



CITY OF HOBART

AGENDA

Special City Planning Committee Meeting

Open Portion

Monday, 5 July 2021

at 4:30pm

Council Chamber, Town Hall

THE MISSION

Working together to make Hobart a better place for the community.

THE VALUES

The Council is:

People	We care about people – our community, our customers and colleagues.
Teamwork	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
Focus and Direction	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
Creativity and Innovation	We embrace new approaches and continuously improve to achieve better outcomes for our community.
Accountability	We are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

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

APOLOGIES AND LEAVE OF ABSENCE

- 1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY 4**
- 2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 4**
- 3. COMMITTEE ACTING AS PLANNING AUTHORITY 5**
 - 3.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 20156**
 - 3.1.1 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay - Two Multiple Dwellings (One Existing, One New)6

Special City Planning Committee Meeting (Open Portion) held Monday, 5 July 2021 at 4:30pm in the Council Chamber, Town Hall.

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

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

COMMITTEE MEMBERS

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

Apologies:

Leave of Absence: Nil.

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

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

2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the Committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with.

3. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Committee to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

3.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

3.1.1 35 LIPSCOMBE AVENUE, 37 LIPSCOMBE AVENUE AND 16 LAURAMONT AVENUE, SANDY BAY - TWO MULTIPLE DWELLINGS (ONE EXISTING, ONE NEW) PLN-21-272 - FILE REF: F21/63011

Address:	35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay
Proposal:	Two Multiple Dwellings (One Existing, One New)
Expiry Date:	22 July 2021
Extension of Time:	Not applicable
Author:	Cameron Sherriff

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for two multiple dwellings (one existing, one new), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00634-HCC dated 04/05/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s4

The dining/living room window in the northern elevation of the dwelling must be modified to reduce the potential for overlooking into the adjacent property to the north.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing:

1. The dining/living room window in the northern elevation having a sill height of not less than 1.7m above the floor level or the application of fixed obscure glazing (with full details of such) extending to a height of not less than 1.7m above the floor level on this window.

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 reduce the potential for privacy impact upon the adjoining property.

ENG sw1

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

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

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), detention for stormwater discharges from the development must be installed.

The design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 - a) detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - b) the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c) the discharge rates and emptying times; and
 - d) all assumptions must be clearly stated;
2. 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:

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

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 new 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 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 first occupation or commencement of use (whichever occurs first), documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENG 4

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

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 to be used on the site for the proposed second dwelling is one (1).

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

PRIVATE COVENANTS

Please be advised that this property is subject to covenants contained within the schedule of easements.

The approved development may require consent and/or a modification to the covenant to ensure it is undertaken lawfully. You must not act on this planning permit until you have obtained any necessary consent or modification to the covenant which is required for the approved development.



If you proceed with the development inconsistent with the terms of the covenant, the parties with the benefit of the covenant may be entitled to make an application in the Courts to restrain a breach. The grant of this planning permit does not constitute a waiver, modification or release of the terms of the covenant nor approval under the terms of the covenant to undertake the proposed development.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

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|---------------|--|
| Attachment A: | PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY
BAY TAS 7005 - Planning Committee or Delegated
Report ↓  |
| Attachment B: | PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY
BAY TAS 7005 - CPC Agenda Documents ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 5 July 2021
Expiry Date: 22 July 2021
Application No: PLN-21-272
Address: 35 LIPSCOMBE AVENUE , SANDY BAY
16 LAURAMONT AVENUE , SANDY BAY
37 LIPSCOMBE AVENUE , SANDY BAY
Applicant: Brian Moore
35 Lipscombe Avenue
Proposal: Two Multiple Dwellings (One Existing, One New)
Representations: Six (6)
Performance criteria: General Residential Zone Development Standards; Parking and Access Code; Landslide Code

1. Executive Summary

- 1.1 Planning approval is sought for Two Multiple Dwellings (One Existing, One New), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay.

- 1.2 More specifically the proposal includes:
- An additional, single storey pre-fabricated dwelling mounted on posts in the south-western corner of the 35 Lipscombe Avenue, below and behind the existing dwelling which fronts Lipscombe Avenue.
 - The proposed second dwelling has two bedrooms, a floor area of 88m² and is of contemporary design with a square form, a colorbond clad flat roof and cement sheet clad walls. External colour is advised by the applicant to be 'shale grey'.
 - As the dwelling is elevated on poles, a low ramp provides access to the front door from existing pathways and the rear driveway on the site.
 - Private open space for the proposed dwelling is at ground level to its western side. The existing dwelling retains its rear and side ground level and existing deck private open spaces.
 - A single parking space is proposed to serve the dwelling, located at the end of an existing driveway into the site, behind the existing dwelling, and is accessed via existing rights-of-way extending from Lauramont Avenue over 16 Lauramont Avenue and into 37 Lipscombe Avenue. Revisions to the driveway, including an extension to accommodate the new parking space are also proposed.
 - Approximately two existing, established trees are to be removed from the rear of the site to accommodate the development.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 General Residential Zone - Setbacks and Building Envelope; Private Open Space; Privacy
 - 1.3.2 Parking and Access Code - Number of Parking Spaces
 - 1.3.3 Landslide Code - Buildings and Works, other than Minor Extensions
- 1.4 Six (6) representations objecting to the proposal were received within the statutory advertising period between 03/06 and 18/06/2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council, because of the number of objections received.

2. Site Detail



Figure 1: Aerial view of the subject property and surrounds. The site of the second dwelling, 35 Lipscombe Avenue, is highlighted yellow. The adjoining sites providing right of way access are highlighted blue.

- 2.1 35 Lipscombe Avenue, Sandy Bay is a 670m² residential property occupied by a single dwelling situated in the forward, eastern end of the site close to Lipscombe Avenue. Vehicle access to a double garage in this dwelling is directly from Lipscombe Avenue. The site also has access from Lauramont Avenue via a right-of-way over 16 Lauramont Avenue which extends partially onto 37 Lipscombe Road also. The subject site slopes moderately downhill from Lipscombe Avenue to its rear boundary. Several well-established non-native tree species grow within the rear curtilage of the site. The site is surrounded by residential properties.

3. Proposal

- 3.1 Planning approval is sought for Two Multiple Dwellings (One Existing, One New), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay.

3.2 More specifically the proposal is for:

- An additional, single storey pre-fabricated dwelling mounted on posts in the south-western corner of 35 Lipscombe Avenue, below and behind the existing dwelling which fronts Lipscombe Avenue (Plate 1).
- The proposed second dwelling has two bedrooms, a floor area of 88m² and is of contemporary design with a square form, a colorbond clad flat roof and cement sheet clad walls. External colour is advised by the applicant to be 'shale grey'.
- As the dwelling is elevated on poles, a low ramp provides access to the front door from existing pathways and the rear driveway on the site.
- Private open space for the proposed dwelling is at ground level to its western side. The existing dwelling retains its rear and side ground level and existing deck private open spaces.
- A single parking space is proposed to serve the dwelling, located at the end of an existing driveway into the site, behind the existing dwelling, and is accessed via existing rights-of-way extending from Lauramont Avenue over 16 Lauramont Avenue and into 37 Lipscombe Avenue (Plate 2). Revisions to the driveway, including an extension to accommodate the new parking space are also proposed.
- Approximately two existing, established trees are to be removed from the rear of the site to accommodate the development.



Plate 1: Looking west from the rear of the existing dwelling on the site towards the site of the proposed second dwelling. The roofs to the right of the image are the dwellings on the adjacent, 33 Lipscombe Avenue property.



Plate 2: The view towards the site (left-hand background) through the right-of-way access driveway on 16 Lauramont Avenue with 37 Lipscombe Road (right-hand background) beyond.

4. Background

- 4.1 None relevant.

5. Concerns raised by representors

- 5.1 Six (6) representation/s objecting the proposal were received within the statutory advertising period between 03/06 and 18/06/2021.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Application does not meet the requirements for an ancillary dwelling, and is excessive in size for such a use. Future occupation could be at a higher intensity than what is currently intended.
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Inadequate/unclear level of detail on proposal plans – servicing; vegetation removal; power connection; removal of fencing; height of dwelling; colours and finishes; window sizes; use of adjacent buildings – plans state shed whereas this is actually a dwelling.
Note regarding fencing to be removed suggests removal of shared boundary line fencing, which has not been discussed with neighbouring owners.
Visual impacts of the dwelling when viewed from adjacent property and overlooking of adjacent private open space of the dwelling to the north. The proposed dwelling should be located further back from the boundary line.
Removal of vegetation from the site contradicts the restrictions of an existing Part 5 Agreement on the site.
The proposal is not considerate of or sympathetic to the adjoining heritage listed property.
The setback of the dwelling is not consistent with established dwellings in the area.
Right of Way has been included to skew the land size in favour of the resultant site coverage. Whether this is appropriate is not clear.
Privacy impacts from non-compliant habitable room windows in northern elevation overlooking adjacent private open space and habitable room windows.
The proposal should be classified as a vulnerable use under the Landslide Code as it is intended that an elderly family member reside in the dwelling.
Reduced and non-compliant level of car parking for the on site use; and impacts of additional traffic upon the right-of-way servicing multiple flats on adjoining properties.
Additional vehicles not catered for with onsite parking will add to the congestion of Lipscombe Avenue – it is unlikely that residents or visitors would park on Lauramont Avenue. There will be negative impacts on the safety of pedestrians and other road users. The steep topography of the area does not promote walking or public transport use. At least two car spaces should be provided.
Although not mapped as such, the site is flood prone and the proposal will exacerbate this. The May 2018 storm flooded the site of the development due to fencing alignment. Fences were damaged at the time.
The proposal may impact existing old water supply pipes in close proximity.
The proposal will impact the existing wayleave easement and overhead power connections to adjoining properties.

The density of the development is too high and not consistent with that prevailing in the area. The proposal represents overdevelopment of the site.
Proposed dwelling too small and poorly designed. Not sympathetic to the existing dwelling on the site or those in the neighbourhood.
The proposal will negatively impact the character of the neighbourhood and the value of surrounding properties.
Construction traffic will damage access driveways.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use of 35 Lipscombe Avenue is Residential (Single Dwelling). The proposed use is Residential (Multiple Dwelling). The existing use is a No Permit Required use in the zone. The proposed use is a Permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 10 General Residential Zone
 - 6.4.2 E3.0 Landslide Code
 - 6.4.3 E6.0 Parking and Access Code
 - 6.4.4 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone:
 - Setbacks and Building Envelope - Part D 10.4.2*
 - Private Open Space - Part D 10.4.3*

Privacy - Part D 10.4.6 P2

6.5.2 Parking and Access Code:

Number of Parking Spaces - E6.6.1 P1

6.5.3 Landslide Code:

Building and Works, other than Minor Extensions - E3.7.1 P1

6.6 Each performance criterion is assessed below.

6.7 Setback and Building Envelope Part D 10.4.2 P1

6.7.1 The acceptable solution A1 at clause D 10.4.2 requires development to fit within the shape produced with the application of the acceptable building envelope as it is influenced by the characteristics of the site. The envelope commences from the front of the existing dwelling and continues rearward to the rear property boundary. From both sides and the rear the envelope extends upwards to three metres above natural ground level, before extending upwards and inwards at 45 degrees and then squaring off 8.5m above natural ground level. Additionally development inside the envelope must have a minimum side setback of 1.5m, or less than 1.5m provided the length of wall is no more than nine metres or one third the length of the boundary line, whichever is the lesser or, the proposed building does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property.

6.7.2 The proposal includes the 9.2 metres long north-western side wall of the multiple dwelling with a 0.9m parallel setback from the north-western side boundary of the property. Approximately one metre of the western top edge of the proposed multiple dwelling extends outside of the 45 degree tangent of the envelope. As the ground level increases moving along the north-western side boundary of the property, the development starts to fall within the shape of the envelope, such that approximately half of its length is compliant in this regard. There is a 7.8m long building (a dwelling and carport under one roof) built to 0.2m of the corresponding side boundary on the adjacent property to the north-west. This building on the adjoining site overlaps with approximately 5.3m of the north-western side of the proposed dwelling. An access driveway leading up to this dwelling and its carport, which is at the end closest to the subject site, lies opposite the remaining 3.9m length of this side of the proposed dwelling.

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

6.7.4 The performance criterion P1 at clause D 10.4.2 provides as follows:

The siting and scale of a dwelling must:

(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:

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

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

(iii) overshadowing of an adjoining vacant property; or

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

(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

(i) an adjoining property; or

(ii) another dwelling on the same site.

6.7.5 The extent of the proposed multiple dwelling that extends outside of the acceptable building envelope shape is, in a scale context, considered to be minimal.

The proximity of the proposed dwelling to this north-western side boundary, relative to the location of the existing second dwelling on the adjacent property at 33 Lipscombe Avenue and the use of the associated land directly opposite is such that the dwelling will not have a direct or unreasonable visual impact upon this adjacent site.

The adjacent dwelling immediately opposite the proposed development is oriented perpendicular to and extends away from the subject site and the

proposed dwelling. A long access driveway runs up to the boundary shared with the development site. This adjacent dwelling incorporates an open-sided double carport accessed from the driveway at the end corresponding with the proposed development (Plate 3 and Figure 2). There are no windows in the end wall of the adjacent dwelling within the carport and as such there are no direct outlooks to the proposed development from habitable rooms or private open spaces. With respect to the claims of the representors, a driveway would not traditionally be considered private open space in a technical sense. In any event this area doesn't appear to have any special characteristics for existing use as formal private open space, could otherwise be easily screened at the fence line, and further the sheer size of this adjacent 2,209m² site and the existing outdoor spaces available, particularly to the north, suggest multiple additional opportunities for unhindered private open space areas elsewhere. Habitable room windows in the western side of this adjacent dwelling are located further along its length adjacent to its driveway. These windows are some distance from the subject site and have an outlook that is perpendicular to and not towards it or the proposed development.

The original, heritage listed dwelling upon this same adjacent site at 33 Lipscombe Avenue but closer to Lipscombe Avenue and slightly uphill is oriented away from the location of the proposed development and at some distance (approximately 11m, with the second single storey dwelling in between). There is minimal significant outlook from the rear of this original dwelling towards the site of the proposed development.

There is no doubt that the proposed development would be seen from the adjacent property, particularly when travelling up the driveway and turning into the carport, with the proposed solid dwelling replacing the somewhat softer appearance of trees in the backyard of the subject site however this is not a situation where the occupants of the adjacent property would have no choice but to look at the proposed dwelling from either inside their home or from external spaces around it. Whilst the adjacent site has a lower ground level, the second dwelling upon it close to the proposed development would in itself obscure at least part of the appearance of the proposed dwelling when viewed from the adjacent site. Overall the likely visual appearance of the proposed dwelling is not uncommon in a residential area.

On balance, given the circumstances described above and taking into account the scale of the proposed dwelling, the visual impact of the development is not considered to be unreasonable.



Plate 3: The adjoining property to the north of the proposed development (33 Lipscombe Avenue), where there is a driveway and carport opposite the site of the proposed dwelling. Windows further along the side of the adjacent dwelling do not have a direct outlook to the subject site/development.

The corresponding view back towards the proposed development has been provided by one of the representors in their submission, and can be seen in Figure 2, below.

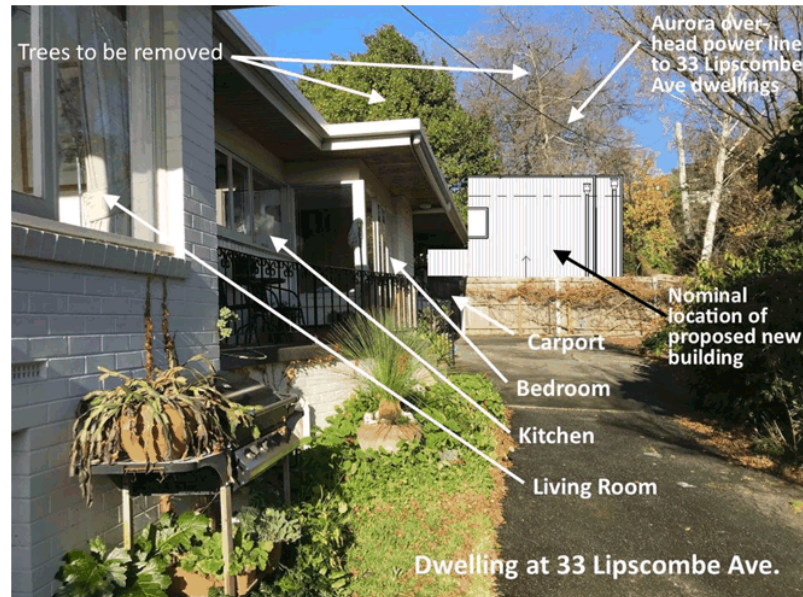


Figure 2: The return view looking towards the site of the proposed development up the driveway of the adjacent site at 33 Lipscombe Avenue, as taken from one of the submitted representations. The markups, including the location of the proposed building have been added by the representor.

Shadow diagrams submitted with the proposed demonstrate that shadow cast by the proposed development would not adversely affect adjoining properties. The low profile, single storey design of the dwelling assists in reducing impact in this regard. For adjoining properties, shadow is only cast to a small amount of well-vegetated rear yard, driveway and access/manoeuvring areas to the south and south-west, and not to any great extent in any case. There is no impact caused to notable private open space areas or habitable rooms. No existing solar energy installations are noted to be impacted.

The siting of the proposed dwelling produces setbacks which are not without merit in the local area, with many examples of dwellings and outbuildings being similarly close or even closer to side boundaries than the proposed dwelling, including the dwelling adjacent at 0.2m setback.

6.7.6 The proposal complies with the performance criterion.

6.8 Private Open Space - Part D 10.4.3 P2

6.8.1 The acceptable solution A2 at clause D 10.4.3 requires dwellings to have

private open space in one location that is not less than 24m² in area; has a minimum dimension of 4m; is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and has a gradient not steeper than 1 in 10.

6.8.2 The proposal includes a reduction to the private open space area allocated to the rear of the existing dwelling and a new allocation to the proposed multiple dwelling. The existing dwelling retains its existing deck areas which are directly accessed from an internal living area, as well as a grassed terrace area at ground level between the existing and proposed dwellings. The proposed dwelling is allocated an area of approximately 27m² to its western side. This area is not directly accessed from an internal living area.

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

6.8.4 The performance criterion P2 at clause D 10.4.3 provides as follows:

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

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

(b) orientated to take advantage of sunlight.

6.8.5 Both dwellings are allocated sufficient areas of private open space. These areas are shown to have good solar access based on the shadow diagrams included in the proposal. Access to these areas is considered to be acceptably convenient, particularly for the existing dwelling where there would be little difference from the current situation. For the proposed new dwelling, the allocated area cannot be directly accessed from within however the space is conveniently located adjacent to the dwelling's western side which can be accessed easily from its front entrance and extended outdoor space, and also its access driveway/parking area. The small scale of the dwelling is such that whilst not direct, access to the space is still relatively easy. Further to this, the allocated area is sufficient to serve as an extension of the dwelling for outdoor activity.

6.8.6 The proposal complies with the performance criterion.

6.9 Privacy - Part D 10.4.6 P2

6.9.1 The acceptable solution A2 at clause D 10.4.6 requires habitable room windows associated with floor levels more than one metre above ground level to have a minimum three metre setback from a side boundary and four metre setback from a rear boundary, unless offset not less than 1.5m horizontally from the edge of a habitable room window in an adjacent dwelling; having a sill height of not less than 1.7m or fixed obscure glazing to 1.7m above floor level; or having a permanently fixed external screen for its full length to a height of not less than 1.5m with a uniform transparency of not more than 25%.

6.9.2 The proposal includes a kitchen window with associated floor levels between 0.8m and 1.2m, and a living room window with associated floor levels between 1.5m and 1.6m in the northern side of the dwelling. The sill heights of both windows is 1.2m. There is no obscure glazing or screening shown. Approximately 0.6m of this window would extend past the edge of the alignment of this dwelling.

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

6.9.4 The performance criterion P2 at clause D 10.4.6 provides as follows:

A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:

(a) a window or glazed door, to a habitable room of another dwelling; and

(b) the private open space of another dwelling.

6.9.5 As previously discussed above with regard to building envelope, the northern side of the proposed dwelling is partially overlapped by an existing dwelling on the adjacent property. There is a carport at this end of the adjacent dwelling, as well as a driveway. Whilst a driveway could be used for outdoor activities, a driveway is not traditionally considered to be private open space. There is little evidence of formal private open space activities occurring in this corner of the adjacent property. There are no habitable room windows at this end of the adjacent dwelling in the end wall facing the subject site and proposed dwelling. Habitable room windows in the adjacent dwelling line the driveway to the side of the dwelling and have outlooks perpendicular to the subject site.

The proposal therefore performs reasonably well against the tests of the performance criteria for this standard, however is considered that perhaps more could be done in the design of the dwelling to manage privacy impacts upon this area of the adjacent site. As such, it is recommended that for at least the living/dining room window in the northern elevation of the proposed dwelling, which is only partially obscured by the adjacent dwelling/carport, sill height must be increased so as to not be less than 1.7m above the floor level or fixed obscure glazing extending to a height of not less than 1.7m above the floor level must be applied, therefore either making or effectively making this window a highlight window, and providing a reasonable outcome for both parties, maintaining sunlight access but reducing the potential for overlooking into this space. This revision can be required as a condition of any permit granted for the development.

- 6.9.6 With the inclusion of a condition the proposal can comply with the performance criterion.

6.10 Number of Parking Spaces - E6.6.1 P1

- 6.10.1 The acceptable solution A1 at clause E6.6.1 requires residential dwellings to be allocated car parking at no more or no less than the rate specified for the size of the dwellings. For dwellings of two or more bedrooms, there is a requirement of two parking spaces each.
- 6.10.2 The proposal includes the existing dwelling retaining its two car parking spaces within its double garage accessed from Lipscombe Avenue, and the proposed dwelling having a single external car parking space located adjacent to the rear of the existing dwelling and accessed from Lauramont Avenue via right-of-way extending through 16 Lauramont Avenue and partially into 37 Lipscombe Avenue.
- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion P1 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.

- 6.10.5 The proposed development is one parking space short of compliant with the standards for the scale of the proposed residential use. At the relatively small size of 88m² the proposed dwelling includes two bedrooms, however these are relatively small in size. Overall the scale of the proposed dwelling suggests a limited ability to feasibly accommodate high numbers of occupants, particularly adults, for prolonged periods of time. Car parking demand is likely to therefore be low, either for the proposed occupant or in an ongoing sense for future occupants in general. The layout of the proposed development suggests that pedestrian access from Lipscombe Avenue past the existing dwelling at this end of the property would not be practical, if at all possible due to constraints on either side of the existing dwelling. As such the most likely outcome for visitors to or additional occupants of the proposed dwelling would be to park on Lauramont Avenue and walk through from there. Upon inspection of the site at 11.30am on a weekday, there was no issue in terms of on street parking availability on Lauramont Avenue.

Comments from the Council's Senior Development Engineer include:

The empirical parking assessment indicates that the provision of One (1) 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 large supply of on-street parking in the surrounding road network. Much of the available parking is in the form of time-restricted parking, with authorised residents excepted. Observations indicate that there is a large pool of parking that would be available to meet the potential demands of visitor and overflow parking, particularly after normal working hours.

Metro Tasmania operate regular bus services along Sandy Bay Road which is within 400 metres of the subject site.

The site is located a convenient walking distance from shops, schools and services.

No alternative parking provision is available or considered necessary.

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.

6.10.6 The proposal complies with the performance criterion.

6.11 Building and Works, other than Minor Extensions - E3.7.1 P1

6.11.1 There is no acceptable solution for buildings and works located within an area mapped for landslide risk.

6.11.2 The proposal includes the site of the proposed multiple dwelling mapped for low landslide hazard.

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

6.11.4 The performance criterion P1 at clause E3.7.1 provides as follows:

Buildings and works must satisfy all of the following:

- (a) no part of the buildings and works is in a High Landslide Hazard Area;*
- (b) the landslide risk associated with the buildings and works is either:*
 - (i) acceptable risk; or*
 - (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.*

6.11.5 The Council's Environmental Development Planner states:

The Code applies because development is proposed within a Landslide Hazard Area (Low Landslide Hazard Area). The land is a Landslide Hazard Area because of modelled susceptibility to debris flow (runout area).

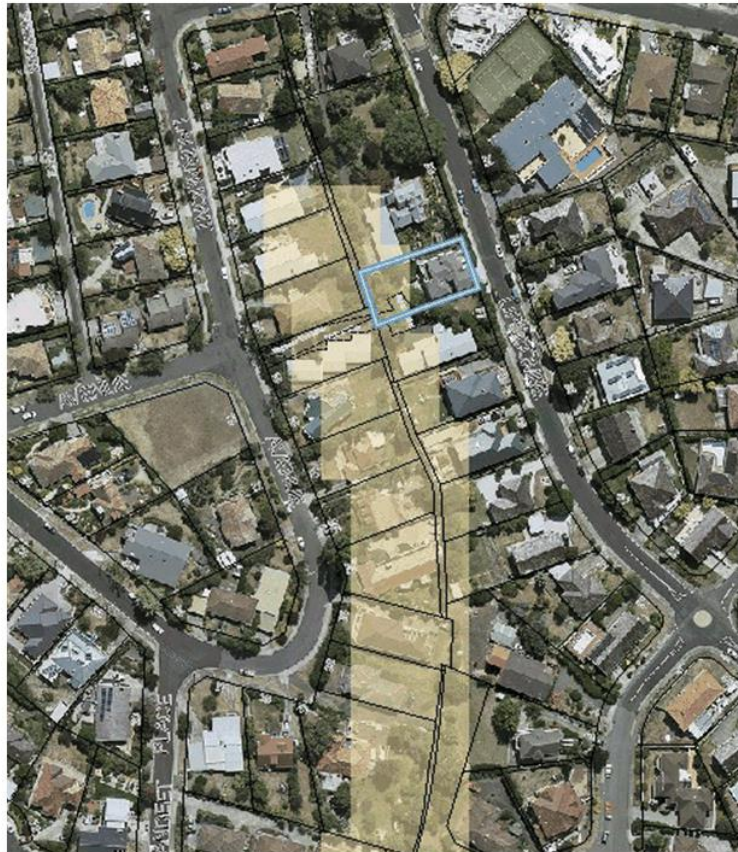


Image 1: Landslide Hazard Area and subject lot

The proposed building itself is exempt from the Code standards pursuant to exemption clause E3.4(c), however associated works are not specifically exempted.

Associated works are relatively minor, being the removal of vegetation and building foundations.

The relevant standards are under clause E3.7.1. There is no acceptable solution for A1. Performance criterion P1 states the following:

Buildings and works must satisfy all of the following:

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

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

(i) acceptable risk; or

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

No buildings or works are proposed within a High Landslide Hazard Area in conformity with P1(a).

'Acceptable risk' is defined as 'a risk society is prepared to accept as it is. That is; without management or treatment'.

The proposed works would not increase the likelihood of a debris flow occurring, as the land is within a modelled run-out area rather than a source area. The proposed works would also not increase the consequences if a debris flow were to occur, because the works (not building) are of low value and should not increase any consequences for downstream properties in the event of a debris flow. Therefore, there is no increase in risk from landslide as a result of the proposed works.

In my opinion a reasonable person, and qualified geotechnical practitioners, would accept the risk associated with the works without the need for management or treatment, in conformity with P1(b)(i). The exercise of discretion is recommended.

Representation

One representation was received raising Landslide Code matters.

Matter Raised

It is intended that the elderly father of the residents of 35 Lipscombe Avenue live in the proposed building. This is a 'vulnerable use' under the Landslide Code so the proposed use/development must satisfy the standards under clause E3.6.2 of the Code.

Response

In my opinion the proposed use does not meet the definition of a vulnerable use under the Landslide Code. While the use is in the Residential Use Class, it does not meet the definition of a 'respite centre', 'residential aged care facility', 'retirement village' or 'group home'.

The representors appear to have referred to the definition of 'residential' rather than 'residential aged care facility'.

6.11.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Planning approval is sought for Two Multiple Dwellings (One Existing, One New), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay.
- 7.2 The application was advertised and received six (6) representations. The representations raised concerns including the level of detail and accuracy/clarity of the submitted plans and the proposed works; amenity impacts on adjoining properties; impact on adjoining heritage property; the proposal not meeting ancillary dwelling standards; the use needing to be assessed as a vulnerable use against the landslide code the scheme; the loss of trees from the site which are protected by a Part 5 Agreement; the proposal being out of character with the area; the dwelling being too small and poorly designed; the impact of the development on existing service infrastructure; the fact that the site should be assessed as flood prone and the development impacting this; the impact of the reduced level of car parking on surrounding streets; the impact of construction traffic on access driveways.

A number of the concerns have been considered and discussed in the assessment section of this report where they relate to scheme discretions - privacy; building envelope; parking.

Of the other issues raised, many are not planning considerations or do not relate to discretions raised in the assessment of this proposal.

In some cases the representors have misinterpreted the application of the scheme.

Notably, the application clearly acknowledges that the proposal is for a second dwelling on the site, classified under the scheme as a multiple dwelling. The application is therefore appropriately assessed as two multiple dwellings (one existing, one new). The advertised description of the application also reflects this as such accurately describes the proposed use.

The level of detail provided in the plans is sufficient to enable assessment by Council Officers. Where necessary early in the process, additional information was sought to answer any queries raised as part of the initial planning assessment and to ensure a sufficient level of information.

The assessment considers the existing surrounding land uses and a site visit enabled confirmation of these.

A review of the property title reveals a Part 5 Agreement relating only to the preservation and maintenance of a portion of hedge on the Lipscombe Avenue frontage of the site. There is no Part 5 Agreement requiring the protection of trees on the site.

Management of internal and side/rear boundary fences is a civil matter to be discussed between adjoining property owners.

The site is not mapped as flood prone and the application is therefore not subject to assessment against the Inundation Prone Areas Code of the scheme. In any event, the application acknowledges past events in the area and the siting and design of the proposed dwelling incorporates practical mitigation measures in this regard.

The development is shown not to encroach into the wayleave easement on the title.

Preservation of power connections to adjoining properties is a matter addressed during the construction phase, and is not a planning consideration.

In terms of construction traffic, this would likely be minimal and manageable as the dwelling is to be constructed off site. Any damage to adjoining property would be the responsibility of the developer, and is not a planning consideration.

Although not a necessary detail in the context of this application, the applicant advises that the dwelling is to be clad in cement sheet coloured 'shale grey'.

In terms of existing water supply lines, this is a matter for Taswater who have reviewed the application and have raised no concerns in granting their own notice of approval.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well. A condition is recommended requiring the living dining room window in the northern side of the dwelling to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level to assist in reducing privacy impacts.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Engineer and Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Planning approval is sought for Two Multiple Dwellings (One Existing, One New), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Two Multiple Dwellings (One Existing, One New), at 35 Lipscombe Avenue, 37 Lipscombe Avenue and 16 Lauramont Avenue, Sandy Bay for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00634-HCC dated 04/05/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s4

The dining/living room window in the northern elevation of the dwelling must be modified to reduce the potential for overlooking into the adjacent property to the north.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing:

1. the dining/living room window in the northern elevation having a sill height of not less than 1.7m above the floor level or the application of fixed obscure glazing (with full details of such) extending to a height of not less than 1.7m above the floor level on this window.

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 reduce the potential for privacy impact upon the adjoining property.

ENG sw1

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

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

Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), detention for stormwater discharges from the development must be installed.

The design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 1. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of

- flooding;
2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 3. the discharge rates and emptying times; and
 4. all assumptions must be clearly stated;
2. 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: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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

Advice:

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

Reason for condition

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

ENG 3c

The access driveway, 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 first occupation or commencement of use (whichever occurs first), documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.

Advice:

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

Reason for condition

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

ENG 4

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

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 to be used on the site for the proposed second dwelling is one (1).

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

Reason for condition

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

ENG 1

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

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's

infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

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

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT

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.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

PRIVATE COVENANTS

Please be advised that this property is subject to covenants contained within the

schedule of easements.

The approved development may require consent and/or a modification to the covenant to ensure it is undertaken lawfully. You must not act on this planning permit until you have obtained any necessary consent or modification to the covenant which is required for the approved development.

If you proceed with the development inconsistent with the terms of the covenant, the parties with the benefit of the covenant may be entitled to make an application in the Courts to restrain a breach. The grant of this planning permit does not constitute a waiver, modification or release of the terms of the covenant nor approval under the terms of the covenant to undertake the proposed development.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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



(Cameron Sherriff)

Development Appraisal Planner

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



(Ben Ikin)

Senior Statutory Planner

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

Date of Report: 25 June 2021

Attachment(s):

Attachment B - CPC Agenda Documents



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-21-272		Council notice date	26/04/2021
TasWater details				
TasWater Reference No.	TWDA 2021/00634-HCC		Date of response	04/05/2021
TasWater Contact	Elio Ross	Phone No.	0467 874 330	
Response issued to				
Council name	CITY OF HOBART			
Contact details	coh@hobartcity.com.au			
Development details				
Address	35 LIPSCOMBE AVE, SANDY BAY		Property ID (PID)	1912167
Description of development	Multiple Dwellings x 2			
Schedule of drawings/documents				
Prepared by	Drawing/document No.		Revision No.	Date of Issue
Engineering Plus	2852020 / A02		E	22/04/2021
Conditions				
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 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. 2. Any removal/supply and installation of water meters and the removal of redundant or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 3. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater. 				



Advice

General

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

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

Service Locations

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

A copy of the GIS is included in email with this notice and should aid in updating of the documentation. The location of this infrastructure as shown on the GIS is indicative only.

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

Declaration

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

Authorised by

Jason Taylor
Development Assessment Manager

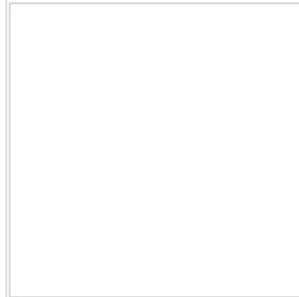
TasWater Contact Details

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

Planning: #230242

Property

35 LIPSCOMBE AVENUE SANDY BAY TAS 7005

**People****Applicant**

*

Brian Moore
35 Lipscombe Avenue
SANDY BAY TAS 7005
0438439391
brian.moore1945@icloud.com

Owner

*

Jason & Rebecca Rule
35 Lipscombe Avenue
SANDY BAY TAS 7005
0406760880
jasonandbec@aol.com

Agent

All Urban Planning
Frazer Read
19 Mawhera Avenue
SANDY BAY TAS 7005
0400109582
frazer@allurbanplanning.com.au

Entered By

FRAZER ERIC READ
0400 109 582
frazer@allurbanplanning.com.au

Use

Multiple dwellings

Details

Have you obtained pre application advice?

☒ Yes

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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor

Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

*

☐ No

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

*

☐ No

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

Details

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

*

single dwelling

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

*

second dwelling

Estimated cost of development

*

230000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

Carparking on Site

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection chosen)

2

3

Other Details

Does the application include signage?

*

☐ No

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

*

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☐ No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

*

Certificate of title 35 Lipscombe Ave.pdf

Title (Folio text and Plan and Schedule of Easements)

*

Certificate of Title 16 Lauramont.pdf

Plans (proposed, existing)

*

35 Lipscombe Avenue - Sandy Bay - Moore.pdf

Covering Letter

35 Lipscombe Ave - DA Cover letter for Multiple Dwelling.pdf

Part 5

RegistryOfDeed-C353278 - Part 5 Agreement 35 Lipscombe.pdf

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 131762	FOLIO 3
EDITION 6	DATE OF ISSUE 16-Mar-2020

SEARCH DATE : 11-Apr-2021

SEARCH TIME : 10.22 AM

DESCRIPTION OF LAND

City of HOBART

Lot 3 on Sealed Plan 131762

Derivation : Part of 91 Acres Gtd. to J. Sharpe.

Prior CT 211514/1

SCHEDULE 1

M390887 TRANSFER to JASON CAMPBELL RULE and REBECCA LOUISE
RULE Registered 14-Sep-2012 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 131762 EASEMENTS in Schedule of Easements

SP 131762 FENCING COVENANT in Schedule of Easements

C353278 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
12-Feb-2002 at noon

E205322 MORTGAGE to Members Equity Bank Limited Registered
16-Mar-2020 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

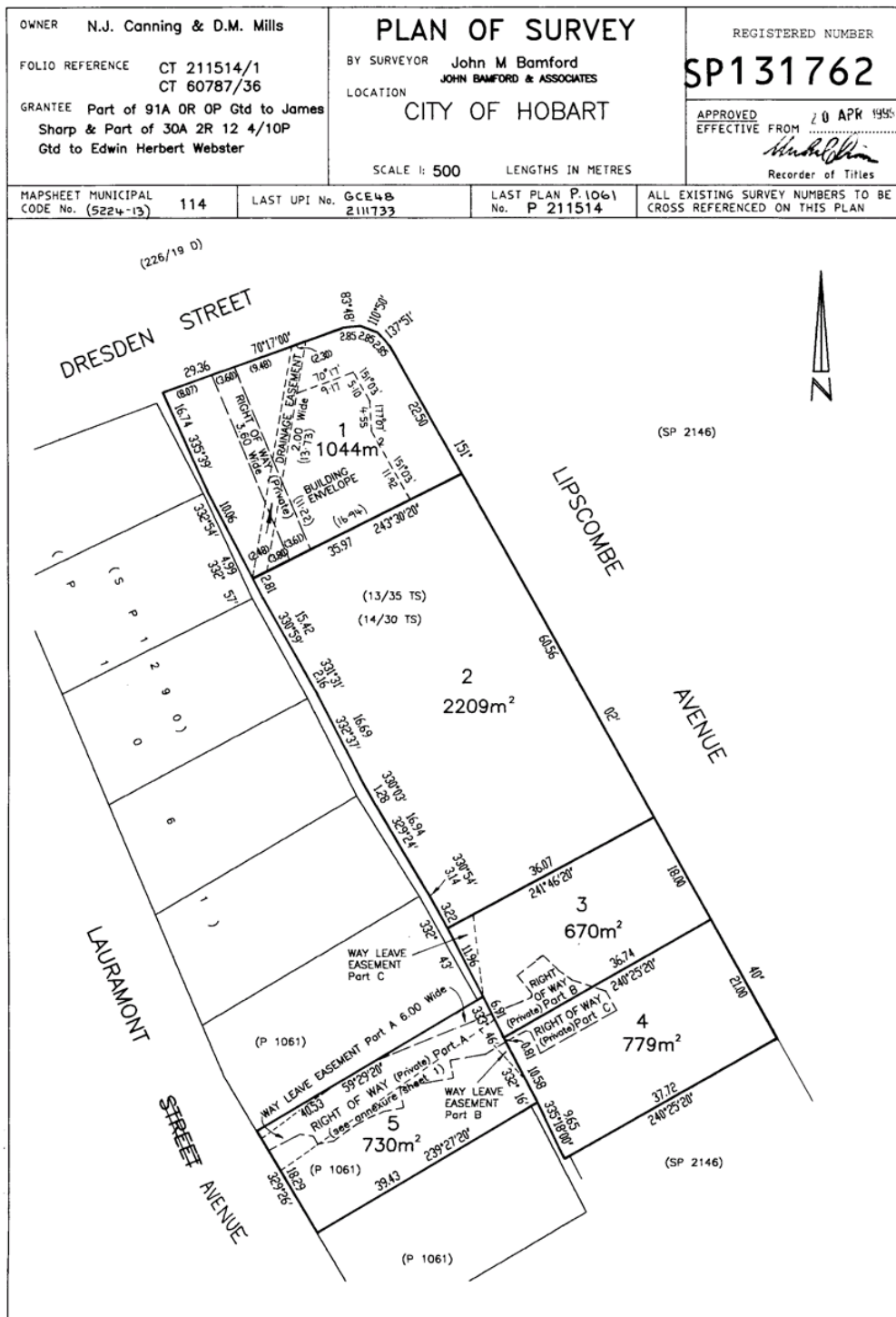
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

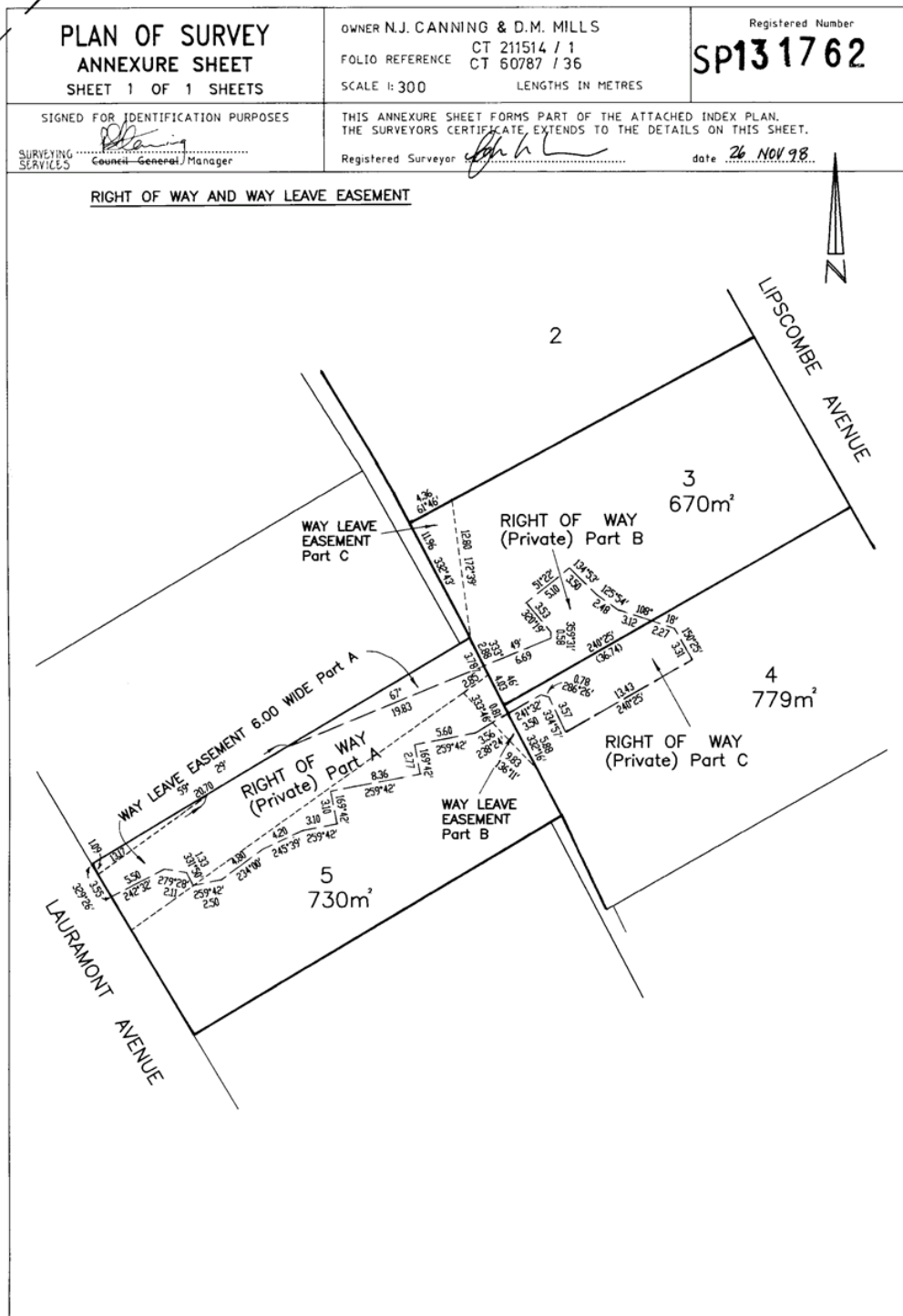




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 131762

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

DEFINITION**WAYLEAVE EASEMENT** means:**FIRSTLY** all the full and free right and liberty for Aurora Energy Pty Ltd and its successors and its and their servants agents and contractors at all times hereafter:

- (a) To erect construct place inspect alter repair renew maintain and use in and upon the servient land towers poles wires cables apparatus appliances and other ancillary work (all of which are hereinafter collectively referred to as "the said lines") for the transmission and distribution of electrical energy and for purposes incidental thereto.
- (b) To cause or permit electrical energy to flow or be transmitted through and along the said lines.
- (c) To cut away remove and keep clear of the said lines all trees and all other obstructions or erections of any nature whatsoever which may at any time overhang encroach or be in or on the servient land and which may in any way endanger or interfere with the proper operation of the said lines; and making good all damage occasioned thereby.
- (d) To enter into and upon the servient land and if necessary to cross the remainder of the said land for the purpose of access and regress to and from the servient land for all or any of the above purposes with or without all necessary plant equipment machinery and vehicles of every kind, and making good all damage occasioned thereby.

SECONDLY the benefit of a covenant for Aurora Energy Pty Ltd and its successors with the registered proprietors for themselves and their successors in title of the servient land not to erect any buildings or place

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills FOLIO REF: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1 SOLICITOR & REFERENCE: David Nairn Thorp, Simmons Wolfhagen	PLAN SEALED BY: Hobart City Council DATE: REF NO. Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGE/S	Registered Number SP 131762
SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills FOLIO REFERENCE: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1	

any structures, objects or vegetation that could interfere with the proper and safe operation of the said lines to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement first hereinbefore described.

Lot 1 on the Plan is subject to Right of Carriageway appurtenant to Lot 2 on the Plan over the Right of Way (Private) 3.60 wide as shown on the Plan.

Lot 2 on the Plan is together with a Right of Carriageway over the Right of Way (Private) 3.60 as shown on the Plan.

Lot 3 on the Plan is together with a Right of Carriageway over Right of Way (Private) Part A and Right of Way (Private) Part C as shown on the Plan.

Lot 3 on the Plan is subject to a Right of Carriageway over Right of Way (Private) Part B appurtenant to Lot 4 as shown on the Plan.

Lot 4 on the Plan is together with a Right of Carriageway over Right of Way (Private) Part B and Right of Way (Private) Part A as shown on the Plan.

Lot 4 is subject to a Right of Carriageway over Right of Way (Private) Part C appurtenant to Lot 3 as shown on the Plan.

Lot 5 on the Plan is subject to a Right of Carriageway over Right of Way (Private) Part A appurtenant to Lots 3 and 4 as shown on the Plan.

Lot 5 is together with a Right of Carriageway over roadways on P60787.

Lot 5 is subject to the right for the owners and occupiers for the time being of any portion of the lands comprised in Certificates of Title Volume 418 Folio 146 of using all sewers and drains now or hereafter made in over or under the land comprised herein for the benefit of any existing or future buildings on any

SIGNED by **NAOMI JANE CANNING** and
DIANA MARGARET MILLS as Registered
 Proprietors of the land comprised in Folio of
 the Registers Vol.0787 Fol. 36 and Vol. 211514
 Fol. 1, in the presence of:

David Cameron
 172 Charles St Launceston
 some dates

N.J. Canning
D.M. Mills
Patricia L. Solicitor Hobart

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 3 OF 3 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP 131762</p>
<p>SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills FOLIO REFERENCE: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1</p>	

other portion of the land comprised in the said Certificate of Title with power at any time upon giving previous reasonable notice to enter upon the land comprised herein to make lay repair cleanse and maintain any sewers pipes or drains.

Lot 3 on the Plan is Subject to a Way Leave Easement over the "Way Leave Easement Part C".

Lot 5 on the Plan is Subject to a Way Leave Easement over the "Way Leave Easement Part B".

Lot 5 on the Plan is Subject to a Way Leave Easement over the "Way Leave Easement Part A".

FENCING COVENANT:

In respect of each Lot shown on the Plan, the Vendors NAOMI JANE CANNING and DIANA MARGARET MILLS shall not be required to fence.

COVENANTS

The owners for the time being of Lot 1 on the Plan covenant with the Vendors and the owners for the time being of every other Lot shown on the Plan to the intent that the burden of this covenant shall run with and bind the covenanted lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every other lot shown on the Plan to observe the following covenant and stipulation:

Not to erect any dwelling on the said Lot otherwise than within the area marked as Building Envelope on the said lot on the said plan.

SIGNED by NAOMI JANE CANNING and
DIANA MARGARET MILLS as Registered
Proprietors of the land comprised in Folio of
the Registers Vol. 60787 Fol. 36 and Vol. 211514
Fol. 1, in the presence of: *Blaine J. Cameron*
172 Charles St Launceston

N. J. Canning
D. M. Mills
Blaine J. Cameron

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**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 131762	FOLIO 4
EDITION 3	DATE OF ISSUE 18-Feb-2016

SEARCH DATE : 28-May-2021

SEARCH TIME : 11.47 AM

DESCRIPTION OF LAND

City of HOBART

Lot 4 on Sealed Plan 131762

Derivation : Part of 91 Acres Gtd. to J. Sharpe.

Prior CT 211514/1

SCHEDULE 1

(C164698) E36965 RICHARD JEREMY CATT and CATHERINE GRACE
CATT as tenants in common in equal shares
Registered 18-Feb-2016 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 131762 EASEMENTS in Schedule of Easements
SP 131762 FENCING COVENANT in Schedule of Easements
C167910 MORTGAGE to Commonwealth Bank of Australia
Registered 19-May-1999 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

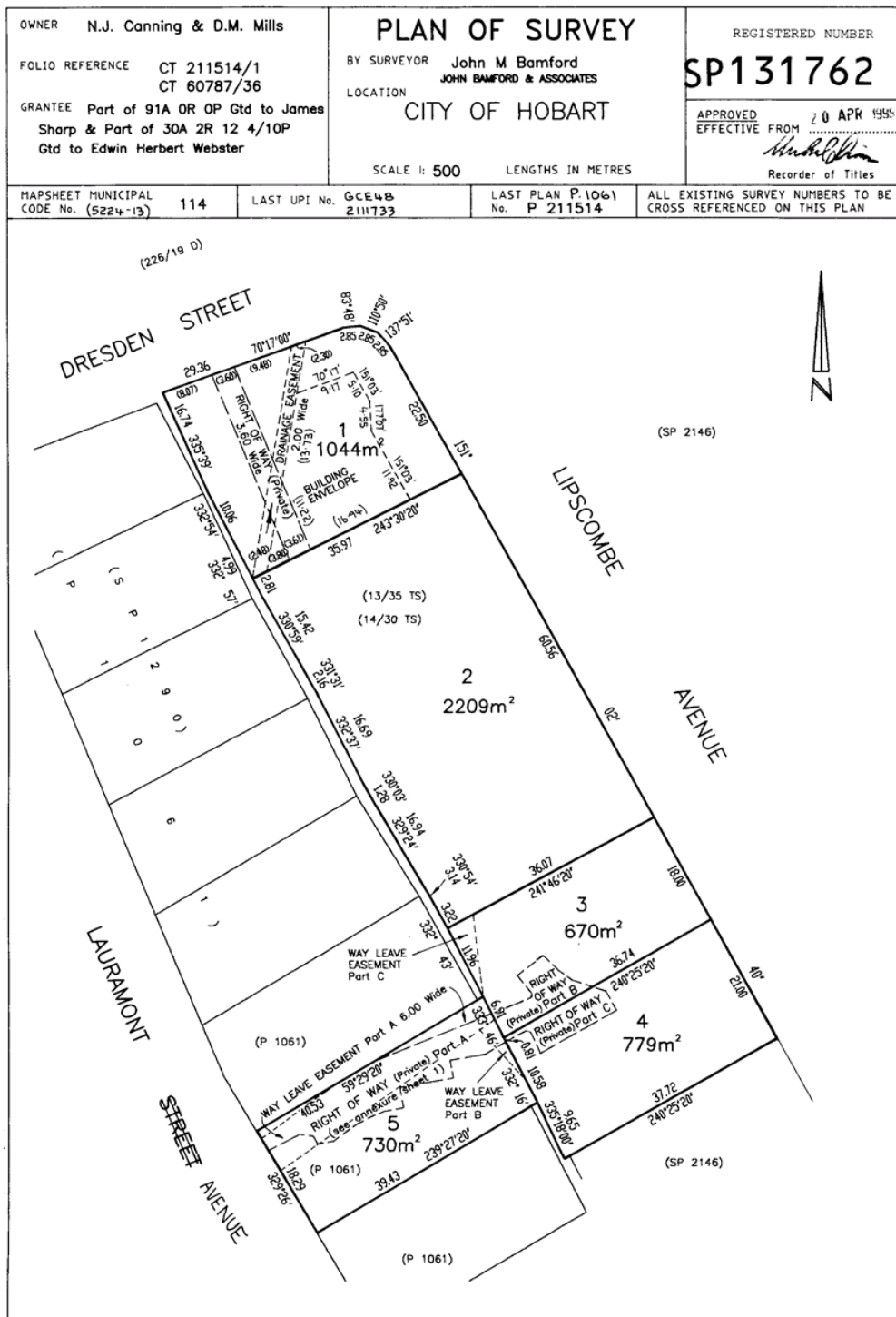
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

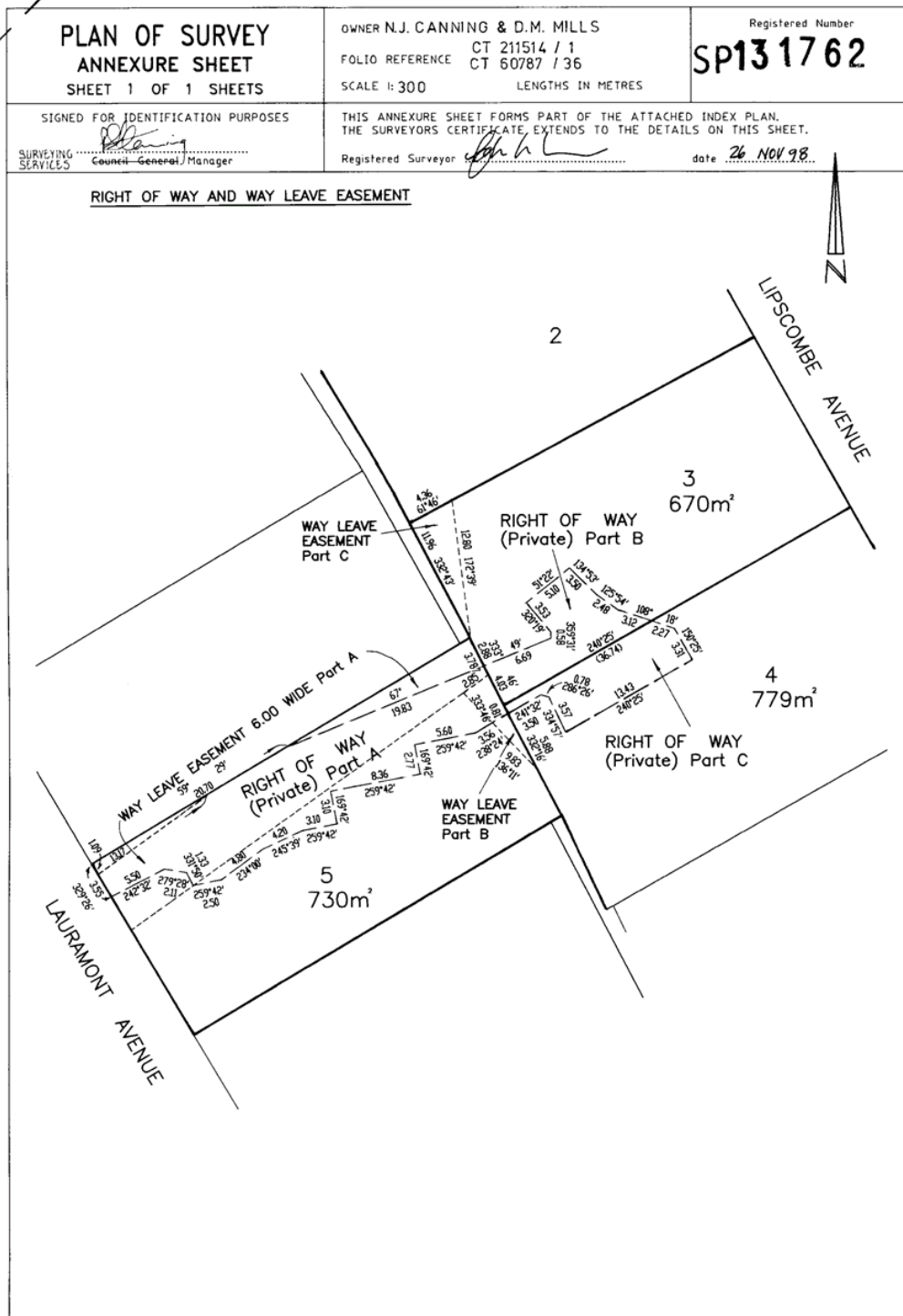




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 131762

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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- (a) To erect construct place inspect alter repair renew maintain and use in and upon the servient land towers poles wires cables apparatus appliances and other ancillary work (all of which are hereinafter collectively referred to as "the said lines") for the transmission and distribution of electrical energy and for purposes incidental thereto.
- (b) To cause or permit electrical energy to flow or be transmitted through and along the said lines.
- (c) To cut away remove and keep clear of the said lines all trees and all other obstructions or erections of any nature whatsoever which may at any time overhang encroach or be in or on the servient land and which may in any way endanger or interfere with the proper operation of the said lines; and making good all damage occasioned thereby.
- (d) To enter into and upon the servient land and if necessary to cross the remainder of the said land for the purpose of access and regress to and from the servient land for all or any of the above purposes with or without all necessary plant equipment machinery and vehicles of every kind, and making good all damage occasioned thereby.

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(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills	PLAN SEALED BY: Hobart City Council
FOLIO REF: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1	DATE:
SOLICITOR & REFERENCE: David Nairn Thorp, Simmons Wolfhagen	REF NO. _____ Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGE/S	Registered Number SP 131762
SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills FOLIO REFERENCE: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1	

any structures, objects or vegetation that could interfere with the proper and safe operation of the said lines to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement first hereinbefore described.

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Lot 4 on the Plan is together with a Right of Carriageway over Right of Way (Private) Part B and Right of Way (Private) Part A as shown on the Plan.

Lot 4 is subject to a Right of Carriageway over Right of Way (Private) Part C appurtenant to Lot 3 as shown on the Plan.

Lot 5 on the Plan is subject to a Right of Carriageway over Right of Way (Private) Part A appurtenant to Lots 3 and 4 as shown on the Plan.

Lot 5 is together with a Right of Carriageway over roadways on P60787.

Lot 5 is subject to the right for the owners and occupiers for the time being of any portion of the lands comprised in Certificates of Title Volume 418 Folio 146 of using all sewers and drains now or hereafter made in over or under the land comprised herein for the benefit of any existing or future buildings on any

SIGNED by **NAOMI JANE CANNING** and
DIANA MARGARET MILLS as Registered
 Proprietors of the land comprised in Folio of
 the Registers Vol.0787 Fol. 36 and Vol. 211514
 Fol. 1, in the presence of:

David Cameron
172 Charles St Launceston
some dates

N.J. Canning
D.M. Mills
Patricia L. Solicitor Hobart

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 3 OF 3 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP 131762</p>
<p>SUBDIVIDER: Naomi Jane Canning & Diana Margaret Mills FOLIO REFERENCE: Vol. 60787 Fol. 36 & Vol. 211514 Fol. 1</p>	

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Lot 5 on the Plan is Subject to a Way Leave Easement over the "Way Leave Easement Part B".

Lot 5 on the Plan is Subject to a Way Leave Easement over the "Way Leave Easement Part A".

FENCING COVENANT:

In respect of each Lot shown on the Plan, the Vendors NAOMI JANE CANNING and DIANA MARGARET MILLS shall not be required to fence.

COVENANTS

The owners for the time being of Lot 1 on the Plan covenant with the Vendors and the owners for the time being of every other Lot shown on the Plan to the intent that the burden of this covenant shall run with and bind the covenanted lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every other lot shown on the Plan to observe the following covenant and stipulation:

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SIGNED by NAOMI JANE CANNING and
DIANA MARGARET MILLS as Registered
Proprietors of the land comprised in Folio of
the Registers Vol. 60787 Fol. 36 and Vol. 211514
Fol. 1, in the presence of: *Blaine J. Cameron*
172 Charles St Launceston

N. J. Canning
D. M. Mills
Blaine J. Cameron

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 131762	FOLIO 5
EDITION 3	DATE OF ISSUE 18-Feb-2016

SEARCH DATE : 11-Apr-2021

SEARCH TIME : 10.26 AM

DESCRIPTION OF LAND

City of HOBART

Lot 5 on Sealed Plan 131762

Derivation : Part of 91 Acres Gtd. to J. Sharpe., Part of
30acs. 2rds. 12.4/10ps. Gtd. to E.H.Webster

Prior CTs 211514/1 and 60787/36

SCHEDULE 1

(C164699) E36965 RICHARD JEREMY CATT and CATHERINE GRACE
CATT as tenants in common in equal shares
Registered 18-Feb-2016 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 131762 EASEMENTS in Schedule of Easements
SP 131762 FENCING COVENANT in Schedule of Easements
A9545 FENCING CONDITION AND OTHER CONDITIONS in Transfer
C167910 MORTGAGE to Commonwealth Bank of Australia
Registered 19-May-1999 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

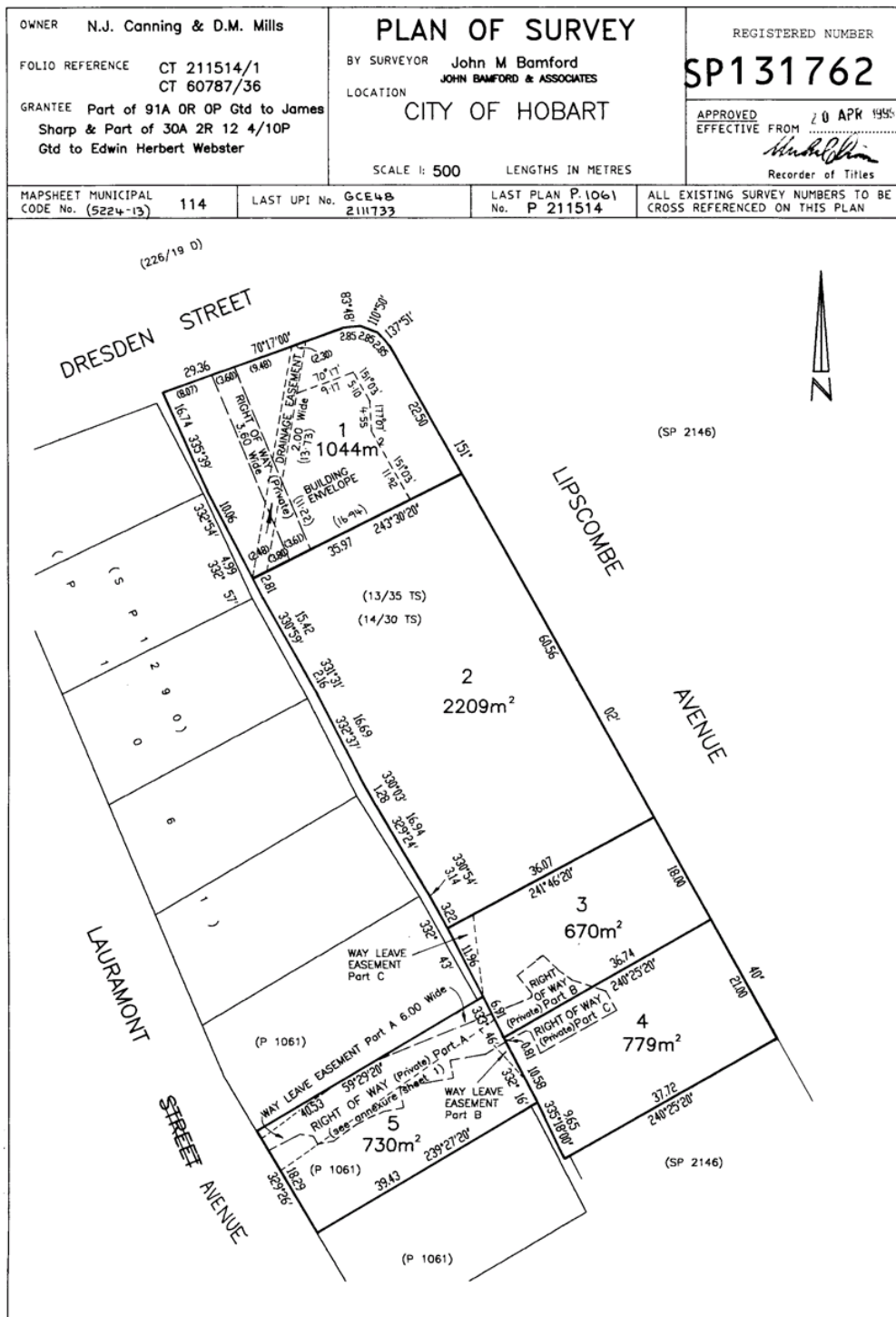
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

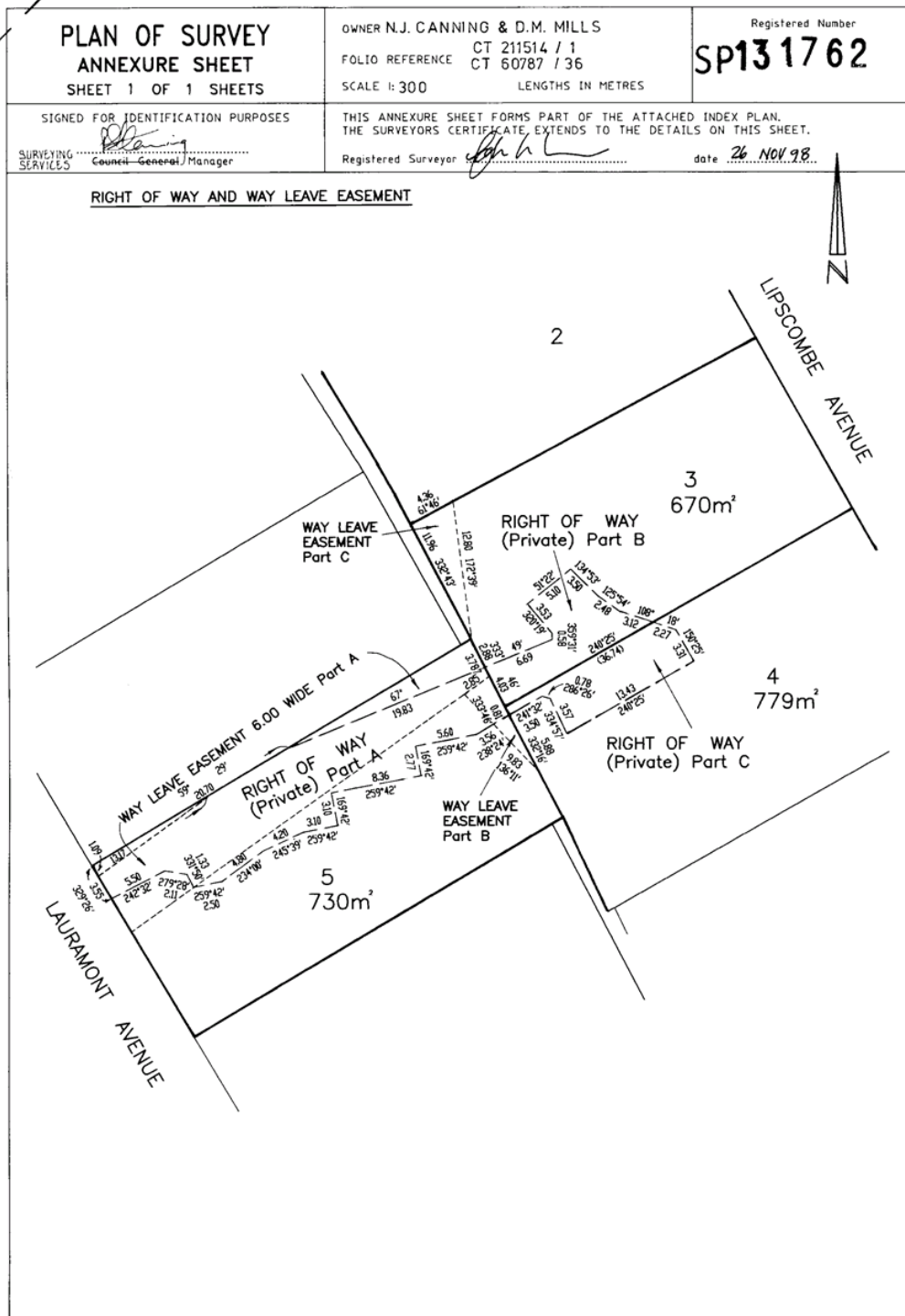




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



TASMANIAN LAND TITLES OFFICE

Notification of Agreement
under the
Land Use Planning and
(Section 71)

C353278

Approvals Act 1993

DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
131762	3		

REGISTERED PROPRIETOR:

SUSAN OLIVE MOREFORD-WAITE of 35 Lipscombe Avenue, Sandy Bay in Tasmania

PLANNING AUTHORITY:

HOBART CITY COUNCIL

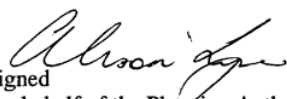
Dated this 31st day of January 2002

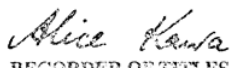
I ALISON CLARE LYNE

of TOWN HALL, MACQUARIE STREET, HOBART IN TASMANIA, LEGAL
SERVICES OFFICER ON BEHALF OF

the abovenamed Planning Authority, certify that the above particulars are correct and that attached is a certified executed copy of the agreement between the abovenamed parties, notice of which is to be registered against the abovementioned folio of the Register.

The abovenamed Planning Authority holds the original executed Agreement.


Signed
(on behalf of the Planning Authority)

Land Titles Office Use Only	<div style="border: 1px solid black; padding: 5px;"> REGISTERED 12 FEB 2002  RECORDED OF TITLES </div>
-----------------------------	--

LUA Version 1

Stamp Duty

THE BACK OF THIS FORM MUST NOT BE USED

THIS DEED is made the 7th day of November. 2001

BETWEEN THE HOBART CITY COUNCIL a body corporate incorporated pursuant to the provisions of the Local Government Act 1993 ("the Council") of the one part, **AND SUSAN OLIVE MORFORD-WAITE** of 34 Baynton Street, Kingston in Tasmania ("the Covenantor") of the second part.

RECITALS:

- A. The Covenantor is the owner of the land known as 35 Lipscombe Avenue, Sandy Bay in Tasmania, more particularly described in Folio of the Register Volume 131762 Folio 3 ("the Covenantor's property").
- B. The Covenantor's property is subject to the City of Hobart Planning Scheme, 1982.
- C. The Covenantor has been given planning approval for a house and garage on the Covenantor's property ("the Development") pursuant to application number DA200718, subject to certain conditions as contained in the notification of planning approval ("the Permit") dated 13 September, 2000.
- D. Condition 5 of the Permit requires that prior to the issue of building approval for the Development the Covenantor enter into an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993. The purpose of this agreement is to ensure the preservation and maintenance of that portion of the existing hedge fronting Lipscombe Avenue, north of the modified driveway and sight splay required under the Permit ("the hedge").
- E. The purpose of this deed is to satisfy the requirement stated in part D above.
- F. This deed is made pursuant to Part 5 of the Land Use Planning and Approvals Act 1993.

OPERATIVE PART:

1. IN CONSIDERATION of the Council granting the Permit to the Covenantor, the Covenantor agrees to ensure that the hedge is retained on the Covenantor's property and maintained to the satisfaction of the Council's Senior Statutory Planner.
2. Should any dispute arise between the Covenantor and the Council with regard to the cost or extent of any works required under this agreement, the dispute shall be determined by an arbitrator appointed by the President for the time being of the Institution of Engineers Australia (Tasmania Branch).

DD-002302-016
10105406
720.00
110102

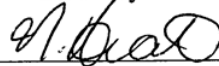
3. The Covenantor agrees that this Deed will be registered on the title to the Covenantor's property pursuant to section 78 of the Land Use Planning and Approvals Act 1993. The Covenantor further agrees to bear any costs associated with the registration and stamping of this agreement.

IN WITNESS WHEREOF the parties have hereunto affixed their hands and seals the day and year first above written

THE COMMON SEAL of)
THE HOBART CITY COUNCIL)
was hereunto affixed in the)
presence of:)

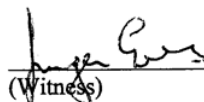
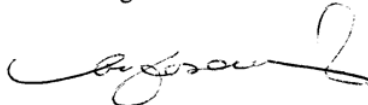


Lord Mayor



Manager Executive Services

Signed, sealed and delivered by)
SUSAN OLIVE MORFORD-WAITE)
in the presence of:)



(Witness)

Name Juergen Evers
Address 22 Hawthorn Drive, Kingston
Occupation Chemist.

I, Alison Clare Lyne, being and as the Solicitor for the
Hobart City Council hereby certify that this is a true and
correct copy of the agreement made between HOBART CITY
COUNCIL AND SUSAN OLIVE MORFORD - WAITE -



31/1/02.

From: [Frazer Read](#)
To: ["sherriffc@hobartcity.com.au"](mailto:sherriffc@hobartcity.com.au)
Cc: ["Drew Moore"](#)
Subject: Further Information - PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY BAY TAS 7005
Date: Friday, 28 May 2021 11:56:00 AM
Attachments: [Certificate of Title 37 Lipscombe Ave.pdf](#)

Hi Cam, please see additional title for 37 Lipscombe Avenue as requested.
I confirm that the proposal relies on the benefiting right of ways over the land at 16 Lauramont and 37 Lipscombe Avenue to provide access to the proposed dwelling on 35 Lipscombe Avenue.
I confirm that the proponent has advised the owner of 16 Lauramont and 37 Lipscombe Avenue that they are making the application.
I will lodge the information through the portal now

Regards

Frazer Read
Principal

Call 0400 109 582 Email frazer@allurbanplanning.com.au
19 Mawhera Ave, Sandy Bay Tasmania 7005
allurbanplanning.com.au

AllUrbanPlanning PROF. 002



From: sherriffc@hobartcity.com.au <sherriffc@hobartcity.com.au>
Sent: Friday, 28 May 2021 10:03 AM
To: Frazer Read <frazer@allurbanplanning.com.au>
Subject: Invalid Application - PLN-21-272 - 35 LIPSCOMBE AVENUE SANDY BAY TAS 7005

Dear Brian,

Your planning application is currently invalid.

Please find a link below to a letter detailing why your application is invalid, and what you can do to make your application valid.

<https://HobartCityCouncil.sharefile.com/d/s7e604ac260ac46d98d9fc9133c68da8f>

Note: The above link will expire in 14 days. Please download and save the documents within this time frame.

Please submit the required documentation through the City of Hobart online services e-planning.

Kind regards

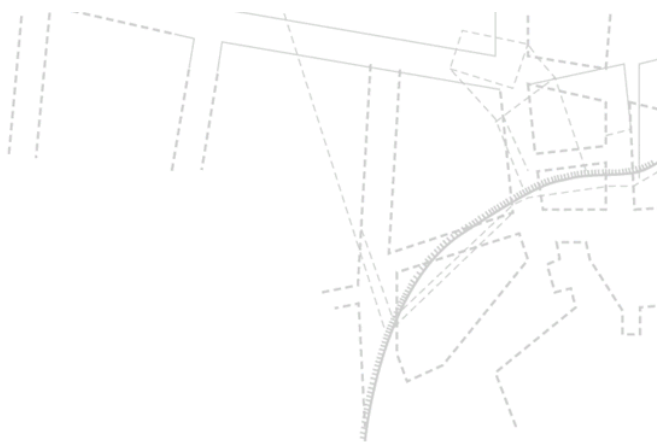
Cameron Sherriff
Development Appraisal Planner

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Please consider the environment - Do you really need to print this email?



19 April 2021

Ben Ikin
Senior Statutory Planner
Hobart City Council
GPO Box 503
HOBART 7001

Dear Ben

35 Lipscombe Avenue – New application for a planning permit for an additional dwelling

Please see attached a new application for a planning permit for the construction of an additional dwelling to the rear of the existing house at 35 Lipscombe Avenue, Sandy Bay.

The Site

35 Lipscombe Avenue, CT 131762/3 is a 670m² lot with a house with a double garage sited close to the Lipscombe avenue frontage of the site. The land has a right of way which provides access to the rear of the site over 16 Lauramont Avenue. Certificates of title for both properties accompany the application. The owner of 16 Lauramont has been notified that the application is to be made.

There is a Part 5 agreement over 35 Lipscombe Avenue requiring the retention of a hedge along the Lipscombe Avenue frontage. This proposal does not affect that hedge or conflict with that agreement.

AllUrbanPlanning



Figure 1 - The site - source: theList

Proposal

The proposal is to construct a new single storey, two bedroom dwelling to the rear of the site with a single car space accessed via right of way from 16 Lauramont Avenue.

Planning Scheme

Under Clause 8.10.1 of the planning scheme the planning authority must, in addition to the matters required by s.51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with s57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Relevantly, a standard is applicable if the site is within the relevant zone and the standard deals with a matter that could affect or be affected by the proposed development; cl.7.5.2.

A standard is defined to mean the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or corresponding performance criterion.

Compliance with a standard is achieved by complying with either the acceptable solution or corresponding performance criterion; cl.7.5.3.



The objective of the standard may be considered to help determine whether the proposed use or development complies with the performance criterion of that standard; cl.7.5.4.

The Land Use Planning and Approvals Act 1993 assess use and development separately and that dichotomy is brought over to the Planning Scheme where use and development is assessed against separate controls.

Zone

The site is zoned General Residential. Multiple Dwellings are a Permitted Use in the Zone. There are no applicable Use Standards.

Development Standards

10.4.1 Residential density for multiple dwellings

The proposal for 2 dwellings on the 670m² site complies with the requirements of A1 for 1 dwelling per 325m² (a minimum of 650m² required).

10.4.2 Setbacks and building envelope for all dwellings

Development Standards	Assessment
A1	Complies. The proposal is sited to the rear of the lot and well clear of the front setback.
A2	N/A. The proposal does not involve a new garage or carport.
A3 <i>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</i> <i>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</i> <i>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</i> <i>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</i> <i>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</i>	The proposal involves a 9.2m wall ranging in height from 3.6m to 4.6m within 900mm of the northern side boundary. The proposal does not comply with A3bii) and therefore is to be assessed under P3 below.

<p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	
<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>	<p>The siting and scale of the proposed modest single storey dwelling is considered to satisfy P3 in that it will not cause unreasonable loss of amenity to adjoining properties having regard to the following:</p> <ul style="list-style-type: none"> it is sited to the south of the adjacent dwelling at 33 Lipscombe Avenue and some distance from other adjoining dwellings to the west and south. It will therefore not overshadow those dwellings or any adjoining solar energy installation; The proposed building complies with permitted siting (A3) relative to the western and southern boundaries and therefor will not result in any unreasonable impact to properties adjacent to those boundaries; 33 Lipscombe Avenue is orientated away from the boundary with the proposal and there will be no resultant visual impact as viewed from the habitable rooms and open spaces of that property; and The siting of this single storey extension close to the side boundary is similar and therefore compatible with many other established properties in the vicinity including 33 Lipscombe which is sited on/very close to the common boundary.

10.4.3 Site coverage and private open space for all dwellings

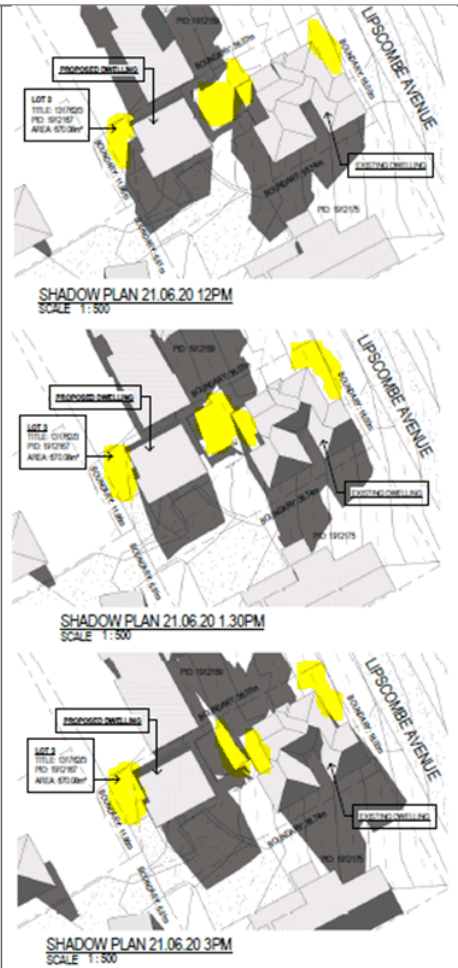
Development Standard	Assessment
A1	<p>The proposal complies with both a) and b) of A1 in that:</p> <p>a) it will result in a site cover of approximately 41% (existing building</p>

	<p>approximately 188m² plus proposed dwelling 88m² (276m²) on the 670m² site) and complies with the 50% permitted standard; and</p> <p>b) both the existing dwelling and the proposed will retain at least 60m² of private open space for the exclusive use of the occupants of the dwelling.</p>
A2	<p>The proposed new dwelling will have an area of POS of at least 24m² but with a minimum dimension of approximately 3.3m rather than 4m. . The proposal is therefore to be assessed under P2. The existing house has two deck areas of POS directly accessible from the main living areas of that dwelling but not in a single location greater than 24m²</p>
<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(b) orientated to take advantage of sunlight.</p>	<p>The proposal is considered to provide good private open space for both dwellings in that:</p> <ul style="list-style-type: none"> • It retains the existing deck areas for the existing dwelling directly adjacent to the living area and a grassed terrace area between the existing dwelling and the proposed at the lower level; • The proposed new dwelling includes a private open space area to the west of the dwelling; and • These areas will offer good solar access as shown on the accompanying shadow diagrams.

10.4.4 Sunlight to private open space of multiple dwellings

Development Standard	Assessment
<p>A1</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p>	<p>The accompanying shadow diagrams show that the proposal complies with A1 b) in that the existing dwelling will continue to receive at least 3hrs sunlight 50% of the private open space between 10.30am and 3pm on 21 June. A1 is therefore satisfied.</p>

- (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;
- (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and
- (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:
- (i) an outbuilding with a building height not more than 2.4m; or
- (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.



10.4.5 Width of openings for garages and carports for all dwellings

The proposal does not involve a new garage or carport. This standard does not apply.

10.4.6 Privacy for all dwellings

Development Standards	Assessment
A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished	Complies. The proposal does not involve a new terrace or deck with a height more than 1m above NGL.

<p>surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>	
<p>A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window</p>	<p>The eastern elevation of the proposed dwelling has a high sill height of at least 1.7m and a floor level less than 1m above NGL. The windows in the northern elevation have a sill height less than 1.7m. They are however offset more than 1.5m from any other windows of an adjoining dwelling and therefore satisfy A2 by virtue of A2b)i).</p>

<p>or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>The lower driveway area is below and more than 2.5m from a window or glazed door of the existing dwelling. The proposal complies with A3.</p>

10.4.8 Waste storage for multiple dwellings

Development Standards	Assessment
<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p>	<p>The existing and proposed dwelling will have separate waste storage areas as shown on the site plan and complies.</p>



<p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	
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Codes

Landslide Hazard Code

The proposed dwelling is to be located within a Low Landslide Hazard Area as shown in Figure 2 below.



Figure 2 - Landslide Hazard Area (Source: theList)

The proposal to construct a dwelling within this area without significant earthworks is exempt from the Code under E3.4c).

Access and Parking Code

The existing house has two carparking spaces in the garage adjacent to the Lipscombe Avenue frontage. The proposal for a second dwelling with 2 or more bedrooms requires an additional 2 carparking spaces under Table E6.1. The proposal does not comply with this requirement and

therefore A1 of E6.6.1 in that only 1 parking space will be provided for the new dwelling. The proposal is to be assessed under P1 as follows:

Use Standard	Assessment
<p>P1</p> <p>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:</p> <ul style="list-style-type: none"> (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; 	<p>The proposal is considered acceptable under P1 in that:</p> <ul style="list-style-type: none"> a) Although larger than the 60m² threshold for an ancillary dwelling, the proposal is essentially for a granny flat that at this stage is to be occupied by the father of the owner of the principle house. A single car space will satisfy the parking demand for the expected occupant; b) There is ample on street parking available in Lauramont Avenue if required; c) The site is located approximately 380m from the Churchill Avenue bus route and approximately 440m to the Sandy Bay route; d) The site is conveniently located to the Sandy Bay Road cycle paths; e) – m) these criteria are less relevant to the circumstances of this proposal.

<p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p> <p>(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.</p>	
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Inundation prone areas Code

The site is not mapped as flood prone however the drainage line below and to the west has been subject to some overland flow. This matter was discussed with Council's Environmental Development Planner, Rowan Moore in October 2020. The proposed dwelling has been setback from this western boundary and has an open piled structure on an elevated floor level approximately 1m above existing NGL. No works (including walls) are proposed within the lower part of the site. The closest parts of the dwelling to the bottom of the site are cantilevered approximately 1.5m from the piers.

A flood study is not considered necessary.

Conclusion

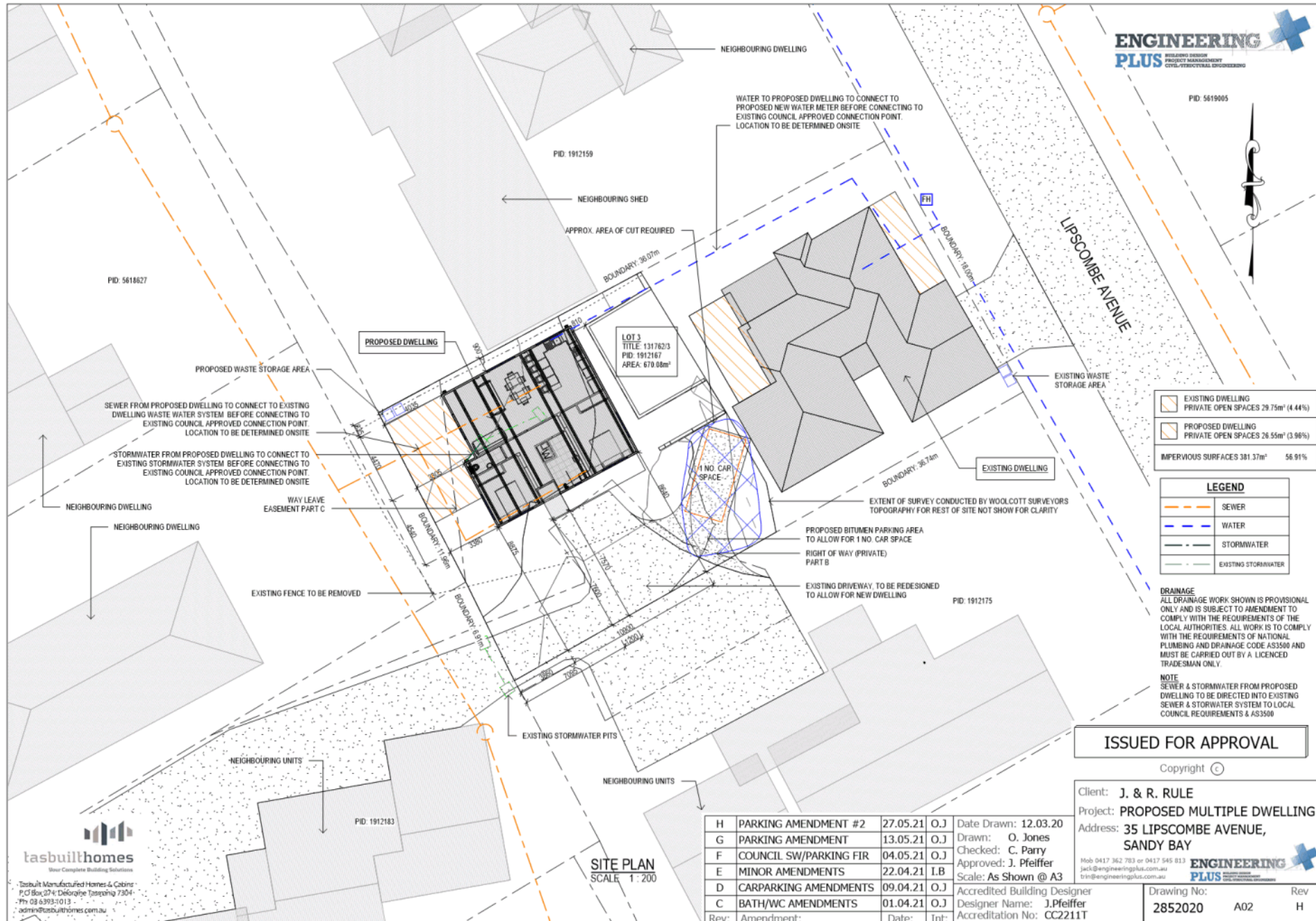
The proposed second dwelling has been sited to make use of available land without unreasonable impacts on the existing dwelling on the site or neighbouring properties. The proposed single car parking space is considered to meet the reasonable needs of the expected occupant.

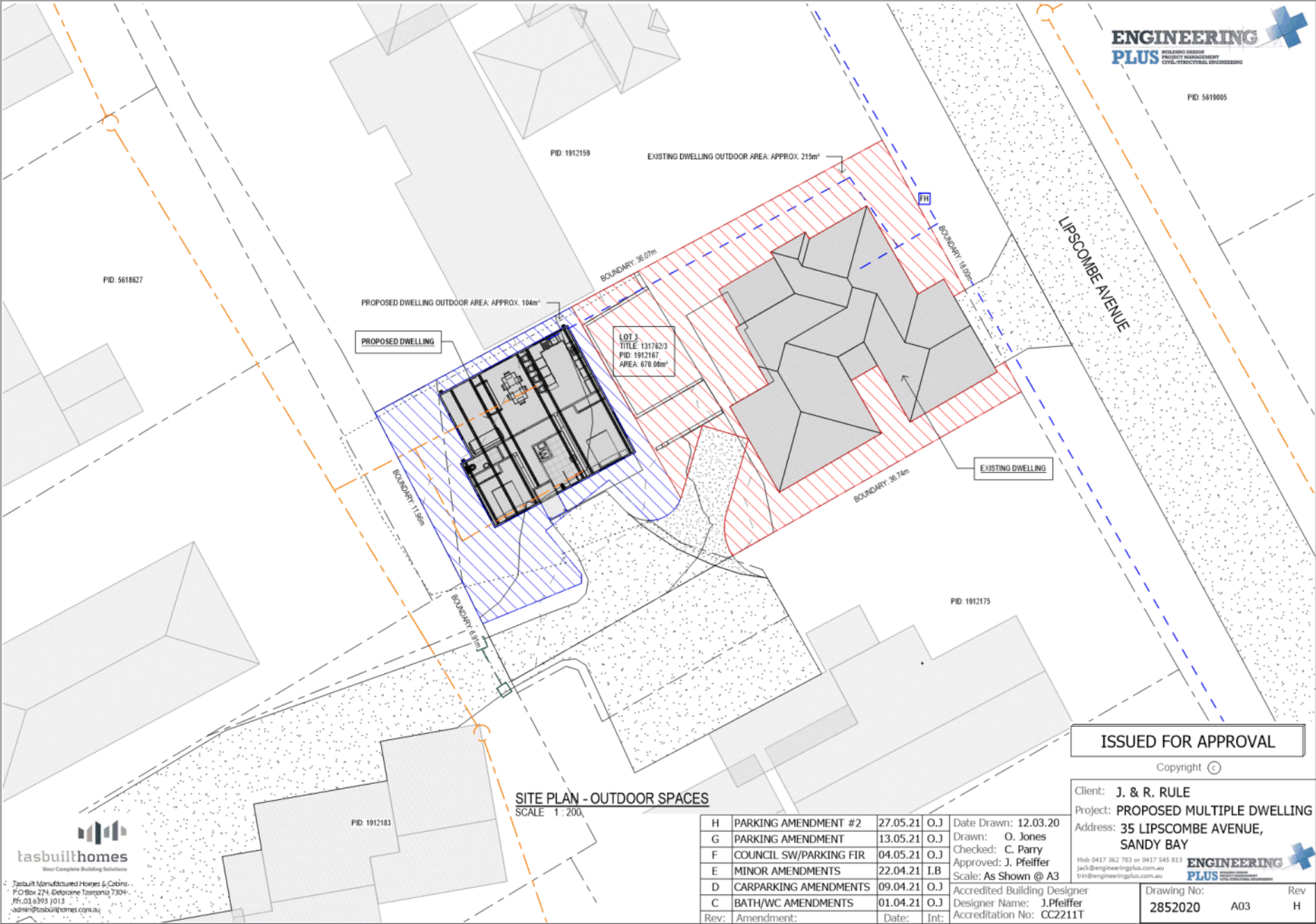
I trust Council has sufficient information to determine this application however please contact the undersigned as necessary for further information or clarification.

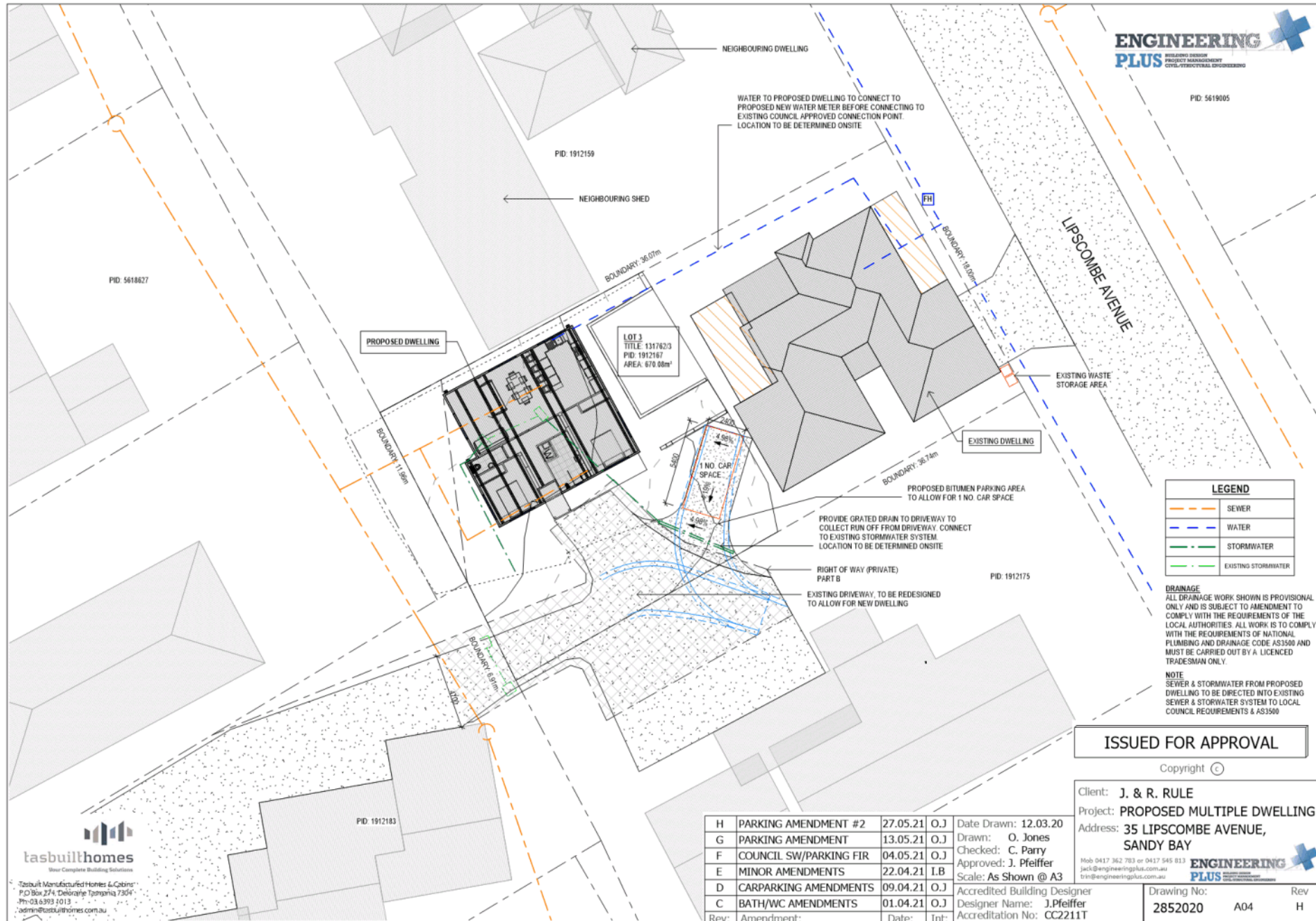
Yours sincerely



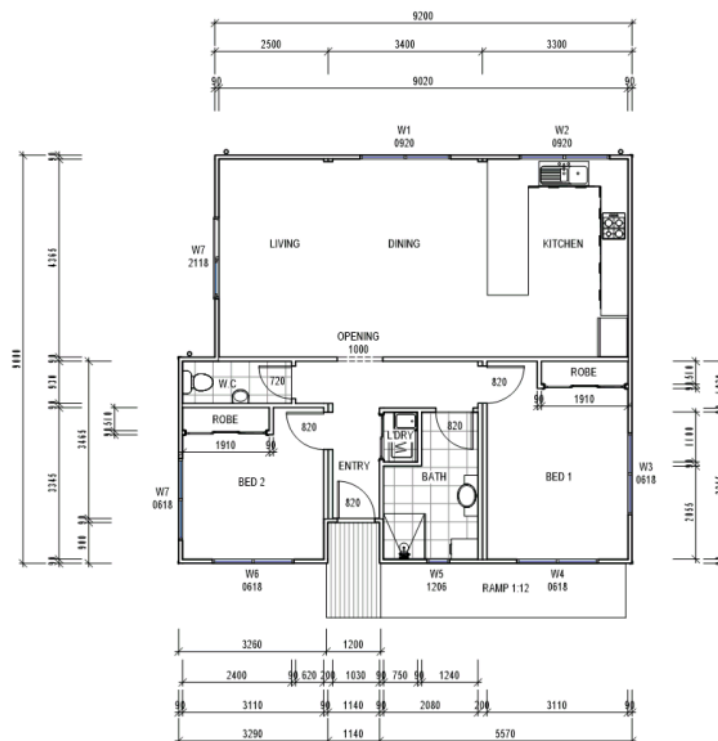
Frazer Read
Principal
All Urban Planning Pty Ltd







ENGINEERING PLUS
BUILDING DESIGN
 PROJECT MANAGEMENT
 CIVIL-STRUCTURAL ENGINEERING



CONSTRUCTION PLAN
 SCALE 1 : 100

WINDOW SCHEDULE

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	900	2000	DG	4.3	.55
W2	900	2000	DG	4.3	.55
^W3	600	1800	DG	4.3	.55
^W4	600	1800	DG	4.3	.55
W5	1200	600	DG	4.3	.55
^W6	600	1800	DG	4.3	.55
^W7	600	1800	DG	4.3	.55
SD1	2100	1800	DG	4.0	.61

^W3, W4, W6 & W7 - IF FALL HEIGHT TO GROUND IS GREATER THAN 2.0m, WINDOW TO HAVE A PERMANENTLY FIXED, ROBUST SCREEN INSTALLED OR HAVE AN OPENING RESTRICTED TO 125mm.

DISCLAIMER:

ALL WINDOWS SHOWN ON PLAN ARE APPROX. BASED OFF STANDARD MANUFACTURING SIZES. ALL WINDOW DIMENSIONS TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO ORDERING AND MANUFACTURING.

Area Schedule (Gross Building)

Name	Area	Area (sq)
PROPOSED DWELLING	85.41 m ²	9.19
ENTRY LANDING	2.47 m ²	0.27
	87.88 m ²	9.46

ISSUED FOR APPROVAL

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Client: **J. & R. RULE**

Project: **PROPOSED MULTIPLE DWELLING**

Address: **35 LIPSCOMBE AVENUE,
 SANDY BAY**

Mob 0417 362 783 or 0417 545 813
 jack@engineeringplus.com.au
 brn@engineeringplus.com.au

ENGINEERING PLUS
BUILDING DESIGN
 PROJECT MANAGEMENT
 CIVIL-STRUCTURAL ENGINEERING

Drawing No: **2852020** A05 Rev **H**

H	PARKING AMENDMENT #2	27.05.21	O.J	Date Drawn: 12.03.20
G	PARKING AMENDMENT	13.05.21	O.J	Drawn: O. Jones
F	COUNCIL SW/PARKING FIR	04.05.21	O.J	Checked: C. Parry
E	MINOR AMENDMENTS	22.04.21	I.B	Approved: J. Pfeiffer
D	CARPARKING AMENDMENTS	09.04.21	O.J	Scale: As Shown @ A3
C	BATH/WC AMENDMENTS	01.04.21	O.J	Accredited Building Designer
Rev:	Amendment:	Date:	Int:	Designer Name: J. Pfeiffer
				Accreditation No: CC2211T

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 Ph: 03 6393 1013
 admin@tasbuilthomes.com.au



SMOKE ALARMS
PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE
TO BUILDING POWER SUPPLY TO AS 3786.
CEILING MOUNTED WITH 9VDC
ALKALINE BATTERY BACKUP
TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE
WITH NCC PART 3.7.5.2

Ⓢ - DENOTES INTERCONNECTED SMOKE DETECTORS

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE
	VINYL TIMBER FLOORING

FLOOR PLAN
SCALE 1 : 100

ISSUED FOR APPROVAL

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Client: J. & R. RULE
Project: PROPOSED MULTIPLE DWELLING
Address: 35 LIPSCOMBE AVENUE,
SANDY BAY
Mob 0417 362 783 or 0417 545 013
jack@engineeringplus.com.au
trn@engineeringplus.com.au



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Ph: 03 6393 1013
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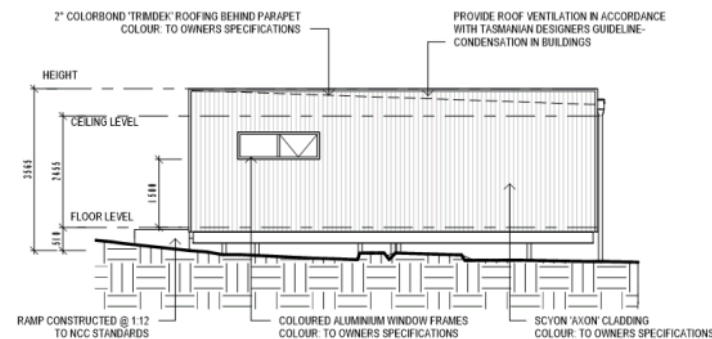
Drawing No: 2852020
A06
Rev H

SUB FLOOR VENTILATION. BCA VOLUME 2 PART 3.4.1.

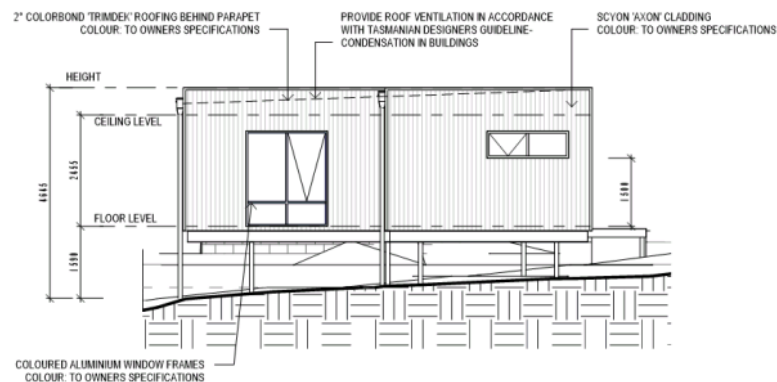
- A MINIMUM OF 150 MM OF SUB FLOOR CLEARANCE IS TO BE PROVIDED BETWEEN FINISHED SURFACE LEVEL & THE UNDERSIDE OF THE FLOOR BEARER.
- A MINIMUM OF 6000 MM² PER METRE OF SUB FLOOR VENTILATION IS TO BE UNIFORMLY DISTRIBUTED AROUND THE EXTERNAL AND INTERNAL WALLS OF THE BUILDING.
- VENTS TO BE LOCATED NO GREATER THAN 600 MM FROM AN INTERNAL OR EXTERNAL CORNER.

PRYDA 230x75 - 52 HOLE VENT MAXIMUM SPACING 1050 MM ALONG WALL OR
 PRYDA 230x165 - 117 HOLE VENT MAXIMUM SPACING 2350 MM ALONG WALL.

ADDITIONAL VENTILATION PROVISIONS TO BE INSTALLED WHERE OBSTRUCTIONS SUCH AS
 CONCRETE VERANDAH'S, DECKS, PATIOS AND PAVING ARE INSTALLED & OBSTRUCT VENTILATION.



EAST ELEVATION
 SCALE 1 : 100



WEST ELEVATION
 SCALE 1 : 100

STAIR CONSTRUCTION. BCA VOLUME 2 PART 3.9

- TREADS: 240 MM
- RISERS: 180 MM
- TREATED PINE TIMBER STAIR MATERIAL TO AS1684
- TREATMENT LEVELS H4 FOR INGROUND USE & H3 FOR ABOVE GROUND USE.
- ALL FIXINGS FITTING BRACKETS AND CONNECTORS TO BE GALVANISED.
- STRINGER: 300x50 F5 TREATED PINE
- TREADS: 240x45 F5 TREATED PINE MAXIMUM TREAD SPAN 1000

ISSUED FOR APPROVAL

Copyright ©

Client: **J. & R. RULE**

Project: **PROPOSED MULTIPLE DWELLING**

Address: **35 LIPSCOMBE AVENUE,
 SANDY BAY**

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 jack@engineeringplus.com.au
 trn@engineeringplus.com.au



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Rev:	Amendment:	Date:	Int:	Designer Name: J. Pfeiffer
				Accreditation No: CC2211T

Drawing No: **2852020** A08 Rev **H**

EAVE & SOFFIT CONSTRUCTION BCA VOLUME 2 PART 3.5.3.5

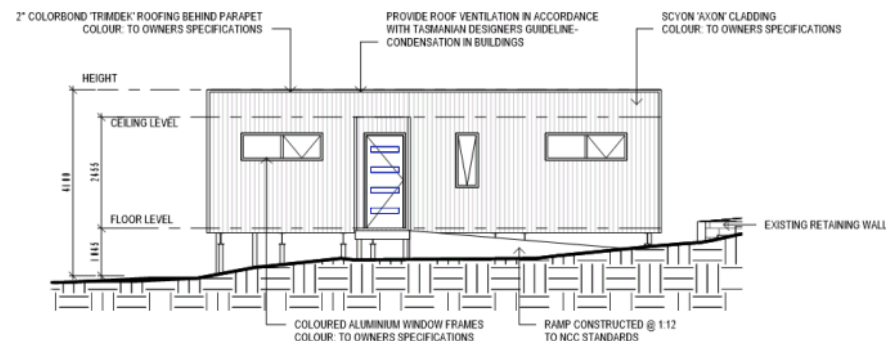
EAVE WIDTH - 300MM

DESIGN WIND SPEED N3

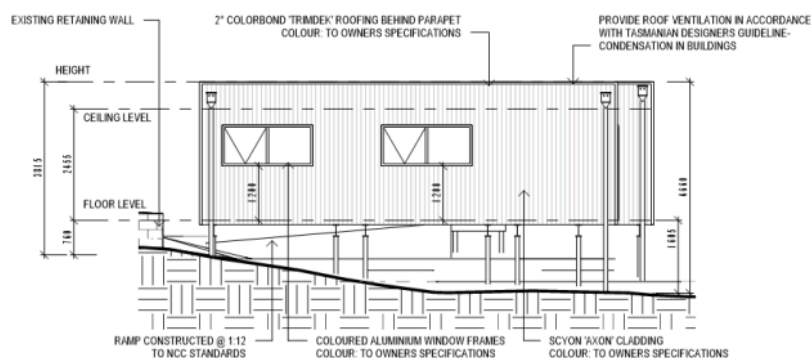
SOFFIT / EAVE LINED WITH 'HARDIFLEX' CEMENT SHEETING

- TRIMMERS LOCATED WITHIN 1200 MM OF EXTERNAL CORNERS TO BE SPACED @ 500 MM CENTERS, REMAINDER OF SHEET - 700 MM CENTERS
- FASTENER / FIXINGS WITHIN 1200 MM OF EXTERNAL CORNERS @ 200 MM CENTERS, REMAINDER OF SHEET - 300 MM CENTERS

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SOUTH ELEVATION
 SCALE 1 : 100



NORTH ELEVATION
 SCALE 1 : 100

SELECTED ALUMINIUM FRAMED WINDOWS - BCA VOLUME 2 PART 3.6

POWDER COATED ALUMINIUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED.

TASMANIAN OAK REVEALS AND TRIMS. ALL FLASHING AND FIXINGS TO MANUFACTURERS SPECIFICATIONS.

GLAZING & FRAME CONSTRUCTION TO AS 2047 & AS 1288
 ALL FIXINGS AND FLASHINGS TO MANUFACTURERS REQUIREMENTS

- WIND CLASSIFICATION AS4055 Wind Design: N3 41M/S
- TERRAIN CATEGORY: T2 (NO SHIELDING)
- SERVICEABILITY DESIGN & WIND PRESSURE: 1000
- WATER RESISTANCE: 150

ISSUED FOR APPROVAL

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Client: **J. & R. RULE**

Project: **PROPOSED MULTIPLE DWELLING**

Address: **35 LIPSCOMBE AVENUE,
 SANDY BAY**

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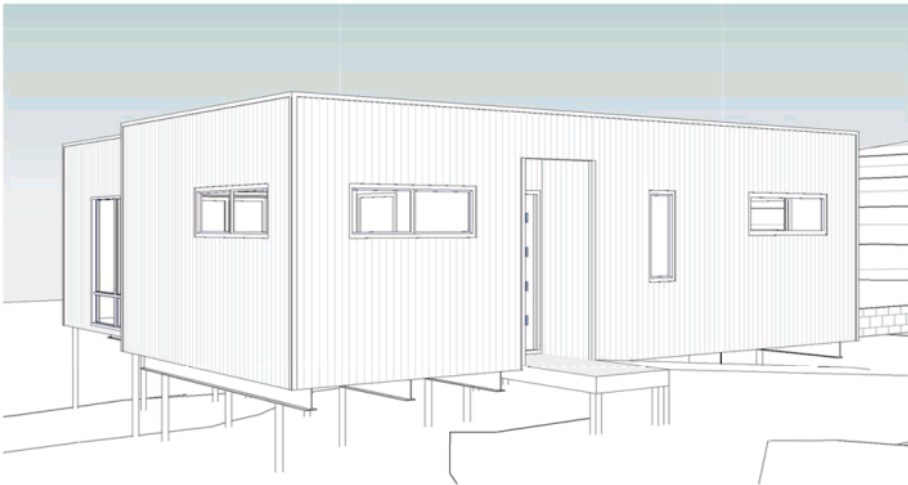
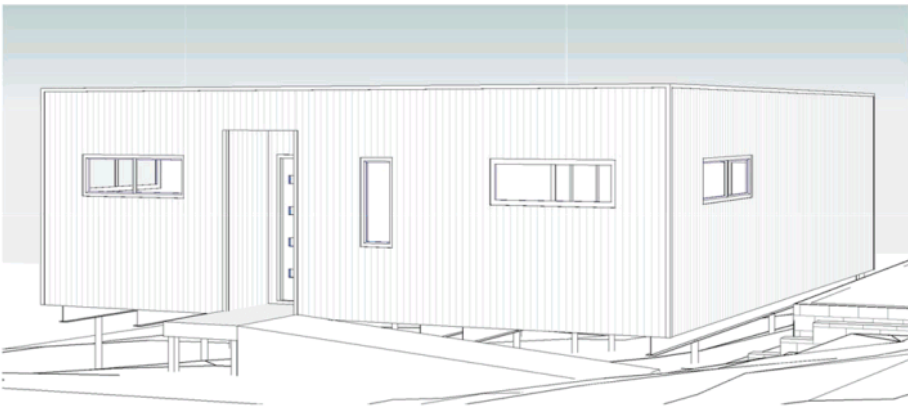
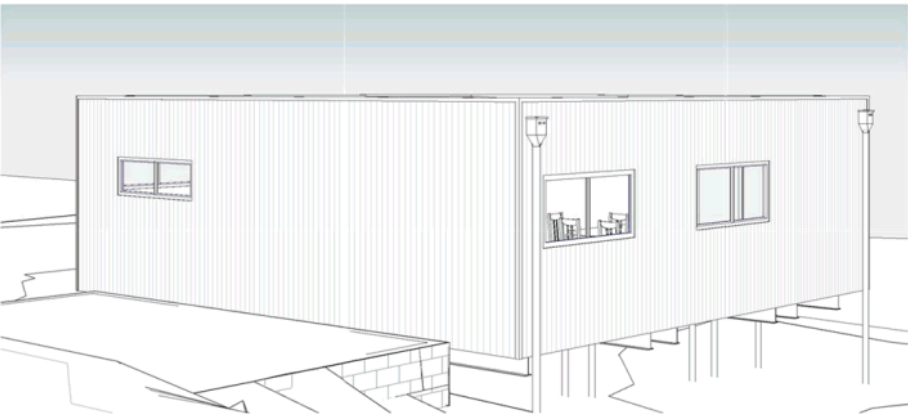
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H	PARKING AMENDMENT #2	27.05.21	O.J	Date Drawn: 12.03.20
G	PARKING AMENDMENT	13.05.21	O.J	Drawn: O. Jones
F	COUNCIL SW/PARKING FIR	04.05.21	O.J	Checked: C. Parry
E	MINOR AMENDMENTS	22.04.21	I.B	Approved: J. Pfeiffer
D	CARPARKING AMENDMENTS	09.04.21	O.J	Scale: As Shown @ A3
C	BATH/WC AMENDMENTS	01.04.21	O.J	Accredited Building Designer
Rev:	Amendment:	Date:	Int:	Designer Name: J. Pfeiffer
				Accreditation No: CC2211T

Drawing No: **2852020** Rev **H**
 A09

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C	BATH/WC AMENDMENTS	01.04.21	O.J	Accredited Building Designer
Rev:	Amendment:	Date:	Int:	Designer Name: J. Pfeiffer
				Accreditation No: CC2211T

Drawing No: 2852020
A13
Rev H



SHADOW PLAN 21.06.20 9AM
 SCALE 1 : 500



SHADOW PLAN 21.06.20 10.30AM
 SCALE 1 : 500



SHADOW PLAN 21.06.20 12PM
 SCALE 1 : 500



SHADOW PLAN 21.06.20 1.30PM
 SCALE 1 : 500



SHADOW PLAN 21.06.20 3PM
 SCALE 1 : 500

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Project: **PROPOSED MULTIPLE DWELLING**

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ENGINEERING PLUS
WILLIAM TESSON
 PROJECT MANAGEMENT
 CIVIL/STRUCTURAL ENGINEERING

Drawing No: **2852020** A15 Rev **H**

H	PARKING AMENDMENT #2	27.05.21	O.J	Date Drawn: 12.03.20
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