CITY OF HOBART

SUPPORTING INFORMATION

COUNCIL MEETING

OPEN PORTION OF THE MEETING

MONDAY, 21 JUNE 2021
AT 5:00 PM
VENUE: COUNCIL CHAMBER, TOWN HALL

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7.1.2 98 ARGYLE STREET, HOBART AND ADJACENT ROAD RESERVE - DEMOLITION AND NEW BUILDING FOR 20 MULTIPLE DWELLINGS PLN-20-706 - FILE REF: F21/54650

Address:	98 Argyle Street, Hobart and Adjacent Road Reserve
Proposal:	Demolition and New Building for 20 Multiple Dwellings
Expiry Date:	21 June 2021
Extension of Time:	Not applicable
Author:	Adam Smee

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - 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 Amended Submission to Planning Authority Notice, Reference No. TWDA2020/01741-HCC dated 27/4/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

A demolition waste management plan must be implemented throughout

demolition. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

Advice:

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

PLN s1

The palette of exterior colours and materials must be provided.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans, and montages and samples where appropriate, must be submitted and approved as a Condition Endorsement to the satisfaction of the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the streetscape and townscape values of the surrounding area.

PLN s2

A landscape plan must be prepared for the soft and hard landscaping, by a suitably qualified landscape designer.

Prior to the issue of any approval under the *Building Act 2016*

(excluding for demolition), revised plans must be submitted and approved to the satisfaction of the Director City Planning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans. Prior to occupancy, confirmation from the landscape architect who prepared the approved landscaping plan (or another suitably qualified landscape designer) that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the amenity of the spaces, streetscape and townscape values of the surrounding area.

PLN s3

Any cranes used in construction of the approved development must not create an obstruction or hazard for the operation of aircraft approaching and departing the Royal Hobart Hospital helipad.

Advice:

The developer is encouraged to contact the Department of Health and Human Services prior to construction to discuss the operation of any cranes.

Reason for condition

To ensure that cranes or other temporary structures used in the construction of the development do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s4

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans must be submitted and approved as a Condition Endorsement that demonstrate that design elements of the development are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control

(AS3671:1989 – *Road Traffic Noise Intrusion (Building Siting and Construction)* and AS2107:2016 – Acoustics (*Recommended Design Sound Levels and Reverberation Times for Building Interiors*)).

The revised plans must be certified by a suitably qualified person as demonstrating likely compliance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that buildings for residential uses provide reasonable levels of amenity in terms of noise.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, 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:

This condition requires further information to be submitted as a Condition
Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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).

Reason for condition

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

ENG sw4

Any new stormwater connection required must be constructed, and any existing redundant connections be abandoned and removed. The connection works must be done by Council at the owner's expense prior to occupancy or commencement of use (whichever occurs first).

Detailed engineering drawings must be submitted and approved as a Condition Endorsement, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The detailed engineering drawings must include:

1. the accurate location and levels 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 for all 5% AEP rainfall events (including the vertical catchment) and discharge is contained within the kerb;
3. plan and long-section of the proposed connection clearly showing clearances from any nearby obstacles including crossovers and services, cover, size, material and delineation of public and private

infrastructure. Connections must be free-flowing gravity.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

The depth and alignment of the stormwater connection shown on the Rare Drainage and Service Plan DA01 RevA does not agree with Council records. A single connection for the property is required under the Urban Drainage Act 2013. *Standard sizes for kerb and gutter connections are in Council's* Fees and Charges Booklet *available from here, and must run in a straight line from the private boundary transition pit if possible.*

Once the Condition Endorsement has been issued, the applicant will need to submit an application for a new stormwater connection with Council's City Amenity Division. Should the applicant wish to have their contractor install the connection, an Application to Construct Public Infrastructure is required.

The stormwater service connection may be required to have been approved prior to any plumbing permits being issued for private plumbing works.

Reason for condition

To ensure the site is drained adequately.

ENG sw7

Stormwater pre- treatment for stormwater discharges from the development must be installed prior to occupancy or the commencement of use (whichever occurs first).

A stormwater management report and detailed design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The stormwater management report and design must:

1. be prepared by a suitably qualified person;
2. include detailed design of the proposed treatment train, including estimations of contaminant removal for the final design, driving head, and a long-section;
3. include a supporting maintenance plan, which specifies the required 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 plans and report have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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 domestic waste and recycling must be implemented post construction.

The waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site (excluding for demolition). The waste management plan must include:

1. Details of commercial waste services for the handling, storage,

transport and disposal of domestic waste and recycle bins from the development.

2. Written evidence from a suitable private waste collection company that they are willing to and able to collect waste from the development site in the manner and frequency described in the waste management plan.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

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 as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Include 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.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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 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 and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* (excluding for demolition).

The access driveway, circulation roadways, ramps 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/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 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).

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site for use is twenty (20). All parking spaces must be 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 5b

The number of bicycle parking spaces approved on the site for use is eighteen (18).

Bicycle parking spaces and storage must be in accordance with Australian Standards AS 2890.3 2015, prior to commencement of use.

Reason for condition

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

ENG 1

Any damage to council infrastructure or any third-party infrastcuture within the road reserve 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 r3

Prior to the commencement of use, the proposed driveway crossover Argyle Street highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
- Footpath - Urban Roads Footpaths TSD-R11-v2

Lighting plans approved by TasNetworks must be submitted and approved prior to commencement of work.

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

A SWMP must be submitted as a Condition Endorsement 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; and
- any Contamination Management Plan for the site, as required by the Pitt & Sherry *Site Contamination Appraisal*

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

Advice:

This condition requires further information to be submitted as a Condition
Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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.

HER 6

All onsite excavation and disturbance in the areas identified in the Austral Tasmania report (dated 21 Feb 2020) and shown as having moderate archaeological potential (shown in yellow in the diagram upon p.20) must be monitored and excavated in accordance with recommendations 3 and 4 of the above report. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and,
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and,
3. All and any recommendations made by the archaeologist engaged in accordance with the above sub-clause 2 must be complied with in full; and,
4. All features and/or deposits discovered and excavated must be reported to Council within 1 day and prior to the conclusion of the excavation; and,
5. A qualified archaeologist must undertake an audit of all bulk archaeological materials such as worked sandstone blocks, 19th century bricks or cobblestones suitable for reuse. These bulk archaeological shall be retained on site subject to the approval of their removal by the Council.
6. A copy of the archaeologist's advice, assessment, and recommendations obtained in accordance with the above sub-clauses 2, 3, and 5 must be provided to Council within 60 days of receipt of the advice, assessment, and recommendations and prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) to the satisfaction of Council.

Excavation and/or disturbance must not recommence until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

HER 7

All artefacts of high interpretative value and/or rare or otherwise significant as determined by the qualified archaeologist engaged in accordance with Condition HER 6 must be incorporated into an on-site interpretation and history.

An interpretation plan must be prepared and submitted and approved by
Council prior to occupation.

The on-site interpretation must be:

- in accordance with the approved interpretation plan,
- incorporate the artefacts described above,
- located in a publicly accessible space, and,
- provided upon completion of the development.

Reason for condition

To ensure that there is public benefit from archaeological investigations.

HER s1

The audit report prepared in accordance with condition HER 6, must be submitted and approved as a Condition Endorsement prior to the issue of any approval under the Building Act 2016 for construction of the development (excluding any approval issued under this Act for demolition associated with the development). The audit report must also demonstrate how the finds described in condition HER 6, sub-clause 5 are to be incorporated into the development in landscaping, vertical or horizontal surfaces, or other designed or decorative features. Revised plans must be submitted and approved as part of the Condition Endorsement showing the recommendations of the audit report in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that archaeological evidence is retained, protected and preserved or otherwise appropriately managed.

ENVHE 1

The recommendations in the report "HB20090 - Site Contamination Appraisal - 98 Argyle Street by Pitt & Sherry", dated 24 March 2020, must be implemented and maintained for the duration of construction of the development. Specifically:

1. A Contamination Management plan (CMP) should be prepared prior to the commencement of works, which should detail management measures for the protection of construction workers and management of potentially contaminated soil and groundwater, triggers and contingency measures.
2. If significant soil and or groundwater contamination is encountered during site works an appropriately experienced Environmental Scientist should be present to monitor ambient vapours and identify/sample potentially contaminated soil. If significant contaminated soil is identified, it may be required to be excavated with validation sampling of the remaining soil to demonstrate it will not pose a health risk to future occupants.

Reason for condition

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

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.

OCCUPATION OF THE PUBLIC HIGHWAY

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

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

You may require a road closure permit for construction or special event. 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.

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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic
Engineering Unit on 6238 2804.

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's

Infrastructure By law. Click here for more information.

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

Attachment A:	PLN-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - Planning Committee or Delegated Report ⇩
Attachment B:	PLN-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - CPC Agenda Documents ⇩
Attachment C:	PLN-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - Urban Design Advisory Panel Minutes ⇩

City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	21 June 2021
Expiry Date:	21 June 2021
Application No:	PLN-20-706
Address:	98 ARGYLE STREET , HOBART ADJACENT ROAD RESERVE
Applicant:	LXN ARCHITECTURE & CONSULTING PO BOX 136
Proposal:	Demolition and New Building for 20 Multiple Dwellings
Representations:	223 representations.
Performance criteria:	Commercial Zone Development Standards; Potentially Contaminated Land Code; Parking and Access Code; Stormwater Management Code; and Historic Heritage Code

1. Executive Summary

1.1 Planning approval is sought for demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart.

1.2 More specifically the proposal includes the demolition of the existing building on the site and the construction of a new six storey building for residential use. The new building would include car parking on the ground floor and 4 apartments on each subsequent floor, for a total of 20 apartments. The building is proposed to have a maximum height of approximately 19.6 metres. The total gross floor area of the proposed building would be 3653m². The proposed building would be finished externally with a combination of materials including face brick walls and cement and metal sheet cladding. Cement render and substantial glazed areas are also proposed on the elevation which would face the site frontage.

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

1.3.1 23.0 Commercial Zone -Building Height, Landscaping, Residential and Visitor Accommodation Amenity

1.3.2 E2.0 Potentially Contaminated Land Code -Excavation

1.3.3 E6.0 Parking and Access Code - Number of Carparking Spaces, Number of Motorcycle Parking Spaces, Design of Bicycle Parking Facilities

1.3.4 E7.0 Stormwater Management Code - Stormwater Drainage and Disposal

1.3.5 E13.0 Historic Heritage Code - Building, works and Demolition for Places of Archaeological Potential

1.4 Two hundred and twenty three (223) representations objecting to the proposal were received. Of those, 211 were received within the statutory advertising period between 19 May and 2 June 2021. The remaining 12 were accepted as late representations.

1.5 The application was considered by the Urban Design Advisory Panel at its meeting of 31 May 2021. While the Panel expressed some misgivings regarding the proposal and expressed a desire for changes to be made to the proposed design, it stopped short of recommending that Council refuse the application.

1.6 The proposal is recommended for approval subject to conditions.

1.7 The final decision is delegated to the Council because a building in excess of 2000m² and three storeys in height is propose, and more than five objections have been received.

2. Site Detail

2.1 The proposed development site is a commercial property to the north of the Hobart central business district. The site is rectangular in shape and has an area of 730m². The site is currently occupied by a single storey commercial building that is currently vacant but has recently been approved for use as an office equipment service centre. The adjoining property to the north-west of the site is also currently vacant although it has until recently been used as a motor vehicle sales showroom. A re-development of the commercial building on the adjoining property to the south-east had been completed relatively recently at the time of writing. The Hobart Fire Station is to the north-east of the site on the opposite side of Argyle Street. The site is generally surrounded by commercial use and development (please refer to figure 1). A site visit was conducted on 28 May 2021,

2.2 The site is within the Commercial Zone of the *Hobart Interim Planning Scheme 2015* (please refer to figure 2). The site is listed as a potentially contaminated site and a place of archaeological potential. There are no other mapped overlays applicable to the site although it is within the area covered by the Royal Hobart Hospital Helipad Airspace Specific Area Plan.

2.3 The site is not listed on the Tasmanian Heritage Register (THR) or as a heritage place within the planning scheme. The site is also not within a heritage precinct. The Hobart Fire Station site to the north-east of the site is listed on the THR and as a heritage place. The terrace houses to the south-east at 88 and 90 Argyle Street are also listed on the THR. The Ocean Child Hotel site further to the south-east on the corner of Argyle Street and Melville Street is also listed on the THR and as a heritage place (please refer to figure 3). The site and the surrounding area is recognised in the planning scheme as a place of archaeological potential.

Figure 1: aerial view of site (outlined in blue) and surrounding area.

Figure 2: aerial view of site (outlined in light blue) and surrounding area overlaid with zoning layer; key: purple: Commercial Zone, yellow: Utilities Zone, dark blue: Central

Business Zone.

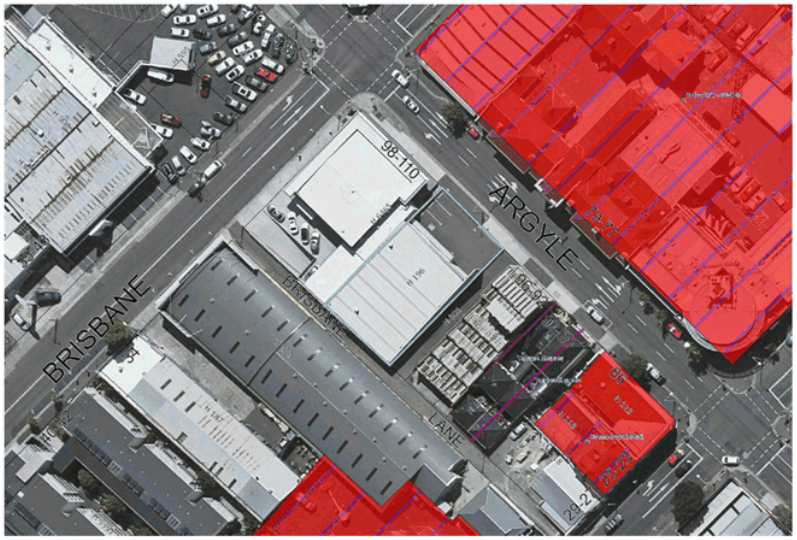


Figure 3: aerial view of site (outlined in light blue) and surrounding area overlaid with heritage status layer; key: purple hatching: THR listed place, red shading: planning scheme listed heritage place.

3. Proposal

3.1 Planning approval is sought for demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart.

3.2 More specifically the proposal includes the demolition of the existing building on the site and the construction of a new six storey building for residential use. The new building would include car parking on the ground floor and 4 apartments on each subsequent floor, for a total of 20 apartments. The building is proposed to have a maximum height of approximately 19.6 metres. The total gross floor area of the proposed building would be 3653m². The proposed building would be finished externally with a combination of materials including face brick walls and cement and metal sheet cladding. Cement render and substantial glazed areas are also proposed on the elevation which would face the site frontage.

Figure 4: Four montages of the proposed development. Top left is looking up Argyle Street towards North Hobart. Top right is looking down Brisbane Street, towards the south. Bottom left is looking down Argyle Street towards the river. Bottom right is looking at the south side elevation of the proposal as viewed from Melville Street.

4. Background

4.1 Council received the application in October 2020, however, the application was not considered valid until the consent of Council's General Manager was received upon 20 April 2021. GM consent was required as the proposal includes work within the Argyle Street road reserve. The proposal that was originally submitted was for a building with a similar footprint, internal layout, and parking and access arrangements but with five storeys. The current proposal is therefore a revised proposal that includes an additional storey and an additional four apartments. The car parking arrangements and facade treatment on the ground floor of the building were also revised.

4.2 The application was first considered by the Urban Design Advisory Panel at its meeting of 17 December 2020. As the application was not considered valid at this stage, it was considered by the Panel as seeking "pre-application" advice. Once the application became valid, it was considered again by the Panel at its meeting of 31 May 2021 during the public exhibition period. While the Panel expressed some misgivings regarding the proposal and expressed a desire for changes to be made to the proposed design, it stopped short of recommending that Council refuse the application. 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.

5. Concerns raised by representors

5.1 Two hundred and twenty three (223) representations objecting to the proposal were received. Of those, 211 were received within the statutory advertising period between 19 May and 2 June 2021. The remaining 12 were accepted as late representations.

The majority of the representations followed a template which stated that:

"My reason to oppose is:

The height is not compatible with the scale of nearby buildings in the same Zone (Zone 8) i.e. 9.5m, 12.37m, and 14.74m and, at 20m, is too high, considering that the proposed absolute maximum height, recommended by Leigh Woolley and the City of Hobart's professional planning staff, is 18m.

We ask that it be reduced by 1 storey (the height of the original application).

I do not consent to my details being passed on to any third party".

5.2 The representations received included the following comments:

"The Application mentions 40-44 Melville Street as a 'nearby' building. It is 42.7m, in a different Zone, so not relevant".
"If approved this proposal would set a dangerous precedent. I know it's only 2 metres higher than the recommended maximum for the zone, but approvals should live within these recommendations. If approved it would be used as an excuse to approve even higher buildings in the zone in the future".

"It is important that we do not set precedents for higher buildings along Argyle St. There are many sites that will become available for development along Argyle St and the Woolley Report gave a sensible guideline".
"We have rules and regulations set in place. Why can't we keep to these? If we are forever allowing the rules to be compromised or pushed out why have rules at all. So sick of hearing these requests".
"The proposal should stay under the recommended height limit for the area".
"I agree that this proposed development is too high at 20metres and is not in keeping with the immediate area".
"There is no need for an additional floor to this building. It does not warrant extending the height limit for a building such as this".
"I think asking to reduce the building by one story is a reasonable request so a precedent is not set to keep adding one more floor to future developments in the area".
"We must avoid incremental maximum height increase, which is what this additional storey would result in. We Hobart residents want to keep the current character of Hobart, not changing it to be like everywhere else. We choose to live here because of Hobart's special character. Don't change it!".
"Why have a height limit if it doesn't mean anything?".
"Once a 20 metre height is approved, it opens up wide for the next one to be 22 metres, and the one after that 24 metres and so on. Stick to our belief Hobart Not Highrise".
"Stand by your planning recommendations, please...or slow death by incremental fudging!".
"Height not compatible with nearby buildings. It is too high, considering the absolute ma[x] height recommended by Leigh Woolley and the City of Hobart's professional planning staff is 18m".

"Don't make the City of Hobart generic. People (tourists, new residents) swamp to Hobart because of its beauty and charm. If you want to see what you could turn Hobart into, go and look at Cairns. An Esplanade full of high rise buildings and a SEVERE lack of guests".
"I agree that if this application is passed the next one to come along will ask for greater height still and by that time the precedent will be set".
"I firmly believe in residential developments along Argyle St and others, but building heights have to followed not pushed to higher and higher levels".
"'Aligns broadly' with the UDAP discussion seems to mean exploiting a perceived loophole. Enough with the discretions! We have a planning scheme, stick to it! Or be prepared to tell the public exactly why you haven't".
"Hobart City Council is building a record of ignoring its own planning schemes and recommendations made by professional planning staff, with regard to allowing business activities that do not meet the planning zone restrictions. If a maximum height has been set, within a specific zone, then applications that exceed that height must be rejected. Otherwise it makes the whole concept of planning zones laughable and the council management incompetent. Please consider whether the city planning schemes are to be supported or discarded, to improve transparency and remove unnecessary work and costs of applications and objections".
"Please can you lessen the height, as set above".
"The recommended maximum height which is in keeping with other buildings in this zone is 18m. The height listed in the original application was compliant with the recommended maximum and the original height should be upheld".
"The precedent argument is important because of the risk that any extension will support the next one and so on, and thus undermine whatever standard is set. The fact that this one is relatively modest cannot justify an exception. Otherwise, no standard height could survive".

"Why depart from the established principle?".
"Incrementalism! The height limit must be kept at 18 metres. Allow 20 metres then the next building will be higher. And so on. Our identity will be lost. We will be just another high rise city".
"The proposed height of this building if it were to be built would be significantly higher than those in the immediate area. This would then set a precedent for subsequent local buildings to be incrementally higher and so on. My opinion is that it should be reduced in height by one storey".
"A maximum must be a MAXIMUM! I would Actually prefer if any new building was only 15 metres high. Our historic buildings should be feature of our city. New buildings should be visually subservient to them and not dominate".
"Don't be greedy and help preserve the low rise character that is a valuable attraction for persons to Hobart".
"I feel this creep to increase height by one more floor will see a proliferation of more higher buildings in Hobart , as has happened in so many other beautiful small cities at round the globe . Thus I support sticking with the 18m maximum height".
"I propose to maintain the height of the original application. I do not agree with developers changing on amendment. They should not be allowed".
"Please don't destroy our unique city skyline with these non-conforming buildings".
"This development is creeping on the limits. 18 metres is the limit not 20 metres Please ask them to reduce the height to 18 metres".
"We realise that the proposed height is marginally higher than recommended by Leigh Woolley but where do you stop as next application will use 20m as a base".

"There is a trend in evidence here of "cheating an extra story" on top of the original application, which should not be allowed.. I ask that it be reduced by 1 story i.e. the height of the original application, as this strategy to "creep higher" will provide a basis for future DAs to develop over the 18m limit".
"As Leigh Woolley considered 18m to be the right height for buildings in this area why allow one of 20m. It would be the thin edge of the wedge!".
"I am continually concerned that our city has developments that are out of scale with existing buildings and the continual creep of higher and higher buildings. Surely 1 less storey would not too much to ask of the developer to maintain the existing building upper limit at 18m. I also think council should be consistent. A height limit is a height limit. Thank you".
"Please reduce down lower to be more consistent with adjacent buildings".
"Developers need to stick to the rules just like everyone else. Please don't allow them to destroy our beautiful city".
"Let's stay with the planning limits and not create a precedent".
"The council height is 18mts, that is what should be there not higher".
"If there is a proposed and recommended height by those who know what they're talking about, (and it's not proposed and recommended for nothing), then developers need to stick to this height! Others have stuck to it, so should this developer. A child could understand that. It's the same with laws, you can't just bend them, just because you want to. That is, if we live in a real and true democracy. I guess it's up to council then, to prove we do!!".
"Developers trying their usual tricks again. The recommended height must be adhered to".

"As I have stated before with other plans submitted with heights not conducive to Hobart. I have been a resident of Hobart for 77 years and I entirely agree with the height set by Leigh Woolley. Why do developers still insist on submitting over height buildings. That 18m height should be locked in!".
"Yep, it has to come down a storey!!!".
"I am concerned that if Council approve this height, it will give precedent and incentive for other developers to 'go just a little bit higher' in future. It is a slippery slope and one that I am sure Leigh Woolley would not approve. It is one thing for Council to be open for business but professional planning staff have specialisation regarding building heights, and their recommendations about absolute maximum height for this zone being 18 m should be supported. Developers are more involved with short term profit, whereas professional planning staff defend medium term public amenity and sensibility".
"The building exceeds 18m. As a result it should be refused".
"When will these developers get the message and stop pushing the boundaries?".
"Please, stop the development of these out of character buildings in our City. Andrew MacFie".
"It's very important to keep within recommended height limits to minimise incremental increases over time as further developments keep on attempt to stetch the boundaries. If this continues Hobart will lose its character that most residents cherish".
"Adding an additional storey to this building would set an unwelcome precedent in this area. I am sure the developer will make a very good return without this undesirable, unnecessary addition".
"I wholeheartedly support the lowering of the height to the original application and ask that Leigh Woolley and council's professional staff be listened to, and the limit of 18 metres be adhered to by the developer and people who do not want a high-rise Hobart".

"It's important that developers stick to the height that the planning laws state if we want to maintain the character of our city".
"If ever there was a case of a developer simply doing what they think they can get away with, this is it. Also, the Slippery Slope argument is often not a good one, but here it is; a little bit worse each time ensures disaster in the long run".
"This is a very bulky building for this site with no set back or attempt to soften the streetscape with green areas. The height and lack of set back, even for the top floors, will detract from and dominate this area and set a dangerous precedent for further developments to disregard the Councils own maximum height recommendations for this zone".
"Out of character with surrounding buildings".
"This is yet another example of a developer looking to sneak another storey on their proposals...looking for that 'weak link" in council who will overlook and unwittingly allow thru".
"I am concerned that the height may set a new benchmark".
"Please show developers that they do not control Hobart City planning".
"We are as citizens of Tasmania fighting unsuitable development which is outside the parameters of the established guidelines. Is it that our elected politicians don't understand what they are elected to do, or are acting in self interest for themselves or mates. This development doesn't meet the height restrictions so why is it submitted in the first place and wasting time cost even to consider it. What don't developers understand about NO".
"Please do not give into these plans, it will give the green light to other developers".
"I am concerned that the extra height will set a new standard of height in the vicinity".

"The building will overshadow Brisbane Lane and impact on future development of the corner site. Given the topography, the elevation and the proximity of the lot to the Brisbane St and Argyle St intersection, the proposed height of 20m will be visually intrusive and is not compatible with the scale of the majority of nearby buildings. The height should be reduced to the acceptable solution height of 15m. The roof top area should be developed to create the communal private open space to improve the amenity for future residents. The proposal includes an inadequate number of on-site parking spaces, both by E6.0 Code provisions and the RMS guide referenced by Mr Midson. City congestion with parking is an ongoing issue and Hobart's public transport is not sufficiently, modern, convenient or regular to encourage sufficient numbers of people to abandon their cars. A reduction in the height, will reduce the number of units and hence reduce the shortfall in on-site car parking".
"Please get this down by 1 story. Letting this through just creates another precedent so others will follow as has already been happening throughout the city. Hobart still has a fair quantity of older attractive buildings. Lets keep our remaining streetscapes. Not death by a thousand cuts".
"The proposed building is too high for the 18m recommendation for this zone and if approved would set a precedent for likely future developments. Please reject this 20m height".
"Please keep within the recommended height".
"The danger of this approval apart from the height discrepancy in nearby buildings is that it will set a precedent for the next build to also be above planning height".
"Keep developments in this area to under 18m please. Developers need to be told there will be no exceptions and no adding of extra floors for any reason".
"I'm concerned that approving this building will allow other buildings to 'creep' higher".
"I would prefer this building to be lower than 18m".

"Why keep making plans and then NOT adhering to them. Please, let's just stop the creeping upwards trend and spoiling Hobart forever! We shouldn't have to keep making this comment after all the decisions already made".
"Can we please keep our beautiful city of Hobart to the height plan intended by its first builders and residents?".
"There are limits. Why can't developers just stick to the rules!".
"Leigh Woolley and the City of Hobart's professional planning staff work is for the good of all the city's residents. Allowing developers to have a different standard does nothing for our beautiful, unique city".
"One only needs to look to the once inviting city of Devonport, specifically the ugly new Paranapple centre built right next to beautiful heritage buildings, to see how ugly Hobart could become if new developments are not planned carefully and kept at a humane scale".
"The proposed building is higher than that accepted generally and would foster the acceptance of other such buildings".
"Don't be greedy and help preserve the low rise character that is a valuable attraction for persons to Hobart".
"As a resident of Campbell St, and in the same planning zone, I am very concerned that this will create an unacceptable precedent for the zone".
"I wonder why developers are never able to accept the recommended heights to ensure Hobart keeps its character and does not turn into just another high rise city, So disappointing. The lovers of this island just have to keep fighting".
"If we want a liveable city we do not need more shade and cold in our city. Our climate does not require more shade, but in fact sunlight and heat to make our city a more attractive place to be (not less attractive) Lets protect what we have".
"I agree with the reasoning behind the above submission and that the development proposal should be reduced by at least one storey".

"WHY CANNOT THE HCC ACCEPT AND ADOPT A 18 METRE LIMIT IN RESPECT OF EVERY SINGLE APPLICATION".
"Don't let the over height buildings 'creep' up into the surrounding suburbs - grey corridors, gloomy streets and over scaled buildings do not a happy city make!".

"Increasing residential housing density along Argyle St is supported and it would be expected that there will be similar proposals for further residential accommodation in the vicinity of the proposed development due to close proximity to the city and the ease of access through active travel such as walking, cycling and other mobility devices".
"The development needs to provide more bicycle parking than is proposed as it is located on a cycling route (Argyle St bike lanes) and will connect to a wider cycling network".
"Considering a 3-bedroom apartment can accommodate 4 residents, there is the potential for 4 bicycle parking spaces to be needed for a single dwelling. The amount and type of bicycle parking should be increased".
"Visitor bicycle parking could be provided as part of the relocation of the light pole".
"Waste collection on Argyle St needs to consider impact on people using the footpath and people riding in the bike lanes, particularly placement of bins on the roadside for collection".
"The proposal will create such a traffic congestion on a already congested one way road, and it doesn't fit into the city's heritage culture. More housing should be built in the inner suburbs where people live, not in the CBD where people work."
"I would like to stress in my representation that this development is far too high. The surrounding buildings do not go over three levels high and many of the buildings are heritage listed. This development will change the whole character of this precinct and if passed will pave the way for future high rise buildings".
"If this proposed development is approved ,the resulting building will overshadow and dominate the heritage buildings its vicinity including the ones that I was responsible for restoring and re-instating".

"The construction of 20 Multiple Dwellings will: 1. Adversely impact on the privacy of dwellings at 40 Brisbane St., by the loss of privacy and enjoyment of properties; 2. The immediate area contains buildings of specific design and height, including heritage. The construction of a multiple story building towering over the area will take away visual values of the area; and 3. The right to enjoy a pleasant outlook from buildings at 40 Brisbane St., will be compromised greatly. The restriction of the proposed project to the same height as the surrounding buildings in the immediate area would be a more appropriate outcome".
"It does not in any way comply with Hobart City Council's Planning Scheme requirement for building heights. Specifically it exceeds the maximum of 3 storeys and does not satisfy the requirement to be compatible with the scale of nearby buildings".
"It adversely impacts on the privacy of residential units at 40-42 Brisbane Street facing in the direction of the proposed building".
"The density of the building is too high with 20 units proposed".
"The Argyle Street frontage at ground level consists mostly of a car park entrance. This adds nothing to and detracts from the current streetscape as there is no setback from the current footpath. It is just plain ugly".
"The former Lexus showroom on the corner of Argyle and Brisbane Streets is likely to be redeveloped at a future date. The impact of any future development including any multi storey development must be considered for the current development application".
"The building height for the proposed development is not consistent with Desired Future Character Statements for the area set out in the University of Tasmania master plan for the Argyle Street precinct".
"A 6 storey building on Argyle Street will be totally out of place, dominant and overscale for the surrounding area as the topography is already higher than most other buildings in the Domain area and the CBD".

"I would like to make a strong objection to the proposed height of the development at 98 Argyle St. Yet another nail in the coffin of our beautiful city! How can the planners even envisage the scope of this proposal on such a small land footprint? In what way could this proposal enhance the streetscape?".
"I object to this new development at this unreasonable height which will be an eyesore for this part of the city and encourage other developers to follow suit with similar size monstrosities".
"The historic value of this wonderful city is slowly being eroded by high rise and inappropriate developments such as this DA for 98, Argyle St . I am totally opposed to such developments as they contravene the Council generated report from Mr Leigh Woolley. A maximum height of 20 metres is unacceptable. 18 metres is acceptable however".
"The application fails to comply with the planning scheme - which is prescriptive for this section of Argyle St at 3 storeys, - the application outrageously twice the scheme at 6 storeys".
"The character of the street is not respected in the bulk of the proposal, or its placeless ugliness...it is not architecture".
"This development is far too high for this area also there is not enough parking allocated".
"The heights of adjoining buildings within a 100 metre radius of this DA are all under fifteen (15) metres, so the building should be reduced in height by at least one storey".
"Far too tall as a building for that historic precinct...site is too small for adequate parking for visitors".
"The building height does not satisfy the following: (a) not consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the scale of nearby buildings; (d) allow for a transition in height between adjoining buildings, where appropriate".

5.4 Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

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 Commercial Zone of the *Hobart Interim Planning Scheme 2015.*

6.3 The planning report submitted with the application suggests that the site has previously been used by a motor vehicle parts business. This use would be classified as within the planning scheme's General retail and hire use class which is a permitted use in the above zone. The proposed use is for multiple dwellings within the Residential use class. This use is a permitted use in the above zone if it is proposed above ground level (except for access). However, as the proposal includes car parking associated with the proposed residential use at ground level, it is considered to be for a discretionary use.
Clause *8.10.2* of the planning scheme states that:

In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

(a) the purpose of the applicable zone;
(b) any relevant local area objective or desired future character statement for the applicable zone;
(c) the purpose of any applicable code; and
(d) the purpose of any applicable specific area plan,

but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

The Zone Purpose Statements for the Commercial Zone are provided at clause *23.1.1*. The majority of these statements are not considered directly relevant to the proposal, although the proposed development is not considered to be inconsistent with any of the statements. The statement at clause *23.1.1.7*, which states that the zone is "to provide for residential use primarily above ground floor level", is relevant to the proposal. The proposed development is considered to be consistent with

this statement as the proposed residential use would primarily occur above ground level, which is a point made in the planning report provided with the application. As stated in this report, only associated facilities are proposed on the ground floor of the building.

There are no local area objectives or desired future character statements provided for the Commercial Zone. The proposal is considered to be consistent with the purposes of the applicable codes. The proposal is consistent with the purpose of the Potentially Contaminated Land Code as it is supported by an assessment from a suitably qualified person which confirms that the use or development of potentially contaminated land would not adversely impact on human health or the environment. The proposal is consistent with the purpose of the Road and Railway Assets Code as it is accompanied by a Traffic Impact Statement which demonstrates that the safety and efficiency of the road and railway networks would be protected.

The relevant purpose statements for the Parking and Access Code are met as enough parking would be provided for the proposed development to meet the reasonable requirements of users. The proposal meets with the purpose of the Stormwater Management Code as stormwater from the development would be disposed of in a way which further the objectives of the State Stormwater Strategy. The proposal is consistent with the purpose of the Historic Heritage Code because the historic cultural heritage significance of an area of archaeological potential would be protected.

The site is within the area to which the Royal Hobart Hospital Helipad Airspace Specific Area Plan applies. However, the proposal clearly complies with the purposes of this specific area plan as the proposed building height is significantly lower than that required by the relevant provision within this plan.

6.4 The proposal has been assessed against:

6.4.1 23.0 Commercial Zone - 23.4 Development Standards for Buildings and Works

6.4.2 E2.0 Potentially Contaminated Land Code - E2.6 Development Standards

6.4.3 E5.0 Road and Railway Assets Code - E5.5 Use Standards and E5.6 Development Standards

6.4.4 E6.0 Parking and Access Code - E6.6 Use Standards and E6.7 Development Standards

6.4.5 E7.0 Stormwater Management Code - E.7 Development Standards

6.4.6 E13.0 Historic Heritage Code - E13.10 Development Standards for Places of Archaeological Potential

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

6.5.1 23.0 Commercial Zone:

23.4.1 Building Height P1,
23.4.5 Landscaping P1,
23.4.8 Residential and Visitor Accommodation Amenity P2, P5, P6, and P7.

6.5.2 E2.0 Potentially Contaminated Land Code:

E2.6.2 Excavation P1

6.5.3 E6.0 Parking and Access Code:

E6.6.1 Number of Car Parking Spaces P1
E6.6.3 Number of Motorcycle Parking Spaces P1
E6.7.10 Design of Bicycle Parking Facilities P2.

6.5.4 E7.0 Stormwater Management Code:

E7.7.1 Stormwater Drainage and Disposal P2

6.5.5 E13.0 Historic Heritage Code:

E13.10.1 Building, Works and Demolition P1

6.6 The relevant performance criteria are assessed below.

6.7 *23.4.1 Building Height* P1

6.7.1 The acceptable solution A1 at clause *23.4.1* requires building height to be no more than 15m high and a maximum of 4 storeys, if the development provides at least 50% of the floor space above ground level for residential use.

6.7.2 The proposal includes a building height of more 15m high and more than

4 storeys. The proposed development would have a building height of approximately 19.6m and 6 storeys.

6.7.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.7.4 The performance criterion P1 at clause *23.4.1* provides as follows:

Building height must satisfy all of the following:

(a) be consistent with any Desired Future Character Statements provided for the area;
(b) be compatible with the scale of nearby buildings;
(c) not unreasonably overshadow adjacent public space;
(d) allow for a transition in height between adjoining buildings, where appropriate;

6.7.5 There are no Desired Future Character Statements provided for the Commercial Zone so the above sub-clause (a) is not considered relevant.

6.7.6 With regard to the above sub-clause (b) the term "compatible" is not defined in the planning scheme. However, the Resource Management and Planning Appeal Tribunal previously determined (in Henry Design and Consulting v Clarence City Council and Ors [2017] TASRMPAT 11) that the term was considered to mean "consistent with, similar to, in harmony with, and in broad correspondence with". In another Tribunal decision (9 Sandy Bay Road Pty Ltd v Hobart City Council and Ors [2017] TASRMPAT 19), "compatible" was found to mean, in relation to building height, that a building was "capable of coexisting with the scale of nearby buildings". In the same decision, "nearby" was found to mean "close to". Therefore, for the purposes of this assessment, nearby buildings are considered to include the buildings on adjoining lots and the buildings on the opposite side of Argyle Street and Brisbane Lane.

6.7.7 An assessment of the proposal against the above performance criterion must take into account the objective for the above clause, which is:

To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.

6.7.8 According to the planning scheme, "streetscape":

means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape with respect to a particular site, the above factors are relevant if within 100 m of the site.

6.7.9 Argyle Street is a relatively standard width inner-city street at the point adjacent to the site. The street has three trafficable lanes and car parking on at least one side at this point. The other streets within 100m of the site have similar widths. Street planting in the Argyle Street reservation between Melville Street and Brisbane Street is limited. More extensive street planting is found to the south-east, however, it is generally limited upon the streets within 100m of the site. Public utilities constructed nearby within the road reserves surrounding the site are generally below ground. The only above ground utilities close to the site are streetlights. Given the above, road width, street planting, and public utilities are not considered to play a significant role in defining the streetscape surrounding the site.

6.7.10 Buildings within the area surrounding the site are generally built up to, or at least close to, the respective lot boundaries. There are exceptions to this pattern of development, such as upon the eastern corner of Argyle Street and Melville Street to the east of the site, where a car park separates a fast food restaurant from the front boundaries of the site. There are also several properties around the site that are considered to be under-developed that include only car parks or similar open areas. However, the prevailing pattern of development in the area within 100m of the site is that buildings are built up to the respective lot boundaries. The proposal would follow this pattern of development by siting the proposed building up to the site boundaries.

6.7.11 The qualities and design of the buildings within the surrounding area vary in architectural style and in the use of external materials. These buildings include the Art-Deco Ocean Child Hotel upon the western corner of Argyle Street and Melville Street to the south-east of the site, and the original early 20th century Hobart Fire Station on the opposite side of Argyle Street. Both of these buildings are heritage listed and incorporate the ornamentation and detailing that are expected to be found on older buildings. The fire station site also includes a more recent building on the northern corner of Argyle Street and Melville Street. While this is a modern building it includes references to the existing fire station building,

including the use of similar external materials such as red brick. This building also incorporates contemporary elements such as extensive glazed areas. The commercial buildings on the adjoining properties either side of the site also include extensive glazed areas. The building to the south-east is somewhat unique in that it is an older building that includes extensive glazing within its front facade as an original design feature, reflecting its original light industrial use as the J. Minty and Co Sheetmetalworkers (this building is therefore commonly referred to as "Minty's"). The proposal is considered to be consistent with the qualities and design of the buildings within the surrounding area given that they vary and include contemporary features, similar to those intended for the proposed building.

6.7.12 The scale and bulk of the buildings within the surrounding area also varies. However, as noted above, buildings are generally built up to, or at least close to property boundaries meaning that they occupy the majority of the respective lot. Therefore, the horizontal scale of buildings in the area is generally linked to the size of the respective property. It is noted that the development site has an area and street frontage width similar to that found elsewhere in the area. As a result, the proposed development would have a horizontal scale comparable to that found elsewhere in the surrounding area.

6.7.13 In terms of vertical scale, the majority of the buildings within the surrounding area are two storey. There are also single storey commercial buildings in the area with a similar height to a two storey building due to raised ceiling heights and shopfront facades. For example, while the commercial building on the adjoining property to the north-west is single storey, it has a building height similar to a two storey building as it has a near double height ceiling and a raised floor level. There are several three storey buildings in the area, including the commercial building on the adjoining property to the south-east and the more recent building on the fire station site on the opposite side of Argyle Street. There is only one building within 100m of the site that has more than three storeys - i.e. one of the apartment buildings to the south-west of the site at 40-42 Brisbane Street is five storey (although the ground level is a car park). The University of Tasmania accommodation facility at 157 Elizabeth Street, which has a significantly greater building height, is further to the south-west and greater than 100m from the site.

6.7.14 The proposed development would generally have a greater vertical scale than that found in the area within 100m of the site. The scale of the proposed development would also be greater than that of nearby

buildings. However, the scale of the proposed development is not considered to be incompatible with that of nearby existing buildings, as it would not be so dissimilar that it would be in disharmony with the latter. While the buildings on the properties either side of the site (i.e. at 92 and 110 Argyle Street) would have lower building heights than the proposed development, they are not small scale buildings and have reasonably significant bulk. The recently redeveloped three storey building on the adjoining property to the south-east would provide transition in scale between the proposed development and the single storey, heritage listed cottages further to the south-east.

6.7.15 As noted above, while the building on the adjoining property to the north-west is single storey, it has a raised floor level and near double height ceiling. This building is therefore unlikely to be visually dominated by the scale and bulk of the proposed development. The fire station building to the north-east of the site is also considered to be sufficiently robust to ensure that it is not visually dominated by the proposed development, particularly as it is separated from the site by Argyle Street. Similarly, the site is separated from the existing buildings to the south-west by Brisbane Lane. While this lane is narrow (i.e. only single lane) it would assist in providing sufficient separation between the development and the existing buildings in this direction.

6.7.16 While the proposed development would generally be greater in scale than other buildings within the surrounding streetscape, it is considered to be capable of coexisting with the scale of nearby buildings. As discussed above, the scale of nearby buildings is not insignificant. Therefore, the visual impact of the proposed development within the streetscape is not considered likely to be discordant or unexpected.

6.7.17 With regard to the above sub-clause (c), the only public open space that would be overshadowed by the proposed development would be the adjacent sections of Brisbane Lane. However, this impact is not considered to be unreasonable given that the lane is to the south and south-west of existing development, including the existing building on the site, and would therefore already be overshadowed to some extent for much of the day.

6.7.18 With regard to the above sub-clause (d), it is considered that the building does provide an adequate transition to the recently redeveloped Minty's building at 92-96 Argyle, which is three stories high. The two other adjoining sites of relevance are considered to be the site on the corner of Brisbane and Argyle Streets (110 Argyle Street) and the building at 31

Melville Street, which sits behind the subject site, adjoins Brisbane Lane, and has a frontage to both Brisbane and Melville Streets. With respect to these two properties, it should be recognised that the height of the buildings currently upon them is less than the permitted height in the Commercial Zone, particularly the permitted height for residential development (15m/4 storeys). The development potential of these properties is also not constrained by being heritage listed or within a heritage precinct, so the likelihood of their redevelopment is considered to be reasonable. Therefore, it is not considered appropriate in this instance to require the proposed development to transition down to these lower adjoining buildings (there is further commentary on the development potential of adjoining sites at paragraphs 6.10.7 to 6.10.10).

6.7.19 As noted earlier in the report, the proposal has been considered by the Urban Development Advisory Panel. The minutes from the meeting where the application was considered note that:

"The Panel was somewhat comfortable with the height [of the proposed building], although felt that as the first building in the area to increase the height, that there was a responsibility to validate an increased height in the context of the scheme. The Panel did not see validation in exceeding the permitted height merely to increase the number of apartments. Furthermore, the Panel noted the top floor apartments had less private outdoor space than the apartments below. The Panel noted that if the top floor had been set back further to provide more outdoor space to the top floor apartments, the 5 floors frontage to Argyle Street would have benefited the streetscape, being more compatible with adjacent buildings and the width of Argyle Street (approximately 17m)".

6.7.20 It is agreed that an increase in the setback from frontage for the top floor of the building would reduce the impact of the proposal upon the streetscape. However, it is considered that requiring such a setback would be beyond the scope of what could reasonably be conditioned, and that the setback of the top floor as proposed is not so impactful on the streetscape as to warrant refusal of the application.

6.7.21 The Panel also noted that:

"the application does not currently appreciate the transition from the denser city core. The top floor lacked the design finesse of the lower levels, which could have created better opportunities for resident amenity and transition. It was also noted that the cross sections to demonstrate the scale and relationship of the proposed building with its adjoining buildings

requested at the pre-application meeting were not provided. The Panel felt that this would have been beneficial to assess the building within the streetscape context and the amenity of the narrow private open space to apartments on the side facades".

6.7.22 It is noted that while the site is not within 100m of the higher density development that has occurred recently within the Hobart CBD, it is at the edge of the land within the Commercial Zone that abuts the Central Business Zone - i.e. the city block containing the site is the southernmost block within the Commercial Zone before the zoning changes to the Central Business Zone found along Elizabeth Street and on the south-eastern side of Melville Street. It is also noted that there are several sites between the proposed development site and the Central Business Zone land that are considered to have significant development potential. These sites include the property immediately to the south-west of the site on the opposite side of Brisbane Lane (at 31 Melville Street, see the comments at 6.10.10) and further to the south, at 70-82 Argyle Street. This latter property has been acquired by the University of Tasmania and identified as a site for future development. Given the large area of this property any development upon it is likely to be significant. Therefore, should the land between the site and the CBD develop as is likely, the height of the proposed development would provide an acceptable transition between the latter and the less developed areas to the north-east and north-west.

6.7.23 It is considered that the planning scheme limits its consideration of building height to the matters prescribed in the above performance criterion. The level of "design finesse" is not listed as one of the matters for consideration in the performance criterion. While the Panel was not provided with cross-sections of the proposed development that also show adjoining buildings, it was provided with street elevations that show the relationship of the proposed building to existing buildings (drawing DA-07).

6.7.2 The proposal complies with the above performance criterion.

6.8 *23.4.2 Setback* P1

6.8.1 The acceptable solution at clause *23.4.2* requires building setback from frontage to be parallel to the frontage and to be no less than 0m.

6.8.2 The proposal includes a building setback from frontage that would not be parallel to the frontage. Given that the proposed development aligns with the site side boundaries and that these boundaries are not perpendicular

to the front boundary, the facade of the proposed development would not be parallel to the latter boundary. As it is not possible to have a setback that is less than 0m, the aspect of the above standard that requires this is considered to be a drafting error.

6.8.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.8.4 The performance criterion P1 at clause *23.4.2* provides as follows:

Building setback from frontage must satisfy all of the following:

(a) be consistent with any Desired Future Character Statements provided for the area;
(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;
(c) enhance the characteristics of the site, adjoining lots and the streetscape;
(d) provide adequate opportunity for parking.

6.8.5 There are no Desired Future Character Statements provided for the Commercial Zone so the above sub-clause (a) is not considered relevant.

6.8.6 The proposed building setback from frontage would be compatible with the setback of adjoining buildings. Only a minimal setback from frontage is proposed - i.e. a setback of only 60mm is proposed between the end of the wall proposed on the site's south-eastern boundary and the frontage. As similar setback is proposed for a landscaping bed. The setback from frontage proposed to the facade of the building varies from 745mm to 1274mm. Therefore, the proposed development would match the limited setbacks from frontage achieved by adjoining buildings to the north-east, south-east, and north-west. As a result, the generally continuous building line on this part of Argyle Street would be maintained.

6.8.7 The difference between the alignment of the site's front boundary and the facade of the proposed building would be less than 1 degree. Such a negligible difference would not be perceptible and is therefore unlikely to affect the characteristics of the site, adjoining lots, or the streetscape. Similarly, the alignment of the development relative to the frontage would not affect the provision of car parking on the site.

6.8.6 The proposal complies with the above performance criterion.

6.9 *23.4.5 Landscaping* P1

6.9.1 The acceptable solution A1 at clause *23.4.5* requires landscaping to be provided along the frontage of a site unless a building extends across the width of the frontage (except for vehicular access ways) and it has a setback from frontage of no more than 1m.

6.9.2 The proposal includes a building that would in part be setback from the site frontage by more 1m. While the proposal includes some landscaping, this would not extend along the frontage.

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 P1 at clause *23.4.5* provides as follows:

Landscaping must be provided to satisfy all of the following:

(a) enhance the appearance of the development;
(b) provide a range of plant height and forms to create diversity, interest and amenity;
(c) not create concealed entrapment spaces;
(d) be consistent with any Desired Future Character Statements provided for the area.

6.9.5 While the landscaping proposed on the site's Argyle Street frontage would be limited to two garden beds, this is considered adequate to soften and provide visual interest around the entrance to the building. The proposed landscaping would not create entrapment spaces. As noted earlier, there are no Desire Future Character Statements provided for the Commercial Zone.

6.9.6 The proposal complies with the above performance criterion.

6.10 *23.4.8 Residential and Visitor Accommodation Amenity* P2

6.10.1 The acceptable solution A2 at clause *23.4.8* requires the residential components of a new building to have all habitable room windows either setback at least 5m from a side boundary, or, facing a frontage.

6.10.2 The proposal includes habitable room windows that would not be setback at least 5m from the site's side boundaries and would not face a frontage.

The bedroom windows within the northern and southern elevations of the building would be approximately 3m from the site side boundaries and would not face either frontage.

6.10.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.10.4 The performance criterion P2 at clause *23.4.8* provides as follows:

Residential or serviced apartment components of a new building must be designed to allow for reasonable access to daylight into habitable rooms and private open space, and reasonable opportunity for air circulation and natural ventilation, having regard to:

(a) proximity to side and rear boundaries;
(b) proximity to other buildings on the same site;
(c) the height and bulk of other buildings on the same site;
(d) the size of any internal courtyard or void;
(e) the use of light wells or air shafts;
(f) development potential on adjacent sites, considering the zones and codes that apply to those sites; and
(g) any assessment by a suitably qualified person.

6.10.5 The side boundary setbacks proposed for the development are considered to allow for reasonable access to daylight into habitable rooms. It is noted that the windows proposed facing the site's side boundaries are generally bedroom windows, save for sliding glass doors to the living areas of the apartments proposed upon level 1 and small windows to the living areas on the subsequent levels above. Reduced access to daylight for bedrooms is considered acceptable where the living areas of the respective dwelling would receive adequate daylight. All of the living areas proposed at either the north-eastern end or the south-western end of the respective apartment would have near full height glazing within the elevation which would face the respective frontage - i.e. extensive glazing is proposed within the north-eastern elevation, which would face Argyle Street, and within the south-western elevation which would face Brisbane Lane. This extensive glazing would provide reasonable access to daylight for all of the proposed living areas, although it is noted that the apartments within the southern part of the development may receive only indirect sunlight at certain times of the year. The glazed areas also include double sliding doors that in conjunction with smaller sliding doors to be provided onto the balconies

adjacent to the proposed bedrooms would allow for air circulation and natural ventilation.

6.10.6 There are no other buildings on the site, so the above sub-clauses (b) and (c) are not relevant. An internal courtyard, void, light well, or air shaft is not proposed so sub-clauses (d) and (e) are also not relevant.

6.10.7 The adjacent sites surrounding the site have varying development potential. All of the adjacent sites are within the Commercial Zone so the same development standards that apply to the current proposal may apply to any future development upon adjacent sites. The development potential of the fire station site to the north-east of the site is constrained by its heritage status and the relevant provisions of the planning scheme's Historic Heritage Code. This code would also apply to other adjacent sites but only to the extent that they are considered to have archaeological potential. Without site specific assessments of the archaeological potential of the adjacent sites it is difficult to determine the impact of this potential upon the respective development potential of each site. However, it is assumed that given that the adjacent sites are relatively disturbed, there is unlikely to be significant archaeological evidence present that would significantly restrain development potential.

6.10.8 The adjacent property to the north-west, at 110 Argyle Street, is within the same ownership as the subject property. The applicant advises that a similar development to that currently proposed is envisaged for this site. Any development upon this adjacent site with a similar footprint and building height to that currently proposed would reduce the solar access of any windows within the north-western elevation of the proposed development. However, as noted above, these windows are predominantly bedroom windows and it is considered acceptable for these windows to receive less daylight where the living areas of the respective dwelling would receive adequate daylight.

6.10.9 Given that the adjacent site to the south-east of the site, at 92-96 Argyle Street, has been redeveloped relatively recently, it is perhaps less likely to be further developed in the near future. However, similarly to above, the solar access of the proposed development is unlikely to be significantly affected by future development upon this site as generally only bedroom windows would be affected.

6.10.10 The adjacent property to the south-west of the site is considered to have significant development potential. This property is a larger commercial lot that extends the full length of the city block between Melville Street and

Brisbane Street. The majority of this property is occupied by what appears to be an older, single storey warehouse style building that has a shopfront facing Brisbane Street but also has openings onto Brisbane Lane. Any redevelopment of this site that occupied a similar footprint to the existing building and had a building height similar to that currently proposed would affect the solar access of the living areas at the south-eastern end of the proposed development. However, Brisbane Lane would provide separation between the buildings in this scenario that would allow reasonable access to daylight (if not direct sunlight) and for air circulation and natural ventilation for these livings areas.

6.10.11 The proposal is supported by a planning report which states, in response to the above performance criterion, that:

"The design of the proposed development allows for equitable development outcomes on the adjacent sites should these be developed in a similar manner. The upper levels are setback a minimum of 2m from the shared boundaries, and it would be anticipated that future developments on the adjacent sites would do the same to maintain a sense of openness between buildings and allow for equitable access to privacy, sunlight, daylight and outlook for the proposed and future developments".

This view is supported as it is agreed that future development upon the adjacent sites is likely to maintain adequate separation from development upon the site.

6.10.12 The proposal complies with the performance criterion.

6.11 *23.4.8 Residential and Visitor Accommodation Amenity* P5

6.11.0 The acceptable solution A5 at clause *23.4.8* requires each dwelling on a site to have private open space (POS) that has a minimum horizontal dimension of 2m.

6.11.2 The proposal includes dwellings that would not have POS with a minimum horizontal dimension of 2m. The areas of POS proposed at the south-western end of the building on levels 2 to 4 and at the south-western and north-eastern ends of level 5 would have a minimum dimension less than 2m.

6.11.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance

criterion.

6.11.4 The performance criterion P5 at clause *23.4.8* provides as follows:

Private open space for dwellings or serviced apartments must provide reasonable amenity and be capable of meeting the projected outdoor recreation requirements of occupants, having regard to:

(a) the size and minimum dimensions of the space, excluding space occupied by plant and equipment such as outdoor components of an air conditioning unit;
(b) the amount of space available for furniture or plantings;
(c) the potential for significant noise intrusion;
(d) proximity and overlooking to the private open space of existing adjacent residential and serviced apartment developments;
(e) screening where necessary for privacy that does not unreasonably restrict access to daylight;
(f) screening where necessary for noise and wind protection that does not unreasonably restrict access to daylight;
(g) screening from public view for clothes drying areas; and
(h) any advice from a suitably qualified person.

6.11.5 As shown on the submitted floor plans, the POS proposed for the apartments on the south-western side of the building on levels 2 to 4 and on level 5 would have the size and dimensions necessary to accommodate furniture, plantings, and other equipment such as a small BBQ. The floor plans show that each area of POS could accommodate a small outdoor dining table and chairs as well as another smaller table and other chairs. A BBQ is also shown within the areas of POS on the plans.

6.11.6 The areas of POS proposed at the south-western end of the building on levels 2 to 4 and at the south-western and north-eastern ends of level 5 would not be occupied by plant and equipment such as the outdoor components of air conditioning units. While individual air conditioning units are proposed for each apartment, the respective outdoor components of these units would be placed upon the balconies proposed adjacent to the bedrooms on the side of the building. The areas of POS proposed at either end of the building would therefore be separated from these outdoor units and unlikely to be significantly affected by noise protrusion from the units.

6.11.7 There are no existing residential and serviced apartment developments adjacent to the site. It is noted that the part of the above

acceptable solution that addresses separation between areas of POS requires only separation between proposed areas and areas in another building - i.e. this standard does not apply to the separation between areas of POS in the same building.

6.11.8 Screens would be provided between the relevant areas of POS in order to provide privacy, as required by sub-clause (e) of the above performance criterion. These screens would not significantly affect access to daylight. While screening specifically for noise and wind protection would not be provided for the areas of POS, this screening is not considered necessary as the areas would generally be relatively enclosed.

6.11.9 External clothes drying facilities are not shown on the submitted plans, although these facilities are mentioned in the planning report provided with the application. The submitted floor plans indicate that the laundry for each apartment would include a clothes dryer so the use of the areas of POS for clothes drying is likely to be limited. Therefore, screening for clothes drying areas is not considered to be required.

6.11.10 As noted in the submitted planning report, an acoustic assessment has also been provided, although this does not address likely noise impacts upon the proposed areas of POS, so does not assist when considering the proposal against the above performance criterion.

6.11.11 The proposal complies with the above performance criterion.

6.12 *23.4.8 Residential and Visitor Accommodation Amenity* P6

6.12.1 The acceptable solution A5 at clause *23.4.8* requires sites with more than 10 dwellings to provide communal open space.

6.12.2 The proposal includes more than 10 dwellings but does not include communal open space.

6.12.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.12.4 The performance criterion P6 at clause *23.4.8* provides as follows:

Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that provides reasonable amenity and outdoor recreation opportunities for occupants, having regard to:

(a) the area and dimensions of the space;
(b) the total number of dwellings or serviced apartments on the site;
(c) the accessibility of the space;
(d) the flexibility of the space and opportunities for various forms of recreation;
(e) the availability and location of common facilities within the space;
(f) landscaping;
(g) the provision of gardens, trees and plantings (including food gardens) appropriate in area to the size of the communal open space;
(h) accessibility to daylight, taking into account the development potential of adjacent sites;
(i) the outlook from the space;
(j) the level of noise intrusion from external noise sources; and
(k) any advice from a suitably qualified person;

unless:

(i) the dwellings or serviced apartments are located in an existing building where communal open space cannot be reasonably achieved due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code;

(ii) open space, accessible by the public, that is of high quality in terms of location access to sunlight, outlook, facilities, landscaping and accessibility and that can adequately accommodate the needs of occupants is provided on the site; or

(iii) private open space is provided for all dwellings or serviced apartments on the site, provides a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation, entertainment, planting, outdoor dining and children's play.

6.12.5 Given that no communal open space is proposed, the proposal relies upon the exception provided by the above sub-clause (iii). The exceptions provided by sub-clauses (i) and (ii) are not applicable as the proposed dwellings would not be located in an existing building and publicly accessible open space would not be provided.

6.12.6 Private open space would be provided for all of the dwellings proposed on the site. As discussed above, the proposed areas of POS are considered to have reasonable access to sunlight, although it is recognised that the areas proposed on the south-western end of the

building would receive only limited direct sunlight at certain times of the year. This limitation is considered to offset to some extent by the provision of open areas on more than one side of each apartment. In addition to the larger area of POS provided at either the north-eastern or south-western end of the building, each apartment would also be provided with a smaller balcony on one side of the building. This arrangement would allow opportunity for different parts of the POS provided for each apartment to receive sunlight at different times of the day.

6.12.7 All of the areas of the proposed areas of POS are considered likely to enjoy a favourable outlook. The areas orientated toward the north-east would enjoy an outlook toward the Glebe and the Queens Domain, while those orientated toward the south-west would enjoy an outlook toward kunanyi/Mt Wellington.

6.12.8 The proposed areas of POS are considered likely to sufficiently cater for flexible outdoor recreation needs. As discussed above, the submitted plans demonstrate that the areas could accommodate outdoor dining facilities such as chairs, tables, and BBQs. In addition, the plans also show planter boxes that would make some provision for planting. These facilities are considered to sufficiently cater for outdoor relaxation and entertainment, although it is acknowledgement that limited provision is made for children's play.

6.12.9 As mentioned earlier in the report, the proposal was considered by the Urban Development Advisory Panel. The minutes from the meeting where the proposal was considered state that:

"The Panel had concern about the lack of common open space proposed within the development. The extent and the quality of private open space proposed for each apartment was not considered sufficient to justify no communal open space, especially as the private open space does not satisfy the Scheme's Acceptable solution and would therefore require discretionary approval in accordance with the scheme's performance solution".

6.12.10 The extent of the POS provided for each apartment is considered to be comparatively generous given that the main areas of POS at either end of the building would be supplemented by smaller areas on the sides of the building. The quality of the proposed POS is considered acceptable given the evident site constraints - i.e. the site is a relatively narrow rectangular shaped lot that is orientated with its longer sides facing toward the north-west/south-east. It is noted that there is no direct link

between the above performance criterion regarding the provision of communal open space and any other planning scheme standard - that the private open space that would be provided within the development does not comply with all relevant acceptable solutions (as discussed earlier) is not relevant when considering whether communal open space should be provided.

6.12.11 The proposal complies with the above performance criterion.

6.13 *23.4.8 Residential and Visitor Accommodation Amenity* P7

6.13.1 The acceptable solution A7 at clause *23.4.8* requires each multiple dwelling to be provided with a dedicated and secure storage space of no less than $6m^3$.

6.13.2 The proposal includes multiple dwellings that would be provided with less than $6m^3$ of storage space. While each proposed dwelling would be provided with a storage space on the ground floor of the development, the space provided for some dwellings would be less than $6m^3$.

6.13.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.13.4 The performance criterion P7 at clause *23.4.8* provides as follows:

Each multiple dwelling must be provided with adequate storage space.

6.13.5 As noted in the planning report provided with the application, an average of $20m^3$ of internal storage space per dwelling would be provided within the development in addition to the external storage provided upon the ground floor. Therefore, each proposed dwelling would be provided with adequate storage space.

6.13.6 The proposal complies with the above performance criterion.

6.14 *E2.6.2 Excavation*

6.14.1 There is no acceptable solution for clause *E2.6.2* which applies where excavation of potentially contaminated land is proposed.

6.14.2 The proposal includes excavation of potentially contaminated land. The is considered to be potentially contaminated land and excavation is

proposed in order to carry out the proposed development.

6.14.3 As there is no acceptable solution for the above clause the proposal therefore relies upon assessment against the below performance criterion

6.14.4 The performance criterion at clause *E2.6.2* 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.

6.14.5 Council's Senior Environmental Health Officer has assessed the proposal against the above performance criterion and provided the following comments:

"A plan to manage contamination and associated risks to human health and the environment was submitted, and it includes:
(i) The plan includes a Environmental Site Assessment (ESA) which was conducted and prepared by a suitably qualified person/company and is in accordance with the National Environment Protection Measure (NEPM),
(ii) The ESA outlines specific remediation and protective measures required to be implemented before any excavation commences, and;
(iii) The ESA states that the excavation will not adversely impact on human health or the environment if the recommendations of the ESA are followed".

6.14.6 The proposal complies with the above performance criterion.

6.15 *E6.6.1 Number of Car Parking Spaces*

6.15.1 The acceptable solution at clause *E6.6.1* requires the number of on-site car parking spaces to be no less than the number specified in Table E6.1.

6.15.2 The proposal includes less than the number of the number of on-site car parking spaces specified in Table E6.1. 45 on-site car parking spaces are required (including 5 spaces for visitor parking); 20 car parking spaces are proposed.

6.15.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.15.4 The performance criterion at clause *E6.6.1* 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.

6.15.5 Council's Senior Development Engineer has assessed the proposal against the above performance criterion and provided the following comments:

- "The empirical parking assessment indicates that the provision of twenty (20) on-site car parking spaces will sufficiently meet the likely demands associated with the development, with the exception of onsite visitor parking".
- "There is a relatively little supply of on-street parking in the surrounding road network during business hours".
- "Metro Tasmania operate regular bus services is within 400 metres of the subject site".
- "The site is located a convenient walking distance from shops, schools and services".
- "Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1: *E6.6.1* of the Planning Scheme. This is particularly due to the actual parking demands that will be generated by the development".

6.15.6 The proposal complies with the above performance criterion.

6.16 *E6.6.3 Number of Motorcycle Parking Spaces* P1

6.16.1 The acceptable solution at clause E6.6.3 A 1requires the number of on-site motorcycle parking spaces provided to be at a rate of 1 space to each 20 car parking spaces.

6.16.2 The proposal does not include on-site motorcycle parking spaces. At least one motorcycle parking space is required given the number of car parking spaces proposed.

6.16.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.16.4 The performance criterion at clause *E6.6.3* P1 provides as follows:

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

(a) motorcycle parking demand;
(b) the availability of on-street and public motorcycle parking in the locality;
(c) the availability and likely use of other modes of transport;
(d) the availability and suitability of alternative arrangements for motorcycle parking provision.

6.16.5 While there is no on-street and public motorcycle parking in locality, the proposed development is considered to generate only limited demand for such parking. As noted above, the site is located a convenient walking distance from shops, schools and services so residents are likely to use other modes of transport. While motorcycle parking is not proposed, the ground floor of the development appears to have sufficient area to accommodate such parking if required.

6.16.6 The proposal complies with the above performance criterion.

6.17 *E6.7.10 Design of Bicycle Parking Facilities* P2

6.17.1 The acceptable solution A2 at clause *E6.7.10* requires the design of bicycle parking spaces to 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.

6.17.2 The proposal includes bicycle parking spaces that would not comply with the above requirements.

6.17.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.17.4 The performance criterion P2 at clause *E6.7.10* provides as follows:

The design of bicycle parking spaces must be sufficient to conveniently, efficiently and safely serve users without conflicting with vehicular or pedestrian movements or the safety of building occupants.

6.17.5 Council's Senior Development Engineer has assessed the proposal against the above performance criterion and advised that the proposed bicycle parking may be accepted.

6.17.6 The proposal complies with the above performance criterion.

6.18 *E7.7.1 Stormwater Drainage and Disposal* P2

6.18.1 The acceptable solution A2 at clause *E7.7.1* requires a stormwater system for a new development to incorporate water sensitive urban design (WSUD) principles for the treatment and disposal of stormwater if new car parking is provided for more than 6 cars.

6.18.2 The proposal includes new car parking for more than 6 cars but would not include WSUD design principles in the proposed stormwater management system.

6.18.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.18.4 The performance criterion at clause *E7.7.1* P2 provides as follows:

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

6.18.5 Council's Technical Officer - Environmental has assessed the proposed stormwater management arrangements and provided the following comments:

"The proposed treatment device (Ocean Protect Jellyfish JF900-1-1) is claimed to meet the State Stormwater Strategy standards for site discharge. It will require the existing connection to be replaced, as a site visit revealed it is currently very shallow. Head drop can be as little as 150mm if upstream weir gives head loss of 460mm. The proposed model would treat 5L/s - manufacturer modelled in MUSIC. Assume they used correct bypass figures. Assume they can obtain the required fall with the revised connection".

The information submitted with the application suggests that the proposed stormwater connections "(2x 150x75 at 5cmm over 7.5m) have capacity of 28L/s vs Q100 of 30.8L/s. Q20 would be ~18L/s (neglecting facade). Overflow in events >5% AEP is acceptable (as long as safe) - overflow is shown passing out of driveway grate and onto road [which is considered] acceptable. Council does not usually accept >12L/s discharge to kerb - but as replacing existing [this will be] allowed. The interception of rain by

the vertical catchment will slightly increase flows from the kerb connections, but not to the system as a whole. Site is low in catchment, and detention would not be beneficial".

6.18.6 The proposal complies with the above performance criterion.

6.19 *E13.10.1 Building, Works and Demolition* P1

6.19.1 The acceptable solution at clause *E13.10.1* A1 requires building and works at a place of archaeological potential to not involve excavation or ground disturbance.

6.19.2 The proposal includes excavation and ground disturbance and the site is a place of archaeological potential.

6.19.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.19.4 The performance criterion at clause *E13.10.1* P1 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'.

6.19.5 Council's Senior Cultural Heritage Officer has assessed the proposal against the above performance criterion and provided the following comments:

"The proposal is supported by a report by Austral Tasmania,

Archaeological Impact Assessment, Final Report, dated 21 February 2020. The report concludes that the majority of the site has low archaeological potential. This is the area of the footprint of the extant building while the remainder of the site is assessed as having moderate archaeological potential. A number of recommendations are made in relation to monitoring and recording. All recommendations outlined in the Austral Report (4.0 Conclusions and Recommendations, pp19-21) should be adhered to. This can be achieved by several conditions of permit. It is therefore concluded that this proposal satisfies *E13.10.1* P1."

6.19.6 The proposal complies with the above performance criterion.

7. Discussion

7.1 Planning approval is sought for demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart.

7.2 The application was advertised and received 223 representations. The representations raised concerns regarding the height of the proposed development, its impact upon the local traffic environment, and the proposed bicycle storage arrangements. More specifically the representations that raise concern regarding the height of the development suggest that it should have one less storey (as originally proposed) and that the development will set a precedent for the approval of further development within the area that does not comply with the planning scheme's acceptable solution for building height. Several of these representations also suggest that the development will have an detrimental impact upon the privacy and outlook of nearby residential development and that the impact of any future development upon adjoining sites should be taken into account when assessing the current proposal.

7.3 It is not possible for Council to approve the proposed development with a requirement that it be reduced in height by one storey. Given that this requirement would result in a significantly different outcome than that sought by the application, imposing the requirement is likely to be considered "tantamount to refusal". The proposal must be assessed as it is proposed. If it is Council's view that the proposal does not comply with the relevant planning scheme standards, including the relevant standard for building height, then the application should be refused. However, as detailed above, the proposal is considered to comply with this standard. While proposed development would have a building height greater than nearby buildings, its impact upon the streetscape is not considered likely to be so detrimental as to warrant refusal of the application. It should be noted that the height of the proposed development would not be significantly greater than that allowed for by the planning scheme's relevant acceptable solution for building height - i.e. the acceptable solution allows for a building height up to 15m and a height of less than 20m is proposed. It is also noted that there are several sites within the surrounding area that are considered to be underdeveloped and are likely to be developed in a similar manner to that currently proposed, given the prevailing planning controls.

7.4 Approving the current proposal would not create a precedent for the approval of further development within the area that does not comply with the planning scheme's acceptable solution for building height. Any development proposal must be assessed against the relevant planning scheme standards that specifically apply to the site. While aspects of the planning scheme standard for building height require a comparison between what is proposed and existing nearby development, it does not necessarily follow that a proposal will be approved if there is a building on a nearby site that does not comply with the acceptable solution for building height.

7.5 The proposed development would be separated from nearby residential uses by distance and by existing buildings. The development would be separated from the cottages to the south-east by the three storey building on the adjoining property in this direction, meaning that it is unlikely to be visible from the former. The development would be separated from the closest residential development to the south-west by a distance of approximately 50m. The development would be separated from the residential use to the north by a similar distance. Therefore, the proposal is considered unlikely to have an impact upon the privacy of nearby residential use and development. While the development would be visible from some parts of the nearby residential development, this is not considered likely to have an unacceptable visual impact. The impact of potential development on adjacent sites upon the proposed development has been taken into account in this assessment. The proposed development is considered to incorporate sufficient measures, such as side setbacks and the avoidance of single aspect dwellings, to ensure that its residential amenity is not unreasonably compromised by future development upon adjacent lots.

7.6 The proposal is not considered likely to have a significant impact upon the local traffic environment. While a not insignificant number of additional dwellings are proposed, the traffic generated by the development would not be significant in the context of the local road given the traffic volumes it carries. As noted earlier in the report, the site's proximity to the CBD is likely to encourage residents to use alternative means of transport, such as walking or cycling. There is no planning scheme requirement for bicycle parking to be provided for residential such as that proposed. Council therefore has no capacity to require the proposed bicycle parking to be altered or improved as suggested in one of the representations received.

7.7 The application was considered by the Urban Design Advisory Panel at its meeting of 31 May 2021. The Panel's comments are provided in full as an attachment to this report. A number of the Panel's comments have been included above in section 6 of the report. While the Panel expressed some misgivings regarding the proposal and expressed a desire for changes to be made to the proposed design, it stopped short of recommending that Council refuse the application.

7.8 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to comply.

7.9 The proposal has been assessed by other Council officers, including the Council's Senior Development Engineer and its Senior Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions.

7.10 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed demolition and new building for 20 multiple dwellings at 98 Argyle Street, 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 demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - 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 Amended Submission to Planning Authority Notice, Reference No. TWDA2020/01741-HCC dated 27/4/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

A demolition waste management plan must be implemented throughout demolition. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

Advice:

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

PLN s1

The palette of exterior colours and materials must be provided.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans, and montages and samples where appropriate, must be submitted and approved as a Condition Endorsement to the satisfaction of the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the streetscape and townscape values of the surrounding area.

PLN s2

A landscape plan must be prepared for the soft and hard landscaping, by a suitably qualified landscape designer.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans must be submitted and approved to the satisfaction of the Director City Planning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans. Prior to occupancy, confirmation from the landscape architect who prepared the approved landscaping plan (or another suitably qualified landscape designer) that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the amenity of the spaces, streetscape and townscape values of the surrounding area.

PLN s3

Any cranes used in construction of the approved development must not create an obstruction or hazard for the operation of aircraft approaching and departing the Royal Hobart Hospital helipad.

Advice: The developer is encouraged to contact the Department of Health and Human Services prior to construction to discuss the operation of any cranes.

Reason for condition

To ensure that cranes or other temporary structures used in the construction of the development do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s4

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans must be submitted and approved as a Condition Endorsement that demonstrate that design elements of the development are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (AS3671:1989 – *Road Traffic Noise Intrusion (Building Siting and Construction)* and AS2107:2016 – Acoustics (*Recommended Design Sound Levels and Reverberation Times for Building Interiors*)).

The revised plans must be certified by a suitably qualified person as demonstrating likely compliance with the above requirement.

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that buildings for residential uses provide reasonable levels of amenity in terms of noise.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, 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: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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).

Reason for condition

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

ENG sw4

Any new stormwater connection required must be constructed, and any existing redundant connections be abandoned and removed. The connection works must be done by Council at the owner's expense prior to occupancy or commencement of use (whichever occurs first).

Detailed engineering drawings must be submitted and approved as a Condition Endorsement, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The detailed engineering drawings must include:

1. **the accurate location and levels 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 for all 5% AEP rainfall events (including the vertical catchment) and discharge is contained within the kerb;**
3. **plan and long-section of the proposed connection clearly showing clearances from any nearby obstacles including crossovers and services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity.**

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

Advice:
This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

The depth and alignment of the stormwater connection shown on the Rare Drainage and Service Plan DA01 RevA does not agree with Council records. A single connection for the property is required under the Urban Drainage Act 2013. *Standard sizes for kerb and gutter connections are in Council's* Fees and Charges Booklet *available from here, and must run in a straight line from the private boundary transition pit if possible.*

Once the Condition Endorsement has been issued, the applicant will need to submit an application for a new stormwater connection with Council's City Amenity

Division. Should the applicant wish to have their contractor install the connection, an Application to Construct Public Infrastructure is required.

The stormwater service connection may be required to have been approved prior to any plumbing permits being issued for private plumbing works.

Reason for condition

To ensure the site is drained adequately.

ENG sw7

Stormwater pre- treatment for stormwater discharges from the development must be installed prior to occupancy or the commencement of use (whichever occurs first).

A stormwater management report and detailed design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the Building Act 2016 or commencement of works (which ever occurs first). The stormwater management report and design must:

1. **be prepared by a suitably qualified person;**
2. **include detailed design of the proposed treatment train, including estimations of contaminant removal for the final design, driving head, and a long-section;**
3. **include a supporting maintenance plan, which specifies the required 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 plans and report have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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

Reason for condition

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 domestic waste and recycling must be implemented post construction.

The waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site (excluding for demolition). The waste management plan must include:

1. **Details of commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.**
2. **Written evidence from a suitable private waste collection company that they are willing to and able to collect waste from the development site in the manner and frequency described in the waste management plan.**

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

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 as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

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

2. **Include 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.**

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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 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 and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* (excluding for demolition).

The access driveway, circulation roadways, ramps 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).*

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

Advice:

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

Reason for condition

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

ENG 4

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

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it

does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 5

The number of car parking spaces approved on the site for use is twenty (20).

All parking spaces must be 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 5b

The number of bicycle parking spaces approved on the site for use is eighteen (18).

Bicycle parking spaces and storage must be in accordance with Australian Standards AS 2890.3 2015, prior to commencement of use.

Reason for condition

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

ENG 1

Any damage to council infrastructure or any third-party infrastcuture within the road reserve 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 r3

Prior to the commencement of use, the proposed driveway crossover Argyle Street highway reservation must be designed and constructed in accordance with:

- **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing**
- **Footpath - Urban Roads Footpaths TSD-R11-v2**

Lighting plans approved by TasNetworks must be submitted and approved prior to commencement of work.

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

A SWMP must be submitted as a Condition Endorsement 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; and**
- **any Contamination Management Plan for the site, as required by the Pitt & Sherry *Site Contamination Appraisal***

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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.

HER 6

All onsite excavation and disturbance in the areas identified in the Austral Tasmania report (dated 21 Feb 2020) and shown as having moderate archaeological potential (shown in yellow in the diagram upon p.20) must be monitored and excavated in accordance with recommendations 3 and 4 of the above report. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. **All excavation and/or disturbance must stop immediately; and,**

2. **A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and,**
3. **All and any recommendations made by the archaeologist engaged in accordance with the above sub-clause 2 must be complied with in full; and,**
4. **All features and/or deposits discovered and excavated must be reported to Council within 1 day and prior to the conclusion of the excavation; and,**
5. **A qualified archaeologist must undertake an audit of all bulk archaeological materials such as worked sandstone blocks, 19th century bricks or cobblestones suitable for reuse. These bulk archaeological shall be retained on site subject to the approval of their removal by the Council.**
6. **A copy of the archaeologist's advice, assessment, and recommendations obtained in accordance with the above sub-clauses 2, 3, and 5 must be provided to Council within 60 days of receipt of the advice, assessment, and recommendations and prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) to the satisfaction of Council.**

Excavation and/or disturbance must not recommence until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

HER 7

All artefacts of high interpretative value and/or rare or otherwise significant as determined by the qualified archaeologist engaged in accordance with Condition HER 6 must be incorporated into an on-site interpretation and history.

An interpretation plan must be prepared and submitted and approved by Council prior to occupation.

The on-site interpretation must be:

- **in accordance with the approved interpretation plan,**

- **incorporate the artefacts described above,**
- **located in a publicly accessible space, and,**
- **provided upon completion of the development.**

Reason for condition

To ensure that there is public benefit from archaeological investigations.

HER s1

The audit report prepared in accordance with condition HER 6, must be submitted and approved as a Condition Endorsement prior to the issue of any approval under the Building Act 2016 for construction of the development (excluding any approval issued under this Act for demolition associated with the development). The audit report must also demonstrate how the finds described in condition HER 6, sub-clause 5 are to be incorporated into the development in landscaping, vertical or horizontal surfaces, or other designed or decorative features. Revised plans must be submitted and approved as part of the Condition Endorsement showing the recommendations of the audit report in accordance with the above requirement.

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

Advice: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that archaeological evidence is retained, protected and preserved or otherwise appropriately managed.

ENVHE 1

The recommendations in the report "HB20090 - Site Contamination Appraisal - 98 Argyle Street by Pitt & Sherry", dated 24 March 2020, must be implemented and maintained for the duration of construction of the development. Specifically:

1. **A Contamination Management plan (CMP) should be prepared prior to the commencement of works, which should detail management measures for the protection of construction workers and management of potentially contaminated soil and groundwater, triggers and**

contingency measures.

2. **If significant soil and or groundwater contamination is encountered during site works an appropriately experienced Environmental Scientist should be present to monitor ambient vapours and identify/sample potentially contaminated soil. If significant contaminated soil is identified, it may be required to be excavated with validation sampling of the remaining soil to demonstrate it will not pose a health risk to future occupants.**

Reason for condition

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

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.

OCCUPATION OF THE PUBLIC HIGHWAY

- You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click here for more information.
- You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click here for more information.
- You may require a road closure permit for construction or special event. 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.

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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

REDUNDANT CROSSOVERS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

Click here for dial before you dig information.

(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.

(Ben Ikin)
Senior Statutory Planner

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

Date of Report: 3 June 2021

Attachments:

Attachment B - CPC Agenda Documents

Attachment C - Urban Design Advisory Panel Minutes

PLN-20-706 - 98 ARGYLE STREET

Application Information

Application Details

PLN-20-706 Demolition and New Building for 20 Multiple Dwellings
Submitted on: 15/10/2020
Accepted as Valid on: 15/10/2020
Target Time Frame: 42 Days.
Elapsed Time: 214 Days *(Stopped: 13 Days)* = 201 Days - Granted an extension to the Expiry date of 181 Days = Expiry date: 08/06/2021
Officer: Adam Smee

Have you obtained pre application advice?

Yes

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

PAE-19-423

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)? *

Commercial

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

Demolition and Multiple Apartments

Estimated cost of development *

6500000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
550.00	3155.00	730

Carparking on Site

Total parking spaces	Existing parking spaces	N/A
19	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? ◉ No

Edit

Amended Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-706		Council notice date	21/10/2020
TasWater details				
TasWater Reference No.	TWDA 2020/01741-HCC		Date of response Amendment date	30/10/2020 27/04/2021
TasWater Contact	Phil Papps	Phone No.	0474 931 272	
Response issued to				
Council name	CITY OF HOBART			
Contact details	coh@hobartcity.com.au			
Development details				
Address	98-110 ARGYLE ST, HOBART		Property ID (PID)	7589903
Description of development	Demolition and New Building for 20 Multiple Dwellings			

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
LXN Architecture	Site Plan DA-01	A	26/03/2020

Conditions

Pursuant to the *Water and Sewerage Industry Act* 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.

   ***Advice**: TasWater will not accept direct fire boosting from the network unless it can be demonstrated that the periodic testing of the system will not have a significant negative effect on our network and the minimum service requirements of other customers serviced by the network. To this end break tanks may be required with the rate of flow into the break tank controlled so that peak flows to fill the tank do not also cause negative effect on the network.*

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.

DEVELOPMENT ASSESSMENT FEES

3. The applicant or landowner as the case may be, must pay a development assessment fee of $675.71 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.

taswater

Advice

General

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

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

Service Locations

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

(a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater

(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies

Boundary Trap Area

The proposed development is within a boundary trap area and the developer will need to provide a boundary trap that prevents noxious gases or persistent odours back venting into the property's sanitary drain. The boundary trap is to be be contained within the property boundaries and the property owner remains responsible for the ownership, operation and maintenance of the boundary trap.

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

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
160050	1
EDITION	DATE OF ISSUE
2	04-Sep-2019

SEARCH DATE : 12-Mar-2020
SEARCH TIME : 10.19 AM

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Plan 160050
Derivation : Part of 1A-3R-6Ps Granted to J. Thompson
Prior CTs 32278/4 and 32278/5

SCHEDULE 1

E109579 TRANSFER to COSTMAC INVESTMENTS PTY. LTD.
Registered 04-Sep-2019 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C978873 ADHESION ORDER under Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993 Registered 27-Aug-2010 at noon
C990193 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 09-Nov-2010 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

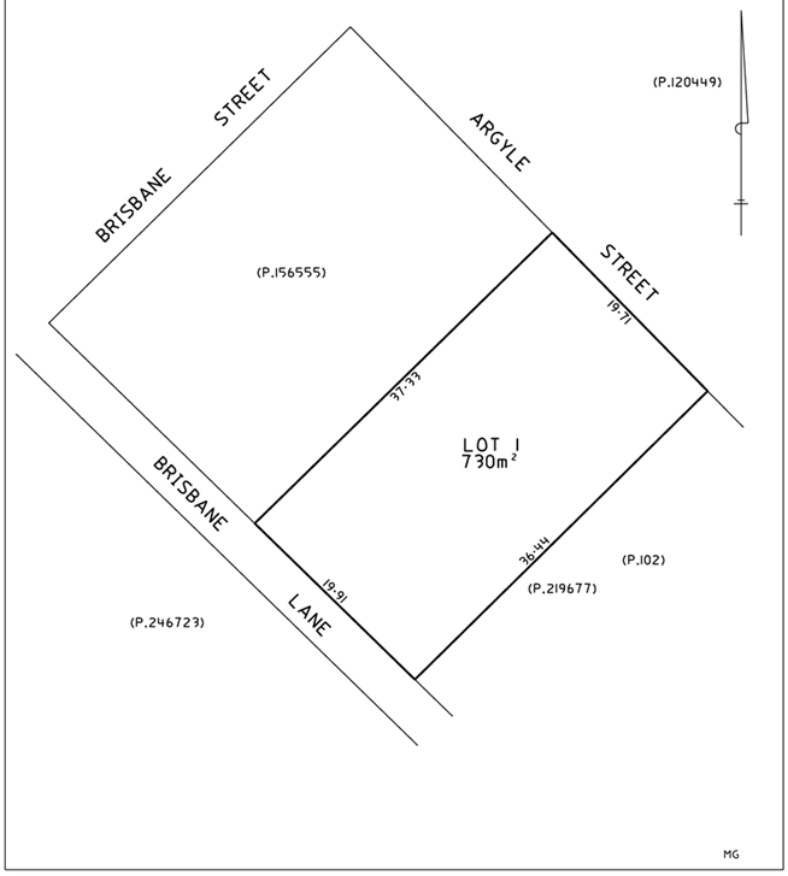
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

OWNER	PLAN OF TITLE	Registered Number
FOLIO REFERENCE CT 32278-4 CT 32278-5 GRANTEE PART OF 1A 3R 6P GTD TO JAMES THOMPSON	LOCATION CITY OF HOBART SECTION Pp FIRST SURVEY PLAN No. D32278 COMPILED BY LTO SCALE 1: 300 LENGTHS IN METRES	P.160050 APPROVED 17 AUG 2010 Alice Kawa Recorder of Titles

MAPSHEET MUNICIPAL CODE No. (114) 5225-42	LAST UPI No GJQ 14, GJQ 15	LAST PLAN No. D32278	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN



Search Date: 12 Mar 2020 Search Time: 10:21 AM Volume Number: 160050 Revision Number: 02 Page 1 of 1

Department of Primary Industries, Parks, Water and Environment www.thelist.tas.gov.au

City of HOBART

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

31 March 2021

Sarah Lindsay (LXN Architecture & Consulting) mailto: sarah@lxn.com.au
21a Cross St
NEW TOWN TAS 7008

Dear Sir/Madam

98 - 110 ARGYLE STREET, HOBART - WORKS WITHIN A ROAD RESERVE NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-21-3

Site Address:

98-110 Argyle Street, Hobart

Description of Proposal:

Demolition and new building for 16 multiple dwellings involving the road reservation

Applicant Name:

Sarah Lindsay
LXN Architecture & Consulting

PLN *(if applicable)*:

PLN-20-706

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

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

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

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

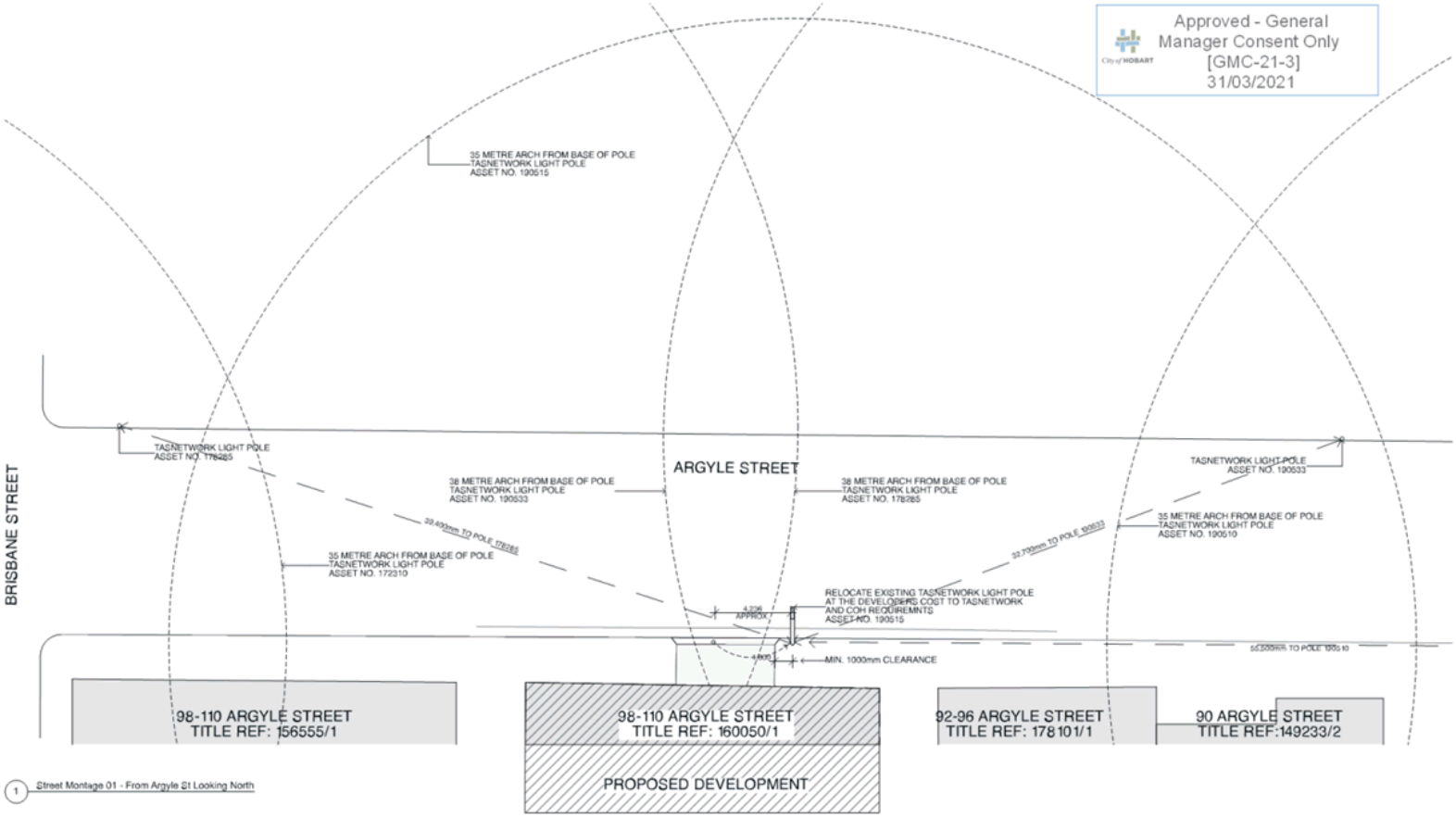
Accordingly, I encourage you to continue to engage with the City about these potential requirements.

Yours faithfully

(N D Heath)
GENERAL MANAGER

Relevant documents/plans:

Drawing by LXN Architecture & Consulting
GM.1 Revision A-WIP



1 Street Montage 01 - From Argyle St Looking North

LXN
Architecture & Consulting
21a Cross St, New Town, 7008
PO Box 136 North Hobart, 7002
P. (03) 6228 0113
hello@lxn.com.au

REVISIONS		
RevID	Issue Name	Date
A - WIP	Development Application	Work in Progress

PROJECT NAME: 98-110 ARGYLE ST
PROJECT NUMBER: A18067
SITE: 98-110 Argyle St Hobart TAS
SCALE: 1:200 @ A3
CLIENT: CODTMAC INVESTMENTS P/L
STATUS: DEVELOPMENT APPLICATION

DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING TITLE: GM CONSENT
DRAWING: GM.1
REVISION: A - WIP
FILE: A18076_Argyle St_DA.pln
DATE: 22/2/21

–
21a Cross Street
New Town,
Tasmania 7008

Po Box 136
North Hobart,
Tasmania 7002

ABN 20 169 938 336

P. 03 6228 0113
hello@lxn.com.au
lxn.com.au

07/05/2021

Att: Ben Ikin
via email: coh@hobartcity.com.au

Dear Ben,

Please find attached updated A3 scaled plans and reports responding to Council's Request for Additional Information, dated 30/04/21. The following comments and revisions are as noted below:

1. Please refer to previously submitted Architectural Design Statement for your assessment.
2. Please refer to previously submitted Architectural Design Statement for your assessment. A material palette is included within this statement.
3. A 3DS object file for Council's 3D city-wide model K2Vi system has been uploaded accordingly.

PA 2.1

4. A long section has been included within the drawing set along the proposed crossover to demonstrate that a B85 vehicle can access the property safely.
5. Please refer to previously submitted architectural drawings (DA-09) for a plan view and B85 swept paths of the ground floor carpark. The project complies with the Deemed to Satisfy provisions.

PA 5.1

6. Please refer to previously submitted architectural drawings (DA-09) for plan view of the ground floor carpark, showing compliance with Section 2 of AS 2890.1:2004.
7. The long section along the proposed driveway centreline has been provided and confirms headroom compliance in accordance with Section 5.3 of AS 2890.1:2004. The long section also confirms compliance with Section 2.4.6 of AS 2890.1:2004. Please refer to additional architectural drawing DA-11.

PA 13

8. Please refer to the provided Waste Management Plan in addressing PA 13

SW 2

9. Please refer to provided MUSIC model report addressing the proposed Treatment Train and Stormwater Strategy targets.

SW 5

10. Please refer to the appended MUSIC Modelling report (completed by Ocean Protect) for your assessment.

Please let us know if you require further information.

Sincerely,

.....
Sarah Lindsay
Director // Architect (TAS) RAIA

ARCHITECTURAL STATEMENT

—

98 ARGYLE APARTMENTS

98, Argyle Street, Hobart

–

LXN Architecture & Consulting

March 2021

LXN

–

01

PROJECT DESCRIPTION

The proposed development is located at 98 Argyle Street (the site) and fronts Argyle Street to the North-East and Brisbane Lane to the South-West, vehicle and pedestrian access is via Argyle Street.

The proposal is to re-develop the site to provide a high-quality residential apartment building, offering 20 apartments of both 2 and 3 bedrooms, across 5 levels.

The site is surrounded by a variety of uses, in both the immediate neighbouring buildings and the wider city block. These uses include multi-residential buildings, purpose-built student accommodation, commercial offices and showrooms, restaurants and bars. We feel that this mix of uses is conducive to supporting a residential development of this nature and density.

The proposal is considered to be a modest development in the context of the city and an appropriate scale within the streetscape. At ground floor level the building accommodates 21 carparking spaces, building amenities, service areas and the main entrance lobby. Each floor plate has a repeated plan comprising of 4 apartments: 2, 2-bedroom apartments and 2, 3-bedroom apartments. The 3-bedroom apartments have a smaller third bedroom that could be used as a single bedroom or study (home-office). Each apartment has a very liveable floor plan with apartments ranging from 88.5m^2 – 109m^2 in size with generous private outdoor space.

In mid-December 2020 a development application for the site was presented to the Urban Design Advisory Pane (UDAP) for pre-application advice. The proposal (PLN-20-706) was for 16 apartments across 4 levels (level 1-4). Since this meeting the proposal has been modified to include an additional level (level 5) to accommodate 4 additional apartments.

The enclosed design statement is structured into 4 key areas which align broadly with the previous UDAP discussion;

- Ground floor activation,
- Brisbane Lane,
- Landscaping,
- Material Palette.

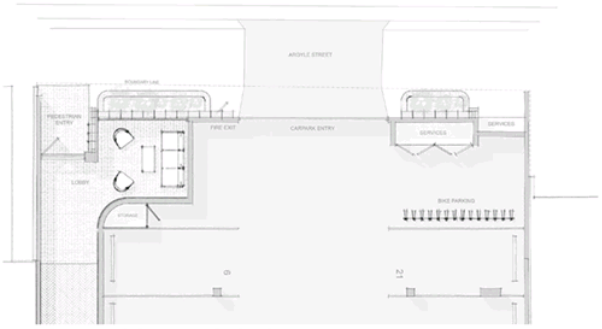
–

LXN

02

GROUND FLOOR ACTIVATION

Activation of the street frontage is an important part of the development and requires careful consideration. Following consultation with UPAD, the planning of the ground floor has been re-worked to create an internal lobby and additional external landscaping. The common lobby creates a weather-protected waiting area for residents or visitors and an informal meeting space within the building. The raised planter beds contribute to the outlook from the lobby and provide an edge to perch and wait outside the building, catching the sun and improving streetscape amenity.



Detail Plan - Ground Floor Street Edge (NTS)

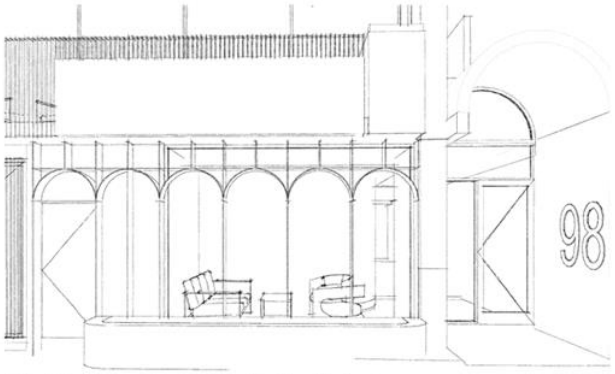
Preliminary Material Palette: External Entry & Lobby

The development of the material palette for the ground floor entry and lobby is ongoing. Initial concepts draw on the material context and seek to create a warm, rich palette that contrast with the external urban environment.

The ground floor lobby is designed as a shopfront for the building, making a contribution to the streetscape by displaying the quality of the internal environment.

LXN

To accentuate the 'shopfront' as a separate architectural element from the apartments above, the entry and shopfront glazing looks to the 1911 Fire Brigade Building (opposite the site) for precedent. The arched label moulds of the Federation Edwardian building demonstrate an architectural strategy that is both decorative and functional. The rhythm of the label moulds is reflected through a series of steel fins and arched window hoods that from the shopfront facade.



98 Argyle Street - Entry Elevation: Entry & Lobby as Shopfront

Precedent Images & Design Concept: Lobby as Shopfront, facade detailing & the Fire Brigade Building

LXN

03

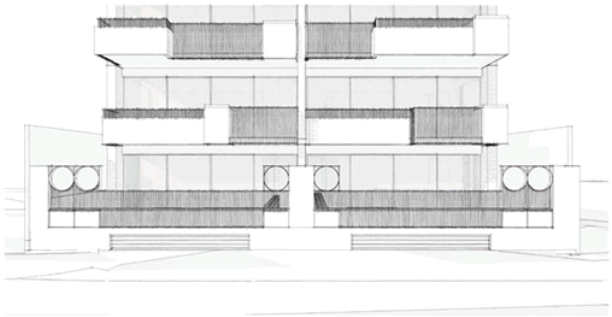
BRISBANE LANE

A structural review of the existing building determined that the existing concrete slab and pre-cast concrete walls could be retained and re-used. This environmentally responsible approach has the added benefit of minimal site disturbance on a site that has both an archaeological and contaminated land overlay. Working with the existing structure results in a circa 800mm height difference between the road level of Brisbane Lane and the adjacent finished floor level of apartments 3 & 4.

The UDAP pre-application feedback encouraged the development to have a positive effect on the future character of the lane way. A series of architectural strategies have been employed to ensure that the design response contributes to the lane while managing resident privacy and security. A solid base of precast concrete (both existing and new) continues the existing material language of the lane and is robust enough to withstand passing vehicles and local street art. A vertical metal balustrade, reminiscent of a front fence, provides security and protects the metal planter bed behind. The planter bed will provide privacy to the residents while contributing to a greening of the lane. Larger, playful steel motifs punctuate the balustrade and provide an element of scale that speaks to the warehouse building opposite.

Precedent Images: Brisbane Lane response; landscaping for privacy and greening

LXN



98 Argyle Street - Brisbane Lane: Apartment 3 & 4 Street Elevation

04

LANDSCAPING

Formal and informal planting is incorporated into the building design to make a positive contribution to the livability of the apartments. Landscaping is incorporated in the following key areas; the Argyle street entry, Brisbane lane and the balconies of each apartment. Where landscaping interfaces with the public realm the plants are protected by low height walls or balustrade railings. Apartments at level 1 have courtyards to the north and south which provides additional opportunities for potted plants and raised garden beds.

A landscape strategy and plant species specification will be prepared in consultation with a landscape specialist during the design development phase.

Balcony planter boxes managed by each resident.

Apartments at level; planing in pots and raised planter beds.

LXN

05

MATERIAL PALETTE

The building typology is residential, and the modulated scale of the proposed materials seeks to reflect this use. The architecture is composed of a carefully considered palette of materials, selected for their durability and appropriateness for the urban condition. The form of the building embraces the modularity of the repeated plan while the balcony edges introduce articulation and break down the scale of the street facades. Brick is used for its residential references; the module inherently has a human scale, and the nature of the material is sustainable, low maintenance and robust. Additional materials include powdercoated aluminium and metal sheeting with an expressed joint to provide additional articulation and rhythm to the sleek surface. There is an interplay between the textured, tactile surface of the brick and the sleek 'sharp' finish of the metal sheeting and metal balustrades.

At level 5 the material palette changes to light-weight cladding and dark tones. This strategy seeks to create a top floor that is visually recessive and to preserve the reading of the four story building below as the dominant scale in the streetscape.

Material Palette - Level 1-Level 4

Material Palette - Level 5

98-110 Argyle Street, Hobart

Planning permit application

Supporting Planning Report

20 April 2021

era PLANNING & ENVIRONMENT

ERA Planning Pty Ltd trading as ERA Planning and Environment

ABN 67 141 991 004

Job Number: 1920-071

Document Status

Document Version	Date	Author	Reviewer
Draft_V1	25 March 2020	Monica Cameron	Emma Riley
Final	26 March 2020	Monica Cameron	Emma Riley
Final V2	19 April 2021	Monica Cameron	Mark O'Brien

Contents

1 Introduction

1.1 Purpose of the report

ERA Planning and Environment have been engaged to provide a supporting planning submission for a residential development at 98-110 Argyle Street, Hobart TAS 7000.

1.2 Name of planning authority

The planning authority is the Hobart City Council.

1.3 Subject site

The subject site is known as 98-110 Argyle Street, Hobart TAS 7000, and is contained within one lot formally known as CT 160050/1. The land is under the ownership of Costmac Investments Pty Ltd. Title documentation is attached.

Owner's consent from the City of Hobart as required by Section 52(1B) of the *Land Use Planning and Approvals Act 1993* is provided due to the proposed works within the road reservation in front of the site.

1.4 Statutory controls

The site is subject to the provisions of the *Hobart Interim Planning Scheme 2015* (the Planning Scheme).

1.5 Enquiries

Enquiries relating to this planning report should be directed to:

Monica Cameron
Planner
ERA Planning and Environment
Office: Level 6, 111 Macquarie Street, Hobart TAS 7000
Mail: 7 Commercial Road, North Hobart TAS 7000
M: 0400 712 023
E: monica@eraplanning.com.au

2 The proposal

The proposal is to demolish the existing building at 98-110 Argyle Street, Hobart, and construct a six-storey residential development comprising five levels of apartments (20 apartments in total) with the ground floor level comprising residential amenities. Specifically, the proposal comprises:

- Ground Floor
  - Pedestrian and vehicular access
  - Lobby and entry area
  - Stair and lift well to access upper floors
  - 20 car spaces (one per apartment)
  - 18 bike parking spaces
  - 20 storage cages (one per apartment)
  - Bin storage area
  - Building services, switchboard and water meters/booster assembly
  - Landscaping within the front setback
- Levels 2-6
  - 2 x two-bedroom apartments
  - 2 x three-bedroom apartments
  - Stair and lift well
  - Communal waste and services

It is also proposed to demolish part of the existing kerb in front of the site to allow the existing crossover to be relocated in line with the proposed driveway. As a result, an existing power pole will be required to be relocated by TasNetworks. Both activities will be undertaken at the developers cost. Given these are located within the Argyle Street road reservation, owners consent from the City of Hobart has been obtained (Council reference GMC-21-3).

3 Subject site and surrounds

3.1 Site description

The subject site is located at 98-110 Argyle Street, Hobart, and formally known as 160050/1. Refer to Figure 1 and Figure 2 below. The site comprises one parcel of land which is generally rectangular in shape. The site is generally flat, with a slight slope towards the south-east. It has two frontages: one to Argyle Street and the other to Brisbane Lane.

The subject site is currently developed with a double storey commercial development which is built to all boundaries except for the front boundary to Argyle Street. This frontage comprises driveway access to the building, which connects with the double width crossover to Argyle Street, as well as three car parking spaces on site. The building on site is currently vacant, however was formerly occupied by a motor vehicle parts business.

As detailed in Section 2, works are also proposed in the Argyle Street road reservation. Therefore, the road reservation also forms part of the proposal site.

3.2 Title information

The details of the lots that form part of this proposal are shown below.

Address	Owner(s)	Title Reference	Land Area
98-110 Argyle Street, Hobart	Costmac Investments Pty Ltd	160050/1	730m^2
Argyle Street	City of Hobart	-	-

The Certificate of Title for 98-110 Argyle Street, Hobart has been provided. There is no Title for the Argyle Street road reservation.

3.3 Servicing

The subject site has full reticulated services.

3.4 Surrounding area

The subject site borders commercial developments on all elevations. The property adjacent to the north, on the corner of Argyle and Brisbane Streets, comprises a single storey development accommodating a car dealership. To the immediate west, at the rear of the subject site, is an abutting laneway, Brisbane Lane, and on the other side of this laneway is a one to two storey commercial building comprising a cleaning supplies company. To the south, at 92-96 Argyle Street, comprises a building ranging from three to one storey and is currently under construction for internal alterations to office and retail.

Within the wider surrounding area there are predominately commercial uses, with some residential uses in the vicinity, such as the UTAS Hobart Apartments located at 157 Elizabeth Street, and some dwellings on Argyle Street, Brisbane Street, and other nearby streets.

An aerial image of the subject site and surrounding context is provided at Figure 2.

Figure 1: Aerial image of the subject site (Source: TheList)

Figure 2: Aerial image of the subject site and surrounding area (Source: TheList)

4 Planning assessment

4.1 Statutory controls

The site is subject to the provisions of the *Hobart Interim Planning Scheme 2015* (the Planning Scheme). Specifically, 98-110 Argyle Street, Hobart is zoned Commercial, refer to **Error! Reference source not found.**Figure 1. The site is partially impacted by the Royal Hobart Hospital Helipad Airspace Specific Area Plan (Class: Inner Area 64.5 AHD) along the frontage of the site. The site is not included on the local or state heritage register but is a place of archaeological potential under the Historic Heritage Code.

Figure 3: Zoning map (Source: TheLIST)

4.2 Use status

The proposed use is for residential (multiple dwellings), with associated car parking, bike parking and storage for residents. Pursuant to Table 23.2 of the Planning Scheme, residential uses (including multiple dwellings) are permitted providing they are above ground level (except for the access). Given that car parking, bike parking and services associated with the residential use are located at ground level, the proposed use is discretionary.

4.3 Zone purpose statements

The zone purpose statements for the Commercial Zone are as follows:

23.1.1.1 To provide for large floor area retailing and service industries.

23.1.1.2 To provide for development that requires high levels of vehicle access and car parking for customers.

23.1.1.3 To provide for a diversity of generally non-residential uses reflecting the transition between the Central Business Zone and inner residential areas.

23.1.1.4 To allow for uses such as car yards, warehouse and showrooms in the areas of high traffic volume and high passing visibility.

23.1.1.5 To allow good quality building stock to be used for less land extensive central service uses such as offices and specialist wholesaling uses.

23.1.1.6 To allow for service industry uses such as motor repairs which provide a valuable service to users of the central area.

23.1.1.7 To provide for residential use primarily above ground floor level.

The broad overarching purpose of the Commercial Zone is not compromised by the proposal, which will provide for residential use in a mixed use context that is complementary to the existing range of uses in the zone, and future mixed uses.

Clause 23.1.1.7 of the zone purpose statements is particularly relevant to the proposed development. The proposed ground floor level would contain services in association with the residential use and the upper five levels would contain the proposed 20 units. The residential use will therefore be primarily above ground floor level with ancillary components at ground level. As such it is considered that the proposal would comply with Clause 23.1.17 as the core residential use of dwelling units would be located above ground floor level.

4.4 Local area objectives

There are no local area objectives for the zone.

4.5 Desired future character statements

There are no desired future character statements for the zone.

4.6 Use standards

The application is assessed against Clause 23.3 of the Planning Scheme as below.

PLANNING SCHEME REQUIREMENT	
Acceptable Solutions	**Performance Criteria**
23.3.1 Hours of Operation	
A1 Hours of operation of a use within 50m of a residential zone must be within (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	**P1** Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

PLANNING SCHEME REQUIREMENT	
Planner Response Not applicable. The subject site is not located within 50m of a residential zone, and only residential use is proposed (multiple dwellings).	
23.3.2 Noise	
A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	**P1** Noise emissions measured at the boundary of a residential zone site must not cause environmental harm within the residential zone.
Planner Response An acoustic report prepared by Noise Vibration Consulting (NVC) is submitted in support of the application. This states that: NVC do not foresee any issues which would result in compliance with the standards listed under the Scheme criteria not being able to be achieved. The proposal complies with acceptable solution A1.	
23.3.3 External Lighting	
A1 External lighting within 50m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting;	**P1** External lighting within 50m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following: (a) level of illumination and duration of lighting;

PLANNING SCHEME REQUIREMENT	
(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	(b) distance to habitable rooms in an adjacent dwelling.
Planner Response Not applicable. The subject site is not located within 50m of a residential zone.	
23.3.4 Commercial Vehicle Movements	
A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9:00 pm Sundays and Public Holidays.	**P1** Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone 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.
Planner Response Not applicable. The subject site is not located within 50m of a residential zone.	

4.7 Development Standards for Buildings and Works

The application is assessed against Clause 23.4 of the Planning Scheme as below.

PLANNING SCHEME REQUIREMENT	
Acceptable Solutions	**Performance Criteria**
23.4.1 Building Height	
A1	**P1**

PLANNING SCHEME REQUIREMENT	
Building height must be no more than: (a) 11.5m high and a maximum of 3 storeys; or (b) 15m high and a maximum of 4 storeys, if the development provides at least 50% of the floor space above ground level for residential use.	Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the scale of nearby buildings; (c) not unreasonably overshadow adjacent public space; (d) allow for a transition in height between adjoining buildings, where appropriate.

Planner Response

The maximum overall building height is proposed to be approximately 20.0m (measured from NGL) and comprise six storeys. Therefore, the acceptable solution cannot be met, and the application is to be assessed against the performance criteria.

It is noted that the Commercial Zone does not have any Desired Future Character Statements.

A review of building heights within a 100m radius of the subject site has been completed by LXN Architecture and Consulting to determine the compatibility of the proposed height with the surrounding built form. This demonstrates that there are other developments of similar and greater height within 100m, including:

- 92-96 Argyle Street with an overall building height of approximately 9.50m
- 77-79 Argyle Street with an overall building height of approximately 12.37m
- 40-42 Brisbane Street with an overall building height of approximately 14.74m
- 40-44 Melville Street with an overall building height of approximately 42.7m

The proposal will not unreasonably shadow public space, as demonstrated by the winter and summer solstice overshadowing diagrams prepared by LXN Architecture and Consulting. Importantly, given the orientation of the site, Argyle Street will not be overshadowed at all. In comparison to the existing shadows, the proposed shadows will only minimally increase.

The buildings on lots adjoining the subject site are approximately 6.78m, 7.25m and 9.50m in height, and are lower in height than the proposed development of 20.0m. In saying this, the permitted height under the acceptable solution allows for a building height of 15m. Per the recent Supreme Court decision *Boland v Clarence City Council* [2021] TASFC 5, it is appropriate on occasions for the decision-maker to take into account an acceptable solution where it promotes the relevant objective. The decision discusses that in some circumstances, such as building height and setbacks, it is appropriate to take into account the acceptable solution as a relevant consideration under the performance criteria. As such, based on this recent decision, the acceptable solution should be considered in this situation as it helps to demonstrates the strategic intent for development of that height within the commercial zone and this site.

PLANNING SCHEME REQUIREMENT

Due to the slope of the site, the proposal will only be approximately 5m above the preferred 15m height limit where it abuts Argyle Street and have a height of approximately 16.9m (thus only 1.9m over the preferred height) where it abuts Brisbane Lane. The height of the proposed development is therefore only between 1.9-5m greater than the preferred 15m building height under the acceptable solution. It also complies with the preferred outcome of having at least 50% of the floor space above ground level for residential use, given all of the development is a residential use.

The 100m radius demonstrates that the surrounding area does provide for differences in building height, consistent with how existing building heights relate to each other. The below images (Figures 4 and 5) are taken from the corner of Argyle Street and Melville Street, looking towards the Ocean Child. These images show the subject site, the 15 storey UTAS Accommodation building located on the corner of Elizabeth and Melville Streets, and the UTAS Accommodation building located at 40-42 Melville Street. The heights of the UTAS buildings provide for relatively abrupt transitions to neighbouring developments. However, due to the topography of the landscape and other medium scale developments in the area, the heights do not look out of place within the built landscape.

Figure 4: View from the intersection of Melville and Argyle Streets down Melville Street.

PLANNING SCHEME REQUIREMENT	
 *Figure 5: View from the intersection of Melville and Argyle Streets.* Therefore, while the proposed development may be higher than adjacent buildings, the proposal provides for a transition in building heights consistent with the surrounding area. It is opined that the proposal is appropriate when considering the wider area. The development will also importantly provide much needed housing stock for the Hobart population in a zoning which encourages residential development. It is thus considered that the proposed building height of approximately 20.0m will fit comfortably within the existing built form landscape, and meets the performance criteria, as detailed above.	
A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	**P2** Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.
Planner Response Not applicable. The site is not located within 10 m of a residential zone.	
23.4.2 Setback	
A1 Building setback from frontage must be parallel to the frontage and must be no less than: 0 m.	**P1** Building setback from frontage must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area;

PLANNING SCHEME REQUIREMENT	
	(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape; (c) enhance the characteristics of the site, adjoining lots and the streetscape; (d) provide adequate opportunity for parking.
Planner Response A front setback to Argyle Street ranging between 60mm and 1.3m is proposed at ground floor level, and this increases at upper levels. Due to the angle of the front title boundary, the building setback is not parallel with the frontage. Therefore, the acceptable solution cannot be met and the proposal is assessed against the performance criteria. It is noted that the Commercial zone does not have any desired future character statements. The subject site adjoins two developments to the north-west and south-east that have 0m setbacks to the shared side boundaries with the subject site, and to their front boundaries to Argyle Street. The existing development on the subject site is setback approximately 10.5m from the front title boundary and is built to the side boundaries. The proposed development on the subject site will be built to the side boundaries, and have a front setback that is setback between 60mm and 1.3m from Argyle Street. As there are many car yards and commercial developments along this section of Argyle Street, there is not a consistent setback of building lines, as many have car parking spaces or other uses within the front setbacks. The proposed setback to Argyle Street is therefore considered appropriate for the existing streetscape. The front setback at ground floor level allows for some landscaping to be provided in front of the proposed building which will enhance the characteristics of the site and the streetscape, and improve the design qualities of the building and pedestrian's amenity. The setback will also help to create an identifiable and safe entryway for residents and visitors to the building, rather than having an entry to the building directly from the footpath or the public realm. The setback has been designed so as to provide greater visibility and a safer access and egress point for vehicles to enter and exit from the provided car parking spaces at ground floor level. A total of 20 car parking spaces are provided, which is sufficient for residents and visitors of the site. The proposed development has 0m setbacks to the side boundaries and to the frontage to Brisbane Lane, and the built form is parallel with these boundaries. The performance criteria are met.	
A2 Building setback from the General Residential or Inner Residential Zone must be no less than: (a) 5m; (b) half the height of the wall, whichever is greater.	**P2** Building setback from General Residential or Inner Residential Zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by: (a) overshadowing and reduction of sunlight to habitable rooms and private open space on

PLANNING SCHEME REQUIREMENT	
	adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours; (b) overlooking and loss of privacy; (c) visual impact when viewed from adjoining lots, taking into account aspect and slope.
Planner Response Not applicable. The site does not abut a residential zone.	
23.4.3 Design	
A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade ; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	**P1** Building design must enhance the streetscape by satisfying all of the following: (a) provide the main access to the building in a way that addresses the street or other public space boundary; (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces; (c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space; (d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street; (e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact; (f) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible; (g) be consistent with any Desired Future Character Statements provided for the area.

PLANNING SCHEME REQUIREMENT	
Planner Response The main pedestrian entrance to the building is clearly visible from the road, and easily identifiable for residents and visitors. It is located at the northern end of the frontage to avoid potential conflicts with vehicles entering and existing the car parking spaces on site. The front façade at the ground floor level has been designed to meet the acceptable solution. It comprises 57.2% active frontage, including windows and door openings. Refer to the elevations prepared by LXN Architecture and Consulting for details. The majority of the front façade will comprise an articulated car parking entry way, glazed windows and the pedestrian doorway. Therefore, less than 30% of the length will comprise blank wall, as demonstrated on the elevations prepared by LXN Architecture and Consulting. Miscellaneous equipment, such as heat pump/air conditioning units, are to be located on balconies and therefore screened from view from the street by the balustrades. There is no roof-top service infrastructure proposed. There are awnings on the buildings on the existing site and adjoining lots. An awning is also incorporated into the design of the proposed building. This is noted on the elevations. Security shutters over windows and doors are not proposed. The proposal meets the acceptable solution.	
A2 Walls of a building on land adjoining a residential zone must comply with all of the following: (a) be coloured using colours with a light reflectance value not greater than 40 percent; (b) if within 50 m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.	**P2** No performance criteria.
Planner Response Not applicable. The subject site does not adjoin a residential zone.	
23.4.4 Passive Surveillance	
A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;	**P1** 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;

PLANNING SCHEME REQUIREMENT	
(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40% of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	(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
Planner Response The main pedestrian entrance to the building is clearly visible from the road, and easily identifiable for residents and visitors. It is located at the northern end of the frontage to avoid potential conflicts with vehicles entering and existing the car parking spaces on site. The front façade at the ground floor level has been designed to meet the acceptable solution. It comprises 57.19% active frontage, including windows and door openings. Refer to the elevations prepared by LXN Architecture and Consulting for details. The majority of the front façade will comprise an articulated car parking entry way, glazed windows and the pedestrian doorway. Therefore less than 30% of the length will comprise blank wall, as demonstrated on the elevations prepared by LXN Architecture and Consulting. No entrapment areas are created by the proposed design. The front setback area will comprise landscaping, an access point to the car park, and the entryway for pedestrians. External lighting will be provided at the Argyle Street frontage and will be on a daylight and movement sensor and timer. Refer to the ground floor plan prepared by LXN Architecture and Consulting. The proposal complies with the acceptable solution.	
23.4.5 Landscaping	
A1 Landscaping along the frontage of a site is not required if all of the following apply:	**P1** Landscaping must be provided to satisfy all of the following:

PLANNING SCHEME REQUIREMENT	
(a) the building extends across the width of the frontage, (except for vehicular access ways); (b) the building has a setback from the frontage of no more than 1m.	(a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity; (c) not create concealed entrapment spaces; (d) (d) be consistent with any Desired Future Character Statements provided for the area.
Planner Response The building extends across the width of the frontage and is setback between 60mm and 1.27m from the front title boundary (abutting Argyle Street). Therefore, some landscaping is provided along the site frontage. This will provide some visual interest for passers-by and residents of the site, enhance the appearance of the development and soften the built form. A range of plant heights and forms will be provided within the garden bed to create diversity and amenity. The landscaping will not create concealed entrapment spaces. The building extends across the width of the frontage abutting Brisbane Lane, and is also built to the boundary, therefore, no landscaping is required. The performance criteria (P1) is satisfied.	
A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m	**P2** Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.
Planner Response Not applicable. The subject site does not abut a residential zone.	
23.4.7 Fencing	
A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	**P1** Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a 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;

PLANNING SCHEME REQUIREMENT	
	(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.
Planner Response Not applicable. No fencing is proposed on site.	
23.4.8 Residential and Visitor Accommodation Amenity	
A1 Residential or visitor accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (AS3671:1989 – Road Traffic Noise Intrusion (Building Siting and Construction) and AS2107:2016 – Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)).	**P1** Residential or visitor accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – Road Traffic Noise Intrusion (Building Siting and Construction) and AS2107:2016 – Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)), unless: (a) alterations required to meet these standards would negatively impact on historic cultural heritage values of an existing building listed as a place, or within a precinct, in the Historic Heritage Code; or (b) external alterations of an existing building that are required to meet these standards would negatively impact on the streetscape.
Planner Response An acoustic report prepared by Noise Vibration Consulting (NVC) is submitted in support of the application. This states that: NVC do not foresee any issues which would result in compliance with the standards listed under the Scheme criteria not being able to be achieved, and as such the proposal is deemed likely to comply with the Clause 24.3.8 A1. The proposal complies with acceptable solution A1.	
A2	**P2** Residential or serviced apartment components of a new building must be designed to allow for reasonable access to daylight into habitable rooms and private

PLANNING SCHEME REQUIREMENT	
Residential or serviced apartment components of a new building (including external elements such as a balcony, roof garden, terrace or deck) must: (a) if the building includes any single aspect dwellings or single aspect serviced apartments, be set back at least 5m from all side or rear boundaries and other buildings on the same site (refer Figure 23.4 i); or (b) if the building includes no single aspect dwellings and no single aspect serviced apartments, have at least two elevations of the building, and all habitable room windows, that are either: (i) set back at least 5m from a side or rear boundary or other building on the same site; or (ii) facing a frontage (refer Figure 23.4 ii).	open space, and reasonable opportunity for air circulation and natural ventilation, having regard to: (a) proximity to side and rear boundaries; (b) proximity to other buildings on the same site; (c) the height and bulk of other buildings on the same site; (d) the size of any internal courtyard or void; (e) the use of light wells or air shafts; (f) development potential on adjacent sites, considering the zones and codes that apply to those sites; and (g) any assessment by a suitably qualified person.
Planner Response The proposal does not comprise any single aspect dwellings, they are all dual aspect. The development would not meet A2(b) though as the building will not have at least 2 elevations setback 5m from a side or rear boundary, and not all habitable room windows face a frontage. It therefore must meet performance criteria P2. All apartments would have reasonable access to daylight into habitable rooms and private open space, and reasonable opportunity for air circulation and natural ventilation. All apartments have been designed to have at least one habitable room in the form of the open plan kitchen/dining/living space that is dual aspect and faces towards the east or west and is thereby able to receive morning or afternoon daylight/sunlight. Apartments located on the northern side of the building would have windows to both the master and second bedroom that are north-west facing, thereby receiving ample sunlight/daylight from midday onwards. Bedrooms in the apartments on the southern side of the building will face towards the south-east, therefore will receive morning and midday sun access. The setback to the apartments on the northern side boundary would be 0m at the ground and first storey, and 2m on the upper levels. The setback to the southern side boundary would be 0m at the ground and first storey, then a minimum of 2.2m on the upper levels. This allows for air circulation and natural ventilation into master and second bedrooms. The apartments have also been designed with openable doors and windows within the apartments to allow for cross-ventilation. The existing on site building would be demolished as part of the proposal and there would be no other buildings on the same site. There are no internal courtyards, voids, lightwells or airshafts proposed. All apartments will comprise a primary balcony facing either Argyle Street or Brisbane Lane, and a secondary balcony off the bedrooms that is north-west or south-east facing. The adjacent sites to the north-west and south-east are subject to the same zoning and site specific overlays as the subject site. They are within the Commercial Zone like the subject site, and are both also partially impacted by the Royal Hobart Hospital Helipad Airspace Specific Area Plan (Class: Inner Area 64.5 AHD) along the frontage	

PLANNING SCHEME REQUIREMENT	
of the sites. Therefore, they have very similar development potential. The design of the proposed development allows for equitable development outcomes on the adjacent sites should these be developed in a similar manner. The upper levels are setback a minimum of 2m from the shared boundaries, and it would be anticipated that future developments on the adjacent sites would do the same to maintain a sense of openness between buildings and allow for equitable access to privacy, sunlight, daylight and outlook for the proposed and future developments. It is not considered that the proposed development will inhibit or restrict development opportunities on the adjacent sites. The proposal complies with performance criteria P2.	
A3 Every habitable room in a dwelling: (a) must have at least one external window; (b) must have at least one external window visible from all points of the room if a living room; and (c) where the only external window in the room is located within a recess, that recess must be: (i) a minimum width of 1.2m, and (ii) a maximum depth of 1.5 times the width, measured from the external surface of the external window; and (d) must have a room depth from an external window of: (i) not more than 2.5 times the ceiling height; or (ii) If an open plan layout (where the living, dining and kitchen are combined), not more than 8m	**P3** Every habitable room in a dwelling must have reasonable access to natural daylight and ventilation from an external window, having regard to: (a) the orientation of the room; (b) the size and location of windows; (c) the size of the room; (d) the ceiling height; (e) the opportunity for cross-ventilation; (f) the proposed use of the room; (g) overshadowing of the site from existing development; (h) existing site constraints; and (i) any assessment by a suitably qualified person
Planner Response Every habitable room has at least one external openable window or door to allow for reasonable access to daylight and ventilation. The external living room windows would be visible from all points of the living rooms, there are no windows proposed within recesses, and the depth of the open plan kitchen/dining/living rooms would not be more than 8m. The proposal complies with acceptable solution A3.	
A4 Private open space must be provided for each dwelling or serviced apartment on a site.	**P4** Fewer than all of the dwellings or serviced apartments on a site may be provided with private open space if: (a) communal open space is provided on site that: exceeds size requirements under 23.4.8 A6 by 10m2 for each dwelling unit or serviced apartment without

PLANNING SCHEME REQUIREMENT	
	private open space, and is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility; (b) environmental conditions such as high winds or high levels of noise would significantly diminish the amenity of the private open space and this is unable to be mitigated by screening that does not unreasonably reduce access to daylight, as demonstrated by a suitably qualified person; or (c) the dwelling or serviced apartment is in an existing building that cannot reasonably accommodate private open space due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code.
Planner Response Each apartment is provided with private open space in the form of either one or two balconies. On second level, apartments 1 and 2 have two separate balconies and apartments 3 and 4 have one large balcony. While the upper levels all have a primary balcony facing towards Argyle Street or Brisbane Lane, and a secondary balcony facing north-west or south-east. The private open space ranges between 15.6m^2 and 63.4m^2. Refer to the architectural plans for further details. The acceptable solution (A4) is met.	
A5 Each dwelling or serviced apartment on a site must have private open space that: (a) has an area not less than: (i) 8m^2 for 1 bedroom dwellings or serviced apartments; (ii) 10m^2 for 2 bedroom dwellings or serviced apartments; (iii) 12m^2 for 3 or more bedroom dwellings or serviced apartments; (b) does not include plant and equipment such as outdoor components of an air conditioning unit; (c) unless drying facilities are provided elsewhere on the site, include a clothes drying area of at least 2m^2 in addition to the minimum area in (a) above, that	**P5** Private open space for dwellings or serviced apartments must provide reasonable amenity and be capable of meeting the projected outdoor recreation requirements of occupants, having regard to: (a) the size and minimum dimensions of the space, excluding space occupied by plant and equipment such as outdoor components of an air conditioning unit; (b) the amount of space available for furniture or plantings; (c) the potential for significant noise intrusion; (d) proximity and overlooking to the private open space of existing adjacent residential and serviced apartment developments;

PLANNING SCHEME REQUIREMENT	
may be in a separate location, and is screened from public view; (d) has a minimum horizontal dimension of 2m, or 1.5m for a 1 bedroom dwelling or serviced apartment; (e) where above ground floor level, not be located within 5m of private open space of any other dwelling or serviced apartment in another building (excluding between conjoined terrace-style dwellings or serviced apartments); and (f) is screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms	(e) screening where necessary for privacy that does not unreasonably restrict access to daylight; (f) screening where necessary for noise and wind protection that does not unreasonably restrict access to daylight; (g) screening from public view for clothes drying areas; and (h) any advice from a suitably qualified person.
Planner Response Each of the proposed apartments contain 2 or 3 bedrooms and have an area of private open space in the form of a balcony that varies in size between 15.6m^2 and 63.4m^2. These areas all allow for enough space for a clothes drying area. However, the air conditioning units are located on the balconies for each of the apartments, the balconies are not all a minimum horizontal distance of 2m, and the balconies for apartments 2 and 3 are directly adjoining. Therefore, the acceptable solution cannot be met and the proposal is assessed against the performance criteria. Per the recent Supreme Court decision *Boland v Clarence City Council* [2021] TASFC 5, it is appropriate on occasions for the decision-maker to take into account an acceptable solution where it promotes the relevant objective. Given this, it is considered appropriate to determine that as the private open space areas for each of the apartments meet the sizes specified in the acceptable solution, they are of an appropriate size (excluding the areas where the AC units will be located) to satisfy P5(a). Where there are two balconies provided for an apartment, the main balcony is more than 2m in width, which is also considered suitable to accommodate outdoor dining furniture and planter boxes (both of which are indicated on the plans). An acoustic assessment prepared by Noise Vibration Consulting has been provided in support of this application. The report states that compliance with relevant standards is achievable with adequate noise control via window and façade construction and detailing. As shown on the plans, some screening is proposed on the balconies for the protection of privacy. The screening will also help somewhat with noise and wind protection. Privacy screening is proposed on the north-eastern balconies facing Argyle Street, and the south-western balconies facing Brisbane Lane. Screening is also proposed to separate the balconies of apartments 2 and 3 on the first level. There is no screening proposed on the uppermost level due to its setbacks from the boundaries. The screening proposed will also help in hiding clothes drying from public view. The performance criteria (P5) is satisfied.	
A6	**P6** Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that

PLANNING SCHEME REQUIREMENT	
Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that: (a) is at least 70m^2, with an additional 2m^2 for every dwelling or serviced apartment over 10; (b) if provided in multiple locations, at least one single area must be a minimum of 40m^2; (c) has a minimum horizontal dimension of 3m; (d) includes at least 20% of the total area for plantings (including food growing), being deep soil planting if at ground level; (e) is directly accessible from common entries and pathways; (f) screens any communal clothes drying facilities from public view; (g) may be above ground floor level, including rooftops; (h) is screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms; (i) does not include vehicle driveways, manoeuvring or hardstand areas; and (j) includes no more than 20% of the total area located between 30 degrees East of South and 30 degrees West of South of: (i) a building on the site with a height more than 3m; or (ii) a side or rear boundary within 5m	provides reasonable amenity and outdoor recreation opportunities for occupants, having regard to: (a) the area and dimensions of the space; (b) the total number of dwellings or serviced apartments on the site; (c) the accessibility of the space; (d) the flexibility of the space and opportunities for various forms of recreation; (e) the availability and location of common facilities within the space; (f) landscaping; (g) the provision of gardens, trees and plantings (including food gardens) appropriate in area to the size of the communal open space; (h) accessibility to daylight, taking into account the development potential of adjacent sites; (i) the outlook from the space; (j) the level of noise intrusion from external noise sources; and (k) any advice from a suitably qualified person; unless: (i) the dwellings or serviced apartments are located in an existing building where communal open space cannot be reasonably achieved due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code; (ii) open space, accessible by the public, that is of high quality in terms of location access to sunlight, outlook, facilities, landscaping and accessibility and that can adequately accommodate the needs of occupants is provided on the site; or (iii) private open space is provided for all dwellings or serviced apartments on the site, provides a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation,

PLANNING SCHEME REQUIREMENT	
	entertainment, planting, outdoor dining and children's play.
Planner Response The proposed development does not contain communal open space and therefore does not comply with acceptable solution (A6). The performance criteria (P6) allows for no communal open space to be provided as long as private open space is provided for all dwellings that has a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation, entertainment, planting, outdoor dining and children's play. As demonstrated within the architectural plans and sun study prepared by LXN Architecture, the private open space of most of the dwellings will receive year-round sunlight. The south-east facing apartments on the lower levels will receive less sunlight than others due to their orientation and height. Apartment 7 will receive sunlight onto the private open space for 7 months of the year, however between April and August the sunlight will hit only the garden beds. Apartments 3 and 4 will receive sunlight for 8 months of the year, and apartment 8 will receive sunlight for 9 months of the year. The design of the apartments and private open space have been carefully considered so that the remaining apartments receive sunlight all year round. Considering the site is within a commercial zone and is within close proximity to the Hobart CBD, a lower level of amenity can be expected when compared to apartments within a residential zone. It is further considered appropriate given there are public open spaces within walking distance such as the Domain and Botanical Gardens, St Andrews Park, Soundy Park, and spaces near the Hobart Waterfront. The apartment balconies will also provide a reasonable level of amenity in terms of outlook, providing views across Hobart. The private open space ranges between 15.6m^2 and 63.4m^2, which exceeds the requirements under the planning scheme, and also provides more than adequate space for outdoor recreation needs. The architectural plans indicate that the balconies will all have ample space for outdoor settings and tables, planter boxes, and leftover space for practical items such as clothes airers or space for children's play. The performance criteria (P6) is satisfied.	
A7 Each multiple dwelling must be provided with a dedicated and secure storage space of no less than 6m^3, located externally to the dwelling.	**P7** Each multiple dwelling must be provided with adequate storage space.
Planner Response Each dwelling would be provided with a secure storage space between 3m^3 and 8.25m^3 which would be located in the car parking area. Therefore, the proposal does not comply with the acceptable solution. An average of around 20m^3 of internal storage space is provided for each apartment. Coupled with storage space in the car parking area, this is more than adequate for a two or three bedroom dwelling. The performance criteria (P7) is satisfied.	
23.4.9 Waste Storage and Collection	

PLANNING SCHEME REQUIREMENT	
A1 Bulk waste bins that are commercially serviced must be provided for sites: (a) with more than one commercial tenancy; (b) with one commercial tenancy that is greater than 100m^2; and (c) with more than 4 dwellings or visitor accommodation units (or 3 if a mixed use site); unless: (i) there are no more than 4 individual bins for kerbside collection at anyone time per commercial site; (ii) there are no more than 8 individual bins for kerbside collection at any one time per residential or mixed use site; or (iii) individual bins are commercially serviced without being placed on the kerbside for collection.	**P1** Bulk waste bins that are commercially serviced must be provided unless kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians, and: (a) the frontage of the site has a width equivalent to 5m for each dwelling, accommodation unit or tenancy with individual bins; or (b) bulk waste bin storage and collection cannot reasonably be provided on site due to: (i) impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code; or (ii) site constraints, if for an existing building.
Planner Response Bulk waste bins that would be commercially serviced are provided on the ground floor level for convenient access. The proposal complies with acceptable solution A1.	
A2 An on-site storage area, with an impervious surface (unless for compostables), must be provided for bins that: (a) if for separate bins per dwelling, visitor accommodation or commercial tenancy: (i) provides an area for the exclusive use of each dwelling, accommodation unit or tenancy, and is not located between the building and a frontage; (ii) is set back not less than 4.5m from a frontage unless within a fully enclosed building; (iii) is not less than 5.5m horizontally from any dwelling or accommodation unit unless for bins	**P2** A storage area for waste and recycling bins must be provided that is: (a) capable of storing the number of bins required for the site; (b) of sufficient size to enable convenient and safe access and maneuverability for occupants, and waste collection vehicles where relevant; (c) in a location on-site that is conveniently and safely accessible to occupants, without compromising the amenity and flow of public spaces; (d) screened from view from public spaces and dwellings or accommodation units; and

PLANNING SCHEME REQUIREMENT	
associated with that dwelling, or within a fully enclosed building; and (iv) is screened from the frontage and any dwelling or accommodation unit by a wall to a height not less than 1.2m above the finished surface level of the storage area. (b) If for bulk waste bins: (i) is located on common property; (ii) includes dedicated areas for storage and management of recycling and compostables; (iii) is not less than 5.5m from any dwelling or accommodation unit unless within a fully enclosed building; (iv) is screened from any public road, dwelling or accommodation unit by a wall to a height not less than 1.8m above the finished surface level of the storage area; (v) is accessible to each dwelling, accommodation unit or tenancy without the requirement to travel off-site; and (vi) where the development is mixed use, have separate storage spaces for commercial and residential bins with separate access to each.	(e) if the storage area is for common use, separated from dwellings or units on the site to minimise impacts caused by odours and noise.
Planner Response An on-site storage area with an impervious surface is provided on the ground level for bulk waste bins. This meets the requirements under A2(b). The acceptable solution (A2) is met.	
A3 Bulk waste bins must be collected on site by private commercial vehicles, and access to storage areas must: (a) in terms of the location, sight distance, geometry and gradient of an access, as well as off-street parking, manoeuvring and service area, be designed and constructed to comply with AS2890.2:2018: Parking Facilities - Off-Street Commercial Vehicle Facilities;	**P3** A waste collection plan demonstrates the arrangements for collecting waste do not compromise the safety, amenity and convenience of surrounding occupants, vehicular traffic, cyclists, pedestrians and other road and footpath users, having regard to: (a) the number of bins; (b) the method of collection; (c) the time of day of collection;

PLANNING SCHEME REQUIREMENT	
(b) ensure the vehicle is located entirely within the site when collecting bins; and (c) include a dedicated pedestrian walkway, alongside or independent of vehicle access ways.	(d) the frequency of collection; (e) access for vehicles to bin storage areas, including consideration of gradient, site lines, manoeuvring, direction of vehicle movement and pedestrian access; (f) distance from vehicle stopping point to bins if not collected on site; (g) the traffic volume, geometry and gradient of the street; and (h) the volume of pedestrians using the street
Planner Response The bulk waste bins will be collected on site by a private waste collector in a commercial vehicle. Access to the storage areas will meet A3 (a), (b) and (c). Refer to the architectural plans for details. The acceptable solution (A3) is met.	

4.8 Specific Area Plan

The Royal Hobart Hospital Helipad Airspace Specific Area Plan applies to an approximate 2.5m strip along the eastern frontage of the site, adjacent to Argyle Street. Refer to Figure 6 below. This section is classed as the inner area, which preferably limits building heights to be no more than 64.5 AHD. Given the overall building height is only proposed to be approximately 16.2m the height will meet A1 of clause F4.3.1 relating to building height.

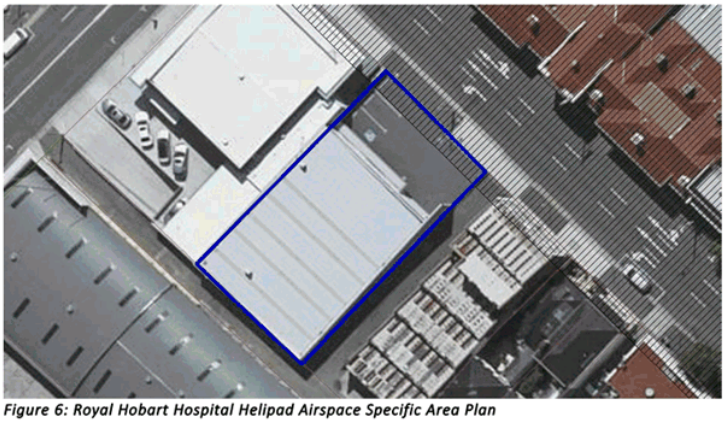


Figure 6: Royal Hobart Hospital Helipad Airspace Specific Area Plan

5 Codes

The following codes are applicable to the application:

5.1 Potentially Contaminated Land Code

This Code applies to development on potentially contaminated land. Hobart City Council has advised that the site is potentially contaminated with hydrocarbons, as the site was formerly used as a service station.

The application has been assessed against the performance criteria for Clause E2.5 (P1) and E2.6.2 (P1) within the Site Contamination Appraisal prepared by Pitt&Sherry.

5.2 Road and Railway Assets Code

The Road and Railway Assets Code applies to the application given the proposed use and development of the land will intensify the existing access point.

The application has been assessed against relevant standards of the Road and Railway Assets Code within the Traffic Impact Assessment prepared by Midson Traffic.

5.3 Parking and Access Code

The Parking and Access Code applies to all use and development.

The application has been assessed against relevant standards of the Parking and Access Code within the Traffic Impact Assessment prepared by Midson Traffic.

5.4 Stormwater Management Code

The Stormwater Management Code applies to all use and development.

Rare Innovation have prepared an assessment against the relevant standards of the Stormwater Management Code, as well as stormwater calculations.

5.5 Historic Heritage Code

The Historic Heritage Code applies to development involving land defined in the code as any of the following:

- A Heritage Place
- A Heritage Precinct
- A Cultural Landscape Precinct
- A Place of Archeological Potential.

The subject site is identified as a place of archeological potential, therefore the Historic Heritage Code is applicable.

Refer to the Archeological Impact Assessment prepared by Austral Tasmania for an assessment against the relevant standards of the Code.

6 Conclusion

It is proposed to develop the subject site with a six storey residential development comprising five levels of apartments (including 20 apartments in total) and the ground floor comprising residential amenities such as car and bike parking and storage.

The proposal relies upon the following performance criteria:

- Clause 23.4.1 (Building Height) P1
- Clause 23.4.2 (Setback) P1
- Clause 23.4.5 (Landscaping) P1
- Clause 23.4.8 (Residential and Visitor Accommodation Amenity) P2
- Clause 23.4.8 (Residential and Visitor Accommodation Amenity) P5
- Clause 23.4.8 (Residential and Visitor Accommodation Amenity) P6
- Clause 23.4.8 (Residential and Visitor Accommodation Amenity) P7
- Clause E2.5 (Use Standards) P1
- Clause E2.6.2 (Excavation) P1
- Clause E6.6.1 (Number of Car Parking Spaces) P1
- Clause E13.10.1 (Building, Works and Demolition) P1

The proposal will provide 20 new dwellings that are appropriately located within walking distance of Hobart's CBD, numerous community facilities and services, public open space, public transport and cycling and walking tracks. The uses will complement the surrounding area which comprises a mix of commercial and residential uses. All dwellings are also provided with onsite carparking to meet the anticipated needs of future residents.

The proposal is considered to be consistent with the objectives of the *Hobart Interim Planning Scheme 2015* and is recommended for approval.

PLANNING
& ENVIRONMENT

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W: www.eraplanning.com.au

Of beauty rich and rare.

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Level 1a, 10-14 Paterson Street
Launceston TAS 7250
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Our Ref: 210068

12th March 2021

City of Hobart Council
Town Hall
Macquarie Street
Hobart TAS 7250

ATTENTION: ENGINEERING DEPARTMENT

To whom it may concern

98-110 ARGYLE STREET, HOBART – STORMWATER

I am writing to you to provide you preliminary design information and documentation to assess the proposed development against the councils Stormwater Code.

Please read this letter in conjunction to the following documents: -

- 210068 – DA01
- 210068 - Stormwater Calculations

In summary,

- The post-development impervious area is not increased from the pre-development impervious area.
- The roof drainage is fed through a series of grated pits that slow the flow of the water.
- The stormwater run off will all be directed to a water treatment device from SPEL.

Should you have any further queries please do not hesitate to contact us.

Yours faithfully,

Matthew Peart
Structural Engineer
B.E.Hons (Civil) // M.E.M // MIEAust

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Project	918 ARGYLE ST HOBART	Project #	210068
Prepared By	RJ	Checked By	Sheet # 1
CALCULATION / DESIGN DETAIL / ENGINEERS DIRECTION / INSPECTION		Date	1/3/21

STORMWATER CALCULATION & CONCEPT.

BUILDING DIVIDED INTO 4 CATCHMENTS BASED ON ROOF DRAINAGE - FEEDS TO BALCONIES.

CATCHMENT 1 - 1 DOWNPIPE - BOX GUTTER DESIGN 1 in 100 yr.

$A \doteq 200\ m^2$

$C = 0.95$

$I = 145\ mm/hr$

$Q_{100} = CIA/3600$

$= 0.95 \times 145 \times 200/3600$

$= 7.7\ L/sec$

TOTAL DISCHARGE AT BASEMENT LEVEL FOR 4 CATCHMENTS

$4 \times 7.7 = 30.8\ L/sec$

DOWNPIPE CAPACITY IS A FUNCTION OF THE SUMP CAPACITY AT THE BOX GUTTER. DN 100 DOWNPIPE IS SUITABLE AS 3500.3

LIKELY VELOCITY AT BASEMENT.

$A = (0.1^2 \times \pi)/4$

$= 0.0079\ m^2$

$Q = 0.0077$

$Q = VA$

$V = \frac{Q}{A} = \frac{0.0077}{0.0079} = 0.98\ m/s.$

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Project	98 ARGYLE ST HOBART	Project #	210068
Prepared By	RJ	Checked By	Sheet # 2
CALCULATION / DESIGN DETAIL / ENGINEERS DIRECTION / INSPECTION		Date	1/3/21

VELOCITY IS ACCEPTABLE

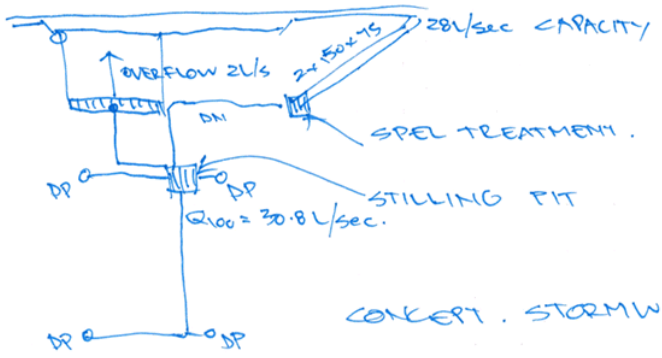
ALL PIPED SYSTEM PASS THRU STILLING PIT IN BASEMENT.

SYSTEM THEN DISCHARGES THRU THE SPEL TREATMENT PIT. THEN TO KERB.

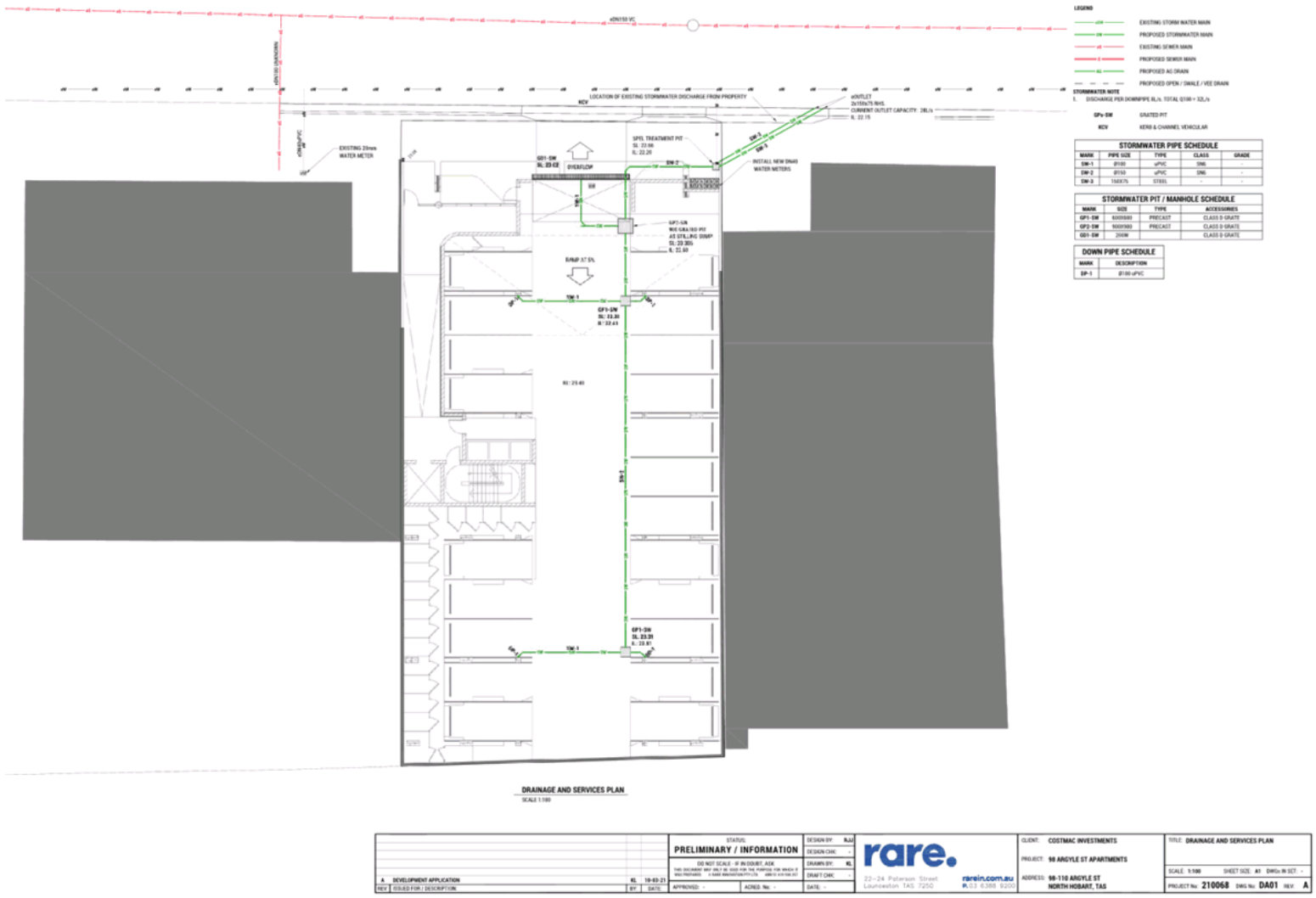
KERB ADAPTER 2 x 150x75 RHS.

KERB CAPACITY IS 28 L/sec

STILLING SUMP WILL PROVIDE SMALL AMOUNT OF DETENTION REQUIRED & GRATED DRAIN AT CARPARK BASEMENT ENTRY WILL BE THE OVERFLOW ~~PATH~~ DIRECTED TO THE STREET. MAX 2L/sec in 1 in 100yr EVENT



CONCEPT. STORMWATER


LEGEND
EXISTING STORM WATER MAIN
PROPOSED STORMWATER MAIN
EXISTING SEWER MAIN
PROPOSED SEWER MAIN
PROPOSED AG DRAIN
PROPOSED OPEN / SWALE / VEE DRAIN
STORMWATER NOTE
1. DISCHARGE PER DOWNPIPE XL/s. TOTAL Q100 = 32L/s
GPx-SW GRATED PIT
KDV KERB & CHANNEL VEHICULAR
STORMWATER PIPE SCHEDULE
MARK PIPE SIZE TYPE CLASS GRADE
DW-1 Ø100 uPVC SN8 -
DW-2 Ø150 uPVC SN8 -
DW-3 150X75 STEEL - -
STORMWATER PIT / MANHOLE SCHEDULE
MARK SIZE TYPE ACCESSORIES
GP1-SW 600X600 PRECAST CLASS D GRATE
GP2-SW 900X900 PRECAST CLASS D GRATE
GD1-SW 200Ø CLASS D GRATE
DOWN PIPE SCHEDULE
MARK DESCRIPTION
DP-1 Ø100 uPVC
LOCATION OF EXISTING STORMWATER DISCHARGE FROM PROPERTY
OUTLET
CURRENT OUTLET CAPACITY: 28L/s
EXISTING 20mm WATER METER
INSTALL NEW DN40 WATER METERS
SPEL TREATMENT PIT
OVERFLOW
RAMP 17.5%
DRAINAGE AND SERVICES PLAN
SCALE 1:100
PRELIMINARY / INFORMATION
DO NOT SCALE - IF IN DOUBT, ASK
A DEVELOPMENT APPLICATION KL 10-03-21
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22-24 Paterson Street Launceston TAS 7250
rarein.com.au
COSTMAC INVESTMENTS
90 ARGYLE ST APARTMENTS
90-110 ARGYLE ST NORTH HOBART, TAS
DRAINAGE AND SERVICES PLAN
SCALE 1:100 SHEET SIZE A1
PROJECT No 210068 DWG No DA01 REV A

98 Argyle Street Apartments
98-110 Argyle Street, Hobart 7000

MUSIC MODEL

Project Name: 98 Argyle Street, 98-110 Argyle Street, Hobart 7000.
Client: Costmac Investments Pty Ltd
Project/Report Reference: A18067_Music
File Path: file:///Volumes/01_LXN Architecture/00_Projects/A18067_98 Argyle St/04_AUTHORITIES/04_01_PLANNING AUTHORITY/04_01_RFIs/04_210430/MUSIC/A18067_MUSIC.docx

Version: 01
Prepared By: Joshua Crossin Date:06/05/2021
Reviewed By: Sarah Lindsay Date:06/05/2021

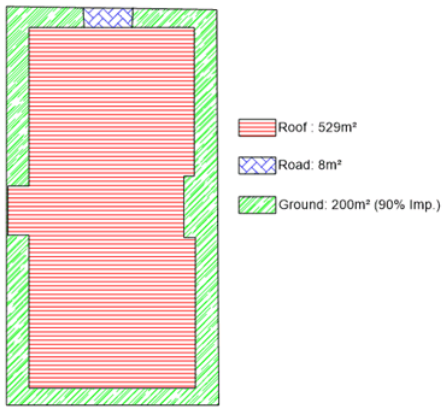
LXN Architecture Music Model

1.0 Introduction

LXN Architecture and Consulting commissioned Ocean Protect to provide a MUSIC (Model for Urban Stormwater Improvement Conceptualisation) assessment for 98 Argyle Street.

The below summary is based on the installation of an Ocean Project JellyFish model for the 98 Argyle Street Apartments located at 98-110 Argyle St, Hobart. This model includes all areas as per figure 1. The site area calculation breakup drains to the end of line JellyFish treatment system. The model achieves the State Stormwater Strategy targets using a JF900-1-1 (686) operating under 230mm of head. The JellyFish system is also required to be designed as an offline system.

Figure 1 MUSIC Model Site Area Breakup



16165 - 98-110 Argyle St, Hobart TAS 7000 (Site Area Breakup)

The catchment calculation in MUSIC in accordance with the following guidelines & parameters. These are;

- MUSIC Version 6.3.0
- Rainfall Station: Hobart 01 May 1996 to 01 October 2001 - 6min
- Melbourne MUSIC Guidelines (Melbourne Water 2016) utilizing modified % impervious area, rainfall threshold, soil properties & pollutant concentration
- No drainage routing between nodes.

2.0 State Stormwater Strategy (December 2010) targets

Ocean Protect have modelled the systems to meet current Tasmania – State Stormwater Strategy (December 2010) targets. These are;

- 80% Total Suspended Solids Reduction
- 45% Total Phosphorus Reduction
- 45% Total Nitrogen Reduction
- 90% Gross Pollutant Reduction

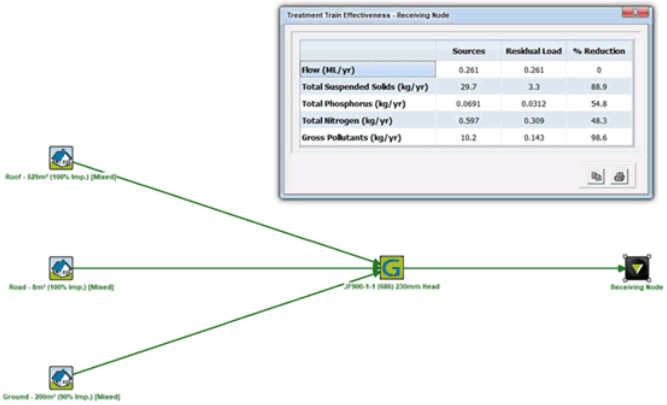
Preliminary Design (Treatment Train Input)

- JF900-1-1 (686) under 230mm Head.

3.0 MUSIC Model Results

As per the below MUSIC treatment train the following reduction targets achieve:

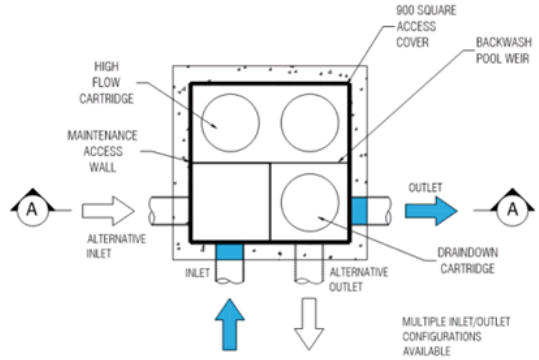
- 88.9% Total Suspended Solids Reduction
- 54.8% Total Phosphorus Reduction
- 48.3% Total Nitrogen Reduction
- 98.6% Gross Pollutant Reduction



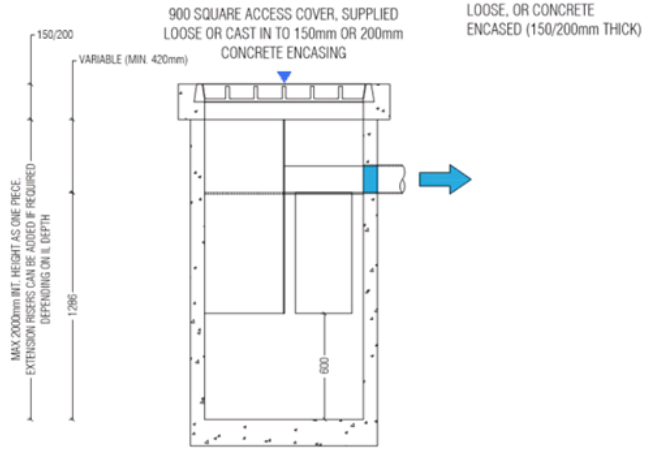
4.0 Conclusion

Use of the Ocean Protect Jellyfish treatment train achieves Tasmania's State Stormwater Strategy targets and is deemed to be an comply with E.7.7.1 A2.

NOT FOR CONSTRUCTION



PLAN LAYOUT



SECTION A-A

LAST MODIFIED: 25-02-19

JELLYFISH DESIGN TABLE

JELLYFISH TREATMENT FLOW IS A FUNCTION OF THE NUMBER OF CARTRIDGES AND THE DEVICE TOTAL HEAD DIFFERENTIAL. IF THE PIPE FLOW EXCEEDS THE TREATMENT FLOW THEN AN UPSTREAM BYPASS STRUCTURE IS REQUIRED.

REQUIRED DEVICE TOTAL HEAD DIFFERENTIAL [mm]	460	305	230
CARTRIDGE FLOW RATE HIGH-FLOW / DRAINDOWN [L/s]	2.5 / 1.3	1.68 / 0.98	1.27 / 0.79
CARTRIDGE LENGTH [mm]	686	690	690
OUTLET INVERT TO STRUCTURE INVERT [mm])	1286	1286	1286

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	[ ]
WATER QUALITY FLOW RATE (L/S)	[ ]
# OF CARTRIDGES REQUIRED (HF - DD)	[-]
CARTRIDGE SIZE	690

PIPE DATA:	I.L.	MATERIAL	DIAMETER
INLET PIPE	[ ]	[ ]	[ ]
OUTLET PIPE	[ ]	[ ]	[ ]

LID WEIGHT	TBC
PART A & B WEIGHT (SEPARATE)	TBC

NOTE: TANK SUPPLIED IN TWO PARTS; PARTS A & B TO BE JOINED ON SITE

GENERAL NOTES

1. JELLYFISH WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF THE PROJECT.
2. PRECAST STRUCTURE SUPPLIED WITH CORE HOLES TO SUIT OUTER DIAMETER OF NOMINATED PIPE SIZE / MATERIAL.
5. STRUCTURE AND ACCESS COVERS TO BE DESIGNED TO MEET AUSTROADS T44 LOAD RATING WITH 0.0m TO 2.0m FILL MAXIMUM (CLASS D) UNLESS OTHERWISE NOTED. THE OUTLET PIPE INVERT ELEVATION, CERTIFYING ENGINEER TO CONFIRM ACTUAL GROUNDWATER ELEVATION.PRECAST STRUCTURE SHALL BE IN ACCORDANCE WITH AS3600.
6. IF THE PEAK FLOW RATE, AS DETERMINED BY THE CERTIFYING ENGINEER, EXCEEDS THE TREATMENT FLOW RATE OF THE SYSTEM, AN UPSTREAM BYPASS STRUCTURE IS REQUIRE.
7. ALL WATER QUALITY TREATMENT DEVICES REQUIRE PERIODIC MAINTENANCE. REFER TO OPERATION AND MAINTENANCE MANUAL FOR GUIDELINES AND ACCESS REQUIREMENTS.
8. SITE SPECIFIC PRODUCTION DRAWING WILL BE PROVIDED ON PLACEMENT OF ORDER.
9. DRAWING NOT TO SCALE.

INSTALLATION NOTES

A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE SPECIFIC DESIGN CONSIDERATION AND SHALL BE SPECIFIED BY THE CERTIFYING ENGINEER.
B. CONTRACTOR TO PROVIDE ALL EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STRUCTURE (LIFTING DETAIL PROVIDED SEPARATELY).
C. CONTRACTOR TO INSTALL AND LEVEL THE STRUCTURE, APPLY SEALANT TO ALL JOINTS AND TO PROVIDE, INSTALL AND GROUT INLET AND OUTLET PIPES.
D. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.
E. CARTRIDGE INSTALLATION, BY OCEANPROTECT, SHALL OCCUR ONLY AFTER SITE HAS BEEN STABILIZED AND THE JELLYFISH UNIT IS CLEAN AND FREE OF DEBRIS. CONTACT OCEAN PROTECT TO COORDINATE CARTRIDGE INSTALLATION WITH SITE COMPLETION.

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JELLYFISH 900 SQUARE
STANDARD PRODUCT DRAWING

MIDSON traffic pty ltd

LXN Architects

98-110 Argyle Street
Traffic Impact Statement

March 2021

ENGINEERS AUSTRALIA

INDIVIDUAL AWARDS TASMANIA

MIDSON traffic pty ltd

Contents

Figure Index

1. Introduction

1.1 Background

Midson Traffic were engaged by LXN Architects to prepare a traffic impact statement for a proposed 20-unit residential apartment development at 98 Argyle Street, Hobart.

Figure 1 Proposed Development Render

1.2 Traffic Impact Assessment/ Traffic Impact Statement

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

A traffic impact statement (TIS) is a reduced form of a TIA, where only specific traffic and/or parking matters are required to be investigated. A TIS is often undertaken when the full traffic and transport impacts associated with a development are not considered necessary.

This TIS has generally been prepared in accordance with the Department of State Growth (DSG) publication, *A Framework for Undertaking Traffic Impact Assessments*, 2007. This TIS has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019.

This TIS also addresses the relevant clauses of E5.0, *Road and Railway Assets Code*, and E6.0, *Parking and Access Code*, of the Hobart Interim Planning Scheme, 2015.

Council have requested that a Traffic Impact Statement be prepared to investigate the parking requirements of the development proposal.

1.3 Statement of Qualification and Experience

This TIS has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *A Framework for Undertaking Traffic Impact Assessments*, September 2007, as well as Council's requirements.

The TIS was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 25 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004
- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Subject Site

The subject site is located at 98-110 Argyle Street, Hobart. The subject site and surrounding road network is shown in Figure 2. The existing site is a commercial building with 3 on-site car parking spaces located between the building frontage and road.

Figure 2 Subject Site & Surrounding Road Network

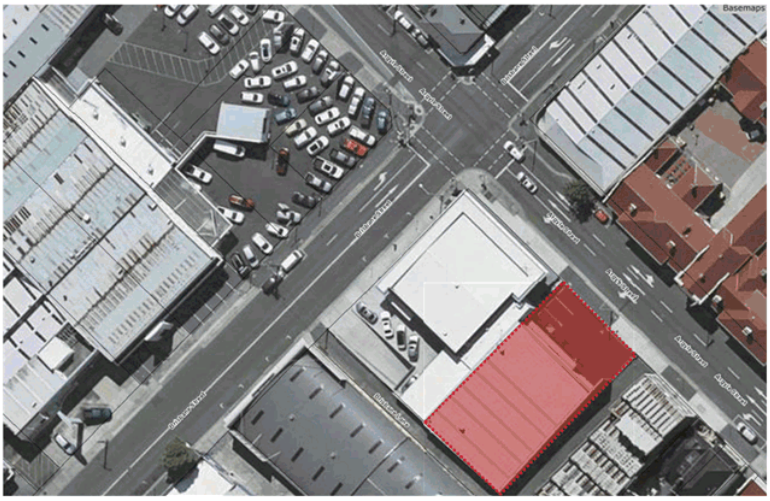

Image Source: LIST Map, DPIPWE

1.5 Reference Resources

The following references were used in the preparation of this TIA:

- Hobart Interim Planning Scheme, 2015 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019
- Austroads, Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections, 2017
- Department of State Growth, *A Framework for Undertaking Traffic Impact Assessments*, 2007
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, *Updated Traffic Surveys*, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1)

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2. Existing Conditions

2.1 Transport Network

For the purposes of this report, the transport network consists of Argyle Street only. Argyle Street is a major arterial road that provides one-way flow between Davey Street and New Town Road. Adjacent to the subject site, Argyle Street has three lanes (left turn lane into Brisbane Street and two through lanes). Argyle Street adjacent to the subject site is shown in Figure 3.

A CBD 40-km/h speed limit applies to Argyle Street.

Argyle Street carries approximately 13,500 vehicles per day prior to the Brisbane Street junction. Argyle Street connects to Brisbane Street and Melville Street at signalised intersections.

Figure 3 Argyle Street

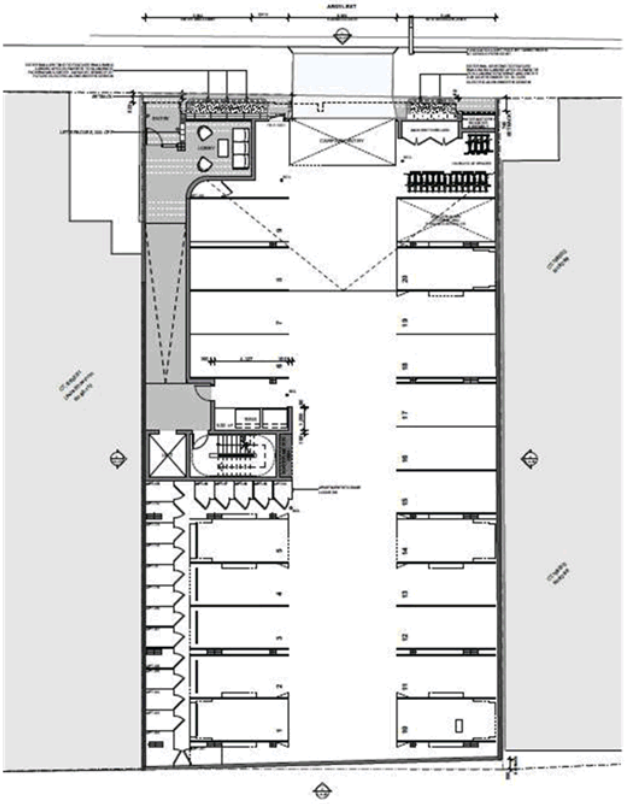
3. Proposed Development

3.1 Development Proposal

The proposed development involves the demolition of the existing building and the construction of an apartment complex consisting of 20 units. On-site car parking is proposed for 20 spaces accessed via a single driveway at Argyle Street.

The proposed development is shown in Figure 4.

Figure 4 Proposed Development Car Parking Layout Plans



4. Traffic Impacts

4.1 Traffic Generation

Traffic generation rates were sourced from the RMS Guide. The RMS Guide classifies the development as 'high-density' residential:

> *"A high density residential flat building refers to a building containing 20 or more dwellings. This does not include aged or disabled persons' housing. High density residential flat buildings are usually more than five levels, have basement level car parking and are located in close proximity to public transport services. The building may contain a component of commercial use".*

The RMS Guide (Updated Surveys) provides the following traffic generation rates for high-density residential developments:

▪ Daily traffic generation	3.22 vehicles per day per parking space	64 vpd
▪ AM peak traffic generation	0.35 vehicles per hour per parking space	7 vph
▪ PM peak traffic generation	0.26 vehicles per hour per parking space	5 vph

Note the rate per parking space was adopted as parking on the site is constrained to 20 spaces.

4.2 Trip Distribution

All traffic will access the site via left-turn entry and left-turn exit manoeuvres due to the one-way flow of Argyle Street.

4.3 Access Impacts

The Acceptable Solution A3 of Clause E5.5.1 of the Planning Scheme states "*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*".

The traffic generation of the existing land use is not known. Potentially the previous use of the site may have generated approximately 40 vehicles per day (based on commercial turnover of three car parking spaces and the commercial vehicle garage access of the site). The increase in traffic generation is not greater than 40 vehicles per day (being the greater of 20% or 40 vpd) and therefore complies with the requirements of Acceptable Solution A3 of Clause E5.5.1 of the Planning Scheme.

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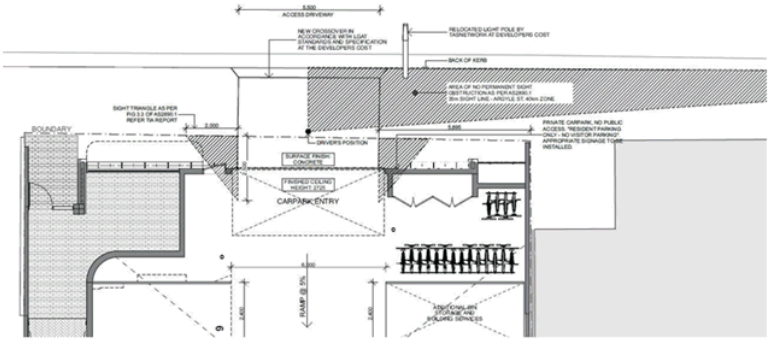
4.4 Sight Distance

Sight distances at the site's access were assessed against the requirements of AS2890.1 (Section 3.2.4 of AS2890.1).

For a road frontage speed of 40-km/h the required sight distance is 30 metres for a residential property access. The available sight distance from the site's access is 35 metres, therefore exceeding the minimum AS2890.1 requirements. It is also noted that increased sight distance is available as a vehicle moves out of the site into Argyle Street. This is shown in Figure 5.

A pedestrian sight triangle is required on the western side of the access (exit lane of the access). This is provided through an adjacent glass door as shown in Figure 5.

Figure 5 Access Sight Lines



5. Parking Assessment

5.1 Parking Provision

The proposed development provides a total of 1 car parking space for each unit (total of 20 on-site car parking spaces). The parking is configured in two rows of 10 x 90-degree parking spaces as shown in Figure 4.

5.2 Car Parking Demand

The RMS Guide recommends the following parking rates for high-density residential developments:

- 0.6 spaces per 1-bedroom unit
- 0.9 spaces per 2-bedroom unit
- 1.4 spaces per 3-bedroom unit
- 1 space per 5 units visitor parking

This equates to the following car parking requirement:

10 x 2-bedroom units	9 spaces
10 x 3-bedroom units	14 spaces
Visitor	4 spaces
TOTAL	27 spaces

The provision of 20 spaces falls short of the recommended provision of 27 spaces. If visitor parking is not included in the calculations then the shortfall reduces to 3 spaces when compared to the RMS Guide. In constrained residential developments it is common for visitor parking not to be provided.

It is further noted that modern residential unit development in urban areas (such as CBD environments or town centres) typically provide 1 car parking space per unit and little or no visitor parking. There are many recent examples in Hobart that provide this level of parking provision. The parking provision for each unit would be known to prospective purchasers or renters and this then forms part of the decision making process. In this regard, the parking provision is self-selecting as occupiers are unlikely to buy or rent a unit that does not accommodate their car parking needs.

5.3 Planning Scheme Requirements

The Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme states that "*the number of on-site car parking spaces must be no less than the number specified in Table E6.1*".

Table E6.1 requires 2 spaces for each dwelling and 1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number). This is a requirement for 45 parking spaces. The provision of 20 parking spaces does not comply with the Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme.

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The Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme states:

"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".

The following is relevant with respect to the development proposal:

a. Car parking demand. The development provides sufficient on-site car parking supply to cater for the needs of each unit if all units have one car. Visitor parking demands are not catered for on-site. The car parking provision of 1 space per unit will be known to prospective purchasers or renters. The empirical car parking assessment is outlined in Section 5.2.

b. On-street and public car parking. There is a relatively large supply of on-street car parking in the surrounding transport network. This is typically in the form of short-term time restrictions and parking meters. There is sufficient on-street car parking to cater for the shortfall of visitor car parking.

c. Public transport. The site is located close to Elizabeth Street which is a major transit corridor. Metro Tasmania operate frequent buses along Elizabeth Street.

d. Other modes of transport. The development is located close to shops and services in Hobart and North Hobart. Walking and cycling are likely to be common transport modes for residents for certain trip types.

e. Alternative car parking provision. The development provides a large supply of on-site bicycle parking. Bicycle lanes have been installed along Argyle Street near the subject site.

f. Shared parking. Not applicable.

g. Parking deficiency or surplus. Not applicable.

h. Car parking credit. Not applicable.

i. Cash in lieu. Not applicable.

j. Payment of cash in lieu. Not applicable.

k. Parking plan. Not applicable.

l. Historic cultural heritage significance. Not applicable.

m. Significant Trees Code. Not applicable.

Based on the above assessment the development complies with the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. Specifically the development provides sufficient parking to cater for the parking demands of the units but not visitor parking. The provision of visitor parking is readily available on-street in the surrounding road network.

5.4 Car Parking Layout

The Acceptable Solution A1 of Clause E6.7.5 of the Planning Scheme states "*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*".

The car parking requirements of AS2890.1 are set out in the following sections.

5.4.1 Driveway Requirements

The AS2890.1 driveway requirements are as follows:

- Minimum driveway width (Category 1 driveway, servicing Class 1A with less than 25 spaces) = 3.0m

The driveway width exceeds this requirement along the full width of the access.

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5.4.2 Slope

Section 2.5.3(b) of AS2890.1 states the following regarding the maximum grade of straight ramps/ driveways:

i. Longer than 20 m – 1 in 5 (20%) maximum.

ii. Up to 20 m long – 1 in 4 (25%) maximum. The allowable 20 m maximum length shall include any parts of the grade change transitions at each end that exceed 1 in 5 (20%).

In this case the driveway design does not exceed these gradient requirements, with the maximum longitudinal grade being 5%.

Section 2.4.6 of AS2890.1 states that the maximum grades within a car park shall be:

- Measured parallel to the angle of parking 1 in 20 (5%)
- Measured in any other direction 1 in 16 (6.25%)

All car parking spaces comply with AS2890.1 requirements in terms of grade (noting that all spaces are effectively level).

5.4.3 Parking Space Dimensions

The car parking is classified as User Class 1A, *'residential, domestic and employee parking'*. This requires car parking minimum dimensions to be:

- Width 2.4m
- Length 5.4m
- Aisle width 5.8m

Where a parking space is located immediately adjacent to a vertical structure (wall, fence, etc), an additional 0.3m additional space width is required.

All spaces comply with AS2890.1 dimensional requirements. Specifically the car parking dimensions are:

- Width 2.4 metres
- Length 5.4 metres
- Aisle width 6.0 metres

5.4.4 Parking Layout Summary

The parking spaces and manoeuvring areas comply with the relevant requirements of AS2890.1 and therefore comply with the requirements of Acceptable Solution A1 of Clause E6.7.5 of the Planning Scheme.

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6. Conclusions

This traffic impact statement (TIS) investigated the traffic and parking impacts of a proposed 20-unit residential development at 98-110 Argyle Street, Hobart.

The key findings of the TIS are summarised as follows:

- The development will generate 64 vehicles per day with a peak of 7 vehicles per hour during the AM peak period.
- The traffic generation at the driveway access meets the requirements of Acceptable Solution A3 of Clause E5.5.1 of the Planning Scheme.
- The available sight distance at the site's access junction with Argyle Street meets the requirements of AS2890.1 for vehicles and pedestrians.
- The development provides a total of 20 on-site car parking spaces. The parking provision meets the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. This is primarily due to the fact that the parking demands are constrained to 1 space per unit, which will be known to prospective purchasers/ renters. Visitor parking is not provided on-site but can be met in the surrounding network.
- The car parking layout and driveway design meets the requirements of Acceptable Solution A1 of Clause E6.7.5 of the Planning Scheme in terms of slope and dimensions.

Based on the findings of this report and subject to the recommendations above, the proposed development is supported on traffic grounds.

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	23 March 2021

NVC
NOISE VIBRATION CONSULTING

LXN Architecture
Hobart, TAS
Attention: Josh Crossin

2 April 2021
Doc 6337

98 - 110 Argyle Street — Noise Assessment

A multi-residential development is proposed at 98 - 110 Argyle Street, Hobart. The developer has requested a noise assessment to accompany the DA submission, in order to assess the likely compliance of the proposal against clause 24.3.8-A1 of the Hobart Interim Planning Scheme 2015 (the Scheme). This letter presents a strategy for NVC to demonstrate compliance with these criteria.

1. Background

The proposed site is an existing building at 98 - 110 Argyle Street, Hobart. The site and surrounding area is located within a Commercial zone under the Scheme.

FIGURE 1: SITE AND SURROUNDING AREA

NVC Pty. Ltd. ABN 53 626 639 521 PO Box 476, Rosny Park, TAS 7018
T. 6244 5556 bill@nvc.com.au

2. CRITERIA

Section 23 of the Hobart Interim Planning Scheme 2015 contains criteria for a Commercial zone. In particular, clause 23.4.8 details criteria specific to development for residential and visitor accomodation within Commercial zone. The objective of this criteria is:

> *"To ensure that buildings for residential or visitor accomodation uses provide reasonable levels of amenity and safety in terms of noise, access to daylight and natural ventilation, open space, storage."*

To satisfy this objective regarding noise, the following Acceptable Solutions criteria are stated under clause 23.4.8-A1:

> *"Residential or visitor accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (AS3671:1989 – Road Traffic Noise Intrusion (Building Siting and Construction) and AS2107:2016 – Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors))."*

3. ASSESSMENT & NOISE CONTROL

NVC has been engaged to provide acoustic advice for the development. In order to achieve compliance with these criteria, it is proposed to conduct noise logging on site over a period of nominally one week, to quantify existing ambient noise levels. This measurement data is then to be used to calculate the required facade noise attenuation to ensure the internal acoustic environment complies with the relevant criteria.

It is noted that, regardless of the ambient noise levels measured on site, compliance is achievable with adequate noise control via window and facade construction and detailing.

NVC does not foresee any issues which would result in compliance with the standards listed under the Scheme criteria not being able to be achieved, and as such, the proposal is deemed likely to comply with the clause 24.3.8-A1 of the Hobart Interim Planning Scheme 2015.

Should you have any queries, please do not hesitate to contact me directly.

Kind regards,

Jack Pitt

NOISE VIBRATION CONSULTING

pitt&sherry

HB20090 – Site Contamination Appraisal

98 Argyle St, Hobart

Prepared for
LXN Architecture and Consulting

Client representative
Sarah Lindsay

Date
24 March 2020

Rev 01

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Appendices

Prepared by — Daniel Laver		Date — 24/03/2020
Reviewed by — Sophie Le Roux		Date — 24/03/2020
Authorised by — Sophie Le Roux		Date — 24/03/2020

Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
00	Draft report	D Laver	S Le Roux	S Le Roux	20/03/2020
01	Report	D Laver	S Le Roux	S Le Roux	24/03/2020

1. Introduction

pitt&sherry were engaged by LXN Architecture and Consulting (the Client) to undertake an appraisal of an Environmental Site Assessment [1] (ESA) undertaken by pitt&sherry in 2009. The ESA was undertaken prior to the redevelopment of a former Ampol Service station located at 98-110 Argyle Street, Hobart.

98 Argyle Street is currently used for retail and is proposed to be redeveloped into medium density residential accommodation. Hobart City Council's planning officers have advised that an ESA is required to form part of the development application submission for the site. It is understood that an ESA has been requested because the site is listed as potentially contaminated due to the proximity of the former service station. Detailed plans of the proposed building were provided to pitt&sherry, which has been taken into account with the ESA analytical data (from 2009) to assess potential human health and environmental risk.

The ESA was undertaken on behalf of Co-Op Toyota Pty Ltd who remain the current landowner, now referred to as Costmac Investments Pty Ltd. The ESA report documents the removal of seven underground fuel storage tanks and the sampling and assessment of residual contamination.

1.1 Scope of works

This appraisal will review the sampling data reported in the ESA in accordance with the framework set out in the National Environment Protection (Assessment of Site Contamination) Measures 1999 ('NEPM' – amended 2013), Tasmanian EPA Guidelines and Australian Standards. The scope of the report includes the following:

- Summary of site status
- Appraisal of ESA report
- Comparison of analytical data to current assessment guidelines (NEPM 2019)
- Discussion of assessment approach and analytical data gaps
- Conclusions and statement on site suitability.

1.2 Site setting

The proposed development occupies a flat area bounded by Argyle Street and Brisbane Lane to the East and West respectively. A Lexus car showroom occupies the adjoined building to the North, with a narrow lane to the South. At the time of writing there was a 3 story building on the boundary to the South (Hutchinson Builders Office) which was formally the site of Minty's sheet metalworkers building.

The extent of the 2009 ESA included 98-110 Argyle Street, and the proposed new development at 98 Argyle Street will occupy approximately 700 m² of the original plot, herein referred to as 'the site'. Soil and groundwater samples collected during the ESA were located inside and outside the proposed development area. The extent of the former service station and the proposed development is indicated in Figure 1.

The site is currently vacant and was formally occupied by a warehouse and retail outlet, which sells motor vehicle parts. The building occupies a large portion of the site, with a small customer carpark accessed from Argyle Street occupying approximately 200m² of the remainder.

[1] 98-110 Argyle Street, Hobart Environmental Site Assessment, June 2009 (HB08281H001 rep 31P Rev 00/DT/jw)

Figure 1 - Site location

1.3 Proposed change in landuse

The redevelopment will involve demolition of the current building and limited excavation for foundations and service trenches. The Client provided pitt&sherry with plans of the proposed building, which are enclosed in Appendix A. The proposed building has four floors consisting of two and three bed apartments occupying the second, third and fourth floors. The ground floor consists of a residential carpark, stairs, a lift shaft and utility services and will therefore not be used as a living space. The proposed building will occupy most of the site and will have sealed vehicle access from Argyle street. The development plan indicates narrow planters around the building, which would likely consist of raised beds with imported topsoil. Taking into account the details of the development, future residents would have no direct contact to underlying soils. Site details are summarised in Table 1.

Table 1 - Sites details (summarised from development plans provided)

Item	Details
Property ID	7589903
Title reference	CT.160050/1

Item	Details
Zoning	Commercial (residential is permitted above ground floor)
Current Owner	Costmac Investments Pty Ltd
Local Government Area	Hobart City Council

1.4 Surrounding land use

It is understood that Council requested an ESA due to the historical service station, located on 98 to 110 Argyle Street. Service stations are commonly associated with residual soil and groundwater contamination and commonly represents a trigger for assessment. The scope of this appraisal does not include a detailed assessment of other potentially contaminating activities onsite or in the vicinity of the site. However, surrounding landuse at the time of reporting is summarised in Table 2.

Table 2: Surrounding land use

Direction	Address	Owner	Current use
North-east	85 Argyle St	Tasmania Fire Service	Member Sports Club and storage
	29 Brisbane St	Argyle takeaway	Takeaway with residential beyond
North-west	110 Argyle Street	Costmac Investments Pty Ltd	Lexus car showroom, with second hand car yard beyond
South-east	92-96 Argyle St	Hutchins Builders	Laneway and Hutchins Builders offices (appears to be derelict) and residential and pub beyond
South - west	18/30 Brisbane St, Hobart	Central Cleaning Supplies Tasmania	Retail shop

Further assessment would be necessary to determine if the Tasmanian Fire Service site at 85 Argyle Street was historically used for firefighting training and if aqueous film forming foam (AFFF) was used. The historical use of AFFF is commonly associated with per- and polyfluoroalkyl substances (PFAS), which can contaminate soil, surface water and groundwater. PFAS in groundwater can migrate significant distances in groundwater due to its chemical properties. The risk of PFAS impacted groundwater to future occupants on the site is considered to be low, based on no groundwater abstraction for beneficial use occurring onsite. If subsequent information indicates offsite PFAS migration from the Tasmanian Fire Service site has occurred, the health and ecological risks to surrounding sites should be assessed.

1.1 Site geology and groundwater

The 2009 ESA reports states that the geology on the site consists of Triassic aged sediments of predominantly freshwater cross bedded quartz and fieldspathic sandstone. Insitu bedrock was interpreted to be moderately to highly weathered.

Soil conditions encountered during the drilling of boreholes in 2009 predominantly consisted of clay to 10 meters below ground level (m BGL) which represented the maximum depth of drilling. A sandy unit was encountered in bore BH3 located in the north-eastern corner of the site between 2.5 to 10 m BGL. For the purpose of assessing vapour intrusion risk, sand soil type assessment criteria were conservatively adopted.

Groundwater levels recorded in 2009 ranged from 6.68 m BGL (BH1) to 2.69 m BGL (BH3). The report suggests that 3 meters would be excavated prior to the construction of the current building. If this was the case groundwater would be close to the surface at BH3 located in the north-eastern corner of the site. It should be noted that the gauging of the wells was undertaken 11 years ago in 2009, therefore groundwater levels may have changed significantly and the amount of material which was excavated prior to the construction of the present building is unknown.

The detailed assessment of potential groundwater use is beyond the scope of this report, however the Tasmania Groundwater Information Access Portal (accessed in March 2020) indicated no groundwater bores are registered within a 1 km radius of the site. The nearest bore is located approximately 1.97 km (Bore 2864) and was drilled by the Mines Department to 54 m BGL. The last documented operating status was 1983 and the bore's current status is unknown.

For the purpose of assessing the suitability of the site for the proposed future use it is assumed that onsite groundwater abstraction or beneficial use will not occur. This is considered to be appropriate taking into account the development proposed, the urban context, and reticulated water supply.

1.2 Vegetation

As the site will consists solely of the building and sealed surfaces, no vegetation is present on site and no vegetation surrounds the site.

1.3 Acid sulfate soils

The ASRIS Atlas of Australian Soils indicates the site is within an area of *'no known occurrence'* of acid sulfate soils, and no acid sulfate soils were reported to have been encountered during the 2009 investigation at the site.

2. Environmental Site Assessment (2009)

A total of seven underground storage tanks (USTs) were removed from the former service station. The tanks are reported to have consisted of six bulk fuel tanks and one waste oil tank. A copy of the site plan indicating the location of the tanks is provided in Figure 2.

The ESA included a larger area than the current development, which is also indicated in the Figure. The appraisal only assesses the area which is subject to redevelopment. All the soil and groundwater analytical data which was in the 2009 ESA report has been included in the Analytical Summary Table (Attachment C), however in the instance where any exceedances are reported the location of the sample relative to the current development area has been taking into account.

The site is reported to have been used as a second hand car dealership prior to the 2009 assessment and it was reported to have been approximately 15 years prior that the service station ceased trading.

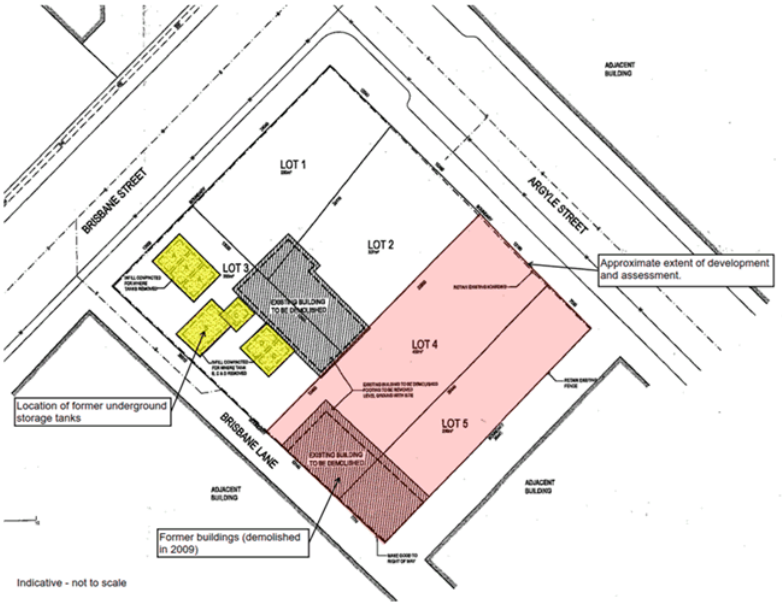


Figure 2 – Former service station layout and extent of assessment (base plan from pitt&sherry ESA, 2009)

3. Assessment criteria

Based on the proposed future use of the site, residential assessment criteria with no/minimal opportunities for soil access were adopted to assess the reported analytical data. Criteria were also adopted to assess the potential risk of exposure to excavation workers involved in the proposed excavation and construction of new foundation structures.

Much of the criteria applied was revised in 2013 and is detailed in Table 3.

In the absence of particle size distribution testing to establish the physical properties of soils, a sand soil type was conservatively applied when selecting the assessment criteria. Exceedance of any criteria are used to assess contamination and to trigger consideration of an appropriate site-specific risk-based approach or risk management options.

Table 3: Adopted assessment criteria

Reference	Sub Reference	Reason for Use*
National Protection (Assessment of Site Contamination) Measure 1999 – amended 2013	Soil Health Investigation Levels for Soil Contaminants, residential use (HSL-B) (Table 1A (1))	Assessing human health risk via all relevant pathways of exposure and generally apply to the top 3 m BGL.
	Soil Health Screening Levels for Vapour Intrusion, residential use (HSL-B) (Table 1A (3))	Assessment of petroleum hydrocarbon vapour intrusion risk for residential use (sub-slab data).
	Interim Soil Vapour Health Investigation Levels for chlorinated compounds, residential use (Interim HIL-A) (Table 1A (2))	Assessment of chlorinated compounds vapour intrusion risk for residential use (sub-slab data).
	Groundwater Health Screening Levels (HSLs) for vapour intrusion 2 m to <4 m, sand (Table 1A (2))	Assess health risk via inhalation and direct contact pathway
	Ecological Investigation Levels (EILs) (Table 1B (1)	Assess ecological risk for selected metals and organic substances. Apply to top 2 m of soil.
	Ecological Screening Levels (ESLs) for TPH, BTEX and B(a)P in soil – coarse soil	Assess terrestrial ecological risk for selected petroleum compounds. Apply to top 2 m of soil.
	Management Limits (Table 1 B (7)	Applicable to petroleum hydrocarbons and considered following the assessment of health and ecological risk.
CRC Care (2011)[2] Technical Report No. 10	Health Screening Levels for Vapour Intrusion – Intrusive Maintenance Workers (Table B1(1) to (5))	Assessment of vapour intrusion risk into shallow trench from hydrocarbons.
	Soil Health Screening Levels for Direct Contact – HSL -B Residential (High Density) (Table A4)	Assessment of direct contact high density residential health risk of hydrocarbons.
	Soil Health Screening Levels for Direct Contact – Intrusive maintenance worker (Table A4)	Assessment of direct contact maintenance worker health risk of hydrocarbons.

Note - It is recognized that some contaminant compounds were not tested, and hydrocarbon banding reported in 2009 was slightly different to the current NEPM assessment criteria banding. These data gaps are considered in Section 4.

[2] CRC Care Technical Report No. 10, Health screening levels for petroleum hydrocarbons in soil and groundwater (2011)

4. Review of sampling methodology

The samples collected in the 2009 ESA are detailed in Table 4. Stockpile samples were also collected from packing sands removed from around the USTs for waste classification purposes. This material is reported to have been disposed offsite and has therefore not been included in the appraisal.

Table 4: Appraisal of sampling methodology

Sample type	Number of samples	Analyses	Details / comments
UST pit validation	13 (PS Pit and PV Pit)	Lead, TPH, phenols and BTEX	The USTs were located outside the proposed redevelopment area, refer to Attachment A.
Surface soil assessment	9 (LC1 to LC2)	Metals, OC/OP, PAH, PCB, TPH, phenols and BTEX	Samples LC1, LC2, LC6 to LC9 were collected inside the proposed redevelopment area.
Groundwater	3 (BH1 to BH3)	TPH, BTEX, lead and phenols	Soil samples were collected during the advancement of the bores (prior to groundwater well installation) for geotechnical purposes. The samples are reported to have been examined for any signs of hydrocarbons.

Notes: UST – Underground storage tank, TPH-Total petroleum hydrocarbons, BTEX – Benzene, toluene ethylbenzene and xylene, OC/OP – Organochloride and organophosphate pesticides

Six surface soil samples were collected from the site subject to redevelopment which is considered to represent the minimum number of sampling points in accordance with sampling density guidelines. The parameters tested and the number and coverage of samples collected is considered appropriate for preliminary site soil contamination assessment based on the reporting objectives.

4.1 Quality assurance

Tank pit validation samples were collected after the removal of USTs. Samples are reported to have been collected from 0-20 cm depth from the walls and base of the tank excavations. The sample quantity and density from the tank excavations were deemed to be adequate taking into account no signs of contamination or discoloration. It is assumed that samples were collected by appropriately trained staff and appropriate sample collection, handling, logging and transportation procedure were adopted.

No duplicate, trip blank or field blank samples are reported to have been collected. These samples are typically required to demonstrate that samples are free from contamination and the accuracy and precision can be reliably achieved to ensure data quality objectives and the investigation approach is compliant with NEPM Guidelines.

It is considered that the QA/QC program implemented during the 2009 ESA would not be adequate to assess data reliability and accuracy in accordance with current NEPM 1999 guidelines, however the field observations and analytical results are deemed to be sufficiently reliable for the purpose of a preliminary assessment in the context of the proposed development.

Although a comprehensive review of the laboratory procedures was not undertaken in the 2009 ESA report, the laboratory that undertook the environmental testing (ALS) was NATA accredited for the analyses preformed. No specific information was provided on internal laboratory quality control results or procedures.

Considering the objectives, the absence of internal laboratory analytical error is unlikely to be significant enough to change the overall interpretation of the data and it is considered to be adequate for the purposes of the preliminary assessment.

4.2 Other considerations

The appraisal is limited to the information provided in the 2009 ESA and does not include a site inspection, supplementary additional sampling or a desktop Preliminary Site Investigation (PSI). A PSI would typically include a detailed review of historical potentially contaminating activities on and nearby the site. Data sources would typically include historical aerial photographs, property records, certificate of titles, Dangerous Goods Records and a Property Information Request (PIR) from the Tasmanian Environment Protection Authority (EPA).

Based on the preliminary review of current landuse immediately surrounding the site (refer to Section 1.4) the risk to future occupants from migration of contaminated groundwater is conserved to be low. The absence of potentially contaminating activities surrounding the site, and onsite since the closure of the service station, reduces the likelihood that the site has been contaminated since the samples were collected.

The appraisal assumes that the primary source of contamination e.g. underground petroleum storage system (UPSS) infrastructure was removed prior to sampling in 2009. The assessment data gaps considered when applying the assessment criterial are summarised in Table 5, and the Analytical Summary Table is provided in Appendix C. The assessment approach detailed in the table is considered to be appropriate in the context of the appraisal objectives.

Table 5 – Assessment data gaps

Item	Assessment approach
Carcinogenic PAH as B(a)P TEQ not reported	Soil samples LC3, LC7, LC8 and LC9 where PAHs were reported above the LOR B(a)P TEQ was manually calculated.
NEPM TRH F1 and F2 concentrations not reported.	Petroleum hydrocarbon assessment fractions were revised in the updated 2013 NEPM incorporated into the 1999 guidelines. Volatile naphthalene was no reported which is now required to allow comparison with vapour intrusion HSL criteria. To assess the data the following was conservatively adopted: • TPH C6-C9 minus BTEX compared to F1 criteria (TRH C6-C10 minus BTEX) • TPH C10-C14 compared to F2 criteria (TRH C10-C16 minus naphthalene).
PAH not scheduled on groundwater samples to enable calculation of NEPM TRH F2 value.	TPH C10-C14 conservatively compared to F2 (TRH C10-C16 minus naphthalene) criteria.
TPH fractions reported slightly different to NEPM 2019 fractions	The TPH fractions which most closely match the fractions in the criteria were applied. The slight difference is not considered to significantly change the overall assessment of the data.
Calculation of Ecological Investigation Levels. No ABC concentrations or soil CEC and pH data.	ABC not added to the ACL criteria. Zinc, copper and chromium calculated using the most conservative urban residential land use soil conditions.

Notes: LOR – Limit of reporting, TEQ – Toxic equivalence quotient, OP – Organochlorine pesticide, ABC – Ambient background concentration, ACL – Added contaminant limit.

5. Comparison with assessment criteria

The results of the soil analytical data are summarised in Table 6.

Table 6: Summary of 2009 soil analytical results against assessment criteria

Sample	Criteria exceeded	Concentration detected
Tank excavation sample PS Pit 1A	**C6-C10 minus BTEX (F1)** HSL - 45 mg/kg EIL - 180 mg/kg Management Limit (Residential) - 700 mg/kg	913 mg/kg
	C10-C16 minus naphthalene (F2) HSL Residential - 110 mg/kg EIL - 120 mg/kg	700 mg/kg
	Total Xylene HSL Residential - 40 mg/kg ESL - 105 mg/kg	170 mg/kg
Tank excavation sample PS Pit 1C	**C10-C16 minus naphthalene (F2)** HSL Residential - 110 mg/kg EIL - 120 mg/kg	160 mg/kg
Tank excavation sample PS Pit 3B		230 mg/kg
Tank excavation sample PS Pit 3C		160 mg/kg
Site surface soil validation sample LC7	**Lead** HIL Residential – 1,200 mg/kg EIL Residential – 1,100 mg/kg	1,580 mg/kg
	B(a)P TEQ (half) HIL Residential – 4 mg/kg	4.6 mg/kg
	Benzo(a)pyrene ESL Residential – 0.7 mg/kg	3.9 mg/kg
Site surface soil validation sample LC8	**Lead** HIL Residential – 1,200 mg/kg EIL Residential – 1,100 mg/kg	1,730 mg/kg
	Benzo(a)pyrene ESL Residential – 0.7 mg/kg	1.1 mg/kg

Notes – Only samples reported above the assessment criteria are detailed in the table. All the analytical data and assessment criteria is provided in Appendix C.

6. Preliminary conceptual site model

A preliminary conceptual site model (CSM) has been developed based on the reviewed information and the current and future site setting. The assessment is based on potential source-pathway-receptor linkages with regards to human health and the environment.

Potential sources of on-site contamination and potential contaminants of concern have been considered. Potentially impacted media were determined to be soil and groundwater underneath the site associated with the former service station. The historical data collected in 2009 has been revised against current assessment criteria in the context of the proposed residential development.

Contamination which may potentially impact users of the site includes hydrocarbons, phenols, OC/OP, PAHs, BTEX and metals from:

- Residual petroleum contamination associated with the former service station UPSS infrastructure
- Historical spills of fuels, oils and chemicals used during operation of the garage
- Groundwater contamination from potential off-site sources; and
- Soil contamination associated with contaminated fill.

Human receptors identified for the site risk assessment are:

- Future site users; and
- Construction workers.

Groundwater extraction for beneficial use onsite is not considered to be a complete risk pathway based on the residential setting and reticulated water supply. The health risk to future occupants associated with contact / use of contaminated groundwater are therefore considered to be low.

Although the B(a)P soil concentrations exceeded residential ecological assessment criteria, the risk to ecological receptors were considered to be low taking into account the urban settings of the site and absence of exposed soil. No flora and fauna are (or is anticipated will be) present on site and the nearest surface water receptor is the Hobart Marina located approximately 700 m to the south-east of the site.

The identified potential pathways by which receptors may be exposed to contaminants are:

- Inhalation of contaminants (vapours) in indoor air (future site users).
- Direct contact (dermal / ingestion) with contaminants for future residential users; and
- Direct contact and inhalation of contaminants from the slab, sub-slab soils and/or groundwater during construction works (construction workers).

7. Discussion of results

7.1 Tank excavation soil samples

Concentrations of hydrocarbons (F1 and F2) and total xylene were detected above residential HSL and EIL criteria in tank excavation validation samples PS Pit 1A, 1C, 3B and 3C. The exceedance of these criteria is indicative of a potential vapour intrusion health and terrestrial ecological risk.

In addition, Hydrocarbon F1 concentrations in tank excavation validation sample PS Pit 1A were also reported above Residential Management Limits, which are based on site specific considerations following health and ecological risk assessment. Management limits consider the formation of phase separated hydrocarbons, fire and explosion risks, damage to buried services and aesthetics.

The following has been taken into account in the assessment of these exceedances:

- The primary source of contamination USTs and associated infrastructure we removed approximately 11 years ago and cessed operating a number of years prior. The toxicity of residual hydrocarbon contaminants would be expected to have reduced over time (e.g. naturally attenuated).
- The tank validation samples were collected from the walls and base of the former tank excavations where contaminant concentrations would be expected to be most elevated. Concentrations typically reduce with distance from the source site.
- The former USTs (and tank excavation samples) were collected outside the proposed development area and the risk of lateral migration into the proposed development site is considered to be low based on the groundwater results.
- The proposed development will not include a basement or living spec on the ground floor which will further mitigate the risk to future occupants.
- The calculated F2 data is considered to be inherently conservative because of the non-volatile fraction of naphthalene included.
- Contaminate concentrations were reported below the shallow trench vapour inhalation and direct contact construction worker health screening levels.

Taking the above into account the tank excavation sample contaminant concentrations reported are not considered to represent a risk to residents, construction workers involved in redevelopment of the site or terrestrial ecological receptors in the context of the proposed development.

7.2 Site surface soil validation samples

Lead and B(a)P were detected above Residential HIL criteria at surface validation samples LC7 and LC8. Sample LC7 was located approximately in the middle of the site and sample LC8 nearby to the south-east. HILs are generic assessment criteria designed to assess potential risks to human health from chronic exposure to contamination and are intentionally conservative. Taking into account soil samples LC7 and LC8 will be located under the concrete slab of the proposed building, the lead and B(a)P concentrations detected are not considered to represent a chronic exposure risk to future residential occupants, due to the absence of direct contact.

- B(a)p was also detected above Residential ESL in samples LC7 and LC8 and lead was detected above EIL in sample LC8. The following site specific factors should be taken into account in the assessment of terrestrial ecological risk:
- ESL for petroleum hydrocarbon materials broadly apply to coarse and fine grained soils. Clay was encountered across the majority of the site however a coarse grained soil type was conservatively applied based on sand being encountered in borehole BH3.

- Urban residential EILs are derived based on protecting 80% of species. The site is and will be covered in building and/or handstand which will not support terrestrial ecology.
- Contaminate concentrations were reported below the shallow trench vapour inhalation and direct contact construction worker health screening levels.

Taking the above considerations into account there the concentrations detected are not considered to present a risk to terrestrial ecosystem or excavation workers.

7.3 Groundwater

No groundwater analyte concentration exceeded HSL High Density Residential assessment criteria, refer to Table C4, Appendix C. It is noted that groundwater at monitoring well BH3 is reported to be less than 2 m BGL, however taking into account that BTEX concentrations were below the LOR and calculated hydrocarbon F1 and F2 concentrations were an order of magnitude below the assessment criteria, the groundwater concentrations reported are not considered to represent a vapor intrusion risk in the context of the proposed residential building.

8. Conclusions

Although hydrocarbons (F1 and F2) and xylene were detected above HSL and Management Limits in tank excavation samples 1A, 1C, 3B and 3C and lead and B(a)P were reported above HIL and in site surface samples LC7 and LC8 within the proposed development area, the risk to future site users is considered to be low and acceptable, taking into account the following considerations:

- The former UPSS infrastructure and tank excavation samples are located outside the redevelopment area. The absence of hydrocarbon contamination close to the removed tanks (BH1) and the proposed development area (BH3) suggests that significant lateral migration of hydrocarbons in groundwater had not occurred.
- No HSL exceedances were reported in surface soil samples across the proposed development area, indicative of a potential vapour intrusion risk.
- The primary source of contamination (UPSS) was located outside the current development area and was removed approximately 11 years ago. The residual contamination reported would be expected to reduce in concentration over time due to bio-attenuation processes and dispersion.
- The proposed development does not include a basement or living space on the ground floor or residential gardens with exposed soil. This reduces the risk of vapour inhalation and direct soil contact by occupants.
- Lead and B(a)P above HIL in surface samples LC7 and LC8 located in the proposed development area are not considered to represent a risk to future occupants because they are in an area of the site which will be under the building, therefore direct contact with occupants will not be possible.
- Based on the reported analytical data, groundwater contamination underneath the site from the removed UPSS infrastructure and past spills did not result in high levels of groundwater contamination. As future occupants will not have access to groundwater and the ground floor will not be used as a living space, the low concentrations of hydrocarbons reported in BH3 are not considered to pose a health risk to future residents

The risk to construction workers engaged in the removal of the existing concrete slab and soil excavation during the construction foundations and service trenches is considered to be low based on contaminate concentrations below the relevant health screening levels for excavation workers (vapour inhalation in a shallow trench and direct contact). However, taking into account the potential for unknown hotspots of soil contamination to be present or contact with contaminated groundwater, implementation of the following measures will ensure that such contamination will not present a risk to human health in the context of the proposed development:

- A Contamination Management plan (CMP) should be prepared prior to the commencement of works, which should detail management measures for the protection of construction workers and management of potentially contaminated soil and groundwater, triggers and contingency measures.
- If significant soil and or groundwater contamination is encountered during site works an appropriately experienced Environmental Scientist should be present to monitor ambient vapours and identify/sample potentially contaminated soil. If significant contaminated soil is identified, it may be required to be excavated with validation sampling of the remaining soil to demonstrate it will not pose a health risk to future occupants

The risk assessment is based on the reviewed analytical data and building concept plan provided by the Client with no access to soil or groundwater by future residents and the ground floor not being utilised as a living space. If the building design or landuse changes, further assessment and/or investigation would be required.

9. Important information

9.1 Scope of services

This report ("the Report") has been prepared in accordance with the scope of services set out in the contract, or as otherwise agreed, between the client and pitt&sherry ("the scope of services"). In some circumstances the scope of services may have been limited by a range of factors such as time, budget, access and/or site disturbance constraints. The Report may only be used and relied on by the client for the purpose set out in the contract or as otherwise agreed between the client and pitt&sherry. Any use which a third party makes of this document, or any reliance on or decisions to be made based on it, is the responsibility of such third parties.

9.2 Reliance on data

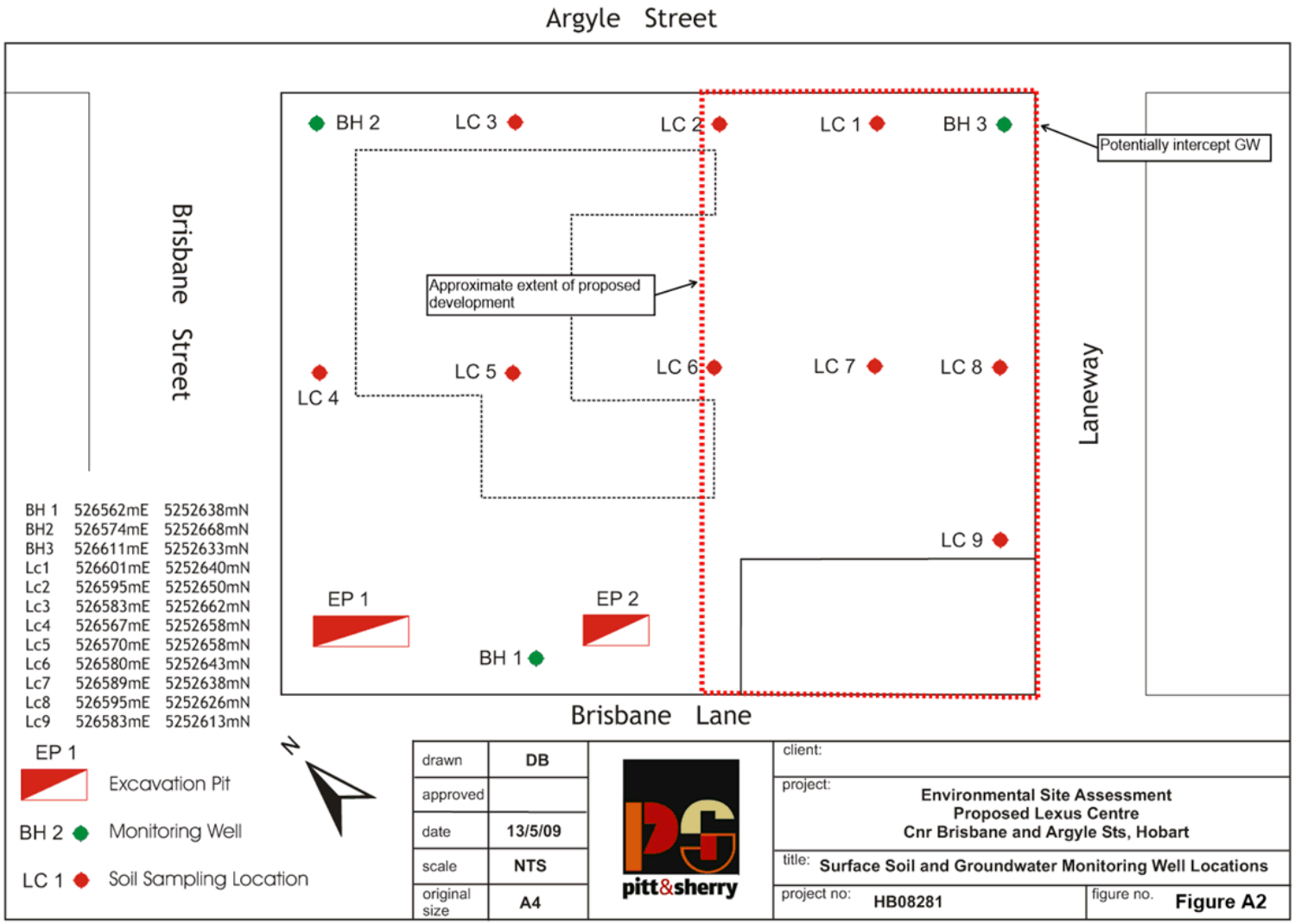
In preparing the Report, pitt&sherry has relied upon data, surveys, analyses, designs, plans and other information provided by the client and other individuals and organisations, most of which are referred to in the Report ("the data"). Except as otherwise stated in the Report, pitt&sherry has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the Report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. pitt&sherry does not warrant the accuracy will not be liable in relation to conclusions should any of the data, be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to pitt&sherry.

9.3 Conclusions and recommendations

The conclusions in this Report are based on conditions encountered and information reviewed at the date of preparation of the Report. pitt&sherry has no responsibility or obligation to update this Report to account for events or changes occurring subsequent to the date that the Report was prepared.

Figures

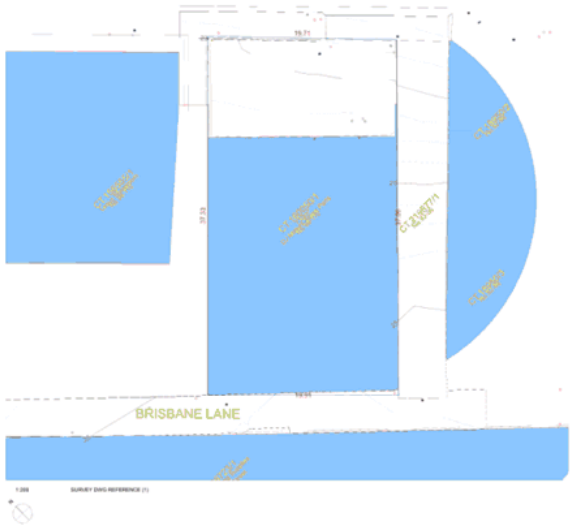
Appendix A

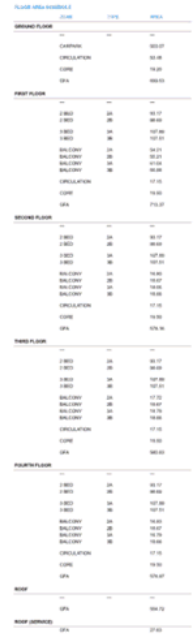

Argyle Street
Brisbane Street
Laneway
Brisbane Lane
BH 2
LC 3
LC 2
LC 1
BH 3
Potentially intercept GW
Approximate extent of proposed development
LC 4
LC 5
LC 6
LC 7
LC 8
LC 9
EP 1
EP 2
BH 1
BH 1 526562mE 5252638mN
BH2 526574mE 5252668mN
BH3 526611mE 5252633mN
Lc1 526601mE 5252640mN
Lc2 526595mE 5252650mN
Lc3 526583mE 5252662mN
Lc4 526567mE 5252658mN
Lc5 526570mE 5252658mN
Lc6 526580mE 5252643mN
Lc7 526589mE 5252638mN
Lc8 526595mE 5252626mN
Lc9 526583mE 5252613mN
EP 1 Excavation Pit
BH 2 Monitoring Well
LC 1 Soil Sampling Location
N
drawn DB
approved
date 13/5/09
scale NTS
original size A4
pitt&sherry
client:
project: Environmental Site Assessment
Proposed Lexus Centre
Cnr Brisbane and Argyle Sts, Hobart
title: Surface Soil and Groundwater Monitoring Well Locations
project no: HB08281
figure no. Figure A2

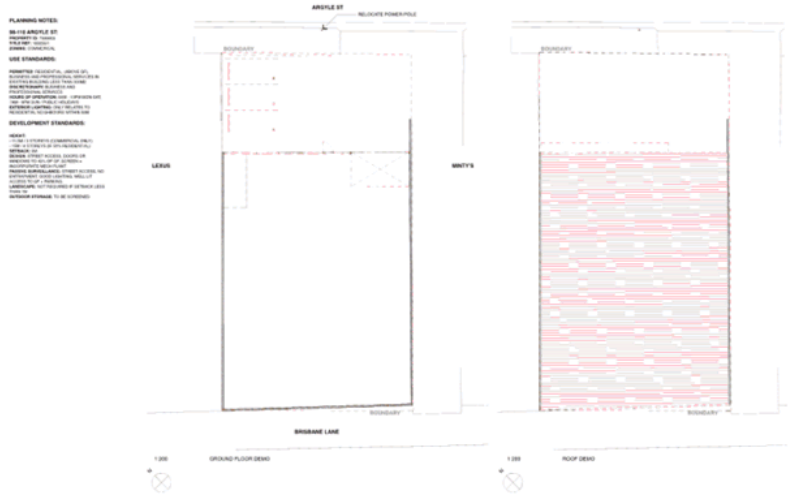
Proposed development plan

Appendix B

ref: HB20090H001 Rep 31P Rev 01/DL/cy







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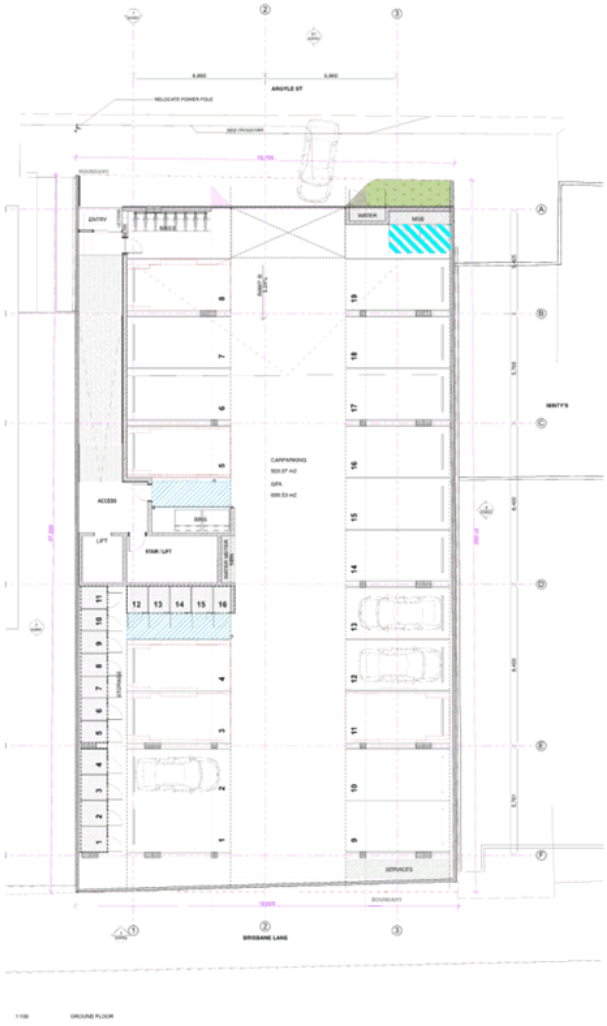

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1:100 FIRST FLOOR

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GROUND + FIRST
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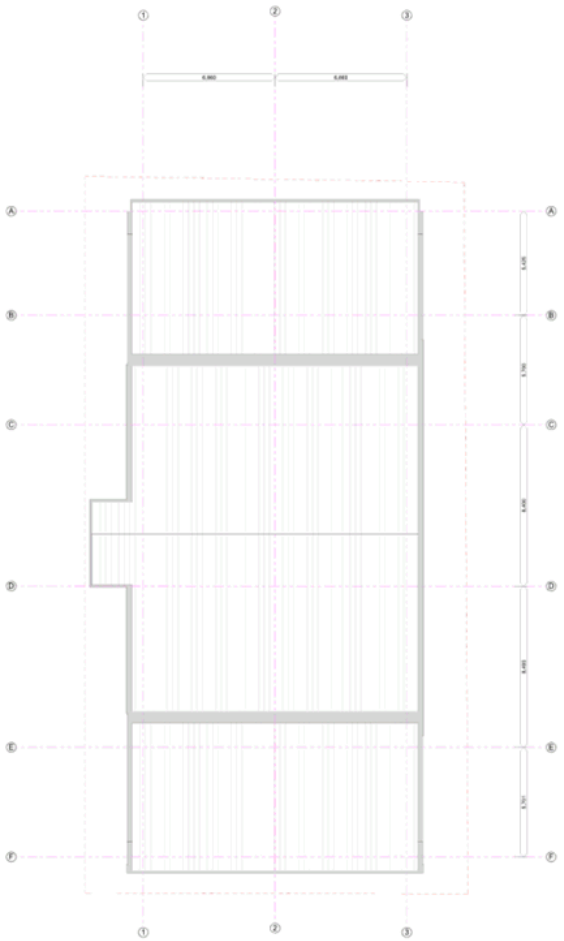
Superseded
City of HOBART

LXN
Architecture & Consulting

SECOND + THIRD
REV C - WIP
A2202

Superseded
City of HOBART



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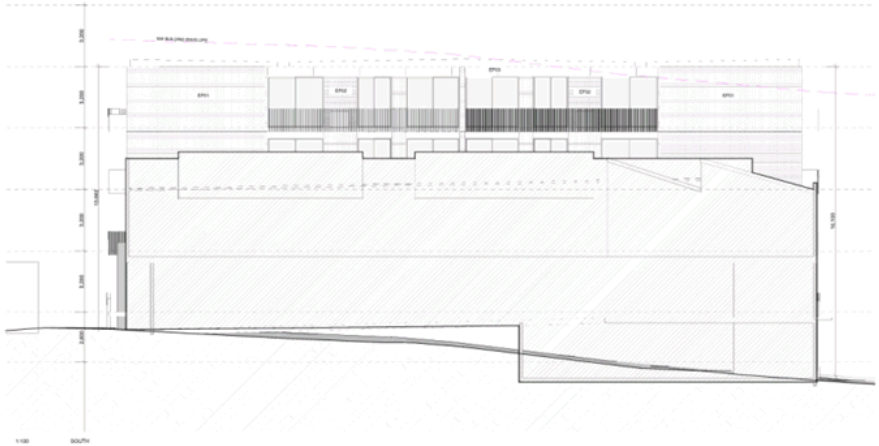

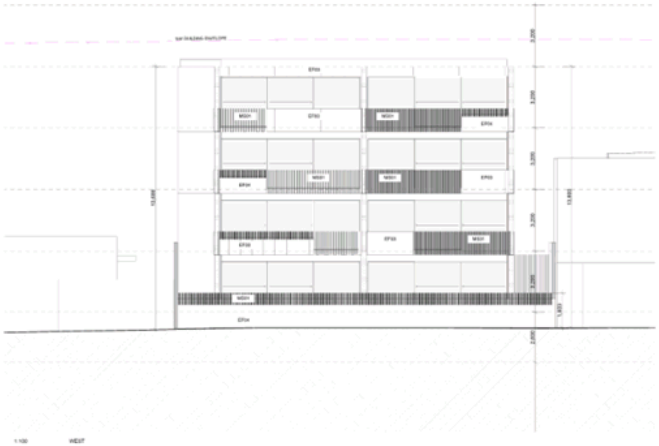

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WEST / SOUTH
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Superseded
City of HOBART

LXN
Architecture & Consulting

Analytical summary tables

C1 – C4

Appendix C

pitt&sherry

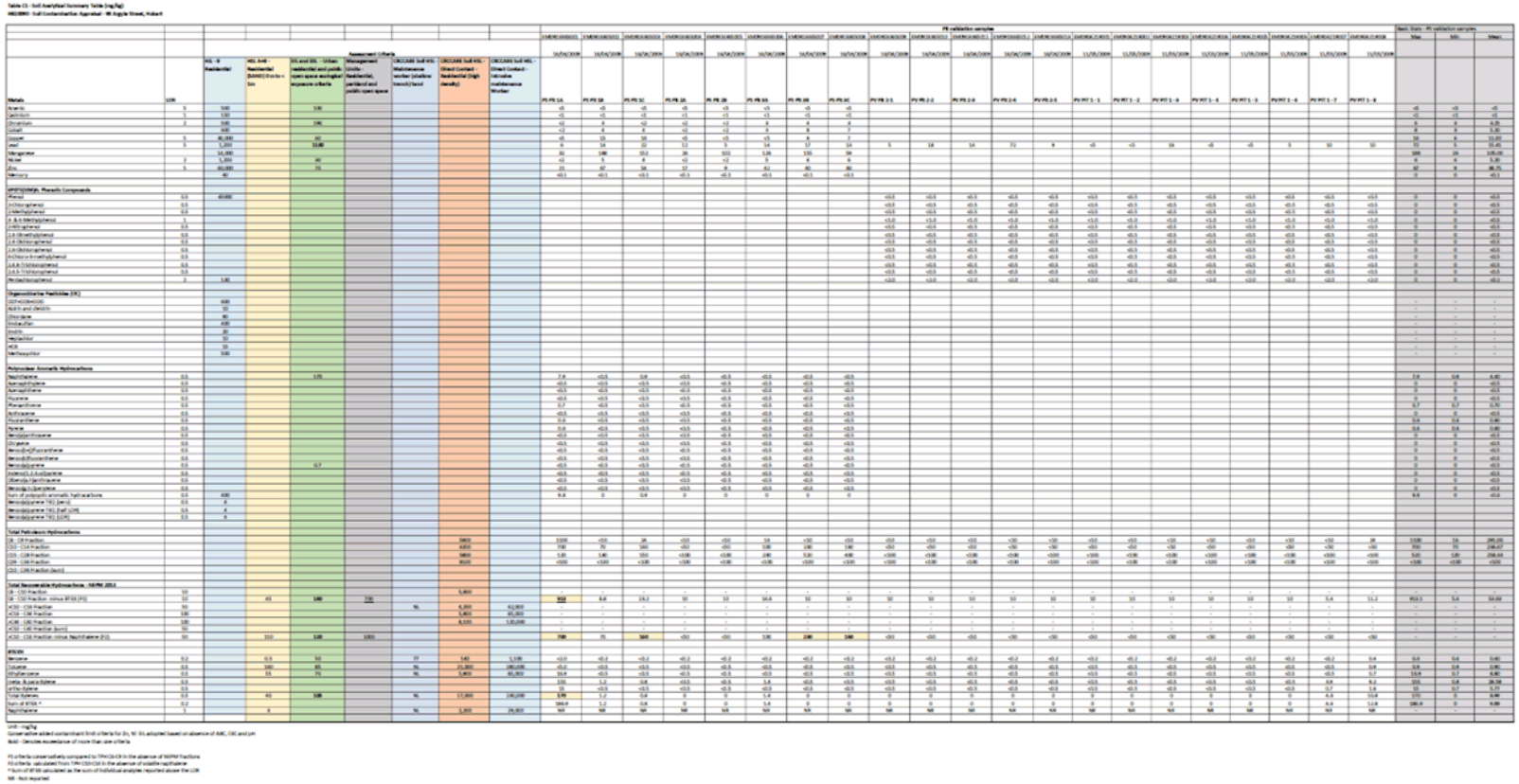

Table C1 continued - Soil Analytical Summary Table (mg/kg)
HB2090 - Soil Contamination Appraisal - 90 Argyle Street, Hobart

		Assessment Criteria							Site Surface Validation Samples									Basic Stats - Fill validation samples			
									EM0921669001	EM0921669002	EM0921669003	EM0921669004	EM0921669005	EM0921669006	EM0921669007	EM0921669008	EM0921669009	Max	Min	Mean	Standard Deviation
									16/03/2009	16/03/2009	16/03/2009	16/03/2009	16/03/2009	16/03/2009	16/03/2009	16/03/2009	16/03/2009				
Metals	LOR	HIL - B Residential	HSL A+B - Residential (SAND) 0 m to < 1m	EIL and ESL - Urban residential and public open space ecological exposure criteria	Management Limits - Residential, parkland and public open space	CRC CARE Soil HSL - Maintenance worker (shallow trench) Sand	CRC CARE Soil HSL - Direct Contact - Residential (high density)	CRC CARE Soil HSL - Direct Contact - Intrusive maintenance Worker	LC1	LC2	LC3	LC4	LC5	LC6	LC7	LC8	LC9				
Arsenic	5	500		100					<5	<5	<5	<5	<5	<5	8	15	<5	15	8	11.50	5.86
Cadmium	1	150							<1	<1	<1	<1	<1	<1	2	2	<1	2	2	2.00	0.00
Chromium	2	500		190					14	19	15	17	10	15	22	25	19	25	10	17.22	4.60
Cobalt		600							4	8	58	8	14	12	10	8	10	58	4	14.56	14.91
Copper	5	30,000		60					16	12	28	20	27	26	200	146	18	200	12	54.11	67.28
Lead	5	1,200		1100					118	42	62	17	35	66	1,380	1,780	90	1780	17	421.78	700.44
Manganese		14,000							71	95	169	74	200	200	414	517	148	517	71	209.78	150.55
Nickel	2	1,200		30					10	14	27	14	42	17	28	16	16	42	10	20.22	10.32
Zinc	5	60,000		70					65	39	67	44	115	105	1800	1250	154	1800	39	406.44	650.03
Mercury		40																			
EP075(SIM)A: Phenolic Compounds																					
Phenol	0.5	45000																			
2-Chlorophenol	0.5																				
2-Methylphenol	0.5																				
3- & 4-Methylphenol	1																				
2-Nitrophenol	0.5																				
2,4-Dimethylphenol	0.5																				
2,4-Dichlorophenol	0.5																				
2,6-Dichlorophenol	0.5																				
4-Chloro-3-methylphenol	0.5																				
2,4,6-Trichlorophenol	0.5																				
2,4,5-Trichlorophenol	0.5																				
Pentachlorophenol	2	130																			
Organochlorine Pesticides (OC)																					
DDT+DDE+DDD		600							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Aldrin and dieldrin		10							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Chlordane		90							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Endosulfan		400							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Endrin		20							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Heptachlor		10							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
HCB		15							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Methoxychlor		500							<0.15	<0.05	<0.05	<0.05	<0.05	<0.05	<0.15	<0.15	<0.15	<0.15	<0.15	<0.15	0.00
Polynuclear Aromatic Hydrocarbons																					
Naphthalene	0.5			170					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.00
Acenaphthylene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.5	<0.5	<0.5	<0.5	<0.5	0.17
Acenaphthene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.00
Fluorene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.00
Phenanthrene	0.5								<0.5	<0.5	0.6	<0.5	<0.5	<0.5	2	1.7	1	2	0.6	1.33	0.60
Anthracene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.5	<0.5	0.5	0.5	0.50	0.17
Fluoranthene	0.5								<0.5	<0.5	1.4	<0.5	<0.5	<0.5	4.2	4.8	2.1	4.8	1.4	3.13	1.42
Pyrene	0.5								<0.5	<0.5	1.5	<0.5	<0.5	<0.5	4.4	4.5	2.8	4.5	1.5	3.30	1.45
Benz(a)anthracene	0.5								<0.5	<0.5	0.6	<0.5	<0.5	<0.5	2.1	2.4	1.1	2.4	0.6	1.55	0.67
Chrysene	0.5								<0.5	<0.5	0.7	<0.5	<0.5	<0.5	2.8	2.8	1.1	2.8	0.7	1.85	0.98
Benzo(b+j)fluoranthene	0.5								<0.5	<0.5	0.7	<0.5	<0.5	<0.5	4.7	4.4	1.4	4.7	0.7	2.80	1.75
Benzo(k)fluoranthene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	3.9	1.1	<0.5	3.9	1.1	2.50	1.98
Benzo(a)pyrene	0.5			0.7					<0.5	<0.5	0.7	<0.5	<0.5	<0.5	8.0	4.0	1.5	8	0.7	3.55	3.27
Indeno(1,2,3-cd)pyrene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	2	1.9	0.8	2	0.8	1.57	0.65
Dibenz(a,h)anthracene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.00
Benzo(g,h,i)perylene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	2.5	2.4	0.7	2.5	0.7	1.87	1.01
Sum of polycyclic aromatic hydrocarbons	0.5	400							0.00	0.00	6.20	0.00	0.00	0.00	45.10	27.80	11.80	45.1	0	8.50	12.56
Benzo(a)pyrene TEQ (zero)	0.5	4									0.8				6.8	4.9	1.4				
Benzo(a)pyrene TEQ (half LOR)	0.5	4									1.1				6.8	6	1.7				
Benzo(a)pyrene TEQ (LOR)	0.5	4									1.4				6.8	6	2.0				
Total Petroleum Hydrocarbons																					
C6 - C9 Fraction	10																				
C10 - C14 Fraction	50																				
C15 - C28 Fraction	100																				
C29 - C36 Fraction	100																				
C10 - C36 Fraction (sum)	50																				
Total Petroleum Hydrocarbons																					
C6 - C9 Fraction							5600		<10	<10	<10	<10	<10	<10	<10	<10	<10	<10	<10	<10	0.00
C10 - C14 Fraction							4200		<50	<50	<50	<50	<50	<50	<50	<50	<50	<50	<50	<50	0.00
C15 - C28 Fraction							5800		<100	<100	<100	<100	120	<100	<100	<100	<100	120	120	120.00	40.00
C29 - C36 Fraction							8100		<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	0.00
C10 - C36 Fraction (sum)																					
Total Recoverable Hydrocarbons - NEPM 2013																					
C6 - C10 Fraction	10						5,600		-	-	-	-	-	-	-	-	-	-	-	-	-
C6 - C10 Fraction minus BTEX (F1)	10		45	180	700				10	10	10	10	10	10	10	10	10				
>C10 - C16 Fraction	50					NL	4,200	62,000	-	-	-	-	-	-	-	-	-	-	-	-	-
>C16 - C34 Fraction	100						5,800	85,000	-	-	-	-	-	-	-	-	-	-	-	-	-
>C34 - C40 Fraction	100						8,100	120,000	-	-	-	-	-	-	-	-	-	-	-	-	-
>C10 - C40 Fraction (sum)	50								-	-	-	-	-	-	-	-	-	-	-	-	-
>C10 - C16 Fraction minus Naphthalene (F2)	50		110	120	1000				<50	<50	<50	<50	<50	<50	<50	<50	<50	-	-	-	-
BTEXN																					
Benzene	0.2		0.5	50		77	140	1,100	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	0.00
Toluene	0.5		160	85		NL	21,000	280,000	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.2	<0.2	<0.2	0.00
Ethylbenzene	0.5		55	70		NL	5,900	85,000	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.2	<0.2	<0.2	0.00
meta- & para-Xylene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.2	<0.2	<0.2	0.00
ortho-Xylene	0.5								<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.2	<0.2	<0.2	0.00
Total Xylenes	0.5		40	105		NL	17,000	240,000	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00
Sum of BTEX ^	0.2								0	0	0	0	0	0	0	0	0	0	0	0	0
Naphthalene	1		3			NL	2,200	29,000	NR	NR	NR	NR	NR	NR	NR	NR	NR	-	-	-	-

Unit - mg/kg
Conservative added contaminant limit criteria for Zn, Ni EIL adopted based on absence of ABC, CEC and pH

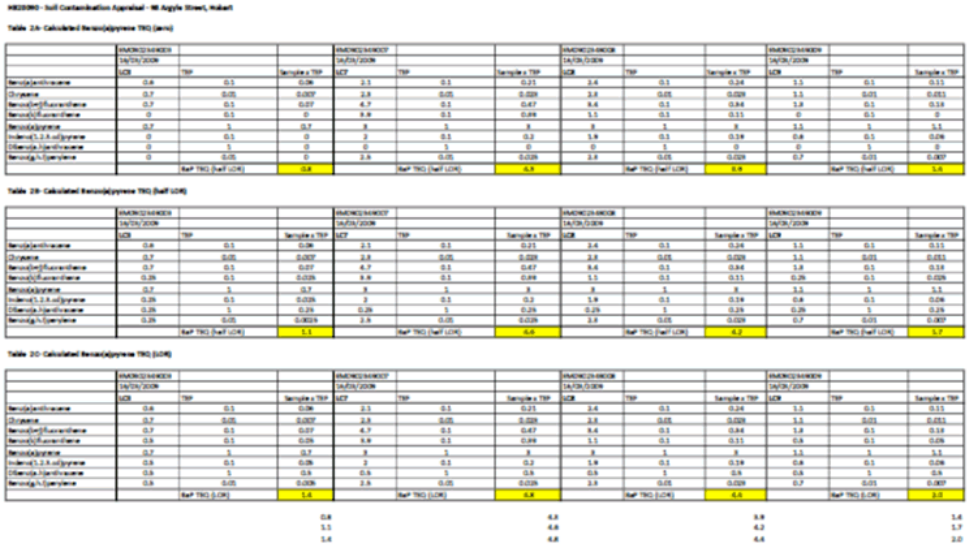

Table C5 - Calculated TRH F1 and F2 - Soil
HB20080 - Soil Contamination Appraisal - 88 Argyle Street, Hobart

	PE PB 1A	PE PB 1B	PE PB 1C	PE PB 2A	PE PB 2B	PE PB 3A	PE PB 3B	PE PB 3C	PV PB 3-1	PV PB 3-2
Total Petroleum Hydrocarbons										
C6 - C9 Fraction	1100	10	26	10	10	16	10	10	10	10
Calculated F1 (C6-C9 subtract BTEX)	919.1	8.8	25.2	10	10	14.6	10	10	10	10
C10 - C14 Fraction	700	70	160	ND	ND	100	290	180	ND	ND
Calculated F2 (C10-C14 conservatively adopted)	700	70	160	ND	ND	100	290	180	ND	ND
Sum of BTEX	180.9	1.2	0.8	0	0	1.4	0	0	0	0
Naphthalene	7.8	0.5	0.5	0.5	0.5	0.5	0.5	0.5		

	PV PB 3-3	PV PB 3-4	PV PB 3-6	PV PIT 1-1	PV PIT 1-2	PV PIT 1-3	PV PIT 1-4	PV PIT 1-5	PV PIT 1-6	PV PIT 1-7
Total Petroleum Hydrocarbons										
C6 - C9 Fraction	10	10	10	10	10	10	10	10	10	10
Calculated F1 (C6-C9 subtract BTEX)	10	10	10	10	10	10	10	10	10	5.4
C10 - C14 Fraction	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Calculated F2 (C10-C14 conservatively adopted)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Sum of BTEX	0	0	0	0	0	0	0	0	0	4.8
Naphthalene										

	PV PIT 1-8	LC1	LC2	LC3	LC4	LC5	LC6	LC7	LC8	LC9
Total Petroleum Hydrocarbons										
C6 - C9 Fraction	14	10	10	10	10	10	10	10	10	10
Calculated F1 (C6-C9 subtract BTEX)	11.2	10	10	10	10	10	10	10	10	10
C10 - C14 Fraction	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Calculated F2 (C10-C14 conservatively adopted)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Sum of BTEX	11.8	0	0	0	0	0	0	0	0	0
Naphthalene		0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5

Note - LOR adopted to calculate F1 and F2

Table C4 - Groundwater Analytical Summary Table (mg/kg)
HB20940 - Soil Contamination Appraisal - 90 Argyle Street, Hobart

				RSG	RSG	RSG
				EMON21349010	EMON21349011	EMON21349012
				17/04/2009	17/04/2009	17/04/2009
	Units	LOR	HIL A and B low - high density residential sand 2m - <4m	BH1	BH2	BH3
Dissolved Metals by ICP-MS						
Lead	mg/L	0.001		0.084	0.077	0.162
Phenols						
Phenol				<1.0	<1.0	<1.0
2-Chlorophenol				<1.0	<1.0	<1.0
2-Methylphenol				<1.0	<1.0	<1.0
3- & 4-Methylphenol				<2.0	<2.0	<2.0
2-Nitrophenol				<1.0	<1.0	<1.0
2,4-Dimethylphenol				<1.0	<1.0	<1.0
2,4-Dichlorophenol				<1.0	<1.0	<1.0
2,6-Dichlorophenol				<1.0	<1.0	<1.0
4-Chloro-3-methylphenol				<1.0	<1.0	<1.0
2,4,6-Trichlorophenol				<1.0	<1.0	<1.0
2,4,5-Trichlorophenol				<1.0	<1.0	<1.0
Pentachlorophenol				<2.0	<2.0	<2.0
Total Petroleum Hydrocarbons						
C6 - C9 Fraction	µg/L	20		<20	<20	40
C10 - C14 Fraction	µg/L	50		<50	<50	70
C15 - C28 Fraction	µg/L	100		200	600	200
C29 - C36 Fraction	µg/L	50		<50	<50	<50
C10 - C36 Fraction (sum)	µg/L	50				
Total Recoverable Hydrocarbons - NEPM 2013 Fractions						
C6 - C10 Fraction	µg/L	20				
C6 - C10 Fraction minus BTEX (F1)	µg/L	20	1000	<20	<20	40
>C10 - C16 Fraction	µg/L	100				
>C16 - C34 Fraction	µg/L	100				
>C34 - C40 Fraction	µg/L	100				
>C10 - C40 Fraction (sum)	µg/L	100				
>C10 - C16 Fraction minus Naphthalene (F2)	µg/L	100	1000	50	50	70
BTEXN						
Benzene	µg/L	1	300	<1	<1	<1
Toluene	µg/L	1	NL	<2	<2	<2
Ethylbenzene	µg/L	2	NL	<2	<2	<2
meta- & para-Xylene	µg/L	2		<2	<2	<2
ortho-Xylene	µg/L	2		<2	<2	<2
Total Xylenes	µg/L	2	NL			
Sum of BTEX *	µg/L	1		0	0	0
Naphthalene	µg/L	5	NL			

* Sum of BTEX calculated as the sum of individual analytes reported above the LOR
Assumes that groundwater abstraction for beneficial use onsite will not occure.

Table C5- Calculated TRH F1 and F2 - Water
HB20090 - Soil Contamination Appraisal - 98 Argyle Street, Hobart

	BH1	BH2	BH3
Total Petroleum Hydrocarbons			
C6 - C9 Fraction	20	20	40
Calculated F1 (C6-C9 subtract BTEX)	20	20	40
C10 - C14 Fraction	<50	<50	70
Calculated F2 (C10-C14 value only)	50	50	70
Sum of BTEX	0	0	0
Naphthalene	NR	NR	NR

Note - LOR adopted to calculate F1 and F2
Not reported

pitt&sherry

HB20090 – Site Contamination Appraisal

98 Argyle St, Hobart

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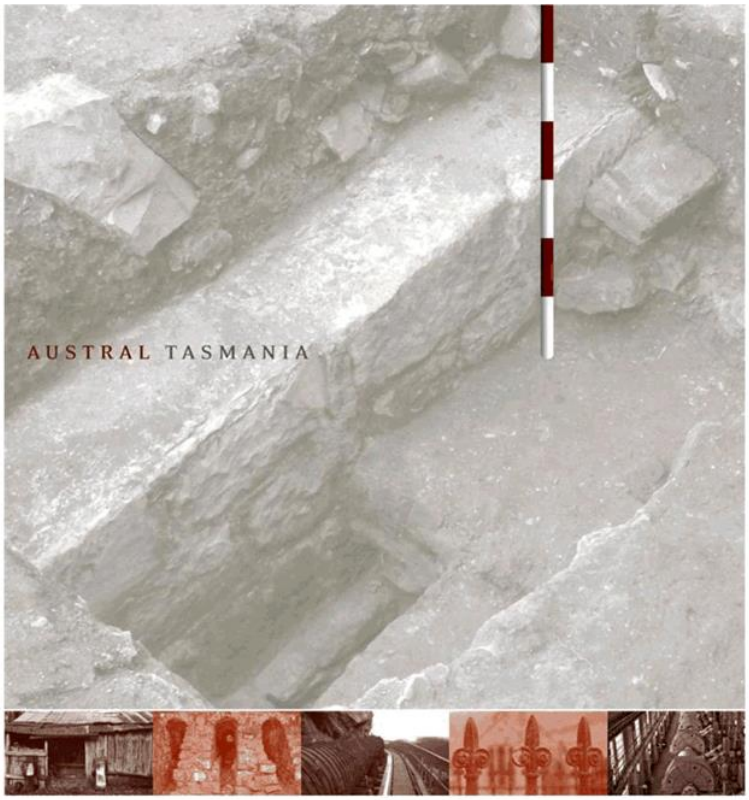
ref: HB20090H001 Rep 31P Rev 01/DL/cy



98 Argyle Street, Hobart

Archaeological Impact Assessment

Final Report prepared for Costmac Investments Pty Ltd

AT0288

21 February 2020

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Document Version	Date	Review Reason	Prepared By	Reviewed and Approved By
Draft V1	21.02.20	Quality Assurance	James Puustinen	Justin McCarthy
Final	21.02.20	Client Review	James Puustinen	Josh Crossin

EXECUTIVE SUMMARY

Introduction

Costmac Investments Pty Ltd has proposed the construction of an apartment complex at 98 Argyle Street, Hobart. The property is within the Place of Archaeological Potential defined by Figure E13.4.1 of the *Hobart Interim Planning Scheme 2015*, and Hobart City Council has requested the preparation of an Archaeological Impact Assessment as part of the Development Application.

Archaeological Potential and Significance of the Study Area

The Statement of Archaeological Potential concludes that the majority of the site (some 530m²) has low archaeological potential. This relates to the footprint of the extant building which is likely to have highly disturbed archaeological features and deposits in this area. The remaining 210m² of the study area is assessed as having moderate archaeological potential. This area relates to the small car park located on the Argyle Street frontage of the lot. This area has the potential to contain structural and artefactual evidence of four mid-nineteenth century buildings which at various times combined residential and commercial functions. The archaeological potential has been assessed as having historical value and research potential.

Archaeological Impact Assessment

From the review of the proposed development, the assessment concludes that the development will result in minor archaeological impacts. The development largely avoids subsurface disturbance, the exception being pad foundations, footing and service trenches. Within the area of moderate archaeological potential, it is estimated that these works will total approximately 47.8m², which equates to archaeological impacts of about 22% of the area zoned as having potential.

These limited impacts may include some disturbance of subsurface archaeology. However, the extent of impact would not prevent future investigation of the site and the meaningful interpretation of the surviving archaeological material.

Subject to control measures of archaeological monitoring and recording, these impacts can be effectively mitigated, and the extent of impact is considered acceptable. The majority of the area zoned as having moderate potential (78%) will not be impacted by the development.

Recommendation

Recommendation 1: Statutory Compliance

This Archaeological Impact Assessment should form part of the Development Application to Hobart City Council.

Recommendation 2: Managing Potential Aboriginal heritage

The Unanticipated Discovery Plan for managing Aboriginal heritage (Appendix 1) should form part of the Project Specifications.

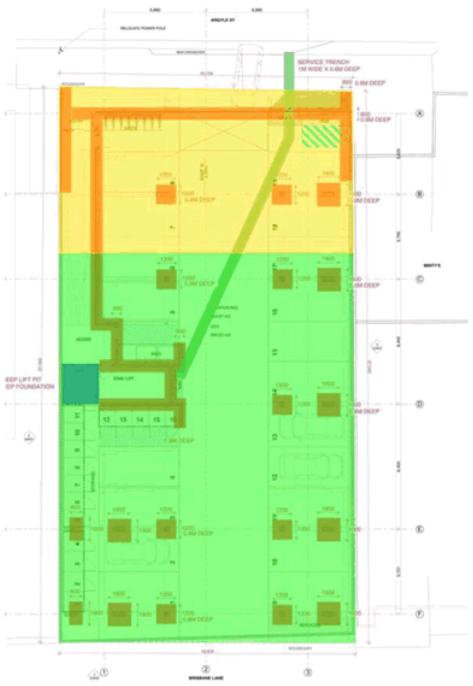
Recommendation 3: Archaeological Monitoring

Excavations occurring within the area zoned as having moderate archaeological potential and shown in the following Figure by yellow shading are to be archaeologically monitored by a suitably qualified and experienced archaeologist.

Following the marking and cutting (as required) of the monitoring areas, the existing surface should be carefully removed by machine under archaeological supervision. Excavation can proceed using a small machine equipped with a range of flat-edged or 'mud buckets' (generally 400-1200 mm wide) to remove the majority of consolidated deposits.

Mechanical excavation will be undertaken via a series of shallow scrapes so that the exposed surface in the trench is progressively reduced in a controlled manner.

Where safe to do so, small hand tools such as picks, shovels, pointing trowels, brushes and pans will be used in manual excavation for cleaning up excavated areas or revealing exposed features or deposits. The archaeologist will endeavour to expose and identify all significant historic features and deposits.



Archaeological Zoning Plan showing areas of excavations. Excavations within the yellow area zoned as having moderate potential are to be archaeologically monitored (LXN Architecture & Consulting).

Recommendation 4: Recording Methods

Basic, best practice, principles of stratigraphic excavation and recording will be adopted. Recording and documentation of archaeological contexts will conform to standard archaeological methods. The archaeological works will be recorded by way of photographs, written descriptions and grid co-ordinates taken with a handheld GPS unit.

All significant elements will be photographed with a scale bar. Digital media will be used for photographic recording.

The archaeologist will keep a field journal and a visual diary, creating a written and photographic record of the progression of the excavation.

Recommendation 5: Artefact Collection and Post-Excavation Analysis

Only artefacts recovered from significant or potentially significant *in situ* artefact bearing contexts will be retrieved and retained for post-processing. Artefacts from imported fill deposits, disturbed contexts, and/or which are non-diagnostic will not be retained unless they are rare, and/or have a high interpretive value or are otherwise of significance. Artefacts will be recorded with all standard information required to identify them. Following analysis and reporting, the artefact assemblage will be handed over to the Client.

Recommendation 6: Preparation of post-excavation report

An illustrated monitoring report will be produced on completion of the site works and artefact analysis tasks. If significant finds are made and/or substantial excavation is undertaken, a more detailed report will be required.

Recommendation 7: Protocol for Managing Unanticipated Historical (European) Archaeological Discoveries during Excavations Occurring within the Area Zoned as Having Low Potential

The study area has been assessed as having largely low archaeological potential to contain significant archaeological features or deposits, and this area is depicted in the Archaeological Zoning Plan by the green shading.

Excavations within this area can proceed without archaeological oversight. However, as a precaution, the project specifications should include notification protocols whereby archaeological advice is sought if features or deposits of an archaeological nature are uncovered during excavation or where doubt exists concerning the provenance of any strata revealed during excavations. This may include but not be limited to the exposure of any structural material made from bricks, stone, concrete or timber and forming walls or surfaces, or the presence of more than five fragments of artefacts such as ceramic, shell, glass or metal from within an area of no more than 1 m^2.

In such instances, excavation should immediately cease pending attendance on site and receipt of advice from the archaeological consultant, at which point, depending on the findings, it may also be necessary to involve Hobart City Council in discussions.

TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 Client and project details

Costmac Investments Pty Ltd has proposed the construction of an apartment complex at 98 Argyle Street, Hobart. The site currently contains facilities associated with a former car show room and street frontage car parking (Figure 1).

In support of this development, Hobart City Council has requested the preparation of an Archaeological Impact Assessment (AIA), which determines the potential for impacts arising from the proposed development. This report has been prepared in accordance with the definition of an AIA contained in the *Hobart Interim Planning Scheme 2015* (*HIPS 2015*).

Figure 1: 98 Argyle Street study area outlined in red (Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania).

1.2 Authorship

This report was written by Justin McCarthy and James Puustinen and reviewed by Alan Hay.

1.3 Limitations and constraints

This assessment is limited to consideration of historical archaeological values within a scope defined by the *HIPS 2015*. The assessment of Aboriginal archaeological and cultural values, built heritage, landscape and social values is beyond the scope of this study.

The results and judgements contained in this report are constrained by the limitations inherent in overview type assessments, namely accessibility of historical information within a timely manner. Whilst every effort has been made to gain insight to the historic heritage profile of the subject study area, Austral Tasmania Pty Ltd cannot be held accountable for errors or omissions arising from such constraining factors.

All maps are oriented with North at the top of the page unless otherwise assigned.

1.4 Heritage Review

The study area is located within the planning area of the *HIPS 2015*. It is within the Place of Archaeological Potential defined by Figure E13.4.1 of the *HIPS 2015*. The Scheme defines an Archaeological Impact Assessment (AIA) as:

> Means a report prepared by a suitably qualified person that includes a design review and describes the impact of proposed works upon archaeological sensitivity (as defined in a statement of archaeological potential).[1]

This report has been prepared in accordance with the Scheme definition.

The *Historic Cultural Heritage Act 1995* does not apply to the property.

An Aboriginal Heritage Property Search has been carried out. This has not identified any registered Aboriginal relics or apparent risk of impacting Aboriginal relics. All Aboriginal heritage is protected under the *Aboriginal Heritage Act 1975*, and an Unanticipated Discovery Plan should be followed during works. This plan is included at Appendix 1.[2]

1.5 Acknowledgements

The assistance of the following people and organisations is gratefully acknowledged:

- Mr Josh Crossin, LXN Architecture;
- Ms Sarah Lindsay, LXN Architecture;

[1] *HIPS 2015*, Cl.E13.3
[2] Aboriginal Heritage Search Record, 98-110 Argyle Street, Hobart (PID 7589903), PS0098584

2.0 STATEMENT OF ARCHAEOLOGICAL POTENTIAL

2.1 Introduction

An Archaeological Impact Assessment must be prepared by reference to a Statement of Archaeological Potential (SoAP). This report addresses the definition requirements of a SoAP in the *HIPS 2015*, which are:

(a.) a written and illustrated site history;

(b.) overlay plans depicting the main historical phases of site development and land use on a modern base layer;

(c.) a disturbance history;

(d.) a written statement of archaeological significance and potential accompanied by an archaeological sensitivity overlay plan depicting the likely surviving extent of important archaeological evidence (taking into consideration key significant phases of site development and land use, and the impacts of disturbance).[3]

2.2 Written and Illustrated Site History

Given its central location, it is likely that the study area was subject to informal uses such as timber getting or agriculture in the years following British colonisation in 1804. However, details of such possible uses are not recorded.

The earliest documentation regarding the study area relates to land alienation. At some stage prior to 1824, Samuel Brammer acquired a lease over the property. At this stage it extended to the corner of Argyle and Brisbane streets, and contained approximately 1,800m². Properties were initially held as leases from the Crown for periods varying from 14 to 21 years. If, at the conclusion of the period the leaseholder had fulfilled their development obligations, they would then be eligible to receive a grant over the property.[4]

Samuel Brammer, also known as James Brammer had arrived in New South Wales in 1806 under sentence for felony. He was awarded his certificate of freedom in 1811 and arrived in Hobart in 1813, where he became overseer of brickmakers.[5] The date at which Brammer acquired the study area has not been established, but was probably during the late 1810s, early 1820s, which is consistent with the general pattern of land alienation in Hobart. The 1824 register also noted that his land contained a hut.[6]

By the early 1830s, Brammer had transferred the land to James Thompson who owned all the land on the Argyle Street frontage of the block. Thompson succeeded in having the land granted to him in 1837.[7]

A series of maps from the 1830s consistently show the study area as vacant. This changes in the early 1840s with the sale and subdivision of the property into two lots and the construction of several buildings. The southern lot contained a masonry house, whilst the northern lot included a pair of conjoined timber dwellings. Timber outbuildings were located in the rear of both lots.[8]

Generally, these houses were used as rental properties, and leased to numerous tenants over the years, including a Mrs White and S Duke (1847), William Cochrane, John Williamson and Thomas Pearse (1855), Isaac Maddocks (1860), and Robert Henry, William Cernes, James Pace and Thomas Hefell (1865). At some stage between 1855-60, a third house was constructed off the northern end of the existing conjoined timber buildings. At one time or another, all buildings within the study area combined both residential and commercial premises of shops, a common practice during the

[3] *Ibid*
[4] TAHO LSD428/2/3, Samuel Brammer
[5] https://fretwelliana.files.wordpress.com/2019/03/profile-davis-mary-minimum.pdf
[6] TAHO LSD428/2/3
[7] TAHO, SC309/1/293, Applications for Land Grant Register
[8] TAHO, AF393/1/8, Map – Sprent's Page 7 - Bounded by Brisbane St, Argyle, Melville and Elizabeth Streets (Section Pp) Hobart

nineteenth century. A selection of early Assessment and Valuation Rolls for the property is included at Appendix 2.[9]

The study area retained this level of development until at least the mid-twentieth century. The lot was subsequently cleared, with the frontage given over to car parking, and a small building at the rear of the lot. It was redeveloped again during the early twenty first century as part of the vehicle showroom development located on the corner of Argyle and Brisbane streets. This building remains in place to today.

2.3 Historic Map Series

The following section reproduces historic maps of the study area from 1828 to 1973. Maps are accompanied by explanatory text tracing the history of development of the study area.

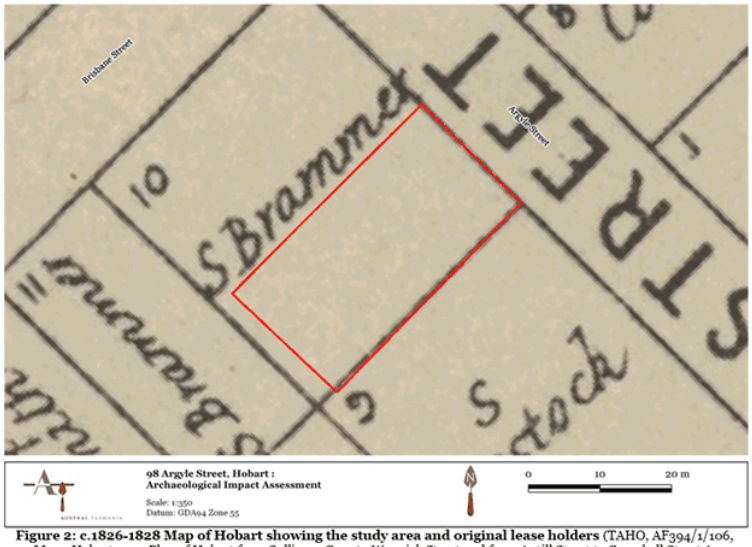


Figure 2: c.1826-1828 Map of Hobart showing the study area and original lease holders (TAHO, AF394/1/106, Map - Hobart 104 - Plan of Hobart from Sullivans Cove to Warwick Street and from Antill Street to Campbell Streets).

Figure 2 shows the original subdivision pattern and the lease holder of the land Samuel (James) Brammer.

[9] TAHO, Assessment and Valuation Rolls

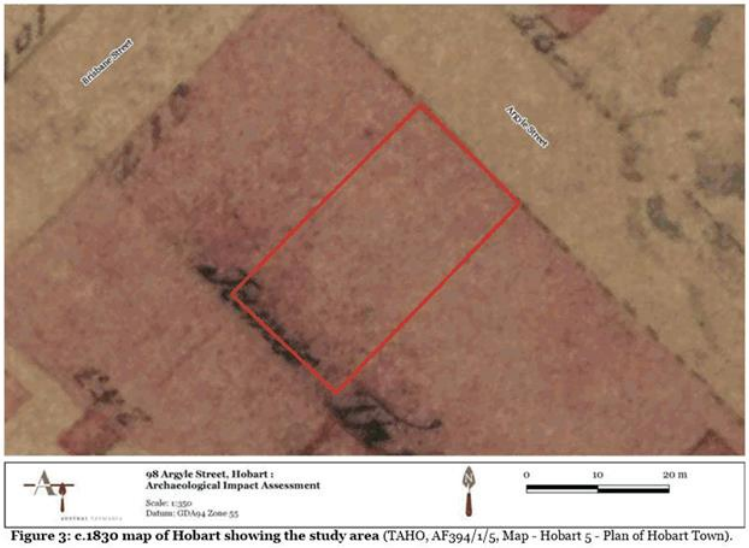


Figure 3: c.1830 map of Hobart showing the study area (TAHO, AF394/1/5, Map - Hobart 5 - Plan of Hobart Town).

Figure 3 is one of the earlier maps showing built development in Hobart. The red shading indicates that building works were occurring on the lot at the time this map was being prepared, but elsewhere on Thompson's larger property, and not within the study area.

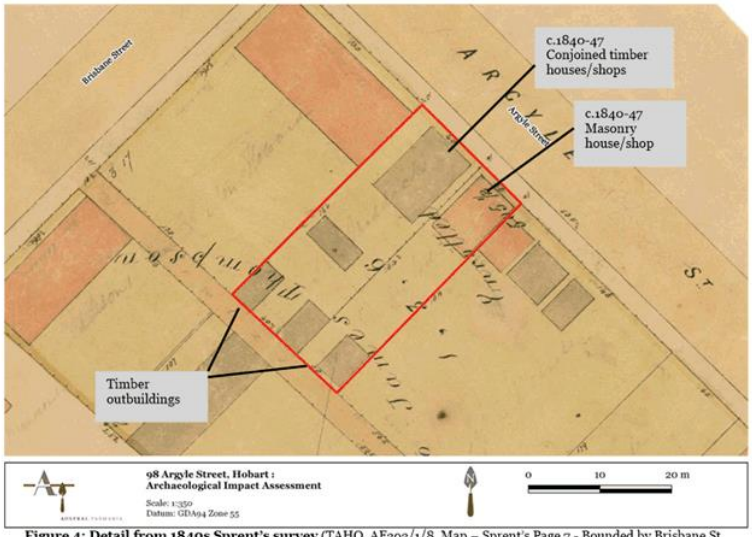


Figure 4: Detail from 1840s Sprent's survey (TAHO, AF393/1/8, Map – Sprent's Page 7 - Bounded by Brisbane St, Argyle, Melville and Elizabeth Streets (Section Pp) Hobart).

Sprent's survey is the first accurate depiction of the property and its subdivision into two lots. The buildings indicated on the plan were constructed from c.1840-47. At different times, all buildings combined residential and commercial functions.

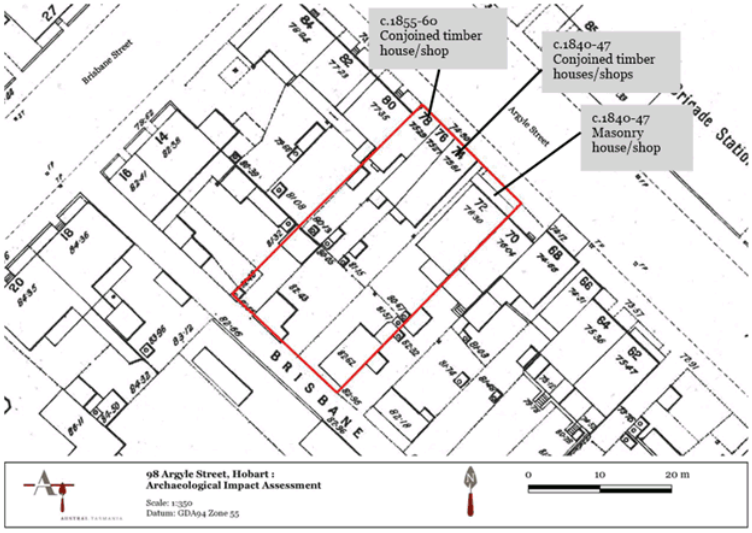


Figure 5: 1905 Drainage Board Plan (TAHO, Metropolitan Drainage Board, City of Hobart Detail Plan No.7 (City Centre), 1905).

The 1905 plan shows the same key buildings first depicted by Sprent, with the addition of the c.1855-60 combined dwelling and residence at the far northern end of the lot, identified as 78 Argyle Street in the above Figure. The plan also shows the subdivision of the rear yard and multiple outbuilding within this space and presumably accessed from Brisbane Lane. The use of these buildings is not recorded in Assessment Rolls.

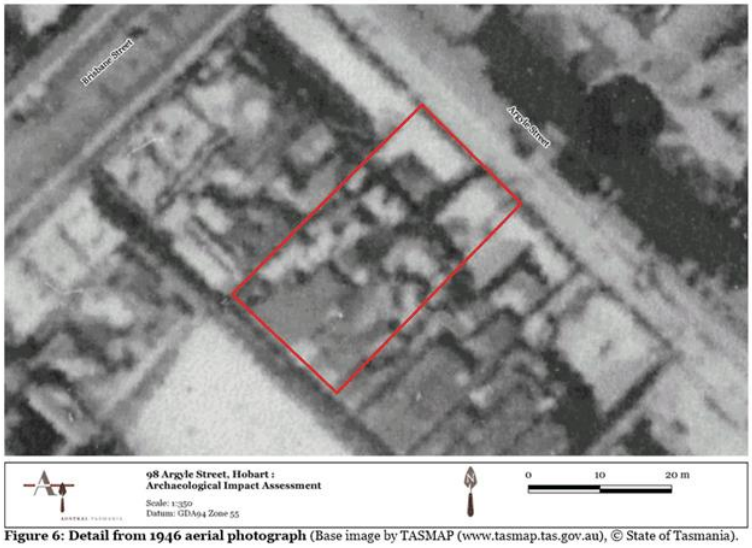


Figure 6: Detail from 1946 aerial photograph (Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania).

Although less than clear, the 1946 aerial shows the same key buildings on the street frontage as depicted on the earlier 1905 Drainage Plan. The yard spaces fronting Brisbane Lane appear largely clear.

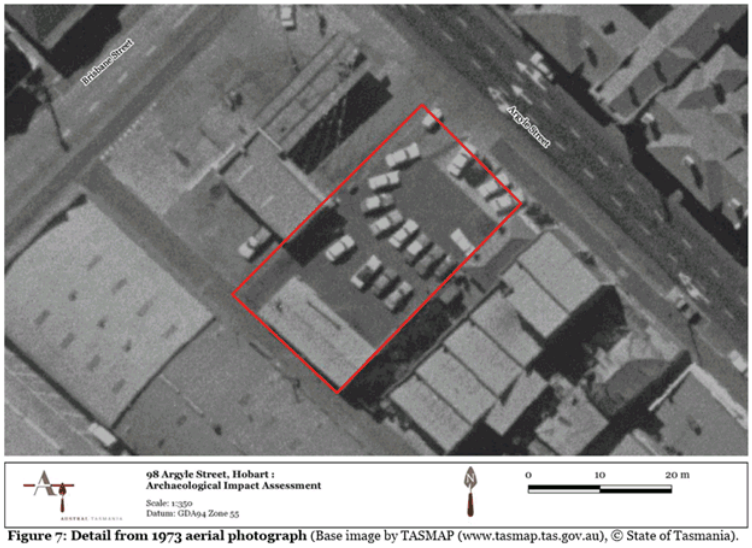


Figure 7: Detail from 1973 aerial photograph (Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania).

The 1973 aerial shows the clearance of the block and use as car parking, possibly associated with the adjacent petrol station on the corner block?

2.4 Disturbance History

The following sections discuss the potential for survival of archaeological features and deposits within the study area from each key phase of development. In doing so, it takes into account the disturbance history as gleaned from documentary sources and inspection of the site in the present. It attempts to establish how one phase of development may have affected a previous phase.

A site visit was carried out to clarify the understanding of disturbances and potential. The study area occupies approximately 740m². Historically the land was higher at the rear of the lot on the Brisbane Lane frontage, and fell towards the street frontage. The site has subsequently been cut and benched to create a largely level lot.

The majority of the site (some 530m²) is occupied by the early twenty first century building, located towards the rear of the lot. The remaining 210m² is occupied by a sealed car park on the street frontage. The car park falls gently to the north east and Argyle Street (Figures 8-9).

Figure 8: 98 Argyle Street, looking SW.

Figure 9: The car park fronting the site, note the fall in the land. Looking S.

The study area has a relatively simple disturbance history which can be divided into three key phases:

1. c.1840-c.1860: The construction of masonry and timber dwellings on the street frontages with outbuildings to the rear. By 1860 the property included four dwellings. At various times all buildings were used as houses combined with shop functions.
2. Mid-late twentieth century: Site clearance, probably as part of the development of the adjacent petrol station. A small building was located to the rear of the lot, with the majority of the site used for car parking.
3. Early twenty first century: Site redevelopment, with the construction of the extant building which occupies the majority of the lot.

The conclusion drawn from the above is that the study area has both a simple phasing and high levels of disturbances occurring from the mid twentieth, to early twenty first century. The exception to this is the car park on the street frontage which appears to have suffered fewer disturbances that may have resulted in the destruction of the archaeological resource. Comparing 1905 to 2020 elevations, cuttings in the order of 0.54m appear to have occurred closer to the street frontage, but increase in depth at the rear of the lot to approximately 1.56 m. The construction of the extant building along with its footings would have resulted in greater levels of disturbance within its footprint.

2.5 Assessment of Archaeological Potential

An assessment of archaeological potential establishes the likelihood of archaeological features or deposits existing at a particular place, and provides a level of judgment as to the likely surviving intactness of the archaeological resource. This, when tied in with the extent to which a site may contribute knowledge not available from other sources, establishes the archaeological significance of the place, or its research value or potential which is Criterion (c) under the *Historic Cultural Heritage Act 1995*.

Archaeological potential is thus a factor in establishing archaeological significance. For example a site that is assessed to have a high level of intactness (i.e., not badly disturbed) is likely to be assessed to have a high level of archaeological potential; but if it is common and well understood and does not have research potential, it will have a low level of archaeological significance. Conversely, a site that is assessed to have a low level of intactness (i.e., badly disturbed) is likely to be assessed to have a low level of archaeological potential; but if it is rare and/or not well understood and has research potential, it will have a high level of archaeological significance.

The archaeological potential of the study area is stated as follows:

- The footprint of the extant building is assessed as having low archaeological potential. Ground reduction works in the order of 1.56m coupled with the construction of the building is likely to have disturbed, if not destroyed, archaeological features and deposits within this area.
- The street frontage car park is assessed as having a moderate level of archaeological potential. There has been some disturbances from site clearance in this area during the mid-twentieth

century, however the ground reductions in the order of 0.54m is unlikely to have destroyed all archaeological evidence in this location. The car park coincides with the majority of the footprints of the mid-nineteenth century combined housing and commercial buildings on the street frontage.

Ground level car parks have proved to be highly prospective environments for survival of underlying archaeological features and deposits. They are generally established through levelling as opposed to deep excavation, the latter typically reserved for service trenches which result in discrete as opposed to widespread disturbance. This often results in the truncation (but not total removal) of archaeological evidence. Austral Tasmania (and its predecessor in Tasmania, Austral Archaeology) have been involved in a number of assessments and excavations in recent years where car parks have effectively capped a variety of significant archaeological sites [e.g., Theatre Royal car park (Hobart 2016), Montpelier Retreat car park (Hobart 2015), Melville Street car park (Hobart 2015), Paterson Street, Wellington Square (Launceston, 2009), Tasmanian Museum and Art Gallery (Hobart, 2008) and Dunn Place (Hobart, 2007)].

The potential for structural evidence of the timber buildings to have survived is variable and determined by a number of factors. Timber buildings that were erected on timber footings usually leave little surviving evidence, save perhaps the footing holes. However, timber buildings supported on brick or stone footings are more likely to leave tangible remnants, if demolished prior to the 1940s when the use of earthmoving equipment for demolition became common.[10]

2.6 Archaeological Zoning Plan

Based on the historical research, disturbance history and assessment of potential, an Archaeological Zoning Plan (AZP) has been prepared for the study area (Figure 10).

This AZP adopts a simplified depiction of potential for the study area. The majority of the study area has been zoned as having low archaeological potential and this is indicated by green shading. This relates to the extant building and covers approximately 530m^2.

The car park which corresponds with the footprints of mid-nineteenth century development is zoned as having moderate archaeological potential and shown by yellow shading. This covers approximately 210m^2.

[10] Austral Archaeology Pty Ltd, *Archaeological Investigation of the Hobart Magistrates' Court*, report prepared for the Tasmanian Department of Justice, Hobart, 1994, p.7

Figure 10: Archaeological Zoning Plan for the study area. Green shading refers to low archaeological potential, yellow indicates moderate potential (Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania).

2.7 Statement of Archaeological Significance

The study area is a place of archaeological significance. Developed from c.1840-60, the study area contained four houses which at various times were also used for commercial premises. This is not an early period in the European settlement and development of Hobart, but does mark a time of consolidation and higher densities in urban development. Archaeological evidence of this development has moderate potential to exist in the car park location, and low potential within the remainder of the property.

Structural and artefactual deposits from this development may provide information on working class residents who left few records of their daily lives. Structural evidence may assist in understanding construction techniques and quality of housing. Artefact deposits may assist in understanding how these places were used, and the lives of residents. Extended occupation can have a distinctive archaeological signature with the capacity to provide original insights (not available in the literature) to the lives, pastimes and occupations of nineteenth century urban dwellers. These investigations – and many others like them – yielded artefact assemblages that on analysis enabled new understanding of these areas. When coupled with the records of occupancy, the potential exists to reconcile place based information with names, providing valuable insights to lives otherwise unremarked.

All buildings were used at one time or another as shops. This archaeology could provide new information, not available from other sources, regarding the evolution, design and modification of buildings for commercial purposes; the types of businesses on the site; how they changed over time; nineteenth century consumerism, and the sources and availability of goods; and how the people who ran these businesses lived.

3.0 ARCHAEOLOGICAL IMPACT ASSESSMENT

3.1 Design Review

A Design Review is a means of quantifying the extent of possible impacts to areas of archaeological potential. It does so by identifying areas and depths of proposed excavation and how these may correspond with locations of archaeological potential. This assists in determining an archaeological strategy and management techniques.

This description should be read in conjunction with the following Figures. The proposed development is a four storey apartment complex which will occupy nearly all of the lot. The building will include a car park on the ground floor with apartments above.

Within the context of considering archaeological impacts, the following description relates solely to aspects involving excavation. The existing slab and pre-cast perimeter walls will be retained as part of the development. Sections will cut out of the slab to allow new pad foundations and columns, these columns are located on the grid lines.[11]

Figure 14 shows these areas of excavation below the existing slab. With regard to the Archaeological Zoning Plan, excavations within the area of moderate archaeological potential will include:

- Three pad footings measuring 1.2 x 1.2m in area and 0.8m deep.
- The excavation of trenches around the northern perimeter of the building to accommodate footings. These will be 0.8m wide and 0.8m deep. Approximately 32m of these trenches corresponds with the area of moderate archaeological potential.
- The excavation of a service trench on a north easterly alignment. The service trench will be 1m wide and 0.8m deep. Approximately 11.5m of this trench corresponds with the area of moderate archaeological potential.

3.2 Assessment of Impacts to Archaeological Potential

From the review of the proposed development, the assessment concludes that the development will result in minor archaeological impacts. The development largely avoids subsurface disturbance, the exception being pad foundations, footing and service trenches. Within the area of moderate archaeological potential, it is estimated that these works will total approximately 47.8m², which equates to archaeological impacts of about 22% of the area zoned as having potential.

These limited impacts may include some disturbance of subsurface archaeology. However, the extent of impact would not prevent future investigation of the site and the meaningful interpretation of the surviving archaeological material.

Subject to control measures of archaeological monitoring and recording, these impacts can be effectively mitigated, and the extent of impact is considered acceptable. The majority of the area zoned as having moderate potential (78%) will not be impacted by the development.

3.3 Assessment against the Performance Criteria

The *HIPS 2015* establishes a series of Performance Criteria in clause E13.10.1 for assessing archaeological impacts. The standards emphasise the importance of protecting or managing places of archaeological potential. Each criterion is assessed in the Table below.

Performance Criteria	Response
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;	The assessment of archaeological potential for the study area is a predictive statement that has not been confirmed through physical investigations.

[11] Email, Josh Crossin, LXN Architecture & Consulting to James Puustinen, Austral Tasmania Pty Ltd, 12 February 2020

Performance Criteria	Response
	The assessment concludes that approximately 530m² of the study area has low archaeological potential, with the remaining 210m² having moderate potential.
(b) measures proposed to investigate the archaeological evidence to confirm predictive statements of potential;	The proposed measures to investigate the archaeological potential of the place are detailed in section 4.0 of this report. In summary, in consists of the archaeological monitoring and recording of those excavations occurring withiOn the zone of moderate potential. Having in place an unanticipated discovery protocol is recommended for excavations occurring within the area zoned as having low archaeological potential.
(c) strategies to avoid, minimise and/or control impacts arising from building, works and demolition;	The proposed development will result in minor archaeological impacts, amounting to approximately 22% of the area zoned as having moderate potential. This is considered consistent with the objective of 'must not unnecessarily impact on archaeological resources'.
(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;	The proposed works are considered to result in a minor archaeological impact. As such, there is little prudence in identifying alternatives that would lessen this already small impact. Appropriate measures are proposed to realise the archaeological evidence within a limited scope of narrow trenches. The small scale of works means there is little 'meaningful public benefit' that could be derived from the monitoring, beyond submission of a report to City Council at the end of works.
(e) measures proposed to preserve significant archaeological evidence 'in situ'.	The majority of the area zoned as having moderate archaeological potential (some 88%) will not be impacted by the development, and therefore the archaeological evidence will be preserved in situ.

Table 1: Assessment against the Performance Criteria of E13.10.1

Figure 11: Ground and first floor (LXN Architecture & Consulting).

Figure 12: East/north elevations (LXN Architecture & Consulting).

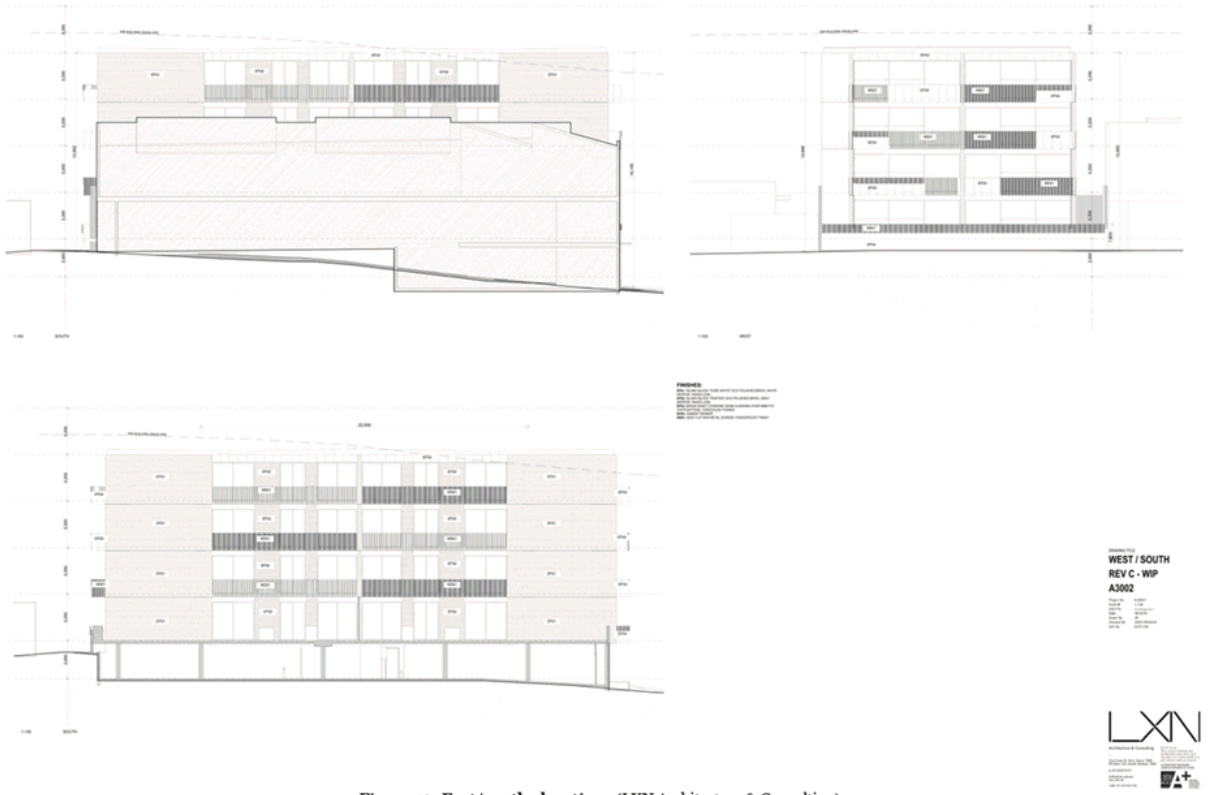


Figure 13: East/north elevations (LXN Architecture & Consulting).

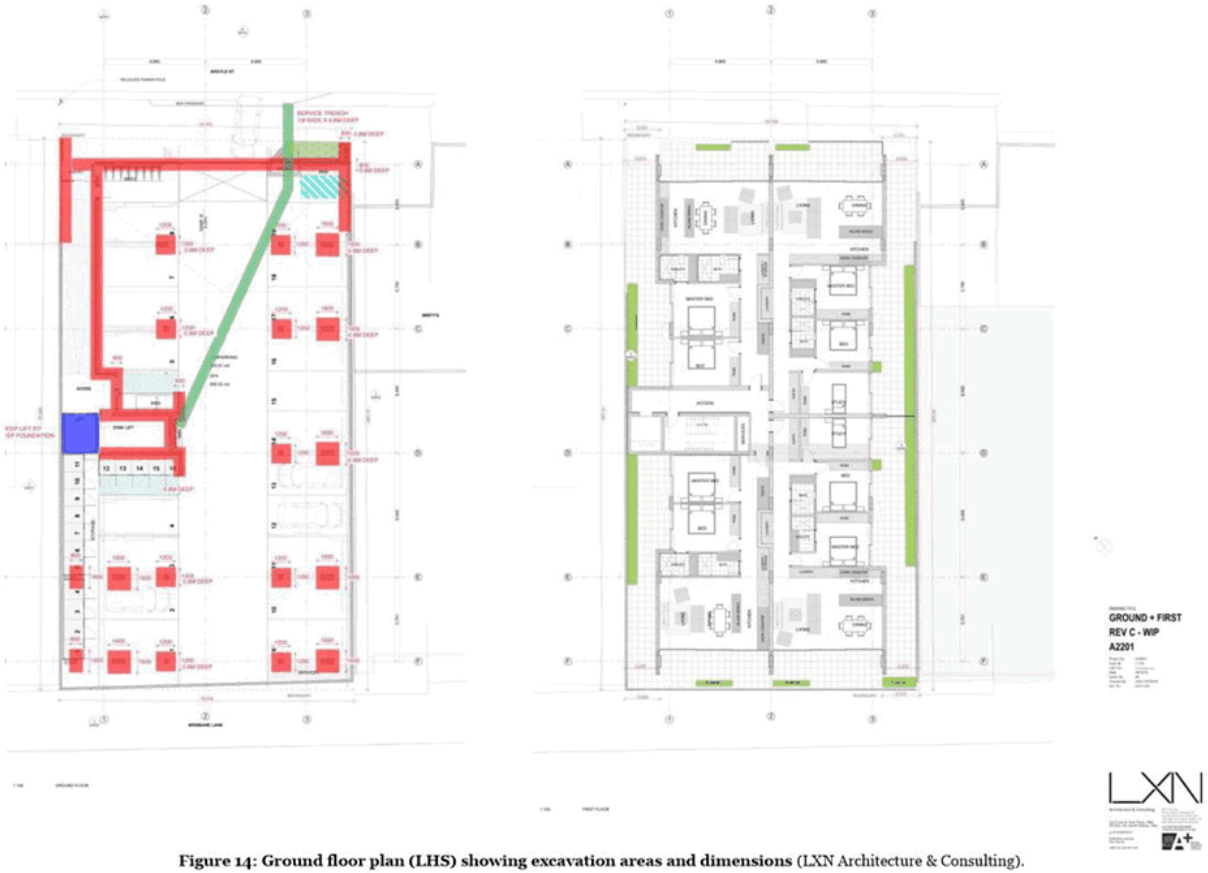


Figure 14: Ground floor plan (LHS) showing excavation areas and dimensions (LXN Architecture & Consulting).

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

This report concludes that a small section of the property at 98 Argyle Street has moderate potential to contain subsurface archaeological material related to significant mid-nineteenth century residential and commercial development. This area covers approximately 210m² and relates to the car park on the Argyle Street frontage. The remaining 530m² is assessed as having low archaeological potential, and this relates to the footprint of the extant building.

The Archaeological Impact Assessment concludes that the proposed apartment development will result in minor archaeological impacts, of approximately 22% of the area zoned as having potential. The remainder of this area will not be disturbed, and the extent of impact is considered acceptable where control measures of monitoring and recording are in place.

4.2 Recommendations

Recommendation 1: Statutory Compliance

This Archaeological Impact Assessment should form part of the Development Application to Hobart City Council.

Recommendation 2: Managing Potential Aboriginal heritage

The Unanticipated Discovery Plan for managing Aboriginal heritage (Appendix 1) should form part of the Project Specifications.

Recommendation 3: Archaeological Monitoring

Excavations occurring within the area zoned as having moderate archaeological potential and shown in the following Figure by yellow shading are to be archaeologically monitored by a suitably qualified and experienced archaeologist.

Following the marking and cutting (as required) of the monitoring areas, the existing surface should be carefully removed by machine under archaeological supervision. Excavation can proceed using a small machine equipped with a range of flat-edged or 'mud buckets' (generally 400-1200 mm wide) to remove the majority of consolidated deposits.

Mechanical excavation will be undertaken via a series of shallow scrapes so that the exposed surface in the trench is progressively reduced in a controlled manner.

Where safe to do so, small hand tools such as picks, shovels, pointing trowels, brushes and pans will be used in manual excavation for cleaning up excavated areas or revealing exposed features or deposits. The archaeologist will endeavour to expose and identify all significant historic features and deposits.

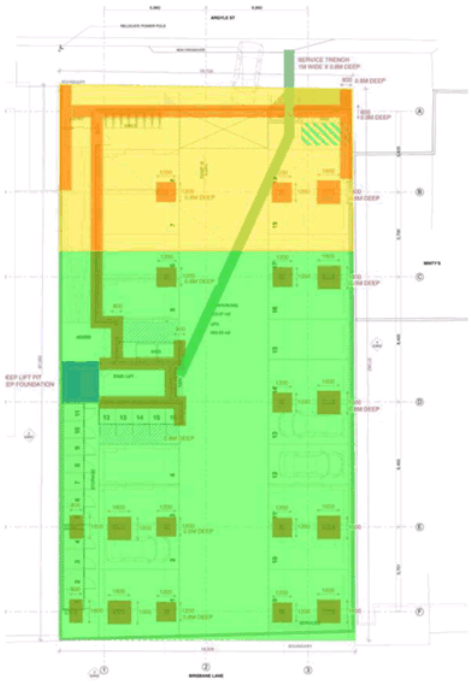


Figure 15: Archaeological Zoning Plan showing areas of excavations. Excavations within the yellow area zoned as having moderate potential are to be archaeologically monitored (LXN Architecture & Consulting).

Recommendation 4: Recording Methods

Basic, best practice, principles of stratigraphic excavation and recording will be adopted. Recording and documentation of archaeological contexts will conform to standard archaeological methods. The archaeological works will be recorded by way of photographs, written descriptions and grid co-ordinates taken with a handheld GPS unit.

All significant elements will be photographed with a scale bar. Digital media will be used for photographic recording.

The archaeologist will keep a field journal and a visual diary, creating a written and photographic record of the progression of the excavation.

Recommendation 5: Artefact Collection and Post-Excavation Analysis

Only artefacts recovered from significant or potentially significant *in situ* artefact bearing contexts will be retrieved and retained for post-processing. Artefacts from imported fill deposits, disturbed contexts, and/or which are non-diagnostic will not be retained unless they are rare, and/or have a high interpretive value or are otherwise of significance. Artefacts will be recorded with all standard information required to identify them. Following analysis and reporting, the artefact assemblage will be handed over to the Client.

Recommendation 6: Preparation of post-excavation report

An illustrated monitoring report will be produced on completion of the site works and artefact analysis tasks. If significant finds are made and/or substantial excavation is undertaken, a more detailed report will be required.

Recommendation 7: Protocol for Managing Unanticipated Historical (European) Archaeological Discoveries during Excavations Occurring within the Area Zoned as Having Low Potential

The study area has been assessed as having largely low archaeological potential to contain significant archaeological features or deposits, and this area is depicted in the Archaeological Zoning Plan by the green shading.

Excavations within this area can proceed without archaeological oversight. However, as a precaution, the project specifications should include notification protocols whereby archaeological advice is sought if features or deposits of an archaeological nature are uncovered during excavation or where doubt exists concerning the provenance of any strata revealed during excavations. This may include but not be limited to the exposure of any structural material made from bricks, stone, concrete or timber and forming walls or surfaces, or the presence of more than five fragments of artefacts such as ceramic, shell, glass or metal from within an area of no more than 1 m^2.

In such instances, excavation should immediately cease pending attendance on site and receipt of advice from the archaeological consultant, at which point, depending on the findings, it may also be necessary to involve Hobart City Council in discussions.

5.0 REFERENCES

5.1 Secondary Materials

5.1.1 Published & Unpublished Sources

Aboriginal Heritage Search Record, 98-110 Argyle Street, Hobart (PID 7589903), PS0098584

Austral Archaeology Pty Ltd, *Archaeological Investigation of the Hobart Magistrates' Court*, report prepared for the Tasmanian Department of Justice, Hobart, 1994

Hobart Interim Planning Scheme 2015

5.1.2 Websites

https://fretwelliana.files.wordpress.com/2019/03/profile-davis-mary-minimum.pdf

5.2 Primary Materials

5.2.1 Archival Materials

TAHO, Assessment and Valuation Rolls

TAHO LSD428/2/3, Samuel Brammer

TAHO, SC309/1/293, Applications for Land Grant Register

5.2.2 Historic Plans, Images etc

Aerial photographs, images by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania

TAHO, AF393/1/8, Map – Sprent's Page 7 - Bounded by Brisbane St, Argyle, Melville and Elizabeth Streets (Section Pp) Hobart

TAHO, AF394/1/5, Map - Hobart 5 - Plan of Hobart Town

TAHO, AF394/1/106, Map - Hobart 104 - Plan of Hobart from Sullivans Cove to Warwick Street and from Antill Street to Campbell Streets

TAHO, Metropolitan Drainage Board, City of Hobart Detail Plan No.7 (City Centre), 1905

APPENDIX 1: UNANTICIPATED DISCOVERY PLAN

Unanticipated Discovery Plan

Procedure for the management of unanticipated discoveries of Aboriginal relics in Tasmania

For the management of unanticipated discoveries of Aboriginal relics in accordance with the *Aboriginal Heritage Act 1975* and the *Coroners Act 1995*. The Unanticipated Discovery Plan is in two sections.

Discovery of Aboriginal Relics other than Skeletal Material

Step 1:
Any person who believes they have uncovered Aboriginal relics should notify all employees or contractors working in the immediate area that all earth disturbance works must cease immediately.

Step 2:
A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal relics, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal relics have been assessed by a consulting archaeologist, Aboriginal Heritage Officer or Aboriginal Heritage Tasmania staff member.

Step 3:
Contact Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible and inform them of the discovery. Documentation of the find should be emailed to **aboriginal@heritage.tas.gov.au** as soon as possible. Aboriginal Heritage Tasmania will then provide further advice in accordance with the *Aboriginal Heritage Act 1975*.

Discovery of Skeletal Material

Step 1:
Call the Police immediately. Under no circumstances should the suspected skeletal material be touched or disturbed. The area should be managed as a crime scene. It is a criminal offence to interfere with a crime scene.

Step 2:
Any person who believes they have uncovered skeletal material should notify all employees or contractors working in the immediate area that all earth disturbance works cease immediately.

Step 3:
A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal material, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and/or Coroner.

Step 4:
If it is suspected that the skeletal material is Aboriginal, Aboriginal Heritage Tasmania should be notified.

Step 5:
Should the skeletal material be determined to be Aboriginal, the Coroner will contact the Aboriginal organisation approved by the Attorney-General, as per the *Coroners Act 1995*.

Aboriginal Heritage Tasmania
Department of Primary Industries, Parks, Water and Environment

Tasmanian Government

Guide to Aboriginal site types

Stone Artefact Scatters

A stone artefact is any stone or rock fractured or modified by Aboriginal people to produce cutting, scraping or grinding implements. Stone artefacts are indicative of past Aboriginal living spaces, trade and movement throughout Tasmania. Aboriginal people used hornfels, chalcedony, spongelite, quartzite, chert and silcrete depending on stone quality and availability. Stone artefacts are typically recorded as being 'isolated' (single stone artefact) or as an 'artefact scatter' (multiple stone artefacts).

Shell Middens

Middens are distinct concentrations of discarded shell that have accumulated as a result of past Aboriginal camping and food processing activities. These sites are usually found near waterways and coastal areas, and range in size from large mounds to small scatters. Tasmanian Aboriginal middens commonly contain fragments of mature edible shellfish such as abalone, oyster, mussel, warrener and limpet, however they can also contain stone tools, animal bone and charcoal.

Rockshelters

An occupied rockshelter is a cave or overhang that contains evidence of past Aboriginal use and occupation, such as stone tools, middens and hearths, and in some cases, rock markings. Rockshelters are usually found in geological formations that are naturally prone to weathering, such as limestone, dolerite and sandstone

Quarries

An Aboriginal quarry is a place where stone or ochre has been extracted from a natural source by Aboriginal people. Quarries can be recognised by evidence of human manipulation such as battering of an outcrop, stone fracturing debris or ochre pits left behind from processing the raw material. Stone and ochre quarries can vary in terms of size, quality and the frequency of use.

Rock Marking

Rock marking is the term used in Tasmania to define markings on rocks which are the result of Aboriginal practices. Rock markings come in two forms; engraving and painting. Engravings are made by removing the surface of a rock through pecking, abrading or grinding, whilst paintings are made by adding pigment or ochre to the surface of a rock.

Burials

Aboriginal burial sites are highly sensitive and may be found in a variety of places, including sand dunes, shell middens and rock shelters. Despite few records of pre-contact practices, cremation appears to have been more common than burial. Family members carried bones or ashes of recently deceased relatives. The Aboriginal community has fought long campaigns for the return of the remains of ancestral Aboriginal people.

Further information on Aboriginal Heritage is available from:

Aboriginal Heritage Tasmania
Natural and Cultural Heritage Division
Department of Primary Industries, Parks, Water and Environment
GPO Box 44 Hobart TAS 7001

Telephone: **1300 487 045**
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Web: **www.aboriginalheritage.tas.gov.au**

Tasmanian Government

Unanticipated Discovery Plan Version: 6/04/2018 Page: 2 of 2

APPENDIX 2: ASSESSMENT AND VALUATION ROLLS (SELECT)

1847					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
Argyle Street	House	W Sherwood	W Sherwood	£18	
Argyle Street	House	Mrs White	W Sherwood	£15	
Argyle Street	House	S Duke	W Sherwood	£15	
1855					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
Argyle Street	Shop and dwelling	William Cochrane	-	£30	
Argyle Street	Shop and dwelling	John Williamson	-	£22	
Argyle Street	Shop and dwelling	Thomas Pearse	-	£16	
1860					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
76 Argyle Street	Shop and house	William Cochrain	Robert Henry	£25	
78 Argyle Street	Shop	Empty	Frederick Legyte Piguenet	£16	
80 Argyle Street	Shop	Isaac Maddocks	Frederick Legyte Piguenet	£14	
80A Argyle Street	House and shop	Empty	Frederick Legyte Piguenet	£14	
1865					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
76 Argyle Street	House	Robert Henry	Robert Henry	£20	
78 Argyle Street	House	William Cernes	Samuel Maddox	£15	
80 Argyle Street	House	James Pace	Samuel Maddox	£13	
80A Argyle Street	House and shop	Thomas Hefell	Samuel Maddox	£13	
1869					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
76 Argyle Street	House	Thomas Ingram	Robert Henry	£15	
78 Argyle Street	House	Empty	Mrs Maddox	£15	
80 Argyle Street	House	Elizabeth Howard	Mrs Maddox	£15	
82 Argyle Street	House and shop	Lewis Pilsbury	Mrs Maddox	£7	
1875					
Address	**Description**	**Occupier**	**Owner**	**Rateable**	**Net**

				Value	Annual Value
76 Argyle Street	House	Thomas Ingram	Robert Henry	£16	
78 Argyle Street	House	John Spaulding	Mrs Maddox	£16	
80 Argyle Street	House	William Baker	Mrs Maddox	£10	
82 Argyle Street	House	William Pearson	Mrs Maddox	£8	
1884					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
76 Argyle Street	House	Henry Probatt	Robert Henry	£16	
78 Argyle Street	House	John Spaulding	William Pearson	£16	
80 Argyle Street	House	William Baker	William Pearson	£10	
82 Argyle Street	House and shop	William Pearson	William Pearson	£8	
1889					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
72 Argyle Street	House	-	Mrs R Henry	£18	
74 Argyle Street	House and shop	William Pearson	William Pearson	£20	
76 Argyle Street	House	-Hunt	William Pearson	£16	
78 Argyle Street	House	Miss Martin	William Pearson	£16	
1895					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
72 Argyle Street	House	Empty	Mrs R Henry	£18	
74 Argyle Street	House and shop	Eliza Hoskins	William Pearson	£20	
76 Argyle Street	House	Miss Martin	William Pearson	£16	
78 Argyle Street	House	William Pearson	William Pearson	£16	
1898					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
72 Argyle Street	House	Miss Martin	Mrs R Henry	£18	
74 Argyle Street	House and shop	Eliza Hoskins	William Pearson	£20	
76 Argyle Street	House	Percival Mullross	William Pearson	£16	
78 Argyle Street	House	William Pearson	William Pearson	£16	
1901					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
72 Argyle Street	House	Miss Martin	Mrs R Henry	£15	£300
74 Argyle Street	House and shop	Eliza Hopkins	William Pearson's estate	£24	£460

76 Argyle Street	House	-	William Pearson's estate	£12	
78 Argyle Street	House	Charles Woodley	William Pearson's estate	£11	
1905					
Address	**Description**	**Occupier**	**Owner**	**Rateable Value**	**Net Annual Value**
72 Argyle Street	House	Miss Martin	Mrs R Henry	£15	£300
74 Argyle Street	House and shop	Eliza Hopkins	Emma Lewis	£24	£460
76 Argyle Street	House	Alfred Warren	Emma Lewis	£14	
78 Argyle Street	House	Josejiena Russo	William Pearson's estate	£13	

98 Argyle Street Apartments
98-110 Argyle Street, Hobart 7000

WASTE MANAGEMENT PLAN

Project Name: 98 Argyle Street, 98-110 Argyle Street, Hobart 7000.
Client: Costmac Investments Pty Ltd
Project/Report Reference: A18067_WMP
File Path:file:///Volumes/01_LXN Architecture/00_Projects/A18067_98 Argyle St/04_AUTHORITIES/04_01_PLANNING AUTHORITY/04_01_RFIs/04_210430/Waste Management Plan_Template.docx

Version: 01
Prepared By: Joshua Crossin Date:06/05/2021
Reviewed By: Sarah Lindsay Date:06/05/2021

TABLE OF CONTENTS
WASTE MANAGEMENT PLAN

1.0 INTRODUCTION

LXN Architecture and Consulting has been engaged by Costmac Investments Pty Ltd to prepare a Waste Management Plan for a proposed 98 Argyle Street Apartments located at 98-110 Argyle Street, Hobart 7000. This Waste Management Plan (WMP) has been prepared based on industry best practice. Waste generation rates enclosed herein are based on the South Australia Better Practice Guide Waste Management for Residential and Mixed-Use Developments, https://www.unmakingwaste.org/zero-waste-sa/ .

2.0 INCLUDED IN THIS REPORT

Enclosed is the Waste Management Plan for the proposed development at 98-110 Argyle Street, Hobart 7000. Included are details regarding:

- Land use;
- Waste generation;
- Waste systems;
- Bin quantity, size and colour;
- Collection frequency;
- Bin storage area;
- Signage;
- Waste collection;
- Scaled waste management drawings.

3.0 LAND USE

Planning application number: PLN-20-706
Planning Scheme: Hobart Interim Planning Scheme 2015
Land Zone: 23.0 Commercial Zone
Number of levels: 5
Number of Apartments: 20 total;

- 10 off two-bedroom apartments, and
- 10 off three-bedroom apartments

4.0 WASTE MANAGEMENT PLAN

4.1 Waste Generation

Residential waste generation rates are shown in Table 1.
Calculations are based on 7 days per week occupancy.

Table 1 Waste Generation Rates

Use	Garbage (L/bedroom/week)	Recycling (L/bedroom/week)	Organics (L/bedroom/week)
High Density Residential Dwelling	30*	25*	10*

* Waste generation calculator is based on the South Australia Better Practice Guide Waste Management in Residential or Mixed use developments as established by the *Zero Waste SA ACT 2004*.

** The City of Hobart Waste Management Strategy 2015-2030 states, the current kerbside service provision to residents is a weekly collection of a 120L waste bin, and fortnightly collections of a 240L recycling bin per rateable property. The applied Waste Generation Rates for this project are less than the current CoH provision.

A residential waste generation assessment is provided in Table 2.

Table 2 Waste Generation Assessment

Use	Bedrooms	Waste Per Week		
		Garbage	Recycling	Organics
High Density Residential Dwelling	50	1,500L	1,250L	500L
Total Waste Generated per Week		**1,500L**	**1,250L**	**500L**

4.2 Waste Systems

Waste would be sorted on-site (in apartments) by residents as appropriate into the following streams:

- Garbage (General Waste),
- Comingled Recycling,
- Organics (CoH FOGO), and
- Bulky Waste

4.2.1 Garbage (General Waste)

Each apartment will include a dual integrated under bench bin to accommodate Garbage and Comingled Recyclables with a minimum capacity of 15 litres for the temporary holding of General Waste. Residents will be required to apply a plastic liner to their general waste bin.

The disposal of the waste from apartments will be via a chute drop off point located within level adjacent to the fire stair core.

Garbage is to be disposed of bagged.

4.2.2 Comingled Recycling

Each apartment will include a dual integrated under bench bin to accommodate Garbage and Comingled Recyclables with a minimum holding capacity of 12 litres for the temporary holding of comingled recycling.

The disposal of the waste from apartments will be via a chute drop off point located within level adjacent to the fire stair core.

Comingled Recyclables are to be disposed of loosely.

4.2.3 Organic Waste

Each apartment would be supplied an Organics Waste Bin (similar to the City of Hobart FOGO bin) to for the temporary holding of organic waste. These bins have a maximum capacity of 5 litres. Residents of all apartments would dispose of organics from these bins directly into the appropriate organics bin provided with in the ground floor refuse area.

Organic Waste bin will be collected by private contactor.

4.2.4 Bulky Goods

A minimum annual storage capacity of 15.4m3 is required for the storage of Bulky Goods Waste. This has been calculated on a rate of 0.77m^3 of Bulky Waste generated per household per annum. A volume of 4.7m^3 with the minimum dimensions of 1400mmW x 1400mmD x 2400mmH has been allocated on the ground floor adjacent to the lift lobby and carpark access point. This space is a temporary storage space with the expectation that the building manager would arrange (3) collections occurring per year or residents. Residents can also utilise the City of Hobarts McRobbies transfer station that provides up to five free entry weekends for residents of the City and located 5.2km south west to the site.

The storage area would be clearly marked and accessed via the carpark. Refer appendix 1 for the location.

4.3 Bin Quantity, Size and Collection Frequency

The bin quantity, size and the frequency of collection are shown below in Table 3 and Table 4. Two garbage waste collections per week is recommended given the volume and nature of the waste generated in the proposed development.

Table 3 Waste Bin Size and Collection Frequency

Waste Stream	Collection per Week	Bin Size	No. Bins	Total weekly volume	Weekly capacity per bedroom	Total weekly capacity
Garbage	2	1,100	1	1,500L	30L	2,200L
Comingled Recycling	2	1,100	1	1,250L	25L	2,200L
Organics	1	660	1	500L	10L	500L

Table 4 Typical Waste Bin Dimensions

Capacity	Width (mm)	Depth (mm)	Height (mm)	Area (m^2)
1100	1240	1070	1330	1.33
660	1260	780	1200	0.98
360	680	848	1100	0.58

* Bin dimensions based on typical SULO Pty Ltd refer

4.4 Bin Colour and Supplier

All bins will be provided by private supplier. The below bin colours are specified by Australian Standard AS 4123.7-2006, however due the private nature of the collection, these are only recommendations and are not mandatory:

- Garbage (general waste) shall have red lids with dark green or black body; and
- Recycle shall have yellow lids with dark green or black body.
- Green Waste / Organics shall have lime green lids with dark green or black body.

4.5 Waste Storage Area

Table 5 demonstrates the cumulative space requirements and provision of waste areas in the proposed development.

Please refer to scaled drawing shown in Appendix 1.

Table 5 Waste Area Space Requirements

Waste Type	Space Required (excl. circulation)	Space Provided
Garbage	1.33m²	6.15m²
Comingled Recycle	1.33m²	
Organics	0.98m²	
Bulky Goods	2.00m²	
Total	**5.64m²**	**6.15m²**

Waste management would be overseen by building management.

4.6 Signage

Waste storage areas and bins would be clearly marked and signed with the industry standard signage approved, or equivalent, as illustrated in Figure 1.

Figure 1: Sustainability Victoria Signage

Figure 2: City of Hobart FOGO Signage

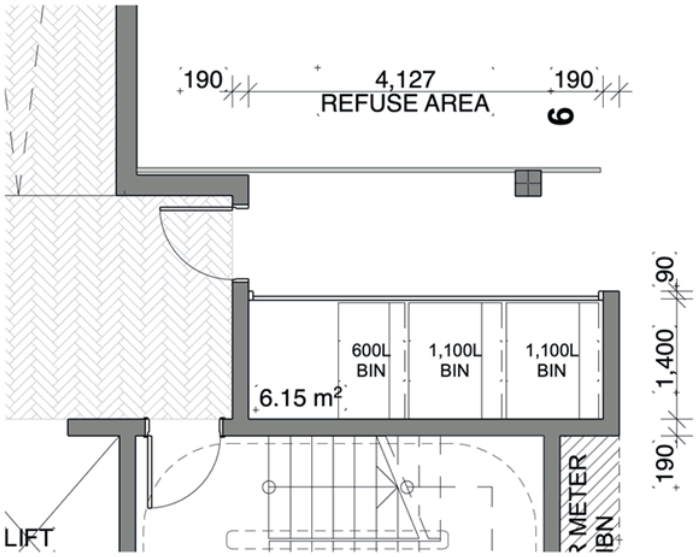
4.7 Waste Collection

Waste would be collected by private contractor, as follows:

- One 1,100L garbage bin collected twice per week,
- One 1,100L comingled recycling bins collected twice per week, and
- One, 600L organic bin collected once per week

1. All waste bins would be stored on-site in the bin refuse area provided with in the site.
2. General waste collections would occur via nominally an 8.8m medium rigid vehicle.
3. Waste collection vehicles would draw parallel to the kerb of Argyle Street and prop for collection (similar to CoH contractors)
4. Vehicle operators would ferry waste bins from the bin refuse area and return upon emptying.
5. Waste collections would be performed at off peak hours (i.e. prior or post peak traffic flows) to ensure safe access and pedestrian safety.

Design Drawings

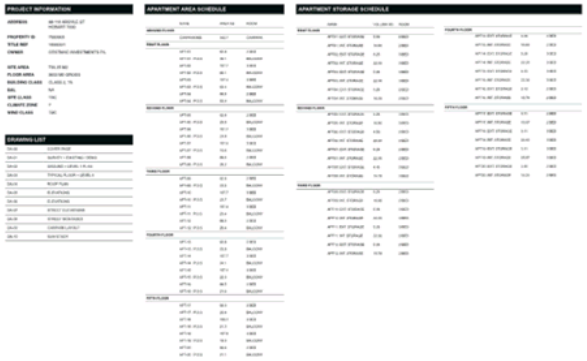

190
4,127
190
REFUSE AREA
6
600L
BIN
1,100L
BIN
1,100L
BIN
6.15 m²
90
1,400
190
LIFT

LXN

Architecture & Consulting

98-110 Argyle Street

DEVELOPMENT APPLICATION



LOCATION PLAN - N.T.S

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

REVISIONS

Rev	Issue Name	Date
A	Development Application	2/12/20

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

SITE
98-110 Argyle St Kirribilli

CLIENT
CENTENNIAL INVESTMENTS P/L

STATUS
DEVELOPMENT APPLICATION

DATE
2/12/20

DRAWING TITLE
COVER PAGE

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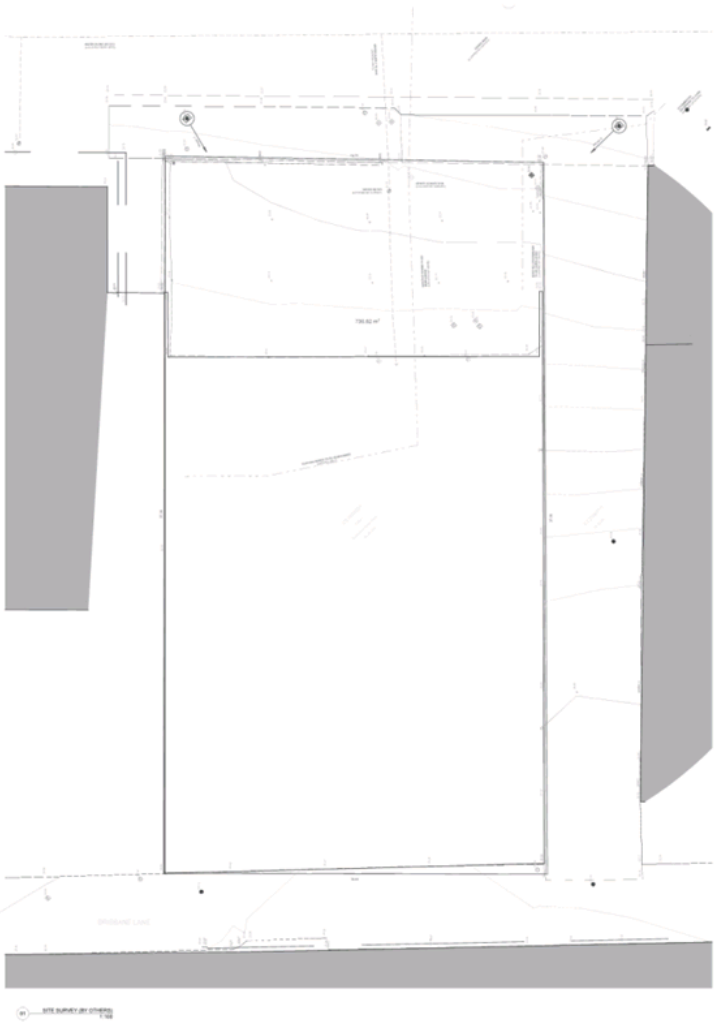
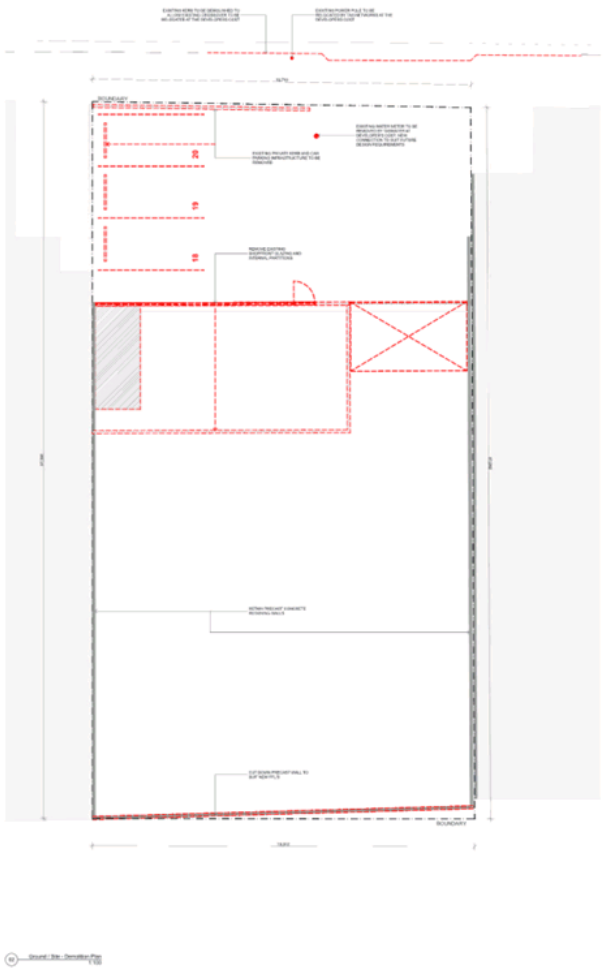
DA-00

REVISION
A





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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

REVISIONS

Rev	Issue Name	Date
A	Development Application	20/5/21

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

SITE

CLIENT

SCALE

STATUS
DEVELOPMENT APPLICATION

DATE

DRAWING TITLE
SURVEY + EXISTING / DEMO

DRAWING
DA-01

REVISION
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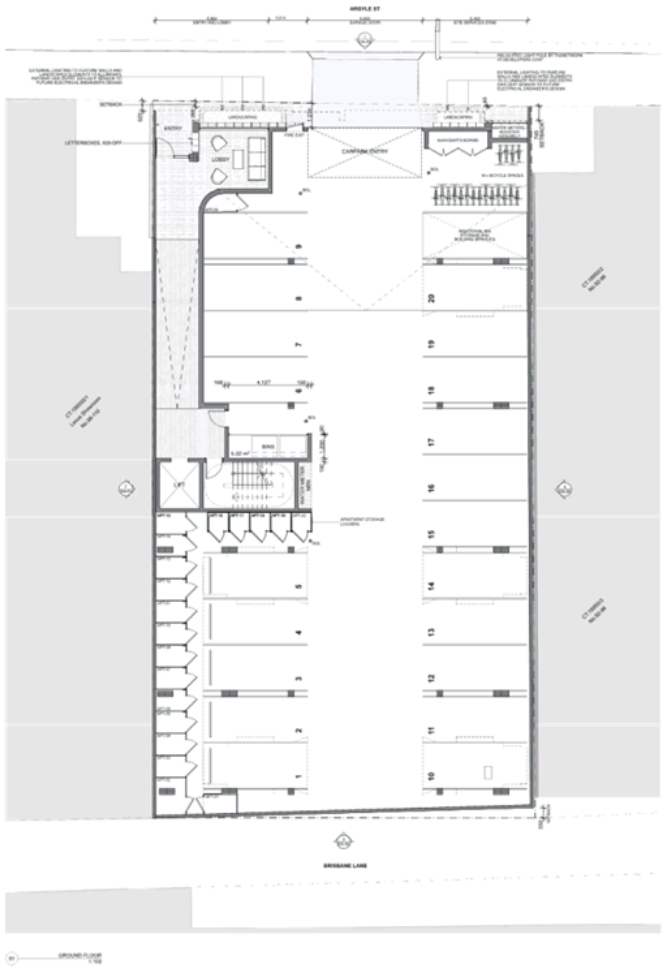

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DEVELOPMENT APPLICATION

REVISIONS

Rev	Issue Name	Date
A	Development Application	20/5/21

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

SITE

CLIENT

SCALE

STATUS
DEVELOPMENT APPLICATION

DATE

DRAWING TITLE
GROUND + LEVEL 1 PLAN

DRAWING
DA-02

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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

PROJECT NUMBER

A18067

PROJECT NAME

98-110 ARGYLE ST

DRAWING TITLE

TYPICAL FLOOR + LEVEL 5

DA-03 A

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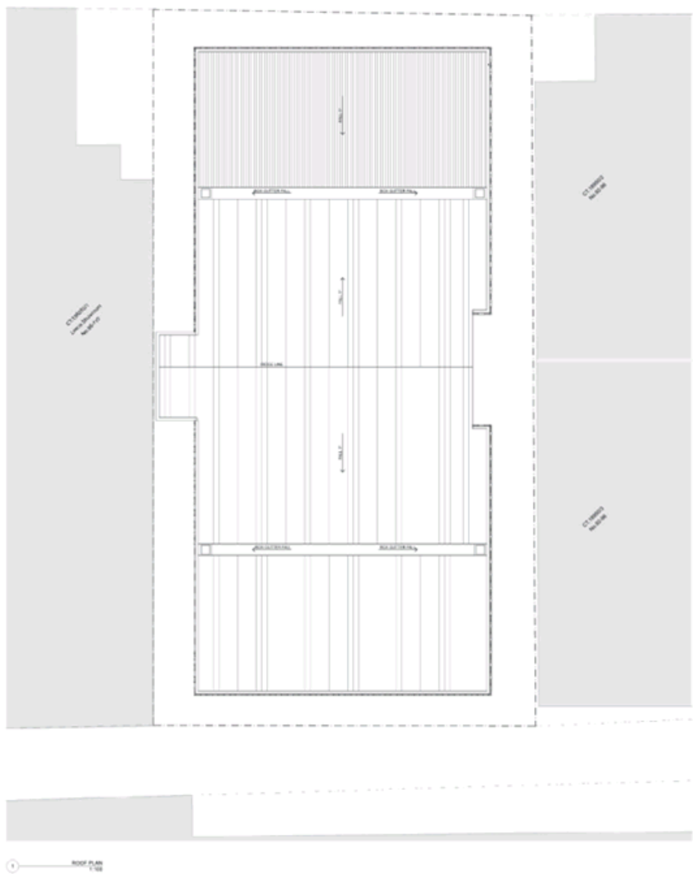

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

A18067

98-110 ARGYLE ST

ROOF PLAN

DA-04 A


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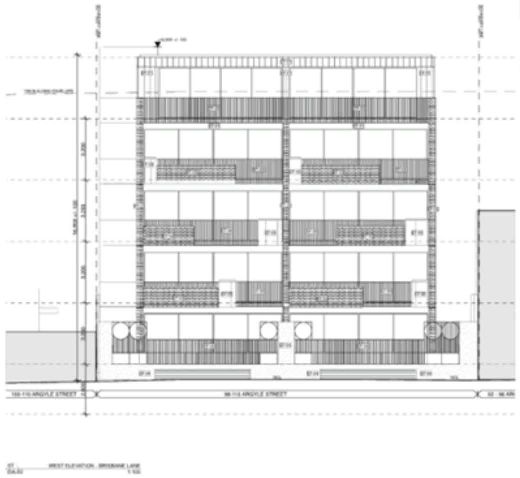
DEVELOPMENT APPLICATION
A18067
98-110 ARGYLE ST
ELEVATIONS
DA-05
B - WIP



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FINISHES:

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DEVELOPMENT APPLICATION

A18067

98-110 ARGYLE ST

ELEVATIONS

DA-06 B - WIP

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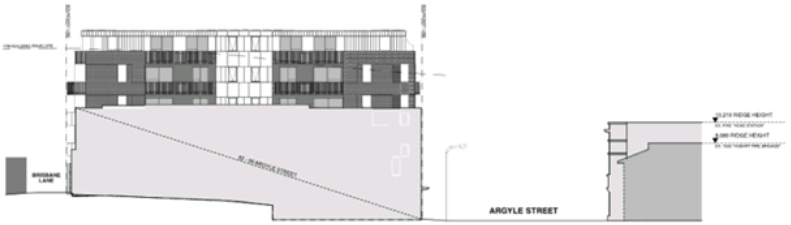
Architecture & Consulting

1 ARGYLE STREET ELEVATION
1:200



1 ARGYLE STREET SECTION
1:200

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DEVELOPMENT APPLICATION

REVISIONS

Rev	Issue Name	Date
A	Development Application	20/5/21

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

SITE

CLIENT

SCALE

STATUS
DEVELOPMENT APPLICATION

DATE

DRAWING TITLE
STREET ELEVATIONS

DRAWING NO.
DA-07

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DEVELOPMENT APPLICATION

A18067

98-110 ARGYLE ST

STREET MONTAGES

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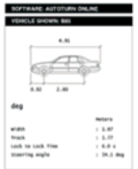

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DEVELOPMENT APPLICATION

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

DRAWING TITLE
CARPARK LAYOUT

DRAWING | REVISION
DA-09 | A

LXN

Architecture & Consulting

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

REVISIONS

Rev	Issue Name	Date
A	Development Application	20/5/21

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

SITE

CLIENT

SCALE

STATUS
DEVELOPMENT APPLICATION

DATE

DRAWING TITLE
SUN STUDY

DRAWING
DA-10

REVISION
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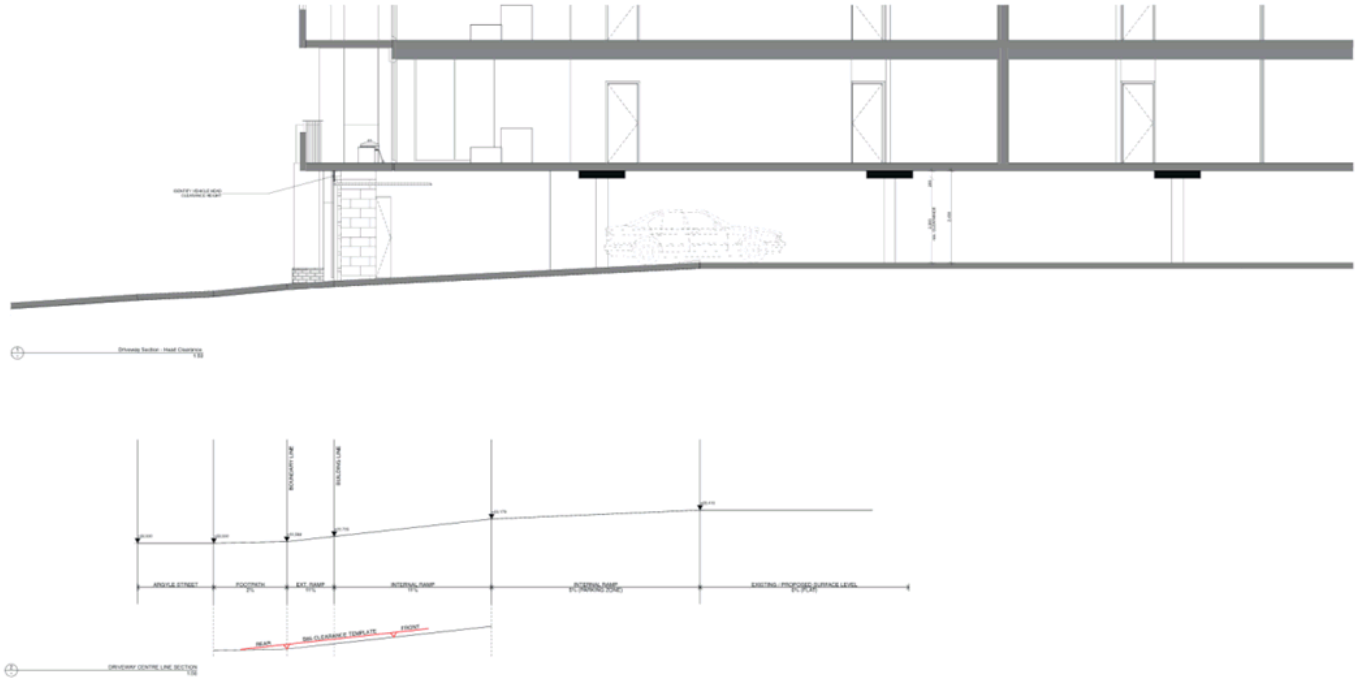
Item No. 7.1.2
Agenda (Open Portion)
City Planning Committee Meeting - 15/6/2021
Page 973
ATTACHMENT B

LXN



PARKING AND ACCESS NOTES

AS2890.1:2004 EXTRACTS

HEADROOM
THE HEIGHT BETWEEN THE FLOOR AND AN OVERHEAD OBSTRUCTION SHALL BE A MINIMUM OF 2200MM.

THE MINIMUM AVAILABLE CLEARANCE SHALL BE SIGNPOSTED AT ALL TIMES. APPROPRIATE WARNING DEVICES SHALL BE PROVIDED IN CONJUNCTION WITH SIGNS WHEREVER THE CLEARANCE SHOWN ON THE SIGNS IS LESS THAN 2.3M.

2.5.3 CIRCULATION ROADWAY AND RAMP GRADES
STRAIGHT RAMPS UP TO 20M LONG (INCLUDING GRADE TRANSITIONS) - 1 IN 4 (25%) MAXIMUM.

CHANGES OF GRADE - TO PREVENT VEHICLES SCRAPING OR BOTTOMING, CHANGES IN GRADE IN EXCESS OF -
(i) 12.5%
(ii) 15%

GRADE TRANSITIONS - TRANSITIONS OF 2.0M IN LENGTH WILL USUALLY BE SUFFICIENT TO CORRECT BOTTOMING OR SCRAPING AT GRADE CHANGES UP TO 18%.

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

PROJECT NUMBER
A18067

PROJECT NAME
98-110 ARGYLE ST

DRAWING TITLE
CARPARK LONG SECTION

DRAWING | REVISION
DA-11 | A

URBAN DESIGN ADVISORY PANEL

MINUTES

MINUTES OF A MEETING OF THE URBAN DESIGN ADVISORY PANEL
HELD AT 9:30 AM ON MONDAY 31 MAY 2021
LADY OSBORNE ROOM

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98 ARGYLE STREET – PLN-20-706

The Panel met to discuss the proposal in detail and the advice below is provided for the consideration of the proponents and officers.

Description:
The application proposes the demolition of most of the existing building on the site and the construction of a new 6 storey building for residential use. The new building would include car parking on the ground floor and 4 apartments on each subsequent floor, for a total of 20 apartments. The building is proposed to have a maximum height of approximately 19.6 metres. The total gross floor area of the proposed building would be 3653m².

The proposed building would be finished externally with a combination of materials including face brick walls and cement and metal sheet cladding. Cement render and substantial glazed areas are also proposed on the Argyle street elevation.

Comments:
The application previously came before the Panel as a pre-application and it was noted that the Panel's advice was considered in the application, particularly in regard to Brisbane Lane and the shop front treatment, both of which are considered an improvement. The Panel encouraged an increase as much as possible to the area of the entry lobby, subject to the requirements of the adjacent fire exit, in order to maximise amenity for residents and the relationship with the adjacent street space.

In their original comments for the pre-application, the Panel noted that there was potential for a small increase in height, subject to amenity and design treatment particularly with regard the streetscape. The Panel was somewhat comfortable with the height, although felt that as the first building in the area to increase the height, that there was a responsibility to validate an increased height in the context of the scheme. The Panel did not see validation in exceeding the permitted height merely to increase the number of apartments. Furthermore, the Panel noted the top floor apartments had less private outdoor space than the apartments below. The Panel noted that if the top floor had been set back further to provide more outdoor space to the top floor apartments, the 5 floors frontage to Argyle

Street would have benefited the streetscape, being more compatible with adjacent buildings and the width of Argyle Street (approximately 17m).

Notwithstanding these concerns, the Panel agreed the articulation of the top floor had the potential to be a design improvement on the pre-application scheme, which did not have an articulated roof scape.

Whilst acknowledging the design work undertaken in the masonry frame and balcony facades other than the top floor, the Panel felt that the streetscape character of the building could be further developed, which in turn would improve compatibility with adjacent buildings.

The Panel had concern about the lack of common open space proposed within the development. The extent and the quality of private open space proposed for each apartment was not considered sufficient to justify no communal open space, especially as the private open space does not satisfy the Scheme's Acceptable solution and would therefore require discretionary approval in accordance with the scheme's performance solution.

The Panel felt that the application does not currently appreciate the transition from the denser city core. The top floor lacked the design finesse of the lower levels, which could have created better opportunities for resident amenity and transition. It was also noted that the cross sections to demonstrate the scale and relationship of the proposed building with its adjoining buildings requested at the pre-application meeting were not provided. The Panel felt that this would have been beneficial to assess the building within the streetscape context and the amenity of the narrow private open space to apartments on the side facades.

The Panel also noted that care will need to be taken with planting due to the orientation and proposed material treatment of the building's proposed landscaping features.

URBAN DESIGN ADVISORY PANEL

MINUTES

MINUTES OF A MEETING OF THE URBAN DESIGN ADVISORY PANEL
HELD AT 1:00 PM ON THURSDAY 17 DECEMBER 2020
LADY OSBORNE ROOM

98 ARGYLE STREET HOBART (Pre-Application)

The Panel met to discuss the proposal in detail and the advice below is provided for the consideration of the proponents and officers.

Description:

The application proposes the demolition of the existing building on the site and the construction of a new 5 storey building for residential use. The new building would include car parking on the ground floor and 4 apartments on each subsequent floor, for a total of 16 apartments. The building is proposed to have a maximum height of approximately 16.6 metres. The total gross floor area of the proposed building would be 3155m².

Comment:

The application was lodged with Council on the 15 October and is currently an invalid application and being reviewed by the proponent. The application was discussed as a pre-application and the proponent advised that the client is currently reviewing the design and indicated that they are looking at adding an additional floor, therefore discussions were around the proposal including an additional floor. The building would become a six storey building which provides the opportunity to increase the floorplate with the same number of apartments per floor. The extra floor will take the building to a height of 19.8 metres.

The Panel welcomed the pre-application meeting and acknowledged the presenters were unfamiliar with the process and did not have a prepared presentation.

The Panel discussed the opportunity for the apartments to consider Brisbane Lane and the positive effect that it could have in changing the future character of the laneway which, although currently underutilised, is recognised as part of the city's existing and ongoing public network.

There was support with regards to the material palette of brick walls, cement and metal sheet cladding although there were some reservations about the articulation of the upper floors and the Panel felt that it may require further consideration. There is the concern that without attention the building may not fit within the context of the street and the height,

scale and mass of its buildings. There was a suggestion to setback the top floor but with further consideration it may be achieved via materials at the different levels of the building or considering the upper level(s) in a different context. This may also be achieved by treating the lower part of the building and modulating the building so it reads lower, while acknowledging the street space section. The street space section also considers the height of the 'street wall', typically a dimension no greater than the street width.

The building is in a transitional area of the city, it is recognised that there is going to be further development within the street. The adjacent corner lot has been acknowledged that it may be developed in the future as it has the same owner. At the moment the transition of the building and how it feels is that it may not be compatible with the streetscape, due to the scale and the form of the proposed building.

It is important to provoke the sense of communal between the public and private space at the street level. The building is an apartment block with no commercial space, therefore the frontage of the building needs to work to gain interesting street activation through managing the thresholds between public and private conditions. There were discussions around how to make it a more welcoming space, whether the bike space could be integrated into the entry of the building to create a larger and more attractive entry space for building residents, thus creating further activation between the public and private thresholds. The communal space at the ground floor level would be particularly beneficial as there is no other proposed communal space within the building as required by the Scheme.

Consider whether inground planting can be provided at street level at both Argyle St and Brisbane Lane frontages. Low walls/edges can be used to provide plant protection, street amenity and informal seating opportunities to Argyle St.
There is an indication that there will be ordered planters on the sides of the building ~~and~~ that will provide improved outlook from the lower apartments.
Understanding and provision for the ongoing maintenance of plants is required for these areas to be successful long term.

The Panel had some reservations with regards to the lack of the natural lighting within the apartment block in particular the ground floor entry corridor, the lift lobby to each level and the long corridors in each apartment. The Panel felt that further consideration with regards to the layout of the apartments may benefit the value of the building.

In conclusion, it was acknowledged that the plans are currently being reviewed and the Panel supported the approach to materials palette although there was a feeling that the building may benefit from further consideration as it might not be compatible with existing buildings. The frontage of the building needs to be considered with regard to its contribution to the interaction between public and private spaces, and the streetscape context. The Panel requested further cross sections to demonstrate the scale and relationship of the

proposed building with its adjoining buildings. It was acknowledged that it is an area in transition and that with these further considerations the building could sit comfortably within the streetscape.