performance criteria. There are two proposed vehicular access points, one from New Town Road and one from Clare Street. A Traffic Impact Assessment was submitted with the application that assessed the impact of the traffic generated by the development on the road network and intersection/junction capacity. The assessment has reviewed the existing road and traffic environment in the area of the development site and found there currently are no significant traffic issues of concern. The Traffic impact assessment identified that intersections and junctions reach capacity when the total conflicting approach traffic volumes are around 1,500 vehicles/hour. The Traffic Impact Assessment states that the conflicting traffic volume at the development site driveway with Clare Street will only be less than 30% of this maximum conflicting traffic volume. The TIA has concluded that there are no issues or concerns identified with the location of the driveways and their full use by all vehicle movements and the overall proposed development will not create any operational issues and is supported on traffic grounds.

Performance Criteria – P3:

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

(a) the increase in traffic caused by the use; - The traffic generated by the proposed development is likely to be up to 160 vehicle trips/hour during the morning period and 116 vehicles/hour during afternoon period via the New Town Road access. In addition, it is expected that commercial vehicle movements will add an additional average of 60 movements per day. The commercial movements will be almost entirely via the Clare Street access, however around a third of the commercial vehicles are anticipated to use the loading zone on New Town Road servicing tenancies such as the cafe. The TIA has concluded that there are no issues or concerns identified with the location of the driveways and their full use by all vehicle movements and the overall proposed development will not create any operational issues and is

supported on traffic grounds.

(b) the nature of the traffic generated by the use; - All traffic generated by the proposed development will be from the hospital and commercial tenancies including domestic and commercial vehicles and is compatible with the existing traffic utilising New Town Road and Clare Street near the subject site.

(c) the nature and efficiency of the access or the junction; - The Traffic Impact Assessment states that the conflicting traffic volume at the development site driveway with Clare Street will only be less than 30% of the maximum conflicting traffic volume of 1,500 vehicles /hour.

(d) the nature and category of the road; - New Town Road is a major road carrying approximately 8,000 vehicles/day. Clare Street is a minor road carrying approximately 3,200 vehicles/day. The TIA has stated the overall proposed development will not create any operational issues and is supported on traffic grounds.

(e) the speed limit and traffic flow of the road; - The general urban speed limit of 50-km/h applies to New Town Road and Clare Street. This speed limit is appropriate for the nature of the development.

(f) any alternative access to a road; - No alternative access is possible for the proposed development.

(g) the need for the use; - Two access points are required to ensure vehicle movements are spread across both streets to minimise any impacts from the increase in vehicle movements. The configuration proposed also allow a separation of commercial and private vehicles to improve efficiency and safety across the site.

(h) any traffic impact assessment; and - A Traffic Impact Assessment was submitted. The TIA has concluded that there are no issues or concerns identified with the location of the driveways and their full use by all vehicle movements and the overall proposed development will not create any operational issues and is supported on traffic grounds.

(i) any written advice received from the road authority. - Council's

Senior Engineer-Roads & Traffic City Mobility has advised that there are no issues for City Mobility.

Based on the above assessment and given the submitted documentation, the proposed accesses may therefore be accepted under Performance Criteria P3:E5.5.1 of the Planning Scheme.

6.13.6 The proposal complies with the performance criterion.

6.14 Number of car parking spaces - Part E E6.6.1 P1

6.14.1 The acceptable solution at clause E6.6.1 A1 requires 339 car parking spaces for the proposal.

6.14.2 The proposal includes 236 car parking spaces.

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

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

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

(a) car parking demand;

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

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

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

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

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

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

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

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

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

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

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

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

- 6.14.5 The application has been assessed by Council's Development Engineer, who has provided the following comment:

The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.6.1 (a) and as such, shall be assessed under Performance Criteria.

Acceptable solution - A1:

The number of on-site car parking spaces must be:

(a) no less than and no greater than the number specified in Table E6.1; - NON COMPLIANT

Performance Criteria - P1:

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

(a) car parking demand; - HIPS Table E6.1 identifies that a hospital is to provide 1 car parking space per 40m² of floor area and 1 car parking space per 30m² floor area for business and professional services. The proposed floor area of the hospital is 4983m² therefore the number of car parking spaces required is 125. The proposed floor area of the proposed tenancies is 3392m² therefore the number of car parking spaces required is 113. The total number of car parking spaces required to meet the acceptable solution for the development is 238. The total number of car parking spaces proposed for the site is 248 (including 8 parking spaces for people with disabilities and complies with BAC requirements). Therefore there is a surplus of 10 car parking spaces. To meet the acceptable solution, there is to be no greater than the number of car parking spaces specified in Table E6.1. Exceeding the required number of on site car parking spaces requires assessment against the performance criteria.

(b) the availability of on-street and public car parking in the locality; - There is on-street parking in the surrounding road network, however as the on site parking requirement is exceeded therefore parking off site is not applicable.

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

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

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

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

(g) any car parking deficiency or surplus associated with the existing use of the land; - Not applicable.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; - Not applicable.

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; - Not applicable.

(j) any verified prior payment of a financial contribution in lieu of parking for the land; - Not applicable.

(k) any relevant parking plan for the area adopted by Council; - Not applicable.

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code; - Not applicable.

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code. - No impact.

Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme.

6.14.6 The proposal complies with the performance criterion.

6.15 Design of Vehicular Access - Part E E6.7.2 P1

6.15.1 The acceptable solution at clause E6.7.2 A1 requires vehicle accesses to be designed in accordance with the relevant Australian Standard.

6.15.2 The proposal includes an access design that does not meet the relevant Australian Standard.

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

6.15.4 The performance criterion at clause E6.7.2 P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;

(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;

(c) suitability for the type and volume of traffic likely to be generated by the use or development;

(d) ease of accessibility and recognition for users.

6.15.5 The application has been assessed by Council's Development Engineer, who has provided the following comment:

The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).

Acceptable Solution - A1:

Design of vehicle access points must comply with all of the following:

(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking - NON COMPLIANT

The gradients of the vehicle accesses exceed the requirements of AS/NZS 2890.1:2004, therefore is to be assessed under the performance criteria.

(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" AS2890.2-2002 Parking Facilities Part 2: Off-street commercial

vehicle facilities. The gradients of the commercial vehicle access exceeds the requirements of AS 2890.2:2002, therefore is to be assessed under the performance criteria.

Performance Criteria - P1:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible*
- (d) ease of accessibility and recognition for users. - Feasible*

Based on the above assessment and given the submitted documentation, the location of the southern access off New Town Road that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme.

6.15.6 The proposal complies with the performance criterion.

6.16 Layout of Parking Areas - Part E E6.7.5 P1

6.16.1 The acceptable solution at clause E6.7.5 A1 requires parking areas to be designed and constructed in accordance with section 2 of the Australian Standard.

6.16.2 The proposal includes a parking area that does not comply with section 2 of the Australian Standard.

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

6.16.4 The performance criterion at clause E6.7.5 P1 provides as follows:

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

6.16.5 The application has been assessed by Council's Development Engineer, who has provided the following comment:

The layout of the parking area must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.5 and as such, shall be assessed under Performance Criteria.

Acceptable Solution A1: - NON COMPLIANT

The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.

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

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

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

Parking Space Gradient (5%): - The majority of parking spaces will meet the AS2890.1 requirements, however there are five parking spaces located in the car park off Clare Street will have cross sectional gradient of approximately 12% that do not meet the AS2890.1 requirement of 6.25%. The Traffic Impact Assessment has identified that these parking spaces are proposed to the 3.5m wide instead of the standard 2.5m car parking spaces to compensate for the steepness in gradient by providing more side clearance for door opening and manoeuvring on the grade. The car park off Clare Street is for staff parking and accessed by a secure gate. It is considered acceptable under the performance criteria

Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): - Feasible

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

Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): - The majority of parking modules will meet the AS2890.1 requirements, however there are five parking spaces located in the car park off Clare Street will have parking module gradients of approximately 12% that do not meet the AS2890.1 requirements. The Traffic Impact Assessment has identified that these parking spaces are proposed to the 3.5m wide

instead of the standard 2.5m car parking spaces to compensate for the steepness in gradient by providing more side clearance for door opening and manoeuvring on the grade. The gradients of manoeuvring areas off Clare Street will be approximately 12%, 10% is generally acceptable under performance criteria. As the car park off Clare Street is for staff parking and the uses will become familiar with the site then it is considered acceptable under the performance criteria

Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m): - Feasible

Transitions (AS2890.1 Section 2.5.3 = 12.5% summit, 15% sag => 2m transition): - Feasible

Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): - Feasible

Blind Aisle End Widening (AS2890.1 Fig 2.3 = 1m extra): - Feasible

"Jockey Parking" (Performance Assessment): -N/A

Performance Criteria - 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. - Feasible

6.16.6 The proposal complies with the performance criterion.

6.17 Development Standards for Heritage Places - Part E E13.7.1 P1 and E13.7.2 P1

6.17.1 There are no acceptable solutions for E13.7.1 A1 or E13.7.2 A1.

6.17.2 The whole site is not heritage listed. Only the property at 46 New Town Road is heritage listed. On this site the extent of works is services upgrade only.

6.17.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.17.4 The performance criterion at clause E13.7.1 P1 and E13.7.2 P1 provides as follows:

E13.7.1

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

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.

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

The house at 46 New Town Road is a 19th century Inn called the Harvest Home Hotel which, according to the entry in the publication Here's Cheers by Colin Dennison was built in 1840. Photos show it with a verandah to the front. It was located on what was the road north out of Hobart Town to cater for travellers. It is a two storey masonry building with a hipped roof. It has been modified over time with bay windows added to the upper storey in the 1910-1920s. The proposed works will not result in changes or alterations to the house as it is untouched by the proposed excavation. However it is a building not built to current construction standards and could potentially, be negatively impacted on by vibration, excavation along the northern boundary for carpark, construction and the movement of heavy vehicles. It is therefore considered appropriate that a Construction Management Plan be prepared for that part of the construction site to articulate how the

house at 46 New Town Road and its footing will be protected from vehicular movement, vibration and other associated construction impacts such as excavation and soil removal. This could be achieved by a condition of permit. With this in place, the proposal will satisfy E13.7.1 P1 and E13.7.2 P1.

6.17.6 The proposal complies with the performance criterion.

6.18 Development Standards for Heritage Precincts - Part E E13.8.2 P4

6.18.1 The acceptable solution at clause E13.8.2 A4 requires new front fences and gates to accord with original design, based on photographic, archaeological or other historical evidence.

6.18.2 The whole site is not within a heritage precinct. Only the access strip between 15 and 17 Seymour Street is within a heritage precinct. In this area only new gates are proposed.

6.18.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.18.4 The performance criterion at clause E13.8.2 P4 provides as follows:

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

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

On the part of the proposal site covered by the heritage precinct, new gates are proposed on the driveway which currently has a low farm gate style of open mesh/metal fence that is approximately 1 metre high. No details are provided about the proposed gate. The proposal must be assessed against E13.8.2 P4 for new front fences and gates.

While the proposal for the medical facility does not impact on the heritage values of the precinct, given the limitations of the precinct coverage, it is recommended that a condition of permit be included requiring further details on the type and height of the gate on Seymour Street be submitted to ensure it does not have a negative impact on the streetscape qualities of the precinct.

With such a condition of permit the proposal will satisfy E13.8.2 P4 of the Historic Heritage Code of the Scheme.

6.18.6 The proposal complies with the performance criterion.

6.19 Riverine Inundation Hazard Areas - Part E E15.7.4 P1

6.19.1 The acceptable solution at clause E15.7.4 A1 requires new habitable buildings to have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.

6.19.2 The proposal does not satisfy this requirement.

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

6.19.4 The performance criterion at clause E15.7.4 P1 provides as follows:

A new habitable building must have a floor level that satisfies all of the following:

(a) risk to users of the site, adjoining or nearby land is acceptable;

(b) risk to adjoining or nearby property or public infrastructure is acceptable;

(c) risk to buildings and other works arising from riverine flooding is adequately mitigated through siting, structural or design methods;

(d) need for future remediation works is minimised;

(e) provision of any developer contribution required pursuant to policy adopted by Council for riverine flooding protection works.

6.19.5 The application has been assessed by Council's Technical Officer - Environmental, who has provided the following comment:

New building built within identified 1%+CC flood path. Minor outbuildings blocking the current flow path will be removed, and flood waters will be channeled into a new swale running behind the building. Bunds (varying from low earth to 600mm high concrete) will contain the flows, and the new/ replacement main will have

grated pits to let the flow in. The main is shown to have only marginally sufficient capacity for the 20yr event- there is no spare capacity to receive overland flow in a bigger storm event.

Floor levels (basement carpark and ground floor) will not be 300mm above the water level in this swale - A1 not met.

P1 met.

The risk to the site, (users and buildings) is low- whilst the freeboard is not achieved, should there be a blockage the site will have secondary protection (flood-resistant doors and building walls), and the site is non-residential - there will be staff awake and able to manage the situation. The swale is largely in a landscaped area - only pedestrian risk is at the loading dock/ carpark.

The modelling shows risk to other land is low - the proposed swale will concentrate the flow onto the subject site.

The swale will need to be maintained by the site owner, as part of the landscape maintenance, to reduce risk of blockage and maintain capacity. Given the nature of the building, this is much more likely to be done.

6.19.6 The proposal complies with the performance criterion.

6.20 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas - Part E E15.7.5 P1

6.20.1 There is no acceptable solution for E15.7.5 A1.

6.20.2 The proposal includes landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution..

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

6.20.4 The performance criterion at clause E15.7.5 A1 provides as follows:

Landfill, or solid walls greater than 5 m in length and 0.5 m in height, must satisfy all of the following:

(a) no adverse affect on flood flow over other property through displacement of overland flows;

(b) the rate of stormwater discharge from the property must not increase;

(c) stormwater quality must not be reduced from pre-development levels.

- 6.20.5 The application has been assessed by Council's Technical Officer - Environmental, who has provided the following comment:

P1 met - Building walls >5m long will be built in the current flood zone - the modelling shows flows will be contained in the proposed swale. Walls over swale to be hydraulically permeable (ie open at base).

The modelling shows flows contained within the swale, so no adverse impact on neighbouring property.

The walls themselves will not affect stormwater discharge rate nor quality. Speaking more generally, the extensive detention proposed will ensure rate of stormwater discharge will not increase. Floodwaters will be concentrated, but through a vegetated swale vs hardstand. The grassed swale should not pose a sediment source once established, and stormwater treatment is proposed, a net improvement from previous hardstand area.

- 6.20.6 The proposal complies with the performance criterion.

- 6.21 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas - Part E E15.7.5 P2

- 6.21.1 There is no acceptable solution for E15.7.5 A2.

- 6.21.2 The proposal includes mitigation measures to minimise risk associated with flooding.

- 6.21.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

- 6.21.4 The performance criterion at clause E15.7.5 P2 provides as follows:

Mitigation measures, if required, must satisfy all of the following:

(a) be sufficient to ensure habitable rooms will be protected from flooding and will be able to adapt as sea levels rise;

(b) not have a significant effect on flood flow.

- 6.21.5 The application has been assessed by Council's Technical Officer - Environmental, who has provided the following comment:

P2 met - swale and flood exclusion measures (building to have no openings (eg basement air vents) except flood barrier doors), and managed/ staffed site combine to greatly reduce the likelihood of floodwaters entering habitable rooms. Sea level rise will not affect the flood level, and climate change related rainfall intensity increase has been included in the modelling. The channelisation of flow through the site is not shown to adversely impact neighbouring private property.

6.21.6 The proposal complies with the performance criterion.

6.22 Use of Signs - Part E E17.6.1 P4

6.22.1 The acceptable solution at clause E17.6.1 A1 requires signage not to be illuminated within 30m of residential use.

6.22.2 The proposal includes illuminated signage within 30m of a residential use.

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

6.22.4 The performance criterion at clause E13.6.1 P1 provides as follows:

An illuminated sign within 30 metres of a residential use must not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms.

6.22.5 It is proposed to back-light the signs, which will reduce the potential for light spill that could occur from externally illuminated signage. However, there is still the potential for light to spill from the site as a result of the signage, particularly given the scale and location of the signs. Whilst it is acknowledged that there are already streetlights and vehicle headlights along New Town Road which will result in some light spill into the nearby residences facing this facade, it is considered that the back lighting of the hospital signage should not result in unreasonable loss of amenity for those residences, particularly as the traffic significantly reduces overnight, reducing the impact of headlights, and there are only two streetlights in front of the development site, and none where signage panel 1 is proposed.

6.22.6 Following advertising, and the concerns raised by representors regarding

the scale and clarity of the proposed signage, a detailed assessment of the signage against the performance criteria was undertaken. The applicant was approached regarding the proposed illumination, scale, and location of the signage. In discussion, the applicant indicated that the signage was necessary to assist with ease of access and identification of the building. The applicant further indicated that the signage should be illuminated all hours for this purpose to assist visitors to the site.

- 6.22.7 As the hospital is not open to the public at all hours, it is considered appropriate to only have the signage illuminated during the hours that the building is open to the public, such that the building will be easily identifiable and locatable for people seeking it whilst it is open to and accessible by the public (other than overnight patients). Further to this, it is considered that only signage at a height that will assist people seeking the primary building entrance needs to be illuminated. That is to say, the higher signage panels 1 and 3 are not at a height that will assist people entering the building from New Town Road. The illumination of these signs would therefore only help to identify the building from a distance, and would have the potential to unreasonably impact the amenity of nearby dwellings.
- 6.22.8 Accordingly, should a permit issue for the proposal, a condition should be included that only allows for the illumination of signage panel 2, and restricts the hours of illumination of the sign to between 7am and 8pm every day. The signage should be maintained in good condition and the illumination should be controlled with an automated system which is maintained for the duration of the approved use of the site.
- 6.22.9 The proposal complies with the performance criterion subject to the above condition.
- 6.23 Standards for Signs - Part E E17.7.1 P1 and P2
- 6.23.1 The acceptable solution at clauses E17.7.1 A1 and A2 require a maximum of one of each sign type per frontage, and a maximum wall sign size of 2m² and a maximum lettering height of 450mm.
- 6.23.2 The proposal includes three wall signs on the eastern (front) elevation.
- The southern most sign is proposed to be 1.2m high, 18.7m long, and to have a minimum height of 7.7m at the southern end, increasing to 8.49m above the natural ground level at the northern end.
 - The central sign is proposed to be 0.6m high, 9.72m long, and to have

a minimum height of 0.9m at the southern end, increasing to 1.32m at the northern end.

- The northern most sign is proposed to be 2.36m high, 6.53m long, and to have a minimum height of 9.26m at the southern end, and 9.32m at the northern end.
- All proposed signage is to be illuminated.

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

6.23.4 The performance criterion at clauses E17.7.2 P1 and P2 provide as follows:

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

(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;

(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;

(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;

(d) not result in loss of amenity to neighbouring properties;

(e) not involve the repetition of messages or information on the same street frontage;

(f) not contribute to or exacerbate visual clutter;

(g) not cause a safety hazard.

P2 - The number of signs per business per street frontage must:

(a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;

(b) reduce the existing level of visual clutter in the streetscape by

replacing, where practical, existing signs with fewer, more effective signs;

(c) not involve the repetition of messages or information.

- 6.23.5 When viewing the building as a whole, the signage does not appear to be unreasonable in terms of its scale or location. However, when the building and therefore the signage is viewed in the context of the surrounding streetscape, both are larger than, and therefore not readily integrated into the streetscape. Whilst the building itself complies with the development standards for the zone, the proposed signage does not. As such, for all that the signage is compatible with and does not dominate the building, it has the potential to dominate the streetscape into which it is proposed to be inserted.
- 6.23.6 The proposal to backlight all three proposed signs would exacerbate the visual intrusion of the signage into and therefore its domination of the street. As such, the requirement at paragraph 6.22 to only illuminate signage panel 2, not signage panels 1 and 3 will help to reduce the dominance of the street by the signs. As such, the condition required to satisfy the performance criteria assessed at paragraph 6.22 above, will also assist in addressing this performance criteria.
- 6.23.7 There is no detail of the proposed signage material included on the architectural drawings. However, it is reasonable to assume from the elevation drawings and photomontages provided that the signage is to be constructed and installed using individually cut lettering / symbols, attached directly to the main building facade without a backing of any type. Accordingly, to assist in minimising the potential for the signage to dominate the streetscape, this form of application of the proposed signage should be a condition of any approval granted.
- 6.23.8 Similarly, there is no detail provided of the final proposed colour scheme for the signage. Again, the photomontages suggest that signage panels 2 and 3 will have low contrast between the signs and the backing of the building facade. Although this low contrast colouration is not shown for signage panel 1, it is considered appropriate to condition any approval that all three proposed signs be of a colour that is low contrast to the building facade to which it attaches. This will help to ameliorate the scale of the signage and prevent it dominating the streetscape in which it is proposed to be located.
- 6.23.9 Lastly, should any of the signage fall into disrepair it will highlight the scale

of the signage and thus make it more prevalent in the streetscape. Such prevalence could result in the signage dominating the streetscape more than is appropriate. Accordingly, a condition that the approved signs be maintained in good condition at all times should be included if a permit is granted

6.23.10 As described above, the signage as proposed is not supportable due to the domination it would have of the streetscape. An alternative to the proposed conditions was discussed with Council's Legal Officers, whereby signage panel 1 was not supported, and signage panels 2 and 3 were reduced in size, and only signage panel 2 was allowed to be illuminated. The advice of the Legal Officers was that this went too far for a condition, and that if the signs were inappropriate as proposed, the whole of the application should be refused. Following this advice, further consideration of how to ameliorate the impacts of the signs, without rejecting the remainder of the application occurred. As such, the above modifications to the proposed signs are considered necessary to enable their support.

6.23.11 The proposal complies with the performance criterion, subject to the above specified conditions.

7. Discussion

- 7.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works, at 46, 48-50 and 52 New Town Road and 7a Clare Street, New Town. The main portion of the development is located on 48-52 New Town Road.
- 7.2 The application was advertised and received seventeen (17) representations objecting to the proposal and thirty four (34) representations supporting it. The representations objecting to the proposal raised concerns including Neighbourhood Character, Traffic, Parking, Noise, Signage, Use, Application Documents, Design, Heritage, Light Spill, Privacy, Pollution / Contamination, Planning Scheme Compliance, Landscaping, Media, Construction, Service Infrastructure, and Section 52 Notification. The representations supporting the proposal did so as a result of perceived Employment / Economic Benefit, Healthcare Benefits, Previous Application, Site Aesthetics, and Parking.
- 7.3 Response to matters raised in representation, but not discussed elsewhere is as follows:

7.4 Application Documentation -

Any recommendation made by Council Officers is based upon the Officers assessment of the proposed use and / or development against the provisions of the Planning Scheme. As such, any justification provided in support of an application that is not based in the Planning Scheme does not influence the assessment of the application.

7.5 S52 Notification -

The requirement of S52 of the Land Use Planning Approvals Act 1993 requires an applicant to notify a land owner of their intention to lodge an application. The Council's online application portal includes a statutory declaration by the applicant to confirm that they have notified the land owner in accordance with this requirement. As such, where an application is lodged over third party land, there is no further interrogation of the nature of the notification provided, or whether it has in fact occurred at all as the applicant has confirmed that it has occurred as part of their application.

7.6 Employment / Economic Benefit

It is acknowledged that the construction of the proposed building will result in employment in the construction industry for the duration of the works. It is also likely that the facility once complete would provide additional employment opportunities within the local area both directly and indirectly.

However, broader economic benefit is not a matter for consideration under the Planning Scheme. The scheme instead focuses on the ways in which use and development can be integrated into an area, and considered whether any impacts are what can reasonably be expected and absorbed into a locality.

7.7 Healthcare Benefits -

Whilst it is acknowledged that the proposed facility has the potential to provide additional healthcare facilities, the Planning Scheme does not consider such benefits from development.

7.8 Previous Application -

There is no question that the proposed development is an improvement on the previous proposals for the site that were recently refused or withdrawn. However, improvement on previous iterations of a proposed development is not sufficient grounds for support. Each application must be assessed afresh on its own merits.

- 7.9 Further to the assessment of the Historic Heritage Code, Council's Cultural Heritage Officer has provided the following comment regarding an existing work of art on the building that is to be demolished:

Although not covered by the Historic Heritage Code, there is a sculpture on the facade of the building facing New Town Road which has been recorded in the Public Art Audit Report by Heritage Consultants Tasmania Pty Ltd, December 2005 which came about following Council endorsing a Public Art Strategy which recommended the following:

'Undertaking an audit of all outdoor artworks and cultural material including memorials, fountains, sculptures and murals. This will outline the scope and significance of the collection including all Council owned works and significant private works in the public domain.'

The wall sculpture was created in 1959 by Stephen Walker who was commissioned by the television station TVT 6 to make an aluminium and cement wall sculpture for the building. The work incorporates a relief pattern carved in the cement.

Stephen Walker was born in Melbourne in 1927 and studied in Tasmania from 1948 to 1950. In 1973 he returned to Tasmania, opened a studio in Campania and soon became the state's most successful sculptor. He died in 2004. His works include the 'The Evolution of Justice' at the Supreme Court, 'Tidal Pools' - now located at lower Sandy Bay, 'Tasman Monument' at Salamanca, 'Antipodean Voyage' at the Botanical Gardens, 'Moment of Sleep' at the University of Tasmania, the Truganini memorial adjacent to the Mount Nelson Signal Station, 'Spring Landscape' at the Commonwealth Building garden, 'The Seasons' in Macquarie Street, 'Antarctic Tableau' on the front of the Reserve Bank Building and 'The Bernacchi Tribute' on the waterfront. In the preparation of the Public Art Audit Report, the artist Stephen Walker was consulted.

The artwork is notated on the application drawings as 'facade sculpture to be carefully removed and relocated'. Under the Moral Rights provisions within the Copyright Act 1968, the applicant was asked to respond to how the proposed application responds to and addresses the rights of an artist's

'right of integrity'. This means that a work must not be changed or added to in a way that would have a negative impact on the creator's reputation. Advice was given that the applicant must contact the family of Stephen Walker and make reasonable enquiries and negotiations. The following information was provided in the planning report by Ireneinc (p.58) : 'Discussions have been undertaken with the Artists' family and the current intention is to relocate the sculpture within the foyer of the new building as shown in the following figure. These discussions are ongoing.'

With this commitment, and the notation on the plans (see drawing 15153 SK3204 L, dated 2020.12.07), it is anticipated that an appropriate and valid outcome can be reached, given this cannot be conditioned should a permit be issued.

- 7.10 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.11 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Environmental Development Planner, Environmental Health Officer, Stormwater Engineer, Roads Engineer and Traffic Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.12 The application was considered by the Urban Design Advisory Panel at its meeting of 20 January 2021. The Panel's comments are provided in full as an attachment to this report. The Panel were generally supportive of the proposal. Where relevant, the Panel's comments have been included above in section 6 of the report. The Panel also made the following comments relating to the proposed landscaping and New Town Road facade treatment for the site:

It was acknowledged that there had been further consideration around the increased soft landscape around the property, but it was felt that further thought and planning is required. There were discussions around whether there is an opportunity for further plantings around the entrance on New Town Road and that the current soft landscaping proposal has a greater benefit to the occupants of the development rather than the people on the street.

The bulk of the building has been reduced to within the permitted height requirements. The façade to New Town road has been reconfigured in an attempt to reflect the streetscape transition from Commercial Zone to the south and Residential Zone to the north. Whilst this has an impact on the streetscape which the Panel felt improved the design from the previous

submissions, they still had reservations about how the proposal fits within the streetscape, such as;

- The blank form of the southeast corner including the stair core and its relationship to the adjacent heritage building at 46 New Town Road;*
- The dark-coloured metal-clad form with long horizontal window opening to the southern part of the street façade will be particularly distinctive in the streetscape. The Panel did not agree with the proponents suggested 'streetscape link' between this part of the façade and selected commercial buildings (that reflect a characteristic modulation) to the south on New Town Road, and;*
- The northern part of the street façade is proposed to be clad in light brown/brown brickwork, which relates in material to some buildings in the local context, though in colour the Panel sees no relationship to the dominant reddish-brown brickwork of the area.*

The Panel believes further attention to the streetscape scale and detail could have produced a better transitional development that reflects the detail and fine grain of this neighbourhood, considering the significance the proposal has due to its long frontage and location between Zones.

Whilst there was some concern on the Panel about the amenity of the building with regards to the neighbouring residential properties in the Residential Zone, it was noted that the proponent had complied with required setbacks and considered the issue of overlooking the neighbourhood with the placement of the window heights and the proposed landscaping between building and boundary.

....

The Panel felt there were further opportunities in the design and would suggest that a condition be included with any approval with regards to a detailed landscape design in particular, a detailed plan advising the types and planting density of vegetation along with a long-term maintenance regime noting that mature tree planting is an essential part of the planning to ensure that a successful visual buffer is achieved between the building and neighbouring properties.

The Panel also suggests a condition or advice seeking to improve the relationship of the building to the New Town Road streetscape including the exploration of detailed façade design, colour palette and materials that will incorporate the fine grain character and modulation of New Town Road into the design.

- 7.13 In relation to the above Urban Design Advisory Panel comments, it is considered that conditions ensuring that the proposed landscaping is appropriate (or modified to make it appropriate), installed prior to commencement of use of the site, and maintained for the duration of the use of the site, should be included in any permit granted. It is further considered that a final detailed design condition requiring submission of final colours and finishes should be included in any permit to provide scope for refinement of the final detail as suggested.
- 7.14 The proposal is recommended for Approval.

8. Conclusion

- 8.1 The proposed Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works, at PLN-20-795 - 46, 48-50 and 52 New Town Road and 7a Clare 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 Council approve the application for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works at 46, 48-50 AND 52 New Town Road and 7A Clare Street New Town Tas 7008 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-20-795 - 46, 48-50 AND 52 NEW TOWN ROAD AND 7A CLARE STREET NEW TOWN TAS 7008 - 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 2020/01986-HCC dated 04/12/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

Signage panel 1 and signage panel 3 must not be illuminated. Only signage panel 2 may be illuminated. This illumination must be internal and must not flash.

The sign can only be illuminated between 7am and 8pm, and must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To clarify the scope of the permit and to ensure that the non-residential use does not unreasonably impact residential amenity.

PLN 14

The noise generated by the plant and equipment, both within the building and on the rooftop, must not cause environmental harm when measured at any boundary of the site.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLN 12

All of the proposed signage must be individual letters and / or symbols attached directly to the building facade within the nominated signage envelopes, in colours and / or tones that are similar to and compliment rather than contrast the colour of the building facade to which they are attached, to the satisfaction of the Council's Director City Planning.

Drawings must be submitted and approved, prior to the commencement of works (excluding demolition and / or decontamination).

The drawings must:

- 1. Show the size, location, materials and method of attachment of the signage to satisfy the above requirement.**
- 2. Show the proposed colour scheme for each of the signage to satisfy the above requirement.**

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

Advice:

Once the revised plans have 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 that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located and do not cause an unreasonable loss of residential amenity to nearby residential properties.

PLN 17

The lighting of the building, both internal and external, must not cause environmental harm. Lighting for the building must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

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

PLN 4

Prior to the issue of any approval under the Building Act 2016 or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), a landscaping plan for the soft and hard landscaping prepared by a suitably qualified landscape expert must be submitted and approved. The landscaping plan must be substantially in accordance with that approved by this permit, but it should include further consideration (e.g. faster growing species and evergreen species) to ensure a successful buffer is achieved between the building and neighbouring properties.

Prior to occupancy or the commencement of the use (whichever occurs first), confirmation from a suitably qualified landscape expert that all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Director City Planning.

The vegetation which is planted on the site pursuant to the landscaping plans must be maintained and must not be disturbed. If any vegetation dies or is destroyed, replacement vegetation of a similar size must be planted within 30 days of the death or destruction.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and provides a visual break from land in a residential zone.

PLN 5

The proposed gas valves are to be relocated to the southwestern side of the frontage, and rotate to sit along the boundary so as to reduce their visual impact when viewed from the road. The area where the gas valves were proposed is to be landscaped consistent with the remainder of the proposed frontage landscaping. The vegetation must be maintained, and replacement vegetation must be planted if any is lost.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

PLN 6

The portion of the building utilised by the hospital use must not be open to the public (other than overnight in-patients) outside of the following hours:

- **Monday to Sunday - 7am to 8pm**

The remainder of the building must not be open to the public outside the following hours:

- **Monday to Friday (excluding public holidays) - 8:30am to 5pm**
- **Saturday - 8am to 2pm**

Reason for condition

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

PLN s1

The approved use of the hospital component of the development is limited to day surgery with overnight ward rooms only. No emergency department or emergency services are approved as part of this permit.

Reason for condition

To clarify the scope of the permit and to ensure that the commercial use of the site does not unreasonably impact the surrounding residential amenity.

PLN s2

A plan showing the palette of exterior colours and materials must be prepared.

Prior to the issue of any approval under the Building Act 2016 or the commencement of work (excluding demolition and / or decontamination) on the site (whichever occurs first), the plan showing exterior colours and materials must be submitted and approved, to the satisfaction of the Director City Planning. Samples and revised montages may be required to be submitted in support of the proposed plan.

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

Advice:

- *The applicant is encouraged to consider exploring a broader range of materials and colour palate together with further breaking up and reining the appearance of the facade.*

Reason for condition

To ensure the building makes a positive contribution to the streetscape and doesn't have an unreasonable impact on residential amenity.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved, prior to commencement of work on the site. The construction waste management plan must include:

- **Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and**
- **Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.**

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

Advice:

- *Once the construction waste management plan 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.*
- *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 can also be found on the Council's [website](#).*

Reason for condition

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

ENG sw1

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

A pre-construction structural condition assessment and visual record (eg video and photos) of all Council's stormwater infrastructure within the site must be submitted to Council prior to issue of any approval under the Building

Act 2016 or commencement of work (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, with 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, in a 'Wincan' compatible format;
3. clearly identify all third-party connections and
4. photos of any existing drainage structures connected to or modified as part of the development

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

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

ENG sw2.2

Prior to occupancy or the commencement of the approved use or completion of any stage (whichever occurs first), post-construction structural condition assessments and visual record (eg video and photos) of all Council's stormwater infrastructure constructed as part of this development and all Council's stormwater infrastructure within the site must be submitted to Council.

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, with 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, in a 'Wincan' compatible format; and
3. photos of any existing drainage structures connected to or modified as part

of the development

Any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner, and must be rectified at the owner's expense.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards, and that any Council infrastructure 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 infrastructure (existing and proposed).

A detailed design must be submitted to and approved by Council prior to the issuing of any consent under the Building Act 2016 or commencement of works (excluding demolition and / or decontamination) on site (whichever occurs first). The detailed design must:

- 1. Demonstrate how the design will maintain the overland flow path, 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 multiple cross-sections (including at the worst cases) 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.**
- 3. Be certified by a suitably qualified engineer**

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

Advice:

- Separate consent under s73 Building Act 2016 and s13 Urban Drainage Act 2013 is required.*
- 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. 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 requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENG sw4

The development must be drained to Council stormwater drainage infrastructure taking into account the limited receiving capacity of Council's stormwater drainage infrastructure, and services to third-party land must be maintained.

Any new stormwater connection required must be constructed and existing redundant connections abandoned and sealed by the Council at the owner's expense, prior to the commencement of use or completion of any relevant stage (whichever occurs first).

Detailed engineering drawings for each stage must be submitted to and approved by Council, prior to issue of any consent under the Building Act 2016 or commencement of works on site (whichever occurs first). The detailed design drawings must be prepared and certified by a suitably qualified and experienced Engineer and include:

1. **The location of the proposed connection and all existing connections;**
2. **The size and design of the connection such that the connection is appropriate to safely service the development, and connection is free-flowing gravity discharge;**
3. **Long-section of the proposed connection clearly showing any nearby services, cover, grade, size, material and delineation of public and private infrastructure.**

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings and at the Owner's expense.

Advice:

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

- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to initiate an application for service connection*

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The proposed new public stormwater infrastructure must be constructed prior to the commencement of use or issue of occupancy (whichever occurs first).

Engineering design drawings must be submitted to and approved by Council, prior to the issue of any consent under the Building Act 2016 or commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The engineering drawings must:

1. **Be prepared and certified by a suitably qualified and experienced Engineer;**
2. **Include plans and long-sections of the proposed stormwater infrastructure, including but not limited to, connections, hydraulic grade lines, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, and easements. The material and pipe class must reflect the reduced access to the mains. Adequate clearance from TasNetwork assets must be demonstrated.**
3. **Connections for all potentially affected third-party land must be clearly identified and detailed. Any existing connections must be reinstated to Council standards. Provisions for servicing all titles draining towards the replaced mains must be included;**
4. **Include calculations demonstrating that all stormwater mains are sized to accommodate a minimum 5% AEP (Annual Exceedance Probability) event flows from a fully-developed catchment, including an allowance for any future relining where setbacks less than the Tasmanian Subdivision Guideline standard easements will occur. The overall drainage system (including defined overland flow paths) must cater for the 1% AEP event as at 2100 (ie including climate change loading). Calculations and long-sections demonstrating this must extend**

upstream of the proposed realignment, demonstrating no reduction below 5% AEP capacity upstream of the works. The proposed stormwater network layout must be demonstrated to be as hydraulically efficient as practicable.

5. Clearly distinguish between public and private infrastructure;
6. Be substantially in accordance with LGAT's Tasmanian Municipal Standard Drawings (noting Council's departures) and Tasmanian Subdivision Guidelines.
7. Include a construction program demonstrating how services to external land will be maintained, and the new mains will be protected during construction of the development.

A digital recording of a CCTV inspection and written condition assessment report and site map must be submitted prior to Practical Completion.

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

Advice:

- Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#). Hobart City Council's departures from them can be viewed [here](#).
- You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.
- A permit to construct public infrastructure will be required, including a 12 month maintenance period, bonds and CCTVs. Written permission from landowners will be required. Click [here](#) for more information
- The applicant is required submit detailed design documentation to satisfy this condition via the Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.
- Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to occupation or completion of any stage (whichever occurs first). All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure for each stage must be submitted and approved prior to the issue of any consent under the Building Act or commencement of work. The design drawings and calculations must:

1. prepared by a suitably qualified person; and
2. include long section(s)/levels and grades to the point of discharge.

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

Advice:

- *The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

Reason for condition

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

ENG sw7

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

A stormwater management report and design must be submitted to and approved by Council, prior to the issue of any approvals under the Building Act 2016 or the commencement of work (excluding demolition and / or decontamination) on site (whichever occurs first). The stormwater management report and design must:

1. Be prepared and certified by a suitably qualified Engineer;
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal;
3. Include detailed design and supporting calculations of the detention

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

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

Advice:

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

Reason for condition

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

ENG 13

An ongoing waste management plan for all commercial waste and recycling must be implemented post construction.

A waste management plan must be submitted and approved, prior to commencement of work on the site (excluding demolition and / or decontamination). A waste management plan must:

1. include provisions for commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.

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

Advice:

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

Reason for condition

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

ENG tr1

Approval from Council's Manager Traffic Engineering City Planning Division must be obtained prior to issue of any approvals under the *Building Act 2016* (excluding demolition and / or decontamination) for any changes to the existing on street parking arrangements in New Town Road and Clare Street.

Advice:

- *Any changes to the existing on street parking arrangements in New Town Road and Clare Street do not form part of the planning approval and will require approval from Council's Manager Traffic Engineering in a process separate to the planning process. All works will be at the developer's expense. Please contact Council's Manager Traffic Engineering City Planning Division with regard to the application process for any changes to the on street parking arrangements in New Town Road and Clare Street.*
- *Any request to temporarily or permanently remove any sensor requires a written application to be submitted to the Parking Operations Unit.*

<https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial-Before-You-Dig-Parking-Sensors>

Reason for condition

To ensure that relevant approvals are obtained.

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition). The construction traffic and parking management plan must:

- 1. Be prepared by a suitably qualified person.**
- 2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.**
- 3. Include a start date and finish dates of various stages of works.**
- 4. Include times that trucks and other traffic associated with the works will be allowed to operate.**
- 5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.**

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

- Once the construction traffic and parking management plan 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.*
- A separate construction traffic and parking management plan may be submitted for each stage of the proposed development (i.e. demolition, excavation, construction).*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 2a

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

Advice:

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

Reason for condition

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

ENG 2b

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

Advice:

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

Reason for condition

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

ENG 2c

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

Advice:

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

Reason for condition

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

ENG 3a

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

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must be submitted to and approved by Council, prior to the issuing of any approval under the *Building Act 2016* (excluding demolition and / or decontamination).

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas design must:

1. Be prepared and certified by a suitably qualified and experienced Engineer;
2. Be in accordance with the Australian Standard AS/NZS2890.1:2004, AS 2890.2:2002 and AS 2890.3:2015;
3. Show the location of all structural columns and obstructions with regard to car parking spaces and provide clearance in accordance with Figure 5.2 of AS/NZS 2890.1:2004;
4. Show signage and pavement marking;
5. Show pedestrian bollards for egress to/from lifts and doorways;
6. Show delineation of pedestrian pathways;
7. Show traffic calming devices within the car park circulating area in accordance with AS/NZS2890.1:2004;
8. Show car, bicycle, motorcycle parking spaces and loading/unloading bays;
9. Show staff parking spaces to be suitable marked (pavement marking or signed) as staff parking; and
10. Show dimensions, levels, gradients & transitions, and other details as Council deem necessary.

Advice:

- *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.*
- *The number of Jockey parking space is to be minimized and only to be used for staff parking.*

Reason for condition

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

ENG 3c

The access driveway, circulation roadways, ramps, parking module (parking spaces, aisles and manoeuvring area), bicycle parking spaces, motorcycle parking spaces and loading/unloading areas must be constructed in accordance with the approved design drawings required by Condition ENG 3b.

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The minimum number of car parking spaces to be provided on the site is two hundred and forty eight six (248), unless approved otherwise by Council. All car parking spaces must be designed in accordance with Australian Standards AS/NZS 2890.1:2004 or a Council approved alternate design.

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

Reason for condition

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

ENG 6

The minimum number of bicycle parking spaces to be provided on the site is sixty four (64), unless approved otherwise by Council. All bicycle parking spaces must be designed in accordance with Australian Standards AS 2890.3:2015 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure that bicycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 7

The minimum number of motorcycle parking spaces to be provided on the site is twenty nine (29) unless approved otherwise by Council. All motorcycle parking spaces must be designed in accordance with Australian Standard AS/NZS 2890.1:2004 or a Council approved alternate design.

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standard AS/NZS 2890.1:2004, prior to the commencement of the use.

Reason for condition

To ensure that motorcycle parking areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 8

All loading/unloading areas must be designed in accordance with Australian Standard AS 2890.2:2002 or a Council approved alternate design and provided prior to commencement of use.

Reason for condition

To ensure loading/unloading areas are located, designed and constructed to enable safe, easy and efficient use.

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 11

Prior to the commencement of the use, the kerb and channel and footpaths located at driveway crossovers to be abandoned must be reinstated and all new or altered crossovers within highway reservation must be designed and constructed generally in accordance with:

1. **LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways, TSD R14-v1 Type KC vehicular crossing, TSD-R15-v1 Type KC and TSD-R16-v1 Type KCR & B1 (heavy vehicles) or Type KCRB & B1 (heavy vehicles) and LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1, or**
2. **A Council approved alternate design.**

Design drawings must be submitted to and approved by Council prior to the issue of any approval under the Building Act 2016 (excluding demolition and / or decontamination). The design drawing must:

1. **Show the cross and long section of the driveway crossover within the highway reservation and onto the property;**
2. **Show the width of the driveway crossover is in accordance with AS/NZS 2890.1:2004;**

3. **Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover including any proposed relocation of infrastructure;**
4. **Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings;**
5. **Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template, including swept path for the largest anticipated emergency vehicle to access the property.)**
6. **Demonstrate on the drawings that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD;**
7. **Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.**
8. **Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirement.**

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *It is advised that designers consider the detailed design of the crossover, access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces as failure to do so may result in difficulty complying with this condition.*
- *Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Please contact Council City Amenity Division to discuss approval of alternate designs.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*
- *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

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

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 reported to Council immediately.

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 excavation and/or earth-retaining structures (ie embankments, cuttings, retaining walls) and/or footings and/or driveway deck within or supporting the highway reservation must not undermine the stability and integrity of the

highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the structures supporting or within the New Town Road highway reservation must be submitted to and approved by Council, prior to the issue of any approvals under the Building Act 2016 (excluding demolition) and must:

1. **Be prepared and certified by a suitable qualified person and experienced Engineer;**
2. **Not undermine the stability of the highway reservation;**
3. **Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works;**
4. **Take into account any additional surcharge loadings as required by relevant Australian Standards;**
5. **Take into account and reference accordingly any Geotechnical findings;**
6. **Detail any mitigation measures required;**
7. **Detail the design and location of the footing adjacent to the New Town Road Highway reservation; and**
8. **The structural certificate and/or drawings should note accordingly the above.**

All work required by this condition must be undertaken in accordance with the approved certified design drawings, structural certificates, and at the Owner's expense.

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.

ENG s1

Prior to the commencement of use or completion of any stage (whichever occurs first), safe and adequate overland flow paths must be provided through the site that contain the flows for the 1% AEP (Annual Exceedance Probability) storm event as at 2100 (including climate change loading).

Detailed design drawings, report and supporting calculations for each stage prepared and certified by a suitably qualified and experienced Engineer that meet the above requirement must be submitted to and approved by Council prior to issue of any consent under the Building Act 2016 or commencement of works on site (whichever occurs first).

These must include (but are not limited to):

1. Certification from an accredited and qualified engineer that all proposed structures within the flood zones are designed to resist inundation, erosion, undermining and likely forces from a flood event.
2. Details of measures to prevent sediment transport and erosion from the inundated land.
3. Details of the overland flow paths (eg swale, bunds and pits) in general accordance with the JSA reports and engineering plans lodged at Planning stage.
4. Details of management of the flood zones including measures to prevent blockage of the overland flow paths.
5. A Flood Management Summary Plan from a qualified and experienced person that outlines the obligations for future property owners to flood and overland flow management, including:
6. The flood risk to the site, including depth, extent and hazard ratings for the 1% AEP at 2100 event;
7. Identification of all measures to convey the overland flow path through the site and their maintenance, including noting no future works or landscaping which may alter the flow of water to be carried out without approval by Council.
8. Identification of all flood management measures and their required maintenance, including but not limited to: waterproofed basement levels, flood resistant doors, swale, bunds, hydraulically permeable fencing, signage, bollards.

All work required by this condition must be undertaken and maintained in accordance with the approved drawings and report at the Owner's expense.

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 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 risks associated with inundation are adequately managed.

ENG s2

The overland flow path, ground floor level and flood protection measures must be inspected by a suitably qualified engineer.

Certification from a suitably qualified engineer that these have been constructed in accordance with the approved certified design (including dimensions and grade of the swale and bunds) must be provided to Hobart City Council prior to commencement of use or completion of any stage (whichever occurs first).

Reason for Condition

To ensure that the identified flood risks are adequately managed.

ENG s3

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be designed generally in accordance with the relevant Australian Standards and Local Government Association Tasmania Standard Drawings or a Council approved alternative, prior to the commencement of use.

Design drawings must be submitted to and approved by Council prior to the issue of any approval under the Building Act 2016 (excluding demolition and / or decontamination). The design drawings must:

1. **Show the relocation/removal or alteration to any existing services or infrastructure;**
2. **Include a detailed signage and pavement marking plan;**
3. **Include removal of traffic island and reinstatement of pavement details;**

4. **Show the reinstate of kerb and channel at redundant crossovers and pram ramps;**
5. **Show available clear width of the footpath (including any user road footpath);**
6. **Show traffic island, pram ramps and footpath details; and**
7. **Be prepared and certified by a suitable qualified and experienced Engineer, to satisfy the above requirements.**

All work required by this condition must be undertaken in accordance with the approved certified drawings and at the Owner's expense.

Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *The developer must consult with Metro Tasmania with regard to the relocation of the bus stop and comply with all requirements of Metro Tasmania. Written confirmation is to be provided to Council that all the requirements of Metro Tasmania has been complied with.*
- *The developer must consult with the relevant Authority with regard to relocation/removal or alterations to existing services or infrastructure.*
- *Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Please contact Council City Amenity Division to discuss approval of alternate designs.*
- *You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*
- *A permit to construct public infrastructure may be required.*
- *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

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

ENG s4

All changes to the existing Council road infrastructure (bus stops, traffic islands, footpaths, pram ramps, signage, pavement marking, kerb and channel etc) within any highway reservation must be constructed in accordance with the approved design drawings required by Condition ENG s3.

Prior to the commencement of use, documentation by a suitably qualified Engineer certifying that all changes to the existing Council road infrastructure has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENV 9

A 1m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the north-western and south-western sides of the air handling unit deck prior to operation of the mechanical plant.

Reason for condition

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

ENV 10

The access strip off Clare Street must be lined on each side by solid fencing with a surface mass of greater than 15kg/m². The fencing must be a height of 1.5m above ground level for the first 4.5m in from the street boundary, and a height of 2.1m above ground level for the remainder.

Reason for condition

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

ENV 11

Commercial vehicles, other than ambulances, are prohibited from the site outside of the following hours:

- 7.00 am to 5.00 pm Mondays to Fridays inclusive;
- 8.00 am to 5.00 pm Saturdays; and
- 9.00 am to 12 noon Sundays and Public Holidays.

Reason for condition

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

ENV 12

Ambulance sirens must not be operated on the site.

Reason for condition

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

ENV 14

Hard waste (including, but not limited to, bottles, cans, and jars) must only be deposited into recycling bins within the hours of 8 am to 6 pm unless screening approved by the planning authority is installed.

Reason for condition

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

ENV 2

An approved Demolition and Construction Environmental Management Plan, prepared by suitably qualified persons, must be implemented.

A Demolition and Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the *Building Act 2016*.

The plan must include, but is not limited to, the following:

- 1. Details of the proposed construction methodology and expected likely**

timeframes.

2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site).

3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water).

4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:

a. A noise and vibration management plan generally consistent with AS 2436-2010 - *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:

- i. identification of potentially noisy or vibration-causing construction activities;
- ii. procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and
- iii. details of monitoring measures and triggers for corrective actions.

b. A soil and water management plan including:

- i. measures to minimise erosion and the discharge of contaminated stormwater off-site;
- ii. measures to minimise dust emissions from the site;
- iii. measures to manage the disposal of surface and groundwater from excavations; and
- iv. measures to prevent soil and debris being carried onto the street.

v. maintenance requirements of these measures, and any staging

5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved Demolition and Construction Environmental Management Plan forms part of this permit and must be complied with.

Advice:

- *Once the plan has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for Condition

To minimise the potential for environmental impacts from the construction works

ENV s1

The new electrical transformers must be housed within a concrete-walled structure so that noise emissions from the transformers (substation) do not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s2

The diesel generator and housing must be designed and constructed so that noise emissions from the generator does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s3

The car park exhaust system must be designed and constructed so that noise emissions from the exhaust system does not exceed:

- 55dB(A) (Leq) between the hours of 8 am and 6 pm;
- 40dB(A) (Leq) between the hours of 6 pm and 8 am; and
- 65dB(A) (Lmax) at any time;

at the boundaries of the property when measured in accordance with the methods in the *Tasmanian Noise Measurement Procedures Manual* issued by the Director of Environmental Management.

Reason for condition

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

ENV s4

A 2.7m high barrier with an absorptive internal lining and a surface mass of at least 15 kg/m² must be constructed on the western and northern edges of the plant room deck, with an opening to the north for air flow, prior to operation of the mechanical plant.

Reason for condition

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

HER 11

A Construction Management Plan must be provided for that part of the application site of 46 New Town Road and along the northern boundary of that property, to ensure that the heritage listed house and its foundations are not negatively impacted on by vehicular movements, excavation, construction and vibration.

Prior to the issue of any approval under the *Building Act 2016*, a Construction Management Plan must be submitted and approved by Council showing how construction and excavation will be undertaken without causing damage to the heritage listed house and its foundations. It must examine vehicular movement, excavation, construction and vibration and any other relevant or applicable construction method.

Reason for condition

To ensure that development is undertaken in a manner that does not cause loss or damage fabric of historic cultural heritage significance.

ENVHE 1

Recommendations in the report "Environmental Site Assessment - Version 6, 48-50 New Town Road, New Town", dated November 2020, must be implemented, for the duration of the development and use.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

Part 5 1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to maintenance of the overland flow path and flood mitigation measures in accordance with the plans and management report approved under ENGs1 prior to the commencement of work.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a Part 5 agreement please contact Council Development Engineering Staff

Reason for condition

To ensure that the flood path and levels are retained.

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to the protection of (ie retaining wall, anchors, building) adjacent to the Newtown Road highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Newtown Road highway reservation or any retaining structure adjacent to Newtown highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a part 5 agreement please contact Council Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

SUB s1

The titles comprising the development site (CT 252465/1 and CT 198029/1) are to be adhered in accordance with the provisions of Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the Building Act 2016 (if applicable), or the commencement of works on site (whichever occurs first).

Advice:

- *The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.*

Reason for condition

To ensure compliance with statutory provisions

SUB s2

Drainage Easements in favour of the Hobart City Council over any proposed or existing publicstormwater mains passing and overland flow paths through the property at 48 to 52 New Town Road are to be created by transfer of easement in accordance with the Land Titles Act 1980 to the satisfaction of Council. These drainage easements must be created prior to the issue of any

building completion certificate under the Building Act 2016.*Advice:*

- *The applicant is to be responsible for all survey and legal costs involved in the registration of the drainage easements.*

Reason for Condition

To ensure that any existing or proposed public stormwater mains are protected by drainage easements in favour of Council.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

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.

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.

SPECIAL CONNECTION PERMIT

You may need a Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

BUILDING OVER AN EASEMENT

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*.

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).

NEW SERVICE CONNECTION

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

STORM WATER

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

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*.

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.

METRO BUS STOP RELOCATION

Please note that Metro Tasmania must be consulted regarding the relocation of the existing bus stop and seat.

It is the developer's responsibility to ensure that all relevant approvals are obtained regarding the proposal.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

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

REDUNDANT CROSSOVERS

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

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

CROSS OVER CONSTRUCTION

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

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.

TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

WORK PLACE HEALTH AND SAFETY

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

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.

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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.



(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.



(Liz Wilson)

Acting 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 February 2021


Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report (Cultural Heritage)

Attachment D - Referral Officer Report (Environmental Development Planner)

Attachment E - CPC Supporting Documents

	
2.	Any proposed layout and installation of water services within the precinct of individual water installation of new and modified property service connections must be certified out by TasWater at the developer's cost.
3.	Prior to commencing construction of the development, any water connection offered for installation must be certified out by TasWater. Connections that are not certified out must be installed, to the satisfaction of TasWater.
TRADE WASTE	
4.	Prior to the commencement of operation, the Developer/property owner must obtain Consent to Install from TasWater for the installation of any trade waste service.
5.	The developer must install appropriately sized and suitable pre-treatment devices prior to giving Consent to Discharge.
6.	The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent to Discharge.
ASSET PROTECTION & INFRASTRUCTURE WORKS	
7.	Plans submitted with the application for Certification for Certificate Work Building and/or Plumbing/Engineering Design Approval must, to the satisfaction of TasWater show, all existing and proposed infrastructure works and any other works that may be required for the development.
8.	Prior to seeking for a Permit to Construct for new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for TasWater Engineering Design Approval must be accompanied by a fully qualified person (engineer or hydraulic engineering technician) for the design and construction of the infrastructure.
9.	Prior to work commencing, a Permit to Construct must be applied for and issued by TasWater. All works must be completed within the time frame specified in the Permit to Construct.
10.	In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
11.	Prior to the issue of a Certificate of Water and Sewerage Compliance Building and/or Plumbing all infrastructure works must be completed and the developer must obtain from TasWater Engineering Design Approval for the infrastructure. The application for TasWater Engineering Design Approval must be accompanied by a fully qualified person (engineer or hydraulic engineering technician) for the design and construction of the infrastructure.
12.	TasWater has no obligation to accept or install any infrastructure that is not certified out by TasWater. To obtain a Certificate of Practical Completion.
13.	At practical completion of the water and sewerage works and prior to TasWater issuing a Certificate of Water and Sewerage Compliance Building and/or Plumbing, the developer must obtain a written confirmation from the supervising suitably qualified person certifying that the infrastructure works have been completed in accordance with the requirements and specifications and that the appropriate level of workmanship has been achieved.
a.	A request for a joint on-site inspection with TasWater's authorised representative must be made.
b.	A request for a joint on-site inspection with TasWater's authorised representative must be made.
c.	A request for a joint on-site inspection with TasWater's authorised representative must be made.
The developer must be satisfied with the quality of the workmanship and the quality of the materials used in the construction of the infrastructure. This warranty must be in the form of a bank guarantee.	

1

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

Service locations

• A permit is required to work within TxDOT's easements or in the vicinity of its infrastructure.

- TaxWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taxwater.com.au/development/service-locations for a list of companies
- TaxWater will locate residential water stop taps free of charge
- Sewer drainage plans or inspection Opening (IO) for residential properties are available from your local council.

Trade Waste

Documentation must include a floor and site plan with:

Location of all pre-treatment devices
Schematic drawings and specification (including the size and type) of any proposed pre-treatment devices
Location of an accessible sampling point in accordance with the TradeWaste Flow Meter and Sampling Specifications for sampling discharge.


At the time of submitting the Certificate for Certificate Work (Building and/or Plumbing) a Trade Water Application together with the General Supplement form is also required.

The application forms are available at http://www.knowledge.com.au/Customer_Liquid_Trade.
Waste/Commercial.
CCMR Forecaster

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or

pipelines) will need to show footings of proposed buildings located over or within 2.0m from TanWater infrastructure, and to TanWater's satisfaction, be in accordance with A33500 Part 2.2. Section 03.3.0 to ensure that no loads are transferred to TanWater's pipes. These plans will need to also include a 3D sectional view through the fittings which clearly shows:

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be above the existing ground level.



It is noted on the plan indicating how the plot location and depth were ascertained.


Readers Note:

The proposed development is within a boundary that was and the developer will need to provide a boundary line that prevents noxious gases or persistent odours from entering the property's safety zone. The developer must ensure that the boundary line is clearly marked and that the property owner is responsible for the maintenance, operation and replacement of the boundary line.

Provisional

The drawing/documents and conditions stated above constitute Taswater's submission to Planning Authority Notice.

Authorised by


Dawn Taylor Assignment Manager
Technical Contact Centre

Phone:	13 0992	Email:	development@taswater.com.au
Fax:	08 939 1303	Web:	www.taswater.com.au

taswater August 2021

taswater@taswater.com.au

taswater 01

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	48 - 50 NEW TOWN ROAD, NEW TOWN 52 NEW TOWN ROAD, NEW TOWN 46 NEW TOWN ROAD, NEW TOWN 7 A CLARE STREET, NEW TOWN ADJACENT ROAD RESERVE
Proposal:	Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works
Application No:	PLN-20-795
Assessment Officer:	Helen Ayers,

Referral Officer comments:

This proposal is for a development partially located in the New Town 7 Heritage Precinct. The land covered by the precinct is limited to a rear driveway/access to the subject lot from Seymour Street between the properties of 15 and 17 Seymour Street. This is shown in the following image.



The following statements of significance for the precinct are as follows:

This precinct is significant for reasons including:

- 1. It contains a collection of residential buildings of historic and architectural merit including Federation Queen Anne, Interwar and Victorian Georgian architectural styles.*
- 2. They have a high degree of integrity and consistency, many in original condition with a strong, consistent character in terms of size, height, materials, setback, bulk, garden setting and fencing.*
- 3. It demonstrates a pattern of suburban development with consistent streetscapes representing the rise of suburban expansion and housing demand in New Town.*

The proposal also involves the adjacent heritage listed house at 46 New Town Road in that new services are proposed to be relocated in the rear yard of this property. It involves excavation for the removal of existing servicing and also for new servicing along the south and south-west rear boundary of 46 New Town Road. The existing servicing currently crosses approximately midway through the rear yard.

The following provisions for this part of the works apply:

E13.7.1 P1 - Demolition

E13.7.2 P1 - Buildings and Works other than Demolition

The house at 46 New Town Road is a 19th century Inn called the Harvest Home Hotel which, according to the entry in the publication *Here's Cheers* by Colin Dennison was built in 1840. Photos show it with a verandah to the front. It was located on what was the road north out of Hobart Town to cater for travellers. It is a two storey masonry building with a hipped roof. It has been modified over time with bay windows added to the upper storey in the 1910-1920s. The proposed works will not result in changes or alterations to the house as it is untouched by the proposed excavation. However it is a building not built to current construction standards and could potentially, be negatively impacted on by vibration, excavation along the northern boundary for carpark, construction and the movement of heavy vehicles. It is therefore considered appropriate that a Construction Management Plan be prepared for that part of the construction site to articulate how the house at 46 New Town Road and its footing will be protected from vehicular movement, vibration and other associated construction impacts such as excavation and soil removal. This could be achieved by a condition of permit. With this in place, the proposal will satisfy E13.7.1 P1 and E13.7.2 P1.

On the part of the proposal site covered by the heritage precinct shown above, no changes are proposed.

Although not covered by the Historic Heritage Code, there is a sculpture on the facade of the building facing New Town Road which has been recorded in the Public Art Audit Report by Heritage Consultants Tasmania Pty Ltd, December 2005 which came about following Council endorsing a Public Art Strategy which recommended the following:

'Undertaking an audit of all outdoor artworks and cultural material including memorials, fountains, sculptures and murals. This will outline the scope and significance of the collection including all Council owned works and significant private works in the public domain.'

The wall sculpture was created in 1959 by Stephen Walker who was commissioned by the television station TVT 6 to make an aluminium and cement wall sculpture for the building. The work incorporates a relief pattern carved in the cement.

Stephen Walker was born in Melbourne in 1927 and studied in Tasmania from 1948 to 1950. In 1973 he returned to Tasmania, opened a studio in Campania and soon became the state's most successful sculptor. He died in 2004. His works include the 'The Evolution of Justice' at the Supreme Court, 'Tidal Pools' - now located at lower Sandy Bay, 'Tasman Monument' at Salamanca, 'Antipodean Voyage' at the Botanical Gardens, 'Moment of Sleep' at the

University of Tasmania, the Truganini memorial adjacent to the Mount Nelson Signal Station, 'Spring Landscape' at the Commonwealth Building garden, 'The Seasons' in Macquarie Street, 'Antarctic Tableau' on the front of the Reserve Bank Building and 'The Bernacchi Tribute' on the waterfront. In the preparation of the Public Art Audit Report, the artist Stephen Walker was consulted.

The artwork is notated on the application drawings as 'facade sculpture to be carefully removed and relocated'. Under the Moral Rights provisions within the *Copyright Act 1968*, the applicant was asked to respond to how the proposed application responds to and addresses the rights of an artist's 'right of integrity'. This means that a work must not be changed or added to in a way that would have a negative impact on the creator's reputation. Advice was given that the applicant must contact the family of Stephen Walker and make reasonable enquiries and negotiations. The following information was provided in the planning report by Ireneinc (p.58) : 'Discussions have been undertaken with the Artists' family and the current intention is to relocate the sculpture within the foyer of the new building as shown in the following figure. These discussions are ongoing.'

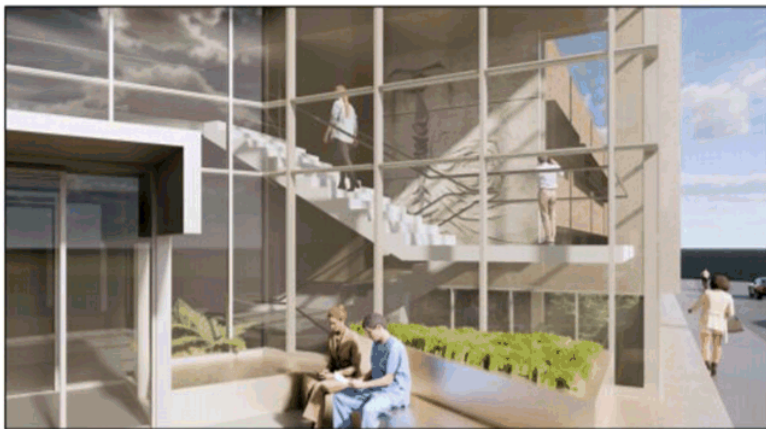


Figure 28: Render of the New Town Road façade showing the proposed location of the artwork (source: SPA)

The artwork is not registered within the Hobart Interim Planning Scheme and is not registered on the Tasmanian Heritage Register. The moral rights requirements under the Copyright Act (1968) will be met through negotiations and confirmation on the outcome of these negotiations can be supplied to Council once complete.

With this commitment, and the notation on the plans (see drawing 15153 SK3204 L, dated 2020.12.07), it is anticipated that an appropriate and valid outcome can be reached, given this cannot be conditioned should a permit be issued.

Sarah Waight
Senior Cultural Heritage Officer
18 February 2021

Application Referral Environmental Health - Response

From:	14/01/2021 - Andrew Choveaux - SEHO
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	48 - 50 NEW TOWN ROAD, NEW TOWN 52 NEW TOWN ROAD, NEW TOWN 46 NEW TOWN ROAD, NEW TOWN 7 A CLARE STREET, NEW TOWN ADJACENT ROAD RESERVE
Proposal:	Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Works
Application No:	PLN-20-795
Assessment Officer:	Helen Ayers,

Referral Officer comments:

14/01/2021 - Assess ESA by GES Version 6

E2.5 Use

A1 - No acceptable solutions were submitted.

P1 - (a) N/A

(b) - N/A

(c) - A plan to manage contamination and associated risk to human health or the environment was provided, which includes;

(i) an environmental site assessment;

(ii) the ESA outlines specific remediation and protection measures required to be implemented before any use commences; and

(iii) the ESA includes statements that the land is suitable for the intended use.

E2.6.2 Excavation

A1 - There are no acceptable solutions submitted.

P1 - (a) N/A

(b) The applicant has submitted a plan to manage contamination and associated risks to human health and the environment that includes;

(i) an environmental site assessment;

(ii) the ESA contains specific remediation and protection measures required to be implemented before excavation commences; and

(iii) the ESA includes statements that the excavation does not adversely impact on human health or the environment.

I am satisfied that the submitted ESA meets the Performance criteria for Use and Excavation.

**7.1.2 25 WELD STREET, SOUTH HOBART - PARTIAL DEMOLITION,
ALTERATIONS AND EXTENSION
PLN-20-587 - FILE REF: F21/15521**

Address: 25 Weld Street, South Hobart

Proposal: Partial Demolition, Alterations and Extension

Expiry Date: 23 March 2021



Extension of Time: Not applicable



Author: Michaela Nolan



RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations and extension, at 25 Weld Street, South Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.2.P3(iv) of the *Hobart Interim Planning Scheme 2015* because the extension would have an unreasonable visual impact caused by the apparent scale, bulk and proportions when viewed from an adjoining lot.

Attachment A: PLN-20-587 - 25 WELD STREET SOUTH HOBART
TAS 7004 - Planning Committee or Delegated
Report  

Attachment B: PLN-20-587 - 25 WELD STREET, SOUTH
HOBART TAS 7004 - CPC Agenda Document  

Attachment C: PLN-20-587 - 25 WELD STREET SOUTH HOBART
TAS 7004 - Referral Officer Cultural Heritage
Report  

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Delegated
Delegated: 9 March 2021
Expiry Date: 23 March 2021
Application No: PLN-20-587
Address: 25 WELD STREET , SOUTH HOBART
Applicant: BEE NEWMAN
PO BOX 116
Proposal: Partial Demolition, Alterations and Extension
Representations: Four (4)
Performance criteria: Development Standards and Historic Heritage Code

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 25 Weld Street, South Hobart.
- 1.2 More specifically the proposal includes:
- A first floor extension above the existing yoga studio and outbuilding in the rear eastern corner of the lot.
 - The extension would contain a single bedroom ancillary dwelling and would have a floor area of 59ms and a maximum height of 6.2m.
 - The ancillary dwelling would be accessed from the car park and along the rear boundary fence at the rear of the yoga studio.
 - The ancillary dwelling would have an accessible rooftop deck and non accessible roof top garden on the roof of the yoga studio.
 - The existing outbuilding would be reconstructed and would be accessed on the south west elevation, predominantly by the main dwelling.
 - Alterations to the main dwelling consisting of a new door in the north-east elevation
 - Alterations to the existing barn to accommodate a new internal bathroom in the southern corner of the ground floor.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Inner Residential Zone -Building Envelope
- 1.3.2 Historic Heritage Code - Heritage Place
- 1.4 Four (4) representations objecting to the proposal were received within the statutory advertising period between 14 January 2021 and 29 January 2021.
- 1.5 The proposal is recommended for refusal subject to conditions.
- 1.6 The final decision is delegated to the Council, because the proposal is recommended for refusal.

2. Site Detail

- 2.1 The subject site is located on the eastern side of Weld Street approximately 70m north of the intersection with Macquarie Street. The area is predominantly residential, however there are a number of commercial uses in the area, primarily fronting Macquarie Street and South Hobart Primary School on the opposite side of Weld Street. The site contains a mix of buildings and uses including the main dwelling, a stone barn that has been converted into a studio and visitor accommodation, a yoga studio, and outbuildings.



Figure 1: location of the subject site at 25 Weld Street, South Hobart (outlined in blue).



Figure 2: the subject site at 25 Weld Street, South Hobart (outlined in blue).



Figure 3: the existing yoga studio at 25 Weld Street.



Figure 4: the roof of the existing yoga studio at 25 Weld Street, the location of the proposed extension.



Figure 5: the existing outbuildings beside the yoga studio at 25 Weld Street, as viewed from 23 Weld Street.

3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 25 Weld Street, South Hobart.

3.2 More specifically the proposal is for:

- A first floor extension above the existing yoga studio and outbuilding in the rear eastern corner of the lot.
- The extension would contain a single bedroom ancillary dwelling and would have a floor area of 59ms and a maximum height of 6.2m.
- The ancillary dwelling would be accessed from the car park and along the rear boundary fence at the rear of the yoga studio.
- The ancillary dwelling would have an accessible rooftop deck and non accessible roof top garden on the roof of the yoga studio.
- The existing outbuilding would be reconstructed and would be accessed on the south west elevation, predominantly by the main dwelling.
- Alterations to the main dwelling consisting of a new door in the north-east elevation
- Alterations to the existing barn to accommodate a new internal bathroom in the southern corner of the ground floor.

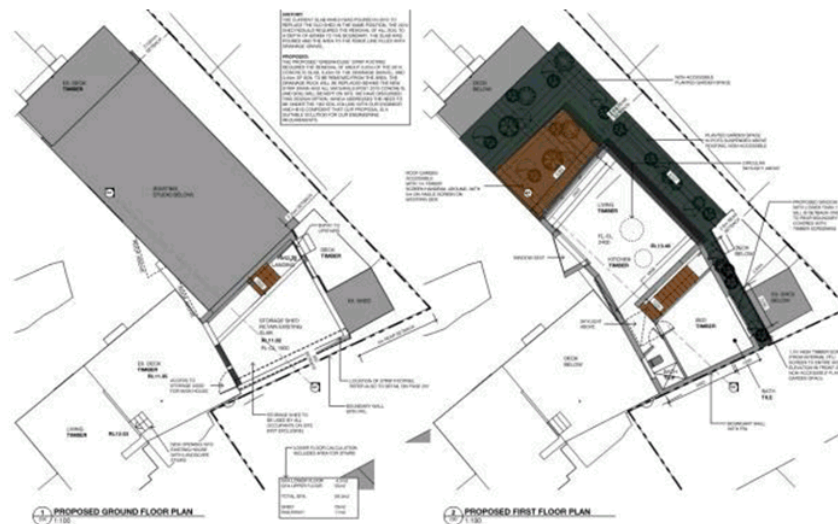


Figure 6: proposed ground and first floor plan of the ancillary dwelling extension at the rear of the site.



Figure 7: proposed south-west and north-east elevation plans of the ancillary dwelling extension.



Figure 8: the existing outbuilding that would be replaced with a new store room and staircase.



Figure 9: location of the proposed doorway at the rear of the main dwelling..

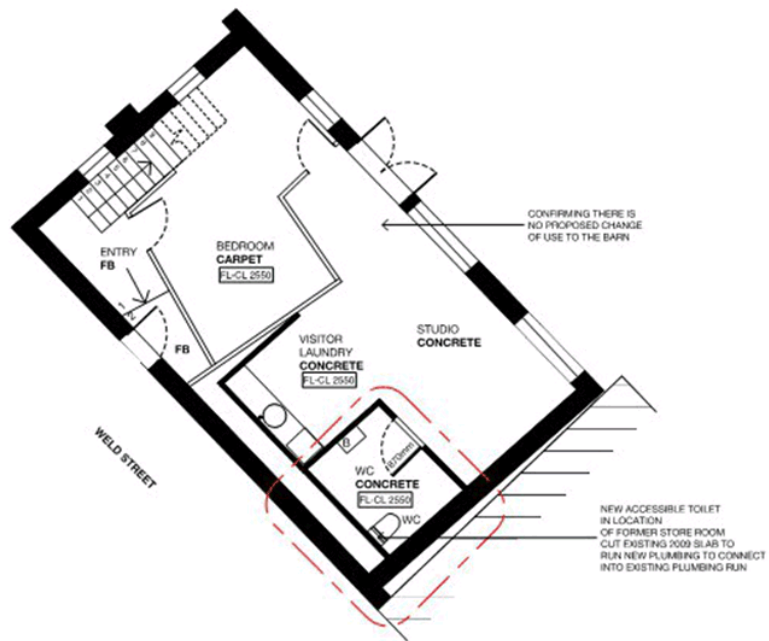


Figure 10: floor plan of the barn showing the location of the proposed bathroom.

4. Background

- 4.1 The subject site is a relatively large lot which contains a number of existing uses including a dwelling, visitor accommodation, artists studio, and yoga studio. The uses and associated development have been approved under the following planning permits:

PLN-15-01077-01 - Alterations, Home-Based Business (Yoga Classes) and Sign:

- Approval for the yoga studio in the building beside the rear boundary.

PLN-15-00492-01 - Building, Front Fencing and Parking Alterations and Partial Change of Use to Visitor Accommodation

- Approval for a partial change of use of the barn to visitor accommodation.

PLN-15-00119-01 - Shed Extension, Alterations and Partial Change of Use to Self Contained Visitor Accommodation

- Extension to shed at the rear, which in 2015 would be approved as the yoga studio.
- Change of use of part of the main dwelling to visitor accommodation.

PLN-08-01286-01 - Partial Change of Use to Unlisted Use (Artist Studio)

- Change of use of barn to an artists studio to enable use by the public.

PLN-07-00102 - Partial Demolition, House Extensions and Alterations

- Conversion of barn into artists studio. This did not include a change of use as the studio was for use by the residents.

5. Concerns raised by representors

- 5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 14 January 2021 and 29 January 2021.
- 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.

Heritage:

- Deeply concerned that the developer has not addressed heritage impacts from the demolition and extension to the existing heritage listed property.
- The application does not sufficiently address heritage impacts on the existing heritage listed property. The historical significance and impact of the extension to the listed house has not been addressed.
- No heritage impact statement or statement of compliance has been provided to inform or support the application in accordance with E13.5.1.
- Concern that the demolition and alterations may result in the loss of significant heritage fabric and character.
- The extension is not sympathetic and would result in the loss of historic cultural heritage through incompatible design elements including the height, scale, bulk and materials used.
- Archaeological potential has not been addressed.
- Aboriginal heritage has not been addressed.
- 25 Weld Street is listed on the Tasmanian Heritage Register and is a heritage listed place in HIPS. It was built in 1860 and the house and yard were associated with the tannery crafts of South Hobart. The property is one of the original dwellings in the area and has historic significance to retain a reminder of Tasmania's first major industrial area. The extension to the existing building will detract from the historic cultural significance of the site as it will be seen from both Weld and Wynyard Street surrounding properties and will be detrimental to streetscape.

Overshadowing:

- Loss of late afternoon sun to adjoining units.
- The sun shadow diagrams are incorrect and don't show overshadowing after 3pm or beyond the boundary of 25 Weld Street.
- The development at 23 Weld Street should not be the benchmark. This has reduced sunlight to adjoining dwellings due to its setback. The proposed development will continue this trend and gridlock all properties.
- Reduce sunlight into primary habitable room and private open space.
- The adjoining units have limited outdoor private open space.
- Only the rear courtyard receives afternoon sun and allows afternoon sunlight to enter the primary living space.
- Loss of sunlight will significantly affect the amenity and liveability of my home, especially in winter.
- The private outdoor spaces of the properties are south west facing and are approximately 1m lower than the ground level of the subject site. This orientation and level change means that afternoon sunlight is critical for these spaces as they do not have access to morning or midday sun.
- The amplified height of the development, due to the lower level of the adjacent outdoor spaces will further limit the amount of afternoon sun available to the properties.
- It is considered that the application does not demonstrate that PC A3(a)(ii) is met, given it will significantly impact the amenity of adjacent properties through overshadowing of their private open space.

Overlooking:

- Concerned about overlooking and loss of privacy due to minimal setback
- Request that upper floor windows that face the adjoining courtyards are screened.

Visual bulk and loss of view:

- The proposed development will create impacts which will affect the amenity and privacy of adjacent site particularly in relation to the visual impact caused by the height and setback of the proposed development.
- The extension will block all views to Mount Wellington/kunanyi for impacted properties. Whilst not regulated under the code, it will be detrimental to the value of 8 Wynyard Street.
- The proposal will rob us of that narrow corridor of view still remaining.
- The scale and intensity of the development will have an unreasonable impact on my property which currently has minimal but precious outlook from a single living space and maximises sunlight into both the dwelling and the property.
- The scale and intensity of development proposed will have an unreasonable impact on my property, which imposes significantly on its neighbours.
- Preferable to be redesigned to avoid adding extra height close to the rear boundary.

Noise and traffic:

- No detail regarding construction noise and traffic noise.
- Request construction hours to be limited to business hours and not on the weekend.
- There is no assessment of the additional traffic in the Weld Street school zone.
- The extra height would increase noise impact of parties on adjoining properties.
- The onsite AirBnB is promoted as a party venue. The adjoining property has young families that have to put up with the parties. The noise would be exacerbated with an extension close to the boundary.

General

- No need for tall developments close to rear boundaries.
- There has not been sufficient information provided to progress the proposed development.
- The application has serious deficiencies with a lack of information and the impact cannot be called reasonable when the impact has not properly been assessed.
- The proposal relies on landscaping to soften the building. However this should not be relied upon as there is no

guarantee it will be planted or maintained. If the area is not accessible, how will it be maintained. Will it just become overrun.

- There has been no contact by the applicant to the owners of 8 Wynyard Street to discuss impact.
- Unsympathetic approach to the development of a visually bulky modern extension to a heritage listed property, which imposes significantly on its neighbours.
- The proposed development seeks to maximise density and financial return to the owner while compromising heritage values, entirely at the expense of the owners of units 15, 16 and 17/8 Wynyard Street.
- Concern with the intensity of use on the site given it is understood that existing uses and development include visitor accommodation, a yoga studio, a home based business as well as the existing dwelling and the proposed self-contained studio.
- The owners have a right to develop their land, but not in a way that impinges so much on the neighbouring properties.
- Feeling let down by the planning process after the development of 23 Weld Street. The real estate agent never mentioned that a two storey development had been approved on that property. Sellers should be required to inform buyers of nearby development.
- The cumulative impact of this development and the one at 23 Weld Street.
- My home will be directly and significantly impacted on by the proposed development and its proximity to my property.
- Call upon the Council to consider heritage and residential amenity as a relevant and important consideration in yet again another case of unreasonable and inappropriately dense development in the inner residential zone, and make the correct decision to refuse the development on such grounds.
- The scale and intensity of development proposed will have an unreasonable impact on my property which currently has limited but very precious outlook from a single living space and which maximises sunlight into the dwelling and private outdoor living space.
- The proposal unsatisfactorily seeks relaxation of a considerable number of clauses that apply to the development under the Inner Residential Zone contained within the Hobart Interim Planning Scheme 2015.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing uses on the site are Single Dwelling, Yoga Studio, Visitor Accommodation and artists studio. The proposal is for an ancillary dwelling. As this use is associated with the single dwelling on the lot, there is no change of use. The existing uses are no permit required for the single dwelling, exempt for the visitor accommodation and discretionary for the yoga and artists studios. The proposed use is part of the single dwelling and as such is no permit required.
- 6.4 The proposal has been assessed against:
- 6.4.1 Eg Part D - 11 Inner Residential Zone
 - 6.4.2 E2.0 Potentially Contaminated Land Code
 - 6.4.3 E6.0 Parking and Access Code
 - 6.4.4 E7.0 Stormwater Management Code
 - 6.4.5 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone:
Setback and Building Envelope - Part D 11.4.2 P3
 - 6.5.3 Historic Heritage Code:
Demolition to a Listed Place - Part E13.7.1.P1
Building and Works other than Demolition to a Listed Place - Part

E13.7.2.P1, P2, P3, P4

- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope - Part D 11.4.2 P3
- 6.7.1 The acceptable solution at clause 11.4.2.A3 requires buildings to be sited within the prescribed building envelope which includes, a maximum height of 3m at a setback from the rear boundary of 4m, increasing at an angle of 45 degrees to a maximum height of 9.5m.
- 6.7.2 The proposal includes an extension on the top of the existing outbuildings in the rear of the site. This extension would have a maximum height of 6.2m and a setback of 2.8. to 3.3m from the rear boundary.
- 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause 11.4.2.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.*
- 6.7.5 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?

- 6.7.6 There are three parts to the building envelope performance criteria assessment, the overshadowing and loss of sunlight, the separation between buildings and the visual impact. It is considered that the location of the proposed ancillary dwelling extension, in the rear, south-eastern corner of the lot would be sufficiently separated from adjoining dwellings at 31 Weld Street and on the opposite side of Weld Street and would not be detrimental to residential amenity. As such assessment of these properties is not included below.
- 6.7.7 In relation to the overshadowing and loss of sunlight, it is considered that the proposed development would not be unreasonably detrimental to residential amenity, this is for the following reasons:
- The dwelling at 23 Weld Street would be sited to the south-east of the proposed development. This dwelling has two stories with a garage and deck on the ground floor and habitable rooms and deck on the first floor directly adjacent to the proposed development. Submitted sunshadow diagrams show that there would be overshadowing to more than half of the ground floor deck and garage from 11am onwards on June 21. However there would be no significant loss of sunlight or overshadowing of the first floor habitable rooms and deck until 3pm. The deck would receive more than 3 hours to at least half of its surface between 12pm and 3pm on June 21. It is considered that the overshadowing of the ground floor would not be unreasonable because this is a non habitable room and would not be the main private open space for the dwelling. The upper floor deck is directly accessible to the living areas of the dwelling and as such is considered to be the main private open space. It is considered that the overshadowing of this deck would not be unreasonably detrimental to residential amenity.
 - The rear boundary of the subject site backs onto the large multiple dwelling lot at 8 Wynyard Street. The proposed development would be sited to the south-west, west and north-west of dwellings on this lot. However submitted sunshadow diagrams submitted show that there would be no overshadowing prior to 3pm on June 21. After 3pm, there would be no change to the amount of sunlight received by the north-east facing private open space. It is considered that potential overshadowing after 3pm in winter would not be

unreasonably detrimental to residential amenity.

- 6.7.8 In relation to the separation between dwellings on the adjoining lots, the lot on the western side of Wynyard Street is a large multiple dwelling lot with 14 dwellings that face the Weld Street properties. These dwellings have a very consistent setback of 3.2m to 3.4m for the lower level and 6.3m to 6.6m to the upper level. The lots on the eastern side of Weld Street are generally characterised by a dwelling at the front of the site and outbuilding/s at the rear, most of which are sited on or close to the rear boundary. For example, 19 Weld Street (part of 4.9 Macquarie Street) has a building with a maximum height of 5m at a setback of 1.5m to the highest point and a maximum height of 2.85m on the boundary and 21 Weld Street has a building with a maximum height of 2.81m high sited on the boundary. 23 Weld Street is slightly different in that it is a multiple dwelling site with a dwelling sited parallel to the rear boundary. This dwelling has a maximum height of 6.6m and a setback of 2m from the rear boundary. The proposed extension would also be generally oriented parallel to the rear boundary and would have a maximum height of 5.9m and a setback of 2.6m to 3.8m from the rear boundary. It is considered that the proposed development would not be out of character with this pattern of development as there is an established pattern of reasonably large buildings sited close to the rear boundaries of the lots on the eastern side of Weld Street.
- 6.7.9 Visual impact is the more problematic part of the performance criteria assessment. Whilst there is an existing pattern of development of reasonably high buildings sited close to the rear boundaries, most of these, particularly the one at 23 Weld Street, were approved when the adjoining property at 8 Wynyard Street was a vacant lot. As such, this proposal requires assessment of the impact of neighbours that didn't exist under that previous application. For this current application, there are four units at 8 Wynyard Street that would be potentially affected by the proposed development. In particular, units 16 and 17 would be directly adjacent to the proposed extension. The units at 8 Wynyard Street have minimal open space which consists of an enclosed ground floor outdoor area and first floor bedroom deck on the north-east side and a narrow unroofed courtyard on the south-west side. The south-west courtyards are considered to be the primary area of private open space for the adjoining dwellings, this is because it is at the rear and more private than the areas at the front. The rear courtyard is also adjacent to the kitchen window and directly accessible from the dining room and as it has no roof, would receive more natural light. Because the courtyards are oriented south-west and have been lowered below natural ground level, they have an

enclosed feeling from the adjoining buildings, retaining walls and fences. It is considered that the additional visual bulk of the proposed extension would further enclose this area and would be unreasonably detrimental to the residents of the dwellings. This is both from within the courtyard, and the kitchen and dining room of the dwellings, where the opportunity to view the sky would be reduced. Whilst it is acknowledged that the lower part of the proposed extension would be concealed by the bulk of the existing yoga studio, any increase in building height above that roofline would add an unreasonable degree of bulk when viewed from the adjoining property. Furthermore, because of the narrowness of the courtyard, there would be no opportunity for occupants to 'step back' to put the building into perspective and as such, the apparent scale of the building would be unreasonably high.



Figure 11: The location of the proposed extension at 25 Weld Street as viewed from the rear courtyard of the adjoining dwelling at 17/8 Wynyard Street. The roofline above the fence is the roof of the existing yoga studio.



Figure 12: The location of the proposed extension at 25 Weld Street as viewed from the just inside the dining room doors to the courtyard of the adjoining dwelling at 17/8 Wynyard Street. The roofline above the fence is the roof of the existing yoga studio.



Figure 13: The location of the proposed extension at 25 Weld Street as viewed from the courtyard of the adjoining dwelling at 16/8 Wynyard Street. The lattice is on the wall of the existing outbuilding on the subject site and the scaffolding above is on the property at 23 Weld Street.



Figure 14: The adjoining dwelling at 17/8 Wynyard Street as viewed from the approximate location of the proposed extension at 25 Weld Street.

- 6.7.10 The visual impact on the adjoining property is less problematic. This is because the maximum height of the proposed extension would be 1.4m

below the roofline of the dwelling under construction at 23 Weld Street. The window on the lower level of this dwelling is a non-habitable garage and on the upper level the habitable room windows are translucent glass to a height of 1.7m above the floor level and the glazed doors are oriented away from the proposed extension towards the existing dwelling on the lot at 25 Weld Street. In regards to the visual impact from private open space, it is considered that the main area of private open space will be the first floor deck. This deck would be at a slightly higher floor level than that of the proposed extension, as such it would not appear to tower over it in the way that it would for the dwellings at 8 Wynyard Street.

6.7.11 The proposal does not comply with the performance criterion.

6.8 Historic Heritage Code - Demolition - Part E13.7.1

6.8.1 There is no acceptable solution for partial demolition of a place that is heritage listed.

6.8.2 The proposal includes partial demolition of a place that is heritage listed.

6.8.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause E13.7.1.P1 provides as follows:

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.

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

Demolition involves part of the rear shed and yoga studio for the upper storey and minor changes to the barn for an equal access toilet and a section of a rear brick wall for a door opening. No

heritage fabric of significance to the place is being removed, therefore E 13.8.1 P1 is satisfied.

6.8.6 The proposal complies with the performance criterion.

6.9 Historic Heritage Code - Building and Works other than Demolition - Part E13.7.2.P1

6.9.1 There is no acceptable solution for buildings and works on a heritage listed place.

6.9.2 The proposal includes buildings and works on a heritage listed place.

6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at clause E13.7.2.P1 provides as follows:

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.*

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

The proposed building is below (approx 0.7m) the rear ridge height of the existing double storey Victorian building and 2.4 metres lower than the gable to the front. To provide a comparison, in relation to recently approved and constructed development on the adjacent property at 23 Weld Street . The proposed design is a simple rectilinear form and is of a height, bulk and form which is acceptable in terms of the heritage structures elsewhere on the site, while the cladding, materials, colours and finishes are more contemporary. A more logical and appropriate response would be for more natural or rustic materials, cladding and finishes in a patchwork design. Such a design response would result in a more visually recessive form, allow significant fabric to remain the focus and be less dominant and more compatible. This can be achieved though a condition of

permit.

6.9.6 The proposal complies with the performance criterion.

6.10 Historic Heritage Code - Building and Works other than Demolition - Part E13.7.2.P2

6.10.1 There is no acceptable solution for buildings and works on a heritage listed place.

6.10.2 The proposal includes buildings and works on a heritage listed place.

6.10.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.10.4 The performance criterion at clause E13.7.2.P2 provides as follows:

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.

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

The development is lower than the ridge of the Victorian property and as is setback behind existing buildings well away from the frontage. The vegetation and formal landscaping elements, while not designed to screen the structure, does create an enclosed space and enhanced degree of separation. It is of a scale and bulk that is visually recessive when considered in relation to historic structures, but in terms of the use of materials and colours would benefit from a revised scheme to achieve a more subservient and complementary appearance.

6.10.6 The proposal complies with the performance criterion.

6.11 Historic Heritage Code - Building and Works other than Demolition - Part E13.7.2.P3

6.11.1 There is no acceptable solution for buildings and works on a heritage

listed place.

6.11.2 The proposal includes buildings and works on a heritage listed place.

6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause E13.7.2.P3 provides as follows:

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.

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

Materials proposed are shown as a dark painted finish and timber battens, with details to be specified. To ensure the stone, brick and timber of the barn and natural rendered finish of the Victorian house, would be visually prominent and would remain the focus a revised scheme to incorporate more rustic and natural materials would be appropriate. While the design can remain contemporary and clearly new, the overall effect with a revised colour, material and finish palette will achieve compliance with E13.7.2 P3.

6.11.6 The proposal complies with the performance criterion.

6.12 Historic Heritage Code - Building and Works other than Demolition - Part E13.7.2.P4

6.12.1 There is no acceptable solution for buildings and works on a heritage listed place.

6.12.2 The proposal includes buildings and works on a heritage listed place.

6.12.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.12.4 The performance criterion at clause E13.7.2.P4 provides as follows:

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

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

The proposed extension will not detract from the historic cultural heritage significance of the place because the extension is to an recently approved building of a contemporary form (ie the yoga studio and reconstructed shed) and does not detract from the significant buildings on the site due to its siting, setback and location to the rear of the block and the separation across the yard. Clause E13.7.2 P4 is satisfied.

- 6.12.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 25 Weld Street, South Hobart.
- 7.2 The application was advertised and received four (4) representations. The representations raised concerns including the impact on the adjoining dwellings through overlooking, overshadowing and visual bulk, the impact on the heritage values of the listed place, over development of the site and increased noise. The concerns that relate to performance criteria triggered by the proposed development have been discussed in the body of the report above. However in relation to the concerns regarding overlooking and noise, the proposed development would comply with the privacy provisions under clause 11.4.6 and noise is not a consideration for residential development under the *Hobart Interim Planning Scheme 2015*.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to not perform well. This is because it is considered that the increase in visual bulk caused by the proposed extension on top of the existing yoga studio would be detrimental to the amenity of the adjoining dwellings at 8 Wynyard Street. The design of the adjoining dwellings offers limited opportunity from ground floor habitable rooms and private open space to view the sky. It is considered that any further reduction would be detrimental to residential amenity.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Stormwater Services Engineer and Environmental Health Officer. The officers have raised no objection to the proposal, subject to conditions.

7.5 The proposal is recommended for refusal.

8. Conclusion

8.1 The proposed Partial Demolition, Alterations and Extension, at 25 Weld Street, South Hobart does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition, Alterations and Extension, at 25 Weld Street, South Hobart for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 11.4.2.P3(iv) of the *Hobart Interim Planning Scheme 2015* because the extension would have an unreasonable visual impact caused by the apparent scale, bulk and proportions when viewed from an adjoining lot.



(Michaela Nolan)

Development Appraisal Planner

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



(Karen Abey)

Manager Development Appraisal

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 February 2021

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Cultural Heritage Report



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-20-587
THC WORKS REF: 6354
REGISTERED PLACE NO: 3181
FILE NO: 11-02-27THC
APPLICANT: Bee Newman
DATE: 2 February 2021

NOTICE OF HERITAGE DECISION

(Historic Cultural Heritage Act 1995)

The Place: 25 Weld Street, South Hobart.
The Proposed Works: Partial demolition, alterations and additions.

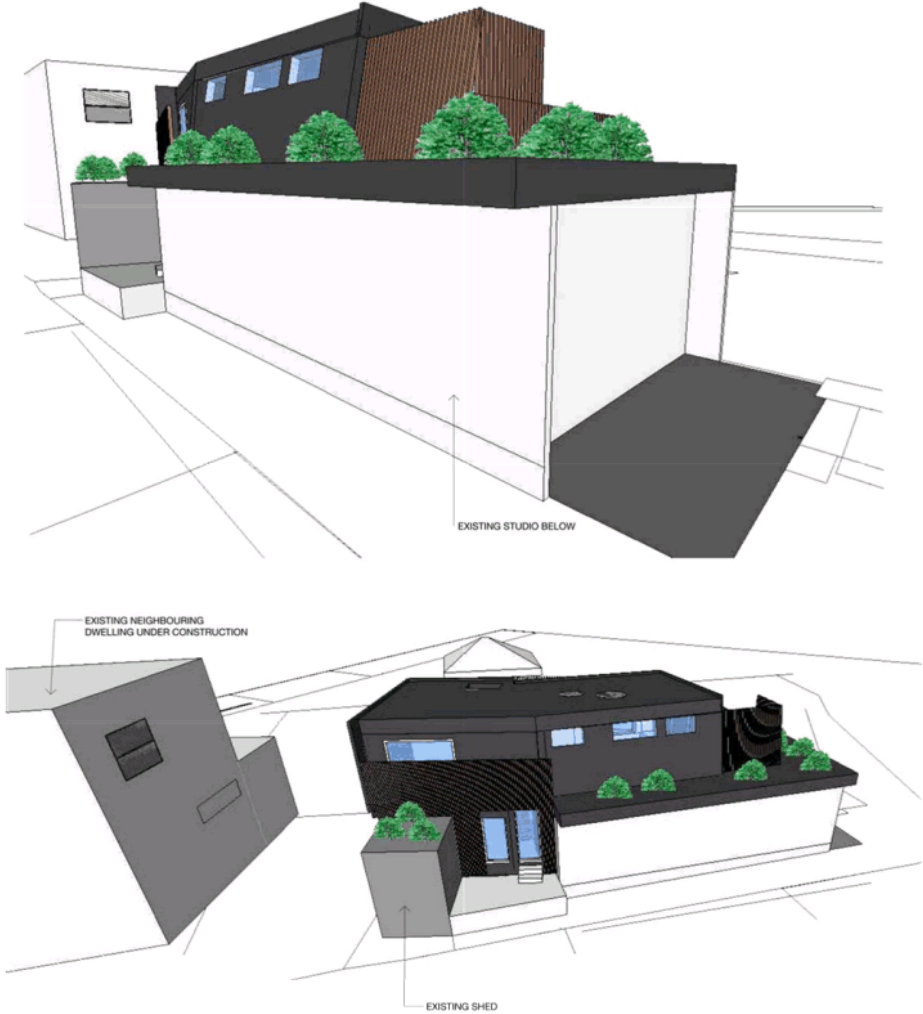
Under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-20-587, advertised on 14/01/2021.

Please ensure the details of this notice are included in any permit issued, and please 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 Deirdre Macdonald on 0419 589 283 or 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



PLANNING DOCUMENTATION
FOR

25 WELD STREET, SOUTH HOBART

LOT 1 / VOL 131344
PID 5596827
WIND SPEED: N3
SOIL CLASSIFICATION: CLASS S
CLIMATE ZONE: 7
BAL: NONE

COUNCIL: HOBART CITY COUNCIL
ZONE: 11.0 INNER RESIDENTIAL

- C 001 CONTENTS
- C 100 SITE CONTEXT
- C 101 EXISTING SITE PLAN
- C 102 PROPOSED SITE PLAN
- C 103 HERITAGE DEMOLITION SITE PLAN
- C 104 VEGETATION MAP LANDSCAPE PLAN
- C 200 PROPOSED FLOOR PLANS
- C 201 PROPOSED ROOF PLAN / SECTION AA
- C 202 PROPOSED BARN FLOOR PLANS
- C 300 PROPOSED ELEVATIONS
- C 301 PROPOSED ELEVATIONS
- C 800 DEMOLITION IMAGES
- C 900 SHADOW STUDY EXISTING
- C 901 SHADOW STUDY PROPOSED
- C 902 SHADOW STUDY 23 WELD



1 SITE CONTEXT PLAN
1:500



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HBN: 91 986 419 844
BEE: 0427 619 617 | STU: 0428 708 832
INFO@NORTHHOBARTTAS.COM.AU

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PROJECT
THE GREENHOUSE
25 WELD STREET, SOUTH HOBART
TASMANIA, 7004

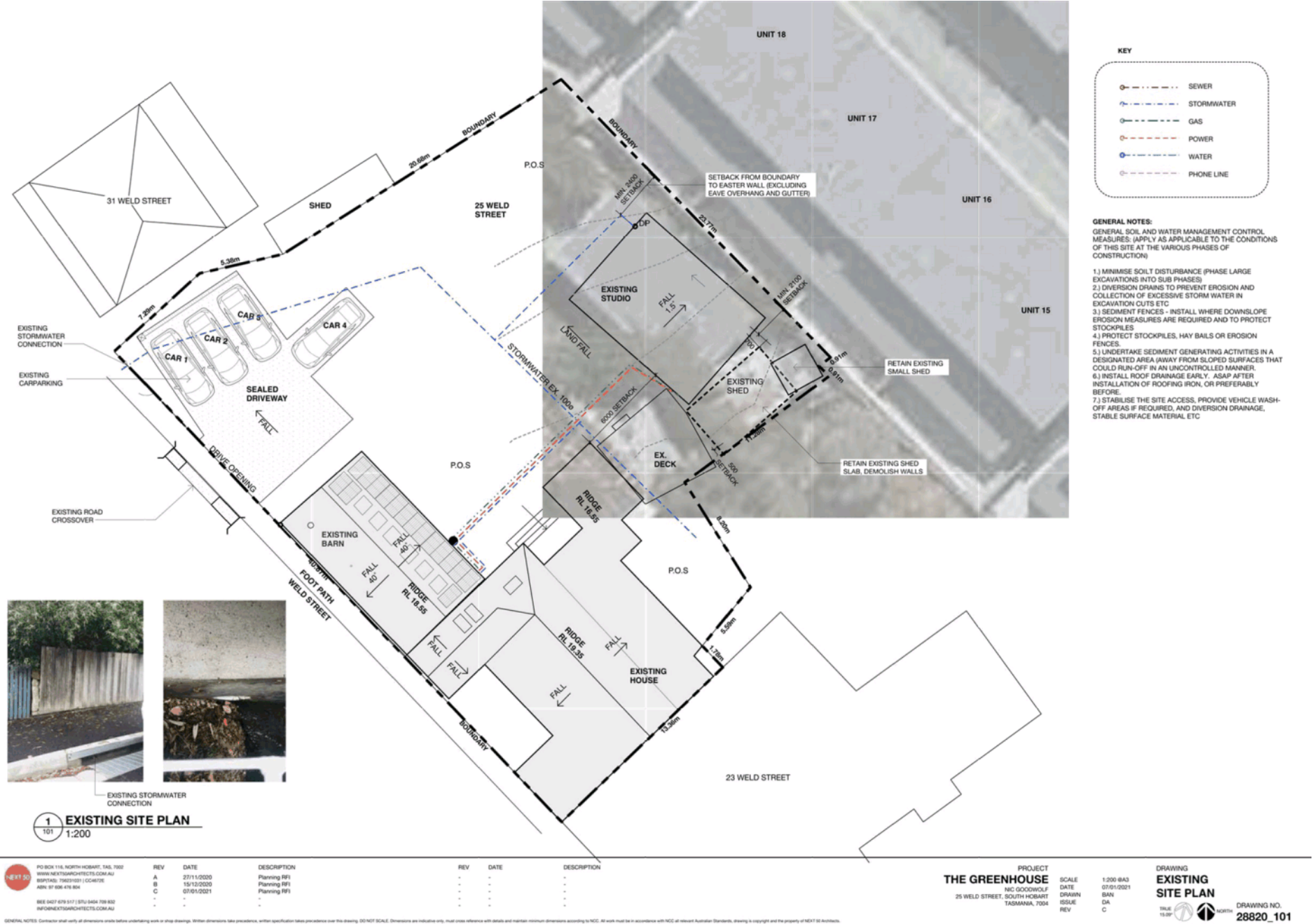
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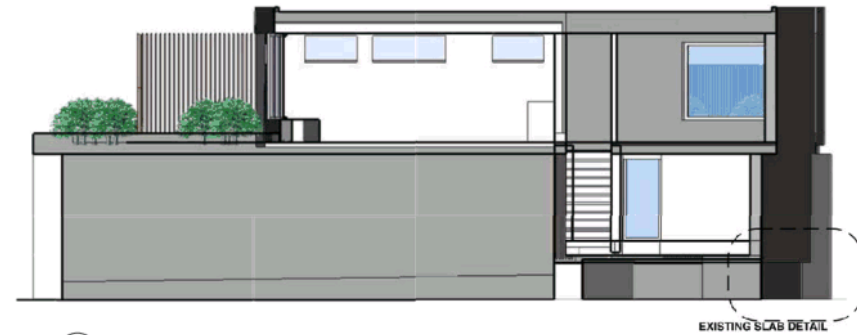
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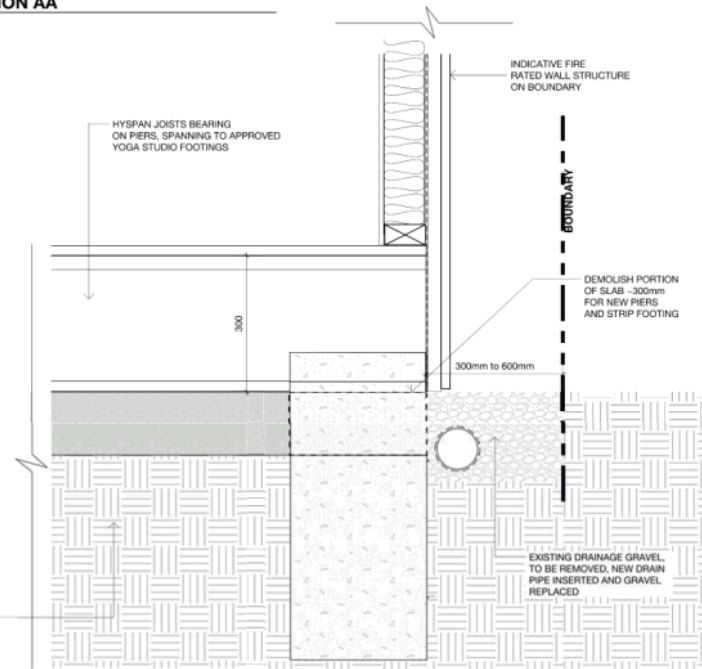
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3 SECTION AA - PROPOSED DETAIL
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1 PROPOSED ROOF PLAN
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TASMANIA, 7004

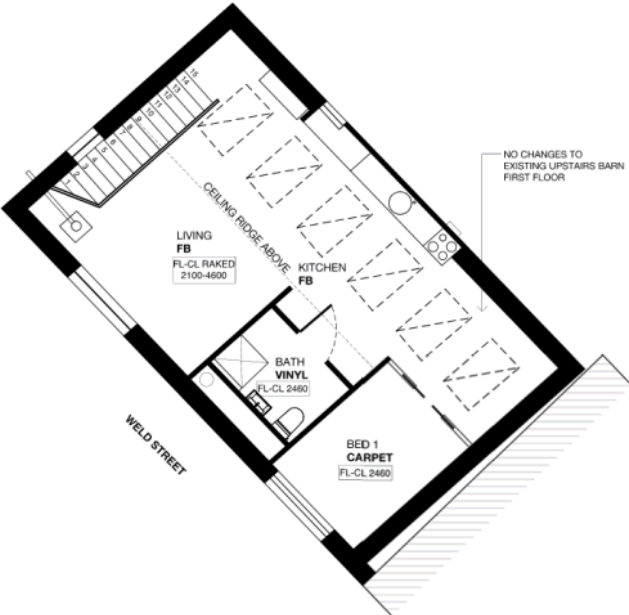
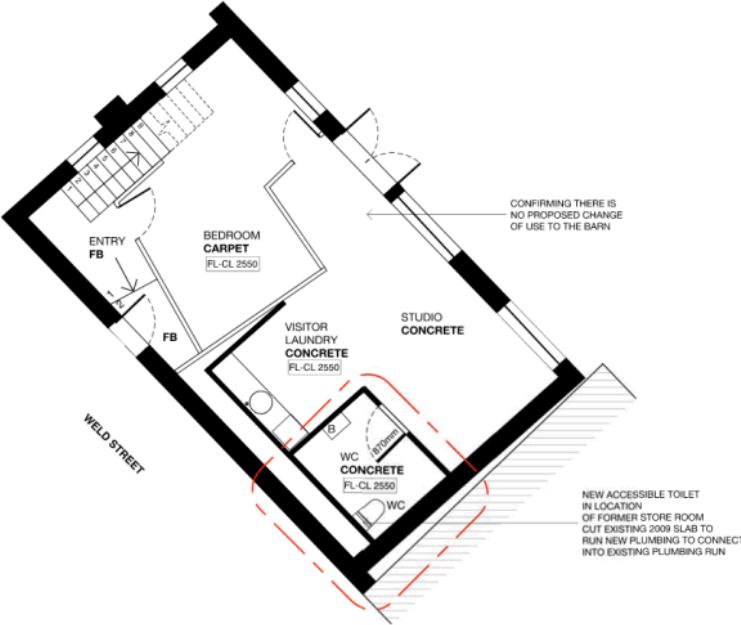
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1 BARN GROUND FLOOR PLAN
202 1:100

2 BARN FIRST FLOOR PLAN
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25 WELD STREET, SOUTH HOBART
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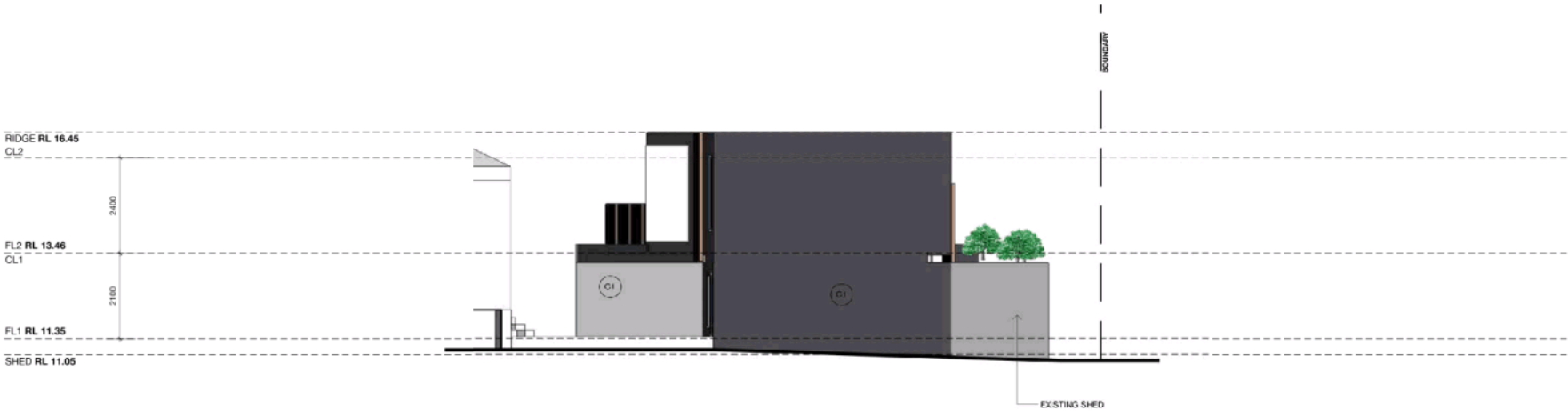
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301
PROPOSED SOUTH-EAST ELEVATION
1:100

KEY

- R1 SHEET METAL CB COLOUR TBS
- C1 BLOCKWORK
- C2 CEMENT SHEET (PAINTED CB MONUMENT) WITH VERTICAL TIMBER BATTENS WHERE NOTED



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TASMANIA, 7004

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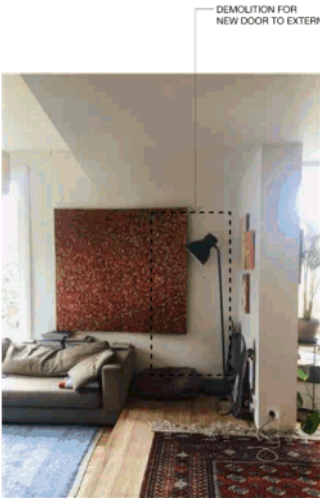


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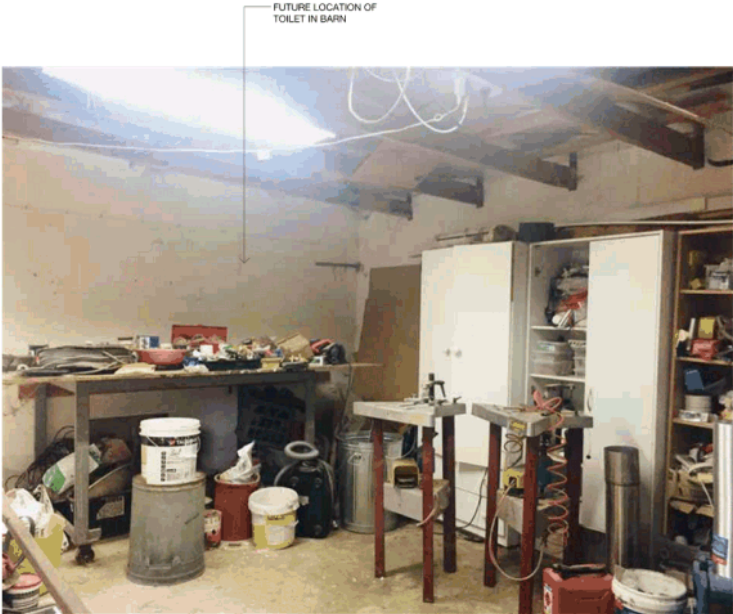
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REFER TO DETAILS ON
ROOF PLAN



4. HOUSE EXTERNAL (DEMOLITION)



5. HOUSE INTERNAL (DEMOLITION)



6. BARN INTERNAL (NEW WORKS)



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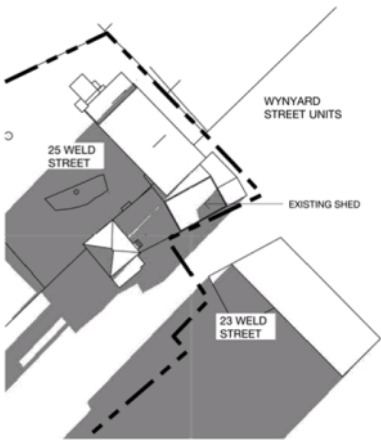
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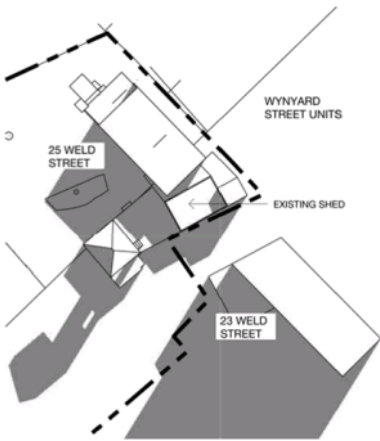
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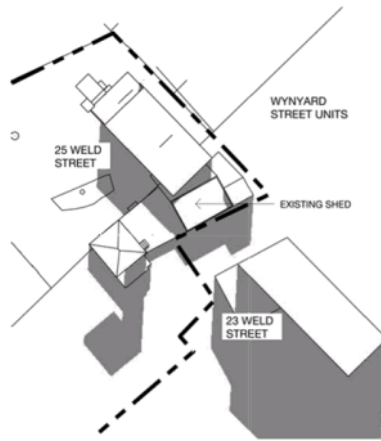
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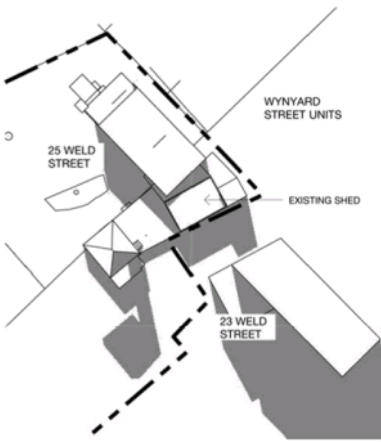
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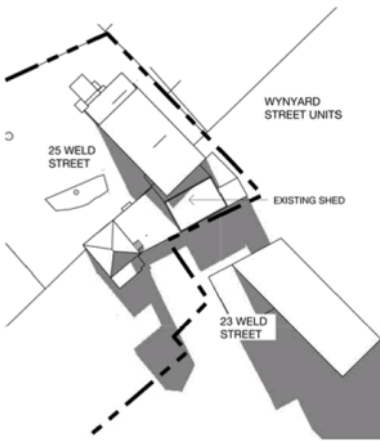
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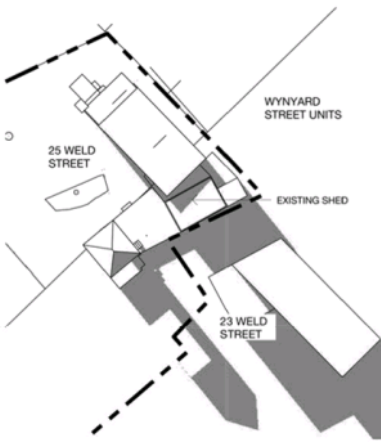
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6 2pm (21/06)
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7 3pm (21/06)
900 1:500

EXISTING SHADOW STUDY

THE SHADOW STUDY IS UNDERTAKEN ON THE 21st JUNE AS PER SKETCHUP MODELLING SOFTWARE.



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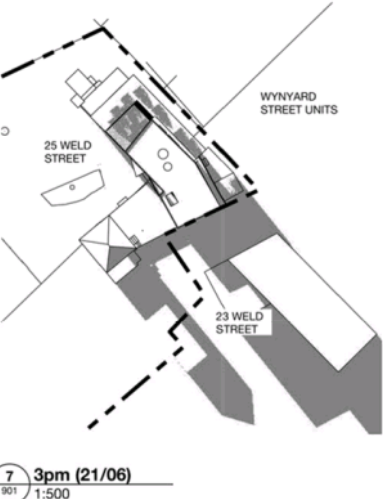
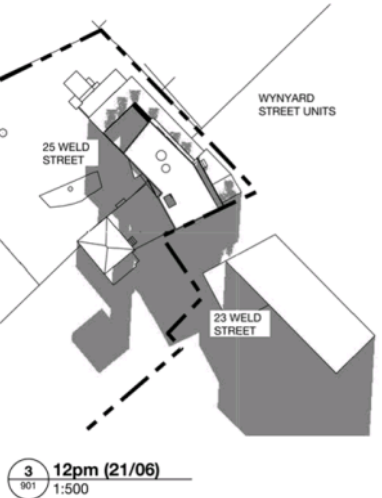
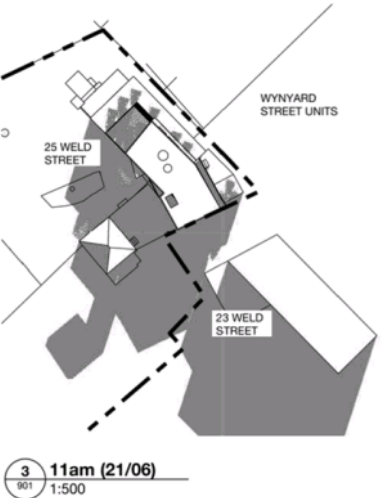
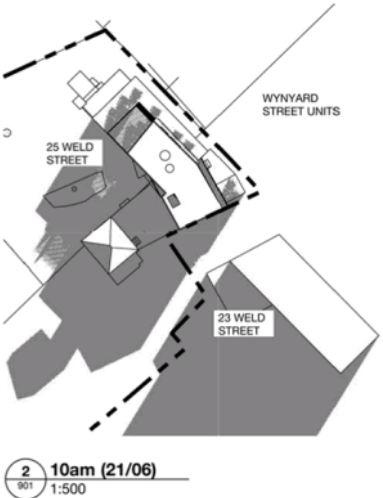
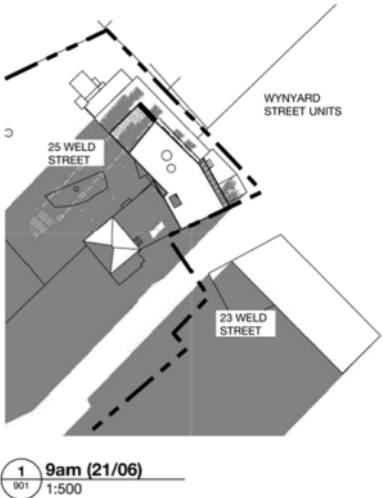
PROJECT
THE GREENHOUSE
25 WELD STREET, SOUTH HOBART
TASMANIA, 7004

SCALE	1:100 @A3
DATE	07/01/2021
DRAWN	BAN
ISSUE	DA
REV	C

DRAWING
SHADOW STUDY
EXISTING

DRAWING NO.
28820_900

GENERAL NOTES: Contractor shall verify all dimensions on-site before undertaking work or shop drawings. Within 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 NEST 3D Architects.



PROPOSED SHADOW STUDY

THE SHADOW STUDY IS UNDERTAKEN ON THE 21st JUNE AS PER SKETCHUP MODELLING SOFTWARE.



PO BOX 116, NORTH HOBART, TAS, 7502
WWW.NESTARCHITECTS.COM.AU
BPTAS: 75621031 | CC4678
ABN 57 986 476 804
SEE 0427 675 517 | STU 0424 709 932
INFO@NESTARCHITECTS.COM.AU

REV	DATE	DESCRIPTION
A	27/11/2020	Planning RFI
B	15/12/2020	Planning RFI
C	07/01/2021	Planning RFI
-	-	-

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

REV	DATE	DESCRIPTION
-	-	-
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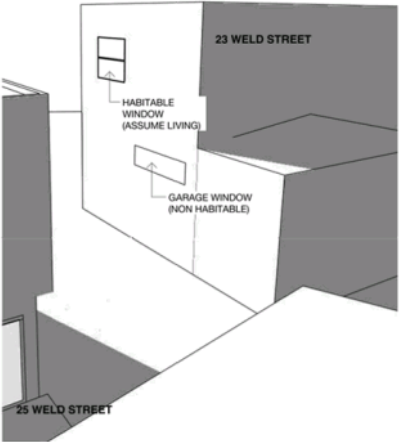
PROJECT
THE GREENHOUSE
25 WELD STREET, SOUTH HOBART
TASMANIA, 7504

SCALE	1:100 @A3
DATE	07/01/2021
DRAWN	BAN
ISSUE	DA
REV	C

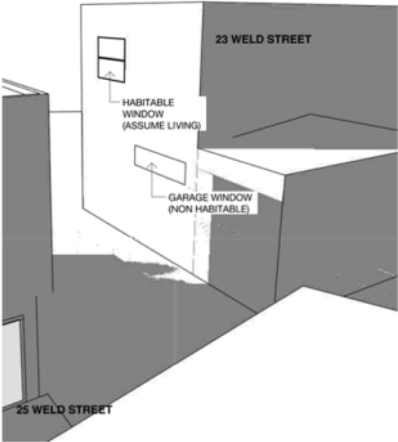
DRAWING
SHADOW STUDY
PROPOSED

DRAWING NO.
28820_901

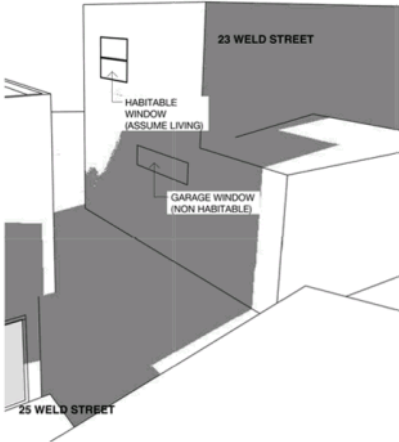
GENERAL NOTES: Contractor shall verify all dimensions on-site before undertaking work or shop drawings. Written dimensions take precedence over this drawing. DO NOT SCALE. Dimensions are indicative only, must cross-reference with details and maintain minimum dimensions according to NCC. All work must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



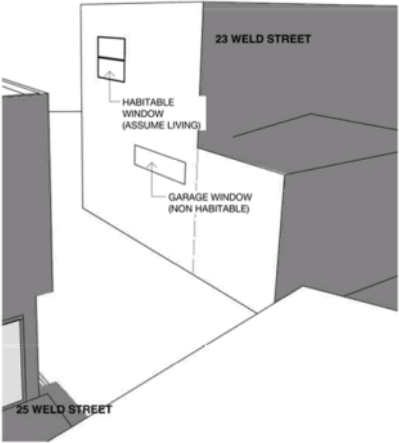
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902 NTS



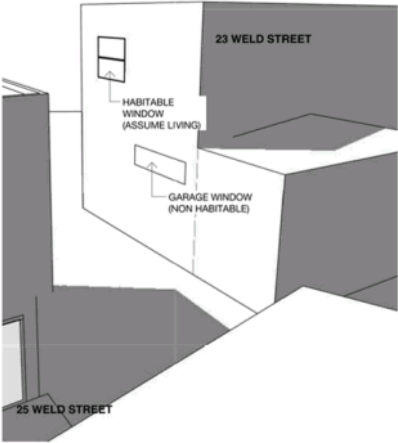
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902 NTS



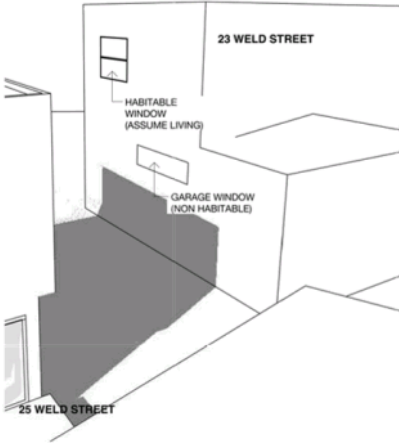
3 3pm (21/06)
902 NTS



3 9am (21/03)
902 NTS



4 12pm (21/03)
902 NTS



5 3pm (21/03)
902 NTS

PROPOSED SHADOW STUDY

SHADOWS TO HABITABLE ROOM, ON ADJOINING LOTS
(23 WELD STREET ONLY DWELLING APPROPRIATE)

THE SHADOW STUDY IS UNDERTAKEN ON THE 21st JUNE AND
MARCH AS PER SKETCHUP MODELLING SOFTWARE.

THERE ARE NO OVERSHADOWING TO 23 WELD STREET PRIOR
TO THE PROPOSED WORKS, AND AT COMPLETION



PO BOX 116, NORTH HOBART, TAS, 7502
WWW.NEXT5ARCHITECTS.COM.AU
BPT/AS: 15621031 | CC/AT/DE
ABN 57 906 476 804
BEE 0427 675 517 | STU 0424 709 902
INFO@NEXT5ARCHITECTS.COM.AU

REV DATE
A 27/11/2020
B 15/12/2020
C 07/01/2021

DESCRIPTION
Planning RFI
Planning RFI
Planning RFI

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

PROJECT
THE GREENHOUSE
25 WELD STREET, SOUTH HOBART
TASMANIA, 7504

SCALE
DATE
DRAWN
ISSUE
REV

NTS 8A3
07/01/2021
BAN
DA
C

DRAWING
SHADOW STUDY
23 WELD

DRAWING NO.
28820_902

GENERAL NOTES: Contractor shall verify all dimensions on-site before undertaking work or shop drawings. Written dimensions take precedence, written specification takes 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 of 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 – 25 Weld Street, South Hobart

To: Hobart City Council
Date: 9th September 2020

Dear Hobart City Council,

This document is to accompany the application for development for 25 Weld Street, South Hobart.

The project is to extend the house with an additional bedroom, kitchen and bathroom less than 60m², above an existing studio and shed.
Additionally the application seeks to add a accessibility toilet and move the existing aurora meter to an externally accessible location.

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

Nic Goodwolf
Owner

SUMMARY ASSESSMENT

D 11.0 INNER RESIDENTIAL ZONE

CLAUSE	ACCEPTABLE SOLUTIONS	PERFORMANCE CRITERIA
11.4.1 Residential density for multiple dwelling	A1-N/A	
11.4.2 Setbacks and building envelope for all dwellings	A1 A2	P3
11.4.3 Site coverage and private open space	A1 A2 A3	
11.4.4 Sunlight and overshadowing	A1 A2-A3-N/A	
11.4.5 Width of openings for garages and carports	A1	
11.4.6 Privacy	A1 A2 A3	
11.4.7 Frontage fences	A1	
11.4.8 Waste storage	A1-N/A	

DETAILED ASSESSMENT – D11. INNER RESIDENTIAL ZONE**11.4.1 Residential Density for Multiple Dwellings**

To provide for inner urban densities that:

- (a) increase the number and density of dwellings; and
(b) provide a range of dwelling types and sizes appropriate to the location; and
(c) encourage efficient utilisation of residential land and services in inner urban areas.*

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

11.4.2 Setbacks and building envelope

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) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
(c) 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	The alterations to the dwelling are setback (a) over 4.5m from the primary frontage and 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 works for a carport or garage, and 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: 40px;">(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: 40px;">(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p style="padding-left: 40px;">(iii) overshadowing of an adjoining vacant lot; or</p> <p>(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>(a)(i & ii) The proposed project is situated to the South of 8/14 & 8/15 Wynyard Street and to the Southwest of 8/13 Wynyard Street and will cause no significant reductions in sunlight hours due to its Southern and Southwest location of the proposed extension .</p> <p>The proposed extension is to the north of 23 Weld Street. 23 Weld Street A has one window to a habitable room, which is above the roof height of the proposed development and therefore will not cause a reduction in sunlight for 23 Weld Street.</p> <p>(iv) The proposed development is addressing scale visual bulk by setting back the proposed first floor extension to the existing building back by 1000mm from the edge of the existing eaves and therefore making the development less visually bulky when viewed from 8 Wynyard Street dwellings. In order to further reduce visual bulk, a tilting of the upstairs wall by 12° was applied to ease the set back from the back boundary further.</p> <p>In order to soften the existing lines of the building, plants in a variety of heights and foliage will be used throughout the projects to create a layered green building.</p> <p>The siting and scale of the proposed development relates to the existing dwellings at 25 Weld Street. No additional groundwork except the new corridor from the main building will be constructed. The first floor extension is lower than the main building at 25 Weld Street and lower than the historical barn at 25 Weld Street by more than 1.5 meters.</p> <p>The proposed project will be painted in Basalt Grey with Tas Oak timber slats covering 70% of all newly constructed walls. Timber slats and colour (although lighter than the existing grey) will also blend the new space with the existing building and will relate to the 'material patchwork' concept applied by previous owners of 25 Weld Street.</p>

11.4.3 Site Coverage and Private Open Space

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
<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 50m² 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 no 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>The existing site has large areas of private open space which is greater than (a)(ii) 24m², and has a minimum horizontal dimensions of (i) 4m, and being located on the north, receives 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>

(g) is not used for vehicle access or parking.	
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11.4.4 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 proposed 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.

11.4.5 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 garage or carport, it is therefore compliant with A1,

11.4.6 Privacy for all dwellings

To reduce the potential for loss of privacy for dwellings.

Development Standard	Assessment
<p>A1</p> <p>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:</p> <p>(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</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, 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 style="padding-left: 40px;">(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p style="padding-left: 40px;">(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	<p>The proposed alterations do not include provision for accessible balcony, deck or roof terrace and is therefore compliant with A1.</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 style="padding-left: 40px;">(i) is to have a setback of at least 3 m from a side boundary;</p> <p style="padding-left: 40px;">(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 style="padding-left: 40px;">(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 style="padding-left: 40px;">(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 style="padding-left: 40px;">(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, however they meet the required setbacks, therefore the development is compliant with A2.</p>
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p>	<p>The proposed alterations are setback a considerable distance from the driveway and parking space and are therefore compliant with A3.</p>

<p>(b) 1m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	
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11.4.7 Frontage Fences

To control the height and transparency of frontage fences to:

(a) allow the potential for mutual passive surveillance between the road and the dwelling; and

(b) 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) 1.5m, if any part of the fence that is within 3m of a 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).</p>	<p>There are no proposed changes to the front fence, the application is therefore compliant with A1.</p>

11.4.8 Waste Storage for Multiple Dwellings

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

Development Standard	Assessment
<p>A1</p> <p><i>Details not shown.</i></p>	<p>Not Applicable, as the proposed works are not a multiple dwelling.</p>

Planning: #212786

Property

25 WELD STREET SOUTH HOBART TAS 7004

People

Applicant

*

BEE NEWMAN

0427 679 517

bee@next50architects.com.au

Owner

*

Nicolas Goodwolf

25 Weld Street

SOUTH HOBART TAS 7004

041885590

nic@planbcubed.com.au

Entered By

BEE NEWMAN

0427 679 517

bee@next50architects.com.au

Use

Single dwelling

Details

Have you obtained pre application advice?

☒ Yes

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

Owner has discussed with Tristan Widdowson

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)?

*

Dwelling

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

*

Dwelling extension

Estimated cost of development

*

180000.00

Existing floor area (m2)

0.00

Proposed floor area (m2)

59.50

Site area (m2)

1045

Carparking on Site

N/A

Total parking spaces

4

Existing parking spaces

4

☐ 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)

*

28820_Goodwolf_20200720_Title.pdf

Plans (proposed, existing)

*

28820_Goodwolf_20200907_Architect-Documentation.pdf

Supporting Documents

Planning Report

28820_Goodwolf_20200907_PlanningReport.pdf

Agent Authorisation

28820_Goodwolf_20200907_AgentAuthorisation.pdf

Agent Authorisation

To: Hobart Council
Date: 7th September 2020
Project: 25 Weld Street, South Hobart
From: Nic Goodwolf

I, Nic Goodwolf the owner of 25 Weld Street, South Hobart hereby authorise NEXT 50 Architects to act on my behalf as the agent when requesting information from, and submitting information to the Building Surveyor and Hobart City Council, for an application for planning permit, building permit and plumbing permit.

All associated fees from the consent authority relating to the above project are to be invoiced directly Nic Goodwolf.

25 Weld Street,
South Hobart, 7004
nic@planbcubed.com.au

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 131344	FOLIO 1
EDITION 4	DATE OF ISSUE 12-Dec-2018

SEARCH DATE : 20-Jul-2020
SEARCH TIME : 10.49 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Plan 131344
Being the land described in Conveyance 25/1569
Derivation : Part of 3A-1R-28P Granted to William McLaren
Derived from A17371

SCHEDULE 1

C766122 & E109467 TRANSFER to NICOLAS LEON GOODWOLF
Registered 12-Dec-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

the **List****FOLIO PLAN**
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FILE NUMBER A17371		CONVERSION PLAN		REGISTERED NUMBER P.131344
GRANTEE PART OF 3-1-26 GRD TO WILLIAM McLAKEN		LOCATION CITY OF HOBART		APPROVED 22 JAN 1999 <i>Handwritten Signature</i> Recorder of Titles
		CONVERTED FROM CONV. 25/1569		
		NOT TO SCALE LENGTHS IN METRES		
MAPSHEET MUNICIPAL CODE No. 114 (5229)	LAST UPI No. —	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN DSD

SKETCH BY WAY OF ILLUSTRATION ONLY
EXCEPTED LANDS

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	25 WELD STREET, SOUTH HOBART
Proposal:	Partial Demolition, Alterations and Extension
Application No:	PLN-20-587
Assessment Officer:	Michaela Nolan,

Referral Officer comments:

Background

25 Weld Street is heritage listed in table E13.1 of the Historic Heritage Code of the Scheme. It is a double storey stone, brick and timber barn from the 1850s sited directly on Weld Street. It was associated with a Mr Butler, who built a Tannery alongside the Hobart Rivulet. The early industrial site was augmented with a Victorian era residence with double gables facing Weld Street immediately abutting the earlier barn building. Weld Street was formally known as Elphinstone Road and the barn can be seen in 1860 photographs of South Hobart which appear to show the area prior to street formation. This indicates that the barn was built to be in proximity to the Hobart Rivulet, source of water, and thus critical infrastructure for industry in colonial Hobart Town. The barn and house have been progressively added to over the years with additional rooms constructed toward the rear of the property. The barn and house are distinctive in terms of their scale and form within Weld Street.

The applicant is proposing an additional floor to an existing approved single storey building to the rear which is currently used as a yoga studio and modifications to an existing shed structure. Also proposed is an internal change to the interior layout of the barn to provide an equal access toilet and the section of the rear wall of the 1960s building is to be removed for a new rear access onto the rear deck.

The second storey to the yoga studio is shown to be clad in metal sheet painted black with timber battens. The upper level would have roof gardens. One wall is sloped and the plan extends over an existing shed. The lower floor of the yoga studio would be modified with a new projecting window and various internal partitions to support the use of the upper level for accommodation.

The garden of the house is located to the side and behind the barn on Weld Street, creating an open space for parking and a large enclosed garden with hard landscaping, trees and other vegetation.

The front fence and garden are not proposed to be modified.

Assessment against the Planning Scheme:

Demolition

Demolition involves part of the rear shed and yoga studio for the upper storey and minor changes to the barn for an equal access toilet and a section of a rear brick wall for a door opening. No heritage fabric of significance to the place is being removed, therefore E 13.8.1 P1 is satisfied.

Works

E13.7.2 P1 states:

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.*

The proposed building is below (approx 0.7m) the rear ridge height of the existing double storey Victorian building and 2.4 metres lower than the gable to the front. To provide a comparison, in relation to recently approved and constructed development on the adjacent property at 23 Weld Street. The proposed design is a simple rectilinear form and is of a height, bulk and form which is acceptable in terms of the heritage structures elsewhere on the site, while the cladding, materials, colours and finishes are more contemporary. A more logical and appropriate response would be for more natural or rustic materials, cladding and finishes in a patchwork design. Such a design response would result in a more visually recessive form, allow significant fabric to remain the focus and be less dominant and more compatible. This can be achieved through a condition of permit.

E13.7.2 P2 states:

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.*

The development is lower than the ridge of the Victorian property and as is setback behind existing buildings well away from the frontage. The vegetation and formal landscaping elements, while not designed to screen the structure, does create an enclosed space and enhanced degree of separation. It is of a scale and bulk that is visually recessive when considered in relation to historic structures, but in terms of the use of materials and colours would benefit from a revised scheme to achieve a more subservient and complementary appearance.

E13.7.2 P3 states:

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.

Materials proposed are shown as a dark painted finish and timber battens, with details to be specified. To ensure the stone, brick and timber of the barn and natural rendered finish of the Victorian house, would be visually prominent and would remain the focus a revised scheme to incorporate more rustic and natural materials would be appropriate. While the design can remain contemporary and clearly new, the overall effect with a revised colour, material and finish palette will achieve compliance with E13.7.2 P3.

E13.7.2 P4 states:

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

The proposed extension will not detract from the historic cultural heritage significance of the place because the extension is to an recently approved building of a contemporary form (ie the yoga studio and reconstructed shed) and does not detract from the significant buildings on the site due to its siting, setback and location to the rear of the block and the separation across the yard. Clause E13.7.2 P4 is satisfied.

Representations

Council received four (4) representations objecting to the proposed development. The following heritage related comments were received:

"I have serious concerns in relation to... the impact on heritage values"

"25 Weld Street property is listed on both the Tasmanian Heritage Register and is a heritage place listed in the heritage code of the Hobart Interim Planning Scheme 2015. The property was built in 1860 and the house and barn were associated with the tannery crafts of South Hobart. The property is one of the original dwellings in the area and has historic significance to retain a reminder of Tasmania's first major industrial area. The extension to the existing building will detract from the historic cultural significance of the site as it will be seen from both Weld and Wynyard Street surrounding properties and will be detrimental to the streetscape."

"The planning application does not sufficiently address heritage impacts the demolition and extension will have on the existing heritage listed property."

"At no point has the historical significance and impact of the extension to the listed house been addressed which is unsatisfactory."

"No heritage impact statement or statement of compliance has been provided to inform and support the application "

"I am concerned that the demolition and alternations may result in the loss of significant heritage fabric and character. The proposed extension has not been undertaken in a sympathetic manner and would result in the loss of historic cultural heritage to the property through incompatible design elements, including the height, scale, significant bulk of the extension and materials used (e.g. cement sheets and sheet metal listed)."

"The planning application has not addressed any archaeological potential."

"The planning application has not addressed any aboriginal heritage under the State Aboriginal Relicts Act and under the Federal Aboriginal Heritage Act. Because of the nature of the historic site there may be issues that are worth a full investigation, assessment and report into aboriginal artifacts and issues."

"The proposed development....while compromising heritage values"

"I call upon Council to consider heritage and residential amenity as a relevant and important consideration in yet again another case of unreasonable and inappropriately dense development"

Comments regarding representations:

Archaeology and Aboriginal heritage are not discretions under the Historic Heritage Code and cannot be considered.

Demolition and works are discretionary and with a condition of permit are assessed as satisfying the relevant provisions of the Historic Heritage Code.

Conclusion:

The proposal is assessed as satisfactory when assessed against E 13.7.1 P1, E 13.7.2 P1, P2, P3 and P4. A condition requiring the submission of a revised colours, materials and finishes scheme is required.

Sarah Waight
Senior Cultural Heritage Officer
12 February 2021

**7.1.3 141 HAMPDEN ROAD, HOBART - ALTERATIONS
PLN-21-9 - FILE REF: F21/15491**

Address: 141 Hampden Road, Hobart
Proposal: Alterations
Expiry Date: 2 March 2021
Extension of Time: Not applicable
Author: Adam Smee

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 alterations, at 141 Hampden Road, Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-9 - 141 HAMPDEN ROAD HOBART TAS 7000 - Attachment B - Final Planning Documents.

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: 6456 dated 18 February 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

STORMWATER




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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

- Attachment A: PLN-21-9 - 141 HAMPDEN ROAD HOBART TAS
7000 - Planning Committee or Delegated Report ↓

- Attachment B: PLN-21-9 - 141 HAMPDEN ROAD HOBART TAS
7000 - CPC Agenda Documents ↓ 
- Attachment C: PLN-21-9 - 141 HAMPDEN ROAD HOBART TAS
7000 -Referral Officer Report - Cultural Heritage ↓


**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 1 March 2021
Expiry Date: 2 March 2021
Application No: PLN-21-9
Address: 141 HAMPDEN ROAD , HOBART
Applicant:
Proposal: Alterations
Representations: Four representations.
Performance criteria: Historic Heritage Code: Development Standards for Heritage Places and Development Standards for Heritage Precincts.

1. Executive Summary

- 1.1 Planning approval is sought for alterations, at 141 Hampden Road, Hobart.
- 1.2 More specifically the proposal includes:
 - enclosing a space currently used for car parking and historically used as stable to create an additional living area for a previously approved multiple dwelling on the site,
 - relocation of the outdoor unit of an air condition system from the north elevation of the main building on the site to a "linking roof" between the building and what is referred to as the servants quarters.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 E13.0 Historic Heritage Code - E13.7 Development Standards for Heritage Places and E13.8 Development Standards for Heritage Precincts
- 1.4 Four representations objecting to the proposal were received within the statutory advertising period between 22 January and 9 February 2021.
- 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 representations were received regarding the application.

2. Site Detail

- 2.1 The proposed development site is a mixed use property to the south-east of the Hobart CBD. The property is heritage listed and has a history of residential use but has been used for offices more recently. The property is on the south-eastern corner of Wilmot Street and Hampden Road and has an area slightly greater than 1500m². An historic, three storey building originally constructed as a dwelling occupies the south-western part of the property, closest to the Hampden Road frontage. The north-eastern part of the property includes a carpark accessed from Wilmot Street and gardens. The site is generally surrounded by residential use and development, although the former Repatriation General Hospital site is to the south and west, on the opposite side of Hampden Road.



Figure 1: aerial view of site (outlined in blue) and surrounding land (source: CoH GIS, accessed 29/1/2021).

3. Proposal

- 3.1 Planning approval is sought for alterations, at 141 Hampden Road, Hobart.

3.2 More specifically the proposal is for:

- enclosing a space currently used for car parking and historically used as stable to create an additional living area for a previously approved multiple dwelling on the site,
- relocation of the outdoor unit of an air condition system from the north elevation of the main building on the site to a "linking roof" between the building and what is referred to as the servants quarters.

4. Background

4.1 Council has dealt with several planning applications involving the site in recent years while it has been within the current ownership. The applications on file are as follows:

- PLN-15-01564, Change of Use, Subdivision, and Alterations and Additions: this application was withdrawn at the applicant's request.
- PLN-16-00587-01, Partial Demolition, Alterations, Extensions, Front Fencing, and Change of Use to Four Multiple Dwellings: this application was refused on heritage grounds. Council's decision to refuse the application was upheld at appeal.
- PLN-16-752, Change of Use to Dwelling: this application was for a change of use to the existing building on the site to a single dwelling. No physical works were proposed. A permit was issued for this application in August 2016.
- PLN-17-215, Alterations: this application was for alterations to the dwelling approved by PLN-16-752. A permit was issued for this application in July 2017.
- PLN-19-504, Three Multiple Dwellings (One Existing, Two New), Partial Demolition, Extension, Alterations, Landscaping and Alterations To Car Parking: this proposal included conversion of the servants wing and stables into a second dwelling and the construction of a "garden apartment" on the eastern side of the site to provide a third dwelling. A permit was issued for this application in November 2019. The Notice of Heritage Decision regarding this application provided by the Tasmanian Heritage Council included a condition that:

"The ground floor section of the outbuilding, corresponding to the half that was formerly used as a stables, must be conserved as an open space with its historic items conserved and retained in situ. The proposed apartment layout must be revised to accommodate this requirement".

The current application seeks approval for this section of the outbuilding to be enclosed.

- PLN-20-813, Three Multiple Dwellings (One Existing, One Approved, One New): this application proposed a larger garden apartment which could not be approved as a section 56 amendment to PLN-19-504. A permit was issued for this application in May 2020.

4.2 The current application was referred to the Tasmanian Heritage Council as the site is listed on the Tasmanian Heritage Register. The THC's Notice of Heritage Decision advising that the application may be approved subject to conditions was received upon 19 February 2021 and is included as an attachment.

5. Concerns raised by representors

- 5.1 Four representations objecting to the proposal were received within the statutory advertising period.
- 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.

"It is imperative that as many of the original features of the highly significant stables is preserved and maintained and not lost in a proposed development whose main purpose is to make a profit. The stables are a culturally and historically valuable asset to Hobart and should be preserved".
"If the modern new apartment was to be moved away from this wall by half a metre this would allow this extant buttress to remain as it is. There would also be the additional benefit of leaving the boundary fence where it is, removing the possibility of damaging the neighbour's main pipes that run just inside the boundary. This would also provide slightly more space between the two main utilised areas between the neighbours".
"It is most pleasing to see that the air conditioning condenser will be moved from its completely inappropriate position on the main house".
"We believe some of the already approved changes to Melrose compromise the historic integrity of the building (for example, a doorway being cut into the symmetrical façade of the servants' wing) and wish to see as much preservation rather than alteration in the future".
"It is my strong opinion that the development approval condition, set by Heritage Tasmania, to keep a proportion of the stables open with cobblestones intact, should be upheld. Such a unique, historically valuable and publicly visible asset to Hobart needs to be preserved, not hidden behind plate glass doors".
"This application is another example of erosion of heritage values".

"At this stage we believe the concrete above the cobblestones within the stables should be left as is and covered with a floating floor, so sometime in the future, a more heritage concerned owner has an opportunity to uncover and preserve the cobblestones".
"We acknowledge there has been some alteration to the western side facade of the stables, however, to install inappropriate modern glass doors is not in keeping with the integrity of the stables".
"The wall in front of the servant's wing - This wall would not be an issue, if the new building was moved slightly away from the boundary".
"The current installation of the air conditioner condenser shows the lack of interest and appreciation of a fine heritage building".

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Urban Mixed Use Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is residential which is a permitted use in the above zone. The proposed development would be associated with the existing use.
- 6.4 The proposal has been assessed against:
 - 6.4.1 15.0 Urban Mixed Use Zone
 - 6.4.2 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 E13.0 Historic Heritage Code:
 - E13.7.1 Demolition P1,*

*E13.7.2 Buildings and Works other than Demolition P1, P2, and P3;
E13.8.1 Demolition P1,
E13.8.2 Buildings and Works other than Demolition P1, and,
E13.10.1 Building, Works and Demolition P1.*

6.6 The relevant performance criteria are assessed below.

6.7 *E13.7.1 Demolition and E13.8.1 Demolition*

6.7.1 There is no acceptable solution for either of the above clauses, which apply where demolition is proposed on a heritage place or on a site that is within a heritage precinct.

6.7.2 The proposal includes demolition and the site is listed as a heritage place and within a heritage precinct.

6.7.3 As there are no acceptable solutions for the above clauses the proposal therefore relies upon assessment against the below performance criteria.

6.7.4 The performance criterion at clause *E13.7.1* provides as follows:

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.

The performance criterion at clause *E13.8.1* provides as follows:

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

(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;

(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct; unless all of the following apply;

- (i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (ii) there are no prudent or feasible alternatives;*
- (iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.*

6.7.5 Council's Senior Cultural Heritage Officer has assessed the proposal against the above criteria and provided the following comments:

"The proposed demolition involves the following:

- the demolition of a stone wall on the boundary
- removal of part of the roof of the stables for a new skylight
- minor demolition to the stables for the installation of the glazing doors and flooring.

The proposed demolition associated with the conversion of the stables to a living space was assessed as part of the DA PLN-19-504. At that time, it was considered that the demolition satisfied E13.7.1 P1. This application is supported by additional documentation. The proposed additional demolition for the glazed doors to the stables are assessed in the Praxis report with the conclusion 'I am convinced that the current arrangement of the front wall is not original or significant'. In response to the stone wall on the boundary, the Praxis report concludes "I do not consider this section of wall to have a particularly high degree of significance" with the following recommendation; 'in-principle the removal of the wall is acceptable, subject to archaeological investigation and recording.' The recording is a requirement of the Notice of Works Decision issued by Heritage Tasmania (condition 7). Council is not involved in that process.

The skylight is shown on the drawings to 'positioned to align within roof structure.' This will result in only minor additional demolition, not the roof frame timbers. In this regard, the proposal is considered acceptable. Minor demolition associated with the installation of the glazing and flooring has also been approved and it is noted that a condition of permit is included in the permit issued by Heritage Tasmania. On this basis, it is considered the demolition will not result in the loss of fabric significant to the place or precinct. The proposal satisfies E13.7.1 P1 and E13.8.1 P1".

6.7.6 The proposal complies with the above performance criteria.

6.8 E13.7.2 Buildings and Works other than Demolition P1, P2, P3 and E13.8.2

Buildings and Works other than Demolition P1

- 6.8.1 There are no acceptable solutions for the above clauses which apply where buildings and works other than demolition are proposed on a heritage place or on a site that is within a heritage precinct.
- 6.8.2 The proposal includes buildings and works other than demolition and the site is listed as a heritage place and within a heritage precinct.
- 6.8.3 As there are no acceptable solutions for the above clauses the proposal therefore relies upon assessment against the below performance criteria.
- 6.8.4 The relevant performance criteria at clause E13.7.2 provide as follows:

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.

- 6.8.5 Council's Senior Cultural Heritage Officer has assessed the proposal

against the above criteria and provided the following comments:

"The new work was assessed as part of the permit issued in November 2019 (PLN-19-504) and at the time it was assessed as satisfying E13.7.2 P1, P2 and P3 and E13.8.2 P1. This current application is supported by the Praxis report with the following comments in relation to the glazed door openings, 'the openings do not reflect the original configuration of the building.. Historically, this building would almost certainly not have been open fronted - it is likely that there would have been a large door and at least one wide door for animal and pedestrian access' and that a suitable response might be to either reinstate the wall to an interpretation of the stables front wall, using cues from other such buildings or take a contemporary approach, clearly modern but sympathetic in tenor.' The Praxis report concludes that the proposal to enclose the space with large glazed doors is an acceptable solution... which retains the status quo of the current non-original form of the building... it is reversible... if a different approach was desired in the future.'

The assessment provided in the Praxis report is considered to address all aspects of the provisions and objectives of development standards for a heritage place or precinct. The additional proposal to relocate the heat pump unit from the front facade where it is intrusive and inappropriate is a more sympathetic outcome. It can therefore be concluded that the proposal is acceptable when assessed against E13.7.2 P1, P2, P3 and E13.8.2 P1".

6.8.6 The proposal complies with the above performance criteria.

6.9 *E13.10.1 Building, Works and Demolition P1*

6.9.1 The acceptable solution at clause E13.10.1 requires buildings and work to not involve excavation or ground disturbance. The clause applies where buildings, works, and demolition are proposed on place of archaeological potential.

6.9.2 The proposal includes ground disturbance and the site is a place of archaeological potential.

6.9.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.9.4 The performance criterion at clause E13.10.1 provides as follows:

Buildings, works and demolition must not unnecessarily impact on archaeological resources at places of archaeological potential, having regard to:

- (a) the nature of the archaeological evidence, either known or predicted;*
- (b) measures proposed to investigate the archaeological evidence to confirm predictive statements of potential;*
- (c) strategies to avoid, minimise and/or control impacts arising from building, works and demolition;*
- (d) where it is demonstrated there is no prudent and feasible alternative to impacts arising from building, works and demolition, measures proposed to realise both the research potential in the archaeological evidence and a meaningful public benefit from any archaeological investigation;*
- (e) measures proposed to preserve significant archaeological evidence 'in situ'.*

- 6.9.5 Council's Senior Cultural Heritage Officer has assessed the proposal against the above criterion and provided the following comments:

"In terms of assessment against E13.10.1 P1, it is noted that the applicant is required to satisfy the condition of permit issued by Heritage Tasmania regarding the preparation of an Archaeological Method Statement. (PLN-19-504 condition 7) The Praxis report states that this is yet to be completed, but it is required to be completed to the satisfaction of Heritage Tasmania with all documentation submitted to Heritage Tasmania. Council is not involved in that process but once that reporting is complete, clause E13.10.1 P1 will be satisfied".

- 6.9.6 The proposal complies with the above performance criterion.

7. Discussion

- 7.1 Planning approval is sought for alterations, at 141 Hampden Road, Hobart.
- 7.2 The application was advertised and received four representations. The representations raised concerns regarding the heritage impact of the proposal. These concerns are addressed in the assessment provided by Council's Senior Cultural Heritage Officer.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to comply.
- 7.4 The proposal has been assessed by Council's Senior Cultural Heritage Officer who has raised no objection to the proposal.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed alterations, at 141 Hampden Road, Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015* and 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 alterations, at 141 Hampden Road, Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-9 - 141 HAMPDEN ROAD HOBART TAS 7000 - Attachment B - Final Planning Documents.

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: 6456 dated 18 February 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ADVICE

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

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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*.

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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.

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DIAL BEFORE YOU DIG

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



(Adam Smee)

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.



(Karen Abey)

Manager Development Appraisal


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: 22 February 2021

Attachments:


Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report - Cultural Heritage

 PLN-21-9 - 141 HAMPDEN ROAD

Application Information

▼ Application Details

PLN-21-9 Alterations 
Submitted on: 05/01/2021
Accepted as Valid on: 05/01/2021
Target Time Frame: 42 Days.
Elapsed Time: 15 Days **Expiry date: 16/02/2021**
Officer: Adam Smee

Have you obtained pre application advice?

☒ Yes

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

PAE-20-232

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

enf 20-47

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) *

move heat pump, add doors to stable

Estimated cost of development *

10000.00

Existing floor area (m2)

25.00

Proposed floor area (m2)

25.00

Site area (m2)

1600

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
7	7	<input checked="" type="checkbox"/> Other (no selection chosen)

Other Details

Does the application include signage? *

No

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

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

Yes

Edit



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-21-9
THC WORKS REF: 6456
REGISTERED PLACE NO: 2380
FILE NO: 10-14-67 THC
APPLICANT: Stefan Visagie
DATE: 18 February 2021

NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place: 'Melrose', 141 Hampden Road, Battery Point
Proposed Works: Adaptation of stables outbuilding and relocation of air-conditioning plant.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-21-9, advertised on 22/01/2021, subject to the following condition:

- I. If upon removal of the concrete screed that forms the existing floor surface it becomes evident that the surviving cobblestones beneath are unsuited to providing a trafficable floor, then the surviving cobblestones may be covered with new flooring of a sheet material and up to 5% of the surviving cobblestones may be disturbed to provide any necessary support for this new flooring.**

Reason for condition

To provide contingency for the event that the condition of the cobblestone floor is found to be ill-suited to the intended use of the space, and to ensure minimal disturbance of the surviving cobblestones.

Recommendation

It is recommended that the posts missing from beneath the arched valance in the former stables be reinstated to better define the original position of the stables, and that if a floating floor is introduced that this floor have a finish that delineates the original internal layout of the stables. The space could also be furnished with suitable images of comparable but intact stables, to evoke the original use. This would assist in making the original function of the space more intelligible, consistent with Policy 6.05 of the place's Conservation Management Plan.

Should you require clarification of any matters contained in this notice, please contact Heritage Tasmania's Works Manager, Ian Boersma, on 0429 979 586 or 1300 850 332.

A handwritten signature in dark ink, consisting of a stylized 'A' followed by a series of loops and a long horizontal stroke.

Andrew Roberts
A/Director Heritage Tasmania
Under delegation of the Tasmanian Heritage Council

*circa morris-nunn architects*IXL Atrium
27 Hunter Street
Hobart TAS 7000 AUinfo@circamorrisnunn.com.au
w. circamorrisnunn.com.au
p. +61 3 6236 9544

December 10, 2020

Melrose Stables – 141 Hampden Road

Dear Ian,

I am writing in response to your email dated the 20th November, and the advice contained in that email.

Our client, Stefan Visage, wishes to re-apply for a discretionary permit to construct new glazed doors as part of the upgrading of the stables which are a part of 'Melrose' 141 Hampden Road, Battery Point.

Background

As an architectural practice, we were asked to propose a solution that would create a new residential 'community' for Melrose, sympathetically altering and adding to the existing built fabric stock that was formerly the historic house, servants quarters and stables and thus sympathetically increasing the building parts as separate apartments. The aim was to make the historic property in its entirety more relevant to people's needs in the 21st century, especially as far as urban dwellings are concerned.

As you would be well aware, prior to our practice being asked to be involved, a previous DA proposal with 4 new apartments in a single block was rejected as being too big a visual intrusion when it was proposed adjacent the historic house.

Essentially our design approach was instead to try to maximise the use of all the existing buildings as spaces to be converted, and it led to our developing the design proposition to adapt the servant's quarters and the stables, merging them both to become one new apartment.

The Stables

The conversion of the stables represented a significant challenge. It is a narrow two storey gable roofed building. It has already started to deteriorate as a result of falling and rising damp, and the removal of the original doors to create a very unsatisfactory partial carpark within them has meant that there is even less protection for the now exposed parts of the Ground Floor.

The design to adapt the stables to give it a new use very much centred on making the original skin of the building intact again, and included the enclosing of the open doorways with glazed sliding doors. It was of fundamental importance that the stables needed to become a part of a new dwelling, and indeed have new functions occur within it.

The decision by Heritage Tas to permit one half to be closed but require the other half left open does not in our view make much sense. It does not create increased weather protection to exposed Ground Floor

The logo consists of a red rectangular box containing the letters 'C' and 'A' in a white, stylized font. The 'C' is larger and positioned to the left of the 'A'.

walls and the original wall fabric. The internal walls and an exposed First Floor soffit could be left as is if there were a new external glazed wall, but without that enclosure they will need thermal insulation, further visually removing the original fabric of the building, covering it with insulation batts and a new external weatherproof skin.

There was a verbal suggestion made that the space which Heritage proposed to be left open to the natural elements could become a 'roofed / open outdoor' casual sitting / dining area. We have looked into this suggestion and we sincerely feel this is never likely to be used, as it is a very unattractive space to be in when used in this manner. The space will simply be left at best empty, but in the way of these things, in all probability become a space to collect extraneous objects that cannot for one reason or another be thrown out.

We want to integrate the whole into a new residence and make it a habitable room, whilst protecting the cobbled floor.

So we are again submitting the stables as a new DA for your reconsideration, and I sincerely hope the logic of our overall design approach, which will bring life to the whole of the stables and preserve it in its entirety, is sufficient to allow you to reconsider your previous decision.

Yours sincerely,

A handwritten signature in black ink, consisting of several overlapping, fluid strokes that form a cursive representation of the name Robert Morris-Nunn.

Adj. Prof **Robert Morris-Nunn** AM

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
53325	1
EDITION	DATE OF ISSUE
6	16-Jul-2015

SEARCH DATE : 14-Dec-2015

SEARCH TIME : 01.36 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 53325

Derivation : Whole of Lot 1 The Crown (Section 27A of the Land Titles Act)

Prior CT 4856/96

SCHEDULE 1M528854 TRANSFER to IAN STEFAN VISAGIE Registered
16-Jul-2015 at noonSCHEDULE 2B491281 APPLICATION Land is limited in depth to 15 metres,
excludes minerals and is subject to reservations
relating to drains sewers and waterways in favour of
the Crown

B853946 Transfer made Subject To Fencing Provision

B853945 INSTRUMENT Creating Restrictive Covenants pursuant to
section 19 of the National Trust of Australia
(Tasmania) Act 1975 Registered 04-Oct-1995 at noon
(MF:2351/350)E15154 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 16-Jul-2015 at 12.01 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**FOLIO PLAN**

RECORDER OF TITLES

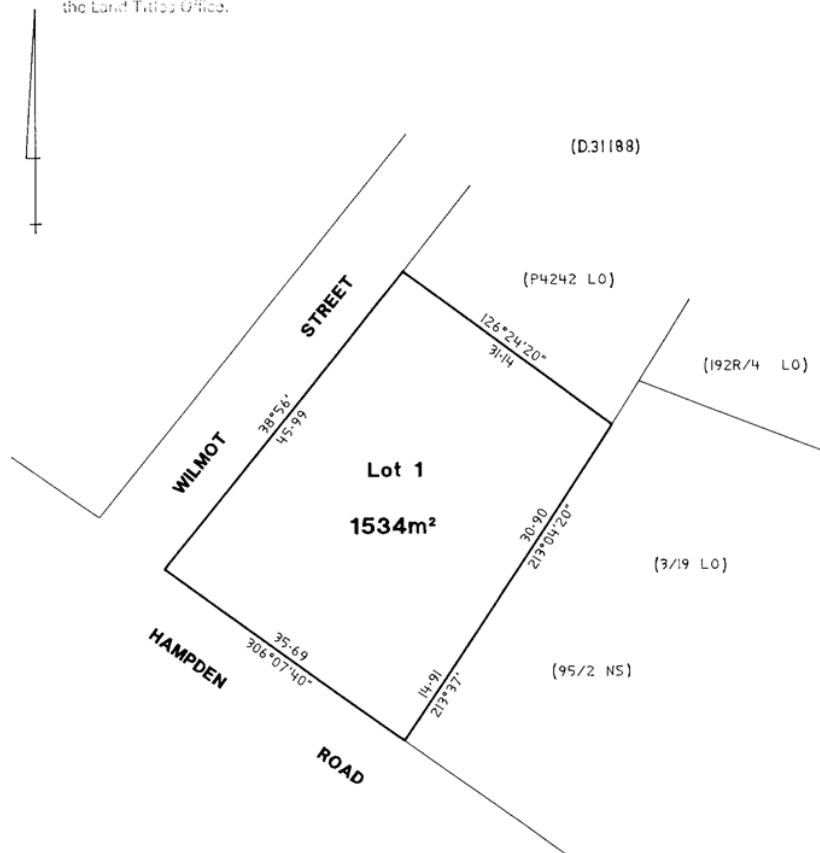
Issued Pursuant to the Land Titles Act 1980



Owner: THE CROWN	PLAN OF SURVEY by Surveyor R.WEBB DEPARTMENT OF ENVIRONMENT AND PLANNING of land situated in the CITY OF HOBART (SEC. R3) SCALE 1:500 MEASUREMENTS IN METRES	Registered Number: D53325 Approved Effective from:
Title Reference: SEC.27A (B.491281)		
Grantee: WHOLE OF LOT 1 1534m ² THE CROWN		Recorder of Titles

This plan was compiled by the Survey Division of the Department of Environment and Planning for the purposes of Section 27A of the Land Titles Act 1980. In accordance with practice it has not been examined at the Land Titles Office.

COMPILED PLAN



COMPILED FROM 95/2 NS & P4242 L0

922847



PROPERTY INFORMATION REPORT

VALUER-GENERAL, TASMANIA

Issued pursuant to the Valuation of Land Act 2001



PROPERTY ID: 5576797
MUNICIPALITY: HOBART

PROPERTY ADDRESS: 141 HAMPDEN RD
 HOBART TAS 7000

TITLE OWNER: 53325/1 : IAN STEFAN VISAGIE
INTERESTED PARTIES: VISAGIE, IAN STEFAN
POSTAL ADDRESS: PO BOX 507
(Interested Parties) KINGSTON TAS 7051

MAIN IMPROVEMENTS SUMMARY

Improvements: Professional rooms
Improvement Sizes (Top 3 by Size):
 Improvement: Area:
 HOUSE 387.0 square metres
 BASEMENT 72.0 square metres
 BASEMENT 58.0 square metres

**Number of
Bedrooms:**
**Construction Year
of Main Building:**

Roof Material: Slate
Wall Material: Brick Rendered
Land Area: 0.1535 hectares

LAST SALES

Contract Date	Settlement Date	Sale Price
08/06/2015	13/07/2015	\$1,500,000
30/06/2000	03/07/2000	\$545,000

LAST VALUATIONS

Date Inspected	Levels At	Land	Capital	A.A.V.	Reason
31/01/2015	01/07/2014	\$1,200,000	\$1,450,000	\$66,150	Revaluation
28/11/2014	01/10/2008	\$1,100,000	\$1,450,000	\$58,170	RNJ - Building alterations previously valued

No information obtained from the LIST may be used for direct marketing purposes.

Much of this data is derived from the Valuation Rolls maintained by the Valuer-General under the provisions of the Valuation of Land Act 2001. The values shown on this report are as at the Levels At date.

While all reasonable care has been taken in collecting and recording the information shown above, this Department assumes no liability resulting from any errors or omissions in this information or from its use in any way.

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PROPERTY INFORMATION REPORT

VALUER-GENERAL, TASMANIA
Issued pursuant to the Valuation of Land Act 2001



Explanation of Terms

Property ID - A unique number used for Valuation purposes.

Date Inspected - The date the property was inspected for the valuation.

Levels At - Levels At - or Levels of Valuation Date means the date at which values of properties are determined for all valuations in a Municipal Area.

Land Value - Land Value is the value of the property including drainage, excavation, filling, reclamation, clearing and any other invisible improvements made to the land. It excludes all visible improvements such as buildings, structures, fixtures, roads, standings, dams, channels, artificially established trees and pastures and other like improvements.

Capital Value - Capital Value is the total value of the property (including the land value), excluding plant and machinery.

AAV - Assessed Annual Value. AAV is the gross annual rental value of the property excluding GST, municipal rates, land tax and fixed water and sewerage, but cannot be less than 4% of the capital value.

Interested Parties - This is a list of persons who have been recorded by the Valuer-General as having interest in the property (ie owner or Government agency).

Postal Address - This is the last advised postal address for the interested parties.

Multiple Tenancies - Properties that have multiple tenants are assessed for separate AAV's. e.g. a house and flat.

PETER SPRATT**CONSULTING CHARTERED ENGINEER**

P. Spratt AM M.Env.St. Dip.CE FIEAust. LFAIB MASCE A.I.Arb.A

25 Gourlay Street
Blackmans Bay
TAS 7052Ph. 03 6229 7280
Email p.spratt@bigpond.net.au
ABN 55 120 015 97318th December 2019

Ref No 7965

Mr. Robert Morris-Nunn
Circa Morris-Nunn Architects
IXL Atrium 27 Hunter Street
Hobart TAS 7000**Melrose Stable, 141 Hampden road
Structural and Fabric Assessment**

Dear Sir,

I have, to your request, carried out the above assessment. I visited the site on the 17th December last last and carried out a visual inspection externally and internally in your company, of your Architect Gabrielle Phillips and the owner, Mr. Stefan Visage.
I advise that-

1. The Building

The stables is a single story gable roofed timber structure set onto original stone boundary walls onto Hampden Road and the adjoining 139 Hampden Road. The building conjoins and is braced by the house behind on the northern gable. The ground floor was originally cobbled and is now of poor quality concrete. The building has a loft with timber floor. Roof cladding is corrugated iron on timber shingles.



Aerial View Photograph 1.

2. Site Observations

The following observations are illustrated by photographs 1-6.

- The building has had at least three alterations as evidenced by hand sawn, machine straight sawn and circular sawn timbers mixed together in the timber walls, loft floor and roof constructions.
- The north gable wall and top of the east side wall is of brick. The south gable wall and east side wall are of sandstone with stones showing the characteristic duck egg green of the historic Kangaroo Point Quarry.
- The west side wall is of modern weatherboard cladding with timber studs on timber lintels above the full width open doors separated by a central timber stud wall which supports the door lintels.
- The interior of the masonry walls on the ground floor on the north and south walls and the east side wall are timber stud framed with floorboard lining. These walls are not

Peter Spratt
ABN 55 120 015 973

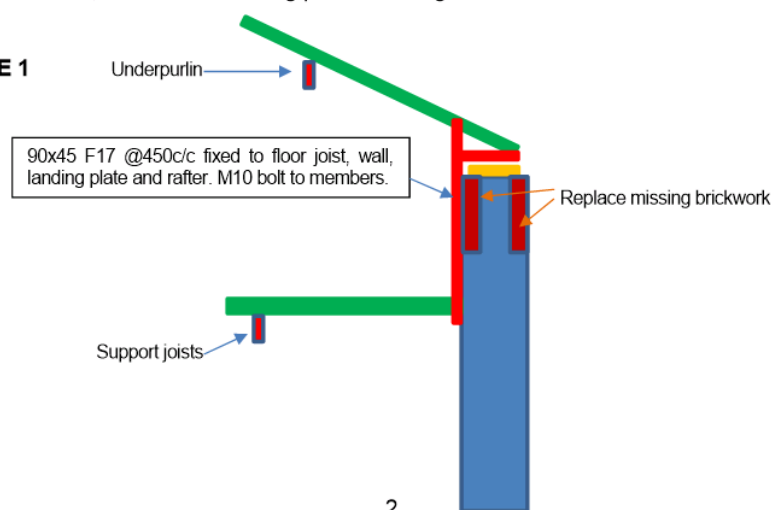
loadbearing as the lateral aligned loft floor joists land into the east side masonry and the roof lands on the side walls.

- The loft walls cantilever above the loft floor and there are no ties across the building to prevent outwards movement of the side walls which has occurred.
- The loft floor joists are parallel to the end gable and there is no connection between the gables to either the loft floor or the roof. The result is shear tear cracking under wind load of the side walls near their junction with the gable walls and shear tear cracking of the gable walls.
- The roof rafters are set into the brickwork of the wall top on the east side. There is no rafter landing plate. The brickwork to the wall top is missing on both sides of the wall allowing ready rain entry to the rafter ends many of which have rotted and are not supporting the roof.
- Building width is 4.2m. Roof Rafters are 70x40 and will readily buckle in compression under wind loads. Floor joists are 100x50 and their span is excessive.
- There is extensive rot to loft flooring and loft floor joists in the northern half of the building. Demolition and replacement is the only option. The southern half requires joist stiffening and it is likely that the traditional joist supporting beam and posts for the horse stalls have been removed.
- The lack of a door to the south end and the slope on the concrete ground floor slab direct rainwater into the central stud wall which supports the door lintels. The wall lining is buckled suggesting rot of the wall studs in the ground.

3. Recommended Remedial Works

1. Close off the doorways to prevent rainwater entry.
2. Make good the wall studs to the central wall.
3. Install a support beam to the loft floor joists in the south part of the building.
4. Demolish and replace the loft flooring to the north part of the building.
5. Make good the brickwork both sides of the east side wall top.
6. Install a roof rafter landing plate on the east wall top. Make good the rafter ends as needed. Fix the landing plate to the wall.
7. Make good the roof rafter landing plate on the west wall as needed.
8. Install underpurlins to support the roof rafters. Install struts to support the underpurlins landing on the new walls in the loft.
9. Install struts on the east wall as Figure 1 tied to the floor joists, the wall and the roof rafters.
10. Install timber tie beams on the gable walls at floor level, at roof rafter landing plate level and at underpurlin level to prevent gable shear tear cracking. Beams to be fixed to walls each side, to roof rafter landing plates and to gables.

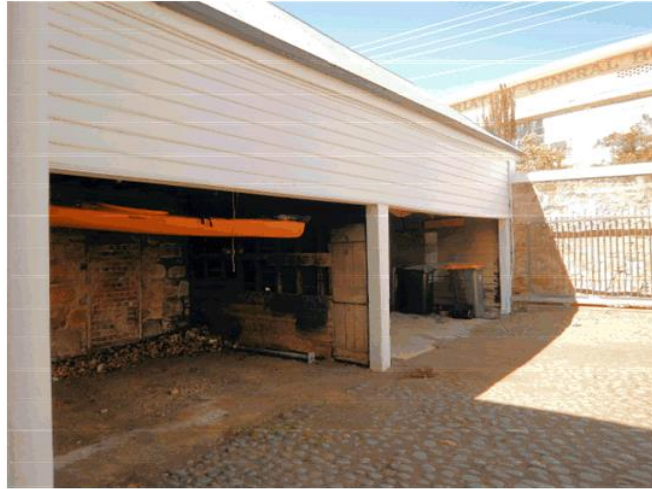
FIGURE 1



Peter Spratt
ABN 55 120 015 973

View of west front façade. The weatherboards are recent. The door lintels land on the central timber stud wall. Drainage from rainwater on the floor slabs runs into the centre stud wall.

Photograph 2.



View of outside of east side wall. Bricks are missing from the Flashings upwards allowing ready water entry.

Photograph 3.



Inside of wall photo 3. Bricks are missing above the stonework top. The roof rafters are set into sockets and many have rotted ends.

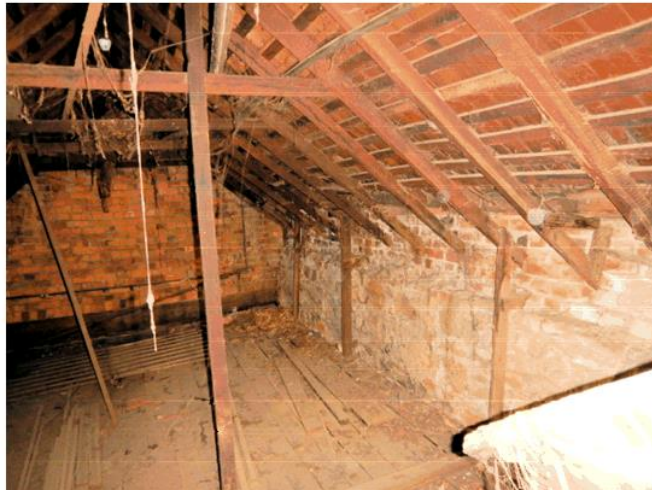
Photograph 4.



Peter Spratt
ABN 55 120 015 973

View of roof construction. The loft walls cantilever above the floor. The loft joists are parallel to the end gables and are not connected to them. The gables and side walls adjacent to them are shear tear cracked and the east wall has moved outwards under wind load. The roof rafters and floor joists are excessively slender and will readily buckle.

Photograph 5.



View of rotted loft flooring and rotted sagged loft floor joists in northern part of building.

Photograph 6.





Mr. Alex Nielsen

Circa Morris Nunn Architects
27 Hunter Street
HOBART TAS 7000

26th October 2020

Dear Alex

Thank you for providing the brief to provide some additional heritage input into the project at 141 Hampden Road, Battery Point. Specifically, the points you have asked for:

- A significance assessment of the remnant wall in front of the servants' wing of the building.
- Consideration of an amended proposal for the front wall and floor of the stables.

I have familiarised myself with the approved planning documentation, as well as the Graeme Corney CMP and the Paul Davies heritage impact assessment in order to provide a background to these comments. I have also undertaken some further historical research to assist in informing this opinion. I discuss each matter separately below:

The wall in front of the servant's wing

The requirement to investigate this wall derives from the Tasmanian Heritage Council's condition of approval 7, of the planning permit PLN-19-504 which requires:

An archaeological method statement (AMS) must be prepared describing how the following features will be investigated and managed in order to improve current understanding of their original form and purpose:

- i. **The outbuilding that was attached to the southern boundary wall (the extant buttress may be a remnant of the outbuilding).**
- ii. *The timber garden gazebo, its origins and original specific location.*
- iii. *The low stone walls attached to the basement level of the main house.*

Prior to the commencement of work the AMS must be provided to, and must be to the satisfaction of, Heritage Tasmania's Works Manager.

Whilst the entire AMS is yet to be completed, you have asked for an opinion on the nature, significance and possible need to retain that southern boundary wall item, so as to finalise design detail that considers whether retention of that item is necessary or not.



Figure 1 – The section of wall on the southern boundary.



Figure 2 – The location of the section of wall

The following is a brief pictorial history of the place which seeks to contextualise what the wall may be remnant of:

- Sprent's c1843 survey (Figure 3) shows the site as undeveloped (as was the adjacent site to the south). As Melrose was not built until 1855 as the first phase of development on that site, it is unlikely that the wall relates to any earlier structure.
- The Graeme Corney CMP for Melrose includes an 1859 phase diagram (Figure 4) in which he implies that the wall was associated with the base of the veranda that was contemporary with the late 1850s addition of the servants quarters, or perhaps some low retaining wall marking that section of boundary.
- The 1908 Metropolitan Drainage Board plans (Figure 5) show what appears to be a retaining wall or fence running along this line (only partially along the boundary) then turning perpendicular to the boundary into the adjacent site.
- By 1946 the adjacent site had been redeveloped (Figure 6) which would have removed that perpendicular section, but appears to have retained the boundary section – which is likely to be the wall in question here.

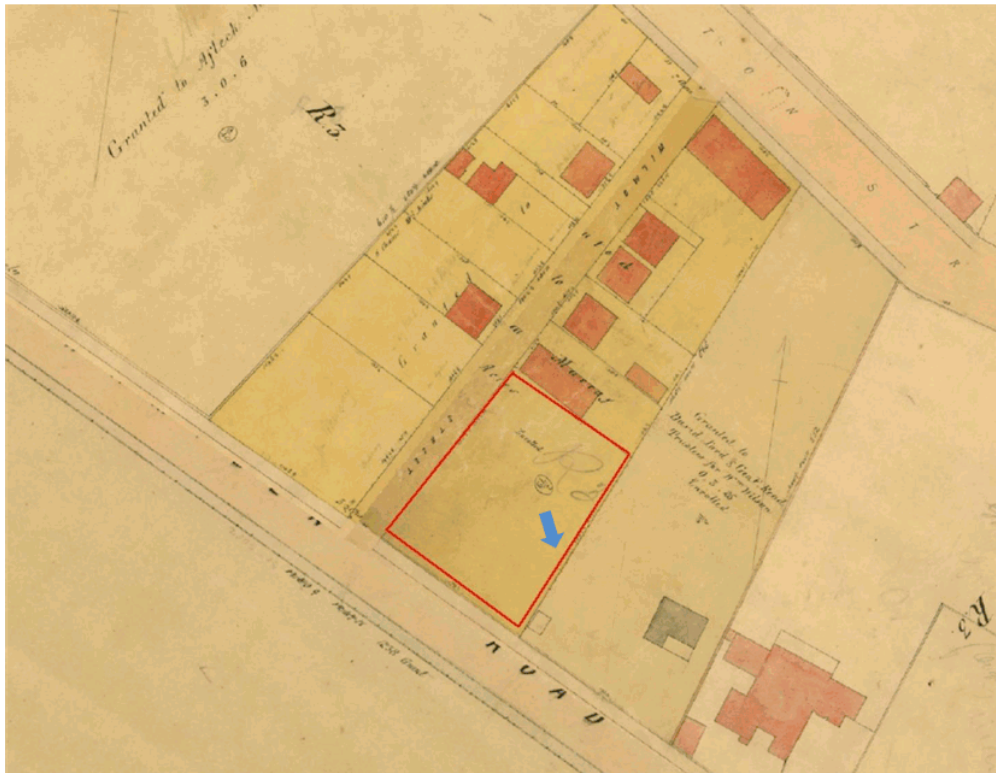


Figure 3 – Excerpt from Sprent's c1843 survey of Hobart, showing the lack of development of the site, the approximate location of the wall denoted by the blue arrow. Tasmanian Archive and Heritage Office AF393 series.

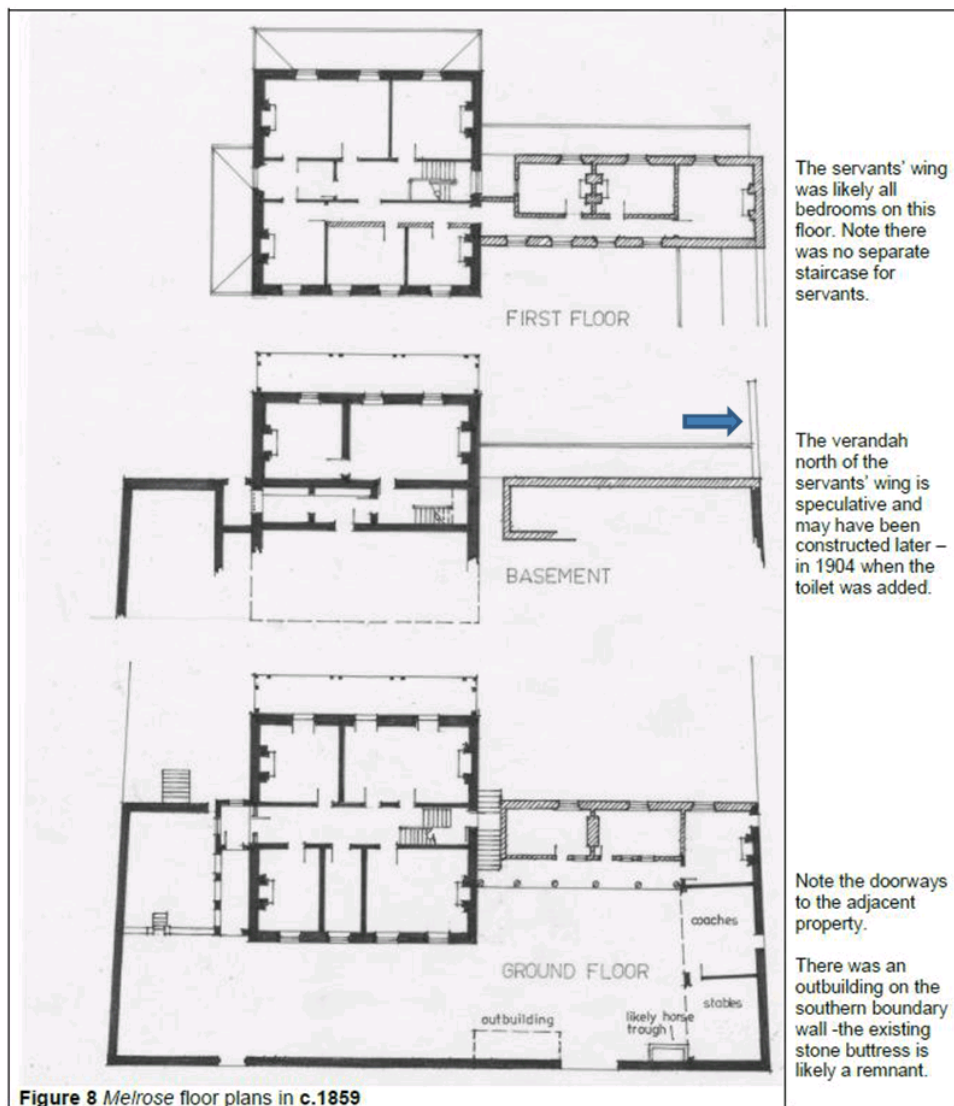


Figure 4 – Excerpt from the Graeme Corney CMP showing the wall. The CMP does not assign a level of significance to the wall.



Figure 5 – Excerpt from the 1908 Metropolitan Drainage Board plans – implying some sort of retaining wall on the boundary and running perpendicularly into the adjacent site.



Figure 6 – Excerpt from the 1946 aerial run of Hobart, showing that the adjacent site had been developed by that time. Lands Tasmania Hobart Run 6, 10893.

I make the following comments on that wall:

- The wall probably derives from the c1859 extension of Melrose for the servants' wing. The fabric of the wall is consistent with such an age.
- Its purpose is most likely to have been as a low retaining wall to compensate for excavation required for the servants' wing (i.e. between the Melrose and adjacent site). It appears unlikely that the wall was part of a building (this may be clarified archaeologically).
- The wall may have continued perpendicularly into the adjacent site, which is likely to have been removed with redevelopment of the adjacent site (although that section might not have necessarily been contemporary with this section).
- I do not consider this section of wall to have a particularly high degree of significance, being only a minor part of a later (albeit still significant) building extension. Whilst contributing to a range of garden structures, this wall in itself does not exhibit any particularly remarkable characteristic which would warrant retention if not feasible.

I make the following recommendations:

- Whilst ideally the wall may be retained, if this is not desirable or feasible for the wider approved development, then removal is considered acceptable due to its low level of significance.
- The process and timing of removal is to be included in the forthcoming archaeological method statement for the archaeological monitoring and recording elsewhere on the site. That AMS is to prescribe a methodology for removal and for investigation of the immediate environs to test the (unlikely) possibility of an associated outbuilding.
- At this stage, it is sought from permit authorities that in-principle the removal of the wall is acceptable, subject to archaeological investigation and recording (so that final technical drawings for the development of that part of the site can be prepared).

The stables

You have asked two questions in relation to the appropriateness of the proposed approach to the stables, namely:

- How to deal with the cobblestone floors
- Are the large glass doors proposed for within the existing openings appropriate?

The Graeme Corney CMP assesses the stables spaces and detailing as being largely comprised of high significance fabric, forms and spaces, but remains silent on the front wall/openings. The CMP states that cobbles beneath the concrete are likely and assigns low significance to the concrete – recommending investigation beneath the concrete for cobblestones and drains. Whilst a specific significance rating has not been assigned to the cobbles, it is assumed that they are of high significance as original building fabric which is diagnostic of stables use.

Cobblestones:

Upon recent inspection, I note that the owner has removed some of the existing concrete flooring and exposed what are certainly cobblestones beneath, of unknown extent, quality and condition.



Figures 6-7 – The cobblestones (small internal patch recently exposed, and just outside the building).

A cobblestone floor is considered likely to be significant fabric, particularly if it is largely intact (assuming it could be exposed with concrete removal not causing major damage or destruction). In terms of the proposed (and approved) use of the building, two issues need to be resolved:

- To preserve the cobblestones if these are sufficiently intact to be deemed of high significance.
- To provide a practical and trafficable floor surface for the room(s).

Those two points however might be at odds with each other.

Given the proposal to install a living and dining room in this area, it is considered likely that exposed cobblestones are not considered practical (even if these are in good condition and the concrete can be removed). This leaves two options:

Option 1 – Retain the cobblestones and cover with new flooring. This is probably the best heritage outcome in that it preserves the cobblestones and allows the installation of a serviceable floor above. This may be achieved by battening and boarding, or by the installation of a levelling compound followed by a floating floor. Note that this may have consequences for the slight reduction of head-height in the room. There may also be issues with the need for underfloor clearance, ventilation etc. Discussion with a building surveyor is likely to be required for a workable solution in this instance.

Option 2 – Remove the concrete, record and remove the cobblestones. Whilst this would allow a range of other issues to be addressed (underfloor ventilation, adjustment of head height, levelling etc.) it would involve the loss of original and significant fabric. It is not clear if the concrete could successfully be removed without destroying the cobblestones (hence not allowing recording) and this would involve costs for labour intensive concrete removal and (archaeological) recording. The concrete removal would need to be done with the supervision of someone with heritage experience (e.g. stonemason) and an archaeologist record these once exposed.

The door openings

Currently, the door openings are both large and open, with no evidence of any smaller apertures etc. It is my opinion that with the exception of the three columns, the current façade of the stables building is not original and that these openings do not reflect the original configuration of the building beyond the existence of two 'bays' – probably representing stable and coach house. Historically, this building would almost certainly not have been open fronted – it is likely that there would have been a large door (i.e. a coach house door) and at least one wide door for animal and pedestrian access – possibly with vented windows. An open front is not conducive historically to such a building, particularly in an urban fringe area – as it would expose animals to the elements and contents to potential theft.



Figure 8 – The current façade of the stables.

I have searched all (known) available photograph collections for any early imagery of the stables, however these are not quite of use, as each depict a tree obscuring the critical part of the façade needed to be seen here:

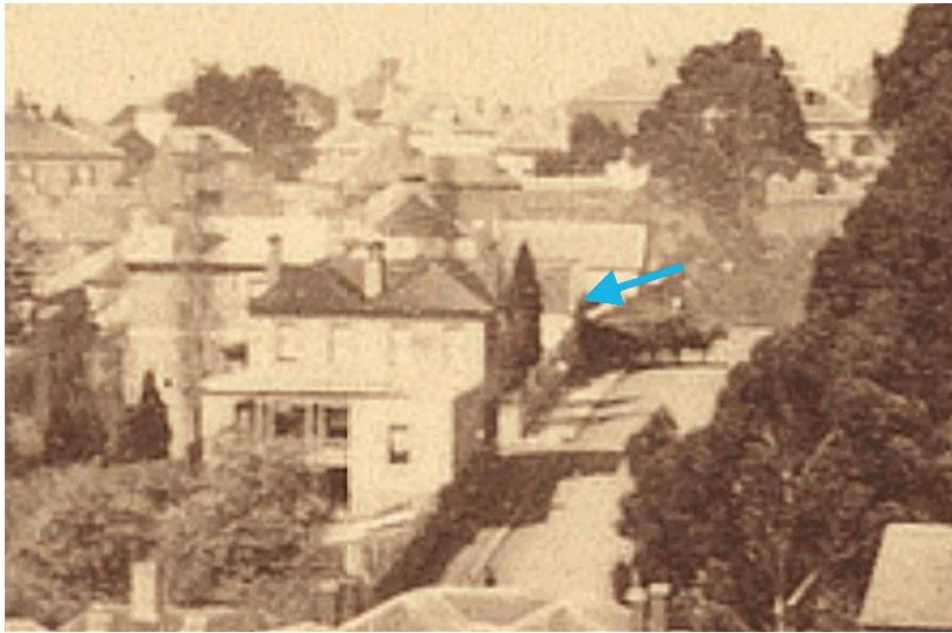


Figure 8 – A c1890 distant view of Melrose and the stables (denoted by blue arrow). Libraries Tasmania.



Figure 9 – A c1900 distant view of Melrose and the stables (denoted by blue arrow). Libraries Tasmania.

As per the discussion above, I am convinced that the current arrangement of the front wall is not original nor significant – with the exception of the three major columns which are likely to be original. This is likely to represent a later adaptation to motor vehicle use which is not uncommon with earlier stables buildings. Accordingly, a response to the desire to change that wall might take two approaches:

- That of reinstating a wall more conducive to or interpretive of a stables front wall. This need not necessarily mimic a stables wall but take some design cues from other such buildings.
- To take a contemporary approach which a clearly modern but sympathetic tenor – probably best with minimal intervention.

I note that there is a proposal to retain the existing openings, retain and repair the existing significant columns and to infill each of these with a large pair of glazed doors – which provides a very minimalist approach to maintaining the perception of the current open-fronted arrangement. I propose that this is an acceptable solution in that it will provide the required amenity to the building, and the minimalist approach will largely retain the status-quo of the current non-original form of the building. Whilst this does result in some lost opportunity to provide something more interpretive of an earlier (but unknown) fenestrative configuration – in any case it is reversible and if a different approach was desired in future, then that would be possible.

Please contact me if you have any further queries or require any clarification.

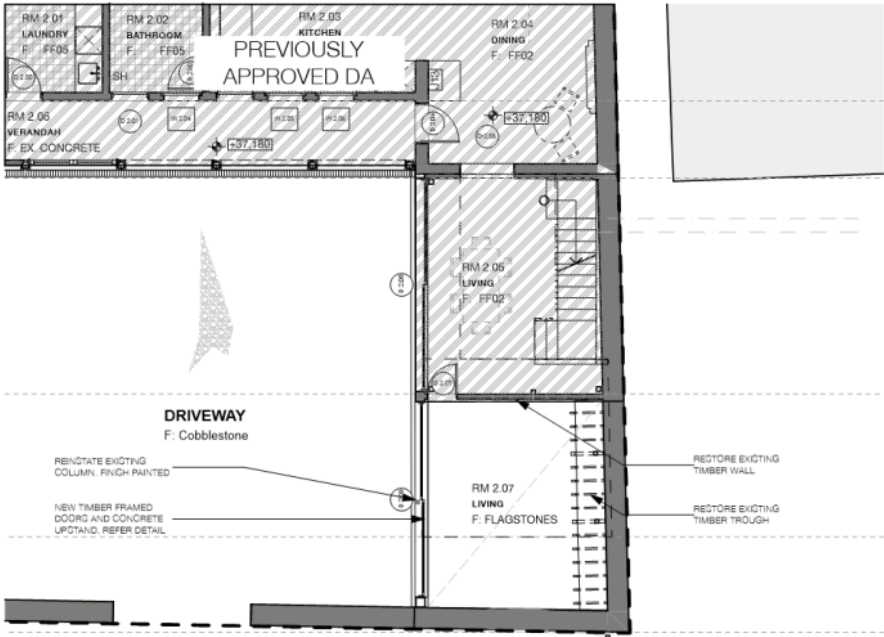
Regards



Brad Williams BA. (Hons.) Archaeology, MA Cultural Heritage Management, G.Dip Environmental Planning

Director – Praxis Environment

A division of Praxis Synergy Pty. Ltd.
PO Box 338 NORTH HOBART 7002
PO Box 5228 SOUTH MELBOURNE 3205
0418 303 184 info@prax.com.au www.prax.com.au



1 Stables Ground Floor Plan
- scale 1:100

revisions		
RevID	Issue Date	Issue Name

FOR PLANNING
ONLY

original drawing size

A3

141 Hampden
Stefan Visagie

141 Hampden Rd
Hobart
Tas 7000



circa morris-nunn architects

Contact

ixl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circamorrisnunn.com.au

Stables Ground Floor
Plan

Status	
FOR BUILDING APPROVAL	
Issue date	
28/1/20	
Drawing n°	
1811A-DA15	
Revision	
A	

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S46 NORTH ELEVATION
Scale 1:100

revisions		
RevID	Issue Date	Issue Name

FOR PLANNING
ONLY

original drawing size

A3

141 Hampden
Stefan Visagie

141 Hampden Rd
Hobart
Tas 7000



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Contact

ixl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circamorrisnunn.com.au

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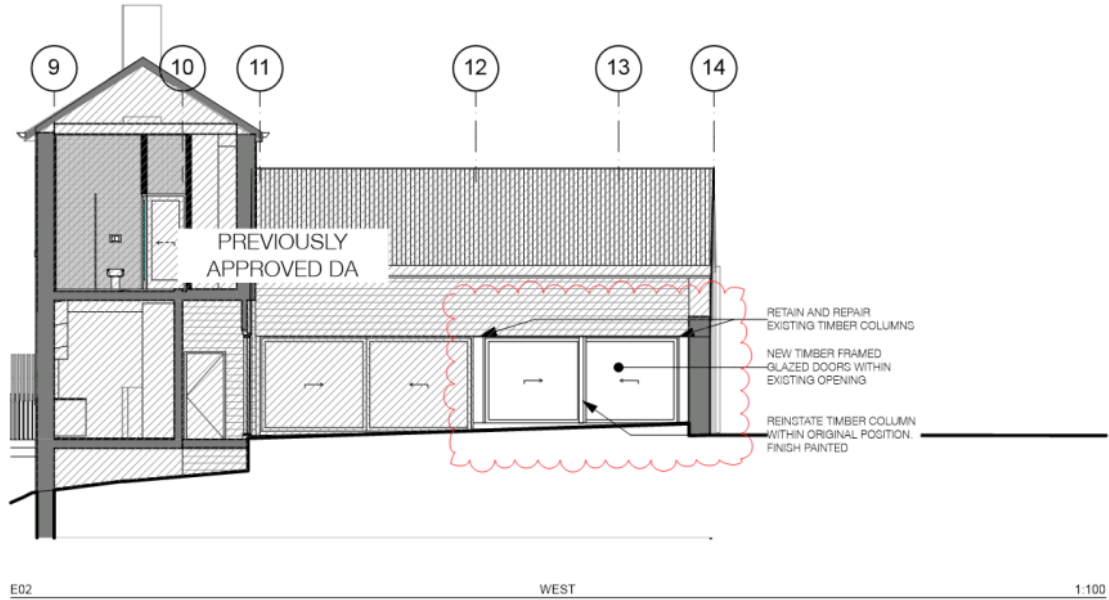
NORTH ELEVATION
Plan

Status DEVELOPMENT APPLICATION
Issue date

drawing n° revision

1811B-DA22

A



revisions

RevID	Issue Date	Issue Name
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FOR PLANNING
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original drawing size

A3

141 Hampden
Stefan Visagie

141 Hampden Rd
Hobart
Tas 7000

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03 6236 9544
info@circamorrisnunn.com.au

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

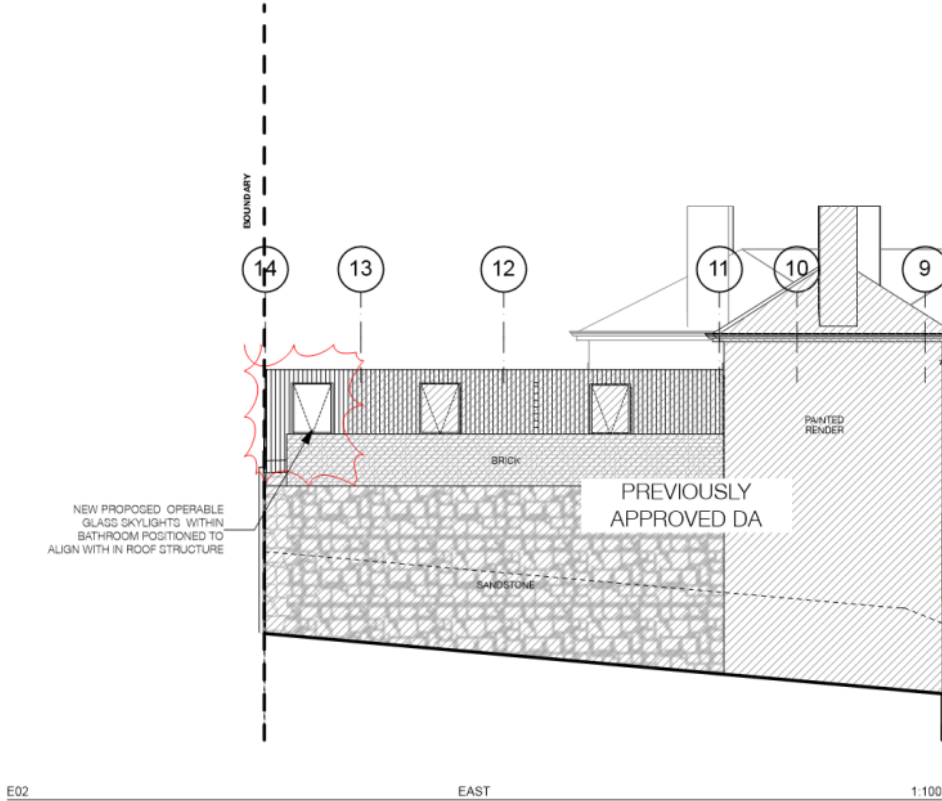
WEST
Plan

Status
FOR BUILDING APPROVAL
Issue date

drawing n° revision

1811A-DA23

A



revisions		
RevID	Issue Date	Issue Name

FOR PLANNING
ONLY

original drawing size

A3

141 Hampden
Stefan Visagie

141 Hampden Rd
Hobart
Tas 7000



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Contact

ixl atrium | 27 hunter st | hobart | tas | 7000
03 6236 9544
info@circamorrisnunn.com.au

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EAST
Plan

Status
FOR BUILDING APPROVAL

Issue date

1811A-DA24

A

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	141 HAMPDEN ROAD, HOBART
Proposal:	Alterations
Application No:	PLN-21-9
Assessment Officer:	Adam Smee,

Referral Officer comments:

This application is for a place that is heritage listed in Table E13.1, a large Victorian Georgian house called 'Melrose'. It is also located within a heritage precinct Hobart 2 and also within a place of archaeological potential.

The precinct has the following statements of significance from Table E13.2 of the Historic Heritage Code.

This precinct is significant for reasons including:

- 1. It contains a broad range of residential types; from intact examples of Colonial, Victorian and Inter War architecture exemplifying economic boom periods and great individual prosperity alongside smaller cottages and a collection of residential flats built at the height of the Great Depression for a new middle class market.*
- 2. This precinct contains a large number of individual buildings and features that are of historic merit demonstrating the early settlements of Hobart.*
- 3. Places within this precinct of architectural merit with original external detailing, finishes and materials demonstrating a high degree of integrity with a distinctive historic character. Features of significance include high boundary walls as well as sections of continuous built form creating distinctive and strong visual characteristics.*
- 4. The original and/or significant external detailing, finishes and materials demonstrating a high degree of importance.*

This application is for the relocation of an external heat pump unit and work (including new skylight) to the stables. The conversion of the stables into a dwelling was previously assessed as part of the planning application, PLN-19-504. A permit was issued for this application in November 2019. Council did not include in the permit any heritage conditions relating to the stables. However, a condition was included in the 'Notice of Heritage Decision' issued by the Tasmanian Heritage Council that required the retention of part of the stables as open space. This application is seeking a reversal of that as well as the approval of other works.

The relocation of the heat pump unit is as a result of enforcement action by Council for the unapproved installation of a heat pump unit on the north facade - the principal facade of the building.

The application is supported by the following heritage documentation:

- Letter containing a structural and fabric assessment for the Stables, by Peter Spratt, Consulting Chartered Engineer, dated 18 December 2019
- Letter containing a significance assessment of the remnant wall and heritage consideration regarding the front wall and floor of the stables, by Praxis Environment,

dated 26 October 2020.

Representations:

Four (4) representations were received. The following heritage related comments were received.

- "It is imperative that as many of the original features of the highly significant stables is preserved and maintained and not lost in a proposed development whose main purpose is to make a profit. The stables are a culturally and historically valuable asset to Hobart and should be preserved."
- "Altering the stables to be part of an apartment does not preserve the stables "in its entirety" as stated by Morris-Nunn. By altering the existing internal wall, floor, addition of an internal staircase, raising the roof and adding glass doors, in our opinion, is not preserving the historic significance of the stables."
- "Morris Nunn suggests that the deterioration of the stables is because it does not have doors. To quote the engineer, Peter Spratt's report, "the roof rafters are set into the brickwork of the wall top on the east side. There is no rafter landing plate. The brickwork to the wall top is missing on both sides of the wall allowing ready rain entry". The main deterioration of the stables is at the northern end, and is caused by considerable water access into the structure from the roof, not from the lack of doors. Glass sliding doors would not substantially add greater protection to the stables as stated by Morris Nunn. I appreciate that Heritage Tasmania recognises that modern glass sliding doors should not be added and is also seeking to protect the unique heritage of this house including the stables."
- "With regards to the cobblestones, they should be preserved and kept in their current location as described in option one by Brad Williams. ("This is probably the best heritage outcome in that it preserves the cobblestones and allows the installation of a serviceable floor above")."
- "This stable is a treasure and should be protected for future generations. How many other stables with so many original features such as the feed troughs, are there like this in Hobart?"
- "The report by Brad Williams states, "The wall probably derives from the c1859 extension of Melrose for the servants' wing. The fabric of the wall is consistent with such an age", therefore retaining the wall would be ideal. If the modern new apartment was to be moved away from this wall by half a metre this would allow this extant buttress to remain as it is."
- "It is most pleasing to see that the air conditioning condenser will be moved from its completely inappropriate position on the main house."
- "This application is another example of erosion of heritage values."
- "It is my strong opinion that the development approval condition, set by Heritage Tasmania, to keep a proportion of the stables open with cobblestones intact, should be upheld. Such a unique, historically valuable and publicly visible asset to Hobart needs to be preserved, not hidden behind plate glass doors. It is a pity that any change at all is occurring to this intact, centrally located stable, let alone a complete re purpose."
- "At this stage we believe the concrete above the cobblestones within the stables should be left as is and covered with a floating floor, so sometime in the future, a more heritage concerned owner has an opportunity to uncover and preserve the cobblestones."
- "We acknowledge there has been some alteration to the western side facade of the stables, however, to instal inappropriate modern glass doors is not in keeping with the integrity of the stables. We believe that solid stable style doors would be far more appropriate and will blend in with this whole heritage precinct. Pedestrians walking along Hampden Road have the pleasure of viewing a rare heritage area of buildings and to look through a wide gateway at modern sliding glass doors is a reflection of inappropriate development of a heritage property."

The Praxis Environment Report contains documentation in response to the Notice of Works Decision issued by the Tasmanian Heritage Council, in relation to PLN-19-504. Some parts of

this documentation submitted as part of this proposal relates to work that has already been assessed and approved as part of PLN-19-504.

By way of background, two previous planning applications were lodged for this property (PLN-15-01564) and (PLN-16-00587) for a large extension into the garden over three levels for three units. The 2015 application was withdrawn. The application for PLN-16-00587 was refused by Council. There were eight (8) grounds of refusal. Council's decision to refuse was upheld by the Tribunal. Following this were two more applications PLN-16-752 for a change of use to the main two storey house and PLN-17-215 for alterations to the main two storey house. In November 2019, a permit was issued for PLN-19-504, for 3 dwellings and associated works including changes to the stables. A revised proposal, PLN-20-183, was approved for changes to the larger garden apartment. No works to the stables were part of that permit.

This property is made up of three major buildings;

- the main two storey and basement Victorian Regency house with a double storey verandah facing the garden to the north,
- a stable building which is also used as a carport which is visible from Hampden Road, and
- a two storey wing located between the main house and the boundary to 139 Hampden Road.(this is also called the servant's wing).

This current proposal must be assessed against the following provisions of the Historic Heritage Code of the Scheme:

E13.7.1 P1 - Demolition - heritage place

E13.7.2 P1, P2, P3 - Buildings and Works other than Demolition - heritage place

E13.8.1 P1 - Demolition - heritage precinct

E13.8.2 P1 - Buildings and Works other than Demolition - heritage precinct

E13.10.1 P1 - Building, works and demolition - place of archaeological potential

Clause E13.7.1 P1 states:

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.*

Clause E13.8.1 P1 states:

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.*

The proposed demolition involves the following:

- the demolition of a stone wall on the boundary

- removal of part of the roof of the stables for a new skylight
- minor demolition to the stables for the installation of the glazing doors and flooring.

The proposed demolition associated with the conversion of the stables to a living space was assessed as part of the DA PLN-19-504. At that time, it was considered that the demolition satisfied E13.7.1 P1. This application is supported by additional documentation. The proposed additional demolition for the glazed doors to the stables are assessed in the Praxis report with the conclusion 'I am convinced that the current arrangement of the front wall is not original or significant'. In response to the stone wall on the boundary, the Praxis report concludes 'I do not consider this section of wall to have a particularly high degree of significance' with the following recommendation; 'in-principle the removal of the wall is acceptable, subject to archaeological investigation and recording.' The recording is a requirement of the Notice of Works Decision issued by Heritage Tasmania (condition 7). Council is not involved in that process.

The skylight is shown on the drawings to 'positioned to align within roof structure.' This will result in only minor additional demolition, not the roof frame timbers. In this regard, the proposal is considered acceptable. Minor demolition associated with the installation of the glazing and flooring has also been approved and it is noted that a condition of permit is included in the permit issued by Heritage Tasmania. On this basis, it is considered the demolition will not result in the loss of fabric significant to the place or precinct. The proposal satisfies E13.7.1 P1 and E13.8.1 P1.

Clause E13.7.2 P1 states:

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*

Clause E13.7.2 P2 states:

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.*

Clause E13.7.2 P3 states:

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

Clause E13.8.2 P1 states:

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

The new work was assessed as part of the permit issued in November 2019 (PLN-19-504) and at the time it was assessed as satisfying E13.7 2 P1, P2 and P3 and E13.8.2 P1. This current application is supported by the Praxis report with the following comments in relation to the glazed door openings, 'the openings do not reflect the original configuration of the building.. Historically, this building would almost certainly not have been open fronted - it is likely that there would have been a large door and at least one wide door for animal and pedestrian access' and that a suitable response might be to either reinstate the wall to an interpretation of the stables front wall, using cues from other such buildings or take a contemporary approach, clearly modern but sympathetic in tenor.' The Praxis report concludes that the proposal to

enclose the space with large glazed doors is an acceptable solution ... which retains the status quo of the current non-original form of the building ... it is reversible ... if a different approach was desired in the future.'

The assessment provided in the Praxis report is considered to address all aspects of the provisions and objectives of development standards for a heritage place or precinct. The additional proposal to relocate the heat pump unit from the front facade where it is intrusive and inappropriate is a more sympathetic outcome. It can therefore be concluded that the proposal is acceptable when assessed against E13.7.2 P1, P2, P3 and E13.8.2 P1.

In terms of assessment against E13.10.1 P1, it is noted that the applicant is required to satisfy the condition of permit issued by Heritage Tasmania regarding the preparation of an Archaeological Method Statement. (PLN-19-504 condition 7) The Praxis report states that this is yet to be completed, but it is required to be completed to the satisfaction of Heritage Tasmania with all documentation submitted to Heritage Tasmania. Council is not involved in that process but once that reporting is complete, clause E13.10.1 P1 will be satisfied.

In conclusion, the proposal satisfies all relevant provisions of the Historic Heritage Code of the *Hobart Interim Planning Scheme 2015*.

Sarah Waight
Senior Cultural Heritage Officer
17 February 2021

**7.1.4 18 ASCOT AVENUE, SANDY BAY AND ADJACENT ROAD
RESERVE - TWO MULTIPLE DWELLINGS AND TREE REMOVAL
PLN-20-882 - FILE REF: F21/15490**

Address: 18 Ascot Avenue, Sandy Bay and Adjacent Road Reserve

Proposal: Two Multiple Dwellings and Tree Removal

Expiry Date: 4 March 2021

Extension of Time: Not applicable

Author: Michaela Nolan

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 two multiple dwellings and tree removal at 18 Ascot Avenue, Sandy Bay and 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-20-882 - 18 ASCOT AVENUE 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 02167 - HCC dated 22 December 2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

Advice:

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

SW 3

The proposed development must be designed to ensure the protection and access to the Hobart City Council's stormwater main.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed design must be submitted and approved. The detailed design must be prepared by a suitably qualified expert and must:

- 1. demonstrate how the design will ensure the protection of and provide access to the Hobart City Council's stormwater main.**

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

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's

online request form which is available on its website and approved. The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure; and
4. connections which are free-flowing gravity driven.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

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

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

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 1170.1:2002, must be submitted to Council.

Advice:

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

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

Reason for condition

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

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS 1170.1:2002.

Advice:

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

advice on how to obtain condition endorsement)

Reason for condition

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

ENG 3b

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) 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, and**
- 4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.**

Advice:

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

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 3c

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the [design drawings approved by condition ENG 3b.

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

Advice:

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

Reason for condition

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

ENG 4

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

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 retaining wall within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and design structural certificates of the retaining wall supporting the Ascot Avenue highway reservation must be submitted and approved, prior to issuing of any approval under the *Building Act 2016* and must:

1. **Not undermine the stability of the highway reservation;**
2. **Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works;**
3. **Take into account any additional surcharge loadings as required by relevant Australian Standards;**
4. **Take into account and reference accordingly any Geotechnical findings;**
5. **Detail the design and location of the footing adjacent to the footpath;**
6. **Include structure certificate which notes the retaining wall can support the road infrastructure sufficiently and will not undermine the stability and integrity of the highway reservation and its infrastructure; and**
7. **The structure certificated and/or drawings should note accordingly the above.**

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

Advice:

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

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

Reason for condition

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

ENG r3

Prior to the commencement of use, the proposed driveway crossover Ascot Avenue highway reservation must be designed and constructed in general accordance with:

- **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossingD-R09-v1 – Urban Roads Driveways and TSD R16-v1 Type KCR & B1 or Type KCRB & B1;**
- **Footpath - Urban Roads Footpaths TSD-R11-v2;**
- **Or a Council City Amenity Division approved alternate design.**

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016*. The design drawing must:

1. **Show the cross and long section of the driveway crossover within the highway reservation and onto the property;**
2. **Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;**
3. **Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);**
4. **If the design deviates from the requirements of the TSD then the drawings must demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside;**
5. **Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004; and**
6. **Be prepared and certified by a suitable qualified person, to satisfy the above requirement.**

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

Advice:

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

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

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

Reason for condition

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

ENV 2

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

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

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

Advice:

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

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

Reason for condition

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

Part 5 r1

Part 5 1 The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of retaining walls and buildings adjacent to the Ascot Avenue highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Ascot Avenue highway reservation or any retaining structure adjacent to Ascot Avenue highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a part 5 agreement please contact Council Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

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:

- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

NEW SERVICE CONNECTION

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

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.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

CROSS OVER CONSTRUCTION

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

WEED CONTROL

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

WORK PLACE HEALTH AND SAFETY

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

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-20-882 - 18 ASCOT AVENUE SANDY BAY
TAS 7005 - Planning Committee or Delegated
Report ↓  |
| Attachment B: | PLN-20-882 - 18 ASCOT AVENUE SANDY BAY
TAS 7005 & ADJACENT ROAD RESERVE - CPC
Agenda Documents ↓  |
| Attachment C: | PLN-20-882 - 18 ASCOT AVENUE SANDY BAY
TAS 7005 - Referral Officer Development
Engineering Report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 1 March 2021
Expiry Date: 4 March 2021
Application No: PLN-20-882
Address: 18 ASCOT AVENUE , SANDY BAY
ADJACENT ROAD RESERVE
Applicant: BAKR ABDELAAL
19 RANDALL STREET
Proposal: Two Multiple Dwellings and Tree Removal
Representations: Two (2)
Performance criteria: Parking and Access Code

1. Executive Summary

- 1.1 Planning approval is sought for Two Multiple Dwellings and Tree Removal at 18 Ascot Avenue, Sandy Bay and Adjacent Road Reserve.
- 1.2 More specifically the proposal includes:
- Two dwellings on the lot at 18 Ascot Avenue.
 - Unit 1 would have a footprint of 129m². The dwelling would have two levels with the garage, main living areas and master bedroom on the upper level and three bedrooms and a living room on the lower level.
 - Unit 2 would have a footprint of 154m². The dwelling would have two levels with the garage and main living areas on the upper level and 4 bedrooms and a living room on the lower level.
 - A shared driveway would occupy most of the western front boundary and southern side boundary. The driveway would predominantly be sited below natural ground level on the western boundary and partially above natural ground level on the southern boundary.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Parking and Access Code - Site Distances, Design of Vehicle Access, Passing Areas and Layout of Parking Areas.

- 1.4 Two (2) representations objecting to the proposal were received within the statutory advertising period between 13 January 2021 and 21 January 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because of works within the Ascot Avenue road reservation.

2. Site Detail

- 2.1 The subject site is a vacant lot located in an established residential area at the southern end of Ascot Avenue.



Figure 1: location of the subject site at 18 Ascot Avenue, Sandy Bay (outlined in blue).



Figure 2: the subject site at 18 Ascot Avenue, Sandy Bay (outlined in blue).



Figure 3: the subject site at 18 Ascot Avenue, Sandy Bay.



Figure 4: the subject site at 18 Ascot Avenue, Sandy Bay.

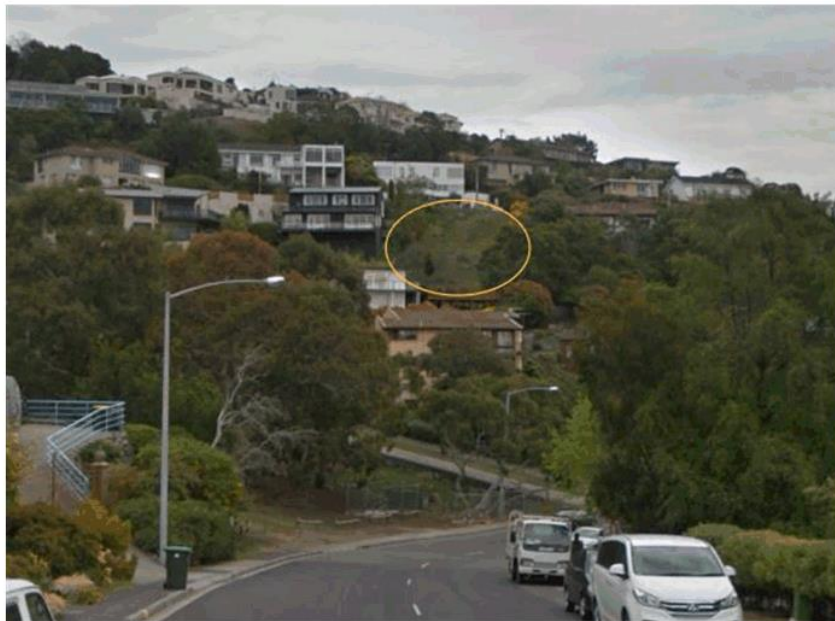


Figure 5: the subject site at 18 Ascot Avenue, Sandy Bay (highlighted in yellow).

3. Proposal

3.1 Planning approval is sought for Two Multiple Dwellings and Tree Removal at 18 Ascot Avenue, Sandy Bay and Adjacent Road Reserve.

3.2 More specifically the proposal is for:

- Two dwellings on the lot at 18 Ascot Avenue.
- Unit 1 would have a footprint of 129m². The dwelling would have two levels with the garage, main living areas and master bedroom on the upper level and three bedrooms and a living room on the lower level.
- Unit 2 would have a footprint of 154m². The dwelling would have two levels with the garage and main living areas on the upper level and 4 bedrooms and a living room on the lower level.
- A shared driveway would occupy most of the western front boundary and southern side boundary. The driveway would predominantly be sited below natural ground level on the western boundary and partially above natural ground level on the southern boundary.

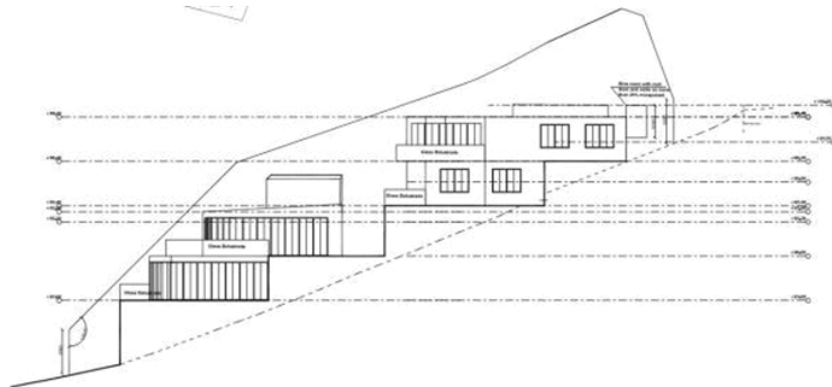


Figure 3: northern elevation of the proposed dwellings at 18 Ascot Avenue.

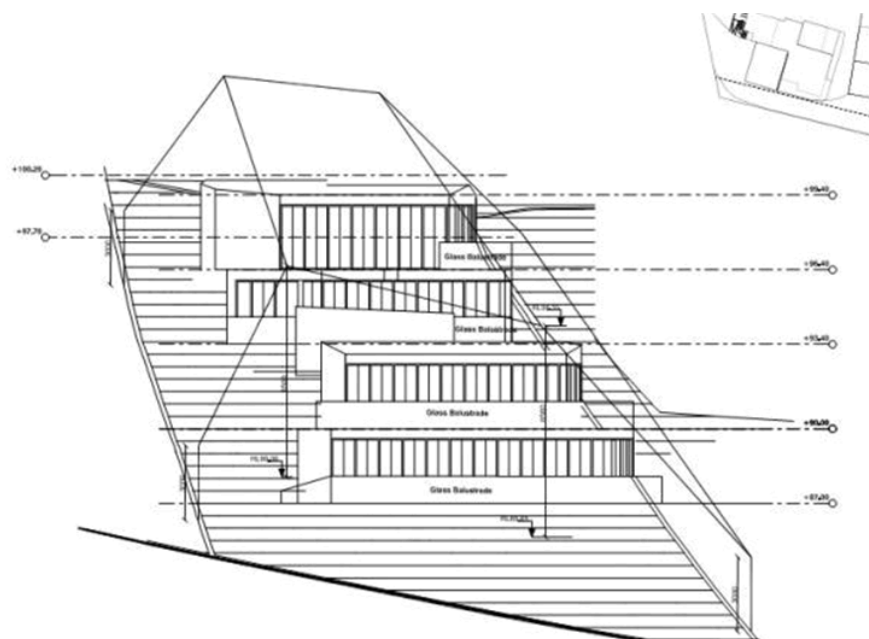


Figure 4: eastern elevation of the proposed dwellings at 18 Ascot Avenue.

4. Background

- 4.1 The application was previously lodged under PLN-20-281. However discussions between the Council and the applicant resulted in changes to the design and to the proposed works in the road reservation that were more than a minor amendment. As such that application had to be withdrawn and resubmitted.

5. Concerns raised by representors

- 5.1 Two (2) representations objecting to the proposal were received within the statutory advertising period between 13 January 2021 and 21 January 2021.
- 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.

Overshadowing:

<ul style="list-style-type: none"> Drawing AR-03-02. Overshadowing. At a point approximately 8m from the common boundary to the adjacent property, the lower unit appears to be approximately 8m high. This will cast an enormous area of shadow over the rear of our property including the living room.
<ul style="list-style-type: none"> The proposed location of unit B on the site will cast a shadow on adjacent properties.
Visual Bulk:
<ul style="list-style-type: none"> Drawing AR-02-04 – the lower unit is 4m from the rear boundary which is too close given the units is designed to address the easterly aspect over the adjoining property.
<ul style="list-style-type: none"> Drawing AR-03-01 – the height of the lower unit in this drawing is not accurate and does not show the structural wall below the lower floor as per AR-03-02. The building is three storeys at this point. There is no dimension for the lower level structural wall and it looks to be over 4m high. There are two habitable levels above it. The habitable levels should be close to the ground, but the developer has chosen to avoid costs by not having to excavate to achieve this.
Privacy:
<ul style="list-style-type: none"> Overlooking and loss of privacy. The decks at the rear of the lower unit are full length and over two storeys. These will look directly into the rear of the adjacent property.
<ul style="list-style-type: none"> The overlooking and overshadowing will significantly impact the amenity of our residence, diminishing quality of life. Intend to re-landscape/ improve the rear yard in the near future which includes the need to address physical needs. This will be pointless if we cannot even go into the back yard and have privacy.
<ul style="list-style-type: none"> The proposed location of unit B on the site will look into the living rooms of the 2 units located on the adjacent property. This will invade their privacy.
<ul style="list-style-type: none"> The proposal is to have glass balustrades on Unit B, if clear glass (not specified in plans), will invade privacy of tenants on the adjacent property.
Other:
<ul style="list-style-type: none"> The development will significantly devalue our property, whereas a well-designed and considered solution would not.

- | | |
|---|--|
| • | Understand that the property will be built on and would normally have no issue. But this development is insensitive, un-neighbourly and appears to be a result of seeking a maximum build with the least possible cost with no consideration to the needs of the people living adjacent. |
| • | We hope that Hobart City Council will deem this to be an inappropriate development and refuse the development application as proposed. |
| • | Right of access to drainage on easements on lot 39 requires notice. |

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 subject site is a vacant lot and as such has no existing use. The proposed use is Multiple Dwellings. The proposed use is a Permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Eg Part D - 10 General Residential Zone
 - 6.4.2 E5.0 Road and Rail Assets Code
 - 6.4.3 E6.0 Parking and Access Code
 - 6.4.4 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Parking and Access Code:

Site Distance at Accesses, Junctions and Level Crossings - Part

*E5.6.4.P1**Design of Vehicular Accesses - Part E6.7.2.P1**Vehicular Passing Areas Along an Access - Part E6.7.3.P1**Layout of Parking Areas - Part E6.7.5.P1*

- 6.6 Each performance criterion is assessed below.
- 6.7 Site Distance at Accesses, Junctions and Level Crossings - Part E5.6.4.P1
- 6.7.1 The acceptable solution at clause E5.6.4.A1 requires sight distances at a driveway to comply with the Safe Intersection Sight Distances in Table E5.1.
- 6.7.2 The proposal includes a driveway adjoining Ascot Avenue that does not meet the Safe Intersection Sight Distances.
- 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 E5.6.4.P1 provides as follows:
- The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:*
- a) the nature and frequency of the traffic generated by the use;*
 - b) the frequency of use of the road or rail network;*
 - c) any alternative access;*
 - d) the need for the access, junction or level crossing;*
 - e) any traffic impact assessment;*
 - f) any measures to improve or maintain sight distance; and*
 - g) any written advice received from the road or rail authority.*
- 6.7.5 The proposed driveway was assessed by the Council's Development Engineer who has provided the following comments:

In this case, the required SISD is 80 metres, noting that the vehicle speed has been assumed to be equal to the posted speed limit of 50-km/h.

The available sight distance generally exceeds the required 80 metres except during times when cars are parked adjacent to the site to the north of the access. However approximately 20.0m to the south of the access the road end in a cul de sac.

Performance Criteria – P1:

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

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

- All traffic generated by the proposed development will be residential in nature. This is compatible with the existing traffic utilising Ascot Avenue near the subject site. The increased traffic generated by the proposed development is likely to be 20 vehicles per day when all dwellings are fully developed and occupied.

(b) the frequency of use of the road or rail network;

- Ascot Avenue is a minor cul de sac road that has a relatively low traffic volume near the site. The driveway access servicing the site will operate at a high level of service based on the relatively low traffic volumes. The general urban speed limit of 50-km/h applies to Ascot Avenue. This speed limit is appropriate for the residential nature of the development.

(c) any alternative access;

- No alternative access is possible for the proposed development.

(d) the need for the access, junction or level crossing;

- The need for the use has not been assessed and is this report.

(e) any traffic impact assessment;

- No Traffic Impact Statement was submitted.

(f) any measures to improve or maintain sight distance; and

- No measures are proposed to improve sight distance.

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

- No written advice was requested by the road authority (Council) relating to the access.

The Acceptable Solution for clause E5.6.4 is not met due to sight lines being obstructed by on-street car parking adjacent to the access however, given the submitted plans and documentation the development may therefore be accepted under Performance Criteria P1:E5.6.4 of the Planning Scheme.

6.7.6 The proposal complies with the performance criterion.

6.8 Design of Vehicular Accesses - Part E6.7.2.P1

6.8.1 The acceptable solution at clause E6.7.2.A1 requires vehicle accesses to comply with the relevant Australian Standard.

6.8.2 The proposal includes an access that does not comply with the Australian Standard.

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

6.8.4 The performance criterion at clause E6.7.2.P1 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;

b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;

c) suitability for the type and volume of traffic likely to be generated by the use or development;

d) ease of accessibility and recognition for users.

6.8.5 The proposed access was assessed by the Council's Development Engineer who has provided the following comments:

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.2 gradients and horizontal angle of the access does not meet AS/NZS 2890.1:2004, pedestrian sight distance is also obstructed and as such, shall be assessed under Performance Criteria.

Performance Criteria - P1:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible*
- (d) ease of accessibility and recognition for users. - Feasible*

Condition on planning permit to address fence transparency for sight lines in order to promote a safe, efficient and convenient use of the driveway accesses.

Based on the above assessment and given the submitted documentation, sight lines, access gradients and horizontal angle may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic and low pedestrian activity on the road from which the property gains access.

6.8.6 The proposal complies with the performance criterion.

6.9 Vehicular Passing Areas Along an Access - Part E6.7.3.P1

- 6.9.1 The acceptable solution at clause E 6.7.3.A1 requires vehicle passing areas to be provided along an access where it is more than 30m long.
- 6.9.2 The proposal includes a driveway that is more than 30m long and does not include passing bays.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause E6.7.3.P1 provides as follows:

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

- a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;*
- b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;*
- c) suitability for the type and volume of traffic likely to be generated by the use or development;*
- d) ease of accessibility and recognition for users.*

- 6.9.5 The proposed access was assessed by the Council's Development Engineer who has provided the following comments:

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.3 and as such, shall be assessed under Performance Criteria.

Acceptable solution - A1: - NON COMPLIANT

Vehicular passing areas must:

- (a) be provided if any of the following applies to an access:*
 - (i) it serves more than 5 car parking spaces; - No*
 - (ii) is more than 30 m long; - YES*
 - (iii) it meets a road serving more than 6000 vehicles per day; - No*
- (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; - N/A*
- (c) have the first passing area constructed at the kerb; - No*
- (d) be at intervals of no more than 30 m along the access. - No*

Performance Criteria - P1:

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible*
- (d) ease of accessibility and recognition for users. - Feasible*

Although passing area has not been provided at the kerb, there is an area near the start of the driveway that may be used as a

passing area. Based on the above assessment and given the submitted documentation, vehicle passing areas may be accepted under Performance Criteria P1:E6.7.3 of the Planning Scheme. Given the driveway configuration, and the low volume of traffic.

6.9.6 The proposal complies with the performance criterion.

6.10 Layout of Parking Areas - Part E6.7.5.P1

6.10.1 The acceptable solution at clause E6.7.5.A1 requires the layout of parking areas to comply with the relevant Australian Standard.

6.10.2 The proposal includes parking areas that do not comply with the Australian Standard.

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

6.10.4 The performance criterion at clause E6.7.5.P1 provides as follows:

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

6.10.5 The proposed car parking was assessed by the Council's Development Engineer who has provided the following comments:

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.5 and as such, shall be assessed under Performance Criteria.

Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m

Class 1A): - Feasible

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

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

Parking Space Gradient (5%): - Feasible

Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): - Feasible

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

Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): - Feasible but assessed under Performance Criteria

Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m):

- Feasible

Transitions (AS2890.1 Section 2.5.3 = 12.5% summit, 15% sag => 2m transition): - Feasible

Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): - Feasible

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

"Jockey Parking" (Performance Assessment): - NO

Performance Criteria - 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. - Feasible

Submitted documentation appears to meet these parameters and therefore may be accepted under Performance Criteria P1:E6.7.5 given the driveway configuration.

6.10.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for Two Multiple Dwellings and Tree Removal at 18 Ascot Avenue, Sandy Bay and Adjacent Road Reserve.

7.2 The application was advertised and no representations were received.

- 7.2 The application was advertised and received two (2) representations. The representations raised concerns including visual bulk, overlooking, overshadowing and stormwater. The following comments are in response to these concerns:
- Overlooking: the proposed habitable rooms and decks would be setback 3m from the side boundaries and 4m from the rear boundary and as such would comply with the privacy provisions under the planning scheme.
 - Overshadowing: the proposed dwellings and driveway would be contained within the prescribe building envelope and as such overshadowing was not assessed. Nevertheless particular consideration has been given to the impact on the adjacent properties at 16 Ascot Avenue (which is sited to the north of the subject site and would receive no overshadowing) and 320 Churchill Avenue (which is sited to the north east of the subject site). This property may receive some overshadowing and loss of sunlight late in the afternoon, however it is considered that this would not be unreasonably detrimental to residential amenity.
 - Visual bulk: It is acknowledged that the proposal is for two relatively large dwellings which due to the slope of the land would sit higher than dwellings on a flat site. However the dwellings have been designed to step down with the slope of the land and would have flat roofs which would reduce the visual bulk. It is also considered that the height and bulk of the dwellings would be consistent with existing dwellings in the area. Whilst this development would be different to other sites because it is for two dwellings whereas the area is predominantly single dwellings, the design would comply with the density and building envelope requirements of the planning scheme and as such visual bulk was not assessed.
 - Stormwater: The proposed stormwater management would be contained entirely on site and would not require development on the adjoining property.
- 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, Stormwater Services Engineer and Graduate Road Asset 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 Two Multiple Dwellings and Tree Removal at 18 Ascot Avenue, Sandy Bay and Adjacent Road Reserve satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Two Multiple Dwellings and Tree Removal at 18 Ascot Avenue, Sandy Bay and 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-20-882 - 18 ASCOT AVENUE 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 02167 - HCC dated 22 December 2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

SW 3

The proposed development must be designed to ensure the protection and access to the Hobart City Council's stormwater main.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), a detailed design must be submitted and approved. The detailed design must be prepared by a suitably qualified expert and must:

1. demonstrate how the design will ensure the protection of and provide access to the Hobart City Council's stormwater main.

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

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's online request form which is available on its website and approved. The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure; and
4. connections which are free-flowing gravity driven.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

ENG 2a

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

Advice:

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

Reason for condition

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

ENG 2b

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

Advice:

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

Reason for condition

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

ENG 2c

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

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) 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, and**
4. **Show dimensions, levels, gradients & transitions, and other details as Council deem necessary to satisfy the above requirement.**

Advice:

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

condition.

- *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 3c

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the [design drawings approved by Condition ENG 3b .

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

Advice:

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

Reason for condition

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

ENG 4

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

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 retaining wall within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and design structural certificates of the retaining wall supporting the Ascot Avenue highway reservation must be submitted and approved, prior to issuing of any approval under the *Building Act 2016* and must:

1. **Not undermine the stability of the highway reservation**

2. **Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works**
3. **Take into account any additional surcharge loadings as required by relevant Australian Standards.**
4. **Take into account and reference accordingly any Geotechnical findings**
5. **Detail the design and location of the footing adjacent to the footpath**
6. **Include structure certificate which notes the retaining wall can support the road infrastructure sufficiently and will not undermine the stability and integrity of the highway reservation and its infrastructure**
7. **The structure certificated and/or drawings should note accordingly the above**

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

Advice:

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

Reason for condition

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

ENG r3

Prior to the commencement of use, the proposed driveway crossover Ascot Avenue highway reservation must be designed and constructed in general accordance with:

- **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossingD-R09-v1 – Urban Roads Driveways and TSD R16-v1 Type KCR & B1 or Type KCRB & B1**
- **Footpath - Urban Roads Footpaths TSD-R11-v2**
- **Or a Council City Amenity Division approved alternate design**

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016*. The design drawing must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover
3. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template)
4. If the design deviates from the requirements of the TSD then the drawings must demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside
5. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
6. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

Advice:

- *The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- *Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

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

ENV 2

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

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

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

Advice:

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

Reason for condition

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

Part 5 r1

Part 5 1 The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to the protection of retaining walls and buildings adjacent to the Ascot Avenue highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Ascot Avenue highway reservation or any retaining structure adjacent to Ascot Avenue highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: For further information with respect to the preparation of a part 5 agreement please contact Council Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

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:

- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of

building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

NEW SERVICE CONNECTION

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

STORM WATER

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

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.

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

CROSS OVER CONSTRUCTION

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

WEED CONTROL

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

WORK PLACE HEALTH AND SAFETY

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

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.



(Michaela Nolan)

Development Appraisal Planner

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



(Karen Abey)

Manager Development Appraisal

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

Date of Report: 5 February 2021

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Development Engineering Report



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-882	Council notice date	17/12/2020
TasWater details			
TasWater Reference No.	TWDA 2020/02167-HCC	Date of response	22/12/2020
TasWater Contact	Jake Walley	Phone No.	0467 625 805
Response issued to			
Council name	CITY OF HOBART		
Contact details	coh@hobartcity.com.au		
Development details			
Address	18 ASCOT AVE, SANDY BAY	Property ID (PID)	5600558
Description of development	Multiple Dwellings x2 and Tree Removal		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Unknown	Setting and Layout AR-01-02	09	15/12/2020
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act</i> 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection and sewerage system and connection to development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the 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) 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.

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

Drawings List

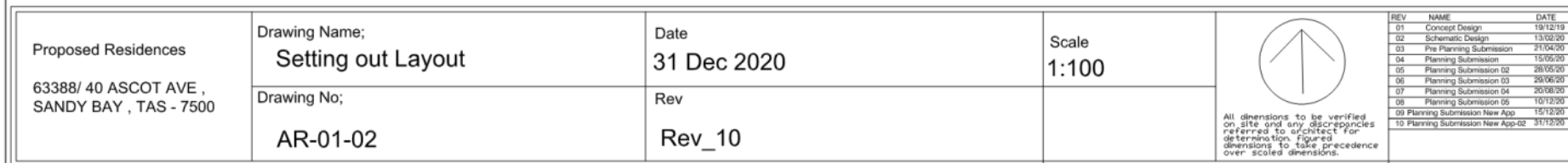
Drawings List		
Drawing Number	Drawing Name	Revision
GE-01-01	Cover page	10
AR-01-01	Site Layout	10
AR-01-02	Setting Out Layout	10
AR-01-03	Area Schedule Layout	9
AR-01-04	General Site Area Schedule Layout	9
AR-02-01	Unit A First Floor Plan	10
AR-02-02	Unit A Ground Floor Plan	9
AR-02-03	Unit B First Floor Plan	9
AR-02-04	Unit B Ground Floor Plan	9
AR-03-01	East Elevation	9
AR-03-02	North Elevation	10
AR-03-03	West Elevation	10
AR-03-04	South Elevation	9
AR-03-05	Enlarged Plans & Elevations	9
ST-01-01	Driveway A Layout	10
ST-01-02	Driveway B Layout	10
ST-01-03	Driveway Sections	10
ST-01-04	B85 Swept Paths 1	9
ST-01-05	B85 Swept Paths 2	9
PL-01-01	Storm water/ Drainage Pipes Layout	10
PL-01-02	Roof Drainage	10

Area Schedule

Site Plan		
Item	Space	m2
A	Unit A footprint area	129.18
B	Unit A Double Garage	35.06
C	Unit B footprint area	153.66
D	Unit B Double Garage	34.3
E	Unit A Private open space	24
F	Unit B Private open space	30.42
G	Driveway Area	178.02
H	Unit A other impervious surfaces	10.78
I	Unit B other impervious surfaces	3.02
J	Land / Site Area	842
K	Site Coverage Area = (A+B+C+D)	352.2
L	Site Coverage Ratio = K/J	41.83%
M	Maximum allowable site coverage	50.00%
N	Free from impervious surfaces = J - (A to D+G+H+I)	297.98
O	Ratio of area free from impervious surfaces = (N/J)	35.39%
P	Minimum ratio of area free from impervious surfaces	25.00%

Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Cover Page	Date 31 Dec 2020	Scale 1:100	 All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.	<table><tr><th>REV</th><th>NAME</th><th>DATE</th></tr><tr><td>01</td><td>Concept Design</td><td>19/12/19</td></tr><tr><td>02</td><td>Schematic Design</td><td>13/02/20</td></tr><tr><td>03</td><td>Pre Planning Submission</td><td>21/04/20</td></tr><tr><td>04</td><td>Planning Submission</td><td>15/05/20</td></tr><tr><td>05</td><td>Planning Submission 02</td><td>28/05/20</td></tr><tr><td>06</td><td>Planning Submission 03</td><td>29/06/20</td></tr><tr><td>07</td><td>Planning Submission 04</td><td>20/08/20</td></tr><tr><td>08</td><td>Planning Submission 05</td><td>10/12/20</td></tr><tr><td>09</td><td>Planning Submission New App</td><td>15/12/20</td></tr><tr><td>10</td><td>Planning Submission New App-02</td><td>31/12/20</td></tr></table>	REV	NAME	DATE	01	Concept Design	19/12/19	02	Schematic Design	13/02/20	03	Pre Planning Submission	21/04/20	04	Planning Submission	15/05/20	05	Planning Submission 02	28/05/20	06	Planning Submission 03	29/06/20	07	Planning Submission 04	20/08/20	08	Planning Submission 05	10/12/20	09	Planning Submission New App	15/12/20	10	Planning Submission New App-02	31/12/20
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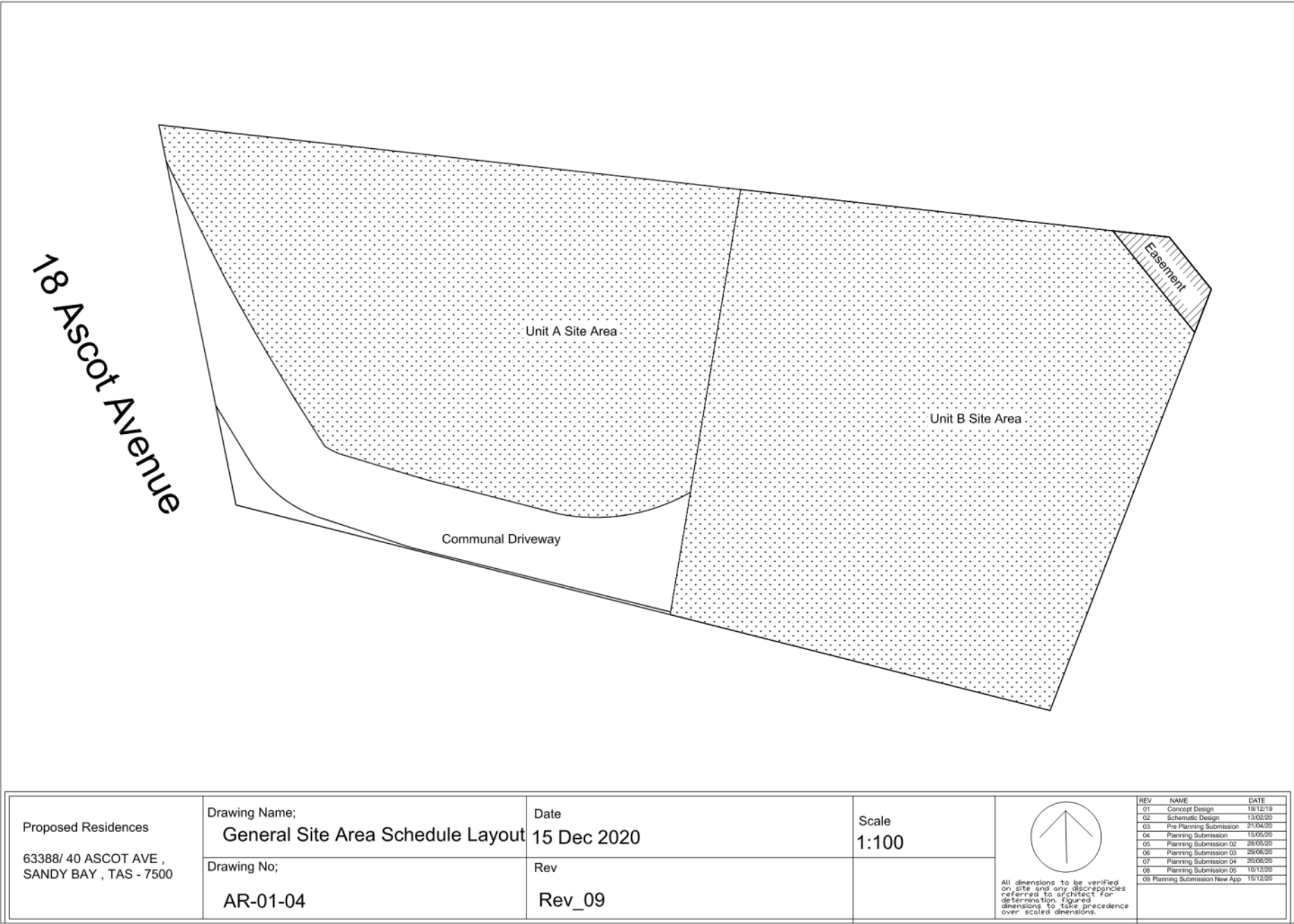


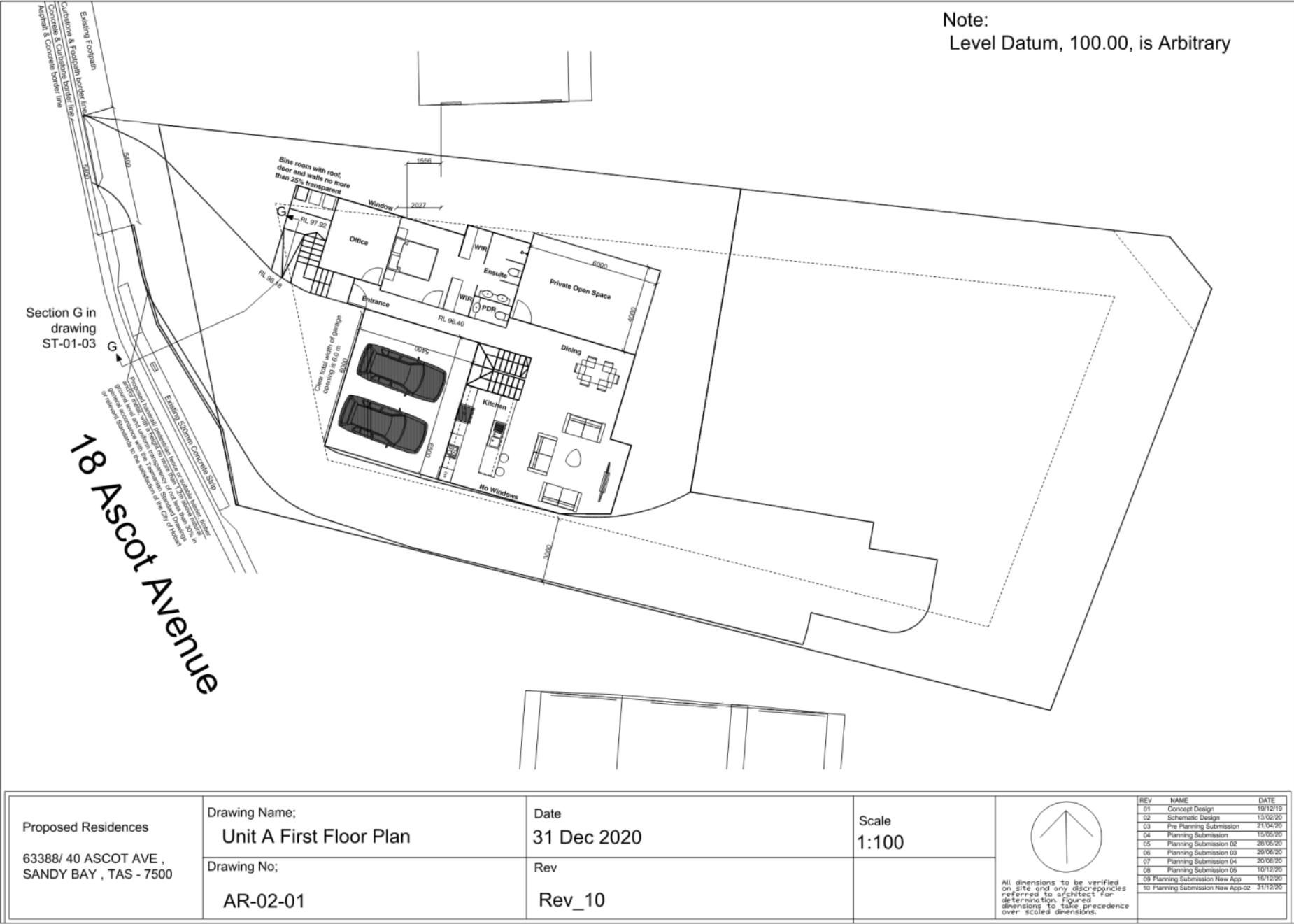
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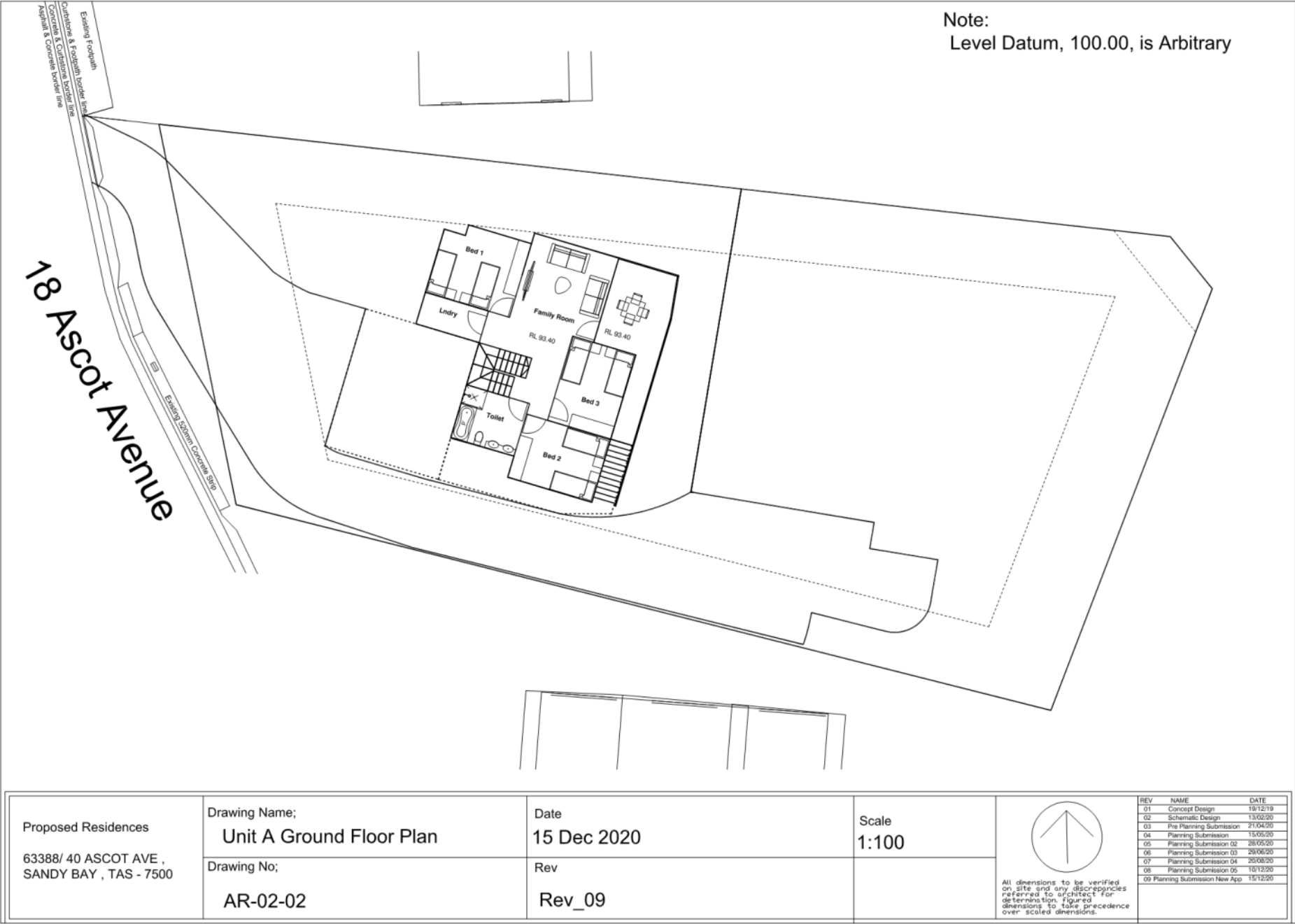


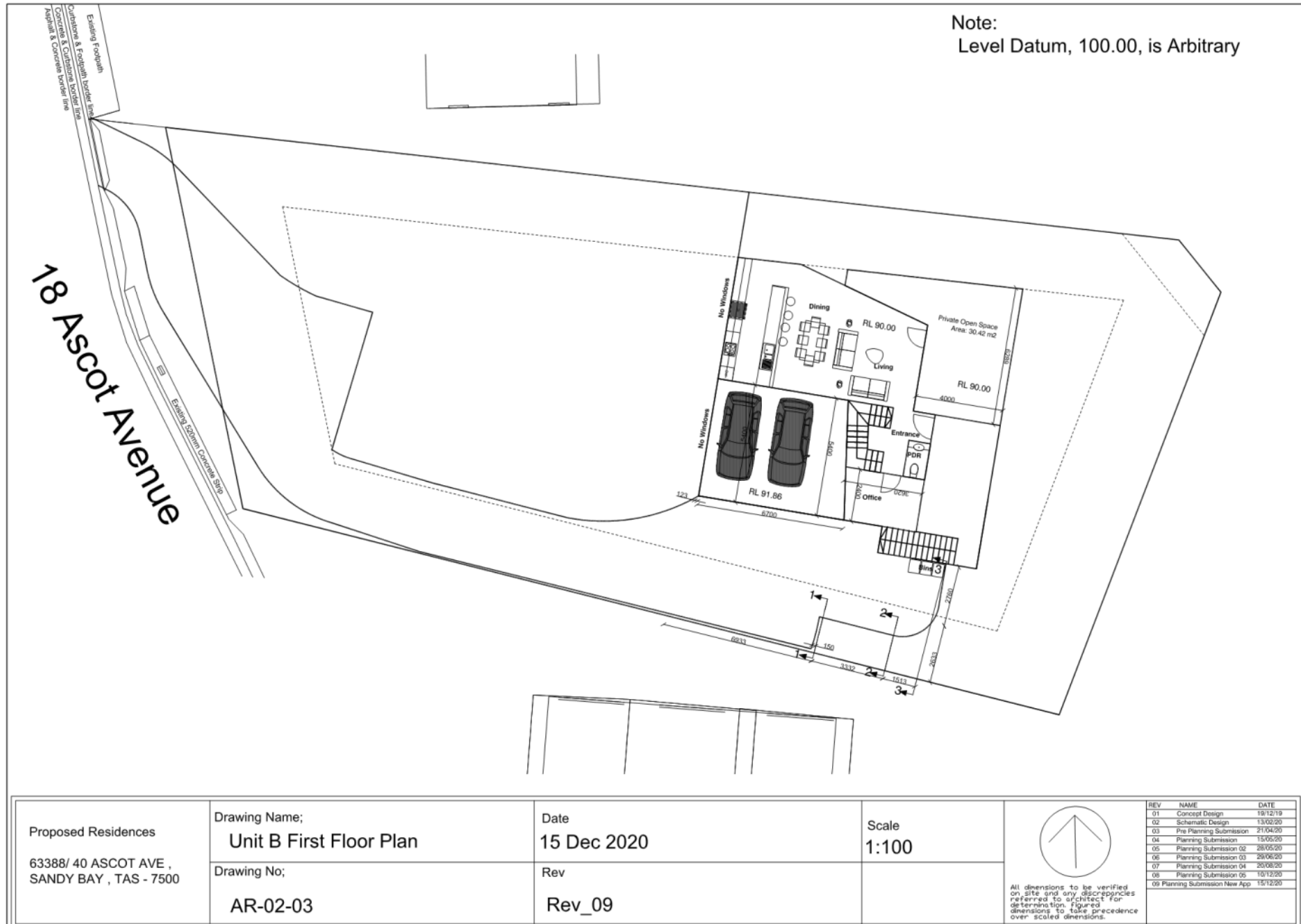
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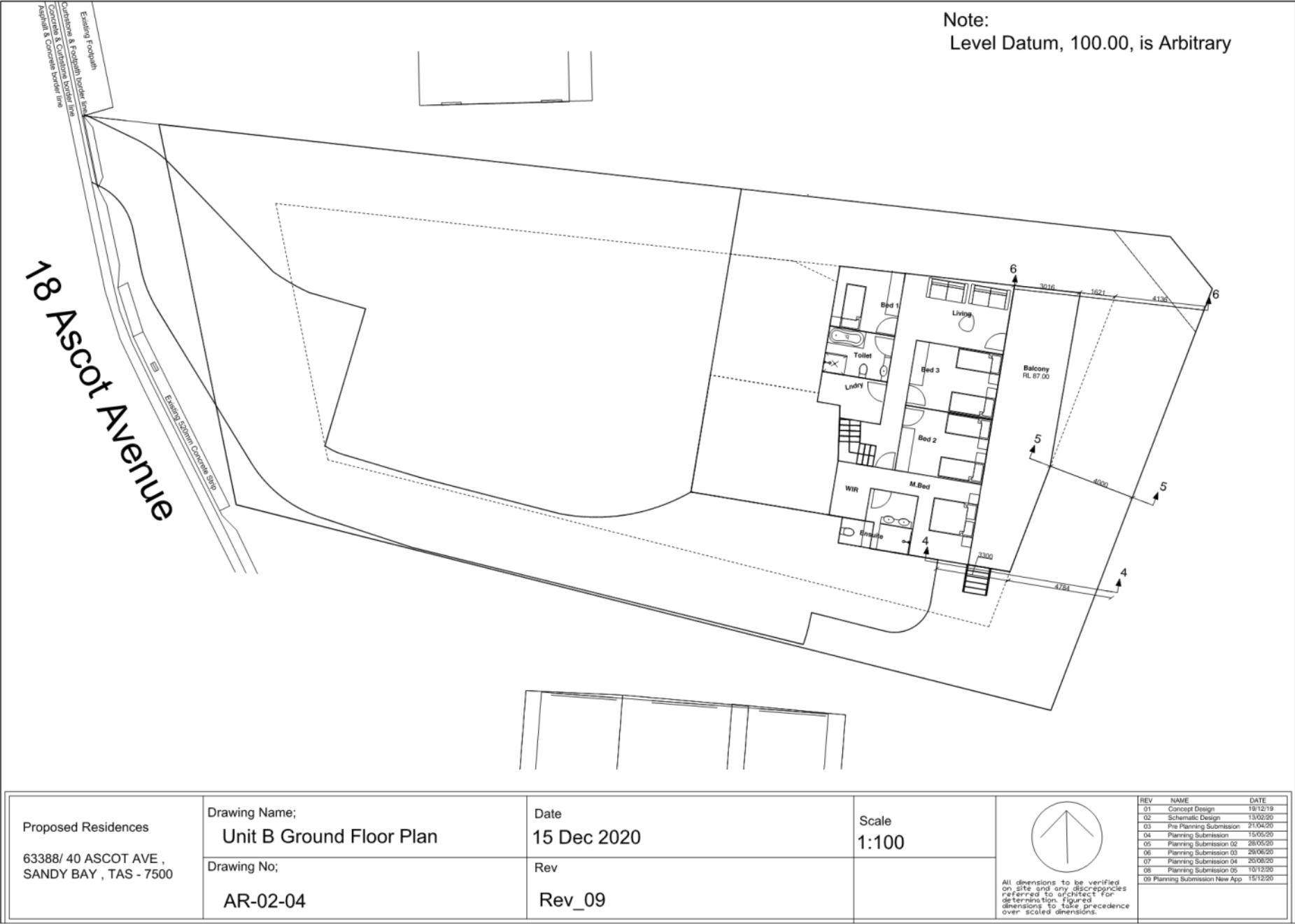
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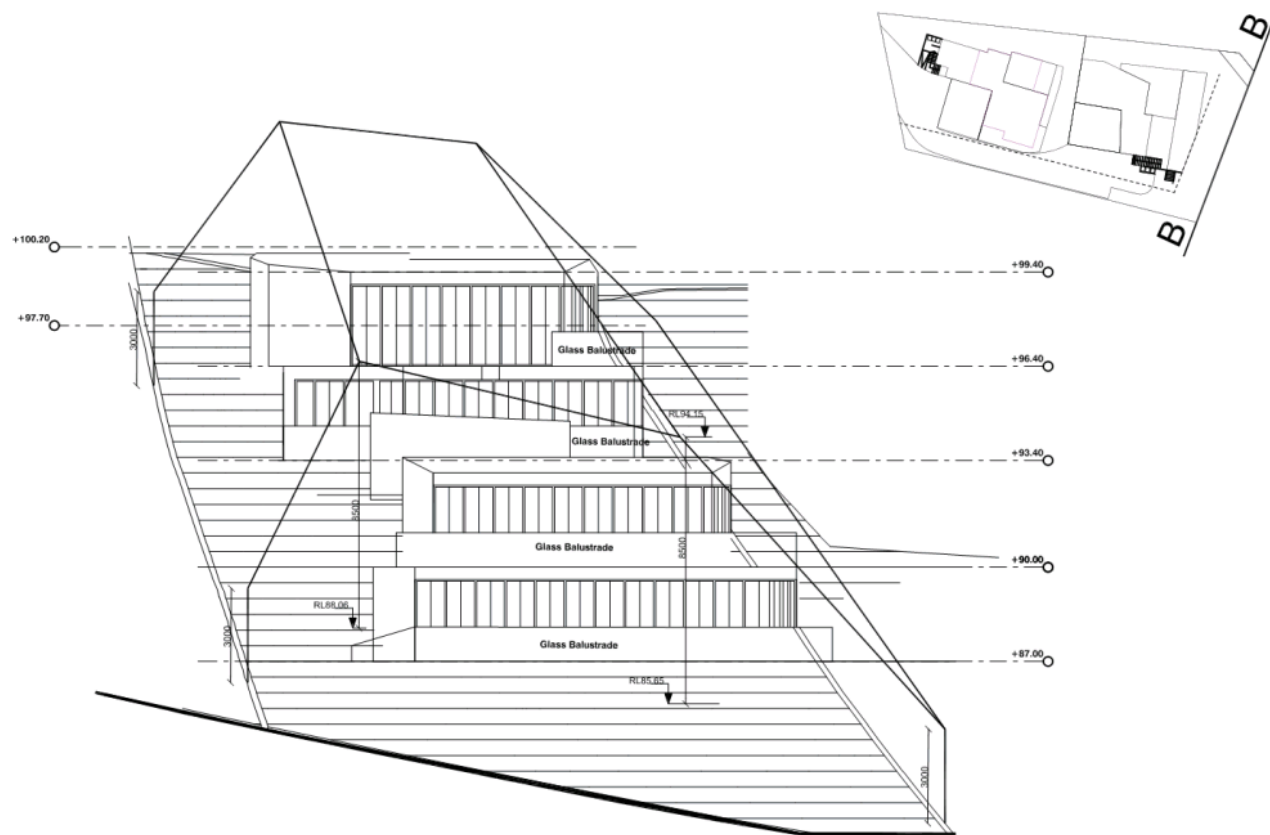





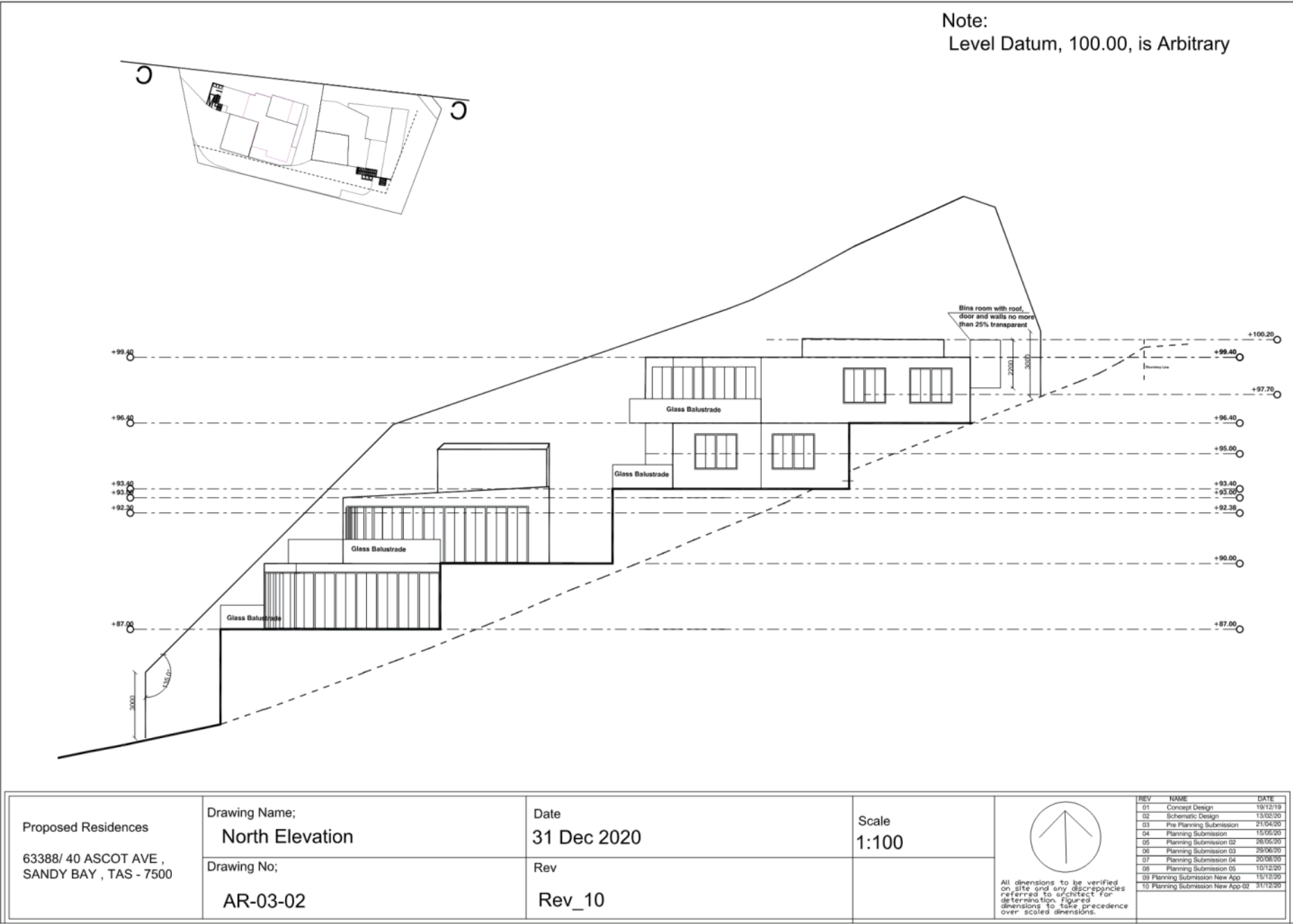


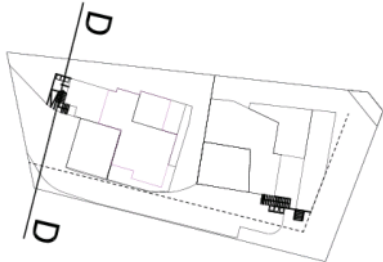


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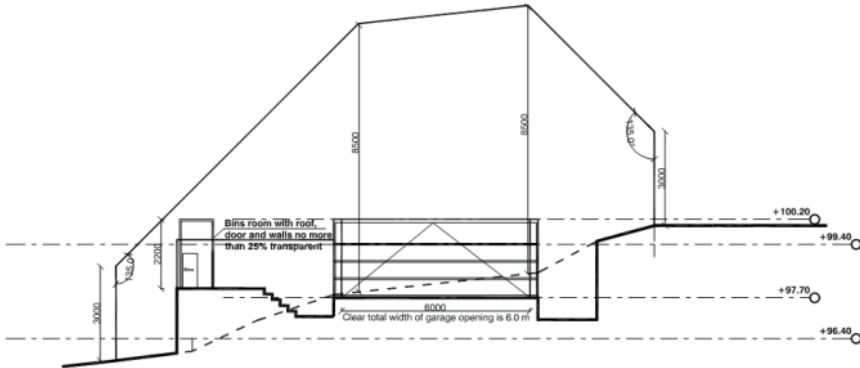



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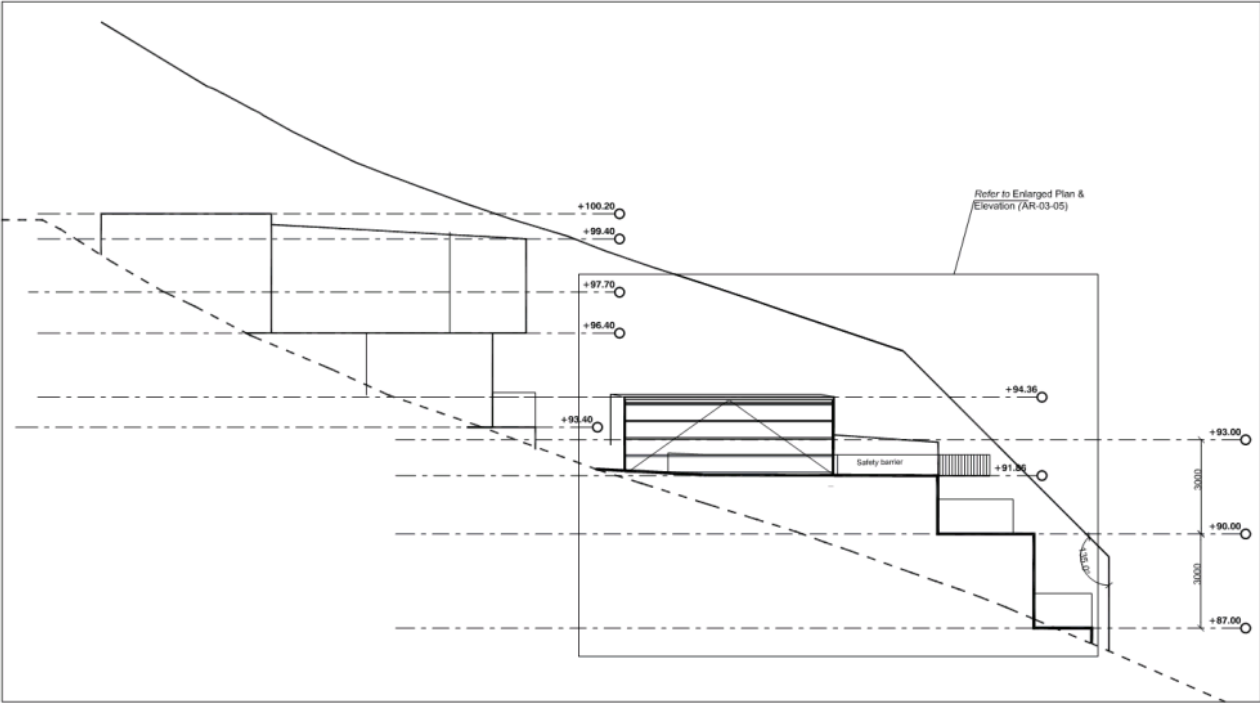



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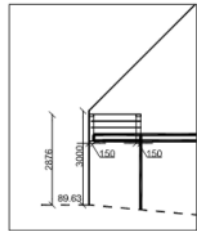


Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; West Elevation	Date 31 Dec 2020	Scale 1:100	 All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.	<table><tr><th>REV</th><th>NAME</th><th>DATE</th></tr><tr><td>01</td><td>Concept Design</td><td>19/12/19</td></tr><tr><td>02</td><td>Schematic Design</td><td>13/02/20</td></tr><tr><td>03</td><td>Pre Planning Submission</td><td>21/04/20</td></tr><tr><td>04</td><td>Planning Submission</td><td>15/05/20</td></tr><tr><td>05</td><td>Planning Submission 02</td><td>28/05/20</td></tr><tr><td>06</td><td>Planning Submission 03</td><td>29/06/20</td></tr><tr><td>07</td><td>Planning Submission 04</td><td>20/08/20</td></tr><tr><td>08</td><td>Planning Submission 05</td><td>10/12/20</td></tr><tr><td>09</td><td>Planning Submission New App</td><td>15/12/20</td></tr><tr><td>10</td><td>Planning Submission New App-G2</td><td>31/12/20</td></tr></table>	REV	NAME	DATE	01	Concept Design	19/12/19	02	Schematic Design	13/02/20	03	Pre Planning Submission	21/04/20	04	Planning Submission	15/05/20	05	Planning Submission 02	28/05/20	06	Planning Submission 03	29/06/20	07	Planning Submission 04	20/08/20	08	Planning Submission 05	10/12/20	09	Planning Submission New App	15/12/20	10	Planning Submission New App-G2	31/12/20
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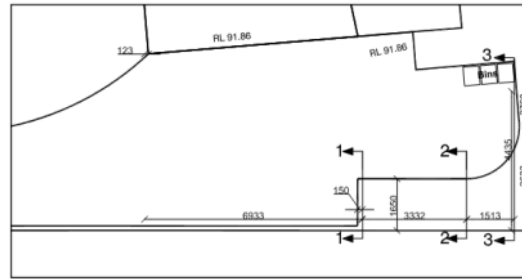
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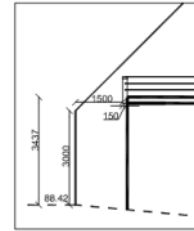
Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; South Elevation	Date 15 Dec 2020	Scale 1:100	<div></div> <div>All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.</div>	<table><tr><th>REV</th><th>NAME</th><th>DATE</th></tr><tr><td>01</td><td>Concept Design</td><td>19/12/19</td></tr><tr><td>02</td><td>Schematic Design</td><td>13/02/20</td></tr><tr><td>03</td><td>Pre Planning Submission</td><td>21/04/20</td></tr><tr><td>04</td><td>Planning Submission</td><td>15/05/20</td></tr><tr><td>05</td><td>Planning Submission 02</td><td>28/05/20</td></tr><tr><td>06</td><td>Planning Submission 03</td><td>29/06/20</td></tr><tr><td>07</td><td>Planning Submission 04</td><td>20/08/20</td></tr><tr><td>08</td><td>Planning Submission 05</td><td>10/12/20</td></tr><tr><td>09</td><td>Planning Submission New App</td><td>15/12/20</td></tr></table>	REV	NAME	DATE	01	Concept Design	19/12/19	02	Schematic Design	13/02/20	03	Pre Planning Submission	21/04/20	04	Planning Submission	15/05/20	05	Planning Submission 02	28/05/20	06	Planning Submission 03	29/06/20	07	Planning Submission 04	20/08/20	08	Planning Submission 05	10/12/20	09	Planning Submission New App	15/12/20
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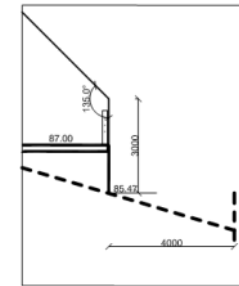
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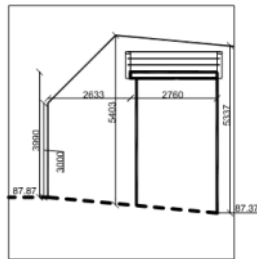
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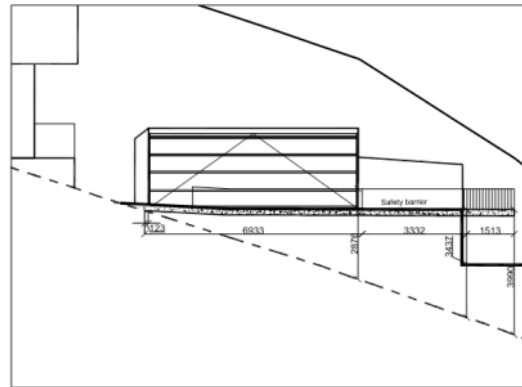
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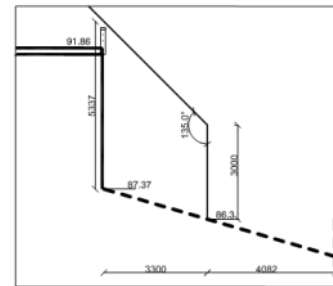
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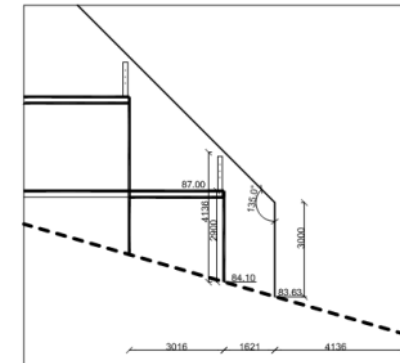
Section 3
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Enlarged Elevation 01
1:100



Section 4
1:100

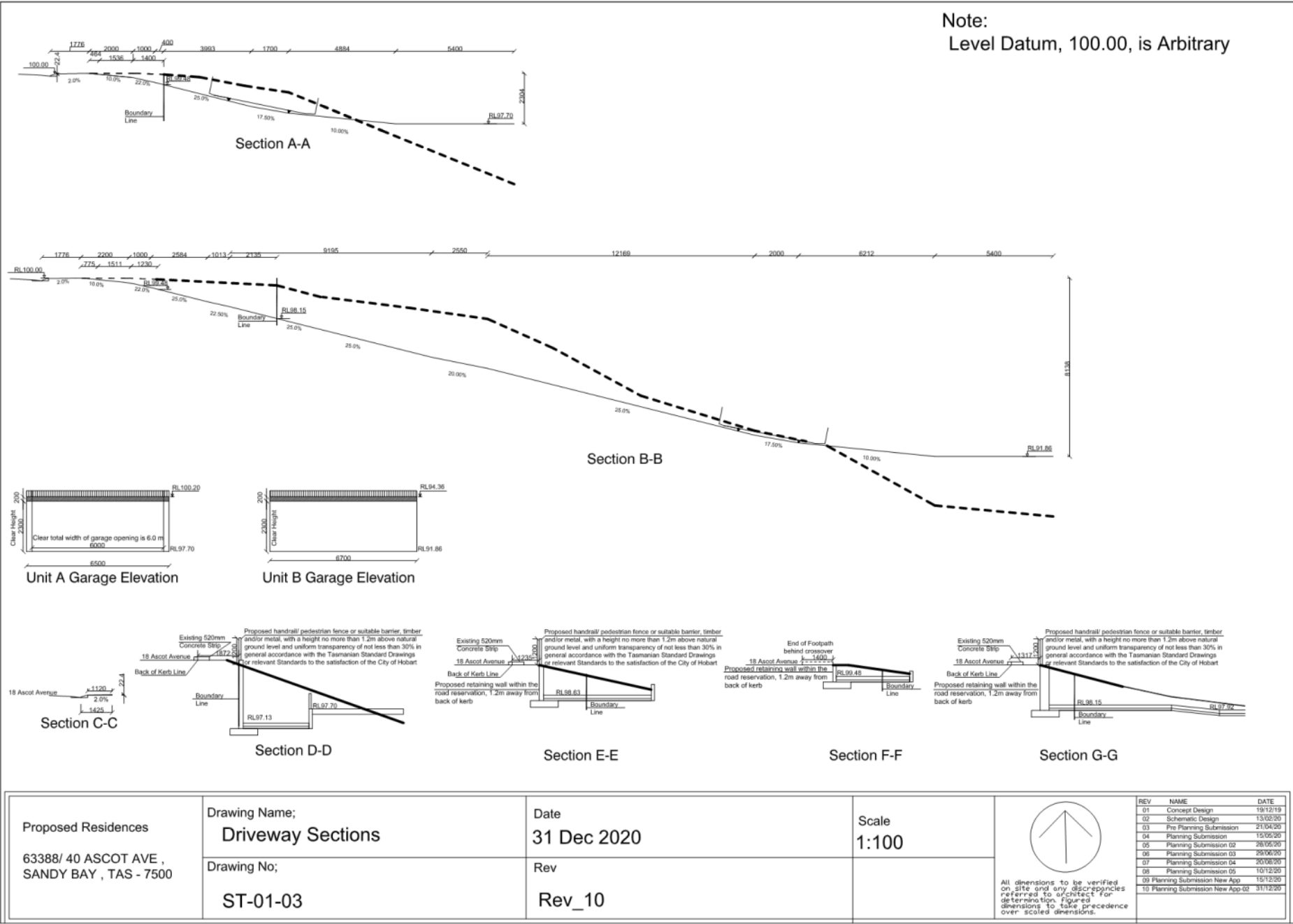


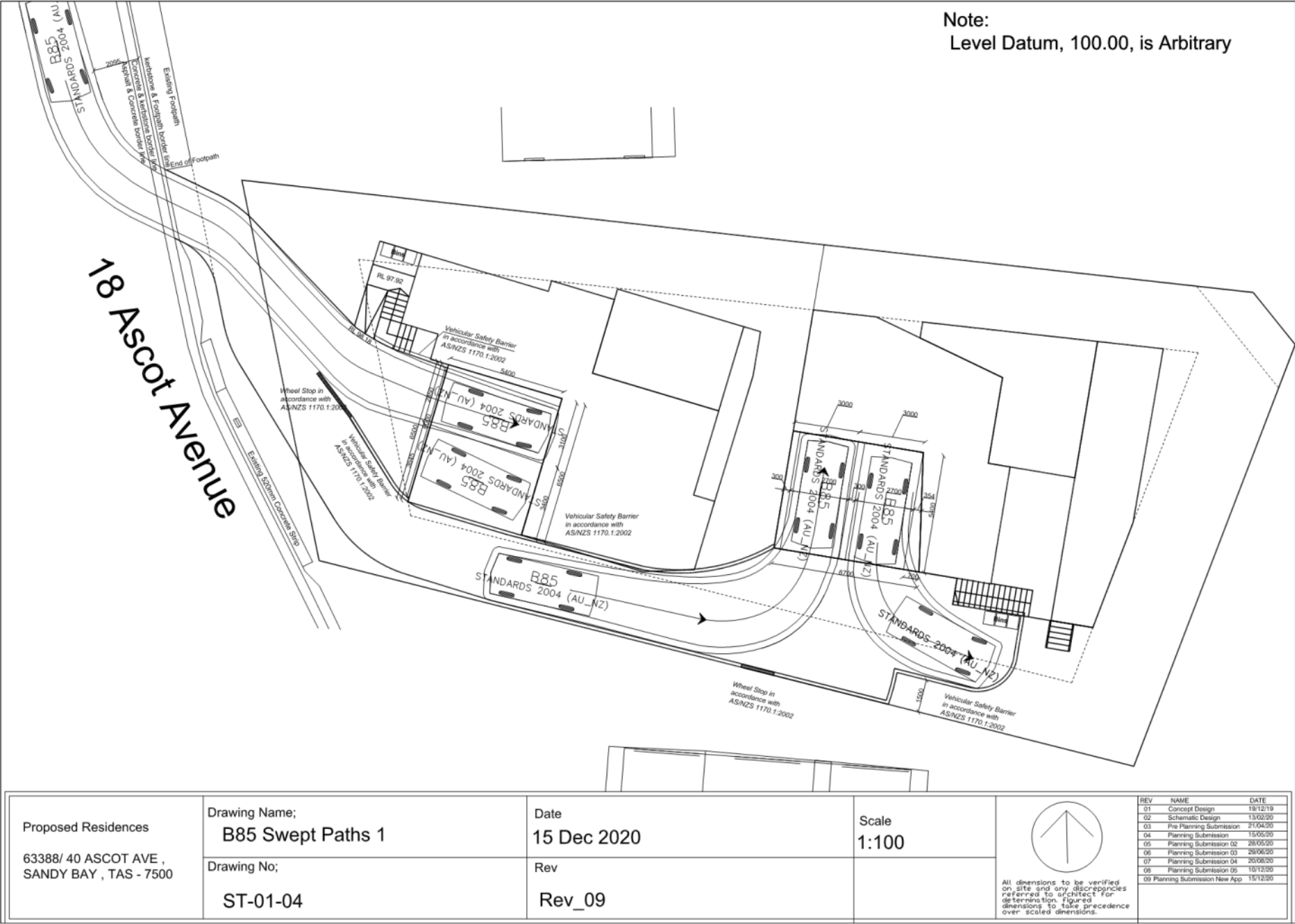
Section 6
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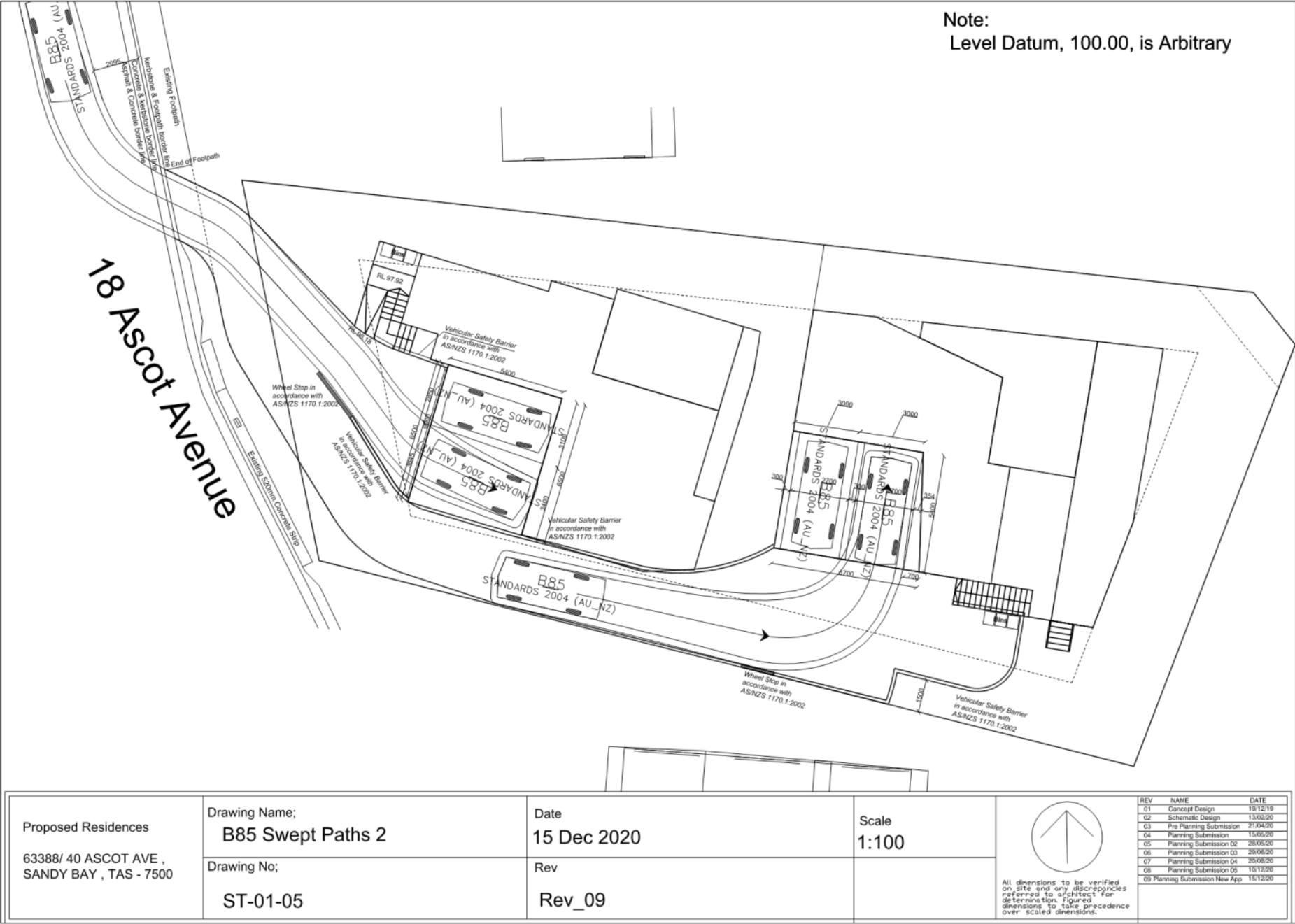
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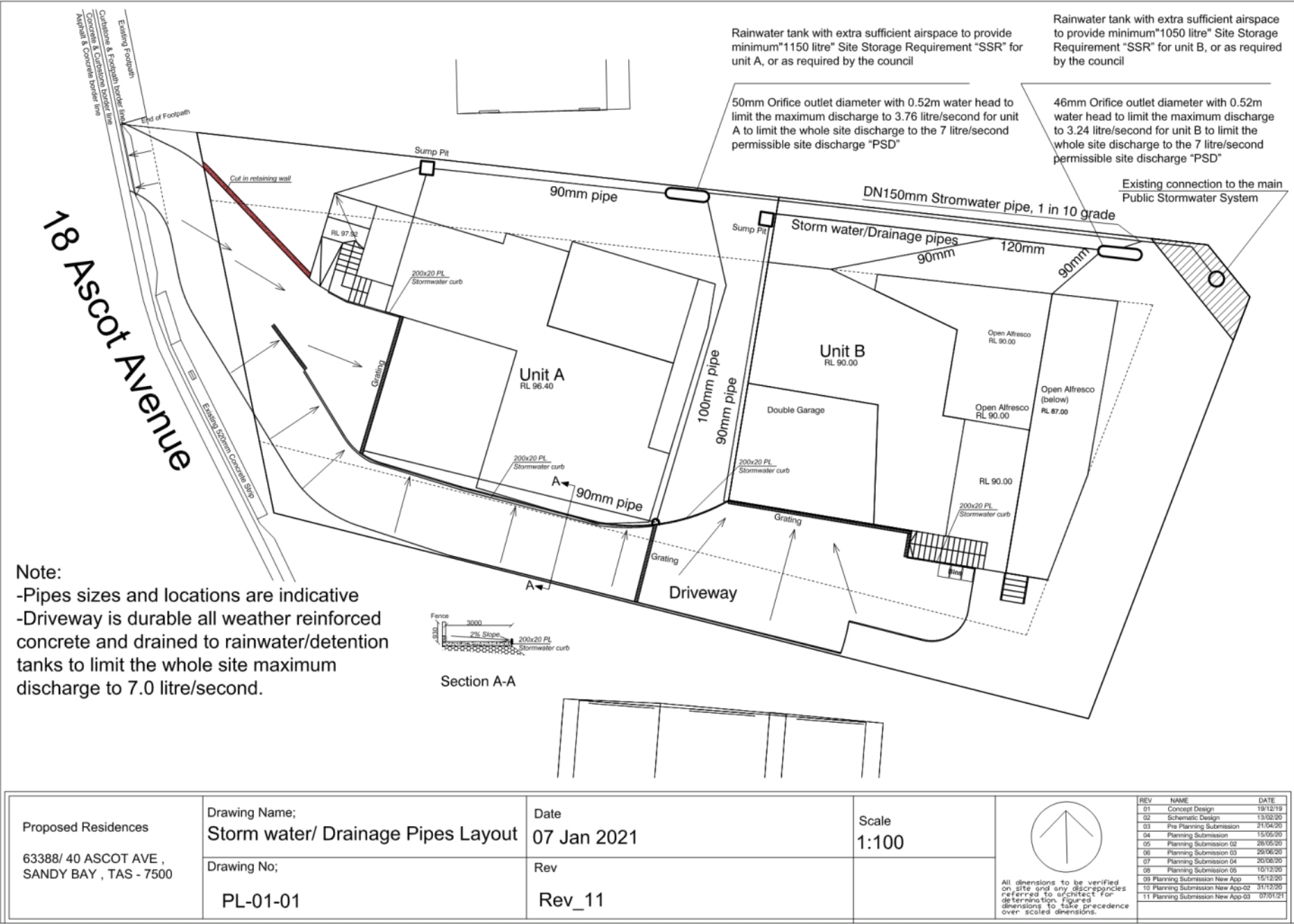


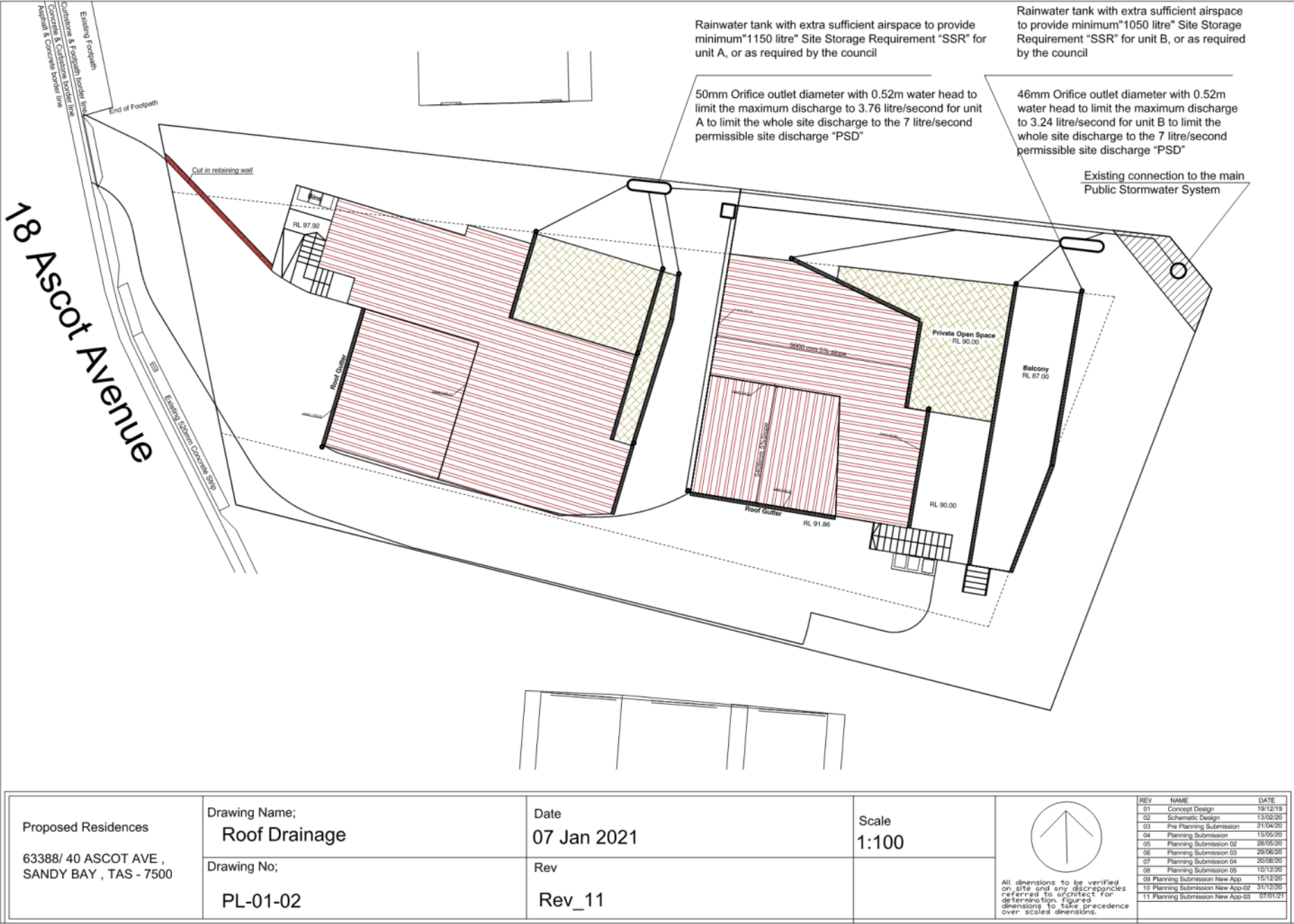












31 December 2020

Dear Sir / Madam

**18 ASCOT AVENUE, SANDY BAY & ADJACENT ROAD RESERVE
TWO MULTIPLE DWELLINGS AND TREE REMOVAL
APPLICATION NO. PLN-20-882**

Thank you for sending the additional information request letter dated 24 December 2020.

Please find our reply as follows:

PLN F11

- 1- Transparency of the wall in the north elevation of rubbish bins room for unit 1 is no more than 25%.
- 2- Rubbish bins storage room is with roof, door, and walls.

Drawings number AR-02-01, AR-03-02 and AR-03-03 show the above information.

PLN F13

- 1- The maximum height of the proposed fence along the top of the driveway retaining wall is 1.20 metre above natural ground level.
- 2- The proposed construction material of the fence is timber and/or metal.
- 3- The proposed transparency of the fence is not less than 30%.

Drawings number AR-01-01, AR-01-02, AR-02-01, ST-01-01, ST-01-02 and ST-01-03 show the above information.

Sw 1

- 1- The point at which private stormwater ends is now labelled on drawings PL-01-01 and PL-01-02.

Sw 6

- 1- Please find attached stormwater calculations.

Yours Faithfully

M. Bakr Abdelaal

0449539616

Bakrtweet@hotmail.com

07 January 2021

Dear Sir / Madam

**18 ASCOT AVENUE, SANDY BAY & ADJACENT ROAD RESERVE
TWO MULTIPLE DWELLINGS AND TREE REMOVAL
APPLICATION NO. PLN-20-882**

Thank you for sending the additional information request letter dated 07 January 2021.

Please find our reply as follows:

Sw 6

- 1- Please find revised calculation table for 20-year ARI rainfall intensity (mm/hr) where Q20 to indicate ARI 20 years for 5 minutes rainfall.
- 2- Calculation sheet is labelled to indicate site address, proposed development, and date.
- 3- Please find orifice size and connection details on stormwater/drainage pipes layout plan PL-01-01 Rev11 and PL-01-02 Rev11.

Yours Faithfully

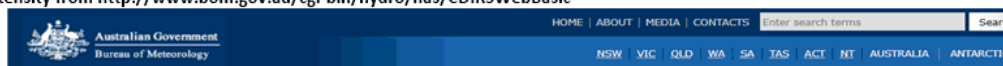
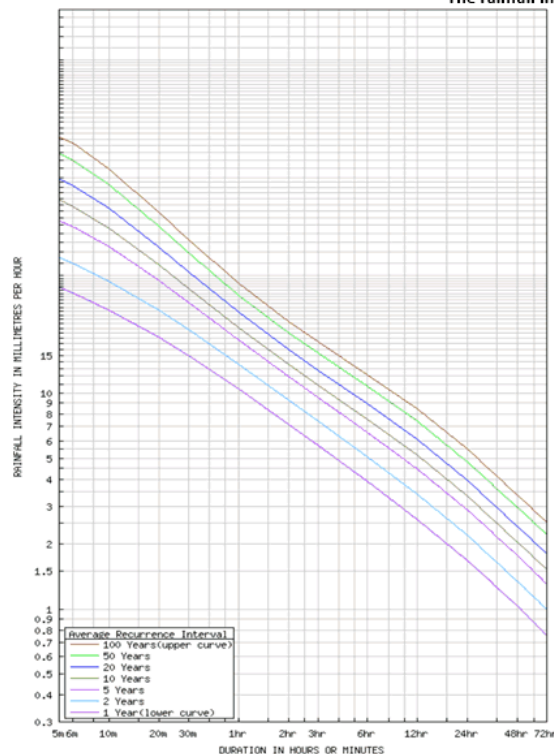
M. Bakr Abdelaal

0449539616

Bakrtweeet@hotmail.com

18 ASCOT AVENUE, SANDY BAY & ADJACENT ROAD RESERVE - TWO MULTIPLE DWELLINGS AND TREE REMOVAL - APPLICATION NO. PLN-20-882 - 07 Jan 2021

The rainfall intensity from <http://www.bom.gov.au/cgi-bin/hydro/has/CDIRSWebBasic>



LOCATION 42.925 S 147.350 E * NEAR, 18 Ascot Avenue

LIST OF COEFFICIENTS TO EQUATIONS OF THE FORM

$$\ln(I) = A + B \times (\ln(T)) + C \times (\ln(T))^2 + D \times (\ln(T))^3 + E \times (\ln(T))^4 + F \times (\ln(T))^5 + G \times (\ln(T))^6$$

T = TIME IN HOURS AND I = INTENSITY IN MILLIMETRES PER HOUR

RETURN PERIOD	A	B	C	D	E	F	G
1	2.350302	-0.53423E+0	-0.20026E-1	0.93055E-2	-0.14160E-2	-0.57355E-3	0.95002E-4
2	2.612985	-0.54680E+0	-0.10719E-1	0.97692E-2	-0.22445E-2	-0.56997E-3	0.11696E-3
5	2.869225	-0.57617E+0	0.14209E-1	0.85433E-2	-0.42245E-2	-0.26570E-3	0.11976E-3
10	3.005051	-0.59237E+0	0.27675E-1	0.79042E-2	-0.53125E-2	-0.11032E-3	0.12439E-3
20	3.163988	-0.60642E+0	0.39362E-1	0.73495E-2	-0.62006E-2	0.31219E-4	0.12352E-3
50	3.349838	-0.62284E+0	0.53063E-1	0.65626E-2	-0.72538E-2	0.21027E-3	0.12247E-3
100	3.478243	-0.63416E+0	0.62241E-1	0.61742E-2	-0.79622E-2	0.31019E-3	0.12456E-3

RAINFALL INTENSITY IN mm/h FOR VARIOUS DURATIONS AND RETURN PERIODS

	RETURN PERIOD (YEARS)						
DURATION	1	2	5	10	20	50	100
5 mins	31.0	42.6	63.4	78.6	98.6	129	154
6 mins	29.1	39.9	59.3	73.4	92.0	120	144
10 mins	24.3	32.9	47.6	58.0	71.8	92.2	109
20 mins	18.2	24.2	33.2	39.3	47.4	59.1	68.7
30 mins	15.0	19.8	26.4	30.7	36.6	44.8	51.6
1 hour	10.5	13.6	17.6	20.2	23.7	28.5	32.4
2 hours	7.19	9.31	11.9	13.6	15.9	19.0	21.5
3 hours	5.75	7.45	9.57	10.9	12.8	15.3	17.4
6 hours	3.90	5.08	6.60	7.58	8.91	10.8	12.2
12 hours	2.60	3.41	4.47	5.16	6.10	7.41	8.47
24 hours	1.68	2.20	2.89	3.34	3.96	4.81	5.51
48 hours	1.03	1.34	1.77	2.04	2.42	2.95	3.37
72 hours	0.751	0.992	1.31	1.53	1.81	2.21	2.53

(Raw data: 13.89, 3.51, 1.01, 25.82, 6.94, 2.05, skew=0.330)

HYDROMETEOROLOGICAL ADVISORY SERVICE

(C) AUSTRALIAN GOVERNMENT, BUREAU OF METEOROLOGY

* ENSURE THE COORDINATES ARE THOSE REQUIRED SINCE DATA IS BASED ON THESE AND NOT LOCATION NAME

Site Peak Flow

Coefficient of runoff= 0.9 Catchment Area= 560 m² tc= 5% Average exceedance(5.0 minute, 1 in 20 year rain event) From table, I100 Rainfall Intensity= 98.6 mm/hr

Q₁₀₀= C*A*I100/3600= 0.014 m³/s = 13.80 l/s Permissible Site Discharge (PSD) = 7 l/s "Given by Council"

Unit A Peak Flow Unit A Catchment Area= 301 m² Unit A PSD=3.76 l/s

Unit A Q₁₀₀=C*A*I100/3600= 7.42 l/s

Calculate peak flow rates, runoff volumes for a range of storm durations for 20-year ARI

	Storm Duration (minutes)						
	5	6	10	20	30	60	120
20 year ARI rainfall intensity (mm/hour)	98.6	92.0	71.8	47.4	36.6	23.7	15.9
Peak post development flow (Q ₂₀)(l/s)	7.42	6.92	5.40	3.57	2.75	1.78	1.20
Total post development runoff volume(m3)	2.23	2.49	3.24	4.28	4.96	6.42	8.61
Unit A Site Storage Requirement(SSR)(m3)	1.10	1.14	0.99	0.00	0.00	0.00	0.00

Unit A SSR for 20 year ARI= 1.14 m³

Rain water tank with extra sufficient airspace to provide 1.15m³ SSR

Orifice diameter Calcs: Q=C A V PSD = CAV²gh d=21.9 x v[PSD/vh]

Unit A h=0.52m d= 50mm

Unit B Peak Flow Unit B Catchment Area= 259 m² Unit B PSD=3.24 l/s

Unit B Q₁₀₀=C*A*I100/3600= 6.38 l/s

Calculate peak flow rates, runoff volumes for a range of storm durations for 20-year ARI

	Storm Duration (minutes)						
	5	6	10	20	30	60	120
20 year ARI rainfall intensity (mm/hour)	98.6	92.0	71.8	47.4	36.6	23.7	15.9
Peak post development flow (Q ₂₀)(l/s)	6.38	5.96	4.65	3.07	2.37	1.53	1.03
Total post development runoff volume(m3)	1.92	2.14	2.79	3.68	4.27	5.52	7.41
Unit B Site Storage Requirement(SSR)(m3)	0.94	1.05	0.85	0.00	0.00	0.00	0.00

Unit B SSR for 20 year ARI= 1.05 m³

Rain water tank with extra sufficient airspace to provide 1.05m³ SSR

h is the height between centreline of the orifice pipe and maximum level of the temporary site storage

Unit B h=0.52m d=46mm

18_Ascot Avenue
07 Jan 2021
PLN-20-882

STORM WATER PIPE DESIGN TO AS/NZS 3500.3: 2018

Flow	Q	=	7	
Pipe material		=	PVC	
Colebrook-White roughness coefficient, From Table 5.4.11.2	k	=	0.015	
Hydraulic Grade 1 in ?	HG	=	10	
From AS/NZS 3500.3 Figure 5.4.11.2(a) Pipe Size	dia	=	60	mm
From AS/NZS 3500.3 Figure 5.4.11.2(a) Nearest available size	dia	=	90	mm
Use minimum size DN150mm as advised by the council.				



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

10 November 2020

Bakr Abdelaal
19 Randall Street
SANDY BAY TAS 7005

mailto: bakrtweeet@hotmail.com

Dear Sir/Madam

**18 ASCOT AVENUE, SANDY BAY - REMOVAL OF COUNCIL TREE NOTICE OF LAND
OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-20-70**

Site Address:

18 Ascot Aveune, Sandy Bay

Description of Proposal:

Two Multiple Dwellings

Applicant Name:

Bakr Abdelaal

PLN (if applicable):

PLN-20-281

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

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

This consent does not constitute an approval to undertake any works and does not authorise

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

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:

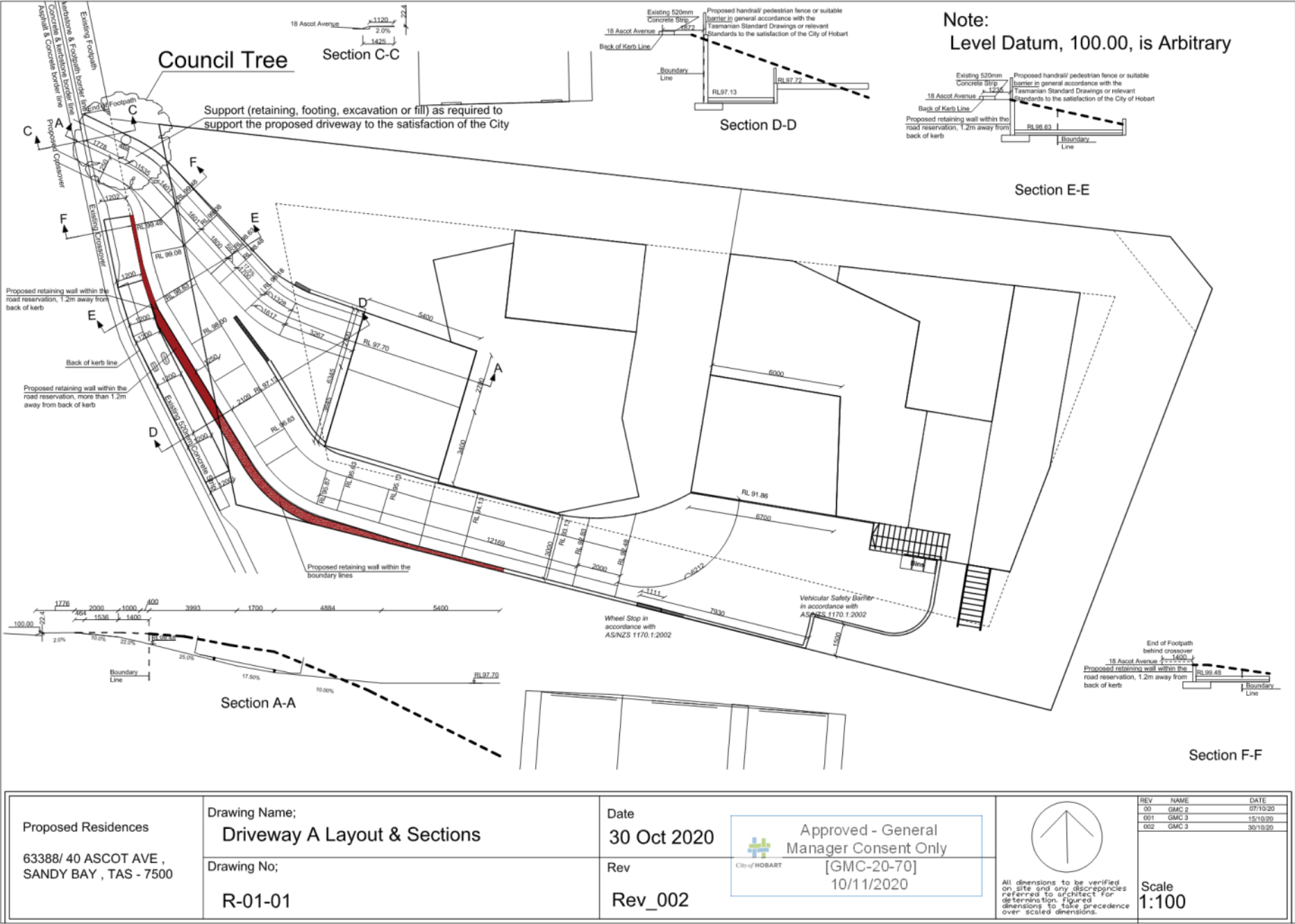
Plans

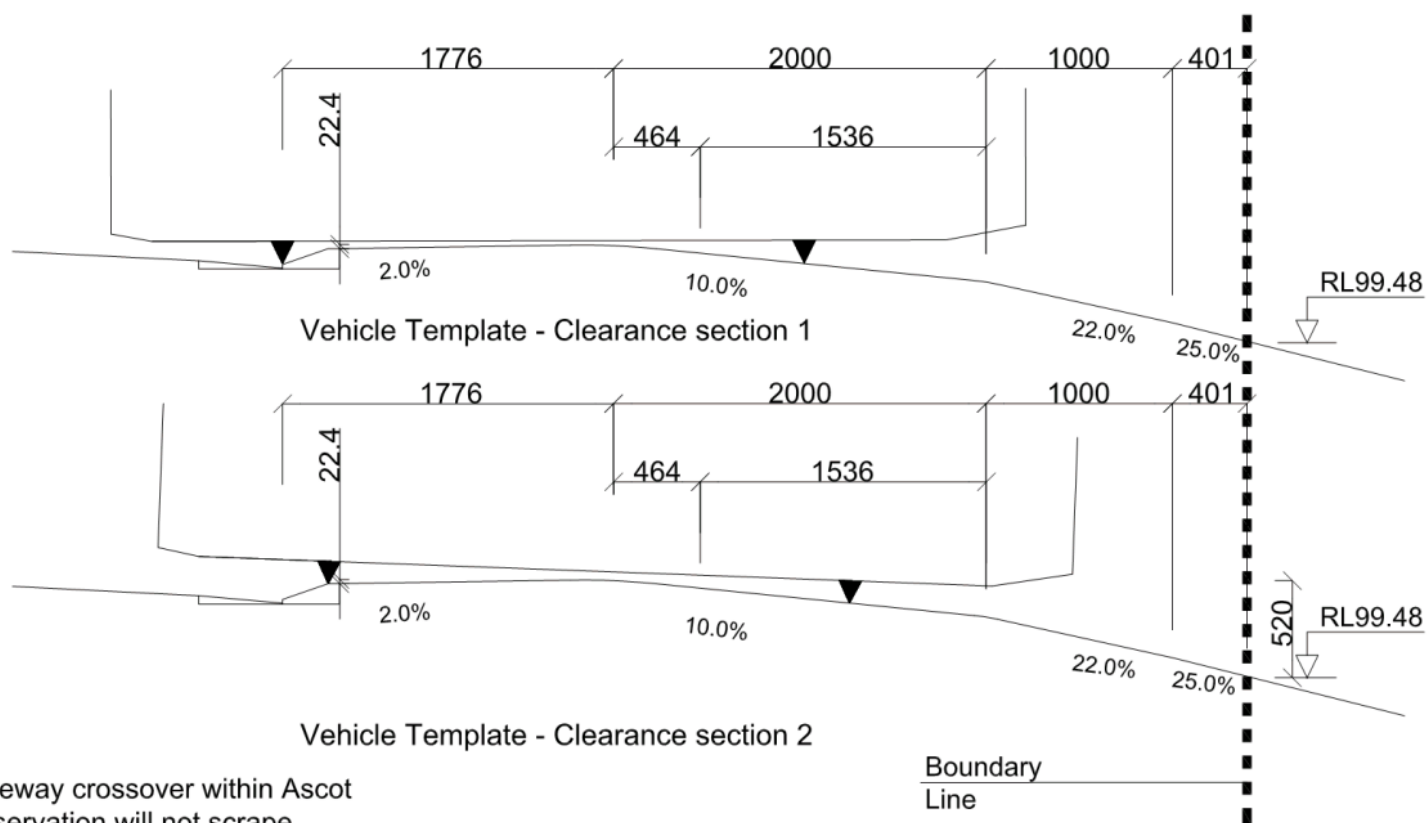
R-01-01 Rev_002, R-01-02 Rev_002, R-01-03 Rev_002 dated 30 October 2020

R-01-04 Rev_002, R-01-05 Rev_002 dated 28 October 2020

R-02-01 Rev_002, R-02-02 Rev_002, R-02-03 Rev_002, R-02-04 Rev_002, R-02-05 Rev_002 dated 30 October 2020

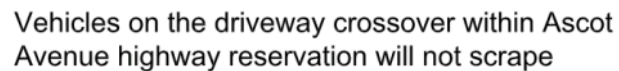
R-03-01 Rev_002, R-03-02 Rev_002, R-03-03 Rev_002, R-03-04 Rev_002, R-03-05 Rev_002 dated 30 October 2020



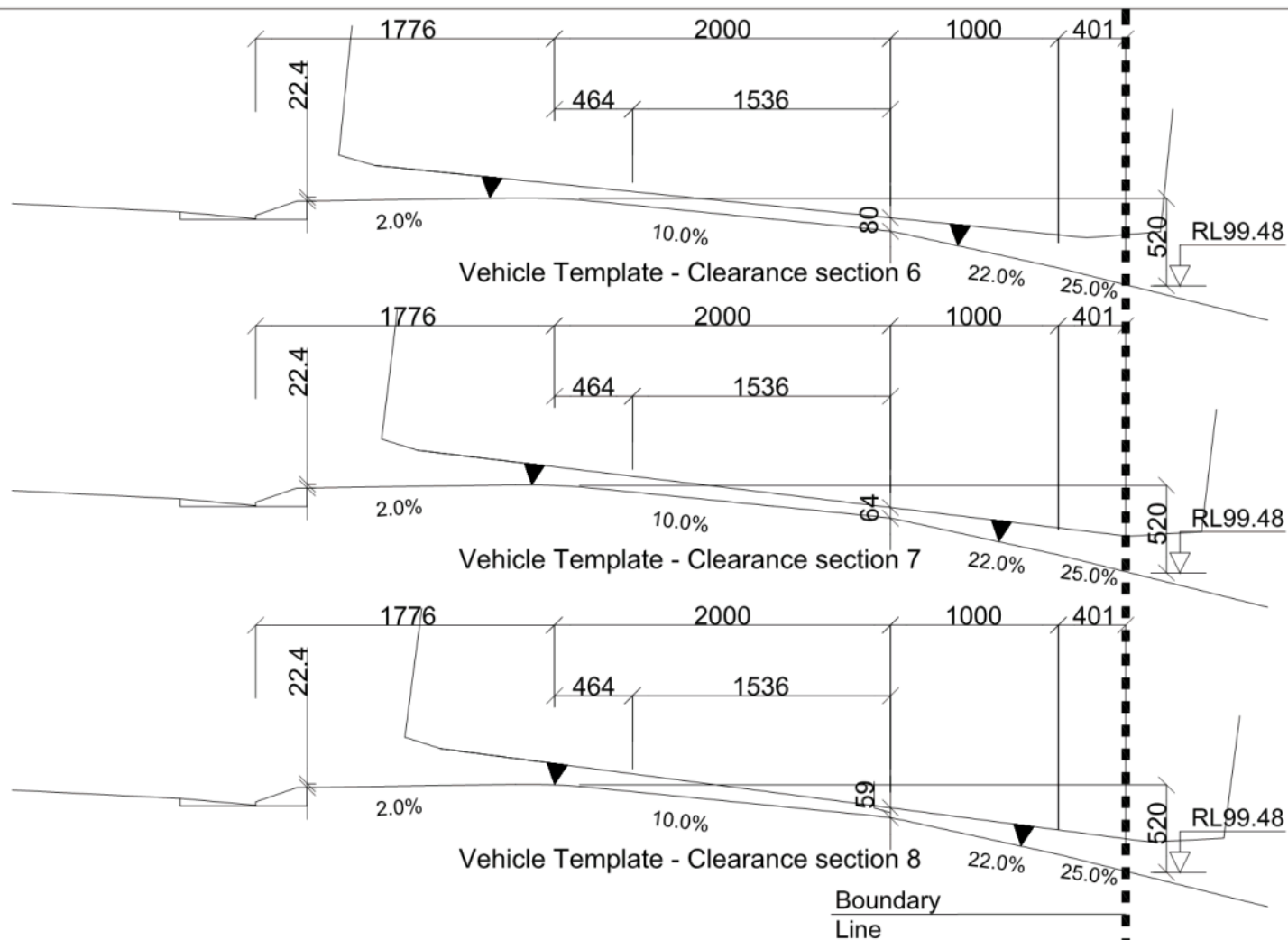


Vehicles on the driveway crossover within Ascot Avenue highway reservation will not scrape

Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Driveway A Vehicle Template - Clearance section 1&2	Date 30 Oct 2020	<div><div><div>Approved - General Manager Consent Only</div></div><div>City of HOBART [GMC-20-70] 10/11/2020</div></div>	<div> All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.</div>	<div>REV NAME DATE</div> <div>00 GMC 2 07/10/20</div> <div>001 GMC 3 15/10/20</div> <div>002 GMC 3 30/10/20</div>
	Drawing No; R-01-02	Rev Rev_002			<div>Scale 1:25</div>

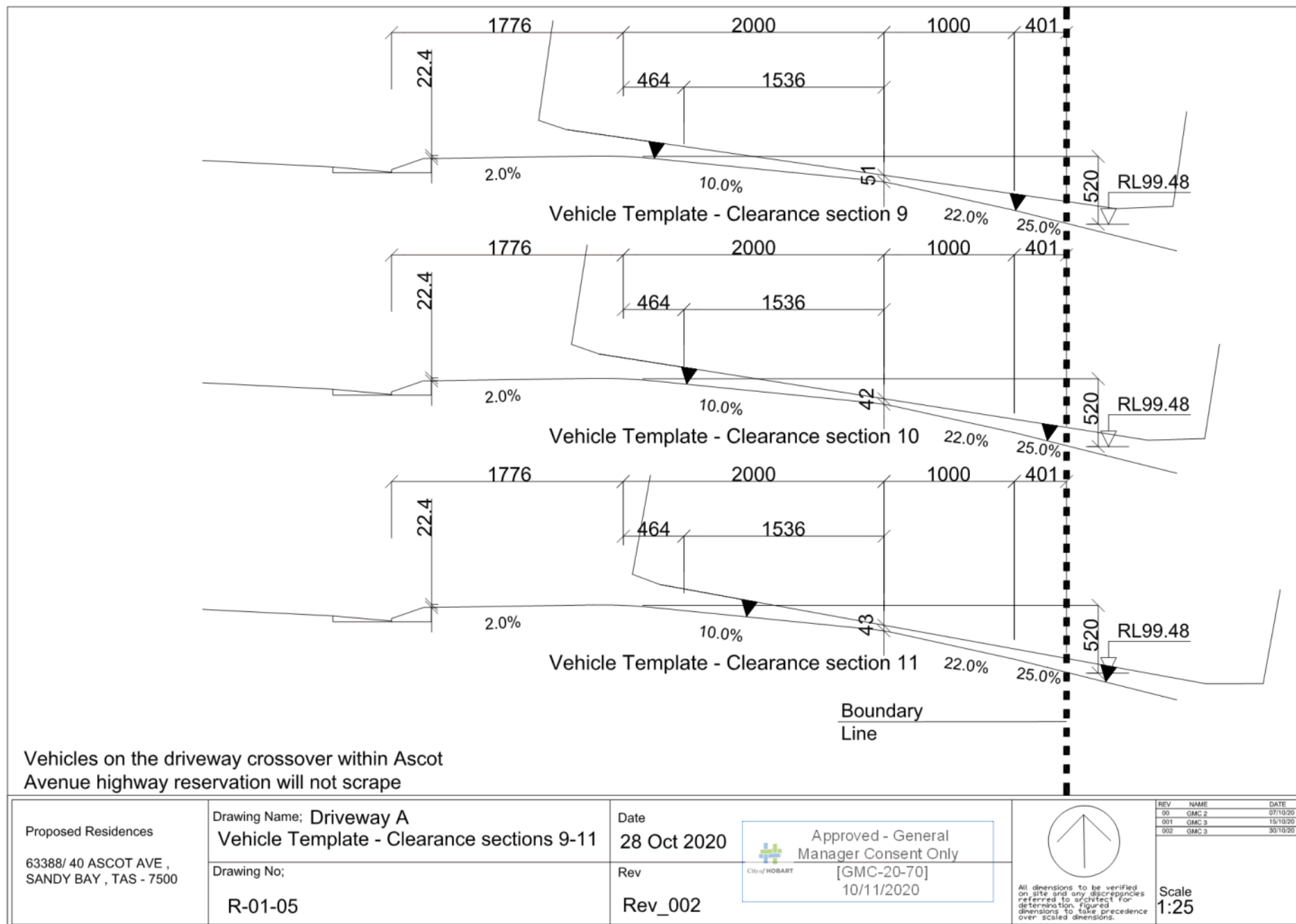


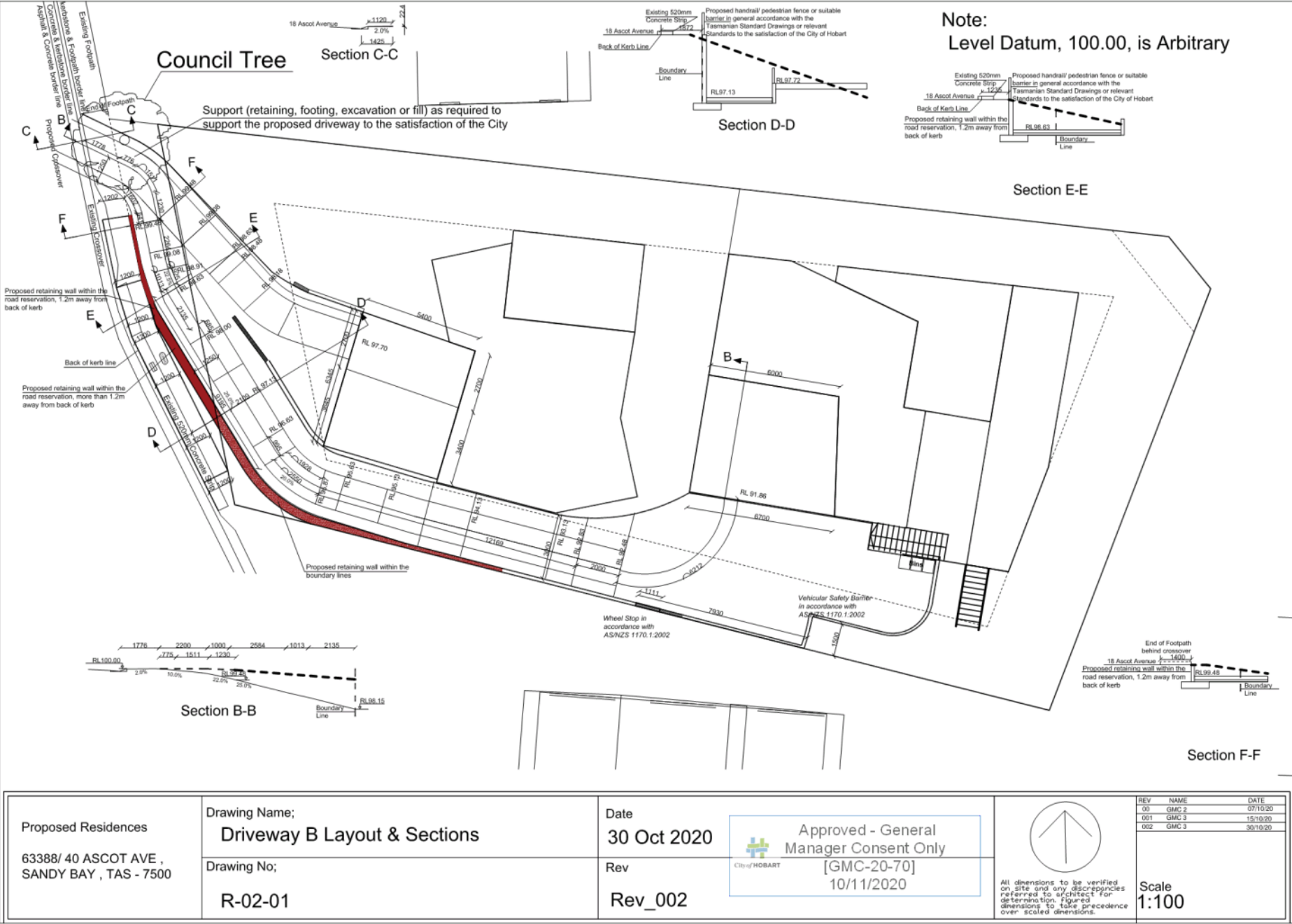
Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Driveway A Vehicle Template - Clearance sections 3 - 5	Date 30 Oct 2020	 Approved - General Manager Consent Only [GMC-20-70] 10/11/2020	 All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.	REV NAME DATE 00 GMC 2 07/10/20 001 GMC 3 15/10/20 002 GMC 3 30/10/20
	Drawing No; R-01-03	Rev Rev_002			Scale 1:25

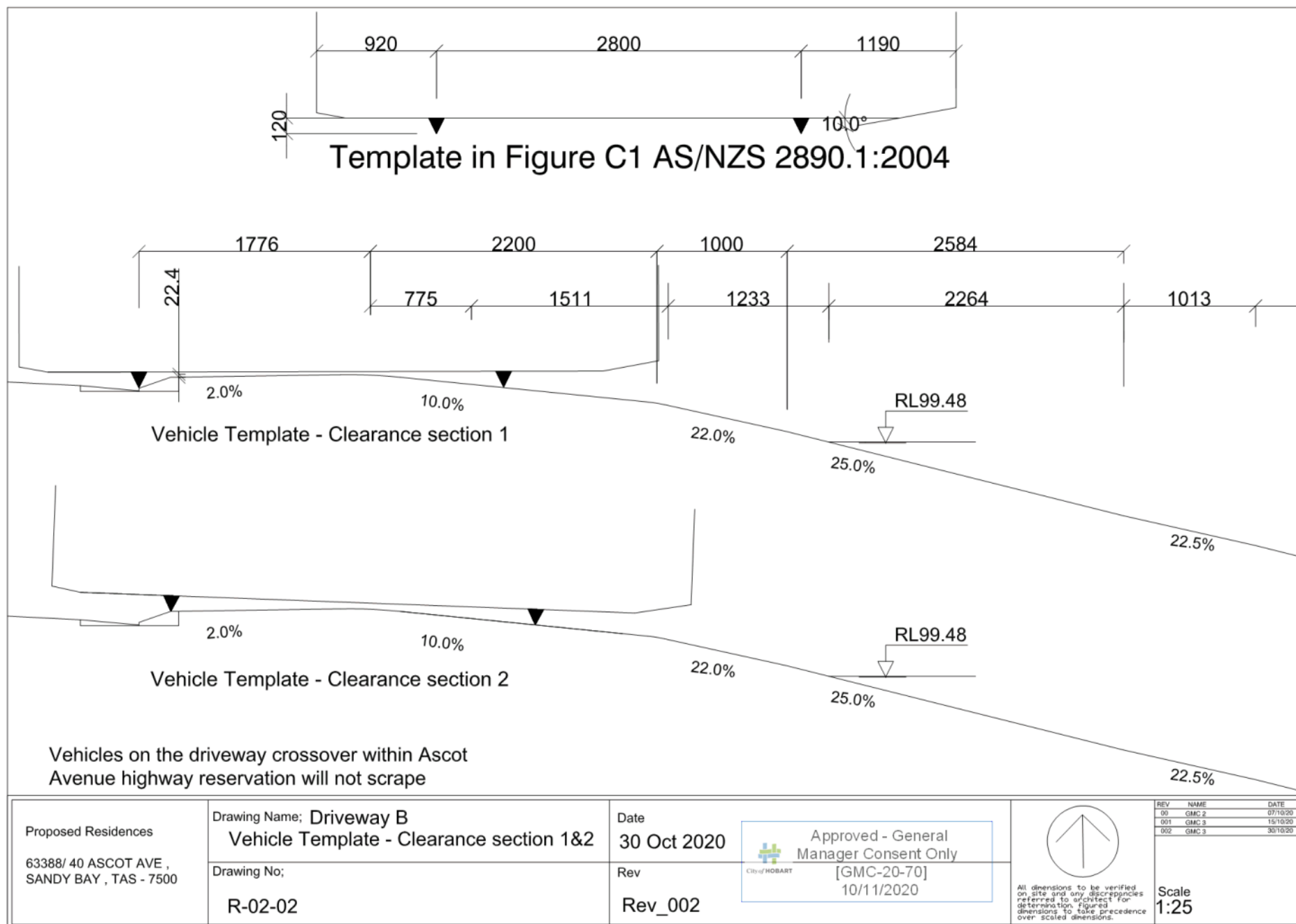


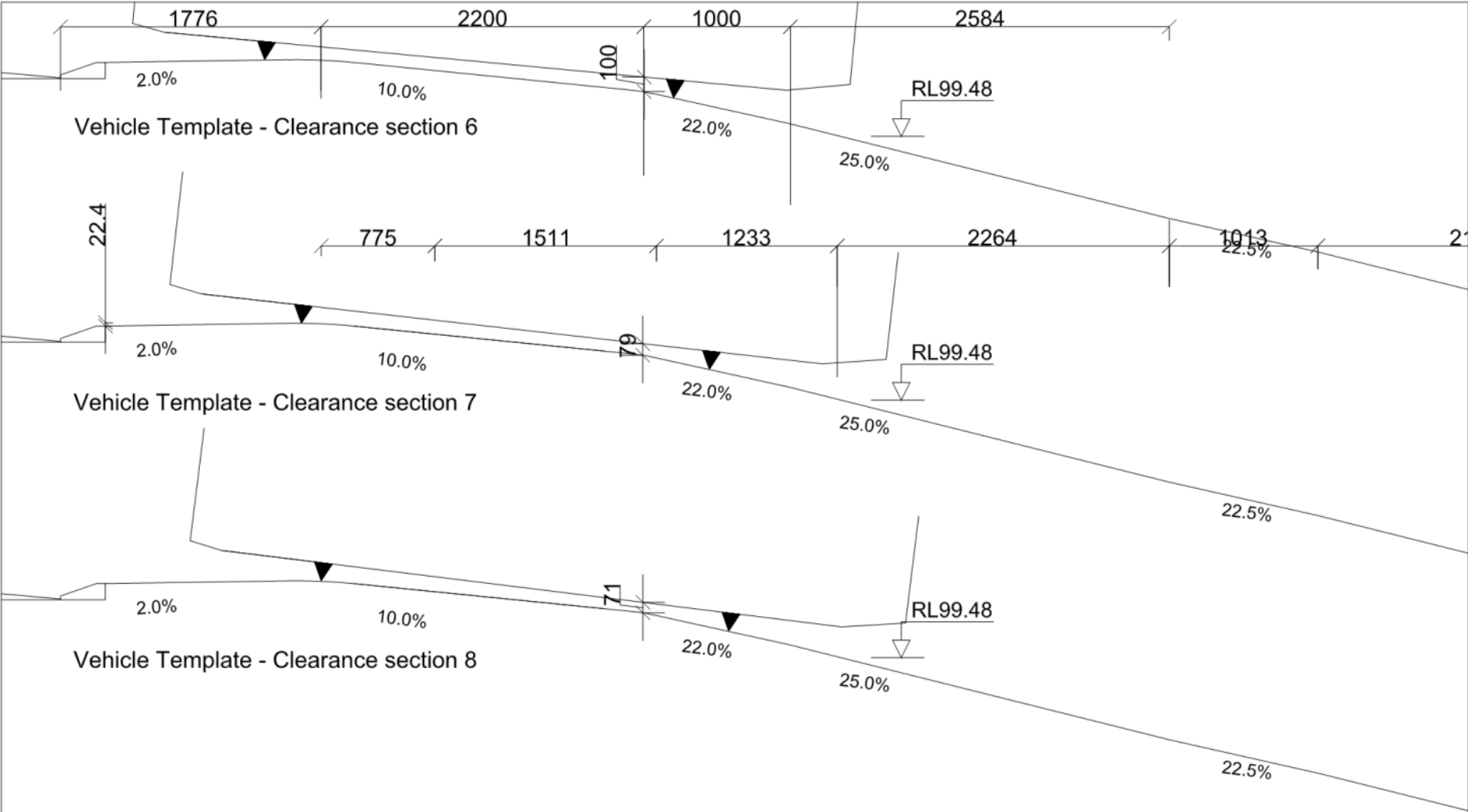
Vehicles on the driveway crossover within Ascot Avenue highway reservation will not scrape

Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Driveway A Vehicle Template - Clearance sections 6-8	Date 28 Oct 2020	<div><div>Approved - General Manager Consent Only</div><div>[GMC-20-70] 10/11/2020</div></div>	<div></div> <div>All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.</div>	<div><table><tr><th>REV</th><th>NAME</th><th>DATE</th></tr><tr><td>00</td><td>GMC 2</td><td>07/10/20</td></tr><tr><td>001</td><td>GMC 3</td><td>15/10/20</td></tr><tr><td>002</td><td>GMC 3</td><td>30/10/20</td></tr></table></div>	REV	NAME	DATE	00	GMC 2	07/10/20	001	GMC 3	15/10/20	002	GMC 3	30/10/20
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Drawing No; R-01-04	Rev Rev_002		<div>Scale 1:25</div>														





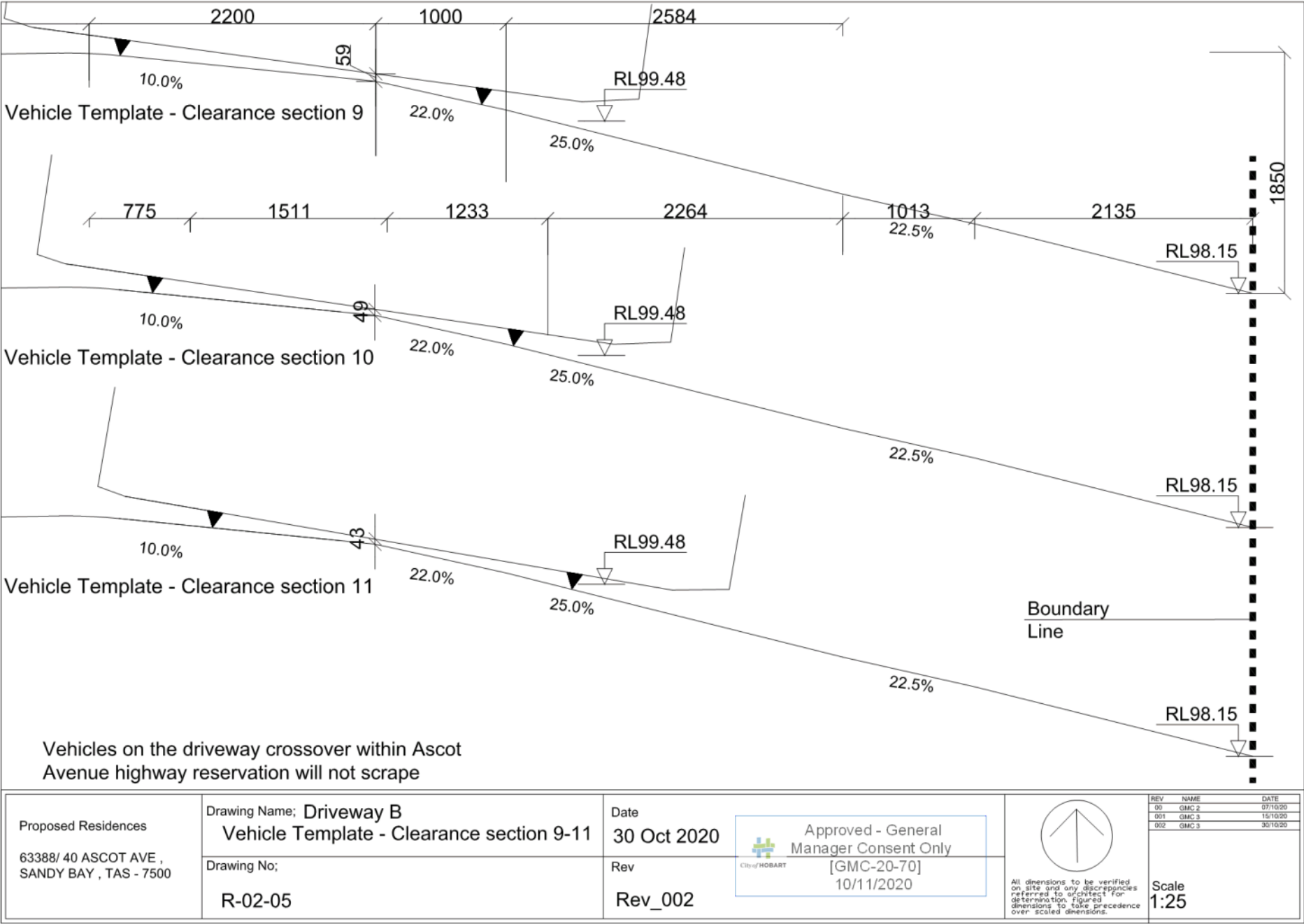




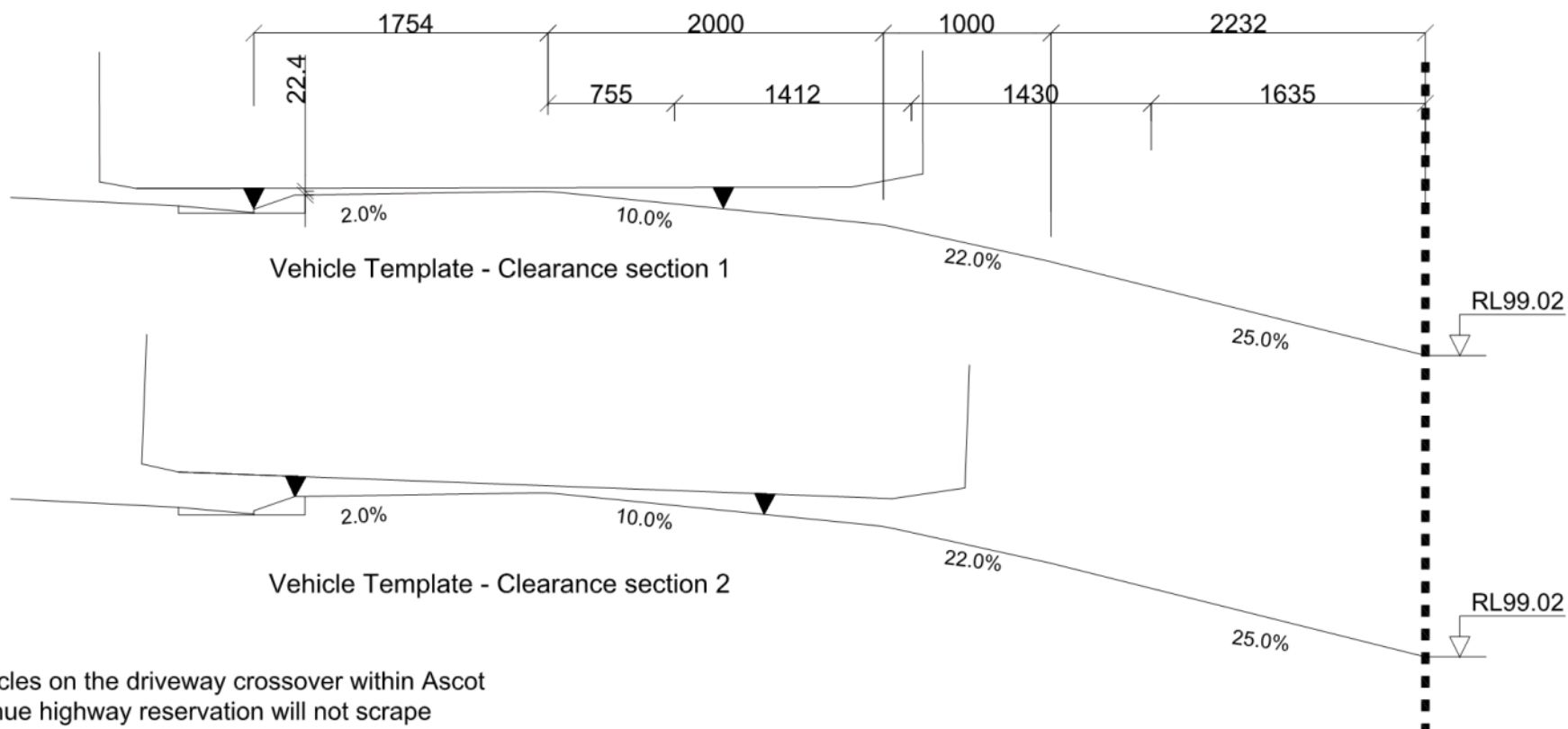
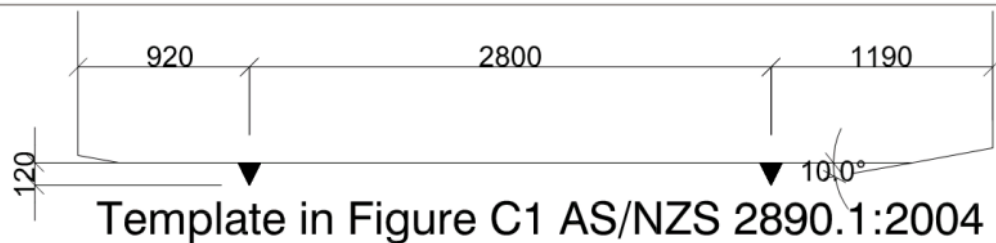
Vehicles on the driveway crossover within Ascot
Avenue highway reservation will not scrape

Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Driveway B Vehicle Template - Clearance section 6-8	Date 30 Oct 2020	<div>Approved - General Manager Consent Only [GMC-20-70] 10/11/2020</div>	<div> <small>All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.</small></div>	<table><tr><th>REV</th><th>NAME</th><th>DATE</th></tr><tr><td>00</td><td>GMC 2</td><td>07/10/20</td></tr><tr><td>001</td><td>GMC 3</td><td>15/10/20</td></tr><tr><td>002</td><td>GMC 3</td><td>30/10/20</td></tr></table>	REV	NAME	DATE	00	GMC 2	07/10/20	001	GMC 3	15/10/20	002	GMC 3	30/10/20
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Drawing No; R-02-04	Rev Rev_002			Scale 1:25													

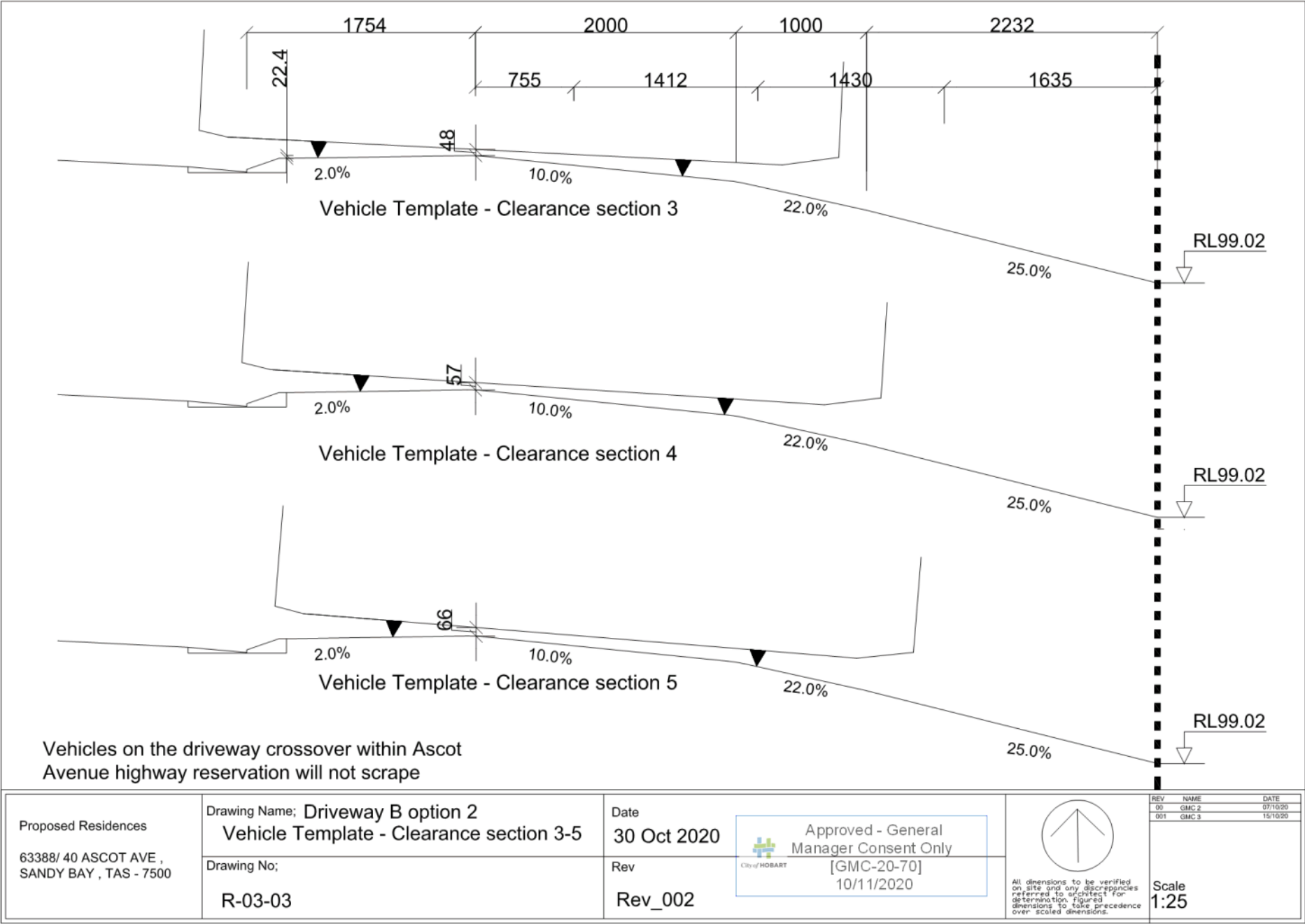
Scale
1:25

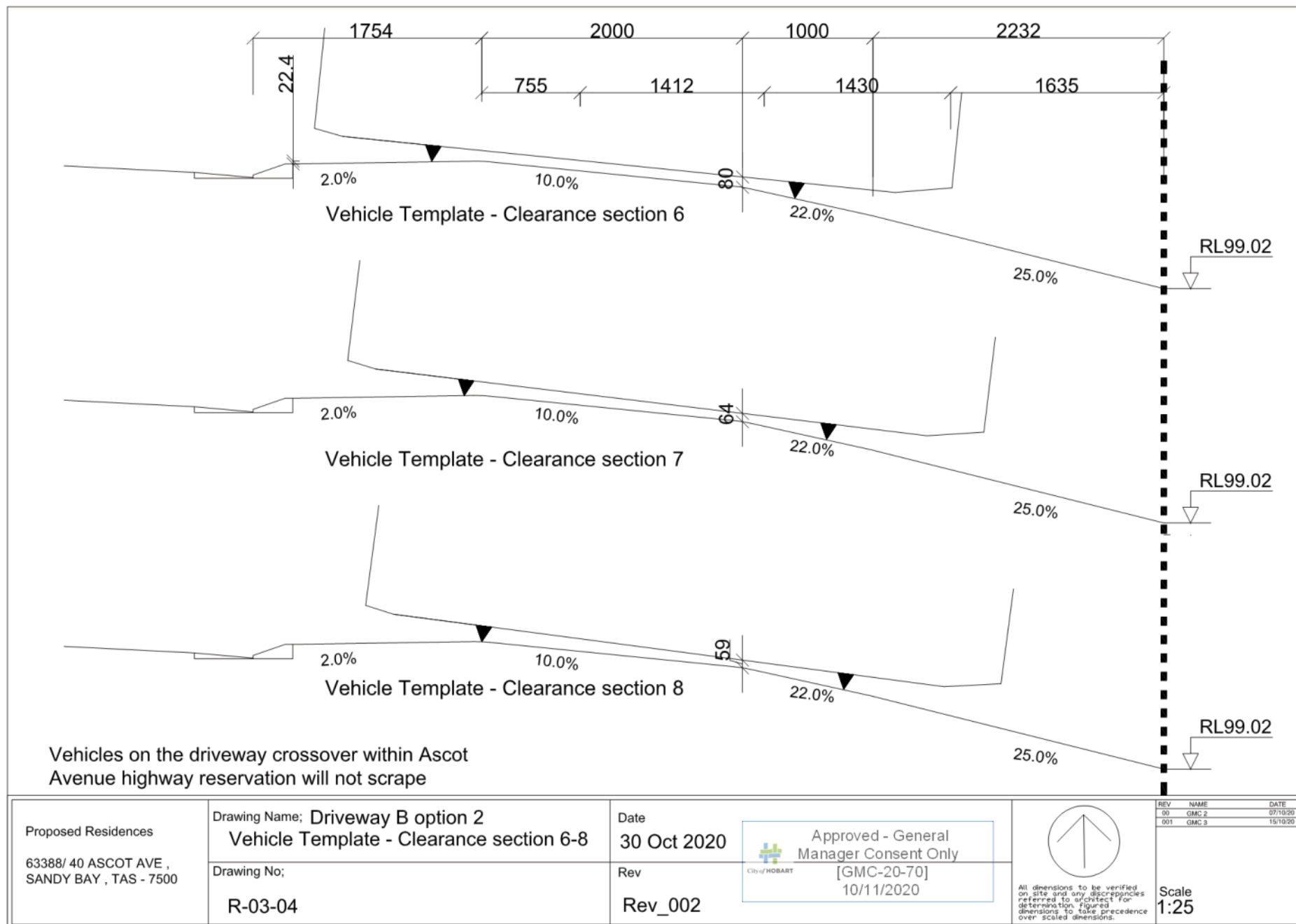


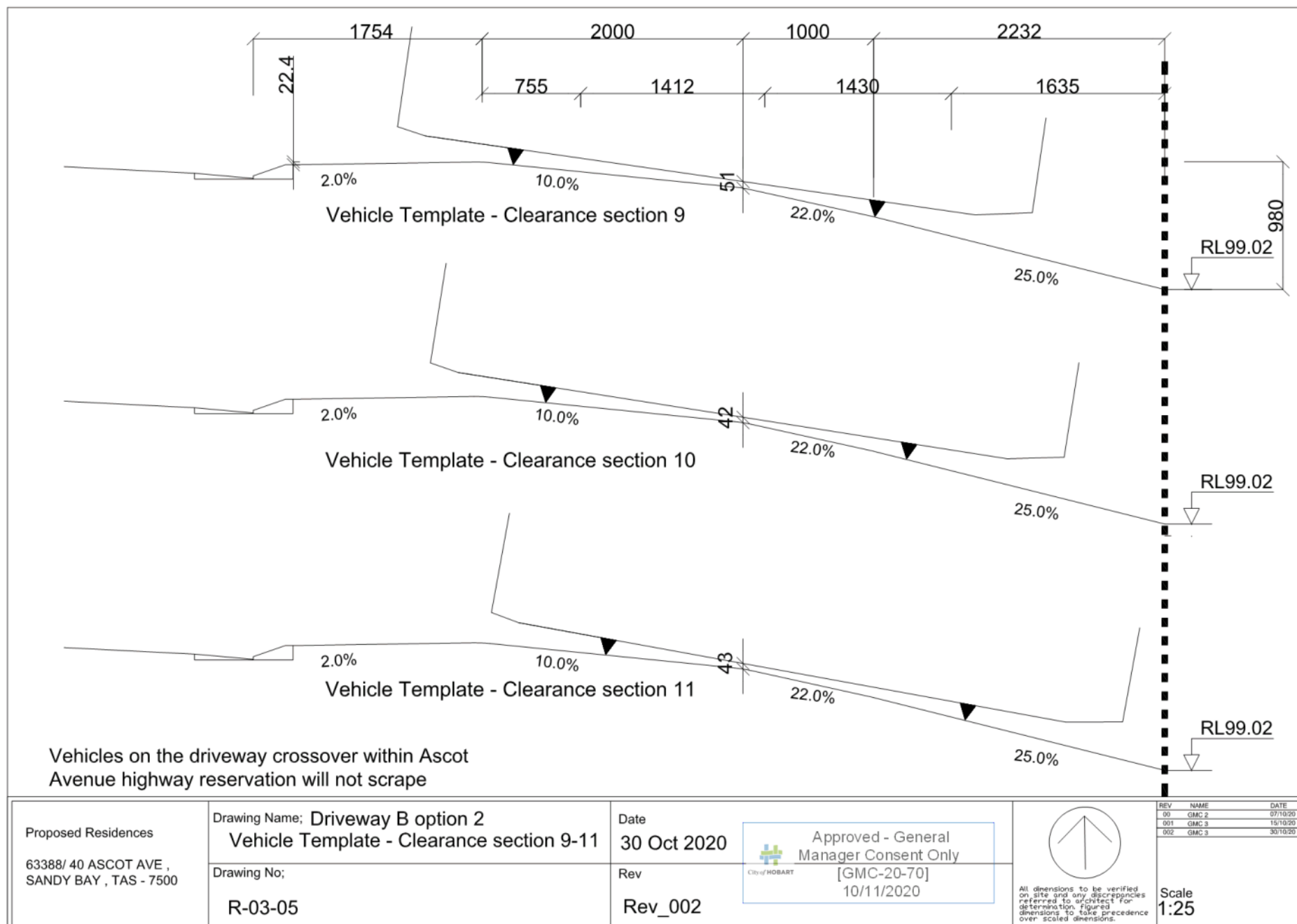




Proposed Residences 63388/ 40 ASCOT AVE , SANDY BAY , TAS - 7500	Drawing Name; Driveway B option 2 Vehicle Template - Clearance section 1&2	Date 30 Oct 2020	<div>Approved - General Manager Consent Only</div> <div> [GMC-20-70] 10/11/2020</div>	<div></div> <div>All dimensions to be verified on site and any discrepancies referred to architect for determination. Figured dimensions to take precedence over scaled dimensions.</div>	<div>REV NAME DATE</div> <div>00 GMC 2 07/10/20</div> <div>001 GMC 3 15/10/20</div>
	Drawing No; R-03-02	Rev Rev_002			<div>Scale 1:25</div>







Planning: #220346

Property

18 ASCOT AVENUE SANDY BAY TAS 7005

People

Applicant

*

BAKR ABDELAAL
19 RANDALL STREET
SANDY BAY TAS 7005
0449 539 616
bakrtweet@hotmail.com

Owner

*

BAKR ABDELAAL
19 RANDALL STREET
SANDY BAY TAS 7005
0449 539 616
bakrtweet@hotmail.com

Entered By

BAKR ABDELAAL
19 RANDALL STREET
SANDY BAY TAS 7005
0449 539 616
bakrtweet@hotmail.com

Use

Multiple dwellings

Details

Have you obtained pre application advice?

☒ Yes

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

PAE-20-06

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

*

☒ No

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

*

<input checked="" type="radio"/> No		
If this application is related to an enforcement action please enter Enforcement Number <input type="text"/>		
Details		
What is the current approved use of the land / building(s)? *		
<input type="text" value="General Residential"/>		
Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) *		
<input type="text" value="New Dwelling"/>		
Estimated cost of development *		
<input type="text" value="420000.00"/>		
	Proposed floor area (m2)	Site area (m2)
Existing floor area (m2)	<input type="text" value="330.00"/>	<input type="text" value="842"/>
Carparking on Site		
		N/A
Total parking spaces	<input type="text" value="4"/> Existing parking spaces	
	<input type="text" value="Other (no selection chosen)"/>	
Other Details		
Does the application include signage? *		
<input checked="" type="radio"/> No		
How many signs, please enter 0 if there are none involved in this application? *		
<input type="text" value="0"/>		
Tasmania Heritage Register		
Is this property on the Tasmanian Heritage Register? • <input checked="" type="radio"/> No		
Documents		
Required Documents		
Title (Folio text and Plan and Schedule of Easements) *		
Title+Tas LIST Folio- 63688_40 - 62412505 & Schedule of Easements - 63688_40 - 62413371.pdf		
Plans (proposed, existing) *		
18_Ascot-New App.pdf		
GM or Crown consent		
GMC-20-70 - 18 ASCOT AVENUE SANDY BAY TAS 7005 - Notice of Land Owner Consent to Lodge a Planning Application (including documentation).pdf		
Building Envelope 3D		
Building Envelope 3D.pdf		

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME 63688		FOLIO 40
EDITION 4	DATE OF ISSUE 10-Jan-2020	
Page 1		of 1

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

Recorder of Titles

**DESCRIPTION OF LAND**

City of HOBART
Lot 40 on Sealed Plan 63688 (formerly being SP3118)
Derivation : Part of 52A-3R-0Ps. Gtd. to G. Flexmore
Prior CT 2872/6

SCHEDULE 1

M792575 TRANSFER to MOHAMED ABOUBAKR MAHMOUD ABDELAAL of ten undivided 1/100 shares, RIHAM RAAFAT ABDELAZIM MOHAMED of forty undivided 1/100 shares, SALMA ABOUBAKR ZAKARIA DAWOUD of ten undivided 1/100 shares and HESHAM EMAM ALI TAHA of forty undivided 1/100 shares as tenants in common Registered 10-Jan-2020 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 63688 EASEMENTS in Schedule of Easements

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

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 63688	FOLIO 40
EDITION 3	DATE OF ISSUE 18-Feb-2005

SEARCH DATE : 22-Oct-2019

SEARCH TIME : 03.48 PM

DESCRIPTION OF LAND

City of HOBART

Lot 40 on Sealed Plan 63688 (formerly being SP3118)

Derivation : Part of 52A-3R-0Ps. Gtd. to G. Flexmore
Prior CT 2872/6SCHEDULE 1

B410424 TRANSFER to DIMITRIOS KLONARIS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 63688 EASEMENTS in Schedule of Easements

C603896 MORTGAGE to Commonwealth Bank of Australia

Registered 18-Feb-2005 at noon

UNREGISTERED DEALINGS AND NOTATIONS

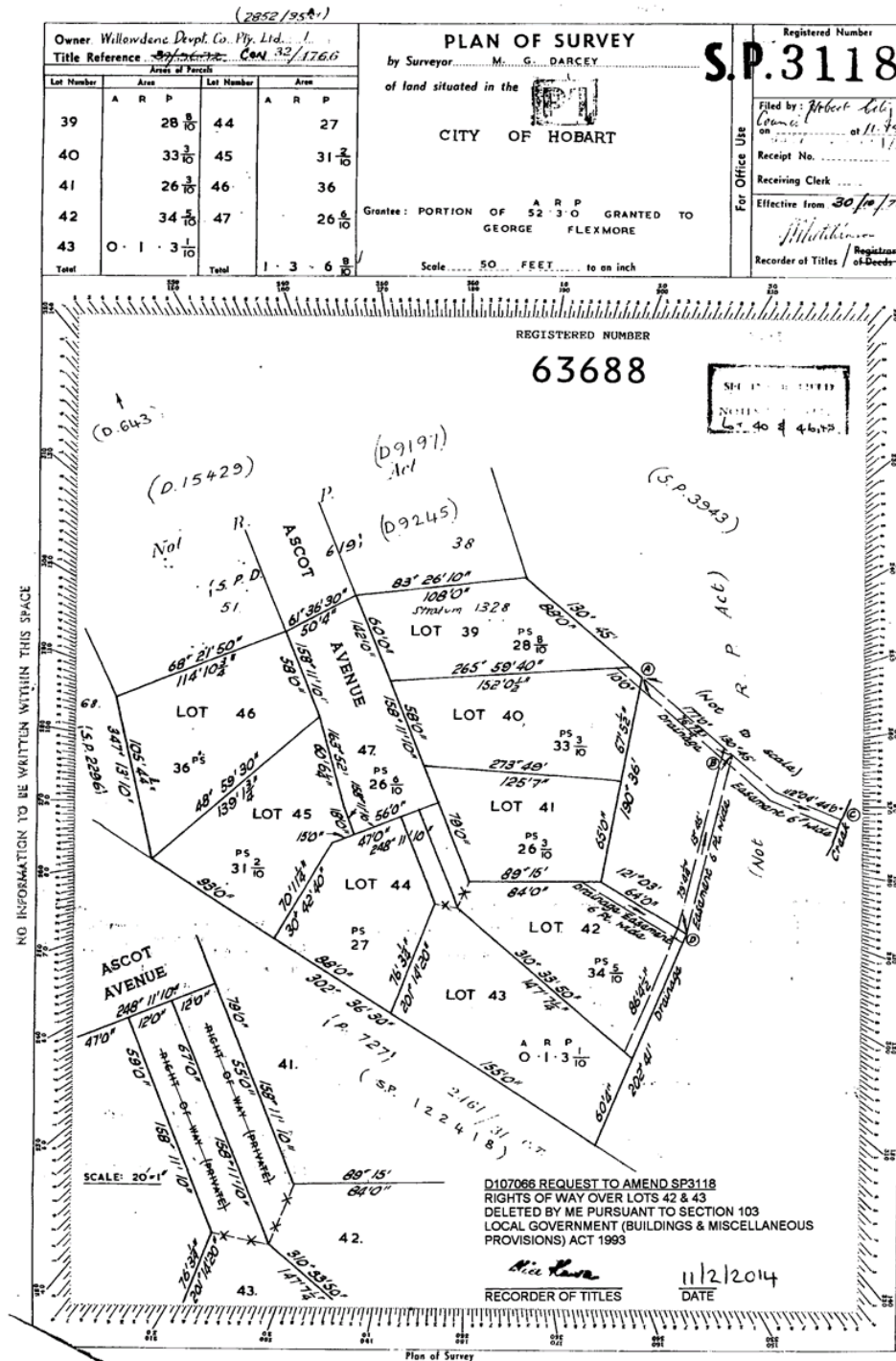
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

PLAN NO.

S.P.3118

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

Each lot in Column A is

1. TOGETHER WITH a right of drainage over the drainage easement shown ^{and but not} hereon passing through the Lots specified opposite thereto in Column B and
2. SUBJECT TO a right of drainage over the drainage easement passing through that Lot as appurtenant to the Lots shown hereon and specified opposite thereto in Column C.

Column A	Column B	Column C
Lot 39	40, Balance ⁺	Nil
Lot 40	Balance ⁺	39
Lot 41	42 ^x Balance ^o	Nil
Lot 42	Balance ^o	41 ^x , 43 [%]
Lot 43	42 [%] Balance ^o	Nil

+ Affected easement marked A,B,C.

x Affected easement along North East Boundary only.

o Affected easement marked D,B,C.

% Affected easement along South East Boundary only.

Lot 42 is together with Right of Way (Private) with a right of carriage way over the portion of Lot 43 shown hereon.
Lot 43 is together with Right of Way (Private) with a right of carriage way over the portion of Lot 42 shown hereon.
Lot 42 is subject to easement to Right of Way (Private) in favour of Lot 43.
Lot 43 is subject to easement to Right of Way (Private) in favour of Lot 42.
 INTERPRETATION "Balance" means the balance of land remaining in parcel 14 WILLIOWDEN DEVELOPMENT COMPANY Pty Ltd at the date of acceptance hereof. 20/10/2012 after excluding the lots shown on this plan.

Rights of way hereon deleted by me pursuant to Request to Amend No. D107066 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

11 / 2 2014 *Alie Kawa*
Recorder of Titles



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEALED BY WILLOWDENE DEVELOPMENT
COMPANY PTY. LTD. the Beneficial
Owner of the land described in
Indenture of Conveyance
32/4766
Registered Number: ~~32/4762~~ *111*



Jan Yalston
Director
R. K. K. (Secretary)

SIGNED SEALED AND DELIVERED for
and on behalf of COMMONWEALTH
TRADING BANK OF AUSTRALIA the
Mortgagee under Indenture of
Mortgage Registered Number:
32/4767

J. P. Saunders J.P.

SIGNED by LAWRIE GEORGE MURDOCH
and KENNETH MURDOCH DRAKE the
Mortgagees under Indenture of
Mortgage Registered Number:
35/3161

B. M. Bailey
Law Clerk
Robert

SIGNED by WILLIAM CLARK HODGMAN
and ROGER STUART JAMES VALENTINE
the Mortgagees under Indentures of
Mortgage Registered Numbers:
35/3162 and 36/7457

William
Law Clerk
Robert

COMMONWEALTH TRADING BANK OF AUSTRALIA

By its Attorney:

N. B. Aspery

under Power of Attorney No. 16375 and
he declares that he has received no
notice of revocation of the said Power
in the presence of:

Lawrie & Drake
Kenneth Drake

William
Valentine

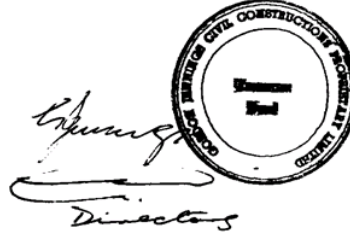
**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SP.3118**

SEALED by GORDON JENNINGS CIVIL
CONSTRUCTIONS PROPRIETARY LIMITED
as Mortgagee under Indentures of
Mortgage Registered Numbers 38/283
38/539, 40/6099 and 42/2371 in the
presence of:



Certified correct for the purposes of
"The Real Property Act 1862" as amended.

Robert Mitchell Wallport
Solicitor for the Subdivider.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



This is the schedule of easements attached to the plan of subdivision of lots 39
#47 Arest Avenue comprising part of the land in
Conveyance 39/3632
(Insert Title Reference)
Sealed by Hobart City Council on 24.6. 1920

21000

Town Clerk

Application Referral Development Engineering - Response

From:	Ken Denman
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	18 ASCOT AVENUE, SANDY BAY ADJACENT ROAD RESERVE
Proposal:	Two Multiple Dwellings and Tree Removal
Application No:	PLN-20-882
Assessment Officer:	Michaela Nolan,

Referral Officer comments:

E5.0 Road and railway access code

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

Clause 5.5.2 Existing level crossings		<p>Documentation submitted to date appears not to invoke clause E5.5.2.</p> <p>No intensification of an existing level crossings proposed.</p>
<p>NOT APPLICABLE</p>		
Clause 5.6.1 development adjacent to roads and railways		<p>Documentation submitted to date appears not to invoke clause E5.6.1.</p> <p>No development adjacent to category 1 or category 2 road proposed.</p>
<p>NOT APPLICABLE</p>		
Clause 5.6.2 road and access junctions		<p>The road and access junctions must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E5.6.2.</p> <p><u>Acceptable solution - A1</u> No new access or junction to roads in an area subject to a speed limit of more than 60km/h. - N/A</p> <p><u>Acceptable solution - A2</u> No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less. - COMPLIANT</p>
<p>ACCEPTABLE SOLUTION</p>		
Clause 5.6.3 new level crossings		<p>Documentation submitted to date appears not to invoke clause E5.6.3.</p> <p>No new level crossings proposed.</p>
<p>NOT APPLICABLE</p>		
Clause 5.6.4 sight distance at access and junctions		<p>The sight distance at access and junctions must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p>Documentation submitted to date does not satisfy the Acceptable Solution for clause E5.6.4 and as such, shall be assessed under Performance Criteria.</p> <p><u>Acceptable solution - A1:</u> Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and - NON COMPLIANT (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. - N/A</p>
<p>PERFORMANCE CRITERIA</p>		

In this case, the required SISD is 80 metres, noting that the vehicle speed has been assumed to be equal to the posted speed limit of 50-km/h.

The available sight distance generally exceeds the required 80 metres except during times when cars are parked adjacent to the site to the north of the access. However approximately 20.0m to the south of the access the road end in a cul de sac.

Performance Criteria – P1:

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

(a) the nature and frequency of the traffic generated by the use; - **All traffic generated by the proposed development will be residential in nature. This is compatible with the existing traffic utilising Ascot Avenue near the subject site. The increased traffic generated by the proposed development is likely to be 20 vehicles per day when all dwellings are fully developed and occupied.**

(b) the frequency of use of the road or rail network; - **Ascot Avenue is a minor cul de sac road that has a relatively low traffic volume near the site. The driveway access servicing the site will operate at a high level of service based on the relatively low traffic volumes. The general urban speed limit of 50-km/h applies to Ascot Avenue. This speed limit is appropriate for the residential nature of the development.**

(c) any alternative access; - **No alternative access is possible for the proposed development.**

(d) the need for the access, junction or level crossing; - **The need for the use has not been assessed and is this report.**

(e) any traffic impact assessment; - **No Traffic Impact Statement was submitted.**

(f) any measures to improve or maintain sight distance; and - **No measures are proposed to improve sight distance.**

(g) any written advice received from the road or rail authority. - **No written advice was requested by the road authority (Council) relating to the access.**

The Acceptable Solution for clause E5.6.4 is not met

		due to sight lines being obstructed by on-street car parking adjacent to the access however, given the submitted plans and documentation the development may therefore be accepted under Performance Criteria P1:E5.6.4 of the Planning Scheme.

E 6.0 Parking and Access Code

E6.1 Purpose			E6.1.1
			The purpose of this provision is to:
	Yes		(a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;
	Yes		(b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;
	Yes		(c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;
	Yes		(d) ensure parking areas are designed and located in conformity with recognised standards to enable safe, easy and efficient use and contribute to the creation of vibrant and liveable places;
	Yes		(e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;
	Yes		(f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;
	Yes		(g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;
		N/A	(h) provide for safe servicing of use or development by commercial vehicles.
E6.2 Application of this Code	YES	—	This code applies to all use and development.
Clause for Assessment			Comments / Discussion (in bold)

<p>Clauses 6.6's are all to do with parking number assessment. These will be assessed by planner based on DE assessment of the following relevant clauses.</p> <p>ACCEPTABLE SOLUTION</p>		<p>The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears to satisfy the Acceptable Solution for clause E6.6.1.1 and E6.6.1.2</u></p> <p>Acceptable solution - A1: The number of on-site car parking spaces must be: (a) no less than and no greater than the number specified in Table E6.1; - COMPLIANT</p> <p>Single dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom) requires Two (2x) on site parking space</p> <p>There are two dwellings proposed with a total of four (4x) car parking spaces shown on site as shown on the submitted plans.</p>
<p>Clause 6.7.1 number of vehicle accesses</p> <p>ACCEPTABLE SOLUTION</p>		<p>The number of vehicle accesses must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears to be able to satisfy the Acceptable Solution for clause E6.7.1.</u></p> <p>Acceptable solution: The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater. - COMPLIANT</p> <p>One (1x) crossover (Ascot Avenue) - Proposed as shown on the submitted plans. Advice that the kerb at the existing redundant cross over is to be reinstated.</p>

<p>Clause 6.7.2 design vehicle access</p> <p>PERFORMANCE CRITERIA</p>		<p>The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.2 gradients and horizontal angle of the access does not meet AS/NZS 2890.1:2004, pedestrian sight distance is also obstructed and as such, shall be assessed under Performance Criteria.</u></p> <p><u>Acceptable Solution - A1:</u> Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking - NON COMPLIANT</p> <p><u>Performance Criteria - P1:</u> Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following: (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible (d) ease of accessibility and recognition for users. - Feasible</p> <p>Condition on planning permit to address fence transparency for sight lines in order to promote a safe, efficient and convenient use of the driveway accesses.</p> <p>Based on the above assessment and given the submitted documentation, sight lines, access gradients and horizontal angle may be accepted under <i>Performance Criteria P1:E6.7.2</i> of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic and low pedestrian activity on the road from which the property gains access.</p>
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<p>Clause 6.7.3 vehicle passing</p> <p>PERFORMANCE CRITERIA</p>		<p>Vehicle passing must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.3 and as such, shall be assessed under Performance Criteria.</u></p> <p>Acceptable solution - A1: - NON COMPLIANT</p> <p>Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces; - No</p> <p>(ii) is more than 30 m long; - YES</p> <p>(iii) it meets a road serving more than 6000 vehicles per day; - No</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; - N/A</p> <p>(c) have the first passing area constructed at the kerb; - No</p> <p>(d) be at intervals of no more than 30 m along the access. - No</p> <p>Performance Criteria - P1:</p> <p>Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:</p> <p>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Feasible</p> <p>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Feasible</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible</p> <p>(d) ease of accessibility and recognition for users. - Feasible</p> <p>Although passing area has not been provided at the kerb, there is an area near the start of the driveway that may be used as a passing area. Based on the above assessment and given the submitted documentation, vehicle passing areas may be accepted under <i>Performance Criteria P1:E6.7.3</i> of the Planning Scheme. Given the driveway configuration, and the low volume of traffic.</p>
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<p>Clause 6.7.4 on site turning</p> <p>NOT APPLICABLE</p>		<p>On-site turning must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.4.</u></p> <p><u>Acceptable solution - A1:</u> On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; - COMPLIES (b) it meets a road carrying less than 6000 vehicles per day. - COMPLIES</p> <p>Submitted documentation appears to indicate no facility / requirement for on-site turning.</p> <p>Although not a requirement, on-site turning is feasible given the access provisions.</p>

<p>Clause 6.7.5 layout of parking area</p> <p>PERFORMANCE CRITERIA</p>		<p>The layout of the parking area must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.5 and as such, shall be assessed under Performance Criteria.</u></p> <p>Acceptable Solution A1: - NON COMPLIANT</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p> <p>Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m Class 1A): - Feasible</p> <p>Car Parking Space Design Envelope (AS2890.1 Fig 5.2 300mm clearance on side): - Feasible</p> <p>Headroom: (AS2890.1 Fig 5.3 = 2.2m clearance): - Feasible</p> <p>Parking Space Gradient (5%): - Feasible</p> <p>Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): - Feasible</p> <p>Garage Door Width & Apron (AS2890.1 Fig 5.4 = 2.4m wide => 7m wide apron): - Feasible</p> <p>Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): - Feasible but assessed under Performance Criteria</p> <p>Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m): - Feasible</p> <p>Transitions (AS2890.1 Section 2.5.3 = 12.5% summit, 15% sag => 2m transition): - Feasible</p> <p>Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): - Feasible</p> <p>Blind Aisle End Widening (AS2890.1 Fig 2.3 = 1m extra): - N/A</p> <p>"Jockey Parking" (Performance Assessment): - NO</p> <p>Performance Criteria - P1:</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site. - Feasible</p> <p>Submitted documentation appears to meet these parameters and therefore may be accepted under Performance Criteria P1:E6.7.5 given the driveway configuration.</p>
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<p>Clause 6.7.6 surface treatment</p> <p>ACCEPTABLE SOLUTION</p>			<p>The surface treatment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date does satisfy the Acceptable Solution for clause E6.7.6.</u></p> <p>Acceptable Solution - A1: - COMPLIANT</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</p> <p>Submitted plans indicate a concrete surface treatment and able to be drained to an approved stormwater system. Condition on Planning Permit to ratify timing.</p>
<p>Clause 6.7.7 Lighting of parking area</p> <p>Planner and health unit to assess</p>	—	—	Planner to assess
<p>Clause 6.7.8 Landscaping</p> <p>Planner to assess</p>	—	—	Planner to assess
<p>Clause 6.7.9 motor bike parking</p> <p>NOT APPLICABLE</p>			<p>The motor bike parking must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.9.</u></p> <p>Acceptable Solution A1 (E6.6.3):</p> <p>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p> <p>NO REQUIREMENT (<19 car parking spaces).</p>

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

Clause 6.7.14 access to a road ACCEPTABLE SOLUTION		<p>The access to a road must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E6.7.14.</u></p> <p>Acceptable Solution A1: Access to a road must be in accordance with the requirements of the road authority. - COMPLIANT</p> <p>Performance Criteria - P1: No Performance Criteria</p> <p>Submitted plans appear to indicate access to a road acceptable to Council Roads Unit.</p>
Clause 6.7.15 access to Niree Lane NOT APPLICABLE		<p>The access to Niree Lane must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E6.7.15.</u></p> <p>No development proposed within Niree Lane.</p>

E 7.0 Stormwater

E7.1.1 Purpose		<p>E7.1.1</p> <p>The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.</p>
E7.2 Application of this Code	YES	This code applies to development requiring management of stormwater. This code does not apply to use.
Clause for Assessment		Comments / Discussion (in bold)

<p>A1 (SW disposed to Public SW Inf via Gravity / P1 (onsite/pump))</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A1).</u></p> <p><u>Acceptable Solution A1:</u> Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p> <p>Submitted plans appear to indicate stormwater from new impervious surfaces being able to be disposed of by gravity to public stormwater infrastructure.</p> <p>To be verified at Plumbing Permit stage.</p>
<p>A2 (WSUD) /P2 (Mechanical Treatment)</p> <p>NOT APPLICABLE</p>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A2).</u></p> <p><u>Acceptable Solution A2:</u> A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m2; - No (b) new car parking is provided for more than 6 cars; - No (c) a subdivision is for more than 5 lots - No</p> <p>Submitted documentation appears to indicate no requirement for stormwater treatment.</p>

<p>A3 (Minor SW System)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date does appear to satisfy the Acceptable Solution for clause E7.7.1 (A3).</u></p> <p><u>Acceptable Solution A3:</u> A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; - <u>Feasible</u> (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. - <u>Feasible</u></p> <p><u>Performance Criteria – P3:</u> No Performance Criteria.</p> <p>Referred to the Environmental Engineering Unit for determination and conditioning.</p>
<p>A4 (Major SW System accommodates 1:100 ARI)</p> <p>ACCEPTABLE SOLUTION</p>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A4).</u></p> <p><u>Acceptable Solution A4:</u> A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p> <p><u>Performance Criteria – P4:</u> No Performance Criteria.</p> <p>Referred to the Environmental Engineering Unit for determination and conditioning.</p>

PROTECTION OF COUNCIL INFRASTRUCTURE

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

CONDITIONS:

In a council related engineering context, the proposal can be supported in principal subject to

the following conditions and advice.

General Conditions:

ENG1: Pay Costs

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

ENG 2b: Vehicle barrier design

ENG 2c: Vehicle barrier construction certification

ENG 3b: The access driveway design

ENG 3c: The access driveway and parking module (parking spaces, aisles and manoeuvring area) construction certification.

ENG 4: Surface treatment

ENG sw1: Stormwater

ENV1: SWMP

ENG r1: Protection of infrastructure

ENG r3: Crossover

PART 5 r1: Construction works within adjacent to highway reservation

ADVICE:

- Dial before you dig
- Fees and charges
- Building Permit
- Plumbing Permit
- Access
- Driveway surfacing over highway reservation
- Occupation of the Public Highway
- Condition endorsement engineering
- Stormwater
- Work within the highway reservation

**7.1.5 7 RIBBON GUM COURT, MOUNT NELSON - PARTIAL
DEMOLITION, ALTERATIONS AND EXTENSION
PLN-20-830 - FILE REF: F21/15836**

Address: 7 Ribbon Gum Court, Mount Nelson
Proposal: Partial Demolition, Alterations and Extension
Expiry Date: 1 March 2021
Extension of Time: Not applicable
Author: Cameron Sheriff

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension, at 7 Ribbon Gum Court, Mount Nelson 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-20-830 - 7 RIBBON GUM COURT MOUNT NELSON TAS 7007 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All condition water 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 3a

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

STORMWATER




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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

- Attachment A: PLN-20-830 - 7 RIBBON GUM COURT MOUNT
NELSON TAS 7007 - Planning Committee or
Delegated Report ↓ 
- Attachment B: PLN-20-830 - 7 RIBBON GUM COURT MOUNT
NELSON TAS 7007 - Attachment B - CPC Agenda
Documents ↓ 
- Attachment C: PLN-20-830 - 7 RIBBON GUM COURT MOUNT
NELSON TAS 7007 - Attachment C - Revised
Building Envelope Plan and Additional Shadow
Diagrams ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Committee:	15 February 2021
Expiry Date:	1 March 2021
Application No:	PLN-20-830
Address:	7 RIBBON GUM COURT , MOUNT NELSON
Applicant:	DANIELLA ANNE POLITA 7 RIBBON GUM COURT
Proposal:	Partial Demolition, Alterations and Extension
Representations:	Three (3)
Performance criteria:	Setbacks and Building Envelope; Site Coverage and Private Open Space

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 7 Ribbon Gum Court, Mount Nelson.
- 1.2 More specifically the proposal includes:
 - An extension to the northern side, ground level of the dwelling, adding a new dining area to the side of the living room, and displacing part of a paved area and carport to the side of the dwelling. This extension has a separate, skillion roof form abutting the hipped roof form of the existing single storey dwelling and is clad in coloured cement sheet cladding.
 - A two storey extension to the western, front corner of the dwelling adding a ground level garage for one vehicle and an upper level master bedroom with walk in robe and ensuite. This extension has a skillion roof form with coloured cement sheet cladding for the upper level and vertical timber cladding for the lower level.
 - The proposed extensions increase the floor area of the dwelling by 56m² to 170m².
 - The existing driveway is to be extended with new hardstand sweeping to the right to allow access to the new garage.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

1.3.1 Low Density Residential Zone - Building Envelope; Site Coverage

- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 17/12/2020 and 07/01/2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because the proposal received three objecting representations during the statutory advertising period and is recommended for approval.

2. Site Detail



Fig 1: Aerial view of the subject property and surrounds (Source: HCC Geocortex).

- 2.1 7 Ribbon Gum Court, Mount Nelson is a 754m² residential property occupied by a single storey dwelling set centrally on the site. The property is set amongst other similar, recently developed residential lots within one of the newer subdivisions of Mount Nelson. The surrounding area has a residential character in a semi-bushland setting at the top of Mount Nelson. The dwelling as it currently exists in the streetscape can be seen in Plate 1, below.



Plate 1: The existing dwelling on the subject site (Planner's photo).

3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 7 Ribbon Gum Court, Mount Nelson.
- 3.2 More specifically the proposal is for:
- An extension to the northern side, ground level of the dwelling, adding a new dining area to the side of the living room, and displacing part of a paved area and carport to the side of the dwelling. This extension has a separate, skillion roof form abutting the hipped roof form of the existing single storey dwelling and is clad in coloured cement sheet cladding.
 - A two storey extension to the western, front corner of the dwelling adding a ground level garage for one vehicle and an upper level master bedroom with walk in robe and ensuite. This extension has a skillion roof form with coloured cement sheet cladding for the upper level and vertical timber cladding for the lower level.
 - The proposed extensions increase the floor area of the dwelling by 56m² to 170m².
 - The existing driveway is to be extended with new hardstand sweeping to the right to allow access to the new garage.



Fig 2: Excerpt from submitted site plan (Source: Formation Design & Drafting).

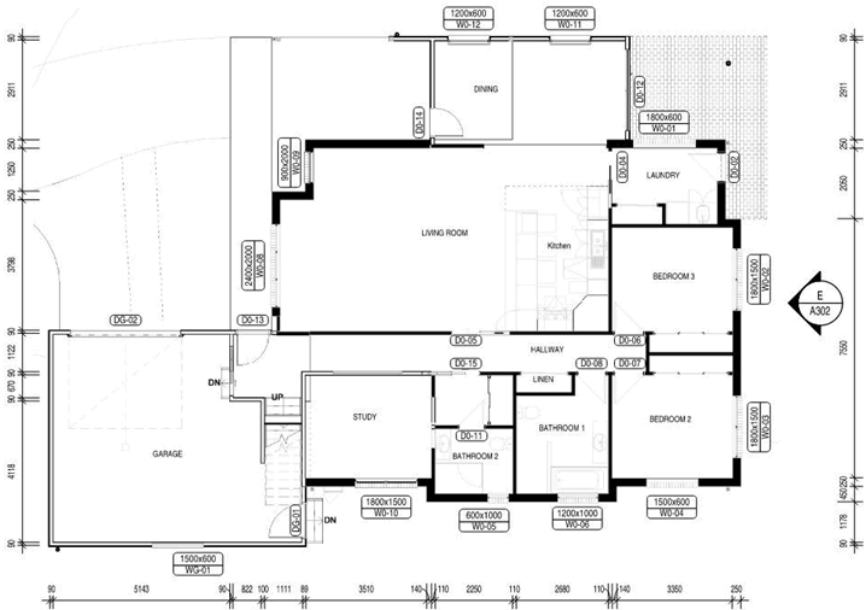


Fig 3: Excerpt from submitted proposed ground floor plan (Source: Formation Design & Drafting).

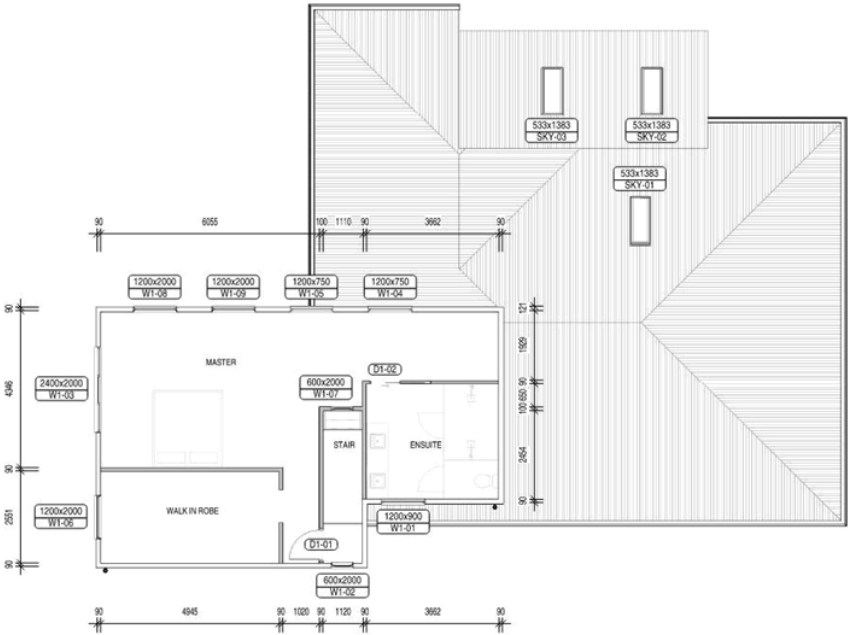


Fig 4: Excerpt from submitted proposed upper floor plan (Source: Formation Design & Drafting).

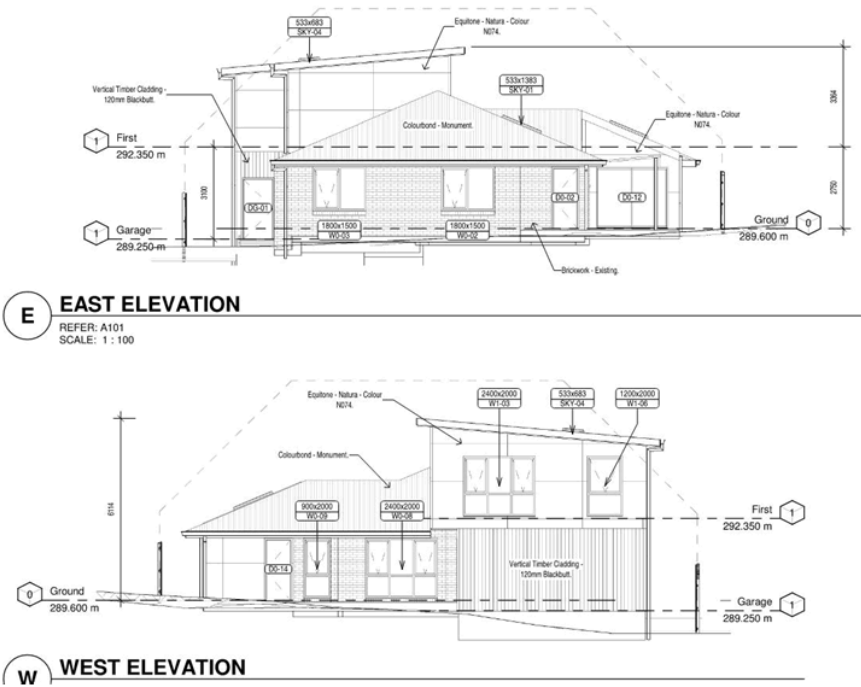


Fig 5: Excerpt from submitted proposed east and west elevation plans. Note the building envelope shown is incorrect - refer Assessment and Discussion sections for explanation (Source: Formation Design & Drafting).

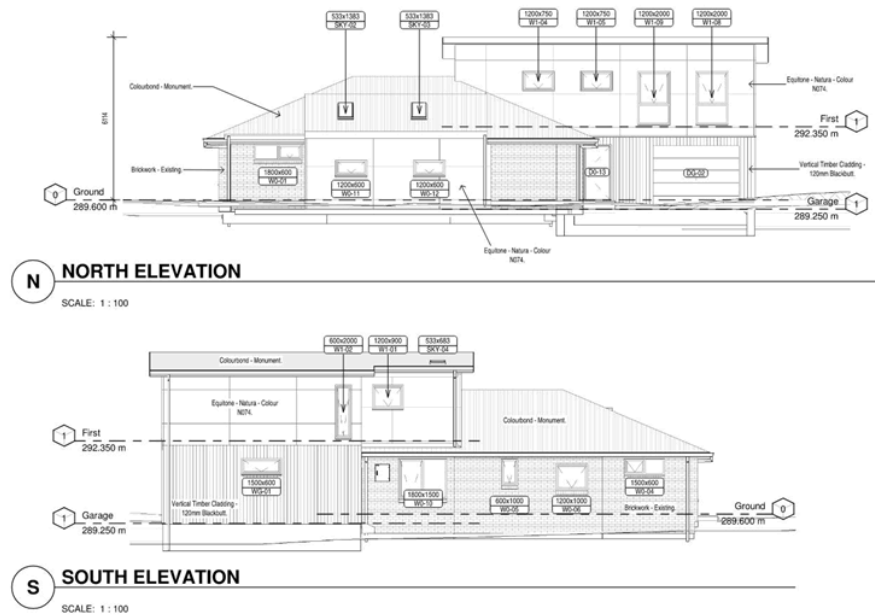


Fig 6: Excerpt from submitted proposed north and south elevation plans (Source: Formation Design & Drafting).

4. Background

- 4.1 The dwelling on the subject site was approved by Council in April 2016.

5. Concerns raised by representors

- 5.1 Three (3) representations objecting to the proposal were received within the statutory advertising period between 17/12/2020 and 07/01/2021.
- 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 negative impacts of overshadowing, reduction of natural light and sunlight entering adjacent, passive solar dwellings and in turn affecting the amenity of residents.</p> <ul style="list-style-type: none"> - Impacts on upper level office and bedroom. - Impacts on lower level living rooms, either directly or indirectly via other rooms/a hallway. - Main living rooms have western facing windows which get limited sunlight in winter. - Passive solar design for heating will be compromised. - Shading of private open space. - Shading of clothes drying areas. - Increase in frost and ice formation creating a safety risk.
The front extension is imposing and will obstruct vision of nearby dwellings from the street and passive surveillance opportunities.
The height of the two storey extension will produce an unreasonable alley way effect.
Unreasonable affect on amenity by way of poor design.
Non compliance with planning scheme standards justifies refusal of the application.
Neighbours have not been consulted to inform the design and the design of adjacent dwellings has not been considered.
The development is out of character with the balance of development in the street, and impacts the existing streetscape form by having its bulk towards the front, which is poor design practice
<p>The proposal does not comply with planning scheme standards, including:</p> <ul style="list-style-type: none"> - front setback - garage setback - building envelope - the building envelope shown is incorrect - private open space - multiple dwelling sunlight and overshadowing - privacy

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located within the Low Density Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is Residential (Single Dwelling). The proposal continues this use. A Residential (Single Dwelling) 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 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
 - 6.4.4 E10.0 Biodiversity Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Low Density Residential Zone:
 - Setbacks and Building Envelope – Part D 12.4.2 P3*
 - Site Coverage and Private Open Space - Part D 12.4.3 P1*
- 6.6 Each performance criterion is assessed below.
- 6.7 Setbacks and Building Envelope – Part D 12.4.2 P3
- 6.7.1 The acceptable solution A3 at clause E12.4.2 requires development to fit within the shape produced by the acceptable building envelope as it is influenced by the characteristics of the site, with a maximum height of 8.5m and a minimum side setback of 1.5m.
 - 6.7.2 The proposal includes the upper edge of the extension along its southern side extending outside of the 45 degree tangent of the envelope. The development extends to approximately 1.8m horizontally and 1.6m vertically outside of the envelope shape. It should be noted that the extent of encroachment outside the envelope has been shown incorrectly on the submitted plans as the envelope has not been based on natural ground level on the southern side of the property. As a result of this, the proposed extension is further outside of the envelope than shown (approximately 0.7m to 0.9m more). This matter is detailed further in the Discussion

section of this report.

- 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 P3 at clause D12.4.2 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.

- 6.7.5 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?

Shadow diagrams included with the application show that the proposed extension would add to the current level of shadow cast to the adjacent

property to the south, which is occupied by two multiple dwellings which have ground level living rooms facing the street with a west/north-west orientation on their southern sides, with the rear dwelling having a recently constructed upper level extension housing a bedroom. Open space areas for these dwellings are between the dwelling and the street for the front dwelling and around the southern side of the rear dwelling. Direct shadow cast by the proposed development does not directly or materially impact the living rooms of the two adjacent dwellings - it is shown to be either cast in a different direction from the orientation of the living room windows or is cast on an acute angle and not extending far enough to have any real influence.

The front dwelling on the adjacent property at 9 Ribbon Gum Court has two bedroom windows and an inset partially glazed front entrance under an extended eave facing the subject site, and corresponding with the area of the proposed extension. Building plans indicate that behind and inside this entrance there is a corridor of around 4.6m before the living/dining area on the southern side of this dwelling. The driveway for 9 Ribbon Gum Court, a narrow landscape border and a side boundary fence lie in between this dwelling and the subject site. The rear dwelling on this adjacent site has no side windows facing the subject site that correspond with the existing dwelling or the proposed extension to its front. The side windows in this adjacent dwelling correspond with the rear open space of the dwelling on the subject site.

As shown at 9am on June 21, shadow cast extends further over the top and beyond the front adjacent dwelling to the street, which has an additional effect in covering the open space at the front of this property. By midday the front of this property is clear of shadow, which is now cast further onto the roof of this dwelling and its side bedroom windows, and marginally more than existing onto a small part of the open space of the adjacent dwelling to the rear. By 3pm, the shadow is mostly clear of the front dwelling and extends further onto the property to the rear of the adjacent site, reaching the bottom corner but not directly enveloping nor unreasonably impacting the ground level living room window, and not to the extent that it reaches the upper level bedroom window. The rear dwelling's open space is also shown to be mostly clear of additional shadow.

Shadow diagrams provided for March 21 indicate minimal impact having little influence on the adjacent dwellings that could not be considered to be unreasonable. Given known sun angles at other times of the year shadowing would have less than or no greater impact upon the adjacent

property than that shown in the submitted diagrams. In an overall sense, given the existing shadowing experienced by the adjacent dwellings, the already limited ability for the adjacent dwellings, particularly their living rooms, to receive direct and therefore quality sunlight, and the extent of increased shadow caused by the proposed development noting that this extent is reduced during all other times of the year around June 21, the proposed development is not considered to be unreasonable in terms of impact upon residential amenity in this regard.

Returning to the alignment and outlook of the adjacent dwellings and position of the proposed extension, the front adjacent dwelling at 9 Ribbon Gum Court includes one highlight and one standard size bedroom window, and the partially glazed and inset and covered entrance opposite the location of the proposed development. The adjacent dwelling to the rear on 9 Ribbon Gum Court does not correspond with the proposed extension, and has two bedroom windows, a bathroom window and a carport mostly corresponding with the rear yard of the subject property. In this dwelling's upper level there is a bedroom window and bathroom window facing the subject property. Between the front adjacent dwelling at 9 Ribbon Gum Court and the subject site there is a shared driveway for the two dwellings on this site. The proposed extension only marginally overlaps with the open space located between the front dwelling and the street as this front dwelling is already situated closer to the front boundary with a setback of approximately 5.8m. There are limited spaces or areas of significance on the adjacent 9 Ribbon Gum Court, whose outlook is normally considered significant or overly worthy of protection, that provide direct views to the proposed development. Main living area and open space outlooks to the west, north-west on this adjacent site are preserved with no direct blocking or impingement caused. The use of different materials, including both vertical timber and cement sheet cladding for the lower and upper levels of the main extension will assist in breaking up the scale of the development, particularly when viewed from the adjacent property at 9 Ribbon Gum Court. From other adjoining properties (5 Ribbon Gum Court to the north and 512 Nelson Road to the east), the proposed development would have less of an immediate impact as it would be further separated than it would be from number 9.

The resultant separation between dwellings, whilst being reduced along the southern side of the subject property where the proposed extension is located, is still more than the acceptable 1.5m in the Low Density Residential Zone. Typical side setbacks in the immediate area in Ribbon Gum Court vary between less than one metre (both sides at 9 Ribbon Gum Court, northern side of the subject property), to 1.5m and up to 5m in

several instances. The proposed setbacks are not without precedent in the area and as such are considered to be compatible.

For context with the above assessment images of the adjacent property at 9 Ribbon Gum Court follow below:



Plate 2: The site of the proposed development at the front of the existing building, with the adjacent front dwelling at 9 Ribbon Gum Court behind the side boundary fence. In this side of the adjacent dwelling are, from right to left, two bedroom windows, the 'front' door (partially obscured) and a carport (Planner's photo).



Plate 3: The side boundary between the subject property and 9 Ribbon Gum Court, noting the rear adjacent dwelling with its upper level addition (Planner's photo).



Plate 4: Looking up the driveway of 9 Ribbon Gum Court with the site of the proposed development to the left in front of the existing brown brick dwelling on the subject site (Planner's photo).



Plate 5: Looking towards the subject site from the head of the cul-de-sac on Ribbon Gum Court with the adjacent property at 9 Ribbon Gum Court in the centre of the image. The living room windows of this dwelling can be seen to its right-hand and front side, with its private open space area between it and the front fence (Planner's photo).

6.7.6 The proposal complies with the performance criterion.

6.8 Site Coverage and Private Open Space - Part D 12.4.3 P1

6.8.1 The acceptable solution A1(a) at clause D12.4.3 requires a maximum site coverage of 25% for development in the Low Density Residential Zone.

6.8.2 The proposal includes an extension to the applicable building envelope which results in a site coverage of 29.%, up from an existing 20.8% site coverage.

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 P1 at clause D12.4.3 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.

- 6.8.5 The proposed extension is to the front of the property and as such does not displace the existing approximately 285m² area of private open space at the rear of the site. Some minimal additional shadow is cast onto this area however this is not significantly different to what is already experienced.

There are no natural or landscape values unreasonably impacted by the proposed development.

In terms of the character of the area, the proposal does not represent an unusually large footprint of development on the site such that it is significantly different to development that has already been established in Ribbon Gum Court. Many of the recently constructed dwellings in the Ribbon Gum Court subdivision exceed the acceptable solution for site coverage with some also two storeys in nature. The adjacent dwelling at 5 Ribbon Gum Court (748m²) was approved with a 30% site coverage. The two multiple dwellings at 9 Ribbon Gum Court (746m², one of two storeys) approved with a combined site coverage of 37.4%; 3 Ribbon Gum Court (911m²) at 31%; 8 Ribbon Gum Court (924m²) approved at 38%; 6 Ribbon Gum Court (932m²) approved at 26.4%; 1 Ribbon Gum Court (909m², two storeys) 28%; 11 Ribbon Gum Court (1132m², two storeys - not yet constructed) previously approved at 28%, revised proposed at 28.8%. 4 Ribbon Gum Court is a two storey dwelling but is below 25% site coverage. The dwelling at 2 Ribbon Gum Court has a site coverage of 24.3%. In terms of the immediately surrounding area, the proposed development is not considered to be out of character. Further, the introduction of the skillion roof form of the proposed extension, combined with the hipped roof forms retained over the existing part of the dwelling are consistent with those incorporated into the roof forms of the existing dwellings in Ribbon Gum Court.

6.8.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 7 Ribbon Gum Court, Mount Nelson.
- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including the proposal's impact upon amenity by way of overshadowing, reduction of sunlight, privacy and overlooking, height and visual bulk, passive surveillance; its poor design; lack of consultation with neighbours to inform design; lack of conformity with local character and streetscape; non-compliance with residential scheme standards.
- 7.3 Where relevant to the proposal, the matter of amenity impacts generated by the proposal's non-compliance with the acceptable building envelope have been addressed in detail in this report, with the conclusion being that they are not unreasonable. A number of the elements of non-compliance claimed by one of the representations are incorrect - the proposal complies with front setback standards; garage setback standards; private open space standards and privacy standards, and as a single dwelling use, standards regarding multiple dwellings are not relevant to the assessment - they can't be applied to a single dwelling related development just because multiple dwellings are present on adjoining lots.

- 7.4 It should be noted that one of the representations queried the accuracy of the building envelope shown on the submitted plans, in terms of how it had been applied to natural ground level. This matter was reviewed and it was determined that the envelope had been shown incorrectly on the west and east elevations, where instead of being taken from natural ground level at the southern side of the dwelling, it has been shown commencing from ground floor level on this side. From the opposite side, the envelope has been shown correctly from natural ground level. This issue was raised with the applicant, who confirmed that they had indeed shown the envelope incorrectly, and who subsequently provided a revised plan after carrying out a laser scan of the property. Overall, the proposed development is unchanged. Natural ground level and therefore the height of the development has been accurately shown from the beginning and due to the error noted above it is only the degree of non-compliance with the building envelope that differs. Aside from this being misleading there is no impact on the ability for the proposal to be accurately assessed, particularly since once a proposal extends beyond the envelope, it is the impact of the entirety of the development that is considered, not just the degree of non-compliance. It was also confirmed by the applicant that submitted shadow diagrams were correct and accurately reflect the proposed development. From the subsequent laser scan of the property however, additional, more detailed shadow diagrams were submitted, which complement those previously submitted and advertised. These additional diagrams assist to confirm but do not change the recommendation. The updated documents can be seen at Attachment C.
- 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 Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.
- 7.7 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Partial Demolition, Alterations and Extension, at 7 Ribbon Gum Court, Mount Nelson satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations and Extension, at 7 Ribbon Gum Court, Mount Nelson 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-20-830 - 7 RIBBON GUM COURT MOUNT NELSON TAS 7007 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

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

Reason for condition

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

ENG 3a

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

and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 1

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

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

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

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

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

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

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

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

PLUMBING PERMIT

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

STORM WATER

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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



(Cameron Sherriff)

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.



(Karen Abey)

Manager Development Appraisal

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

Date of Report: 28 January 2021

Attachment(s):

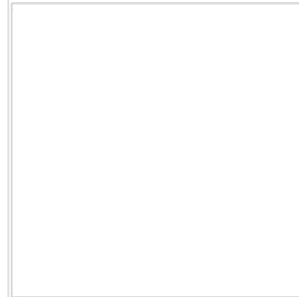
Attachment B - CPC Agenda Documents

Attachment C - Revised Building Envelope Plan and Additional Shadow Diagrams

Planning: #218488

Property

7 RIBBON GUM COURT MOUNT NELSON TAS 7007

**People**

Applicant

*

DANIELLA ANNE POLITA

0411 818 446

daniella@rehabalive.com.au

Owner

*

DANIELLA ANNE POLITA

0411 818 446

daniella@rehabalive.com.au

Entered By

DANIELLA ANNE POLITA

0411 818 446

daniella@rehabalive.com.au

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)

*

Dwelling Extension and Garage

Estimated cost of development

*

200000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

114.00

56.00

741

Carparking on Site

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection chosen)**Other Details**

Does the application include signage?

*

☐ No

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

*

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

• ☐ No**Documents****Required Documents**

Title (Folio text and Plan and Schedule of Easements)

*

FolioPlan-169578-9.pdf

Title (Folio text and Plan and Schedule of Easements)

*

FolioText-169578-9.pdf

Title (Folio text and Plan and Schedule of Easements)

*

ScheduleOfEasements-169578-9.pdf

Plans (proposed, existing)

*

20001-A000-A402_RevA-ForDA (1).pdf

Part 5 (Subdivision)

CCF19022015_0001.pdf

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 169578	FOLIO 9
EDITION 2	DATE OF ISSUE 13-Jul-2015

SEARCH DATE : 25-Nov-2020

SEARCH TIME : 12.33 PM

DESCRIPTION OF LAND

City of HOBART

Lot 9 on Sealed Plan 169578

Derivation : Parts of 507 Acres & 1000 Acres Gtd. to R L Murray

Prior CT 166315/1

SCHEDULE 1

M525723 TRANSFER to DANIELLA ANNE POLITA Registered
13-Jul-2015 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP169578 EASEMENTS in Schedule of Easements
SP169578 FENCING PROVISION in Schedule of Easements
D150541 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
10-Dec-2014 at noon
M511375 MORTGAGE to MyState Bank Limited Registered
13-Jul-2015 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER Penny Smith		PLAN OF SURVEY BY SURVEYOR H.A.CLEMENT of PDA Surveyors 127 BATHURST STREET, HOBART LOCATION CITY OF HOBART SCALE: 1:1250 LENGTHS IN METRES SURVEYORS REF: S872U-1		REGISTERED NUMBER SP169578
FOLIO REFERENCE FR 166315/1	GRANTEE Part of 507 Acres & Part of 1000 Acres Gtd. to Robert Lathop Murray			APPROVED EFFECTIVE FROM - 2 JUN 2015 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114 (5224-22)	LAST UPI No.	LAST PLAN No. P166315	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

INDEX PLAN

The index plan shows a street layout with Nelson Road at the top and 101 Road running vertically. To the right of 101 Road are parcels numbered 1 through 12. To the left of 101 Road are parcels numbered 1 through 6. Various survey numbers (SP, STR, D, P) are labeled around the parcels. A drainage easement is shown on the left side, labeled 'DRAINAGE EASEMENT 2.00 WIDE (CREATED BY D4230)'. A north arrow is in the top left corner.

COUNCIL DELEGATE *[Signature]* **DATE** 1-6-2015



FOLIO PLAN

RECORDED OF TITLES

Issued Pursuant to the Land Titles Act 1980



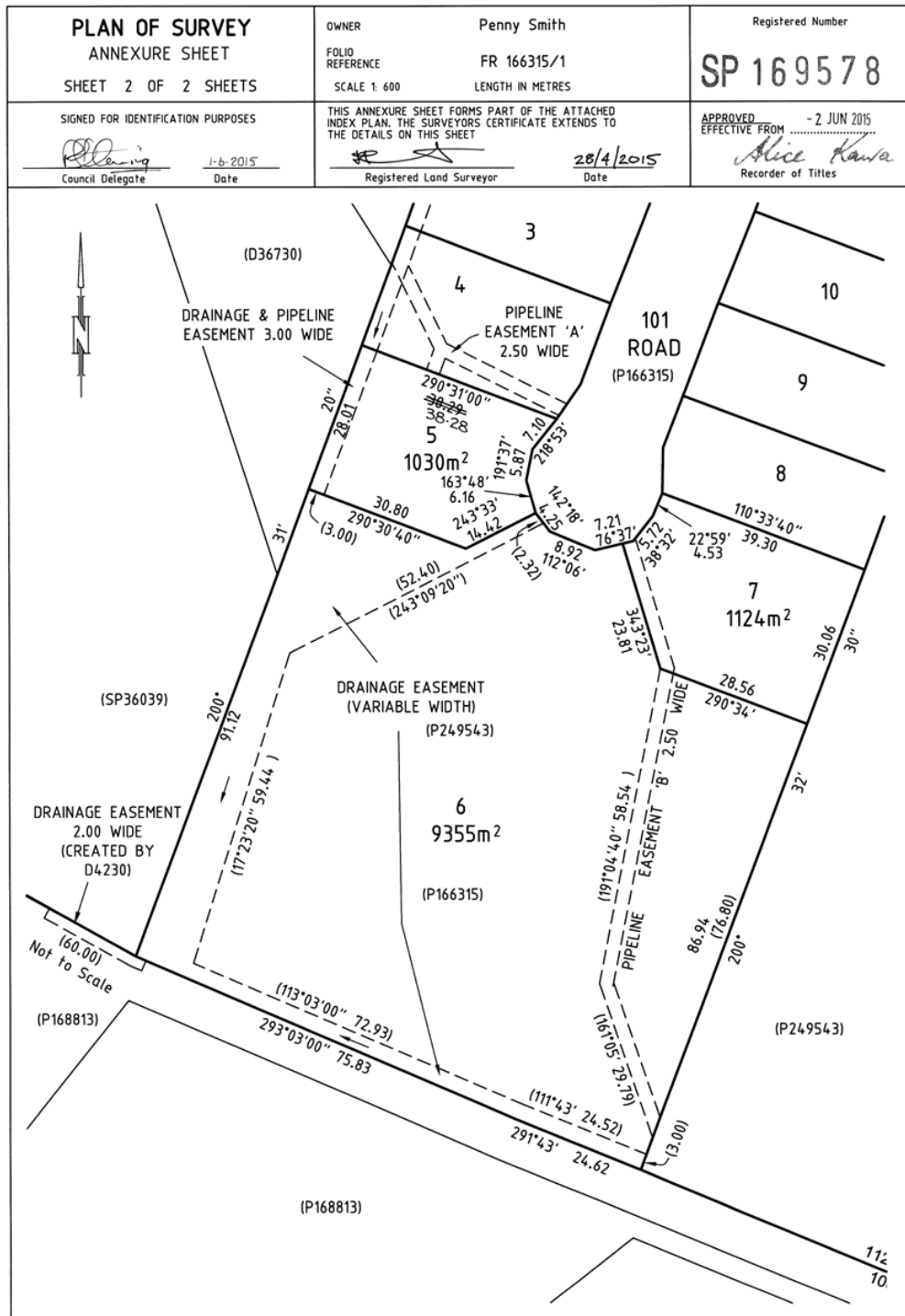
<p>PLAN OF SURVEY ANNEXURE SHEET</p> <p>SHEET 1 OF 2 SHEETS</p>	<p>OWNER Penny Smith</p> <p>FOLIO REFERENCE FR 166315/1</p> <p>SCALE 1: 600 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP 169578</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>[Signature]</i> Council Delegate</p> <p>16/6/2015 Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p><i>[Signature]</i> Registered Land Surveyor</p> <p>28/4/2015 Date</p>	<p>APPROVED - 2 JUN 2015 EFFECTIVE FROM</p> <p><i>[Signature]</i> Recorder of Titles</p>



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 169578

PAGE 1 OF 4 PAGES

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.

Lots 1-12 & 101 are each together with a right of drainage of the land marked DRAINAGE EASEMENT 2.00 WIDE on the plan

Lots 1-5 are each subject to a right of drainage (in favour of Hobart City Council) over the land marked DRAINAGE & PIPELINE EASEMENT 3.00 WIDE passing through such lot on the plan

(hereinafter defined)

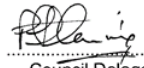
Lots 1-5 are each subject to a pipeline & service easement^A (in favour of TasWater) over the land marked DRAINAGE & PIPELINE EASEMENT 3.00 WIDE passing through such lot on the plan

Lots 4 is subject to a pipeline & service easement (in favour of TasWater) over the land marked PIPELINE EASEMENT "A" 2.50 WIDE passing through that lot on the plan

Lot 6 is subject to a right of drainage (in favour of Hobart City Council) over the land marked DRAINAGE EASEMENT (VARIABLE WIDTH) passing through that lot on the plan

Lot 6 & 7 are subject to a pipeline & service easement (in favour of TasWater) over the land marked PIPELINE EASEMENT "B" 2.50 WIDE passing through such lot on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: PENNY SMITH FOLIO REF: 166315/1 SOLICITOR & REFERENCE: GOODMAN CONVEYANCING	PLAN SEALED BY: HOBART CITY COUNCIL DATE: 1-6-2015 PLN-08-00538-01 REF NO. D707-51  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 4 PAGES	Registered Number SP 169578
SUBDIVIDER: PENNY SMITH FOLIO REFERENCE: 166315/1	

The portion of lot 101 marked "CDEG" is together with a right of drainage over the land marked DRAINAGE EASEMENT "DF" 1.52 WIDE on the plan

Lot 101 is subject to a right of drainage (appurtenant to lots 1 & 2 on Diagram 63303) over the land marked DRAINAGE EASEMENT "CD" 1.52 WIDE passing through that lot on the plan

FENCING PROVISION

In respect to the lots on the plan the vendor (Penny Smith) shall not be required to fence

INTERPRETATION

"TasWater" means the Tasmanian Water and Sewerage Corporation Pty Ltd

"Pipeline and Service Easement" means the full right and liberty for TasWater at any time to:

- (1) Enter and remain upon the land marked "Drainage & Pipeline Easement 3.00 Wide, Pipeline Easement "A" 2.50 Wide & Pipeline Easement "B" 2.50 Wide" on the plan ("the Easement Land") with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) Investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) Install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) Remove and replace the Infrastructure;
- (5) Run and pass sewage and water through and along the Infrastructure
- (6) Do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - a) without doing unnecessary damage to the Easement Land; and
 - b) leaving the Easement Land in a clean and tidy condition; and

Penny Smith:

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

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 4 PAGES	Registered Number SP 169578
SUBDIVIDER: APENNY SMITH FOLIO REFERENCE: 166315/1	

- (7) If the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (8) Use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

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

Penny Smith:

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

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 4 PAGES	Registered Number SP 169578
SUBDIVIDER: SPENNY PENNY SMITH FOLIO REFERENCE: 166315/1	

- b) Remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
- c) Replace anything that supported, protected or covered the Infrastructure.

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

- a) Sewer pipes and water pipes and associated valves;
- b) Telemetry and monitoring devices;
- c) Inspection and access pits;
- d) Markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or Infrastructure;
- e) Anything responsibly required the support, protect or cover any of the Infrastructure;
- f) Any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water through the Easement Land or monitoring or managing that activity; and
- g) Where the context permits, any part of the Infrastructure

Signed by the said ~~SPENNY~~ PENNY SMITH in the presence of-)

Witness: )

Full name:

Address:

Kathryn Mavis Goodman
 Licenced Conveyancer
 Level 9, 39 Murray Street,
 Hobart, Tas.

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PROPOSAL:

EXTENSION & RENOVATION

PROJECT ADDRESS:

7 RIBBON GUM COURT, MOUNT NELSON TAS 7030

SCHEDULE OF PAGES

A000	COVER PAGE
A011	SITE
A021	GROUND FLOOR - EXISTING
A022	ROOF - EXISTING
A031	GROUND FLOOR - DEMO
A032	ROOF - DEMO
A101	GROUND FLOOR - OVERVIEW
A111	FIRST FLOOR - OVERVIEW
A121	ROOF - EXISTING MODS
A122	ROOF - OVERVIEW
A131	SHADOW-DIAGRAMS
A301	NORTH & SOUTH ELEVATION
A302	EAST & WEST ELEVATIONS
A401	WINDOW SCHEDULE
A402	DOOR SCHEDULE

DOCUMENTS BY OTHERS: *TO BE READ IN CONJUNCTION WITH BUILDING PLANS*

- FORM 35 - CERTIFICATE OF RESPONSIBLE DESIGNER
FORMATION DESIGN & DRAFTING - JANE HADLEY

GENERAL NOTES:

- BUILDERS, TRADESMEN, SUB-CONTRACTORS AND PREFABRICATORS TO VERIFY ALL DIMENSIONS AND LEVELS PRIOR TO COMMENCING ANY BUILDING WORKS. USE WRITTEN DIMENSION ONLY. DO NOT SCALE FROM DRAWINGS.
- SURVEYOR TO VERIFY ALL DIMENSIONS, SET-OUTS, LEVELS, LOCATION OF SERVICES, EASEMENTS AND ANY OTHER INFORMATION RELEVANT TO THE PROPOSED BUILDING WORKS.
- ENGINEER TO PROVIDE ALL STRUCTURAL CERTIFICATES AS REQUIRED BY LOCAL COUNCIL AND RELEVANT AUTHORITIES. ENGINEERING DETAILS TO OVERRIDE ARCHITECTURAL DRAWING AND SPECIFICATION.
- ALL CONSTRUCTION WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PLANNING AND BUILDING PERMITS, MATERIALS AND WORKMANSHIP TO CONFORM WITH THE STATE BUILDING REGULATIONS, LOCAL COUNCIL BY-LAWS AND RELEVANT CURRENT EDITIONS OF BCA CODES, AUSTRALIAN STANDARDS, PLANS, SPECIFICATIONS AND MANUFACTURER'S WRITTEN INSTRUCTIONS.
- BUILDER AND SURVEYOR TO REPORT TO THE DESIGNER ALL RELEVANT DISCREPANCIES, VARIATIONS AND CHANGES PRIOR TO ANY WORKS COMMENCING. 24 HOURS MINIMUM REQUIRED FOR DRAWINGS TO BE AMENDED.
- CONFIRMATION OF ANY CHANGES BY THE BUILDER, CLIENT, OR BUILDING SURVEYOR MUST BE IN WRITING AND CONFIRMED BY THE DESIGNER.
- ALL WORKS ARE TO FOLLOW THE 'DIAL-BEFORE-YOU-DIG' PROCESS IN ORDER TO OBTAIN INFORMATION ON EXISTING INFRASTRUCTURE AND UNDERGROUND SERVICES.

SITE INFORMATION

ADDRESS: 7 RIBBON GUM CRT MT NELSON
 TITLE: 169578/9

LAND AREA: 741.74m²±
 HOUSE SIZE EXISTING: 114.37m²±
 NEW EXTENSIONS: 56.85m²

SITE COVERAGE
 EXISTING: 15.41%
 NEW: 23.08%

ENERGY RATING: TBC

COUNCIL: HOBBART CITY COUNCIL
 ZONING: 12.0 LOW DENSITY RESIDENTIAL

DEVELOPMENT CLASS: 1

WIND SPEED: N3

CLIMATE ZONE: 7

SOIL CLASSIFICATION: M

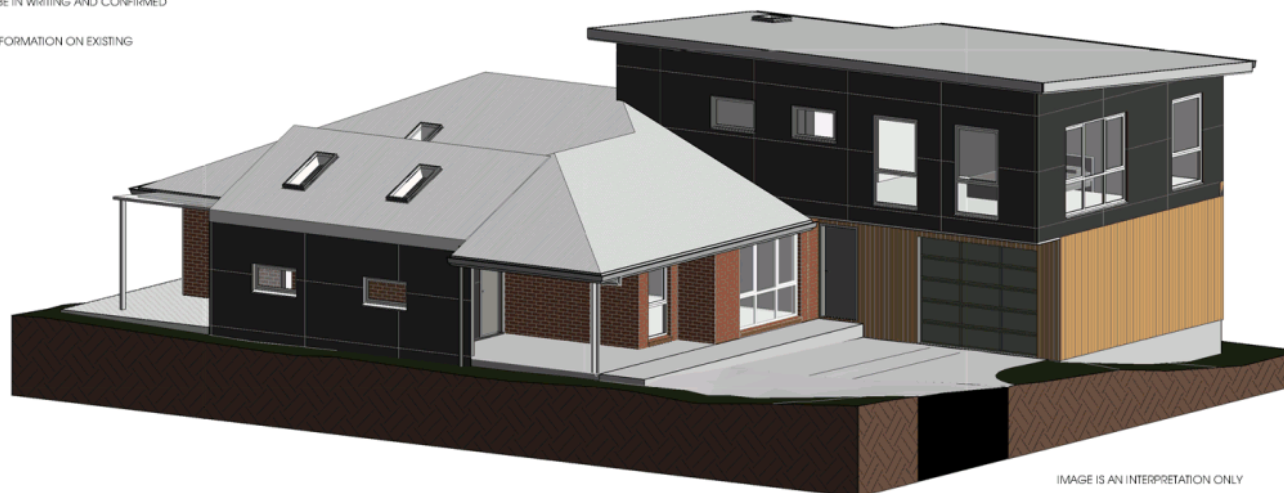


IMAGE IS AN INTERPRETATION ONLY



FORMATION
 DESIGN & DRAFTING

JANE HADLEY
 BUILDING DESIGNER (DOMESTIC)
 LICENSE NUMBER 924704307

LEVEL 1, 11A MURRAY STREET
 M: 0492 597 960
 E: jane@formationdrafting.com.au



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PROPOSAL:
 EXTENSION & RENOVATION

Client:

DANIELLA POLITA

PROJECT ADDRESS:
 7 RIBBON GUM COURT MOUNT
 NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION

Sheet: COVER PAGE

Drawn: J.ROBERTS

Scale: 1 : 1

Size: A3 **Date:** 10/11/20

0 500 1000 2500

SCALE: 1:100

Project:
 20001

Sheet: A000
Rev:

SITE INFORMATION

ADDRESS: 7 RIBBON GUM CRT MT NELSON
TITLE: 169579/9

LAND AREA: 741.74m²±
HOUSE SIZE EXISTING: 114.37m²±
NEW EXTENSIONS: 56.85m²

SITE COVERAGE
EXISTING: 15.41%
NEW: 23.08%

ENERGY RATING: TBC

COUNCIL: HOBBART CITY COUNCIL
ZONING: 12.0 LOW DENSITY RESIDENTIAL

DEVELOPMENT CLASS: 1

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LEVEL 1, 11A MURRAY STREET
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA

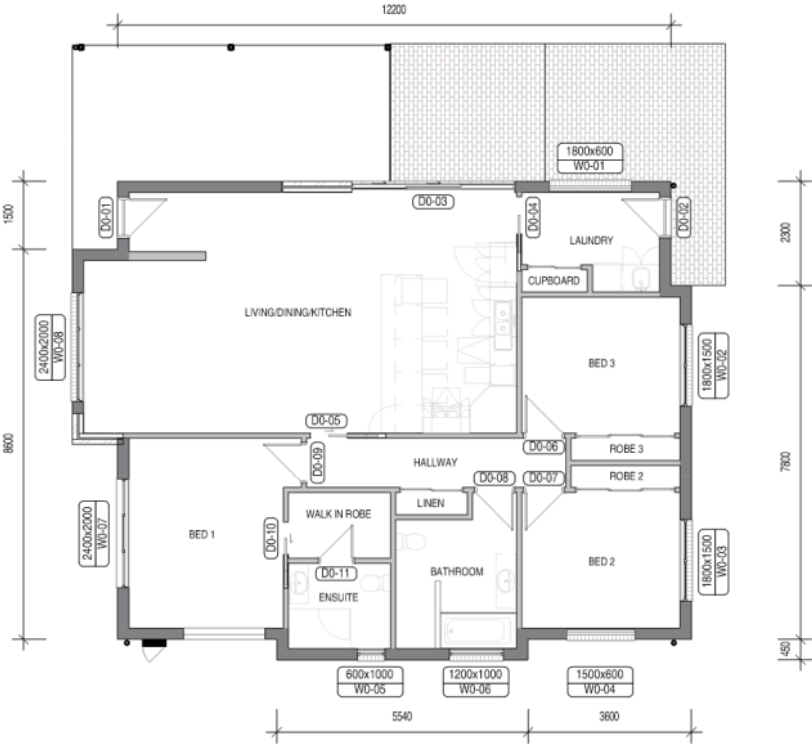
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: SITE
Drawn: J.ROBERTS
Scale: As Indicated **Size:** A3 **Date:** 10/11/20

0 500 1000 2500
SCALE: 1:100

Project: 20001
Sheet: A011 **Rev:**



FORMATION
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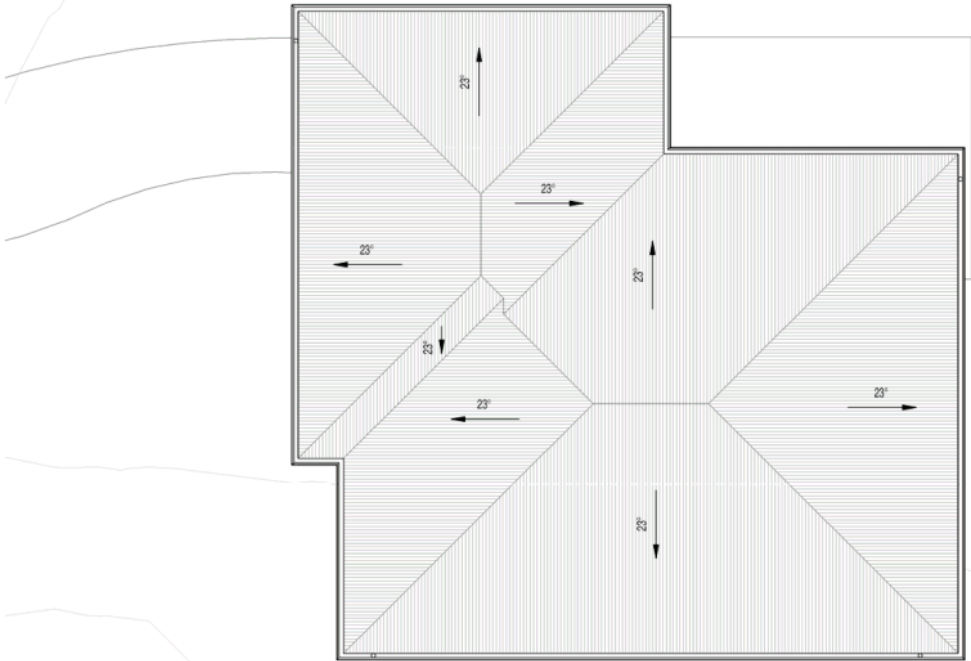
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: GROUND FLOOR - EXISTING
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A021
Rev:



FORMATION
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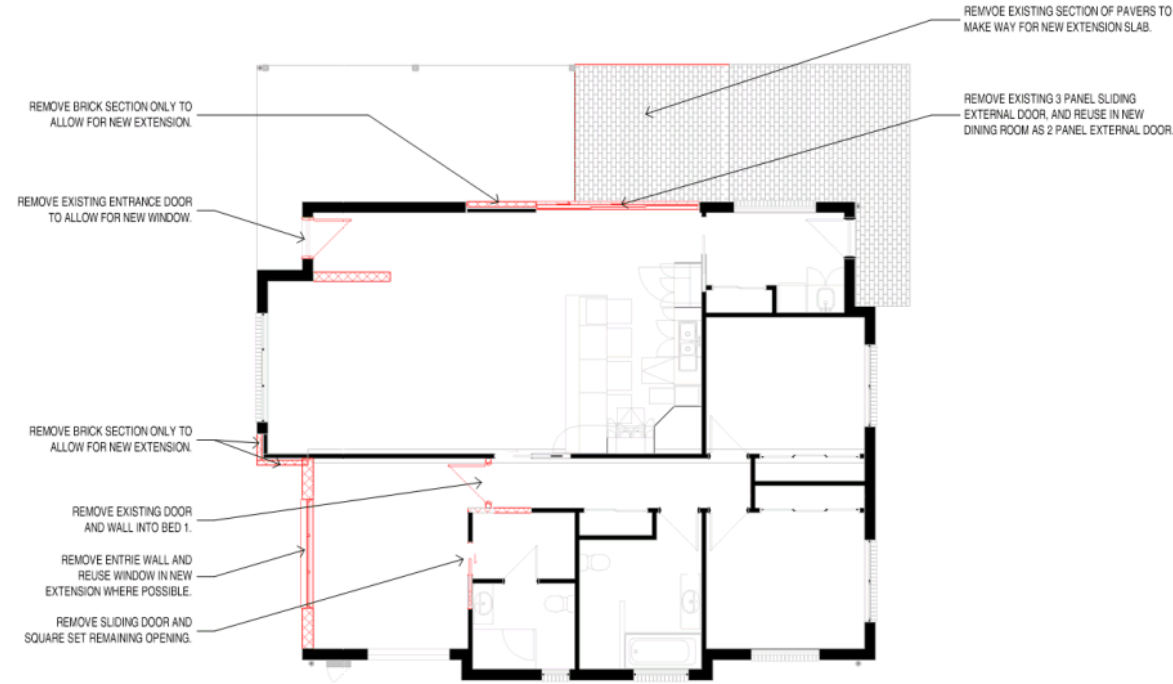


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PROPOSAL:
EXTENSION & RENOVATION
Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: ROOF - EXISTING
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A022 **Rev:**



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LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
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PROPOSAL:
EXTENSION & RENOVATION

Client:
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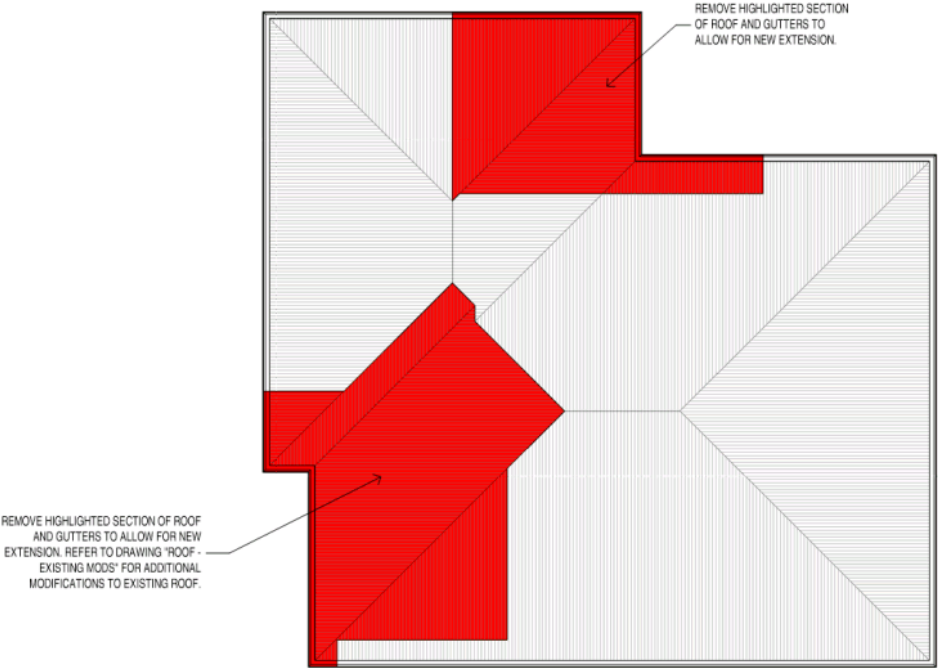
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: GROUND FLOOR - DEMO
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20

0 500 1000 2500
SCALE: 1:100

Project: 20001
Sheet: A031
Rev:



FORMATION
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BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307

LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA

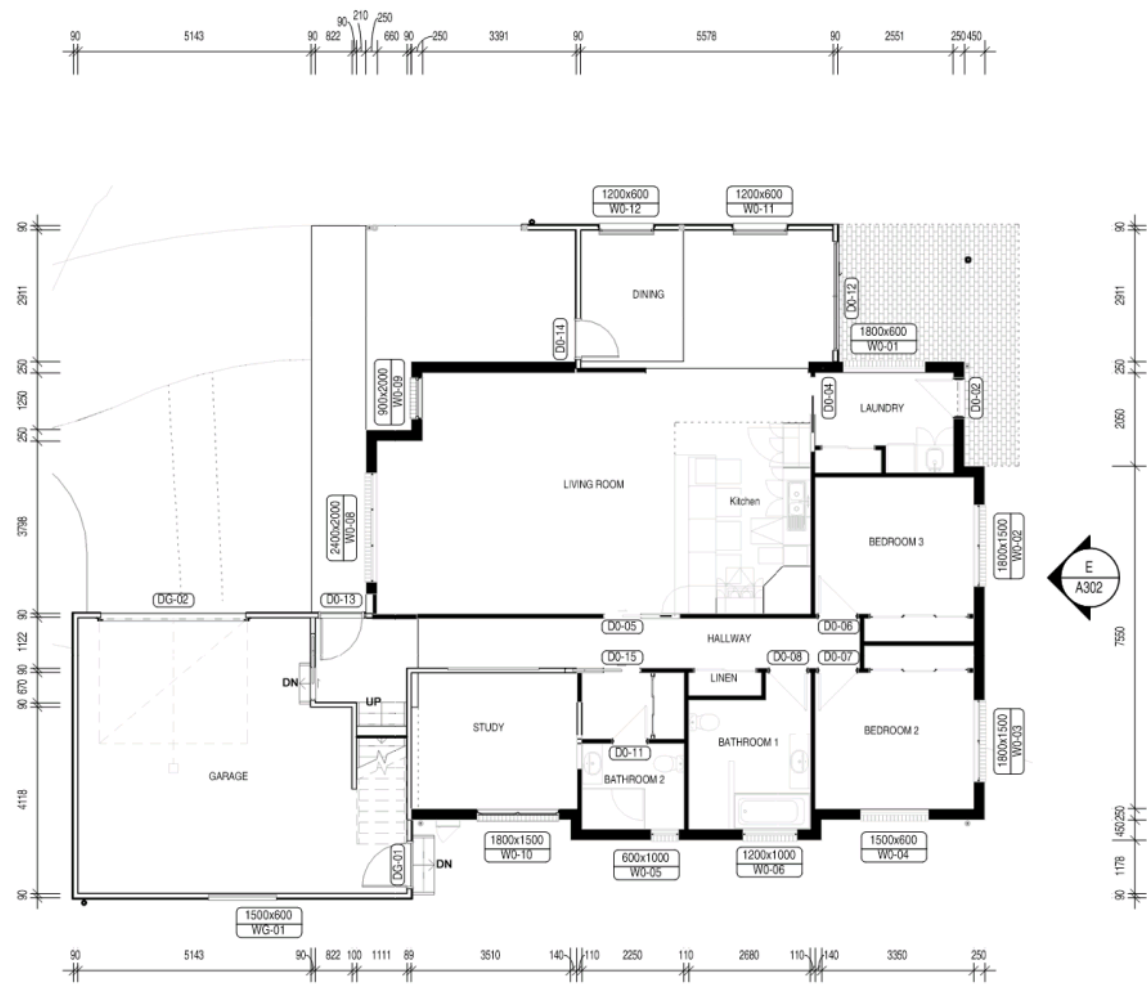
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: ROOF - DEMO
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20

0 500 1000 2500
SCALE: 1:100

Project: 20001
Sheet: A032
Rev:



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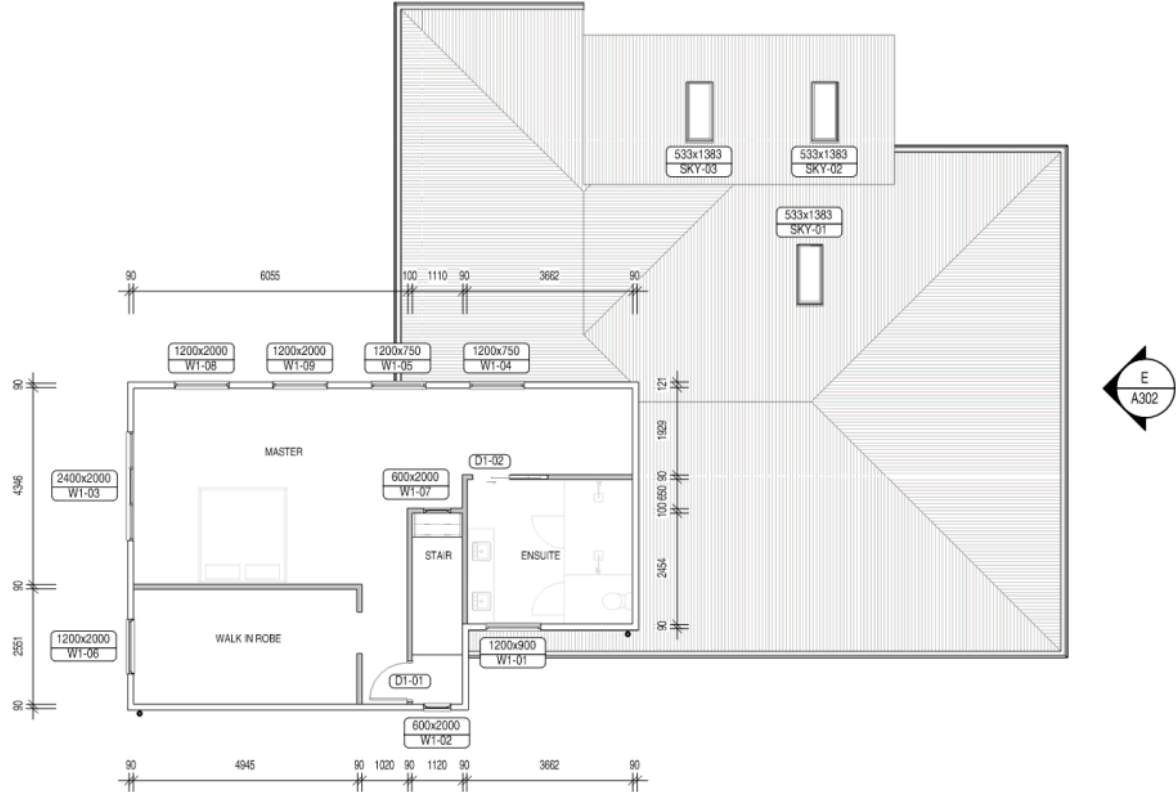


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PROPOSAL:
EXTENSION & RENOVATION
Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: GROUND FLOOR - OVERVIEW
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A101
Rev:



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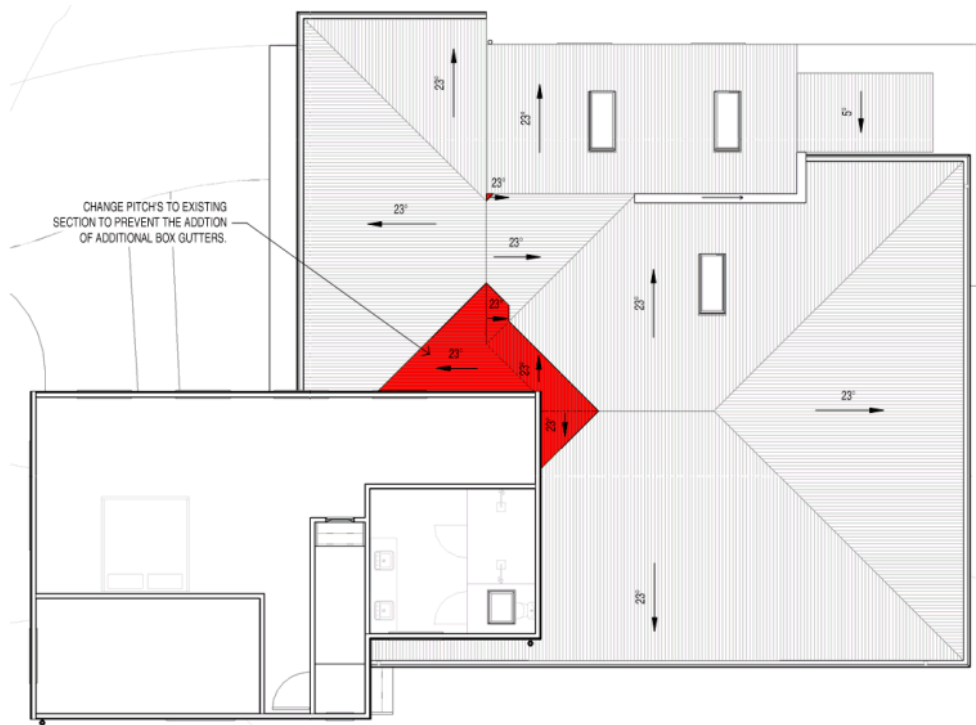


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PROPOSAL:
EXTENSION & RENOVATION
Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: FIRST FLOOR - OVERVIEW
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A111
Rev:



FORMATION
DESIGN & DRAFTING

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Client:
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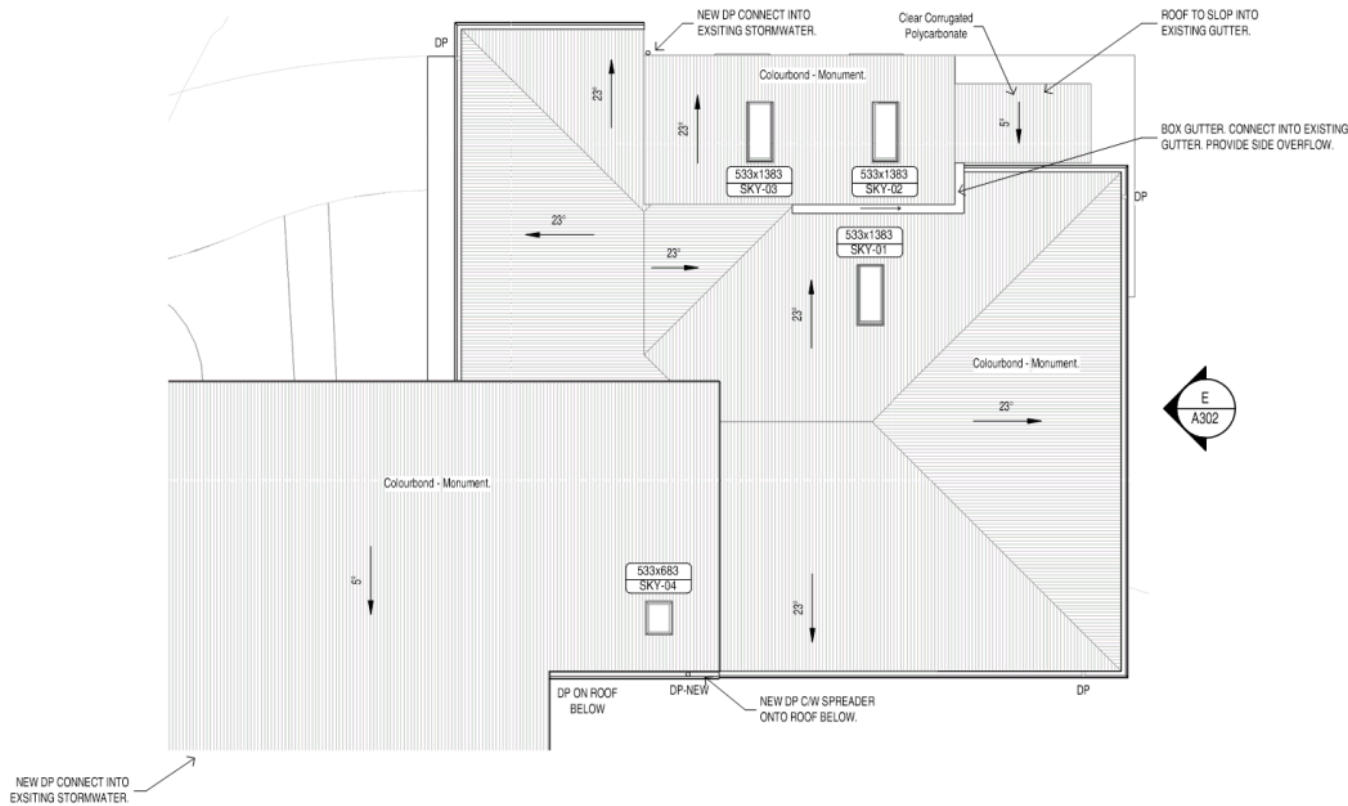
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: ROOF - EXISTING MODS
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20

0 500 1000 2500
SCALE: 1:100

Project: 20001
Sheet: **Rev:** A121



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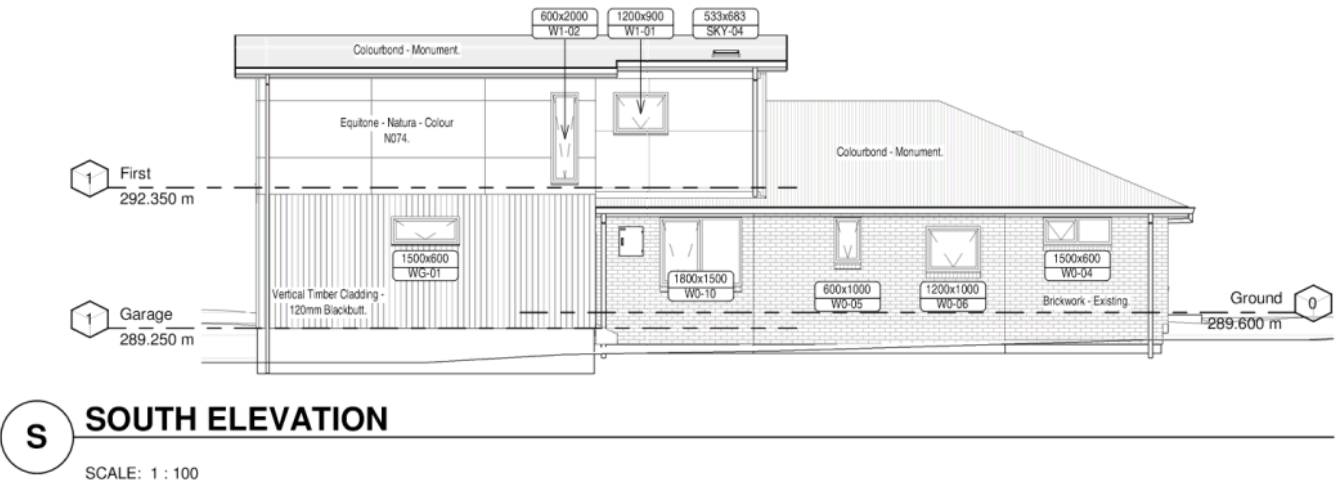
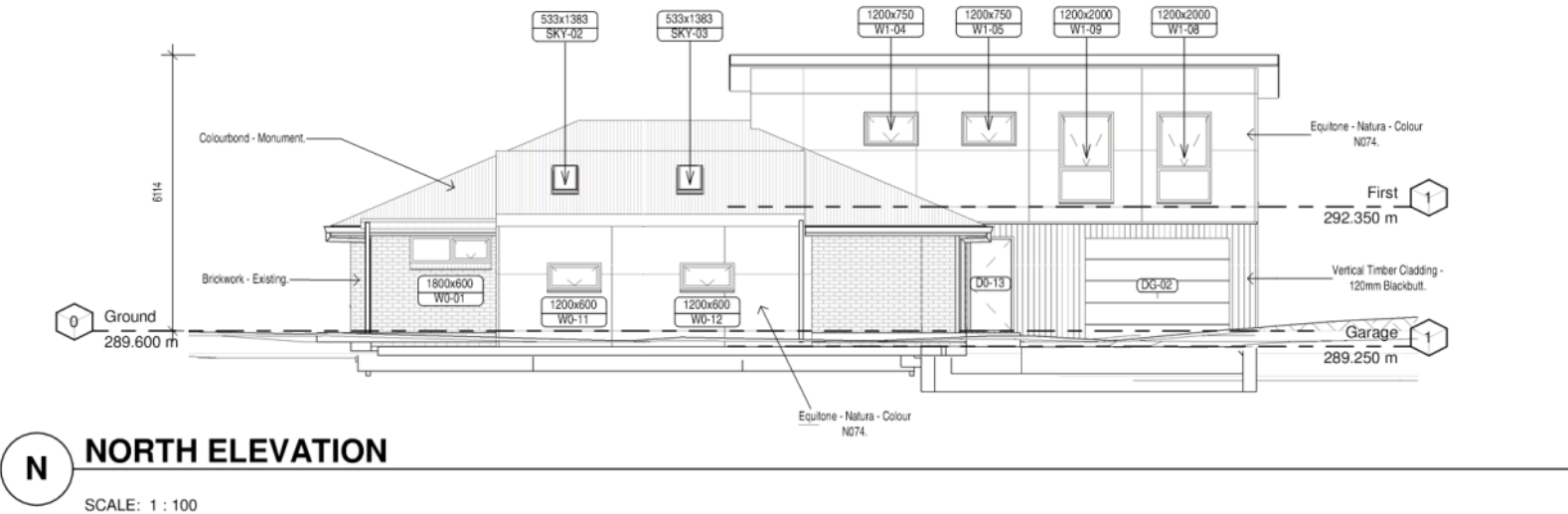
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: ROOF - OVERVIEW
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A122 **Rev:**



FORMATION
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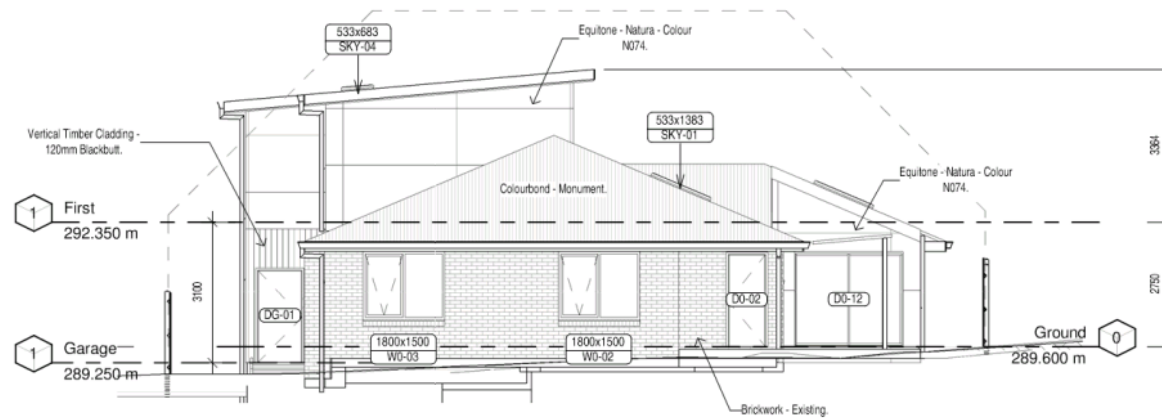
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
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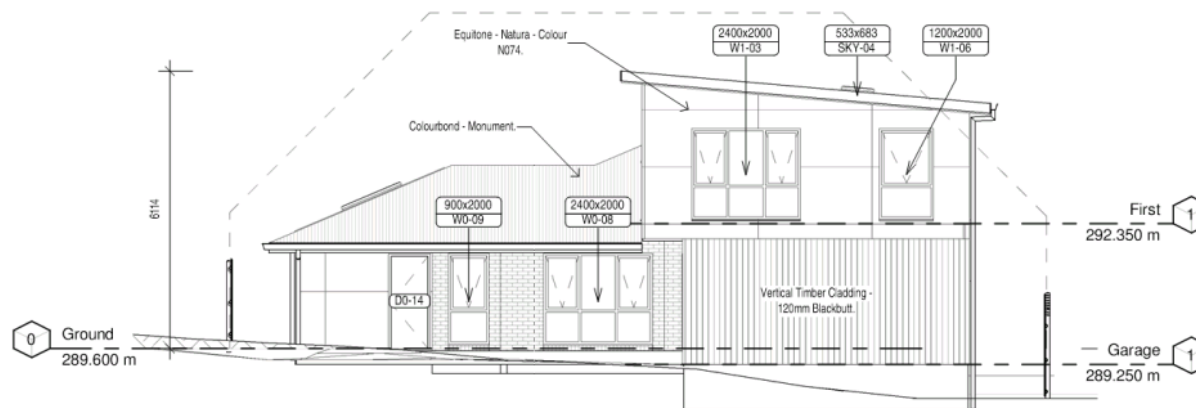
REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: NORTH & SOUTH ELEVATION
Drawn: J.ROBERTS
Scale: 1 : 100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A301
Rev:



E EAST ELEVATION

REFER: A101
SCALE: 1 : 100



WEST ELEVATION

SCALE: 1 : 100



FORMATION
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PROPOSAL:
EXTENSION & RENOVATION

Client:

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REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION

Phase: DEVELOPMENT APPLICATION
Sheet: EAST & WEST ELEVATIONS

Drawn: J.ROBERTS

Scale: 1 : 100

Size: A3 **Date:** 10/11/20

0 500 1000 2500
SCALE: 1:100

Project:
20001

Sheet: Rev:
A302

WINDOW SCHEDULE

Level	IDENTITY		Manufacturer	Model	SIZE		Phase Created	Phase Demolished
	Mark	Description			H	W		
Roof Existing	SKY-01		VELUX	FS	1420	568	New Construction	None
Roof Dining	SKY-02		VELUX	FS	1420	568	New Construction	None
Roof Dining	SKY-03		VELUX	FS	1420	568	New Construction	None
Roof Extension	SKY-04		VELUX	FS	720	568	New Construction	None
Ground	W0-01	Window - Awning suite, 600 x 1800mm (HxW)			600	1800	Existing	None
Ground	W0-02	Window - Awning suite, 1500 x 1800mm (HxW)			1500	1800	Existing	None
Ground	W0-03	Window - Awning suite, 1500 x 1800mm (HxW)			1500	1800	Existing	None
Ground	W0-04	Window - Awning suite, 600 x 1500mm (HxW)			600	1500	Existing	None
Ground	W0-05	Window - Awning, 1000 x 600mm (HxW)			1000	600	Existing	None
Ground	W0-06	Window - Awning, 1000 x 1200mm (HxW)			1000	1200	Existing	None
Ground	W0-07	Window - Awning suite, 2000 x 2400mm (HxW)			2000	2400	Existing	New Construction
Ground	W0-08	Window - Awning suite, 2000 x 2400mm (HxW)			2000	2400	Existing	None
Ground	W0-09	Window - Awning suite, 2000 x 900mm (HxW)			2000	900	New Construction	None
Ground	W0-10	Window - Awning suite, 1500 x 1800mm (HxW)			1500	1800	New Construction	None
Ground	W0-11	Window - Awning, 600 x 1200mm (HxW)			600	1200	New Construction	None
Ground	W0-12	Window - Awning, 600 x 1200mm (HxW)			600	1200	New Construction	None
Ground	W0-13	Window - Awning, 400 x 1200mm (HxW)			400	1200	New Construction	None
First	W1-01	Window - Awning, 900 x 1200mm (HxW)			900	1200	New Construction	None
First	W1-02	Window - Awning, 2000 x 600mm (HxW)			2000	600	New Construction	None
First	W1-03	Window - Awning suite, 2000 x 2400mm (HxW)			2000	2400	New Construction	None
First	W1-04	Window - Awning, 750 x 1200mm (HxW)			750	1200	New Construction	None
First	W1-05	Window - Awning, 750 x 1200mm (HxW)			750	1200	New Construction	None
First	W1-06	Window - Awning suite, 2000 x 1200mm (HxW)			2000	1200	New Construction	None
First	W1-07	Window - Awning, 2000 x 600mm (HxW)			2000	600	New Construction	None
First	W1-08	Window - Awning suite, 2000 x 1200mm (HxW)			2000	1200	New Construction	None
First	W1-09	Window - Awning suite, 2000 x 1200mm (HxW)			2000	1200	New Construction	None
Garage	WG-01	Window - Awning, 600 x 1500mm (HxW)			600	1500	New Construction	None



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PROPOSAL:
 EXTENSION & RENOVATION

Client:
 DANIELLA POLITA
PROJECT ADDRESS:
 7 RIBBON GUM COURT MOUNT
 NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: WINDOW SCHEDULE
Drawn: J.ROBERTS
Scale: 1:100
Size: A3 **Date:** 10/11/20
Project: 20001
Sheet: A401
Rev:

DOOR SCHEDULE

Level	Location Mark	Door Type Description	Manufacturer	Model	Leaf dimension s		Phase Created	Phase Demolished
					W	H		
Ground	D0-01	Door - Single Leaf, Swing			820	2040	Existing	New Construction
Ground	D0-02	Door - Single Leaf, Swing			820	2040	Existing	None
Ground	D0-03	External Sliding Door					Existing	New Construction
Ground	D0-04	Cavity Slider - 820					Existing	None
Ground	D0-05	Cavity Slider - 820					Existing	None
Ground	D0-06	Door - Single Leaf, Swing			820	2040	Existing	None
Ground	D0-07	Door - Single Leaf, Swing			820	2040	Existing	None
Ground	D0-08	Door - Single Leaf, Swing			820	2040	Existing	None
Ground	D0-09	Door - Single Leaf, Swing			820	2040	Existing	New Construction
Ground	D0-10	Cavity Slider - 720					Existing	New Construction
Ground	D0-11	Door - Single Leaf, Swing			720	2040	Existing	None
Ground	D0-12	Existing External Sliding Door Re-Used minus 1 Panel					New Construction	None
Ground	D0-13	Door - Single Leaf, Swing			920	2040	New Construction	None
Ground	D0-14	Door - Single Leaf, Swing			820	2040	New Construction	None
Ground	D0-15	Cavity Slider - 820					New Construction	None
Ground	D0-16	Cavity Slider - 720					New Construction	None
First	D1-01	Door - Single Leaf, Swing			820	2040	New Construction	None
First	D1-02	Cavity Slider - 820					New Construction	None
First	D1-03	Opening					New Construction	None
Garage	DG-01	Door - Single Leaf, Swing			970	2040	New Construction	None
Garage	DG-02	Sectional Overhead Door	B&D Doors	Panelift® Icon™ - Nullarbor™			New Construction	None



FORMATION
DESIGN & DRAFTING
JANE HADLEY
BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307
LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
E: jane@formationdrafting.com.au



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PROPOSAL:
EXTENSION & RENOVATION

Client:

DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20

Phase: DEVELOPMENT APPLICATION
Sheet: DOOR SCHEDULE
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 10/11/20
Sheet: A402 **Rev:**

Daniella Anne Polita
7 Ribbon Gum Court
Mount Nelson TAS 7007

3rd of December 2020

Cameron Sherriff

City of Hobart
GPO Box 503
Hobart TAS 7001

Dear Cameron,

7 Ribbon Gum Court, Mount Nelson Application PLN-20-830

In response to your letter dated the 2nd of December 2020.

PLN Fi6: To enable the Council to assess the application against the development standards for buildings & works in the Low Density Residential Zone of the Hobart Interim Planning Scheme 2015.

Item 2.0

Solar Access diagrams showing the sunlight to habitable rooms (excluding bedrooms) of any dwelling on adjoining lots at 9.00 am , 12:00 pm and 3:00 pm on March and June 21st , with the proposed development and with the existing development on the site.

Response:

As per the Shadow Diagrams provided for the 21st of June & 21st of March. We confirm that these drawings correctly locate of the adjoining dwellings locations of the Habitable spaces (excluding bedrooms).

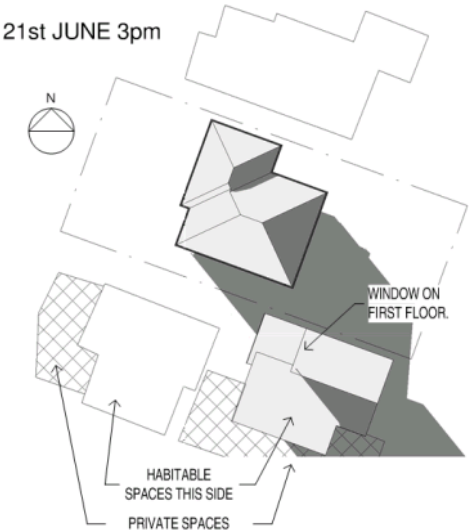
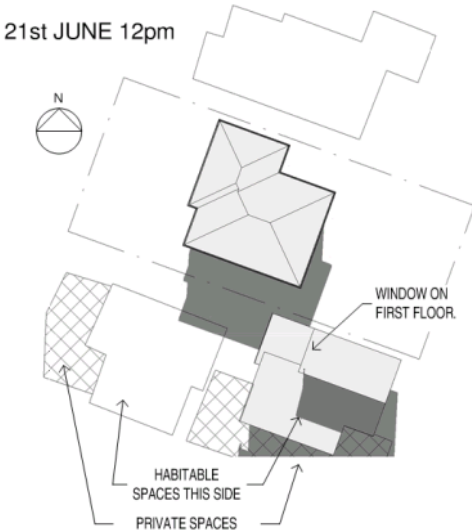
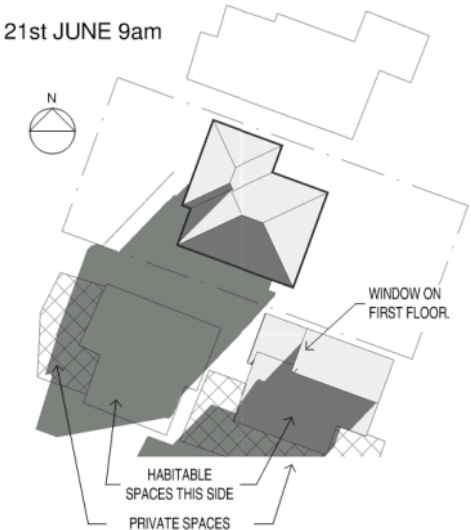
We appreciate your time to discuss the matter with Rick on the 3rd of December.

Yours Faithfully,

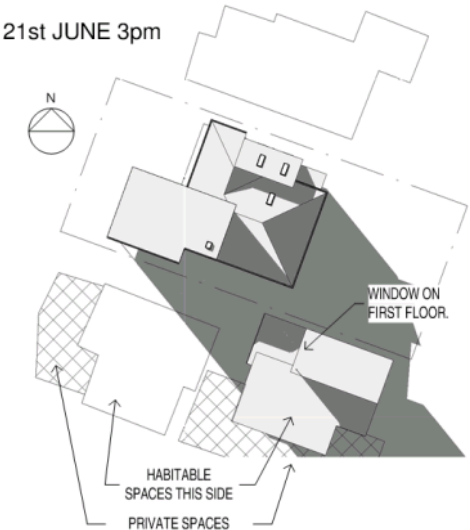
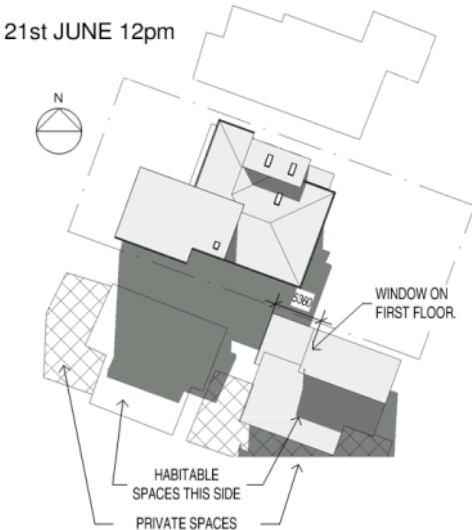
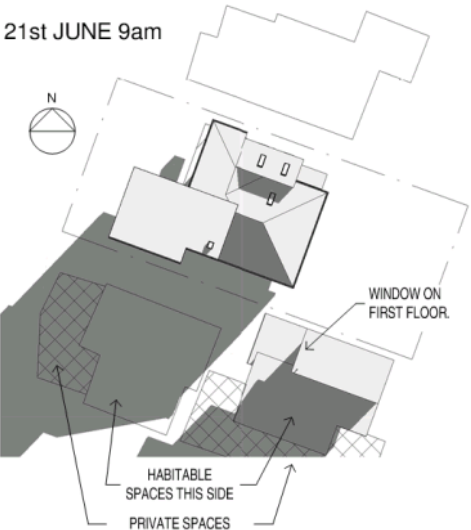


Daniella Polita

EXISTING



PROPOSED



FORMATION
DESIGN & DRAFTING
JANE HADLEY
BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307
LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
E: jane@formationdrafting.com.au



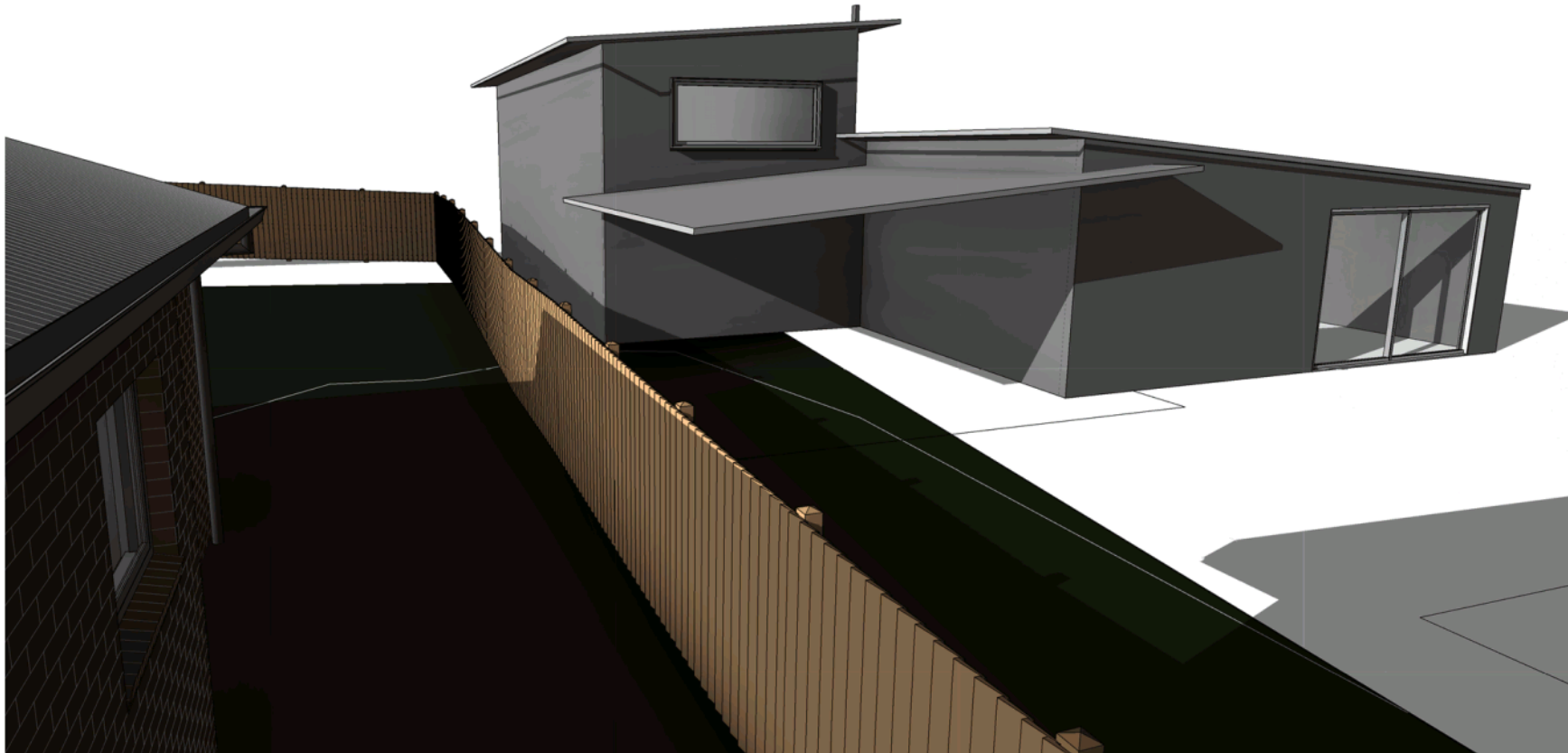
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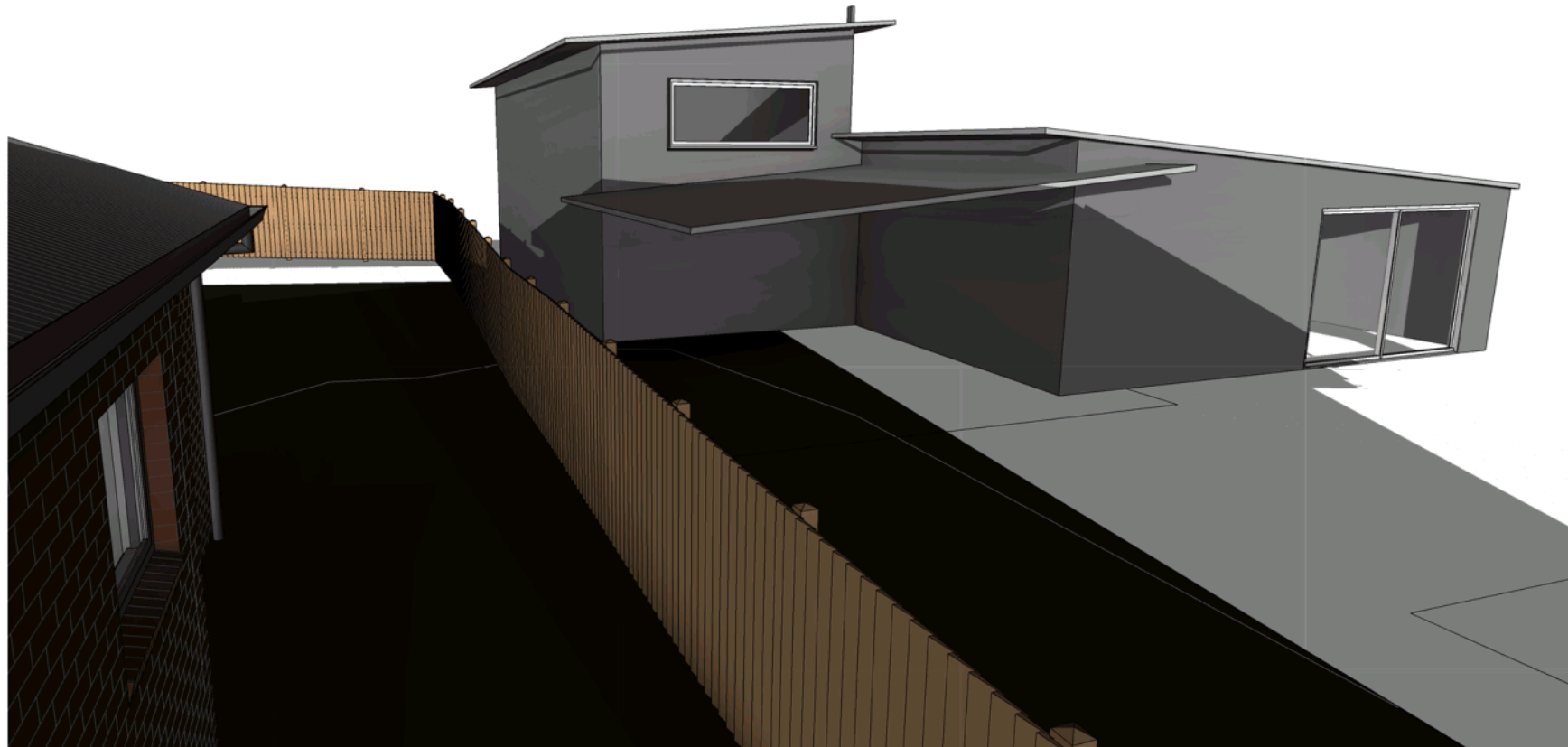
PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

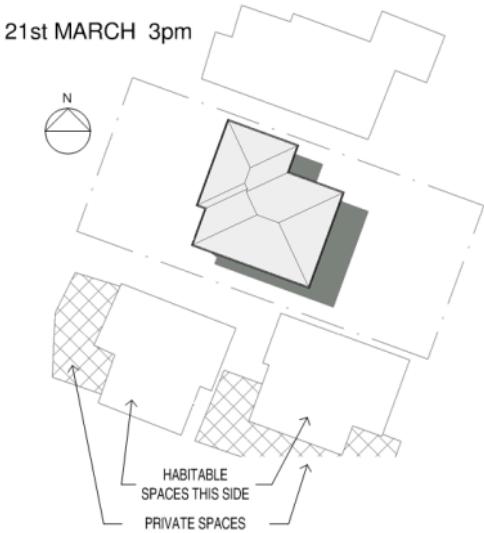
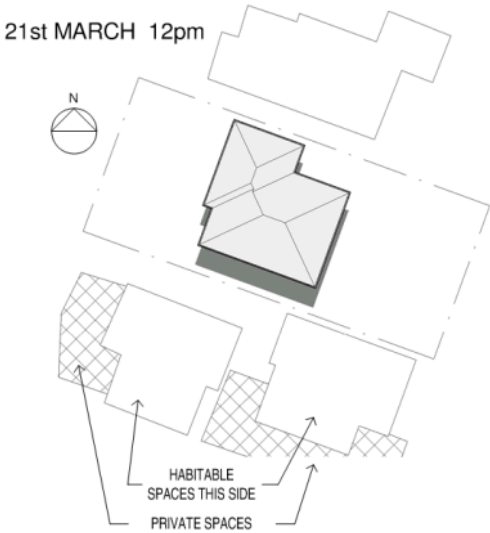
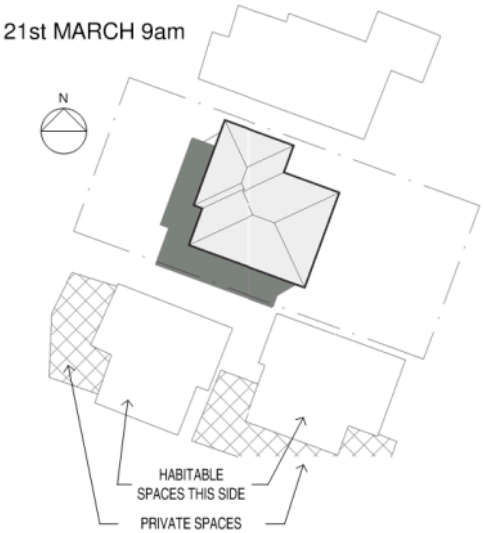
REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20
B	ADDITIONAL DA INFORMATION	14/12/20

Phase: DEVELOPMENT APPLICATION
Sheet: SHADOW-DIAGRAMS-JUNE
Drawn: J.ROBERTS
Scale: 1 : 500
0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A131 **Rev:** B

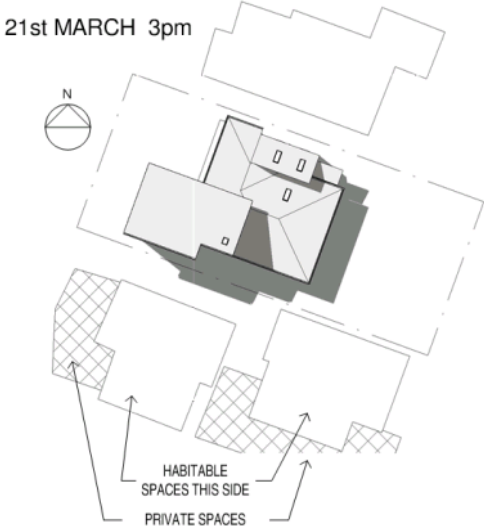
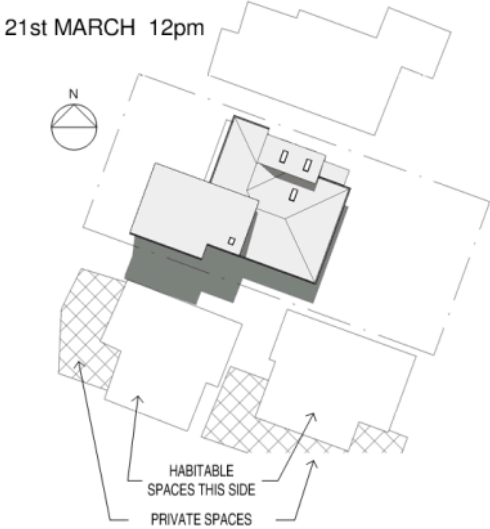
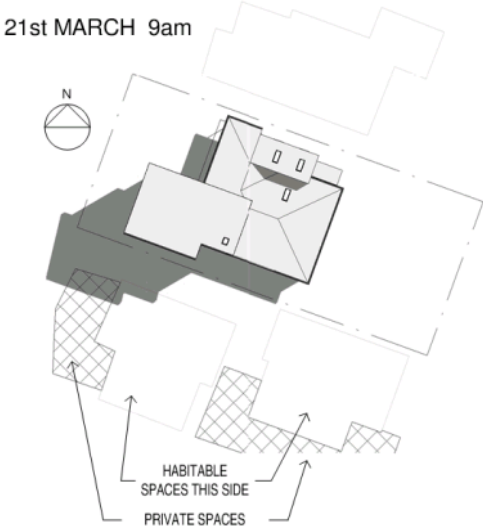




EXISTING



PROPOSED



FORMATION
DESIGN & DRAFTING
JANE HADLEY
BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307
LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	ADDITIONAL DA INFORMATION	03/12/20

Phase: DEVELOPMENT APPLICATION
Sheet: SHADOW-DIAGRAMS-MARCH
Drawn: Author
Scale: 1 : 500
0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 03/12/20
Sheet: A132 **Rev:**



Enquiries to: Kirsten Turner
☎: 6238 2454
✉: turnerk@hobartcity.com.au
Our Ref: 56263877
PV000463
KT:TC
(partv agreement partvowner 9048374)

4 December 2014

JOHN SMITH &
PENNY SMITH
502 NELSON ROAD
MOUNT NELSON TAS 7007

Dear Sir

**PART 5 AGREEMENT
502 NELSON ROAD MOUNT NELSON**

Please find attached a copy of the executed Part 5 Agreement for your records.

Thank you for your co-operation in this matter.

Yours sincerely

(Tracey Cordwell)
**ADMINISTRATIVE OFFICER
DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION**

Enclosure: *Copy of Agreement*

Deed - Part 5 Agreement**Land Use Planning and Approvals Act 1993****Date:** 3 DECEMBER, 2014**Parties:**

1. **Hobart City Council**, a body corporate incorporated under the provisions of the *Local Government Act* 1993, of 16 Elizabeth Street HOBART in Tasmania (the **Planning Authority**).
2. **John Smith & Penny Smith** of 502 Nelson Road MOUNT NELSON Tasmania (the **Owner**)

Recitals:

- A. The Owner is the registered proprietor of an estate in fee simple of the Land.
- B. The Hobart City Council is the Planning Authority under the Act and for the purposes of the Planning Scheme.
- C. The Owner has submitted the Planning Application to the Planning Authority and the Planning Authority has issued the Planning Permit.
- D. Conditions 2 and 5 of the Planning Permit require:
 - (a) the Owner to covenant with the Planning Authority in relation to the Land as specified more fully in condition 3 of this deed; and
 - (b) this deed be entered into by the parties.
- E. The Owner acknowledges that:
 - (a) the Land is subject to the Planning Scheme;
 - (b) this deed is being entered into pursuant to Part 5 of the Act and for the purpose of satisfying the condition stated in recital D;
 - (c) the Planning Authority will register this deed pursuant to the provisions of the *Land Titles Act* 1980 and that the effect of registration will be that the burden and benefit of any covenant contained in this deed will run with the Land as if it were a covenant to which section 102 (2) of the *Land Titles Act* 1980 applies; and
 - (d) this deed must be registered on the title to the Land prior to the Planning Authority sealing the final Plan of Survey for the Development.

SIMMONS WOLFHAGEN

Operative Provisions:**1. Interpretation****1.1 Definitions**

In this deed, unless the contrary intention appears:

Act means *Land Use Planning and Approvals Act 1993*.

Bushfire Management Plan means the plan entitled '*502 Nelson Road – Subdivision, 11 Lots and Balance Bushfire Management*' in relation to the Land, a copy of which is attached and marked "B", but as amended and/or replaced from time to time as deemed necessary by Tasmania Fire Service and/or the Planning Authority.

Development means the use and development of the Land for the purpose of Subdivision - 12 Lots as more fully specified in the Planning Application.

Land means the Land known as "502 Nelson Road, Mount Nelson in Tasmania" and being more particularly described in Certificate of Title Volume 166315 Folio 1.

Owner means the person or persons specified in this deed and include the person or persons from time to time registered or entitled to be registered by the Recorder of Titles as proprietor or proprietors of an estate in fee simple in the Land or any part of the Land and include a mortgagee in possession.

Planning Application means application number PLN-08-00538-01 lodged with the Planning Authority.

Planning Permit means the permit dated 22 February 2012 approving the Planning Application subject to certain conditions and restrictions as contained in the permit a copy of which is attached hereto and marked "A".

Planning Scheme means the City of Hobart Planning Scheme 1982.

Wildlife Protection Measures means the bird collision mitigation measures outlined in WWF – Australian publication, *Minimising The Swift Parrot Collision Threat: Guidelines and Recommendations for parrot safe building design (2008)* a copy of which is attached hereto and marked "C".

1.2 Rules for interpreting this deed

In this deed, unless the contrary intention appears:

- (a) one gender includes the other;
- (b) the singular number include the plural and vice versa;
- (c) a reference to a person includes a corporation, unincorporated body or authority;
- (d) clause headings are inserted for convenience only and will be ignored in the interpretation of this deed;
- (e) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (f) the schedule and annexures to this deed form part of this deed; and
- (g) a party includes its successors, assigns, executors and administrators.

2. Confirmation of recitals

Each of the parties to this deed confirms the recitals that relate to that party.

SIMMONS WOLFHAGEN

3. Covenants by Owner

In consideration of the Planning Authority granting the Planning Permit, the Owner hereby covenants with the Planning Authority to:

- (a) implement the Bushfire Management Plan prior to the occupation of any dwelling on the Land;
- (b) maintain the Bushfire Management Plan in relation to the Land for the life of any dwelling on the Land;
- (c) ensure that any dwelling, building or structure on the Land is constructed in accordance with the Wildlife Protection Measures.

4. Effect of the deed upon registration**4.1 Covenants to run with Land**

The parties agree and declare that the obligations imposed on the Owner under this deed are intended to take effect as covenants:

- (a) the burden of which will run with the Land as if they were covenants to which section 102 (2) of the *Land Titles Act 1980* applies; and
- (b) which shall bind the Owner, its successors, transferees and permitted assigns, and the registered proprietor or proprietors for the time being of the Land.

4.2 Agreement Under Section 71 of Part 5 of the Act

The parties agree that without limiting or restricting the respective powers to enter into this deed and, in so far as it can be so treated, this deed is made pursuant to section 71 of the Act.

4.3 Commencement of Agreement

This deed shall commence on the day that the deed is signed by all parties.

5. Registration & costs

The Owner agrees that:

- (a) an application, pursuant to section 78 of the Act shall be made by the Planning Authority to the Recorder of Titles for the registration of this deed on the folio of the Register constituting the title to the Land (and any other land to which this deed relates); and
- (b) the Owner must bear the costs and disbursements associated with the preparation, negotiation and registration of this deed including any costs or disbursements incurred or to be incurred by the Planning Authority.

6. No fettering of the Planning Authority's powers

The parties acknowledge and agree that this deed does not fetter or restrict the power or discretion of the Planning Authority in any way, including to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision relating to the Land or relating to any use or development of the Land.

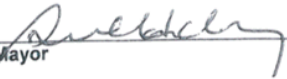
7. Notices

Any notice under this deed may be served by delivering, either personally or by registered mail, to the parties.

SIMMONS WOLFHAGEN

Execution:

Executed as a deed.

The Common Seal of the Hobart City Council was
hereunto affixed in the presence of:

Lord Mayor

Deputy General ManagerSIGNED BY John Smith
in the presence of:

Signature of Witness

SignaturePATRICK FRANK HALL (ARTIST)
Name & Occupation of witness19 ROSLYN AV. KINGSTON
Address of WitnessSIGNED BY Penny Smith
in the presence of:

Signature of Witness

SignaturePATRICK FRANK HALL (ARTIST)
Name & Occupation of witness19 ROSLYN AV. KINGSTON
Address of Witness

DES-F-0102-67
21/06/2011

"A"

**City of Hobart Planning Scheme 1982****Land Use Planning and Approvals Act 1993****Planning Permit**

APPLICATION NO	PLN-08-00538-01
ADDRESS	502 Nelson Road, MOUNT NELSON
PROPOSAL	Subdivision (12 lots)
PERMIT DATE	22 February 2012

The following conditions and restrictions apply to this permit:

The use/development of the land for the purpose of Subdivision (12 lots) subject to the following conditions and restrictions.

1. That the use and development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-08-00538-01 as outlined in attachment A to this permit except where modified below.

Reason for condition

To clarify the scope of the permit.

2. Prior to sealing of the final plan, an amended bushfire hazard management plan (BHMP) must be submitted and approved by the Council's Senior Statutory Planner. The amended plan does not require Tasmania Fire Service endorsement. The required amendments are:
 - (a) The proposed Fuel Modified Buffer Zone (FMBZ) is to include the following vegetation management prescription:
"Promote the natural recruitment of *E. ovata* within the FMBZ and encourage the establishment of any offset plantings of this species in this zone in accordance with the management prescriptions found in the Tasmanian Fire Service's *Guidelines for development in bushfire prone areas of Tasmania*."
 - (b) Future dwellings must comply with the construction requirements for BAL-12.5 as specified in AS3959-2009 *Construction of Buildings in Bushfire Prone Areas*.
 - (c) The prescriptions for the creation and maintenance of building protection zones and fuel modified buffer zones (as specified in the Tasmania Fire Service document *Guidelines for Development in Bushfire Prone Areas of Tasmania*) must be shown on the plan.

The final approved BHMP must be implemented by the property owner(s) prior to occupation of the first new dwelling constructed on any of the lots, and must be maintained for the life of all dwellings on the lots. Compliance with the final approved BHMP must also be required via a Part 5 Agreement with Council pursuant to section 71 of the *Land Use Planning and Approvals Act 1993*. The Agreement must be registered on the Titles for the new lots at the time the new Titles are issued. The Council will have its solicitors prepare the Agreement for signing by property owners. The Council will then lodge the Agreement with the Lands Titles Office. The cost of preparing the Agreement and registration with the Land Titles Office is to be met by the applicant. Please contact the Development Appraisal Planner to initiate preparation of the Agreement.

Reason for condition

To ensure the bushfire hazard is minimised and managed, and so that the Bushfire Hazard Management Plan is readily available to be implemented by present and future owners of the property

3. A landscaping plan detailing proposed street tree plantings, offset plantings, landscaping of batters/embankments, and weed control measures to be prepared by a qualified landscape architect must be submitted to and approved by the Council's Director Development and Environmental Services prior to sealing of the final plan. The landscaping plan must include the following details:
 - (i) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, sizes at maturity and quantities of each plant.
 - (ii) Description of any vegetation to be retained or removed within proposed nature strips.
 - (iii) Width of nature strip must be a minimum width of 5 metres to accommodate street tree plantings.
 - (iv) Width of footpaths.
 - (iv) Details of plant spacings, setback distances to proposed building envelopes, and when it is intended to establish the planting.
 - (v) Ensure services are being avoided with plantings.
 - (vi) The treatment of nature strips/batters such as use of grass cover and trees, shrubs, or use of native grasses.

- (vii) The plan should address lot accesses and locate trees in locations that will not conflict with driveway accesses.
- (viii) Details of surface finishes of paths and driveways.
- (ix) The method of irrigation to be used in all areas.
- (x) Any steep banked nature strips should be dealt with differently with the use of mulches rather than grass that will be difficult to maintain. Need to consider appropriate gradients for use of mulches as opposed to grass cover, which requires mowing.
- (xi) Weed management prescriptions to control and prevent the spread of declared weeds must also be included in the landscaping management plan (see advice regarding preparation of weed management prescriptions).
- (xii) The landscape plan shall be prepared in accordance with the advice Vegetation Management in Bushfire Prone Areas below.

Once approved, the landscaping plan will form part of this permit and must be complied with.

The plan must be implemented 3 months after the civil works have been completed or if the subdivision is staged, 3 months after each stage of the subdivision.

Reason for the condition

In the interest of establishing trees to provide a visual screen to the proposed infrastructure works, eradicate declared weeds and increased public amenity.

4. Prior to the commencement of works on site, a Soil and Water Management Plan (SWMP) detailing sediment and erosion control measures must be submitted to and approved by the Council's Director Development and Environmental Services. Once approved, the Soil and Water Management Plan will form part of this permit and must be complied with. The approved control measures must be installed prior to any disturbance of soil or vegetation, be regularly inspected and maintained during the construction/ demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Director Development and Environmental Services.

Advice: For guidance on preparing the Soil and Water Management Plan, the Derwent Estuary Program has published Soil and Water Management on Building and Construction Sites fact sheets (2008). These are available from Council or online at www.derwentestuary.org.au

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, and to comply with relevant State legislation.

5. The property owner(s) must enter into a Part 5 Agreement pursuant to section 71 of the *Land Use Planning and Approvals Act 1993* requiring all future buildings and structures erected on the land to be consistent with the bird collision mitigation measures outlined in the WWF-Australia publication *Minimising The Swift Parrot Collision Threat: Guidelines and recommendations for parrot-safe building design* (2008) to the satisfaction of the Council. Such agreement must be made under the provisions of Part 5 of the *Land Use Planning and Approvals Act 1993*, registered with the Recorder of Titles and drafted to the satisfaction of the Council's Director Development and Environmental Services.

The Council will have its solicitors prepare the Agreement for signing by property owner(s). The Council will then lodge the Agreement with the Lands Titles Office together with the final subdivision plan. The cost of preparing the Agreement and registration with the Land Titles Office is to be met by the applicant. Please contact the Development Appraisal Planner to initiate preparation of the Agreement.

Reason for condition

To ensure that bird collision risks associated with future development of the land are minimised.

6. All power lines must be underground and within the road reserve.

Reason for condition

To prevent death and injury of birds due to collisions, in particular the Swift Parrot, a species listed as vulnerable under the TTSPA 1995 and endangered under the EPBCA 1999.

7. In accordance with Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, the developer must pay a cash contribution to the Council equal to 5% of the undeveloped value of Lots 1 - 11 comprised in the plan of subdivision in lieu of the provision of public open space within the subdivision. The value is to be determined by a registered valuer commissioned by the Council at the developer's cost.

Reason for condition

Approval of the subdivision would create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.

8. Prior to the commencement of work on site, the developer must lodge with the Council an Infrastructure Protection Bond in the form of a cash/cheque deposit or a bank guarantee from an approved financial institution, for an amount of \$5,000, as security for the protection from damage of the Council's infrastructure during the construction of the development. The bond will be released once the works are completed should no damage have occurred.

Advice: Once the Certificate of Occupancy/Completion for the development has been issued and/or the works are completed, please contact the Council's Project and Development Inspector on phone (03) 62 382 967, or on mobile 0417 604 725 to arrange an inspection prior to the release of the Council's Infrastructure Protection Bond.

Reason for condition

To ensure the protection of the Council's infrastructure.

9. Prior to the sealing of the final plan, all lots must be provided with adequate stormwater service connections to the Council mains/systems (at the developer's cost and in accordance with the Municipal Standard Drawings and the relevant standards and regulations) to the satisfaction of the Council's Director Infrastructure Services.

Advice: Note that the lots will also require adequate water and sewer service connections to Southern Water mains/systems. Check the Southern Water conditions located in the Appendix.

Reason for condition

To ensure that all works are done to the Council's standards.

10. Prior to the approval of stormwater engineering drawings an assessment of the proposed stormwater drainage system (including the stormwater main), must be prepared by a qualified and experienced professional engineer and submitted to and approved by the Council's Director Infrastructure Services. This stormwater assessment must include a site plan indicating the current catchment conditions and the path of the existing watercourse.

The stormwater assessment must assess three scenarios:

- (i) Stormwater flows from the current catchment conditions.
- (ii) Stormwater flows from a future catchment assuming the proposed subdivision at no 502 Nelson Road is fully developed
- (iii) Stormwater flows from a future fully-developed catchment (i.e. assuming the entire up-stream catchment has been developed to the maximum permitted density standards in the Planning Scheme).

Once approved, the assessment must be used to inform the design of the proposed stormwater drainage system.

Advice: The Council is able to assist with investigations to determine what other properties, or what parts of the properties, drain into the existing watercourse. The developer's engineer should contact the Council's Hydraulic Engineer, Darren Carlson, on 6238 2128 for assistance.

Reason for condition

To ensure the proposed stormwater drainage system and main has adequate capacity for the current and future developed catchments

11. The proposed stormwater drainage system (see Advice below) must be sized to accommodate the estimated 1 in 100 year Annual Recurrence Interval (ARI) flow based on a possible future fully-developed catchment. The stormwater mains must be sized to accommodate at least the estimated 1 in 20 year ARI flow based on a possible future fully-developed catchment. Prior to the approval of the stormwater engineering drawings, detailed plans prepared by an appropriately qualified person detailing the proposed stormwater drainage system must be submitted to and approved by the Council's Director Infrastructure Services. Once approved, the plans will form part of this permit and must be complied with.

Advice: The stormwater drainage system includes the stormwater mains. It can also include a clearly designated floodpath that will allow for any possible overland flow. The floodpath areas must be free of any buildings or major obstacles, and there are strict limitations on any large scale earthworks that could affect overland flow. Floodpaths may be difficult to accommodate through proposed building lots and it may be desirable to use bigger pipe sizes for the storm water mains than the minimum 1 in 20 year ARI flow capacity to minimise the risk of any overland flow occurring. The developer's engineer should contact the Council's Stormwater Engineer to discuss possible alternatives for the layout of the drainage system – in particular to help determine the best way of collecting and draining the runoff from the catchment upstream of the property at no.502 Nelson Road. Note that the Council recommends avoiding having open watercourses in any of the residential house lots such as lots 6, 7 and 8.

Reason for condition

To ensure the proposed stormwater drainage system has adequate capacity for the current and future fully-developed catchments.

12. The developer will be responsible for the costs of the construction of the stormwater drainage system (including a new stormwater main along the existing watercourse) that is sized to accommodate the 1 in 100 year ARI flow based on flows from the current upstream catchment conditions and the fully developed subdivision at no.502 Nelson Road. If a bigger drainage system and/or larger pipe sizes are required to accommodate the future fully-developed upstream catchment, then the Council will pay the additional cost. The actual apportionment of these costs is to be agreed upon by both the Council and the developer prior to the start of construction works for the stormwater drainage system.

Reason for Condition

To ensure a fair allocation of costs for the construction of the stormwater drainage system including the main along the natural watercourse.

13. Prior to the commencement of works on site, engineering drawings of the proposed stormwater mains in both plan and long-section, as well as the associated calculations and catchment area plans, must be submitted to and approved by the Council's Director Infrastructure Services. These engineering drawings must include, at a minimum, connections, clearances, cover, grade, sizing, velocities, material, easements, inspection openings, overland flow paths, outfall design and erosion protection. Once approved, the engineering drawings will form part of this permit and must be complied with.

Reason for Condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

14. Written consent from the owner of No. 492 Nelson Road to the proposed construction of a stormwater main across that property must be submitted to and approved by the Council's Director Infrastructure Services prior to the approval of the stormwater engineering drawings.

Reason for condition

To ensure that the owner of No. 492 Nelson Road has provided written landlord consent to the construction of a public stormwater main over the property discharging into the natural water course.

15. Prior to the commencement of works on site, details of the proposed pre-treatment for the stormwater runoff from the new paved road area must be submitted to and approved by the Council's Director Infrastructure Services. The details must include estimations of contaminant removal and a maintenance plan and must clearly state all assumptions. Once approved, the details will form part of this permit and must be complied with. Pre-treatment for the stormwater runoff from the new paved road areas must be installed prior to sealing of the final plans to the satisfaction of the Council's Director Infrastructure Services

Advice: Hobart City Council's Water Sensitive Urban Design Site Development Guidelines and Practice Notes is available from Council's website. For further details, Council refers the applicant to Water Sensitive Urban Design: Engineering Procedures for Stormwater Management in Southern Tasmania, available from <http://www.derwentestuary.org.au/folder.php?id=242>. Please note that current best practice for stormwater treatment include an 80% removal of total suspended solids, a 45% removal of total nitrogen, and a 45% removal of total phosphorous. Council recommends submission of a MUSIC model or similar, with any alterations from the default values explained.

Reason for condition

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

16. Prior to the sealing of the final plan, demonstrate to the satisfaction of the Director Development and Environmental Services that all lots on the plan of subdivision can be provided with fire protection as required by the current Tasmania Fire Service Guidelines for development in bushfire prone areas of Tasmania (or as amended).

Reason for Condition

To ensure all lots are provided with adequate fire protection.

17. A detailed services plan prepared by a civil engineer (or equivalent suitably qualified person) showing the existing and proposed private services, Council mains and accesses to each lot must be submitted to and approved by the Council's Director Infrastructure Services prior to the commencement of any construction work on site.

The services plan must show that each lot has separate private sewer, stormwater and water services/connections. The services plan must clearly distinguish between private and public infrastructure, and must clearly identify the position of any services that may be affected by the subdivision.

Once approved, the services plan will form part of this permit and must be complied with.

Advice: Note that the lots will also require adequate water and sewer service connections to Southern Water mains/systems. The services plan must clearly show the existing/ proposed water, sewer and stormwater service connections for each lot. Check the Southern Water conditions located in the Appendix.

Reason for condition

To ensure that each lot is serviced separately.

18. An as-built services plan must be submitted to and approved by the Council's Director Infrastructure Services prior to the sealing of the final plan. The as-built services plan must clearly indicate the location and details of all relevant built services. The as-built services plan must be accompanied by a statement from a civil engineer (or equivalent suitably qualified person) that all relevant services required to be built have been built, and that the as-built services plan accurately reflects the as-built services.

Reason for condition

To ensure that the Developer provides the Council with clear written confirmation that the separation of services is complete.

19. The developer must pay the cost of any alterations and/or reinstatement to the Council's infrastructure incurred as a result of the proposed development works.

Reason for condition

To ensure that any Council infrastructure affected by the proposal will be reinstated at the Developer's full cost.

20. The final plan and schedule of easements are to include, to the satisfaction of the Council's Director Infrastructure Services, Drainage Easements in favour of the Hobart City Council over the storm water system (including any overland flow paths and natural water courses) passing through the lots shown on the plan. The drainage easement covering the stormwater main servicing the proposed western Lots must be extended to the boundary of 498 Nelson Rd.

Reason for condition

To enable maintenance of Council's infrastructure and to alert potential purchasers to their existence, and to ensure the site/ layout does not make stormwater drainage unduly expensive, improve the local drainage network and protect future development.

21. The final plan and schedule of easements are to include, to the satisfaction of the Council's Director Infrastructure Services, Drainage Easements in favour the Tasmanian Water and Sewerage Corporation (Southern Region Pty Ltd) over any proposed or existing sewer mains passing through the lots shown on the plan.

Reason for condition

To enable maintenance of Southern Water's infrastructure and to alert potential purchasers to the existence of Southern Water's mains.

22. The Final Plan must be notated in accordance with the provisions of Section 83(5)(a)(ii) of the Local Government (Building and Miscellaneous Provisions) Act 1993 to the satisfaction of the Council's Manager Surveying Services to the effect that the Hobart City Council cannot provide a means of gravity reticulated stormwater disposal from lot 6 below a specified reduced level. The specified reduced level is to be provided by the owner's Registered Land Surveyor who must supply the Council's Manager Surveying Services with the invert levels (on State Datum) of the stormwater connection that will be constructed to serve Lots 6.

Reason for condition

To ensure that the limitation in Council's ability to provide a means of gravity reticulated stormwater disposal to Lot 6 is noted on the Final Plan.

23. The "proposed road" is to be shown as a Lot on the Final Plan and must be transferred to the Council for nominal consideration. Prior to the sealing of the Final Plan, the applicant must provide the Council an executed Memorandum of Transfer together with the required Land Titles Office registration fees.

Advice: The applicant will need to prepare and execute a Land Titles Office transfer and partial discharge of mortgage for the road lot, attend to the assessment and payment of Stamp Duty with the Commissioner of Taxes and forward the stamped instruments together with the associated Land Titles Office registration fees (Cheque made payable to the Recorder of Titles for \$131-00 (Transfer) and \$106-00 (Partial Discharge of Mortgage) and a completed notice of sale, to the Council's Manager Surveying Services prior to the sealing of the final plan of survey.

Reason for condition

To ensure that title to the proposed Road lot issues in the Hobart City Council.

24. Prior to the sealing of the final plan, a copy of the surveyor's field notes prepared to accompany the final plan must be provided to the Council's Director Infrastructure Services.

Reason for Condition

To enable Council to accurately update cadastral layers on the corporate Geographic Information System.

25. Prior to the commencement of works on site, road engineering drawings detailing the construction of the proposed access road, must be submitted to and approved by the Council's Director Infrastructure Services. In particular:

- (i) Road design details must comply with the Standard for Subdivisions (IPWEA) standard drawing SD 1001 Urban Roads – typical cross section (18.3m wide road reservation)
- (ii) Footpath design must comply with the Tasmanian Standard for Subdivisions (IPWEA) standard drawing SD 1006 Urban Roads – Footpath Details - concrete footpaths
- (iii) Cul-De-Sac design must comply with the Tasmanian Standard for Subdivisions (IPWEA) standard drawing SD 1011 - Urban type Cul-De-Sac
- (iv) Kerb ramps must be provided at end of footpath at access to future road lot. Ramps to be provided in accordance with Councils Standard for Subdivisions (IPWEA) standard drawing SD 1004 Urban Roads – Kerb Ramps.

Once approved, the road engineering drawings will form part of this permit and must be complied with.

Advice: The road engineering drawings must include but not be limited to the following information:

- (i) *Fully dimensioned horizontal and vertical geometry, including the intersection with Nelson Road (plan view and long section)*
- (ii) *Construction details in typical cross section(s)*
- (iii) *Drainage details, cross falls, kerb lines, spot levels, pits and reticulation details, pipe material, class and gradients*
- (iv) *Traffic management signage*
- (v) *Footpath details*
- (vi) *Kerb ramp locations*
- (vii) *Road lighting installation to include standard Aurora Energy supplied poles and standard Aurora Energy energy efficient road light fittings.*

Reason for condition

To ensure that all works are done to the Council's standards.

26. Prior to the commencement of any work within the road reservation, a Road Opening Permit (pursuant to section 46 of the Local Government (Highways) Act 1982) must be obtained from the Council's Project and Development Inspector. The application for the Road Opening Permit must include items such as hours of work, road safety, reinstatement, soil and water management, etc.

Reason for condition

To ensure that the works in the highway reservation are legally carried out.

27. Prior to the commencement of any works on site, plans of the proposed driveways, including crossovers, prepared by a civil engineer (or an equivalent suitably qualified person) must be submitted to and approved by the Council's Director Infrastructure Services. Once approved, the plans will form part of this permit and must be complied with.

Reason for condition

To ensure adequate and satisfactory access to the subject lots.

28. Prior to the sealing of the final plan, the developer must construct and pay the full cost of a vehicle crossover (in accordance with the Tasmanian Councils Standard for Subdivisions (IPWEA) standard drawing SD 1003 Urban Roads – Typical Vehicle Crossing) and a minimum 3.0m wide sealed concrete driveway from the roadway to the boundary of any new lots not already served by an existing crossover, to the satisfaction of the Council's Development Engineer and the Project and Development Inspector.

Reason for condition

To ensure adequate and satisfactory access to the subject lots.

29. Any construction of public infrastructure (which will be taken over by the Council) must be carried out either by the Council or by a Council-approved person in accordance with the conditions set out in the document "Guidelines for Public Infrastructure Construction by the Private Sector". A copy of this document is appended to this permit. Note that live works such as connections to existing mains must be carried out by the Council (Civic Solutions).

Reason for condition

To ensure that public works are carried out to the required standards.

30. Prior to the issuing of any Council-approved engineering drawings, any developer intending to build public infrastructure that is part of this development must first obtain a Permit to Construct Public Infrastructure from the Council's Project and Development Inspector (phone (03) 62 382 967, or on mobile 0417 604 725). Developers must read the document "Guidelines for Public Infrastructure Construction by the Private Sector" and fill in an application form. Contact the Project and Development Inspector for more information.

Reason for condition

To ensure that public works are carried out to the required standards.

31. A 52 week defects liability period applies to all infrastructure required under this permit commencing on the date a completion of works certificate is issued by the Council. During the defects liability period, the developer must undertake any remedial action to any constructed public infrastructure deemed as necessary by the Council's Director Infrastructure Services. The remedial action must be completed to the satisfaction of the Council's Director Infrastructure Services prior to the issue of the final certificate.

Advice: Further advice regarding the construction of public infrastructure can be found in the document 'Guidelines for Public Infrastructure Construction by the Private Sector'.

Reason for condition

To ensure that public works are carried out to the required standards.

32. The Council's Project and Development Inspector must be contacted on phone (03) 62 382 967, or on mobile 0417 604 725 at least 24 hours prior to the commencement of any work relating to:
- (i) Public infrastructure that is built by the developer;
 - (ii) New roadworks;
 - (iii) New vehicle crossovers;
 - (iv) New driveway works or parking areas; and
 - (v) New hydraulic service connections.

The services plan required in condition 17 above, and other relevant engineering drawings, must be notated in accordance with the above to ensure that developers are made aware of this requirement.

Reason for condition

To ensure that all works are done to the Council's standards.

33. Prior to the issuing of the approved engineering drawings for the development, a development engineering fee of 1.5% of the value of the approved engineering works (roads, driveways and stormwater drainage systems) must be paid to the Council. An estimate of the value of the engineering works must accompany the draft engineering drawings. .

Reason for condition

To help meet the cost of approving engineering drawings and carrying out site inspections.

34. Prior to sealing of the plan of survey by council the developer must obtain from Southern Water a Certificate of Approval for the Plan of Survey.
35. Prior to commencement of any works on site, the developer must apply to Southern Water for Engineering Design Approval and a Permit to Construct new Southern Water infrastructure.
36. Upon completion of new infrastructure, the developer must apply to Southern Water for connection of newly created works to Southern Water's existing infrastructure. This work is to be undertaken by Southern Water at the developer's cost.
37. Water and sewerage infrastructure must be constructed in accordance with Engineering Design Approval issued by Southern Water.
38. The Final Plan of Survey must note, pursuant to Section 83 of the Local Government Act that Southern Water cannot provide a means of sewerage for all effluent to Lot 5.

Advice: Connection of Lot 5 to the Southern Water sewerage system could be made by means of a pump system installed, operated and maintained by the landowner as part of a future building proposal. As a standard sewerage connection cannot be provided to Lot 5, the property will fall outside of Southern Water's serviced land boundary for sewerage. Furthermore, payment of the developer headworks charge for sewerage for Lot 5 is not required to seal the final plan of survey for the subdivision. In the event that a connection is required to Lot 5 in the future, the owner or applicant, as the case may be, will be liable for a connection charge equivalent to the applicable developer charge for one (1) Equivalent Tenement (ET) at the time that the connection is to be made and subsequent annual service charges comparable to those applicable to serviced land.

39. Engineering designs must generally be in accordance with the drawings and documents listed in the Schedule of Drawings and any additional requirements included in these conditions.

40. All existing, redundant and/or proposed property services must comply with the following requirements:
- a) One sewer and one water property service connection must be provided to each lot, but excluding sewer service connection to Lot 5.
 - b) The property water service for each serviced lot must be minimum 20mm nominal bore with a 20mm meter, supplied by Southern Water at the developer's cost, installed just inside the property boundary at the road frontage.
 - c) The sewer property service connections for each serviced Lot must be minimum 100mm nominal bore and must be located at the low point of the lot just inside the property boundary.
 - d) The developer is responsible for locating the existing connection(s) and clearly showing details on the drawings. Any existing connection(s) that cannot be located may be located by Southern Water at the developer's cost;
 - e) Redundant connection(s) must be shown to be cut and sealed;
 - f) All private water and sewerage service pipes must be separated so that they are wholly contained within the lot they service.
 - g) All modifications and additions to property services which connect directly onto Southern Water mains must be carried by Southern Water at the developer's cost.
41. Prior to applying for a Permit to Construct new Southern Water infrastructure, the developer must obtain Engineering Design Approval from Southern Water for new Southern Water infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a registered professional engineer - showing the hydraulic servicing requirements for water and sewerage. The engineering design plans must comply with the Sewerage Code of Australia, the Sewage Pump Station Code of Australia and the Water Code of Australia - Melbourne Retail Water Agencies Integrated Code version(s) published by the Water Services Association of Australia, and as amended by Southern Water's Supplements, and must be to the approval of Southern Water. The engineering design plans must notate and describe all work that is to be performed by Southern Water.
42. The Developer must engage a registered land surveyor to progressively collect As Constructed details of the infrastructure to be transferred to Southern Water to the requirements of Southern Water's data specification.

43. At practical completion of the subdivisional works, the developer must apply to Southern Water for a Certificate of On-Maintenance for the newly constructed infrastructure that will be transferred to Southern Water. To obtain a Certificate of On-Maintenance the developer must:
- a) Provide written confirmation that the works have been completed in accordance with the plans and specifications and that the appropriate level of workmanship have been achieved.
 - b) Provide As-Constructed details of the works certified by a registered land surveyor in Southern Water's data specification format for approval by Southern Water.
 - c) Request a joint on site inspection with Southern Water's authorised representative.
 - d) Lodge security with Southern Water as required for a twelve (12) month maintenance period. The security is to be 10% of the value of the Southern Water infrastructure. Such security shall be in the form of a bank guarantee.
44. A 12 month maintenance period shall apply to infrastructure covered by the Certificate of On-Maintenance from the date of issue of the Certificate. During this period all defects must be rectified at the developer's cost and to the satisfaction of Southern Water. A further 12 month maintenance period may be applied to defects after rectification. Southern Water may, at its own discretion, undertake rectification of any defects at the developer's cost. The maintenance period will be deemed to be complete on issue of a Final Certificate from Southern Water.
45. Upon satisfactory completion of the maintenance period for the newly constructed infrastructure that will be transferred to Southern Water, the developer must request Southern Water to issue a Final Certificate. Upon receipt of this request Southern Water shall issue a Final Certificate and the new infrastructure shall be transferred to Southern Water.

46. Prior to Southern Water issuing a Certificate of Approval for the Plan of Survey, Pipeline Easements must be created over all existing and proposed water and sewerage pipelines in accordance with Southern Water's standard pipeline easement conditions. Minimum width of easements shall be;
- i) 3.0 metres for sewer and stormwater pipeline in a common easement; and
 - ii) 2.5 metres for sewer pipeline only.
47. Prior to Southern Water issuing a Certificate of Approval for the Plan of Survey, the applicant or landowner as the case may be, must pay a headworks charge totaling \$22,198.00 to Southern Water for water infrastructure for ten (10) additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this permit until the date it is paid to Southern Water.

Advice: Headworks calculations are provided under the Explanation of Headworks Charges below

48. Prior to Southern Water issuing a Certificate of Approval for the Plan of Survey, the applicant or landowner as the case may be, must pay a headworks charge totaling \$26,110.00 to Southern Water for sewerage infrastructure for ten (10) additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this permit until the date it is paid to Southern Water.

Advice: Headworks calculations are provided under the Explanation of Headworks Charges below.

49. For staged development, payment of headworks charges must be made to Southern Water prior to the issue of each separate Southern Water Plan of Survey Certificate of Approval for each individual stage based on the number of lots to be created in that stage.
50. The developer must protect Southern Water assets and any damage to Southern Water's assets must be promptly reported to Southern Water and shall be repaired by Southern Water at the developer's cost.
51. Following issue of a certificate of On-Maintenance, ground levels over Southern Water infrastructure must not be altered without written approval of Southern Water.
52. The applicant or landowner as the case may be, must pay the following fee(s) to Southern Water for this proposal:

53. All fees quoted in this permit shall be indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this document until invoiced by Southern Water.
54. In the event that development is to be undertaken in stages, the fees reflecting the relevant fee categories pertaining to each stage will be assessed at the time each Application for Certificate of Approval for Final Plan Sealing is made.
55. Payment terms are 30 days from the date of the invoice. Southern Water will not issue a Certificate of Approval for Final Plan Sealing until outstanding fees have been paid.

Description of Fee (GST Inclusive)	Fee	Date from which the Southern Water
Assessment for development (subdivision)	\$946.55	The date of the Response to the Council
Application for engineering design	\$1,639.00	The date of Engineering Design
Application for Permit to Construct (Asset)	\$3,278.00	The date of the Permit to Construct
Final Plan Sealing	\$141.35	The date of the Southern Water Certificate

ADVICE

i. **Locating Southern Water's Infrastructure**

The developer is responsible for arranging to locate existing Southern Water infrastructure and clearly showing it on any drawings. Existing Southern Water infrastructure may be located by Southern Water (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

ii. **Southern Water Forms**

Application forms and information can be found under the 'Your Development' tab on the Southern Water internet page:- <http://www.southernwatertas.com.au>

iii. **Explanation of Fees**

This proposed development has been assessed as Major in accordance with the Southern Water Development Assessment Services – Fee Schedule as posted on the Southern Water Web site for the whole development.

The fee for the Application for the Permit to Construct does not apply if the developer engages Southern Water to carry out the whole of the work covered by Engineering Design Approval.

iv. Explanation of Headworks Charges

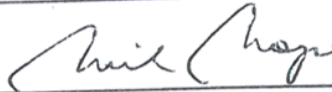
- (a) Southern Water's Developer Charges Policy provides for infrastructure contribution (Headworks charge) based on the burden expressed as Equivalent Tenements (ETs) the proposed development will place on Southern Water's infrastructure. A copy of the policy can be found on Southern Water's website at: <http://www.southernwatertas.com.au>

- (b) The calculation of Headworks charges is based on the following criteria:

Water headwork charge/Equivalent Tenements (ETs)	\$2,018.00 (Hobart)
Sewer headwork charge/ Equivalent Tenements	\$2,611.00 (Blinking Billy)
Total number of lots (ETs) created	12
Total number of lots (ETs) credited (water)	1 (Parent title)
Net number of lots (ETs) created (water)	11
Total number of lots (ETs) credited (sewer)	2 (Parent title and Lot
Net number of lots (ETs) created (sewer)	10
Water headworks charge	\$22,198.00
Sewer headworks charge	\$26,110.00
Total headworks charge	\$48,308.00

22/2/2012

Date



Director Development and Environmental Services

ATTACHMENT A**Documents and Drawings that comprise Planning Application Number**

PLN-08-00538-01

DEVELOPMENT ADDRESS: 502 Nelson Road,
MOUNT NELSON**LIST OF DOCUMENTATION:**

Description	Plan No. Where Relevant	Date of Lodgement
Application form		28/5/2008
Title		28/5/2008
Documentation: Subdivision Planning Submission		28/05/2008
Flora and Fauna Survey		10/06/2008
Bushfire and Tree Removal Letters		10/10/2008
Plans: Subdivision Plan		28/05/2008
Subdivision Detail Plan	Sheet 1 of 1	10/10/2008
Detail Plan showing Street Layout		10/10/2008
Elevation Plan of 500 and 504 Nelson Road		10/10/2008
Bushfire Hazard Management Plan		10/10/2008

IMPORTANT INFORMATION ABOUT THE ATTACHED PERMIT

WHAT HAS BEEN DECIDED?

The Council has granted a permit subject to conditions.

WHEN DOES A PERMIT TAKE EFFECT?

If there is a right of appeal against the granting of a permit, the permit takes effect at the end of 14 days from the day on which notice of the granting of the permit was served on the person who has a right of appeal.

Where an appeal is instituted against the Council's decision to grant a permit, the permit does not take effect until the determination or abandonment of the appeal.

Where any other approvals are required under the Land Use Planning and Approvals Act 1993 or any other Act, the permit cannot be enacted until all of those approvals have been granted.

WHEN DOES A PERMIT LAPSE?

A permit lapses after a period of 2 years from the date on which it was granted, if the use or development for which it was granted is not substantially commenced within that period. An application can be made for an extension of the planning permit for a further 2 years provided that application is made prior to the expiry date.

WHAT ABOUT APPEALS?

An applicant for a permit may appeal against Council's decision to grant a permit subject to conditions or restrictions, within 14 days after the day on which notice of Council's decision was served on them.

Any person who has made a representation during the period of 14 days commencing on the date on which notice of the application was given (or such further notice period as Council may have allowed) may appeal against the grant of a permit within 14 days after the day on which notice of the granting of the permit was served on them.

An appeal may only be lodged with the Resource Management and Planning Appeal Tribunal. Please note that the Tribunal will not directly notify representors if an appeal is lodged. You may either look for the notice of appeal, which will be published in The Mercury; or contact the Tribunal directly.

Details about appeals and the fees payable can be obtained from the Tribunal.

The Tribunal's contact details are as follows:

Telephone No: (03) 6233 6464

Facsimile No: (03) 6224 0825

Postal Address:

GPO Box 2036
HOBART 7001

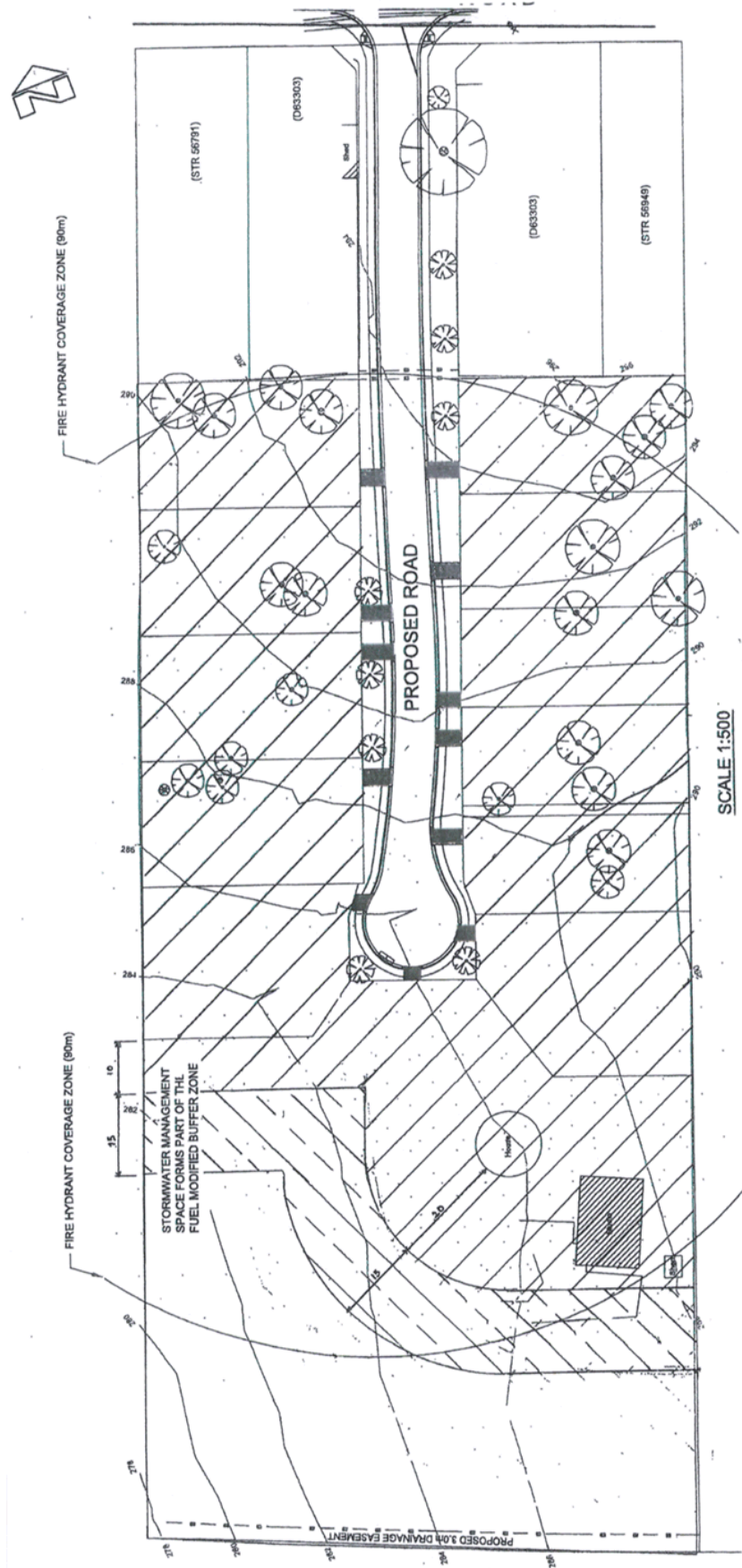
Street Address:

Floor 1
144-148 Macquarie Street
HOBART

Email address:

RMPAT@justice.tas.gov.au

Web page: www.rmpat.tas.gov.au



NOTES

1. THE FUEL MODIFIED BUFFER ZONE SHALL HAVE VEGETATION MANAGED TO "PROMOTE THE NATURAL RECRUITMENT OF E.OVATA WITHIN THE FIREZ AND ENCOURAGE THE ESTABLISHMENT OF ANY OFFSET PLANTINGS OF THIS SPECIES IN THIS ZONE IN ACCORDANCE WITH THE MANAGEMENT PRESCRIPTIONS FOUND IN THE TASMANIA FIRE SERVICE'S GUIDELINES FOR DEVELOPMENT IN BUSHFIRE PRONE AREAS OF TASMANIA."

2. ALL ASPECTS AND REQUIREMENTS OF THE BUSHFIRE MANAGEMENT PLAN ARE TO BE IMPLEMENTED PRIOR TO THE CONSTRUCTION OF ANY NEW DWELLINGS WITHIN THE PROPOSED DEVELOPMENT.

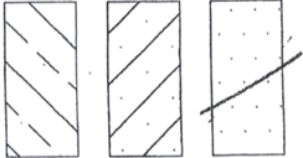
3. ALL PRESCRIPTIONS UNDER THE GUIDELINES FOR DEVELOPMENT IN BUSHFIRE PRONE AREAS FOR BUILDING PROTECTION ZONES AND FUEL MODIFIED BUFFER ZONES ARE TO BE ADHERED TO WITH PARTICULAR ATTENTION TO UNDER-STORY MANAGEMENT AND VEGETATION SELECTION.

SCALE 1:500

FUEL MODIFIED BUFFER ZONE.
25m OFFSET FROM EXISTING STRUCTURES IN ACCORDANCE WITH TASFIRE GUIDELINES 'FOR DEVELOPMENT IN BUSHFIRE PRONE AREAS OF TASMANIA' FOR SITES OF 5° SLOPE AND FOREST COVER

BUILDING PROTECTION ZONE.
20m OFFSET FROM EXISTING STRUCTURES IN ACCORDANCE WITH TASFIRE GUIDELINES 'FOR DEVELOPMENT IN BUSHFIRE PRONE AREAS OF TASMANIA' FOR SITES OF 5° SLOPE

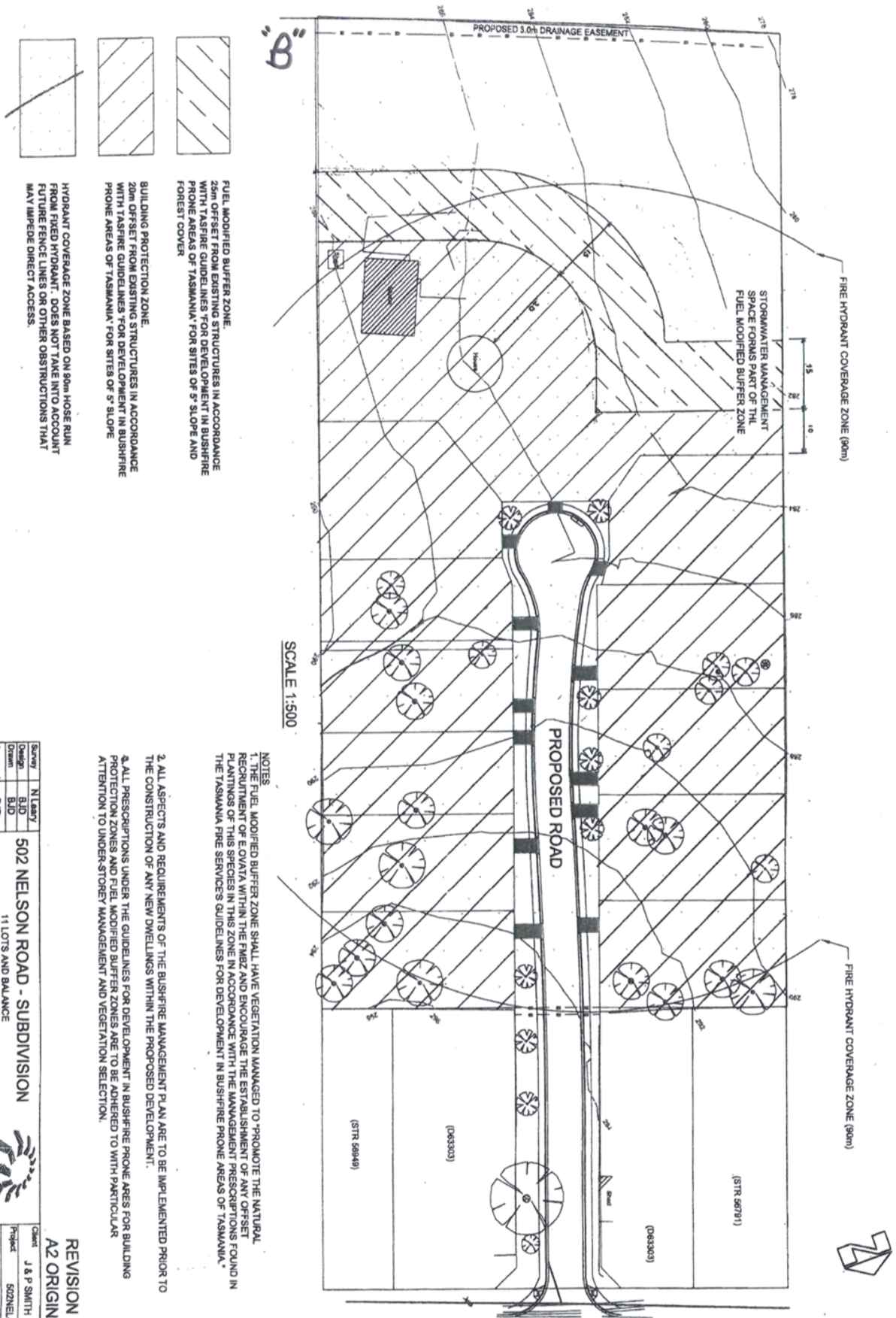
HYDRANT COVERAGE ZONE BASED ON 90m HOSE RUN FROM FIXED HYDRANT. DOES NOT TAKE INTO ACCOUNT FUTURE FENCE LINES OR OTHER OBSTRUCTIONS THAT MAY IMPEDE DIRECT ACCESS.



REVISION B
A2 ORIGINAL

Survey	N Laury	Client	J & P SMITH
Design	BJD	Project	502NEL-11
Drawn	BJD	Drawing No.	S-502NEL-1
Approved	BJD	Scale	1:500
Date	18/12/13		

502 NELSON ROAD - SUBDIVISION
11 LOTS AND BALANCE
BUSHFIRE MANAGEMENT



Survey	N Leary
Design	BJD
Drawing	BJD
Approved	BJD
Date	18/12/13

502 NELSON ROAD - SUBDIVISION

11 LOTS AND BALANCE
BUSHFIRE MANAGEMENT

Client	J & P SMITH
Project	502NEL-1
Drawing No.	S-502NEL-
Sheet	1 of 1

REVISION B
A2 ORIGINAL

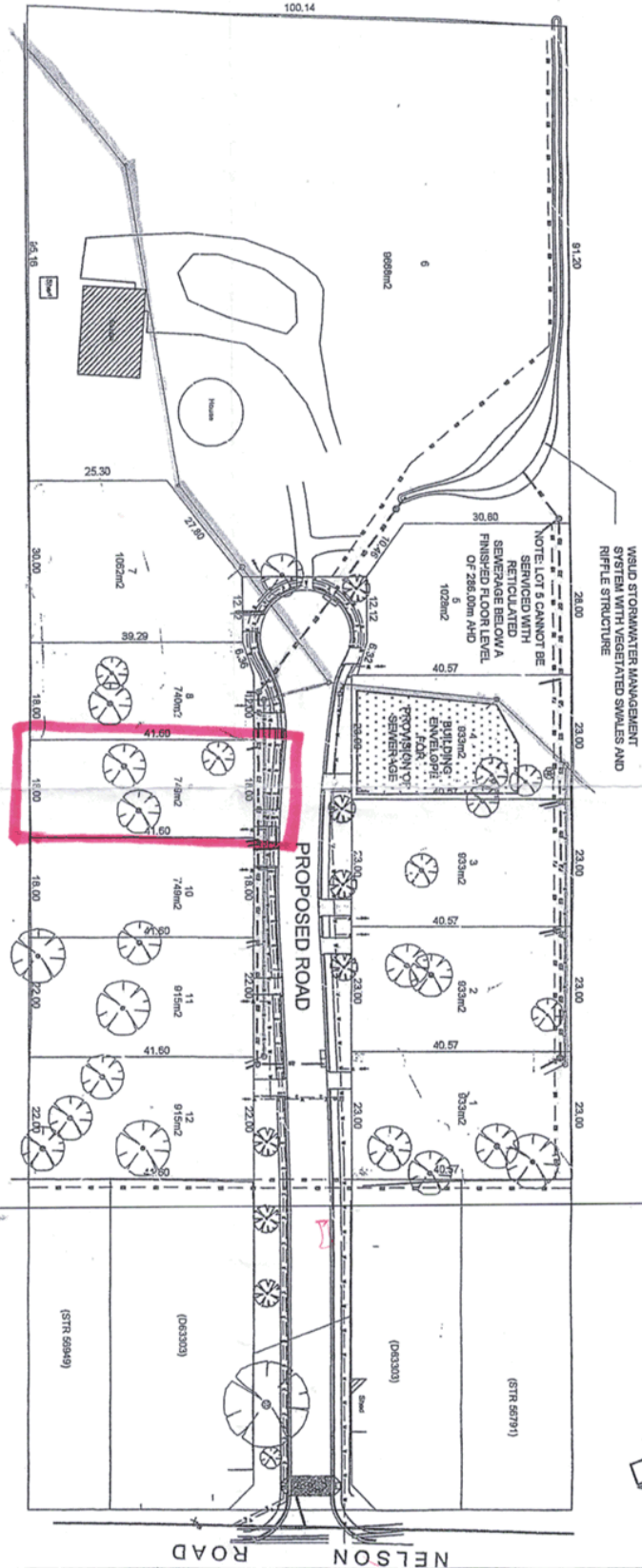
REMARKS OF UNDERGROUND SERVICES
The location of underground services are approximate only and their exact location should be proven on site by the relevant Authorities. No guarantee is given that all services are shown.

Drawn	Checked	Approved	Date
N. Lamy	N. Lamy	N. Lamy	18/12/13

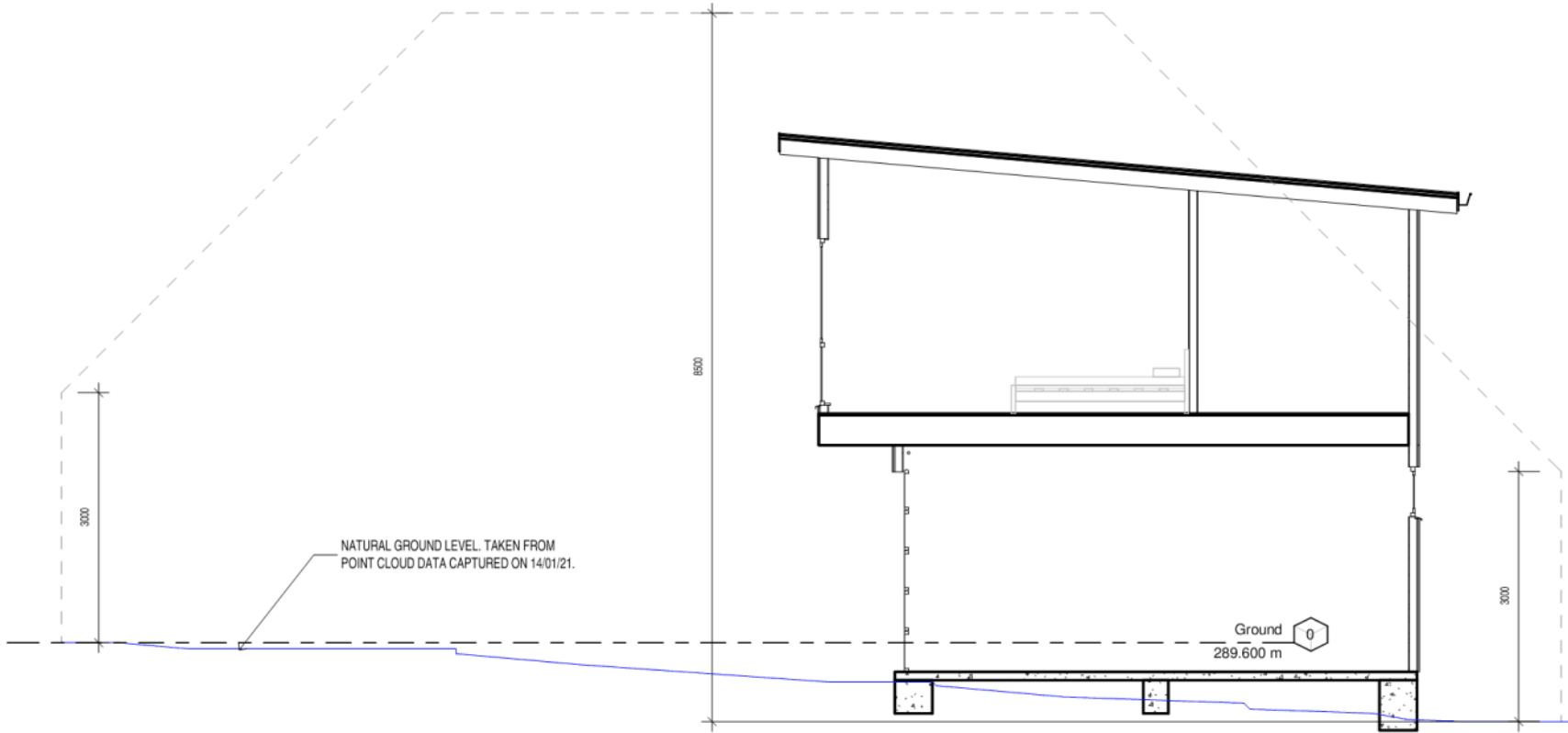
502 NELSON ROAD - SUBDIVISION
11 LOTS AND BALANCE
GENERAL ARRANGEMENT

Client
J & P SMITH
Project
502NEL-13
Drawing No.

Lin
0408297440



Existing sewer easement
New stormwater easement
New sewer easement



FORMATION
DESIGN & DRAFTING
JANE HADLEY
BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307
LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
E: jane@formationdrafting.com.au



DO NOT SCALE DRAWINGS.
USE WRITTEN DIMENSIONS ONLY.
BUILDERS & CONTRACTORS TO CHECK
AND VERIFY ALL DIMENSION AND LEVELS
PRIOR TO STARTING ANY WORK ON SITE.
ANY DISCREPANCIES NEED TO BE REPORTED
TO FORMATION DESIGN & DRAFTING.

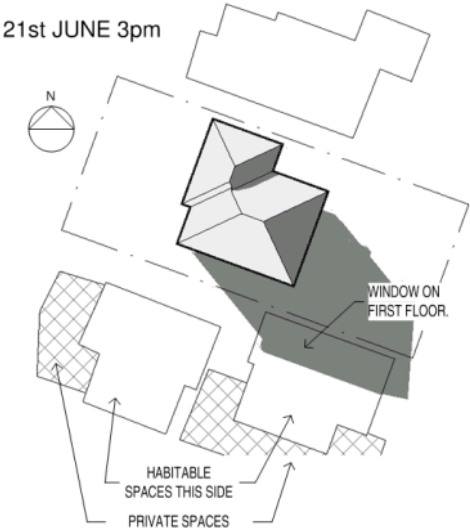
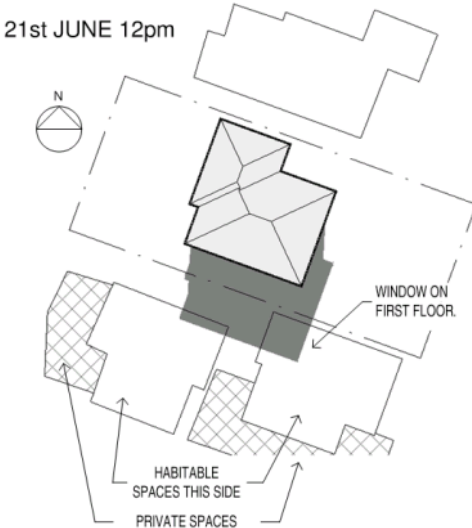
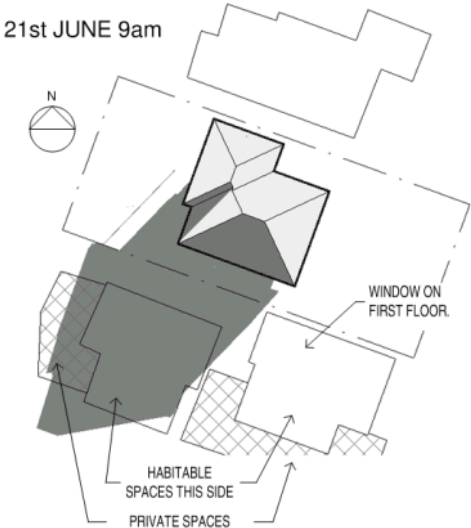
PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

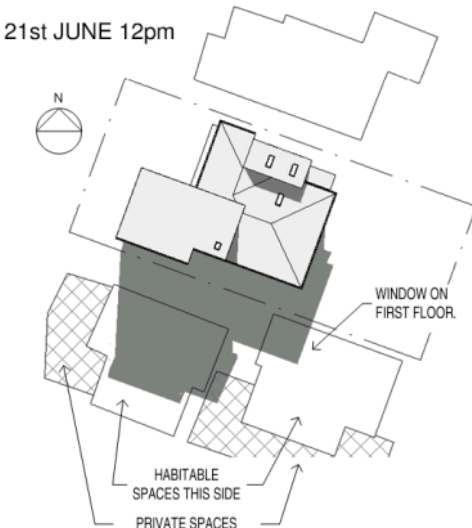
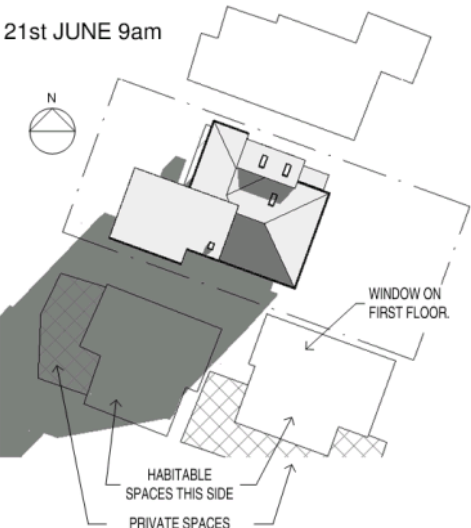
REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: SECTION - BUILDING ENVELOPE
Drawn: J.ROBERTS
Scale: 1 : 50
Size: A3 **Date:** 14/12/20
Project: 20001
Sheet: A290 **Rev:** A

EXISTING



PROPOSED



FORMATION
DESIGN & DRAFTING
JANE HADLEY
BUILDING DESIGNER (DOMESTIC)
LICENSE NUMBER 924704307
LEVEL 1, 11A MURRAY STREET
M: 0492 597 960
E: jane@formationdrafting.com.au



DO NOT SCALE DRAWINGS.
USE WRITTEN DIMENSIONS ONLY.
BUILDERS & CONTRACTORS TO CHECK
AND VERIFY ALL DIMENSION AND LEVELS
PRIOR TO STARTING ANY WORK ON SITE.
ANY DISCREPANCIES NEED TO BE REPORTED
TO FORMATION DESIGN & DRAFTING.

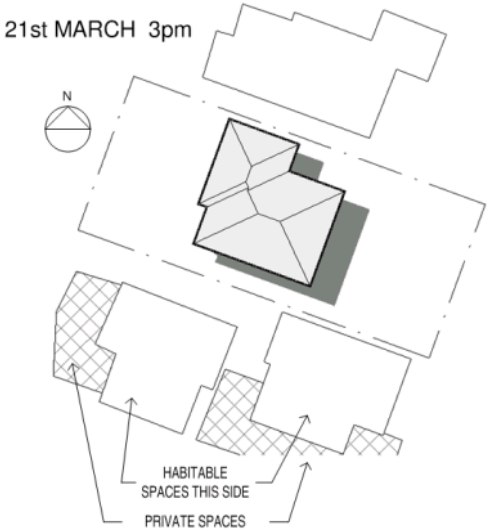
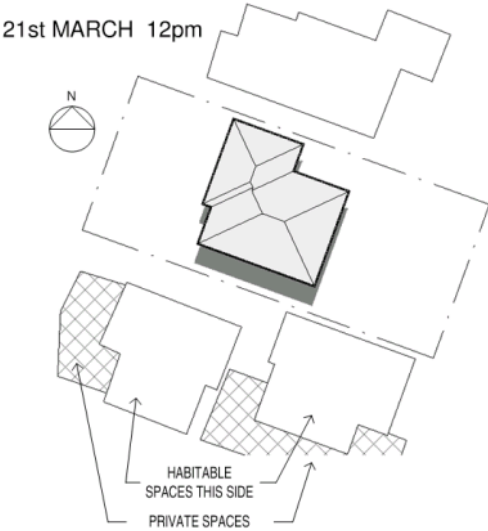
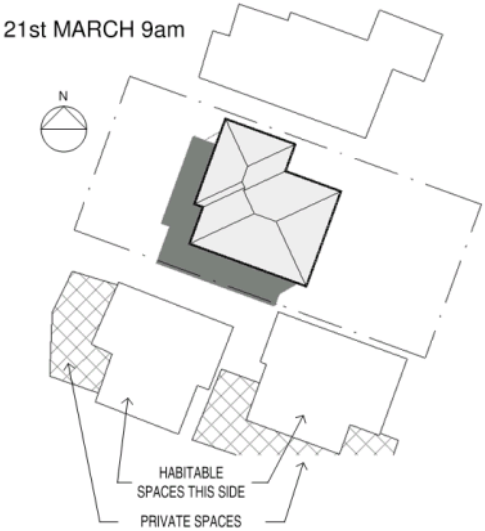
PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

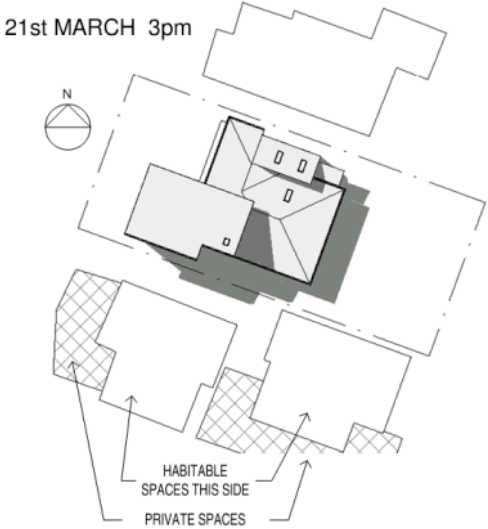
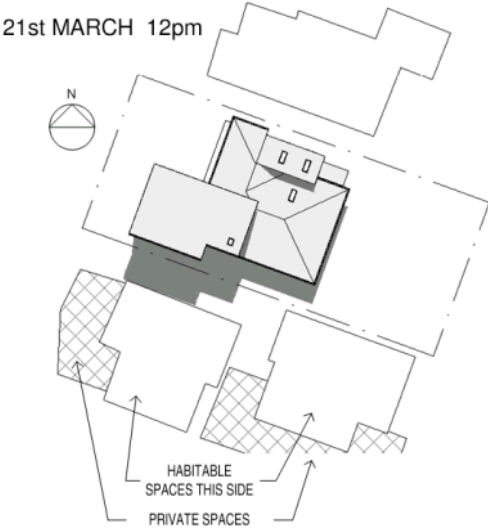
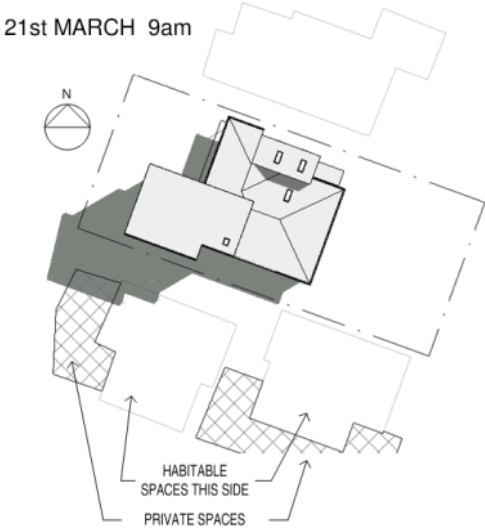
REVISION #	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	16/11/20
B	ADDITIONAL DA INFORMATION	14/12/20
C	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: SHADOW-DIAGRAMS-JUNE
Drawn: J.ROBERTS
Scale: 1 : 500
0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3
Date: 14/12/20
Sheet: A131
Rev: C

EXISTING



PROPOSED



FORMATION
DESIGN & DRAFTING
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	ADDITIONAL DA INFORMATION	03/12/20
B	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: SHADOW-DIAGRAMS-MARCH
Drawn: Author
Scale: 1 : 500
0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A132 **Rev:** B

JUNE 21ST



FORMATION
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - EXISTING SHADOWS - 9am
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A951 **Rev:** A

JUNE 21ST



FORMATION
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - EXISTING SHADOWS - 12pm
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A952 **Rev:** A

JUNE 21ST



FORMATION
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - EXISTING SHADOWS - 3pm
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A953 **Rev:** A

JUNE 21ST



FORMATION
DESIGN & DRAFTING
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - NEW SHADOWS - 9am
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
0 500 1000 2500
SCALE: 1:100
Project: 20001
Sheet: A954 **Rev:** A

JUNE 21ST



FORMATION
DESIGN & DRAFTING
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - NEW SHADOWS - 12pm
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A955 **Rev:** A

JUNE 21ST



FORMATION
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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9A - NEW SHADOWS - 3pm
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
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SCALE: 1:100
Project: 20001
Sheet: A956 **Rev:** A

JUNE 21ST



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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - EXISTING SHADOWS - 9am
Drawn: J.ROBERTS
Scale: 0 500 1000 2500
SCALE: 1:100
Project: 20001
Size: A3 **Date:** 14/12/20
Sheet: A957 **Rev:** A

JUNE 21ST



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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - EXISTING SHADOWS - 12pm
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
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SCALE: 1:100
Project: 20001
Sheet: A958 **Rev:** A

JUNE 21ST



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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - EXISTING SHADOWS - 3pm
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
0 500 1000 2500
SCALE: 1:100
Project: 20001
Sheet: A959 **Rev:** A

JUNE 21ST



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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - NEW SHADOWS - 9am
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
0 500 1000 2500
SCALE: 1:100
Project: 20001
Sheet: A960 **Rev:** A

JUNE 21ST



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PROPOSAL:
EXTENSION & RENOVATION

Client:
DANIELLA POLITA
PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - NEW SHADOWS - 12pm
Drawn: J.ROBERTS

Scale:



SCALE: 1:100

Project:
20001

Size: A3 **Date:** 14/12/20

Sheet: **Rev:**
A961 A

JUNE 21ST



FORMATION
DESIGN & DRAFTING
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PROPOSAL:
EXTENSION & RENOVATION

Client:
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PROJECT ADDRESS:
7 RIBBON GUM COURT MOUNT
NELSON TAS 7030

REVISION #	DESCRIPTION	DATE
A	POINT CLOUD ADDED	18/01/21

Phase: DEVELOPMENT APPLICATION
Sheet: UNIT 9B - NEW SHADOWS - 3pm
Drawn: J.ROBERTS
Scale: **Size:** A3 **Date:** 14/12/20
0 500 1000 2500
SCALE: 1:100
Project: 20001
Sheet: A962 **Rev:** A

8. REPORTS

8.1 Delegated Decision Report (Planning) File Ref: F21/15173

Memorandum of the Director City Planning of 22 February 2021 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Delegated Decision Report (Planning)

Attached is the delegated planning decisions report for the period 8 February 2021 to 19 February 2021.

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 February 2021
File Reference: F21/15173

Attachment A: Delegated Decision Report (Planning) ↓

22 February 2021

Delegated Decisions Report (Planning)

26 applications found.

Planning Description	Address	Works Value	Approved	Withdrawn / Cancelled	All
			Decision	Authority	
PLN-20-583 Partial Demolition, Alterations, Extension, Garage and Outbuilding (Studio)	19 FREDERICK STREET WEST HOBART TAS 7000	\$ 180,000	Approved	Delegated	
PLN-20-661 Partial Demolition, Alterations, and Extension	12 CROSS STREET NEW TOWN TAS 7008	\$ 200,000	Withdrawn	Applicant	
PLN-20-690 Carport	16 ELLINGTON ROAD SANDY BAY TAS 7005	\$ 60,000	Approved	Delegated	
PLN-20-744 Partial Demolition, Alterations, Extension and Front Fencing	11 FERNDENE AVENUE SOUTH HOBART TAS 7004	\$ 250,000	Approved	Delegated	
PLN-20-770 Dwelling	59 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 460,000	Approved	Delegated	
PLN-20-794 Dwelling	76 LIVERPOOL CRESCENT WEST HOBART TAS 7000	\$ 300,000	Withdrawn	Applicant	
PLN-20-811 Dwelling	40 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 380,000	Approved	Delegated	
PLN-20-843 Dwelling	11 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 380,000	Approved	Delegated	
PLN-20-859 Partial Demolition, Subdivision (One Additional Lot) and Associated Works	34 REYNOLDS COURT DYN NYRNE TAS 7005	\$ 20,000	Approved	Delegated	
PLN-20-862 Partial Change of Use to Business and Professional Services (Medical Centre)	225 MURRAY STREET HO BART TAS 7000	\$ 0	Approved	Delegated	
PLN-20-865 Carport	2/5 FITZROY PLACE SANDY BAY TAS 7005	\$ 25,000	Withdrawn	Applicant	
PLN-20-874 Garage	2-10 TURNIP FIELDS ROAD SOUTH HOBART TAS 7004	\$ 4,900	Withdrawn	Applicant	
PLN-20-876 Partial Demolition, Alterations and Carport	2/399A SANDY BAY ROAD SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated	
PLN-20-877 Partial Demolition, Alterations, and Extension	5 LACHLAN DRIVE MOUNT NELSON TAS 7007	\$ 80,000	Approved	Delegated	
PLN-20-890 Dwelling	44 BEAUMONT ROAD LENA VALLEY TAS 7008	\$ 350,000	Approved	Delegated	
PLN-20-891 Partial Demolition, Alterations and Extension	COMMON LAND OF PARENT TITLE	\$ 59,000	Approved	Delegated	
PLN-20-903 Partial Demolition, Alterations, and Partial Change of Use to General Retail and Hire, and Food Services	42 ARGYLE STREET HO BART TAS 7000	\$ 100,000	Approved	Delegated	
PLN-20-909 Alterations, Ancillary Dwelling and Retaining Walls	236 CHURCHILL AVENUE SANDY BAY TAS 7005	\$ 60,000	Approved	Delegated	
PLN-20-914 Partial Demolition, Alterations, Signage, and Change of Use to Eating Establishment	115/13-17 CASTRAY ES PLANADE BATTERY POINT TAS 7004	\$ 15,000	Withdrawn	Applicant	
PLN-21-14 Partial Demolition, Alterations, Extension and Outbuilding	18 D'ARCY STREET SOUTH HO BART TAS 7004	\$ 300,000	Approved	Delegated	
PLN-21-16 Alterations and Signage	272 MACQUARIE STREET SOUTH HOBART TAS 7004	\$ 50,000	Withdrawn	Applicant	
PLN-21-34 Demolition and Front Fencing	3 SUMMERHILL ROAD WEST HOBART TAS 7000	\$ 2,000	Withdrawn	Applicant	
PLN-21-41 Carport	11/18 CHADWICK COURT WEST HOBART TAS 7000	\$ 13,000	Approved	Delegated	
PLN-21-5 Partial Demolition and Alterations	108 QUEEN STREET SANDY BAY TAS 7005	\$ 20,000	Approved	Delegated	

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-21-71 Alterations	43 PROCTORS ROAD DYNMYRNE TAS 7005	\$ 8,000	Exempt	Delegated
PLN-21-79 Change of Use to Visitor Accommodation	13 FRENCH STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated

8.2 City Planning - Advertising Report
File Ref: F21/15307

Memorandum of the Director City Planning of 24 February 2021 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

City Planning - Advertising Report

Attached is the advertising list for the period 8 February 2021 to 19 February 2021.

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: 24 February 2021
File Reference: F21/15307

Attachment A: City Planning - Advertising Report ↓ 

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-2	11 RIBBON GUM COURT	MOUNT NELSON	Dwelling	\$950,000	06/03/2021	ayersh	Director	10/02/2021	24/02/2021
PLN-20-863	318 MURRAY STREET	NORTH HOBART	Alterations (Deck)	\$16,150	11/03/2021	ayersh	Director	12/02/2021	26/02/2021
PLN-21-47	143 POTTERY ROAD	LENAH VALLEY	Dwelling	\$330,000	22/03/2021	baconr	Director	17/02/2021	03/03/2021
PLN-20-670	70 DAVEY STREET	HOBART	Partial Demolition, Alterations and Front Fencing	\$45,000	25/04/2021	langd	Director	11/02/2021	25/02/2021
PLN-21-61	67 SWANSTON STREET	NEW TOWN	Partial Demolition, Alterations and Extension	\$100,000	25/03/2021	langd	Director	17/02/2021	03/03/2021
PLN-21-58	33 MORTIMER AVENUE	MOUNT STUART	Partial Demolition and Alterations	\$50,000	04/04/2021	langd	Director	18/02/2021	04/03/2021
PLN-20-807	19 PAVIOUR STREET	NEW TOWN	Partial Demolition and Front Fencing	\$10,000	14/03/2021	langd	Director	19/02/2021	05/03/2021
PLN-20-898	2 CROSS STREET	NEW TOWN	Demolition, Addition and Alterations	\$2,500,000	26/02/2021	maxwellv	Director	10/02/2021	24/02/2021
PLN-20-905	721 SANDY BAY ROAD	SANDY BAY	Partial Demolition, Alterations, Extension, and Carport	\$500,000	01/03/2021	maxwellv	Director	12/02/2021	26/02/2021
PLN-21-53	1 FRANKLIN WHARF	HOBART	Signage	\$15,000	12/03/2021	mcclenahan m	Director	09/02/2021	23/02/2021
PLN-21-46	152 MACQUARIE STREET	HOBART	Partial Demolition & Alterations and Partial Change of Use to General Retail and Hire and Signage	\$100,000	19/03/2021	mcclenahan m	Director	12/02/2021	26/02/2021
PLN-21-57	6 ESK AVENUE	MOUNT STUART	Partial Demolition, Alterations and Extension	\$250,000	18/03/2021	mcclenahan m	Director	12/02/2021	26/02/2021
PLN-21-40	19 - 21 LITTLE ARTHUR STREET	NORTH HOBART	Partial Demolition, Alterations and Extension	\$55,000	15/03/2021	mcclenahan m	Director	15/02/2021	01/03/2021

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-63	51 / 1 COLLINS STREET	HOBART	Change of Use to Visitor Accommodation	\$25,000	19/03/2021	mcclenahan m	Council (Objection)	15/02/2021	01/03/2021
PLN-20-787	486 NELSON ROAD	MOUNT NELSON	Outbuilding	\$40,000	30/03/2021	nolanm	Director	09/02/2021	23/02/2021
PLN-20-910	59 A RED CHAPEL AVENUE	SANDY BAY	Partial Demolition, Alterations and Extension	\$150,000	25/02/2021	nolanm	Director	10/02/2021	24/02/2021
PLN-19-859	8 CLARKE AVENUE	BATTERY POINT	Partial Demolition, Alterations, New Boat Shed and Extended Boat Ramp	\$100,000	09/03/2021	nolanm	Director	16/02/2021	02/03/2021
PLN-20-813	8 / 18 CHADWICK COURT	WEST HOBART	Partial Demolition, Alterations and Extension	\$60,000	12/03/2021	sherriffc	Director	18/02/2021	04/03/2021
PLN-21-38	47 WAIMEA AVENUE	SANDY BAY	Partial Demolition, Swimming Pool, New Front Fencing and Boundary Wall	\$40,000	24/03/2021	sherriffc	Director	18/02/2021	04/03/2021
PLN-21-30	38 LORD STREET	SANDY BAY	Alterations	\$15,000	04/03/2021	smeea	Director	11/02/2021	25/02/2021
PLN-21-45	301 / 1 SANDY BAY ROAD	HOBART	Change of Use to Residential	\$0	12/03/2021	smeea	Director	11/02/2021	25/02/2021
PLN-21-42	16 WATKINS AVENUE	WEST HOBART	Partial Demolition, Alterations and Extension	\$40,000	10/03/2021	smeea	Director	12/02/2021	26/02/2021
PLN-21-68	6 WAVERLEY AVENUE	LENAH VALLEY	Partial Demolition, Alterations and Extension	\$300,000	19/03/2021	smeea	Director	16/02/2021	02/03/2021
PLN-20-896	103 MELVILLE STREET	HOBART	Partial Demolition, Alterations and Change of Use to Sport and Recreation	\$250,000	15/03/2021	smeea	Director	19/02/2021	05/03/2021
PLN-20-789	43 PROCTORS ROAD	DYNNYRNE	Alterations and Landscaping	\$16,000	05/03/2021	widdowsont	Director	10/02/2021	24/02/2021
PLN-20-714	47 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$500,000	03/03/2021	widdowsont	Director	11/02/2021	25/02/2021

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-21	1 / 104 CASCADE ROAD	SOUTH HOBART	Demolition and Garage	\$12,000	12/03/2021	widdowsont	Director	11/02/2021	25/02/2021
PLN-21-39	1 RISDON ROAD	NEW TOWN	Signage and Alterations to Car Park	\$75	10/03/2021	widdowsont	Director	16/02/2021	02/03/2021

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 Status Report - January 2021

CITY PLANNING COMMITTEE – STATUS REPORT**OPEN PORTION OF THE MEETING****January 2021**

Ref.	Title	Report / Action	Action Officer	Comments
1	SUSTAINABLE BUILDING PROGRAM Open Council 15 December 2014 Item 10; Open CPC Item 8, 20 July 2015	<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 	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 has recently endorsed the Sustainable Hobart Action Plan. Given the constraints above, Council will absorb the goals of the Sustainable Building Program into its actions, particularly as part of community engagement in the development of a community greenhouse gas target, as</p>

		sustainable building work.		the building industry is a large contributor to community emissions.
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2	PROPOSED NEW HERITAGE ADVISORY COMMITTEE Open CPC Item 9, 20 July 2015	A report be sought on the merits of establishing a Heritage Advisory Committee in line with other councils' Heritage Advisory Committees operating around Australia.	Director City Planning	<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	CLIMATE CHANGE POLICY REVIEW Open CPC Item 7, 4 April 2016	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.	Director City Innovation	<p>The Sustainable Hobart Action Plan was endorsed by Council in November 2020. The plan contains over 40 separate actions that Council will undertake over the next 5 years to address climate change and sustainability issues. It is considered that the action plan and its associated report replaces and supersedes CPC Item 7, 4 April 2016.</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	REGULATION OF SOCIAL FOOD DELIVERY VEHICLES Open Council 19 August 2019	<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 rescheduled to February meeting.
7	PETITION – PLANNING SCHEME ISSUES IN RIDGEWAY Open Council 21 September 2020	The General Manager tabled a petition calling for the Council to closely adhere to the objectives of the Rural Living Zone section of the planning scheme when considering future development applications within the Ridgeway area.	Director City Planning	Completed

8	<p>SMOKE – FREE HOBART PROJECT UPDATE</p> <p>Open Committee 28 September 2020</p>	<p>Further investigations be undertaken to identify additional areas within the Hobart municipality that could be strategically implemented as smoke free.</p> <p>A further update to the City Planning Committee be provided in February 2021.</p>	Director City Planning	Update to Committee to follow Executive Leadership Team review of project status and resourcing.
9	<p>PUBLIC ART FRAMEWORK – PUBLIC ART PRIVATE DEVELOPMENT GUIDE</p> <p>Open Committee 23 November 2020</p>	<ol style="list-style-type: none"> 1. A Public Amenity Policy for the City be developed, with public art being noted as one way a developer might contribute to the public amenity of the city. This policy would be the subject of a future report to the Council. 2. A report be provided to the Council on an annual basis detailing the contributions made under the Public Art Private Development Guide. 	City Planning Director	Officers are progressing the matter.

10	NEW DELEGATIONS REQUIRED DUE TO AMENDMENTS TO PLANNING LEGISLATION Open Committee 7 December 2020	<ol style="list-style-type: none"> 1. The Council pursuant to section 6(3) of the <i>Land Use Planning and Approvals Act 1993</i>, delegate to the General Manager, Director City Planning, Manager Development Appraisal, Senior Statutory Planner, Senior Development Engineer, Manager Stormwater, Program Leader Stormwater Services, Manager Roads and Capital Works, Program Leader Road Services, the following functions and powers: <ol style="list-style-type: none"> (a) To exercise the powers of the Council, as planning authority, pursuant to section 60 of the <i>Land Use Planning and Approvals Act 1993</i>. 2. The Council pursuant to section 22 of the <i>Local Government Act 1993</i>, delegate to the General Manager, the following functions and powers: <ol style="list-style-type: none"> (a) To exercise the powers of the Council pursuant to section 31 of the <i>Strata Titles Act 1998</i>. 	Director City Planning	Completed
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11	SHORT STAY ACCOMMODATION – PLANNING DIRECTIVE Open Council 17 December 2020	That a report be prepared on the possible amendments, and their merits, to the planning regulations to more appropriately control the number of private properties being converted to whole home short stay accommodation.	Director City Planning	Officers are progressing the matter.
12	THE NORTH HOBART RETAIL AND ENTERTAINMENT PRECINCT PLACE VISION AND ACCESS AND PARKING PLAN PROJECT Open Council 7 December 2020	<ol style="list-style-type: none"> 1. Taking account of the busy period leading up to the end of the current calendar year, particularly for businesses and the post New Year holiday period, the public engagement process be undertaken for an eight (8) week period, commencing on Monday 1 February 2021, in line with the methodology detailed in this report. 2. A further report detailing the outcomes of the engagement process and proposed project action plan, including the associated capital and operating cost implications, be submitted to a Council meeting in the second quarter of 2021. 	Director City Planning	Officers are progressing the matter.

10. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the General Manager or the General Manager's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
 - (i) offer an argument or opinion; or
 - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
 - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
 - (ii) a written response will be provided to all Elected Members, at the appropriate time.
 - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

11. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- 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	General Deputation LG(MP)R 15(4)(a)
Item No. 5	Planning Authority Items – Consideration of Items with Deputations
Item No. 6	City Acting as Planning Authority
Item No. 7	Questions Without Notice