



CITY OF HOBART

# **AGENDA**

## **City Planning Committee Meeting**

### **Open Portion**

**Monday, 19 July 2021**

**at 5:00 pm**

**Council Chamber, Town Hall**

## THE MISSION

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

## THE VALUES

**The Council is:**

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



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## **ORDER OF BUSINESS**

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

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**City Planning Committee Meeting (Open Portion) held Monday, 19 July 2021 at 5:00 pm in the Council Chamber, Town Hall.**

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

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**

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**2. CONFIRMATION OF MINUTES**

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The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 28 June 2021](#) and the Special City Planning Committee meeting held on [Monday, 5 July 2021](#), are submitted for confirming as an accurate record.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

**Recommendation**

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

#### **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

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

#### **5. TRANSFER OF AGENDA ITEMS**

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Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

#### **6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS**

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In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

#### **RECOMMENDATION**

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

## **7. COMMITTEE ACTING AS PLANNING AUTHORITY**

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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.

## 7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

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### 7.1.1 354 DAVEY STREET, 5 LYNTON AVENUE, 3A LYNTON AVENUE, SOUTH HOBART - TWO MULTIPLE DWELLINGS (ONE EXISTING, ONE NEW) PLN-21-13 - FILE REF: F21/67755

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Address:	354 Davey Street, 5 Lynton Avenue, 3A Lynton Avenue, South Hobart
Proposal:	Two Multiple Dwellings (One Existing, One New)
Expiry Date:	26 July 2021
Extension of Time:	Not applicable
Author:	Tristan Widdowson

#### **RECOMMENDATION**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-13 - 354 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the Amended Submission to Planning Authority Notice, Reference No. TWDA 2021/00077-HCC dated 21/06/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6509 dated 9 July 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s4

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing that the floor level of the development would be no higher than the level of the existing adjacent driveway to the north-west.

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 clarify the scope of the permit.

ENG 12

A construction waste management plan must be implemented throughout construction.

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

- Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and,
- Provisions for the handling, transport and disposal of demolition

material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

*Advice:*

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

*It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).*

Reason for condition

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

ENG sw4

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

Detailed engineering drawings must be submitted and approved as part of an application for a new stormwater connection, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed engineering drawings must include:

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

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

*Advice:*

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



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

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

Reason for condition

To ensure the site is drained adequately.

ENG sw6

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

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

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

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

*Advice:*

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

#### Reason for condition

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

#### SW 9

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

A stormwater management report and 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 stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
  - 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;
  - the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  - the discharge rates and emptying times; and
  - 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.

## ENG 2a

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

*Advice:*

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

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

## Reason for condition

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

## ENG 2b

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

*Advice:*

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

#### Reason for condition

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

#### ENG 2c

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

#### *Advice:*

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

#### Reason for condition

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

#### ENG 3a

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

#### *Advice:*

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

#### Reason for condition

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

## ENG 3b

The access driveway (if required under condition ENG 4) parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, circulation roadways, ramps and parking module

(parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and,
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

*Advice:*

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

*It is 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, passing bay 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 parking module (car parking spaces, aisles and manoeuvring area) and entire passing bay 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).

If more than 40% of strip driveway either side of the passing bay is required to be removed, a fully sealed driveway compliant with current Australian Standards must replace that section.

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 is four (4).

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

Reason for condition

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

ENG 1

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

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

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 8

All recommendations of the Geotechnical Assessment by Doyle Soil Consulting dated March 2021 must be implemented including that footings must be founded on the sandstone bedrock.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

## ENV 1

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

*Advice:*

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

## Reason for condition

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

## HER 14

A construction management plan (CMP) must be prepared for the development. The CMP must contain protocols and recommendations for all contractors working operating vehicles, in close proximity to the stone walling along the ROW from Lynton Avenue. The contractors must be briefed on the heritage values of the walling and for the need to protect the structure while undertaking the proposed works.

Prior to the commencement of works (including excavation), all workers and managers must be briefed on the importance of the cultural heritage values of the site as part of a site induction.

Prior to the issue of any approval under the *Building Act 2016*, the CMP must be submitted and approved as a Condition Endorsement in accordance with the above requirements. All works must be undertaken in accordance with the approved CMP.

*Advice:*

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

## Reason for condition



To ensure that there is no loss or damage to the heritage values or significant fabric of the site.

HER 17a

Prior to the issue of any approval under the *Building Act 2016*, a full schedule of proposed exterior colours and materials must be submitted to Council's Heritage Unit and approved as a Condition Endorsement.

The exterior colours and materials of the development must be in accordance with the approved schedule.

*Advice:*

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

Reason for condition

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

## **ADVICE**

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

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

## **CONDITION ENDORSEMENT**

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

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

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

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

### **BUILDING PERMIT**

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

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

### **PLUMBING PERMIT**

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

### **OCCUPATION OF THE PUBLIC HIGHWAY**

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

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

You may require a road closure permit for construction or special event. Click here for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click here for more information.

**BUILDING OVER AN EASEMENT**

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

**NEW SERVICE CONNECTION**

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

**STORMWATER**

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

**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.

**FEES AND CHARGES**

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

**DIAL BEFORE YOU DIG**

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

- |               |                                                                                                                                                                                                       |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Attachment A: | PLN-21-13 - 354 DAVEY STREET SOUTH<br>HOBART TAS 7004 - Planning Committee or<br>Delegated Report ↓                |
| Attachment B: | PLN-21-13 - 354 DAVEY STREET SOUTH<br>HOBART TAS 7004 - CPC Agenda Documents ↓<br>                                 |
| Attachment C: | PLN-21-13 - 354 DAVEY STREET SOUTH<br>HOBART TAS 7004 - Planning Referral Officer<br>Cultural Heritage Report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Council:	26 July 2021
Expiry Date:	26 July 2021
Application No:	PLN-21-13
Address:	354 DAVEY STREET , SOUTH HOBART 5 LYNTON AVENUE , SOUTH HOBART 3 A LYNTON AVENUE , SOUTH HOBART
Applicant:	Anne Harrison 354 Davey Street
Proposal:	Two Multiple Dwellings (One Existing, One New)
Representations:	Six representations.
Performance criteria:	Inner Residential Zone Development Standards, Landslide Code, Parking and Access Code, Historic Heritage Code

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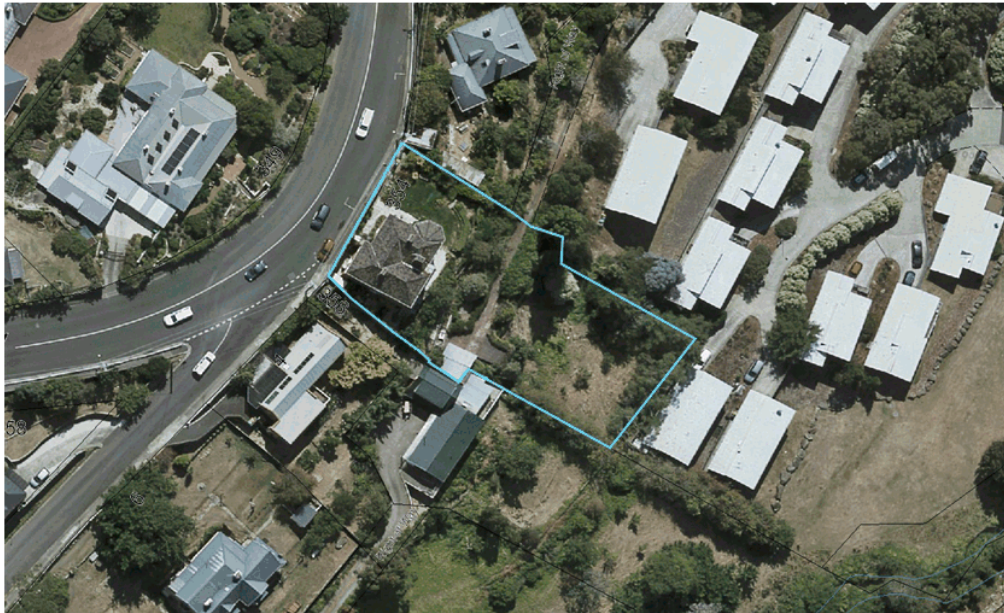
**1. Executive Summary**

- 1.1 Planning approval is sought for two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart.
- 1.2 More specifically the proposal includes construction of an additional dwelling on the property at 354 Davey Street. The proposed dwelling would single storey but have a significantly elevated floor level in response to the gradient of the site. The dwelling would have a footprint of approximately 190m<sup>2</sup>. Vehicular access to the development would be via an existing driveway off Lynton Avenue within a right of way over the properties at 3A Lynton Avenue and 5 Lynton Avenue. A connection to Council's stormwater infrastructure would also be provided within part of the right of way.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 11.0 Inner Residential Zone - Residential Density, Setbacks and Building Envelope, Site Coverage and Mental Health
  - 1.3.2 E3.0 Landslide Code - Building and Works, other than Minor Extensions
  - 1.3.3 E6.0 Parking and Access Code - Vehicular Passing Areas along an Access, Layout of Parking Areas

- 1.3.4 E13.0 Historic Heritage Code -Building and Works, other than Demolition, On a Heritage Listed Place and within a Heritage Precinct
- 1.4 Six (6) representations objecting to the proposal were received within the statutory advertising period between 17 June and 1 July 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council because more than five representations were received regarding the application.

## 2. Site Detail

- 2.1 The site is a larger residential lot within the South Hobart area. The lot has an area of 1720m<sup>2</sup> and frontage to Davey Street on its north-western boundary. However, vehicular access to the property is via a driveway off Lynton Avenue to the north which passes over a right of way. The dwelling on the property has been built close to the site frontage, leaving a relatively large vacant area within the south-eastern part of the property. The site is steep with a south-easterly aspect.
- 2.2 The site is surrounded by residential development. There is a multiple dwelling development upon the adjacent land to the east and north-east. The site is within the South Hobart 7 Heritage Precinct. The adjacent properties to the north, south-west, and north-west are also within this heritage precinct. The development found upon these properties therefore reflects the historic pattern of development that results in single dwellings upon relatively larger lots. The site is also listed upon the Tasmania Heritage Register.



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

## 3. Proposal

- 3.1 Planning approval is sought for two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart.
- 3.2 More specifically the proposal includes construction of an additional dwelling on the property at 354 Davey Street. The proposed dwelling would single storey but have a significantly elevated floor level in response to the gradient of the site. The dwelling would have a footprint of approximately 190m<sup>2</sup>. Vehicular access to the development would be via an existing driveway off Lynton Avenue within a right of way over the properties at 3A Lynton Avenue and 5 Lynton Avenue. A connection to Council's stormwater infrastructure would also be provided within part of the right of way.

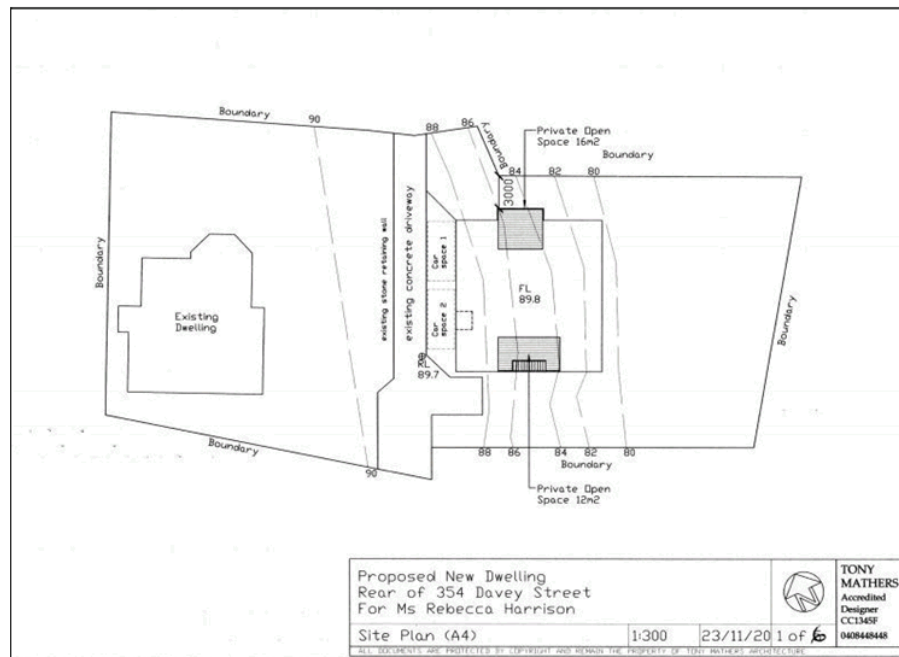


Figure 2: Proposed site plan.



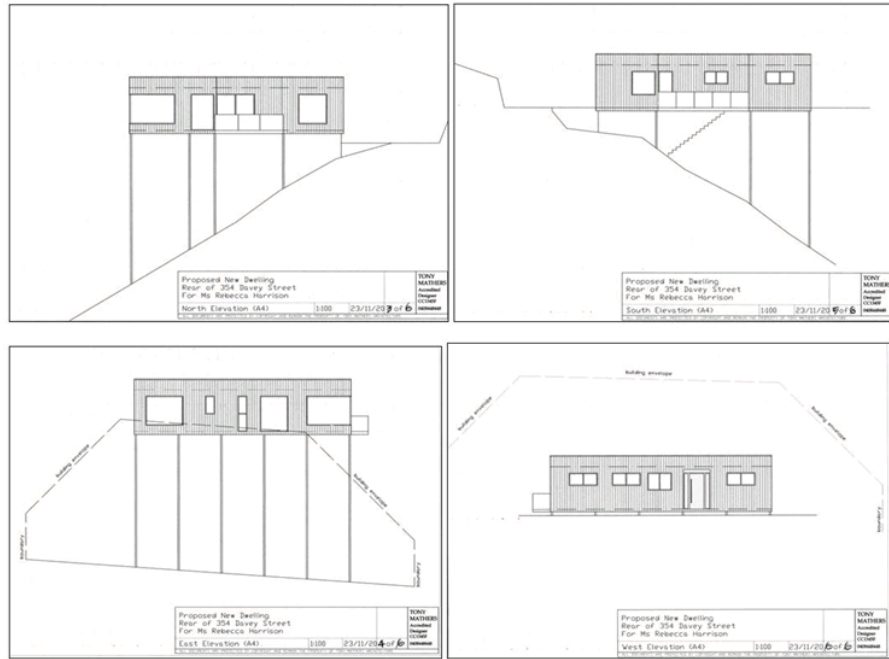


Figure 3: Proposed elevations - North and south side elevations at top, east and west rear and front elevations at bottom.

#### 4. Background

- 4.1 Council issued a Planning Permit for "Partial Demolition, Alterations & Change of Use to Residential (Communal Residence)" on the site in June 2015 (see PLN-15-00623-01). The planner's report provided for the proposal states that it was for "alterations to the listed building and the renting of two downstairs, ensuite bedrooms in an "adult share house" arrangement".
- 4.2 Council issued a Planning Permit for a "Partial change of use to visitor accommodation" on the site in April 2016 (PLN-16-00194-01). The planner's report provided for this proposal states that:
- "The proposal is to convert part of the upper floor into visitor accommodation, comprising two bedrooms, a bathroom and a loungeroom. The upper floor studio will be used by the owner".
  - "One bedroom on the ground floor will be used for visitor accommodation from time to time, with the rest of the ground floor used as a dwelling for the owner".



- 4.3 Council received an application for approval to subdivide the property into two lots in October 2018. This application was withdrawn after a protracted request for additional information process.
- 4.4 The current application was submitted upon 8 January 2021, although it was not considered valid until 20 January when all required title documents were provided. The application was therefore submitted before the introduction of Interim Planning Directive no. 4 which came into effect upon 22 February 2021. The application has been assessed against the version of the planning scheme that was in effect at the time that the application was submitted.

## 5. Concerns raised by representors

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

<p>"Setbacks and Building Envelope, Clause 11.4.2.</p> <p>Fails to comply with the performance criteria due to unreasonable loss of amenity for 356 Davey Street from reduction in sunlight, overshadowing private open spaces, and visual impacts. The proposed development also has unreasonable impacts on visual amenity and privacy for neighbours of the development, with a south facing deck directly facing habitable rooms and private open spaces of 356 Davey Street".</p>
<p>"Private Open Space, Clause 11.4.3.</p> <p>Fails to comply with the performance criteria due to having one space 33% smaller than required, and the other even smaller space orientated south, and not meeting the requirements".</p>

<p>"Parking and Access Code E6.0.</p> <p>being on an internal lot, lacks the 1 dedicated visitor parking space required per 3 dwellings (rounded up to the nearest whole number) and fails to demonstrate compliance with the performance criteria which require regard for all factors listed. These include on-street parking (which is 200m from the site via level pedestrian access) and public transport which appears at least 400m from the site via level pedestrian access)".</p>
<p>"Historic Heritage Code E13:</p> <p>E 13.8.2: Fails to comply with the performance criteria due to the design and siting of the buildings resulting in detriment to the historic cultural heritage significance of the precinct, through excessive height, non-contributory design, and lack of integration into the slope similar to existing adjacent non-heritage buildings".</p>
<p>"While the site is Inner Residential Zone which normally encourages infill, this site is a Heritage Place in the Planning Scheme at a local level, on the state Tasmanian Heritage Register and also within a heritage precinct. It appears to have been designed without any regard for the 3 different levels of heritage standards applicable to the property. The dwelling is not a compatible design and form with other traditional forms that contribute to the surrounding Precinct and its elevated design makes it a visually prominent form in the landscape. There is no apparent justification for the elevation of the dwelling on poles up to 8.6m above natural ground level. It would appear to be elevated to maximise view rather than form a complementary and subservient built form and addition to the Heritage Precinct".</p>
<p>"The application fails to satisfy many sections of the Planning Scheme".</p>
<p>"This development would significantly impact on the heritage values of this Precinct. The loss of the present curtilage and space will impact on the Henry Hunter mansion. The design of the additional house is sited on stilts purely to maximise the views for the owner at the expense of the wider community".</p>
<p>"This is a particularly poor response to a perceived need for an additional dwelling on this heritage site".</p>

"From personal experience, it is not expensive to have a building designer generate basic shadow diagrams from the plans where shadowing of other blocks is likely. Yet this DA does not include them, and Council did not exercise its discretion to require them. It is also disappointing that Council has not required a heritage impact assessment, given the obtrusive design for a site that is within precinct SH7 and includes a heritage listed building. This has put local residents to the cost of consulting an independent heritage planner".

"It is disappointing that Council does not require more from applicants to aid both assessment by Council and consideration by residents, and I believe it should do more for future applications".

"Building such an elevated structure to the north/north-east of an existing ground level dwelling at 356 Davey will have significant shadowing and view impacts which I believe create non-compliance with the performance criteria".

"This design could also have met the 24m<sup>2</sup> requirement in one place, but it does not. It does not meet the performance criteria for private open space. Placement of another deck to the south is poor design practice, in terms of privacy for neighbours and solar aspect".

"There is sufficient space on site to meet the visitor car parking requirement, but the design does not provide for it. It fails to meet the performance criteria which require regard for all factors listed. This is particularly given the site is a long distance for pedestrians to walk for on-street parking and buses, particularly pedestrians with mobility issues".

"This DA is not compatible with the traditional forms around it, and detracts from the declared and required heritage characteristics, without justification. It could be been designed to complement them, but it does the opposite – a flat-roofed box extending horizontally out into space on 8.5m poles, compared to a peaked roof structure set into the slope with more traditional materials. The DA breaks up the heritage lot, removing the opportunity for the rear garden setting to be restored and preserved. The garden settings are a declared feature of the heritage area".

"This is an inappropriate, insensitive development for a heritage property in a heritage precinct".

"The application fails to satisfy sections of the Planning Scheme, including setbacks and building envelope (Clause 11.4.2); private open space (Clause 11.4.3); parking and access (Code E6.0); the building envelope does not satisfy the requirements of the Planning Scheme; and, in particular, the heritage code (E13)".
"This development would significantly impact on the heritage values of this Precinct Heritage Precinct SH7 (Upper Davey Street. The loss of the present curtilage and space will impact on the Henry Hunter mansion. The design of the additional house is sited on stilts purely to maximise the views for the owner at the expense of the wider community".
"It is highly likely that this proposed building would cause an unreasonable loss of amenity to 356 Davey Street".
"The DA does not demonstrate compliance with the relevant performance criteria. This criterion relates to the inclusion of on-street parking (which is 200m from the site via level pedestrian access) and public transport which appears at least 400m from the site via level pedestrian access). With the ever- increasing build-up of vehicles being parked in Davey Street and Romilly Street, there is the possibility of more vehicles being parked in these streets without the provision of additional parking within the property, as is required under the Planning Scheme. Kerbside parking in these streets is already at capacity".
"The Private Open Space, shown as a timber deck is noted as being 12m <sup>2</sup> in area. This deck faces due south and is likely to receive very little natural sunlight and as it contains a staircase it is also likely to provide less than 12m <sup>2</sup> of liveable space and therefore does not provided an acceptable solution".
"The proposed building demonstrates a lack of regard for the heritage standards applicable to the property. It is not a design that is compatible with other traditional forms that contribute to the surrounding Precinct and the level of elevation of this building projects it as a strong visually prominent structure in the landscape".
"The design of the building presented in this DA is not sympathetic to the surrounding heritage houses and is detrimental to the historic cultural heritage significance of the precinct".

"Setbacks and Building Envelope, Clause 11.4.2. The proposal does not comply with the performance criteria due to unreasonable loss of amenity for 356 Davey Street from reduction in sunlight, overshadowing private open spaces, and visual impacts".
"Private Open Space, Clause 11.4.3. The proposal does not comply with the performance criteria due to having inadequate Private Open Space".
"Parking and Access Code E6.0. The proposal does not comply with the required number of parking spaces".
"Historic Heritage Code E13: The proposal does not comply with the performance criteria due to the design and siting of the buildings resulting in detriment to the historic cultural heritage significance of the precinct, through excessive height, non-contributory design, and lack of integration into the slope similar to existing adjacent non -heritage buildings".

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is a single dwelling within the planning scheme Residential use class. The proposed use is a multiple dwelling which is also within this use class. The existing and proposed uses are permitted uses in the above zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 11.0 Inner 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
- 6.4.5 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
  - 6.5.1 11.0 Inner Residential Zone:
    - 11.4.1 Residential density for multiple dwellings,*
    - 11.4.2 Setbacks and building envelope P3,*
    - 11.4.3 Site coverage and private open space P2.*
  - 6.5.2 E3.0 Landslide Code:
    - E3.7.1 Buildings and Works, other than Minor Extensions*
  - 6.5.3 E6.0 Parking and Access Code:
    - E6.7.3 Vehicular Passing Areas Along an Access*
    - E6.7.5 Layout of Parking Areas*
  - 6.5.4 E13.0 Historic Heritage Code:
    - E13.7.2 Buildings and Works other than Demolition,*
    - E13.8.2 Buildings and Works other than Demolition.*
- 6.6 The relevant performance criteria is assessed below.
- 6.7 *11.4.1 Residential density for multiple dwellings*
  - 6.7.1 The acceptable solution at clause *11.4.1* requires multiple dwellings to have a site area per dwelling of not more than 400m<sup>2</sup>.
  - 6.7.2 The proposal includes a site area per dwelling of more than 400m<sup>2</sup>. A site area per dwelling of 860m<sup>2</sup> is proposed.
  - 6.7.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

- 6.7.4 The performance criterion at clause 11.4.1 provides as follows:

*Site area per dwelling may be:*

...

*(b) more than 400m<sup>2</sup> if any of the following applies:*

- (i) site constraints preclude development at a higher density;*
- (ii) the development is designed or located to make provision for future development with a site area per dwelling of 400m<sup>2</sup> or less.*

- 6.7.5 As noted earlier in the report, the site is steep with an average gradient greater than 20 degrees. As a result, while the subject property has a relatively large vacant area, much of this area is not suitable for development due to this steep gradient. The access to the site is also constrained as it is a long, relatively narrow driveway that is unlikely to support significant intensified use. Therefore, the constraints evident upon the site are considered to preclude development at a higher density than that proposed.

- 6.7.6 The proposal complies with the above performance criterion.

6.8 11.4.2 Setbacks and building envelope P3

- 6.8.1 The acceptable solution A3 at clause 11.4.2 requires a dwelling to be contained within a prescribed building envelope.

- 6.8.2 The proposal includes a dwelling that would not be contained within prescribed building envelope. The proposed dwelling exceeds the vertical extent of the building envelope, as it would have a height above natural ground level of greater than 9.5m. The proposed dwelling would have a maximum height above natural ground level of approximately 13.25m.

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

- 6.8.4 The performance criterion P3 at clause 11.4.2 provides as follows:

*The siting and scale of a dwelling must:*

*(a) not cause unreasonable loss of amenity by:*

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*
- (iii) overshadowing of an adjoining vacant lot; or*
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

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

- 6.8.5 Of the adjoining lots surrounding the site, only the lot to the south-west, at 356 Davey Street, is considered likely to be affected by overshadowing from the proposed development. The site is below the level of the property to the west, at 4 Romilly Street, so the proposed development would therefore not overshadow this lot. While the site is above the level of the dwellings upon the adjoining land to the east, the proposed development would be well separated from these dwellings. Given the position of these houses at the base of the prevailing slope, the development is unlikely to increase existing overshadowing of these dwellings.
- 6.8.6 The floor level of the proposed development would be at a similar level to the ground floor of the two storey dwelling at 356 Davey Street. As indicated on the site plan submitted with the application, the floor of the proposed dwelling would be at a level of 89.8m. There is some inconsistency with how the floor level of the proposed development has been shown on the elevation plans provided. Therefore, a condition of approval should require the finished floor level of the proposed development to be no higher than the existing adjacent driveway.
- 6.8.7 As shown on the below aerial imagery overlaid with available contours (figure 2), the dwelling at 356 Davey Street lies generally between the 88m contour and the 90m contour. Therefore, the second storey of the dwelling on this property, where its living areas are located, would have a similar floor level to the proposed development. While there may be secondary living areas on the lower level of this dwelling, it does not have windows on this level that face toward the site - i.e. the north-eastern elevation of the lower level of the dwelling is a blank brick wall built up to the boundary with the site. Refer below to a marked up floor plan and photos of the existing dwelling at 356 Davey Street.
- 6.8.8 The extent of any potential overshadowing impact upon the living areas on the upper level of the dwelling at 356 Davey Street is likely to be limited



given the separation between these areas and the proposed development. While the existing dwelling is built up to the boundary with the site, a setback of approximately 7m is proposed between the development and this boundary. Given the sun's orientation, the proposed development is unlikely to significantly overshadow the existing dwelling at midday and would not overshadow during afternoon periods given its position relative to the latter. As a result, any potential overshadowing impacts upon the dwelling at 356 Davey Street would be limited in duration to morning periods. As shown in the below site photos (figures 3 and 4), the existing dwelling is not currently overshadowed by vegetation on the site which is in a similar location and has a similar height as the proposed development. Therefore, the proposal is not considered likely to cause an unreasonable loss of amenity by causing a reduction in sunlight to a habitable room of a dwelling on an adjoining lot, as any potential reduction in sunlight would be limited in extent and duration.

- 6.8.9 Similarly to above, overshadowing as a result of the proposal is likely to only affect the private open space (POS) of the dwelling at 356 Davey Street. While the proposed development may overshadow the northern part of the area to the south-east of the dwelling on this adjoining property during morning and midday periods, this area appears to have limited application as private open space given its steepness and separation from the living areas of the dwelling. This area is likely to already be overshadowed during afternoon periods, given its aspect and position relative to the dwelling on this adjoining property.
- 6.8.10 The proposal may also overshadow the area of private open space provided by a balcony on the upper level of the dwelling at 356 Davey Street. However, similarly to above, the separation between the proposed development and this area of POS is likely to limit the extent and duration of any overshadowing. Therefore, the proposal is considered unlikely to cause an unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot. The site is not adjacent to a vacant lot so the above sub-clause (iii) is not relevant.
- 6.8.11 As noted above, while the proposed dwelling would have a significantly elevated floor level, it would be single storey and would present as such when viewed from the adjoining lots to the north and west. Therefore, the development is considered unlikely to have a significant visual impact when viewed from these lots as they are either above the level of the site or at a similar level.

- 6.8.12 While the elevated parts of the development may be visible when viewed from the adjoining lot to the south-west (at 356 Davey Street), it is noted that the dwelling upon this property is generally orientated toward the south-east rather than toward the site. While the living areas of this dwelling are at its north-eastern end and adjacent to the site, only a relatively small window faces toward the site. It is also noted that a setback of approximately 7m would be provided between the development and the site's south-western boundary, which would maintain adequate separation between the proposed dwelling and the existing dwelling on the adjacent lot.
- 6.8.13 The development may have an increased visual impact when viewed from the east and north-east, due to potential exposure of the underfloor parts of the proposed dwelling. However, the development would be well separated from the dwellings upon the adjoining lots in these directions as a result of the rear boundary setback proposed. The proposed development would have a minimum setback of approximately 15m and a maximum setback of approximately 17.5m from the site's rear boundary (i.e., its south-eastern boundary). It is also noted that the dwellings to the east and north are generally orientated away from the site. Therefore, the proposal is considered unlikely to cause an unreasonable loss of amenity as a result of its visual impact upon adjoining lots.
- 6.8.14 The separation between dwellings in the surrounding area varies in response to the topography and lot sizes. The proposed separation between dwellings on adjoining lots is considered to be compatible with this pattern of development.
- 6.8.15 The proposal complies with the above performance criterion.



Figure 4: aerial image of proposed development site and adjoining property to the south-west (356 Davey Street) overlaid with 2m contours.



*Figure 5: site photo showing north-eastern elevation of the dwelling at 356 Davey Street. Photo taken at 9:45am on 9/7/2021.*



*Figure 6: site photo showing the extent of overshadowing caused by existing vegetation on the site. Photo taken at 9:51am on 9/7/2021.*



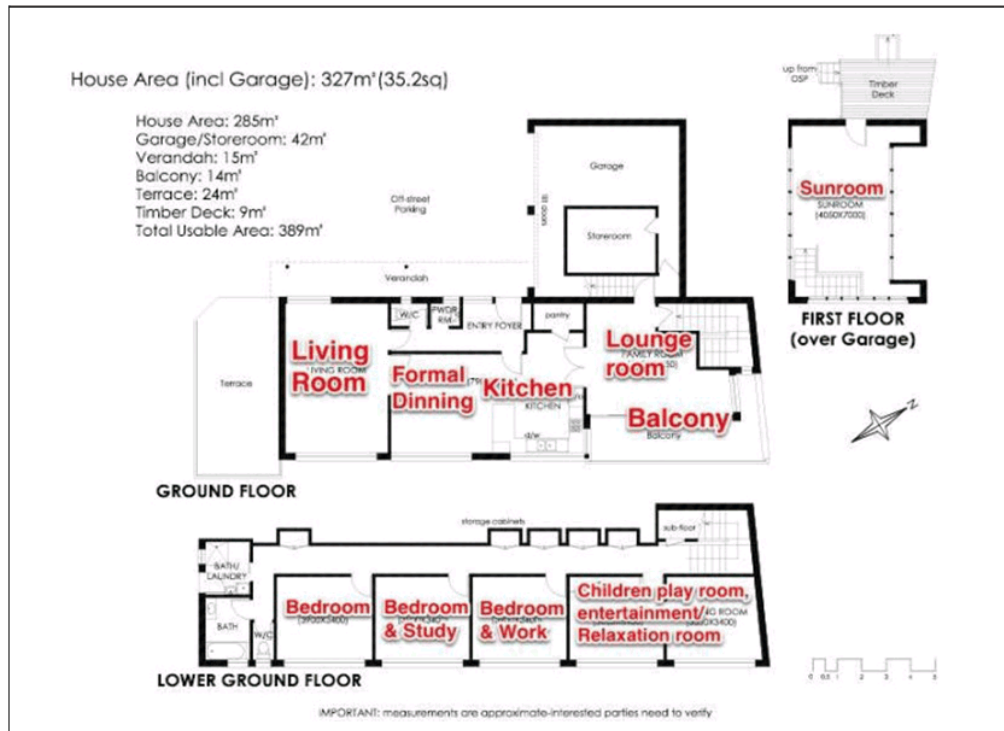


Figure 7: Marked up floor plan of the existing dwelling at 356 Davey Street, showing current uses. Source: Representation received.

#### 6.9 11.4.3 Site coverage and private open space P2

- 6.9.1 The acceptable solution A2 at clause 11.4.3 requires a dwelling to have an area of private open space (POS) that is in one location, at least 24m<sup>2</sup>, and directly accessible from a habitable room (other than a bedroom).
- 6.9.2 The proposal includes a dwelling that would not have an area of POS that is in one location, with the required minimum area, and directly accessible from a habitable room. While the proposed dwelling would have areas of POS provided by attached decks on its north-eastern and south-western sides, neither of these areas would be 24m<sup>2</sup>. There would be a relatively large area of POS on the south-eastern side of the dwelling, however, this would not be directly accessible from a habitable room.
- 6.9.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.
- 6.9.4 The performance criterion at clause 11.4.3 provides as follows:

*A dwelling must have private open space that:*

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

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

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

- 6.9.5 The deck proposed on the north-eastern side of the dwelling would be located adjacent to an open plan living, dining, and kitchen area. This area of POS is therefore considered to be conveniently located in relation the living areas of the proposed dwelling. This POS would also serve as an extension of the dwelling for outdoor relaxation, dining, and entertaining. The deck would receive direct sunlight during morning and midday periods so it considered to be orientated to take best advantage of sunlight on a site where access to direct sunlight during afternoon periods is limited. Both this area of POS and another area provided by a deck on the southern side of the building would make some provision for children's play.
- 6.9.6 The proposal complies with the above performance criterion.
- 6.10 *E3.7.1 Buildings and Works, other than Minor Extensions*
  - 6.10.1 There is no acceptable solution for clause *E3.7.1* which applies where buildings and works, other than minor extensions, are proposed in Landslide Hazard Area.
  - 6.10.2 The proposal includes buildings and works and the site is within a low Landslide Hazard Area.
  - 6.10.3 As there is no acceptable solution for the above clause the proposal therefore relies upon assessment against the below performance criterion.
  - 6.10.4 The performance criterion 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.*

6.10.5 Council's Environmental Development Planner has assessed the proposal against the above performance criterion and provided the following comments:

- "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 limited and minor".
- A geotechnical assessment including slope stability assessment was submitted with the application which concludes that the landslide risk associated with the development is 'acceptable' provided the footings are founded on the competent sandstone bedrock (which actually means the risk is 'tolerable' rather than 'acceptable')".
- "The exercise of discretion is recommended with regard to E3.7.1 P1 subject to a condition requiring implementation of the geotechnical report recommendations".

6.10.6 The proposal complies with the above performance criterion.

6.11 *E6.7.3 Vehicular Passing Areas Along an Access*

6.11.1 The acceptable solution at clause E6.7.3 requires vehicular passing areas to be provided if an access is more than 30m long, at intervals of no more than 30m along the access.

6.11.2 The proposal includes an access that is more than 30m long and vehicular passing areas at intervals of more than 30m.

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

6.11.4 The performance criterion at clause E6.7.3 provides as follows:

*Vehicular passing areas must be provided in sufficient number,*

*dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:*

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

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

"Submitted plans indicate... adequate vehicle passing areas and therefore may be accepted under Performance Criteria P1, E6.7.3 of the Planning Scheme... given the driveway configuration, and the low volume of traffic".

- 6.11.6 The proposal complies with the above performance criterion.

6.12 *E6.7.5 Layout of Parking Areas*

- 6.12.1 The acceptable solution at clause E6.7.5 requires the layout of car parking spaces to be designed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 *Parking Facilities Part 1: Off-street car parking*.
- 6.12.2 The proposal includes car parking spaces that are not designed to comply with the above section of the Australian Standard.
- 6.12.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.
- 6.12.4 The performance criterion at clause E6.7.5 provides as follows:
- The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.*
- 6.12.5 Council's Senior Development Engineer has assessed the proposal



against the above performance criterion and provided the following comments:

"Residential car parking space layout may utilise 'Jockey Parking' configuration in which the one car parking space is behind another car parking space provided it serves the same dwelling and is not designated for visitors. Submitted documentation appears to meet these parameters and therefore may be accepted under Performance Criteria P1, E6.7.5 given the driveway configuration".

6.12.6 The proposal complies with the above performance criterion.

6.13 *E13.7.2 Buildings and Works other than Demolition*

6.13.1 There are no applicable acceptable solutions for clause E13.7.2 which applies where buildings and works other than demolition are proposed on a heritage place.

6.13.2 The proposal includes buildings and works other than demolition and the site is listed in Table E13.1 as a heritage place.

6.13.3 As there are no applicable acceptable solutions for the above clause the proposal therefore relies upon assessment against the below performance criteria.

6.13.4 The relevant performance criteria at clause E13.7.2 provide as follows:

*P1*

*Development must not result in any of the following:*

*(a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*

*(b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

*P2*

*Development must be designed to be subservient and complementary to the place through characteristics including:*

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*
- (c) siting with respect to buildings, structures and listed elements;*
- (d) using less dominant materials and colours.*

P3

*Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.*

6.13.5 Council's Cultural Heritage Officer has assessed the proposal against the above performance criteria and provided the following comments:

- "The proposed new dwelling is set back approximately 45m from the frontage of Davey Street, and approximately 25 metres from the rear of the existing residence (refer to figure 3 below). The severely sloping gradient of the site means the siting, height, and form of the proposal will have a minimal impact upon the significance of listed property. The existing established side and rear terraced garden will continue to provide appropriate curtilage for the listed residence. There will be no loss of significant or substantial diminution of landscape elements that contribute to the heritage character of 354 Davey Street. Performance Criteria 1 of E13.7.2 is considered satisfied".
- "As discussed above the proposed dwelling is located approximately 45m from the frontage of Davey Street, and approximately 25 metres behind the existing residence. In addition to these setbacks the proposed dwelling will be positioned below the ground level of the existing residence (refer to figure 4 below). Parts (b) and (c) of Performance Criteria 2 are considered satisfied".
- "In regards to (a) and (d) the flat roof form the proposed dwelling is appropriate as it minimises the structures visual impact by allowing the roofline of the proposal to be positioned below the ground line of the existing residence. As a result the proposal is subservient due to the flat roof and the positioning of the built form along the lower portion of the sloping site. The proposed materials are contemporary in nature and the new dwelling will draw on the surrounding context of the modern Waterworks Road and Lynton Avenue developments built on the same sloping hillside directly below and adjacent the proposed site of the new dwelling. Parts (a) and (d) of E13.7.2 are considered satisfied".
- "The new dwelling will be readily identifiable as a contemporary structure and will relate more in regards to location and design to the

modern properties in Waterworks Road and Lynton Ave than historic Davey Street. Given the new dwelling will have no visual presence within Davey Street the proposed materials and colours are considered an appropriate in this context, and will have no dominating impact upon the heritage significance of 354 Davey Street. Performance Criteria 3 of E13.7.2 is considered satisfied".

6.13.6 The proposal complies with the above performance criteria.

6.14 *E13.8.2 Buildings and Works other than Demolition P1*

6.14.1 There is no acceptable solution A1 for clause E13.8.2 which applies where buildings and works other than demolition are proposed on a site that is within a heritage precinct.

6.14.2 The proposal includes buildings and works other than demolition and the site is within the South Hobart 7 Heritage Precinct.

6.14.3 As there is no acceptable solution A1 for the above clause the proposal therefore relies upon assessment against the below performance criterion.

6.14.4 The performance criterion P1 at clause E13.8.2 provides as follows:

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

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

"In regards to the relevant statements of significance for the precinct the proposed new dwelling will have no impact upon the 'intactness of the streetscape and buildings'. The location of the proposal situated far from the Davey Street frontage and the sloping topography of the area means there will be no visibility of the proposed new dwelling from the streetscape. The proposal is likely to be partially visible from the bottom section of Kooyong Glen roadway through the vacant lot of number 14 – however this area is not located within the South Hobart 7 precinct boundaries.

*The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic*

*character* - There are no changes or alterations occurring the original residence or streetscape qualities of the property, the historic character and architectural features of the property will remain intact.

*The fine garden settings* - the residence will retain the existing established side and rear terraced garden... this will continue to provide appropriate curtilage for the listed residence and is in keeping with the house and garden setting of the precinct.

The design and siting of the proposal will not cause detriment to the significance of the South Hobart 7 Heritage Precinct. Performance Criteria 1 of E13.8.2 is considered satisfied".

6.14.6 The proposal complies with the above performance criterion.

## 7. Discussion

- 7.1 Planning approval is sought for two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart.
- 7.2 The application was advertised and attracted six representations. The representations raised a numbers of concerns regarding the proposed development , including its potential overshadowing, visual, and privacy impacts. The representations also raise concern regarding the proposed provision of private open space, car parking arrangements, and the heritage impact of the proposal.
- 7.3 While the proposed development may have some overshadowing impact upon the adjoining lot to the south-west, at 356 Davey Street, this impact would be limited in extent and duration and is therefore not considered to be unreasonable. It is not a mandatory requirement for shadow diagrams to be provided in support of a proposed development and are not considered necessary where potential overshadowing impacts can be readily determined using other available information such as aerial imagery and contour levels. It is noted that the height of the floor level of the development is largely dictated by the levels of existing reticulated services and vehicular access and is a response to the steepness of the site.

- 7.4 The proposed development would be visible from adjoining lots, however, sufficient separation would be provided between existing dwellings and the proposed development to ensure that the latter does not have an unreasonable visual impact. The proposal complies with the relevant privacy standards within the planning scheme as it would achieve the required setbacks for elevated decks and windows from the site boundaries.
- 7.5 While the proposed development would not be provided with private open space in accordance with the relevant acceptable solution, the POS proposed is considered adequate for the likely future needs of the occupants of the development. It is noted that opportunities for the provision of POS on the site are constrained by its steep gradient and that providing POS in two locations within the development would provide for flexibility in its use.
- 7.6 The proposed car parking arrangements have been assessed by Council's Senior Development Engineer who has determined that these arrangements comply with the relevant planning scheme standard. Contrary to the suggestion made in several representations, the site is not an internal lot as while it is accessed via a right of way it has frontage to Davey Street and does not lie predominantly behind another lot, relative to this frontage. Similarly, the heritage impact of the proposal has been assessed by Council's Cultural Heritage Officer. The CHO has determined that this impact is acceptable given that the development would not be visible within the relevant heritage precinct and the curtilage of the heritage place would adequately maintained.
- 7.7 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to comply.
- 7.8 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, and its Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions. The application has also been approved by the Tasmanian Heritage Council.
- 7.9 The proposal is recommended for approval.

## 8. Conclusion

- 8.1 The proposed two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015* and is recommended for approval.



**9. Recommendations**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for two multiple dwellings (one existing, one new) at 354 Davey Street, 3A Lynton Avenue, and 5 Lynton Avenue, South Hobart, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-13 - 354 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the Amended Submission to Planning Authority Notice, Reference No. TWDA 2021/00077-HCC dated 21/06/2021 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**THC**

**The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6509 dated 9 July 2021, as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**PLN s4**

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

must be submitted and approved as a Condition Endorsement showing that the floor level of the development would be no higher than the level of the existing adjacent driveway to the north-west.

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 clarify the scope of the permit.

## ENG 12

A construction waste management plan must be implemented throughout construction.

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

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

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

*Advice:*

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

*It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).*

Reason for condition



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

**ENG sw4**

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

Detailed engineering drawings must be submitted and approved as part of an application for a new stormwater connection, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed engineering drawings must include:

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

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

*Advice:*

*The applicant is advised to submit detailed design drawings via a Council City Amenity Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Amenity Division.*

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

Reason for condition

To ensure the site is drained adequately.

**ENG sw6**

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient

receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

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

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

*Advice:*

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

Reason for condition

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

**SW 9**

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

A stormwater management report and 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 stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
  - 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;
  - the layout, the inlet and outlet (including long section), outlet size,

- overflow mechanism and invert level;
  - the discharge rates and emptying times; and
  - 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.

#### ENG 2a

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

#### Advice:

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

#### Reason for condition

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

#### ENG 2b

Prior to the issue of any approval under the **Building Act 2016** or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation)

**prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council as a Condition Endorsement.**

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

Reason for condition

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

#### **ENG 2c**

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

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

Reason for condition

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

#### **ENG 3a**

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

*Advice:*

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

## Reason for condition

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

**ENG 3b**

**The access driveway (if required under condition ENG 4) parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.**

**The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:**

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

*Advice:*

- *This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*
- *It is 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, passing bay 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 parking module (car parking spaces, aisles and manoeuvring area) and entire passing bay 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).**

**If more than 40% of strip driveway either side of the passing bay is required to be removed, a fully sealed driveway compliant with current Australian Standards must replace that section.**

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 is four (4).**

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

Reason for condition

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

#### **ENG 1**

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

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

**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 8**

**All recommendations of the Geotechnical Assessment by Doyle Soil Consulting dated March 2021 must be implemented including that footings must be founded on the sandstone bedrock.**

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

**ENV 1**

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

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

Reason for condition

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

**HER 14**

**A construction management plan (CMP) must be prepared for the development. The CMP must contain protocols and recommendations for all contractors working operating vehicles, in close proximity to the stone walling along the ROW from Lynton Avenue. The contractors must be briefed on the heritage values of the walling and for the need to protect the structure while undertaking the proposed works .**

**Prior to the commencement of works (including excavation), all workers and managers must be briefed on the importance of the cultural heritage values of the site as part of a site induction.**

**Prior to the issue of any approval under the *Building Act 2016*, the CMP must be submitted and approved as a Condition Endorsement in accordance with the above requirements. All works must be undertaken in accordance with the approved CMP.**

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

Reason for condition

To ensure that there is no loss or damage to the heritage values or significant fabric of the site.

**HER 17a**



**Prior to the issue of any approval under the *Building Act 2016*, a full schedule of proposed exterior colours and materials must be submitted to Council's Heritage Unit and approved as a Condition Endorsement.**

**The exterior colours and materials of the development must be in accordance with the approved schedule.**

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

Reason for condition

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

### **ADVICE**

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

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

### **CONDITION ENDORSEMENT**

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

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

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

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

for building approval may result in unexpected delays.

#### **BUILDING PERMIT**

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

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

#### **PLUMBING PERMIT**

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

#### **OCCUPATION OF THE PUBLIC HIGHWAY**

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

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

You may require a road closure permit for construction or special event. Click here for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click here for more information.

#### **BUILDING OVER AN EASEMENT**

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

#### **NEW SERVICE CONNECTION**

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

**STORM WATER**

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

**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.

**FEES AND CHARGES**

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

**DIAL BEFORE YOU DIG**

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



(Adam Smee)

**Development Appraisal Planner**

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



(Ben Ikin)

**Senior Statutory Planner**

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

Date of Report: 12 July 2021

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report - Cultural Heritage

PLN-21-13 - 354 DAVEY STREET PLN-21-13 - 5 LYNTON AVENUE PLN-21-13 - 3 A LYNTON AVENUE

## Application Information

### Application Details

PLN-21-13 Two Multiple Dwellings (One Existing, One New)   
Submitted on: 08/01/2021  
Accepted as Valid on: 08/01/2021  
Target Time Frame: 42 Days.  
Elapsed Time: 154 Days (*Stopped: 141 Days*) = 13 Days Expiry date: 10/07/2021  
Officer: Adam Smee

### 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)? \*

inner city residential

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

Stratum title development of one new dwelling on property at 354 Davey St South Hobart

Estimated cost of development \*

350000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

159.00

942

### Carparking on Site

Total parking spaces	Existing parking spaces	N/A
<div>4</div>		<div><input checked="" type="checkbox"/> Other (no selection chosen)</div>

Other Details

Does the application include signage? \*

☒ No

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

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☒ Yes

Edit



## Amended Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	PLN-21-13	<b>Council notice date</b>	19/01/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/00077-HCC	<b>Date of response</b>	20/01/2021
		<b>Amended date</b>	21/06/2021
<b>TasWater Contact</b>	Jake Walley	<b>Phone No.</b>	0467 625 805
<b>Response issued to</b>			
<b>Council name</b>	CITY OF HOBART		
<b>Contact details</b>	coh@hobartcity.com.au		
<b>Development details</b>			
<b>Address</b>	354 DAVEY ST, SOUTH HOBART	<b>Property ID (PID)</b>	5571793
<b>Description of development</b>	Two Multiple Dwellings (One Existing, One New)		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Aldanmark	Layout Plan C1.01	D	07/06/2021
<b>Conditions</b>			
<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><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> <li>4. The existing water connection will need to be disconnected. A new water connection will need to be installed in a common area, and be suitably sized.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>5. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 and a Consent to Register a Legal Document fee of \$149.20 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.</li> </ol> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			



#### Advice

##### General

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

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

##### Service Locations

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

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.  
Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://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.

##### Boundary Trap Area

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

#### Declaration

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

##### Authorised by

**Jason Taylor**  
Development Assessment Manager

#### TasWater Contact Details

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





Tasmanian Heritage Council  
GPO Box 618 Hobart Tasmania 7000  
Tel: 1300 850 332  
enquiries@heritage.tas.gov.au  
www.heritage.tas.gov.au

PLANNING REF: PLN-21-13  
THC WORKS REF: 6509  
REGISTERED PLACE NO: 3116  
FILE NO: 09-31-26THC  
APPLICANT: Anne Harrison  
DATE: 09 July 2021

## NOTICE OF HERITAGE DECISION

*(Historic Cultural Heritage Act 1995)*

The Place: 354 Davey Street, Hobart.  
Proposed Works: Landscaping work and new dwelling.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-21-13, advertised on 17/06/2021, subject to the following condition:

- I. **A digital copy of all drawings submitted in making applications for building permits relating to this development, including the identification of any substantial variance from the works documented in PLN-21-13, must be provided to Heritage Tasmania prior to the commencement of works.**

### Reason for condition

To provide Heritage Tasmania with an opportunity to review the construction documentation of the work in order to ensure that there has been no increase in the heritage impacts anticipated at the discretionary permit application stage.

### Advice

It is recommended that suitable screen plantings are established above the driveway and in the vicinity of the new house, to ensure the visual impacts of the new building are minimised.

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

A handwritten signature in purple ink, appearing to read 'Ian Boersma'.

Ian Boersma  
**Works Manager – Heritage Tasmania**  
*Under delegation of the Tasmanian Heritage Council*

To Hobart City Council  
Planning application for 354 Davey St, South Hobart

Dear Hobart City Council,

I am submitting a planning application for one new dwelling on the basis of a stratum title development at 354 Davey St. The new dwelling will have an entitlement of more than 800 square metres of land and the existing dwelling will have an entitlement of more than 700 square metres. An existing right of way access road from Lynton Avenue will provide vehicle access to both buildings and be in common. There will be a walkway access strip from Davey St down to lot 2 to provide pedestrian access to the right of way vehicle entrance. Each building will have allocated off street parking of two spaces plus use of the steel topped car turning and parking area.

The building will have a flat roof and be constructed on steel posts with the dwelling entrance and floor being at the height of the existing road right of way access. Please let me know if you have any further queries,

Yours Faithfully

Anne Rebecca Harrison

Re planning application for  
354 Davey st  
South Hobart

PLN -21-13

9/03/21

Dear Hobart City Council,

In your request for further information letter of January 2021 you request information as to the colours to be used on the proposed new building on lot 2. It will be a flat roofed dwelling to minimize impact and will be clad in a dark charcoal grey cladding material such as colorbond steel or timber panel stained to a dark charcoal grey. The roof will be black and all window frames will be black. I hope that provided the information you are seeking, please let me know if you need anything else.

I met onsite with Ali the council heritage officer and she asked me about a stone wall adjacent to the driveway. It was constructed in the 1960's by the previous owners. If a small part of that area is required to provide parking and turning the stones will be reused and the wall reconstructed in that small area.

Kind regards Anne Rebecca Harrison

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 144461	FOLIO 1
EDITION 5	DATE OF ISSUE 07-Dec-2015

SEARCH DATE : 09-Oct-2018

SEARCH TIME : 03.31 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 144461

Derivation : Part of 299 Acres Granted to Robert Lathrop  
Murray.

Derived from A18882

SCHEDULE 1E19666 TRANSFER to ANNE REBECCA WESTON HARRISON Registered  
07-Dec-2015 at 12.01 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

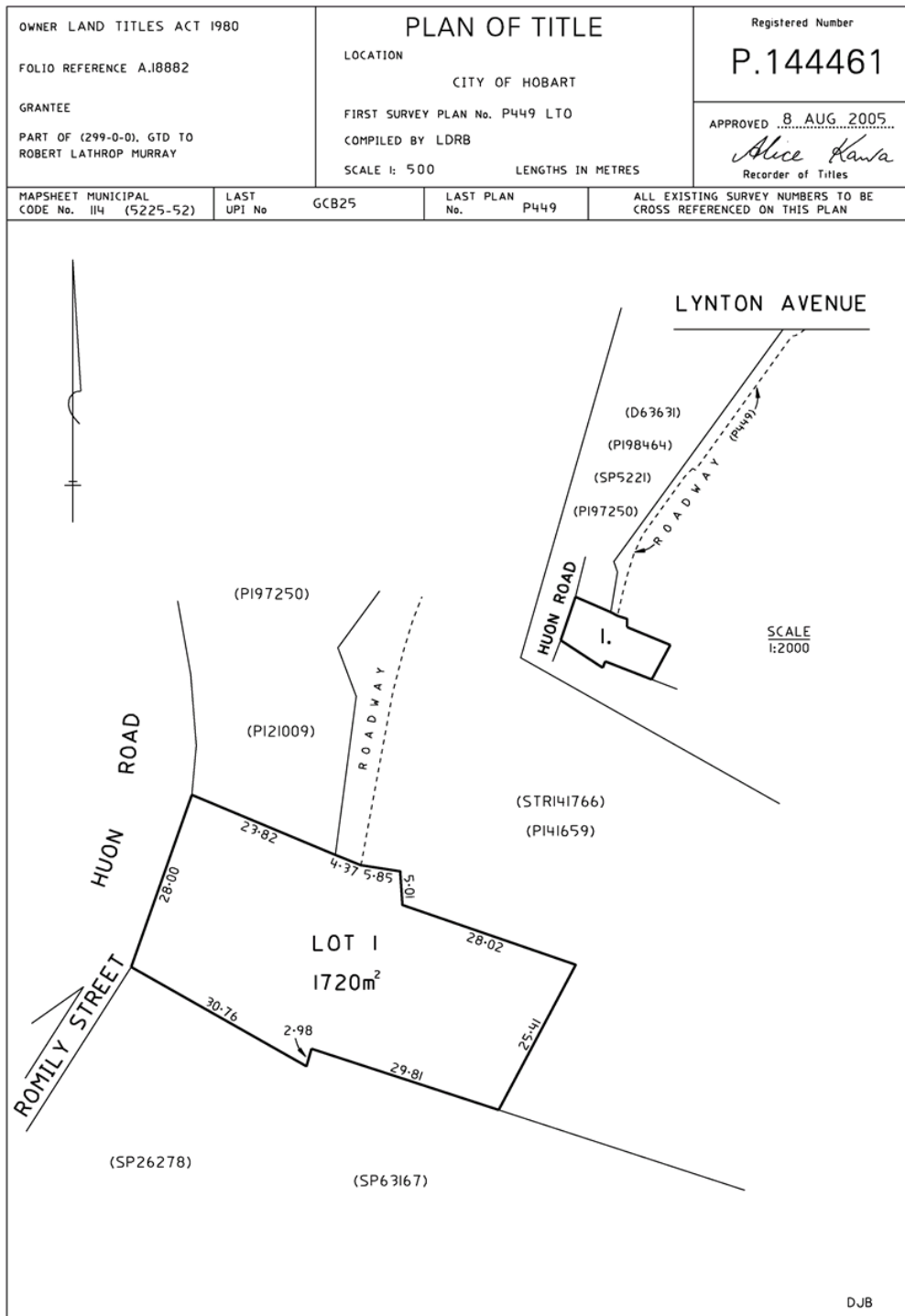
29/4588 BENEFITING EASEMENT: Right of Carriageway over the  
Roadway shown on Plan No.144461UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 141766	FOLIO 35
EDITION 4	DATE OF ISSUE 16-Jun-2017

SEARCH DATE : 03-Sep-2019

SEARCH TIME : 07.18 AM

DESCRIPTION OF LAND

City of HOBART

Lot 35 on Strata Plan 141766 and the Unit Entitlement in the Strata Scheme being -

A general unit entitlement operating for all purposes of the said Strata Scheme being a 5 undivided 1/120 interest

A special unit entitlement operating for the purpose of fixing the proportionate contribution to be made to the body corporate for expenses relating to the operation &amp; maintenance of the common property marked "B" on the plan being a 3/124 interest

Derived from Strata Plan 141766

Derivation : Part of 299 Acres Gtd.to R.L.Murray

SCHEDULE 1C645520 TRANSFER to TIMOTHY JAMES MEREDITH Registered  
25-Jan-2006 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any

The registered proprietor holds the lot and unit entitlement

subject to any interest noted on common property

Folio of the Register volume 141766 folio 0

55/6988 CONVEYANCE: Benefiting Easement: Right to pass and repass over the roadway shown on S.P.No.9215

55/6988 CON. BURDENING EASEMENT: Right of Carriageway [appurtenant to Certificates of Title Vol.3584 Fol.3 &amp; 4) over the land marked Right of Way on D.100922

S.P.8311 BURDENING EASEMENT: Right of Drainage [appurtenant to Lot 1 on S.P.no.8311) over the Drainage Easement shown on D.100922

C511199 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered  
18-Dec-2003 at noonE94854 MORTGAGE to Westpac Banking Corporation Registered  
16-Jun-2017 at noon



## RESULT OF SEARCH

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*



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### UNREGISTERED DEALINGS AND NOTATIONS

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No unregistered dealings or other notations

CITY/TOWN HOBART SUBURB/LOCALITY DYNMYRNE FOLIO REFERENCE C/T 141659/1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. P141659		<h2 style="margin: 0;">STRATA PLAN</h2> <p style="margin: 0;">NEW SHEET 1 OF 18 SHEETS PURSUANT TO C 62906B</p> <p style="margin: 0;">NAME OF STRATA SCHEME TASMAN HEIGHTS, DYNMYRNE</p>		Registered Number <h1 style="margin: 0;">141766</h1> <p style="margin: 0;">STRATA TITLES ACT 1998          REGISTERED <i>29<sup>th</sup> June 2005</i>  <i>ALICE KAWA</i>          Recorder of Titles.       </p>	
MAPSHEET MUNICIPAL CODE No. 114	LAST UPI No. 2119107	SCALE 1: 800	LENGTHS IN METRES		

### SITE PLAN

NOTES:

- (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
- (ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAN 2.00 METRES TO BE SHOWN ON SHEET 1.
- (iii) LOT FOLIOS ARE HELD SUBJECT TO COMMON PROPERTY FOLIO INTERESTS.
- (iv) THE SURVEYOR'S CERTIFICATE MUST CERTIFY THAT ANY BUILDING ENCROACHMENT BEYOND THE SITE BORY IS AUTHORISED ACCORDING TO LAW.

*David Miller*  
 COUNCIL DELEGATE

26/6/05  
 DATE

STAGED/COMMUNITY DEVELOPMENT SCHEME No. C.538676

LODGED BY Andrew Gregson

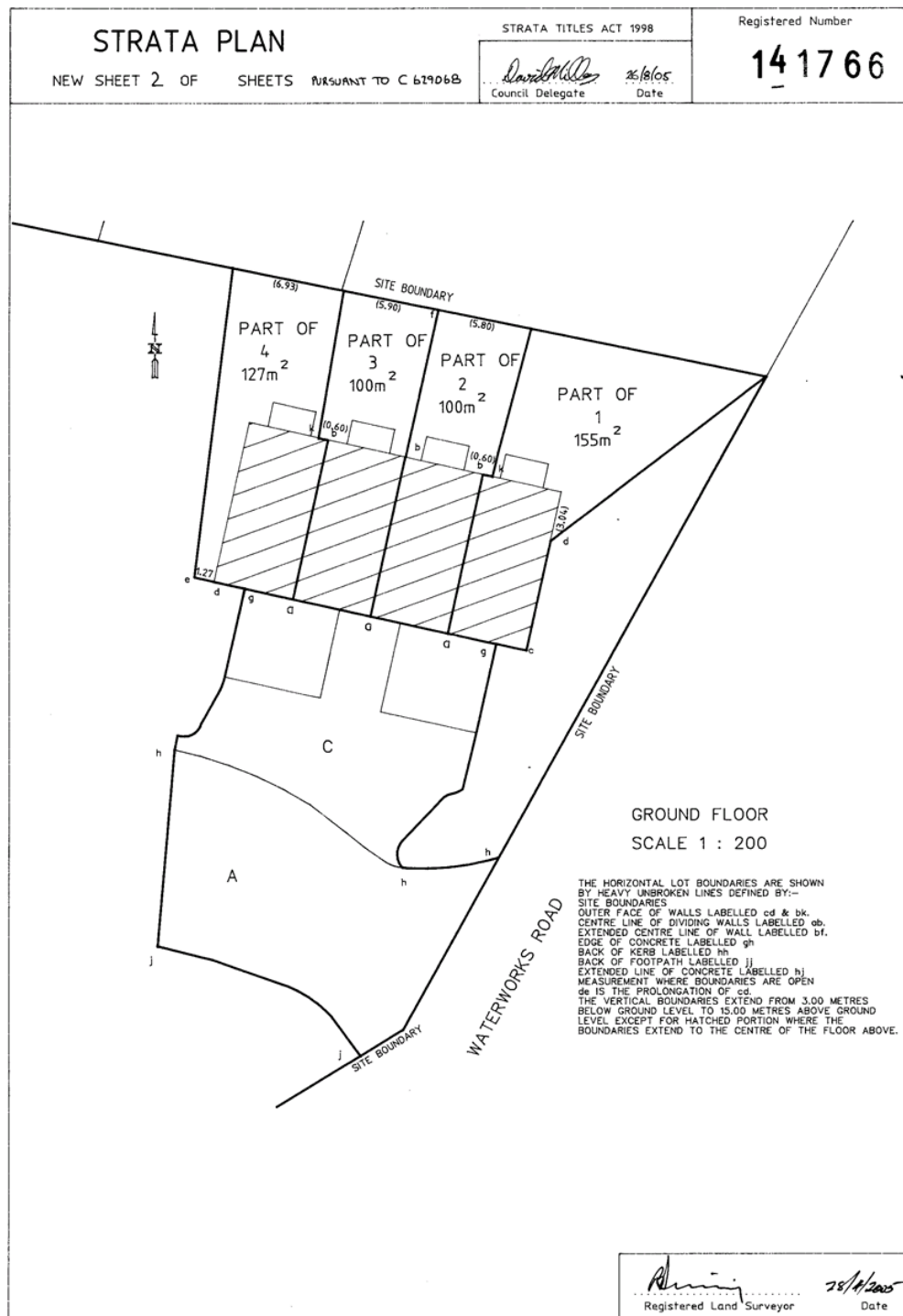




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p style="text-align: center; font-weight: bold; font-size: 1.2em;">STRATA PLAN</p> <p style="text-align: center;">SHEET 3 OF      SHEETS</p> <p style="text-align: center;">   A/ SURVEYING SERVICES MANAGER </p>	<p style="text-align: center; font-size: 0.8em;">STRATA TITLES ACT 1998</p> <p style="text-align: center;">Registered Number</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">14 17 66</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**FIRST**  
~~UPPER~~ FLOOR  
SCALE 1 : 200

THE HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY:--  
OUTER FACE OF WALLS ab,aa & bb  
CENTRE LINE OF DIVIDING WALLS LABELLED cd  
  
THE VERTICAL BOUNDARIES EXTEND FROM CENTRE OF THE FLOOR BELOW GROUND LEVEL TO 15.00 METRES ABOVE GROUND LEVEL.



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<b>STRATA PLAN</b> NEW SHEET 4 OF    SHEETS PURSUANT TO C629068		STRATA TITLES ACT 1998 <b>Registered Number</b> <div style="font-size: 1.5em; font-weight: bold;">141766</div>								
NAME OF BODY CORPORATE: Strata Corporation No. 141766    TASMAN HEIGHTS, DYNMYRNE										
ADDRESS FOR THE SERVICE OF NOTICES: 10 WATERWORKS ROAD, DYNMYRNE										
<b>SURVEYORS CERTIFICATE</b> I, Peter David Binny of Granton a surveyor registered under the Land Surveyors Act 1909 certify that the building erected on the site and drawn on sheet 1 of this plan is within the external boundaries of the folio stated on sheet 1.  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Registered Surveyor         </div> <div style="text-align: center;">           29/3/2005            date         </div> <div style="text-align: center;">           246900            ref no         </div> </div>	<b>COUNCIL CERTIFICATE</b> I certify that the                      Hobart City Council has: (a) approved the lots shown on this plan and (b) issued this certificate of approval in accordance with Section 31 of the Strata Titles Act 1998.  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Council Delegate         </div> <div style="text-align: center;">           26/8/05            date         </div> <div style="text-align: center;">           5649079            ref no         </div> </div>									
<b>UNIT ENTITLEMENTS</b>										
LOT	GENERAL	SPECIAL	UNIT ENTITLEMENT							
			(i)(a)	(i)(h)	(i)(j)	(i)(k)	(i)(b)			
21	4	3								
22	3	3	1							
23	3	3	1							
24	4	5								
25	4	5		1						
26	4	5		1						
27	4	6			1					
34	4	6			1					
35	5						3			
36	5						3			
37	5						2			
38	5						2			
28	4	6								
29	4	6								
30	4	6								
31	4	6								
32	4	6								
33	4	6								
CONTINUED NEXT PAGE										
TOTAL	120	124	2	2	2	10				

(i)(h) 'Common Property Entitlement "H"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "H" on the plan.

(i)(j) 'Common Property Entitlement "J"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "J" on the plan.

(i)(k) 'Common Property Entitlement "K"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "K" on the plan.

(i)(b) 'Common Property Entitlement "B"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "B" on the plan.



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN		STRATA TITLES ACT 1998	Registered Number <b>141766</b>							
NEW SHEET 5 OF SHEETS PURSUANT TO C 619068		COUNCIL DELEGATE DATE 26/6/21								
Note: THIS SHEET SHOULD ONLY BE USED WHERE:- (i) THE LOTS HAVE A SPECIAL UNIT ENTITLEMENT, OR (ii) THE BODY CORPORATE HAS BEEN DIVIDED.										
THE PURPOSES UNDER SECTION 16 FOR WHICH A SPECIAL UNIT ENTITLEMENT MAY BE USED										
NAME OF (THIS) BODY CORPORATE		TASMAN HEIGHTS, DYNMYRNE								
ADDRESS FOR THE SERVICE OF NOTICES		<p>(i)(a) 'Common Property Entitlement "A"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "A" on the plan.</p> <p>(i)(c) 'Common Property Entitlement "C"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "C" on the plan.</p> <p>(i)(d) 'Common Property Entitlement "D"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "D" on the plan.</p> <p>(i)(e) 'Common Property Entitlement "E"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "E" on the plan.</p> <p>(i)(f) 'Common Property Entitlement "F"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "F" on the plan.</p> <p>(i)(g) 'Common Property Entitlement "G"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "G" on the plan.</p> <p>(i)(h) 'Common Property Entitlement "H"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "H" on the plan.</p>								
LOT No.	GENERAL UNIT ENTITLEMENT SPECIAL			(i)(a)	(i)(c)	(i)(d)	(i)(e)	(i)(f)	(i)(g)	(i)(h)
1	2			2	1					
2	2			2	1					
3	2			2	1					
4	2			2	1					
5	2			2		1				
6	2			2		1				
7	2			2		1				
8	2			3						
9	2			3			1			
10	2			3			1			
11	2			3						
12	2			4				1		
13	2			4				1		
14	2			4				1		
15	2			4				1		
16	3			2		1				
17	3			2		1				
18	4			2						
19	3	2			1					
20	3	2			1					
TOTAL	120	124	4	2	3	2	2	4		

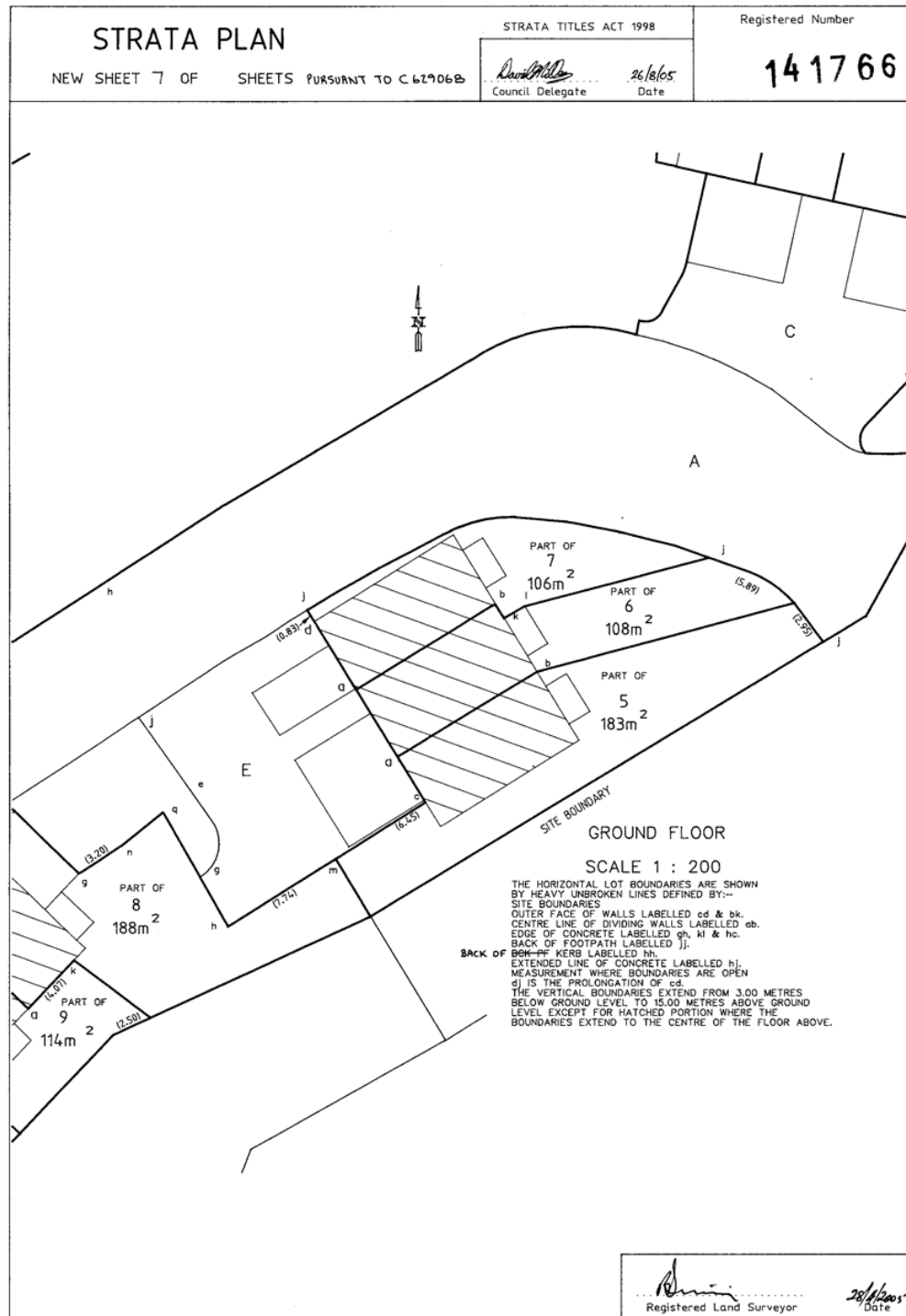




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

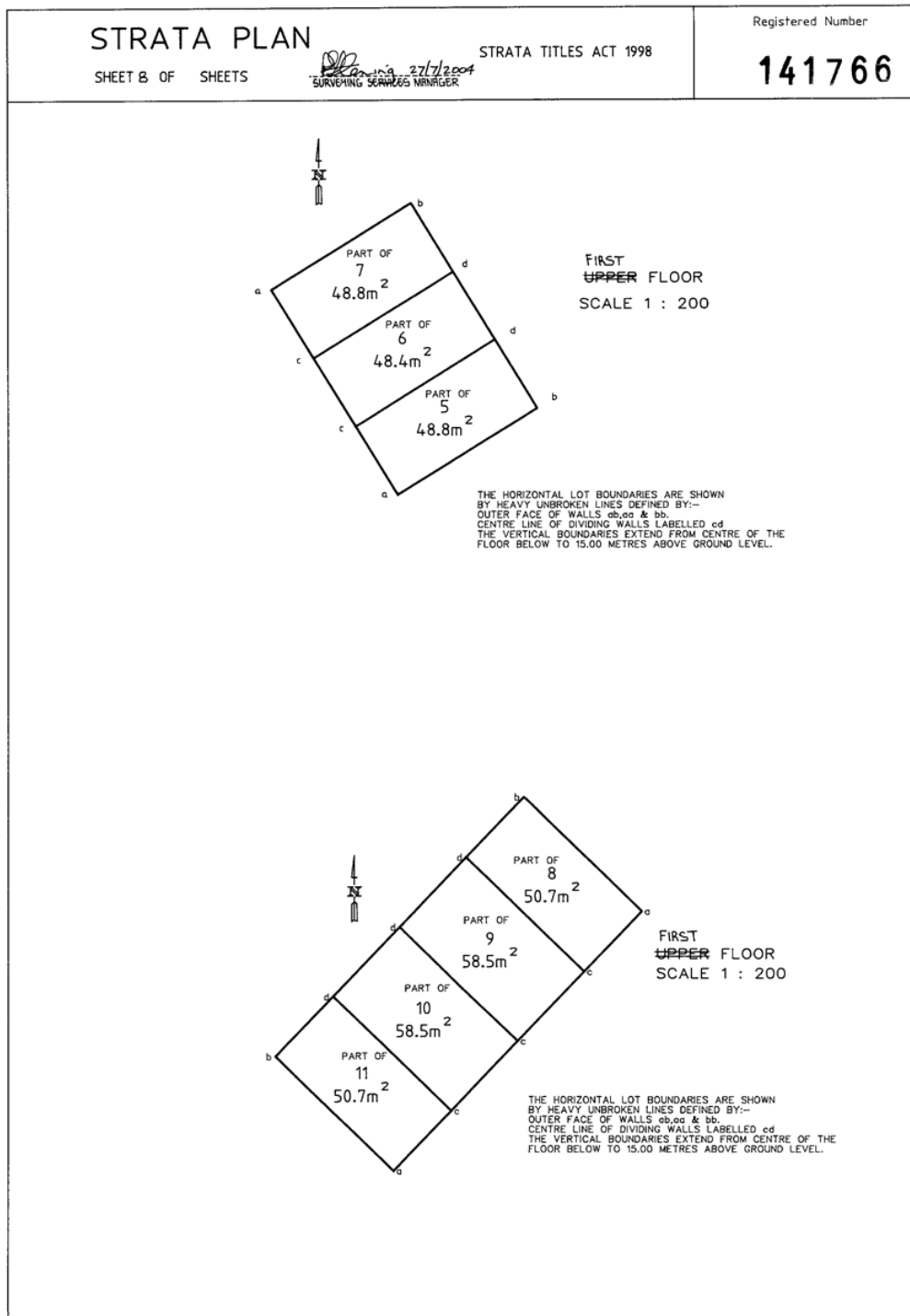




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980







## FOLIO PLAN

RECORDER OF TITLES

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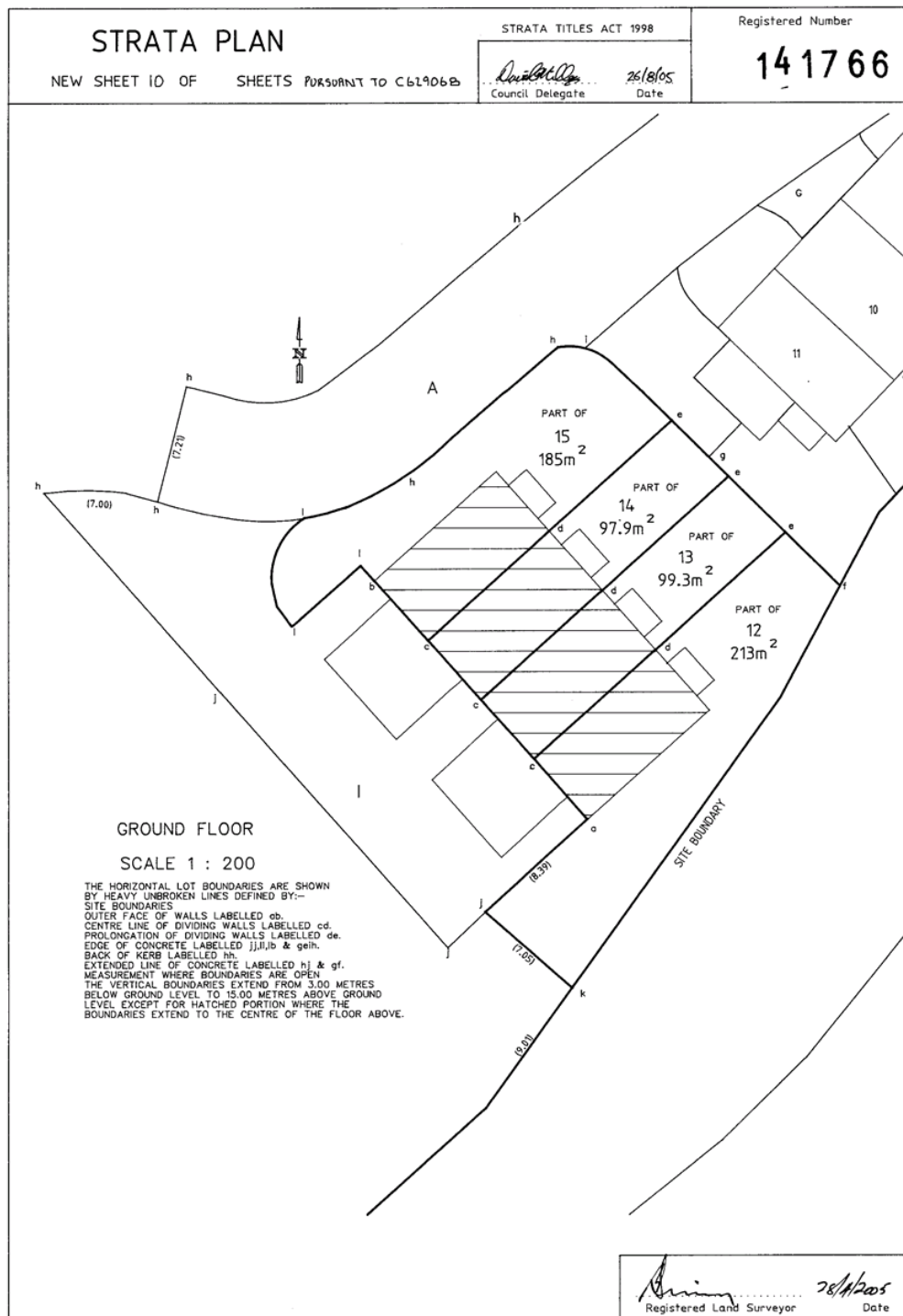




## FOLIO PLAN

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## FOLIO PLAN

RECORDER OF TITLES

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## STRATA PLAN

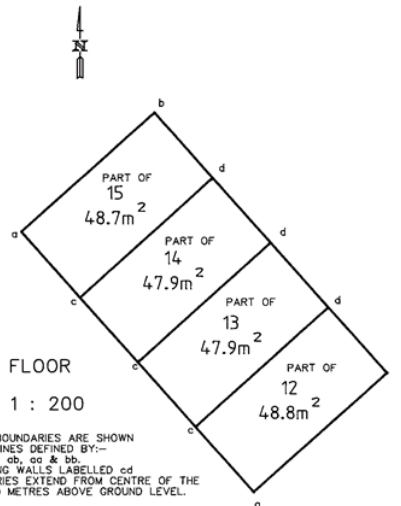
SHEET 11

  
DAVID MILLER  
A/SURVEYING SERVICES MANAGER

STRATA TITLES ACT 1998

Registered Number

141766

FIRST FLOOR  
SCALE 1 : 200

THE HORIZONTAL LOT BOUNDARIES ARE SHOWN  
BY HEAVY UNBROKEN LINES DEFINED BY:-  
OUTER FACE OF WALLS ab, cd & de.  
CENTRE LINE OF DIVIDING WALLS LABELLED ef  
THE VERTICAL BOUNDARIES EXTEND FROM CENTRE OF THE  
FLOOR BELOW TO 15.00 METRES ABOVE GROUND LEVEL.

## FOLIO PLAN

RECORDED OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

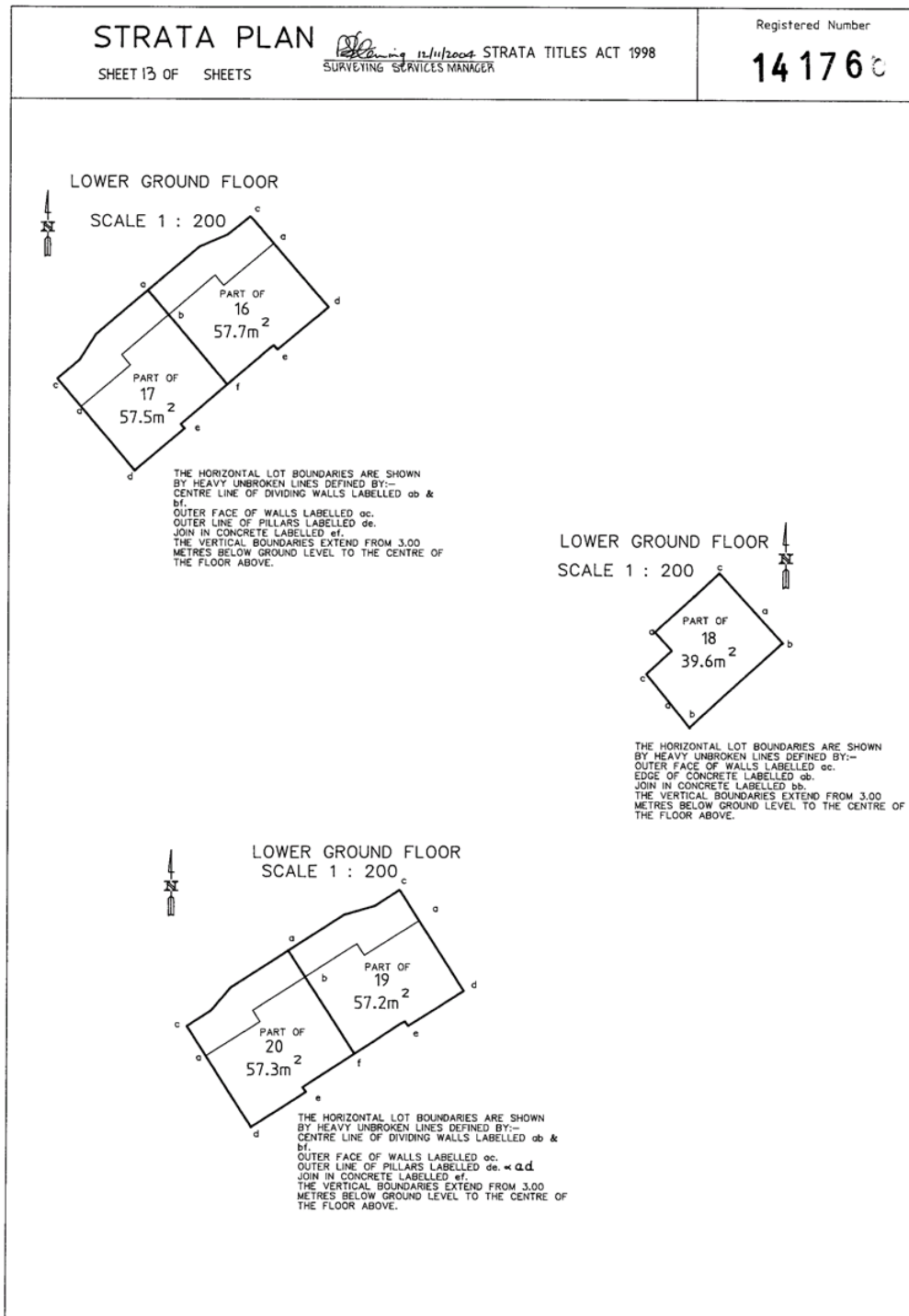




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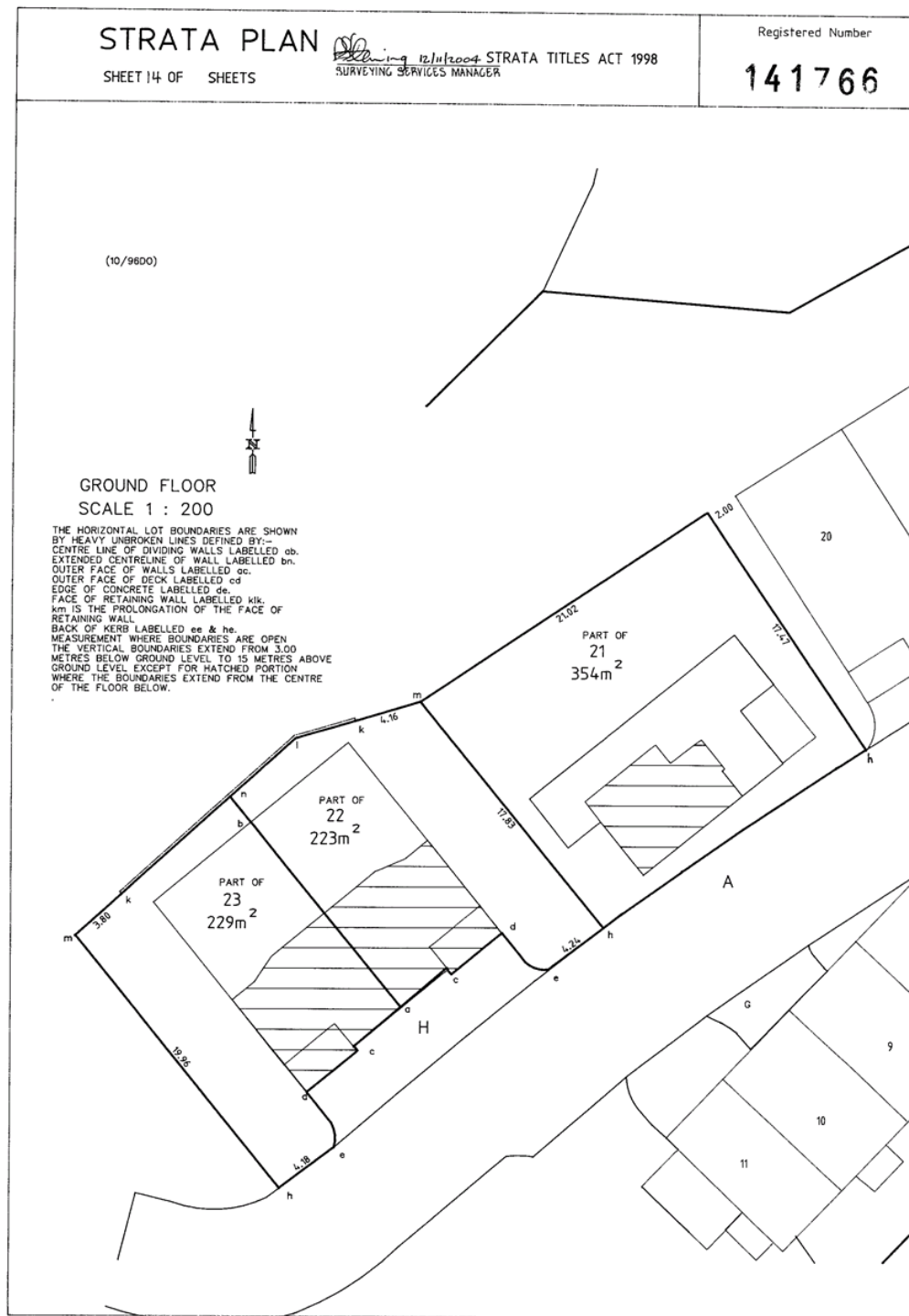




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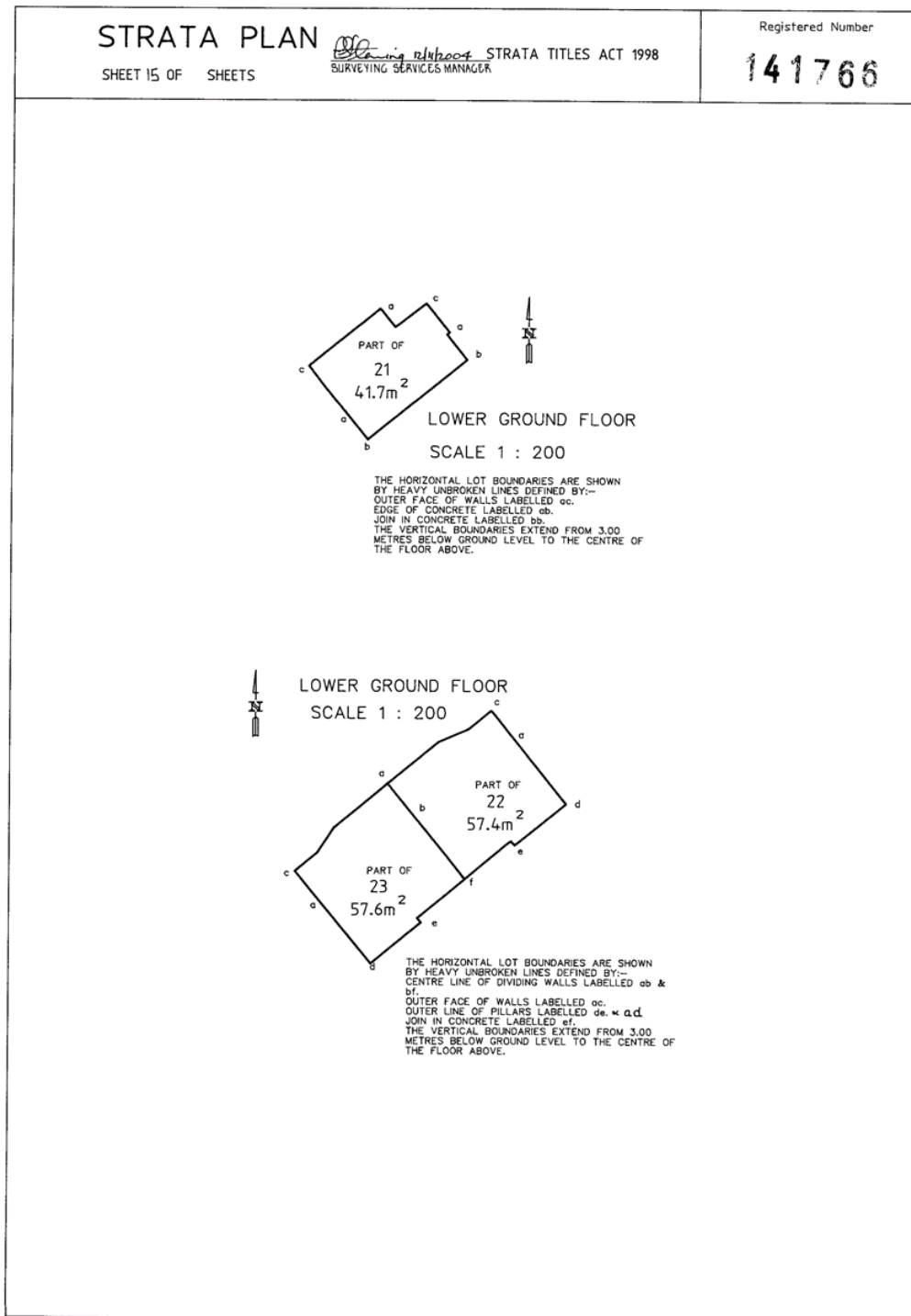




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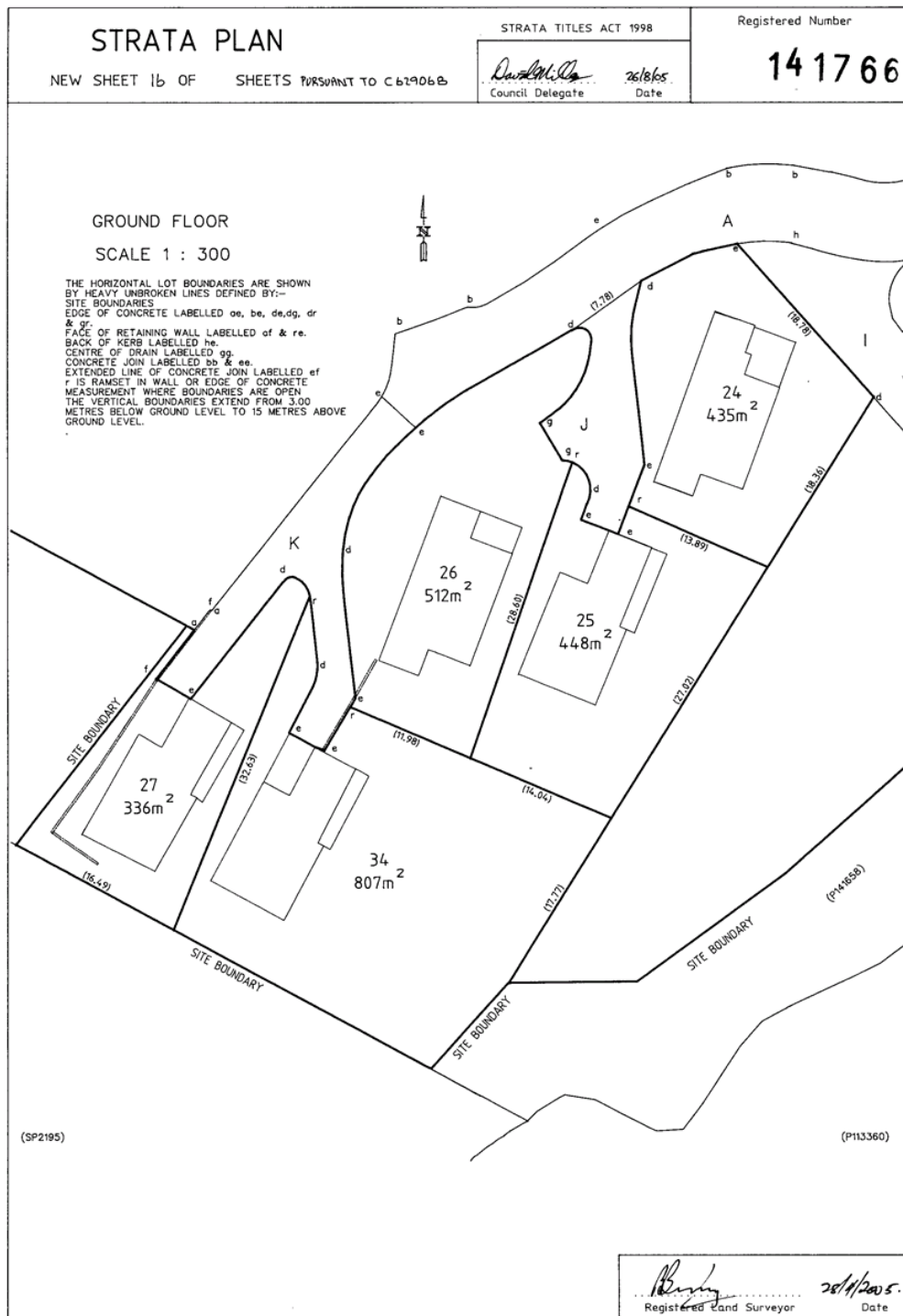




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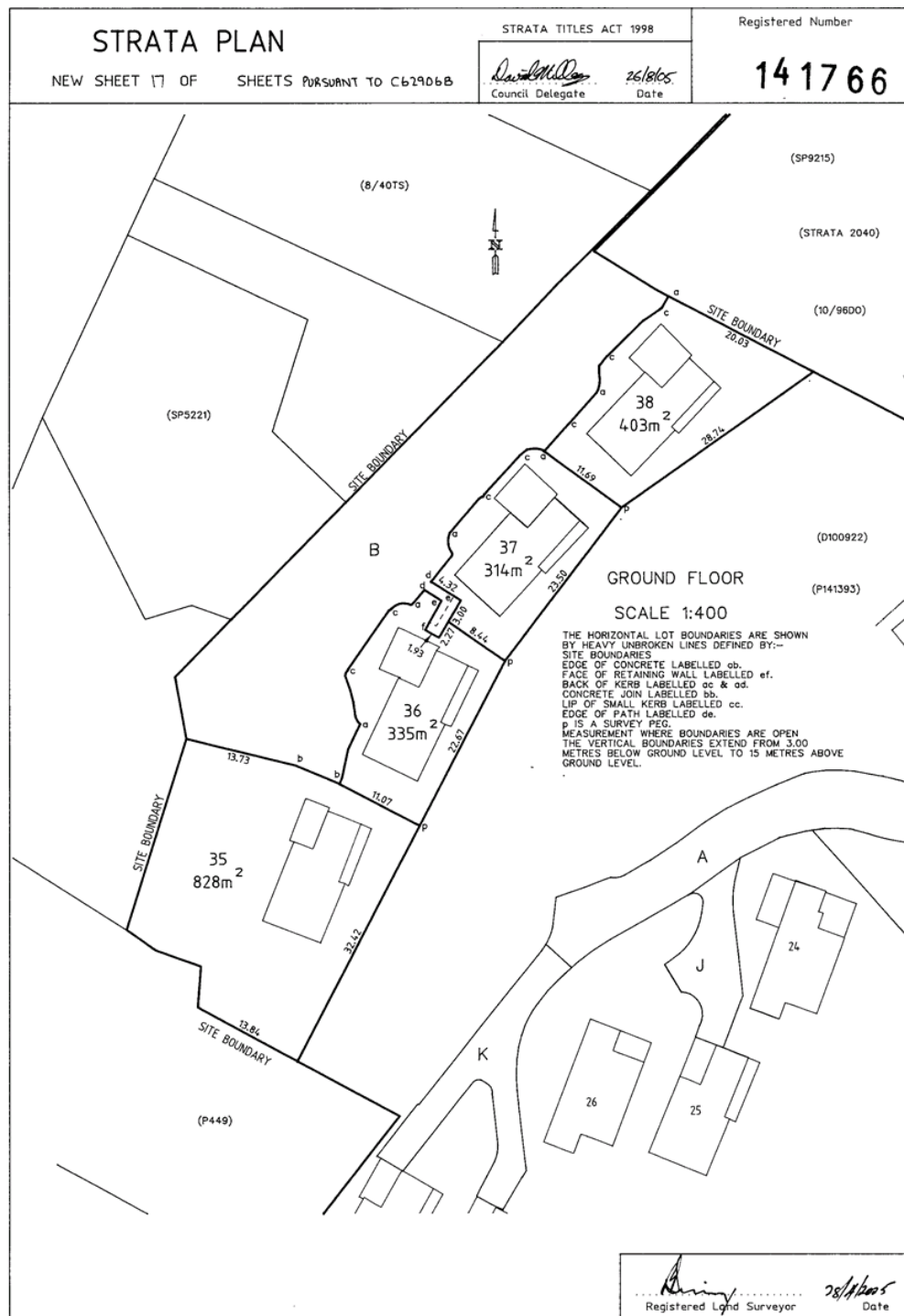




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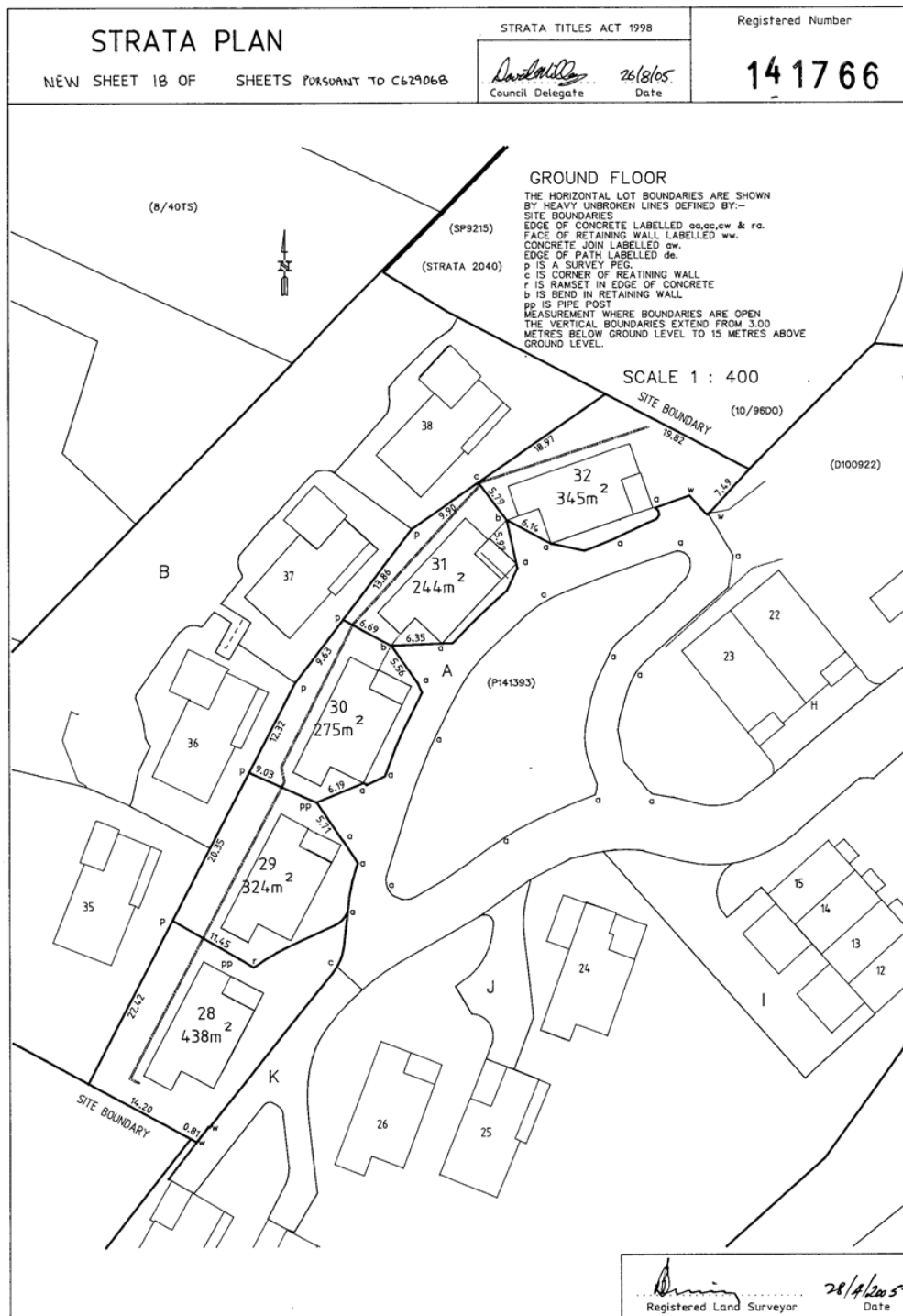




## FOLIO PLAN

RECORDED OF TITLES

*Issued Pursuant to the Land Titles Act 1980*



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 141766	FOLIO 0
EDITION 2	DATE OF ISSUE 22-Jun-2006

SEARCH DATE : 03-Sep-2019

SEARCH TIME : 07.19 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 141766

Derivation : Part of 299 Acres Gtd.to R.L.Murray

Prior CT 100922/1

SCHEDULE 1

STRATA CORPORATION NUMBER 141766, TASMAN HEIGHTS, DYNMYRNE

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

55/6988 CONVEYANCE: Benefiting Easement: Right to pass and repossess over the roadway shown on S.P.No.9215

55/6988 CON. BURDENING EASEMENT: Right of Carriageway [appurtenant to Certificates of Title Vol.3584 Fol.3 & 4) over the land marked Right of Way on D.100922

S.P.8311 BURDENING EASEMENT: Right of Drainage [appurtenant to Lot 1 on S.P.no.8311) over the Drainage Easement shown on D.100922

C628451 BURDENING EASEMENT: A right of carriageway for the Hobart City Council over the Right of Way Variable Width shown on P.141659 Registered 22-Jun-2006 at noon

C511199 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 18-Dec-2003 at noon

B863831 APPLICATION for registration of variation to a staged development scheme Registered 03-Sep-2004 at noon

C538676 APPLICATION for registration of a staged development scheme Registered 29-Jun-2004 at 12.03 PM

C583448 APPLICATION for registration of stage of staged dev. scheme Registered 03-Sep-2004 at noon

C453616 APPLICATION for registration of stage of staged dev. scheme Registered 06-Oct-2004 at 12.02 PM

C558416 APPLICATION for registration of stage of staged dev. scheme Registered 25-Nov-2004 at noon

C558413 APPLICATION for registration of stage of staged dev.

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

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scheme Registered 25-Nov-2004 at 12.01 PM  
C559489 APPLICATION for registration of stage of staged dev.  
scheme Registered 23-Feb-2005 at noon  
C617237 APPLICATION for registration of stage of staged dev.  
scheme Registered 20-May-2005 at noon  
C617238 APPLICATION for registration of stage of staged dev.  
scheme Registered 23-May-2005 at noon  
C629068 APPLICATION for registration of stage of staged dev.  
scheme Registered 28-Sep-2005 at noon

UNREGISTERED DEALINGS AND NOTATIONS

E115211 Application for cancellation of the registration of  
an easement Lodged by SIMMONS WOLFHAGEN on  
14-Nov-2017 BP: E115211

CITY/TOWN HOBART SUBURB/LOCALITY DYNMYRNE FOLIO REFERENCE C/T 141659/1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. P141659		<h1 style="margin: 0;">STRATA PLAN</h1> <p style="margin: 5px 0;">NEW SHEET 1 OF 18 SHEETS          PURSUANT TO C62906B</p>		Registered Number <h2 style="margin: 0;">141766</h2>	
		NAME OF STRATA SCHEME TASMAN HEIGHTS, DYNMYRNE		STRATA TITLES ACT 1998 REGISTERED <u>29 June 2005</u> <i>ALICE KAWA</i> Recorder of Titles.	
MAPSHEET MUNICIPAL CODE No. 114	LAST UPI No. 2119107	SCALE 1: 800	LENGTHS IN METRES		

### SITE PLAN

NOTES:

- (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
- (ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAN 2.00 METRES TO BE SHOWN ON SHEET 1.
- (iii) LOT FOLIOS ARE HELD SUBJECT TO COMMON PROPERTY FOLIO INTERESTS.
- (iv) THE SURVEYOR'S CERTIFICATE MUST CERTIFY THAT ANY BUILDING ENCROACHMENT BEYOND THE SITE BORDY IS AUTHORISED ACCORDING TO LAW.

Staged/Community Development  
 Scheme No. C.538676

Lodged By Andrew Gregson

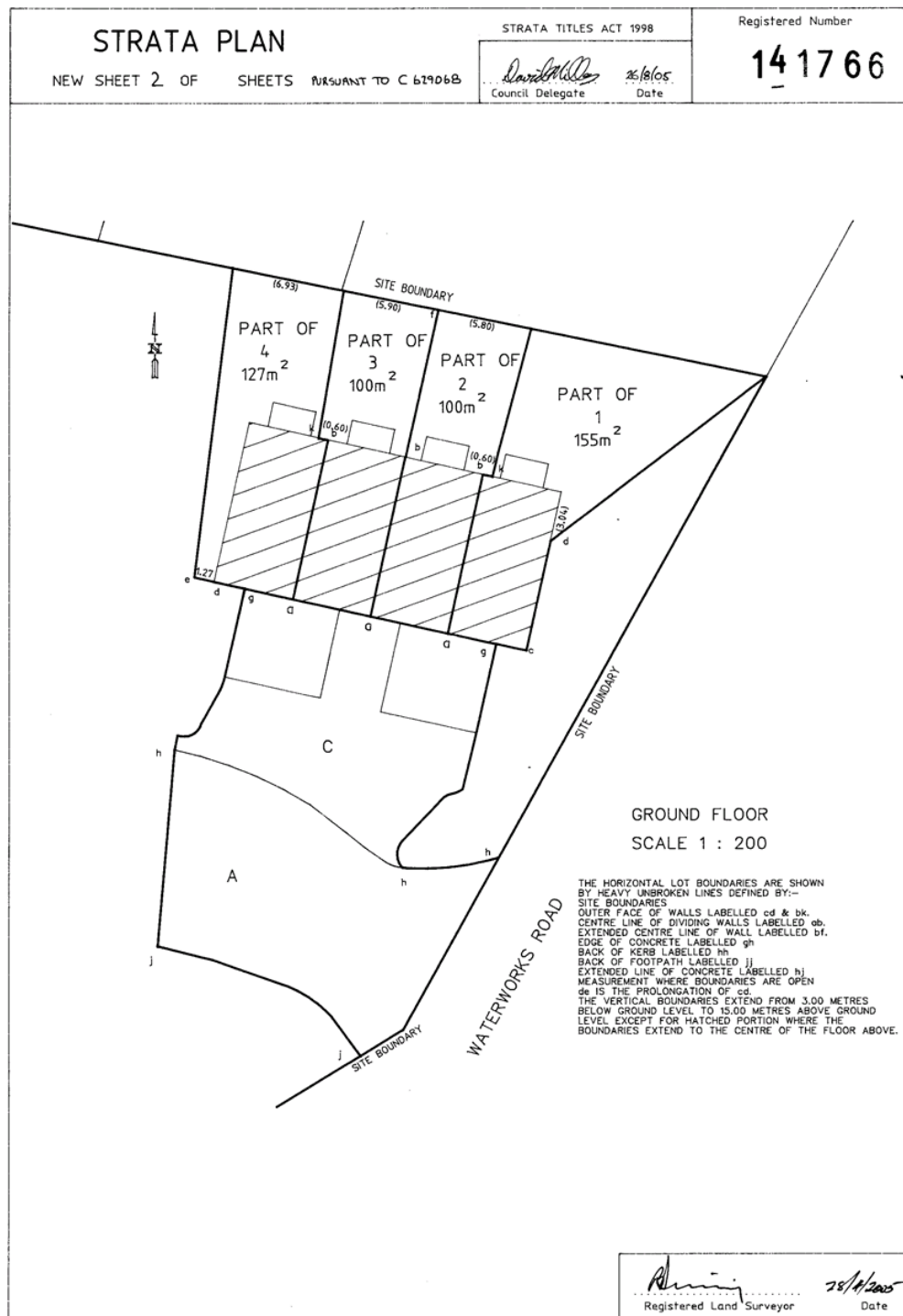
*David Miller* 26/6/05  
 COUNCIL DELEGATE DATE



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p style="text-align: center; font-weight: bold; font-size: 1.2em;">STRATA PLAN</p> <p style="text-align: center;">SHEET 3 OF      SHEETS</p> <p style="text-align: center;">   A/ SURVEYING SERVICES MANAGER </p> <p style="text-align: right; font-size: 0.8em;">STRATA TITLES ACT 1998</p>	<p style="text-align: center; font-size: 0.8em;">Registered Number</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">14 17 66</p>
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FIRST  
~~UPPER~~ FLOOR

SCALE 1 : 200

THE HORIZONTAL LOT BOUNDARIES ARE SHOWN  
BY HEAVY UNBROKEN LINES DEFINED BY:--  
OUTER FACE OF WALLS ab,aa & bb  
CENTRE LINE OF DIVIDING WALLS LABELLED cd  
  
THE VERTICAL BOUNDARIES EXTEND FROM CENTRE OF THE  
FLOOR BELOW GROUND LEVEL TO 15.00 METRES ABOVE  
GROUND LEVEL.



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<b>STRATA PLAN</b> NEW SHEET 4 OF    SHEETS PURSUANT TO C629068		STRATA TITLES ACT 1998 <b>Registered Number</b> <div style="font-size: 1.5em; font-weight: bold;">141766</div>								
NAME OF BODY CORPORATE: Strata Corporation No. 141766    TASMAN HEIGHTS, DYNMYRNE										
ADDRESS FOR THE SERVICE OF NOTICES: 10 WATERWORKS ROAD, DYNMYRNE										
<b>SURVEYORS CERTIFICATE</b> I, Peter David Binny of Granton a surveyor registered under the Land Surveyors Act 1909 certify that the building erected on the site and drawn on sheet 1 of this plan is within the external boundaries of the folio stated on sheet 1.  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Registered Surveyor         </div> <div style="text-align: center;">           29/3/2005            date         </div> <div style="text-align: center;">           246900            ref no         </div> </div>	<b>COUNCIL CERTIFICATE</b> I certify that the                      Hobart City Council has: (a) approved the lots shown on this plan and (b) issued this certificate of approval in accordance with Section 31 of the Strata Titles Act 1998.  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Council Delegate         </div> <div style="text-align: center;">           26/8/05            date         </div> <div style="text-align: center;">           5649079            ref no         </div> </div>									
<b>UNIT ENTITLEMENTS</b>										
LOT	GENERAL	SPECIAL	UNIT ENTITLEMENT							
			(i)(a)	(i)(h)	(i)(j)	(i)(k)	(i)(b)			
21	4	3								
22	3	3	1							
23	3	3	1							
24	4	5								
25	4	5		1						
26	4	5		1						
27	4	6			1					
34	4	6			1					
35	5						3			
36	5						3			
37	5						2			
38	5						2			
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32	4	6								
33	4	6								
CONTINUED NEXT PAGE										
TOTAL	120	124	2	2	2	10				

(i)(h) 'Common Property Entitlement "H"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "H" on the plan.

(i)(j) 'Common Property Entitlement "J"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "J" on the plan.

(i)(k) 'Common Property Entitlement "K"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "K" on the plan.

(i)(b) 'Common Property Entitlement "B"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "B" on the plan.





## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN		STRATA TITLES ACT 1998	Registered Number <b>141766</b>							
NEW SHEET 5 OF SHEETS PURSUANT TO C 629068		COUNCIL DELEGATE DATE 26/6/21								
Note: THIS SHEET SHOULD ONLY BE USED WHERE:- (i) THE LOTS HAVE A SPECIAL UNIT ENTITLEMENT, OR (ii) THE BODY CORPORATE HAS BEEN DIVIDED.										
THE PURPOSES UNDER SECTION 16 FOR WHICH A SPECIAL UNIT ENTITLEMENT MAY BE USED										
NAME OF (THIS) BODY CORPORATE		TASMAN HEIGHTS, DYNMYRNE								
ADDRESS FOR THE SERVICE OF NOTICES		<p>(i)(a) 'Common Property Entitlement "A"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "A" on the plan.</p> <p>(i)(c) 'Common Property Entitlement "C"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "C" on the plan.</p> <p>(i)(d) 'Common Property Entitlement "D"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "D" on the plan.</p> <p>(i)(e) 'Common Property Entitlement "E"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "E" on the plan.</p> <p>(i)(f) 'Common Property Entitlement "F"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "F" on the plan.</p> <p>(i)(g) 'Common Property Entitlement "G"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "G" on the plan.</p> <p>(i)(h) 'Common Property Entitlement "H"' is a special unit entitlement operating for the purpose of fixing the proportionate contribution to be made by the owner of the lot to the body corporate in respect of all expenses relating to the operation and maintenance in good repair of the common property shown marked "H" on the plan.</p>								
LOT No.	GENERAL UNIT ENTITLEMENT SPECIAL			(i)(a)	(i)(c)	(i)(d)	(i)(e)	(i)(f)	(i)(g)	(i)(h)
1	2			2	1					
2	2			2	1					
3	2			2	1					
4	2			2	1					
5	2			2		1				
6	2			2		1				
7	2			2		1				
8	2			3						
9	2			3			1			
10	2			3			1			
11	2			3						
12	2			4				1		
13	2			4				1		
14	2			4				1		
15	2			4				1		
16	3			2		1				
17	3			2		1				
18	4			2						
19	3	2			1					
20	3	2			1					
TOTAL	120	124	4	2	3	2	2	4		

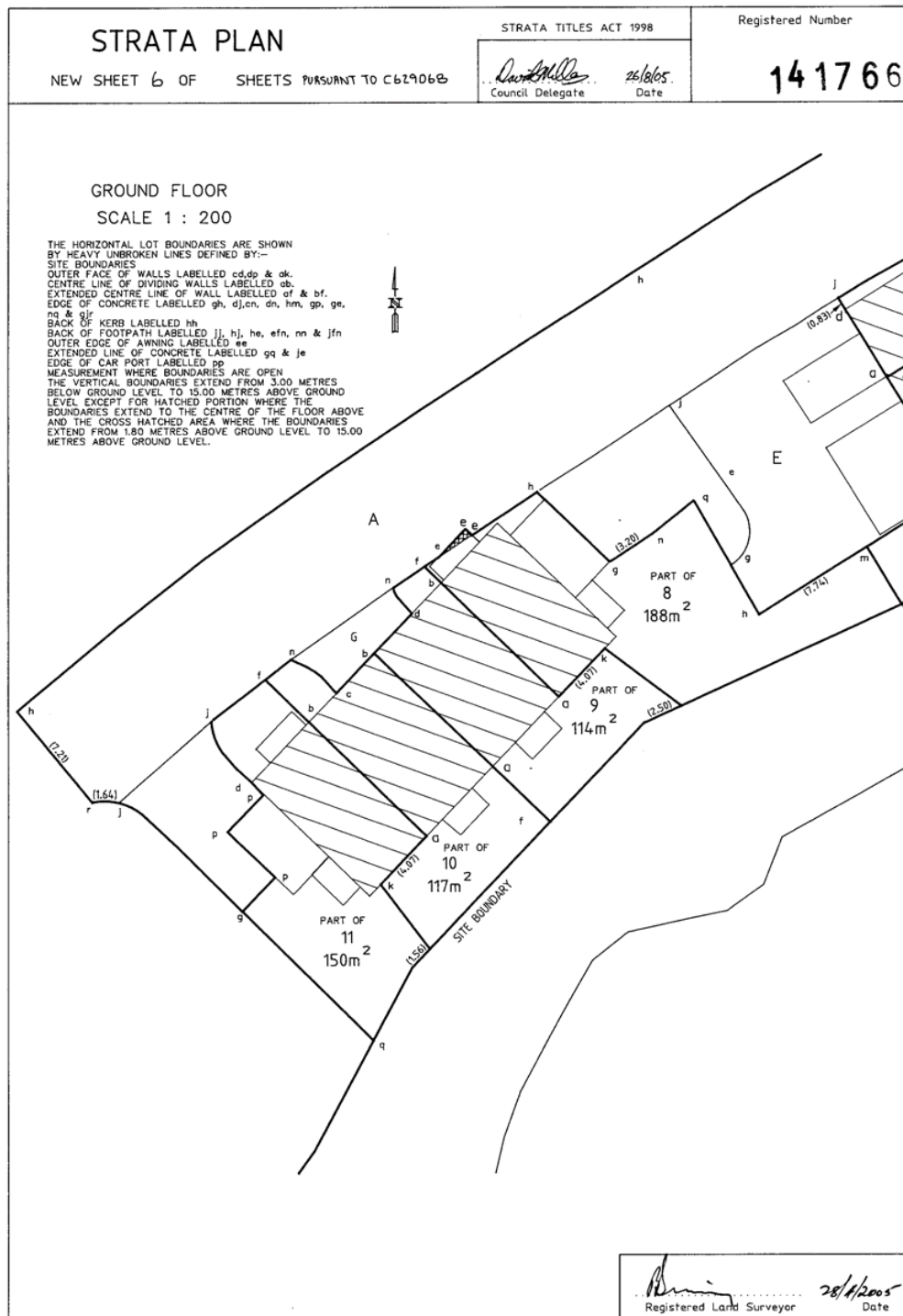




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

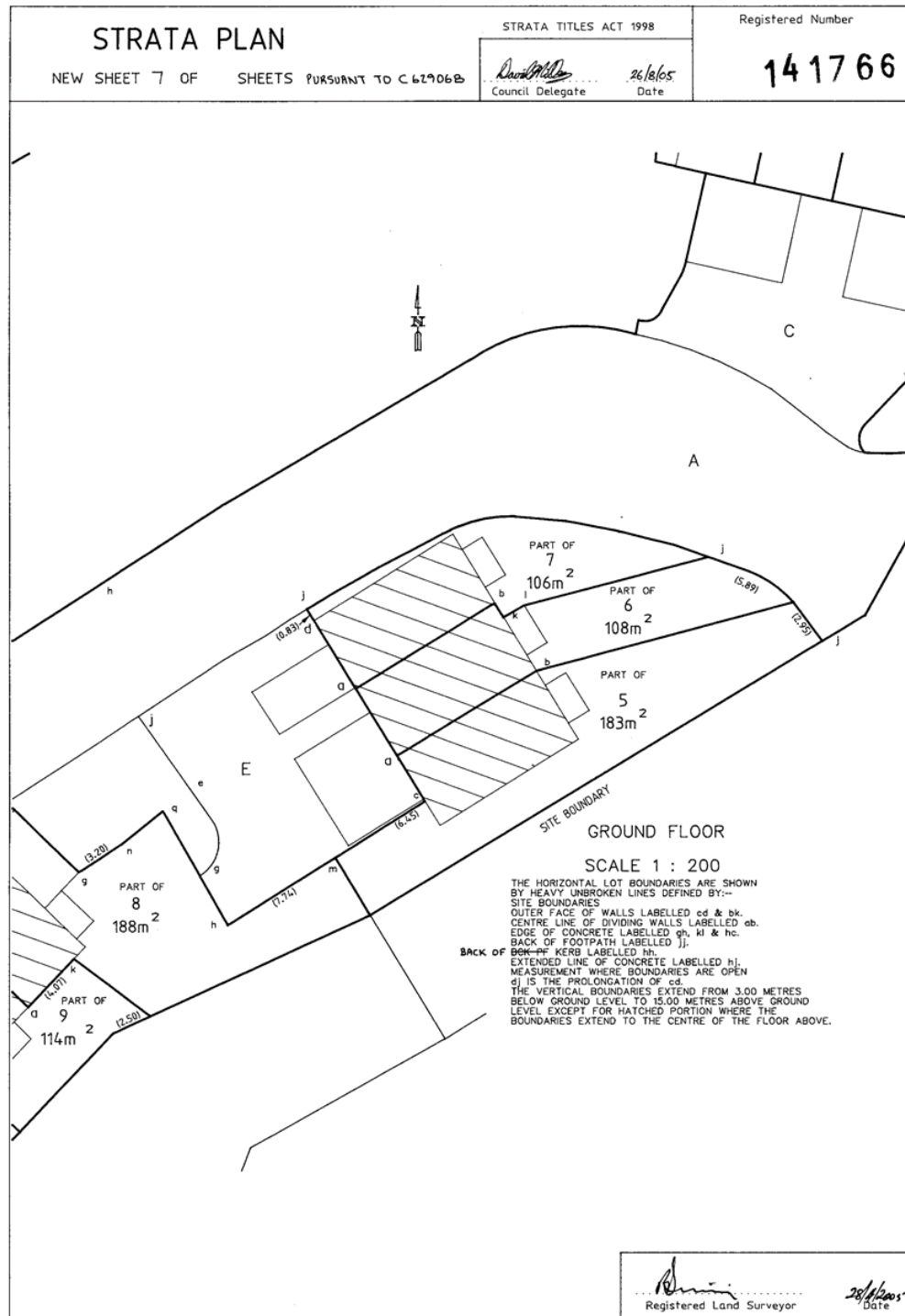




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

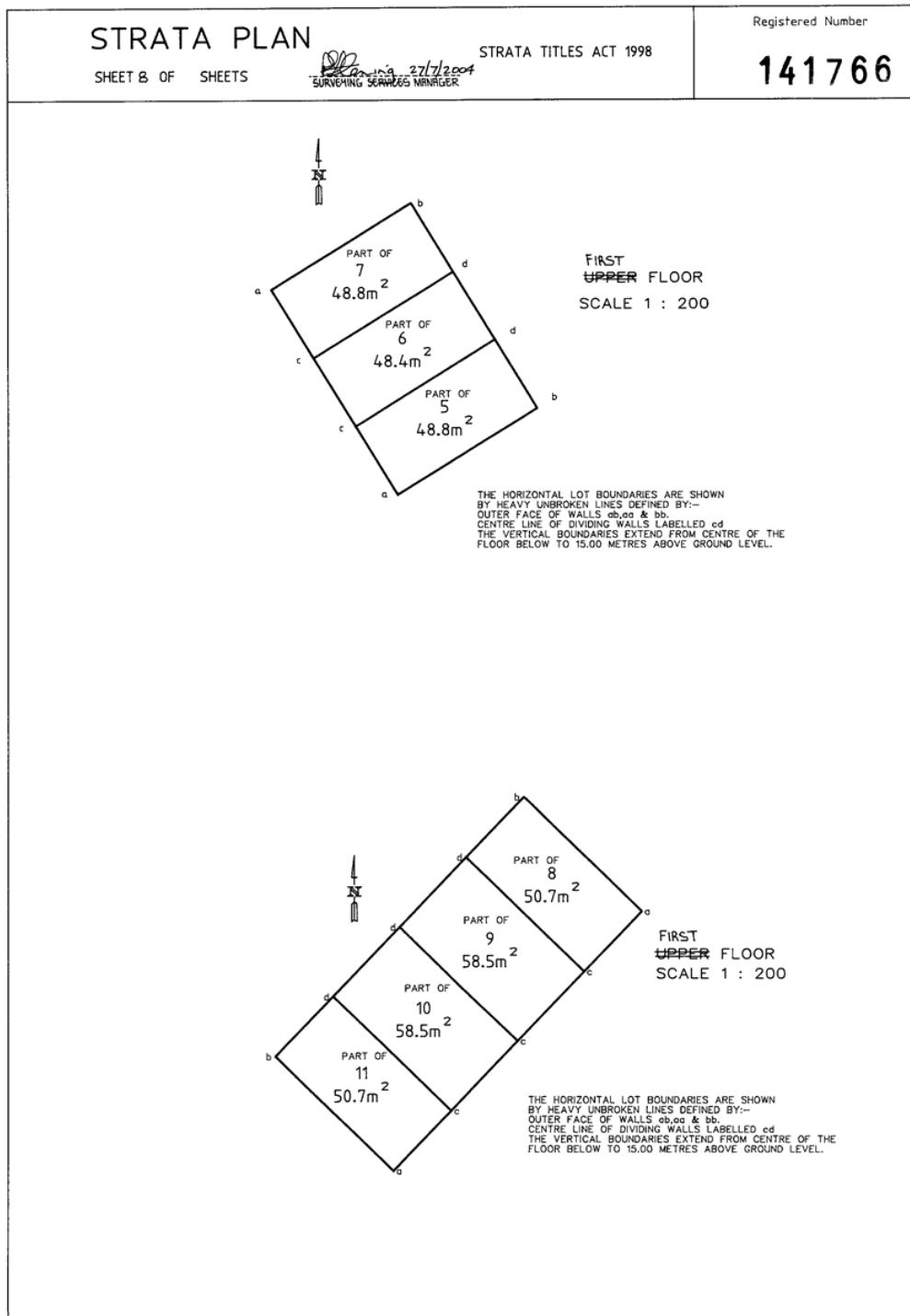




## FOLIO PLAN

RECORDER OF TITLES

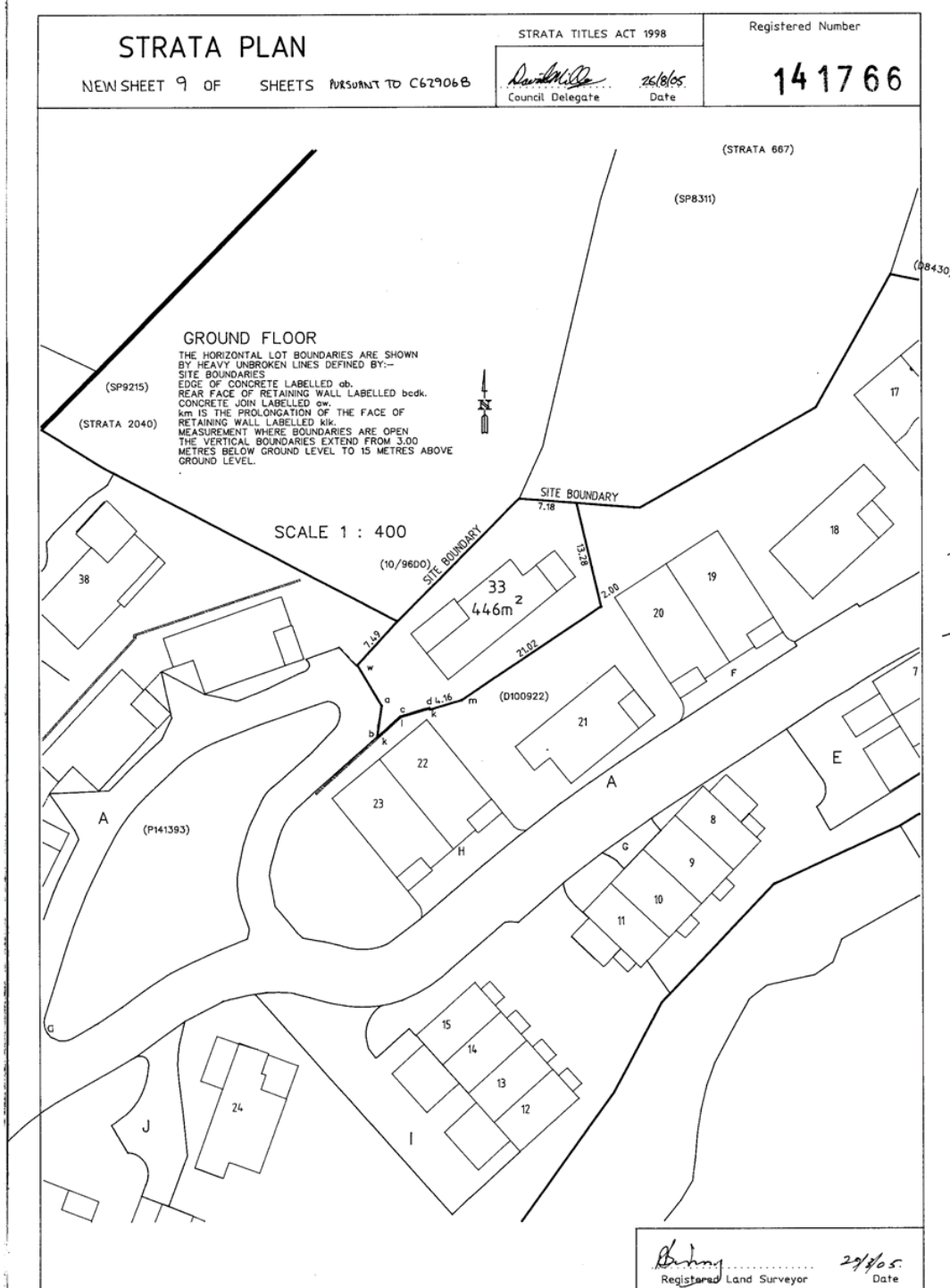
Issued Pursuant to the Land Titles Act 1980



## FOLIO PLAN

RECORD OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

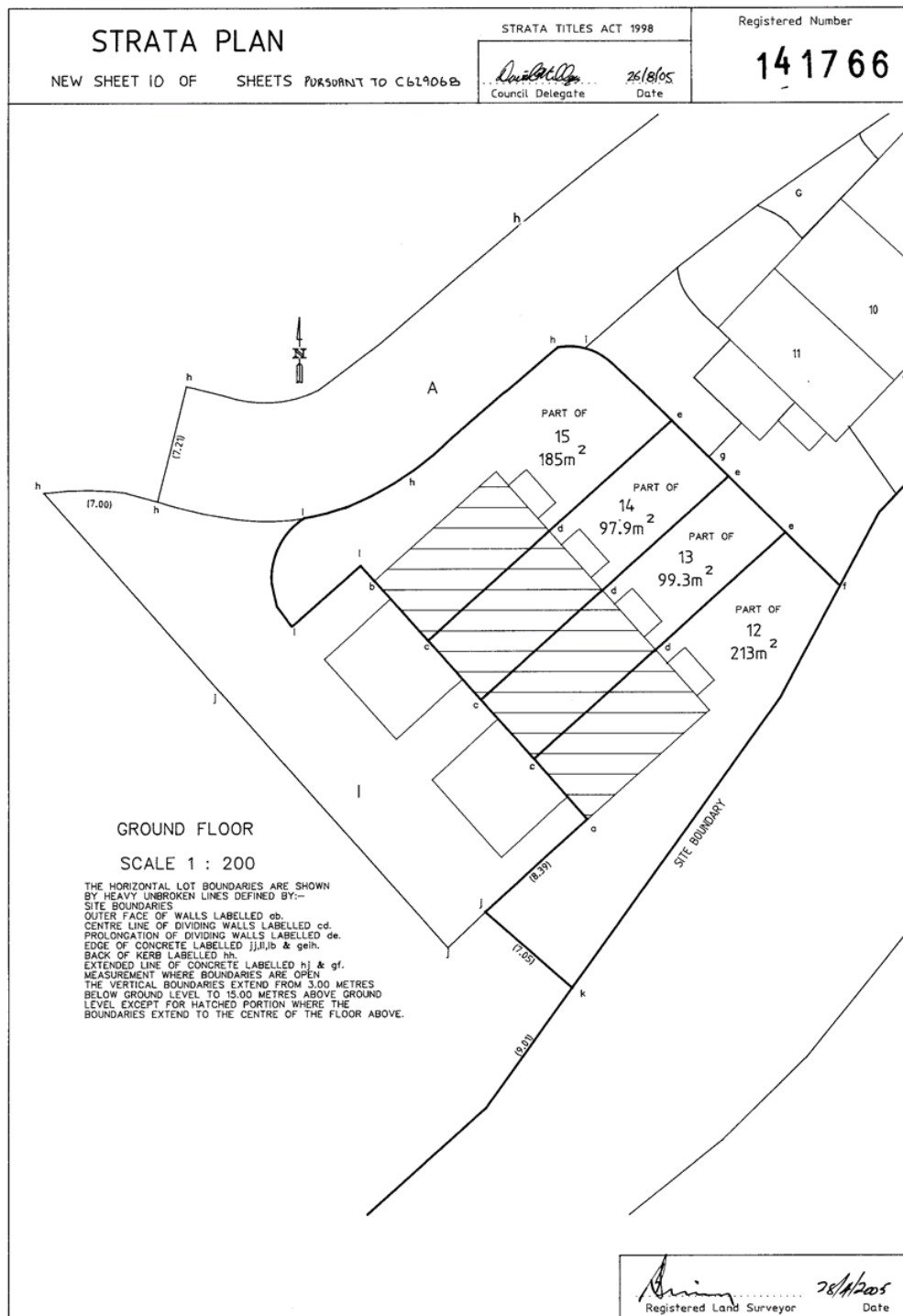




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## STRATA PLAN

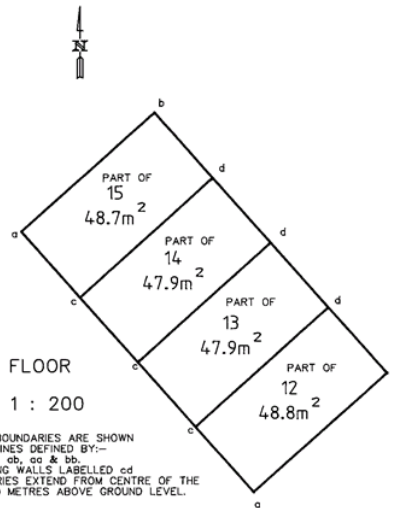
SHEET 11

  
DAVID MILLER  
A/SURVEYING SERVICES MANAGER

STRATA TITLES ACT 1998

Registered Number

141766

FIRST FLOOR  
SCALE 1 : 200

THE HORIZONTAL LOT BOUNDARIES ARE SHOWN  
BY HEAVY UNBROKEN LINES DEFINED BY:-  
OUTER FACE OF WALLS ab, cd & db.  
CENTRE LINE OF DIVIDING WALLS LABELLED cd  
THE VERTICAL BOUNDARIES EXTEND FROM CENTRE OF THE  
FLOOR BELOW TO 15.00 METRES ABOVE GROUND LEVEL.



## FOLIO PLAN

RECORDED OF TITLES

*Issued Pursuant to the Land Titles Act 1980*



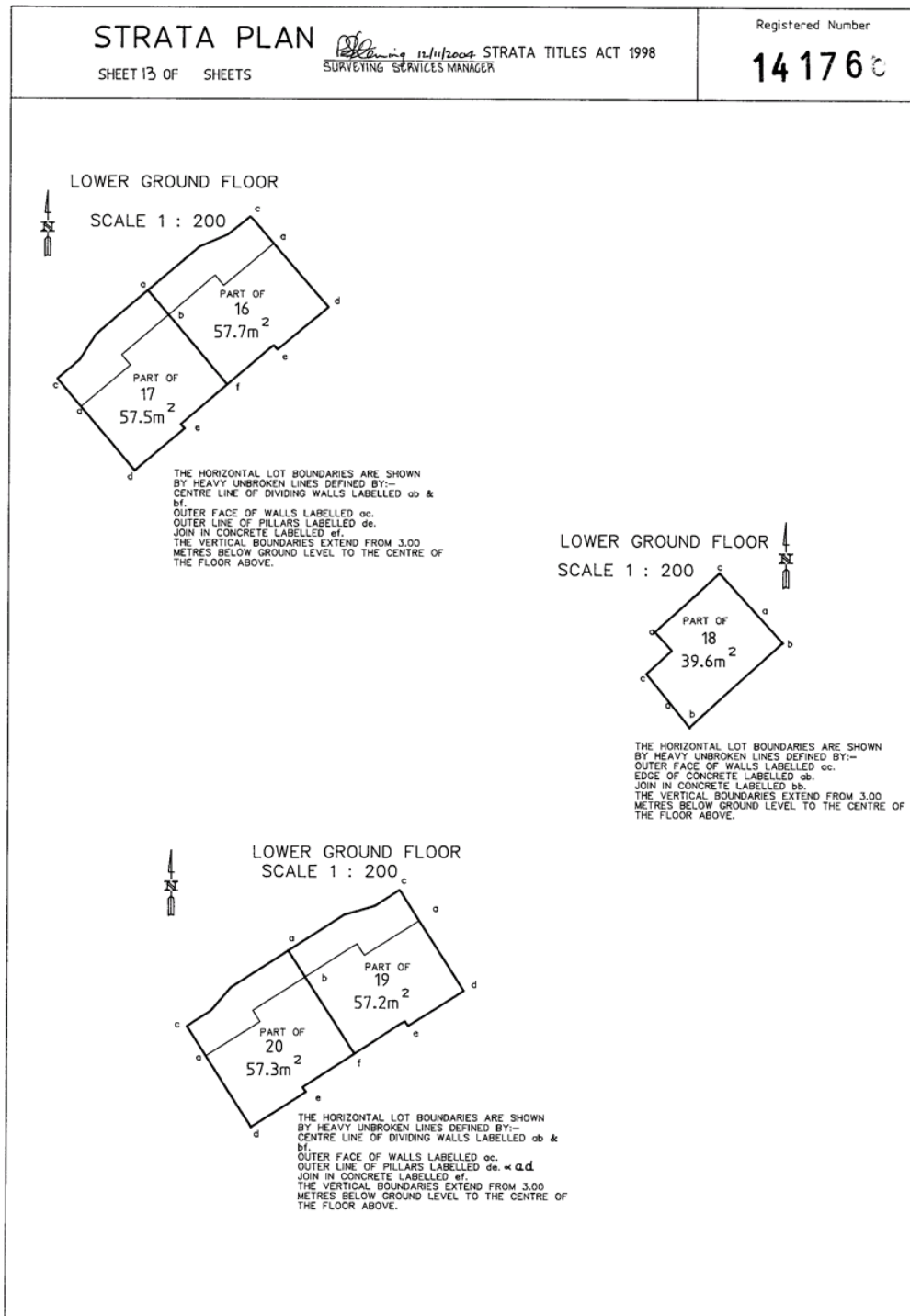




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



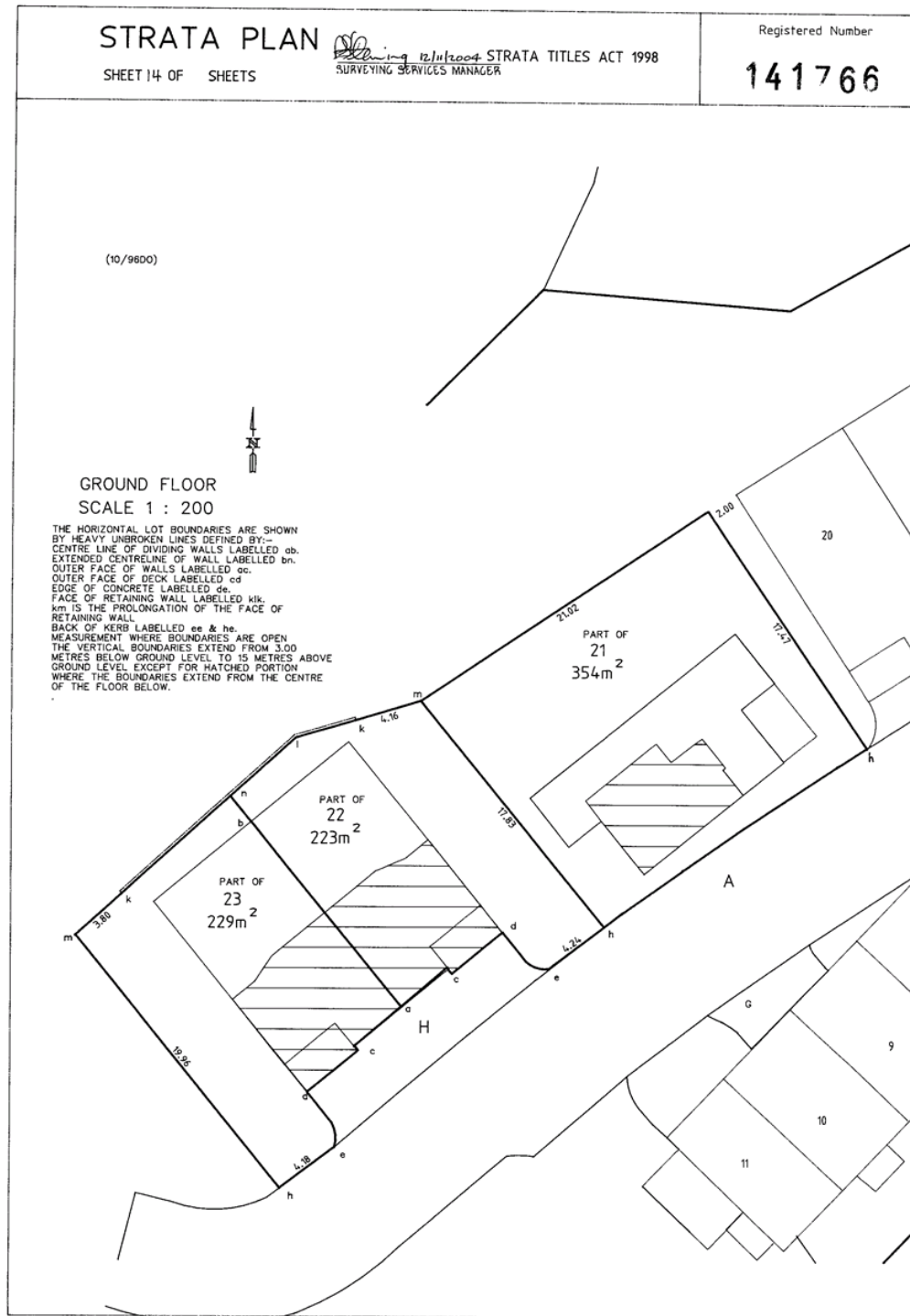




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

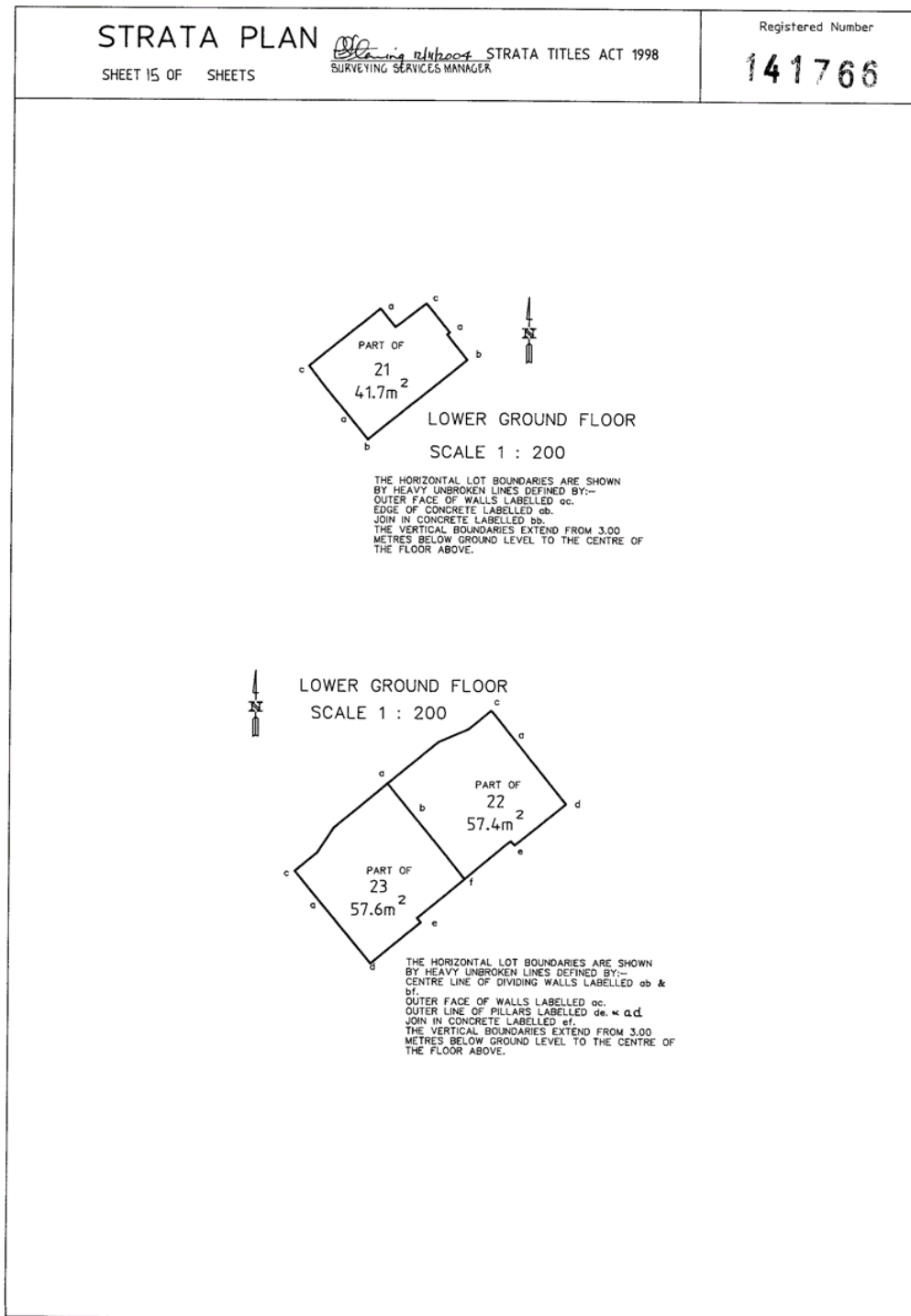




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

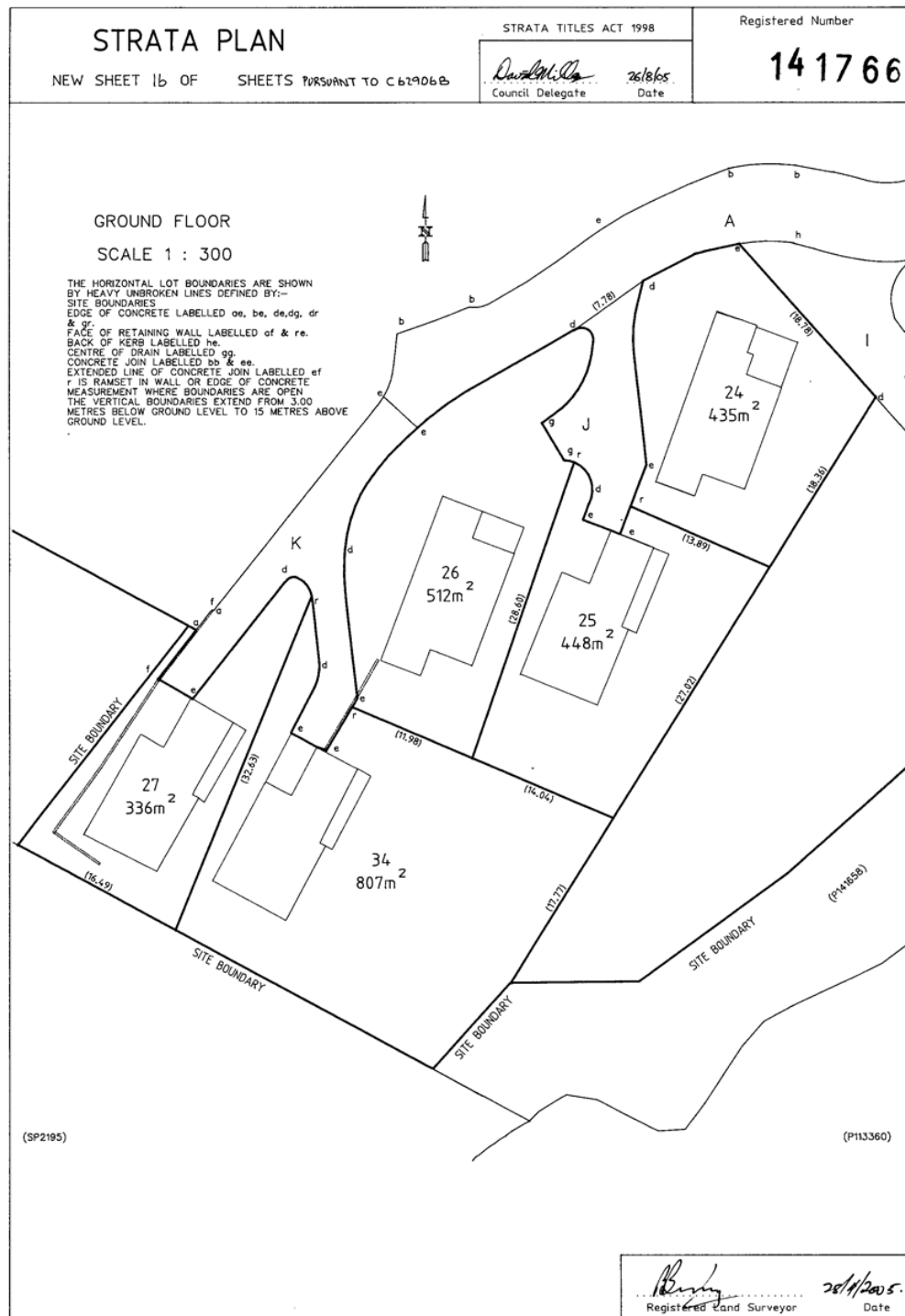




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

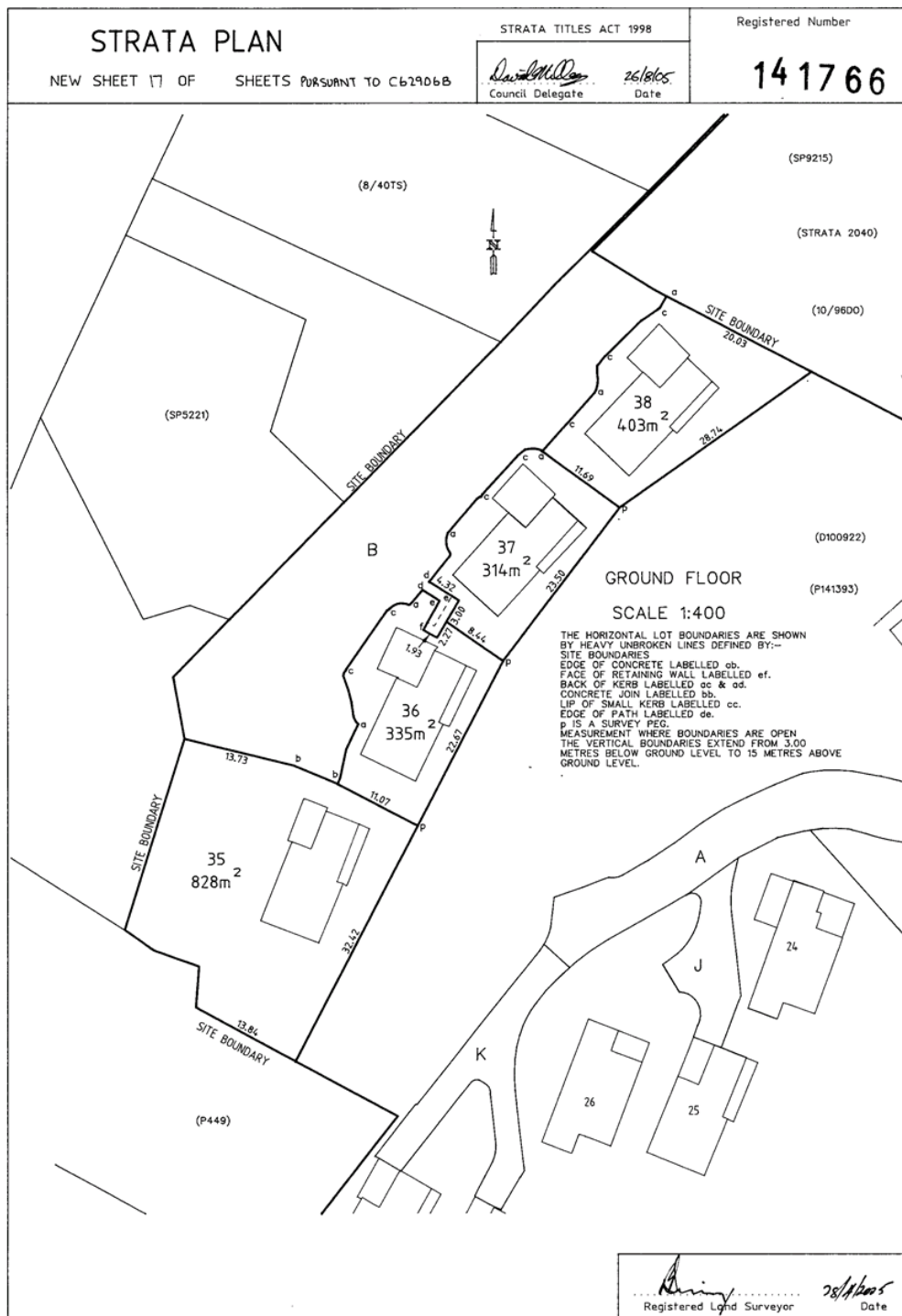




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

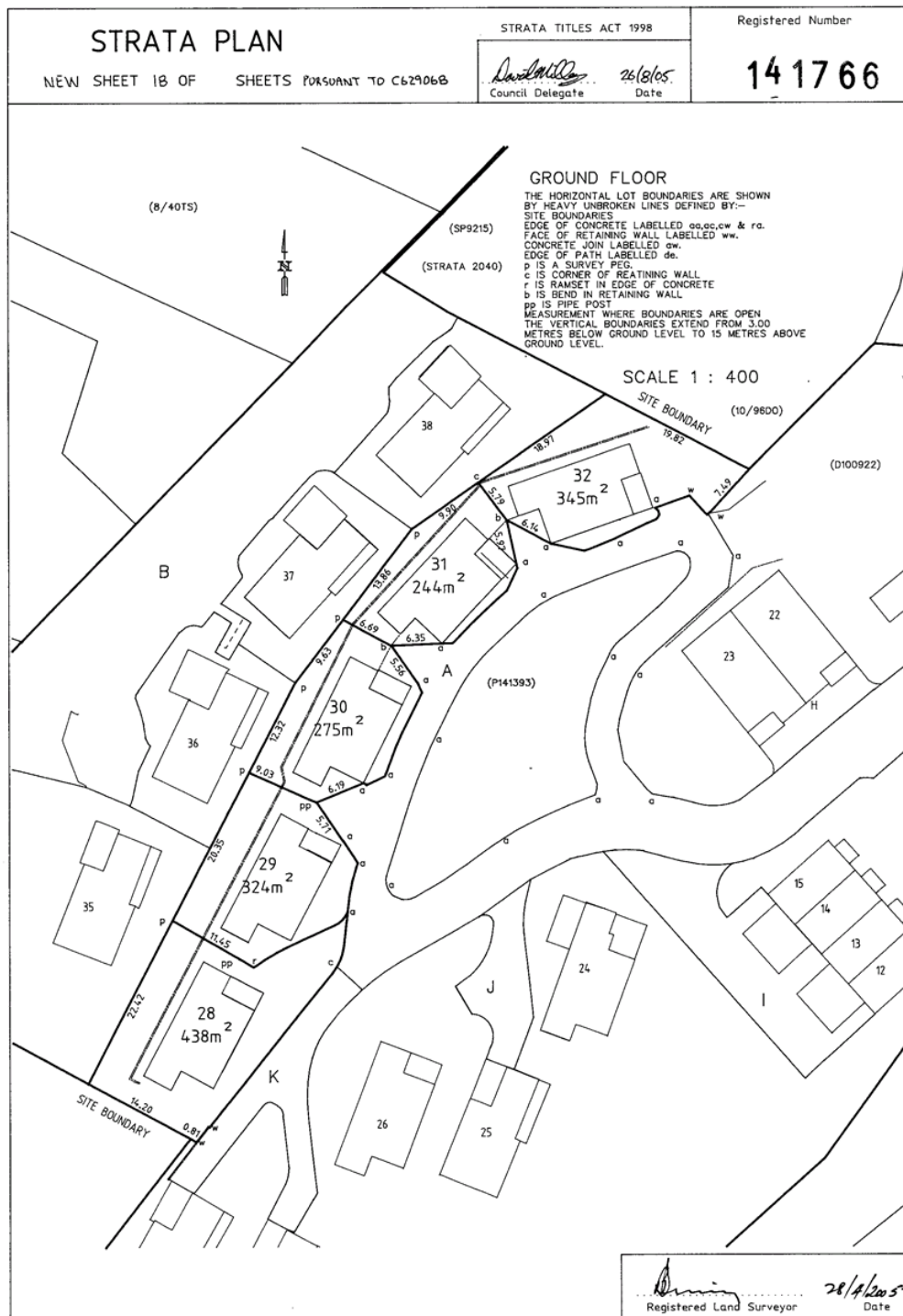




## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 141766	FOLIO 0
EDITION 2	DATE OF ISSUE 22-Jun-2006

SEARCH DATE : 03-Sep-2019

SEARCH TIME : 07.18 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 141766

Derivation : Part of 299 Acres Gtd.to R.L.Murray

Prior CT 100922/1

SCHEDULE 1

STRATA CORPORATION NUMBER 141766, TASMAN HEIGHTS, DYNMYRNE

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

55/6988 CONVEYANCE: Benefiting Easement: Right to pass and repossess over the roadway shown on S.P.No.9215

55/6988 CON. BURDENING EASEMENT: Right of Carriageway [appurtenant to Certificates of Title Vol.3584 Fol.3 & 4) over the land marked Right of Way on D.100922

S.P.8311 BURDENING EASEMENT: Right of Drainage [appurtenant to Lot 1 on S.P.no.8311) over the Drainage Easement shown on D.100922

C628451 BURDENING EASEMENT: A right of carriageway for the Hobart City Council over the Right of Way Variable Width shown on P.141659 Registered 22-Jun-2006 at noon

C511199 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 18-Dec-2003 at noon

B863831 APPLICATION for registration of variation to a staged development scheme Registered 03-Sep-2004 at noon

C538676 APPLICATION for registration of a staged development scheme Registered 29-Jun-2004 at 12.03 PM

C583448 APPLICATION for registration of stage of staged dev. scheme Registered 03-Sep-2004 at noon

C453616 APPLICATION for registration of stage of staged dev. scheme Registered 06-Oct-2004 at 12.02 PM

C558416 APPLICATION for registration of stage of staged dev. scheme Registered 25-Nov-2004 at noon

C558413 APPLICATION for registration of stage of staged dev.

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

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scheme Registered 25-Nov-2004 at 12.01 PM  
C559489 APPLICATION for registration of stage of staged dev.  
scheme Registered 23-Feb-2005 at noon  
C617237 APPLICATION for registration of stage of staged dev.  
scheme Registered 20-May-2005 at noon  
C617238 APPLICATION for registration of stage of staged dev.  
scheme Registered 23-May-2005 at noon  
C629068 APPLICATION for registration of stage of staged dev.  
scheme Registered 28-Sep-2005 at noon

UNREGISTERED DEALINGS AND NOTATIONS

E115211 Application for cancellation of the registration of  
an easement Lodged by SIMMONS WOLFHAGEN on  
14-Nov-2017 BP: E115211





## FOLIO PLAN

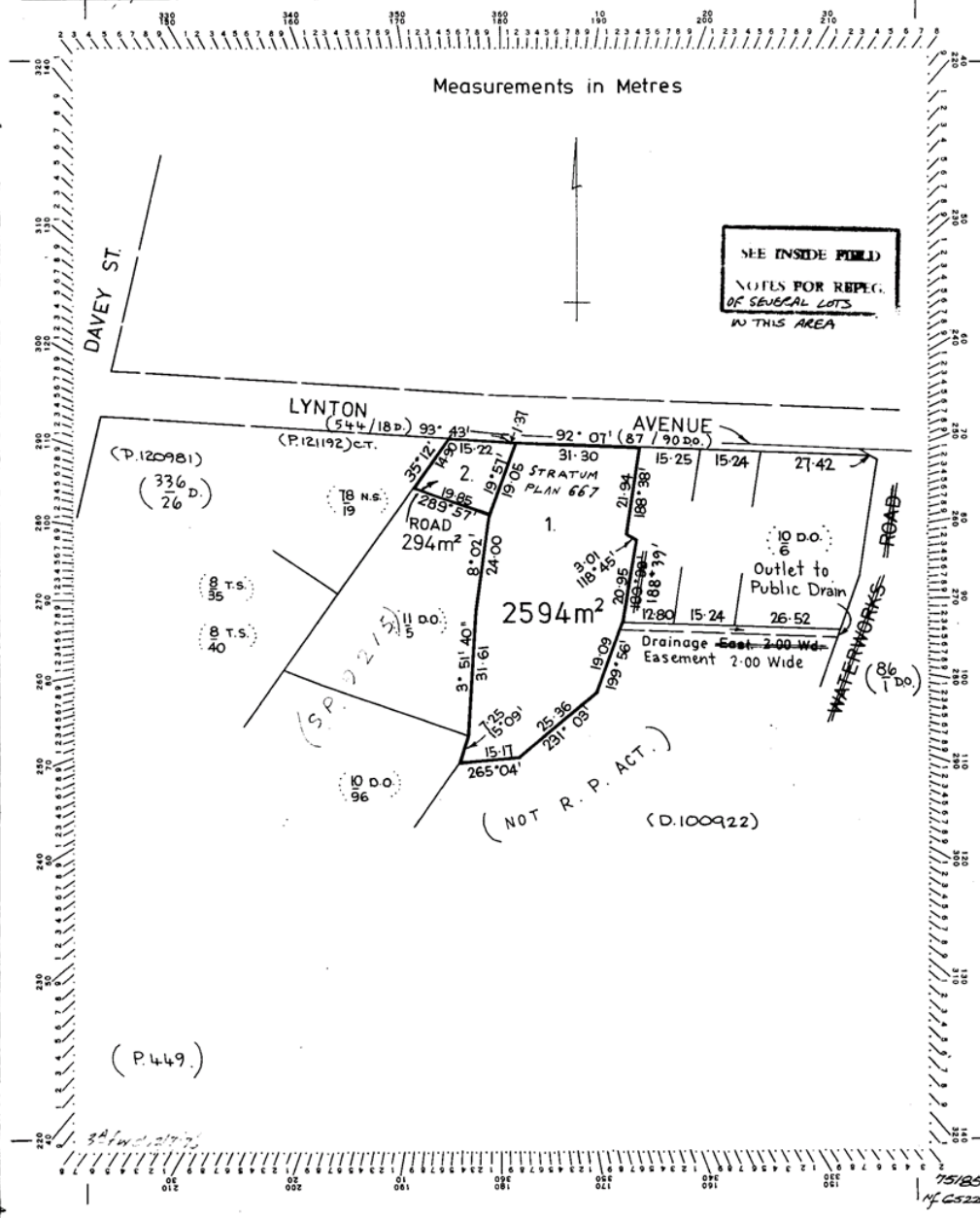
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



C.F. 3575-93

Owner: LYNTON DEVELOPMENTS PTY. LTD. <del>John Herweynan Trust</del>	PLAN OF SURVEY by Surveyor E. Barrie Valentine of land situated in the	Registered Number: <b>S.P831 1</b>
Title Reference: 50/0262 Conv. <del>48/1511</del>	CITY OF HOBART	Effective from: - 9 DEC 1976
Grantee: Part of 299 acres Gtd. to Robert Lathrop Murray	Scale 1:1000	P/I <i>Mitchell</i> Recorder of titles





**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 8311	FOLIO 2
EDITION 1	DATE OF ISSUE 12-Aug-1994

SEARCH DATE : 12-Jan-2021

SEARCH TIME : 12.26 PM

DESCRIPTION OF LAND

City of HOBART  
Lot 2 on Sealed Plan 8311  
Derivation : Part of 299 Acres Gtd to R Murray  
Prior CT 3579/44

SCHEDULE 1

LYNTON DEVELOPMENTS PTY LTD

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
A702631 CAVEAT by Crowe & Dean Pty Ltd Lodged 12th June 1980  
(filed under 18-June-1980)

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Conveyancing and Law of Property Act 1884

## STRATUM PLAN

No. 3040

REGISTERED NUMBER

Sheet 1 of 5 Sheets

57155

City ~~TASMANIA~~ HOBART

Locality DYNHYRNE

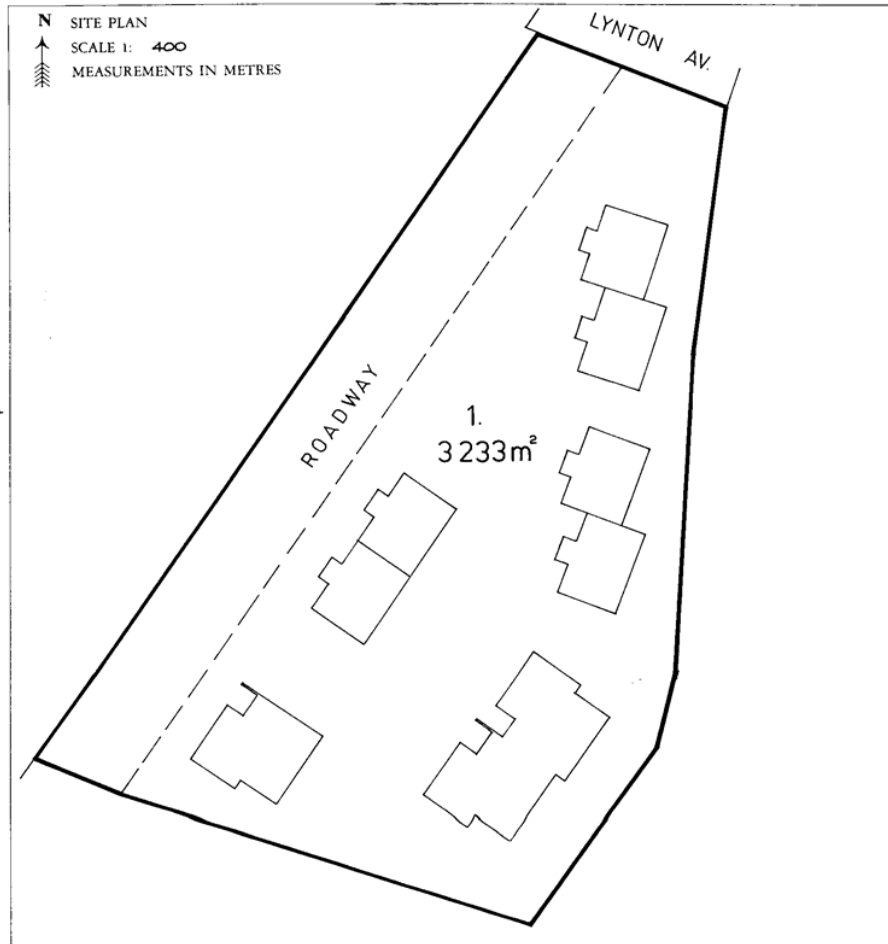
Reference to Title C.T. 3604/100

Site comprises the whole of Lot 1 on Plan No. SP 9215 in the

Lands Titles Office

The name of the building is N° 5 LYNTON AV. HOBART

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

REGISTERED this 21<sup>st</sup> day of AUGUST 1986, No.

This plan is lodged for registration by  
E.R. HENRY WHEKETT & BENJAMIN

*Recording Officer*  
Recording Recorder of Titles

OS-D 754



## FOLIO PLAN

RECORDER OF TITLES

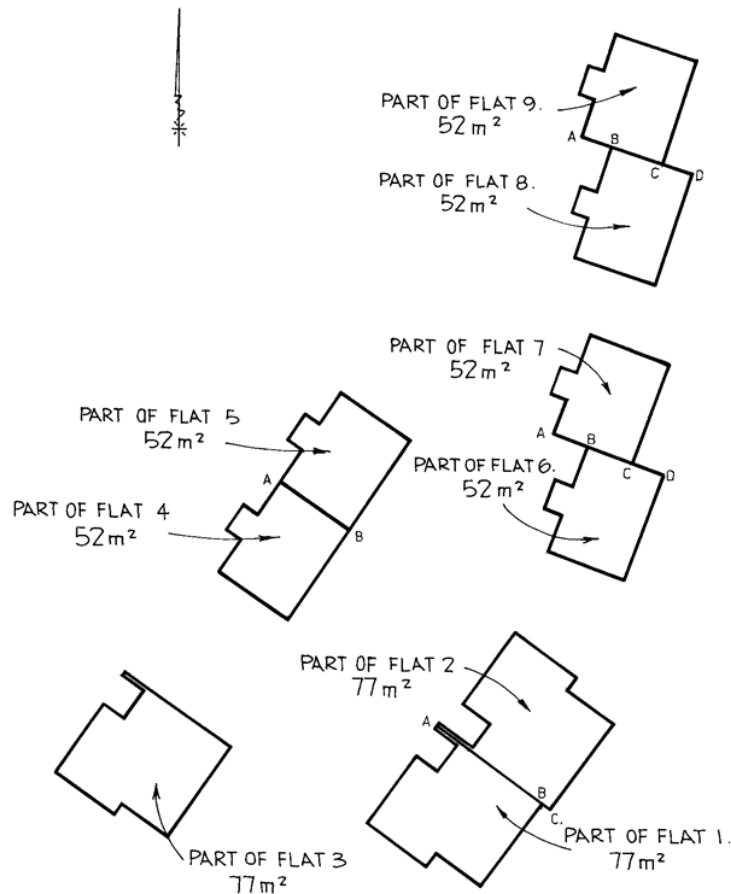
Issued Pursuant to the Land Titles Act 1980



Sheet 2 of 5 Sheets

No. 2040

Town Clerk/Council Clerk

LOWER GROUND FLOOR  
SCALE 1:300

ALL HORIZONTAL FLAT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES, AND ARE DEFINED BY THE ALIGNMENT OF THE EXTERNAL FACE OF THE BRICK WALLS UNLESS OTHERWISE DEFINED.  
THE HORIZONTAL FLAT BOUNDARIES LABELLED AB, ABC AND BCD ARE DEFINED BY THE ALIGNMENT OF THE CENTRE LINE OF THE BRICK WALL.  
THE PARTS OF THE FLATS EXTEND VERTICALLY FROM GROUND LEVEL BELOW TO THE CENTRE LINE OF THE CEILING ABOVE.

**FOLIO PLAN**

RECORDER OF TITLES

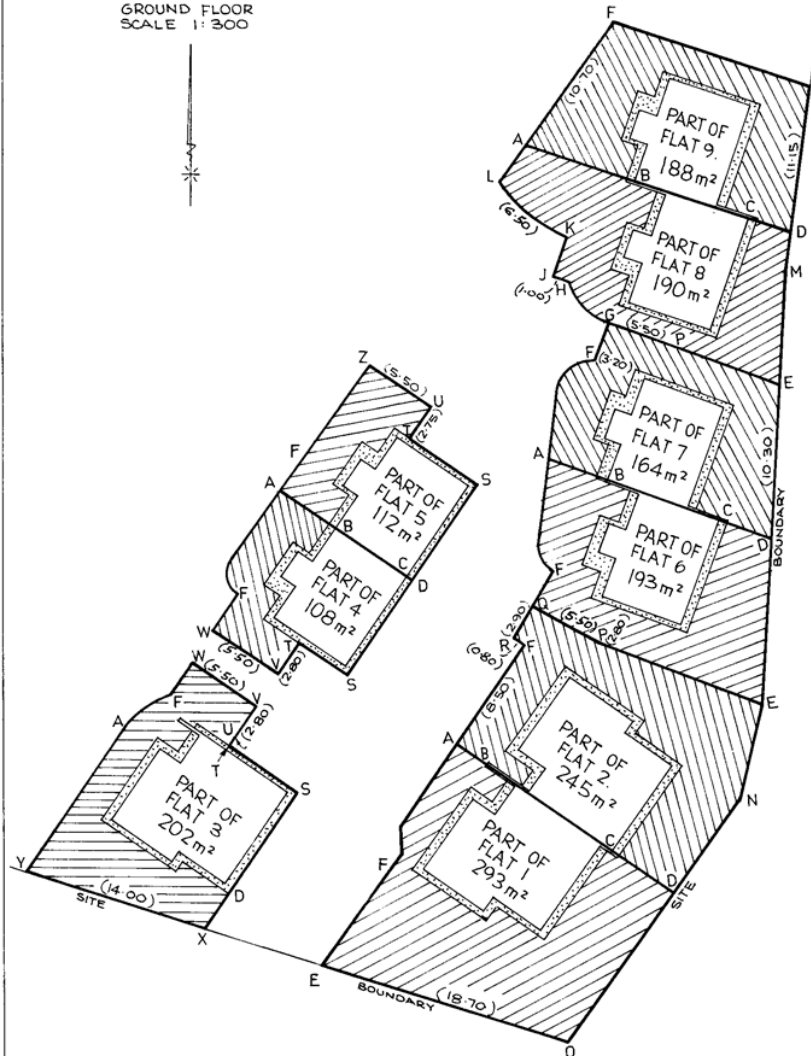
Issued Pursuant to the Land Titles Act 1980



If further sheets are required to illustrate the flats, the sheets should be pinned here. Further sheets must be of paper supplied for the purpose by the Recorder of Titles and bearing his seal, and be numbered consecutively, commencing from sheet 4.

No. 2040

Sheet 3 of 5 Sheets

  
Town Clerk/Council Clerk
GROUND FLOOR  
SCALE 1:300



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Sheet 4 of 5 Sheets

## STRATUM PLAN

  
Town Clerk/Committee Clerk

 of 51 Lynton Avenue, Hobart  
 (insert here name of the building)


REFERS TO SHEET 3

ALL HORIZONTAL FLAT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES.

THE HORIZONTAL FLAT BOUNDARIES LABELLED AB, HJK, FG, CDEF, CDEP, CDEPQF, CDEPQR, CDEF, CYA, TU, VW AND TUFZ ARE OPEN.

THE HORIZONTAL FLAT BOUNDARIES LABELLED BC ARE DEFINED BY THE ALIGNMENT OF THE CENTRE LINE OF THE BRICK WALL.

THE HORIZONTAL FLAT BOUNDARIES LABELLED AF, ALK, PG, PGH, UV AND VT ARE THE ALIGNMENT OF THE EXTERNAL EDGE OF THE CONCRETE SLAB.

THE HORIZONTAL FLAT BOUNDARIES LABELLED DST ARE DEFINED BY THE ALIGNMENT OF THE EXTERNAL EDGE OF THE GUTTERING.

THE PARTS OF THE HORIZONTAL BOUNDARIES LABELLED AB AND CD ARE THE PROLONGATION OF BC THROUGH B AND C TO A AND D RESPECTIVELY.

THE PART OF THE HORIZONTAL BOUNDARY LABELLED RF AND RQF ARE PERPENDICULAR AND PARALLEL TO THE PART OF THE HORIZONTAL BOUNDARY OF FLAT 2 LABELLED AF RESPECTIVELY.

THE PARTS OF THE HORIZONTAL BOUNDARY OF FLATS 3 AND 4 LABELLED VM AND WF ARE PERPENDICULAR AND PARALLEL TO THOSE PARTS OF THE HORIZONTAL BOUNDARY OF FLATS 3 AND 4 LABELLED DS RESPECTIVELY.

THE PART OF THE HORIZONTAL BOUNDARY OF FLAT 3 LABELLED DX IS THE PROLONGATION OF SD THROUGH D TO X.

THE PARTS OF THE HORIZONTAL BOUNDARY OF FLAT 5 LABELLED TU AND FZ, AND ZU, ARE PARALLEL AND PERPENDICULAR TO THE PART OF THE HORIZONTAL BOUNDARY OF FLAT 5 LABELLED DS RESPECTIVELY.

THE PARTS OF THE HORIZONTAL BOUNDARY OF FLAT 8 LABELLED HJ AND JK ARE PARALLEL AND PERPENDICULAR TO THE PART OF THE HORIZONTAL BOUNDARY OF FLAT 8 LABELLED BC RESPECTIVELY.

THE PARTS OF THE FLATS SHOWN HATCHED ARE OPEN AND EXTEND VERTICALLY FROM GROUND LEVEL BELOW TO 6.00 METRES ABOVE GROUND LEVEL.

THE PARTS OF THE FLATS SHOWN STIPPLED ARE EAVES AND GUTTERING AND EXTEND VERTICALLY FROM GROUND LEVEL BELOW TO THE UPPER SURFACE OF THE ROOF ABOVE.

THE REMAINING PARTS OF THE FLATS EXTEND VERTICALLY FROM THE CENTRE LINE OF THE FLOOR BELOW TO THE UPPER SURFACE OF THE ROOF ABOVE.

THE MEASUREMENTS SHOWN IN BRACKETS ARE FOR BOUNDARY FIXATION.

M 3234



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Sheet 5 of 5 Sheets

No. 2040

Town Clerk/Council Clerk

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

The Body Corporate, Strata Plan No. 57155  
C/- Tas Strata & Property Group Pty Ltd  
Level 2/29 Salamanca Place  
Battery Point TAS 7004

**SURVEYOR'S CERTIFICATE**

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

Dated this 20th day of June 19 86
  
Registered Surveyor
**UNIT ENTITLEMENTS**

Flat	Unit Entitlement	FOR OFFICE USE ONLY
1.	10	4290 - 71
2.	10	" 72
3.	10	" 73
4.	10	" 74
5.	10	" 75
6.	10	" 76
7.	10	" 77
8.	10	" 78
9.	10	" 79
TOTAL	90	

**COUNCIL CLERK'S CERTIFICATE**

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

HOBART CITY CouncilDated this 6th day of August 19 86
  
Town Clerk/Council Clerk

FOR OFFICE USE ONLY

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME	FOLIO
57155	0
EDITION	DATE OF ISSUE
3	21-Jan-2000

SEARCH DATE : 12-Jan-2021

SEARCH TIME : 12.24 PM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 57155 (formerly being STR2040)

Derivation : Part of 299 Acres Gtd. to R.L. Murray  
Prior CT 3604/100SCHEDULE 1

STRATA CORPORATION NO. 57155, 5 LYNTON AVENUE, HOBART

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 9215 BURDENING EASEMENT: Right of Carriageway [appurtenant to the land comprised in Conveyance No. 52/6554] over the land marked Roadway on SP 9215 SAVING and RESERVING out of the said land within described to Willoughby Connor, William Henry Connor and William Smith and to all persons authorised by them or any of them and to the owners and occupiers for the time being respectively of premises sold to Samuel V. Lovell and of premises known as Leslie Cottage and of premises now or formerly in the occupation of W. F. Ward and to all persons authorised by them or any of them and all other persons entitled thereto with or without horses or other animals and vehicles of every kind at all times to pass and repass through over and along the Roadway shown on P 9215

SP 9215 FENCING COVENANT in Schedule of Easements

C343387 APPLICATION for registration of change of by-laws  
Registered 15-Jan-2002 at noonD107112 ORDER FOR RELIEF by the Recorder of Titles  
Registered 20-Nov-2013 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





## SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SCHEDULE OF EASEMENTS

PLAN NO.

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

S.P. 8311

## EASEMENT

Lot 1 on the Plan is TOGETHER WITH a Right of Drainage over the Drainage Easement 2.00 Metres wide shown on the Plan.

No other easements, no covenants and no profits a prendre are created to benefit or burden the Lots shown on the Plan.

## THE COMMON SEAL of LYNTON DEVELOPMENTS

PTY. LTD. (the Registered Proprietor  
of the land in Conveyance Registered  
Number 50/0262) was hereunto affixed  
in the presence of:



..... Director

..... Secretary

GENERAL CREDITS LIMITED (as Mortgagee )  
under Mortgages Registered Numbers )  
50/2610 and 50/0260) by its )  
Attorney ERIC WILLIAM GILBERT under )  
power of Attorney Number 22357 who here )  
by declares that he has not received )  
any notice of revocation of the said )  
power of Attorney in the presence of )

General Credits Limited  
by its Attorney

THE COMMERCIAL BANK OF AUSTRALIA )  
LIMITED (as Mortgagee under Mortgage )  
Registered Number 50/1190) by its )  
Attorney GORDON WILLIAM LAWRENCE )  
and as the Act and deed of the said )  
Bank in the presence of: )  
Bank Officer, HOBART.

**THE COMMERCIAL BANK  
OF AUSTRALIA LIMITED**  
BY ITS ATTORNEY

WHO HEREBY CERTIFIES THAT HE  
HAS RECEIVED NO NOTICE OF  
REVOCATION OF POWER No.  
22301 GRANTED TO HIM.



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**8311**

Certified correct for the purposes of the Real Property Act 1862, as amended.

A. HENRY WHEATLEY

Subdivider/Solicitor for the Subdivider

This is the schedule of easements attached to the plan of ..... Lots 1 and 2 .....

..... comprising part of the land in

Conveyance 50/0262

(Insert Title Reference)

Sealed by THE HOBART CITY COUNCIL on 14 July 1976

90740

General Clerk, Town Clerk

**Cromer & Partners**Tasmanian consulting surveyors and  
independent property advisorsREF : HARRA01  
DATE: 24-07-2020The Owner  
Unit 30  
10 Waterworks Road DynnryneJane Louise Baker & Raymond Geoffrey Sherwin  
Unit 31  
10 Waterworks Road Dynnryne**Cromer & Partners**  
ACN 106 015 696

REGISTERED CONSULTING SURVEYORS

**Terry Cromer** L.S. M.I.S.  
0419 353 414

1/3 Brooke Street, Hobart, 7000

Phone 0419 353 414  
Email [info@cromersurveyors.com.au](mailto:info@cromersurveyors.com.au)

Dear Sir,

**RE- ADJOINING OWNER SEEKING RIGHT  
TO LAY PIPES FOR SEWER & DRAINAGE PUPROSES  
ANNE REBECCA WESTON HARRISON APPLICANT**

We act for the above-mentioned adjoining owner of 354 Davey Street, South Hobart.

We attach plans that reflect our client's ownership and her desires to further develop her ownership to allow the creation of additional titles.

To enable this development, it is necessary to explore additional means of disposal of stormwater & sewerage.

One of the alternatives available is to access the services 'lower' down your site through your entitlements.

We envisage that this access would be at no cost to you and would see any disruption to existing improvements rectified at again no cost to you.

Would you please consider this proposal so that we may move forward. Please contact me on [terry@cromersurveyors.com.au](mailto:terry@cromersurveyors.com.au)

Yours Faithfully,  
**CROMER & PARTNERS**  
PER:



**Cromer & Partners**

FILE REF: HARRA01  
DATE : 3-9-2019

Body Corporate  
3A Lynton Avenue  
Dynnyrne

Dear Sir/Madam,

**RE- EXISTING RIGHT THROUGH  
3A LYNTON AVENUE**

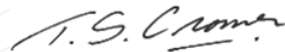
We act for the owners of 354 Davey Street.

A copy of the title to 354 Davey Street is attached. Our clients have a Right in relation to the strip of land passing through your entitlement. Copies of your title are also attached, together with a copy of the title to 4/3A Lynton Avenue, which is the only 'private land' effected by the right.

We have lodged an application with the Hobart City Council to further develop our client's entitlement as per the attached Development Plan. Our client will be seeking to utilise the existing services within the strip and gain access over their existing right which is a constructed drive to be upgraded.

Council have asked us to advise you of the lodging of this application.

Yours faithfully,  
**CROMER & PARTNERS**  
**PER:**



Attachments:

Copy of CTs: CT141766/0 and CT141766/35  
Copy of CT : CT144461/1  
Copy of Development Plan

**Cromer & Partners**  
ACN 106 015 696

REGISTERED CONSULTING SURVEYORS

**Terry Cromer** L.S. M.I.S.  
0419 353 414

1/3 Brooke Street, Hobart, 7000

Phone 0419 353 414  
Email [info@cromersurveyors.com.au](mailto:info@cromersurveyors.com.au)  
[www.cromersurveyors.com.au](http://www.cromersurveyors.com.au)

**Cromer & Partners**

FILE REF: HARRA01  
DATE : 3-9-2019

Body Corporate  
3A Lynton Avenue  
Dynnyrne

Dear Sir/Madam,

**RE- EXISTING RIGHT THROUGH  
3A LYNTON AVENUE**

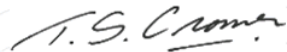
We act for the owners of 354 Davey Street.

A copy of the title to 354 Davey Street is attached. Our clients have a Right in relation to the strip of land passing through your entitlement. Copies of your title are also attached, together with a copy of the title to 4/3A Lynton Avenue, which is the only 'private land' effected by the right.

We have lodged an application with the Hobart City Council to further develop our client's entitlement as per the attached Development Plan. Our client will be seeking to utilise the existing services within the strip and gain access over their existing right which is a constructed drive to be upgraded.

Council have asked us to advise you of the lodging of this application.

Yours faithfully,  
**CROMER & PARTNERS**  
**PER:**



Attachments:

Copy of CTs: CT141766/0 and CT141766/35  
Copy of CT : CT144461/1  
Copy of Development Plan

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ACN 106 015 696

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Email [info@cromersurveyors.com.au](mailto:info@cromersurveyors.com.au)  
[www.cromersurveyors.com.au](http://www.cromersurveyors.com.au)



**Cromer & Partners**

FILE REF: HARRA01  
DATE : 3-9-2019

TIMOTHY JAMES MEREDITH  
UNIT 4 3A LYNTON AV  
DYNMYRNE TAS 7005

Dear Sir/Madam,

**RE- EXISTING RIGHT THROUGH  
3A LYNTON AVENUE**

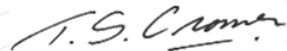
We act for the owners of 354 Davey Street.

A copy of the title to 354 Davey Street is attached. Our clients have a Right in relation to the strip of land passing through your entitlement. Copies of your title are also attached, together with a copy of the title to the Body Corporate land.

We have lodged an application with the Hobart City Council to further develop our client's entitlement as per the attached Development Plan. Our client will be seeking to utilise the existing services within the strip and gain access over their existing right which is a constructed drive to be upgraded.

Council have asked us to advise you of the lodging of this application.

Yours faithfully,  
**CROMER & PARTNERS**  
**PER:**



Attachments:

Copy of CTs: CT141766/0 and CT141766/35

Copy of CT : CT144461/1

Copy of Development Plan

**Cromer & Partners**  
ACN 106 015 696

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[www.cromersurveyors.com.au](http://www.cromersurveyors.com.au)

Ms Anne Harrison  
[orvietohobart@gmail.com](mailto:orvietohobart@gmail.com)  
354 Davey St,  
South Hobart  
12/01/2021

Tas Strata and Property Group Pty Ltd,  
Level 2/29 Salamanca Place  
Battery Point, Tas 7004  
To the Strata Corporation re Strata Plan 57155

Dear Sir/Madam,

**RE- EXISTING RIGHT OF WAY**

Re title CT57155/0 at 5 LYNTON AVENUE, South Hobart.

I am the owner of 354 Davey Street, South Hobart.

A copy of the title to 354 Davey Street is attached. My property has a Right Of Carriageways in relation to the strip of land passing through your entitlement. Copies of your title are also attached. I have lodged an application with the Hobart City Council to further develop my entitlement as per the attached Development Plan. I will be seeking to utilise the existing services within the strip and gain access over my existing right of way which is a constructed drive to be upgraded. Council have asked me to advise you of the lodging of this application.

Yours faithfully,

Anne Harrison

Ms Anne Harrison  
[orvietohobart@gmail.com](mailto:orvietohobart@gmail.com)  
354 Davey St,  
South Hobart  
12/01/2021

To Lynton developments,  
46 Robert Street, KINGSGROVE NSW 2208

Dear Sir/Madam,

**RE- EXISTING RIGHT OF WAY AT 5 LYNTON AVENUE, SOUTH HOBART,  
7004**

Re title CT8311/2 at 5 LYNTON AVENUE, SOUTH HOBART, TAS 7004  
owned by Lynton Developments.

I am the owner of 354 Davey Street, South Hobart.

A copy of the title to 354 Davey Street, CT144461/1 is attached. My  
property has a Right of Carriageway in relation to the strip of land  
passing through your entitlement. Copies of your title are also attached.  
I have lodged an application with the Hobart City Council to further  
develop my entitlement as per the attached Development Plan. I will be  
seeking to utilise the existing services within the strip and gain access  
over my existing right of way which is a constructed drive to be  
upgraded. A copy of the proposed development of one residence on  
lot 2 as marked on the plan is attached.

Council have asked me to advise you of the lodging of this application.

Yours faithfully,

Anne Harrison

CITY OF HOBART SUBURB/LOCALITY SOUTH HOBART FOLIO REFERENCE FR 144461/1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. 144461	STRATA PLAN SHEET 1 OF 3 SHEETS		Registered Number <b>PRELIMINARY STRATA PLAN</b> Monday 14 December 2020
	NAME OF STRATA SCHEME <b>354 DAVEY STREET, SOUTH HOBART</b>		STRATA TITLES ACT 1998 REGISTERED .....
	SCALE 1:400	LENGTHS IN METRES	SURVEYORS REF 46698LM-1

### SITE PLAN

The site plan shows a large lot divided into two buildings, labeled 1 and 2. Building 1 is on the left and Building 2 is on the right. The lot is bounded by Davey Street to the west, a road to the north, and a road to the east. A dashed line indicates a roadway (P449) leading to Lynton Avenue. Surrounding lots are labeled with their respective plan numbers: (P121009) to the north, (STR141766) (P141659) to the east, (STR141766) to the southeast, (SP63167) to the south, and (SP26278) to the southwest. Two specific boundary offsets are marked on the western boundary of Lot 1 as (1.012).

NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1. (ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAN 2.00 METRES TO BE SHOWN ON SHEET 1.	_____ Council Delegate	_____ Date	_____ Registered Land Surveyor	_____ Date
	LODGED BY			

STAGED/COMMUNITY DEVELOPMENT. SCHEME No. (IF APPLICABLE)	
-------------------------------------------------------------	--



STRATA PLAN

SHEET 2 OF 3 SHEETS

STRATA TITLES ACT 1998

Registered Number

PRELIMINARY  
STRATA PLAN  
Monday 14 December 2020

Surveyors Ref: 46698LM

Council Delegate

Date

The diagram is a site plan for two lots. Lot 1, on the left, is labeled 'LOT 1 (OVER 2 LEVELS)' and contains a footprint of a building. Lot 2, on the right, is labeled 'LOT 2 824m²' and contains a footprint of a building. The entire area is enclosed by a line labeled 'SITE BOUNDARY'. A line separating the two lots is labeled 'EDGE OF DRIVEWAY'. A north arrow is located to the left of the lots. The word 'SITE' is written at the top center, and 'BOUNDARY' is written above Lot 2.

THE HORIZONTAL LOT BOUNDARIES ARE SHOWN BY HEAVY UNBROKEN LINES DEFINED BY –

SITE BOUNDARIES  
EDGE OF DRIVEWAY

THE VERTICAL LOT BOUNDARIES EXTEND FROM THE 2.00 METRES BELOW GROUND LEVEL TO 20.00 METRES ABOVE GROUND LEVEL.

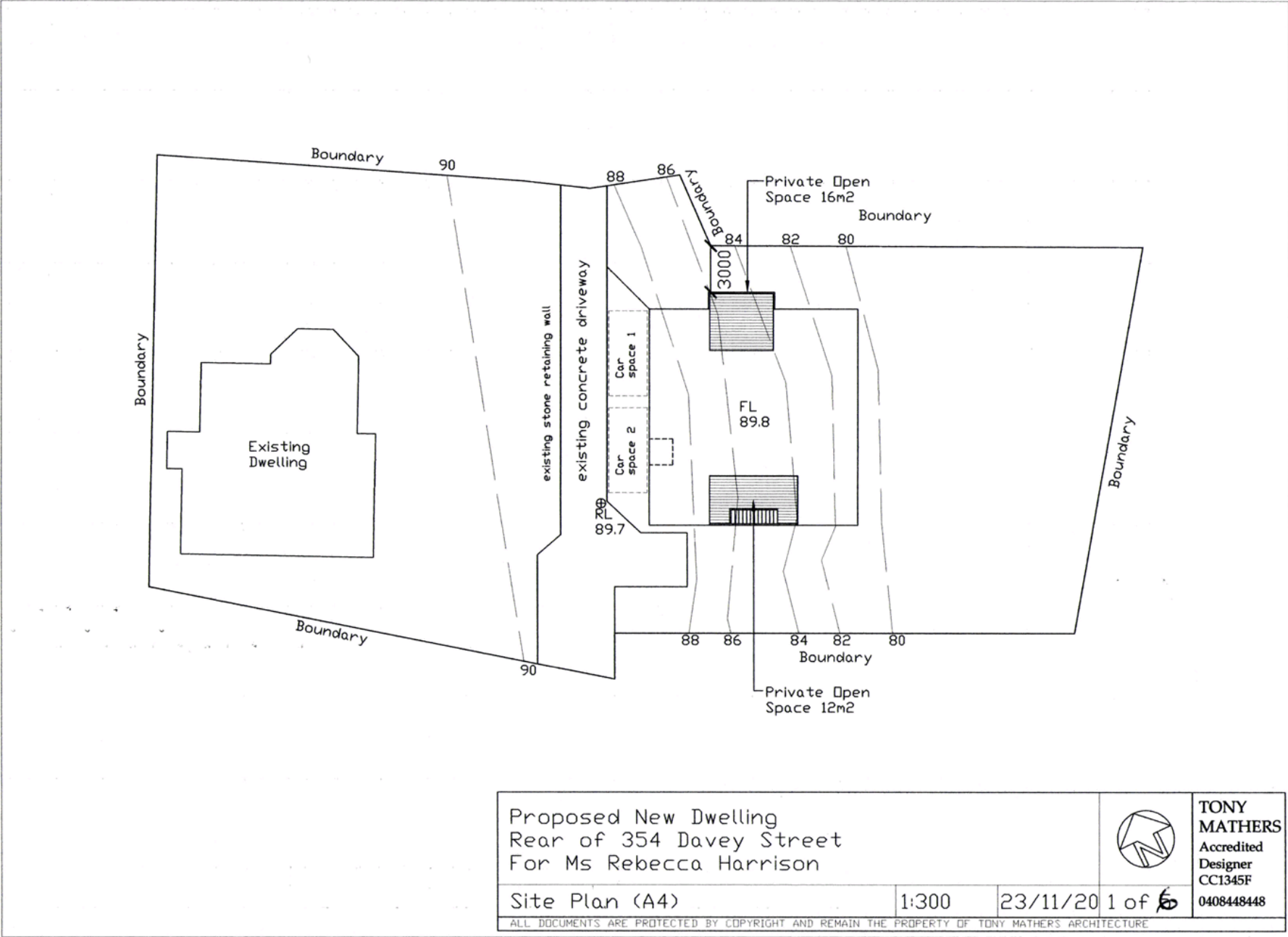
LOT No.	TOTAL FLOOR AREA	OPEN AREA
1	314m²±	549m²

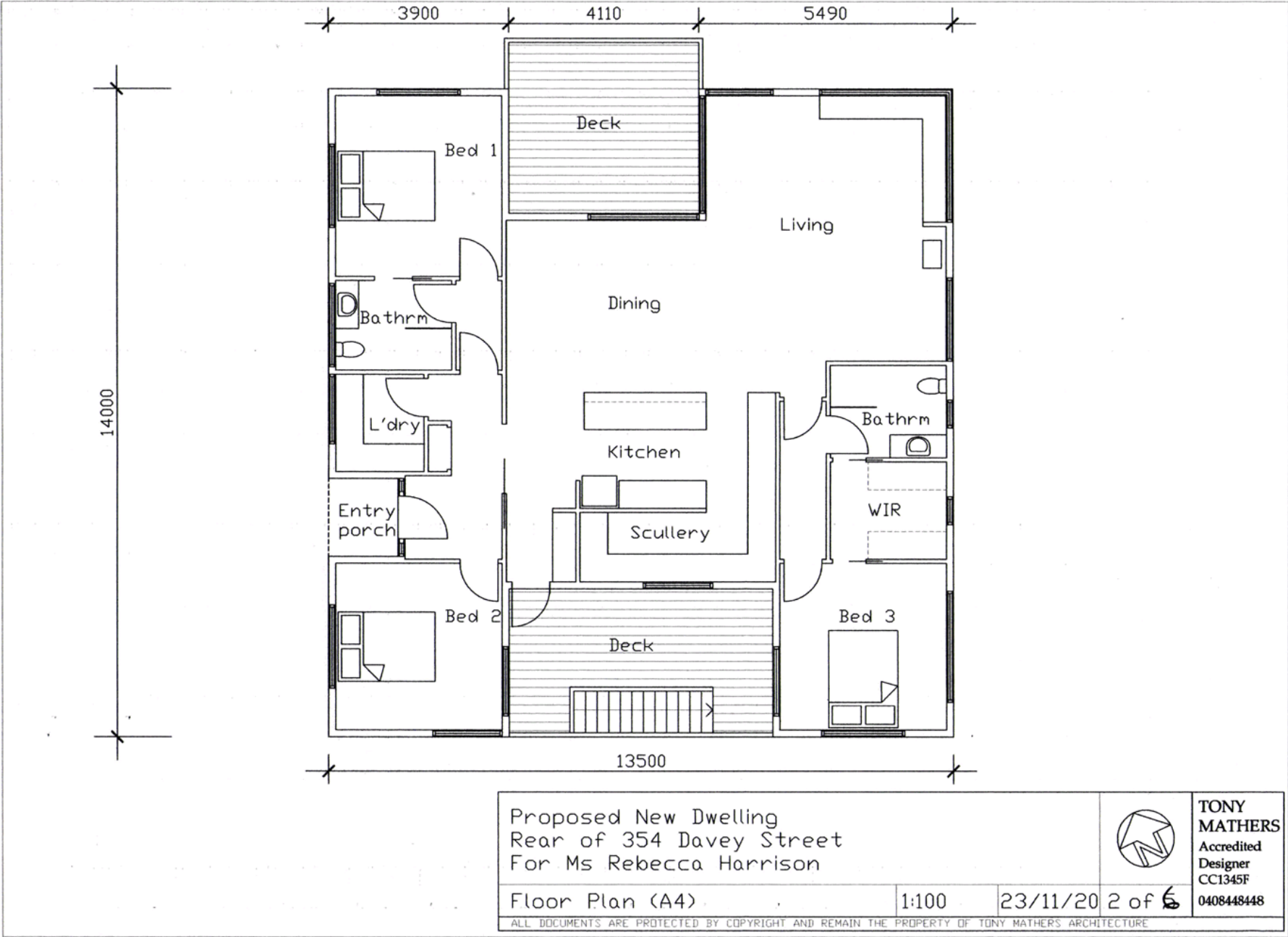
AREAS AREA APPROXIMATE ONLY.

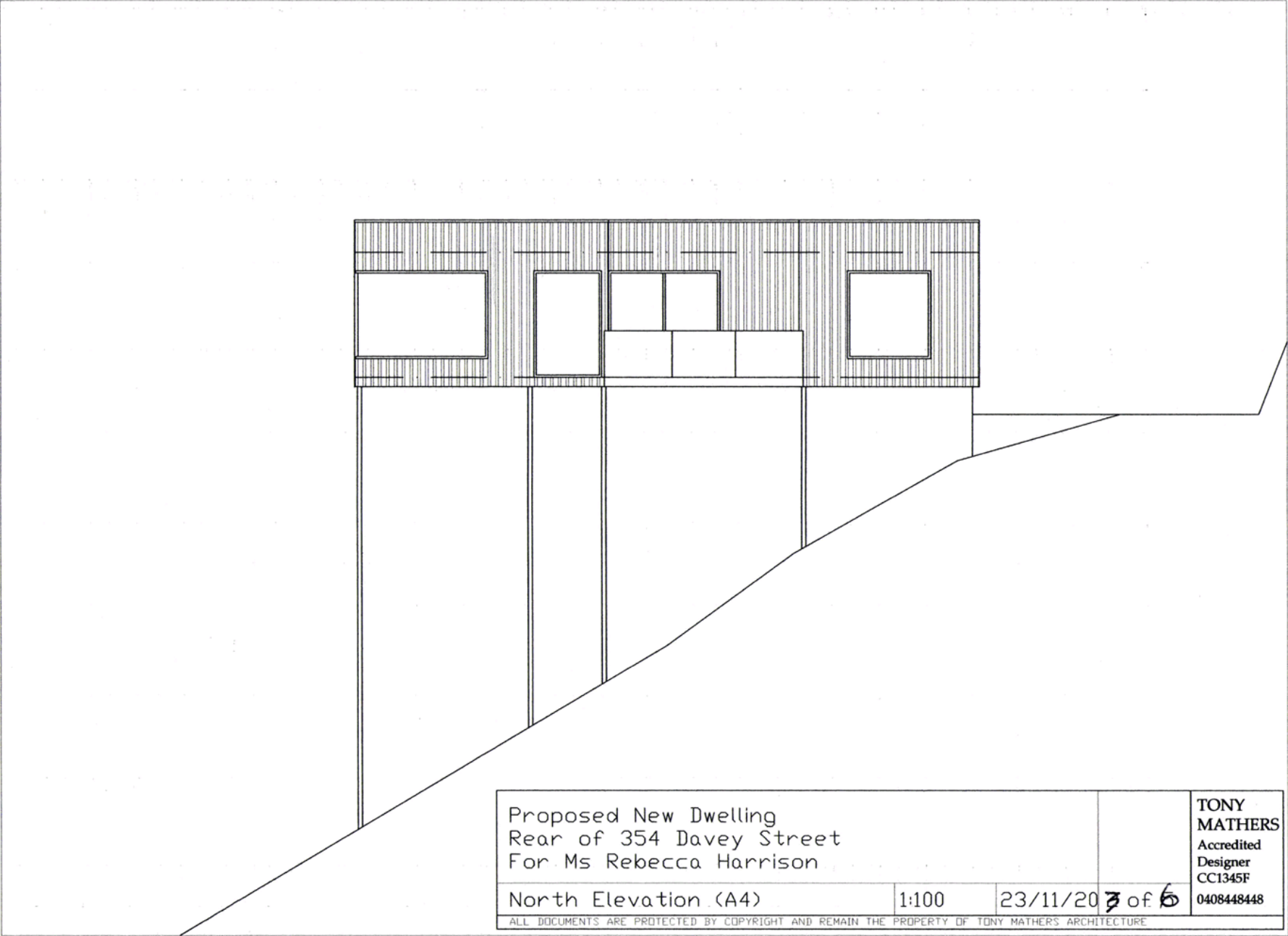
Registered Land Surveyor

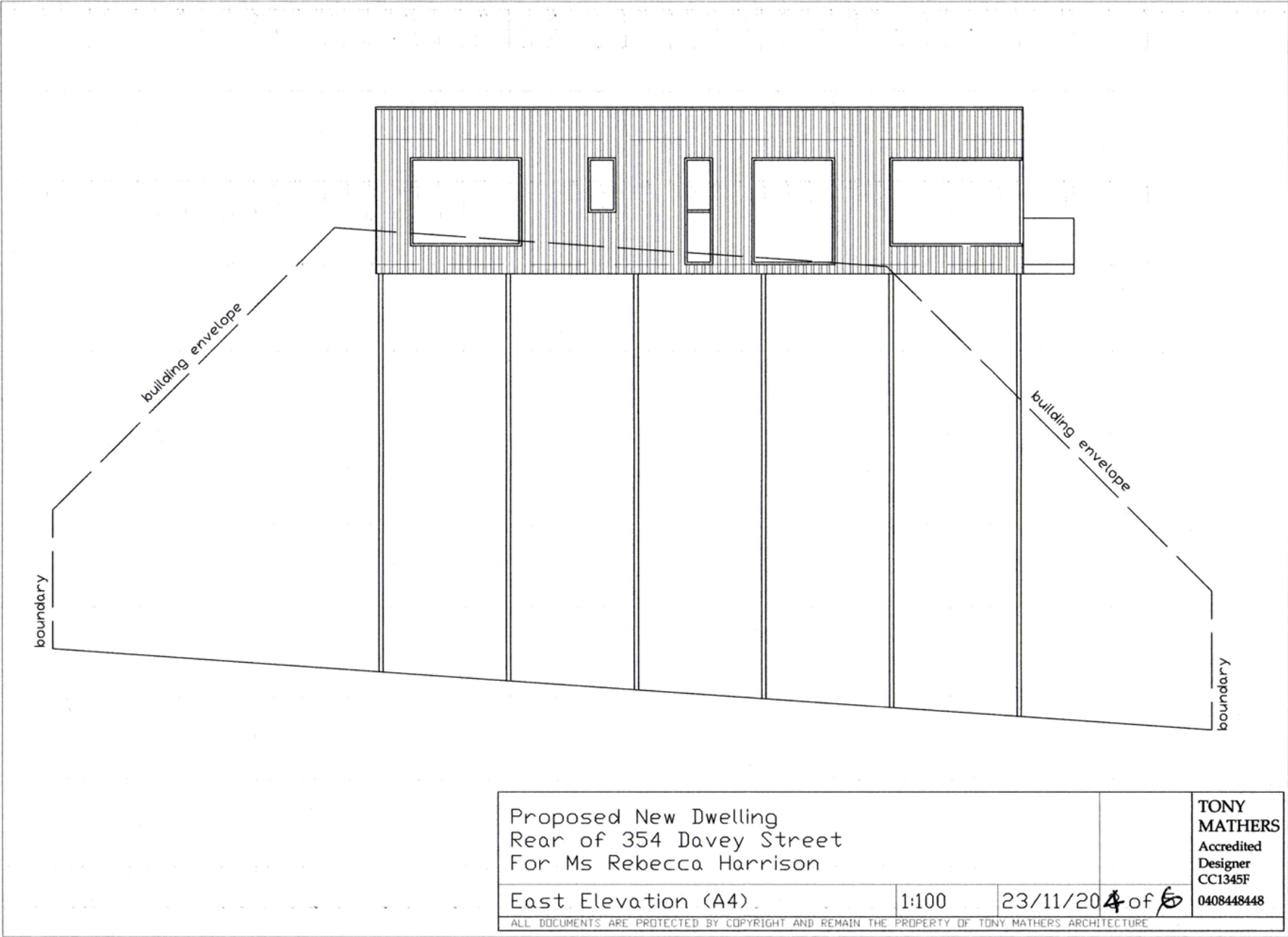
Date

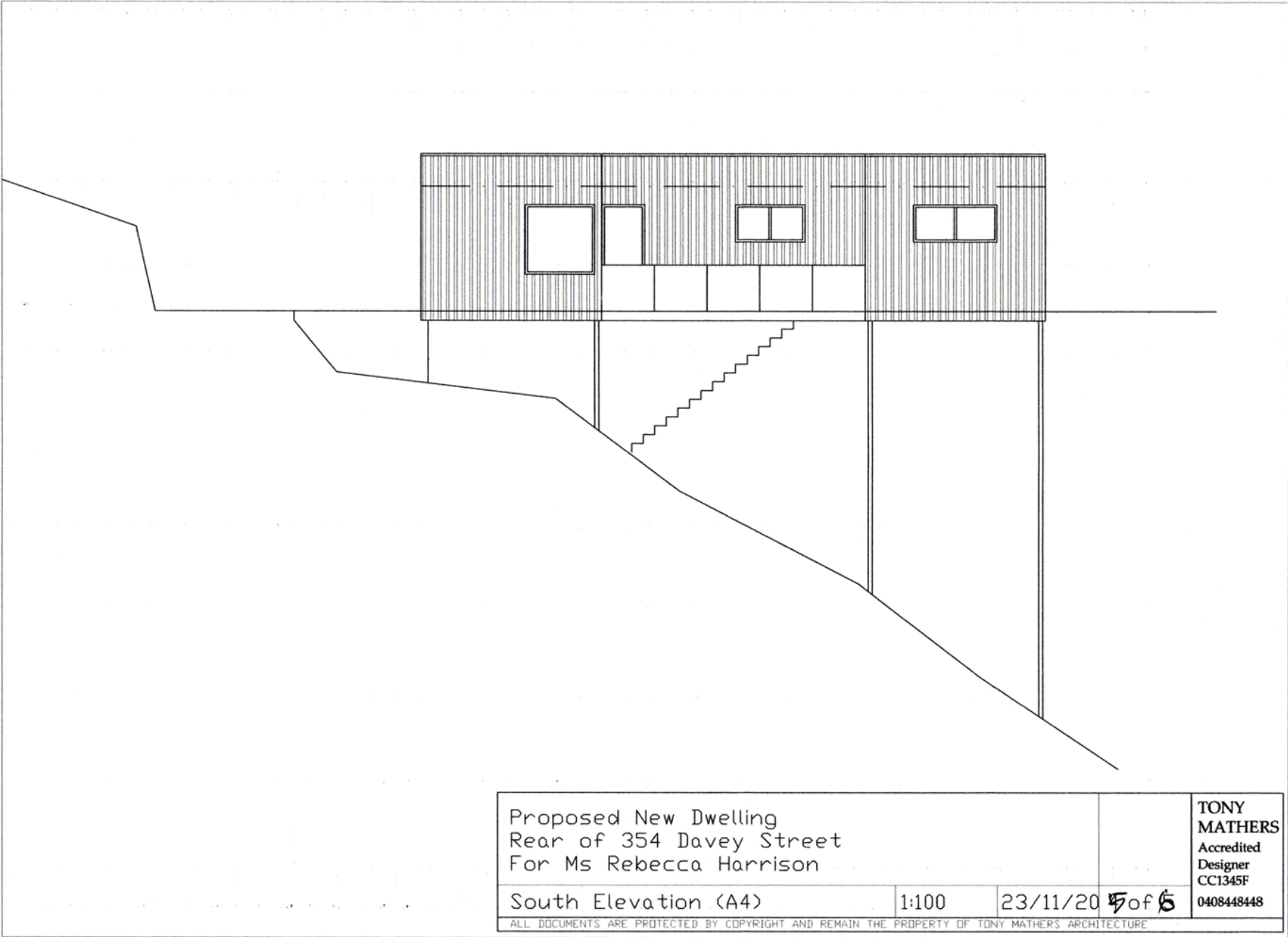
STRATA PLAN SHEET 3 OF 3 SHEETS		STRATA TITLES ACT 1998	Registered Number <b>PRELIMINARY STRATA PLAN</b> Monday 14 December 2020
NAME OF BODY CORPORATE: STRATA CORPORATION No.			
354 DAVEY STREET, SOUTH HOBART			
ADDRESS FOR THE SERVICE OF NOTICES: No. 354 DAVEY STREET, SOUTH HOBART, TAS – 7004			
<div>SURVEYORS CERTIFICATE</div> <div>I, <b>Alexander Purden McIndoe</b> of <b>Kingston</b> ..... a surveyor registered under the Surveyors Act 2002 certify that the building or buildings erected on the site and drawn on sheet 1 of this plan are within the site boundaries of the folio stated on sheet 1 and any encroachment beyond those boundaries is properly authorised according to law.  ----- Registered Land Surveyor</div> <div style="text-align: right;">Date</div> <div style="text-align: right;">46698LM Ref No.</div>		<div>COUNCIL CERTIFICATE</div> <div>Hobart City</div> <div>I certify that the ..... Council has: (a) approved the lots shown in this plan and (b) issued this certificate of approval in accordance with section 31 of the Strata Titles Act 1998  ----- Council Delegate</div> <div style="text-align: right;">Date</div> <div style="text-align: right;">Ref No.</div>	
GENERAL UNIT ENTITLEMENTS			
LOT	UNIT ENTITLEMENT		
1	10		
2	10		
TOTAL	20		



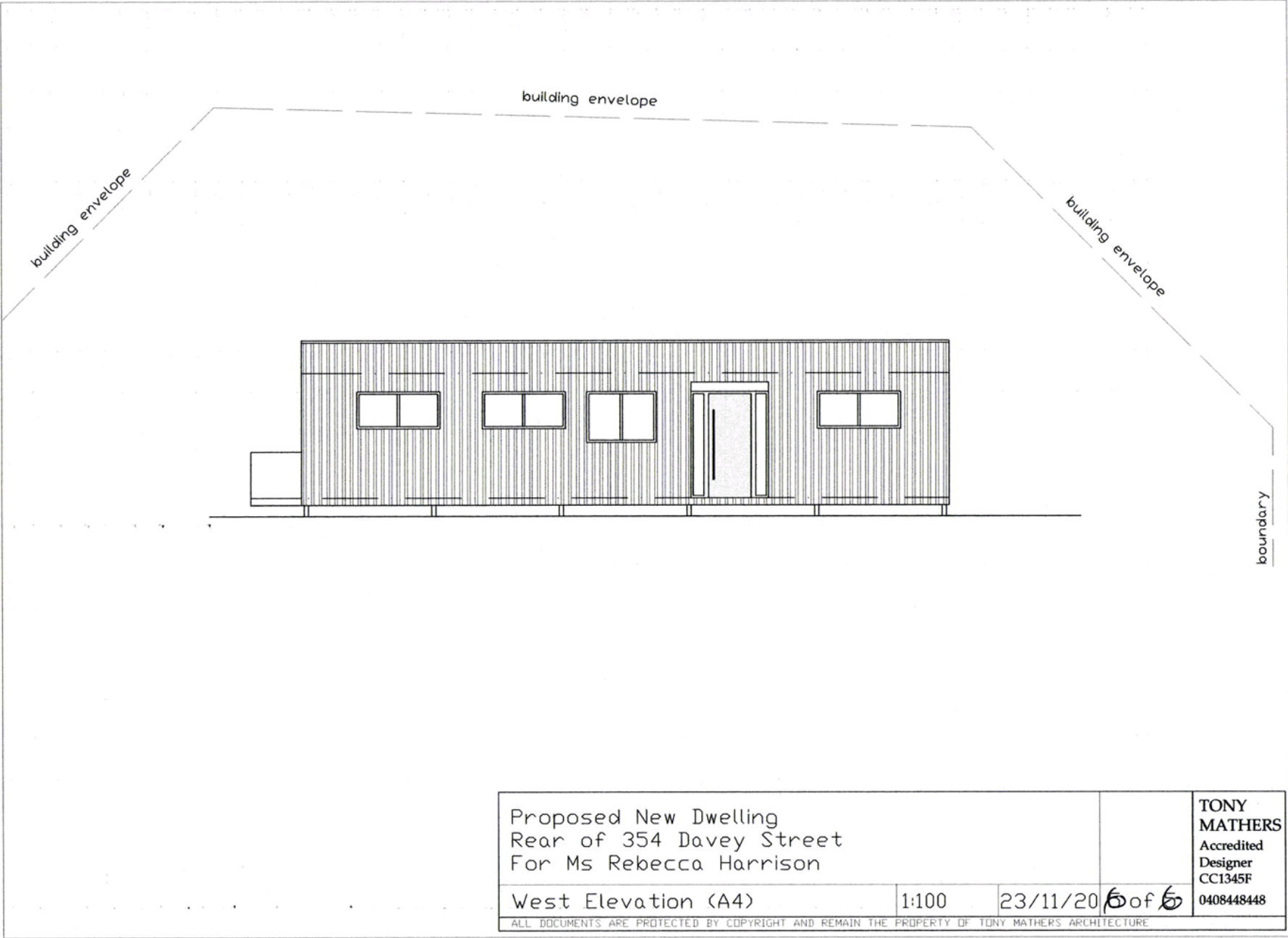




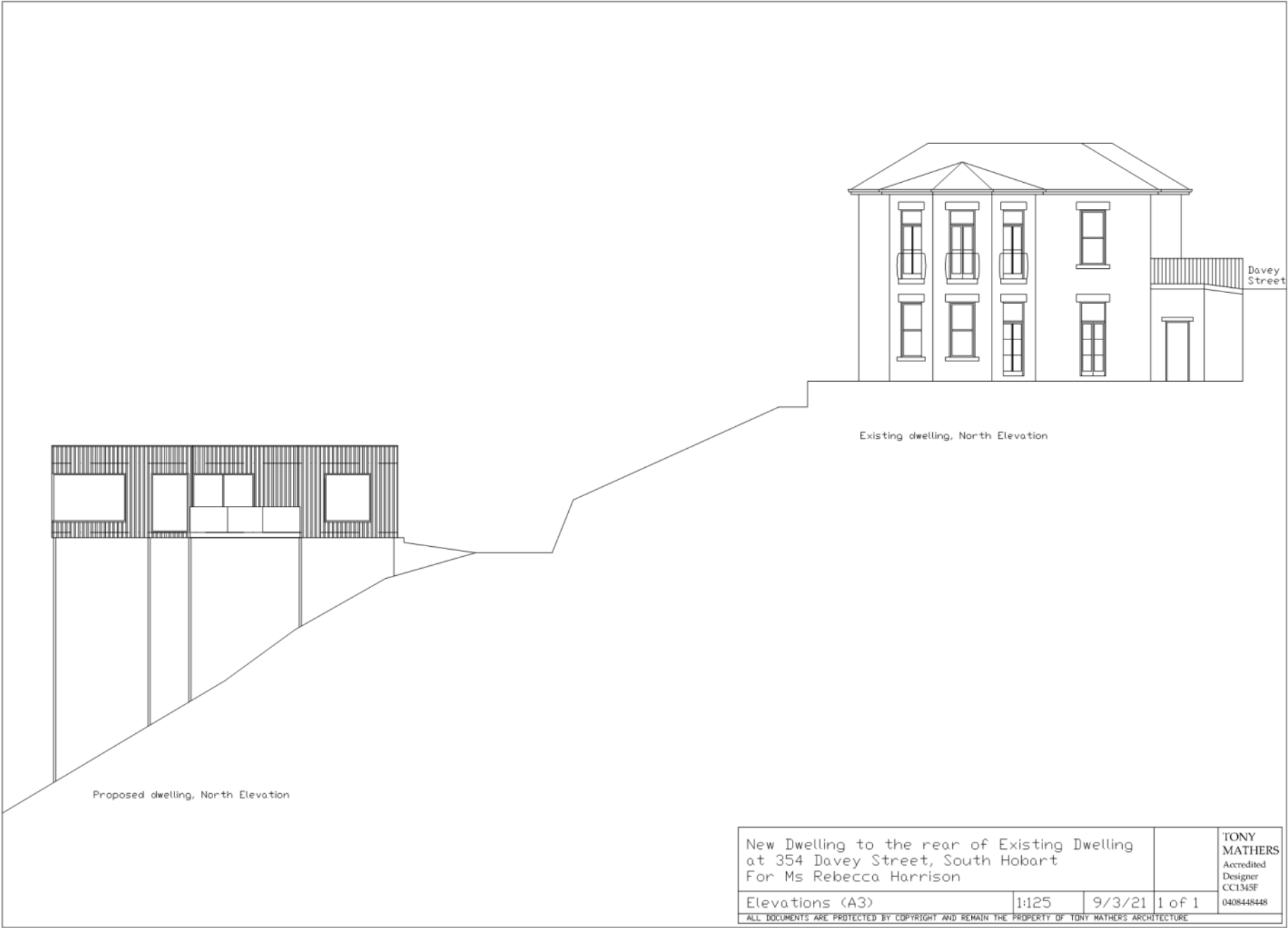


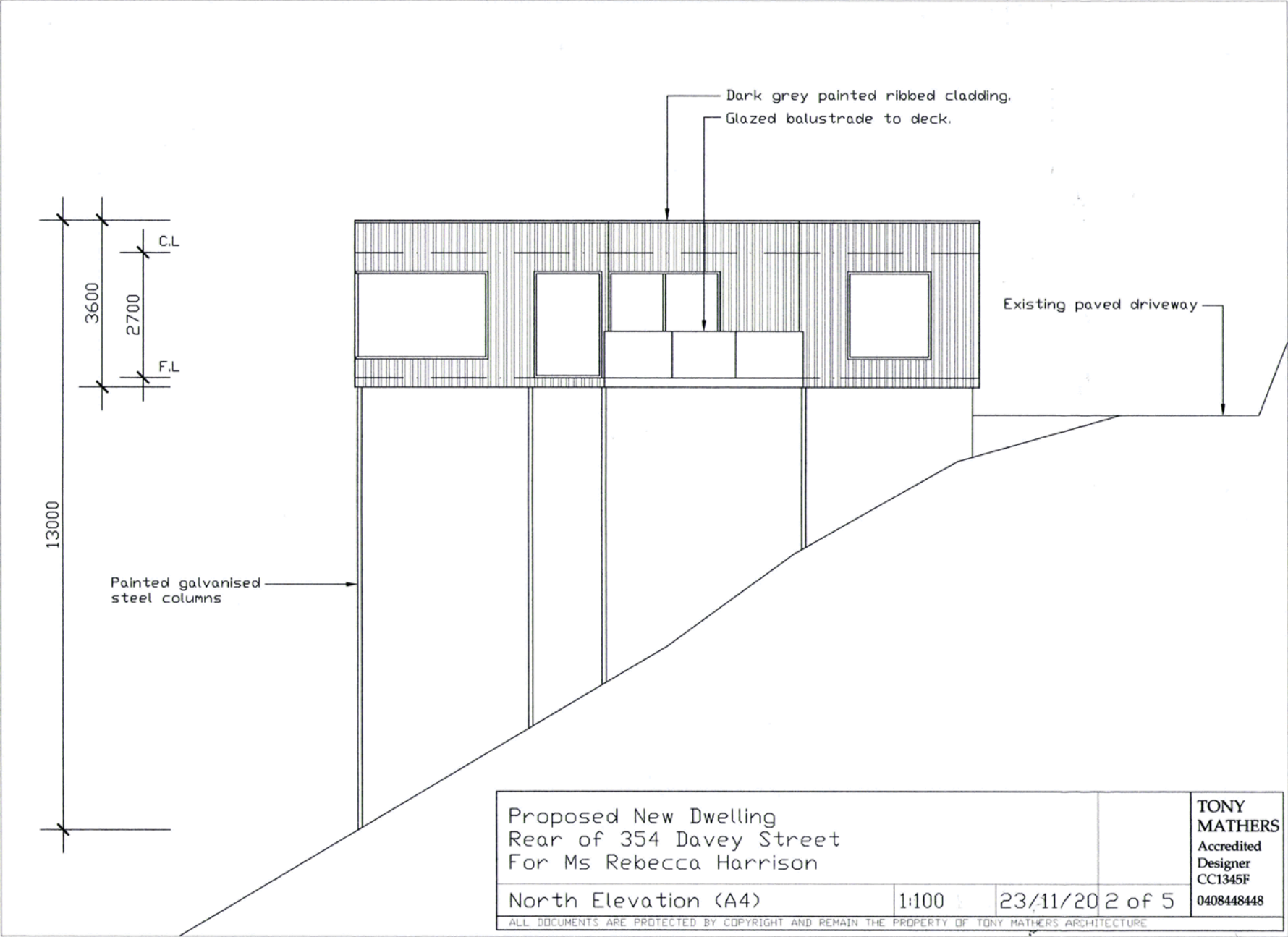


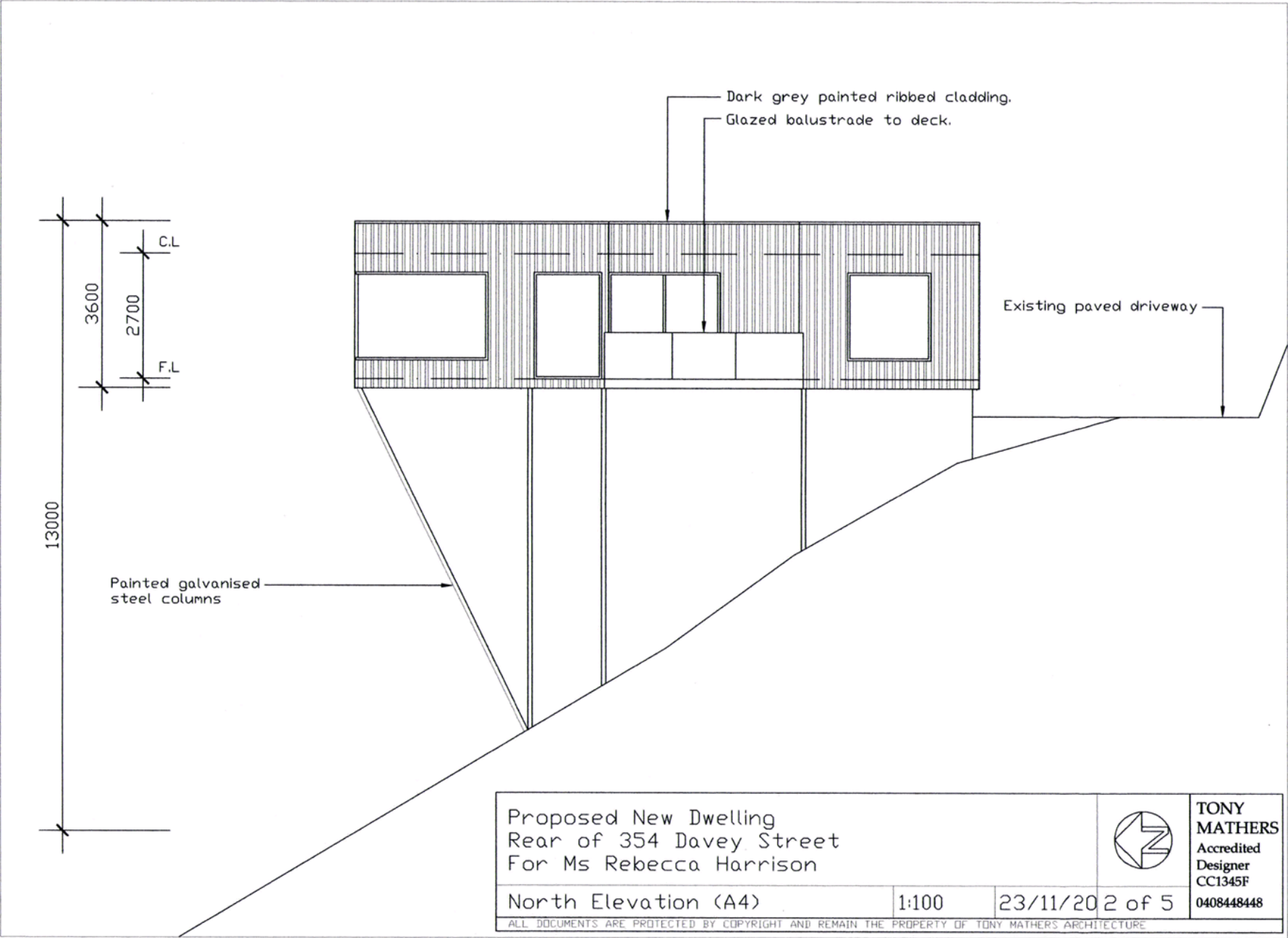


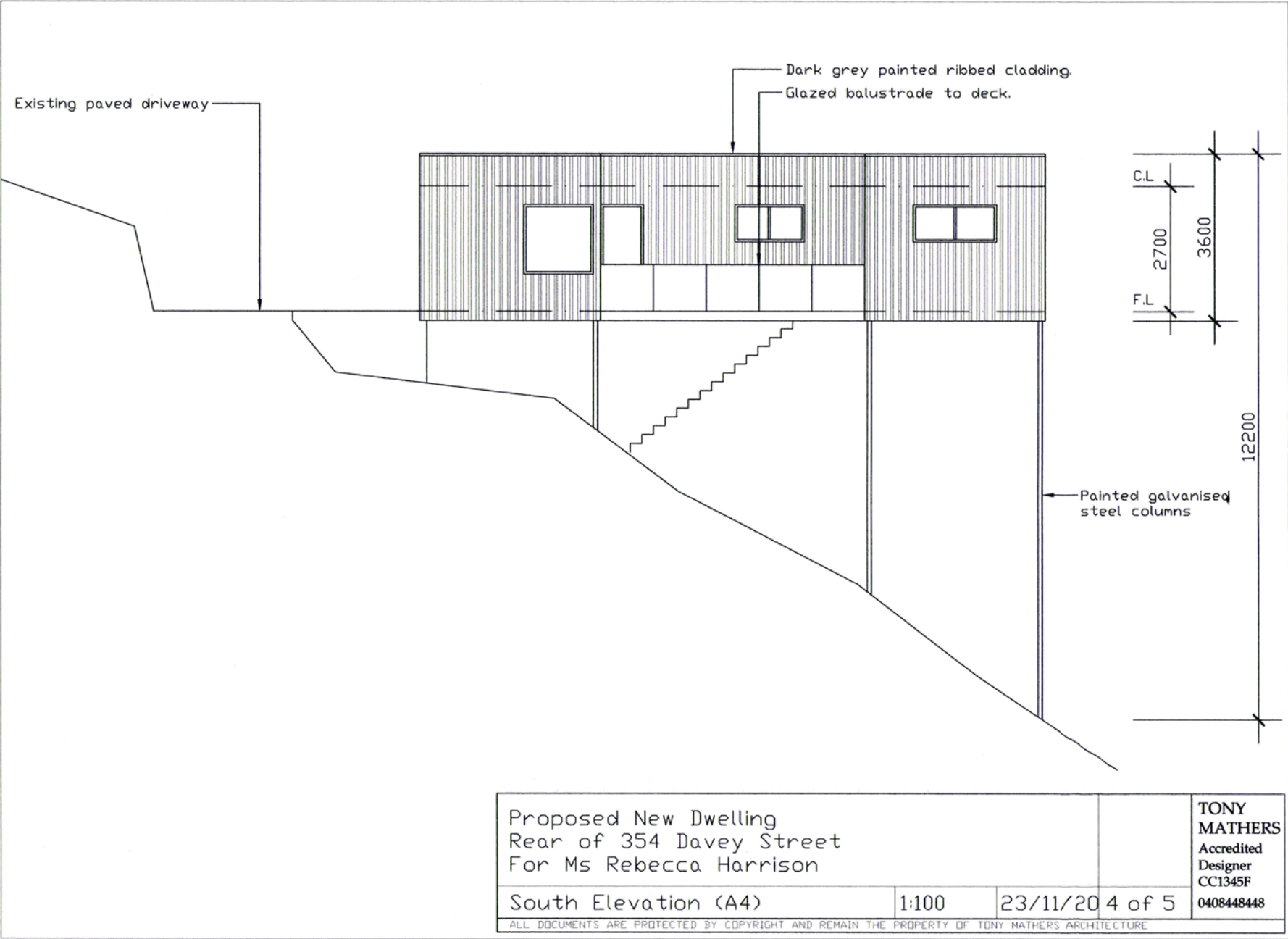


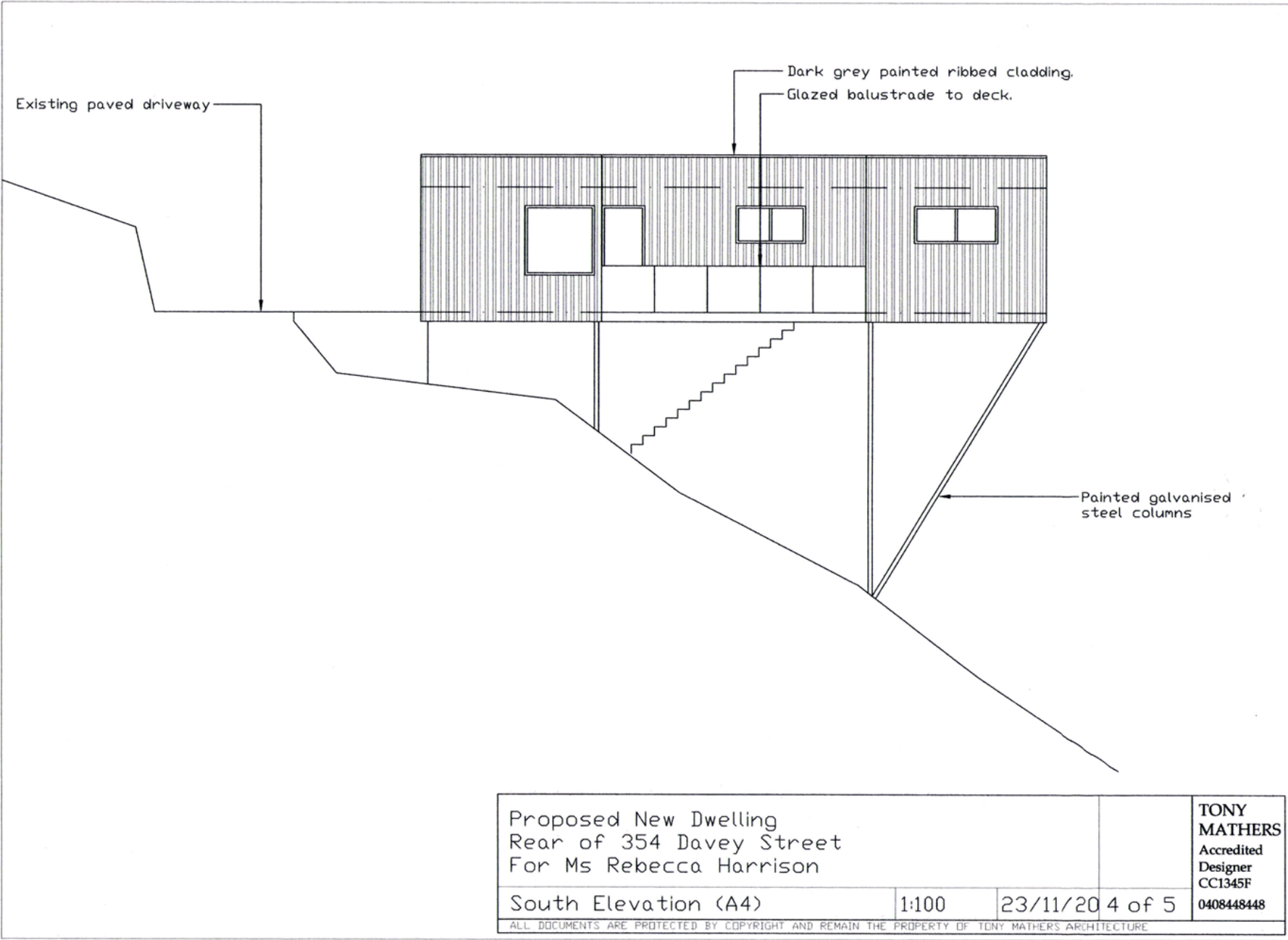


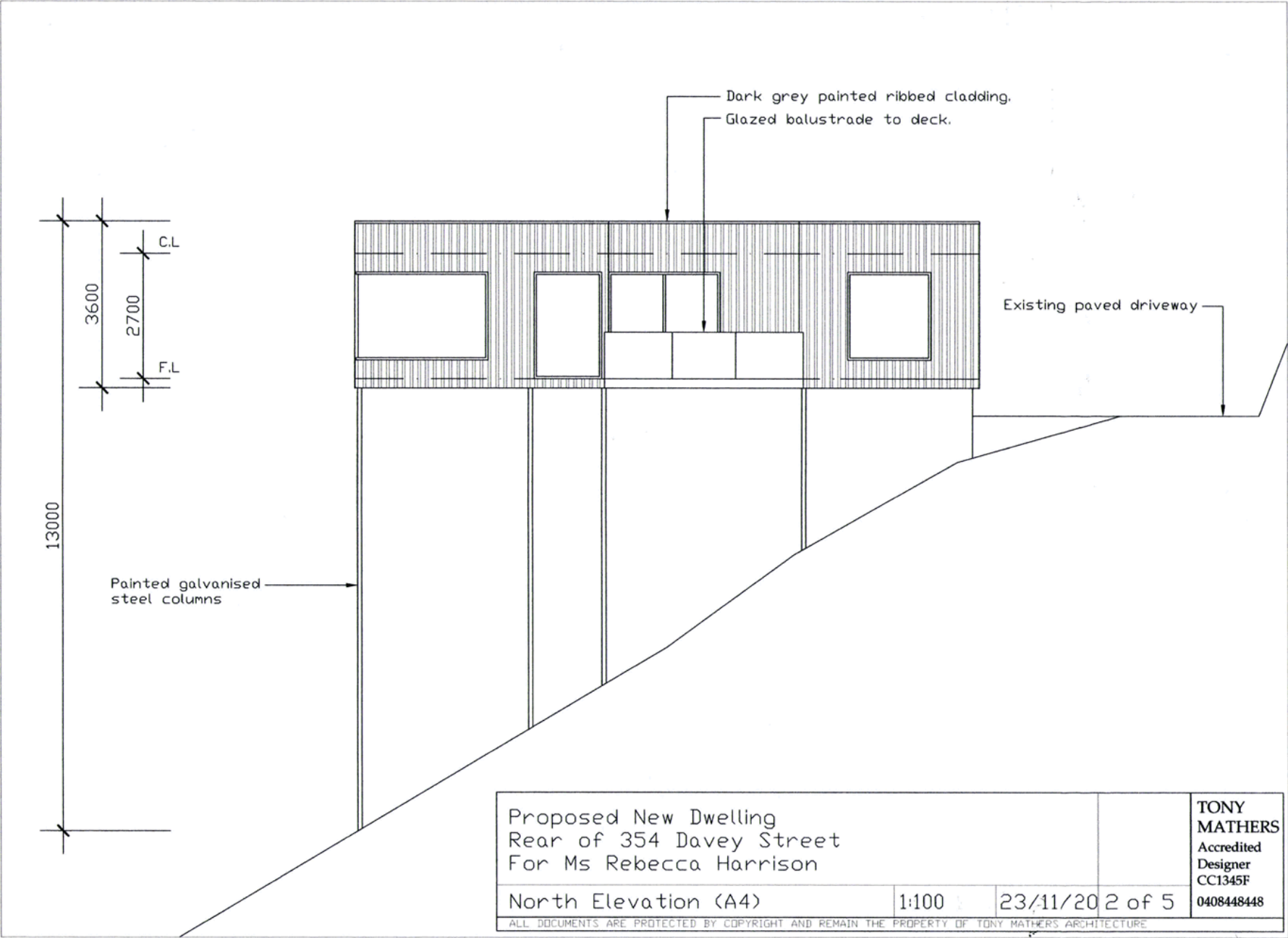


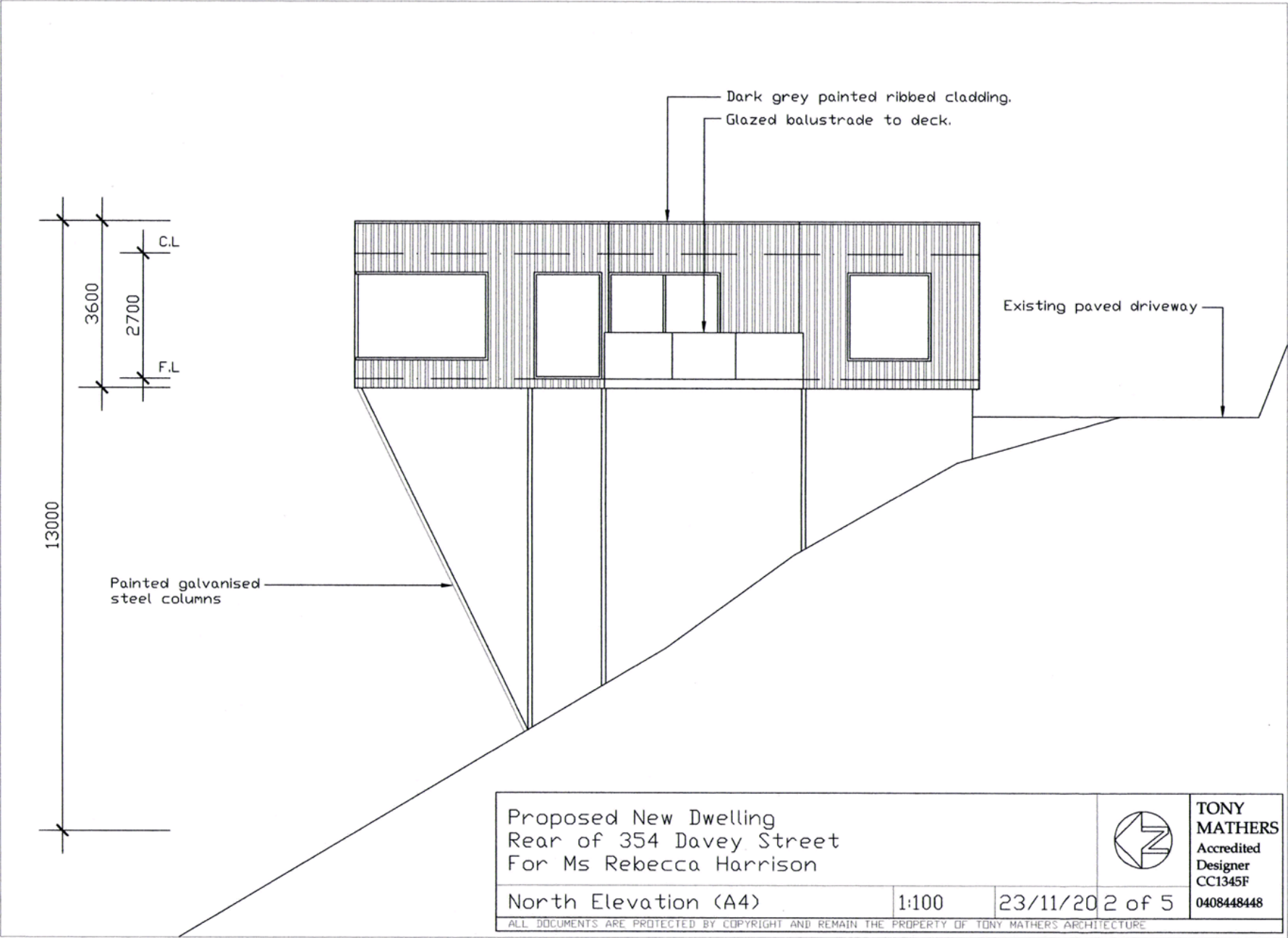




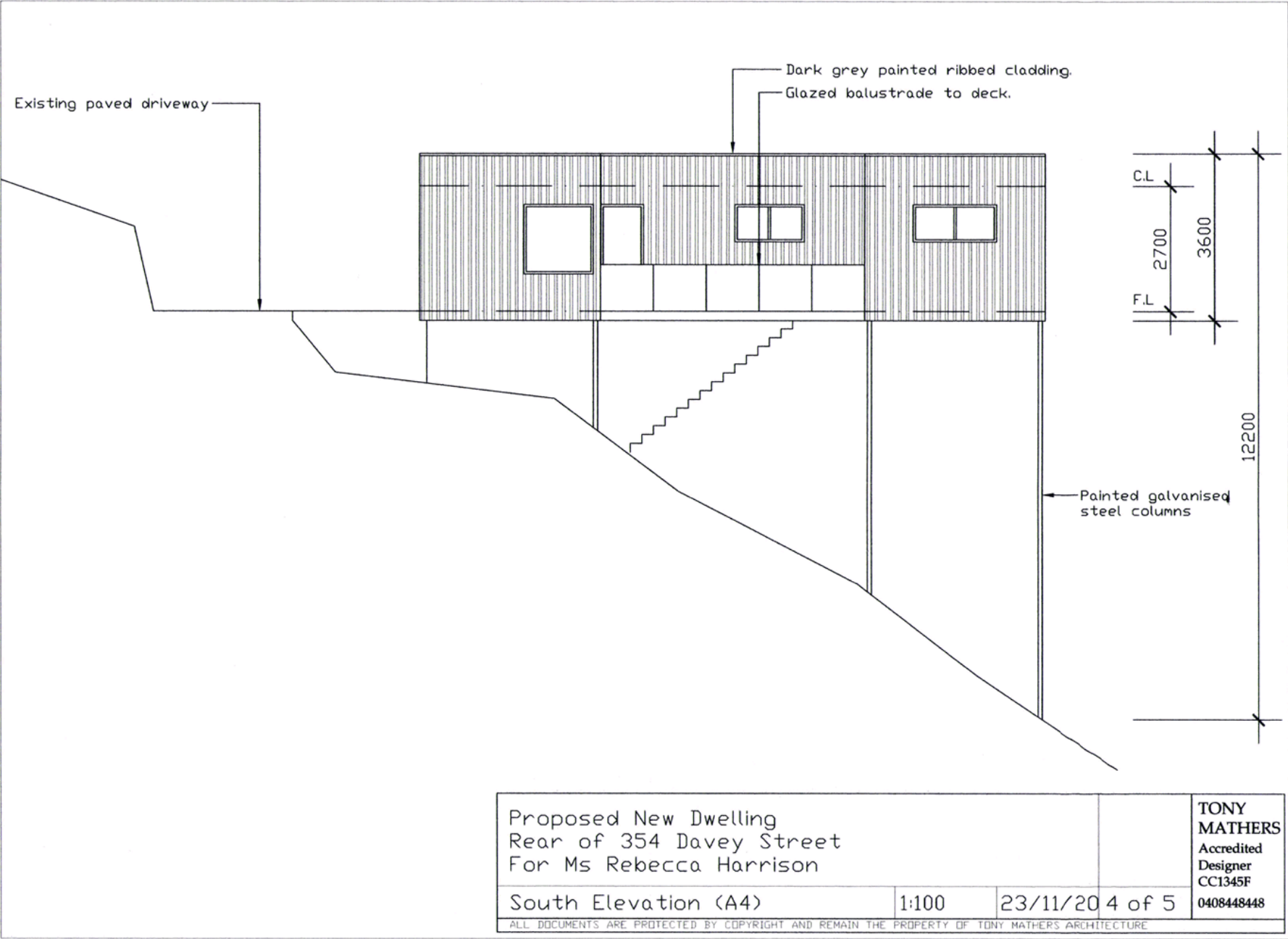




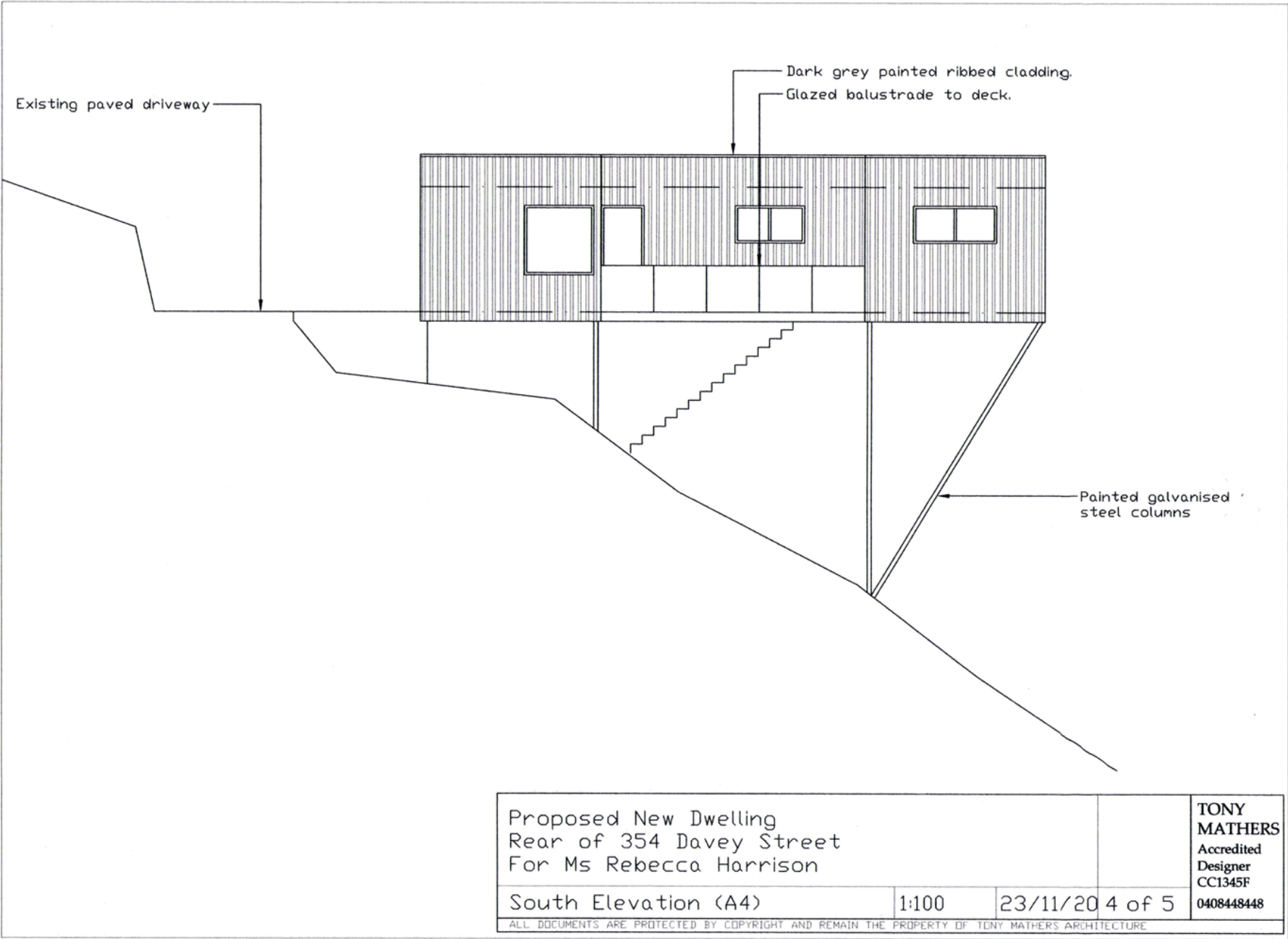












# **DOYLE** **SOIL** **CONSULTING**



## **SITE AND SOIL EVALUATION REPORT** **FOUNDATION AND WINDLOADING ASSESSMENT**

**354 Davey Street**  
**South Hobart**

**March 2021**

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

### SITE INFORMATION

**Client:** Rebecca Harrison

**Address:** 354 Davey Street, South Hobart (CT 144461/1)

**Site Area:** Approximately 1712 m<sup>2</sup>

**Date of inspection:** 12/03/2021

**Building type:** New house

**Services:** Mains water and sewer

**Planning Overlays:** Heritage Precinct

**Geology:** Mapped as Triassic Sandstone– Mineral Resources Tasmania 1:25 000 Hobart sheet

**Soil Depth:** Refusal at 1.2 m in TH 2 and TH 3 no refusal at 1.7 m at TH 1

**Subsoil Drainage:** Good subsoil drainage

**Drainage lines / water courses:** Sandy Bay Rivulet to the East

**Vegetation:** Gardens

**Rainfall in previous 7 days:** Approximately 0 mm

### Site Assessment and Sample Testing

Site investigation and soil classification in accordance with AS2870-2011 *Residential slabs and footings*.

AS 4055-2012 *Wind load for Housing*

Three drill cores with no refusal @ 1.7 m at TH1, refusal @ 1.2 at TH2 and TH3

Dynamic Cone Penetrometer (DCP) test down TH1 with refusal @ 1.9 m

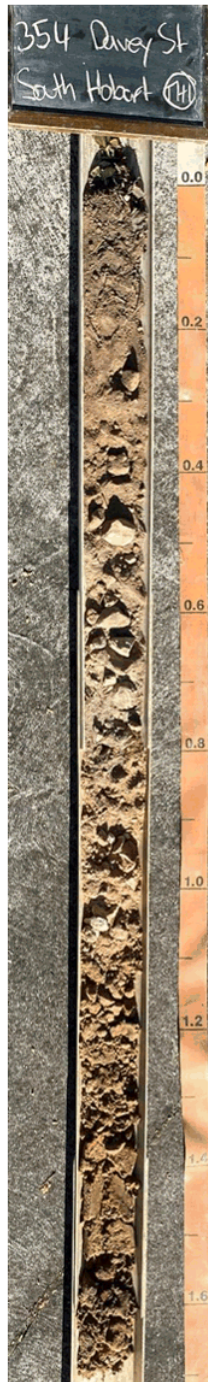
Emerson Dispersion test on subsoils

Linear shrinkage tests on all likely founding layers

Test holes were dug using a Christie Post Driver Soil Sampling Kit, comprising CHPD78 Christie Post Driver with Soil Sampling Tube (50 mm OD x 1600 mm)

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

## SOIL PROFILES – Test Hole 1



Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.50	A1	Brown 10YR 4/3 <b>Sandy Loam</b> , single grain to very fine granular structure, very hydrophobic, slightly dilatant, dry loose consistency, few coarse sandstone gravels.	<b>SC</b>
0.50 – 0.80	A2	Light brownish grey 10YR 6/2 <b>Clayey Sand</b> , single grain to very fine granular structure, dry loose consistency, common medium to coarse sandstone gravels.	<b>SC</b>
0.80 – 1.1	A/B	Light brown 7.5YR 6/4 <b>Sand</b> (coarse to fine grain), single grain to very fine granular structure, dry loose consistency, common medium sandstone gravels.	<b>SP</b>
1.1 – 1.7	B/C	Rubbed yellowish brown 10YR 5/4 <b>Sandy Light Clay</b> , weak fine to medium sub-angular blocky structure, moist soft consistency, bands of increased clay content, sticky, dilatant. No refusal.	<b>CL</b>

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

## SOIL PROFILES – Test Hole 2



Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.40	A1	Brown 7.5YR 4/2 <b>Sandy Loam</b> , very fine polyhedral to granular structure to single grain, dry loose consistency, slightly dilatant.	SC
0.40 – 0.70	A2	Light grey 7.5YR 7/1 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, few fine gravels, slightly dilatant.	SC
0.70 – 1.2	A3	Very pale brown 10YR 8/2 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, common gravels, slightly dilatant, sticky. Refusal.	SC



Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

## SOIL PROFILES – Test Hole 3



Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.40	A1	Brown 7.5YR 4/2 <b>Sandy Loam</b> , very fine polyhedral to granular structure to single grain, dry loose consistency, slightly dilatant.	<b>SC</b>
0.40 – 0.70	A2	Light grey 7.5YR 7/1 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, few fine gravels, slightly dilatant.	<b>SC</b>
0.70 – 1.2	B2	Rubbed olive brown 2.5Y 4/3 <b>Sandy Light Clay</b> , massive to weak medium angular blocky structure, dry to slightly moist hard to firm consistency. Refusal.	<b>CL</b>

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

### SITE AND SOIL COMMENTS

The soil profiles are formed from derived in-situ weathered sandstone and windblown sands. The profiles are moderately deep with refusal occurring at approximately 1.2 – 1.9 m (DCP). The field textures of the soil profile are dominated by sands and sandy/clayey textures which are slightly to moderately reactive, weakly to loosely structured.

### LINEAR SHRINKAGE AND SOIL REACTIVITY

Samples of the clayey subsoils were tested for reactivity using the linear shrinkage test. Linear shrinkage provides an approximate guide to aid soil classification of reactivity of clays for foundations. The tests indicate the clays are slightly to moderately reactive. Photo available on request.

Sample	Depth (m)	Length of mould (L)	Longitudinal Shrinkage (LS) in mm	LS (%)	Soil Class.
TH 1	1.1 – 1.7	125	0.0	0.0	S
TH 3	0.7 – 1.2	125	11.0	8.8	M

### DCP TESTS AND ESTIMATED BEARING CAPACITY

Dynamic Cone Penetrometer (DCP) testing is a method of estimating likely soil bearing capacity. However, surface layers (~ upper 0.7 m) are subject to significant soil moisture variations with season which affect DCP values, especially in clays, e.g. in summer or drought then dry clays may be very stiff – hard but in winter only soft – firm. Thus, DCP values below ~ 0.7 m are likely to be more typical of year – to – year soil bearing conditions in clayey and silty soils. We provide estimated soil bearing strengths along with a variance range (+/-) based on a review of published literature relating field DCP readings to triaxial soil strength tests.

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

A minimum bearing capacity of 100 kPa is required for strip and pad footings and under the edge footings and associated slab foundations. The Dynamic Cone Penetrometer (DCP) test was carried out at TH1.

The field DCP data indicates that the bearing capacity of the Triassic sandstone bedrock at between 1.2 – 1.8 m is the only suitable foundation material on the very steep site.

The clay horizons are slightly to moderately reactive/plastic and thus require foundation design suitable for slight to moderate shrinking and swelling induced movement (refer to tables below and AS2870-2011 clause 2.4.5).

Depth (mm)	DCP n-number	DCP Penetration Index	Estimated bearing capability (kPa)	Likely Variance
DCP 1	(Blows/100 mm)	(mm/Blow)	(kPa = n x 30)	+/-
1800 - 1900	30	3.3	900	300



Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

### EMERSON AGGREGATE DISPERSION TEST

Soils with an excess of exchangeable sodium ions on the cation exchange complex (clays), can cause clay dispersion. Under some circumstances the presence of dispersive soils can also lead to significant erosion, and in particular tunnels leading to eventual gully erosion. Based upon field survey of the property and the surrounding area, no erosion was identified at the site.

The subsoil was tested for dispersion using the Emerson Aggregate Test (EAT). Photos are available on request. The class 2(2) indicates a slight dispersive characteristic. The subsoils are therefore slightly spontaneously dispersive and so exposure to rainfall may lead to minor clay dispersion and potentially rill and tunnel erosion, although this is more common in sandy lighter clays, sandy clay loams and silt loams. Dispersive clay subsoil materials can also cause sealing of the soil surface – if left out in wet weather, they then dry and set very hard in dry weather. To minimise this, we recommend coverage of exposed subsoil with topsoil or regular treatment with gypsum at 0.5 Kg/m<sup>2</sup> along with minimising subsoil disturbance whenever possible.

Sample	Depth (m)	Visual sign	Class
TH 1	1.1 – 1.7	Some dispersion (obvious milkiness < 50% of aggregate affected)	Class 2(2)
TH 3	0.7 – 1.2	Some dispersion (obvious milkiness < 50% of aggregate affected)	Class 2(2)

### WIND CLASSIFICATION

The AS 4055-2012 *Wind load for Housing* classification of the site is:

Region:	<b>A</b>
Terrain category:	<b>TC2.5</b>
Shielding Classification:	<b>NS</b>
Topographic Classification:	<b>T2</b>
Wind Classification:	<b>N3</b>
Design Wind Gust Speed ( $V_{h,u}$ )	<b>50 m/sec</b>

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

### SITE CLASSIFICATION AND RECOMMENDATIONS

According to AS2870-2011 (construction) the site is classified as **Class S**, with 0 – 20 mm the dominant reactivity of expected surface movement under normal soil moisture ranges for the location and requiring adequate drainage of the foundations – refer to CSIRO foundation management BTF 18 sheet attached.

**Note** – If founding entirely on the competent Triassic sandstone (recommended) and no part of a pier, slab, footing or other component of the foundation is on the slight reactive subsoil clays then the site can be considered **Class A** for founding proposes.

#### **General Notes** – Important points pertinent to maintenance of foundation soil conditions

This report relates to the soil and site conditions on the property at the time of the site assessment. The satisfactory long-term performance of footings is dependent upon the on-going site maintenance by the owner.

Examples of abnormal moisture conditions developing after construction include the following:

- A) The effect of trees too close to the footings
- B) Excessive or irregular watering of gardens adjacent to the footings
- C) Failure to maintain site drainage affecting footings
- D) Failure to repair plumbing leaks affecting footings
- E) Loss of vegetation from near the building.

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

All earthworks on site must comply with AS3798-2007 Guidelines on Earthworks for commercial and residential developments. It is recommended that during construction, Doyle Soil Consulting and/or the design engineer be notified of any major variation to the foundation conditions as predicted in this report.



**Evan Langridge**  
B.Agr.Sc.(Hons).  
Soil Scientist



**Dr Richard Doyle**  
B.Sc.(hons) M.Sc.(Geol), Ph.D. (Soil  
Sci.), CPSS (Certified Prof Soil Scientist)  
**Geologist and Soil Scientist**



Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

APPENDIX 1 – Approximate test hole locations



Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

## APPENDIX 2 – Definitions of Soil Horizons

Horizon name	Meaning
<b>A1</b>	Dark topsoils, zone of maximum organic activity
<b>A2 or E</b>	Leached, light pale washed-out sandy layer
<b>A3 or AB</b>	Transition from A to B, more like A
<b>B1 or BA</b>	Transition from A to B, more like B
<b>B2</b>	Main subsoil layer with brown colouration, accumulations of clay, humus, iron oxides, etc
<b>B3</b>	Transitional from B2 to C
<b>C</b>	Weakly weathered soil parent materials

Subscript	Meaning
<b>r</b>	Reducing conditions (anaerobic)
<b>t</b>	Enriched in translocated clay
<b>s</b>	Iron/aluminium oxide accumulations
<b>g</b>	Mottled, suggesting periodic/seasonal wetness
<b>m</b>	Cemented layer (oxides, carbonates, humus, silica etc)
<b>k</b>	Calcium carbonate (lime) accumulation
<b>h</b>	Humus accumulation a subsoil

Doyle Soil Consulting: Site and Soil Assessment – 354 Davey Street, South Hobart

**APPENDIX 3 – Sandstone bedrock on neighbouring site**



# **DOYLE** **SOIL** **CONSULTING**



## **GEOTECHNICAL ASSESSMENT**

**354 Davey Street  
South Hobart**

**March 2021**



Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

### Site Information

**Client:** Rebecca Harrison

**Address:** 354 Davey Street, South Hobart (CT 144461/1)

**Site Area:** Approximately 1712 m<sup>2</sup>

**Date of inspection:** 12/03/2021

**Building type:** New house

**Services:** Mains water and sewer

**Planning Overlays:** Heritage Precinct, Hobart-Glenorchy deep-seated slide susceptibility (Rosetta scenario)

**Geology:** Freshwater predominantly cross bedded quartzose to feldspathic sandstone commonly with overturned crossbedding, subordinate siltstone with sparse plant and vertebrate fossils (Knocklofty Formation) – Mineral Resources Tasmania 1:25 000 Hobart sheet

**Soil Depth:** Refusal at 1.2 m to 1.9 m

**Subsoil Drainage:** Good subsoil drainage

**Drainage lines / water courses:** Sandy Bay Rivulet to the East

**Vegetation:** Gardens (overgrown)

**Rainfall in previous 7 days:** Approximately 0 mm

**Slope:** Approximately 30-35° to the southeast

### Site Assessment and Sample Testing

A geotechnical site investigation in accordance with AS1726-2017.

Three drill cores with refusal at 1.2 m (TH 2/3) and no refusal at 1.7 m (TH1).

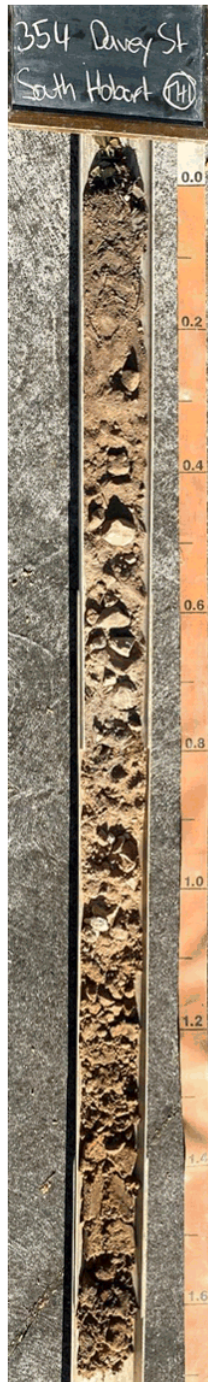
Emerson Dispersion and Linear shrinkage test on subsoils.

Dynamic Cone Penetrometer (DCP) strength test down TH1 with refusal at 1.9 m.

Test holes were dug using a Christie Post Driver Soil Sampling Kit, comprising CHPD78 Christie Post Driver with Soil Sampling Tube (50 mm OD x 1600 mm)



Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

**Soil Profiles – Test Hole 1**

Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.50	A1	Brown 10YR 4/3 <b>Sandy Loam</b> , single grain to very fine granular structure, very hydrophobic, slightly dilatant, dry loose consistency, few coarse sandstone gravels.	SC
0.50 – 0.80	A2	Light brownish grey 10YR 6/2 <b>Clayey Sand</b> , single grain to very fine granular structure, dry loose consistency, common medium to coarse sandstone gravels.	SC
0.80 – 1.1	A/B	Light brown 7.5YR 6/4 <b>Sand</b> (coarse to fine grain), single grain to very fine granular structure, dry loose consistency, common medium sandstone gravels.	SP
1.1 – 1.7	B/C	Rubbed yellowish brown 10YR 5/4 <b>Sandy Light Clay</b> , weak fine to medium sub-angular blocky structure, moist soft consistency, bands of increased clay content, sticky, dilatant. No refusal.	CL

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**Soil Profiles – Test Hole 2**

Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.40	A1	Brown 7.5YR 4/2 <b>Sandy Loam</b> , very fine polyhedral to granular structure to single grain, dry loose consistency, slightly dilatant.	SC
0.40 – 0.70	A2	Light grey 7.5YR 7/1 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, few fine gravels, slightly dilatant.	SC
0.70 – 1.2	A3	Very pale brown 10YR 8/2 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, common gravels, slightly dilatant, sticky. Refusal.	SC

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### Soil Profiles – Test Hole 3



Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.40	A1	Brown 7.5YR 4/2 <b>Sandy Loam</b> , very fine polyhedral to granular structure to single grain, dry loose consistency, slightly dilatant.	<b>SC</b>
0.40 – 0.70	A2	Light grey 7.5YR 7/1 <b>Clayey Sand</b> , very fine granular structure to single grain, dry loose consistency, few fine gravels, slightly dilatant.	<b>SC</b>
0.70 – 1.2	B2	Rubbed olive brown 2.5Y 4/3 <b>Sandy Light Clay</b> , massive to weak medium angular blocky structure, dry to slightly moist hard to firm consistency. Refusal.	<b>CL</b>

Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

### **Founding Statement**

Dr Richard Doyle is a highly qualified geologist, geomorphologist and soil scientist with over 35 years work experience in earth sciences. He has an B.Sc. (hons) in geology with a double major in physical geography (Victoria University of Wellington, NZ), a M.Sc. in geology awarded with distinction specialising in geomorphology, erosion and soil development (Victoria University of Wellington, NZ) and a PhD in soil science (UTAS). Dr Doyle is a Certified Professional Soil Scientist (CPSS) of the Australian Society of Soil Science of which he is the former state and national president. He has worked and taught around the world on a wide range of earth science projects (Greece, Namibia, USA, NZ and PNG). Dr Doyle has researched and taught soil and earth science at Tertiary level for over 27 years and co-supervised >30 honours/master students, and 21 research higher degree completions (PhDs and Masters). He has authored many coastal and hydrological inundation risk assessments for Tasmanian council approvals and has over 80 refereed scientific publications in journals, books and conference proceedings with over 40,000 publication reads and 1000 citations leading to a H-Citation Index of 16.

### **Introduction**

This report examines the risk of a proposed construction site that is overlain by a Low Landslide Hazard Areas overlay (figure 1). The north-eastern end of the property has an existing residence and an access road to the site has already been constructed for the existing nearby houses. The proposed construction area for the new dwelling is located at the south-eastern end of the property within the Low Landslide Hazard Area overlay. This overlay is due to the area being identified to have deep-seated slide susceptibility (Rosetta scenario). The mapped Landslide Hazard overlay has been generated by Mineral Resources Tasmania (MRT), but no known active landslides have occurred recently in the area.

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**Figure 1:** Landslide Hazard Area 'Low' overlay: deep-seated slide susceptibility (Rosetta scenario) – LISTmap

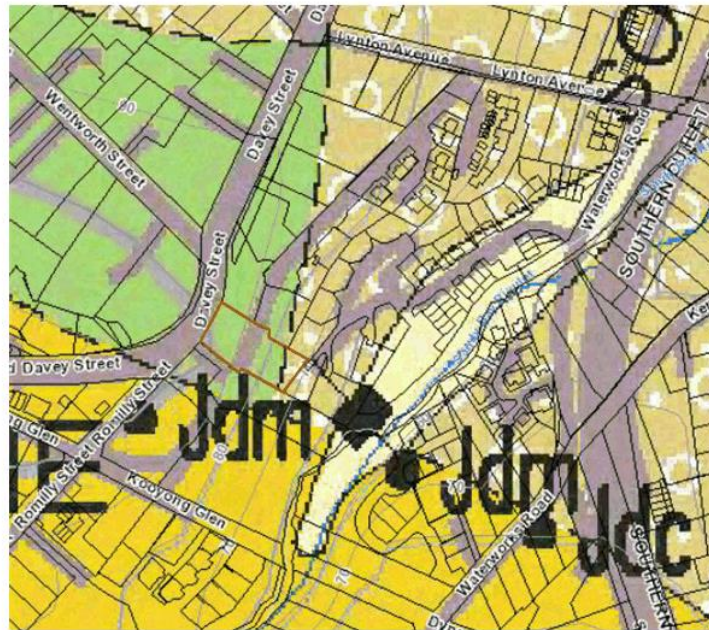
### Geomorphology, Soils and Geology

The soil profiles are formed from derived in-situ Triassic sandstone and windblown sands derived from the sandstone. The profiles are only moderately deep with refusal on hard sandstone occurring at approximately 1.2 –1.9 m. The field textures of the soil profile are dominated by sands and sandy/clayey textures which are slightly to moderately reactive, weakly to loosely structured.

The geology of the site is mapped at 1:25 000 scale by MRT as *"Rqph - Freshwater predominantly cross-bedded quartzose to feldspathic sandstone commonly with overturned cross-bedding, subordinate siltstone with sparse plant and vertebrate fossils (Knocklofty Formation)"*. Triassic sandstone was found in the area (figure 3) and test holes & DCP refused on probable sandstone.



Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart



**Figure 2:** Mineral Resources Tasmania Hobart 1:25 000 geological map of the environs around No. 354 Davey Street, South Hobart showing Rqph sandstone/siltstone (in green) mapped at the site.



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The proposed construction site below the existing property on Davey street. Access road/driveway from Lynton Avenue is highlighted in red.

Access to the proposed house site is limited by the moderate slope angle, and the potential for surface soil erosion of the sandy topsoil if exposed by clearing of the vegetation – so maintaining some vegetative cover of the soil at this site is recommended. The subsoils range from weakly to strongly structured and displayed slight dispersive characteristics. The majority of each of the profiles is well drained and all rest on competent sandstone bedrock at approximately 1.2 - 1.8 m depth.

### **Linear Shrinkage and Soil Reactivity**

Samples of the clayey subsoils were tested for reactivity using the linear shrinkage test. Linear shrinkage provides an approximate guide to aid soil classification of reactivity of clays for foundations. The tests indicate the clays are Class M, indicating layers of moderately reactive clays.

### **Emerson Aggregate Dispersion**

Samples of the clayey subsoils were tested for dispersion susceptibility using the Emerson Aggregate test. Aggregate dispersion provides an approximate guide to estimate possible erosion, and in particular tunnels leading to eventual gully erosion. Based upon field survey of the property and the surrounding area, no erosion was identified at the site. The tests resulted the soil as class 2(2), which indicates a slight dispersive characteristic. It is recommended to avoid exposing the subsoil and reduce smearing/packing when excavating.

### **Geotechnical Assessment of Slope Stability**

The proposed construction site for the new dwelling at 354 Davey Street has a Landslide Hazard Area (Low) overlay. The overlay is produced by computer modelling (largely topographic/slope based) and has identified the moderate slope of the lower part of site. The Triassic sandstone bedrock is known to be very competent, and the soil-regolith (aeolian) is only moderately deep at the site i.e., <2 m. Under E3.4c of the Hobart Interim Planning Scheme 2015, buildings within a Low Landslide Hazard Area are exempt from this code, however major works are not,

Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

therefore the site is assessed according to E3.7.1 P1 of the Scheme. This additional geotechnical advice of the site considers several important and specific parameters pertinent to the area.



**Figure 3:** Cutting under neighbouring property showing competent Triassic sandstone bedrock. Cutting is at similar slope elevation to proposed site.



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### E3.7.1 Buildings and Works, other than Minor Extensions

**Objective:**

To ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is:

- (a) acceptable risk; or
- (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard.

Acceptable Solution A1	Comments
No acceptable solution.	

Performance Solution P1	Comments
Buildings and works must satisfy all of the following:	
(a) no part of the buildings and works is in a High Landslide Hazard Area;	Complies
(b) the landslide risk associated with the buildings and works is either:	
(i) acceptable risk; or	Complies
(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.	

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### **Potential for Mass Movement of Soil Materials at The Site**

The lower access point to the site is the only area classified as Low Landslide Hazard Area via MRT computer (slope angle) modelling and is shown in the Hobart Council Interim Planning Scheme 2015. The site has moderately steep slopes of approximately 20-30+° with vegetative cover of native species. The auger holes revealed moderately deep aeolian sands over sandy clayey subsoils developing above hard Triassic sandstone/siltstone. The lack of any hummocky terrain or impounded drainage hollows (scaloped landscape features) on the site suggests that the natural soils are stable from a land sliding (mass-movement) perspective. The relatively thin clayey subsoils (<1 m) are moderately reactive and while quite permeable (well-structured) they are prone to shrinking and swelling and therefore can slowly soil creep over time.

The site appears stable, regarding land sliding – there is no evidence of recent or active instability, therefore, the geotechnical risk associated with instability in the natural soils confirms the LOW ranking for this hazard. The soils may be subject to water erosion if exposed (left bare of vegetation for extended periods), and therefore minimal soil disturbance and maintenance of vegetation cover will be needed during and after foundation excavations to minimise surface soil erosion. However, no evidence of more deep-seated landslide hazards was detected or are likely at this site. Modification of drainage on site could also cause very localised regolith instability as excess water destabilises loose or soft surface (<0.5 m) sediments – therefore drainage design should avoid water accumulation in the construction area - *Please refer to the extract on good hillside construction practice from the Australian Geomechanics Society (Appendix 3) and CSIRO BTF-18.*

### **Potential for Foundation Movement**

Although the slope is moderately steep, the presence of moderately deep soils (~ 1.2 – 1.9 m) imparts a low risk of significant ground surface movement from moisture variation on the site. The Triassic sandstone has been *in situ* for 175 million years and is generally a moderately hard competent substrate. The subsoil clays are moderately reactive and therefore any foundations placed onto the soil should be designed in accordance with the Site Classification under AS 2870-2011. We recommend founding on the bedrock i.e., below ~ 1.2 – 1.9 m respectively.

Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

Surface water and possible groundwater flows on to the site should be carefully managed with appropriate drainage controls where needed.

Provided that the footings are placed onto the sandstone bedrock and designed in accordance with AS2870-2011 the geotechnical risk relating to potential foundation movement is low and acceptable.

### **Potential for Vegetation Removal to Cause Instability**

There is some remnant gardens located in the proposed construction site which will be cleared. We suggest that appropriate sediment and erosion control measures be in place during all phases of construction and thought be given to utilising landscaping to help maintain slope stability – and in particular address potential topsoil erosion.

The risk of land instability on either the subject site or neighbouring sites will not increase substantially as a result of development within the proposed building envelope provided that current best practice for construction on sloping sites and soil and water management practices are followed as discussed in this report.

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### Landslide Risk Analysis

Risk assessment of land sliding relates to

- 1) Likelihood of occurrence of any form of mass movement e.g., soil creep, debris flow, slumping, landslide, rock fall etc. including its' likely scale (size, area, volume) and
- 2) The estimated consequences to life, property and services of such.

In this case the likelihood is LOW, and if founding on the competent bedrock to negate any actions of soil creep, then the consequence is ACCEPTABLE.



**Evan Langridge**  
B.Agr.Sc.(Hons).  
Soil Scientist



**Dr Richard Doyle**  
B.Sc.(hons) M.Sc.(Geol), Ph.D. (Soil  
Sci.), CPSS (Certified Prof Soil Scientist)  
**Geologist and Soil Scientist**



Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

Appendix 1 – Approximate test hole locations



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## Appendix 2 – Risk tables

Extract from AGS Sub-committee (2007) Landslide Risk Management Concepts and Guidelines. *Australian Geomechanics Journal*

**TABLE 1: RISK TO PROPERTY**

Qualitative Risk		Significance - Geotechnical engineering requirements
Very high	VH	<b>Unacceptable</b> without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to Low. May be too expensive and not practical. Work likely to cost more than the value of the property.
High	H	<b>Unacceptable</b> without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to acceptable level. Work would cost a substantial sum in relation to the value of the property.
Moderate	M	<b>May be tolerated</b> in certain circumstances (subject to regulator's approval) but requires investigation, planning and implementation of treatment options to reduce the risk to Low. Treatment options to reduce to Low risk should be implemented as soon as possible.
Low	L	<b>Usually acceptable</b> to regulators. Where treatment has been needed to reduce the risk to this level, ongoing maintenance is required.
Very Low	VL	<b>Acceptable.</b> Manage by normal slope maintenance procedures.

**TABLE 2: LIKELIHOOD**

Likelihood	Annual Probability
Almost Certain	1:10
Likely	1:100
Possible	1:1,000
Unlikely	1:10,000
Rare	1:100,000
Barely credible	1:1,000,000

**TABLE 3: RISK TO LIFE**

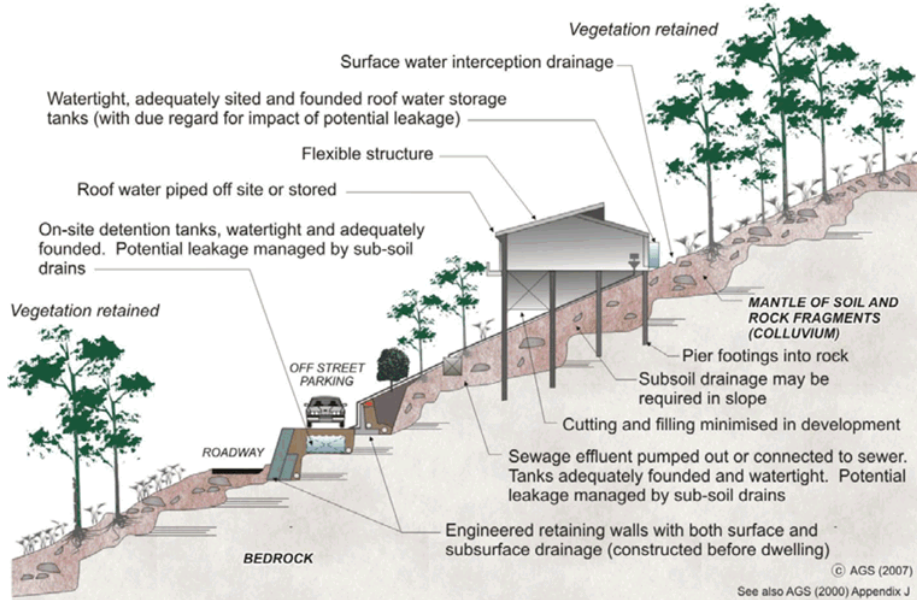
Risk (deaths per participant per year)	Activity/Event Leading to Death (NSW data unless noted)
1:1,000	Deep sea fishing (UK)
1:1,000 to 1:10,000	Motor cycling, horse riding , ultra-light flying (Canada)
1:23,000	Motor vehicle use
1:30,000	Fall
1:70,000	Drowning
1:180,000	Fire/burn
1:660,000	Choking on food
1:1,000,000	Scheduled airlines (Canada)
1:2,300,000	Train travel
1:32,000,000	Lightning strike

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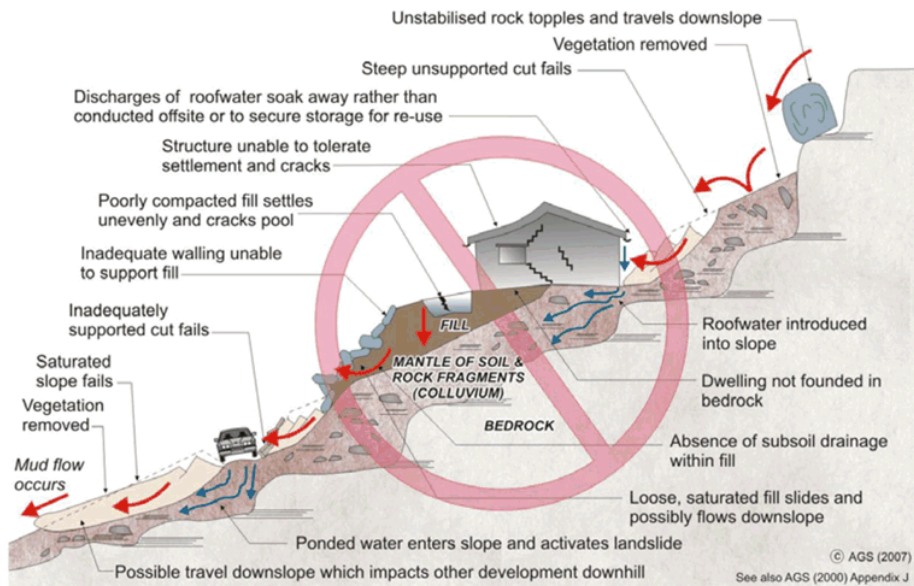
### Appendix 3 – Guidelines for hillside construction

Extract from AGS Sub-committee (2007) Landslide Risk Management Concepts and Guidelines. *Australian Geomechanics Journal*

#### EXAMPLES OF **GOOD** HILLSIDE CONSTRUCTION PRACTICE



#### EXAMPLES OF **POOR** HILLSIDE CONSTRUCTION PRACTICE



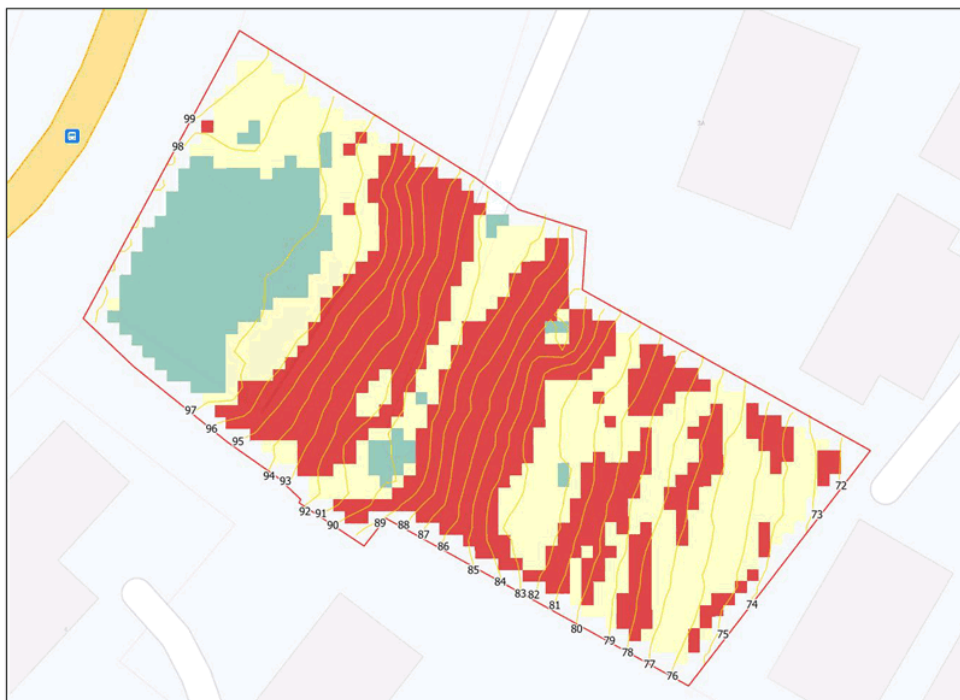


Doyle Soil Consulting: Geotechnical Assessment – 354 Davey Street, South Hobart

#### Appendix 4 – 1 metre contour map and slope angle raster

This map was generated using QGIS, LiSTMap extracted data, and ELVIS Digital Elevation Data (DEM) to process the 1 m contour lines and raster image that shows the slope angle.

- Green < 10°
- Yellow 10° – 25°
- Red > 25°





## STORMWATER REPORT

354 Davey Street  
SOUTH HOBART TAS

Anne Rebecca Harrison

Aldanmark Reference: **21 E 99 - 25**



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ABN 79 097 438 714

1/4/2021

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**DOCUMENT CONTROL**

VERSION	DATE	AUTHOR	APPROVED
A	09/04/2021	Toby Parrish 	Nathan Morey 

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ABN 79 097 438 714

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Stormwater Report.docx  
Version 190228

1/4/2021



## 1. INTRODUCTION AND SCOPE OF ENGAGEMENT

Aldanmark have been engaged to design a stormwater system for the proposed Two multiple dwellings (one existing, one new) at 354 Davey and Lynton Avenue, South Hobart. As a condition of the Hobart City Council Application No. PLN-21-13 and in accordance with E7 of Hobart Interim Planning Scheme 2015 the sites post-development peak discharge must not exceed the pre-development peak discharge for stormwater runoff and the project must incorporate the principles of Water Sensitive Urban Design (WSUD). The following report outlines the methodology and assumptions used to ensure the proposed development complies with the permit conditions.

## 2. DETENTION MODEL

The following areas were determined from Leary Cox and Cripps Surveyors dated February 2021:

Total site area:	≈ 1718.6m <sup>2</sup>
Pre-development residential	
Roof	≈ 152.6m <sup>2</sup>
Pervious	≈ 1565.9m <sup>2</sup>
Post-development areas:	
New driveway	≈ 196m <sup>2</sup>
Roof	≈ 341.6m <sup>2</sup>
Pervious	≈ 1182m <sup>2</sup>
Coefficients of run-off adopted for design are as follows:	
5-minute duration 5% AEP Hobart	I = 86mm/hr (BOM IFD)
Impervious areas:	
Roof	C = 1.0
Pavements	C = 0.90
Pervious areas:	C = 0.30
5-minute duration 5% AEP Hobart:	I = 86mm/hr (BOM IFD)

Calculations have been based on the Modified Rational Method for stormwater run-off:

$$Q = \frac{C \times I \times A}{3600}$$

Where:

- Q = Design Volumetric Flow Rate [L/s]
- C = Runoff Coefficient
- I = Rainfall Intensity [mm/hr] (5 minute - 5% AEP storm)
- A = Sum of all equivalent areas [m<sup>2</sup>]

1/4/2021



Pre-Development Permissible Site Discharge (PSD):

$$Q_{PSD} = \frac{(152.6 \times 1.0 + 1565.9 \times 0.3) \times 86}{3600} = 14.74 \text{ L/s}$$

Post-Development:

$$Q_{Post} = \frac{(0.9 \times 196 + 0.3 \times 1182 + 1.0 \times 341.6) \times 86}{3600} = 20.85 \text{ L/s}$$

As shown above the post development flow  $Q_{Post}$  is 6.1 L/s greater than the permissible site discharge  $Q_{PSD}$  and therefore on-site detention (OSD) is required. To determine the volume of storage required to reduce the post development peak discharge to the permissible site discharge Autodesk Software - Storm and Sanitary Analysis was utilised.

The model simulated rainwater tanks connected to the roof areas and a driveway detention pit each fitted with a 40mm low flow orifice device, connected to the site stormwater system. The driveway pit (the stormwater arrangement for the site is shown on Aldanmark civil drawings C1.01 Job No.21E99-25 (01/04/2021) The outflow hydrographs for the site, as shown in Figure 1, demonstrate the post-development peak discharge is below the pre-development.

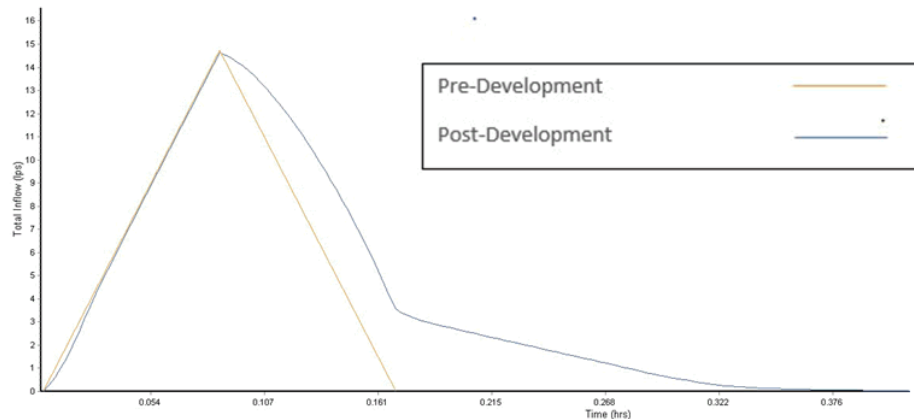


FIGURE 1: SITE OUTFLOW HYDROGRAPHS

### 3. STORMWATER SITE LAYOUT

The final layout of the stormwater system is shown on the civil engineering services on drawing C1.01 Job No.21E99-25 (01/04/2021) The roofs of both units are connected via a charged system to detention tanks fitted with 40mm low flow orifices and overflow connected to the site system. The driveway is connected to a detention pit fitted with a 50mm low flow orifice and overflow connected to the site system. Each 450 x 450 grated pit is fitted with a SPEL Stormsack™, similarly the SPEL Hydrosystem™ is connected to the system at the end of the line. The stormwater system then has a 150mm connection to Councils stormwater main.

1/4/2021



#### 4. CONCLUSION

This report has demonstrated that the proposed development at 354 Davey Street, South Hobart complies with the stormwater quantity and quality conditions of the Hobart City Council's planning permit.

**Note:**

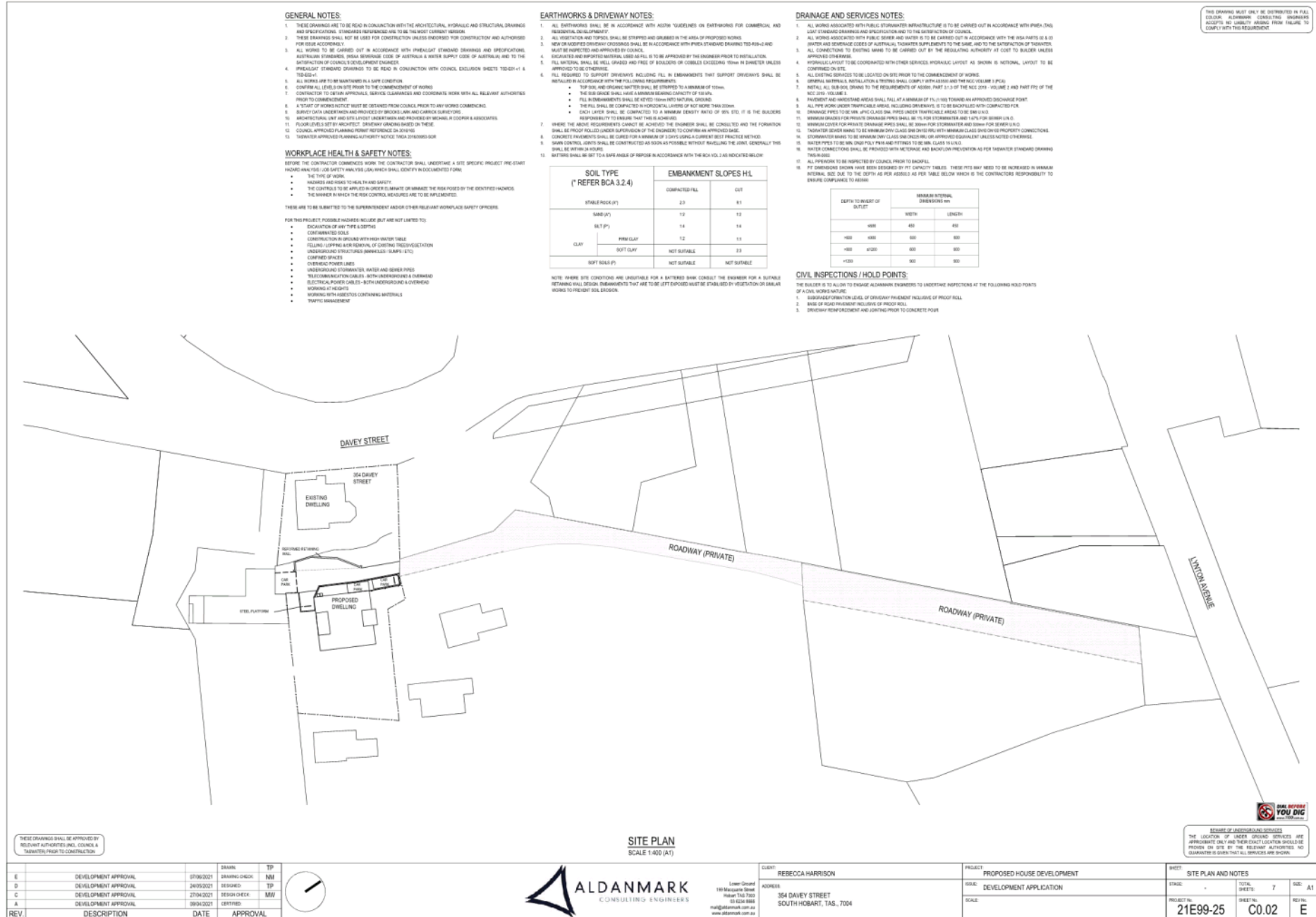
- No assessment has been undertaken of Council's stormwater infrastructure and its capacity.
- This report assumes the Council stormwater main has capacity for the pre-development peak discharge.
- It is the responsibility of Council to assess their infrastructure and determine the impact (if any) of altered inflows into their stormwater network.

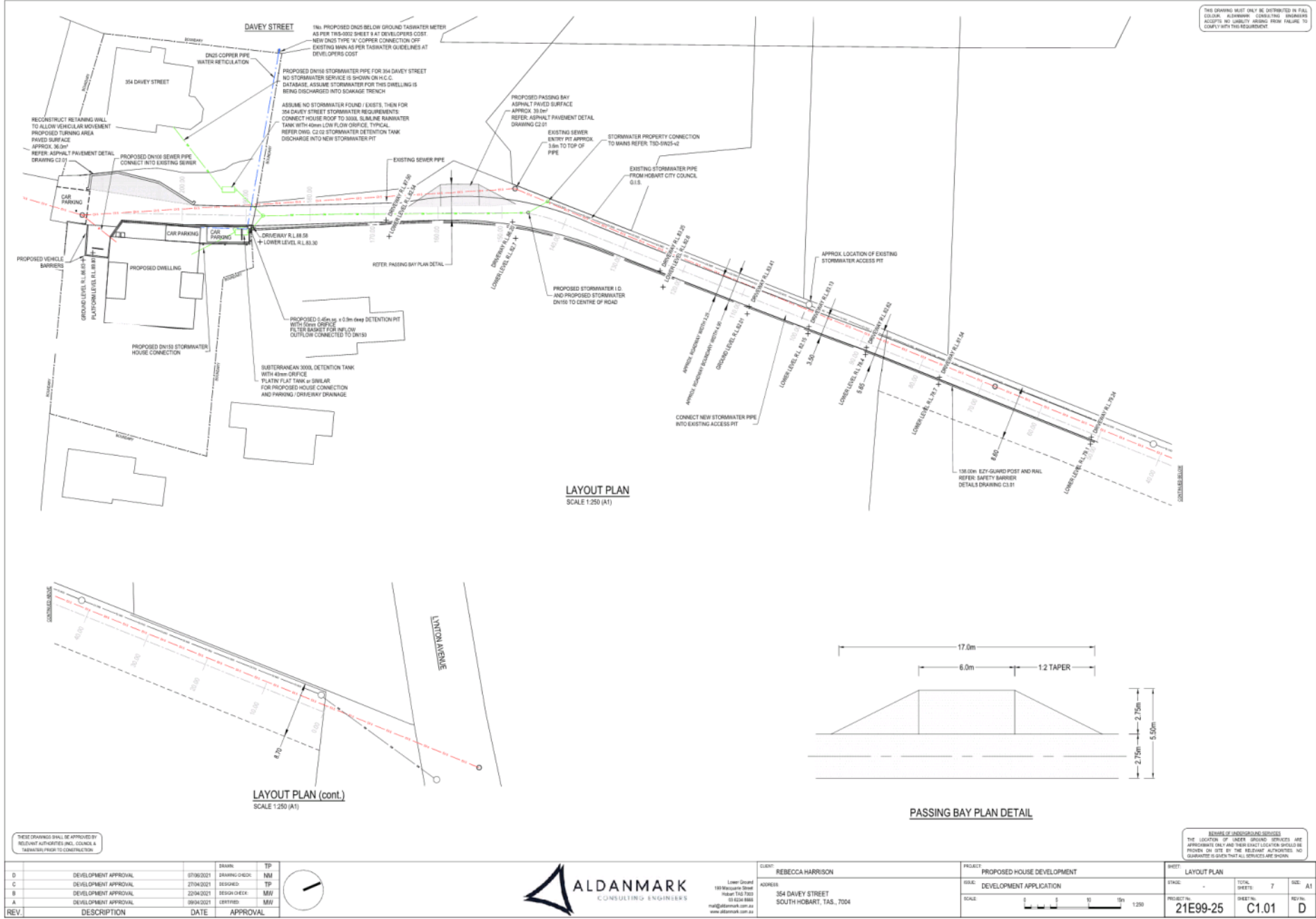
Please contact me at [tparrish@aldanmark.com.au](mailto:tparrish@aldanmark.com.au) if you require any additional information.

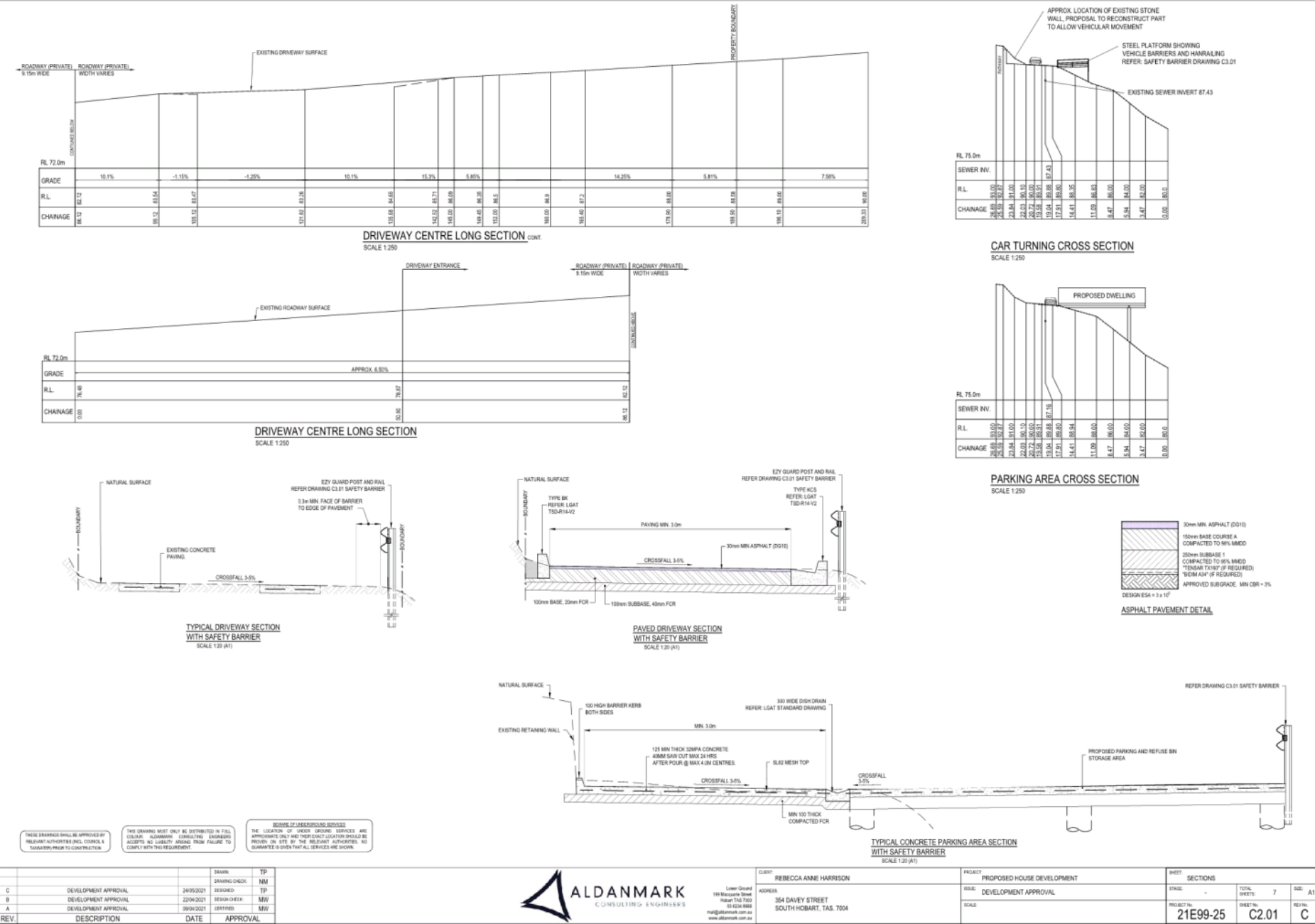
Yours faithfully,

A handwritten signature in black ink, appearing to read 'T. Parrish'.

**Toby Parrish**  
Civil Engineering Technician

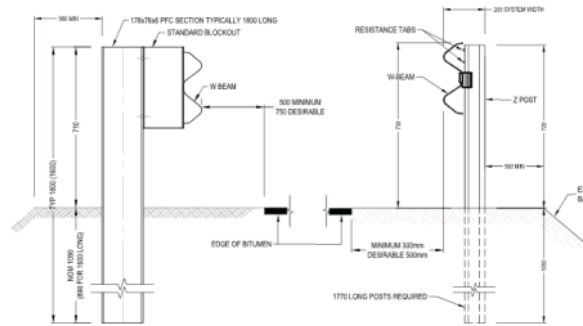






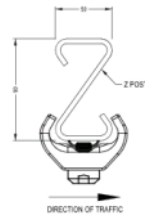




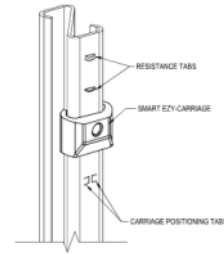
**SAFETY BARRIER DETAILS:**

**TYPICAL STANDARD POST &  
W BEAM SECTION**  
SCALE 1:10 (A1)

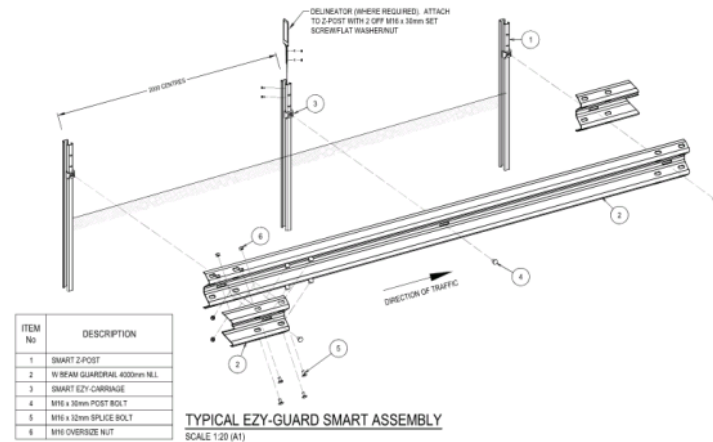
OR



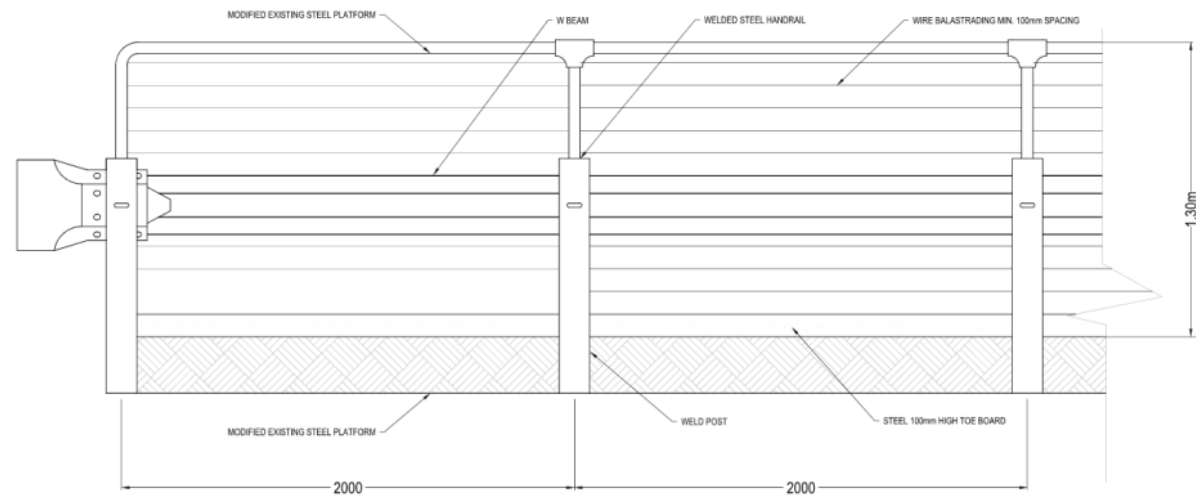
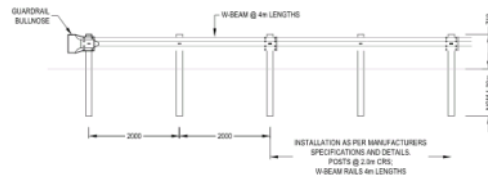
**EZY-GUARD Z-POST & CARRIAGE**  
**ASSEMBLY - PLAN VIEW**  
SCALE 1:2 (A1)



**EZY-GUARD Z-POST & CARRIAGE**  
**ASSEMBLY - ISOMETRIC VIEW**  
SCALE 1:5 (A1)



**TYPICAL EZY-GUARD SMART ASSEMBLY**  
SCALE 1/20 (A1)



**TYPICAL STANDARD POST & W BEAM  
WELDED TO STEEL PLATFORM  
WITH 1.10m HIGH 40dia HANDRAIL**  
SCALE 1:10 (A1)

THESE DRAWINGS SHALL BE APPROVED BY  
RELEVANT AUTHORITIES (MCL COUNCIL &  
TOWNMASTER) PRIOR TO CONSTRUCTION

**REMARK OF UNDERGROUND SERVICES**  
THE LOCATION OF UNDER GROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT LOCATION SHOULD BE PROVIDED ON SITE BY THE RELEVANT AUTHORITIES. NO GUARANTEE IS GIVEN THAT ALL SERVICES ARE SHOWN.

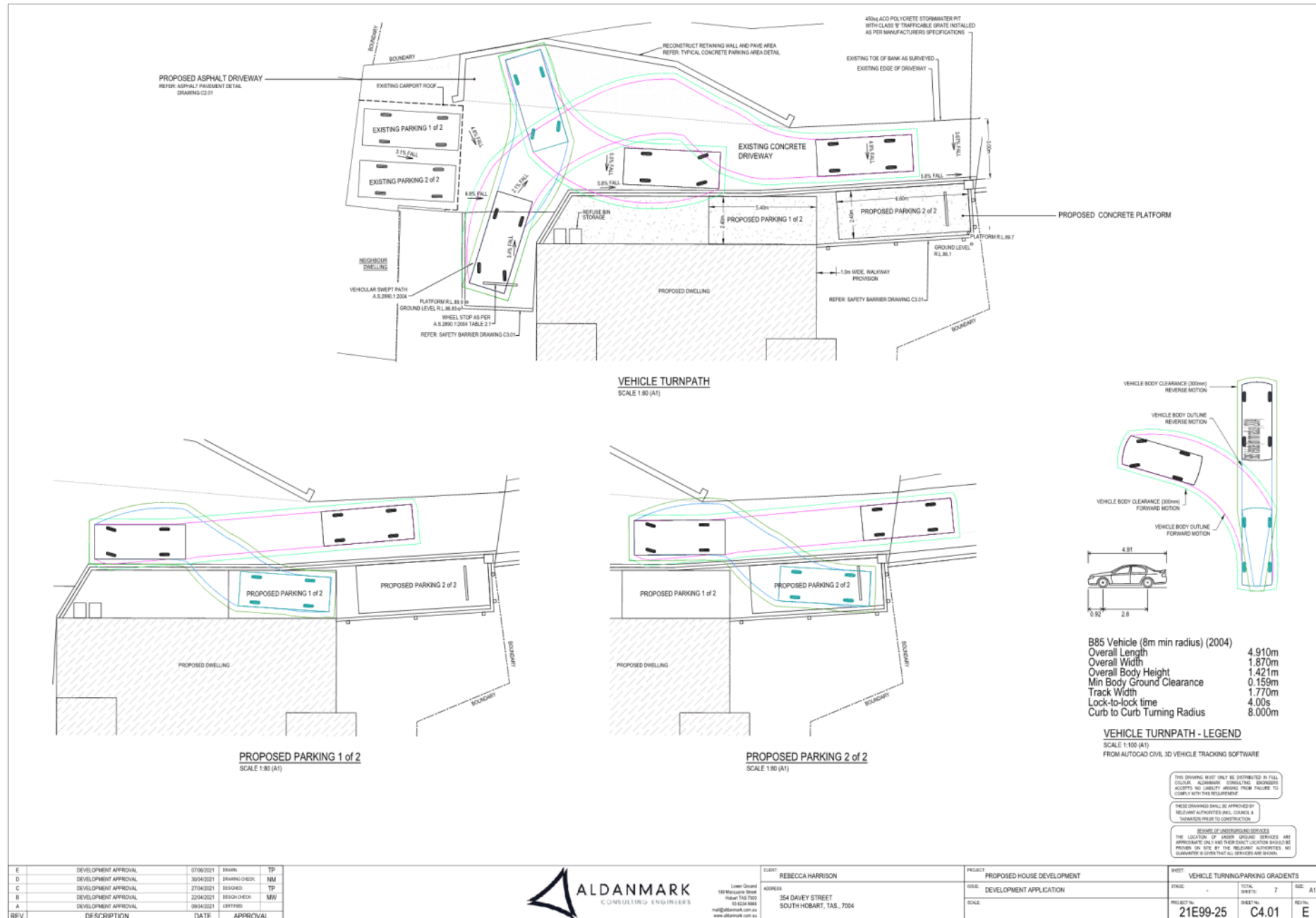
				DRAWN	TP
				DRAWING CHECK	NM
				DESIGNED	TP
B	DEVELOPMENT APPROVAL	22/04/2021		DESIGN CHECK	MW
A	DEVELOPMENT APPROVAL	09/04/2021		CERTIFIED	MW
REV.	DESCRIPTION	DATE		APPROVAL	



CLIENT:	REBECCA ANNE HARRISON
ADDRESS:	354 DAVEY STREET SOUTH HOBART, TAS., 7004

PROJECT:	PROPOSED HOUSE DEVELOPMENT
ISSUE:	DEVELOPMENT APPROVAL
SCALE:	

SHEET: SAFETY BARRIER			
STAGE:	TOTAL SHEETS	7	SIZE: A1
PRODUCT No: 21E99-25	SHEET No: C3.01	REV.No: B	





















## Application Referral Cultural Heritage - Response

<b>From:</b>	Allie Costin&nbsp;
<b>Recommendation:</b>	Proposal is acceptable subject to conditions.
<b>Date Completed:</b>	
<b>Address:</b>	354 DAVEY STREET, SOUTH HOBART 5 LYNTON AVENUE, SOUTH HOBART 3 A LYNTON AVENUE, SOUTH HOBART
<b>Proposal:</b>	Two Multiple Dwellings (One Existing, One New)
<b>Application No:</b>	PLN-21-13
<b>Assessment Officer:</b>	Adam Smee,

### Referral Officer comments:

Number 354 Davey Street is a heritage listed place in Table E13.1 of HIPS 2015, and is also located within the South Hobart 7 Heritage Precinct. The proposal must be assessed against E13.7 Development Standards for Heritage Places, and E13.8 Development Standards for Heritage Precincts.

### Introduction:

Number 354 Davey Street is a Victorian Italianate brick residence that presents as one storey at the street level and two at the rear. The house is located on a prominent corner on Davey Street; however only the upper level and roof section of the house can be clearly seen from the streetscape, due to a high brick wall and the building's positioning below the street. The land slopes steeply away from the Davey Street boundary and, on entering the property, the impressive scale of the residence becomes more apparent. The residence is thought to have been built around 1890 and, until recently, was in the ownership of the Clemente family who owned it for around 60 years. Dr John Clemente was a surgeon and long-standing HCC alderman.





( 354 Davey Street Google street view October 2018)



( 354 Davey Street Google street view October 2018)

*The South Hobart 7 Heritage Precinct is significant for reasons including:*

- 1. The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.*
- 2. The intactness of the streetscape and buildings.*
- 3. The fine garden settings.*
- 4. The street's continuing representation of the best housing and the social importance of this elevated street in Hobart.*

**Proposal:**

- The proposal is for the construction of an additional dwelling in the rear garden of the property at 354 Davey Street.
- The proposed dwelling is on the lower side of the block where it drops away. Nearby are multi unit developments on the lower and side boundary with access off Waterworks Road and Lynton Avenue. The block is orientated in an easterly, south-easterly direction overlooking Sandy Bay.
- The proposed dwelling is single storey but has an elevated floor level in response to the steep gradient of the site.
- The dwelling has a footprint of approximately 190m<sup>2</sup>. Vehicular access to the development would be via an existing driveway off Lynton Avenue within a right of way over the properties at 3A Lynton Avenue and 5 Lynton Avenue.

**Representations:**

There were six (6) representations received during the advertising period, all six were against the proposal and raised heritage concerns. Some representations raise concerns of impacts to adjacent heritage listed properties – adjacency is not applicable under the Heritage Code in this instance, and does not form part of this assessment. Some representations also refer to the City of Hobart Heritage Precinct review 'City of Hobart Local Heritage Precincts January 2019'. This is a document related to the proposed Tasmanian Planning Scheme and will not form part of this assessment which is assessed against the Historic Heritage Code of the *Hobart Interim Planning Scheme 2015*.

Representations have been summarised below:

- The proposal does not comply with the performance criteria due to the design and siting of the buildings resulting in detriment to the historic cultural heritage significance of the precinct, through excessive height, non-contributory design, and lack of integration into the slope similar to existing adjacent non-heritage buildings.
- The design of the building presented in this DA is not sympathetic to the surrounding heritage

houses and is detrimental to the historic cultural heritage significance of the precinct.

- The level of elevation of this building projects it as a strong visually prominent structure in the landscape
- This development would significantly impact on the heritage values of this Heritage Precinct SH7 (Upper Davey Street)
- The design and siting of the buildings results in detriment to the historic cultural heritage significance of the precinct through excessive height, non-contributory design, and lack of integration into the slope.

**Assessment:****Demolition**

There is no proposed demolition of heritage fabric. There is proposed removal of non-significant vegetation (refer to figures 1, and 2 below) and minor earthworks associated with the driveway and new dwelling foundations as well as the part demolition and reconstruction of an existing retaining wall. This work is exempt under Clause E13.4.1 (a), (b) and (k) of the Historic Heritage Code of the Scheme.



(Figure 1 - Rear Garden of 354 Davey Street. Image source: Council Heritage Officer)





(Figure 2 - Rear Garden of 354 Davey Street. Image source: Council Heritage Officer.)

#### **E13.7.2 Buildings and Works other than Demolition**

##### *Objective:*

*To ensure that development at a heritage place is:*

- (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and*
- (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.*

##### **Performance Criteria 1**

*Development must not result in any of the following:*

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

The proposed new dwelling is set back approximately 45m from the frontage of Davey Street, and approximately 25 metres from the rear of the existing residence (refer to figure 3 below). The severely sloping gradient of the site means the siting, height, and form of the proposal will have a minimal impact upon the significance of listed property. The existing established side and rear terraced garden of the house near Davey Street will continue to provide appropriate curtilage for the heritage listed residence. There will be no loss of significant or substantial diminution of landscape elements that contribute to the heritage character of 354 Davey Street. Performance Criteria 1 of E13.7.2 is considered satisfied.



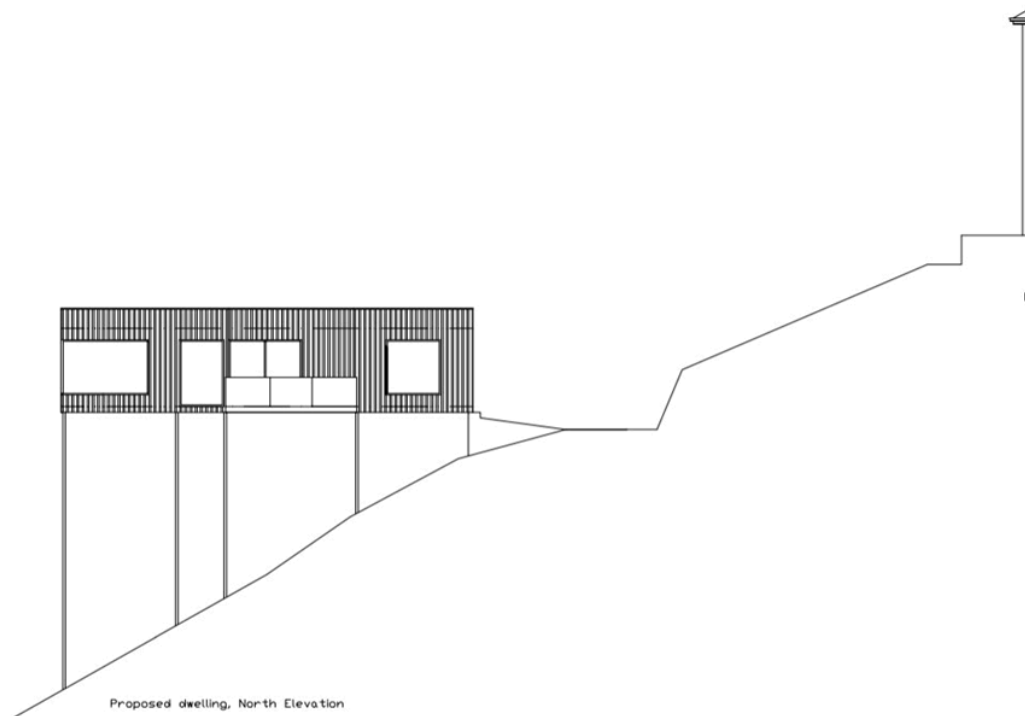
( Figure 3 - The red X shows where proposed new dwelling is to be situated. Image source: Council GIS)

#### **Performance Criteria 2**

*Development must be designed to be subservient and complementary to the place through characteristics including:*

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*
- (c) siting with respect to buildings, structures and listed elements;*
- (d) using less dominant materials and colours.*

As discussed above the proposed dwelling is located approximately 45m from the frontage of Davey Street, and approximately 25 metres behind the existing residence. In addition to these setbacks the proposed dwelling will be positioned below the ground level of the existing residence (refer to figure 4 below). Parts (b) and (c) of Performance Criteria 2 are considered satisfied.



(Figure 4 shows the ground level of Davey Street, the siting of the existing residence situated slightly below Davey Street, and the proposed new dwelling set back and below the ground level of the existing residence. Image source: Advertised DA documents)

In regards to (a) and (d) of E13.7.2 P2, the flat roof form the proposed dwelling is appropriate as it minimises the structure's visual impact by allowing the roofline of the proposal to be positioned below the ground line of the existing residence. As a result, the proposal is subservient due to the flat roof and the positioning of the built form along the lower portion of the sloping site. The proposed materials are contemporary in nature and the new dwelling will draw on the surrounding context of the modern Waterworks Road and Lynton Avenue developments built on the same sloping hillside directly below and adjacent the proposed site of the new dwelling. Parts (a) and (d) of E13.7.2 P2 are considered satisfied.

### **Performance Criteria 3**

*Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.*

The new dwelling will be readily identifiable as a contemporary structure and will relate more in regards to location and design to the modern properties in Waterworks Road and Lynton Ave than historic Davey Street. Given the new dwelling will have no visual presence within Davey Street the proposed materials and colours are considered appropriate in this context, and will have no impact upon the heritage significance of 354 Davey Street. Performance Criteria 3 of E13.7.2 is considered satisfied.

### **E13.8 Development Standards for Heritage Precincts**

#### **Demolition**

There is no proposed demolition of heritage fabric of significance to the South Hobart 7 Heritage Precinct. There is proposed removal of non-significant vegetation (refer to figures 1, and 2) and earthworks associated with the driveway and new dwelling foundations as well as the part demolition and reconstruction of an existing retaining wall. This work is exempt under Clause E13.4.1 (n) of the Historic Heritage Code of the Scheme.

#### **E13.8.2 Buildings and Works other than Demolition**

*Objective:*

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

#### **Performance Criteria 1**

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

In regards to the relevant statements of significance for the precinct the proposed new dwelling will have no impact upon the 'intactness of the streetscape and buildings'. The location of the proposal situated far from the Davey Street frontage and the sloping topography of the area means there will be no visibility of the proposed new dwelling from the streetscape. The proposal is likely to be partially visible from the bottom section of Kooyong Glen roadway through the vacant lot of number 14 – however the proposal will blend in with the existing modern houses that have access from Waterworks Road and the more recent house next door and built at 356 Davey Street. This view is not part of the streetscape.

'The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.' There are no changes or alterations occurring and the original residence or streetscape qualities of the property, the historic character and architectural features of the property will remain intact.

'The fine garden settings' the residence will retain the existing established side and rear terraced garden (refer to figures 5, and 6), this will continue to provide appropriate curtilage for the listed residence and is in keeping with the house and garden setting of the precinct.

The design and siting of the proposal will not cause detriment to the significance of the South Hobart 7 Heritage Precinct. Performance Criteria 1 of E13.8.2 is considered satisfied.







(Figures 5 and 6 - existing established side and rear garden of 354 Davey Street. Image Source: Council Heritage Officer)

In conclusion it is considered that the proposal satisfy the relevant provisions (E13.7.2 P1, P2, P3 and E13.8.2 P1) of the Historic Heritage Code of the *Hobart Interim Planning Scheme 2015*.

Allie Costin  
7 July 2021

Reviewed  
Sarah Waight  
Senior Cultural Heritage Officer  
8 July 2021

**7.1.2 76 LIVERPOOL CRESCENT AND 78 LIVERPOOL CRESCENT,  
WEST HOBART AND ADJACENT ROAD RESERVE - TEMPORARY  
DWELLING, DWELLING AND ASSOCIATED WORKS  
PLN-21-335 - FILE REF: F21/64955**

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Address:	76 Liverpool Crescent and 78 Liverpool Crescent, West Hobart and Adjacent Road Reserve
Proposal:	Temporary Dwelling, Dwelling and Associated Works
Expiry Date:	20 July 2021
Extension of Time:	Not applicable
Author:	Victoria Maxwell

***RECOMMENDATION***

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for temporary dwelling, dwelling, and associated works at 76 Liverpool Crescent West Hobart TAS 7000, 78 Liverpool Crescent West Hobart TAS 7000 and adjacent road reserve for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-335 76 Liverpool Crescent West Hobart TAS 7000, 78 Liverpool Crescent West Hobart TAS 7000 and adjacent road reserve - 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 2021/00823-HCC dated 02/06/2021 as attached to the permit.

**Reason for condition**

To clarify the scope of the permit.

PLN s1

The use and construction works for the development must be carried out in accordance with the two stages listed below:

Stage 1:

- conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder;
- construction of two car parking spaces within No.76;
- cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation; and
- other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMCO railing.

Stage 2:

- construction of a new two bedroom house.
- once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.

Reason for condition

To allow the applicant to inhabit the outbuilding for the period of time required to construct the proposed new dwelling, by clarify the timing for conditions of the permit.

PLN s2

Within six (6) weeks of the date of the conclusion of Stage 1, the following works must be completed pertaining to the outbuilding;

1. removal of the kitchen and laundry facilities,
2. submission of photographic evidence demonstrating the removal of the kitchen and laundry facilities.

Reason for the condition

To ensure that the development complies with the definition of Residential - Single Dwelling.

PLN s3

Stage 2 must be completed within two (2) years of the date of this permit.

*Advice:*

*This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the Land Use Planning Approvals Act 1993 are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.*

Reason for condition

To ensure the temporary occupancy of the outbuilding for residential purposes.

ENG sw1

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

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

*Advice:*

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

Reason for condition

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

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running

off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

*Advice:*

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

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

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS 170.1:2002, must be submitted to Council as a Condition Endorsement.

*Advice:*

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

Reason for condition

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



## ENG 2c

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

*Advice:*

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

## Reason for condition

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

## ENG 3a

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

*Advice:*

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

## Reason for condition

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

## ENG 3b

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

*Advice:*

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

*It is 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.*

*The parking module plans for 78 Liverpool Crescent submitted to the Council on 31/01/2012 by Aldanmark (09E02-9 01, C02 and c03) have previously been approved and would be deemed suitable.*

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 is two (2).

#### 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.

#### ENG r1

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

Detailed design drawings, structural certificates and associated geotechnical assessments of the vehicle barriers within the Liverpool Crescent highway reservation must be submitted and approved as a Condition Endorsement, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation; and
3. Take into account any additional surcharge loadings as required by relevant Australian Standards.

The structure certificated and/or drawings should note accordingly the above.

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

*Advice:*

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

Reason for condition

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

ENG r4

Vehicle crash barriers with the Liverpool Crescent highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT –Tasmanian Standard Drawings must be installed or modified as per the plans prior to the first occupation.

A certified design/report prepared by a suitably qualified engineer, to satisfy the above requirements, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

## ENV 8

All risk mitigation recommendations in section 7 of the Landslide Risk Assessment report by Geo-Environmental Solutions P/L dated December 2020 and received by the Planning Authority on 18 May 2021 must be implemented including:

- Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This must be confirmed by the site engineer.
- Foundations must be designed to account for the highly reactive clays on site (Ys values of 40-60mm).
- Stormwater from the proposed development must be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway).
- All cuttings >0.5m on site must be retained by suitably designed retaining walls. Cuts < 0.5m should have batter angles not exceeding
- 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits.
- All earthworks on site must comply with *AS3798-2007* and a sediment and erosion control plan should be implemented on site during and after construction.
- Aggregate toe drains must be included into the design along the base of all cuttings. A cut-off drain must be installed above the development to intercept surface water away from the residential development and any cutting/retaining wall faces.
- Due to the steep site slopes, fill placed on site should not exceed 0.5m in height and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls.



- Prior to placement of fill all topsoil should be stripped from the fill pad footprint and benches should be keyed into the slope.
- The proposed development must be constructed in accordance with the Australian Geomechanics Society (2007) *Guidelines for Good Hillside Construction Practices*.

#### Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

#### ENV 2

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

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

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

#### Advice:

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

#### Reason for condition

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

## OPS s1

Prior to the issuing of any approval under the *Building Act 2016* or works commencing on-site, whichever occurs first, an arborist assessment and tree protection plan must be prepared by a suitably qualified and experienced person. The tree protection plan must specify all measures required to prevent significant damage to the two eucalypts within the road reserve adjacent to the driveway. The tree protection plan must be submitted and approved as a Condition Endorsement. All works must be undertaken in accordance with the approved Tree Protection Plan.

*Advice:*

*Once the tree protection plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). It is recommended that the tree protection plan 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.*

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

## Reason for condition

To ensure that the amenity of the area is maintained and that works are undertaken in accordance with the City of Hobart Street Tree Strategy 2017 and Australian Standard AS 4970 *Protection of Trees on Development Sites*.

**ADVICE**

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

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

### **BUILDING PERMIT**

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

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

### **PLUMBING PERMIT**

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

### **OCCUPATION OF THE PUBLIC HIGHWAY**

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

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

### **PLANNING**

This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the *Land Use Planning Approvals Act 1993* are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.

**WORK WITHIN THE HIGHWAY RESERVATION**

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

**DRIVEWAY SURFACING OVER HIGHWAY RESERVATION**

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

**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.


**FEES AND CHARGES**

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

**DIAL BEFORE YOU DIG**

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

Attachment A: PLN-21-335 - 76 LIVERPOOL CRESCENT WEST  
HOBART TAS 7000 - Planning Committee or  
Delegated Report ↓ 

Attachment B: PLN-21-335 76 LIVERPOOL CRESCENT WEST  
HOBART TAS 7000 - CPC Agenda Documents ↓  


**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Committee: 19 July 2021  
Expiry Date: 20 July 2021  
Application No: PLN-21-335  
Address: 76 LIVERPOOL CRESCENT , WEST HOBART  
78 LIVERPOOL CRESCENT , WEST HOBART  
ADJACENT ROAD RESERVE  
Applicant: (Emil Kavic C/- All Urban Planning Pty Ltd)  
19 Mawhera Avenue  
Proposal: Temporary Dwelling, Dwelling, and Associated Works  
Representations: Nil  
Performance criteria: Low Density Residential Zone Development Standards, Landslide Code,  
Parking and Access Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Temporary Dwelling, Dwelling, and Associated Works at 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE.

## 1.2 More specifically the proposal includes:

- staged application to allow temporary occupation of the existing outbuilding for a period of time whilst the proposed dwelling is constructed,
- staging is proposed as follows;
- Stage 1 - Conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder.
- Stage 1 also includes:
  - construction of two carparking spaces within No.76;
  - cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation;and
- other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMCO railing.
- Stage 2 -
  - construction of a new two bedroom house.
  - once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.
- no works are required within the outbuilding as it is already being occupied without planning approval,
- excavation to a depth of 2.1m into the slope at the front boundary area to create two (2) new car spaces, with retaining walls on either side, incorporating pedestrian steps along the southern side,
- the dwelling will be stepped up the hill, being two storey at the front and single storey at the rear,
- the lower floor will contain a bedroom, ensuite and walk in robe behind the entrance,
- the upper floor will contain another bedroom and ensuite, with a spacious kitchen, living and dining area and study adjacent to the internal staircase,
- on the western side a two storey tower-like structure will house heat pumps on each floor, as well as a WC on the upper floor,
- external stairs are proposed along the eastern side of the house, with a paved and walled courtyard on the northern side of the dwelling for private open space,
- sliding doors will access this courtyard from the living space, with bi-fold window hatch from the kitchen to an external shelf to facilitate outdoor dining,
- engineering works will be required to upgrade the driveway and hardstand area within the Liverpool Cr road reserve,
- a new parking space will be cut into the frontage of 78 Liverpool Cr to enable shared access of the private driveway up the ramp off the Liverpool Cr road pavement.



- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Low Density Residential Zone - Building Envelope and front setback
  - 1.3.2 Parking and Access Code - Design of Vehicle Access and Layout of Parking Areas
  - 1.3.3 Landslide Code - Major works on landslide prone land
- 1.4 No representations were received during the statutory advertising period between 15th to 29th June 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because the proposal includes works within the road reserve.

## 2. Site Detail

- 2.1 The site is located on the northern side of Liverpool Crescent. Surrounding uses are single dwellings on large south facing, narrow and steeply sloping lots.



Figure 1: Location Plan (Geo Cortex, 2021)

- 2.2 The site falls southward 24m over 71.5m (less than 1:3), down to an elevated platform above the road pavement for Liverpool Crescent. On the eastern boundary the Fenton Line water main runs up the hill within a 3.5m wide easement.



Figure 2: Site Plan (Geo Cortex, 2021)

- 2.3 The site is cleared and put down to grass, except for some remnant shrubs at the top of the site. The existing outbuilding with decks and smaller sheds is located centrally on the lot, some 27m from the rear boundary. It is accessed by an informal stepped path from the access platform that extends beyond the original access to 78 Liverpool Cr to the west.



Figure 3: View of site from retained driveway (Officer photo, 2021)

- 2.4 The western neighbour originally gained approval to construct an access to their lot from a shared entrance onto Liverpool Cr in 1996. The plans inaccurately located the front boundary adjacent to the road pavement, not the actual 13 metres off the pavement. A driveway was constructed for 78 Liverpool Cr, with a concrete pavement that connects to the shared driveway to western properties of 80 and 82 Liverpool Cr.





Figure 4: View west of retained driveway within road reserve (Officer photo 2021)



Figure 5: view of existing concrete pavement in front of 78 Liverpool Cr within road reserve (Officer photo, 2021)

- 2.5 As part of the approval of the original dwelling for the subject site, the driveway constructed by 78 Liverpool Cr was extended with a substantial gabion wall installed to support the platform above the public road pavement. Currently this portion of road reserve above the gabion wall is being occupied by the applicant with firewood, netted plants, etc. There is a stormwater connection to the subject site underneath the driveway platform, connecting to an open drain that runs down the slope of the road reserve and into the grated pit on the side of Liverpool Cr road pavement.



Figure 6: View of Parking platform from Liverpool Cr, showing gabion wall (Officer photos, 2021)

### 3. Proposal

- 3.1 Planning approval is sought for Temporary Dwelling, Dwelling, and Associated Works at 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE.



## 3.2 More specifically the proposal includes:

- staged application to allow temporary occupation of the existing outbuilding for a period of time whilst the proposed dwelling is constructed,
- staging is proposed as follows;
- Stage 1 - Conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder. Stage 1 also includes:
  - construction of two carparking spaces within No.76;
  - cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation;and
  - other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMCO railing.
- Stage 2 -
  - Construction of a new two bedroom house.
  - Once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.
- no works are required within the outbuilding as it is already being occupied without planning approval,
- excavation to a depth of 2.1m into the slope at the front boundary area to create two (2) new car spaces, with retaining walls on either side, incorporating pedestrian steps along the southern side,
- the dwelling will be stepped up the hill, being two storey at the front and single storey at the rear,
- the lower floor will contain a bedroom. ensuite and walk in robe behind the entrance,
- the upper floor will contain another bedroom and ensuite, with a spacious kitchen, living dining area and study adjacent to the internal staircase,
- on the western side a two storey tower-like structure will house heat pumps on each floor, as well as a WC on the upper floor,
- external stairs are proposed along the eastern side of the house, with a paved and walled courtyard on the northern side of the dwelling for private open space,
- sliding doors will access this courtyard from the living space, with bi-fold window hatch from the kitchen to an external shelf to facilitate outdoor dining,
- engineering works will be required to upgrade the driveway and hardstand area within the Liverpool Cr road reserve,
- a new parking space will be cut into the frontage of 78 Liverpool Cr to enable shared access of the private driveway up the ramp off the Liverpool Cr road pavement.

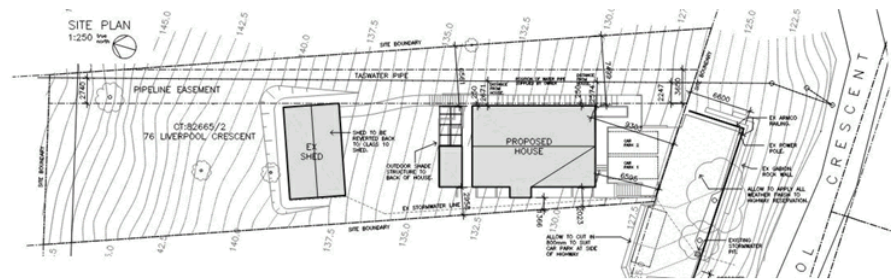


Figure 7: Applicant Site Plan (Steven Spizick Architect, 2021)

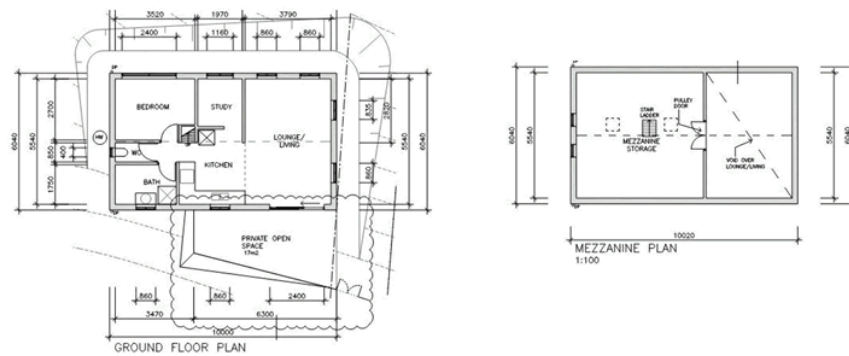


Figure 8: Outbuilding Floor Plans (Steven Spizick Architect, 2021)

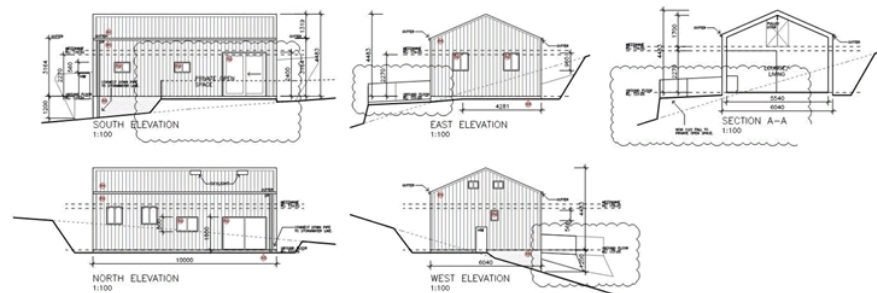


Figure 9: Shed Elevations (Steven Spizick Architect, 2021)

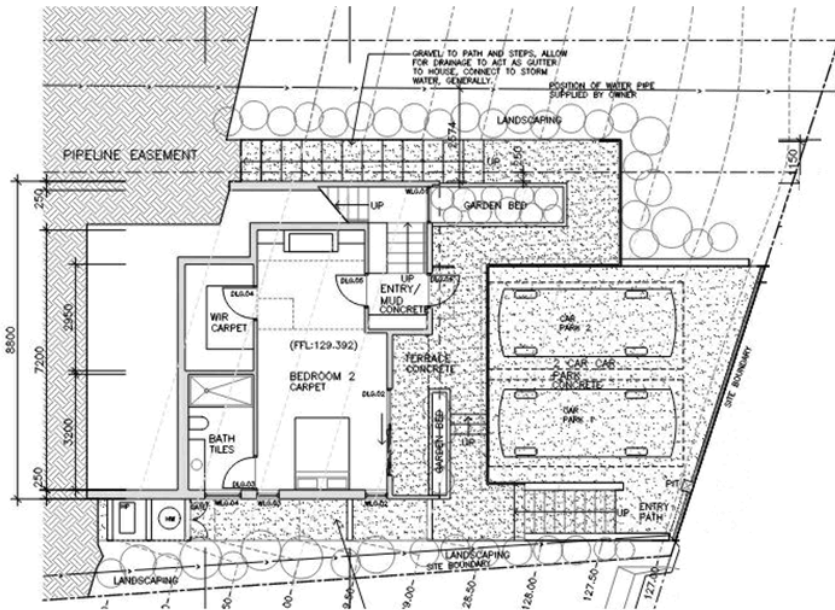


Figure 9: Lower floor for main dwelling (Steven Spizick Architect, 2021)

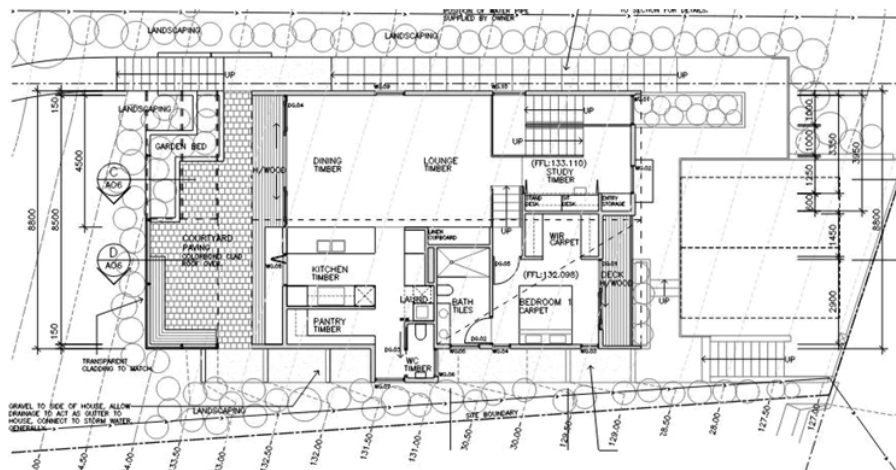


Figure 10: Upper Floor Main Dwelling (Steven Spizick Architect, 2021)

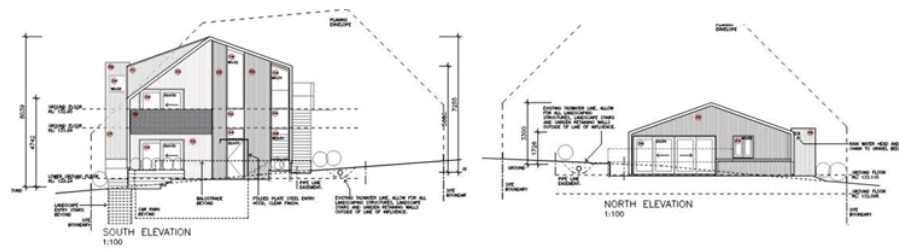


Figure 11: Front (South) and Rear (North) elevations of main dwelling (Steven Spizick Architect, 2021)

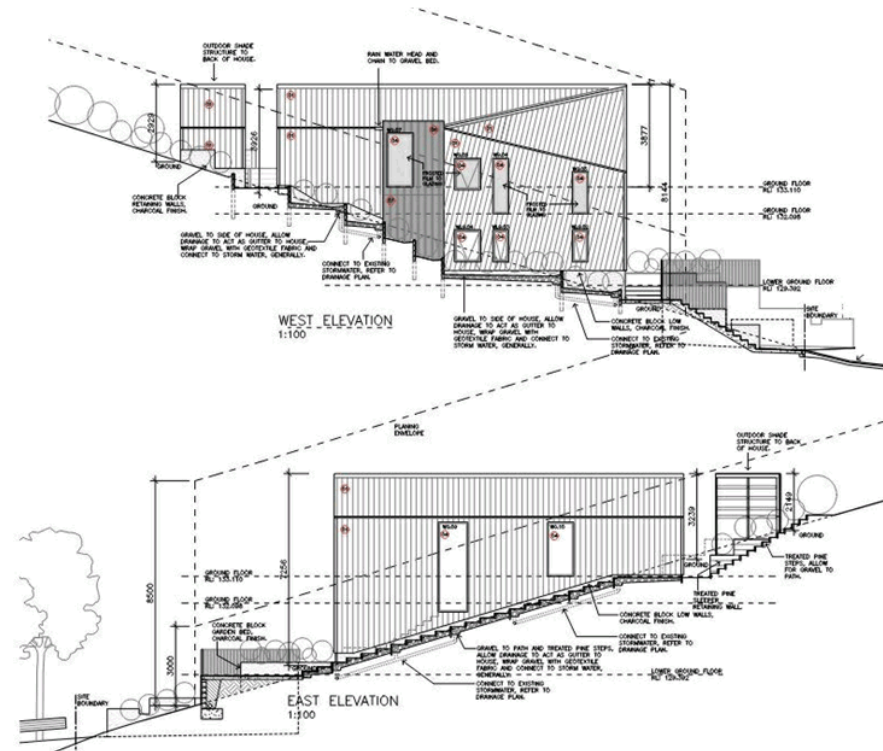


Figure 12: Side Elevations of Main Dwelling Steven Spizick Architect, 2021)

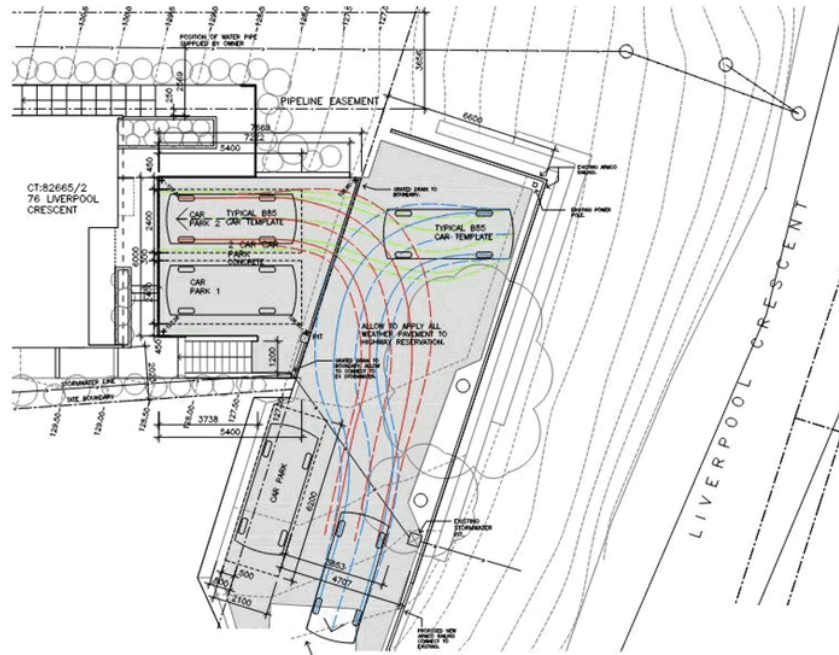


Figure 13: Turning Arcs for car spaces (Steven Spizick Architect, 2021)

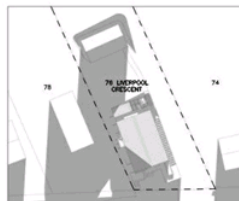
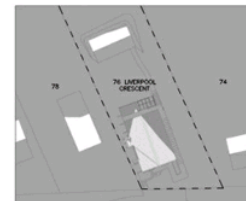
SHADOW DIAGRAM  
N.T.S (9am 21st JUNE)SHADOW DIAGRAM  
N.T.S (12 noon 21st JUNE)SHADOW DIAGRAM  
N.T.S (3pm 21st JUNE)

Figure 14: Sunshade diagrams 21st June (Steven Spizick Architect, 2021)

#### 4. Background

- 4.1 PLN-04-00916-01 applied for a dwelling on site. Council refused the application, which was then appealed and through mediation, the proposal was able to be granted a permit. The proposal did not proceed and the application lapsed.

PLN-10-00018-01 was approved in 2010 for a dwelling, outbuilding and parking space. That application was extended and amended to reorient the rear outbuilding. The outbuilding was constructed, but not the dwelling. A building application, BLD-10-00018-01 was lodged for the outbuilding, but never gained a Completion Certificate. Therefore, enforcement action was commenced in 2017 (ENF-17-254) after confirmation that the applicants were living within the shed. Further enforcement action (ENF-19-320) was commenced when it was found that the outbuilding was still being used for residential purposes. The gabion wall was installed as part of this application.

- 4.2 The applicants lodged PLN-20-776 late last year to gain approval for to occupy the shed. This remained on hold for many months, awaiting further information. In the meantime, a further application was received, PLN-20-794 for a new dwelling at the front of the lot. This proposed parking on the ramp constructed above the gabion wall, which is within the road reserve. The applicants were advised that General Managers consent was required for the road works and use within the road reserve. The application for General Managers consent (GMC-20-88) was refused, so the applicants withdrew PLN-20-794 also.

- 4.3 A further application was lodged, PLN-21-117, for a new dwelling at the front of the lot with parking within the site, in front of the dwelling. This is the same plan as the current application. These plans also showed works on the neighbouring property and the road reserve and was found to be invalid. Because the proposal still proposed works within the road reserve, GMC was again required. As well, there was confusion over the approval of both PLN-20-794 to legalise the outbuilding as a dwelling and separately approve the main dwelling (a potentially second dwelling on site). Consequently, both applications were withdrawn and a staged application was lodged upon the granting of GMC-21-27 for the lesser works within the road reserve. This is the current application.

## **5. Concerns raised by representors**

- 5.1 No representations were received during the statutory advertising period between 15th to 29th June 2021.

## **6. Assessment**



- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Low Density Residential zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is an Outbuilding. The proposed use is Residential - Single Dwelling. The existing use is illegal (being occupied without a valid permit). The proposed use is a No Permit Required use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 12.0 Low Density Residential Zone
  - 6.4.2 E6.0 Parking and Access Code
  - 6.4.3 E7.0 Stormwater Management Code
  - 6.4.4 E3.0 Landslide Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Low Density Residential Zone:
    - Front setbacks – Part D 12.4.2 P1*
    - Building envelope - Part D 12.4.2 P3*
  - 6.5.2 Parking and Access Code:
    - Design of Vehicle Access - E 6.7.2*
    - Layout of Parking Area - E 6.7.5*
  - 6.5.3 Landslide Code:
    - Major works within Landslide potential area - E 3.7.3*
- 6.6 Each performance criterion is assessed below.

## 6.7 Setback and Building Envelope Part D 12.4.2 P1

6.7.1 The acceptable solution at clause 12.4.2 A1 requires development to be setback 4.5m from a front boundary, unless a minor protrusion (being steps, porch, etc) that extend no more than 0.6m into the frontage setback.

6.7.2 The proposal includes construction of a retaining wall and steps 1.7m from the front boundary, these extend 2.78 metres into the front setback.

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

6.7.4 The performance criterion at clause 12.4.2 P1 provides as follows:

*A dwelling must:*

*(a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and*

*(b) have regard to streetscape qualities or assist the integration of new development into the streetscape.*

6.7.5 There is no uniform building line for dwellings in the vicinity of the subject site, as shown below.

72 Liverpool Cr - 4m

74 Liverpool Cr - 5m

78 Liverpool Cr - 20.6m

80 Liverpool Cr - 8.3m

All of these lots are setback more than fifteen (15) metres away from the edge of the road pavement with steep private shared accesses. This significant separation, as well as the elevated position of approximately five (5) metres above the road pavement, makes the proposed reduced setback of little consequence to the streetscape. The reduced setback is considered compatible with existing buildings, taking into account the slope and physical constraints on site.



Figure 15: View from road pavement of Liverpool Crescent (Google Streetview, 2021)

6.7.6 The proposal complies with the performance criterion.

6.8 Building Envelope Part D 12.4.2 P3

6.8.1 The acceptable solution at clause 12.4.2 A3 requires development to fit within a three dimensional building envelope which is setback 4.5m from the front boundary.

6.8.2 The proposal includes retaining structures and steps 1.7m from the front boundary and outside the front extent of the building envelope.

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

6.8.4 The performance criterion at clause 12.4.2 P3 provides as follows:

*The siting and scale of a dwelling must:*

*(a) not cause unreasonable loss of amenity by:*

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

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

*(iii) overshadowing of an adjoining vacant lot; or*

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

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

- 6.8.5 The southern neighbour 78 Liverpool Cr is located some 9 metres from the front boundary and 4.8 metres from the mutual side boundary. This provides a separation of approximately 7 metres from the main building. The tower like structure is 1.5m from the mutual boundary with a height above existing ground level of 4.5m. Floor plans for this neighbouring dwelling show that living space has north east facing windows on both ground and upper floors. Private open space is located to the north east of that dwelling, which is north of the proposed dwelling on the subject site.

Shadow diagrams show that the existing outbuilding on the subject site (approved in PLN-10-00018-01) already casts a shadow over 78 Liverpool Cr around midday. At 9am and 3pm on 21st June the hill to the north above all of these properties obscures the Sun, meaning that 78 Liverpool Crescent is overshadowed all day. The proposed dwelling does not exacerbate such overshadowing. Because this application is only seeking approval for a change of use of the outbuilding to a temporary habitable use of that structure, this is not development and so the impact upon the neighbour by the existing shed cannot be considered.

The visual impact of the proposed dwelling is considered acceptable, with the 7 metre separation between dwellings. They are located on a similar contour and the upper living spaces are also on a similar RL, meaning that the proposed dwelling will not tower over the living space or significantly dominate the sense of space from the living areas of private open space.

The neighbour to the east, 74 Liverpool Cr is located some 4 metres from the mutual eastern boundary. The proposed dwelling is setback some 3.5 metres from that boundary also, providing more than 7 metres separation. The sunshade diagrams suggest that whilst the proposed dwelling is located to the north west of that neighbour, again the existing hill above already shadows the eastern property and the impact from the new dwelling would be no greater than currently exists in the afternoon. Inspection of the building plans for 74 Liverpool Cr show that the living rooms are located on the eastern side of the dwelling. Therefore the proposal will not affect solar access to its living space. As well, the private open space for that neighbour gains direct sun at midday and again is not affected by the proposed dwelling.

Neighbours to the south across the road are some 8 metres below the subject site and 12 metres below the proposed main dwelling. Whilst the shadows in the morning and afternoon are long, due to the low angle of the sun, the shadows projected by the proposed dwelling should not cause any greater overshadowing than already is the case, because of the hill to the north. Shadow modelling also suggests that the midday shadow should not extend beyond the southern extent of the road pavement, allowing at three hours of sunlight on 21st June.

The visual impact of the proposed dwelling will be partially hidden by the 5 metre high embankment on Liverpool Cr for these neighbours also and is considered acceptable.

The proposed setbacks for the new dwelling are similar to adjacent properties and are considered to pursue a similar separation between neighbours that is compatible with the prevailing pattern of development in the vicinity.

The proposal is considered acceptable in this instance.

6.8.6 The proposal complies with the performance criterion.

6.9 Landslide - Major works within a an area of potential landslide - E 3.7.3 P1

6.9.1 There is no acceptable solution for 3.7.3.

6.9.2 The proposal includes significant excavation for the proposed new dwelling.

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

6.9.4 The performance criterion at clause 3.7.3 P1 provides as follows:

*Major works must satisfy all of the following:*

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

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

*(i) acceptable risk; or*

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

- 6.9.5 The application was referred to Council's Environmental Development Planner, who advised the following;

Approval is sought to temporarily change the use of an existing outbuilding to a dwelling and construct a new dwelling at 76 Liverpool Crescent, West Hobart.

#### Landslide Code

The Code applies because development is proposed within a Landslide Hazard Area (Low Landslide Hazard Area). The land is in a LHA due to the modelled susceptibility to deep-seated landslide (source area).

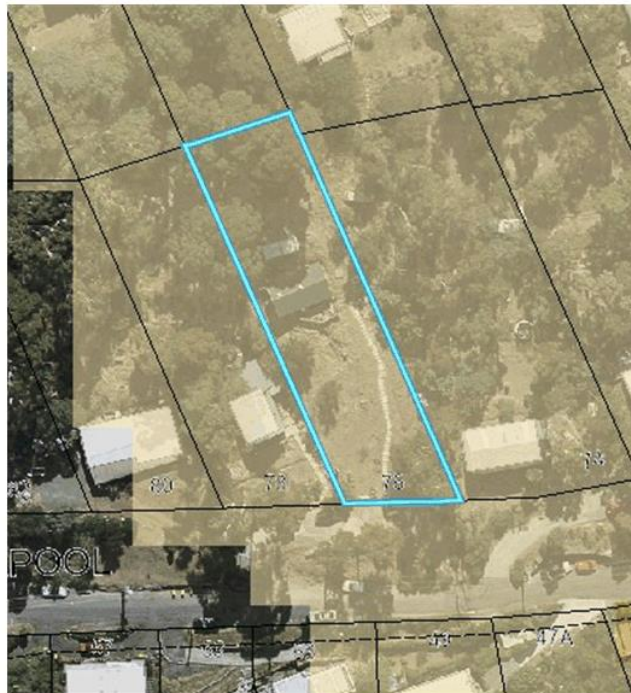


Figure 16: Landslide overlay plan (geo Cortex, 2021)

The proposed new house is exempt pursuant to exemption clause E3.4(c), however the works are not exempt. Works for the new dwelling would involve significant excavation.

The relevant standards are under clause E3.7.3 'Major works'. There is no acceptable solution for A1. Performance criterion P1 states the following:

Major works must satisfy all of the following:



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

(b) the landslide risk associated with the 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 works are proposed within a High Landslide Hazard Area in conformity with P1(a).

With regard to landslide risk, a landslide risk management report was submitted with the application.

The landslide assessment concluded:

untreated risk to property from shallow earth slide and deep-seated earth slide was 'moderate' but could be reduced to 'low' with standard risk treatment measures; and

treated risk to life from shallow earth slide and deep-seated earth slide was 'acceptable'.

The exercise of discretion is recommended subject to a condition requiring the implementation of the report's risk treatment recommendations.

6.9.6 The proposal complies with the performance criterion.

6.10 Parking and Access Code - Design of Vehicle Access - E 6.7.2 P1

6.10.1 The acceptable solution at clause 6.7.2 requires sight distance triangles at the front of the vehicle entry onto the public road to be kept clear of obstructions to visibility.

6.10.2 The proposal includes retaining walls that will intrude into the sight distance triangles.

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

6.10.4 The performance criterion at clause 6.7.2 P1 provides as follows:

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

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

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

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

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.7.2 (a) [sight distance: 2m x 2.5m sight triangles - These areas to be kept clear of obstructions to visibility] and as such, shall be assessed under Performance Criteria.

Acceptable Solution - A1: - NON COMPLIANT

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

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

Performance Criteria - P1:

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

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; - Acceptable, submitted documentation appears to satisfy this requirement
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; - Acceptable, submitted documentation appears to satisfy this requirement
- (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Acceptable, submitted documentation appears to

satisfy this requirement

(d) ease of accessibility and recognition for users. - Acceptable, submitted documentation appears to satisfy this requirement

Based on the above assessment and given the submitted documentation, sight lines that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic on the road from which the property gains access.

Surrounding properties exhibit similar access provisions.

6.10.6 The proposal complies with the performance criterion.

6.11 Parking and Access Code - Layout of Parking Areas - E 6.7.5 P1

6.11.1 The acceptable solution at clause 6.7.5 requires parking space and transition gradients of no more than 5% and 12.5% respectively.

6.11.2 The proposal do not indicate these gradients.

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

6.11.4 The performance criterion at clause 6.7.5 P1 provides as follows:

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

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

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

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

Acceptable Solution A1: - NON COMPLIANT

The layout of car parking spaces, access aisles, circulation roadways and

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

- Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m Class 1A): - Submitted documentation appears able to satisfy this requirement
- Car Parking Space Design Envelope (AS2890.1 Fig 5.2 300mm clearance on side): - Submitted documentation appears able to satisfy this requirement
- Headroom: (AS2890.1 Fig 5.3 = 2.2m clearance): - N/A
- Parking Space Gradient (5%): - Not Provided
- Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): - Submitted documentation appears able to satisfy this requirement
- Garage Door Width & Apron (AS2890.1 Fig 5.4 = 2.4m wide => 7m wide apron): - N/A
- Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): - Not Provided
- Driveway Gradient & Width (AS2890.1 Section 2.6 = 25% and 3m):  
- Submitted documentation appears able to satisfy this requirement
- Transitions (AS2890.1 Section 2.5.3 = 12.5% summit, 15% sag => 2m transition): - Not Provided
- Vehicular Barriers (AS2890.1 Section 2.4.5.3 = 600mm drop, 1:4 slope): - Submitted documentation appears able to satisfy this requirement.
- Blind Aisle End Widening (AS2890.1 Fig 2.3 = 1m extra): - N/A
- "Jockey Parking" (Performance Assessment): - N/A

Performance Criteria - P1:

The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and

manoeuvring on-site.

- Acceptable, submitted documentation appears to satisfy this requirement

6.11.6 The proposal complies with the performance criterion.

## **7. Discussion**

- 7.1 Planning approval is sought for Temporary Dwelling, Dwelling, and Associated Works at 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE.
- 7.2 The application was advertised and no representations were received.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.

Conditions have been imposed to manage timeframes for the temporary use of the outbuilding for residential purposes. The owners have been occupying the outbuilding for a number of years without a valid planning permit, which has led to enforcement action against such use. The applicant has requested temporary use of the outbuilding, whilst his clients construct the main dwelling. However, the applicant has not indicated any timeframe for the construction of the new dwelling and there is a risk that this approval could inadvertently permit ongoing occupation of the outbuilding with no mechanism to enforce the temporary nature of the approval.

Clause 8.11.2 of the Hobart Interim Planning Scheme 2015, allows the planning authority to impose conditions and restrictions on:

- (b) the staging of a use or development, including timetables for commencing and completing stages;*
- (c) the order in which parts of the use or development can be commenced;*
- (d) limitations on the life of the permit ...*

Given the existing and ongoing enforcement action pertaining to the residential use of the outbuilding, it is not a situation that Council should perpetuate unrestricted into the future. Therefore conditions are recommended to be imposed to limit the duration of the use of the outbuilding for residential purposes. It is considered that the normal two (2) year life of a permit is a reasonable period to time for the owners to undertake the necessary works to gain substantial commencement in the construction of the new dwelling. The applicants should be alerted to the fact that should this not occur within the allocated timeframe that this permit may not be extended, because unlike other permits, the applicant has proposed temporary use of the outbuilding and this temporary nature of the use must be noted.

- 7.4 the proposal includes works on 78 Liverpool Cr and the adjacent road reserve to allow sufficient room to pass vehicles on the aforementioned neighbouring property. Such works include excavation of a portion of the front bank of 78 Liverpool Cr. There are two mature eucalypts that may be at risk if insufficient distance is provided, so conditions are included for the protection of these council assets and provision of detailed engineering plans to specify the area of the parking area on 78 Liverpool Cr, as well as any extension in width of driveway pavement to enable passing of parked vehicles in the proposed parking area.



- 7.5 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Development Planner, Stormwater Engineer and Open Space Planner. The officers have raised no objection to the proposal, subject to conditions.

The application was also referred to TasWater regarding potential for impact on its major asset (the Fenton Line) along the eastern boundary. That office has provided conditions to be imposed on the permit to protect that asset.

- 7.6 The proposal is recommended for approval.

## 8. Conclusion

- 8.1 The proposed Temporary Dwelling, Dwelling, and Associated Works at 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Temporary Dwelling, Dwelling, and Associated Works at 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-335 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000, 78 LIVERPOOL CRESCENT WEST HOBART TAS 7000 and ADJACENT ROAD RESERVE - 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 2021/00823-HCC dated 02/06/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

### PLN s1

The use and construction works for the development must be carried out in accordance with the two stages listed below:

#### Stage 1:

- conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder;
- construction of two carparking spaces within No.76;

- cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation;
- and
- other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMC0 railing.

**Stage 2:**

- construction of a new two bedroom house.
- once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.

## Reason for condition

To allow the applicant to inhabit the outbuilding for the period of time required to construct the proposed new dwelling, by clarify the timing for conditions of the permit.

**PLN s2**

**Within six (6) weeks of the date of the conclusion of Stage 1, the following works must be completed pertaining to the outbuilding;**

1. removal of the kitchen and laundry facilities,
2. submission of photographic evidence demonstrating the removal of the kitchen and laundry facilities.

## Reason for the condition

To ensure that the development complies with the definition of Residential - Single Dwelling.

**PLN s3**

**Stage 2 must be completed within two (2) years of the date of this permit.**

*Advice: This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the Land Use Planning Approvals Act 1993 are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.*

## Reason for condition

To ensure the temporary occupancy of the outbuilding for residential purposes.

#### ENG sw1

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

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

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

Reason for condition

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

#### ENG 2a

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

*Advice:*

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

Reason for condition

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

#### **ENG 2b**

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

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

Reason for condition

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

#### **ENG 2c**

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

*Advice:*

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

Reason for condition

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

#### **ENG 3a**

**The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a**

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

*Advice:*

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

Reason for condition

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

### **ENG 3b**

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

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

*Advice:*

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



- *The parking module plans for 78 Liverpool Crescent submitted to Council on 31/01/2012 by Aldanmark (09E02-9 01, C02 and c03) have previously been approved and would be deemed suitable.*

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 is two (2).

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.

**ENG r1**

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

Detailed design drawings, structural certificates and associated geotechnical assessments of the vehicle barriers within the Liverpool Crescent highway reservation must be submitted and approved as a Condition Endorsement, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation; and
3. Take into account any additional surcharge loadings as required by relevant Australian Standards.

The structure certificated and/or drawings should note accordingly the above.

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

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

Reason for condition

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

#### **ENG r4**

Vehicle crash barriers with the Liverpool Crescent highway reservation compliant with the Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings must be installed or modified as per the plans prior to the first occupation.

A certified design/report prepared by a suitably qualified Engineer, to satisfy the above requirements, must be provided to the Council prior to the commencement of work.

All works, required by this condition must be undertaken in accordance with certified design/report. Upon completion the barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the

standard.

#### **ENV 8**

All risk mitigation recommendations in section 7 of the Landslide Risk Assessment report by Geo-Environmental Solutions P/L dated December 2020 and received by the Planning Authority on 18 May 2021 must be implemented including:

- Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This must be confirmed by the site engineer.
- Foundations must be designed to account for the highly reactive clays on site (Ys values of 40-60mm).
- Stormwater from the proposed development must be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway).
- All cuttings >0.5m on site must be retained by suitably designed retaining walls. Cuts < 0.5m should have batter angles not exceeding 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits.
- All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction.
- Aggregate toe drains must be included into the design along the base of all cuttings. A cut-off drain must be installed above the development to intercept surface water away from the residential development and any cutting/retaining wall faces.
- Due to the steep site slopes, fill placed on site should not exceed 0.5m in height and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls.
- Prior to placement of fill all topsoil should be stripped from the fill pad footprint and benches should be keyed into the slope.
- The proposed development must be constructed in accordance with the Australian Geomechanics Society (2007) *Guidelines for Good Hillside Construction Practices*.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

**ENV 2**

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

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

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

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

**Reason for Condition**

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

**OPS s1**

Prior to the issuing of any approval under the *Building Act 2016* or works commencing on-site, whichever occurs first, an arborist assessment and tree protection plan must be prepared by a suitably qualified and experienced person. The tree protection plan must specify all measures required to prevent significant damage to the two eucalypts within the road reserve adjacent to the driveway. The tree protection plan must be submitted and approved as a Condition Endorsement. All works must be undertaken in accordance with the approved Tree Protection Plan.

*Advice:*

- *Once the tree protection plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). It is recommended that the tree protection plan 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.*
- *This condition requires further information to be submitted as a Condition*

*Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

#### Reason for condition

To ensure that the amenity of the area is maintained and that works are undertaken in accordance with the City of Hobart Street Tree Strategy 2017 and Australian Standard AS 4970 *Protection of Trees on Development Sites*.

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

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



You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

## **PLANNING**

This application is granted as a temporary approval for use of the outbuilding for residential purposes. The applicant is alerted to the fact that extensions to the permit under Section 53(5A) of the *Land Use Planning Approvals Act 1993* are unlikely to be granted if the construction of the proposed dwelling and associated works are not substantially commenced within two (2) years of the date of this permit.

## **WORK WITHIN THE HIGHWAY RESERVATION**

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

## **DRIVEWAY SURFACING OVER HIGHWAY RESERVATION**

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

## **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.

## **FEES AND CHARGES**

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

## **DIAL BEFORE YOU DIG**

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





(Victoria Maxwell)

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



(Ben Ikin)

**Senior Statutory Planner**

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

Date of Report: 2 July 2021

**Attachment(s):**

Attachment B - CPC Agenda Documents

Planning: #231702

**Property**

76 LIVERPOOL CRESCENT WEST HOBART TAS 7000

**People**

Applicant

\*

Emil Kavic C/- All Urban Planning Pty Ltd

19 Mawhera Avenue  
SANDY BAY TAS 7005  
0400109582

frazer@allurbanplanning.com.au

Owner

\*

Emil Kavic C/- All Urban Planning Pty Ltd

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**

Single dwelling

**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.

\*

<input checked="" type="radio"/> No		
If this application is related to an enforcement action please enter Enforcement Number		
<b>Details</b>		
What is the current approved use of the land / building(s)? *		
existing outbuilding		
Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) *		
Staged development of a single dwelling (see attached letter)		
Estimated cost of development *		
400000.00		
Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
<b>Carparking on Site</b>		
		N/A
Total parking spaces	Existing parking spaces	<input type="checkbox"/> Other (no selection chosen)
2		
<b>Other Details</b>		
Does the application include signage? *		
<input type="radio"/> No		
How many signs, please enter 0 if there are none involved in this application? *		
0		
<b>Tasmania Heritage Register</b>		
Is this property on the Tasmanian Heritage Register? *		
<input checked="" type="radio"/> No		
<b>Documents</b>		
<b>Required Documents</b>		
Title (Folio text and Plan and Schedule of Easements) *		
Certificate of Title.pdf		
Plans (proposed, existing) *		
20.03 Kavic house 2021.04.04 stage 1 and 2 draft DA.pdf		
GM or Crown consent		
GMC-21-27 - 76 LIVERPOOL CRESCENT WEST HOBART TAS 7000 - Notice of Land Owner Consent to Lodge a Planning Application (including documentation).pdf		
Covering Letter		
76 Liverpool Crescent DA cover letter.pdf		
Landside Risk Assessment		
GES_76 Liverpool Crescent_Rep01_Rev01.pdf		



12 May 2021

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

Dear Ben

**Application for a planning permit for a single dwelling and associated within the road reserve works to facilitate access – 76 Liverpool Crescent and a parking space for 78 Liverpool Crescent.**

All Urban Planning Pty Ltd has been engaged by Emil Kavic to prepare an application for a planning permit for the construction of a single dwelling at the above site (CT 82665/2) and works to form a carparking space for the adjacent property at 78 Liverpool Crescent.

The owner of 78 Liverpool Crescent has been notified of the application and General Manager consent has been provided to make the application for the works within the road reservation.

**Proposal**

The proposal is in two stages:

*Stage 1 (temporary dwelling)*

Conversion of the existing outbuilding on 76 Liverpool Crescent for use as a single dwelling including 1 bedroom plus study and mezzanine storage space accessed by stair ladder. Stage 1 also includes:

- construction of two carparking spaces within No.76;
- cut along the front boundary of No. 78 to form a new parking bay for that property partly within the title and partly within the existing formed access on the Council road reservation; and
- other works to the access on the road reservation including sealing for an all weather surface and a 4.5m length extension to the existing ARMCO railing.

*Stage 2 (new dwelling and conversion of temporary dwelling to non habitable outbuilding)*

- Construction of a new two bedroom house.
- Once the new Stage 2 house is constructed and occupied the Stage 1 outbuilding dwelling will be converted back to a non habitable outbuilding.

**Planning Scheme**

The site is zoned Low Density Residential and is within designated Bushfire Prone and Low Landslide hazard areas.



### Use Standards

The proposal is for a temporary dwelling and then a permanent dwelling. The temporary dwelling will revert to a non-habitable building once the new house is occupied. The proposal is therefore for a single dwelling and a Permitted Use in the Zone.

There are no applicable Use Standards.

### Development Standards

#### Setbacks and building envelope (12.4.2)

Development Standard	Assessment
A1	complies
A2	complies
A3	complies

#### Site coverage and private open space (12.4.3)

Development Standard	Assessment
A1	Complies.  The existing outbuilding has a footprint of 60m <sup>2</sup> . The proposed dwelling and covered area over the private open space has an area of 125m <sup>2</sup> (13.2m x 8.8m = 116m <sup>2</sup> ) and (4m x 2.4m = 9.6m <sup>2</sup> ).  The total site cover of approximately 185m <sup>2</sup> equates to a site cover of approximately 15% on the 1250m <sup>2</sup> site.
A2	Complies. The new dwelling includes a rear courtyard area of at least 24m <sup>2</sup> with a minimum dimension of 4m (4.6m) and located on the northern side of the dwelling.

#### Sunlight and overshadowing (12.4.4)

Development Standard	Assessment
A1	The lounge and dining areas of both the existing and proposed dwellings have north facing windows.



A2	N/A the proposal is for a single dwelling only
A3	N/A the proposal is for a single dwelling only

*Width of openings for garages and carports (12.4.5)*

The proposal involves an open parking area and not a garage or carport. This standard does not apply.

*Privacy (12.4.6)*

<b>Development Standard</b>	<b>Assessment</b>
A1	Complies. The proposed deck areas of the new dwelling are screened within the reveal (side walls).
A2	Complies
A3	Complies

**Bushfire Prone Areas Code**

The proposal does not involve subdivision or a vulnerable or hazardous use and this Code does not apply (Clause E1.2).

**Landslide Code**

The requirements of this Code are addressed in the accompanying Landslide Risk Assessment prepared by GES.

**Parking and Access Code**

The proposal includes two carparking spaces that will be available for both the Stage 1 and Stage 2 dwellings.

**Conclusion**

The proposal seeks approval for the staged development of a single dwelling on the site involving initial conversion of the existing outbuilding for a temporary dwelling and then construction of a new dwelling at the front of the lot.


Once the new dwelling is occupied the outbuilding will revert to use as a non habitable building such that there will be a maximum of one dwelling on the site at anytime.

In my assessment the proposal demonstrates compliance with the planning scheme and should be approved.

**AllUrbanPlanning** PTY LTD

I would be pleased to discuss as necessary.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Frazer Read', with a large loop at the end.

Frazer Read  
**Principal**  
All Urban Planning Pty Ltd

**From:** [Frazer Read](#)  
**To:** [Victoria Maxwell](#)  
**Cc:** [steven spizick](#); "Kavic, Emil P"  
**Subject:** Further Information PLN-21-335 - 76 Liverpool Crescent  
**Date:** Monday, 31 May 2021 4:29:00 PM  
**Attachments:** [A01 - 20.03 Kavic house 2021.05.30 STAGE 1 DRAFT DA.pdf](#)  
[A02 - 20.03 Kavic house 2021.05.30 STAGE 1 DRAFT DA.pdf](#)

---

Hi Victoria, I refer to your request for further information 28 May 2021 and respond as follows and attach amended plans:

#### PLN Fi1

Refer to the attached updated drawings showing the updated POS with size and dimensions. It is submitted that the proposal satisfies Clause 12.4.3 P2 in that the proposed level area of private open space of 17m<sup>2</sup> directly adjacent to the living area of the stage 1 dwelling will be adequate to meet the reasonable needs of the occupants. The location at the eastern end of the southern face of the building will received good morning sunlight between 9am and 12pm.

#### Sw 6

In regards to the stormwater plan design information, please see below notes and explanations:

*Table 3.5.3.1f 5 minute duration rainfall intensities for Tasmania (NCC 2019 Vol 2)*  
*1 in 20-year rainfall Hobart = 85mm hour*  
*1 in 100-year rainfall Hobart = 116mm hour*

The roof area to each side of the house equates to 4.67m x 13.2m = 61.64m<sup>2</sup>. This means the gravel-filled drainage gutters will require a minimum cross-section of at least 6300 to 6500mm<sup>2</sup> (100mm x 63 to 65 mm).

The house gravel filled gutters allow for an average cross-section of 157,500mm<sup>2</sup> (1050mm x 150mm). This undoubtedly demonstrates that the gravel-filled gutters are more than sufficient for the amount of rainfall.

The roof drainage will allow at least one gutter to every 12m (refer below) and will include the equivalent of two 75mm Dia or 90mm Dia downpipes per side of the house.

The proposal will also include a minimum of two 100mm agi-pipes/PVC pipes removing the stormwater from the gravel pits for each side of the house and will connect to the existing stormwater line.

See further drainage details on Lower Ground Floor Plan Drawing A01, Ground Floor Plan A02, Section drawing A03, A05 and Stormwater Plan A09.

In context to overflow, the gravel gutters can hold far more water than the gutters ever would, so the gutters can slowly let out the water if required, unlike gutters that would overflow. This means the excess water continues to go into the stormwater instead of contributing to surface runoff.

I will submit this information through the portal

Thank you

Regards

**Frazer Read**  
Principal

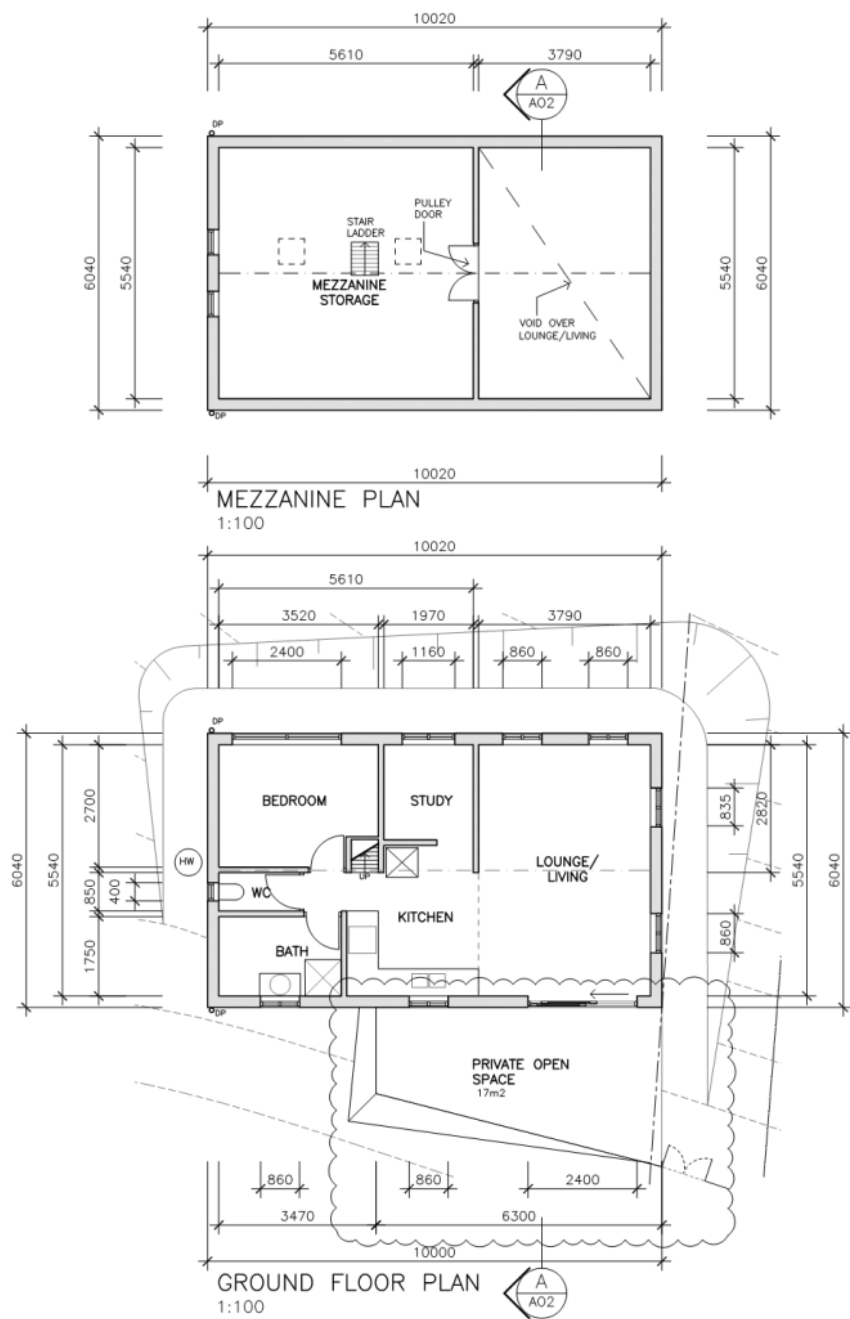
Call 0400 109 582 Email [frazer@allurbanplanning.com.au](mailto:frazer@allurbanplanning.com.au)  
19 Mawhera Ave, Sandy Bay Tasmania 7005  
[allurbanplanning.com.au](http://allurbanplanning.com.au)

**AllUrbanPlanning**









DA ISSUE

UPDATED INFORMATION 30.05.21  
DA PREPARATION 01.04.21

REV No.	DETAILS	DATE

PROJECT NORTH true north

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
GROUND & MEZZANINE PLANS

SCALE	DATE
1:100 @A3	MAY 2020

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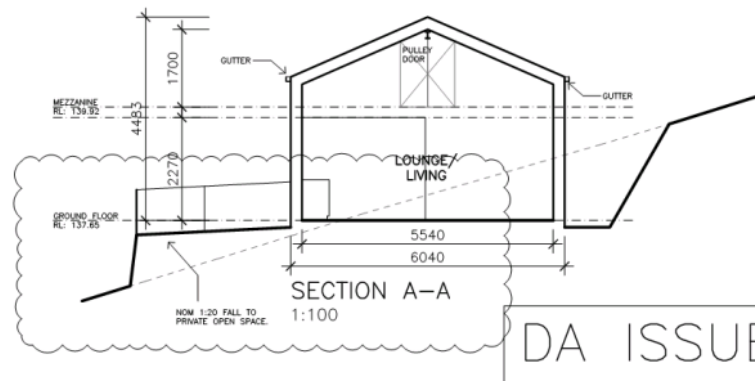
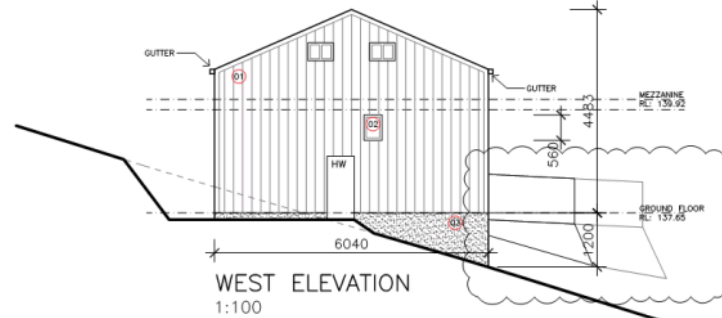
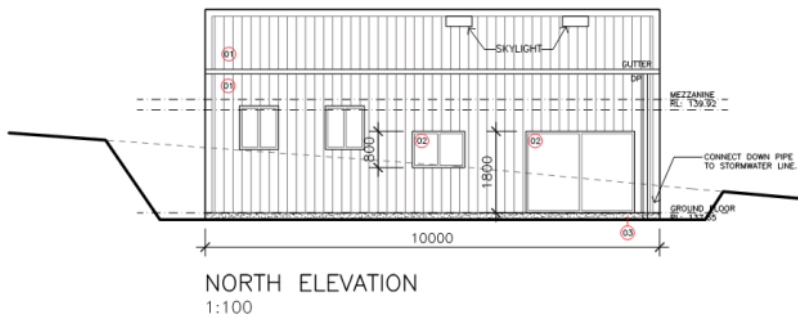
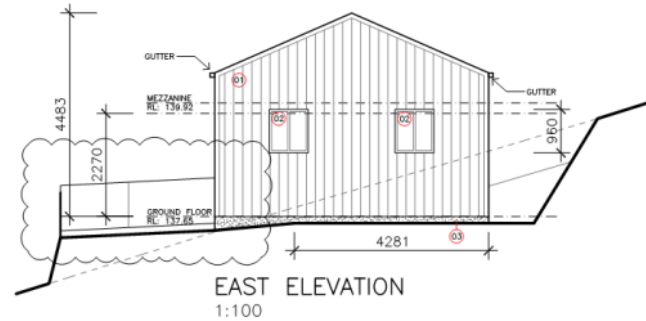
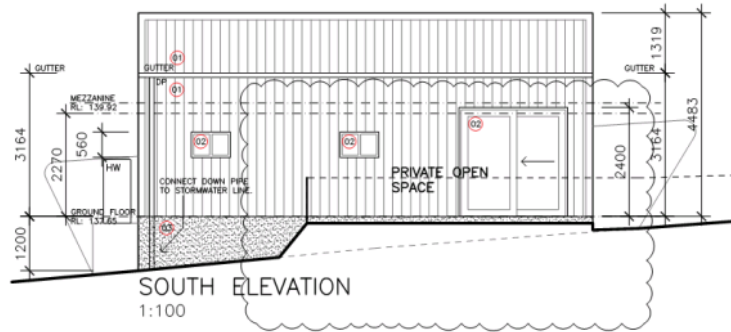
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20.03	A01

103 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

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FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, COLORBOND FINISH.
- 02 - ALUMINUM FRAMED GLAZED WINDOWS AND DOORS.
- 03 - IN SITU CONCRETE.



DA ISSUE

UPDATED POS INFORMATION	30.05.21	
DA PREPARATION	01.04.21	
REV No.	DETAILS	DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
ELEVATIONS & SECTION

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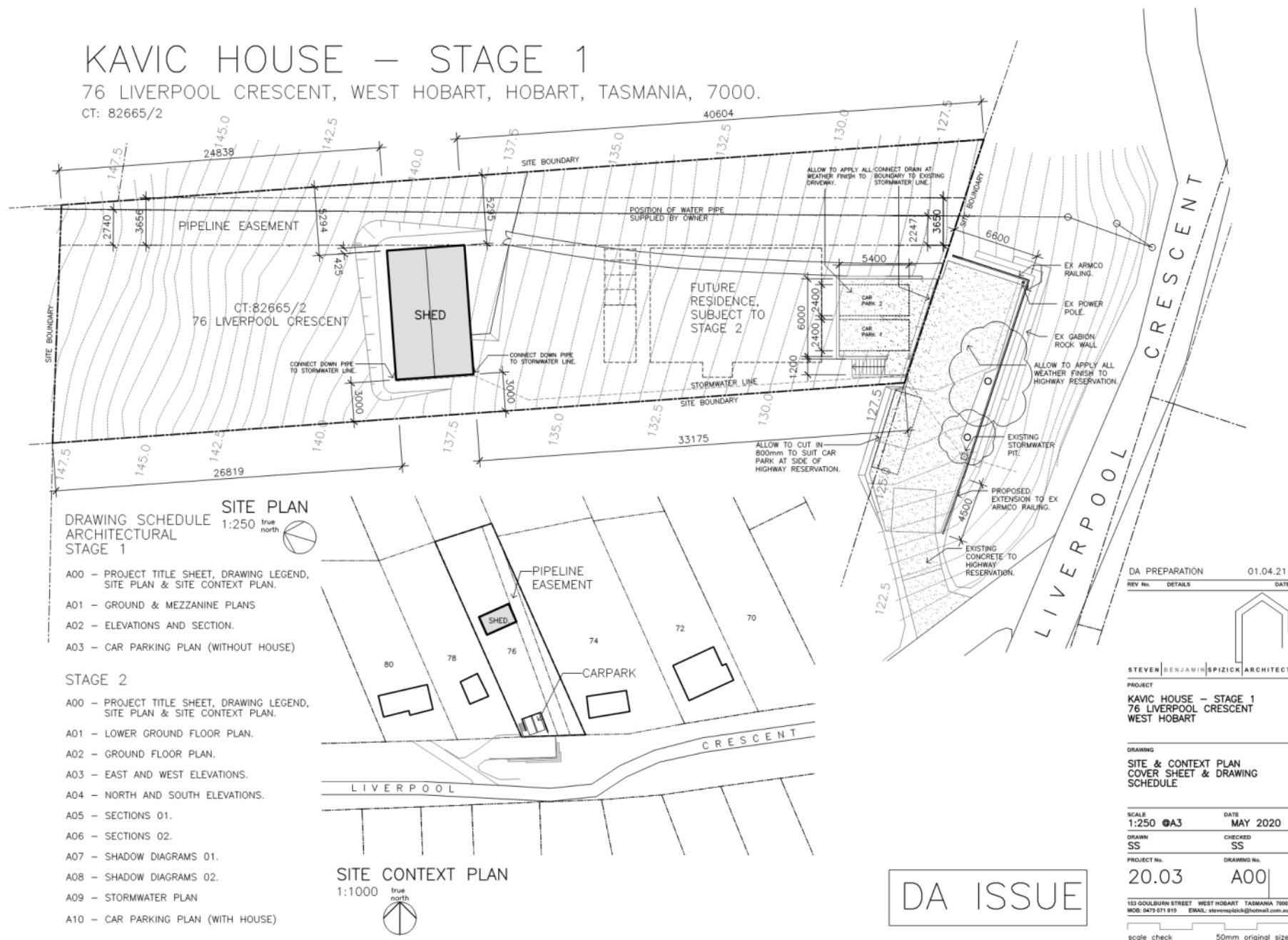
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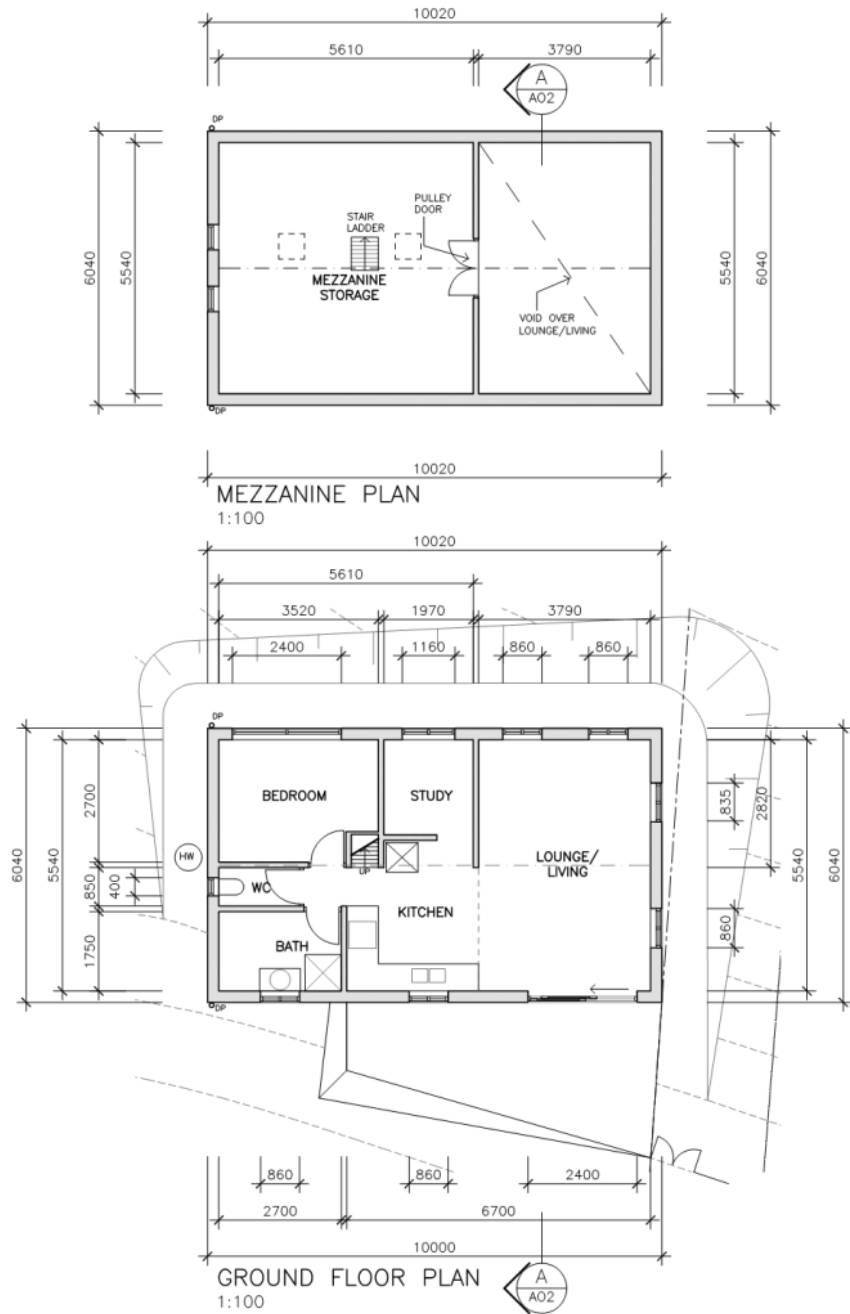


## KAVIC HOUSE – STAGE 1

76 LIVERPOOL CRESCENT, WEST HOBART, HOBART, TASMANIA, 7000.

CT: 82665/2





DA ISSUE

DA PREPARATION 01.04.21

REV No.	DETAILS	DATE
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STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
GROUND & MEZZANINE PLANS

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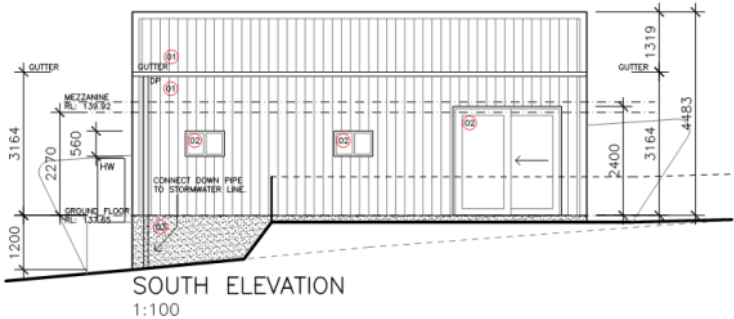
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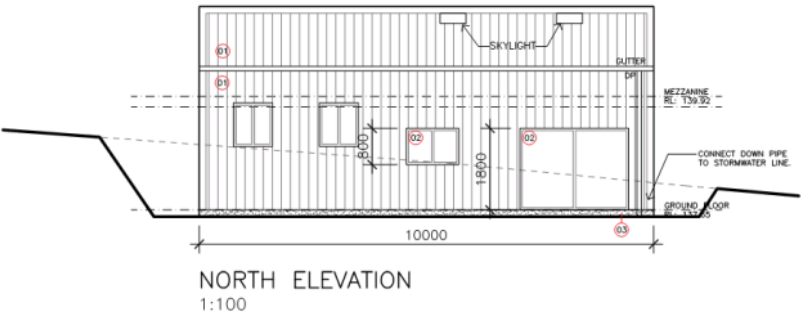
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- 03 - IN SITU CONCRETE.



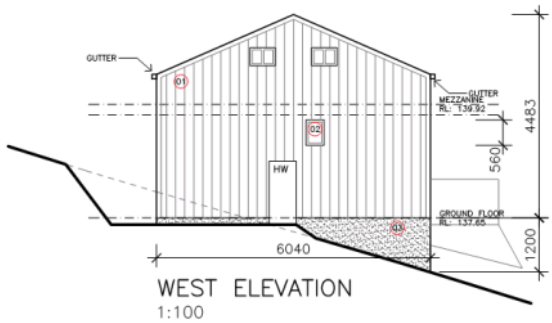
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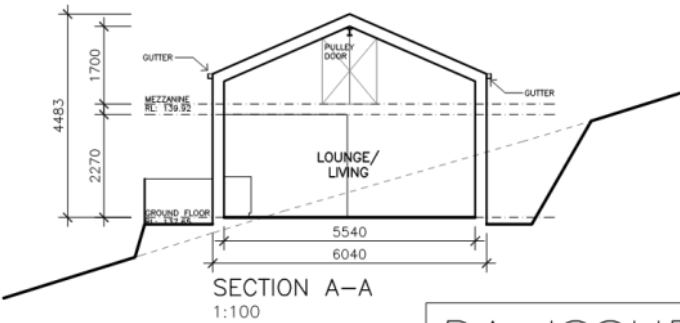
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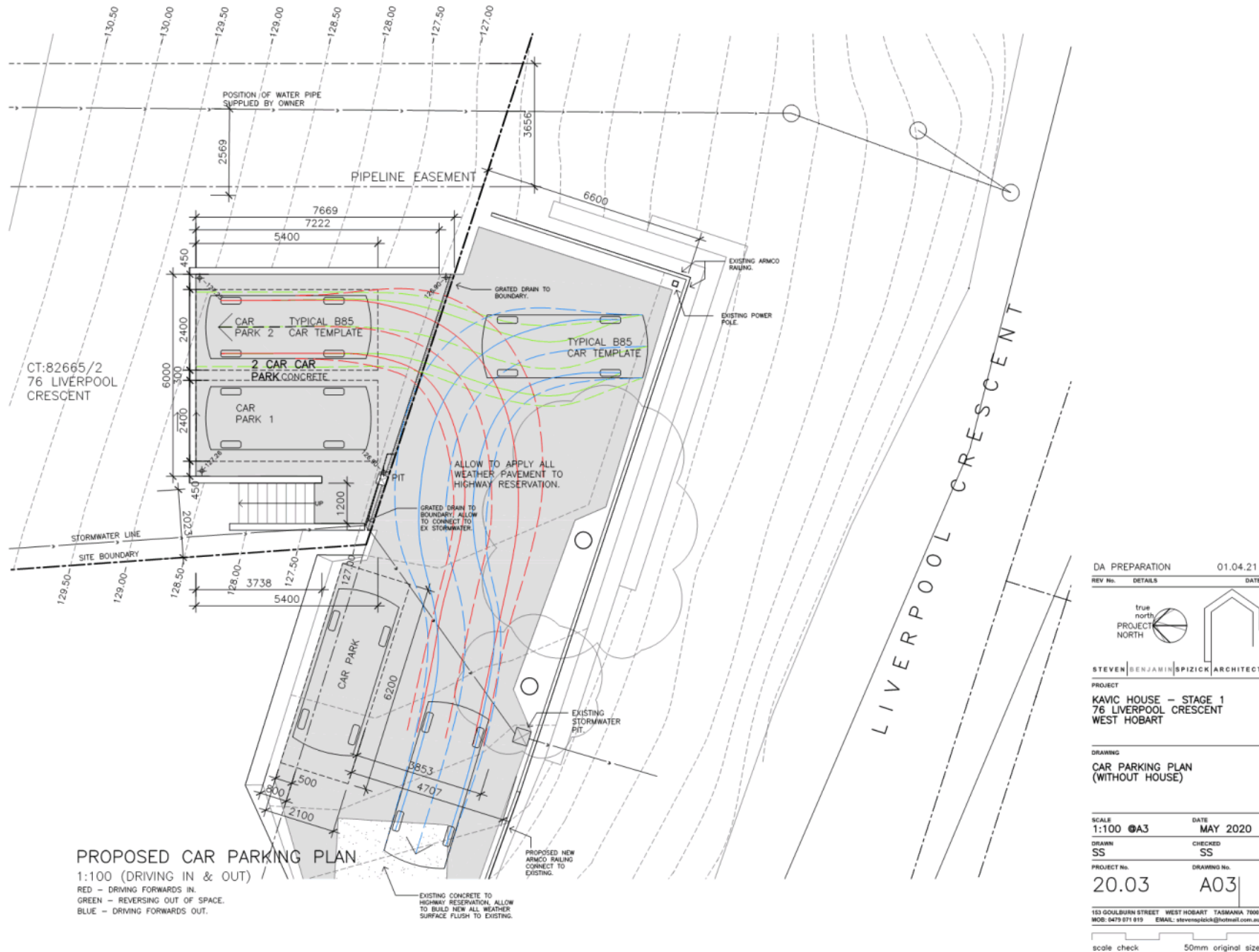


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PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

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ELEVATIONS & SECTION

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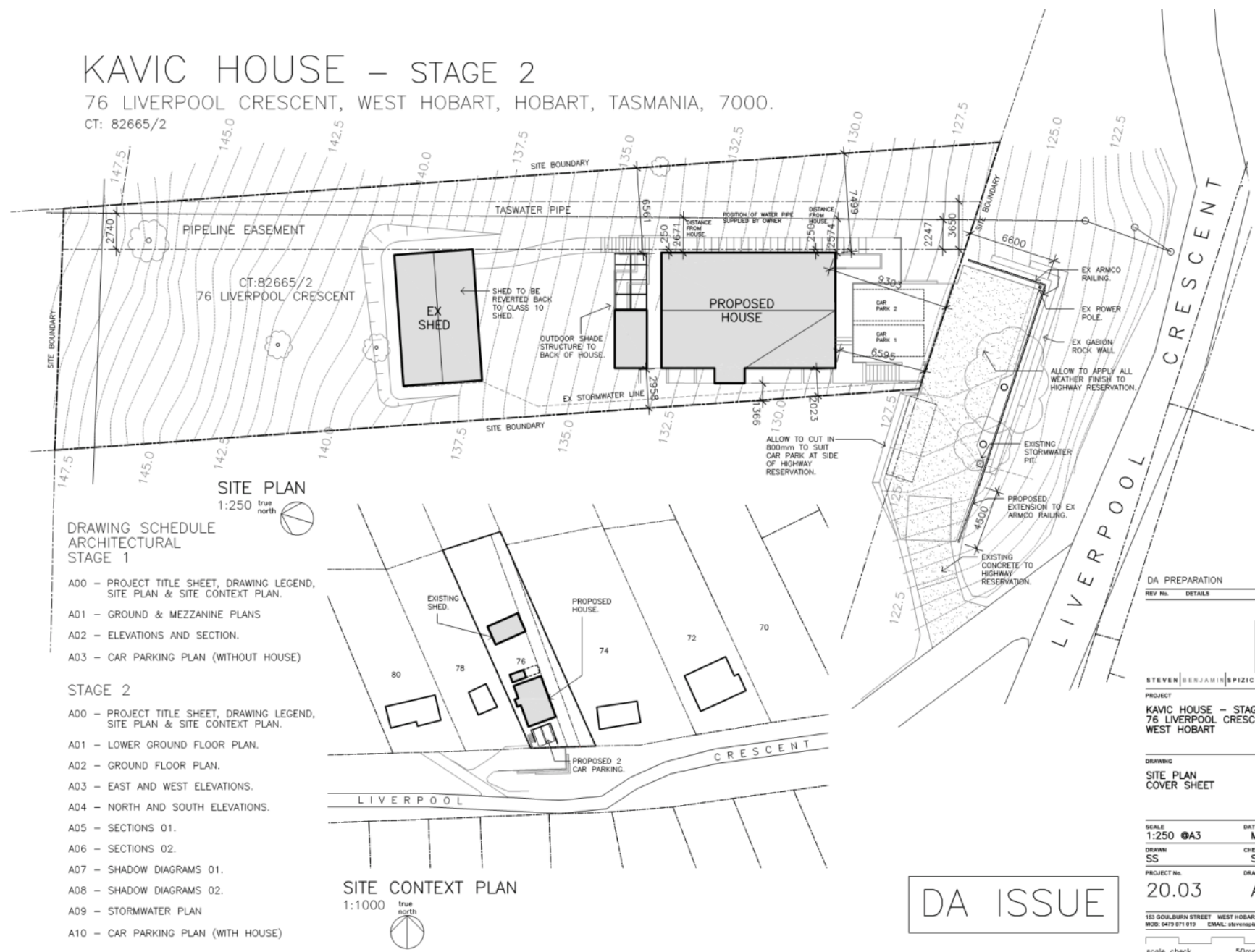
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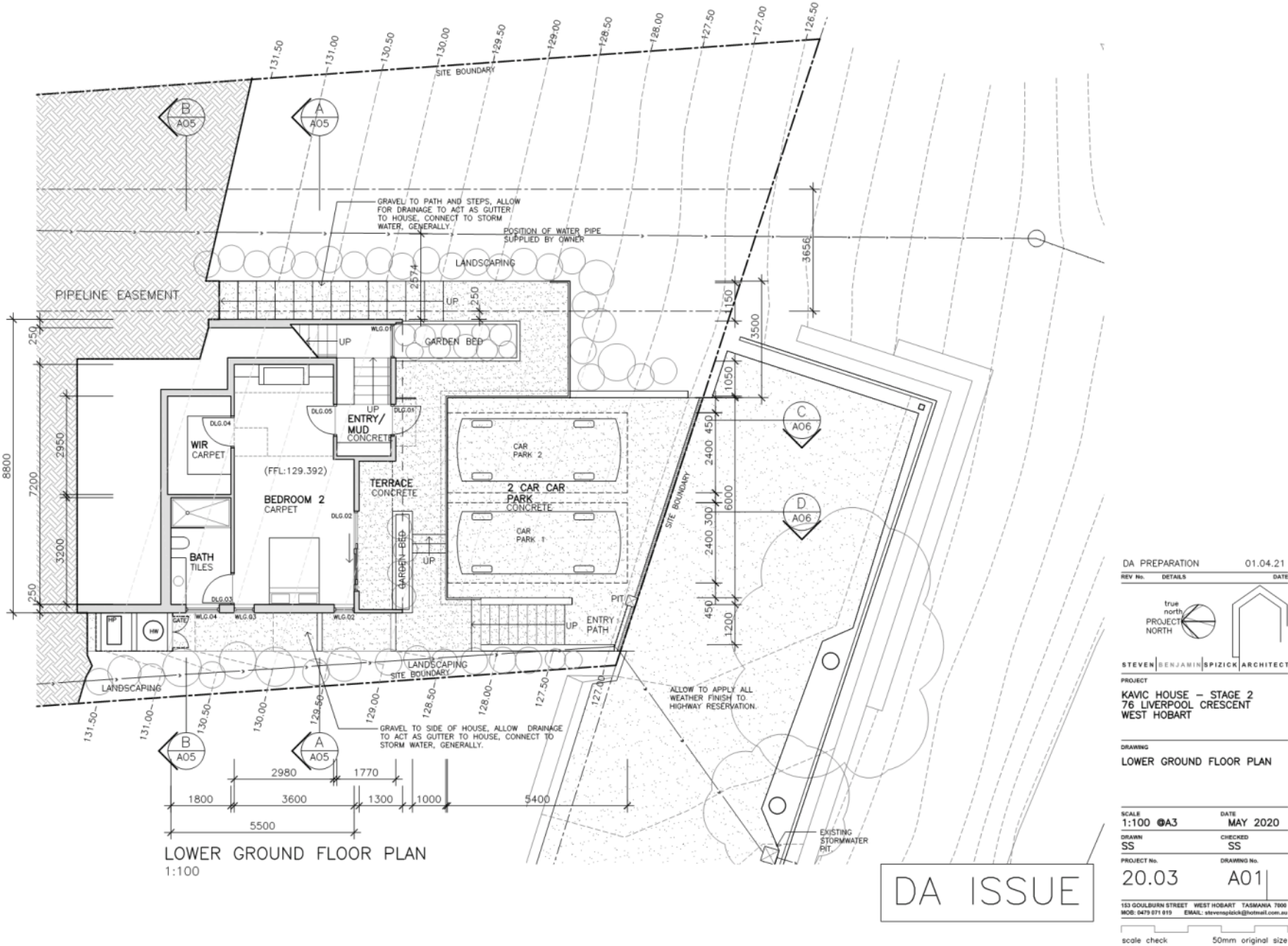
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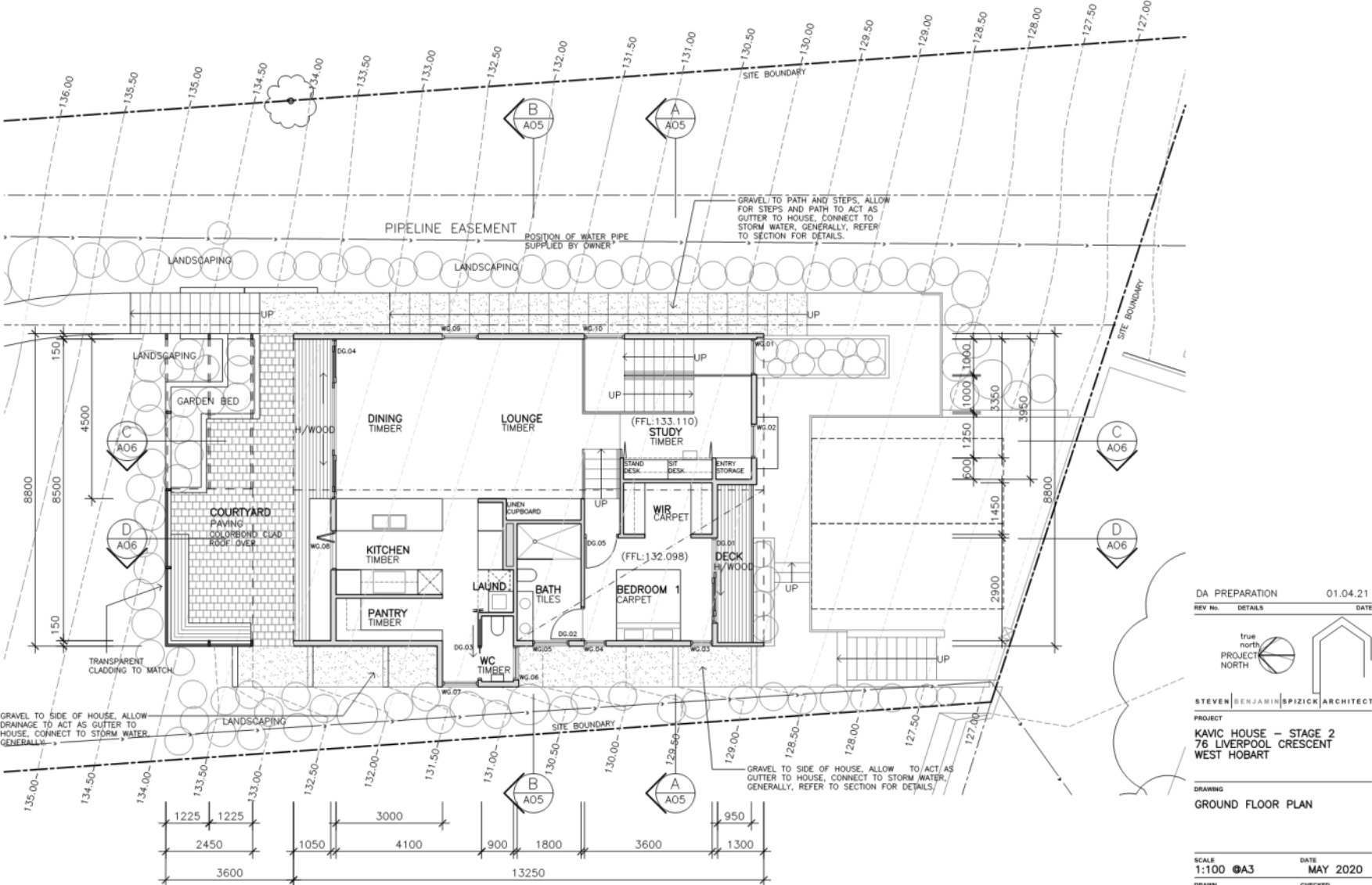
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CT: 82665/2





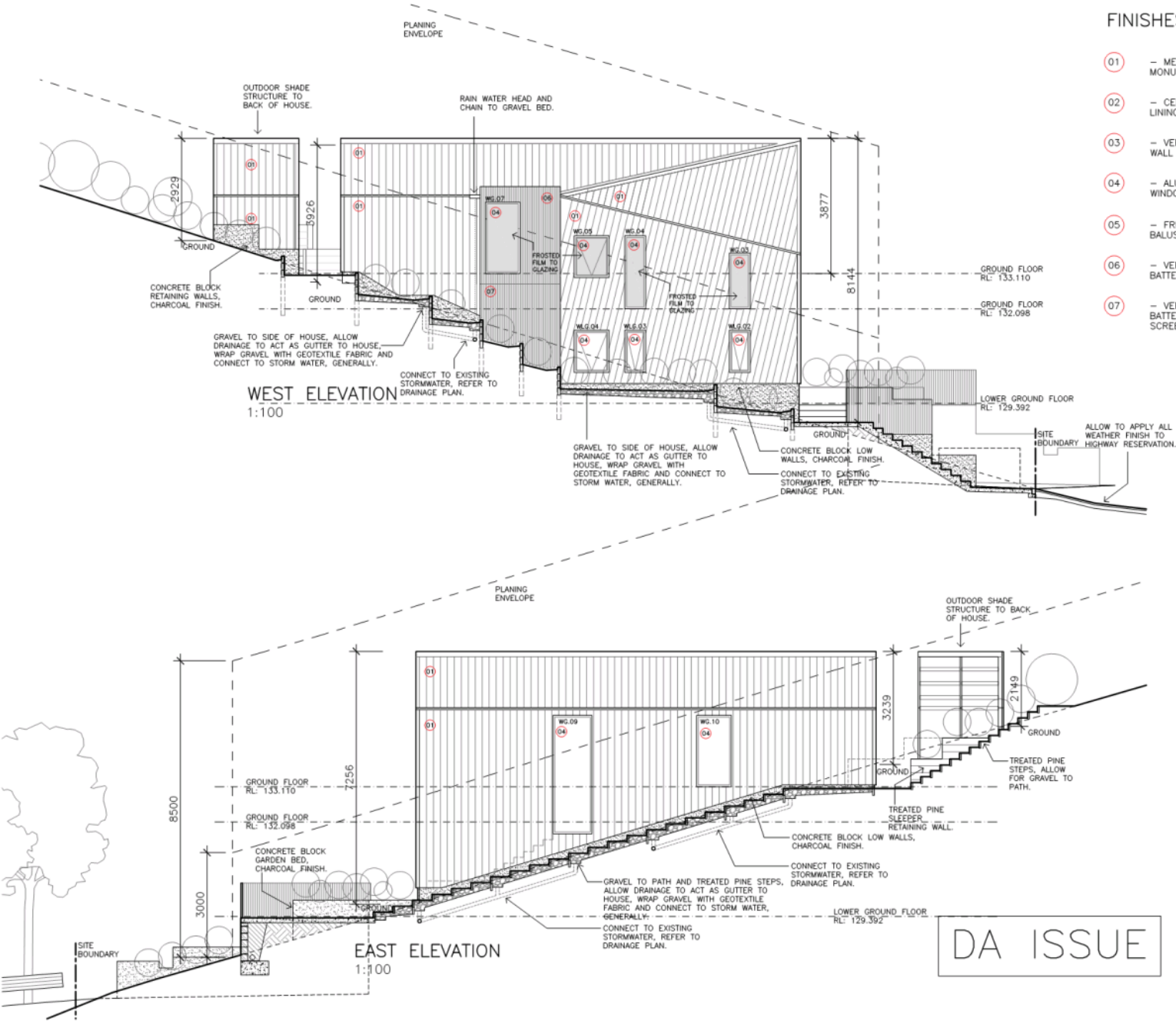




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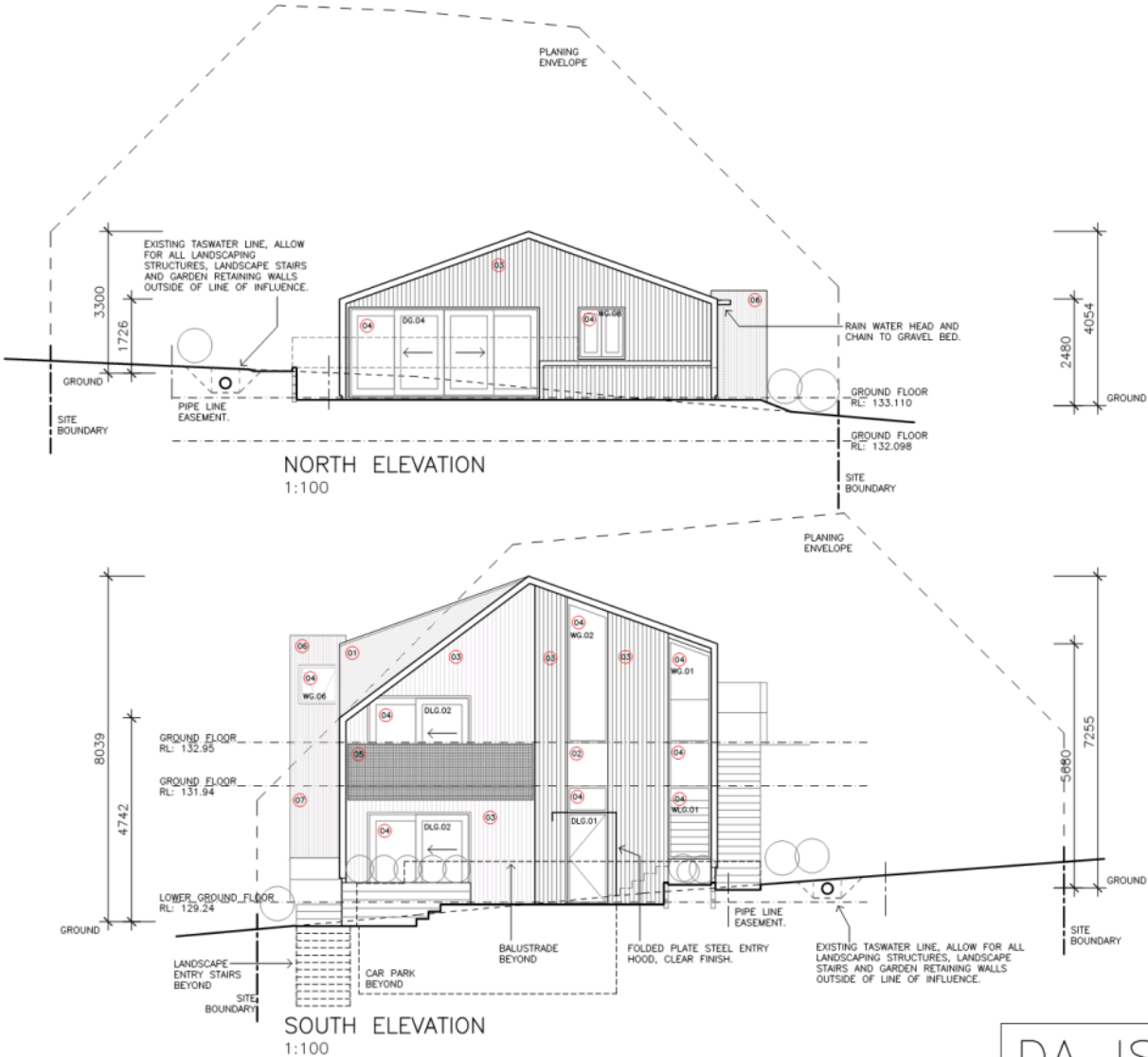
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FINISHES SCHEDULE

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- 02 - CEMENT SHEET WALL AND SOFFIT LINING, WHITE PAINT FINISH.
- 03 - VERTICAL FIRE RESISTANT HARDWOOD WALL LINING, CLEAR FINISH.
- 04 - ALUMINUM FRAMED DOUBLE GLAZED WINDOWS AND DOORS.
- 05 - FRP (FIBRE REINFORCED PLASTIC) MESH BALUSTRADE, RED FINISH.
- 06 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER CEMENT SHEET.
- 07 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER FIRE RESISTANT MESH SCREEN AND GALV FRAME.



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REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
NORTH AND SOUTH ELEVATIONS

SCALE 1:100 @A3 DATE MAY 2020

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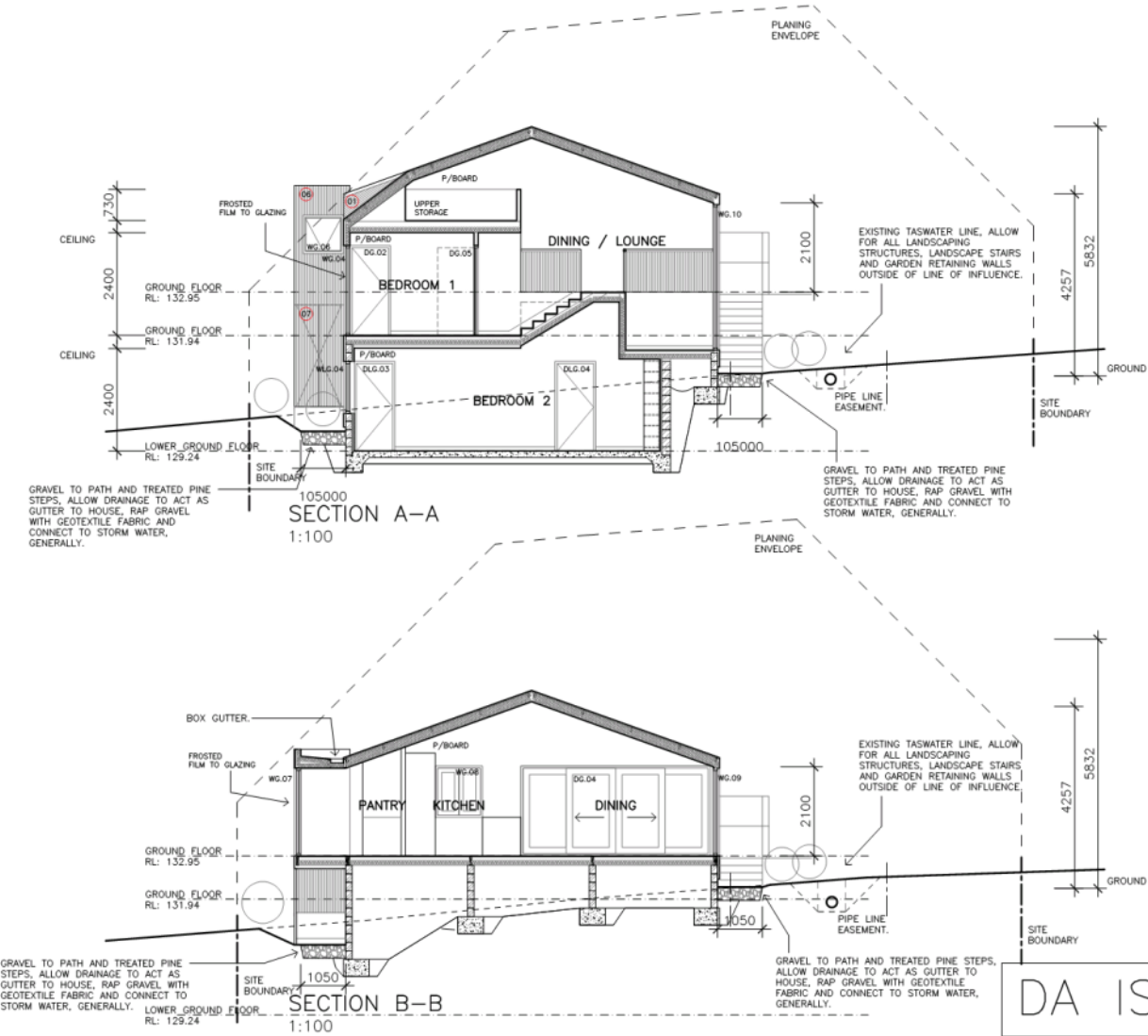
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153 GOULBURN STREET WEST HOBART TASMANIA 7000  
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STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
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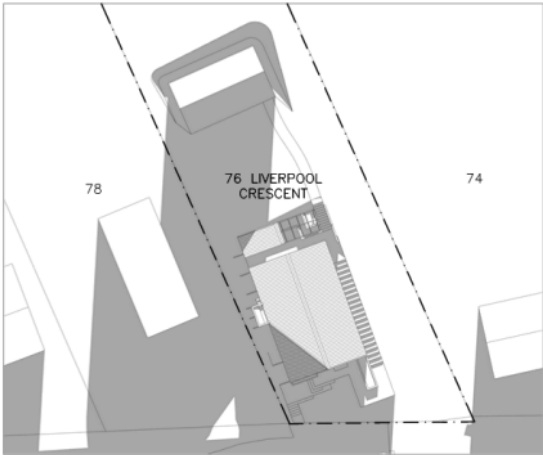
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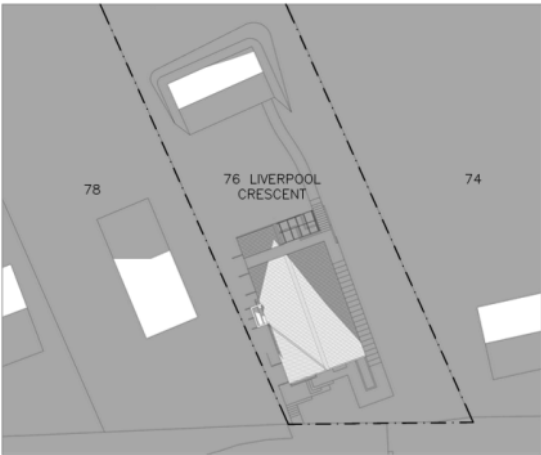
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SHADOW DIAGRAM  
N.T.S (9am 21st JUNE)



SHADOW DIAGRAM  
N.T.S (12 noon 21st JUNE)



SHADOW DIAGRAM  
N.T.S (3pm 21st JUNE)

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WEST HOBART

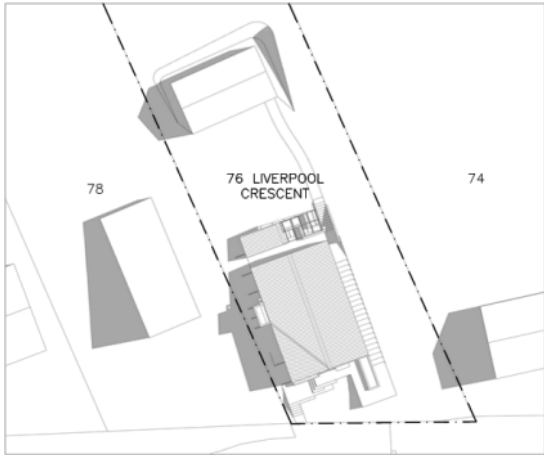
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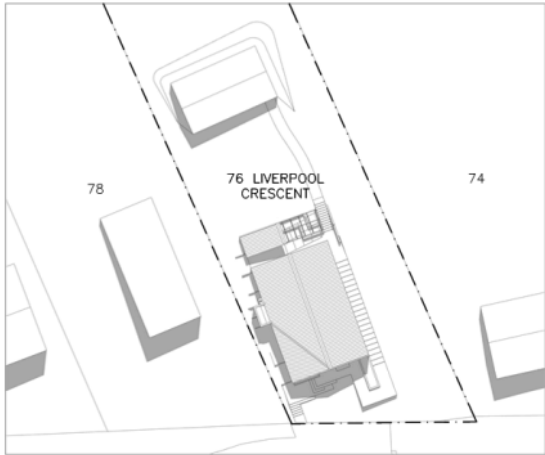
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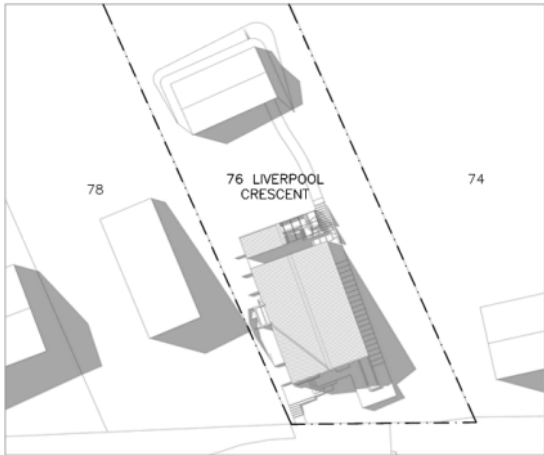
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SHADOW DIAGRAM  
N.T.S (12 noon 21st DECEMBER)



SHADOW DIAGRAM  
N.T.S (3pm 21st DECEMBER)

DA ISSUE

DA PREPARATION01.04.21

REV No.	DETAILS	DATE

  
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PROJECT

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76 LIVERPOOL CRESCENT  
WEST HOBART

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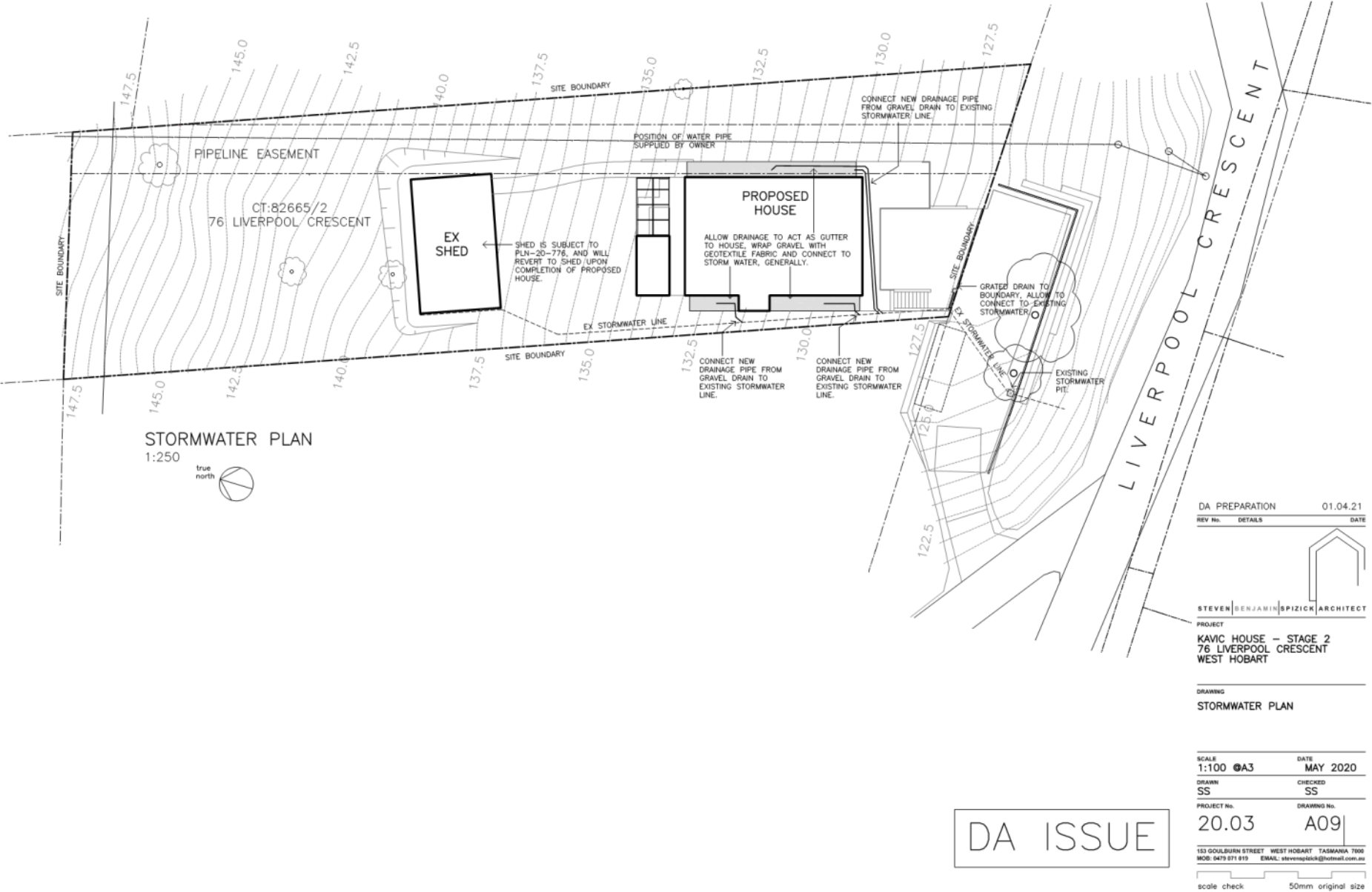
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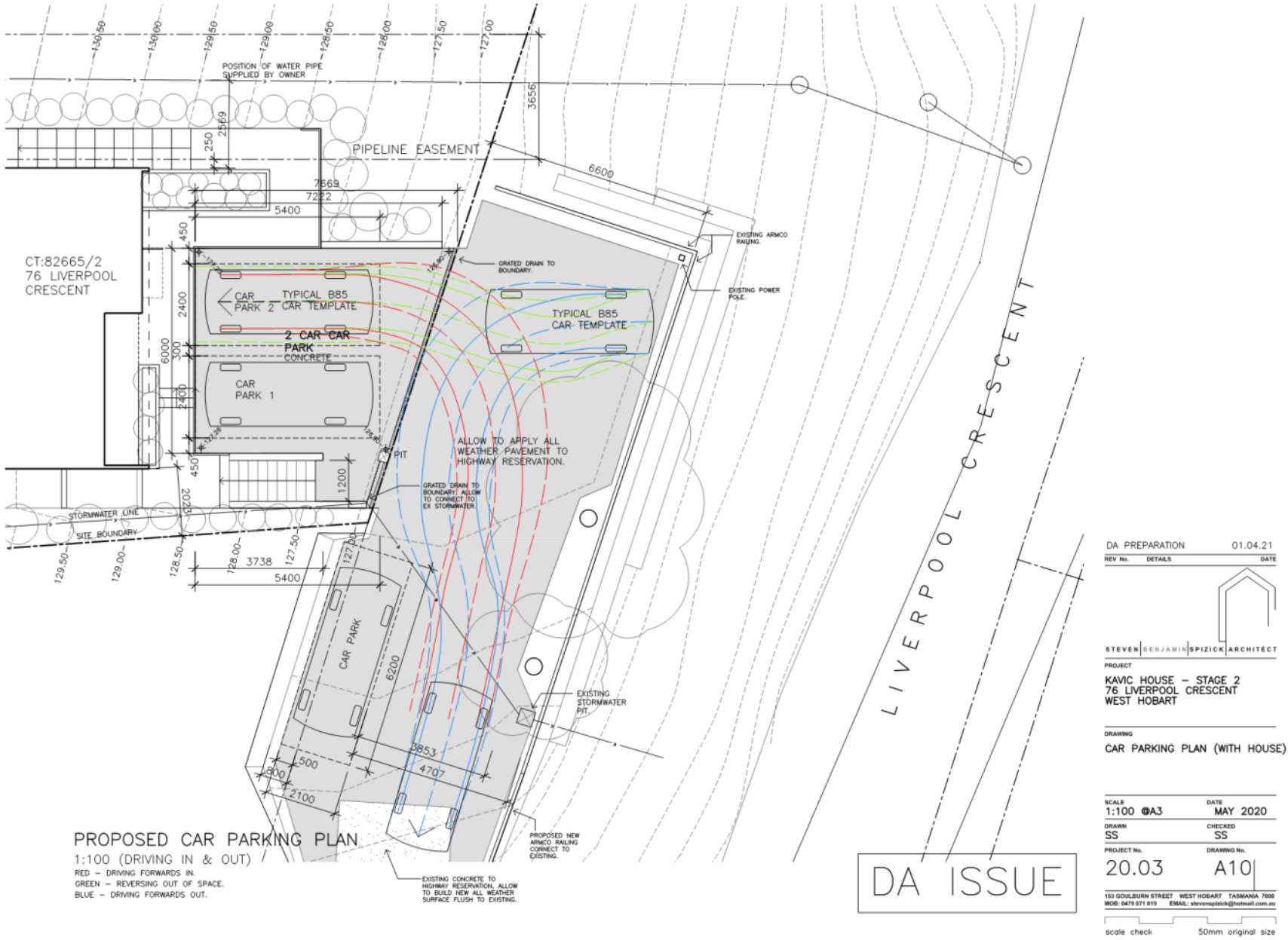
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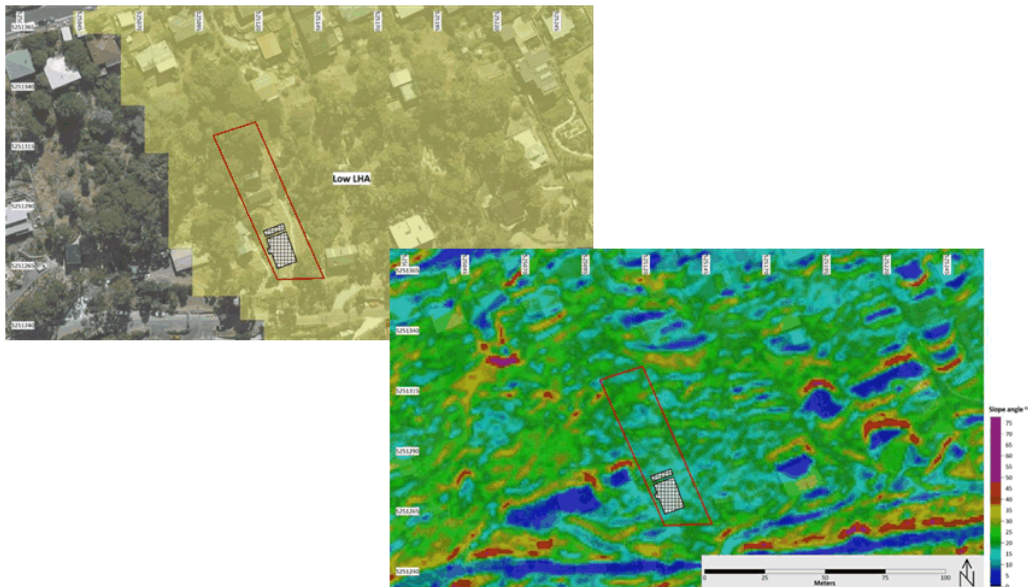
## LANDSLIDE RISK ASSESSMENT

76 Liverpool Crescent, West Hobart

CLIENT

Emil Kavic

Revision 1 - December 2020



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## 1 Introduction

Geo-Environmental Solutions Pty Ltd (GES) were contracted by Emil Kavic to prepare a landslide hazard risk assessment for proposed development works at a property in West Hobart. The proposed development is located at cadastral title (CT 82665/2) located at 76 Liverpool Crescent, West Hobart (The Site). GES are to undertake a landslide hazard risk assessment relating to the proposed development in conjunction with the requirements of the Landslide Hazard Code, part of the Tasmanian Interim Planning Scheme.

GES have undertaken this assessment through using site observations and investigation, photographs and publicly available datasets. Estimations are determined by approximation with regional information applied where appropriate to site specific information.

## 2 Objectives

The objective of the site investigation is to:

- Identify the requirements of the Landslide Hazard Code;
- Conduct a landslide risk assessment of the proposed development excavations with reference to the Australian Geomechanics Society (AGS) *Landslide Risk Management (2007) guidelines*;
- Identify which planning scheme codes need to be addressed in terms of landslip and identify the relevant performance criteria relevant to the project which need addressing;
- Conduct a site risk assessment for the proposed development ensuring relevant performance criteria are addressed; and
- Where applicable, provide preliminary recommendations on remediation of the earthworks to ensure safe slope management.

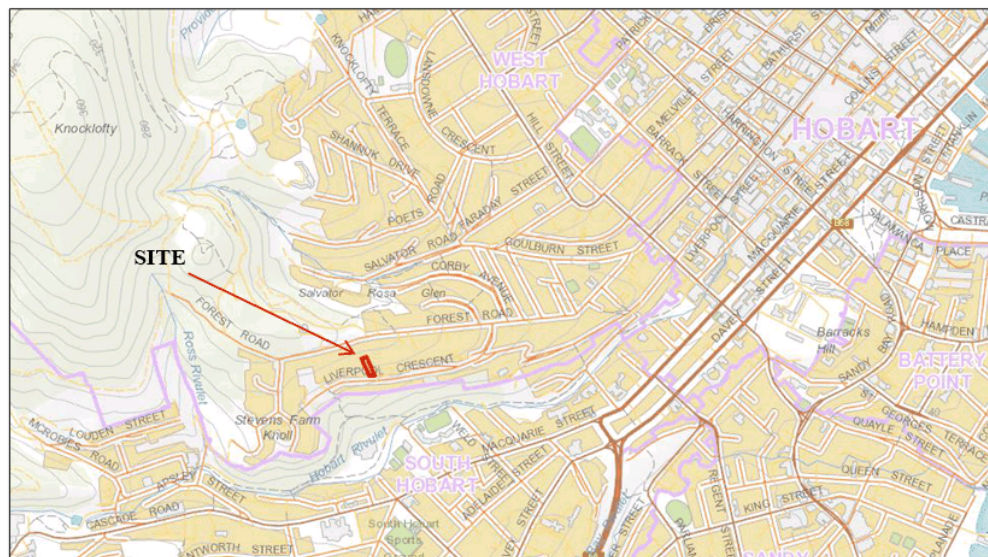
### 3 Site Details

### 3.1 Project Area Land Title

The land studied in this report is defined by the following title reference:

- CT 82665/2

This parcel of land is referred to as the 'Site' and/or the 'Project Area' in this report.



**Figure 1 Regional Location of Project Area (The LIST)**





Figure 2 Local Project Area Setting (The LIST)

### 3.2 Site and Proposed Works

The site currently services an existing shed in the northern portion of the site and associated gravel path.

The proposed residential development is to consist of a split-level dwelling, with foundations being constructed on a mixture of cut platforms and small block retaining walls, sympathetic the site slopes.

### 3.3 Development & Works Acceptable Solutions

Where applicable, the need for further performance criteria compliance is outlined in Appendix 1.

#### 3.3.1 Landslide Hazard Code (LHC)

*Given that the proposed development resides in the low Landslip Hazard Area, and there are no acceptable solutions for major excavations ( $>100\text{m}^3$ ) in a low Landslip Hazard Area, the E3.7.1 and E3.7.3 P1 performance criteria will need to be addressed.*

### 3.4 Australian Building Code Board

This report presents a summary of the overall site risk to landslide hazards. This assessment has been conducted for the year 2070 which is representative of a 'normal' 50-year building design life category.

Per the Australian Building Code Board (ABCB 2015), when addressing building minimum design life:

*'The design life of buildings should be taken as 'Normal' for all building importance categories unless otherwise stated.'*

As per Table 3-1, the building design life is 50 years for a normal building.

Table 3-1 Design life of building and plumbing installations and their components

<i>Building Design Life Category</i>	<i>Building Design Life (years)</i>	<i>Design life for components or sub systems readily accessible and economical to replace or repair (years)</i>	<i>Design life for components or sub systems with moderate ease of access but difficult or costly to replace or repair (years)</i>	<i>Design life for components or sub systems not accessible or not economical to replace or repair (years)</i>
Short	1 < dl < 15	5 or dl (if dl < 5)	dl	dl
Normal	50	5	15	50
Long	100 or more	10	25	100

Note: Design Life (dl) in years

### ***3.5 The Tasmanian Building Regulations 2016***

#### **Building in hazardous areas**

As outlined in the Department of Justice web site:

[http://www.justice.tas.gov.au/building/building-and-plumbing/building\\_in\\_hazardous](http://www.justice.tas.gov.au/building/building-and-plumbing/building_in_hazardous)

Hazardous areas include areas which are bushfire prone, comprise reactive soils or substances, or are subject to coastal erosion, coastal flooding, riverine flooding, and landslip.

#### **Division 5 - - Landslip. Section 59. Landslip hazard areas**

- (1) For the purposes of the Act, land is a landslip hazard area if –
  - a. the land is shown on a planning scheme overlay map as being land that is within a landslip hazard area; and
  - b. the land is classified as land within a hazard band of a landslip hazard area.
- (2) For the purposes of the definition of *hazardous area* in section 4(1) of the Act –
  - a. classification under a landslip determination as being land that is within a hazard band of a landslip hazard area is a prescribed attribute; and
  - b. a landslip hazard area is a hazardous area.



### 3.6 Interim Planning Scheme Overlays

#### 3.6.1 Landslide Overlay

The proposed development is within the low landslide overlay (Figure 3).



Figure 3 Landslide Overlay near the Site (The LIST)

## 4 MRT Landslide Hazard Mapping

### 4.1.1 Landslide Inventory and Geomorphology

The MRT mapping does not identify any landslides within Map Unit: Tcbd within a 1 km radius.

### 4.1.2 Previous Landslide Reporting

No previously conducted landslide reporting at the site is publicly available.

### 4.1.3 Deep-Seated Slide Hazard

Potential deep-seated slide hazard has been identified at the site, with mapping indicating the development site is located on a setback area (B) – Rosetta Scenario with the area above the development above threshold (B). The existing shed on the site is located almost entirely within the area above threshold (B) – Rosetta Scenario (Figure 4).

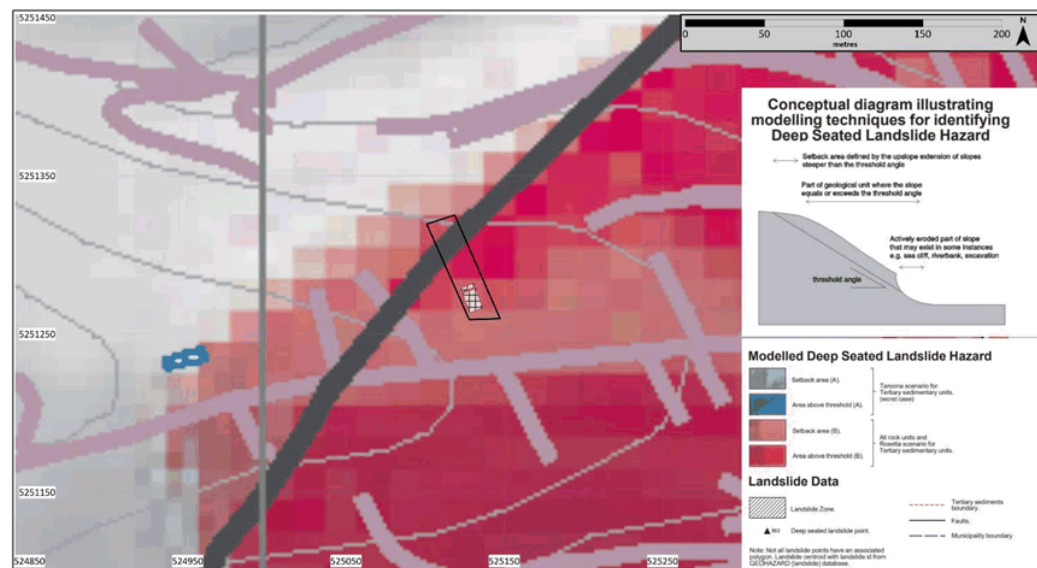


Figure 4. Hobart Deep-Seated Slide Landslide Hazard Map (Mazengarb 2004)

### 4.1.4 Debris Flow Hazard

Potential debris flow has not been identified at the site.

### 4.1.5 Rockfall Hazard

Rockfall has not been identified as a hazard at the site.

## 5 Site Mapping

### 5.1 Site Geology

Based on the MRT 1:25,000 Mineral Resources Tasmania (MRT) mapping of Hobart (Map Sheet : 5225) , the site geology comprises of the following geological units:

- **Tertiary Boulder Deposits (Map Unit: Tcbd):** Poorly sorted boulder to pebble grade deposits with boulders up to 3 m length, clasts generally dominantly of dolerite with traces to rarely dominant amounts of Upper Parmeener mudstone and other rocks and less commonly Lower Parmeener rocks.
- **Triassic-Aged Sedimentary Units (Map Unit: Rqpp):** Predominantly interbedded red-purple, green, tan and grey micaceous siltstone and ripple cross-laminated, planar-bedded, or cross-bedded sandstone with sparse plants and vertebrate fossils (Poets Road Member).

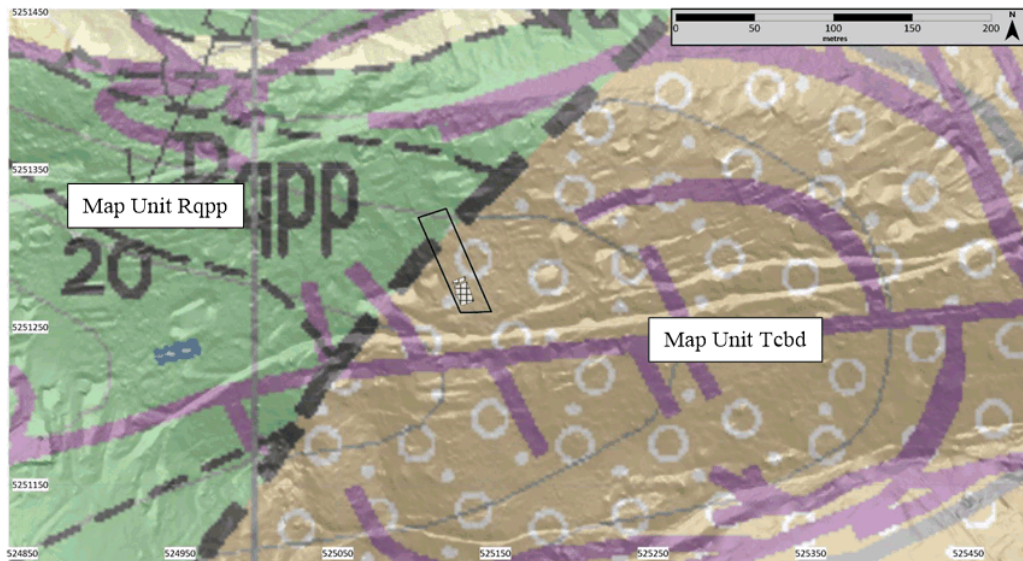


Figure 5. Site Geology (Extract from 1:25,000 Mineral Resources Tasmania (MRT) mapping of Hobart (Map Sheet : 5225))

### 5.2 Site Investigations

GES did not conduct any sub-surface investigations. However, pertinent information from previous soil testing conducted by Aldanmark (Report Ref: 09 E 02 – 9) was referred to for the purpose of this report.

Test holes yielded shallow, light to medium clay deposits overlying gravelly clay/weathered rock with boulders. Refusal was encountered within test hole 1 at 0.9m, whereas no refusal was encountered in test hole 2.

The geology of the site is mapped as Tertiary boulder deposits, which can account for the variability in depth to and geology of the weathered materials encountered. The soil profiles presented in the Aldanmark report are consistent with observations taken at the time of site inspection by GES.

### 5. Soil Profile

Selected hand auger test holes or excavated test pits are described below including the different horizons (layers) of the soil profile.

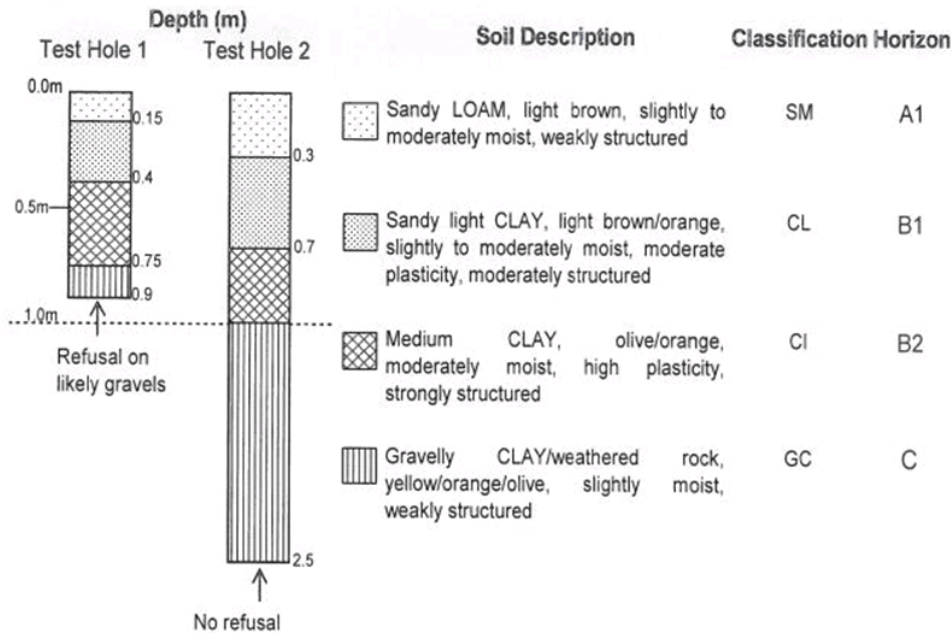


Figure 6 Borehole Logs from Aldanmark Report

### 5.3 Site Geomorphology

The site is located on an east trending ridge spur associated with Knocklofty of Tertiary boulder deposits. The slope profile is consistent and does not display evidence of slope instability or hummocky ground. The surrounding sites are currently utilised for residential and commercial purposes. Slope angles near the development range between 10° and 20° as shown in Figure 7.



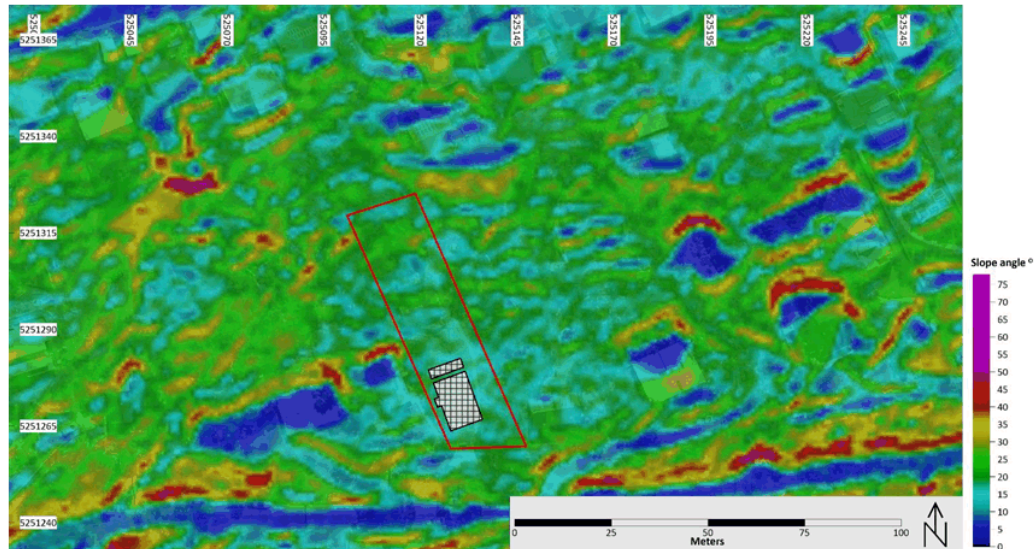


Figure 7 Slope angle map from Mount Wellington River Derwent 2010 LiDAR

## 5.4 Hazard Analysis

### 5.4.1 Landslide Characteristics

Based on the slope characteristics including site geology, slope geometry and slope angles, MRT landslide mapping/inventory and site observations, the following scenario has been identified as potential slope failure mechanisms for the site:

- **Scenario 1** – Shallow Earth slide failure within the shallow CLAY materials beneath or below the proposed development. Depth up to 1 m. Failure is would likely consist of debris flow or translational slide.
- **Scenario 2** – Deep-seated Earth slide within expected ‘CLAY’ slope deposits. Estimated maximum depth of 5 m.

This scenario addresses the typical slope failure plane of a Earth slide within the shallow clay materials beneath or immediately below the proposed development. A deep-seated Earth slide scenario has been addressed due to the site being mapped as setback area (B) and/or above threshold (B) – Rosetta Scenario. As there are no mapped landslide within Map Unit: Tcbd geologies within a 1km radius (extent of the ridge spur) and the area has been heavily developed for decades, the likelihood for the scenario for deep-seated failure is thought to be rare.

## 5.5 Risk Analysis

### 5.5.1 Risk to Property

Risk has been considered for the proposed development during and post construction. The site is considered moderate risk. Treated risk with a suitably designed foundations and appropriate cut and fill batter angles, reduce the risk to low (Table 1).

**Table 1 Consequence analysis for landslide hazards**

Scenario	Issue	Current Risks			Recommended risk treatment	Residual Risks following implementation of risk treatment		
		Likelihood of occurrence	Consequence to property	Level of risk to property		Likelihood of occurrence	Consequence to property	Level of risk to property
<b>Scenario 1</b>	Shallow Earth Slide	Possible	Minor	Moderate	<p>Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This should be confirmed by the site engineer;</p> <p>Foundations should be designed to account for the highly reactive clays on site (Y's values of 40-60mm);</p> <p>Stormwater from the proposed development should be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway);</p> <p>All cuttings &gt;0.5m on site are to be retained by suitably designed retaining walls. Cuts &lt; 0.5m should have batter angles not exceeding 1V:2H within surficial CLAY soils and 1V:1H in the underlying boulder deposits;</p> <p>All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction;</p> <p>Aggregate toe drains should be included into the design along the base of all cuttings. A cut-off drain is recommended above the development to intercept surface water away from the residential development and any cutting/retaining wall faces;</p> <p>Due to the steep site slopes, fill placed on site should not exceed 0.5m and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls; and</p> <p>The proposed development should be constructed in accordance with the Australian Geomechanics Society (2007) guidelines for Good Hillside Construction Practices.</p>	Unlikely	Minor	Low
<b>Scenario 2</b>	Deep-Seated Earth slide	Rare	Catastrophic	Moderate	<p>Stormwater from the proposed development should be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway);</p> <p>Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This should be confirmed by the site engineer;</p> <p>Foundations should be designed to account for the highly reactive clays on site (Y's values of 40-60mm); and</p> <p>The proposed development should be constructed in accordance with the Australian Geomechanics Society (2007) guidelines for Good Hillside Construction Practices.</p>	Barely Credible	Catastrophic	Low



**5.5.2 Risk to Life**

The risk to life has been assessed post treatment. The risk to life is generally considered acceptable given the likelihood and consequence of a shallow or deep-seated Earth slide following the prescribed treatment (Table 2).

**Table 2 Consequence analysis for landslide hazards – Life**

Hazard	Scenario 1	Scenario 2
Factor	Shallow Earth Slide	Deep-Seated Earth slide
Likelihood	Unlikely	Barely Credible
Indicative Annual Probability	0.001	0.00001
Use of Affected Structure/Site	Residential dwelling	Residential dwelling 100%
Probability of Spatial Impact	0.5	1.0
Proportion of Time	12 hours /day = 0.5	12 hours /day = 0.5
Probability of Not Evacuating	Residual soils should exhibit signs of stress (tension cracking prior to failure), resulting in time for evacuation and/or remediation = 0.3	May cause activation of slide encompassing most of, or the entire site = 0.7
Vulnerability	Structure unlikely to collapse 0.1	Damage to structure unlikely to cause collapse prior to evacuation 0.3
Risk for Person Most at Risk	$7.5 \times 10^{-6}$	$1.05 \times 10^{-6}$
Risk Evaluation	Acceptable	Acceptable

## 6 Conclusions

Based on the observations made during the site visit and the outcome of the slope stability and hazard analysis and risk assessment, the following conclusions are made:

- Shallow and deep-seated Earth slide instability have been identified as hazards at the site;
- Providing the treatment is followed as prescribed in this report, the risk to property associated with the proposed development is considered low and the risk to life is acceptable.
- It is concluded that the proposal is compliant with the landslide hazard code of the Hobart City Council Interim Planning Scheme (Code E3).

## 7 Recommendations

The following recommendations have been made:

- Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This should be confirmed by the site engineer;
- Foundations should be designed to account for the highly reactive clays on site (Ys values of 40-60mm);
- Stormwater from the proposed development should be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway);
- All cuttings >0.5m on site are to be retained by suitably designed retaining walls. Cuts < 0.5m should have batter angles not exceeding 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits;
- All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction;
- Aggregate toe drains should be included into the design along the base of all cuttings. A cut-off drain is recommended above the development to intercept surface water away from the residential development and any cutting/retaining wall faces;
- Due to the steep site slopes, fill placed on site should not exceed 0.5m and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls; and
- Prior to placement for fill all topsoil should be stripped from the fill pad footprint and benches should be keyed into the slope.
- The proposed development should be constructed in accordance with the Australian Geomechanics Society (2007) guidelines for Good Hillside Construction Practices



David Lee BSc.

Engineering Geologist

## 8 References

- AGS (2007a). Guideline for Landslide Susceptibility, Hazard and Risk Zoning. Australian Geomechanics, Vol 42 No 1 March 2007
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- AGS (2007c). Practice Notes Guidelines for Landslide Risk Management. Australian Geomechanics Vol 42 No 1 March 2007
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- Mazengarb, C. 2004: Map 4, Hobart – Potential Rockfall Hazard.\n Tasmanian Landslide Hazard Series. Mineral Resources Tasmania,\n Department of Infrastructure Energy and Resources, Hobart.
- Mazengarb, C. 2004: Map 5, Hobart – Potential Deep Seated Landslide Hazard. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania, Department of Infrastructure Energy and Resources, Hobart.

**Appendix 1 Acceptable Solutions***Landslide Code Areas*

Standard	Code	Acceptable Solution		Performance Criteria
Use	E3.6.1	A1	Hazardous use relates to an alteration or intensification of an approved use.	P1
	Hazardous Use	A2	No acceptable solution.	P2
	E3.6.2	A1	Vulnerable use is for visitor accommodation.	A1
	Vulnerable Use	A2	No acceptable solution.	A2
Development	E3.7.1 Buildings and Works, other than Minor Extensions	A1	No Acceptable solution	P1
	E3.7.2 Minor Extensions	A1	Buildings and works for minor extensions must comply with the following: (a) be in a Medium Landslide Hazard Area.	P1
	E3.7.3 Major Works	A1	No acceptable solution.	P1
Subdivision	E3.8.1	A1	No Acceptable solution	P1
	Subdivision	A2	Subdivision is not prohibited by the relevant zone standards.	P2

## Appendix 2 Quantitative Risk Assessment Tables

### Likelihood & Consequence Index

#### QUALITATIVE MEASURES OF LIKELIHOOD

Approximate Annual Probability		Implied Indicative Landslide Recurrence Interval		Description	Descriptor	Level
Indicative Value	Notional Boundary					
$10^{-1}$	$5 \times 10^{-2}$	10 years	20 years	The event is expected to occur over the design life.	ALMOST CERTAIN	A
$10^{-2}$		100 years		The event will probably occur under adverse conditions over the design life.	LIKELY	B
$10^{-3}$	$5 \times 10^{-3}$	1000 years	2000 years	The event could occur under adverse conditions over the design life.	POSSIBLE	C
$10^{-4}$		10,000 years		The event might occur under very adverse circumstances over the design life.	UNLIKELY	D
$10^{-5}$	$5 \times 10^{-5}$	100,000 years	20,000 years	The event is conceivable but only under exceptional circumstances over the design life.	RARE	E
$10^{-6}$	$5 \times 10^{-6}$	1,000,000 years	200,000 years	The event is inconceivable or fanciful over the design life.	BARELY CREDIBLE	F

Note: (1) The table should be used from left to right; use Approximate Annual Probability or Description to assign Descriptor, not *vice versa*.

#### QUALITATIVE MEASURES OF CONSEQUENCES TO PROPERTY

Approximate Cost of Damage		Description	Descriptor	Level
Indicative Value	Notional Boundary			
200%	100%	Structure(s) completely destroyed and/or large scale damage requiring major engineering works for stabilisation. Could cause at least one adjacent property major consequence damage.	CATASTROPHIC	1
60%		Extensive damage to most of structure, and/or extending beyond site boundaries requiring significant stabilisation works. Could cause at least one adjacent property medium consequence damage.	MAJOR	2
20%	40%	Moderate damage to some of structure, and/or significant part of site requiring large stabilisation works. Could cause at least one adjacent property minor consequence damage.	MEDIUM	3
5%	10%	Limited damage to part of structure, and/or part of site requiring some reinstatement stabilisation works.	MINOR	4
0.5%	1%	Little damage. (Note for high probability event (Almost Certain), this category may be subdivided at a notional boundary of 0.1%. See Risk Matrix.)	INSIGNIFICANT	5

- Notes: (2) The Approximate Cost of Damage is expressed as a percentage of market value, being the cost of the improved value of the unaffected property which includes the land plus the unaffected structures.
- (3) The Approximate Cost is to be an estimate of the direct cost of the damage, such as the cost of reinstatement of the damaged portion of the property (land plus structures), stabilisation works required to render the site to tolerable risk level for the landslide which has occurred and professional design fees, and consequential costs such as legal fees, temporary accommodation. It does not include additional stabilisation works to address other landslides which may affect the property.
- (4) The table should be used from left to right; use Approximate Cost of Damage or Description to assign Descriptor, not *vice versa*.

## Qualitative Risk Matrix

*QUALITATIVE RISK ANALYSIS MATRIX – LEVEL OF RISK TO PROPERTY*

LIKELIHOOD		CONSEQUENCES TO PROPERTY (With Indicative Approximate Cost of Damage)				
	Indicative Value of Approximate Annual Probability	1: CATASTROPHIC 200%	2: MAJOR 60%	3: MEDIUM 20%	4: MINOR 5%	5: INSIGNIFICANT 0.5%
A – ALMOST CERTAIN	10 <sup>-1</sup>	VH	VH	VH	H	M or L (5)
B – LIKELY	10 <sup>-2</sup>	VH	VH	H	M	L
C – POSSIBLE	10 <sup>-3</sup>	VH	H	M	M	VL
D – UNLIKELY	10 <sup>-4</sup>	H	M	L	L	VL
E – RARE	10 <sup>-5</sup>	M	L	L	VL	VL
F – BARELY CREDIBLE	10 <sup>-6</sup>	L	VL	VL	VL	VL

Notes: (5) For Cell A5, may be subdivided such that a consequence of less than 0.1% is Low Risk.

(6) When considering a risk assessment it must be clearly stated whether it is for existing conditions or with risk control measures which may not be implemented at the current time.

*RISK LEVEL IMPLICATIONS*

Risk Level		Example Implications (7)
VH	VERY HIGH RISK	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to Low; may be too expensive and not practical. Work likely to cost more than value of the property.
H	HIGH RISK	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to Low. Work would cost a substantial sum in relation to the value of the property.
M	MODERATE RISK	May be tolerated in certain circumstances (subject to regulator's approval) but requires investigation, planning and implementation of treatment options to reduce the risk to Low. Treatment options to reduce to Low risk should be implemented as soon as practicable.
L	LOW RISK	Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required.
VL	VERY LOW RISK	Acceptable. Manage by normal slope maintenance procedures.

Note: (7) The implications for a particular situation are to be determined by all parties to the risk assessment and may depend on the nature of the property at risk; these are only given as a general guide.



### Appendix 3 Quantitative Risk Assessment

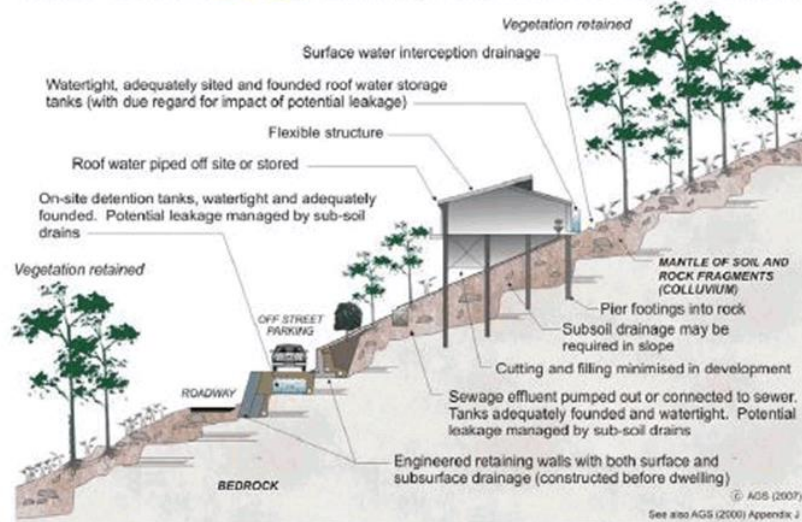
Performance Criteria E3.7.1 P1  Buildings and works must satisfy all of the following:	Relevance	Management Options	Managed (treated) Risk Assessment			Further Assessment Required
			Consequence	Likelihood	Risk	
(a) no part of the buildings and works is in a High Landslide Hazard Area;	NA					
<p>(b) the landslide risk associated with the buildings and works is either:</p> <p>(i) acceptable risk (means a risk society is prepared to accept as it is. That is; without management or treatment); or</p> <p>(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.</p> <p>The residual tolerable risk may be assessed using either qualitative or qualitative methods in the landslide risk assessment either:</p> <p>(a) if using the AGS qualitative risk assessment method apply the "As Low As Reasonably Possible (ALARP)" principle with the residual tolerable risk level no higher than a "moderate" risk level under the AGS 2007(c) risk method; or</p> <p>(b) if using the AGS quantitative risk assessment method then the tolerable loss of life for the person most at risk as suggested by the AGS 2007(c) to be:</p> <p>(i) if existing slope / existing development: 10-4 / annum;</p> <p>(ii) if new constructed slope / new development / existing landslide: 10-5 / annum.</p>	Capable of feasible and effective treatment through hazard management measures	<p>Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This should be confirmed by the site engineer;</p> <p>Foundations should be designed to account for the highly reactive clays on site (Ys values of 40-60mm);</p> <p>Stormwater from the proposed development should be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway);</p> <p>All cuttings &gt;0.5m on site are to be retained by suitably designed retaining walls. Cuts &lt; 0.5m should have batter angles not exceeding 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits;</p> <p>All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction;</p> <p>Aggregate toe drains should be included into the design along the base of all cuttings. A cut-off drain is recommended above the development to intercept surface water away from the residential development and any cutting/retaining wall faces;</p> <p>Due to the steep site slopes, fill placed on site should not exceed 0.5m and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls; and</p> <p>The proposed development should be constructed in accordance with the Australian Geomechanics Society (2007) guidelines for Good Hillside Construction Practices.</p>	Minor, Catastrophic	Unlikely, Barely Credible	Low	N/A

Performance Criteria E3.7.3 P1  Major works must satisfy all of the following (same as 3.7.1P3):	Relevance	Management Options	Managed (treated) Risk Assessment			Further Assessment Required
			Consequence	Likelihood	Risk	
<p>(a) no part of the works is in a High Landslide Hazard Area;</p> <p>(b) the landslide risk associated with the works is either:</p> <p>(i) acceptable risk; or</p> <p>(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.</p>	Capable of feasible and effective treatment through hazard management measures	<p>Foundations for the proposed development must extend to a minimum of 0.5m into the underlying gravelly CLAY/weathered rock materials identified between 0.75 and 1.2mbgs in the Aldanmark soil report. This should be confirmed by the site engineer;</p> <p>Foundations should be designed to account for the highly reactive clays on site (Ys values of 40-60mm);</p> <p>Stormwater from the proposed development should be captured and connected to reticulated services as soon as possible after areas are sealed (e.g. roof and driveway);</p> <p>All cuttings &gt;0.5m on site are to be retained by suitably designed retaining walls. Cuts &lt; 0.5m should have batter angles not exceeding 1V:2H within surficial CLAY soils and 1V: 1H in the underlying boulder deposits;</p> <p>All earthworks on site must comply with AS3798-2007 and a sediment and erosion control plan should be implemented on site during and after construction;</p> <p>Aggregate toe drains should be included into the design along the base of all cuttings. A cut-off drain is recommended above the development to intercept surface water away from the residential development and any cutting/retaining wall faces;</p> <p>Due to the steep site slopes, fill placed on site should not exceed 0.5m and have a maximum slope of 1V:3H otherwise, fill should be retained by suitably designed retaining walls; and</p> <p>The proposed development should be constructed in accordance with the Australian Geomechanics Society (2007) guidelines for Good Hillside Construction Practices</p>	Minor, Catastrophic	Unlikely, Barely Credible	Low	N/A

## AUSTRALIAN GEOGUIDE LR8 (CONSTRUCTION PRACTICE)

**HILLSIDE CONSTRUCTION PRACTICE**

Sensible development practices are required when building on hillsides, particularly if the hillside has more than a low risk of instability (GeoGuide LR7). Only building techniques intended to maintain, or reduce, the overall level of landslide risk should be considered. Examples of good hillside construction practice are illustrated below.

**EXAMPLES OF GOOD HILLSIDE CONSTRUCTION PRACTICE****WHY ARE THESE PRACTICES GOOD?**

**Roadways and parking areas** - are paved and incorporate kerbs which prevent water discharging straight into the hillside (GeoGuide LR5).

**Cuttings** - are supported by retaining walls (GeoGuide LR6).

**Retaining walls** - are engineer designed to withstand the lateral earth pressures and surcharges expected, and include drains to prevent water pressures developing in the backfill. Where the ground slopes steeply down towards the high side of a retaining wall, the disturbing force (see GeoGuide LR6) can be two or more times that in level ground. Retaining walls must be designed taking these forces into account.

**Sewage** - whether treated or not is either taken away in pipes or contained in properly founded tanks so it cannot soak into the ground.

**Surface water** - from roofs and other hard surfaces is piped away to a suitable discharge point rather than being allowed to infiltrate into the ground. Preferably, the discharge point will be in a natural creek where ground water exits, rather than enters, the ground. Shallow, lined, drains on the surface can fulfil the same purpose (GeoGuide LR5).

**Surface loads** - are minimised. No fill embankments have been built. The house is a lightweight structure. Foundation loads have been taken down below the level at which a landslide is likely to occur and, preferably, to rock. This sort of construction is probably not applicable to soil slopes (GeoGuide LR3). If you are uncertain whether your site has rock near the surface, or is essentially a soil slope, you should engage a geotechnical practitioner to find out.

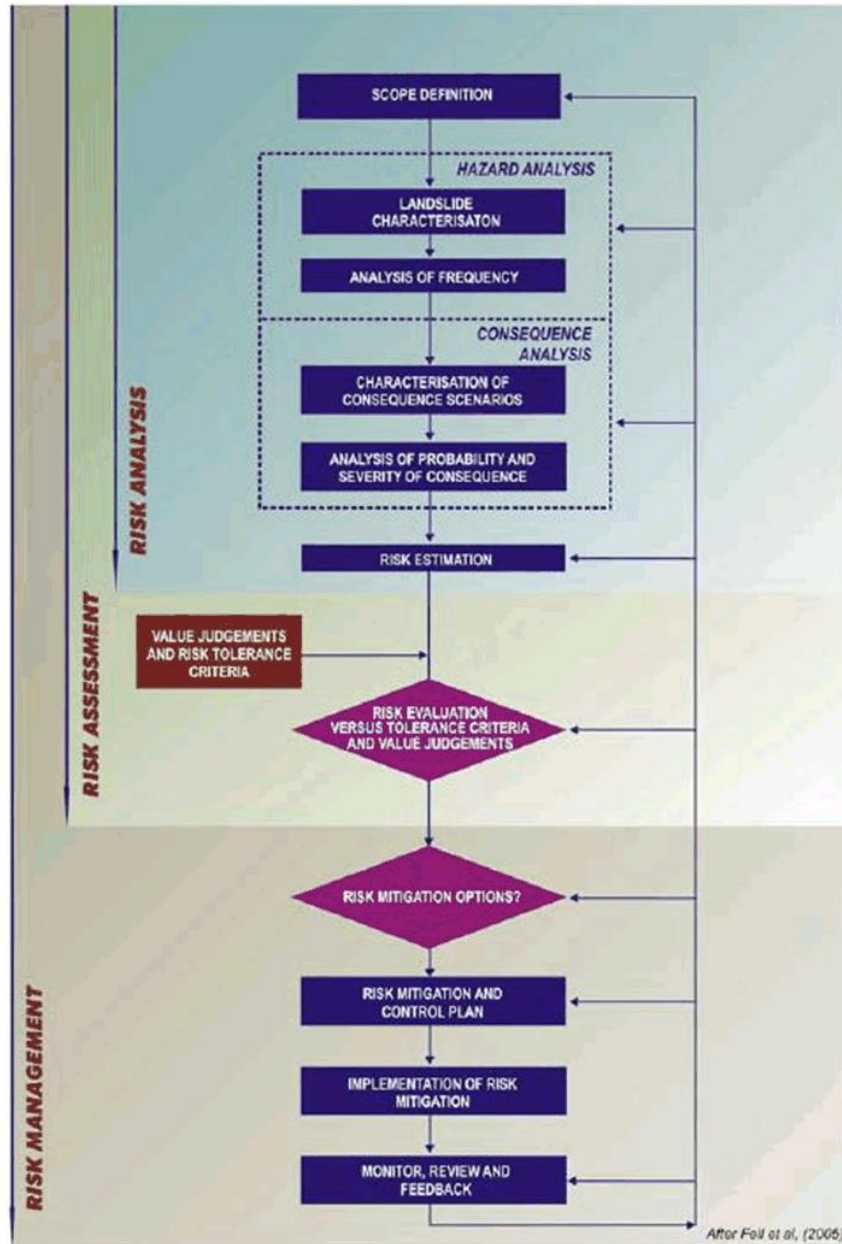
**Flexible structures** - have been used because they can tolerate a certain amount of movement with minimal signs of distress and maintain their functionality.

**Vegetation clearance** - on soil slopes has been kept to a reasonable minimum. Trees, and to a lesser extent smaller vegetation, take large quantities of water out of the ground every day. This lowers the ground water table, which in turn helps to maintain the stability of the slope. Large scale clearing can result in a rise in water table with a consequent increase in the likelihood of a landslide (GeoGuide LR5). An exception may have to be made to this rule on steep rock slopes where trees have little effect on the water table, but their roots pose a landslide hazard by dislodging boulders.

Possible effects of ignoring good construction practices are illustrated on page 2. Unfortunately, these poor construction practices are not as unusual as you might think and are often chosen because, on the face of it, they will save the developer, or owner, money. You should not lose sight of the fact that the cost and anguish associated with any one of the disasters illustrated, is likely to more than wipe out any apparent savings at the outset.

**ADOPT GOOD PRACTICE ON HILLSIDE SITES**

## FRAMEWORK FOR LANDSLIDE RISK MANAGEMENT



**APPENDIX B - LANDSLIDE TERMINOLOGY**

The following provides a summary of landslide terminology which should (for uniformity of practice) be adopted when classifying and describing a landslide. It has been based on Cruden & Varnes (1996) and the reader is recommended to refer to the original documents for a more detailed discussion, other terminology and further examples of landslide types and processes.

**Landslide**

The term *landslide* denotes "the movement of a mass of rock, debris or earth down a slope". The phenomena described as landslides are not limited to either the "land" or to "sliding", and usage of the word has implied a much more extensive meaning than its component parts suggest. Ground subsidence and collapse are excluded.

**Classification of Landslides**

Landslide classification is based on Varnes (1978) system which has two terms: the first term describes the material type and the second term describes the type of movement.

The material types are *Rock*, *Earth* and *Debris*, being classified as follows:-

The material is either rock or soil.

- Rock:** is "a hard or firm mass that was intact and in its natural place before the initiation of movement."
- Soil:** is "an aggregate of solid particles, generally of minerals and rocks, that either was transported or was formed by the weathering of rock in place. Gases or liquids filling the pores of the soil form part of the soil."
- Earth:** "describes material in which 80% or more of the particles are smaller than 2 mm, the upper limit of sand sized particles."
- Debris:** "contains a significant proportion of coarse material; 20% to 80% of the particles are larger than 2 mm and the remainder are less than 2 mm."

The terms used should describe the displaced material in the landslide before it was displaced.

The types of movement describe how the landslide movement is distributed through the displaced mass. The five kinematically distinct types of movement are described in the sequence *fall*, *topple*, *slide*, *spread* and *flow*.

The following table shows how the two terms are combined to give the landslide type:

Table B1: Major types of landslides. Abbreviated version of Varnes' classification of slope movements (Varnes, 1978).

TYPE OF MOVEMENT		TYPE OF MATERIAL		
		BEDROCK	ENGINEERING SOILS	
			Predominantly Coarse	Predominantly Fine
FALLS		Rock fall	Debris fall	Earth fall
TOPPLES		Rock topple	Debris topple	Earth topple
SLIDES	ROTATIONAL	Rock slide	Debris slide	Earth slide
	TRANSLATIONAL			
LATERAL SPREADS		Rock spread	Debris spread	Earth spread
FLOWS		Rock flow (Deep creep)	Debris flow (Soil creep)	Earth flow
COMPLEX		Combination of two or more principle types of movement		

Figure B1 gives schematics to illustrate the major types of landslide movement. Further information and photographs of landslides are available on the USGS website at <http://landslides.usgs.gov>.



## PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

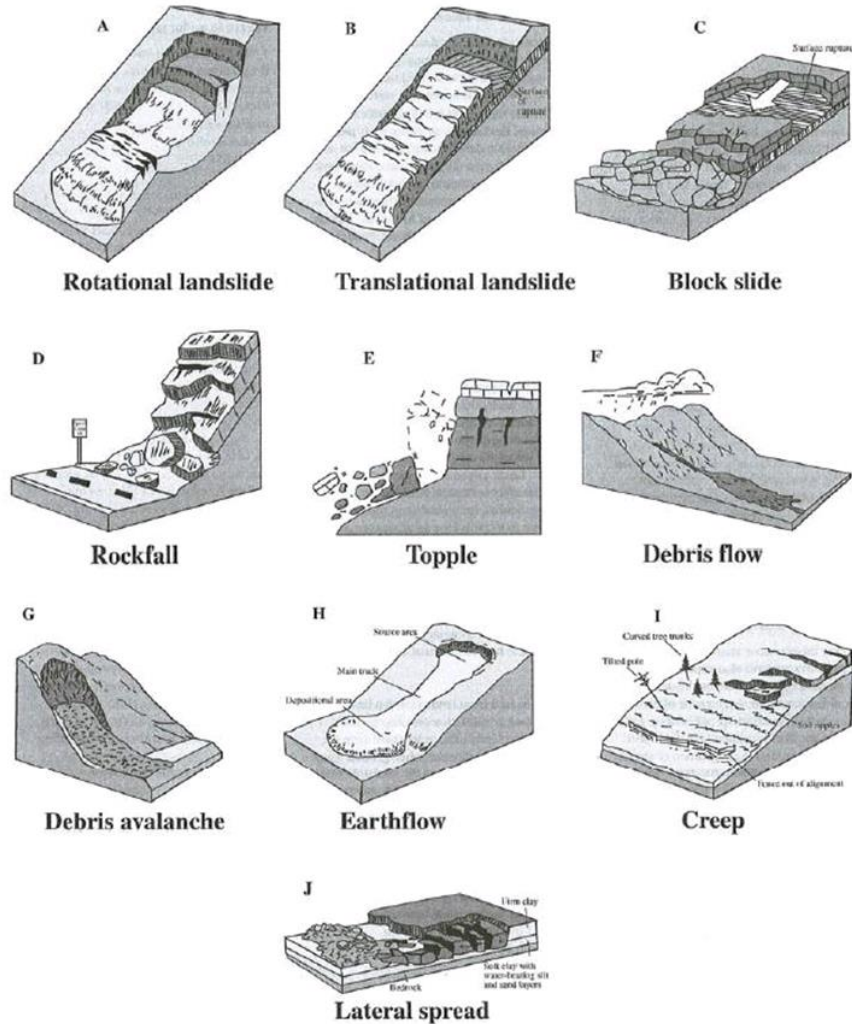


Figure B1: These schematics illustrate the major types of landslide movement.  
(From US Geological Survey Fact Sheet 2004-3072, July 2004, with kind permission for reproduction.)





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

27 April 2021

Frazer Read (AllUrbanPlanning)  
19 Mawhera Ave  
SANDY BAY TAS 7005

<mailto:frazer@allurbanplanning.com.au>

Dear Sir/Madam

**76 LIVERPOOL CRESCENT, WEST HOBART - WORKS IN ROAD RESERVE NOTICE  
OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-21-27**

**Site Address:**

76 Liverpool Crescent, West Hobart

**Description of Proposal:**

Dwelling requiring extended use of road reservation

**Applicant Name:**

Frazer Read  
All Urban Planning

**PLN (if applicable):**

n/a

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


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

Hobart Town Hall  
50 Macquarie Street  
Hobart TAS 7000

Hobart Council Centre  
16 Elizabeth Street  
Hobart TAS 7000

City of Hobart  
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Hobart TAS 7001

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

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

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

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

Yours faithfully



(Tim Short)

**ACTING GENERAL MANAGER**

Relevant documents/plans:

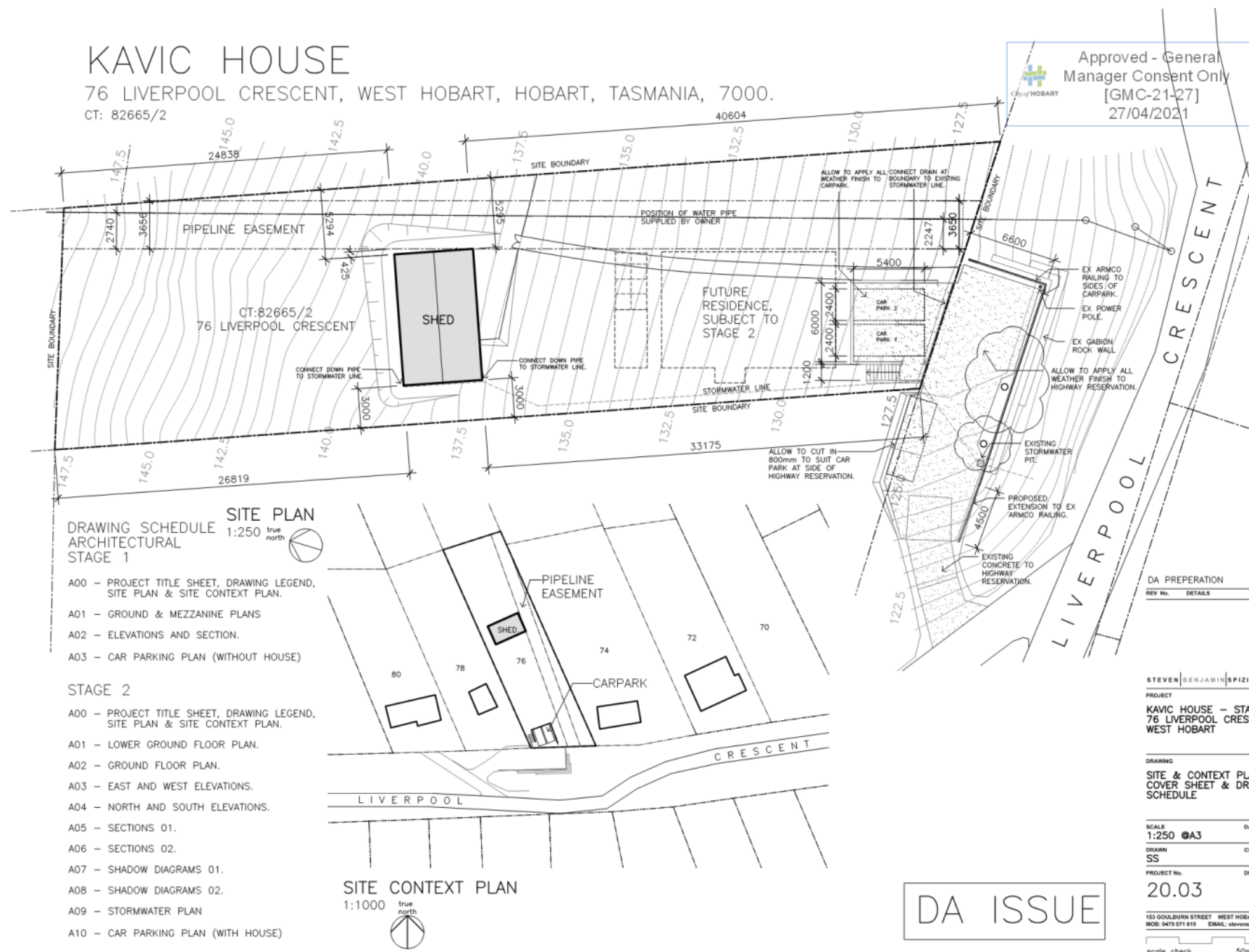
Plans by Steven Spizick Architect  
A00 - A10

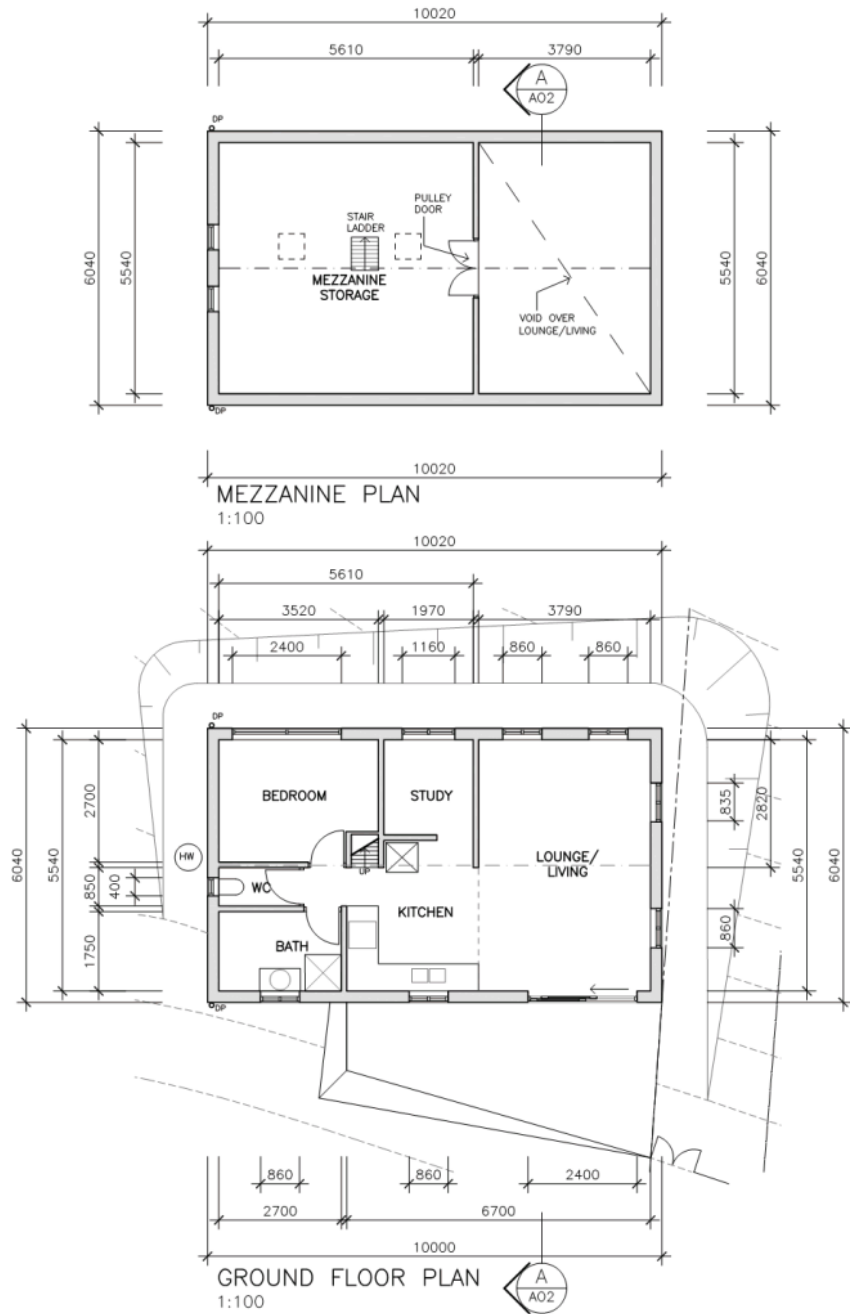
## KAVIC HOUSE

76 LIVERPOOL CRESCENT, WEST HOBART, HOBART, TASMANIA, 7000.

CT: 82665/2

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021





Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021

DA PREPERATION 01.04.21

REV No.	DETAILS	DATE
1	PROJECT NORTH true north	

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
GROUND & MEZZANINE PLANS

SCALE	DATE
1:100 @A3	MAY 2020

DRAWN	CHECKED
SS	SS

PROJECT No.	DRAWING No.
20.03	A01

103 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

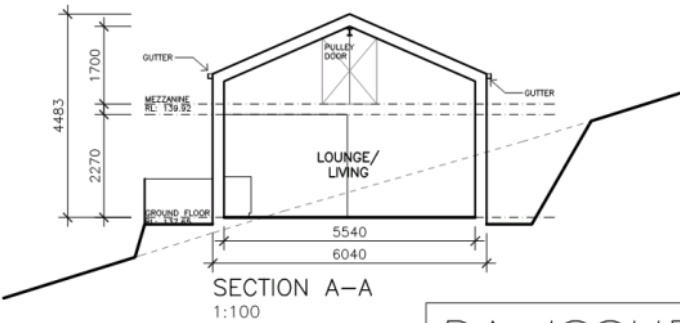
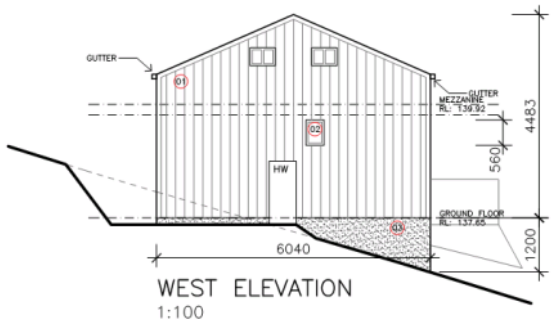
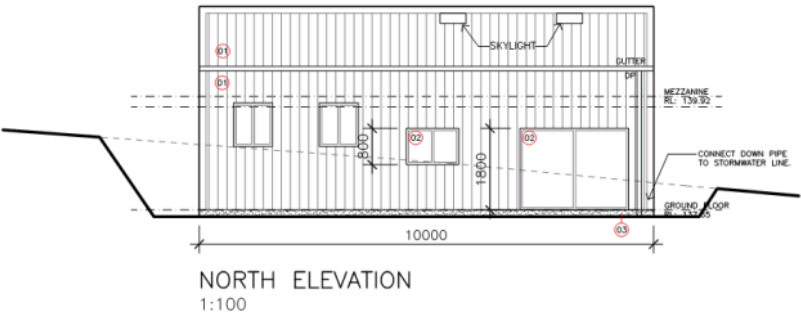
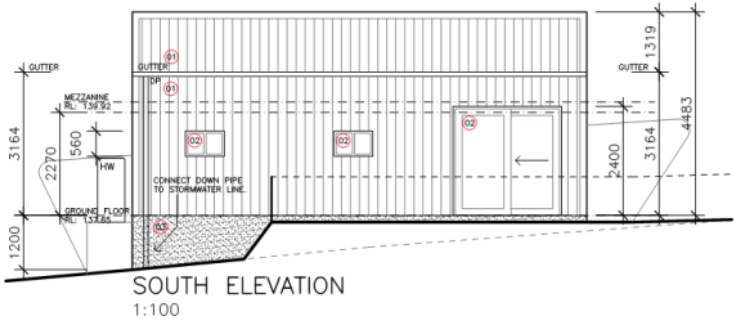
scale check 50mm original size

DA ISSUE

FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, COLORBOND FINISH.
- 02 - ALUMINUM FRAMED GLAZED WINDOWS AND DOORS.
- 03 - IN SITU CONCRETE.

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



DA ISSUE

DA PREPARATION	01.04.21
REV No.	DETAILS
	DATE



STEVEN BENJAMIN SPIZICK ARCHITECT  
PROJECT  
KAVIC HOUSE - STAGE 1  
76 LIVERPOOL CRESCENT  
WEST HOBART

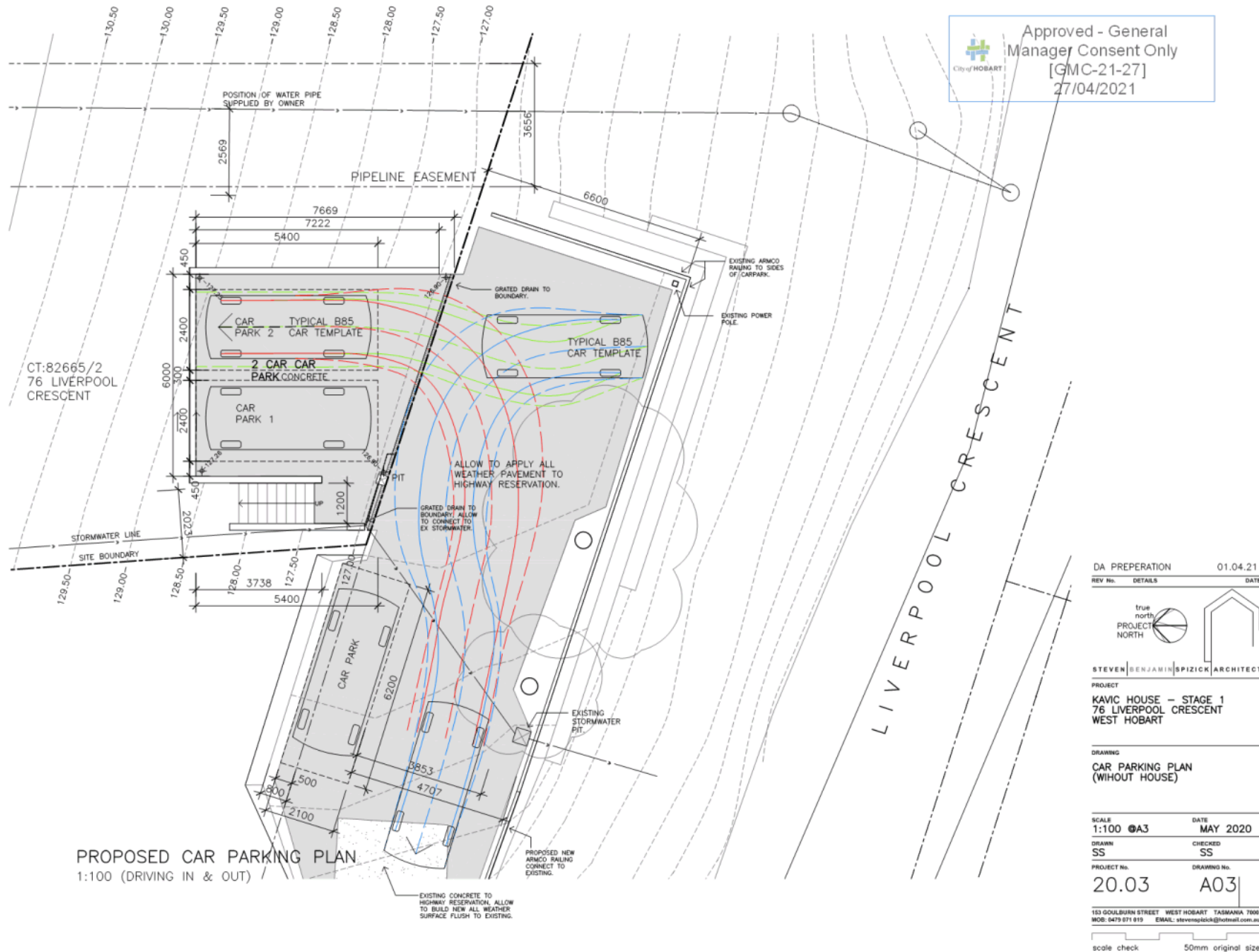
DRAWING  
ELEVATIONS & SECTION

SCALE	DATE
1:100 @A3	MAY 2020
DRAWN	CHECKED
SS	SS

PROJECT No.	DRAWING No.
20.03	A02

103 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 071 019 EMAIL: steven@spizick.com.au

scale check 50mm original size



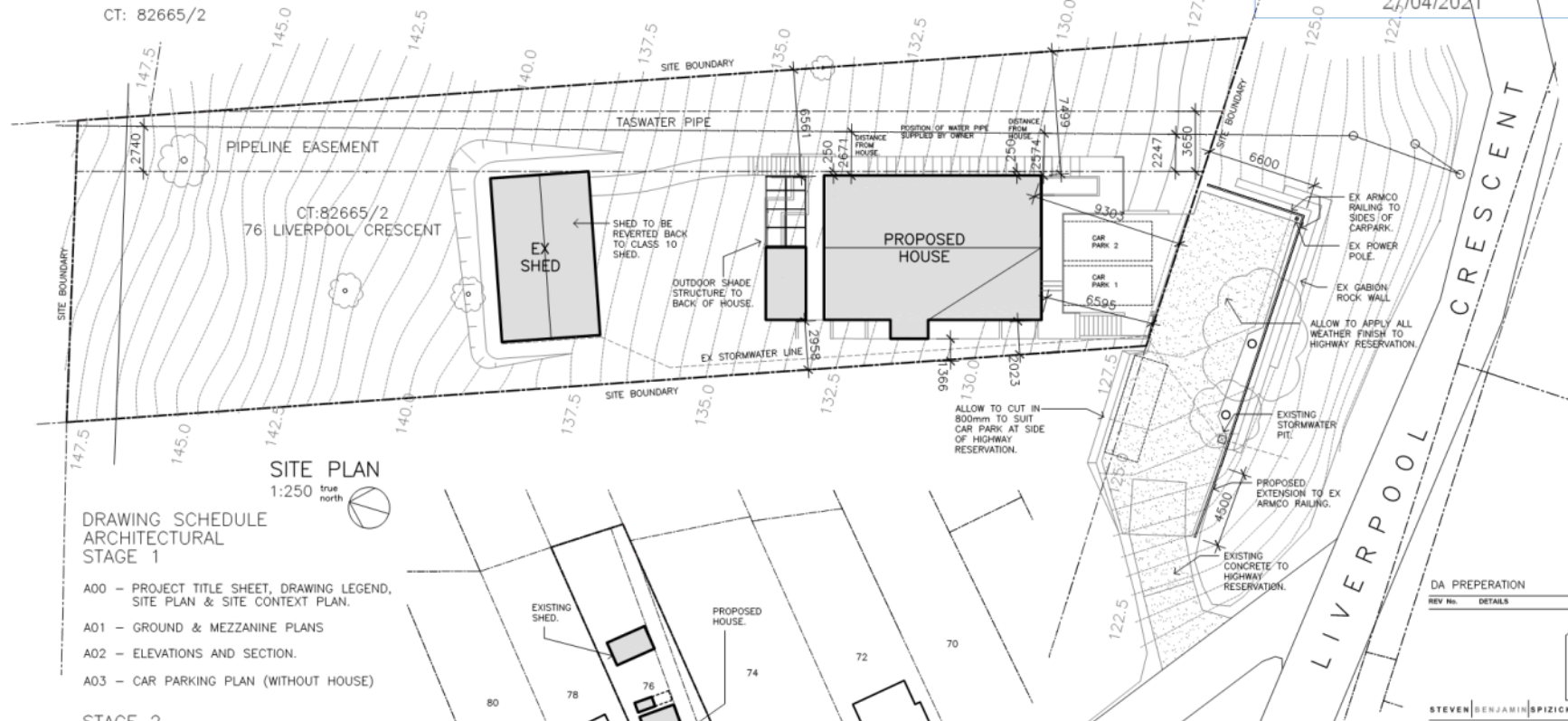


# KAVIC HOUSE – STAGE 2

76 LIVERPOOL CRESCENT, WEST HOBART, HOBART, TASMANIA, 7000.

CT: 82665/2

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



SITE PLAN  
1:250 true north

## DRAWING SCHEDULE ARCHITECTURAL STAGE 1

- A00 – PROJECT TITLE SHEET, DRAWING LEGEND, SITE PLAN & SITE CONTEXT PLAN.
- A01 – GROUND & MEZZANINE PLANS
- A02 – ELEVATIONS AND SECTION.
- A03 – CAR PARKING PLAN (WITHOUT HOUSE)

## STAGE 2

- A00 – PROJECT TITLE SHEET, DRAWING LEGEND, SITE PLAN & SITE CONTEXT PLAN.
- A01 – LOWER GROUND FLOOR PLAN.
- A02 – GROUND FLOOR PLAN.
- A03 – EAST AND WEST ELEVATIONS.
- A04 – NORTH AND SOUTH ELEVATIONS.
- A05 – SECTIONS 01.
- A06 – SECTIONS 02.
- A07 – SHADOW DIAGRAMS 01.
- A08 – SHADOW DIAGRAMS 02.
- A09 – STORMWATER PLAN
- A10 – CAR PARKING PLAN (WITH HOUSE)



SITE CONTEXT PLAN  
1:1000 true north

DA ISSUE

DA PREPARATION 01.04.21  
REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE – STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
SITE PLAN  
COVER SHEET

SCALE 1:250 @A3 DATE MAY 2020

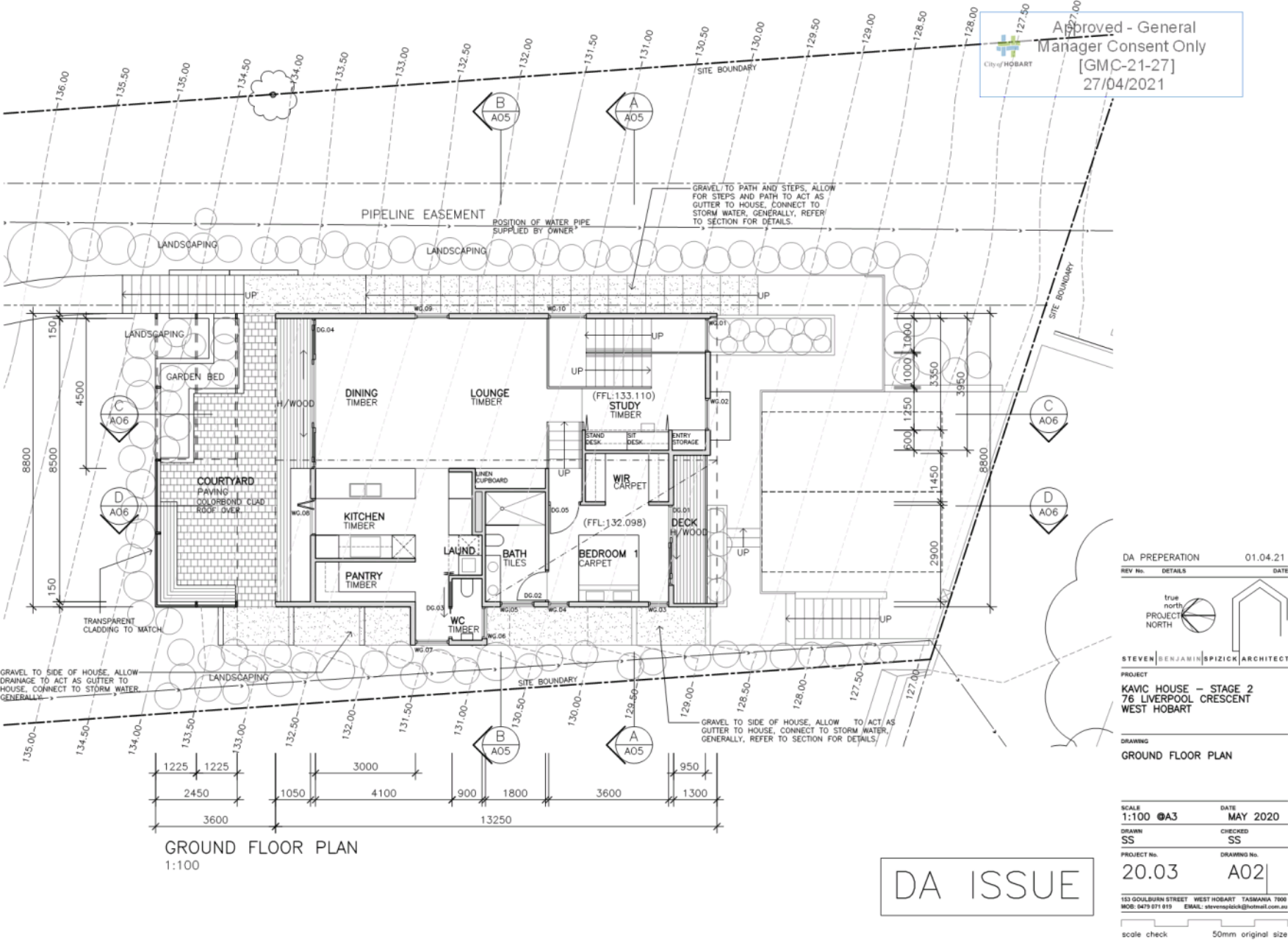
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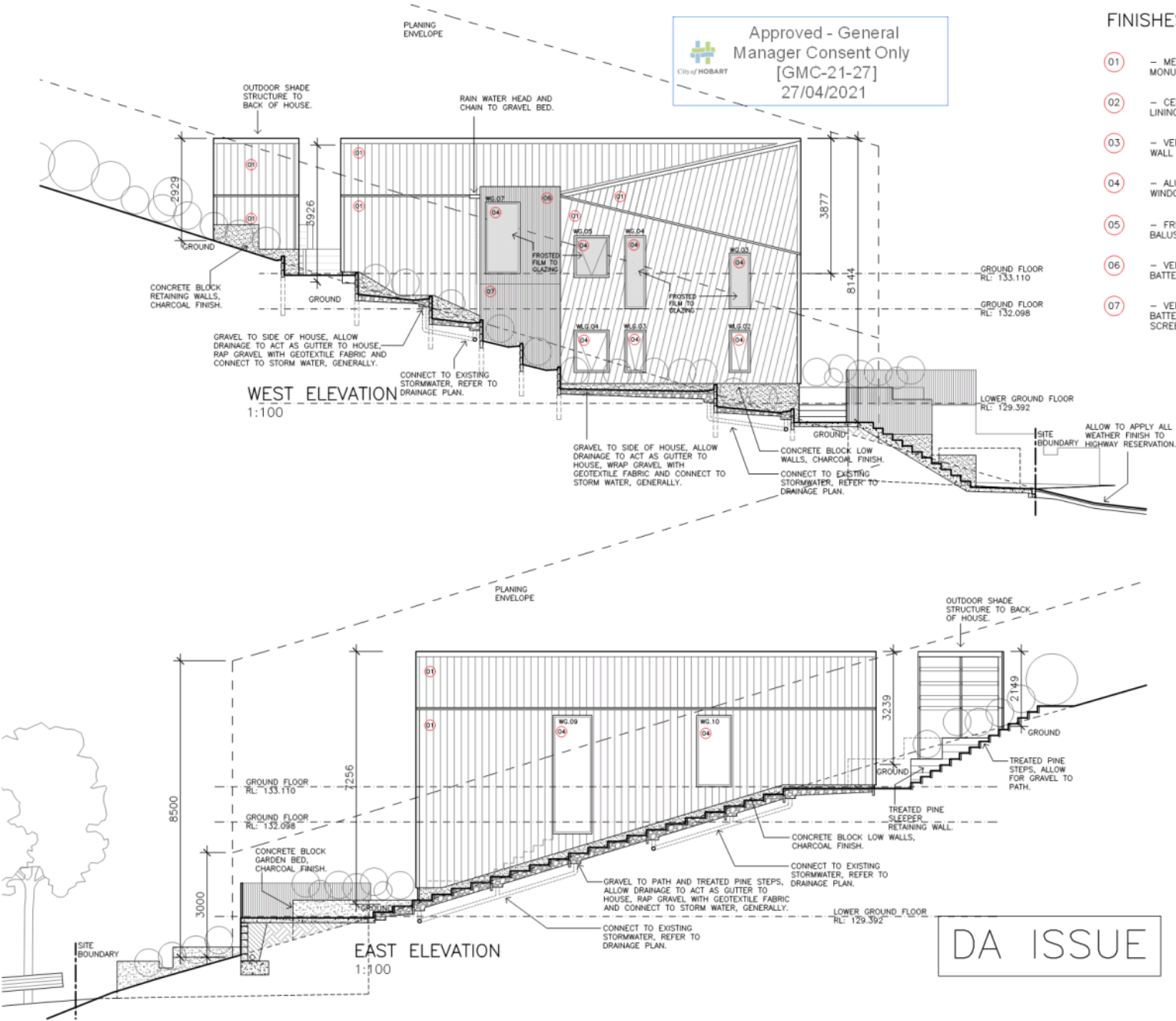
153 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

scale check 50mm original size





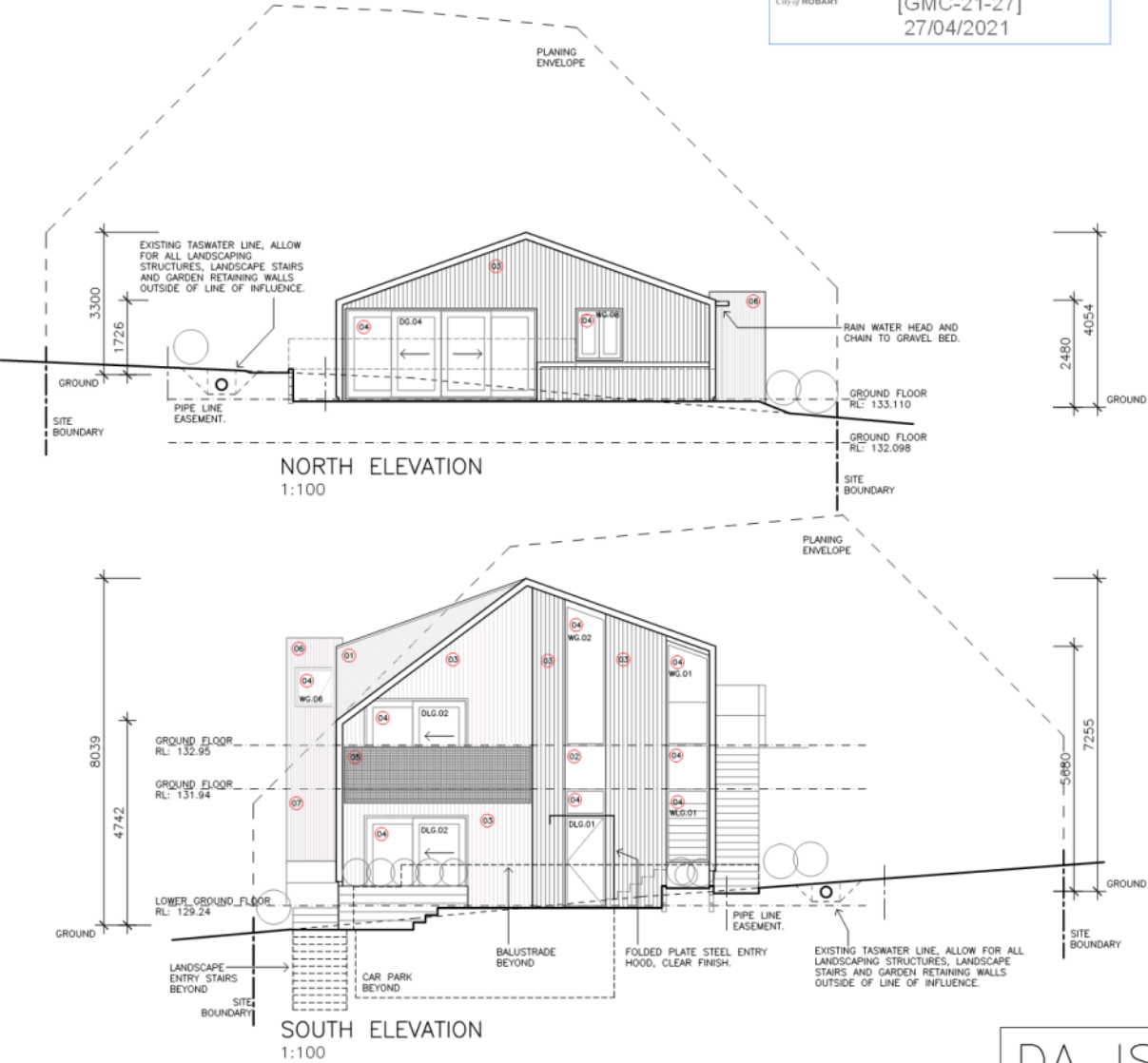




FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, MONUMENT COLORBOND FINISH.
- 02 - CEMENT SHEET WALL AND SOFFIT LINING, WHITE PAINT FINISH.
- 03 - VERTICAL FIRE RESISTANT HARDWOOD WALL LINING, CLEAR FINISH.
- 04 - ALUMINUM FRAMED DOUBLE GLAZED WINDOWS AND DOORS.
- 05 - FRP (FIBRE REINFORCED PLASTIC) MESH BALUSTRADE, RED FINISH.
- 06 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER CEMENT SHEET.
- 07 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER FIRE RESISTANT MESH SCREEN AND GALV FRAME.

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, MONUMENT COLORBOND FINISH.
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- 06 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER CEMENT SHEET.
- 07 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER FIRE RESISTANT MESH SCREEN AND GALV FRAME.

DA PREPERATION 01.04.21  
REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
NORTH AND SOUTH ELEVATIONS

SCALE 1:100 @A3 DATE MAY 2020

DRAWN SS CHECKED SS

PROJECT No. 20.03 DRAWING No. A04

153 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

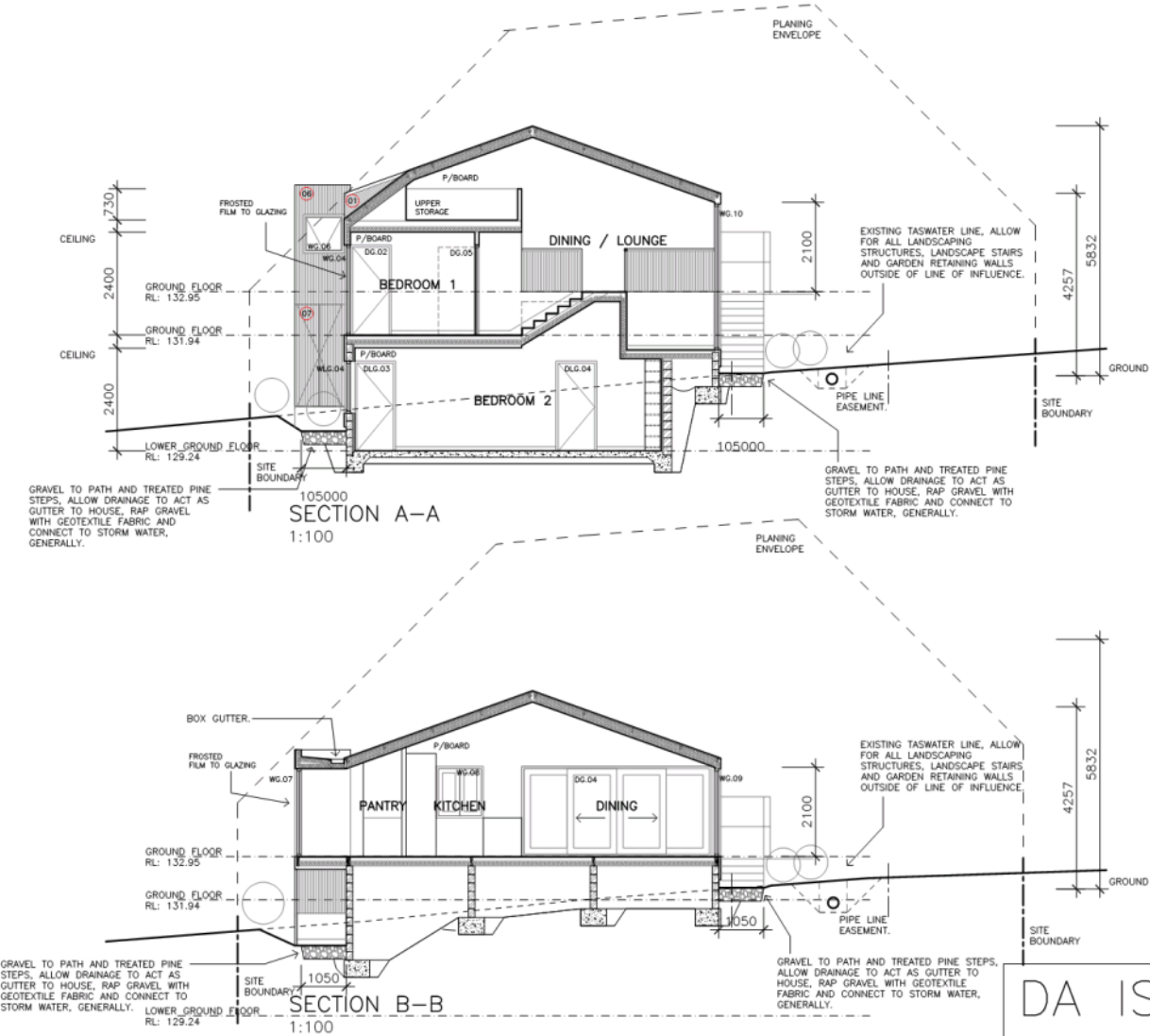
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DA ISSUE

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021

FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, MONUMENT COLORBOND FINISH.
- 02 - CEMENT SHEET WALL AND SOFFIT LINING, WHITE PAINT FINISH.
- 03 - VERTICAL FIRE RESISTANT HARDWOOD WALL LINING, CLEAR FINISH.
- 04 - ALUMINUM FRAMED DOUBLE GLAZED WINDOWS AND DOORS.
- 05 - FRP (FIBRE REINFORCED PLASTIC) MESH BALUSTRADE, RED FINISH.
- 06 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER CEMENT SHEET.
- 07 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER FIRE RESISTANT MESH SCREEN AND GALV FRAME.



DA PREPERATION 01.04.21  
REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
SECTIONS 01

SCALE 1:100 A3 DATE MAY 2020  
DRAWN SS CHECKED SS  
PROJECT No. 20.03 DRAWING No. A05

103 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

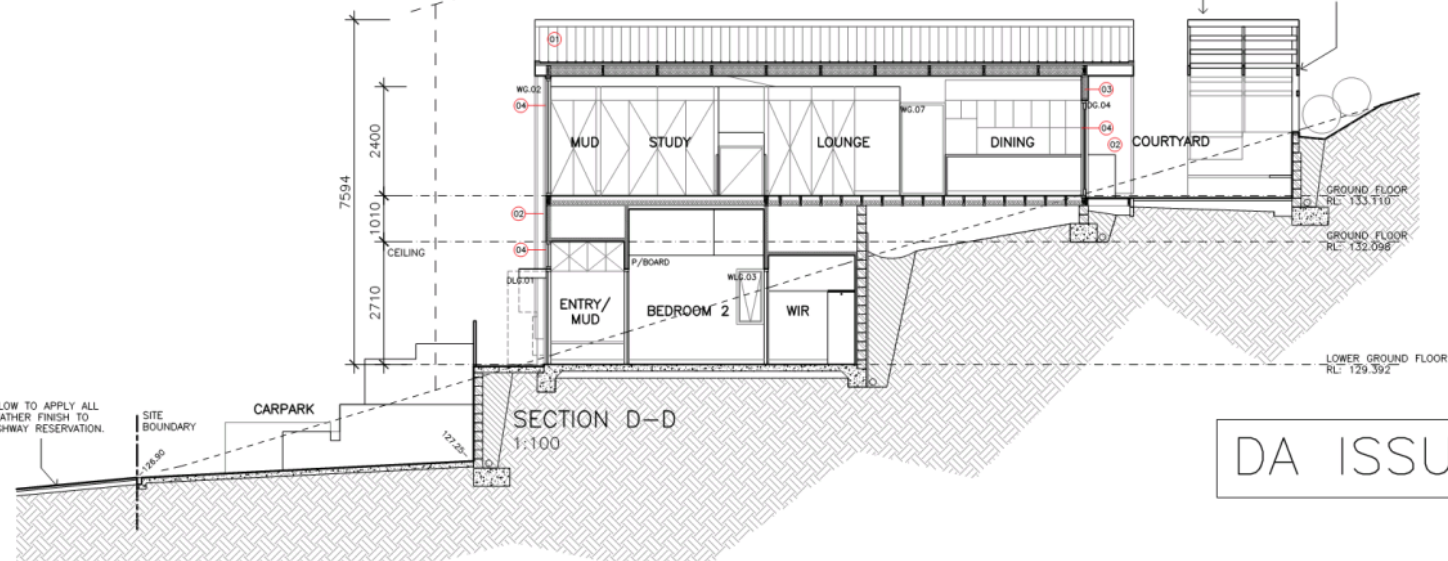
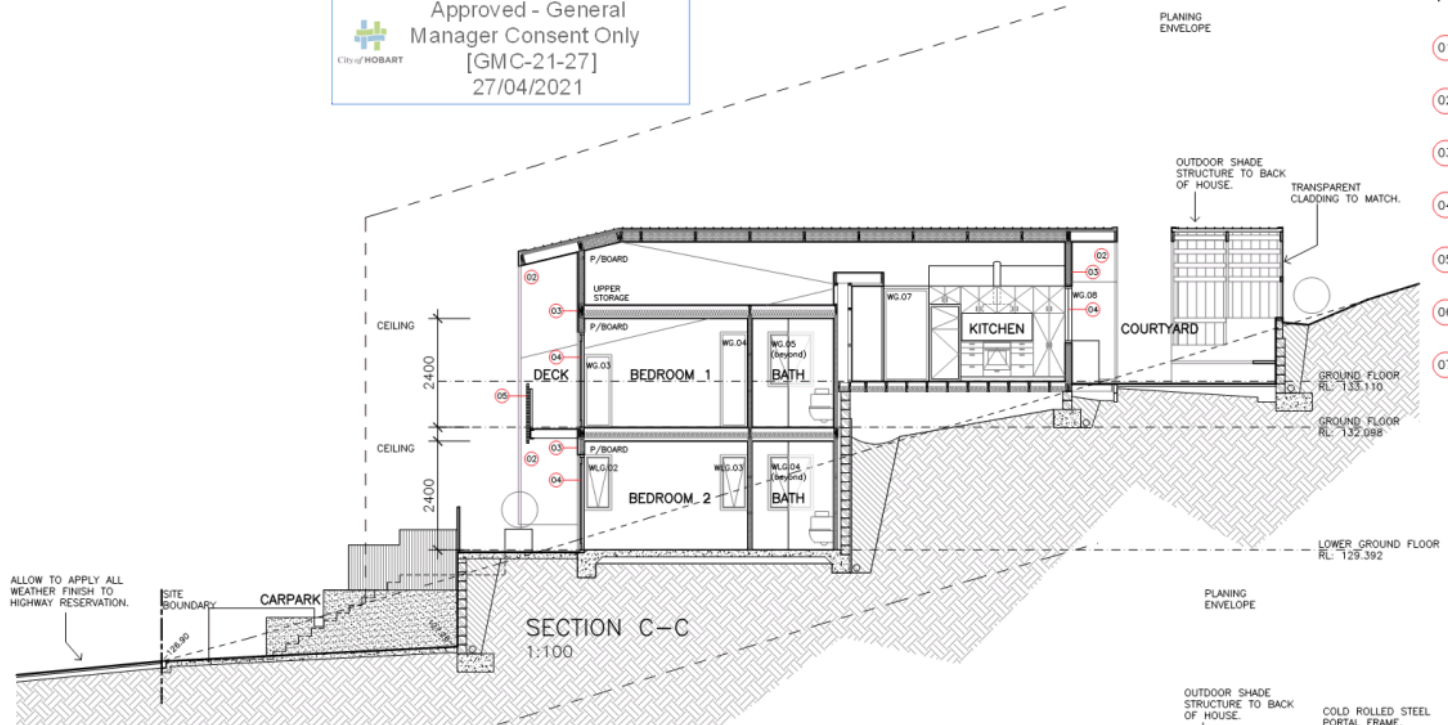
scale check 50mm original size



Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021

# FINISHES SCHEDULE

- 01 - METAL WALL AND ROOF CLADDING, MONUMENT COLORBOND FINISH.
- 02 - CEMENT SHEET WALL AND SOFFIT LINING, WHITE PAINT FINISH.
- 03 - VERTICAL FIRE RESISTANT HARDWOOD WALL LINING, CLEAR FINISH.
- 04 - ALUMINUM FRAMED DOUBLE GLAZED WINDOWS AND DOORS.
- 05 - FRP (FIBRE REINFORCED PLASTIC) MESH BALUSTRADE, RED FINISH.
- 06 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER CEMENT SHEET.
- 07 - VERTICAL FIRE RESISTANT HARDWOOD BATTENS OVER FIRE RESISTANT MESH SCREEN AND GALV FRAME.



DA ISSUE

DA PREPARATION 01.04.21  
REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
SECTIONS 02

SCALE 1:100 A3 DATE MAY 2020

DRAWN SS CHECKED SS

PROJECT No. 20.03 DRAWING No. A06

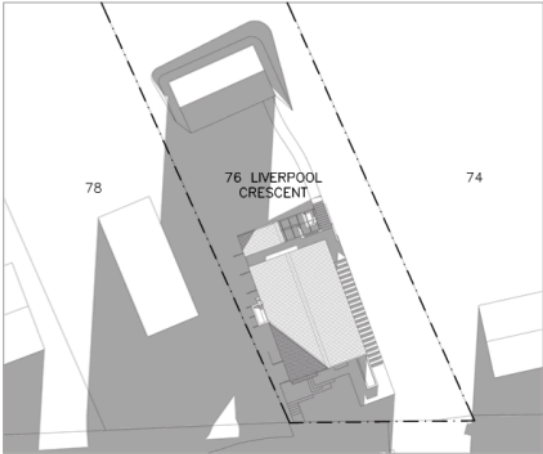
103 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 071 019 EMAIL: steven@spizick.com.au

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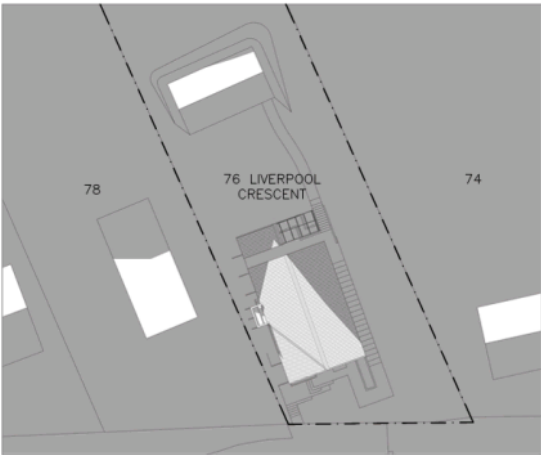
Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



SHADOW DIAGRAM  
N.T.S (9am 21st JUNE)



SHADOW DIAGRAM  
N.T.S (12 noon 21st JUNE)



SHADOW DIAGRAM  
N.T.S (3pm 21st JUNE)

DA ISSUE

DA PREPERATION 01.04.21

REV No.	DETAILS	DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

DRAWING  
SHADOWS 01

SCALE 1:100 A3 DATE MAY 2020

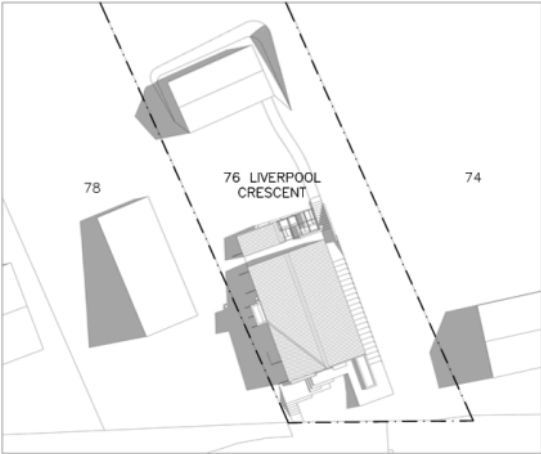
DRAWN	CHECKED
SS	SS

PROJECT No. 20.03 DRAWING No. A07

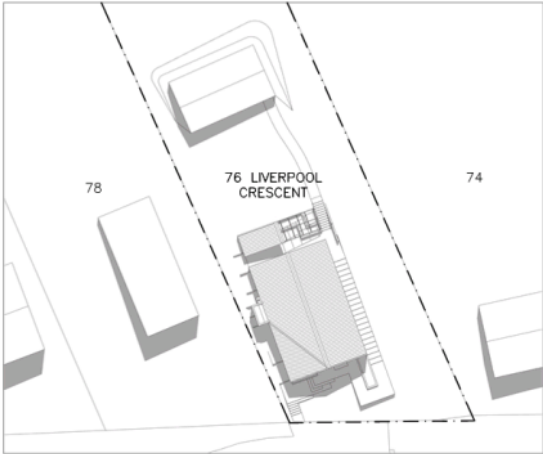
153 GOULBURN STREET WEST HOBART TASMANIA 7008  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

scale check 50mm original size

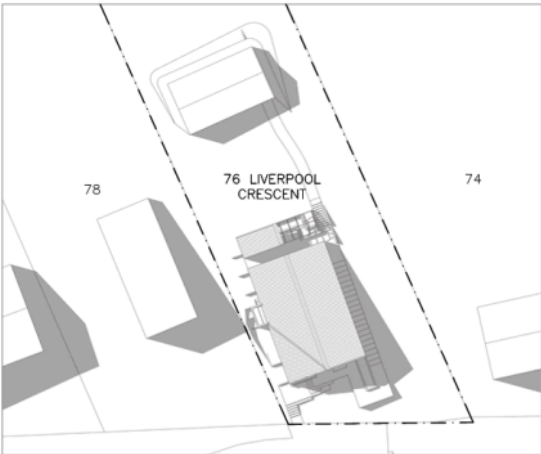
City of Hobart  
Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



SHADOW DIAGRAM  
N.T.S (9am 21st DECEMBER)



SHADOW DIAGRAM  
N.T.S (12 noon 21st DECEMBER)



SHADOW DIAGRAM  
N.T.S (3pm 21st DECEMBER)

DA ISSUE

DA PREPERATION 01.04.21  
REV No. DETAILS DATE

STEVEN BENJAMIN SPIZICK ARCHITECT

PROJECT  
KAVIC HOUSE - STAGE 2  
76 LIVERPOOL CRESCENT  
WEST HOBART

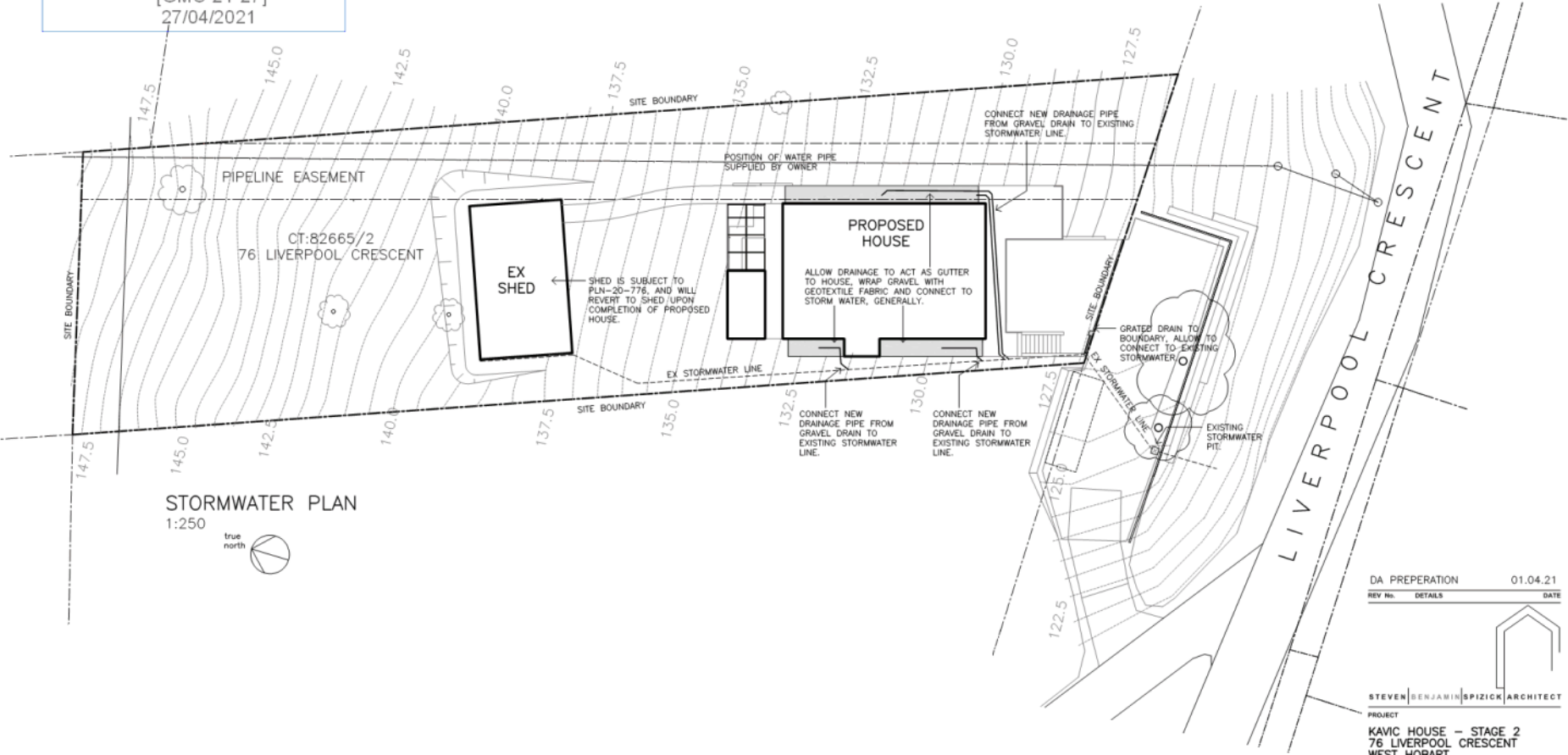
DRAWING  
SHADOWS 02

SCALE 1:100 @A3 DATE MAY 2020  
DRAWN SS CHECKED SS  
PROJECT No. 20.03 DRAWING No. A08

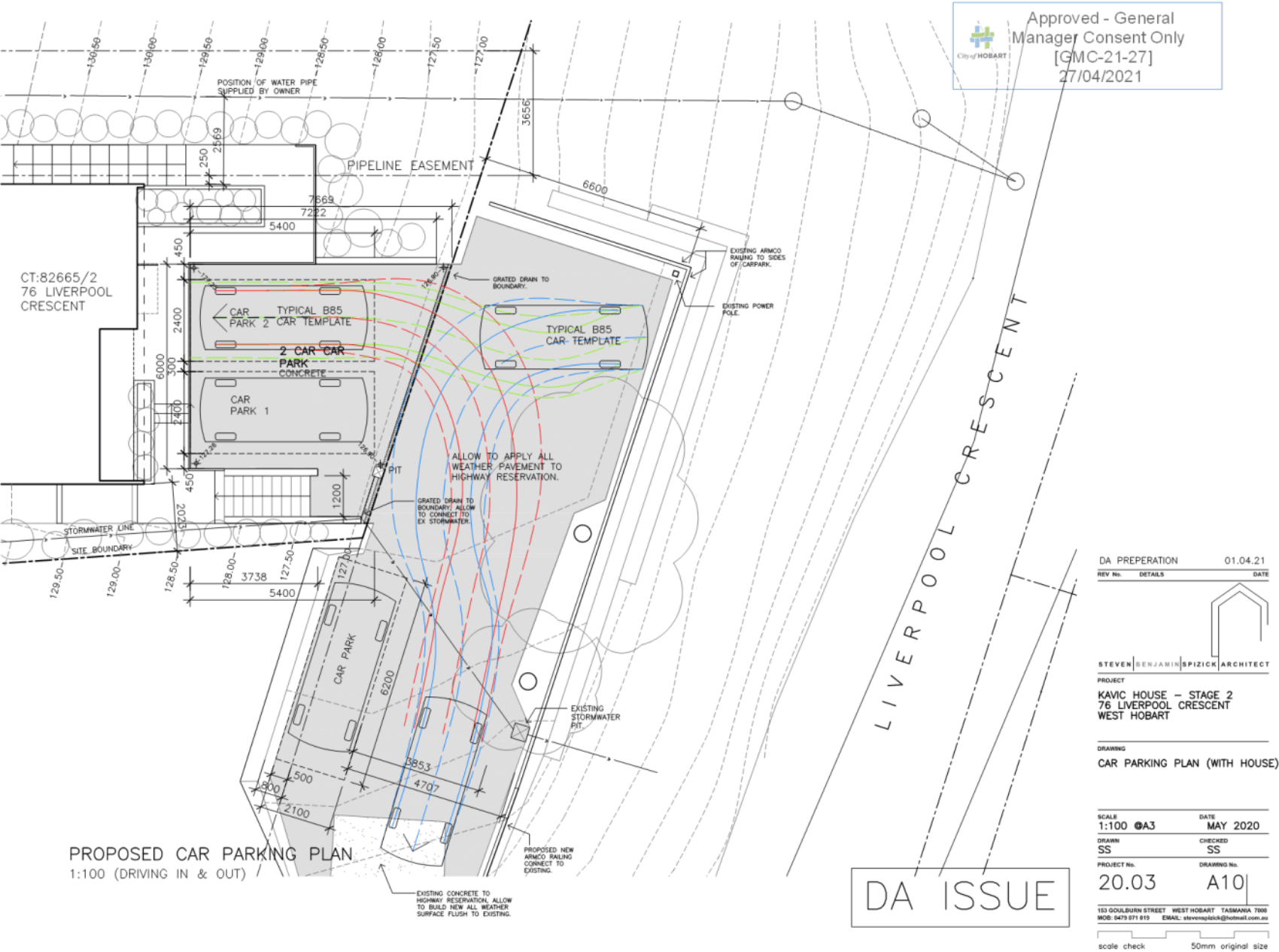
153 GOULBURN STREET WEST HOBART TASMANIA 7000  
MOB: 0479 971 919 EMAIL: steven@spizick.com.au

scale check 50mm original size

Approved - General  
Manager Consent Only  
[GMC-21-27]  
27/04/2021



DA ISSUE





**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME	FOLIO
82665	1
EDITION	DATE OF ISSUE
6	15-Apr-2013

SEARCH DATE : 12-May-2021

SEARCH TIME : 07.22 AM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 82665 (formerly being 441-3D)

Derivation : Part of 15acs-3rds-14.1/2ps. Gtd. to E.Hawson

Prior CT 2675/54

SCHEDULE 1

M414183 TRANSFER to VINCENT ERROL TRIM and JENNIFER SARAH  
MURNAGHAN Registered 15-Apr-2013 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
BURDENING EASEMENT: Right of Drainage [appurtenant to the  
balance of the land contained in Certificate of Title  
Volume 476 Folio 12) over the land 5 feet wide marked  
Drainage Easement passing through the South Western  
boundary of the said land within described on D 82665

BURDENING EASEMENT: Right of Drainage [appurtenant to Lot 2 on  
Diagram No. 82665 and to the land comprised in  
Certificate of Title Volume 1054 Folio 67) over the  
land 5 feet widemarked Drainage Easement passing  
through the said land within described on D 82665

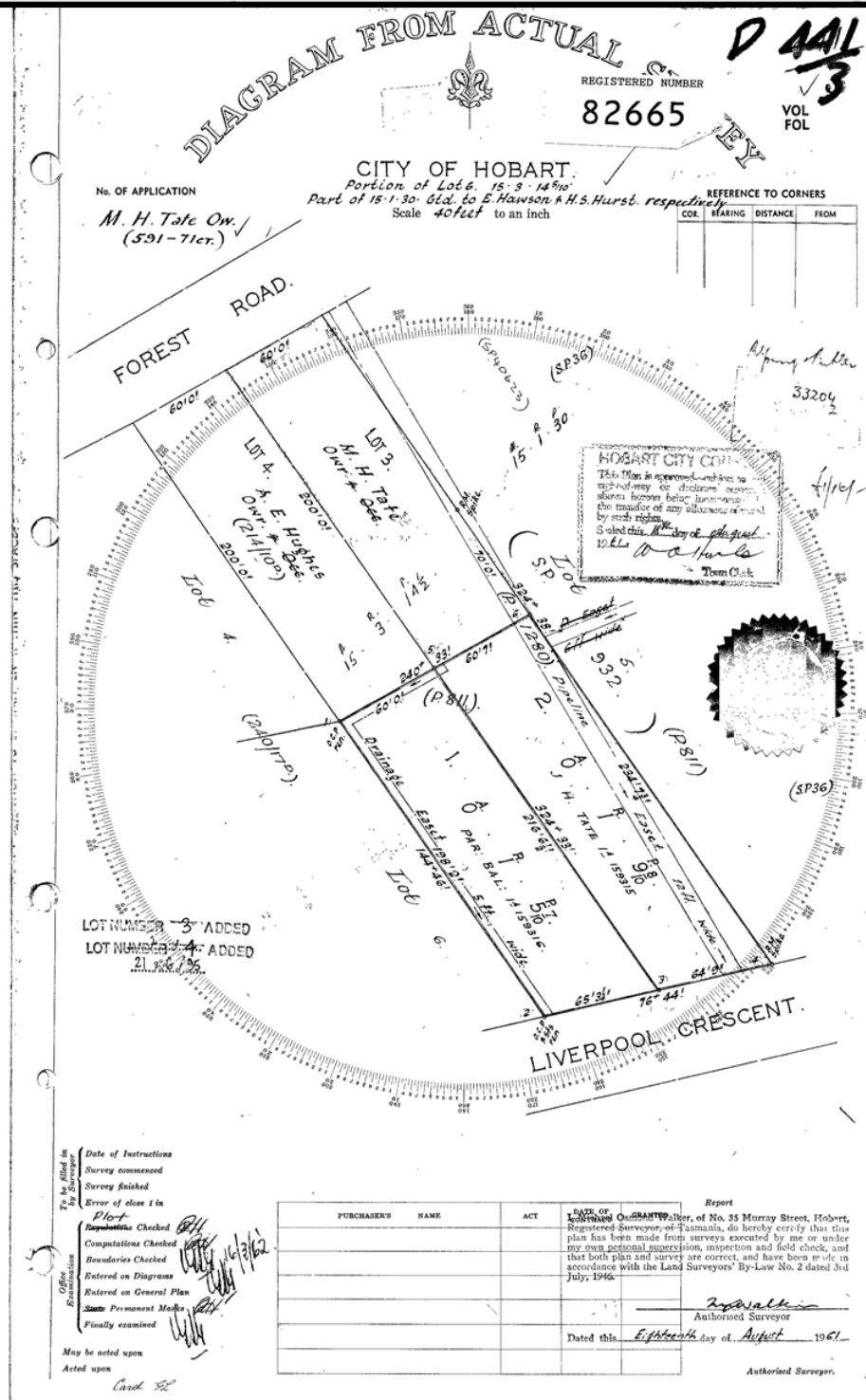
128337 FENCING CONDITION in Transfer

D83909 MORTGAGE to Australia and New Zealand Banking Group  
Limited Registered 15-Apr-2013 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 82665	FOLIO 2
EDITION 5	DATE OF ISSUE 10-Aug-2020

SEARCH DATE : 12-May-2021

SEARCH TIME : 07.21 AM

DESCRIPTION OF LAND

City of HOBART

Lot 2 on Diagram 82665 (formerly being 441-3D)

Derivation : Part of 15A-3R-14.1/2Ps. Gtd. to E. Hawson

Prior CT 2859/20

SCHEDULE 1

C814731 TRANSFER to EMIL PAUL KAVIC and ANNE LOUISE KAVIC  
Registered 18-Dec-2007 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BENEFITING EASEMENT: Right of Drainage over the drainage  
easement passing through Lot 1 on D. 82665

BURDENING EASEMENT: Right of Drainage [appurtenant to the land  
comprised in Certificate of Title Volume 1054 Folio  
67) over the Drainage Easement passing through the  
said land within described

BURDENING EASEMENT the full and free right and liberty for the  
Lord Mayor Aldermen and Citizens of the City of  
Hobart (herein called "the Corporation") its  
successors and assigns to lay and forever maintain  
water mains of such size and number as it may require  
through all that strip of land shown marked "Pipe  
Line Easement" on D. 82665 and to use such water  
mains for the purpose of carrying and supplying water  
to such parts of the City of Hobart as the same from  
time to time may be required to serve and it shall be  
lawful for the Corporation from time to time and at  
all times with surveyors workmen and others to enter  
into and upon the said strip of land to inspect the  
condition of the said water mains and to repair and  
maintain and cleanse the same from time to time for  
the purposes aforesaid or any of them to bring place  
upon the said strip of land or any part thereof such  
materials machinery and other things as it may think  
proper and to dig up the surface of the said strip of

**RESULT OF SEARCH**

RECORDER OF TITLES

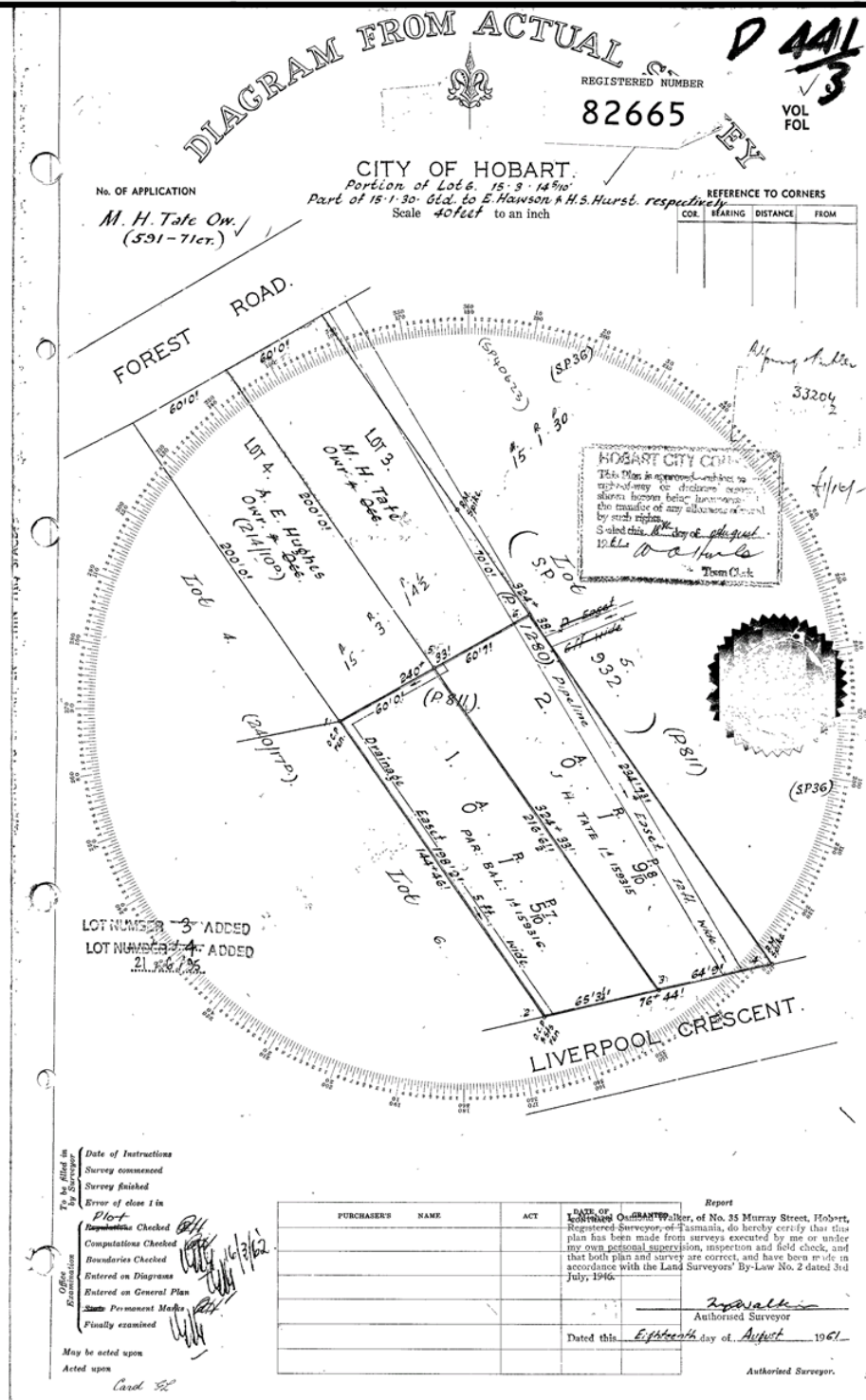
*Issued Pursuant to the Land Titles Act 1980*

land and the Corporation covenants that it will excavate make and lay the said water mains in a workmanlike manner and with good and sufficient materials in all respects and will remove and carry away all clay sand gravel stones and earth which will be excavated and taken out in laying the said mains and in maintaining and repairing the same will at all times repair and maintain the said water mains in such manner that the same shall not be a nuisance or inconvenience to the land or to the tenants or occupiers of such land or any part thereof and in maintaining and repairing the same do as little damage and injury as possible to the surface of the said strip of land the crops for the time being thereon and will as nearly as possible leave the surface of the said land in the same state and condition as the same was in when the corporation commenced such work

128337 FENCING CONDITION in Transfer  
 D41507 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 23-Jan-2012 at noon  
 D63164 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 20-Aug-2012 at noon  
 E229734 MORTGAGE to B&E Ltd Registered 10-Aug-2020 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	PLN-21-335	<b>Council notice date</b>	20/05/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/00823-HCC	<b>Date of response</b>	02/06/2021
<b>TasWater Contact</b>	Elio Ross	<b>Phone No.</b>	0467 874 330
<b>Response issued to</b>			
<b>Council name</b>	CITY OF HOBART		
<b>Contact details</b>	coh@hobartcity.com.au		
<b>Development details</b>			
<b>Address</b>	76 LIVERPOOL CRES, WEST HOBART	<b>Property ID (PID)</b>	5551928
<b>Description of development</b>	Temporary Dwelling, Dwelling, and Associated Work - Staged		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Steven Benjamin Spizick Architect	20.03 / A00 Stage 1 / A00 A01 A02 A03 A04 A05 A09 Stage 2	DA	01/04/2021
<b>Conditions</b>			
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:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
1. Any modified property service connections must be carried out by TasWater at the developer's cost.			
<b>GENERAL</b>			
2. Prior to issuing a Certificate for Certifiable Work (Building) and/or (Plumbing) the following will need to be addressed.			
i) All existing TasWater infrastructure to be accurately located all by a surveyor and/or a private contractor engaged who is a suitably qualified person to TasWater's satisfaction at the developers cost to locate the infrastructure. This includes cover, depths and inverts at key locations.			
ii) Show 50mm water main on the plan that is located to the lot frontage in the car parking and turning area, refer to attached infrastructure plan. Any works that may impact the said main has to be shown, and to maintain current design standards to the satisfaction of TasWater. If remedial work is required to the main this will trigger conditions for "ASSET CREATION & INFRASTRUCTURE WORKS" and an Engineering Design Approval will be required.			
iii) Remove all proposed buildings, structures & private pipework from within the easement (this includes stairs, footings, retaining walls & Ag drains) or;			
iv) Amend the existing easement on the sealed plan so that the new easement is in line with the outer edge proposed stairs. As well as meet any current standards as outlined in TasWater's WSA03-2011-3.1 MRWA V2.0 Supplement. i.e. Minimum 6m wide at the southern end and variable-width at the northern edge. Reason: to allow TasWater adequate space to conduct remedial works or construct new infrastructure if required. If the easement is amended, then following conditions will apply. "EASEMENTS & ENDORSEMENTS"			



**INFRASTRUCTURE WORKS**

3. Plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) / Engineering Design Approval must, to the satisfaction of TasWater show how the proposal will protect all existing property services and mains.
4. Prior to the issue of a TasWater Certificate(s) for Certifiable Work (Building and/or Plumbing), the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
  - a. the exact location of the existing water infrastructure and associated valves,
  - b. the current position of the easement protecting that infrastructure; *and*
  - c. the proposed position of a new easement to TasWater's satisfaction.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

**ASSET CREATION & INFRASTRUCTURE WORKS**

5. Where applicable, prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for to TasWater's satisfaction.
6. Where applicable, prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
7. Where applicable all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Where applicable, prior to the issue of a Certificate of Water and sewerage Compliance (Building and/or Plumbing) all additions, extensions, alterations or upgrades to TasWater's infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. Where applicable, after testing to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the infrastructure works and prior to TasWater issuing a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
  - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
  - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
  - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
  - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.





11. Where applicable, after the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
14. Where applicable, a construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

**EASEMENTS & ENDORSEMENTS**

15. Prior to the issue of a Certificate of Water & Sewerage Compliance (Building and or Plumbing) the applicant must submit a copy of the completed Transfer for the provision of a Pipeline and Services Easement(s) to cover the existing TasWater infrastructure and provide for adequate room to be able to duplicate the main.  
Advice: It is understood that the above condition may require the developer to lodge a petition to amend the sealed plan SP82665 for the removal of the existing easement.

**56W CONSENT**

16. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within two metres of TasWater infrastructure.

**LAND STABILITY**

17. All geotechnical recommendations made in the geotechnical report must be implemented by the developer in relation to the design, alignment, installation and construction of all water and sewerage services.
18. The geotechnical engineer must provide TasWater with written certification that recommended works contained within their report (submitted as part of this application) have been completed to their satisfaction at intervals which are determined by the geotechnical engineer.

**DEVELOPMENT ASSESSMENT FEES**

19. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63, and a Consent to Register a Legal Document fee of \$149.20 to TasWater, as approved by the Economic Regulator and the fees 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](http://www.taswater.com.au/Development/Service-location) for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**56W Consent**


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

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.
- (d) The location of the property service connection and sewer inspection opening (IO).

**Boundary Trap Area**

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



<b>Declaration</b>			
The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.			
<b>Authorised by</b>  <b>Jason Taylor</b> Development Assessment Manager			
<b>TasWater Contact Details</b>			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

**7.1.3 115 PATRICK STREET, WEST HOBART AND ADJACENT ROAD  
RESERVE - PARTIAL DEMOLITION, ALTERATIONS AND  
EXTENSION  
PLN-21-93 - FILE REF: F21/65011**

---

Address: 115 Patrick Street, West Hobart and Adjacent  
Road Reserve

Proposal: Partial Demolition, Alterations and Extension

Expiry Date: 20 July 2021

Extension of Time: Not applicable

Author: Michael McClenahan

***RECOMMENDATION***

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street road reserve for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-93 - 115 Patrick Street West Hobart TAS 7000 - final planning documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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

*Advice:*

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

*Advice:*

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

Reason for condition

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

HER 9

Original doors and window noted to be demolished must be carefully salvaged, labelled and stored onsite for possible future reuse. Items must be stored with a plan showing the original location of items.

Reason for condition

To ensure that demolition in whole or part of a heritage place and precinct does not result in the loss of historic cultural heritage values.

## **ADVICE**

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

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

## **BUILDING PERMIT**



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

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

### **PLUMBING PERMIT**

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

### **GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS**

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

### **STORMWATER**

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

### **WORK WITHIN THE HIGHWAY RESERVATION**

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

### **WORK PLACE HEALTH AND SAFETY**

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

### **NOISE REGULATIONS**

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

### **WASTE DISPOSAL**

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




Further information regarding waste disposal can also be found on the Council's [website](#).

## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

- |               |                                                                                                                                                                                                                       |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Attachment A: | PLN-21-93 - 115 PATRICK STREET WEST<br>HOBART TAS 7000 - Planning Committee or<br>Delegated Report ↓                                 |
| Attachment B: | PLN-21-93 - 115 PATRICK STREET WEST<br>HOBART TAS 7000 - Attachment B - CPC Agenda<br>Documents ↓                                    |
| Attachment C: | PLN-21-93 - 115 PATRICK STREET WEST<br>HOBART TAS 7000 - Attachment C - Planning<br>Referral Officer Cultural Heritage Report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Committee:	15 July 2021
Expiry Date:	20 July 2021
Application No:	PLN-21-93
Address:	115 PATRICK STREET , WEST HOBART ADJACENT ROAD RESERVE
Applicant:	Kimbra McCormack (biotope architecture.interiors) 115 Patrick Street 14 Molle Street
Proposal:	Partial Demolition, Alterations and Extension
Representations:	Zero
Performance criteria:	Inner Residential Zone Development Standards, Parking and Access Code, Historic Heritage Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street Road Reserve.
- 1.2 More specifically the proposal includes:
  - Partial demolition of western facade of dwelling including external walls to bedroom 2, laundry, and roofed deck
  - Demolition of door, roof and eastern wall of existing garage
  - Removal of existing paling fence along Watkins Avenue frontage, located in the adjacent Road Reserve
  - Construction of new extension to western facade including new kitchen, dining, and external deck
  - Construction of new sliding gate, roof, and eastern wall to existing garage
  - Construction of new gate and paling fence along Watkins Avenue frontage in same location as existing
  - Internal alterations and demolition
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 Inner Residential Zone - Setbacks and Building Envelope, Privacy
  - 1.3.2 Parking and Access Code -Design of Vehicular Accesses
  - 1.3.3 Historic Heritage Code - Heritage Precinct and Heritage Place
- 1.4 No representations were received during the statutory advertising period between 08/06/21 - 23/06/21
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because the proposal includes work in the adjacent Patrick Street Road Reserve.

## 2. Site Detail

- 2.1 The subject site is located at 115 Patrick Street, West Hobart and comprises a single storey dwelling on a corner lot approximately 384m<sup>2</sup> in size, which shares a strata arrangement with 16 and 14 Watkins Avenue. The site features a frontage to Patrick Street to the south east and Watkins Avenue to the south west, vehicle access is reached via a crossover on the Watkins Avenue frontage. The surrounding area is characterised by residential uses to the north, east and west, and education uses (Guilford Young College and St Virgils College Junior School) to the south.



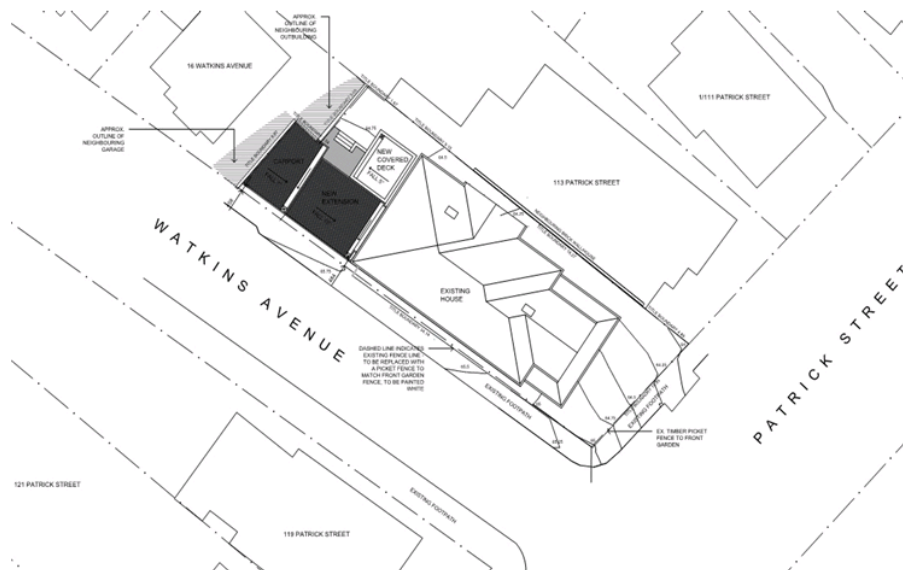
**Figure 1:** Aerial image of the subject site (bordered in blue) and surrounding area.

## 3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street Road Reserve..

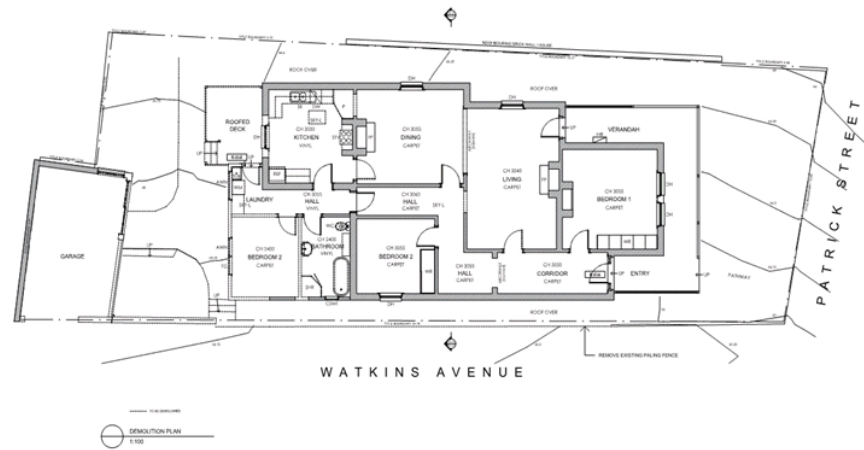
### 3.2 More specifically the proposal is for:

- Partial demolition of western facade of dwelling including external walls to bedroom 2, laundry, and roofed deck
- Demolition of door, roof and eastern wall of existing garage
- Removal of existing paling fence along Watkins Avenue frontage, located in the adjacent Road Reserve
- Construction of new extension to western facade including new kitchen, dining, and external deck
- Construction of new sliding gate, roof, and eastern wall to existing garage
- Construction of new gate and paling fence along Watkins Avenue frontage in same location as existing
- Internal alterations and demolition

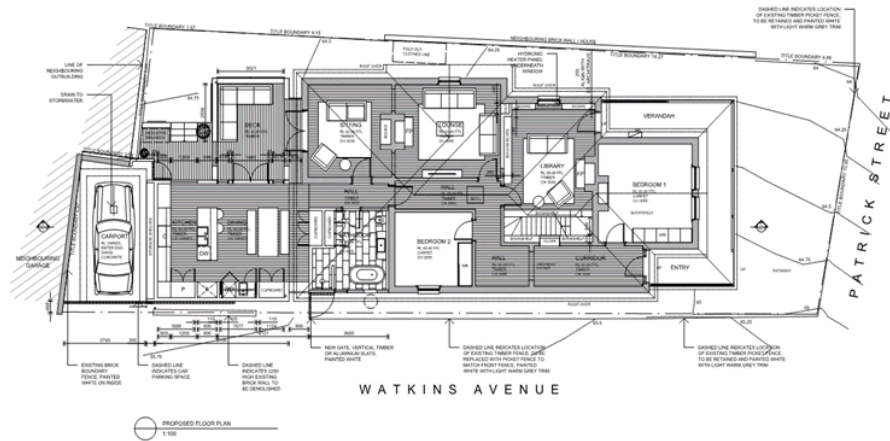


**Figure 2: Proposed site plan.**

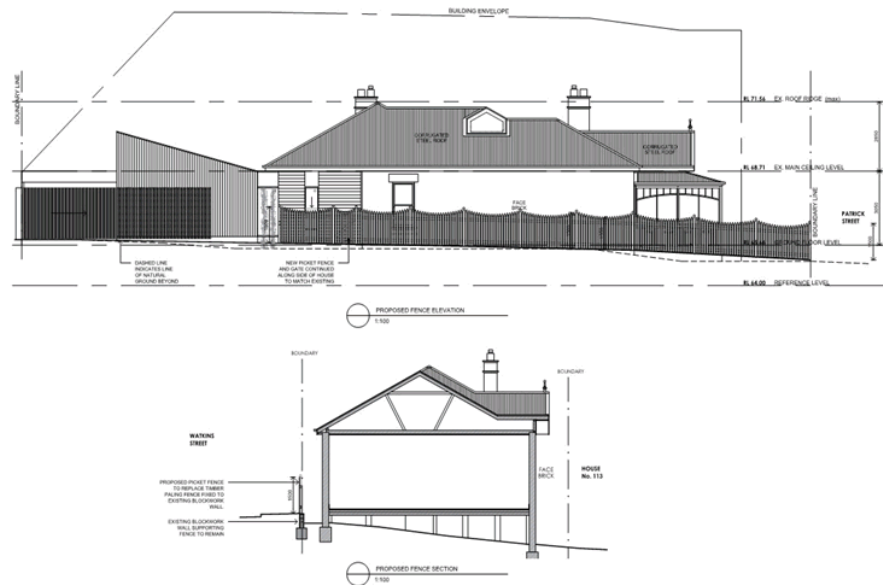




**Figure 3: Proposed demolition plan.**



**Figure 4: Proposed floor plan.**



**Figure 5:** Proposed frontage elevation and section illustrating location in road reserve.

#### 4. Background

- 4.1 There is no relevant background for this application.

#### 5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 08/06/21 - 23/06/21.

#### 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is Residential (multiple dwelling). There is no proposed change of use. The existing use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 D11.0 Inner 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
  - 6.4.5 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Inner Residential Zone
    - Setbacks and Building Envelope - D11.4.2 P1; P2; P3*
    - Privacy – D11.4.6 P1*
  - 6.5.2 Parking and Access Code:
    - Design of Vehicular Accesses - E6.7.2 P1*
  - 6.5.3 Historic Heritage Code:
    - Demolition on a Listed Place - E13.7.1 P1*
    - Buildings and Works other than Demolition on a Listed Place - E13.7.2 P1; P2; P3; P4; P5*
    - Demolition in a Heritage Precinct - E13.8.1 P1*
    - Buildings and Works other than Demolition in a Heritage Precinct- E13.8.1 P1; P3; P4*
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope D11.4.2 P1

- 6.7.1 The acceptable solution at clause 11.4.2 A1 requires that a dwelling must have a setback from a frontage, if less than 3m, that is not less than the setback from the frontage of any existing dwelling on the site
- 6.7.2 The proposal includes an extension with a setback of 0.468m from the secondary frontage to Watkins Avenue, reduced from a setback of 0.86m of the existing 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 at clause 11.4.2 P1 provides as follows:
- The setback of a dwelling from a frontage must:*
- (a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and*
- (b) have regard to streetscape qualities or assist the integration of new development into the streetscape.*
- 6.7.5 The existing relationship of existing building to the road in terms of setback in the immediate Watkins Avenue streetscape is of dwellings with setbacks of 3m or less. The proposed setback will remain compatible with the relationship of existing buildings to the road and will only be a minor change from the existing setback on the subject site. The reduction in setback demonstrated by the proposed extension will not be incompatible with streetscape qualities.
- 6.7.6 The proposal complies with the performance criterion.
- 6.8 Setback and Building Envelope D11.4.2 P2
- 6.8.1 The acceptable solution at clause 11.4.2 A2 requires that a garage or carport must have a setback from a frontage of at least 3m, or alternatively 1m behind the facade of the dwelling.
- 6.8.2 The proposal includes a revised setback of an existing carport with a setback of 0.468m, increased from 0m.
- 6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

- 6.8.4 The performance criterion at clause 11.4.2 P2 provides as follows:

*The setback of a garage or carport from a frontage must:*

*(a) provide separation from the frontage that complements or enhances the existing streetscape, taking into account the specific constraints and topography of the site; and*

*(b) allow for passive surveillance between the dwelling and the street.*

- 6.8.5 The proposed works will see a minor increase in the setback of the garage from the frontage, whilst this will remain below the acceptable solution the separation from the frontage will continue to complement the existing streetscape and will not impact the existing passive surveillance that exists between the dwelling and the street.

- 6.8.6 The proposal complies with the performance criterion.

6.9 Setback and Building Envelope D.11.4.2 P3

- 6.9.1 The acceptable solution at clause 11.4.2 A3 requires that a dwelling must be contained within a building envelope determined by a distance equal to the permitted frontage setback; and projecting a line at an angle of 45 degrees from the horizontal at a height of 2m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.6m above natural ground level.

- 6.9.2 The proposal includes an extension to the existing dwelling which will project outside the permitted frontage setback

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

- 6.9.4 The performance criterion at clause 11.4.2 P3 provides as follows:

*The siting and scale of a dwelling must:*

*(a) not cause unreasonable loss of amenity by:*

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

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

*(iii) overshadowing of an adjoining vacant lot; or*

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

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

6.9.5 The proposed single storey extension to the north west will see a reduction in the setback along the Watkins Avenue frontage. Shadow diagrams prepared by the applicant illustrate that the extension will see a minor increase in overshadowing on the 21st of June at 9:00am to the rear open space of the property on the opposite side of Watkins Avenue at 119 Patrick Street. There is otherwise not change to the existing overshadowing to the property and the remaining day will see shadows limited to the road reserve of Watkins Avenue and Patrick Street. The extensions will see no reduction in sunlight to a habitable room of a dwelling and only a minor intrusion into private open space, the extent of which is assessed as not capable of causing an unreasonable loss of amenity. The proposed extension will remain in keeping with the scale of the existing dwelling and will not create a visual impact through bulk or proportions when viewed from an adjoining lot. The proposal will maintain the existing separation between dwellings on adjoining lots that prevails in the surrounding area.

6.9.6 The proposal complies with the performance criterion.

6.10 Privacy – D11.4.6 P1

6.10.1 The acceptable solution at clause 11.4.6 A1 requires that a deck that has a finished surface level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface level, with a uniform transparency of no more than 25% along the sides facing a side boundary, unless the deck has a setback of at least 3m from the boundary.

6.10.2 The proposal includes a new deck with a finished surface level of 1.03m above natural ground level with a setback of 1.84m from the side boundary shared with 113 Patrick Street and only a 1m balustrade.



- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion at clause 11.4.6 P1 provides as follows:
- A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:*
- (a) a dwelling on an adjoining lot or its private open space; or*  
*(b) another dwelling on the same site or its private open space; or*  
*(c) an adjoining vacant residential lot.*
- 6.10.5 The propose deck will be located facing a boundary wall on the adjacent site and will only be marginally above the 1m height set out under 11.4.6 A1. Given this location and low height, there will be limited opportunity to achieve overlooking of the dwelling and private open space of the adjacent dwelling at 113 Patrick Street.
- 6.10.6 The proposal complies with the performance criterion.
- 6.11 Design of Vehicular Accesses - E6.7.2 P1
- 6.11.1 The acceptable solution at clause 6.7.2 A1 requires in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.
- 6.11.2 The proposal includes plans which indicates sight triangle areas are not kept clear of obstructions and does not meet the Australian Standards.
- 6.11.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.11.4 The performance criterion at clause 6.7.2 P1 provides as follows:
- Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:*
- (a) avoidance of conflicts between users including vehicles, cyclists and*

*pedestrians;*

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

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

*(d) ease of accessibility and recognition for users.*

- 6.11.5 Referral was made to Council's Development Engineer who had provided the following assessment:

Performance Criteria - P1:

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

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

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

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

(d) ease of accessibility and recognition for users. - Feasible

Based on the above assessment and given the submitted documentation, sight lines that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, the low volume of traffic on the road from which the property gains access and the no worsening of the existing situation.

- 6.11.6 The proposal complies with the performance criterion.

6.12 Historic Heritage Code E13.0

- 6.12.1 The subject site is listed as a Heritage Place and is also located within a Historic Heritage Precinct and as such was referred to Council's Cultural Heritage Officer who has provided the following assessment:

115 Patrick street is a single storey federation era house which is a listed place and also located in a heritage precinct.

The applicant has submitted drawings which indicate that a significant refurbishment project is desired and includes changes to existing rooms, new rooms at the rear and an attic. Demolition and works are proposed. The house is a listed place located in a heritage precinct and therefore the historic heritage code needs to be considered.

**Demolition**

The drawings indicate that landscape elements in the rear garden, a roofed deck, a double hung sash window, various joinery and fixtures, a bedroom and bathroom addition, several internal doors and a section of roofing are proposed to be demolished. With the exception of the double hung window and internal doors, all items proposed to be demolished are non-original and can be removed without the loss of significant cultural heritage values. It is possible to place a condition to ensure all original doors and windows which are surplus be carefully salvaged, labeled and stored onsite for future reuse as required. The applicant is proposing to demolish the existing fence along Watkins Avenue. The existing fence is a solid timber paling fence and is not considered to be of any historic significance. Subject to such conditions regarding salvaging of doors and windows the proposed development satisfies E 13.7.1 P1 and E 13.8.1 P1.

**Works**

Drawings indicate that the rear extension would be single storey and clad in timber weatherboards painted a pale tone. The height of the proposed extension would sit well below the ridge cap of the existing house. A new window within the roof will provide natural light into the house and stairs are proposed to provide access to the attic. A new fence will be built to match the picket fence which fronts Patrick Street. The Architect has given an undertaking that the proposed dormer will be detailed in a contemporary way and the new work will be recognised as such. The proposed architecture is confident contemporary design which is scaled and sited in a sensitive and respectful manner. The proposed works satisfy E 13.7.2 P1 P2 P3 P4 P5 and E 13.8.2 P1 P3 and P4.

The applicant hired an architect who has consulted closely with the Cultural Heritage Unit.

The architect's drawings show a well resolved scheme which complements the period architecture. I have no concerns from a cultural heritage perspective. This application is recommended for approval.

- 6.12.2 The proposal complies with the performance criterion.

**7. Discussion**

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street Road Reserve.
- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Cultural Heritage Officer. The officers have raised to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

## 8. Conclusion

- 8.1 The proposed Partial Demolition, Alterations and Extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street Road Reserve satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition, Alterations and Extension, at 115 Patrick Street, West Hobart and the adjacent Patrick Street Road Reserve for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### GEN

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-93 - 115 PATRICK STREET WEST HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### ENG sw1

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

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

Reason for condition

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

### ENG 1

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

1. **Be met by the owner by way of reimbursement (cost of repair and**

- reinstatement to be paid by the owner to the Council); or
2. **Be repaired and reinstated by the owner to the satisfaction of the Council.**

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

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

Reason for condition

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

#### **ENV 1**

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

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

Reason for condition

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

#### **HER 9**

**Original doors and window noted to be demolished must be carefully salvaged, labeled and stored onsite for possible future reuse. Items must be stored with a plan showing the original location of items.**



#### Reason for condition

To ensure that demolition in whole or part of a heritage place and precinct does not result in the loss of historic cultural heritage values.

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

#### STORM WATER

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

#### WORK WITHIN THE HIGHWAY RESERVATION

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

#### **WORK PLACE HEALTH AND SAFETY**

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

#### **NOISE REGULATIONS**

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

#### **WASTE DISPOSAL**

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

Further information regarding waste disposal can also be found on the Council's [website](#).

#### **FEES AND CHARGES**

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

#### **DIAL BEFORE YOU DIG**

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



(Michael McClenahan)

**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: 28 June 2021

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

Planning: #224526

## Property

115 PATRICK STREET WEST HOBART TAS 7000

## People

### Applicant

\*

biotope architecture.interiors  
Kimbra McCormack  
115 Patrick Street  
14 Molle Street  
WEST HOBART TAS 7000  
0431131248  
kimbra.mccormack@gmail.com

### Owner

\*

biotope architecture.interiors  
Kimbra McCormack  
115 Patrick Street  
14 Molle Street  
WEST HOBART TAS 7000  
0431131248  
kimbra.mccormack@gmail.com

### Owner

\*

biotope architecture.interiors  
David McCormack  
115 Patrick Street  
14 Molle Street  
WEST HOBART TAS 7000  
0431131248  
david.mccormack83@gmail.com

### Entered By

ROSA DOURAMANIS  
14 MOLLE STREET  
HOBART TAS 7000  
0362929277  
hello@biotope.net.au

## Use

Single dwelling

## Details

Have you obtained pre application advice?

☒ Yes

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

Discussed proposed alterations and additions with the Heritage officers Sarah Waight, Megan Baynes and Nick Booth. Also met with Richard Bacon.

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)

\*

Alterations and additions to an existing single storey dwelling

Estimated cost of development

\*

400000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
147.00	33.00	384

### Carparking on Site

N/A

Total parking spaces	Existing parking spaces	<input type="checkbox"/> Other (no selection chosen)
	1	

### 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)

\*

COPY OF TITLE.pdf

Plans (proposed, existing)

\*

18-118 MCCORMACK - 115 Patrick Street - 20210205.pdf

Supporting Documents
Planning Report 18-118 MCCORMACK- 115 Patrick Street DA REPORT.pdf



**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME	FOLIO
56782	0
EDITION	DATE OF ISSUE
3	01-Nov-1999

SEARCH DATE : 10-Feb-2021

SEARCH TIME : 08.08 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 56782 (formerly being STR2835)

Derivation : Part of 0A-3R-7Ps. (Section X.x) Gtd. to B.J.

Watkins

Prior CT 3200/31

SCHEDULE 1

STRATA CORPORTION NO. 56782, 115 PATRICK ST., HOBART

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME	FOLIO
56782	3
EDITION	DATE OF ISSUE
7	26-Oct-2016

SEARCH DATE : 10-Feb-2021

SEARCH TIME : 08.08 AM

DESCRIPTION OF LAND

City of HOBART

Lot 3 on Strata Plan 56782 (formerly being STR2835) and a  
general unit entitlement operating for all purposes of the  
Strata Scheme being a 1 undivided 1/3 interest

Derived from Strata Plan 56782

Derivation : Part of 0A-3R-7Ps. (Section X.x) Gtd. to B.J.  
Watkins

Prior CT 4629/9

SCHEDULE 1C433086 & E42185 KIMBRA JANE MCCORMACK Registered  
26-Oct-2016 at noonSCHEDULE 2Reservations and conditions in the Crown Grant if any  
The registered proprietor holds the lot and unit entitlement  
subject to any interest noted on common property

Folio of the Register volume 56782 folio 0

C433087 MORTGAGE to Commonwealth Bank of Australia  
Registered 04-Mar-2003 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Conveyancing and Law of Property Act 1884

## STRATUM PLAN

No. 2835

Sheet 1 of 4 Sheets

REGISTERED NUMBER

56782

City or Town HOBART

Locality WEST HOBART

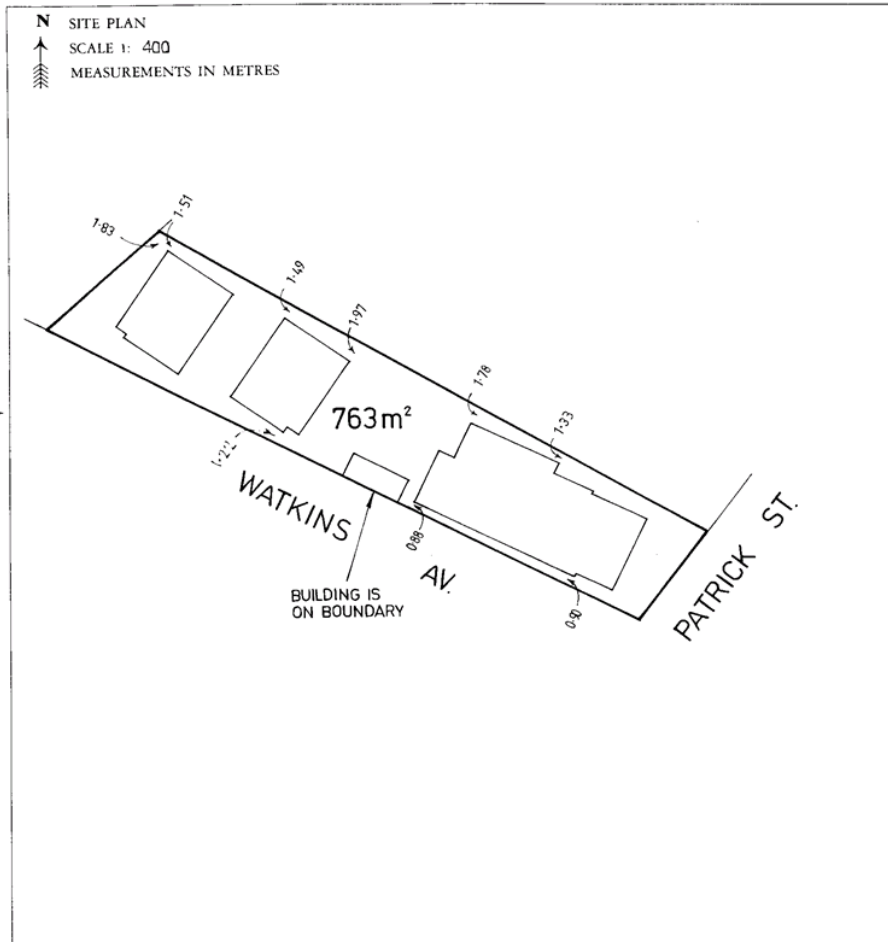
Reference to Title CT 3200 31

Site comprises the whole portion of Lot 1 on Diagram No. 1212 in the

Lands Titles Office

The name of the building is No 115 PATRICK ST. HOBART

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

REGISTERED this 10<sup>th</sup> day of JANUARY 1990, No. 2835This plan is lodged for registration by  
DOUGLAS MITCHELL & ASSOCIATES

Recorder of Titles

06-D 764



## FOLIO PLAN

RECORDER OF TITLES

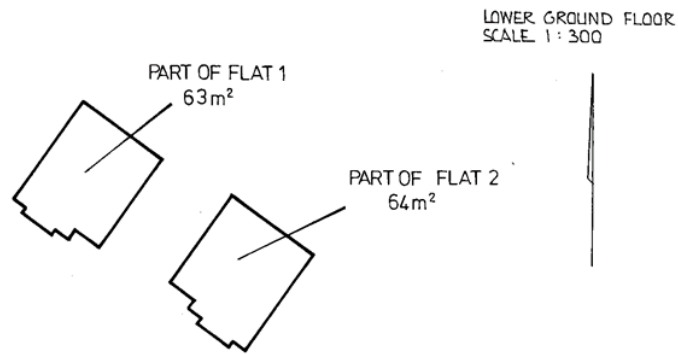
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Sheet 2 of 4 Sheets

  
Town Clerk/Council Clerk

No. 2835



All horizontal flat boundaries are shown by heavy unbroken lines.

The boundaries of each flat are the centres of all walls and extend vertically from 2.00 metres below ground level to the centre of the ceiling above.



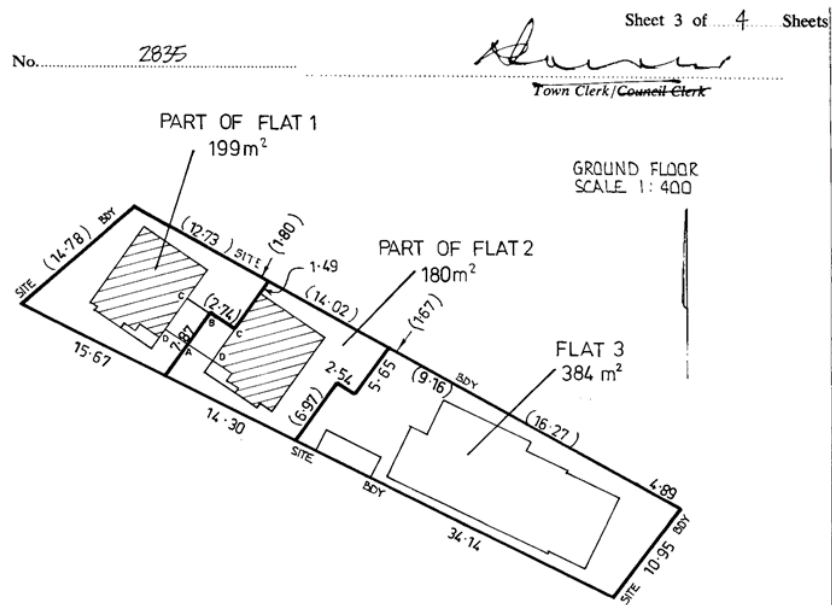
## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



If further sheets are required to illustrate the flats, the sheets should be pinned here. Further sheets must be of paper supplied for the purpose by the Recorder of Titles and bearing his seal, and be numbered consecutively, commencing from sheet 4.



All horizontal flat boundaries are shown by heavy unbroken lines and extend horizontally along face of walls, site boundaries and along open boundaries as defined by measurement not within brackets as the case maybe.

The parts of the flats shown hachured extend vertically from the centreline of the floor below to 15 metres above the ground.

The remaining parts of the flats extend vertically from 2.00 metres below ground level to 15 metres above ground level.

Portions of the flats marked ABCD are carports.

Measurements in brackets are for fixation.



## FOLIO PLAN

RECORDED OF TITLES

*Issued Pursuant to the Land Titles Act 1980*



Sheet 4 of 4 Sheets

No. 2835

~~Town Clerk/Council Clerk~~

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

115 PATRICK ST.  
WEST. HOBART 7000

### UNIT ENTITLEMENTS

Flat	Unit Entitlement	For Office Use Only
1.	1	4629 7.
2.	1	4629 8.
3.	1	4629 9.
TOTAL	3	

**SURVEYOR'S CERTIFICATE**

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

Dated this TENTH day of JULY 1989.

R. J. C. J.

Registered Surveyor

**COUNCIL CLERK'S CERTIFICATE**

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

City

...Council

Dated this 16TH day of OCTOBER 1989.

Hunter

Town Clerk/~~Council Clerk~~

FOR OFFICE USE ONLY





115 PATRICK STREET  
WEST HOBART  
TITLE REFERENCE: 56782/3  
PROPERTY ID: 7641118

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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000

COVER PAGE

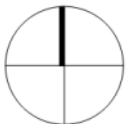
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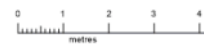
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DA ISSUE  
05.02.2021

DA-00





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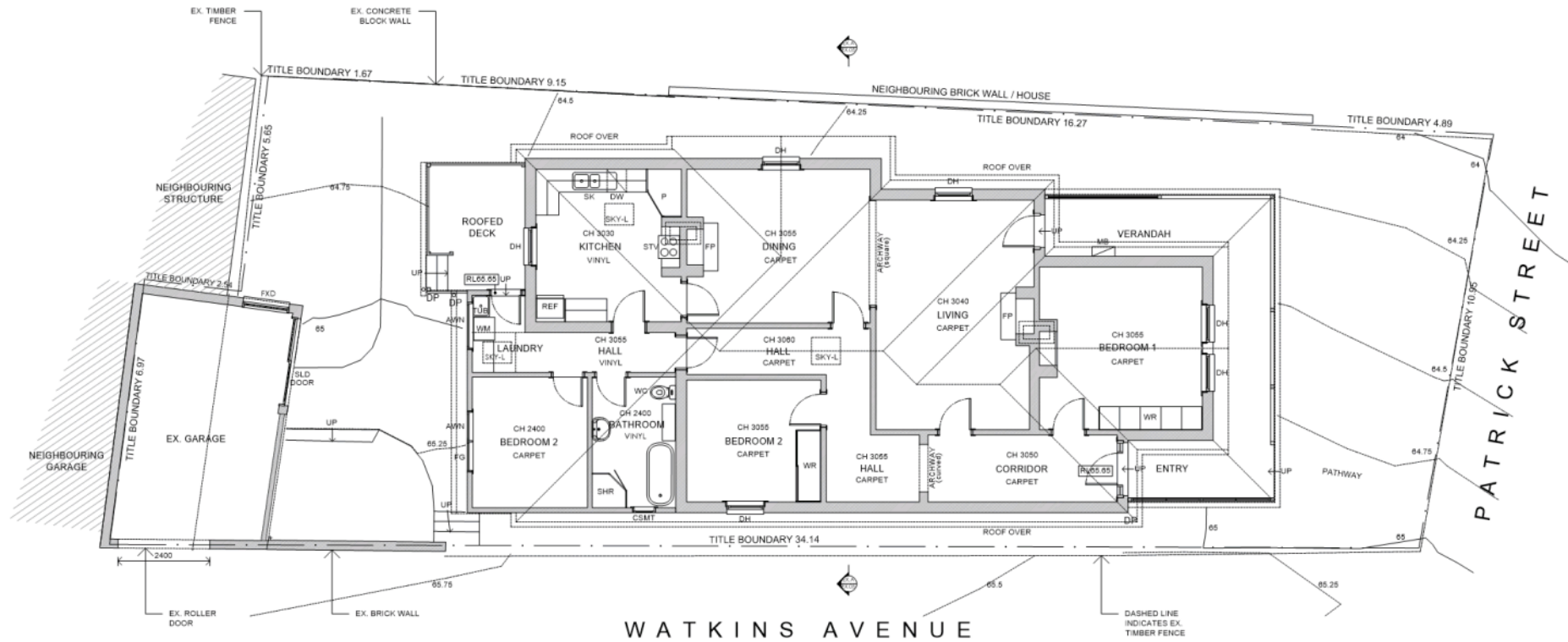
ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING SITE PLAN

MARCH 2021

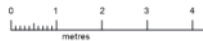
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04.03.2021

F-01





EXISTING FLOOR PLAN  
1:100



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115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING FLOOR PLAN  
1:100 @ A3

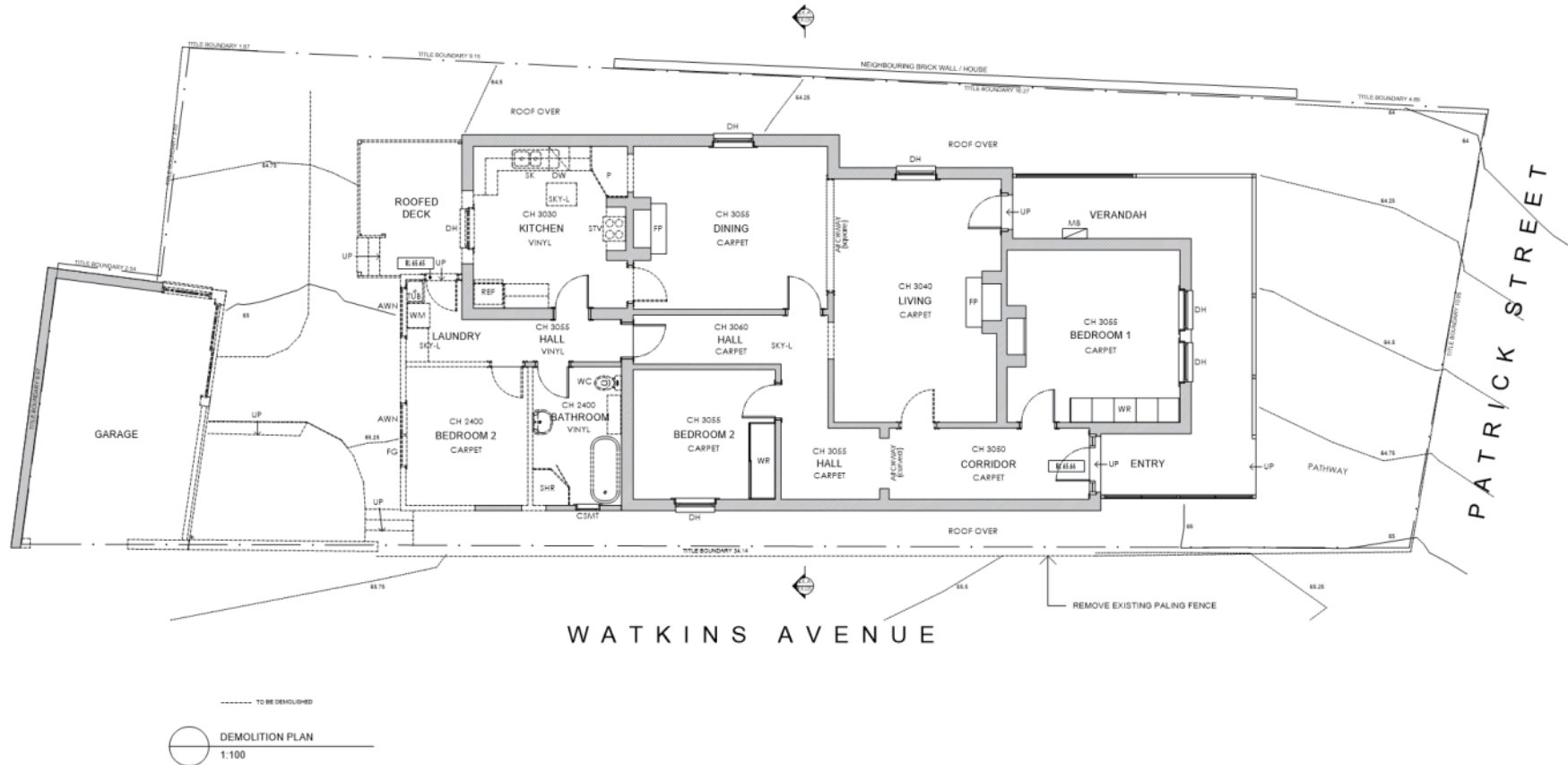
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EX-02





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115 PATRICK STREET, WEST HOBART, TAS 7000  
DEMOLITION PLAN  
1:100 @ A3

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05.02.2021

DA-02







EXISTING PICKET FENCE TO REMAIN



EXISTING PICKET FENCE TO REMAIN



EXISTING TIMBER PALING FENCE TO BE REPLACED



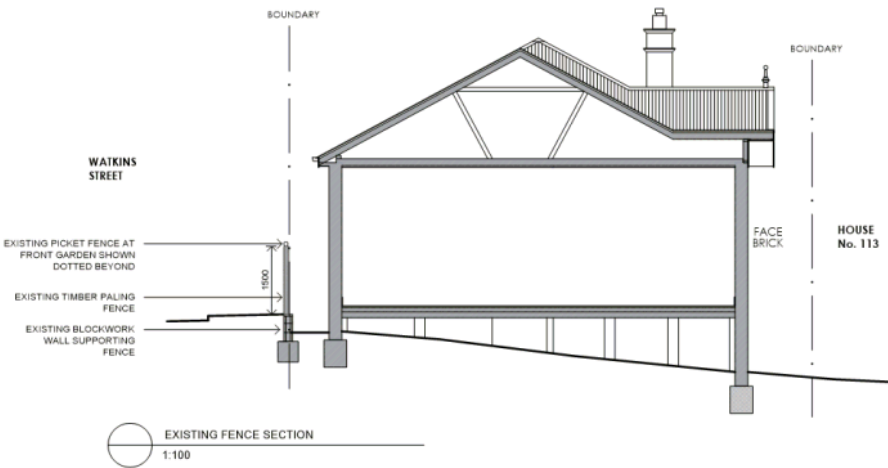
EXISTING TIMBER PALING FENCE TO BE REPLACED  
WITH PICKET FENCE TO MATCH EXISTING AS PER ABOVE PHOTO



EXISTING TIMBER PALING FENCE TO BE REPLACED



EXISTING TIMBER PALING FENCE TO BE REPLACED.  
BRICK WALL TO BE DEMOLISHED, GARAGE TO BE DEMOLISHED  
AND REPLACED AS VISIBLE ON F-04 FENCE ELEVATION.



0 1 2 3 4 metres biotope ARCHITECTURE INTERIORS

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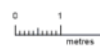
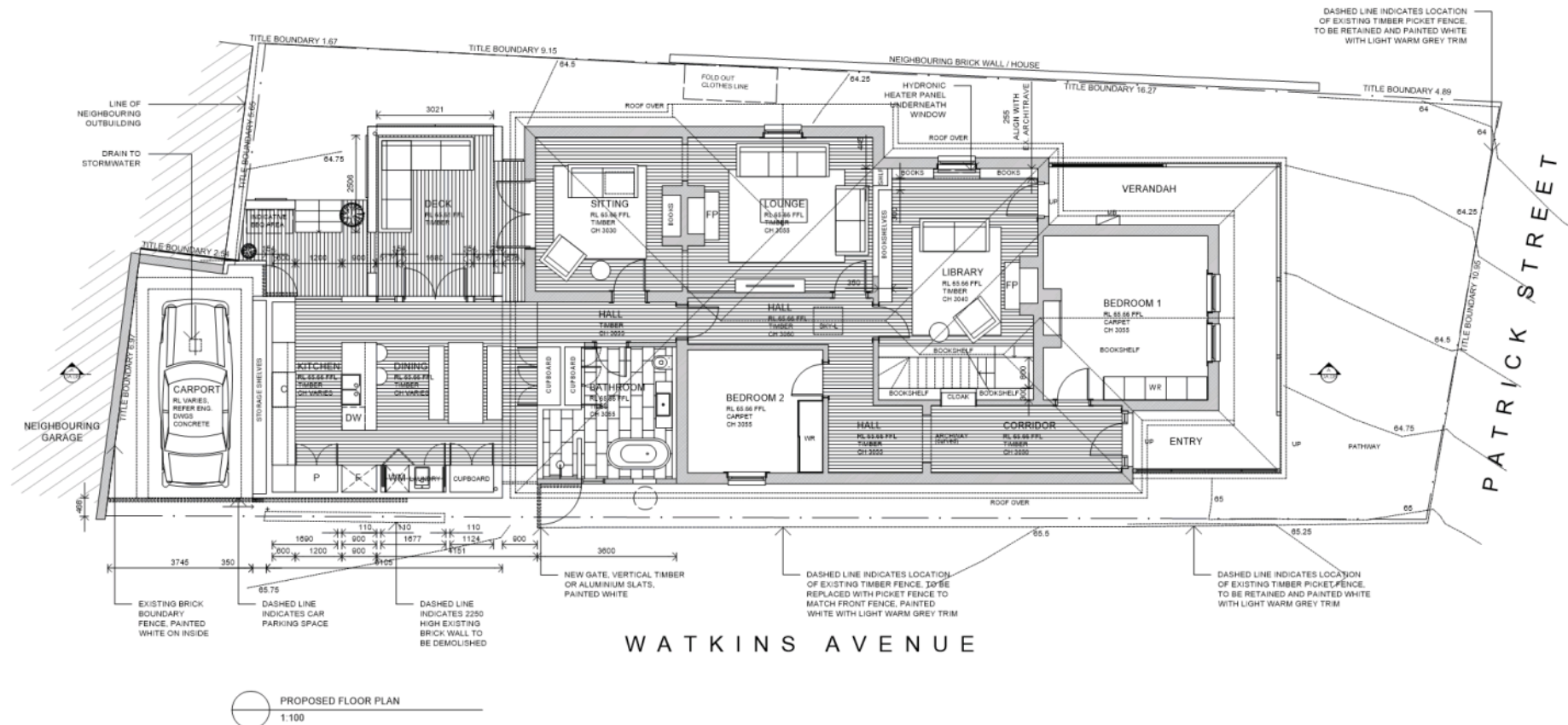
PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING FENCE PHOTOS AND SECTION  
1:100 @ A3 MARCH 2021

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F-02



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115 PATRICK STREET, WEST HOBART, TAS 7000  
PROPOSED FLOOR PLAN  
1:100 @ A3

FEBRUARY 2021

DRAWING

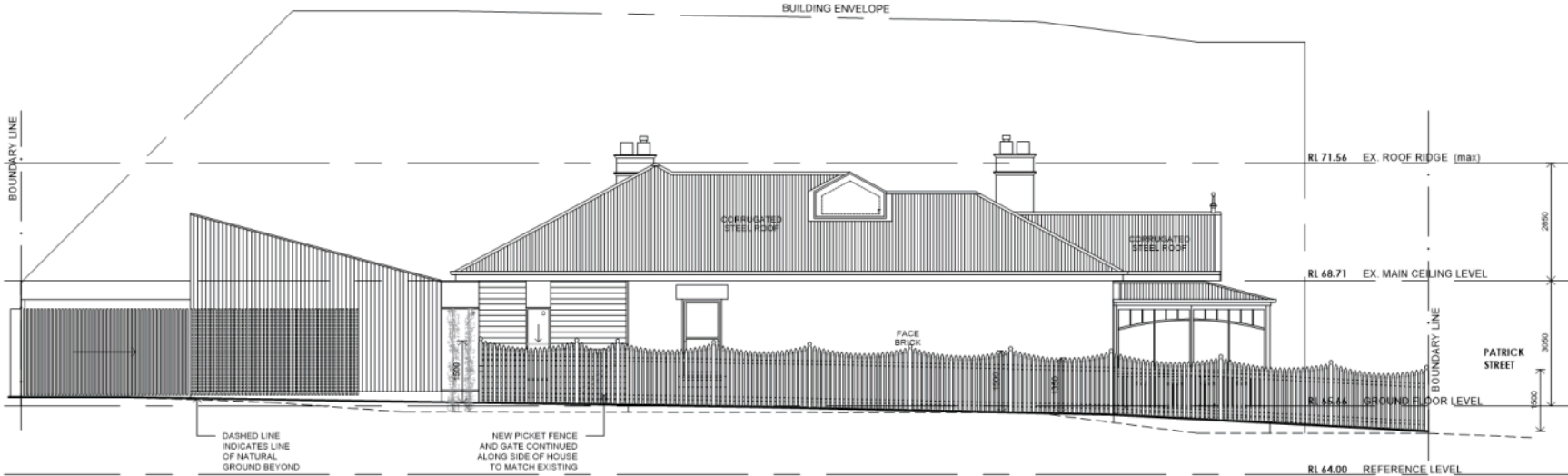
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DA-03

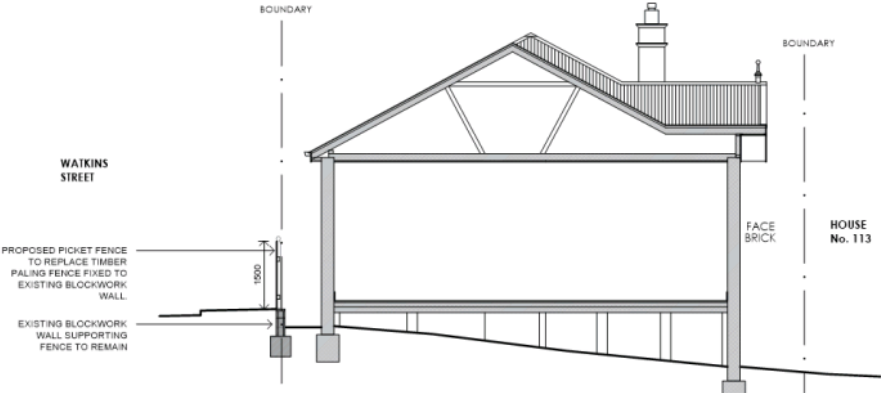




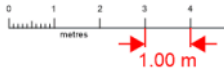




PROPOSED FENCE ELEVATION  
1:100



PROPOSED FENCE SECTION  
1:100



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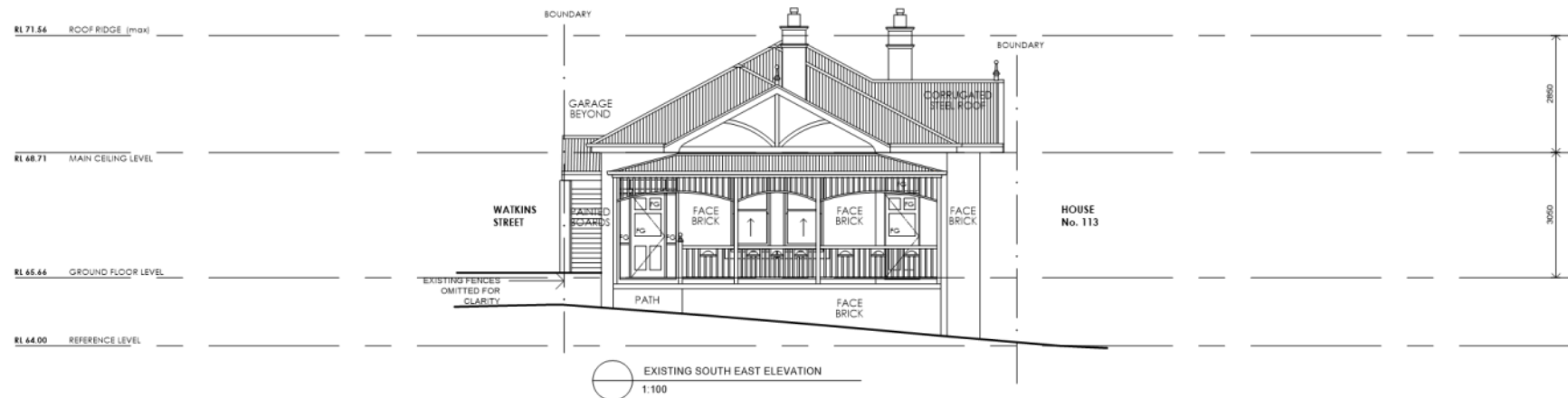
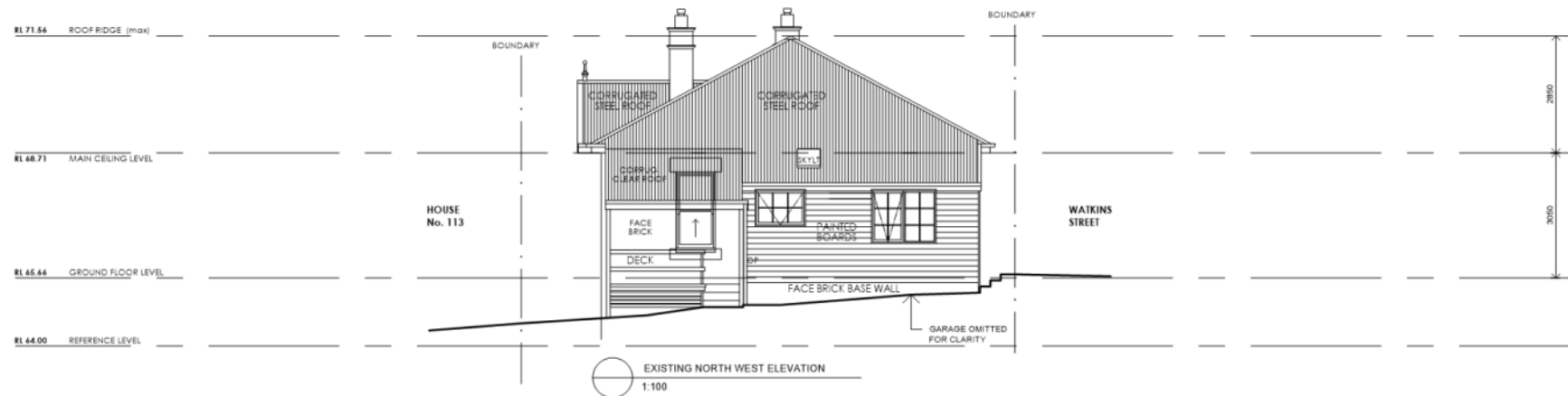
PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
PROPOSED FENCE ELEVATION AND SECTION  
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04.03.2021

F-04



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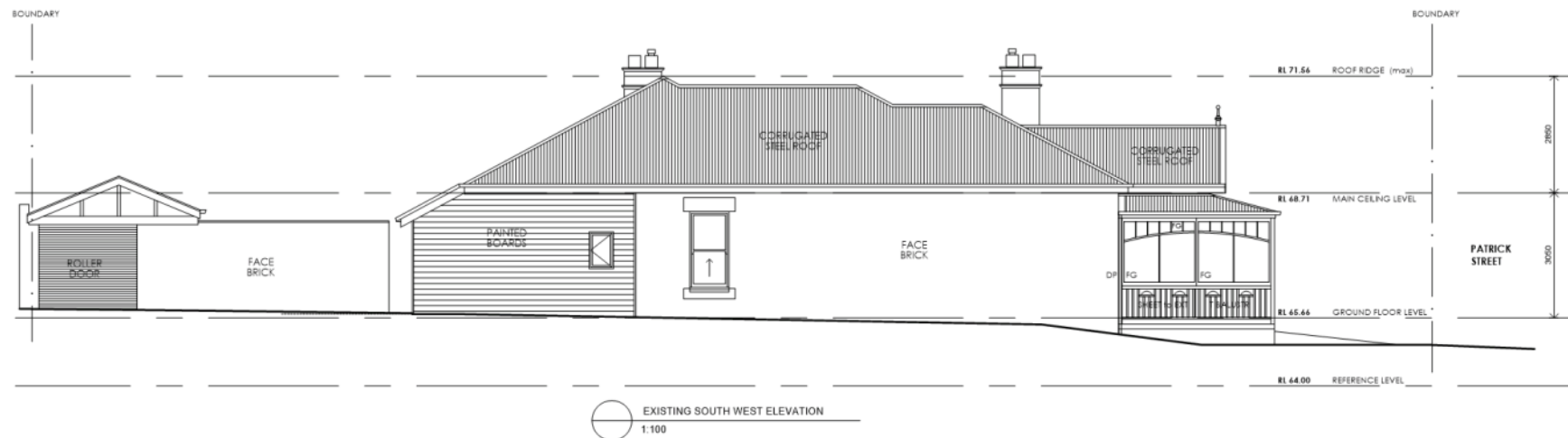
PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING NORTH WEST + SOUTH EAST ELEVATIONS  
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DA ISSUE  
05.02.2021

EX-03



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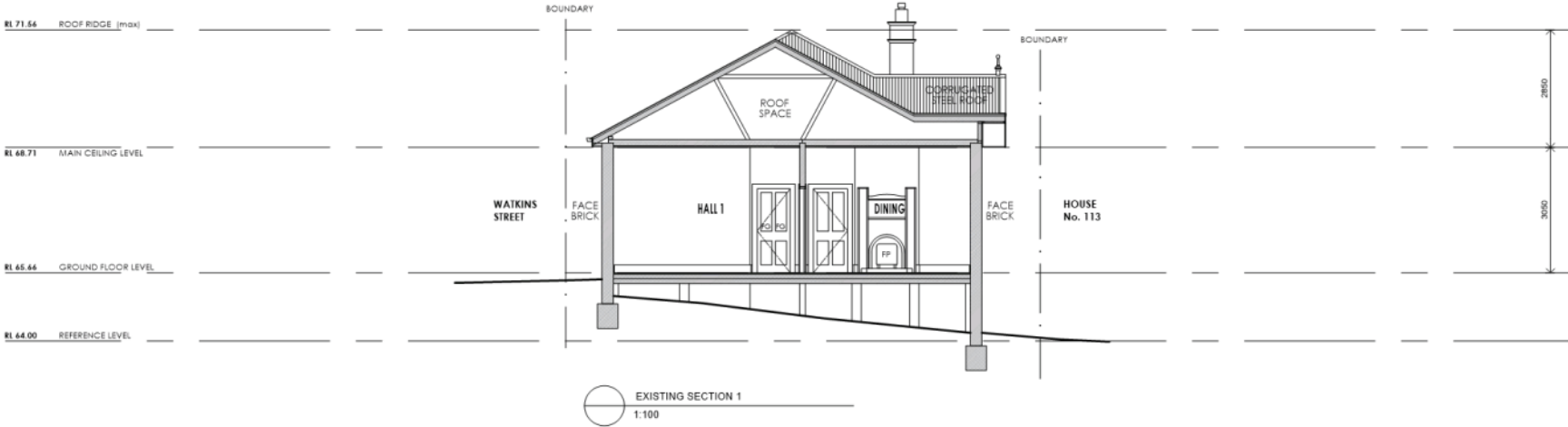
## PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING NORTH EAST + SOUTH WEST ELEVATIONS  
1:100 @ A3 FEBRUARY 2021

## DRAWING

DA ISSUE  
05.02.2021

EX-04



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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING SECTION 1

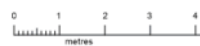
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FEBRUARY 2021

DRAWING

DA ISSUE  
05.02.2021

EX-05

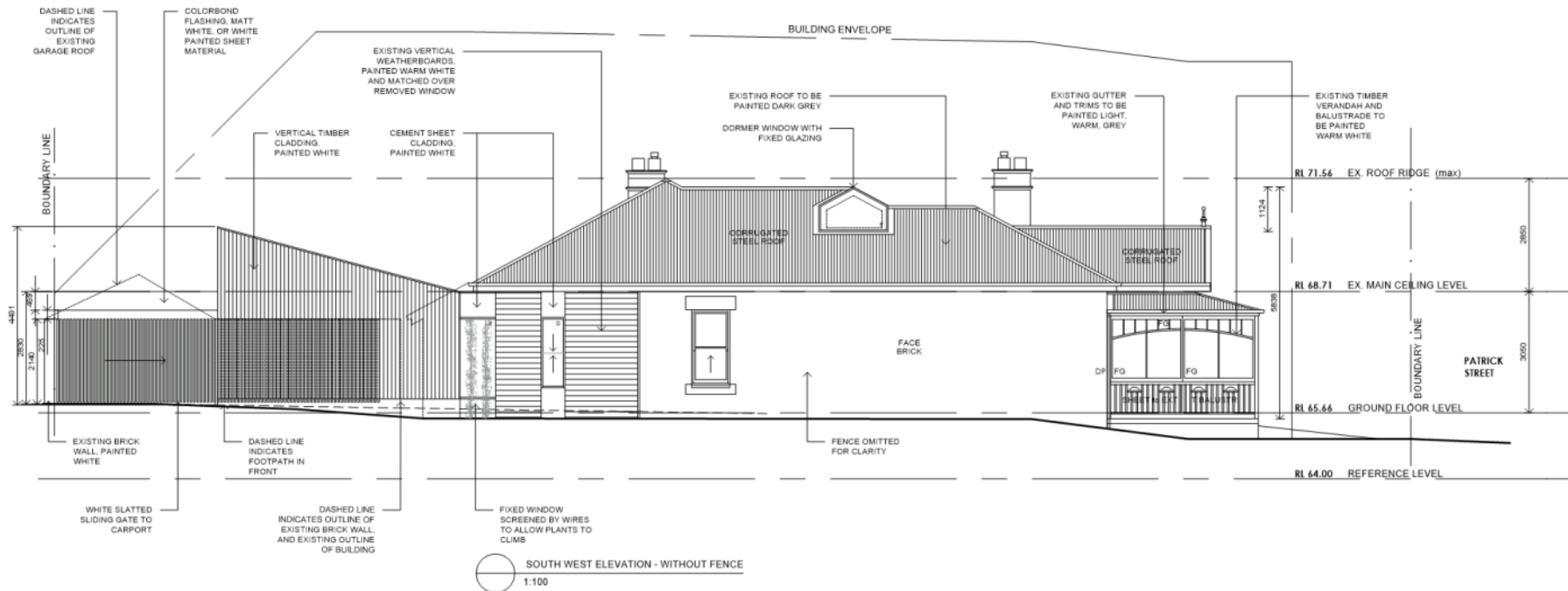


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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
SOUTH WEST ELEVATION 01  
1:100 @ A3

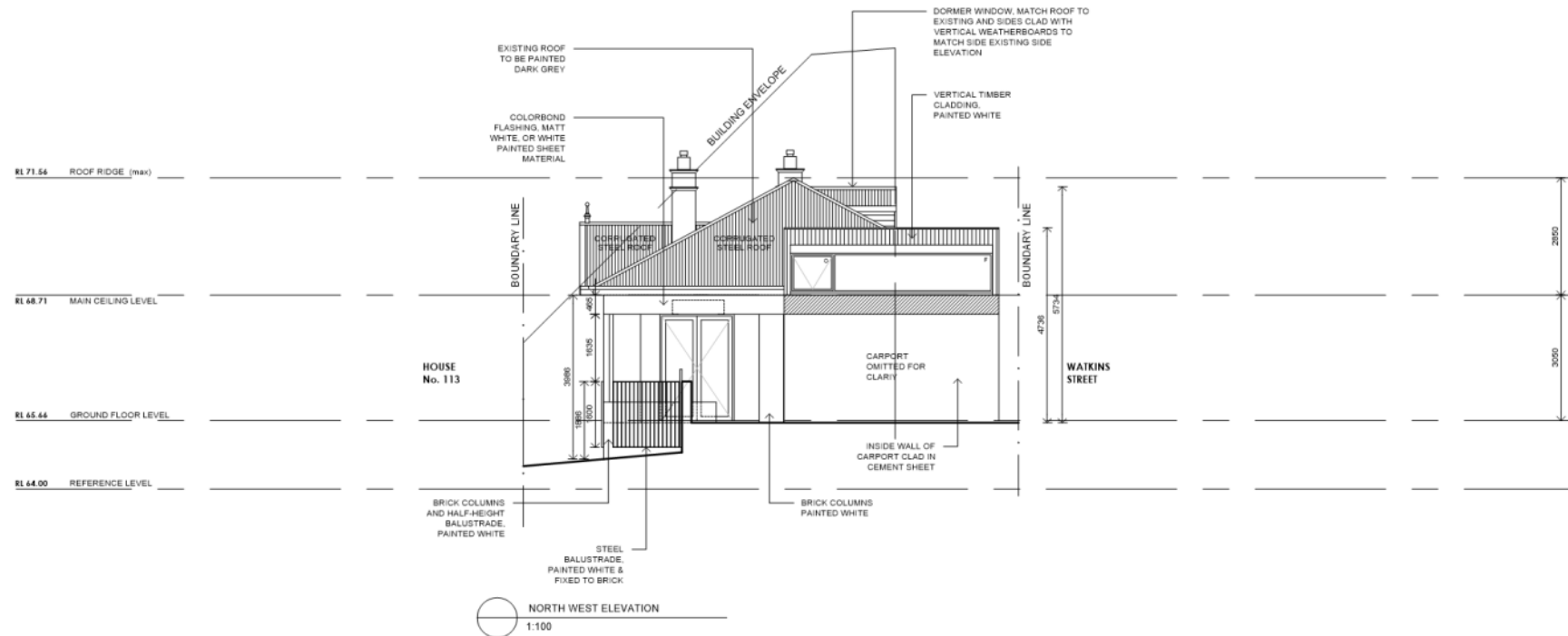
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05.02.2021

DA-05





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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING

115 PATRICK STREET, WEST HOBART, TAS 7000

NORTH WEST ELEVATION

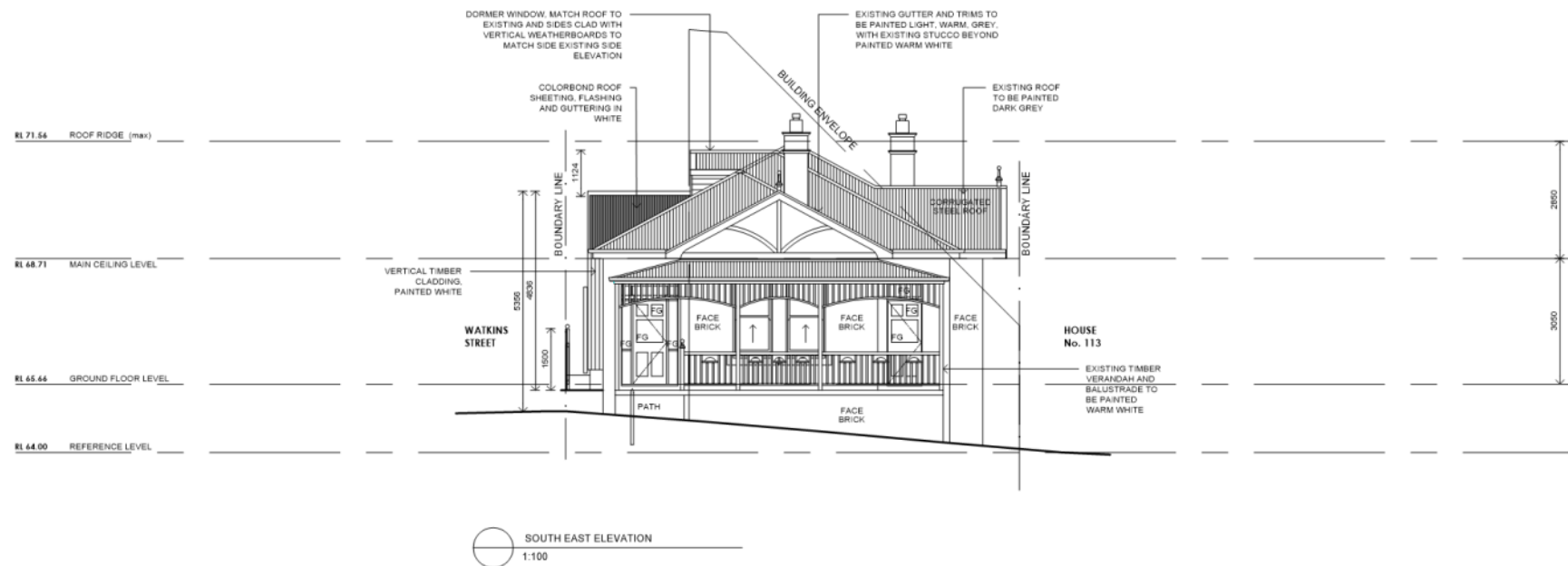
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FEBRUARY 2021

DRAWING

DA ISSUE  
05.02.2021

DA-07



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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING

115 PATRICK STREET, WEST HOBART, TAS 7000

SOUTH EAST ELEVATION

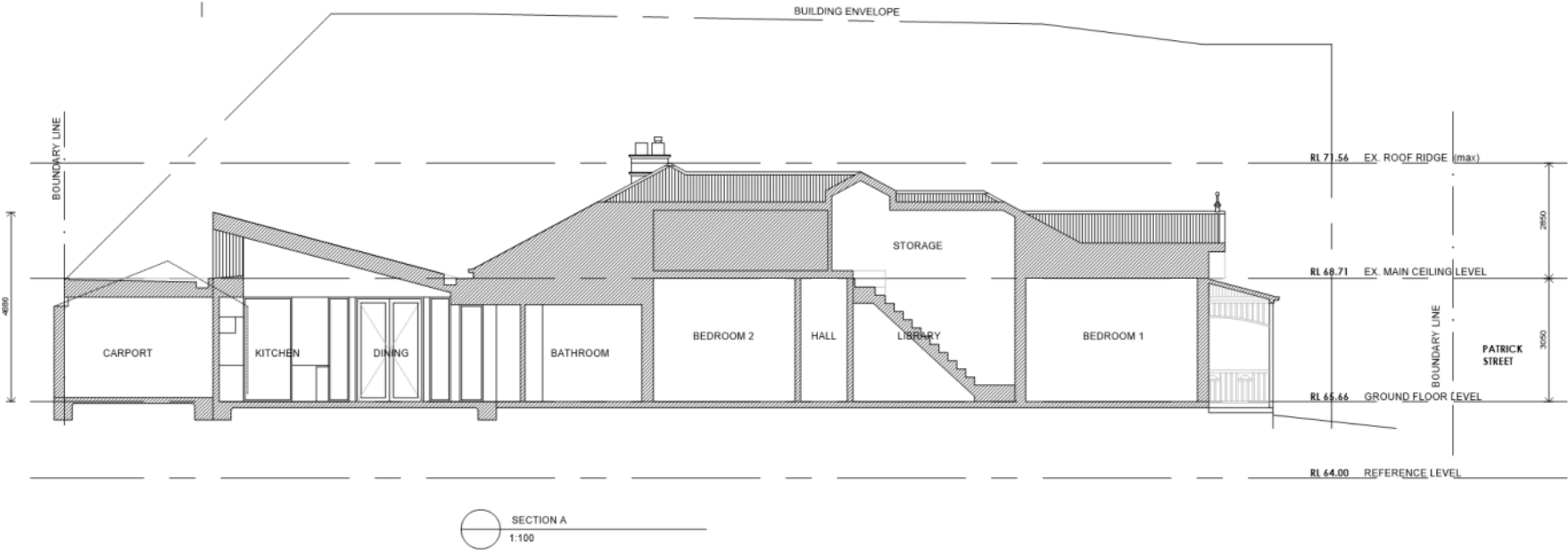
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DRAWING

DA ISSUE  
05.02.2021

DA-08



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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000

SECTION A

1:100 @ A3

FEBRUARY 2021

DRAWING

DA ISSUE  
05.02.2021

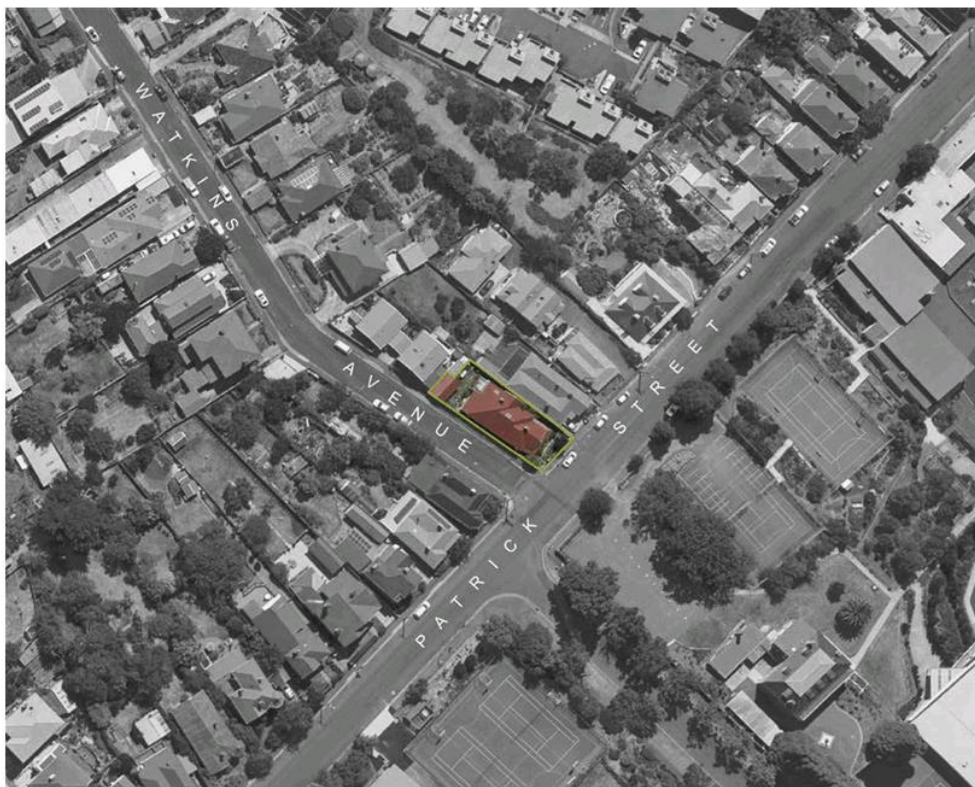
DA-09



**DEVELOPMENT APPLICATION REPORT** – Hobart Interim Planning Scheme 2015

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart

05.02.2021



Subject site context plan – not to scale

**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

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Alterations &amp; Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

**Site Description**

<b>Location</b>	115 Patrick Street, West Hobart, Tasmania 7000 PID 7641118 Title Ref 56782/3
<b>Size</b>	384 m <sup>2</sup> (as per survey)
<b>Zoning</b>	11.0 Inner Residential Under the <i>Hobart Interim Planning Scheme 2015</i>
<b>Applicable Overlays</b>	116.HER Heritage Precinct, Heritage Number: WH4 & Heritage Place, Ref. No. 2494 116.LDS Landslide Hazard Area, Hobart-Glenorchy deep-seated slide susceptibility (Rosetta scenario), Low Under the <i>Hobart Interim Planning Scheme 2015</i>
<b>Topography</b>	The site has a gentle slope running down from the western back corner (the location of the existing garage) on Watkins Avenue to the eastern front corner of the site on Patrick Street. The change of level is approximately 1.75 metres over the diagonal length of the site.
<b>Vegetation</b>	The site is a small residential block, that has been strata-titled to the rear (on Watkins Avenue), with some areas of garden at the front and rear of the house and a small section of lawn. There are two small deciduous trees at the front of the property, along with a small deciduous tree at the eastern side of the property along the side of the house. The front garden will remain as is and there is no significant vegetation proposed for removal as part of this proposal.
<b>Nature of this proposal</b>	This proposal is for alterations and additions to an existing single dwelling.

**Planning Scheme Provisions**

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**2**

**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations &amp; Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

**11.0 Inner Residential Zone****11.1.1 Zone Purpose Statements**

- 11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.
- 11.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 11.1.1.3 To encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.
- 11.1.1.4 To encourage residential development that respects the neighbourhood character.
- 11.1.1.5 To provide a high standard of residential amenity.
- 11.1.1.6 To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

**11.2 Use Table**

*This proposal is for the alteration and addition to an existing single dwelling thus is a permitted use in this zone.*

**11.3 Use Standards**

*This proposal is maintaining the use as residential, and such the Use Standards are not relevant.*

**11.4 Development Standards for Buildings and Works****11.4.1 Residential density for multiple dwellings**

*This clause does not apply to this development.*

**11.4.2 Setbacks and building envelope**

<b>Objective:</b>	
To control the siting and scale of dwellings to:	
(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and	
(b) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and	
(c) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>



**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p><b>A1</b></p> <p>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site;</li> <li>(b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.</li> </ul>	<p><b>P1</b></p> <p>The setback of a dwelling from a frontage must:</p> <ul style="list-style-type: none"> <li>(a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and</li> <li>(b) have regard to streetscape qualities or assist the integration of new development into the streetscape.</li> </ul> <p><i>The proposed development does not change the existing frontage to Patrick Street. The addition is primarily located on the Watkins Avenue frontage, and the frontage of the proposed addition aligns with the line of the eaves of the existing building (refer to DA 01 &amp; DA 03). The proposal removes an existing brick wall that is located on this frontage on the site boundary (refer to EX 01, EX 02 &amp; EX 03), and the addition is set back from the location of this wall. This is consistent with the pattern of buildings immediately opposite, and adjoining on Watkins Avenue, which all have similar relationships to the street, with a minimal setback.</i></p>
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**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p><b>A2</b></p> <p>A garage or carport must have a setback from a frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 4m, or alternatively 1m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	<p><b>P2</b></p> <p>The setback of a garage or carport from a frontage must:</p> <ul style="list-style-type: none"> <li>(d) provide separation from the frontage that complements or enhances the existing streetscape, taking into account the specific constraints and topography of the site; and</li> <li>(e) allow for passive surveillance between the dwelling and the street.</li> </ul> <p><i>The carport is proposed for the same location as the existing garage on the property, with minor changes proposed to ensure a safer entry and exit for a vehicle from the road (refer to Civil Drawings by Aldanmark Consulting Engineers). The relationship between the carport and the dwelling is similar to the existing relationship, and the entrance to the carpark is slightly set back from the property boundary to align with the neighbouring garage. The existing dwelling maintains the same connection with the street on both the Watkins Avenue and Patrick Street frontages.</i></p>
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**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and</li> </ul> </li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> <p>This acceptable solution does not apply to heritage precinct BP1.</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</li> <li>(iii) overshadowing of an adjoining vacant lot; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</li> </ul> </li> <li>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</li> </ul> <p><i>The proposed single storey addition to the building is located to the Watkins Avenue side of the property, and as a result, will not cause any unreasonable loss of amenity to any neighbouring properties. The addition is located between the existing garage on the property (which is to be primarily retained in its current location, with alterations made to the roof form), and the existing dwelling, and is adequately separated from dwellings on adjoining lots.</i></p>
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**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

11.4.3 Site coverage and private open space

<p><b>Objective:</b></p> <p>To provide:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that has access to sunlight.</li> </ul>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</li> <li>(b) N/A</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(d) private open space that is of a size and dimension that are appropriate for the size of the dwelling and is able to accommodate:</li> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and</li> <li>(ii) operational needs, such as clothes drying and storage;</li> <li>(e) reasonable space for the planting of gardens and landscaping.</li> </ul> <p><i>The dwelling contains a series of dedicated private open spaces, including an outdoor seating area appropriate for outdoor living, as well as garden space in the northern corner of the site, along the north-eastern side of the house, and the existing front garden. The existing covered verandah at the Patrick Street frontage of the property is also maintained. Clothes drying is accommodated along the north-eastern boundary of the property, and storage is provided within the carport.</i></p>

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**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p style="padding-left: 40px;">(i) 24m<sup>2</sup>; and</p> <p>(b) has a minimal horizontal dimension of:</p> <p style="padding-left: 40px;">(i) 3m; and</p> <p>(c) is directly accessible from and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> <p><i>The proposed development complies. Refer to deck and garden area on DA 03, directly accessible from both the dining and sitting rooms.</i></p>	<p><b>P2</b></p>
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11.4.4 Sunlight and overshadowing

<b>Objective:</b>	
To provide:	
<p>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and</p> <p>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>

**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p><b>A1</b></p> <p>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A).</p>	<p><b>P1</b></p> <p>A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p> <p><i>The proposed addition allows morning sun to enter the kitchen and dining room through windows and glazed doors on the NE walls of the building, with a clerestory window on the NW wall that provides afternoon sunlight to enter the space. Glazed doors on the NW wall of the existing building (proposed as the new sitting room) allow afternoon sun to access this space. Refer to Proposed Floor Plan DA 03 and proposed elevations.</i></p>
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11.4.5 Width of openings for garages and carports

<p><b>Objective:</b></p> <p>To reduce the potential for garage or carport openings to dominate the primary frontage.</p>	
<p><b>Acceptable Solution</b></p> <p><b>A1</b></p> <p>A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p> <p><i>The proposed development complies: the carport is located on Watkins Avenue, and is not located within 12m of the primary frontage on Patrick Street.</i></p>	<p><b>Performance Criteria</b></p> <p><b>P1</b></p>

11.4.6 Privacy

<p><b>Objective:</b></p> <p>To reduce the potential for loss of privacy for dwellings.</p>	
<p><b>Acceptable Solution</b></p> <p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the</p>	<p><b>Performance Criteria</b></p> <p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a</p>

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**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p>dwelling) that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and</p> <p>(b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p style="margin-left: 40px;">(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p style="margin-left: 40px;">(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	<p>finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining lot or its private open space; or</p> <p>(b) another dwelling on the same site of its private open space; or</p> <p>(c) an adjoining vacant residential lot.</p> <p><i>The proposed deck has a small section that is greater than 1m above the natural ground level. The existing boundary fences to the north east and north west of the deck block any overlooking into adjoining dwellings and their private open space.</i></p>
<p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) the window or glazed door:</p> <p style="margin-left: 40px;">(i) is to have a setback of at least 3 m from a side or rear boundary; and</p>	<p><b>P2</b></p>



**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

<p>(ii) if the dwelling is a multiple dwelling, it to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m 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, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p> <p><i>The proposed development complies. No part of the floor level is more than 1 m above the natural ground level.</i></p>	
<p><b>A3</b></p> <p><i>N/A – there are no shared driveways or parking spaces.</i></p>	<p><b>P3</b></p>

11.4.7 Frontage fences

**Objective:**

**11**

**DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015**

Alterations & Additions to Existing Dwelling – 115 Patrick Street, West Hobart TAS, 05 February 2021

To control the height and transparency of frontage fences to: (a) allow the potential for mutual passive surveillance between the road and the dwelling; and (b) establish a consistent pattern of frontage fences.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>  A fence (including a free-standing wall) within 3m of a frontage must have a height above natural ground level of not more than:  (a) 1.2 m if the fence is solid; or  (b) 1.5m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).  <i>The existing picket fence to the front garden (fronting Patrick Street and the corner of Watkins Ave) is to be retained, and the existing paling fence on Watkins Ave is to be removed and replaced with a picket fence to match the Patrick Street fence. This fence is around 1.5m in height, and the gaps between the pickets provide a transparency greater than 30%.</i>	<b>P1</b>

**11.4.8 Waste storage for multiple dwellings**

*This clause does not apply to this development.*

**11.4.9 Non-dwelling development**

*This clause does not apply to this development.*

**E3.0 Landslide Code**

*The development is for a building within a Low Landslide Hazard area, and is therefore exempt from this code.*

**E6.0 Parking and Access Code**

**E6.6.1 Number of Car Parking Spaces**

<b>Objective:</b>
To ensure that:

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<p>(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.</p> <p>(b) a use or development does not detract from the amenity of users or the locality by:</p> <ul style="list-style-type: none"> <li>(i) preventing regular parking overspill;</li> <li>(ii) minimizing the impact of car parking on heritage and local character.</li> </ul>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The number of on-site car parking spaces must be:</p> <ul style="list-style-type: none"> <li>(a) no less than and no greater than the number specified in Table E6.1;</li> </ul> <p>except if:</p> <ul style="list-style-type: none"> <li>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(ii) the site is subject to clauses E6.6.5, E6.6.7, E6.6.8, E6.6.9 or E6.6.10 of this planning scheme.</li> </ul>	<p><b>P1</b></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"> <li>(a) car parking demand;</li> <li>(b) the availability of on-street and public car parking in the locality;</li> <li>(c) the availability and frequency of public transport within a 400m walking distance of the site;</li> <li>(d) the availability and likely use of other modes of transport;</li> <li>(e) the availability and suitability of alternative arrangements for car parking provision;</li> <li>(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;</li> <li>(g) any car parking deficiency or surplus associated with the existing use of the land;</li> <li>(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;</li> <li>(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;</li> <li>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</li> </ul>

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	<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> <p><i>The proposed development is a single dwelling containing 2 or more bedrooms, which has not changed from the existing number of rooms, thus generating a requirement for 2 parking spaces. Our proposal has two bedrooms, deleting one bedroom, but the proposed library could one be converted to a bedroom.</i></p> <p><i>There is no change to the number of parking space provided on the site as part of this proposal, which contains 1 parking space.</i></p> <p><i>The owners of the site (who are living in the property) own 1 car and do not require an additional car park, and there is street parking available both on Patrick Street and Watkins Avenue immediately adjacent to the site. There are a number of bus stops within 400m of the site, and the location of the site is within walking distance of the CBD – an approximately 15 min or 1km walk.</i></p>
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**E6.7.1 Number of Vehicular Accesses**

<b>Objective:</b>	
<p>To ensure that:</p> <p>(a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:</p> <p style="padding-left: 40px;">(i) the number of vehicle access points; and</p> <p style="padding-left: 40px;">(ii) loss of on-street car parking spaces;</p> <p>(b) vehicle access points do not unreasonably detract from the amenity of adjoining land use;</p> <p>(c) vehicle access points do not have a dominating impact on local streetscapes and character.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

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<p>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p> <p><i>The existing site contains one existing vehicle access point, and the proposal retains this single access point, and thus complies.</i></p>	
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**E6.7.2 Design of Vehicular Accesses**

<p><b>Objective:</b></p> <p>To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.</p>	
<p><b>Acceptable Solution</b></p> <p><b>A1</b></p> <p>Design of vehicle access points must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</li> <li>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</li> </ul>	<p><b>Performance Criteria</b></p> <p><b>P1</b></p> <p>Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</li> <li>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</li> <li>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</li> <li>(d) ease of accessibility and recognition for users.</li> </ul> <p><i>The location of the existing crossover and garage has been retained with access onto Watkins Street, with some modification to the garage which is being proposed to be changed to a more open carport. The proposed gate to the carport has been set back from the site boundary, and the width of the entry has been widened significantly to improve visibility by both pedestrians and those maneuvering vehicles out of the carport. The existing fence along the north-west boundary of the carport is on the neighbouring property, and as such, is being retained.</i></p>

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	<p><i>Refer to 'Civil Drawings Alterations + Additions 115 Patrick Street, West Hobart, TAS 7000, prepared by Aldanmark Consulting Engineers.</i></p>
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**E6.7.5 Layout of Parking Areas**

<p><b>Objective:</b></p> <p>To ensure that parking areas for cars (including assessable parking spaces), motorcycles and bicycles are located, designed and constructed to enable safe, easy and efficient use.</p>	
<p><b>Acceptable Solution</b></p> <p><b>A1</b></p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p>	<p><b>Performance Criteria</b></p> <p><b>P1</b></p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.</p> <p><i>Refer to 'Civil Drawings Alterations + Additions 115 Patrick Street, West Hobart, TAS 7000, prepared by Aldanmark Consulting Engineers.</i></p>

**E6.7.6 Surface Treatment of Parking Areas**

<p><b>Objective:</b></p> <p>To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.</p>	
<p><b>Acceptable Solution</b></p> <p><b>A1</b></p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> <li>(b) drained to an approved stormwater system,</li> </ul>	<p><b>Performance Criteria</b></p> <p><b>P1</b></p>

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<p>unless the road from which access is provided to the property is unsealed.</p> <p><i>The carport surface is to be concrete and drained to the stormwater system.</i></p>	
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**E6.7.12 Siting of Car Parking**

<p><b>Objective:</b></p> <p>To ensure that the streetscape, amenity and character of urban areas is not adversely affected by siting of vehicle parking and access facilities.</p>	
<p><b>Acceptable Solution</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.</p>	<p><b>P1</b></p> <p>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone may be located in front of the building line where topographical or other site constraints dictate that this is the only practical solution because of one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) there is a lack of space behind the building line to enable compliance with A1;</li> <li>(b) it is not reasonably possible to provide vehicular access to the side or rear of the property;</li> <li>(c) the gradient between the front and the rear of existing or proposed buildings is more than 1 in 5;</li> <li>(d) the length of access or shared access required to service the car parking would constitute more than 75% of the depth of the relevant lot;</li> <li>(e) the access driveway cannot be located at least 2.5 m from a habitable room window of a building defined as a residential building in the Building Code of Australia;</li> <li>(f) the provision of the parking behind the building line would result in the loss of landscaped open space and gardens essential to the values or character of a Heritage Place or Precinct listed in the Heritage Code in this planning scheme;</li> </ul>



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	<p>(g) the provision of the parking behind the building line would result in the loss directly or indirectly of one or more significant trees listed in the Significant Trees Code in this planning scheme,</p> <p>and only if design and located to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(i) does not visually dominate the site;</li> <li>(ii) maintains streetscape character and amenity;</li> <li>(iii) does not result in a poor quality of visual or audio amenity for the occupants of immediately adjoining properties, having regard to the nature of the zone in which the site is located and its preferred uses;</li> <li>(iv) allows passive surveillance of the street.</li> </ul> <p><i>The siting of the car parking space is proposed for the same location as the existing garage, which is on the Watkins Avenue frontage. The site is constrained by size, and in order to maintain an area of landscaped open space and garden that make up the values and character of the Heritage Precinct, maintaining the existing location of the car park was the only practical solution. There is also a lack of space behind the building to locate the parking space in an alternative location, and is not reasonably possible to provide vehicular access to the side or rear of the property due to the size of the property. Refer to Proposed Site Plan, DA-01 &amp; Proposed Floor Plans, DA-03).</i></p> <p><i>The design of the carport is not visible from the Patrick Street frontage of the site, and is significantly lower and smaller than both the existing and proposed section of the dwelling as viewed from Watkins Avenue (refer to South West Elevation, DA-05). It replaces the existing garage in the same location, and is in a similar location to the neighbouring buildings adjacent on Watkins Avenue, and does not block any views from the dwelling onto the surrounding footpaths or vice-versa. The proposed slatted carport gate (replacing the existing garage roller door) also allows for passive surveillance into the carport.</i></p>
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**E7.0 Stormwater Management Code**

*Stormwater from new impervious surfaces will be disposed of by gravity to public stormwater infrastructure.*

**E13.0 Historic Heritage Code**

**E13.1 Purpose**

E13.1.1 To recognise and protect the historic cultural heritage significance of places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.

**E13.2 Application**

E13.2.1 This code applies to development involving land defined in this code as any of the following:

- a) a Heritage Place;
- b) a Heritage Precinct;
- c) a Cultural Landscape Precinct;
- d) a Place of Archaeological Potential.

*The proposed development is part of the Heritage Precinct WH4, and is a Heritage Place, Ref. No. 2494.*

**E13.7 Development Standards for Heritage Places**

**E13.7.1 Demolition**

<b>Objective:</b>	
To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>  No acceptable solution	<b>P1</b>  Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless the following are satisfied;  (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;  (b) there are no prudent and feasible alternatives;  (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;  (d) significant fabric is documented before demolition.

## DEVELOPMENT APPLICATION REPORT – Hobart Interim Planning Scheme 2015

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	<p><i>The section of the building to be demolished is at the rear of the site, on the Watkins Avenue frontage, and is an addition to the original brick house with low significance, along with part of the garage which has no heritage significance.</i></p> <p><i>The demolition of parts of the buildings has been discussed with City of Hobart Heritage Officers, including, and apart from the demolition of the rear lean-to at the rear of the building, there is minimal demolition of the original fabric of the house apart to make way for opening to improve the amenity of the building.</i></p> <p><i>The original building to the Patrick Street frontage that contributes to the historic cultural heritage significance of the precinct is to be left unaltered.</i></p> <p><i>No significant landscape elements, trees, or fences on the property are to be altered.</i></p>
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## E13.7.2 Buildings and Works other than Demolition

<b>Objective:</b>	
To ensure that development undertaken within a heritage place is:	
(a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and	
(b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
No Acceptable Solution.	<p>Development must not result in any of the following:</p> <p>(a) loss of historical cultural heritage significance to the place through incompatible design, including in height, scales, bulk, form, fenestration, siting, materials, colours and finishes;</p> <p>(b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.</p> <p><i>The proposed new addition to the building is located at the rear of the existing heritage Federation-style building, on the Watkins Ave frontage, and is only partially visible from the Patrick Street frontage.</i></p>

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	<p><i>The design of the addition takes cues from the original building, using painted timber weatherboard-like cladding to echo the existing cladding to the rear of the existing building, but altered to run vertically to differentiate the new from the old. The location of the new addition replaces an existing brick fence (of no heritage value) along the Watkins Ave frontage, and forms a small part of the Watkins Ave elevation. The proposed roof is a single pitch, sloping up away from the existing dwelling, and tucks under the existing line of the eave.</i></p> <p><i>The proposed development has resulted from conversation and collaboration with City of Hobart Heritage Officers, in order to provide an addition that respects the original fabric of the house and its surrounds, while providing the required level of amenity for the occupants. There are minimal changes to the layout of the existing house internally, and minor modifications are made to the existing external brick walls to allow for the insertion of doors and windows for increased amenity for the building, to allow access to the outdoor space, and to allow sun and daylight to enter the building.</i></p> <p><i>There is no change to the Patrick Street frontage of the building, fence or garden.</i></p>
<p><b>A2</b> No Acceptable Solution.</p>	<p><b>P2</b> Development must be designed to be subservient and complementary to the place through characteristics including:</p> <ul style="list-style-type: none"> <li>(a) scale and bulk, materials, built form and fenestration;</li> <li>(b) setback from frontage;</li> <li>(c) siting with respect to buildings, structures and listed elements;</li> <li>(d) using less dominant materials and colours.</li> </ul> <p><i>The height of the new addition is significantly lower than the existing building and forms a small part of the overall built form on the site. The new addition is designed to align with existing line of the eaves on the Watkins Avenue frontage, and replaces an existing wall on this frontage. The location of the new addition and the carport is at the rear of the property in relation to the Patrick Street frontage and is visibly separate.</i></p>

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	<i>The materials of the new addition are to be light in colour to allow the existing brick of the main heritage buildings to be the dominant feature.</i>
<b>A3</b> No Acceptable Solution.	<b>P3</b> Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.  <i>The design of the new single storey addition to the building responds to the heritage characteristics in form and material. The new form tucks under the existing line of the eaves, and the building footprint steps in plan to separate the old and the new. The new addition is clearly read in elevation as new and separate from the existing building.</i>
<b>A4</b> No Acceptable Solution.	<b>P4</b> Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.  <i>The addition to the building is located on the Watkins Ave frontage and does not detract from the cultural heritage significance of the place, particularly from the Patrick Street frontage.</i>
<b>A5</b> New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.  <i>No alterations are proposed to the existing front fence or gates on Patrick Street. A section of new fence is proposed for the Watkins Ave frontage, which matches the existing length of fence on Watkins Ave.</i>	<b>P5</b>
<b>A5</b> Areas of landscaping between a dwelling and the street must be retained.  <i>No landscaping between the dwelling and the street is to be altered on the Patrick Street frontage, and there is currently no landscaping on the Watkins Ave frontage, apart from the section of the front yard which will not be altered.</i>	<b>P4</b>

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**E13.8 Development Standards for Heritage Precincts**

**E13.8.1 Demolition**

<b>Objective:</b>	
To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>  No Acceptable Solution.	<p><b>P1</b></p> <p>Demolition must not result in the loss of any of the following:</p> <p>(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;</p> <p>(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;</p> <p>unless all of the following apply;</p> <p>(i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</p> <p>(ii) there are no prudent or feasible alternatives;</p> <p>(iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.</p> <p><i>The section of the building to be demolished is at the rear of the site, on the Watkins Avenue frontage, and is an addition to the original brick house with low significance, along with part of the garage which has no heritage significance.</i></p>

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	<p><i>The original building to the Patrick Street frontage that contributes to the historic cultural heritage significance of the precinct is to be left unaltered.</i></p> <p><i>No significant landscape elements, trees, or fences on the property are to be altered.</i></p>
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## E13.8.2 Buildings and Works other than Demolition

<b>Objective:</b>	
To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2 (refer below to Heritage Precinct ref. no. WH4).  <i>The proposed new addition to the building is located at the rear of the existing heritage Federation-style building, on the Watkins Ave frontage, and is only partially visible from the Patrick Street frontage.</i>  <i>There is no change to the Patrick Street frontage of the building, fence or garden.</i>
<b>A2</b>  No Acceptable Solution.	<b>P2</b>  Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.  <i>No design criteria or conservation policy is listed.</i>
<b>A3</b>  No Acceptable Solution.	<b>P3</b>  Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.  <i>The precinct primarily focuses on the Patrick Street area. The location of the extension to the building is</i>



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	<i>only partially visible from Patrick Street, and is located at the rear of the site, on the Watkins Ave side.</i>
<b>A4</b>  New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.  <i>No alterations are proposed to the existing front fence or gates on Patrick Street. A section of new fence is proposed for the Watkins Ave frontage, which matches the existing length of fence on Watkins Ave.</i>	<b>P4</b>
<b>A5</b>  Areas of landscaping between a dwelling and the street must be retained.  <i>No landscaping between the dwelling and the street is to be altered on the Patrick Street frontage, and there is currently no landscaping on the Watkins Ave frontage, apart from the section of the front yard which will not be altered.</i>	<b>P4</b>

Table E13.2 Heritage Precincts

WH4 – Patrick Street

This precinct is significant for reasons including:

1. The quality and quantity of late Victorian/Federation period houses on the northern side of Patrick Street.
2. The large number of individual houses which are intact examples of late nineteenth/early twentieth century architecture of high quality, many with landmark qualities.
3. The continuous two-storey brick late Victorian/Federation facades and the general uniformity of scale create a distinctive visual impression and strong streetscape.

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Hobart City Council  
City Planning  
16 Elizabeth Street  
Hobart, TAS 7000

Attention: Michael McClenahan,

04.03.2021

Dear Michael,

**Re: 115 PATRICK STREET, WEST HOBART – PARTIAL DEMOLITION, ALTERATIONS AND EXTENSION, APPLICATION NO. PLN-21-93.**

Biotope architecture.interiors have prepared a response to the additional information from Council dated 18 February 2021 regarding the alterations & additions for 115 Patrick Street Road, West Hobart.

An initial assessment has been undertaken but additional information was required:

#### *Planning*

**PLN Fi6** To enable the Council to assess the application against the development standards for buildings and works in the Inner Residential Zone of the Hobart Interim Planning Scheme 2015, please provide:

1. Shadow diagrams showing the extent of shadowing on the private open space of any dwellings on adjoining lots, or on any adjoining vacant lot, at 9.00am, 12.00pm and 3.00pm on March and June 21st, cast by the proposed development and by the existing development on the site.
2. Solar access diagrams showing the sunlight to habitable rooms (excluding bedrooms) of any dwellings on adjoining lots, at 9.00am, 12.00pm and 3.00pm on March and June 21st, with the proposed development and with the existing development on the site.

#### *Advice:*

The definition of adjoining means more than abutting, and includes properties on the other side of the road, as well as those separated from the subject site by a pedestrian right of way, battle axe lot handles, driveways, etc. Three dimensional diagrams may be required to adequately satisfy the above Request.

#### RESPONSE

Please refer to the

#### *Heritage Code*

To enable the Council to assess the application against the relevant provisions of the Historic Heritage Code of the Hobart Interim Planning Scheme 2015 please provide:

#### *HER Fi*

biotope architecture.interiors pty ltd ABN 36641885270

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1 Photo of window proposed to be demolished (kitchen).

HER Fi

2 Photo of door proposed to be removed (between living and corridor).

HER Fi

3 Photo of rear garden.

HER Fi

4 Photo of archway between living room and dining.

HER Fi

5 Colour specification

#### RESPONSE

HER Fi

1 Photo of window proposed to be demolished (kitchen).

A – VIEW FROM DECK



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1 Photo of window proposed to be demolished (kitchen).



B – VIEW FROM KITCHEN

HER Fi

2 Photo of door proposed to be removed (between living and corridor)



A – VIEW FROM CORRIDOR



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2 Photo of door proposed to be removed (between living and corridor)



B – VIEW FROM LOUNGE ROOM

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3 Photo of rear garden.





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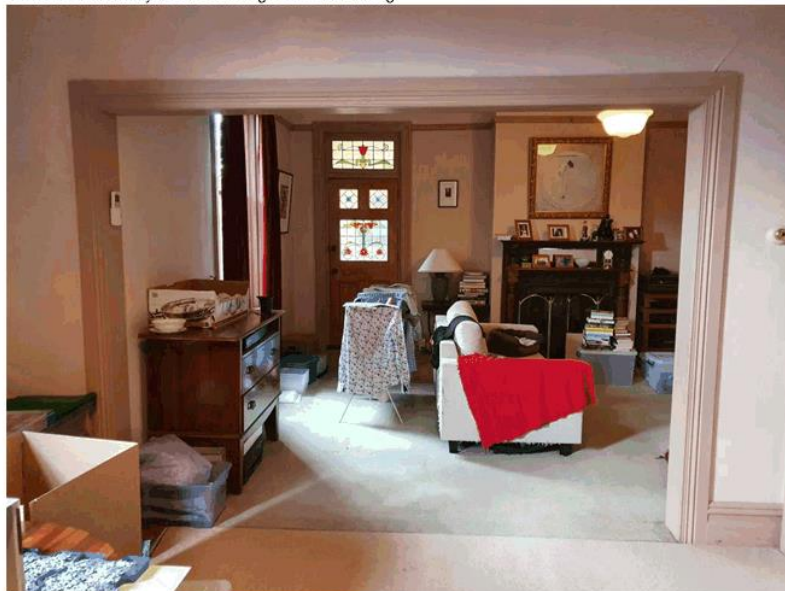
HER Fi

3 Photo of rear garden.



HER Fi

4 Photo of archway between living room and dining.



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4 Photo of archway between living room and dining.







**HER Fi**

**5 Colour specification**

The colours are likely to be:

Roof Colour – Colorbond woodland grey

Gutters, trims, fascia, windows – Resene Half friar grey or Resene Half Ash

Timber cladding- Resene Eighth Ash

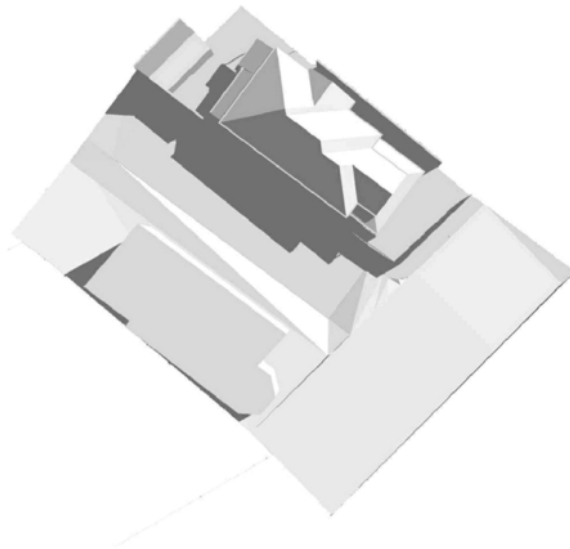
Timber Fencing – Resene Eighth Ash

Please contact Rosa Douramanis on 0428726588 or [rosa@biotope.net.au](mailto:rosa@biotope.net.au) if you require any further information.

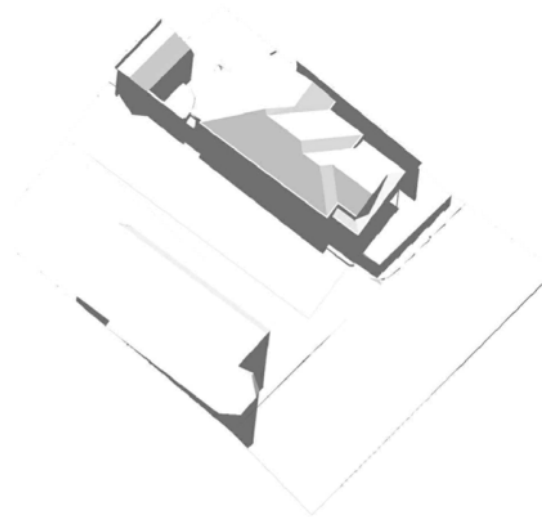
Yours sincerely

A handwritten signature in black ink, appearing to read "R. Douramanis".

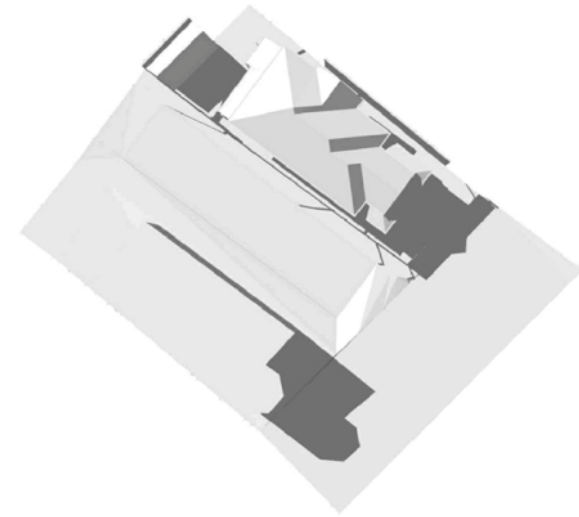
Rosa Douramanis



EXISTING 9AM - 21ST OF MARCH



EXISTING 12PM - 21ST OF MARCH



EXISTING 3PM - 21ST OF MARCH

biotope ARCHITECTURE INTERIORS

ABN 305 418 852 70

**biotope**  
Architecture /nteriors

14 MOLLE STREET HOBART  
TASMANIA AUSTRALIA 7000

T (03) 62 9292 77  
E [hello@biotope.net.au](mailto:hello@biotope.net.au)  
W [www.biotope.net.au](http://www.biotope.net.au)

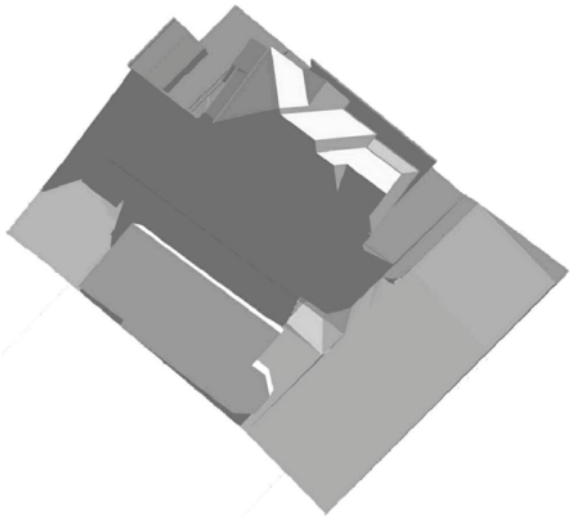
PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING SUN SHADOWS - AUTUMN EQUINOX  
NTS @ A3 MARCH 2021

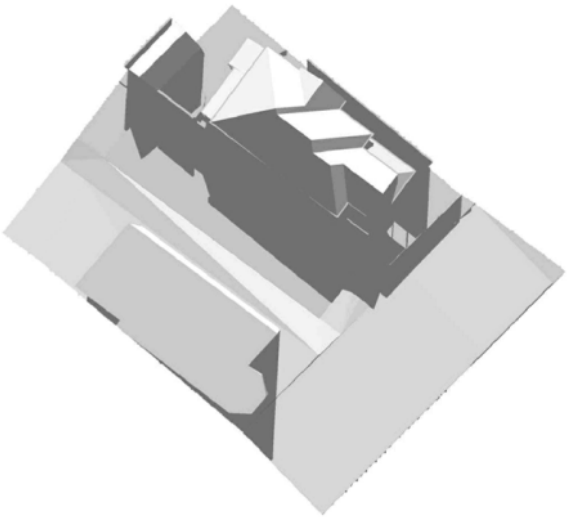
DRAWING

DA ISSUE  
04.03.2021

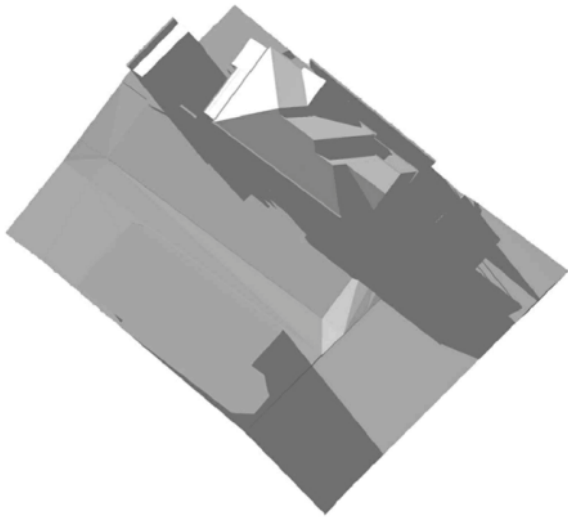
DA-10



EXISTING 9AM - 21ST OF JUNE



EXISTING 12PM - 21ST OF JUNE



EXISTING 3PM - 21ST OF JUNE

biotope ARCHITECTURE INTERIORS ABN 306 418 852 70

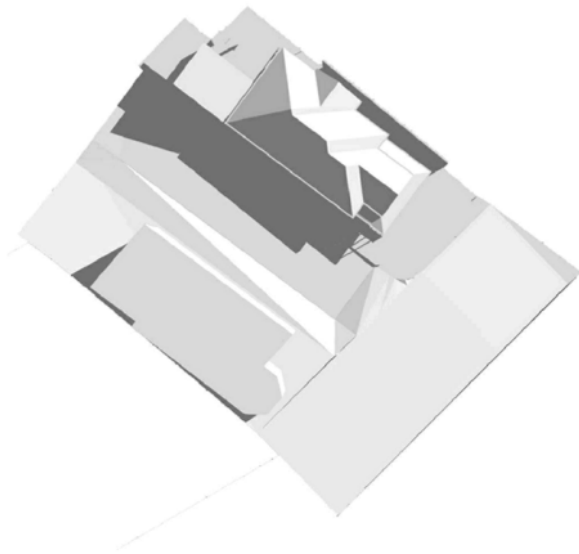
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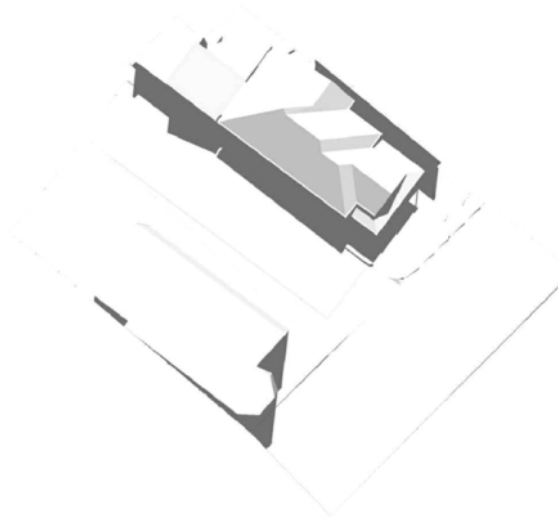
PROJECT  
ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING SUN SHADOWS - WINTER SOLSTICE  
NTS @ A3 MARCH 2021

DRAWING  
DA ISSUE  
04.03.2021

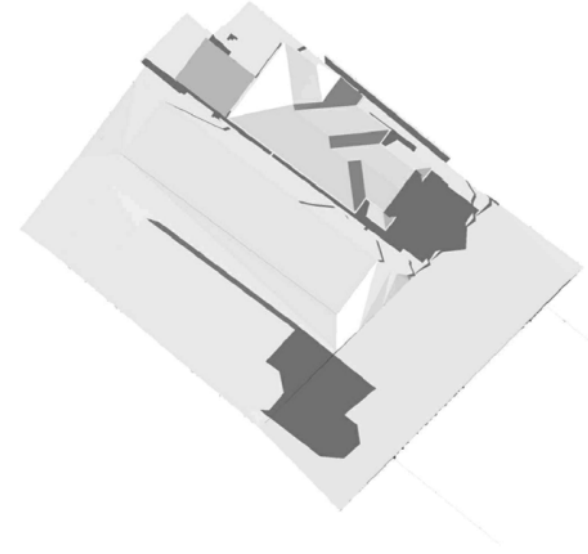
DA-11



PROPOSED 9AM - 21ST OF MARCH



PROPOSED 12PM - 21ST OF MARCH



PROPOSED 3PM - 21ST OF MARCH

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ABN 305 418 852 70

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TASMANIA AUSTRALIA 7000

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E [hello@biotope.net.au](mailto:hello@biotope.net.au)  
W [www.biotope.net.au](http://www.biotope.net.au)

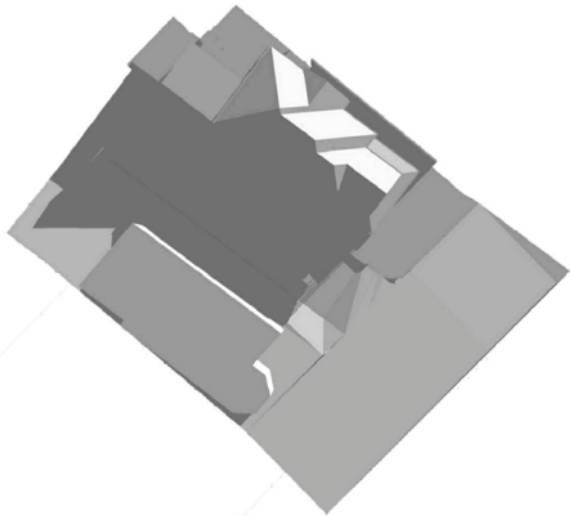
PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
PROPOSED SUN SHADOWS -AUTUMN EQUINOX  
NTS @ A3 MARCH 2021

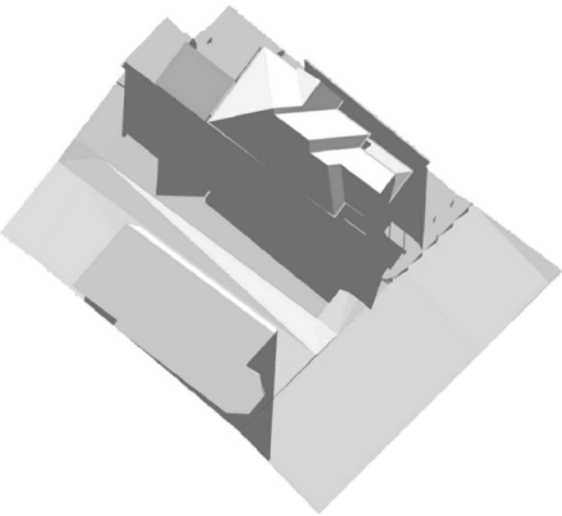
DRAWING

DA ISSUE  
04.03.2021

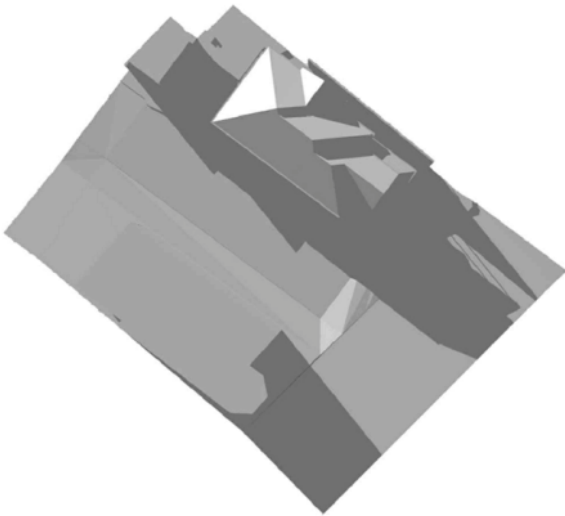
DA-12



PROPOSED 9AM - 21ST OF JUNE



PROPOSED 12PM - 21ST OF JUNE



PROPOSED 3PM - 21ST OF JUNE

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ABN 305 418 852 70

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PROJECT

ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
PROPOSED SUN SHADOWS - WINTER SOLSTICE  
NTS @ A3 MARCH 2021

DRAWING

DA ISSUE  
04.03.2021

DA-13

CIVIL DRAWINGS  
ALTERATIONS + ADDITIONS  
115 PATRICK STREET  
WEST HOBART, TAS 7000

C0.01	INDEX & OVERALL LAYOUT	B	25/05/2020
C1.01	DIMENSIONS & LEVELS	B	25/05/2020
C1.02	TURN PATHS	B	25/05/2020



OVERALL  
SCALE 1:500 (A1)

		DESIGN	MB
		DRAWING CHECK	---
		DESIGNED	MB
B	PRELIMINARY - LEVELS PROVIDED	25/05/2020	DESIGN CHECK
A	PRELIMINARY - DIMENSIONS AND TURNPATH	22/05/2020	CERTIFIED
REV	DESCRIPTION	DATE	QA CHECK



Client  
191 Hobart Street  
Hobart TAS 7000  
03 6234 5884  
m@aldanmark.com.au  
www.aldanmark.com.au

Client  
DAVID & KIMBRA MCCORMACK  
ADDRESS  
115 PATRICK STREET  
WEST HOBART, TAS 7000

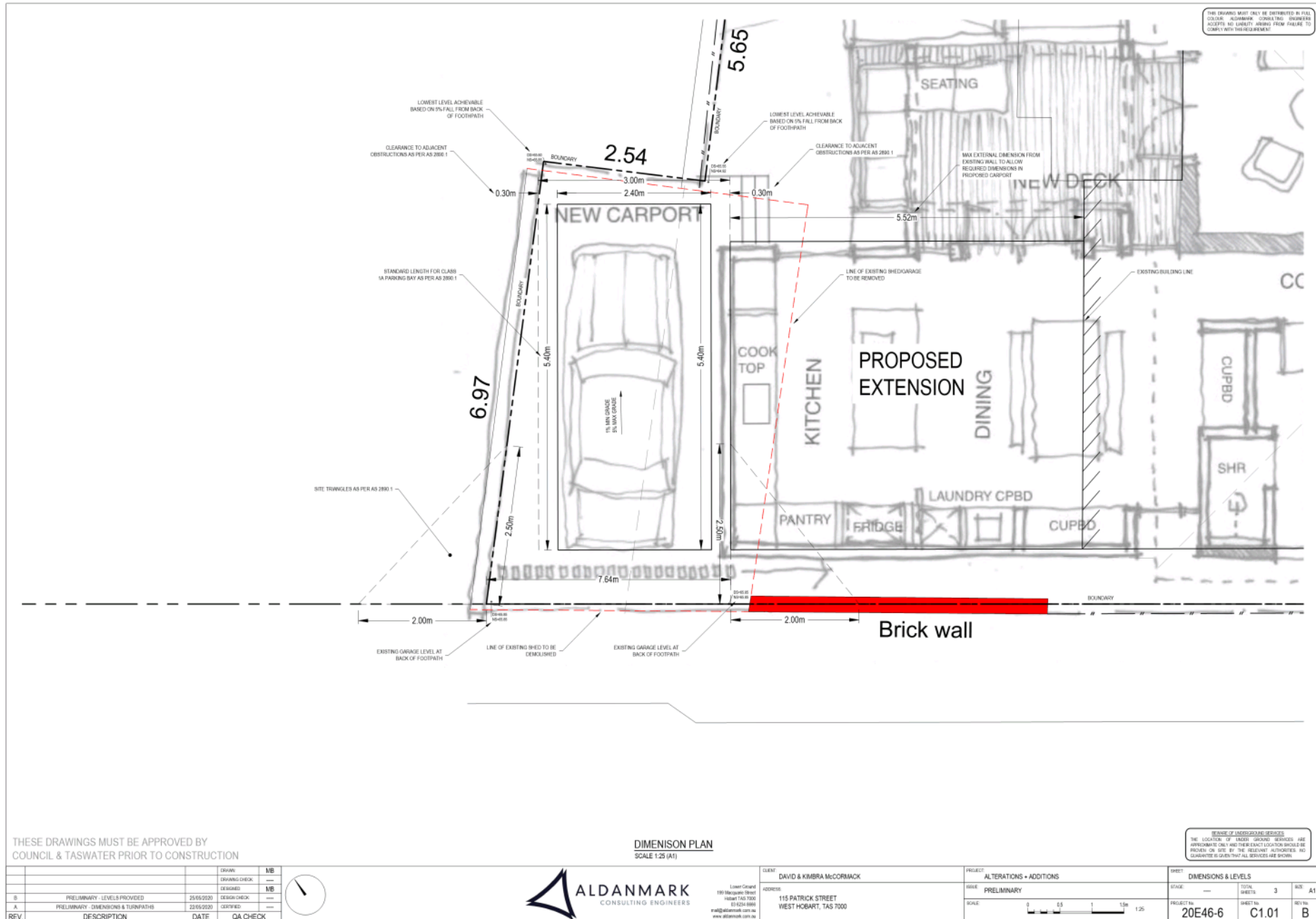
PROJECT  
ALTERATIONS + ADDITIONS

ISSUE  
PRELIMINARY

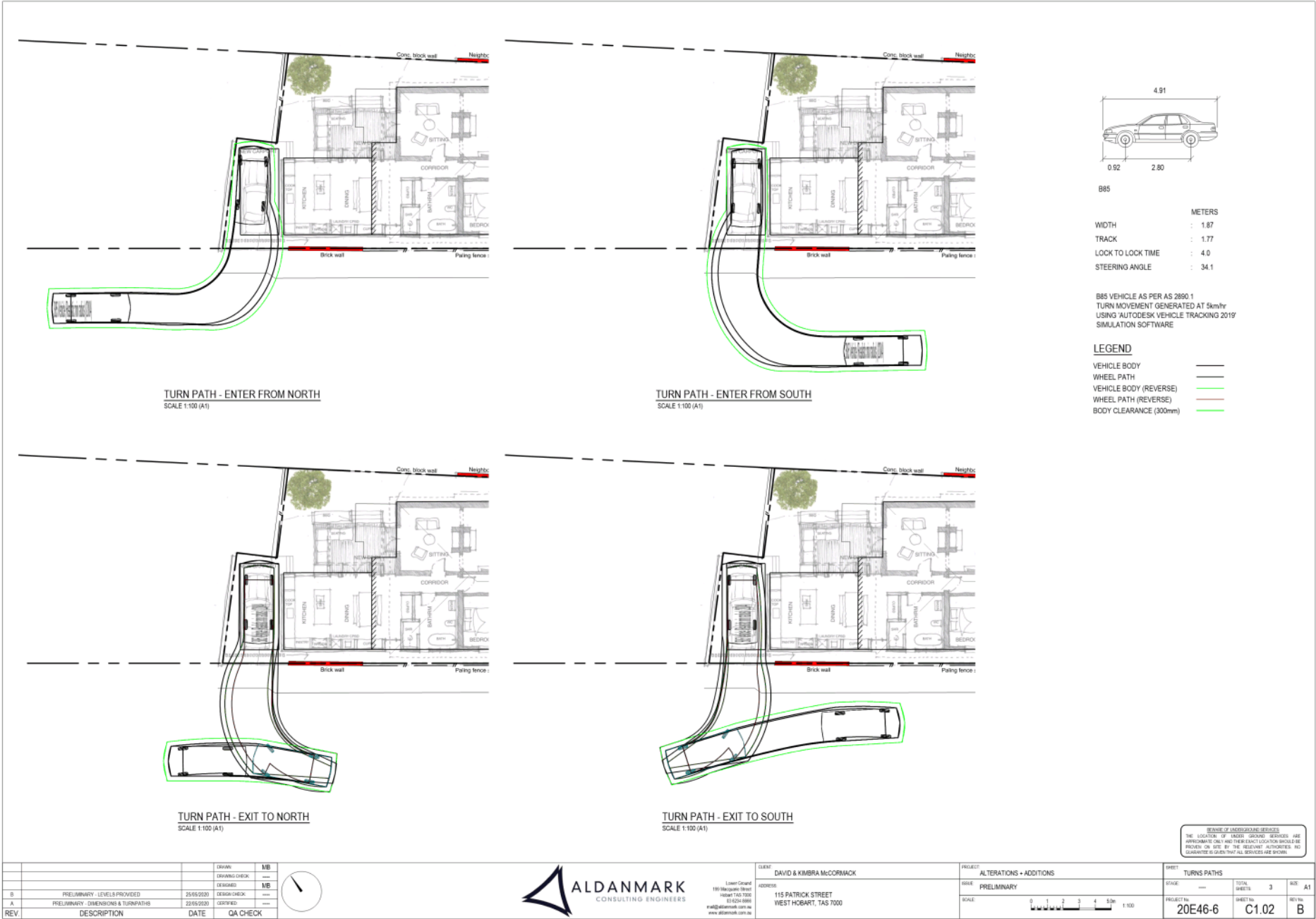
SCALE  
0 5 10 20 30m 1:500

SHEET  
COVER SHEET

STAGE	---	TOTAL SHEETS	3	SHEET No.	A1
PROJECT No.	20E46-6	SHEET No.	C0.01	REV No.	B







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Hobart City Council  
City Planning  
16 Elizabeth Street  
Hobart, TAS 7000

Attention:

Nick Heath

General Manager.

05.03.2021

Dear Nick,

**Re: 115 PATRICK STREET, WEST HOBART – PARTIAL DEMOLITION, ALTERATIONS AND EXTENSION, APPLICATION NO. PLN-21-93.**

We act on behalf of our clients Kimbra and David McCormack regarding the location of a new fence within the Watkins Avenue Road Reservation, in reference to the letter sent on the 17<sup>th</sup> February 2021 from Hobart City Council.

We are proposing to remove the existing timber paling fence and replace it with a new picket fence in the same location. If you refer to the drawing attached the existing paling fence is currently located within Watkins Avenue Road Reservation.

The property, 115 Patrick Street was purchased in December 2002, by Kimbra McCormack and the existing timber paling fence has been in place since then. It appears the fence may have been located on the Watkins Avenue Road Reservation for over 20 years. It is our understanding the paling fence was built when the parcel of land became a Strata Title about which the Hobart City council may have records for.

The existing timber paling fence is located on a blockwork wall with a level drop of 400-500mm on the house side of the fence. The new fence is proposed to be located in the same location, fixed to the existing blockwork wall. The reason for the new fence is to enhance the streetscape along Watkins Avenue. The existing paling timber fence is not an appropriate fence along the Watkins Street frontage.

Council may not have been aware of the 400-500mm level drop between the Watkins Avenue Road Reservation and the ground level at the property of 115 Patrick Street. Council should also be aware existing services are located along this side of the house, i.e. an outdoor hot water cylinder, and an outdoor air-conditioning unit. If we relocate the new fence along the boundary major works will be required to be undertaken to make the Watkins Avenue Road Reservation safe for pedestrians, due to the level drop. The property is within a school zone of three schools so there is considerable foot traffic, including young children. Given these reasons it is appropriate we locate the new fence on top of the existing blockwork retaining wall located on the Watkins Avenue Road Reservation.

Please also note that the existing garage and brick wall are also built over the Watkins Avenue Road Reservation. In our proposed works we have located the proposed carport back inside the title boundary.

biotope  
Architecture / Interiors

The existing paling fence has been maintained and painted over the years by Kimbra and David McCormack since the house and land were purchased in 2002. Kimbra McCormack was unaware the property fence was located on the Watkins Avenue Road Reservation when she purchased the house and land in 2002.

Kimbra and David McCormack are open to buying the land off Council to correct the boundary issue. That would remove the council's ongoing responsibility for the fence.

Please refer to the A3 fence plan and section to describe what we are proposing and to demonstrate the level change between the Watkins Avenue Road Reservation, and 115 Patrick Street.

If you require any further information please contact Rosa Douramanis on 0428726588 or [rosa@biotope.net.au](mailto:rosa@biotope.net.au).

Yours sincerely



Rosa Douramanis



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

3 June 2021

Rosa Douramanis (Biotope)  
14 Molle Street  
HOBART TAS 7000

mailto:rosa@biotope.net.au

Dear Sir/Madam

**115 PATRICK STREET, WEST HOBART - WORKS IN ROAD RESERVE NOTICE OF  
LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-21-29**

**Site Address:**

115 Patrick Street, Hobart

**Description of Proposal:**

Works in Road Reserve

**Applicant Name:**

Rosa Douramanis - Biotope

**PLN (if applicable):**

PLN-21-93

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

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

This consent does not constitute an approval to undertake any works and does not authorise

Hobart Town Hall  
50 Macquarie Street  
Hobart TAS 7000

Hobart Council Centre  
16 Elizabeth Street  
Hobart TAS 7000

City of Hobart  
GPO Box 503  
Hobart TAS 7001

T 03 6238 2711  
F 03 6234 7109  
E coh@hobartcity.com.au  
W hobartcity.com.au

CityofHobartOfficial  
ABN 39 055 343 428  
Hobart City Council

the owner, developer or their agents any right to enter or conduct works on any Council managed land whether subject to this consent or not.

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

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

Yours faithfully

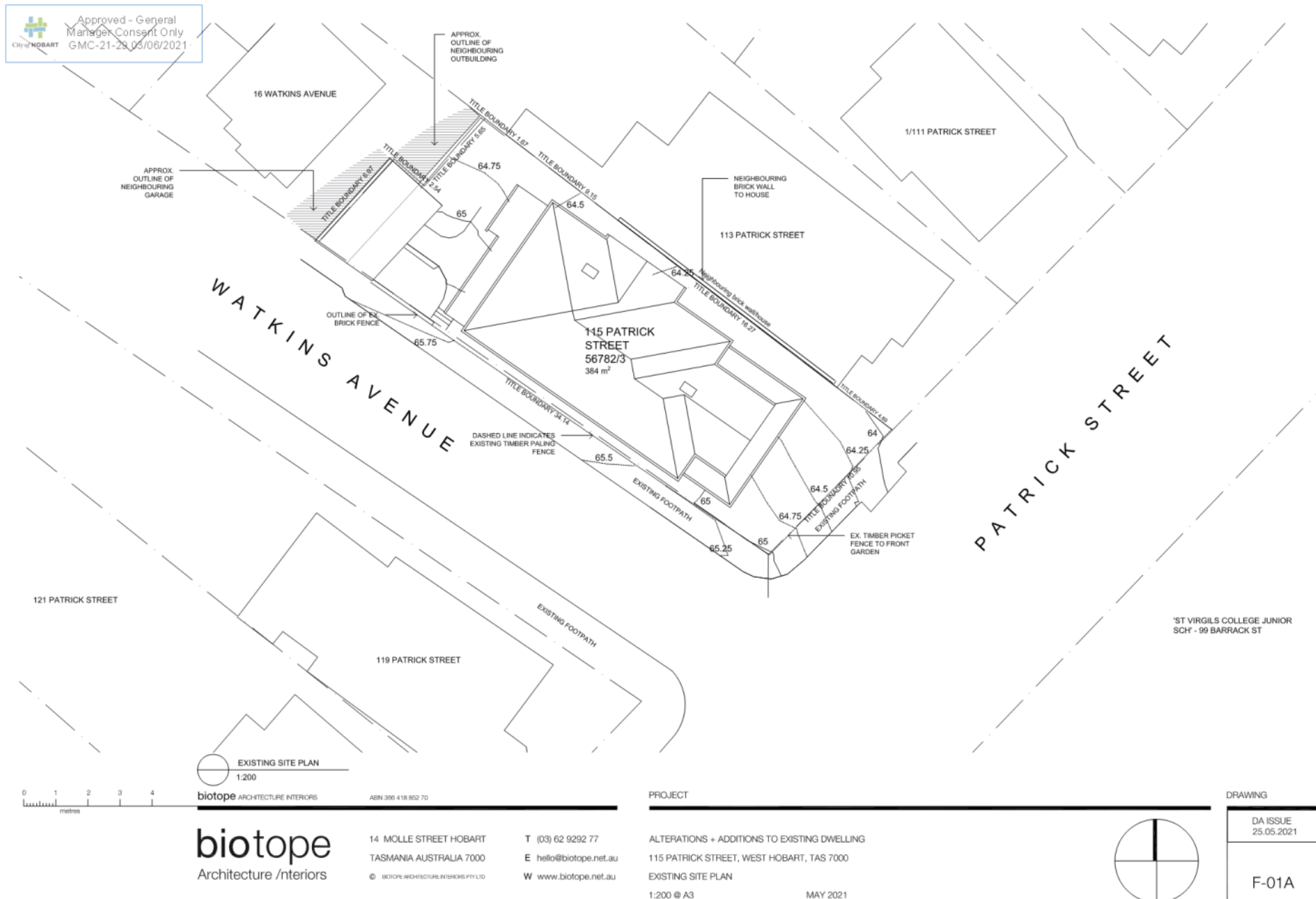


(Kelly Grigsby)

**Chief Executive Officer being the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993 (Tas)**

Relevant documents/plans:

Plans - Biotope DA Issue 25.05.2021



Approved - General Manager Consent Only  
GMC-21-29 03/06/2021



EXISTING PICKET FENCE TO REMAIN



EXISTING PICKET FENCE TO REMAIN



EXISTING TIMBER PALING FENCE TO BE REPLACED



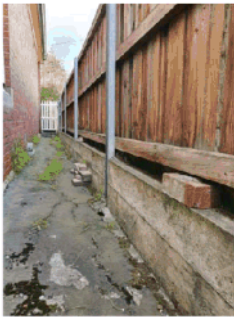
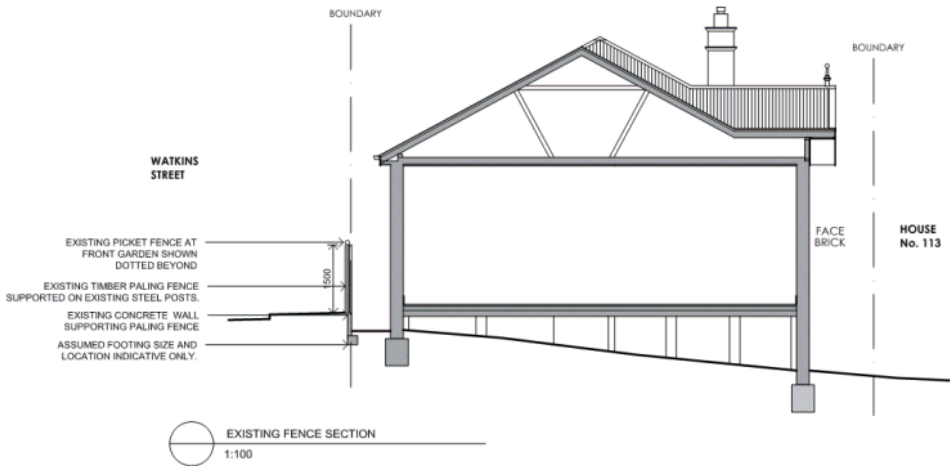
EXISTING TIMBER PALING FENCE TO BE REPLACED  
WITH PICKET FENCE TO MATCH EXISTING AS PER ABOVE PHOTO



EXISTING TIMBER PALING FENCE TO BE REPLACED



EXISTING TIMBER PALING FENCE TO BE REPLACED.  
BRICK WALL TO BE DEMOLISHED, GARAGE TO BE DEMOLISHED  
AND REPLACED AS VISIBLE ON F-04 FENCE ELEVATION.



EXISTING TIMBER PALING FENCE AND CONCRETE WALL PHOTOS  
SHOWING THE EXISTING LEVELS AND FENCE CONSTRUCTION INSIDE THE  
PROPERTY BOUNDARY.



0 1 2 3 4  
metres

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ABN 306 418 852 70

biotope  
Architecture /nteriors

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TASMANIA AUSTRALIA 7000  
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W www.biotope.net.au

PROJECT

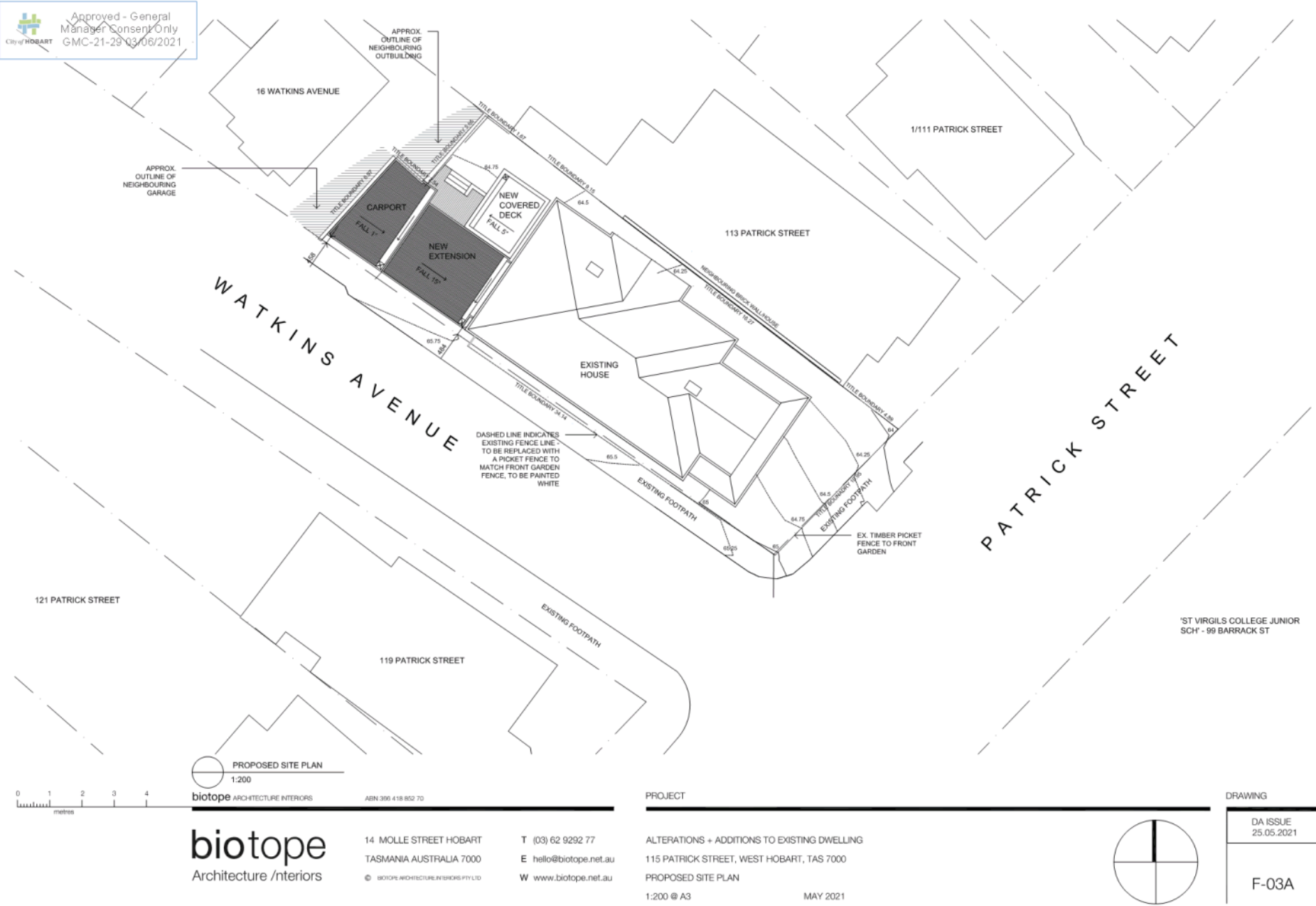
ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
EXISTING FENCE PHOTOS AND SECTION  
1:100 @ A3 MAY 2021

DRAWING

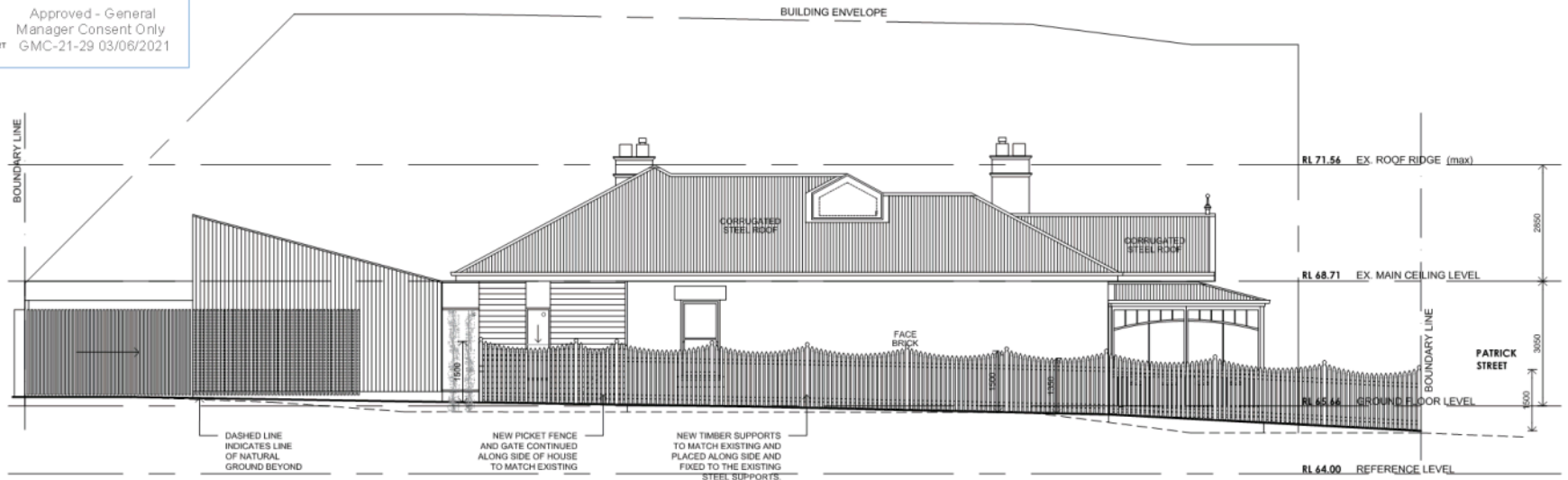
DA ISSUE  
25.05.2021

F-02A

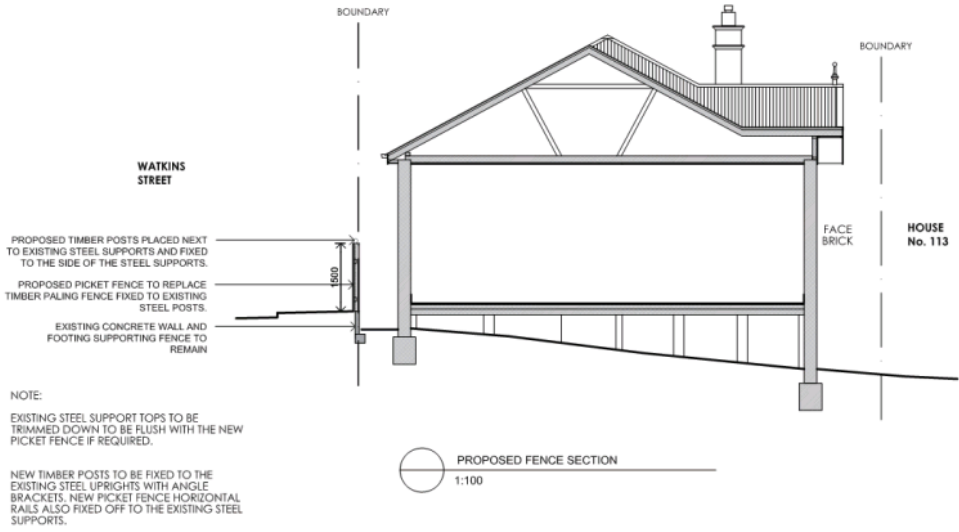




Approved - General  
Manager Consent Only  
GMC-21-29 03/06/2021



PROPOSED FENCE ELEVATION  
1:100



PROPOSED FENCE SECTION  
1:100

NOTE:  
EXISTING STEEL SUPPORT TOPS TO BE  
TRIMMED DOWN TO BE FLUSH WITH THE NEW  
PICKET FENCE IF REQUIRED.  
  
NEW TIMBER POSTS TO BE FIXED TO THE  
EXISTING STEEL UPRIGHTS WITH ANGLE  
BRACKETS. NEW PICKET FENCE HORIZONTAL  
RAILS ALSO FIXED OFF TO THE EXISTING STEEL  
SUPPORTS.



biotope ARCHITECTURE INTERIORS  
ABN 390 418 852 70

PROJECT

DRAWING

biotope  
Architecture /interiors

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ALTERATIONS + ADDITIONS TO EXISTING DWELLING  
115 PATRICK STREET, WEST HOBART, TAS 7000  
PROPOSED FENCE ELEVATION AND SECTION  
1:100 @ A3  
MAY 2021

DA ISSUE  
25.05.2021

F-04A

## Application Referral Cultural Heritage - Response

<b>From:</b>	Megan Baynes
<b>Recommendation:</b>	Proposal is acceptable subject to conditions.
<b>Date Completed:</b>	
<b>Address:</b>	115 PATRICK STREET, WEST HOBART ADJACENT ROAD RESERVE
<b>Proposal:</b>	Partial Demolition, Alterations and Extension
<b>Application No:</b>	PLN-21-93
<b>Assessment Officer:</b>	Michael McClenahan,

### Referral Officer comments:

115 Patrick street is a single storey federation era house which is a listed place and also located in a heritage precinct.

The applicant has submitted drawings which indicate that a significant refurbishment project is desired and includes changes to existing rooms, new rooms at the rear and an attic. Demolition and works are proposed. The house is a listed place located in a heritage precinct and therefore the historic heritage code needs to be considered.

### Demolition

The drawings indicate that landscape elements in the rear garden, a roofed deck, a double hung sash window, various joinery and fixtures, a bedroom and bathroom addition, several internal doors and a section of roofing are proposed to be demolished. With the exception of the double hung window and internal doors, all items proposed to be demolished a non-original and can be removed without the loss of significant cultural heritage values. It is possible to place a condition to ensure all original doors and windows which are surplus be carefully salvaged, labeled and stored onsite for future reuse as required. The applicant is proposing to demolish the existing fence along Watkins Avenue. The existing fence is a solid timber paling fence and is not considered to be of any historic significance. **Subject to such a conditions regarding salvaging of doors and windows the proposed development satisfy E 13.7.1 P1 and E 13.8.1 P1.**

### Works

Drawings indicate that the rear extension would be single storey and clad in timber weatherboards painted a pale tone. The height of the proposed extension would sit well below the ridgecap of the existing house. A new window within the roof will provide natural light into the house and stairs are proposed to provide access to the attic. A new fence will be built to match the picket fence which front Patrick Street. The Architect has given an undertaking that the proposed dormer will be detailed in a contemporary way and the new work will be recognised as such. The proposed architecture is confident contemporary design which is scaled and sited in a sensitive and respectful manner. **The proposed works satisfy E 13.7.2 P1 P2 P3 P4 P5 and E 13.8.2 P1 P3 and P4.**

The applicant hired an architect who has consulted closely with the Cultural Heritage Unit.

The architects drawings show a well resolved scheme which complements the period architecture. I have no concerns from a cultural heritage perspective. This application is recommended for approval.

MB  
CHO  
18  
02  
2021

**7.1.4 31 FARADAY STREET, WEST HOBART - PARTIAL DEMOLITION,  
ALTERATIONS AND EXTENSION  
PLN-21-290 - FILE REF: F21/67350**

---

Address: 31 Faraday Street, West Hobart  
Proposal: Partial Demolition, Alterations and Extension  
Expiry Date: 25 July 2021  
Extension of Time: Not applicable  
Author: Deanne Lang

***RECOMMENDATION***

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for partial demolition, alterations and extension at 31 Faraday Street West Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-290- 31 FARADAY STREET WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

**Reason for condition**

To clarify the scope of the permit.

**ENG sw1**

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

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

*Advice:*

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

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

*Advice:*

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

Reason for condition

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

HER 10

The demolition of the four chimney stacks is not approved. The four chimney stacks must be retained.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the retention of the four chimney stacks in accordance with the above requirement.

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

*Advice:*

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

Reason for condition

To ensure that demolition in whole or part of a heritage precinct does not result in the loss of historic cultural heritage values.

HER 17a

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

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

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



*Advice:*

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

Reason for condition

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

### **ADVICE**

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

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

### **BUILDING PERMIT**

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

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

### **PLUMBING PERMIT**

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

### **OCCUPATION OF THE PUBLIC HIGHWAY**

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

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

## **PLANNING**




Consideration to be made to protecting the existing hedge along the rear boundary throughout excavation and construction.

## **FEES AND CHARGES**

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

## **DIAL BEFORE YOU DIG**

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

- |               |                                                                                                                                                                                                        |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Attachment A: | PLN-21-290 - 31 FARADAY STREET WEST<br>HOBART TAS 7000 - Planning Committee or<br>Delegated Report ↓                |
| Attachment B: | PLN-21-290 - 31 FARADAY STREET WEST<br>HOBART TAS 7000 - CPC Agenda Documents ↓<br>                                 |
| Attachment C: | PLN-21-290 - 31 FARADAY STREET WEST<br>HOBART TAS 7000 - Planning Referral Officer<br>Cultural Heritage Report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Committee: 19 July 2021  
Expiry Date: 25 July 2021  
Application No: PLN-21-290  
Address: 31 FARADAY STREET , WEST HOBART  
Applicant: Sam and Stepth Lorimer  
31 Faraday Street  
Proposal: Partial Demolition, Alterations, and Extension  
Representations: Four  
Performance criteria: General Residential Zone Development Standards, Landslide Code, and  
Historic Heritage Code

---

**1. Executive Summary**

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Extension at 31 Faraday Street, West Hobart

- 1.2 More specifically the proposal includes:
- demolition of the rear extension consisting of the laundry and open plan kitchen/dining/sitting room;
  - demolition of the existing roofed outdoor area and store and courtyard to the rear of the dwelling;
  - demolition of the existing carport;
  - construction of 120sqm rear extension, including a new (additional) entry from the driveway to the proposed extension. The extension will predominately be constructed in the same location and be the same size as those covered buildings/courtyard which are proposed to be demolished;
  - the extension will consist of a laundry, study and open plan kitchen/dining/living area;
  - the extension will be constructed of lysaght klip-lok roof sheeting and a combination of brickwork, wall sheeting with narrow vertical ribbing and compressed sheeting;
  - a 30sqm courtyard will be constructed, with direct access from the open plan living area; and
  - a 20sqm 'service' courtyard will be constructed adjacent to the southern boundary shared with 31 Faraday Street. This courtyard will be accessed directly from the new laundry.
- 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
  - 1.3.2 Landslide Code - Building and Works
  - 1.3.3 Historic Heritage Code - Heritage Precinct
- 1.4 Four (4) representations objecting to the proposal were received within the statutory advertising period between 4-21 June 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the City Planning Committee, because four representations were received within the statutory advertising period.

## 2. Site Detail

- 2.1 The subject site slopes to the south east and contains a single dwelling. The site is located in an established residential area which is characterised by older style single dwellings within rectangular shaped allotments.



Fig. 1 - the subject site is bordered in blue



Fig. 2 - the existing dwelling

### 3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Extension at 31 Faraday Street, West Hobart.

## 3.2 More specifically the proposal is for:

- demolition of the rear extension consisting of the laundry and open plan kitchen/dining/sitting room;
- demolition of the existing roofed outdoor area and store and courtyard to the rear of the dwelling;
- demolition of the existing carport
- construction of 120sqm rear extension, including a new (additional) entry from the driveway to the proposed extension. The extension will predominately be constructed in the same location and be the same size as those covered buildings/courtyard which are proposed to be demolished;
- the extension will consist of a laundry, study and open plan kitchen/dining/living area;
- the extension will be constructed of lysaght klip-lok roof sheeting and a combination of brickwork, wall sheeting with narrow vertical ribbing and compressed sheeting;
- a 30sqm courtyard will be constructed, with direct access from the open plan living area; and
- a 20sqm 'service' courtyard will be constructed adjacent to the southern boundary shared with 31 Faraday Street This courtyard will be accessed directly from the new laundry.



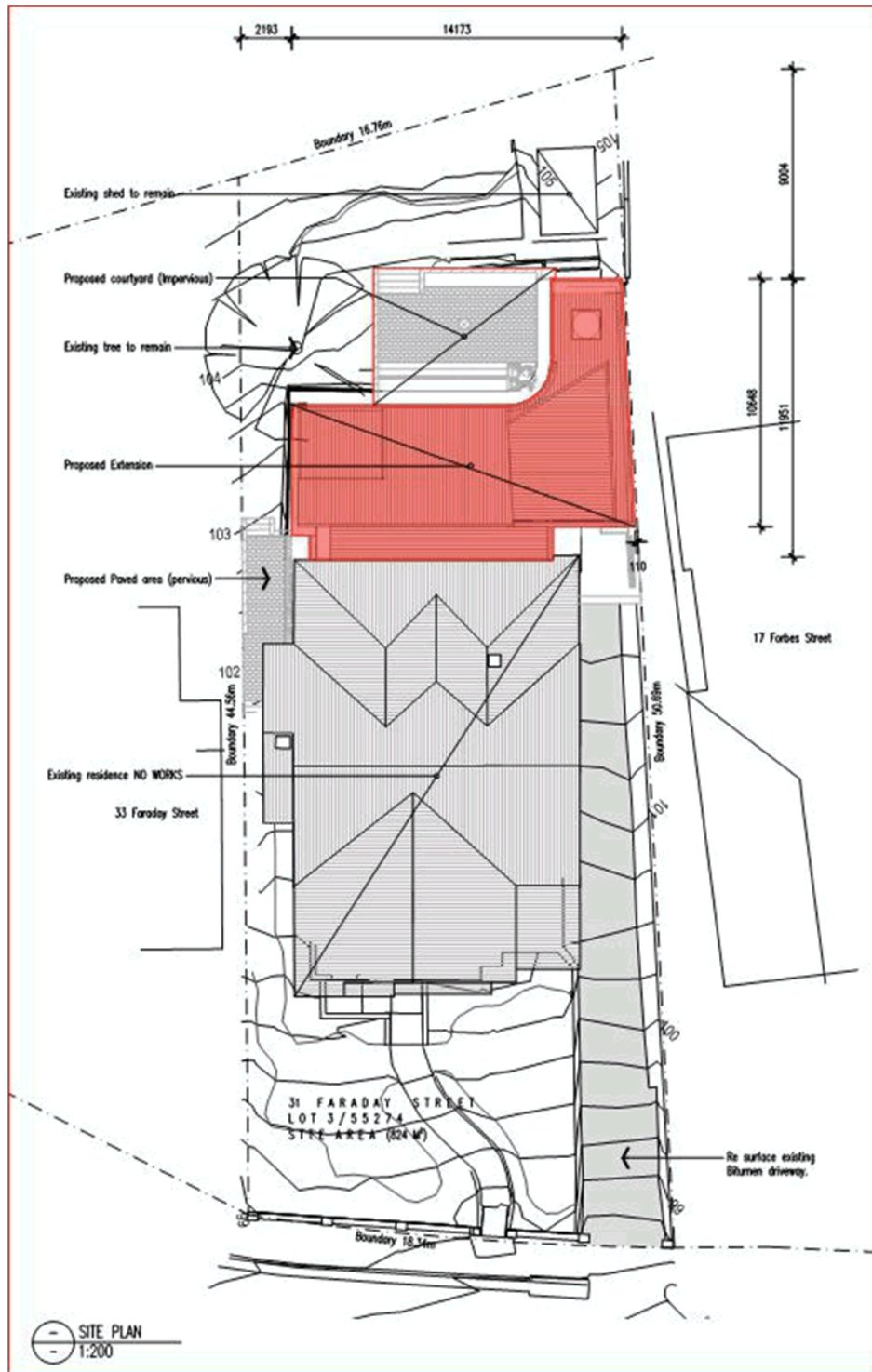


Fig.3 - proposed site plan

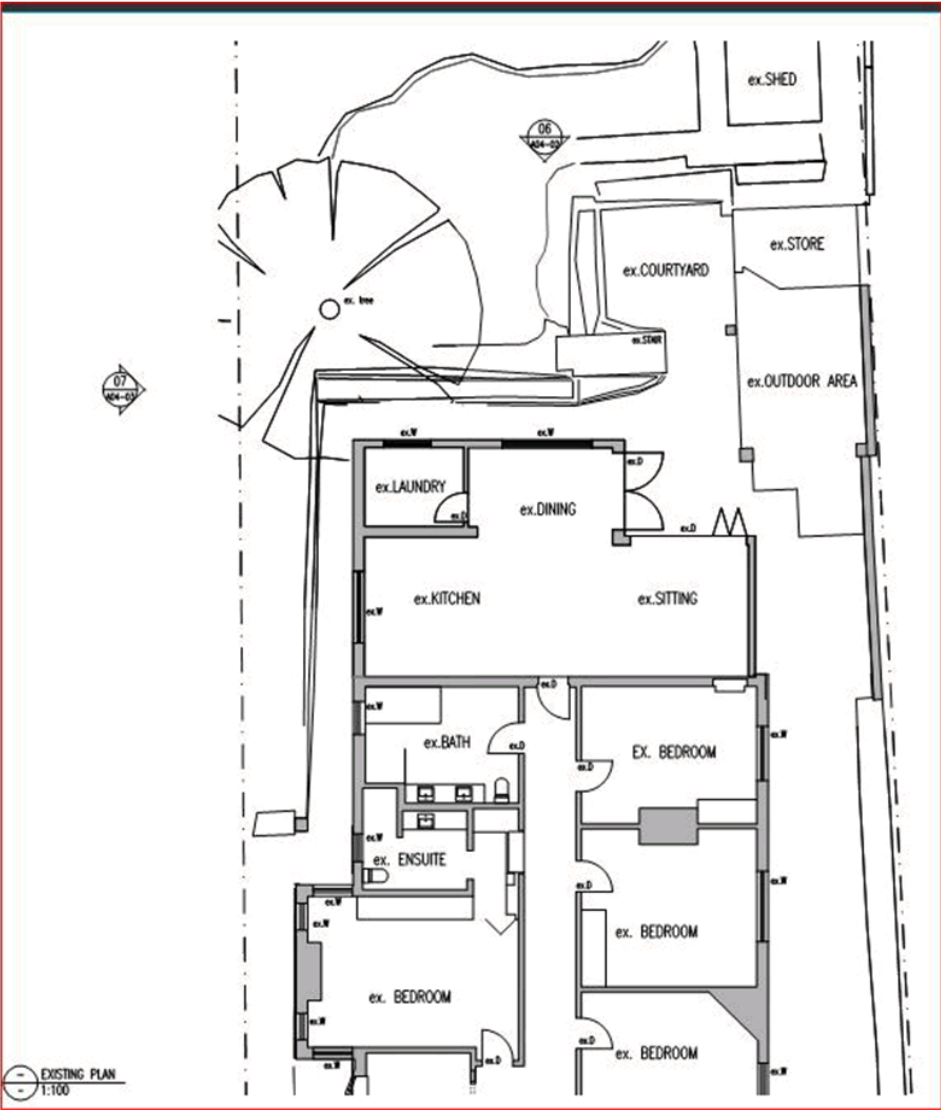


Fig.4 - existing (part) floor plan

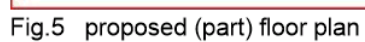




Fig.6 existing southern and eastern elevations

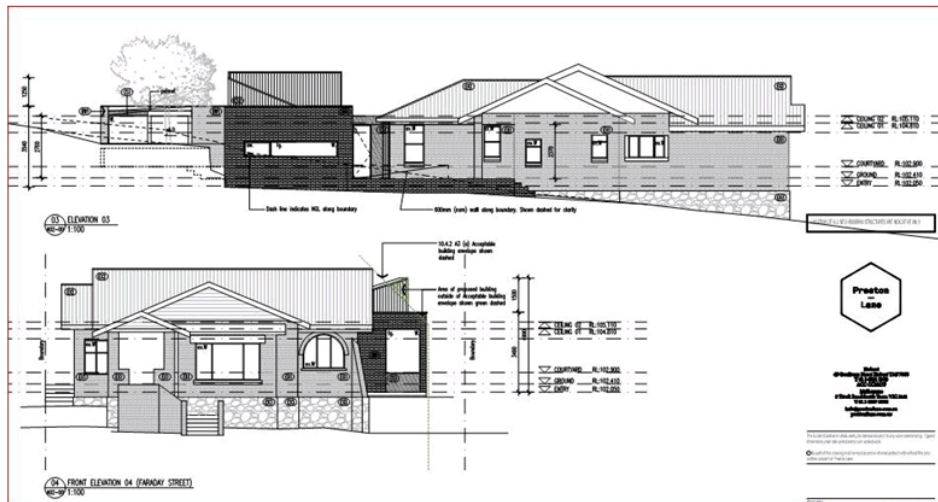


Fig 7 proposed southern and eastern elevations



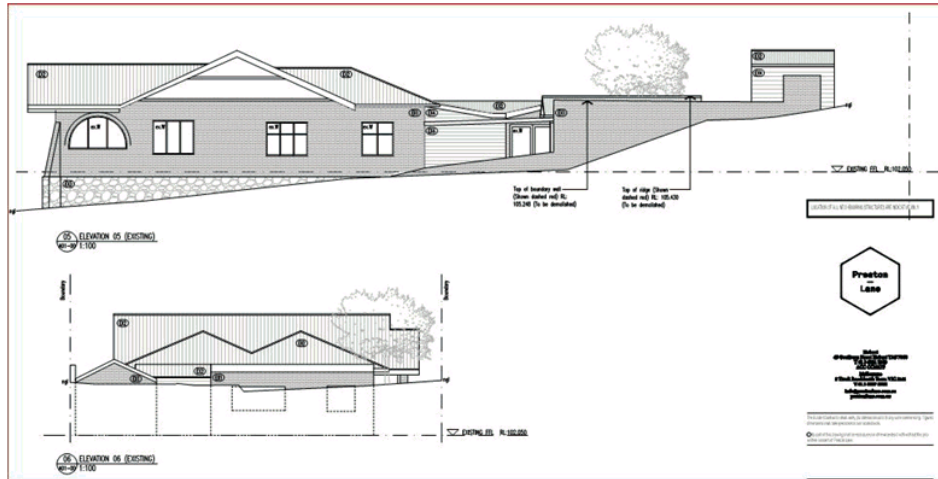


Fig. 8 existing northern and western elevations



Fig. 9 .existing rear elevation - the roofed open sided building to the left of the photo and the white weatherboard and brick sections will be demolished to allow the proposed extension to be constructed. The peaked section of the roof will be retained.

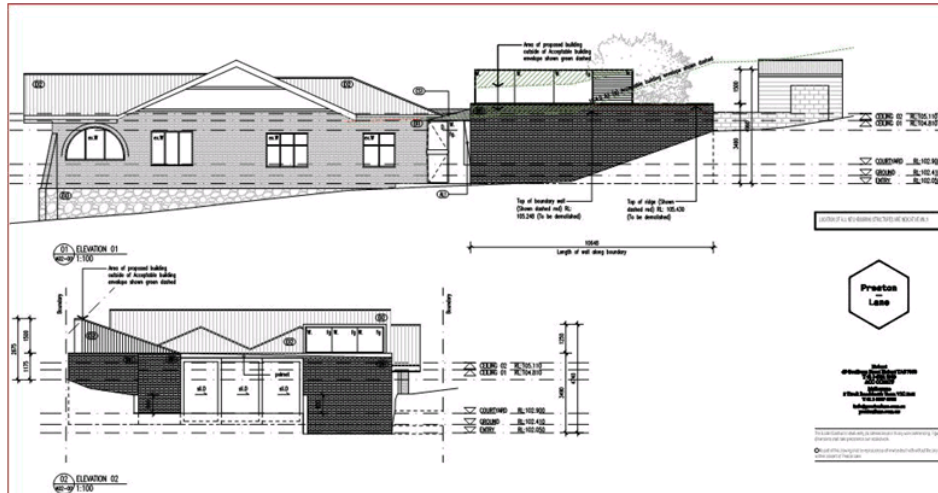


Fig 10 proposed northern and western elevations

#### 4. Background

- 4.1 A meeting was held between a member of the public and Council's Development Appraisal Planner within the statutory advertising period to discuss their concerns. The party submitted a representation subsequent to the meeting with Council's Officer.

#### 5. Concerns raised by representors

- 5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 4-21 June 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.

Building Envelope and the Loss of Amenity

The roof extension over the proposed kitchen area falls outside the building envelope and does not comply with the Interim Planning Scheme Part D (10.4.2 A3). Under the performance criteria it also fails A3 and A4 for the adjoining properties.

I do not support the higher roof line and note that the height of the windows within the western and northern elevations are currently outside the current approved building envelope. They will also be likely visible in the night time view fields from my residence in Bonnington Road,.

This is simply an overly intrusive and non-compliant design that will impact negatively on neighbouring properties by loss of amenity and is not in keeping with the heritage Precinct. This will create a negative visual impact from in front and behind 31 Faraday Street.



Windows within the Rear and Side Elevations

The north and west sides of the elevation contain windows. In particular the west facing glazing will result in unacceptable glare ( day and night) as we are at an elevation of 5 m (on the ground level) and approximately 8 m (on the first floor level )of our property and in direct line of sight .Such a proposal will result in a loss of amenity

I do not support windows may be at a higher level than the surrounding vegetation cover and act somewhat as a lighthouse at night. It has the potential to affect the overall aesthetics of the area.

The windows will result in a significant loss of amenities to those properties along Bonnington Road and will create an eyesore for those properties sitting above 31 Faraday Street.

Window heights should be lower than the immediate vegetation and or be replaced with solid wall and more use made of roof top sky lights if additional lighting is required inside the building.

A main concern is that the raised ceiling/roof area above the proposed kitchen area has relatively large glass windows - 1250 high X 3750 long (some fixed) - which will emit bright interior lighting at all / any time of the night or early morning at a height which will disturb the visual calm of all surrounding roof areas of surrounding houses. I believe it would be quite intrusive into nearby properties.

We have concerns with the proposed west facing glazing in the roof wing. Our dwelling is orientated to face to the east (directly towards the rear extension) and all of the main living areas , including a verandah which runs the length of the dwelling are facing east. Essentially all of the garden is located to the east of our dwelling.

As best can be estimated from the plans, this West facing glazing will cover an area of approximately 1.25 m by 3.7 m. The glare ( at our eye level ) will therefore result in a substantial loss of amenity.

Heritage Concerns

The placement of windows will detract from the cultural heritage in this Precinct and does not comply with the Interim Planning Scheme Part E (13.8.2).

Accordingly, we would request the glazing be replaced by boards which, together with the roof extension be matching the colour of the existing roof, consistent with the requirements of this Heritage Precinct.

I understand that under the Interim Planning Scheme 2015, Faraday Street is in a Heritage Precinct - WH3 - and as such these raised roof areas do not fit into the aesthetics of surrounding properties, will detract from the cultural heritage nor sympathetic to the Heritage precinct.

The design will be more than visible from the front of the subject site. Plans for 126 Hill Street were not approved based on this and it would create further confusion and discontent if the Council now approved plans in a similar situation.

Concern of the health of the existing hedge along the rear boundary of the subject site

We are concerned for the health of the Hawthorn Hedge during the excavation and would be comforted by the requirement for an arborist's inspection and report to be included in the Development. This boundary hedge has been present for at least 100 years and provides privacy screening for both neighbors.

I have concerns also about the excavation cuts being made at the side and rear, and the impact they may have on the existing tree root system as well as the 100 year old hedge which forms the boundary between this and a neighbouring property. In the past there have been drainage issues coming from properties above during heavy rains into and through this address. This is also in a landslide hazard area it seems.

General issues raised

Other than the development being outside the building envelope, the windows, proposed external colours and heritage issues and concerns in relation to the health of the hedge, we are supportive of the proposal.

If the building envelope was reduced in line with the Interim Planning Scheme and the glazing issue was addressed to minimise glare and brightness, we would not object further to the proposed addition.

In general I support the overall extension but do not support the higher roofline and large windows on the western and northern boundaries.

My first and main concern is that the plans do not provide enough detail to appropriately assess the full impacts on the neighbouring properties. They do not have any form of aerial perspective by which viewers could clearly see the two raised roof areas in the new additions. These are important and could easily be missed by just looking at the elevations and floor plans as presented. In fact there are several items that are a bit vague - e.g. "skylight to future selection" does not show heights which could allow for almost anything without notice.

The sight lines currently from homes above the level of this property carry across towards the city, distant hills and river with little or no interruption, night or day. The proposed raised roof sections with windows will allow bright lights (they would have to be very bright to light up a kitchen area from this height) to become an unnecessary visual disturbance on the night or early morning sky viewed from neighbouring properties above. During daylight the height of the "tower" above the new kitchen and study areas would again disturb the current sight lines and likely cause sun glare from the windows onto/into neighbouring properties.

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to

approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is residential. The proposed use is residential.. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Eg 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
  - 6.4.5 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 General Residential Zone:  
*Setbacks and Building Envelope – Part D 10.4.2 P3*
  - 6.5.2 Landslide Code  
*Building and Works, other than Minor Extensions Part E 3.7.1P1*
  - 6.5.3 Historic Heritage Code:  
*Demolition and Building and Works to a place within a heritage precinct- Part E13.7.1 P1*
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope Part D 10.4.2 P3
- 6.7.1 The acceptable solution at clause D10.4.2A3 requires a dwelling to be contained within the building envelope described under 10.4.2. This includes a maximum length of wall of 9m within 1.5m of the side or rear

boundary.

6.7.2 The proposal includes a dwelling extension. A portion of the roof and the northern elevation is outside the building envelope, and the northern elevation is 10.65m long and is on the side boundary shared with 17 Forbes Avenue.

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

6.7.4 The performance criterion at clause 10.4.2P3 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 objectives of the setback and building envelope provisions, in this instance, are to control the siting and scale of dwellings and provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage. The objectives also aim to provide consistency in the scale, bulk and massing and proportion of dwellings and provide reasonable opportunity for daylight and sunlight to enter habitable rooms of dwellings and private open space on adjacent lots.

As stated above, a portion of the roof and northern elevation is outside the

building envelope, and the length of the northern elevation facing 17 Forbes Avenue exceeds 9m within 1.5m of the side boundary.

It is noted that there is an existing 12m long x 2350mm high brick wall located on the northern (side) boundary shared with 17 Forbes Avenue, which is in part to be demolished. The proposed extension is located opposite one habitable (kitchen) window at 17 Forbes Avenue. As the dwelling within the adjoining property is located to the north, the shadow diagrams and solar access diagrams confirm that there is no change to either the overshadowing of private open space nor reduction in sunlight to a habitable room within the adjacent dwelling. Notwithstanding, there is an alternative source of sunlight to the open plan kitchen/dining/lounge room from a set of sliding doors and three floor to ceiling windows within the rear elevation.

The extension is located opposite the dwelling at 33 Faraday Street. The solar access diagrams show that there is a decrease in solar access to the living room window at 3pm on the 21 June. The plans submitted with this application show this window to be within the living room, however the plans approved under PLN-05-00993 for a partial demolition, alterations and extension was approved to this dwelling confirm that this is a kitchen window. Notwithstanding, both uses are habitable rooms and as evident in the solar access diagrams, there is an alternative source of sunlight to this room which remains in full sun during this time. In terms of the extension overshadowing of the private open space of the adjoining property, the shadow diagrams confirm that there is a small increase along the side boundary at 9am and 12noon on both 21 March and 12noon June 21st. The greatest increase in overshadowing of private open space is at 9am 21 June 2021. Notwithstanding, approximately 50sqm of private open space remains in full sun and by 12noon the majority of rear private open space is again in full sun. On this basis it is unreasonable to require the applicant to redesign their extension in order to reduce the impact to this property's private open space during the early morning.

A number of representors are concerned with a portion of the rear extension, specifically the "winged" roof profile and associated windows within this section of the roof being outside the building envelope. In terms of the location of these windows, the representors are also concerned that any lights will create a glare to surrounding properties, specifically towards Bonnington Road, and therefore cause a decrease in amenity. While sympathetic to concerns, in terms of lighting and placement of windows, the planning scheme does not provide for assessment of design

of internal fittings and lighting plans. It should be noted that these windows are located a minimum of 11m to the rear boundary and 35m from the closest dwelling at the rear. Another window faces north, presumably to capture the sunlight during winter. This window will sit approximately 3200mm above the floor level and therefore there is no loss of amenity through privacy to the occupants of 17 Forbes Street,

The extension follows the setbacks of the existing house and is consistent with the houses in the adjoining properties and those in the immediate area.

- 6.7.6 The proposal complies with the performance criterion.



Fig. 11 Photo taken from Bonnington Road looking towards the rear of the subject property. The existing (deciduous) tree within the subject property will remain. The hedge is located within the property at the rear of the subject site.

6.8 E3.0 Landslide Code

- 6.8.1 There is no acceptable solution for buildings and works, other than minor extensions to properties within the Landslide Hazard Areas.
- 6.8.2 The proposal includes demolition, alterations and (major) extension to a dwelling which is located in a landslide hazard area.



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

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

*Buildings and works must satisfy all of the following:*

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

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

*(i) acceptable risk; or*

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

6.8.5 The objective of the provisions relating to building and works, other than minor extensions within properties covered by the Landslide Overlay is to ensure that the landslide risk is either acceptable or tolerable, having regard to the feasibility of measures required to manage the landslide hazard.

The proposal was referred to Council's Environmental Development Planner, who provided the following report:

Approval is sought for partial demolition and a house extension at 31 Faraday Street, West Hobart. A carport, shed, boundary wall and existing extension would be demolished. Resurfacing of the driveway and the creation of two paved areas is also proposed.

#### Landslide Code

The Code applies because development is proposed within a Landslide Hazard Area (Low Landslide Hazard Area). This is due to a modelled susceptibility to deep seated landsliding (setback area).

Buildings are exempt in Low Landslide Hazard Areas pursuant to exemption clause E3.4(c), however works are not specifically exempt.

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 works are proposed within a High Landslide Hazard Area.

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

The house extension would occupy a very similar footprint to the extension being demolished, and would require no additional excavation or fill. Small areas of excavation are proposed for the new paved areas, however more than half of the area proposed for excavation for the rear courtyard would be located outside the HMA. In addition, these excavations would be supported by drained, retaining/building walls and the rear courtyard would have a dedicated stormwater pit.

It should also be noted that the development would be located in a deep seated landslide setback area, not a source area, so landslide risk to the development is greatest from a landslide occurring off-site, not being generated on the site itself. The likelihood of the proposed works increasing landslide risk is considered to be very low.

Based on the above considerations, in my opinion a reasonable person, or a geotechnical practitioner, would accept the level of landslide risk associated with the proposed works without further risk mitigation measures.

The exercise of discretion is recommended with regard to E3.7.1 P1.

6.8.6 The proposal complies with the performance criterion.

6.9 Historic Heritage Code Part E13.8.1P1 and E13.8.2P1 and P3

6.9.1 There is no acceptable solution for demolition and building and works to a place within a heritage precinct.

6.9.2 The proposal includes demolition and building and works to a place within a heritage precinct.

- 6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause E13.8.1P1 and E13.8.2P1 and P3 provides as follows:

E13.8.1P1 (demolition)

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

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

13.8.2P1 and P3 Building and Works

P1

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

P3

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

- 6.9.5 The objective of the heritage provisions under the HIPS 2015 is to ensure that demolition and development to a place within a heritage precinct result in a loss of historic cultural heritage significance and is sympathetic

to the character of the precinct.

The application and representations were referred to Council's Cultural Heritage Officer who provided the following report:

This later brick built Federation/Californian Bungalow inspired residential property forms part of the Lansdowne Crescent/Hill Street Heritage Precinct (WH3) as set out in Table E13.2 of the *Hobart Interim Planning Scheme 2015*.

This precinct is significant for reasons including:

- 1. The quantity and quality of late Victorian/Federation period housing stock exemplifies the economic boom period of the late nineteenth/early twentieth centuries many of which are impressive reminders of its primary residential role.*
- 2. A large number of intact individual houses which are examples from the late nineteenth/early twentieth century.*
- 3. The continuous single-storey, mainly painted weatherboard facades and the general uniformity of scale, create a distinctive visual impression and high streetscape value.*
- 4. The number of intact original shops which reflect the commercial network which developed during suburban expansion in the late nineteenth/early twentieth centuries.*
- 5. Individual places have social significance to the local and broader community.*
- 6. The street formations in Lansdowne Crescent and its related network of streets are a unique and distinctive early nineteenth century features of Hobart's town plan.*

The proposal seeks permission for the demolition of an existing full width series of rear additions and car port to facilitate the provision of a brick and cement sheeting single storey extension with raked roof elements containing clerestory glazing, rear and side courtyards and large retaining boundary walls.

With regard to development standards for Heritage Precincts, the objective of E13.8.1 Demolition is:

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

The proposed works of demolition, whilst considered to be relatively extensive, would appear to relate solely to a later addition to the house and does not make any contribution to the characteristics of the Precinct as set out above. As such, it is considered that this element of the proposal would comply with the provisions of E13.8.1 P1 of the Hobart Interim Planning Scheme 2015.

With regard to the proposed rear extension, E13.8.2 'Buildings and Works other than Demolition' states its objective to be:

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

Performance Criteria P1 states

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

Performance Criteria P3 states

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

With regard to the proposed development, the proposal would be entirely modern in appearance, although the intended primary use of brick to the exterior would allow the development to have a sense of cohesion with the original building. Although it would spring from above the main eaves, giving it a slightly awkward attachment to the rear of the original building, it would sit both relatively low within the site and project only marginally beyond the main silhouette of the original building. It is therefore acknowledged that the proposal would clearly read as a new but subservient chapter in the history of the property.

Importantly, it would be almost entirely hidden from public view by the mass of the building and those of its neighbours. As such, it is therefore considered that despite its relative size and modern appearance, its position and massing have been so designed so as to have no significant impact whatsoever upon the character of the building or the wider heritage precinct as described above when viewed from the public realm. However, it is noted that elements of the extension would be visible and it is therefore considered that its ability to sit comfortably within the wider streetscape would largely fall upon the use of colouration and finish of

materials found elsewhere within the immediate precinct.

#### Representations

Representations have been received from the occupiers of 4 local properties, all of which comment on issues relating to the cultural heritage of the area. The comments are as follows –

*"I understand that under the Interim Planning Scheme 2015, Faraday Street is in a Heritage Precinct - WH3 - and as such these raised roof areas do not fit into the aesthetics of surrounding properties, nor a Heritage precinct"*

*I do not support the higher roof line and large windows on the western and northern boundaries.....It has the potential to affect the overall aesthetics of the area.*

*The roof extension over the proposed kitchen area falls outside the building envelope.....Such a proposal will result in a loss of amenity and will detract from the cultural heritage in this Precinct and does not comply with the Interim Planning Scheme Part E (13.8.2). Accordingly, we would request the glazing be replaced by boards which, together with the roof extension be matching the colour of the existing roof, consistent with the requirements of this Heritage Precinct.*

*The proposed design, which again falls outside of the Acceptable building envelope, is not sympathetic to the heritage Precinct and will be more than visible from the front of 31 Faraday Street. Plans for 126 Hill Street were not approved based on this and it would create further confusion and discontent if the Council now approved plans in a similar situation.*

*I have concerns also about the excavation cuts being made at the side and rear, and the impact they may have on the existing tree root system as well as the 100 year old hedge which forms the boundary between this and a neighbouring property"*

In response, the following comments are made.

#### Aesthetics and Sympathetic design within a Heritage Precinct.

With regard to issues relating to aesthetics of the proposed design and as to whether the proposal would be sympathetic to the distinctive characteristics of the Heritage Precinct, it is considered that with regard to non-heritage listed properties within a heritage precinct, the starting

point is always the degree to which the proposal would actually be visible from within the public realm of the precinct itself. Views afforded from within private land are not considered to be relevant.

In this instance, it is considered that the proposed development would be almost entirely hidden behind the main bulk of the original house, with only limited parts visible from the street when looking down the existing driveway. Even with regard to these visible elements, whilst the proposal contains elements of roof form that are not characteristic of the general built form, these would be set well back from the roadside and would represent such a small degree of design treatment in relation to the original main house. As such, it is considered that the architectural form of the original house would overwhelmingly remain the principal style and focus of the site, and that the limited visible addition would not detract from the cultural heritage significance of the precinct.

#### Reference to 126 Hill Street

It is noted that an application for a two storey rear addition to 126 Hill Street was submitted under reference PLN-20-82 in February 2020. As the proposed two storey rear addition would have been highly visible from the public realm within a heritage precinct consisting primarily of single storey streetscapes, the proposal was not supported by officers. The application was subsequently withdrawn prior to determination. It is therefore considered that the current application and the one highlighted in the representation are significantly different from each other and not relevant in this instance.

#### Existing Trees and Hedges within and adjoining the site.

Neither the trees within the rear garden or the hedgerow that forms part of the rear boundary are identified within the significant tree register nor specifically described in the heritage listings of the neighbouring property. As such, the removal of the trees within the site would be exempt and the hedgerow does not stand within the site of the application.

Notwithstanding the above, it is noted that the proposed development does not seek the removal of the trees, nor seek to remove the current rear garden lawn in which its root system would be located. Whilst the long term health of the tree or the hedgerow can be guaranteed, specific conditions relating to their protection would not be possible under the current Scheme.

#### Conclusion

It is therefore considered that the proposed demolition and new addition would not result in detriment to the cultural significance of precinct as



stated under Clauses E.13.8.1, E13.8.2 P1 and P3 and is considered acceptable when measured against the performance criteria of HIPS 2015 subject to condition requiring the final approval of colours and finishes of materials. It is noted that the submitted elevations have failed to include the existing four chimneys serving the property. Whilst no described works are proposed to the main body of the house and it is assumed that the absence of chimneys is a drafting oversight, it is considered prudent to condition the full retention of the chimney stacks to avoid confusion.

Conditions

HER 17a

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

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

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

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

Reason for condition

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

HER 10

The demolition of the four chimney stacks is not approved. The four chimney stacks must be retained.

Prior to the issue of any approval under the Building Act 2016, revised plans must be submitted and approved as a Condition Endorsement showing the retention of the four chimney stacks in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with

the approved revised plans.

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

Reason for condition

To ensure that demolition in whole or part of a heritage precinct does not result in the loss of historic cultural heritage values.

6.9.6 The proposal complies with the performance criterion.

## 7. Discussion

7.1 Planning approval is sought for Partial Demolition, Alterations and Extension at 31 Faraday Street, West Hobart.

7.2 The application was advertised and received four representations. The representations raised concerns including that part of the roof line was outside the building envelope, the design would detract from/not be sympathetic to the heritage precinct and the proposed windows within the (rear) and (side) elevations of the roofline would cause glare and detrimental impact to the surrounding properties. The impact of any excavation and construction on the health of the existing hedge on the rear boundary was also raised in the representations.

The architect was contacted and the representors concerns, particularly in relation to the portion of the roof outside the building envelope and the placement of windows within the rear and side elevations were discussed. The architect has confirmed that they do not wish to amend their design by removing the windows or dropping the roofline.

As stated above, the representors have concerns with the light spill from the proposed windows within the extension impacting on their residential amenity by resulting in a "light house" effect. However, this is not an issue that can be assessed against the planning scheme. The hedge is not heritage listed nor listed within E24.0 Significant Trees Code under the *Hobart Interim Planning Scheme 2015*. While a condition cannot be imposed requiring an arborist report be submitted prior to the commencement of work, advice will be placed on the permit recommending that this hedge is to be protected during construction works.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Environmental Planner and Stormwater Services Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

## 8. Conclusion

- 8.1 The proposed Partial Demolition, Alterations and Extension at 31 Faraday Street, West Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Partial Demolition, Alterations and Extension at 31 Faraday Street West Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### GEN

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-290- 31 FARADAY STREET WEST HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### ENG sw1

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

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

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

Reason for condition

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

### ENG 1

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

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

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

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

Reason for condition

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

#### **ENV 1**

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

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

Reason for condition

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

#### **HER 10**

**The demolition of the four chimney stacks is not approved. The four chimney stacks must be retained.**

**Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the retention of the four chimney stacks in accordance with the above requirement.**

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

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

Reason for condition

To ensure that demolition in whole or part of a heritage precinct does not result in the loss of historic cultural heritage values.

#### **HER 17a**

**The palette of exterior colours, materials and finishes must reflect the palette of building colours, materials and finishes within the local streetscape and precinct.**

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

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

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

Reason for condition

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

#### **ADVICE**

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations,

codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

#### **BUILDING PERMIT**

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

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

#### **PLUMBING PERMIT**

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

#### **OCCUPATION OF THE PUBLIC HIGHWAY**

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

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

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

#### **PLANNING**

Consideration to be made to protecting the existing hedge along the rear boundary throughout excavation and construction.

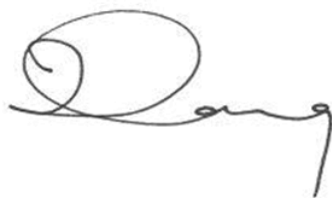
#### **FEES AND CHARGES**



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

**DIAL BEFORE YOU DIG**

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



(Deanne Lang)

**Development Appraisal Planner**

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



(Ben Ikin)

**Senior Statutory Planner**

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

Date of Report: 8 July 2021

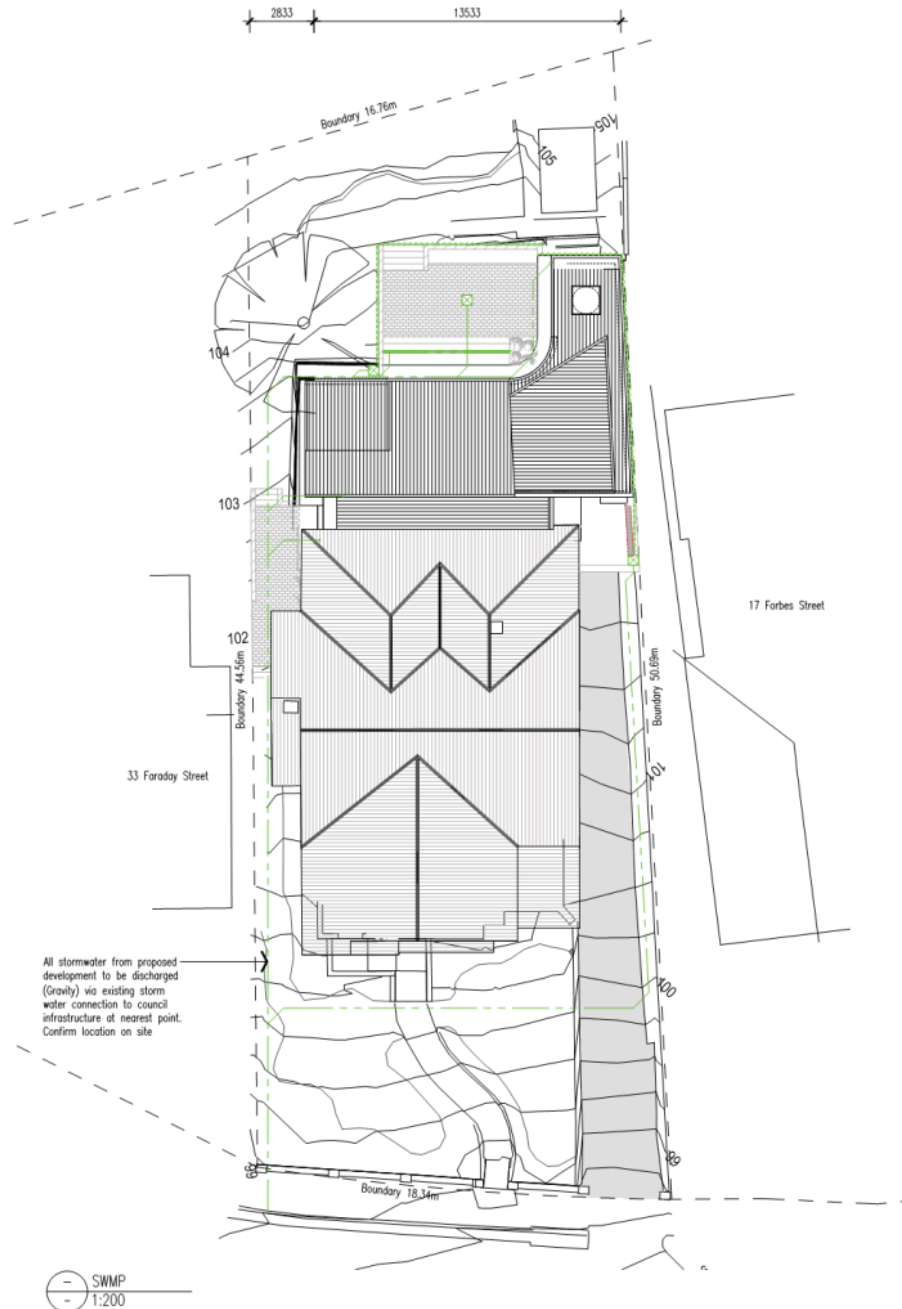
**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

PRELIMINARY NOT FOR CONSTRUCTION

DESIGN DETAILS			
TITLE REFERENCE			
CERTIFICATE FOLD	3		
VOLUME	552/74		
FLOOR AREAS			
EXISTING SITE AREA	864	M <sup>2</sup>	
EXISTING GROUND FLOOR	241	M <sup>2</sup>	
PROPOSED GROUND FLOOR	299	M <sup>2</sup>	
DESIGN WIND CLASSIFICATION			
DESIGN WIND VELOCITY V <sub>W</sub> ,S	TBC	M/S	
DESIGN WIND VELOCITY V <sub>W</sub> ,H	TBC	M/S	
SOIL CLASSIFICATION	TBC	TBC	
CLIMATE ZONE	7		
BAL RATING	-		
ALPINE AREA	-		
CORROSION ENVIRONMENT	-		
OTHER HAZARDS	-		

**Plumbing Notes**

1. All plumbing shall be in accordance with the current Tasmanian plumbing regulations, as 3500 and to local authority approval and the national construction code (NCC). Pipe work layouts are diagrammatic only, co-ordinate with architectural and other service drawings prior to installation.
2. The location of existing services where shown are approximate only and shall be confirmed on site, where possible determine location of existing water and drainage services prior to commencing new work.
3. Conceal all pipe works in ceiling space, ducts, cavities, wall chases, cupboards, etc. unless otherwise approved.
4. All wc's to be fixed to floor or wall and be removable for drainage access.
5. Offset vent pipes where necessary in roof space to clear gutters, roof structure, mechanical plant, air intakes, etc. combine vent pipes wherever possible to reduce number of vents passing through roof. Back fill all drains under floor slabs with 20mm compacted for.
6. Insulate hot water with continuous thermatec 4 zero with aluminium foil sheathing or similar approved, all hot and cold water pipe work chased into masonry walls shall be fully lagged with 'kemlog', tape seal joints to approval.
7. Pit - 450x450 (min) grated pit to AS3500.3 table 7.5.2.1. Class 'b' grate min.
8. Supply and install new s.r.g. confirm location on site.

**Hydraulics Legend**

- new storm water
- new ogdrain

LOCATION OF ALL NEIGHBOURING STRUCTURES ARE INDICATIVE ONLY



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**Melbourne**  
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Project 31 FARADAY STREET  
WEST HOBART

Drawing SWMP

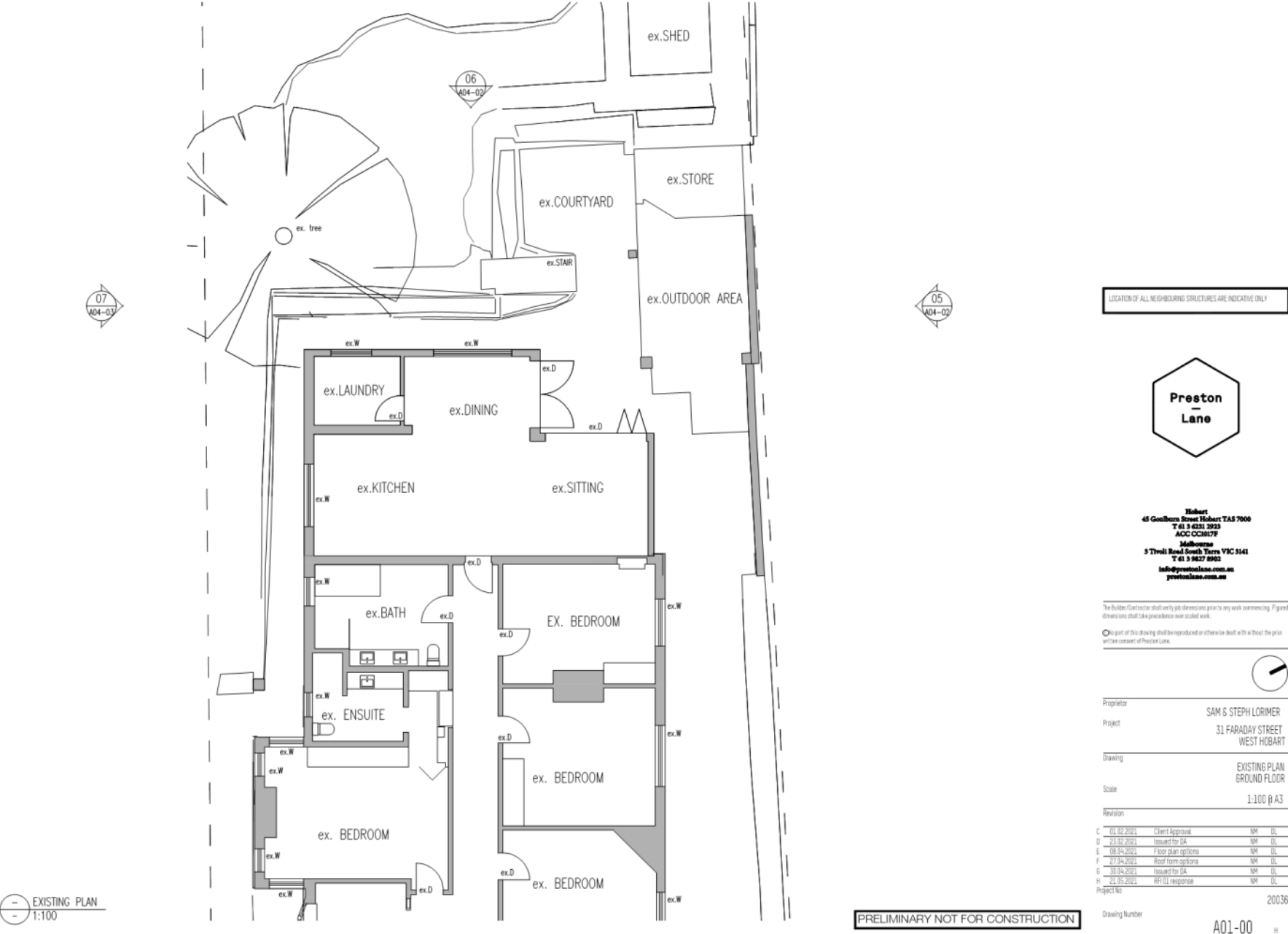
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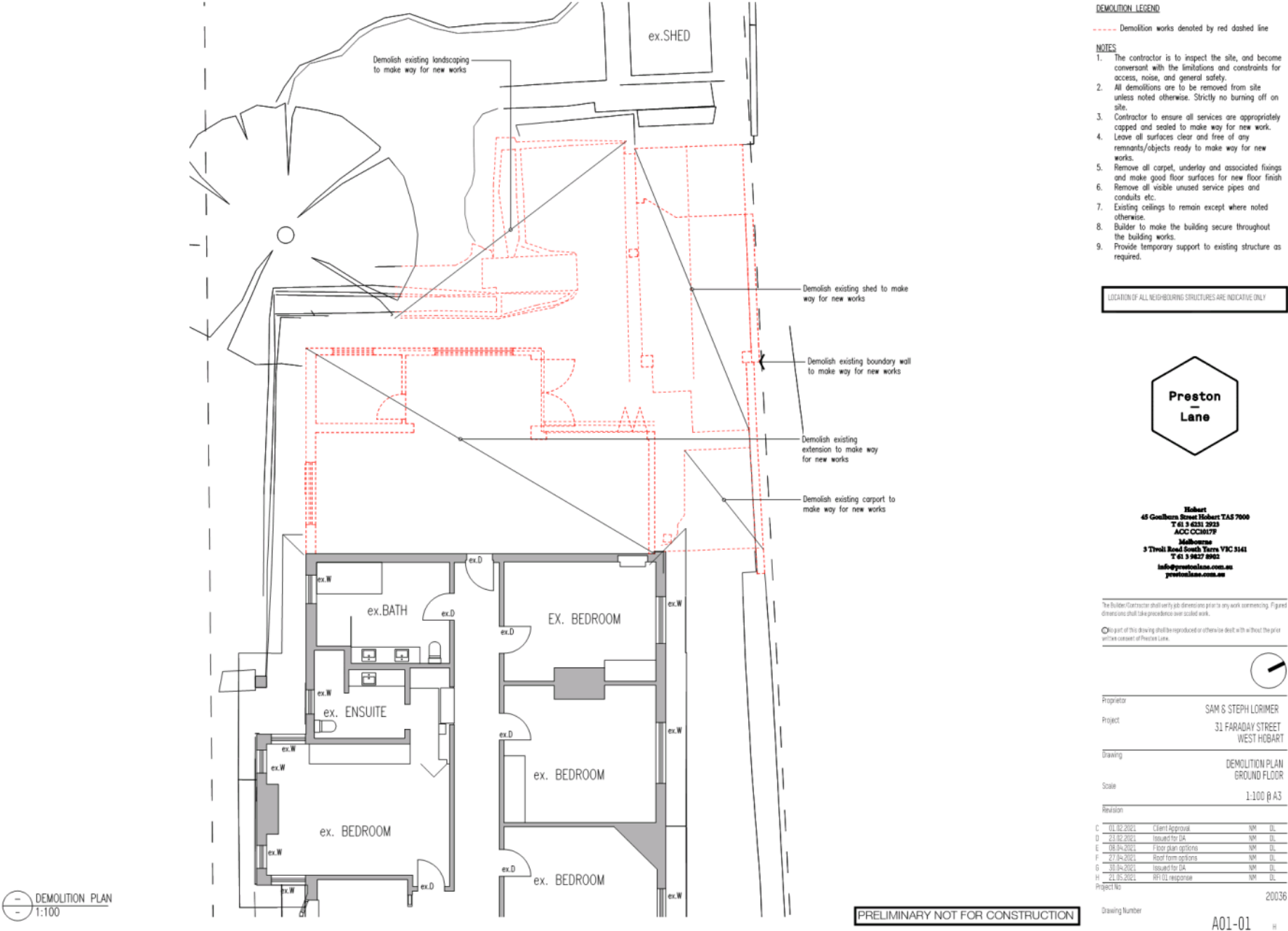
Revision			
C	01.02.2021	Client Approval	NM DL
D	23.02.2021	Issued for DA	NM DL
E	08.04.2021	Final plan options	NM DL
F	27.04.2021	Roof form options	NM DL
G	30.04.2021	Issued for DA	NM DL
H	21.05.2021	RFI01 response	NM DL

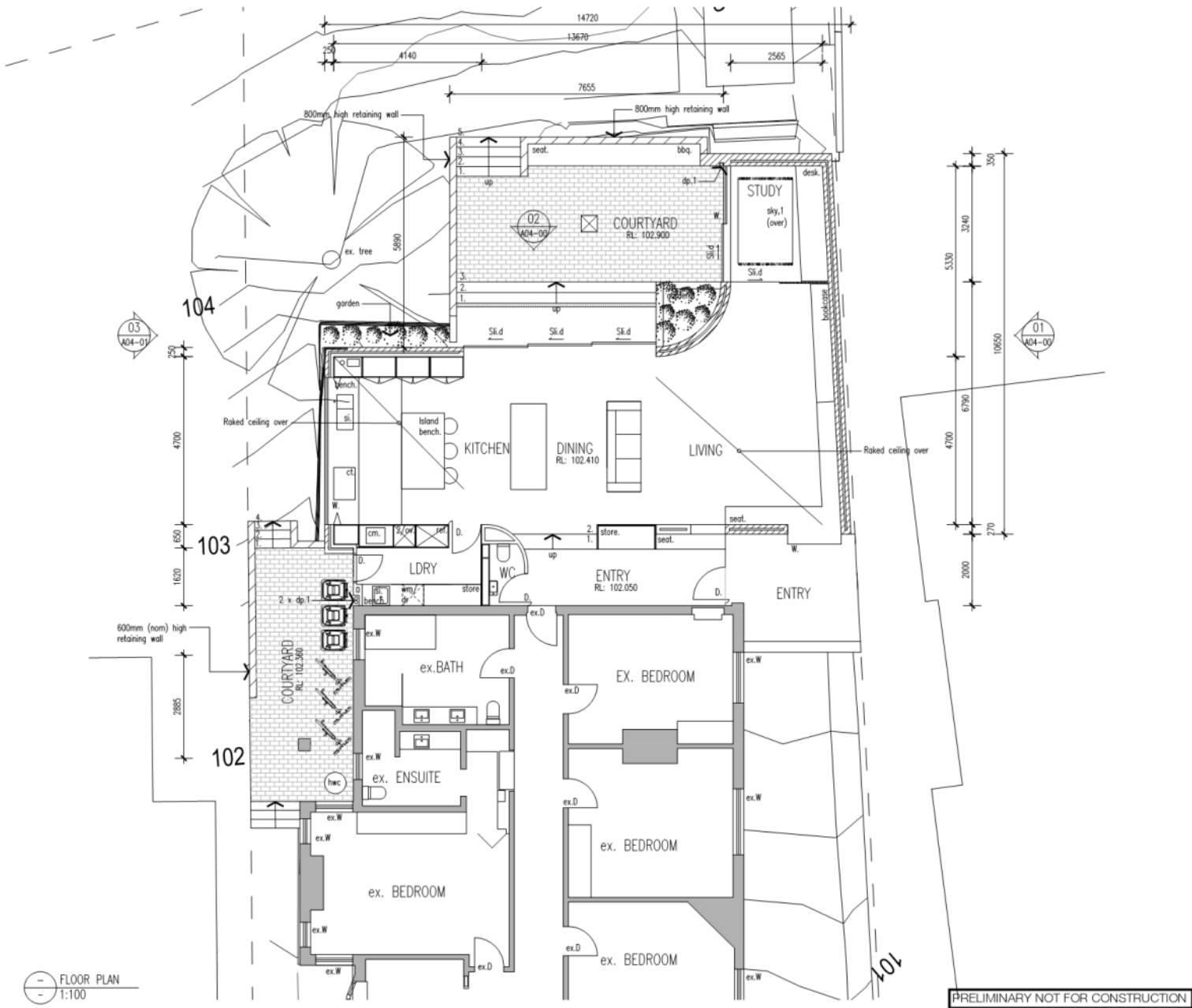
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WEST HOBART

Drawing FLOOR PLAN  
GROUND FLOOR

Scale 1:100 @ A3

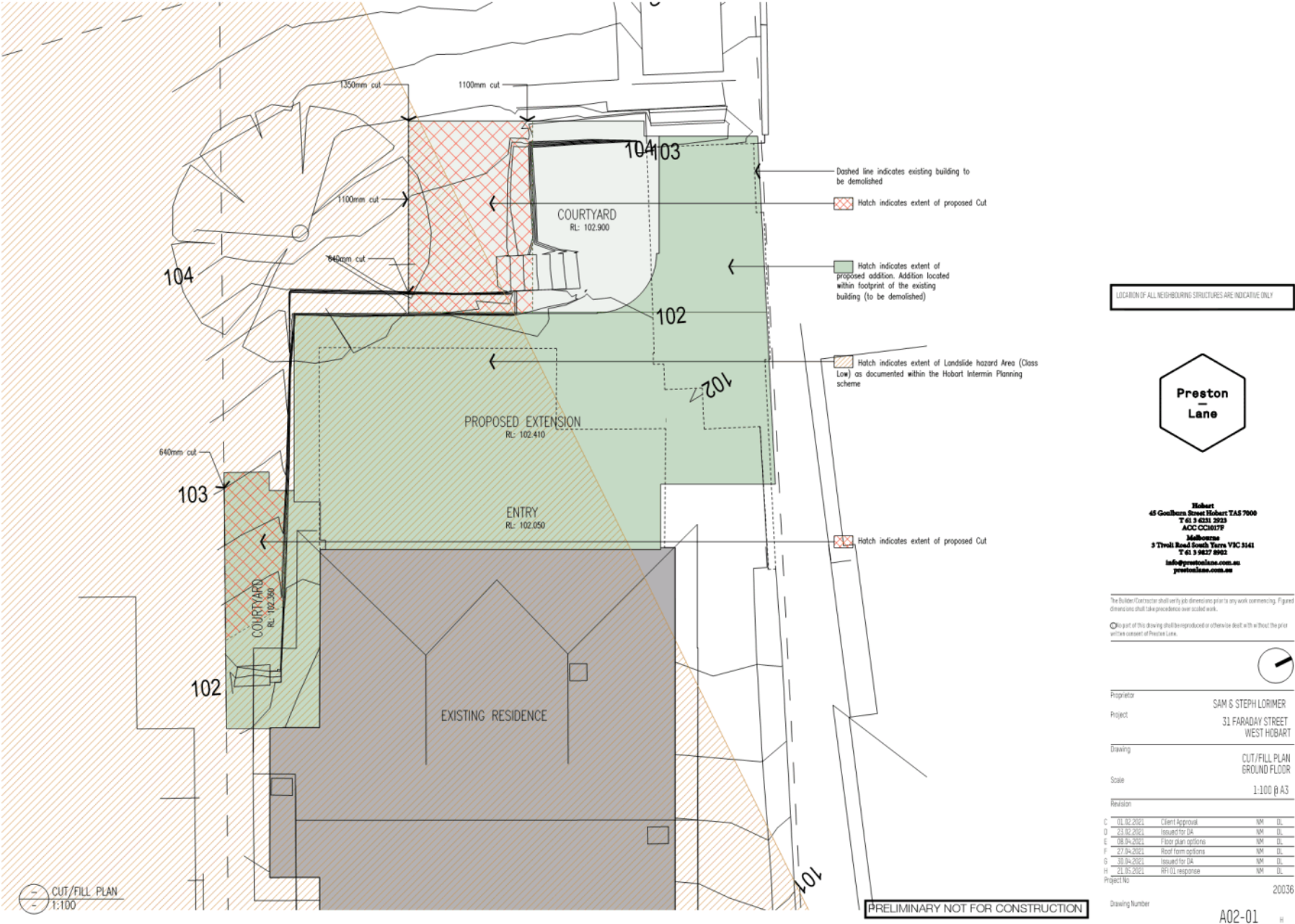
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V	08.04.2021	Final plan options	NM OL
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G	30.04.2021	Issued for DA	NM OL
H	21.05.2021	RFI OL response	NM OL

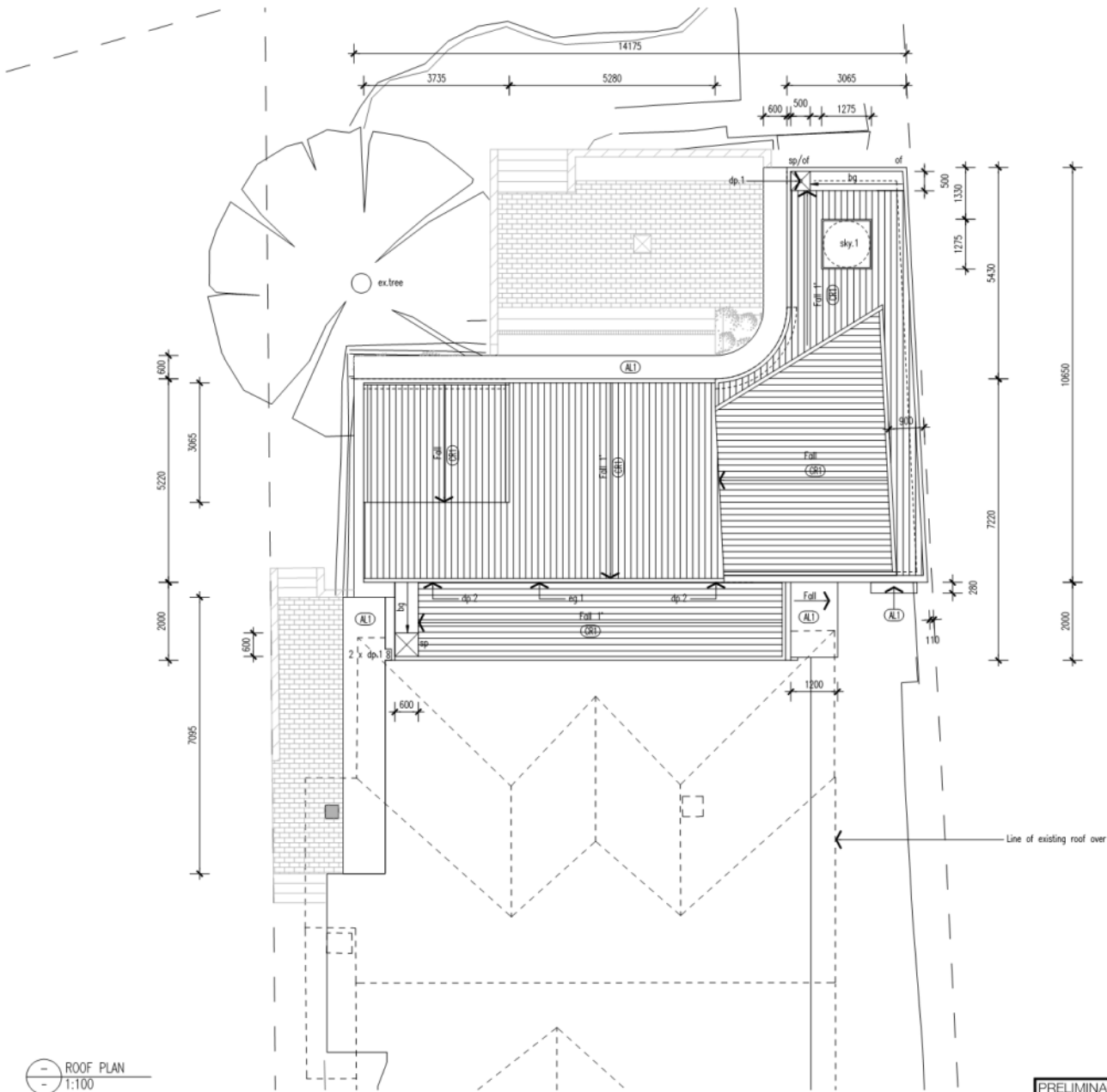
Project No 20036

Drawing Number A02-00 H

PRELIMINARY NOT FOR CONSTRUCTION







- Roof types**
- (CR1) New Lysaght klip-lok 406 roof sheeting, colour to future selection. Base metal thickness 0.48.
  - (AL1) Aluminium cladding, powder coat finish. Colour to future selection

- Roof Fittings Schedule**
- dp.1 90mm diameter PVC down pipe.
  - dp.2 90mm diameter PVC dropper
  - eg.1 Eaves gutter to future selection
  - sp Sump. To future detail
  - bg Box gutter fall 1:200 to sump
  - of Over flow
  - sky.1 Skylight to future selection

**Notes**  
Supply and install proprietary infill strips to suit roof sheeting profiles, typical.  
Paint finish to all existing and new PVC down pipes.  
Supply and install roof battens as required to suit roof sheeting.  
Supply and install safety mesh as required to all plastic sheet roofing (over 3000mm above the finishes surface below) to AS/NZS4386.

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Drawing ROOF PLAN

Scale 1:100 @ A3

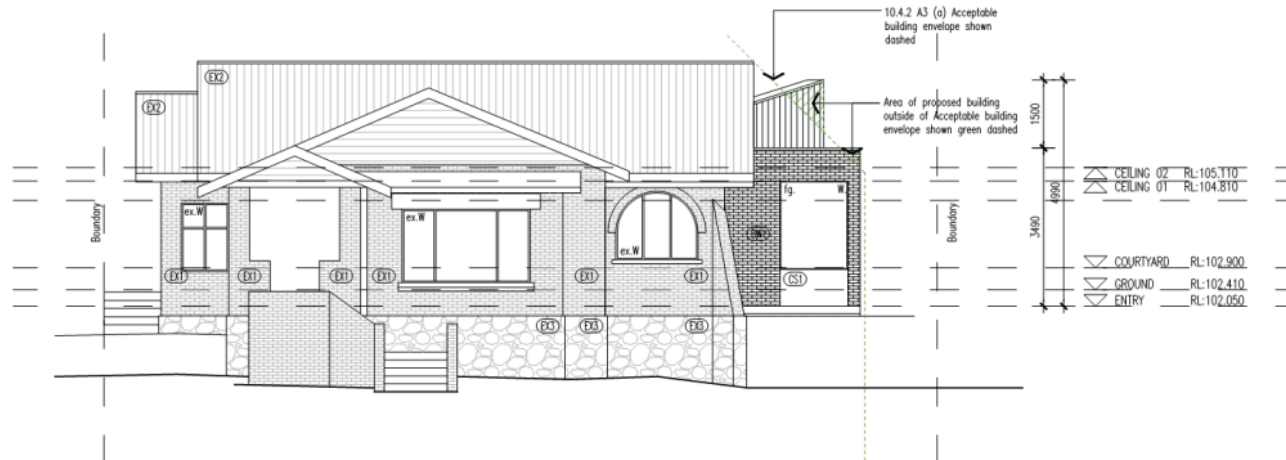
Revision			
C	01.02.2021	Client Approval	NM OL
D	21.02.2021	Issued for DA	NM OL
E	08.04.2021	Final plan options	NM OL
F	27.04.2021	Roof form options	NM OL
G	30.04.2021	Issued for DA	NM OL
H	21.05.2021	RFI01 response	NM OL

Project No 20036

Drawing Number A02-50 H

PRELIMINARY NOT FOR CONSTRUCTION





04 FRONT ELEVATION 04 (FARADAY STREET)  
A02-00 1:100

#### WALL TYPES & FINISHES

BW1	Face brick work, mortar colour to match. Mortar profile to be flush.	EX1	Existing Brickwork
CS1	8 mm compressed sheet, silicone butt joint paint finish, colour to future selection	EX2	Existing Roof sheeting
CS2	Wall sheeting with narrow vertical ribbing, paint finish, colour to future selection.	EX3	Existing Sandstone
A1	Aluminium cladding, powder coat finish. Colour to future selection	EX4	Existing weatherboards

#### SCHEDULE

n	New window
d	New door
sk.d	Sliding Door
fg	Fixed glass
lv	Operable window or similar
aw	Awning window
ex.w	Existing window
ex.d	Existing Door



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Project 31 FARADAY STREET  
WEST HOBART  
Drawing ELEVATIONS

Scale 1:100 @ A3

Revision			
C	01.02.2021	Client Approval	NM OL
D	23.02.2021	Issued for DA	NM OL
E	08.04.2021	Final plan options	NM OL
F	27.04.2021	Final plan options	NM OL
G	30.04.2021	Issued for DA	NM OL
H	21.05.2021	RFI01 response	NM OL

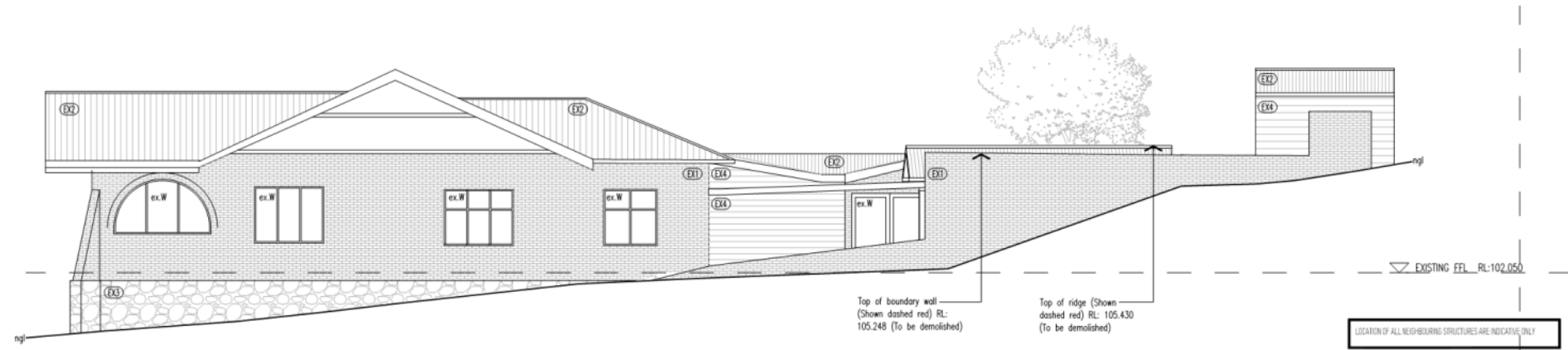
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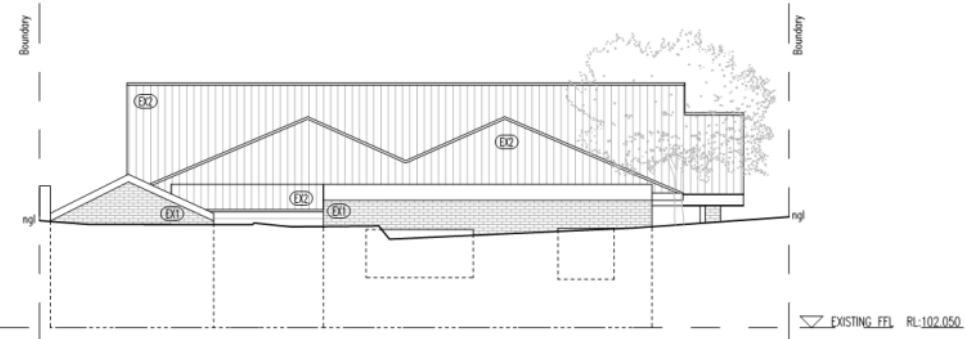
A04-01 H

PRELIMINARY NOT FOR CONSTRUCTION





05 ELEVATION 05 (EXISTING)  
A01-00 1:100



06 ELEVATION 06 (EXISTING)  
A01-00 1:100

**WALL TYPES & FINISHES**

(B01)	Face brick work, mortar colour to match. Mortar profile to be flush.	(E01)	Existing Brickwork
(C01)	8 mm compressed sheet, silicone butt joint paint finish, colour to future selection	(E02)	Existing Roof sheeting
(C02)	Wall sheeting with narrow vertical ribbing, paint finish, colour to future selection.	(E03)	Existing Sandstone
(A01)	Aluminium cladding, powder coat finish. Colour to future selection	(E04)	Existing weatherboards

**SCHEDULE**

n	New window
d	New door
sk.d	Sliding Door
fg	Fixed glass
lv	Operable window or similar
aw	Awning window
ex.w	Existing window
ex.d	Existing Door



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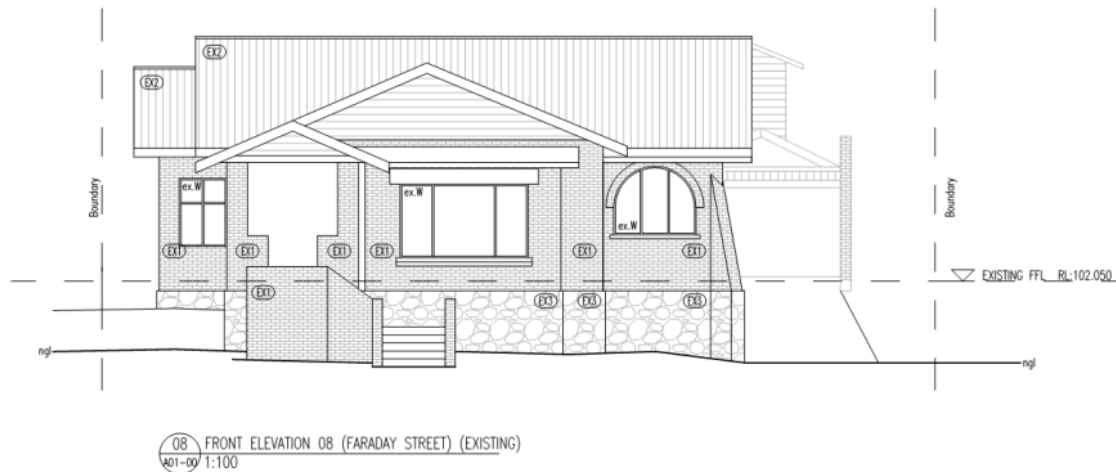
Proprietor	SAM & STEPH LORIMER			
Project	31 FARADAY STREET WEST HOBART			
Drawing	ELEVATIONS (EXISTING)			
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Revision				
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D	23.02.2021	Issued for DA	NM	UL
E	08.04.2021	Final plan options	NM	UL
F	27.04.2021	Roof form options	NM	UL
G	30.04.2021	Issued for DA	NM	UL
H	21.05.2021	H101 response	NM	UL
Project No	20036			

Drawing Number

A04-02

H

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#### WALL TYPES & FINISHES

(BN1)	Face brick work, mortar colour to match. Mortar profile to be flush.	(EX1)	Existing Brickwork
(CS1)	8 mm compressed sheet, silicone butt joint point finish, colour to future selection	(EX2)	Existing Roof sheeting
(CS2)	Wall sheeting with narrow vertical ribbing, point finish, colour to future selection.	(EX3)	Existing Sandstone
(A1)	Aluminium cladding, powder coat finish. Colour to future selection	(EX4)	Existing weatherboards

#### SCHEDULE

n	New window
d	New door
sk.d	Sliding Door
fg	Fixed glass
lv	Operable window or similar
aw	Awning window
ex.w	Existing window
ex.d	Existing Door

Proprietor	SAM & STEPH LORIMER			
Project	31 FARADAY STREET WEST HOBART			
Drawing	ELEVATIONS (EXISTING)			
Scale	1:100 @ A3			
Revision				
C	01.02.2021	Client Approval	NM	DL
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Project No	20036			

PRELIMINARY NOT FOR CONSTRUCTION

Drawing Number

A04-03 H



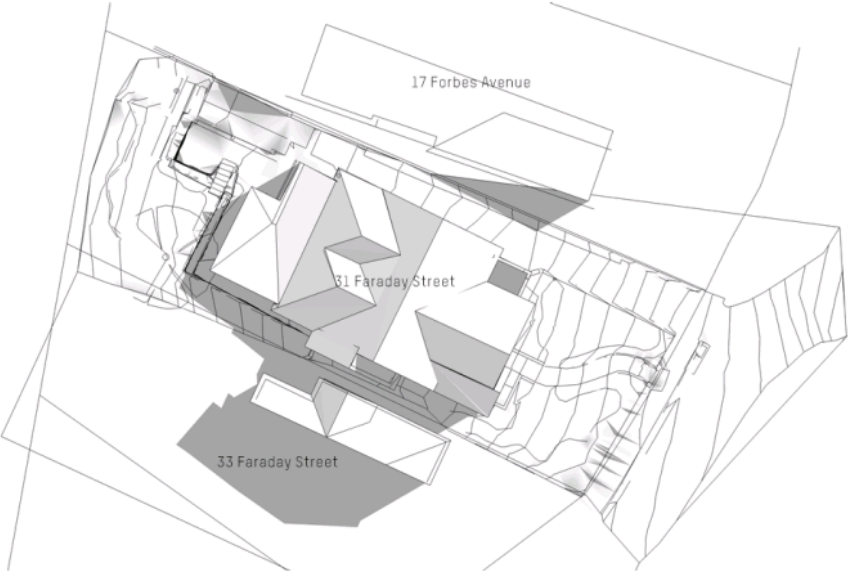
## 31 FARADAY STREET, WEST HOBART

—  
Sam and Steph Lorimer

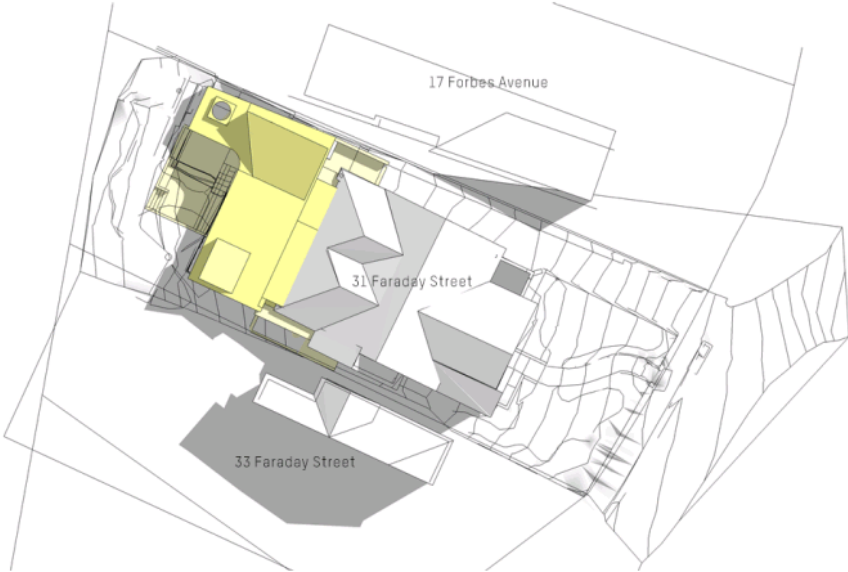
Shadow Diagrams  
Thursday 20th May 2021

60 Barrack Street Hobart Tas 7000  
T 61 3 6231 2923  
daniel@prestonlane.com.au





Existing 9:00am 21st March



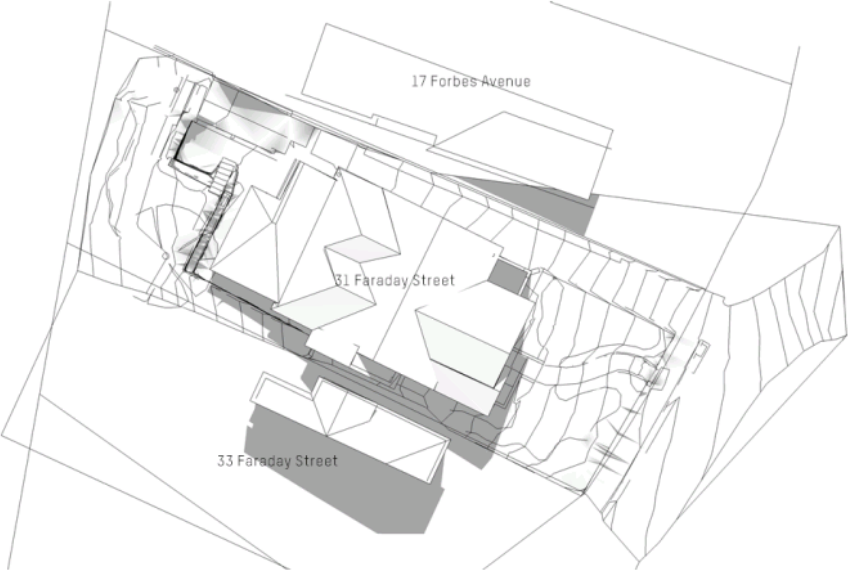
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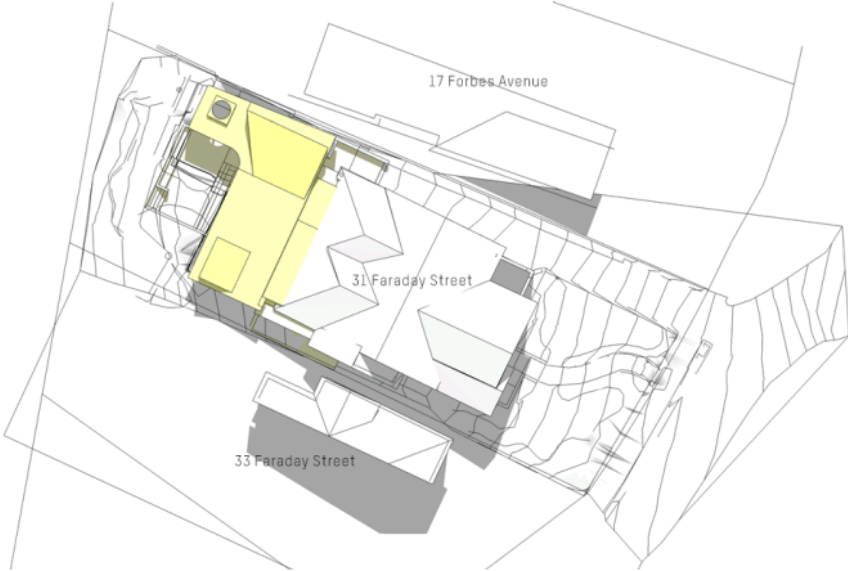
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 12:00pm 21st March



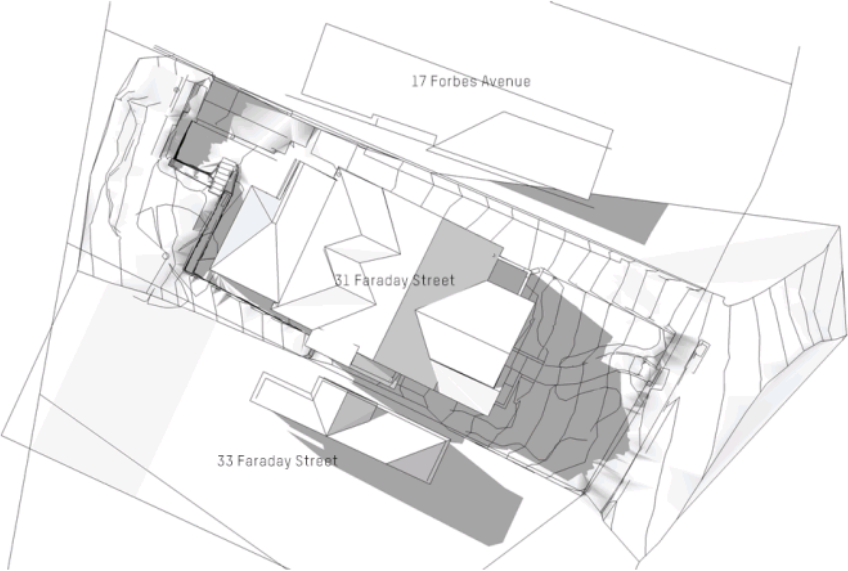
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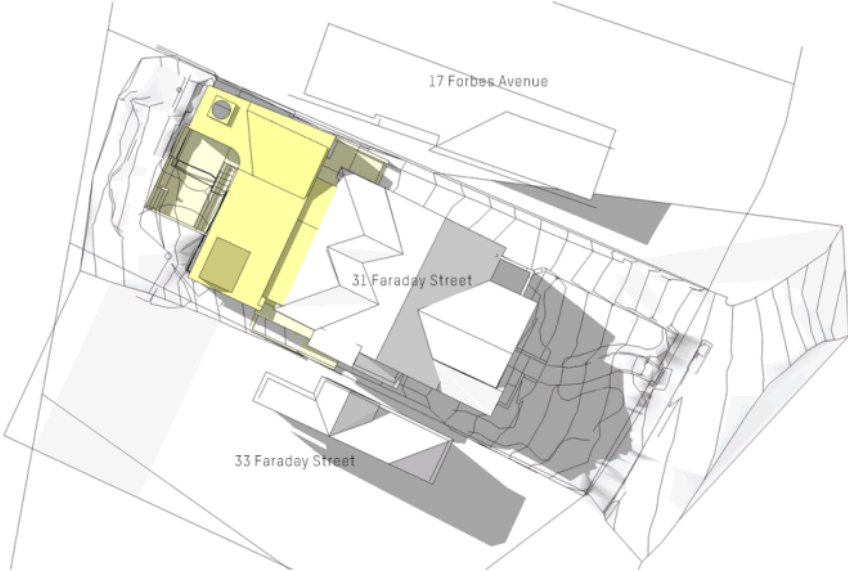
31 FARADAY STREET, WEST HOBART

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Shadow Diagrams  
Thursday 20th May 2021



Existing 3:00pm 21st March



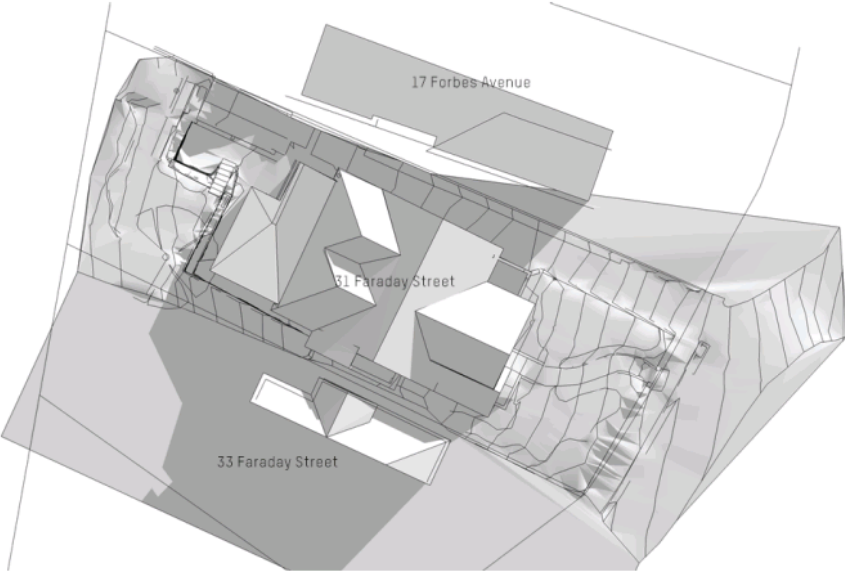
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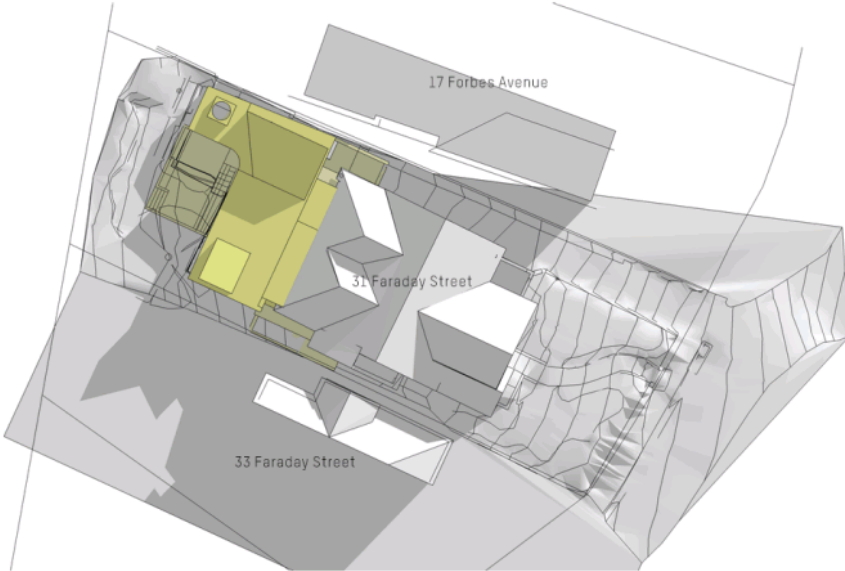
31 FARADAY STREET, WEST HOBART

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Shadow Diagrams  
Thursday 20th May 2021



Existing 9:00am 21st June



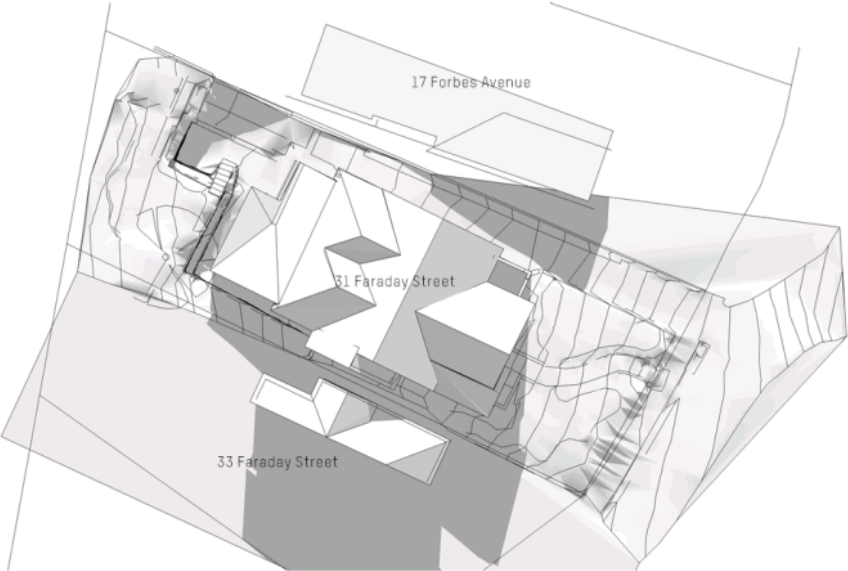
Proposed 9:00am 21st June



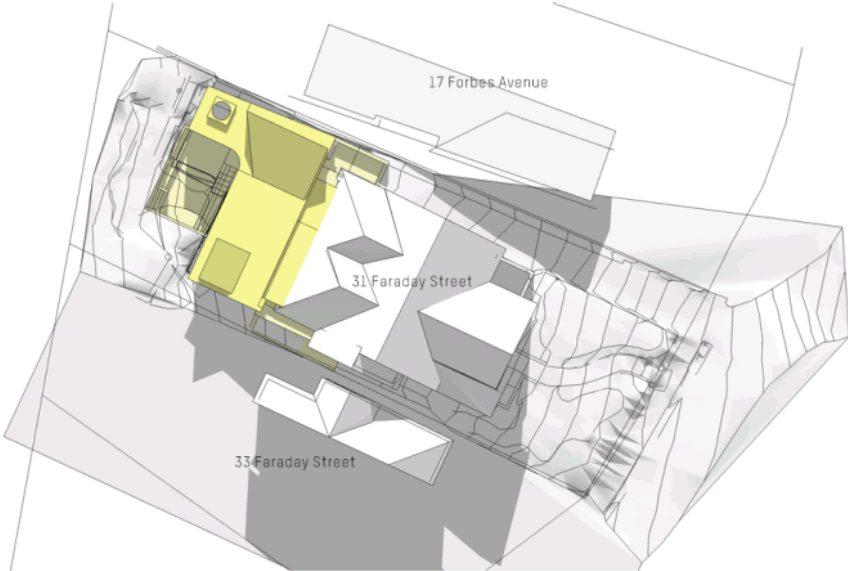
31 FARADAY STREET, WEST HOBART

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Shadow Diagrams  
Thursday 20th May 2021



Existing 12:00pm 21st June



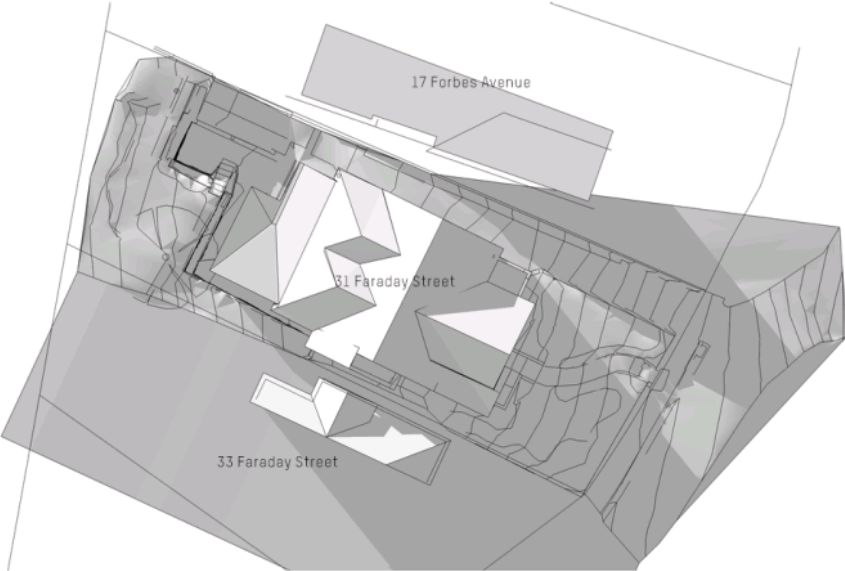
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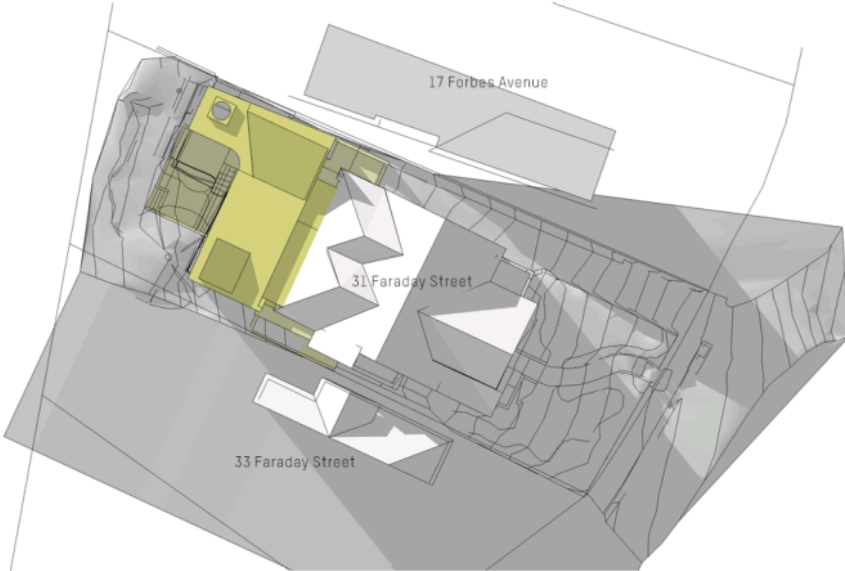
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 3:00pm 21st June



Proposed 3:00pm 21st June

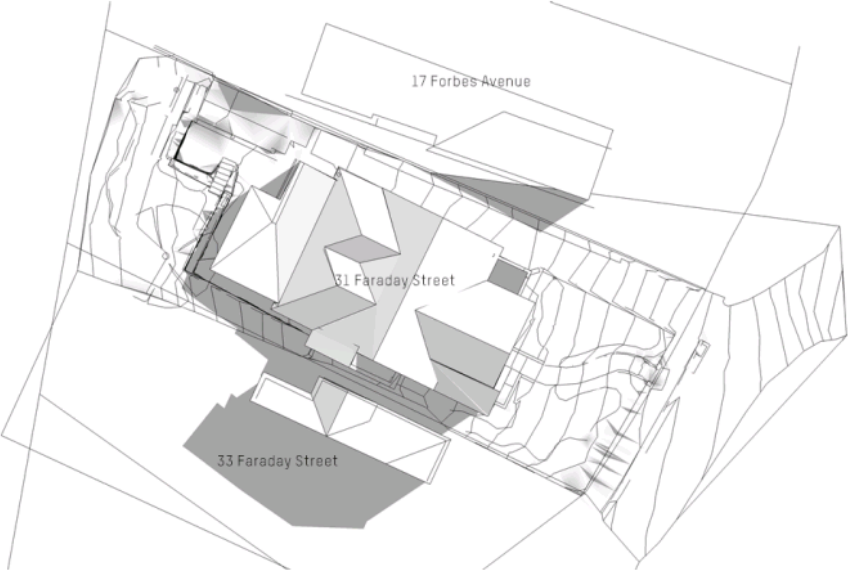


31 FARADAY STREET, WEST HOBART

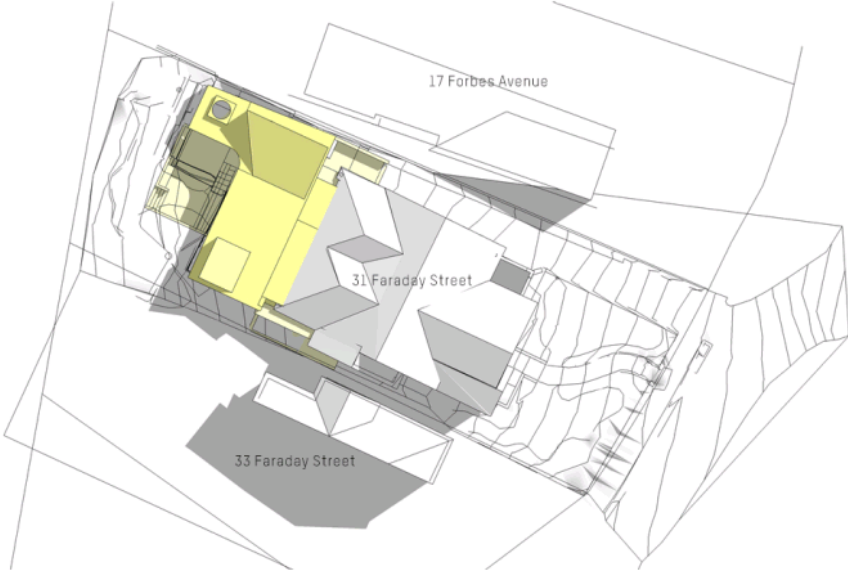
Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021





Existing 9:00am 21st September



Proposed 9:00am 21st September

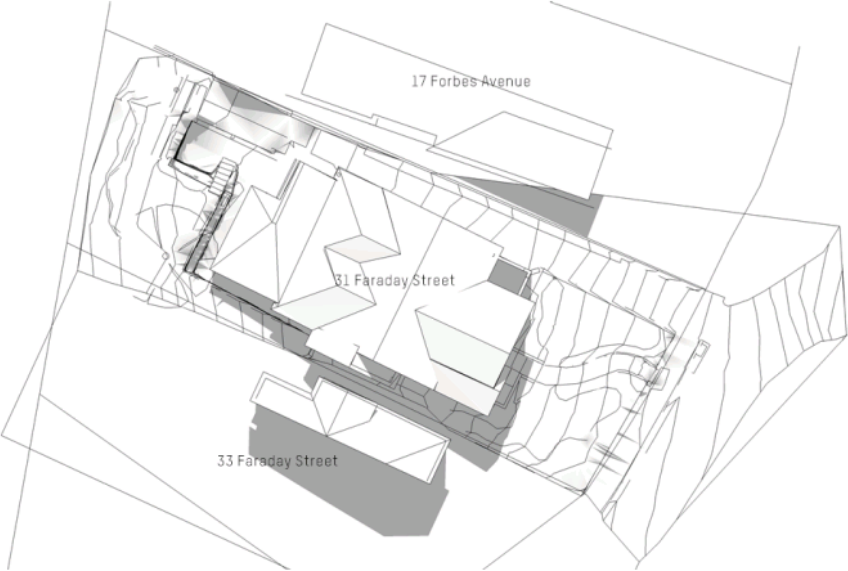


31 FARADAY STREET, WEST HOBART

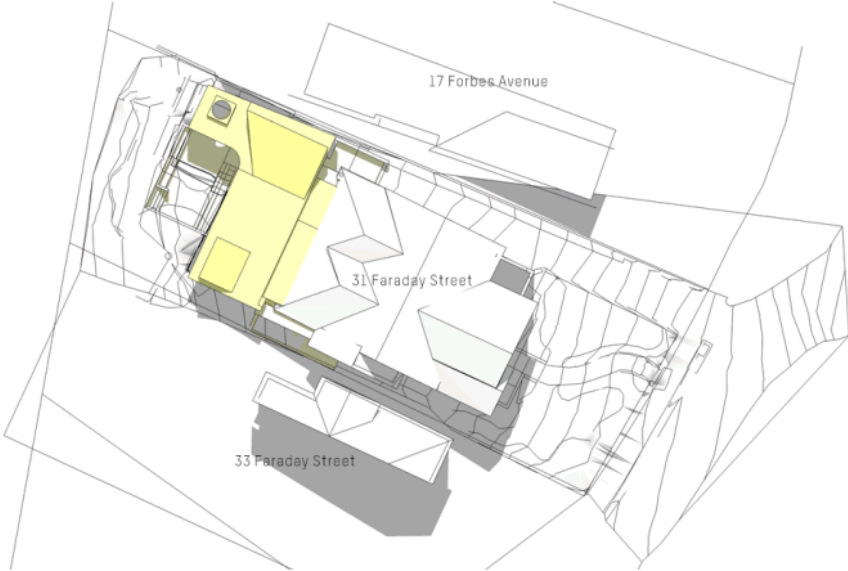
Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021





Existing 12:00pm 21st September



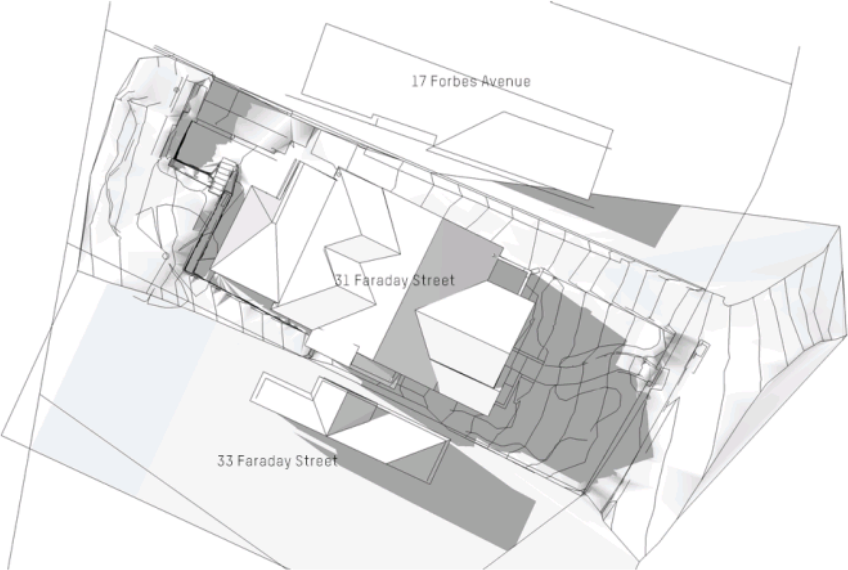
Proposed 12:00pm 21st September



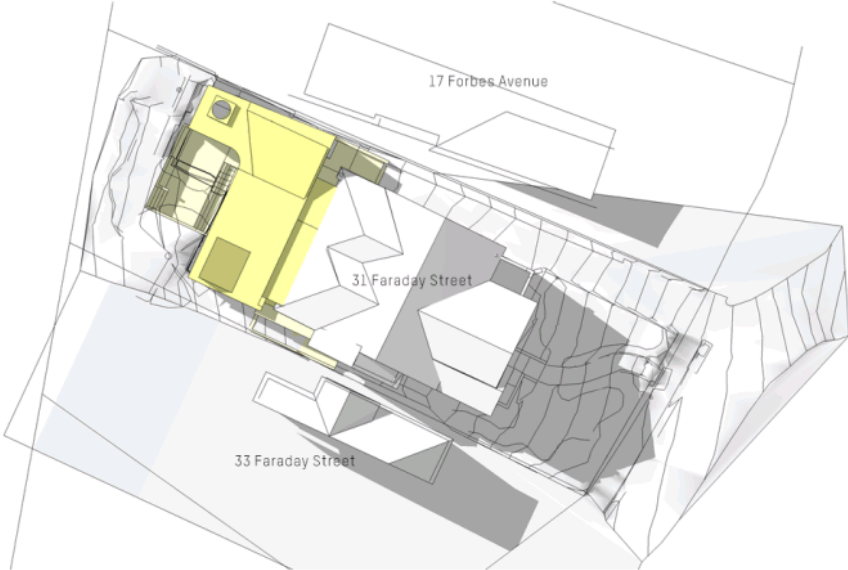
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 3:00pm 21st September



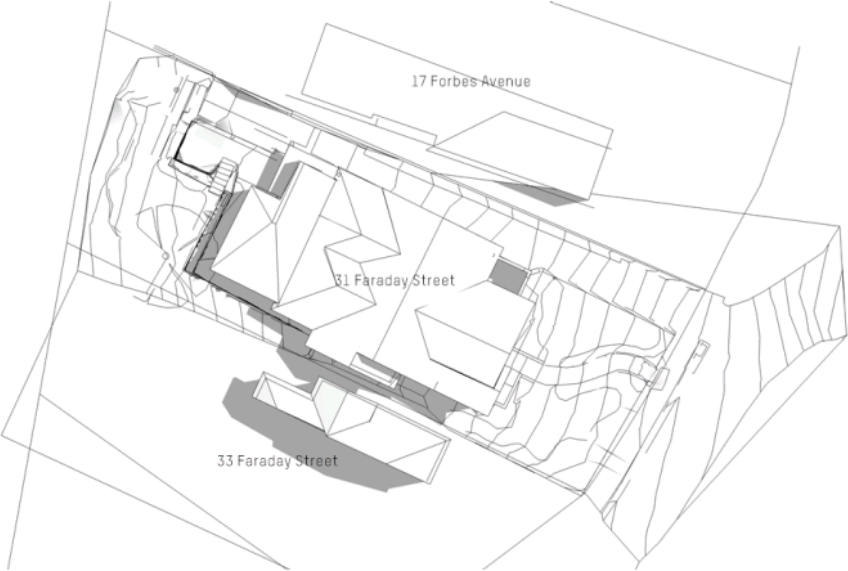
Proposed 3:00pm 21st September



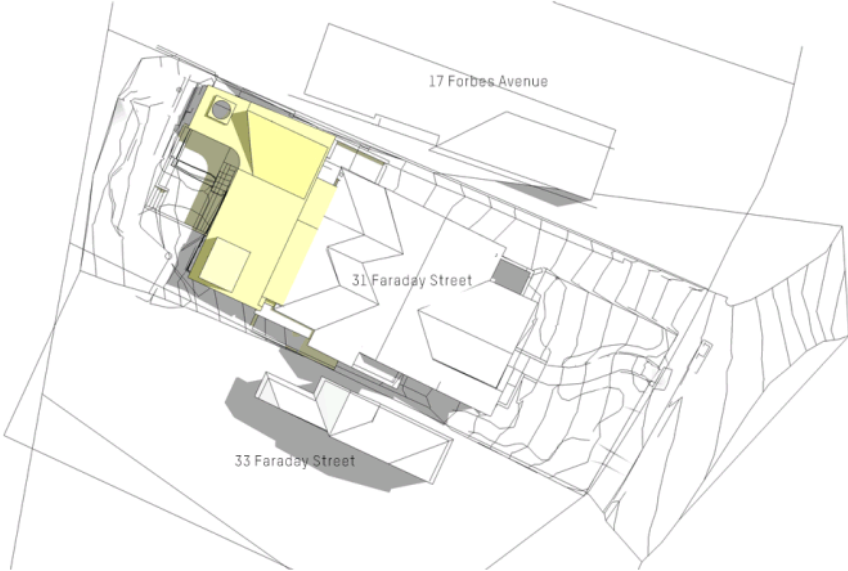
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 9:00am 21st December



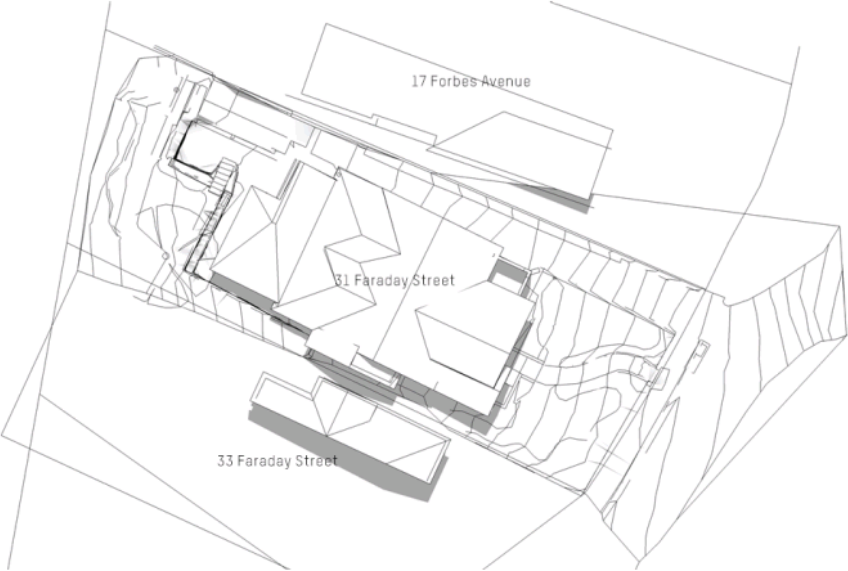
Proposed 9:00am 21st December



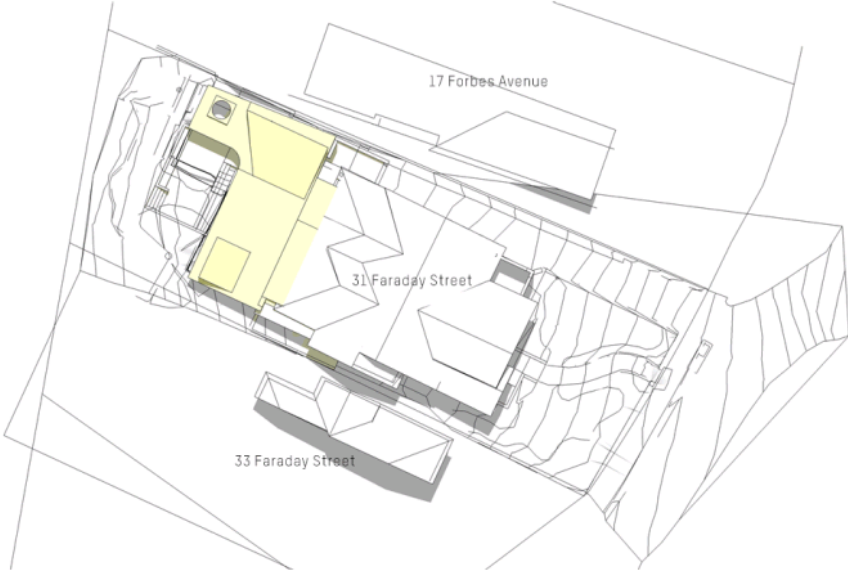
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 12:00pm 21st December



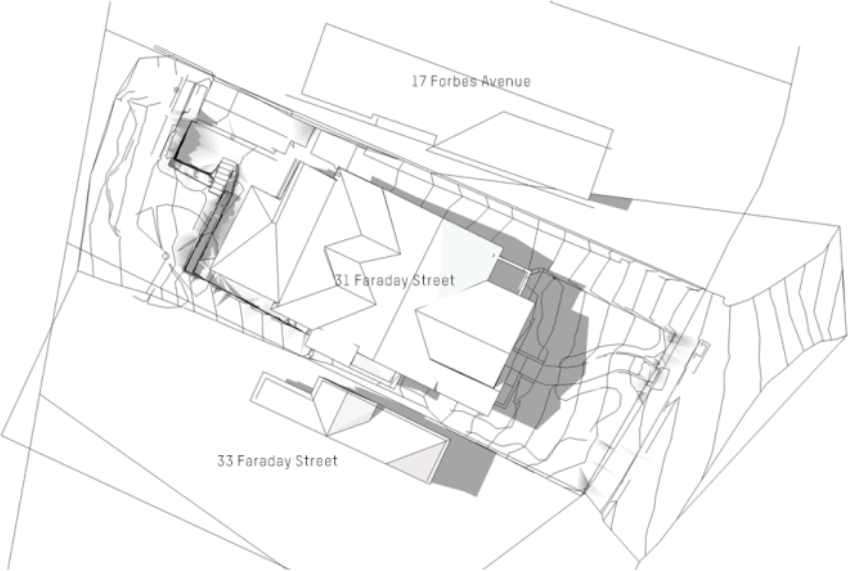
Proposed 12:00pm 21st December



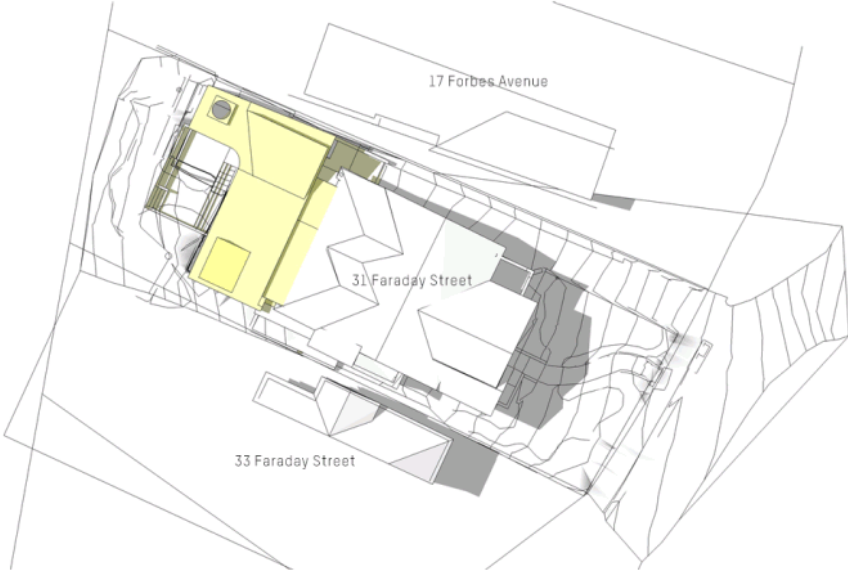
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 3:00pm 21st December



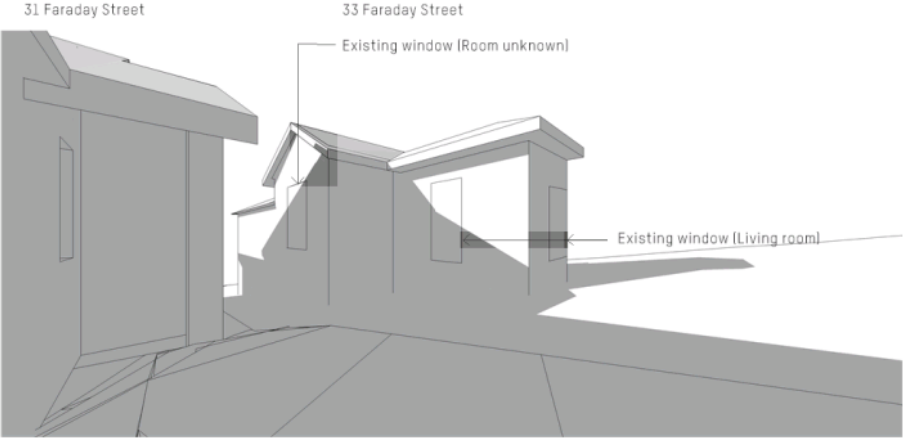
Proposed 3:00pm 21st December



31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021



Existing 9:00am 21st March



Proposed 9:00am 21st March

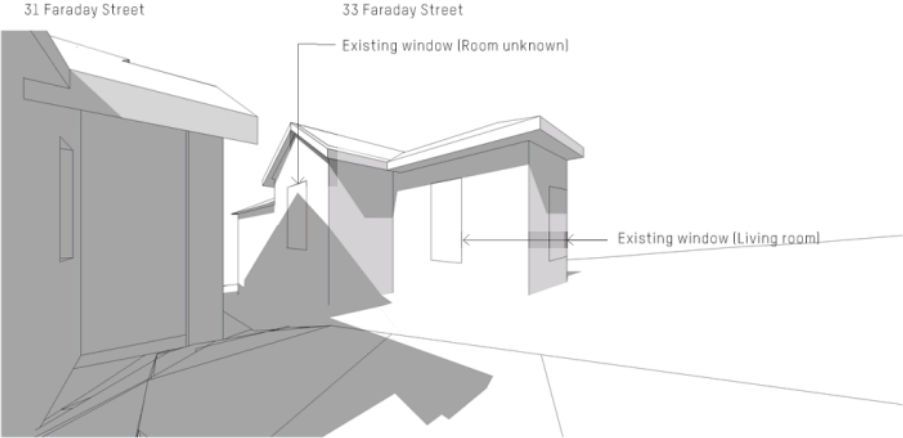


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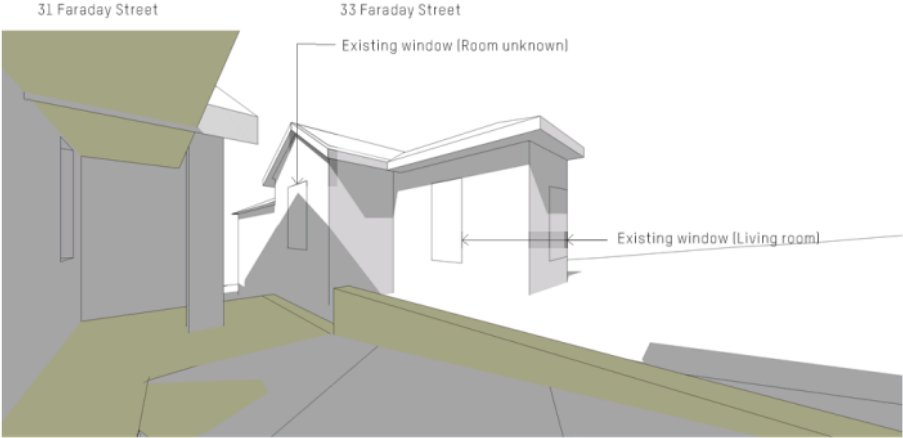
Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects



Existing 12:00pm 21st March



Proposed 12:00pm 21st March



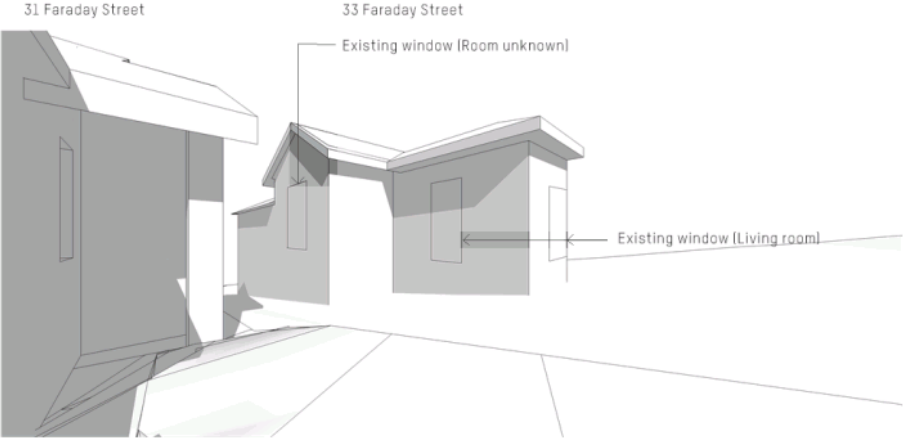
31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects





Existing 3:00pm 21st March



Proposed 3:00pm 21st March

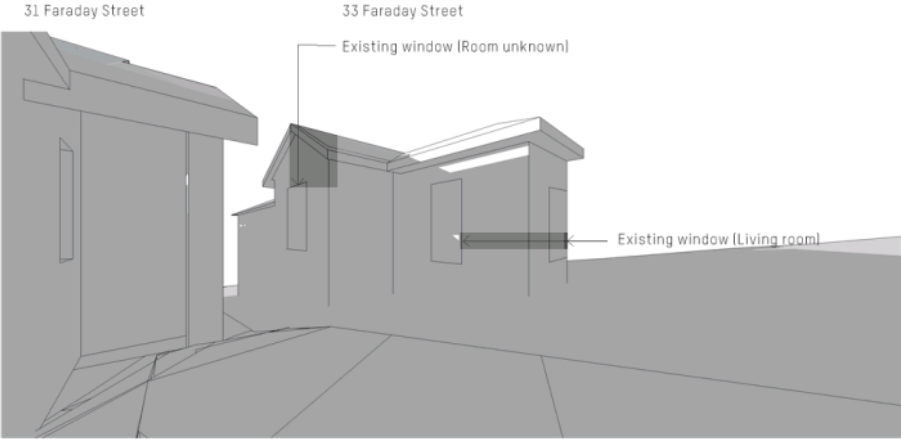


31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects



Existing 9:00am 21st June



Proposed 9:00am 21st June



31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects



Existing 12:00pm 21st June



Proposed 12:00pm 21st June



31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects



Existing 3:00pm 21st June



Proposed 3:00pm 21st June



31 FARADAY STREET, WEST HOBART

Sam and Steph Lorimer

Shadow Diagrams  
Thursday 20th May 2021

NOTE: The visible Windows to 33 Faraday Street were measured on site by Preston Lane Architects

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME	FOLIO
55274	3
EDITION	DATE OF ISSUE
5	29-Aug-2016

SEARCH DATE : 30-Apr-2021

SEARCH TIME : 03.28 PM

DESCRIPTION OF LAND

City of HOBART

Lot 3 on Diagram 55274 (formerly being 20-24HOB)

Derivation : Part of 3 Acres Sec W 2 Gtd to J Murdoch

Prior CT 3060/97

SCHEDULE 1

M585024 TRANSFER to SAMUEL LORIMER and STEPHANIE JANE LORIMER  
Registered 29-Aug-2016 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

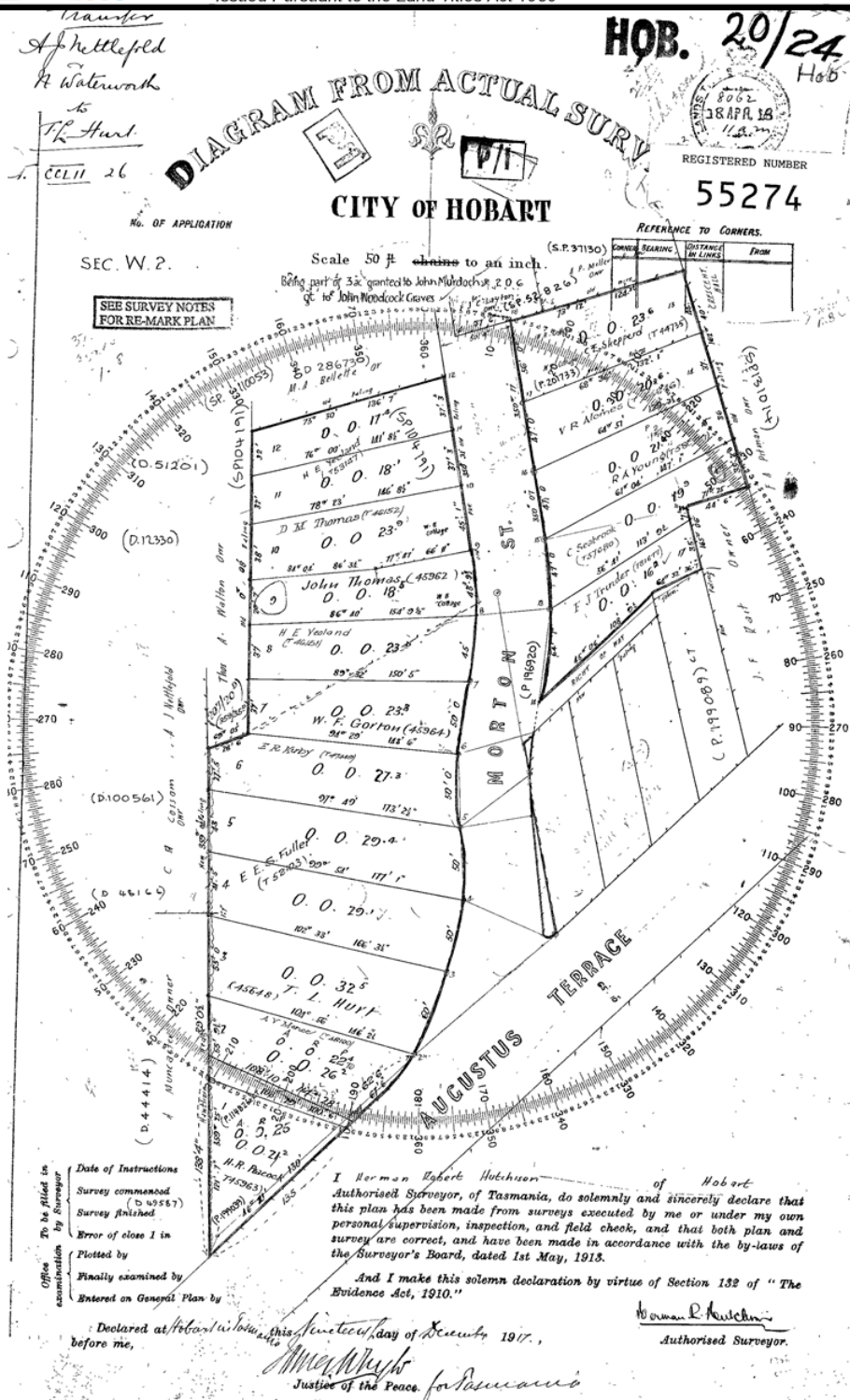
56042 FENCING CONDITION in Transfer

M586617 MORTGAGE to Bendigo and Adelaide Bank Limited

Registered 29-Aug-2016 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



Planning: #230892

**Property**

31 FARADAY STREET WEST HOBART TAS 7000

**People**

Applicant

\*

Sam and Steph Lorimer  
31 Faraday Street  
WEST HOBART TAS 7000  
0448 653 807  
steph.lorimer@gmail.com

Owner

\*

Sam and Steph Lorimer  
31 Faraday Street  
WEST HOBART TAS 7000  
0448 653 807  
steph.lorimer@gmail.com

Entered By

DANIEL LANE  
45 GOULBURN STREET  
HOBART TAS 7000  
03 6231 2923  
daniel@prestonlane.com.au

**Use**

Single dwelling

**Details**

Have you obtained pre application advice?

☒ No

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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

\*

☒ No

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the



number of signs under Other Details below.

\*

- ☒ No

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

**Details**

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

\*

Residential

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

\*

Demolition + Addition

Estimated cost of development

\*

450000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

241.00

299.00

864

**Carparking on Site**

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection  
chosen)

2

2

**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)

\*

plan and folio.pdf

Plans (proposed, existing)

\*

20036 210430 Rev G.pdf

## Application Referral Cultural Heritage - Response

<b>From:</b>	Nick Booth
<b>Recommendation:</b>	Proposal is acceptable subject to conditions.
<b>Date Completed:</b>	
<b>Address:</b>	31 FARADAY STREET, WEST HOBART
<b>Proposal:</b>	Partial Demolition, Alterations, and Extension
<b>Application No:</b>	PLN-21-290
<b>Assessment Officer:</b>	Deanne Lang,

### Referral Officer comments:

This later brick built Federation/Californian Bungalow inspired residential property forms part of the Lansdowne Crescent/Hill Street Heritage Precinct (WH3) as set out in Table E13.2 of the *Hobart Interim Planning Scheme 2015*.

*This precinct is significant for reasons including:*

1. *The quantity and quality of late Victorian/Federation period housing stock exemplifies the economic boom period of the late nineteenth/early twentieth centuries many of which are impressive reminders of its primary residential role.*
2. *A large number of intact individual houses which are examples from the late nineteenth/early twentieth century.*
3. *The continuous single-storey, mainly painted weatherboard facades and the general uniformity of scale, create a distinctive visual impression and high streetscape value.*
4. *The number of intact original shops which reflect the commercial network which developed during suburban expansion in the late nineteenth/early twentieth centuries.*
5. *Individual places have social significance to the local and broader community.*
6. *The street formations in Lansdowne Crescent and its related network of streets are a unique and distinctive early nineteenth century features of Hobart's town plan.*

The proposal seeks permission for the demolition of an existing full width series of rear additions and car port to facilitate the provision of a brick and cement sheeting single storey extension with raked roof elements containing clerestory glazing, rear and side courtyards and large retaining boundary walls.

With regard to development standards for Heritage Precincts, the objective of E13.8.1 Demolition is:

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

The proposed works of demolition, whilst considered to be relatively extensive, would appear to relate solely to a later addition to the house and does not make any contribution to the characteristics of the Precinct as set out above. As such, it is considered that this element of the proposal would comply with the provisions of E13.8.1 P1 of the *Hobart Interim Planning Scheme 2015*.

With regard to the proposed rear extension, E13.8.2 'Buildings and Works other than Demolition' states its objective to be:

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

Performance Criteria P1 states

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

Performance Criteria P3 states

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

With regard to the proposed development, the proposal would be entirely modern in appearance, although the intended primary use of brick to the exterior would allow the development to have a sense of cohesion with the original building. Although it would spring from above the main eaves, giving it a slightly awkward attachment to the rear of the original building, it would sit both relatively low within the site and project only marginally beyond the main silhouette of the original building. It is therefore acknowledged that the proposal would clearly read as a new but subservient chapter in the history of the property.

Importantly, it would be almost entirely hidden from public view by the mass of the building and those of its neighbours. As such, it is therefore considered that despite its relative size and modern appearance, its position and massing have been so designed so as to have no significant impact whatsoever upon the character of the building or the wider heritage precinct as described above when viewed from the public realm. However, it is noted that elements of the extension would be visible and it is therefore considered that its ability to sit comfortably within the wider streetscape would largely fall upon the use of colouration and finish of materials found elsewhere within the immediate precinct.

#### Representations

Representations have been received from the occupiers of 4 local properties, all of which comment on issues relating to the cultural heritage of the area. The comments are as follows –

- "I understand that under the Interim Planning Scheme 2015, Faraday Street is in a Heritage Precinct - WH3 - and as such these raised roof areas do not fit into the aesthetics of surrounding properties, nor a Heritage precinct.
- I do not support the higher roof line and large windows on the western and northern boundaries....It has the potential to affect the overall aesthetics of the area.
- The roof extension over the proposed kitchen area falls outside the building envelope.....Such a proposal will result in a loss of amenity and will detract from the cultural heritage in this Precinct and does not comply with the Interim Planning Scheme Part E (13.8.2). Accordingly, we would request the glazing be replaced by boards which, together with the roof extension be matching the colour of the existing roof, consistent with the requirements of this Heritage Precinct.
- The proposed design, which again falls outside of the Acceptable building envelope, is not sympathetic to the heritage Precinct and will be more than visible from the front of 31 Faraday Street. Plans for 126 Hill Street were not approved based on this and it would create further confusion and discontent if the Council now approved plans in a similar situation.
- I have concerns also about the excavation cuts being made at the side and rear, and the impact they may have on the existing tree root system as well as the 100 year old hedge which forms the boundary between this and a neighbouring property"

In response, the following comments are made.

Aesthetics and Sympathetic design within a Heritage Precinct.

With regard to issues relating to aesthetics of the proposed design and as to whether the proposal would be sympathetic to the distinctive characteristics of the Heritage Precinct, it is considered that with regard to non-heritage listed properties within a heritage precinct, the starting point is always the degree to which the proposal would actually be visible from within the public realm of the precinct itself. Views afforded from within private land are not considered to be relevant.

In this instance, it is considered that the proposed development would be almost entirely hidden behind the main bulk of the original house, with only limited parts visible from the street when looking down the existing driveway. Even with regard to these visible elements, whilst the proposal contains elements of roof form that are not characteristic of the general built form, these would be set well back from the roadside and would represent such a small degree of design treatment in relation to the original main house. As such, it is considered that the architectural form of the original house would overwhelmingly remain the principal style and focus of the site, and that the limited visible addition would not detract from the cultural heritage significance of the precinct.

Reference to 126 Hill Street

It is noted that an application for a two storey rear addition to 126 Hill Street was submitted under reference PLN-20-82 in February 2020. As the proposed two storey rear addition would have been highly visible from the public realm within a heritage precinct consisting primarily of single storey streetscapes, the proposal was not supported by officers. The application was subsequently withdrawn prior to determination. It is therefore considered that the current application and the one highlighted in the representation are significantly different from each other and not relevant in this instance.

Existing Trees and Hedges within and adjoining the site.

Neither the trees within the rear garden or the hedgerow that forms part of the rear boundary are identified within the significant tree register nor specifically described in the heritage listings of the neighbouring property. As such, the removal of the trees within the site would be exempt and the hedgerow does not stand within the site of the application. Notwithstanding the above, it is noted that the proposed development does not seek the removal of the trees, nor seek to remove the current rear garden lawn in which its root system would be located. Whilst the long term health of the tree or the hedgerow can be guaranteed, specific conditions relating to their protection would not be possible under the current Scheme.

Conclusion

It is therefore considered that the proposed demolition and new addition would not result in detriment to the cultural significance of precinct as stated under Clauses E.13.8.1, E13.8.2 P1 and P3 and is considered acceptable when measured against the performance criteria of HIPS 2015 subject to condition requiring the final approval of colours and finishes of materials. It is noted that the submitted elevations have failed to include the existing four chimneys serving the property. Whilst no described works are proposed to the main body of the house and it is assumed that the absence of chimneys is a drafting oversight, it is considered prudent to condition the full retention of the chimney stacks to avoid confusion.

Condition

**HER 17a** The palette of exterior colours, materials and finishes must reflect the palette of building colours, materials and finishes within the local streetscape and precinct.

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

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

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

Reason for condition

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

**HER 10 - The demolition of the four chimney stacks is not approved. The four chimney stacks must be retained.**

Prior to the issue of any approval under the **Building Act 2016**, revised plans must be submitted and approved as a **Condition Endorsement** showing the retention of the four chimney stacks in accordance with the above requirement.

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

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

Reason for condition

To ensure that demolition in whole or part of a heritage precinct does not result in the loss of historic cultural heritage values.

Nick Booth  
Heritage Officer  
1 July 2021

**7.1.5 331 DAVEY STREET, SOUTH HOBART - OUTBUILDING  
(PERGOLA)  
PLN-21-339 - FILE REF: F21/68147**

---

Address: 331 Davey Street, South Hobart  
Proposal: Outbuilding (Pergola)  
Expiry Date: 26 July 2021  
Extension of Time: Not applicable  
Author: Tristan Widdowson

***RECOMMENDATION***

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for outbuilding (pergola) at 331 Davey Street, South Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-339 - 331 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

**Reason for condition**

To clarify the scope of the permit.

**ENG sw1**

All stormwater from the proposed development (including but not limited to: roofed areas and impervious surfaces such as paved areas) must be drained to the Council's stormwater infrastructure or an approved Council system prior to commencement of use.

***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.

### ADVICE

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

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

### BUILDING PERMIT

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

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

### PLUMBING PERMIT


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

### FEES AND CHARGES

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

### DIAL BEFORE YOU DIG


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

Attachment A: PLN-21-339 - 331 DAVEY STREET SOUTH  
HOBART TAS 7004 - Planning Committee or  
Delegated Report ↓ 

Attachment B: PLN-21-339 - 331 DAVEY STREET SOUTH  
HOBART TAS 7004 - CPC Agenda Documents ↓





Attachment C: PLN-21-339 - 331 DAVEY STREET SOUTH  
HOBART TAS 7004 - Planning Referral Officer  
Development Engineering Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Committee:	19 July 2021
Expiry Date:	26 July 2021
Application No:	PLN-21-339
Address:	331 DAVEY STREET , SOUTH HOBART
Applicant:	(M Sarma & J Lain by their agent Ireneinc Planning & Urban Design) 49 Tasma Street
Proposal:	Outbuilding (Pergola)
Representations:	Three
Performance criteria:	Inner Residential Zone Development Standards, Historic Heritage Code and Stormwater Management Code

---

**1. Executive Summary**

- 1.1 Planning approval is sought for an Outbuilding (Pergola) at 331 Davey Street, South Hobart.
- 1.2 More specifically the proposal includes:
  - The proposal is for the retrospective approval of a 3.290m by 3.312m of hipped roof pergola structure with maximum height of 2.852m, it is located in the western rear corner of the site. The partially open painted timber structure is fully roofed with the rear sides facing the boundaries enclosed with a painted compressed sheet and lined with finished marine ply cladding.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Inner Residential Zone - Setback and Building Envelope
  - 1.3.2 Historic Heritage Code - Heritage Precinct
  - 1.3.3 Stormwater Management Code - Stormwater Drainage and Disposal
- 1.4 Three (3) representations objecting to the proposal were received within the statutory advertising period between 17 June to 1 July 2021.
- 1.5 The proposal is recommended for approval subject to conditions.

- 1.6 The final decision is delegated to the City Planning Committee, because the application received three objections.

**2. Site Detail**

- 2.1 The subject 895m<sup>2</sup> level site is a well-established property containing a two storey dwelling. The pergola is sited in the rear western corner of the yard on an existing paved area. The property is located within the upper residential end of Davey Street within close proximity to Lynton Avenue.

2.2



Figure 1: GIS Map Image 1:1000

2.3



Figure 2: Pergola structure

2.4



Figure 3: Structure as viewed from the driveway area of 7 D'arcy Street.



### 3. Proposal

3.1 Planning approval is sought for an Outbuilding (Pergola) at 331 Davey Street, South Hobart.

3.2 More specifically the proposal is for:

- The proposal is for the retrospective approval of a 3.290m by 3.312m of hipped roof pergola structure with maximum height of 2.852m, it is located in the western rear corner of the site. The partially open painted timber structure is fully roofed with the rear sides facing the boundaries enclosed with a painted compressed sheet and lined with finished marine ply cladding.

3.3



Figure 4: Site Plan

### 4. Background

4.1 The pergola was constructed without planning approval. There was previously a pergola structure in a similar location to the constructed pergola.

### 5. Concerns raised by representors

- 5.1 Three(3) representations objecting to the proposal were received within the statutory advertising period between 17 June to 1 July 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.



Concern at the proximity of the pergola to the boundary, its size height and volume.
Noise impacts from the use of the pergola for entertainment and parties. Entertainment should be kept to the footprint of the main dwelling.
The current structure is not comparable to the previous structure.
The use of the pergola is for entertainment and social activities goes against the heritage values and use.
Impacts on privacy from the pergola.
The proposal does not comply with the Acceptable Solutions of the Planning Scheme.
Does not comply with setback as it is within 1.5m of the side and rear boundary and causes visual impact, overshadowing and does not provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.
The fence boundary on the north-western side is not true and accurate, the fence is not on the correct boundary. When rectified it will have a greater impact.
The height does not comply.
It appears as a shed not a pergola.
It is not keeping with heritage feel of the area.
Since its construction and use there has been an increase in disruption and noise impacting no private open space areas.
It should be setback further from the fence.
The capture and disposal of the storm water into the in-ground stormwater pit located in the garden of the site has caused increased water seepage.
There is no reason for the pergola to be placed so close to the boundary as there is such a large amount of space onsite
The pergola is visible from windows and driveway if setback 1.5m further it would not have visual impact from the driveway.
The applicant's photos of the boundary trees are not true to size.

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is a for a Single Dwelling which is a No Permit Required use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 11 Inner Residential Zone
  - 6.4.2 E7.0 Stormwater Management Code
  - 6.4.3 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Inner Residential Zone:  
*Setback and Building Envelope Part D 11.4.2 P3*
  - 6.5.2 Stormwater Management Code Part E7.71 P1:  
*Stormwater Drainage and Disposal - Part E7.7.1 P1*
  - 6.5.3 Historic Heritage Code:  
*Precinct - Buildings and Works other than Demolition - E13.8.2 P1*
- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope Part D 11.4.2 P3
- 6.7.1 The acceptable solution at clause Part D 11.4.2 A3 requires dwellings to have a rear setback of 1.5m with the exception of outbuildings with a maximum height of 2.4m.

- 6.7.2 The pergola has a maximum height of 2.852m.
- 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause Part D 11.4.2 P3 provides as follows:

*P3*

*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; and*

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

- 6.7.5 The pergola structure is minor in nature with the sides extending 3.290m by 3.312m with a total area 9.96m<sup>2</sup>. The pergola has wall height of 2.1m with a hipped roof extending to a central peak at a maximum height of 2.852m. Small outbuildings and structures such as the subject pergola and other outbuildings are often located toward the rear of properties and regularly on, or close to, the rear and side boundaries. The scheme provisions acknowledge this arrangement with the Heritage Schedule allowing comparable buildings of 9m<sup>2</sup> and up to 2.4m high to be exempt from requiring planning approval. The relevant Development Standard *Setbacks and building envelope for all dwellings A3* allows outbuildings with a height of 2.4m regardless of size to be sited on the rear boundary.

The structure has a wall height equivalent to a permitted boundary fence

and is sited a minimum of 878mm from the rear boundary and 1.291m from the side boundary. Although the peak of the roof extends to 2.852m it is only a small central section extending to this height with no part of the pergola exceeding 2.4m high within 1.5m of the rear boundary, which is consistent with the intent of the building envelope provisions. Also in respect of the rear boundary the pergola adjoins a driveway area to the north therefore creating even greater curtilage from the house and private open space areas of 7 D'arcy Street. Although compliant in respect of the side boundary, buildings up to a height 3m can be constructed on the boundary. In consideration of these factors the pergola is essentially a minor garden structure and due to its height, scale and proximity to the boundaries is not considered to result in an unreasonable visual impact when viewed from adjoining properties. The location and separation of the structure is also considered to be consistent with that existing on established properties in the area with a number of dwellings and outbuildings being sited against side and rear boundaries.

In terms of overshadowing the structure is obviously minor in scale with only a small central element of notable height. It is located south-east of 7 D'arcy Street and adjoins a driveway area, so will not unreasonably impact on the property. The majority of the pergola structure adjoins an existing section of building at 5 D'arcy Street, there is a narrow section of garden area to the rear of that building, although not a primary open space area. The area is south-west of the pergola structure therefore the garden would potentially be effected for a very short period during the morning throughout points of year where sun angle is lower however the level of impact would be incredibly negligible and that is without consideration existing impacts from other elements such as the existing fencing or vegetation. Ultimately an exempt outbuilding of 2.4m high and sited on the boundary would have a greater impact.

6.7.6 The proposal complies with the performance criterion.

6.8 Historic Heritage Code - Part E13.8.2 P1

6.8.1 The subject site is located within a Heritage Precinct therefore the Council's Cultural Heritage Officer has provided the following assessment:

The proposed timber structure would be located within the rear garden of 331 Davey Street. The two storey property in question is not individually heritage listed but does form part of the Washington Wentworth Darcy Adelaide Heritage Precinct (SH6). The proposal would therefore require to comply with E13.8.2 'Buildings and Works other than Demolition' which

states its objective to be:

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

Performance Criteria P1 states

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

Precinct SH6 is considered to be significant for reasons including:

1. The principle residential development precinct in the suburb which demonstrates most periods and patterns of development that give South Hobart its particular character.
2. The very fine collection of residential buildings spanning from first settlement of the precinct to the mid twentieth century.
3. The intact streetscapes that provide evidence of early settlement patterns in South Hobart.

With regard to the consideration of any proposal within a Heritage Precinct, the starting point is always the degree to which the development would be visible from the public realm. It should be noted that private spaces and gardens are not considered to be part of the public realm. The proposed structure would be relatively small and its form and materials are entirely representative of this form of garden structure. Importantly, due to its location to the back of the rear garden and the massing and location of the residence, it is considered that it would be entirely hidden from view from within the public realm.

Three representations have been received, one of which queries its appropriateness in terms of size and use with regard to the heritage characteristics of the Precinct. However, it is considered that, as stated above, the structure is both modest and of appropriate materials and design, and due to its location, would have no visual impact upon the streetscape within a heritage precinct.

It is therefore considered that the proposal would have no impact whatsoever upon the characteristics of the heritage precinct in which it stands and would therefore com

- 6.8.2 The proposal complies with the performance criterion.

## 6.9 Stormwater Management Code Part E7.71 P1

- 6.9.1 The acceptable solution at clause Part E7.71 A1 requires new impervious surfaces to be disposed of by gravity to public stormwater infrastructure.
- 6.9.2 The roofed area of the pergola will be drained to an existing onsite system.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause Part E7.71 P1 provides as follows:

*P1*

*Stormwater from new impervious surfaces must be managed by any of the following:*

*(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles*

*(b) collected for re-use on the site;*

*(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

- 6.9.5 The Council's Development Engineer is satisfied that the new impervious surfaces are able to be disposed of on-site via the existing previously approved soakage device which will then be verified at the Plumbing Permit stage.
- 6.9.6 The proposal complies with the performance criterion.

**7. Discussion**

- 7.1 Planning approval is sought for an Outbuilding (Pergola) at 331 Davey Street, South Hobart.

- 7.2 The application was advertised and received three (3) representations. The representations raised concerns including proximity of the pergola to the boundary, its size, height and scale and associated visual impact and overshadowing. There was concern at the use of the pergola for social activities, associated noise and impact on privacy. The structure also not being in keeping with heritage of the area. The fence boundary not being correct and the applicant's photo not accurately reflect the size of the trees as well as increased water seepage from the onsite drainage.

The siting and scale of the pergola is assessed as not having an unreasonable visual impact or causing unreasonable overshadowing. It is essentially a minor garden structure of modest size and height, the fact that it is visible does not equate to a unreasonable visual impact. Although its usage and potential noise impacts are not planning matters its small scale limits its capacity and usage. The owners fully enclosed the sides and roof facing the boundaries and used 18mm thick marine ply in conjunction with the exterior cladding to further reduce potential noise and improve privacy. In respect of Heritage the pergola structure was assessed as not being inconsistent with or out character for the precinct.

The owner had the site resurveyed in 2010 which informed the submitted site plan and setback of pergola. Ultimately if the boundary was disputed or later be determined to be in a different location and if the structure was significantly closer to the boundary, subsequent planning approval may be required.

The image on the plans is 3D mapped and taken on site with the pergola as constructed therefore it should reflect what is on site, in any case a site visit was undertaken and the trees are not considered a factor in the acceptability the proposal.

In respect of water seepage from the existing onsite system this a matter that can be addressed by contacting the Stormwater Unit for investigation, this is not specifically a planning consideration.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to satisfy the relevant performance criteria in respect of the proposal's discretion's under Setback and Building Envelope, Historic Heritage Code and Stormwater Management Code. Due to the minor nature of the structure its height, scale and proximity to the boundaries is not considered to result in an unreasonable visual impact when viewed from adjoining properties or cause an unreasonable impact from overshadowing. The Council's Cultural Heritage Officer has the assessed the pergola structure as having no visual impact upon the streetscape within the heritage precinct. Council's Development Engineer is also satisfied that the stormwater can be drained to the existing onsite soakage system.



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

7.5 The proposal is recommended for approval.

## **8. Conclusion**

8.1 The proposed Outbuilding (Pergola) at 331 Davey Street, South Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Outbuilding (Pergola) at 331 Davey Street, South Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### GEN

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-339 - 331 DAVEY STREET SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### ENG sw1

**All stormwater from the proposed development (including but not limited to: roofed areas and impervious surfaces such as paved areas) must be drained to the Council's stormwater infrastructure or an approved Council system prior to commencement of use.**

*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.

### ADVICE

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

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

#### **BUILDING PERMIT**

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

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

#### **PLUMBING PERMIT**

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

#### **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.



(Tristan Widdowson)

**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: 13 July 2021

**Attachment(s):**

Attachment B - CPC Agenda Documents

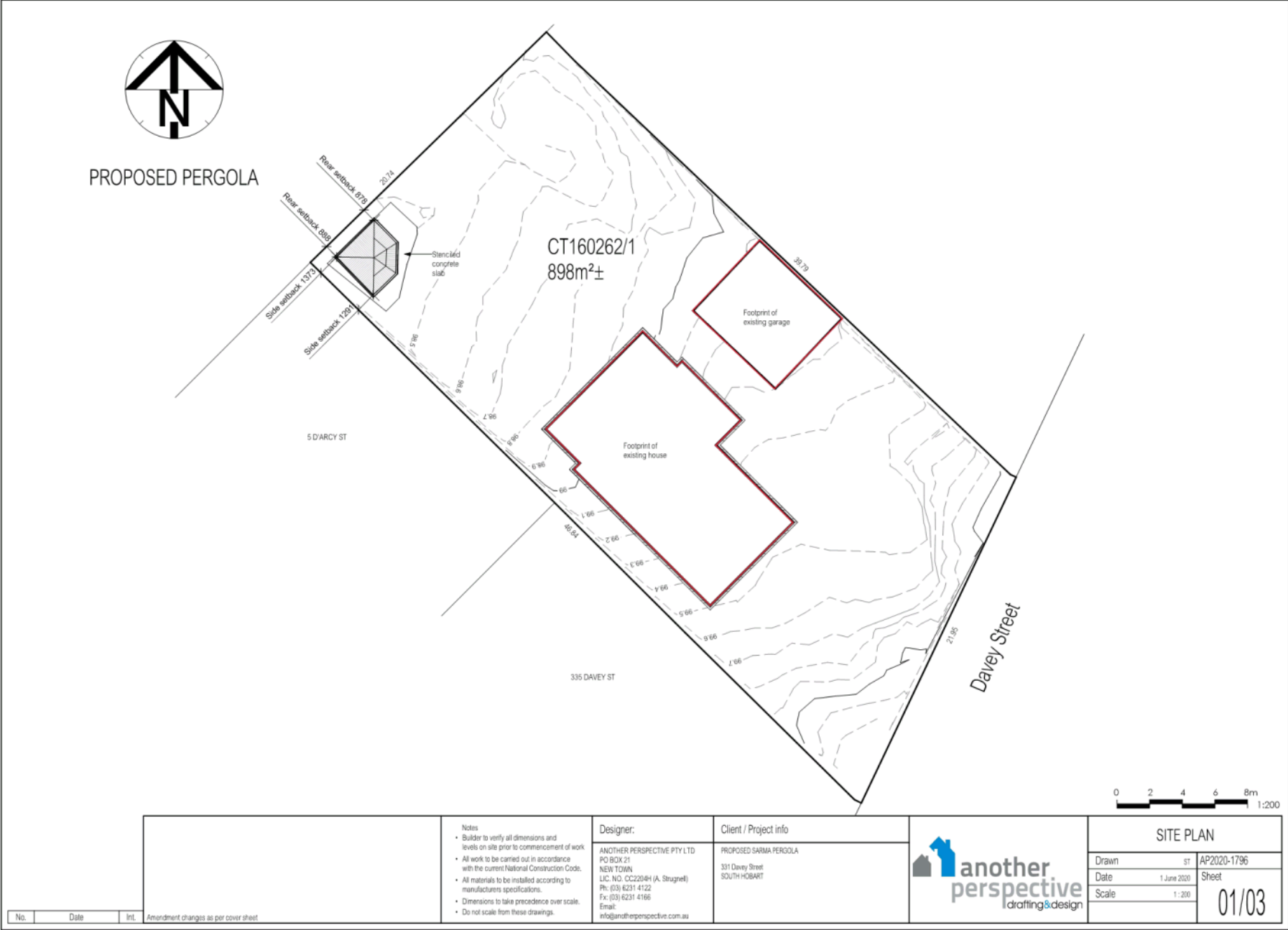
Attachment C - Planning Referral Officer Cultural Heritage Report

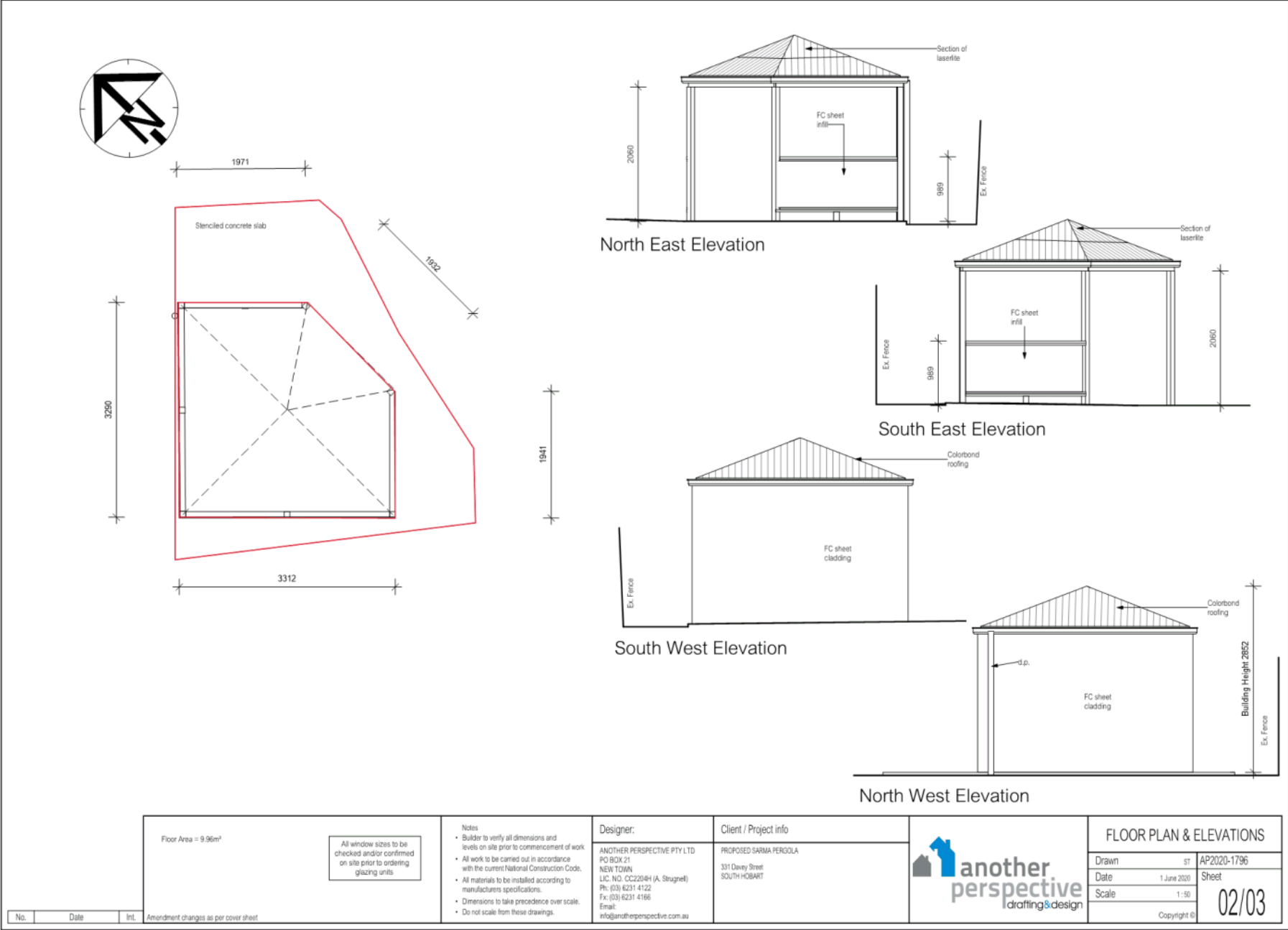


AP2020-1796 - PROPOSED SARMA PERGOLA  
331 Davey Street  
SOUTH HOBART

SHEET	DRAWING TITLE
01	SITE PLAN
02	FLOOR PLAN & ELEVATIONS
03	PERSPECTIVE VIEW

<div>DA PLAN SET</div> <div>1 June 20STN/A01 - 03</div> <div>No. AmendmentDateDrawnCheckedSheet</div>					<div>Notes</div> <ul style="list-style-type: none"><li>• Builder to verify all dimensions and levels on site prior to commencement of work.</li><li>• All work to be carried out in accordance with the current National Construction Code.</li><li>• All materials to be installed according to manufacturers specifications.</li><li>• Dimensions to take precedence over scale.</li><li>• Do not scale from these drawings.</li></ul>	<div>Designer:</div> <div>ANOTHER PERSPECTIVE PTY LTD PO BOX 21 NEW TOWN VIC 3207 (A. Strugnell) Ph: (03) 6231 4122 Fk: (03) 6231 4166 Email: info@anotherperspective.com.au</div>	<div>Client / Project info</div> <div>PROPOSED SARMA PERGOLA 331 Davey Street SOUTH HOBART</div>	<div>Soil Classification: Title Reference: Floor Areas: Porch / Deck Areas: Wind Speed: Climate Zone: Alpha Zone: Corrosion Environment: Certified BAL: Designed BAL: (Refer to Standard Notes for Explanation)</div> <div>N/A CT1802621 N/A N/A 7 N/A N/A N/A N/A</div>	COVER SHEET	
									<div>AP2020-1796</div> <div>Date1 June 2020Sheet</div> <div>Scale00/03</div>	









			<div>Notes</div> <ul style="list-style-type: none"><li>• Builder to verify all dimensions and levels on site prior to commencement of work</li><li>• All work to be carried out in accordance with the current National Construction Code.</li><li>• All materials to be installed according to manufacturers specifications.</li><li>• Dimensions to take precedence over scale.</li><li>• Do not scale from these drawings.</li></ul>	<div>Designer:</div> <div>ANOTHER PERSPECTIVE PTY LTD PO BOX 21 NEW TOWN VIC 3023 Ph: (03) 6231 4122 Fax: (03) 6231 4166 Email: info@anotherperspective.com.au</div>	<div>Client / Project info</div> <div>PROPOSED SARMA PERGOLA 331 Davey Street SOUTH HOBBART</div>	<div></div>	PERSPECTIVE VIEW		
No.	Date	Int.					Drawn	ST	AP2020-1796
							Date	1 June 2020	Sheet
							Scale	N.T.S.	03/03
Amendment changes as per cover sheet			Shadows shown for stylisations purpose only	Copyright ©					

331 DAVEY STREET, SOUTH HOBART



ireneinc & smithstreetstudio  
PLANNING & URBAN DESIGN

PLANNING TAS PTY LTD TRADING AS IRENEINC PLANNING & SMITH STREET STUDIO PLANNING & URBAN DESIGN ABN 78 114 905 074

## 331 DAVEY STREET, SOUTH HOBART

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### Outbuilding - Pergola

Last Updated - 19 May 2021

Author - Kim Nguyen

Reviewed: Jacqui Blowfield

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**ireneinc** PLANNING

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## 1. INTRODUCTION

Ireneinc Planning & Urban Design has been engaged regarding the planning application for a pergola in the backyard of 331 Davey Street, South Hobart. This report provides an assessment of the proposal against the relevant provisions of the *Hobart Interim Planning Scheme 2015*.

The location of the subject site is described in the following figure:



Figure 1. Site location with topographic and cadastral parcels from [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © The State of Tasmania

### 1.1 SUBJECT SITE

The site has an area of approximately 898m<sup>2</sup>, and its title reference is CT 160262/1. It has frontage and access to the western side of Davey Street, just north of the intersection with D'Arcy Street / Lynton Avenue.

The site contains an existing dwelling located towards the front half of the lot with a separate garage outbuilding located between the dwelling on the northern side boundary at the end of the driveway. The location of the proposed structure is in the rear southwestern corner on an existing concrete slab.

The existing site and surrounds are further described in the following figure:





Figure 2: aerial with State aerial photo, cadastral parcels & road names from [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © The State of Tasmania

## 1.2 PROPOSAL

The proposal is for a pergola structure in the rear corner of the backyard, the building has been constructed and the application is therefore retrospective, which is understood to have occurred unintentionally. The pergola was built on the basis of advice to the land owner from the builder that a planning permit was not required, that apparently arose from confusion with building regulations. After inspection by a building surveyor, it was noted that a planning application was required and this process was commenced.

The design of the pergola is described by the figure below.



Figure 3: Pergola scanned image (Source: Another Perspective Pty Ltd)

The pergola is small relatively structure that has an area of approximately 10m<sup>2</sup> covered by a pitched roof with a height of some 2.85m. The pergola is built on an existing stencilled concrete slab of approximately 19.4m<sup>2</sup>, which previously had an open pergola structure on it.

The structure is designed to be fixed to the existing slab and therefore does not require separate footings or and excavation or change to the existing ground.

The two walls adjacent to the neighbouring properties are made of 18 mm marine ply, significantly reducing noise from social activity, while the sides facing inwards towards the garden remain open. The design was developed to provide solid walls and roof to prevent views and limit noise intrusion and thereby minimise any potential impacts on privacy between neighbouring properties.



## 2. PLANNING SCHEME REQUIREMENTS

The site and surrounding residential properties are within the Inner Residential Zone

### 2.1 INNER RESIDENTIAL ZONE

The proposed structure is part of the residential single dwelling and is therefore a 'No Permit Required' use within the Use Table for the Zone.

There are no applicable Use Standards however the following Development Standards are applicable:

#### 2.1.1 DEVELOPMENT STANDARDS FOR BUILDINGS AND WORKS

##### 11.4.2 Setbacks and building envelope

*Objective: That the siting and scale of dwellings:*

- (a) *provides reasonably consistent separation between dwellings and their frontage within a street;*
- (b) *provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and*
- (c) *provides separation between dwellings on adjoining properties to allow a reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.*

##### A1

*Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:*

- (a) *if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site; ...*

##### P1

*A dwelling must have a setback from a frontage that is compatible with the streetscape having regard to any topographical constraints.*

##### Response:

The proposal complies with the A1 as the structure is in the rear of the lot.

##### A1

*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:*

- (a) *be contained within a building envelope (refer to Figures 11.1, 11.2 and 11.3) determined by:*

##### P3

*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;*

- ...; and
- (b) only have a setback within 1.5m of a side or rear boundary if the dwelling:
- (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or
  - (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser)
- (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; and
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.

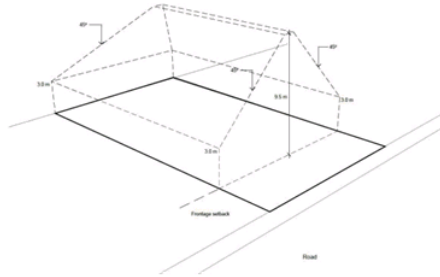


Figure 11.1 Building envelope as required by clause 11.4.2 A3(a)

**Response:**

The setback from the rear north-western boundary is 878mm to 888mm, and the setback from the south-western side boundary is 1291mm to 1373mm. The wall height of the structure is 2080mm and the maximum height is 2852mm.

The structure complies with the envelope required by A3 (a). The structure is located within 1.5m of a side and the rear boundary, however the wall length is less than 9m and less than a third the length of the respective boundaries and therefore A3(b) is also complied with.



Figure 4. The proposed pergola and the private open spaces on the adjoining lot (adapted from Another Perspective Pty Ltd 2020)

**11.4.3 Site coverage and private open space**

*Objective: That dwellings are compatible with the amenity and character of the area and provide:*

- (a) for outdoor recreation and the operational needs of the residents;*
- (b) opportunities for the planting of gardens and landscaping; and*
- (c) private open space that is conveniently located and has access to sunlight*

**A1**

*Dwellings must have:*

- (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); ...*

**P1**

*Dwellings must have:*

- (a) site coverage consistent with that existing on established properties in the area;*
- (b) private open space that is of a size and with dimensions appropriate for the size of the dwelling and is able to accommodate:
 
  - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and*
  - (ii) operational needs, such as clothes drying and storage; and**
- (c) reasonable space for the planting of gardens and landscaping.*

**Response:**

The proposal satisfies Acceptable Solution A1 as the existing residential building and garage on the site have a total footprint area of approximately 163m<sup>2</sup>. The proposed pergola has an area of some 10m<sup>2</sup> covered by a roof. Including the proposed pergola which forms part of the existing dwelling, the dwelling will have a total site coverage of 19%.

**A2**

*A dwelling must have private open space that:*

- (a) is in one location and is not less than:
 
  - (i) 24m<sup>2</sup>; ...**
- (b) has a minimum horizontal dimension of:
 
  - (i) 4m; ...**
- (c) 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*
- (d) has a gradient not steeper than 1 in 10.*

**P2**

*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.*

**Response:**

The existing private open space is retained. The proposed pergola is forming part of the outdoor private open space. Acceptable Solution A2 is met.

There are no other zone standards applicable to the proposal.

## 2.2 STORMWATER MANAGEMENT CODE

## 2.2.1 DEVELOPMENT STANDARDS

**E7.7.1 Stormwater Drainage and Disposal***Objective: To ensure that stormwater quality and quantity is managed appropriately.***A1***Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.***P1***Stormwater from new impervious surfaces must be managed by any of the following:*

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles*
- (b) collected for re-use on the site;*
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

**Response:**

The pergola structure is affixed to a previously existing slab and therefore does not increase the total area of impervious surfaces, the structure includes capture of stormwater and disposal to a inground stormwater pit located in the garden of the site, consistent with the requirements for P1(a).

**A2***A stormwater system for a new development must incorporate water sensitive urban design principles for the treatment and disposal of stormwater if any of the following apply:*

- (a) the size of new impervious area is more than 600m<sup>2</sup>;*
- (b) new car parking is provided for more than 6 cars;*
- (c) a subdivision is for more than 5 lots.*

**P2***A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.***Response:**

The proposal does not involve an increase to impervious area and does not relate to parking or subdivision. A2 is therefore met without the need for specific WSUD.

## 2.3 HISTORIC HERITAGE CODE

The subject site is located within Heritage Precinct SH7 (Upper Davey Street) described in the following figure:





Figure 5. SH7 Heritage Precinct with State aerial photo cadastral parcels and road names from [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © The State of Tasmania

#### 2.3.1 DEVELOPMENT STANDARDS FOR HERITAGE PRECINCTS

##### E13.8.2 Buildings and Works other than Demolition

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

A1

No acceptable solution.

P1

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

##### Response:

The pergola is of a small scale, and it is well set back from the street and the existing buildings on the site. It is also well designed with a pitched roof. The design and siting of the proposed pergola is expected not to result in any detriment to the heritage precinct. The proposal is considered to comply with P1.

A2

No acceptable solution.

P2

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

##### Response:

As stated in Table E13.2, the Heritage Precinct SH7 where the site is located is significant for reasons including:

1. The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.
2. The intactness of the streetscape and buildings.
3. The fine garden settings.

4. *The street's continuing representation of the best housing and the social importance of this elevated street in Hobart.*

The siting and design of the proposed pergola does not impact the intactness of the streetscape and buildings, the fine garden settings, and the characteristics of Davey Street. The pergola is of a minor scale, and it is located further away from the street. Its design also involves a traditional pitched roof. The 3D rendering and the map showing the pergola in the neighbourhood context (Figure 7 and 8 below) demonstrate a high degree of integrity with the precinct's characteristics. The siting and design of the pergola is considered to comply with P2.

A3

*No acceptable solution.*

P3

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

**Response:**

Not applicable. The proposal does not involve an extension to the existing buildings on the site.

A4

*New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.*

P4

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

**Response:**

Not applicable. No front fences or gates are included in the proposal.

A5

*Areas of landscaping between a dwelling and the street must be retained.*

P5

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

**Response:**

The proposal does not involve any changes to the landscaping area between the existing dwelling and Davey Street. This is consistent with Acceptable Solution A5.

### 3. CONCLUSION

---

The application seeks approval for a pergola structure in the backyard of an existing dwelling at 331 Davey Street, South Hobart. The existing slab and previous open pergola structure was used as part of the private recreational use of the rear garden including gathering for BBQ's etc. The owner's intention with the new structure was to include solid walls for the 2 sides closest to the side and rear boundaries, to limit noise intrusion and maintain privacy between neighbouring properties.

The subject site is located within the Inner Residential Zone and Heritage Precinct SH7 (Upper Davey Street). The development is of a relatively minor scale, being 3.290m x 3.312m and 2.852m high.

The structure is located in the rear western corner of the subject site in close proximity to the side and rear boundaries, it however complies with the acceptable solution of the zone including the building envelope.

Discretion is triggered by the Historic Heritage Code as the subject site is within a heritage precinct, however the design and siting are considered to meet the requirements of the relevant performance criteria.




**NOTIFICATION OF LOW RISK WORK (Building or Plumbing)**

Regulation 32

Form **80**

To: Hobart City Council Permit Authority  
16 Elizabeth Street Address  
Hobart 7000 Suburb/postcode

**Work details:**

Type of work: Building work ☐ Plumbing work ☒ Demolition work ☐  
 (X one applicable)

Address: 331 Davey Street Lot No:   
South Hobart 7004 Building Class

The low risk work:  
 (Description of the work e.g. new building, Category 2B plumbing work, etc)

Install stormwater drain to pit from gazebo. (existing)

Note dimensions where appropriate  
 See Determinations for dimension restrictions for low risk work.

Cost of work done \$1,110.00 including GST.

Building Administration Fee amount (0.1%): \$0.00  
 Construction Industry Training Levy amount (0.2%): \$0.00

NOTE: All building or demolition work over \$20 000 is liable to pay a Building Administration Fee (BAF) and Construction Industry Training Levy to the relevant Permit Authority.

The BAF must be paid within 7 business days after the work is completed, the Industry Training Levy must be paid prior to the work commencing. Information about the Levy may be found here: [www.tbcltb.com.au](http://www.tbcltb.com.au)

**Plumber, Owner/and responsible person details:**

Owner: Mr Max Sarma Contact person: Max  
 Contact address: 331 Davey Street Phone No: 0407293050  
South Hobart 7004 Fax No: N/A

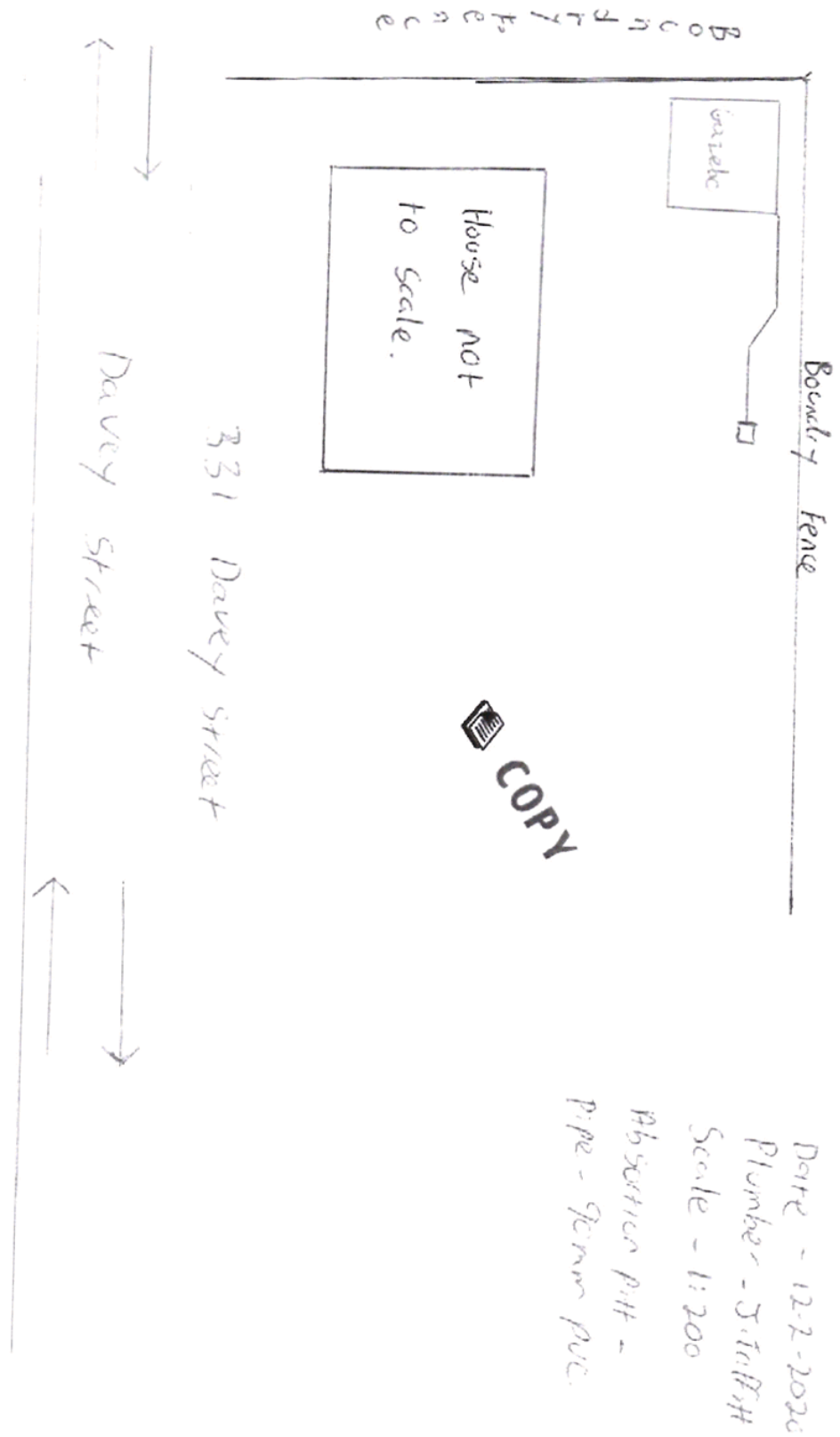
Email address:   
 Builder/ Plumber/ competent person: Jon Triffitt Category:   
 (delete one not applicable)

Business name: Plumbing Jack  
 Business address: 4 Clovelly Drive Phone No: 0447579957  
Geilston Bay 7015 Fax No: NA

Licence No: 1096001 Email address: admin@plumbingjack.com.au

**For plumbing work only:**

- As the licensed plumber who performed the work has certified that it complies with all relevant Acts, the National Construction Code and other relevant codes and standards;
- As-constructed plans of the plumbing work are provided (for any below ground work only)





- A notification in respect of defective work discovered as part of the preparation, or performance, of the low-risk plumbing work has already been notified to the council.

<b>Notice details:</b>	
The work detailed above was completed on:	
12-2-2020 Date	
Name: (print)	
Signed	
Date	
Owner or Builder / Plumber / Competent Person (Delete one(s) not applicable)	<div>Jon Triffitt</div> <div>J Triffitt</div> <div>16-2-2020</div>

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 160262	FOLIO 1
EDITION 1	DATE OF ISSUE 01-Oct-2010

SEARCH DATE : 18-May-2021

SEARCH TIME : 03.58 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 160262

Derivation : Part of Lot 1 Acres Gtd. to J.A. Thomson

Prior CT 45965/1

SCHEDULE 1

M270045 TRANSFER to JENNIFER SUSAN LAIN and MAXIMILIAN SARMA

Registered 16-Mar-2010 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C955654 MORTGAGE to National Australia Bank Limited

Registered 16-Mar-2010 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER: SARMA, MAXIMILIAN LAIN, JENNIFER SUSAN  FOLIO REFERENCE: C.T. 45965/1  GRANTEE: PART OF LOT 1 ACRES gld. to J.A. THOMSON		<b>PLAN of SURVEY</b>  BY SURVEYOR: NICHOLAS GRIGGS of Nick Griggs & Co. 295 Elizabeth Street, North Hobart, 7000 Ph: 6234 5022 Fax: 6231 2412  LOCATION: <b>CITY OF HOBART</b>  SCALE: 1: 250 LENGTHS IN METRES		REGISTERED NUMBER  <b>P160262</b>  APPROVED EFFECTIVE FROM: 1 OCT 2010 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 114	LAST UPI No. GBC61	LAST PLAN No. D45965	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN.	

Diagram details:  
 - Central lot: 1. 895 m²  
 - North boundary: 135°35' 20.23, 133°26'40" 36.78  
 - East boundary: 113°50' 0.39, 205°28' 22.12, 0.47 295°39'  
 - South boundary: 14°54' 314°34'  
 - West boundary: 21°01' 314°30', 11°33' 314°51'  
 - Internal boundary: 45°44' 20.23  
 - Surrounding lots: (P124822), (P135726), (P123678), (43/21 D.O.)  
 - Streets: DARCY STREET, DAVEY STREET

N/A	DATE
COUNCIL DELEGATE	

Planning: #232336

**Property**

331 DAVEY STREET SOUTH HOBART TAS 7004

**People**

## Applicant

\*

M Sarma & J Lain by their agent Ireneinc Planning  
& Urban Design49 Tasma Street  
NORTH HOBART TAS 7000  
03 6234 9281  
jacqui@ireneinc.com.au

## Owner

\*

JENNIFER SUSAN LAIN  
331 Davey Street  
SOUTH HOBART TAS 7004  
03 6234 9281  
jacqui@ireneinc.com.au

## Owner

\*

MAXIMILIAN SARMA  
331 Davey Street  
SOUTH HOBART TAS 7004  
03 6234 9281  
jacqui@ireneinc.com.au

## Entered By

JACQUI BLOWFIELD  
49 TASMA STREET  
NORTH HOBART TAS 7000  
0362349281  
jacqui@ireneinc.com.au**Use**

Single dwelling

**Details**

Have you obtained pre application advice?

☒ No

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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

\*

☐ No

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

\*

☐ No

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

### Details

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

\*

Residential

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

\*

Pergola

Estimated cost of development

\*

5000.00

Existing floor area (m2)

0.00

Proposed floor area (m2)

Site area (m2)

### Carparking on Site

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection chosen)

### Other Details

Does the application include signage?

\*

☐ No

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

\*

0

### Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☐ No

### Documents

#### Required Documents

Title (Folio text and Plan and Schedule of Easements)

\*

Title - 331 Davey Street.pdf

Plans (proposed, existing)

\*

Plans - 331 Davey Street.pdf

#### Supporting Documents

Concept Servicing Plan

Plumbing Form 80.PDF



Planning Report Planning Submission - 331 Davey Street.pdf
---------------------------------------------------------------

## Application Referral Development Engineering - Response

From:	Stefan Gebka - Development Engineering
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	331 DAVEY STREET, SOUTH HOBART
Proposal:	Outbuilding (Pergola)
Application No:	PLN-21-339
Assessment Officer:	Tristan Widdowson,

### Referral Officer comments:

#### E5.0 Road and railway access code

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

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

**E 6.0 Parking and Access Code**

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

	Yes	N/A	(e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;
	Yes	N/A	(f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;
	Yes	N/A	(g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;
	Yes	N/A	(h) provide for safe servicing of use or development by commercial vehicles.
<b>E6.2 Application of this Code</b>	<b>YES</b>	—	<b>This code applies to all use and development.</b>
<b>Clause for Assessment</b>			<b>Comments / Discussion (in bold)</b>
Clauses 6.6's are all to do with parking number assessment. These will be assessed by planner based on DE assessment of the following relevant clauses.  <b>NOT APPLICABLE</b>			The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.6's.</u>  Submitted documentation appears to indicate no changes proposed to the existing car parking requirements.
Clause 6.7.1 number of vehicle accesses  <b>NOT APPLICABLE</b>			The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.1.</u>  Submitted documentation appears to indicate no changes proposed to the number of vehicle accesses.
Clause 6.7.2 design vehicle access  <b>NOT APPLICABLE</b>			The design of the vehicle access must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015). <u>Documentation submitted to date appears not to invoke clause E6.7.2.</u>  Submitted documentation appears to indicate no changes proposed to the existing vehicle access.

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

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

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



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

**E 7.0 Stormwater**

<b>E7.1.1 Purpose</b>			<p>E7.1.1</p> <p>The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.</p>
<b>E7.2 Application of this Code</b>	<b>YES</b>	<b>N/A</b>	<b>This code applies to development requiring management of stormwater. This code does not apply to use.</b>
<b>Clause for Assessment</b>			<b>Comments / Discussion (in bold)</b>

<p>A1 (SW disposed to Public SW Inf via Gravity / P1 (onsite/pump))</p> <p><b>PERFORMANCE CRITERIA</b></p>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><b><u>Documentation submitted to date does not satisfy the Acceptable Solution for clause E7.7.1 (A1) and as such, shall be assessed under Performance Criteria.</u></b></p> <p>Acceptable Solution A1: - <b>NON COMPLIANT</b> Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p> <p>- <b>Unacceptable, submitted plans appear to indicate stormwater from new impervious surfaces being unable to be disposed of by gravity to public stormwater infrastructure.</b></p> <p>Performance Criteria - P1: Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles; - <b>Acceptable, submitted documentation appears to satisfy this requirement. An approved drainage plan and Form 80 are on Council's records.</b></p> <p>(b) collected for re-use on the site; - <b>N/A</b></p> <p>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council; and - <b>N/A</b></p> <p><b>Submitted plans appear to indicate stormwater from new impervious surfaces being able to be disposed of on-site via an existing previously approved soakage device.</b></p> <p><b>Based on the above assessment and given the submitted documentation, the stormwater disposal may be accepted under Performance Criteria P1:E7.7.1 (A1) of the Planning Scheme.</b></p> <p><b>To be verified at Plumbing Permit stage.</b></p>
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A2 (WSUD) /P2 (Mechanical Treatment)  <b>NOT APPLICABLE</b>		<p>The stormwater drainage and disposal must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A2).</u></p> <p>Acceptable Solution A2: A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m<sup>2</sup>; - <b>No</b> (b) new car parking is provided for more than 6 cars; - <b>No</b> (c) a subdivision is for more than 5 lots - <b>No</b></p> <p>Submitted documentation appears to indicate no requirement for stormwater treatment.</p>
A3 (Minor SW System)  <b>NOT APPLICABLE</b>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solutions of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A3).</u></p> <p>Submitted documentation appears to indicate no changes proposed to the existing minor stormwater system.</p>
A4 (Major SW System accommodates 1:100 ARI)  <b>NOT APPLICABLE</b>		<p>The stormwater drainage and disposal must satisfy the Acceptable Solution of the Hobart Interim Planning Scheme 2015 (HIPS 2015).</p> <p><u>Documentation submitted to date appears not to invoke clause E7.7.1 (A4).</u></p> <p>Submitted documentation does not appear to show any proposal for construction of major stormwater drainage.</p>

**PROTECTION OF COUNCIL INFRASTRUCTURE**

Not required

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

**COMMENTS:**

**Summary:**

Planning approval is sought for Planning approval is sought for an Outbuilding (Pergola) at 331 Davey Street, South Hobart

More specifically the proposal includes:

•The proposal is for the retrospective approval of a 3.290m by 3.312m of hipped roof pergola structure with maximum height of 2.852m, it is located in the western rear corner of the site. The partially open painted timber structure is fully roofed with the rear sides facing the boundaries enclosed with a painted compressed sheet and lined with finished marine ply cladding.

**CONDITIONS:**

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

**General Conditions:**

ENG1: Pay Costs

**ADVICE:**

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

**REPRESENTATIONS:**

*"Since its construction I have concerns in relation to the effective management of storm water. Given the capture and disposal of the storm water into the in-ground stormwater pit located in the garden of the site, I have experienced an increase in water seepage into my property. This is of concern as it has the potential to compromise the appropriate management of the quality and quantity of stormwater on my property. Moving the outbuilding further away from the boundary of my property may also improve this situation."*

- Concerns regarding water seepage needs to be directed by the representor to the Stormwater Unit for investigation, this is not a planning consideration.
- The applicant submitted documentation that can be accepted under Performance Criteria, an existng previously approved on-site soakage device. An approved drainage plan and Form 80 are on Council's records.
- To be verified at Plumbing Permit stage.

## **8. REPORTS**

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### **8.1 Monthly Planning Statistics - 1 June - 30 June 2021 File Ref: F21/64749**

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Memorandum of the Director City Planning of 5 July 2021 and attachments.

Delegation: Committee



City of **HOBART**

## **MEMORANDUM: CITY PLANNING COMMITTEE**

### **Monthly Planning Statistics - 1 June - 30 June 2021**

Attached is the Planning Permit statistics for the period 1 June 2021 - 30 June 2021

The Director City Planning reports:

#### **Planning Statistical Report:**

During the period 1 June 2021 to 30 June 2021, 72 permits were issued to the value of \$24,788,712 which included:

- (i) 5 new single dwellings to the value of \$2,340,000;
- (ii) 72 multiple dwellings to the value of \$15,950,000;
- (iii) 32 extensions/alterations to dwellings to the value of \$3,516,032;
- (iv) 14 extensions/alterations to commercial properties to the value of \$10,363,300;
- (v) 2 major projects:
  - (a) 199 Macquarie Street, Hobart - Partial Demolition, Alterations, Partial Change of Use to Office and Two Multiple Dwellings, New Building for 45 Multiple Dwellings, Signage and Associated Works - \$8,000,000;
  - (b) 98 Argyle Street - Hobart - Demolition and New Building for 20 Multiple Dwellings - \$6,500,000;

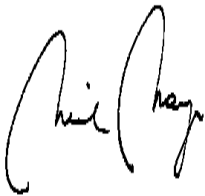
During the period 1 June 2020 to 30 June 2020, 61 permits were issued to the value of \$15,312,758 which included:

- (i) 6 new single dwellings to the value of \$1,801,488;
- (ii) 39 multiple dwellings to the value of \$6,777,000;
- (iii) 46 extensions/alterations to dwellings to the value of \$8,471,258;
- (iv) 15 extensions/alterations to commercial properties to the value of \$6,841,500;

(v) 1 major project:





- (a) 283-287 Liverpool Street, Hobart - Demolition and New Building for 25 Multiple Dwellings - \$4,950,000

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

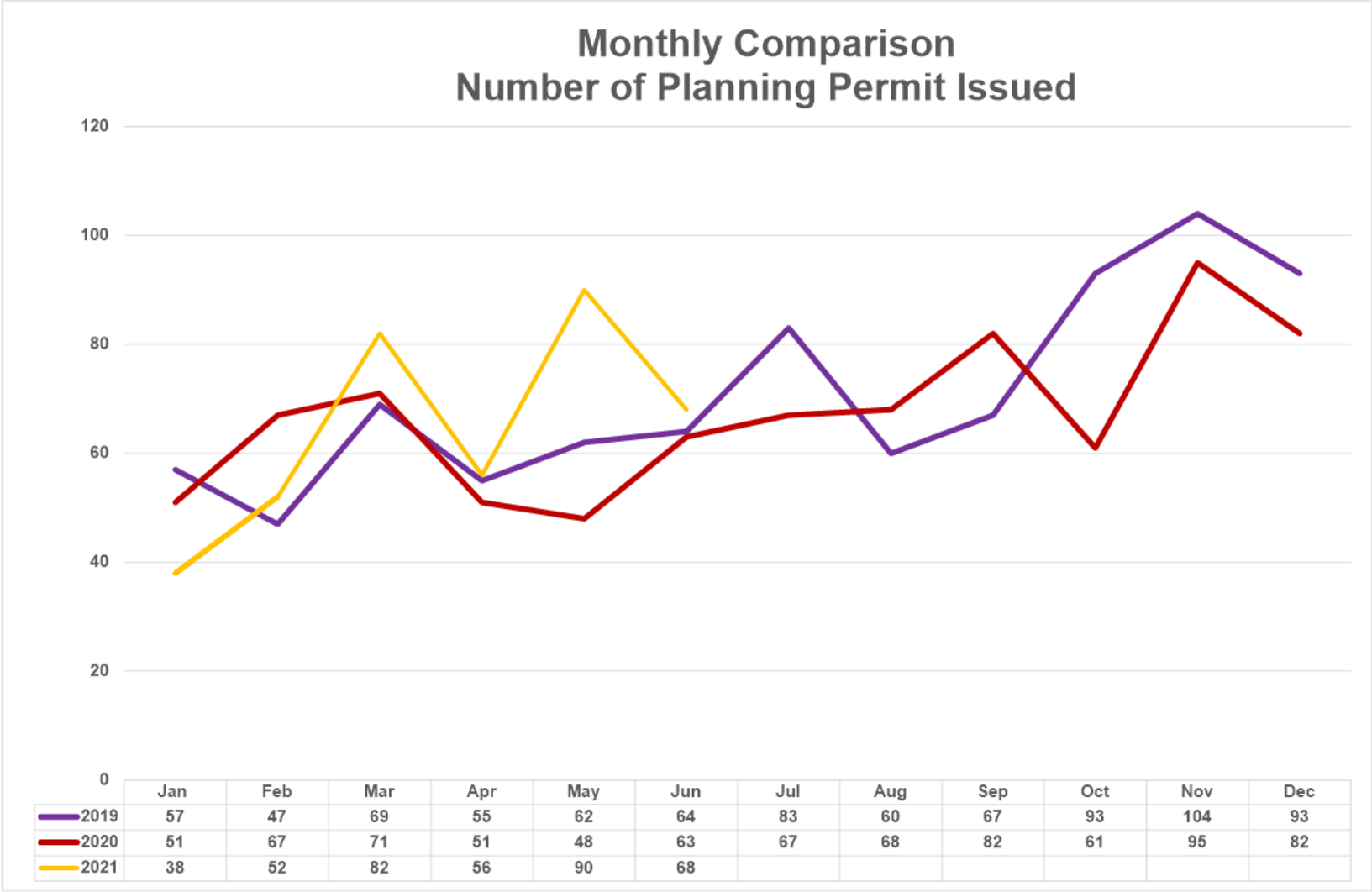


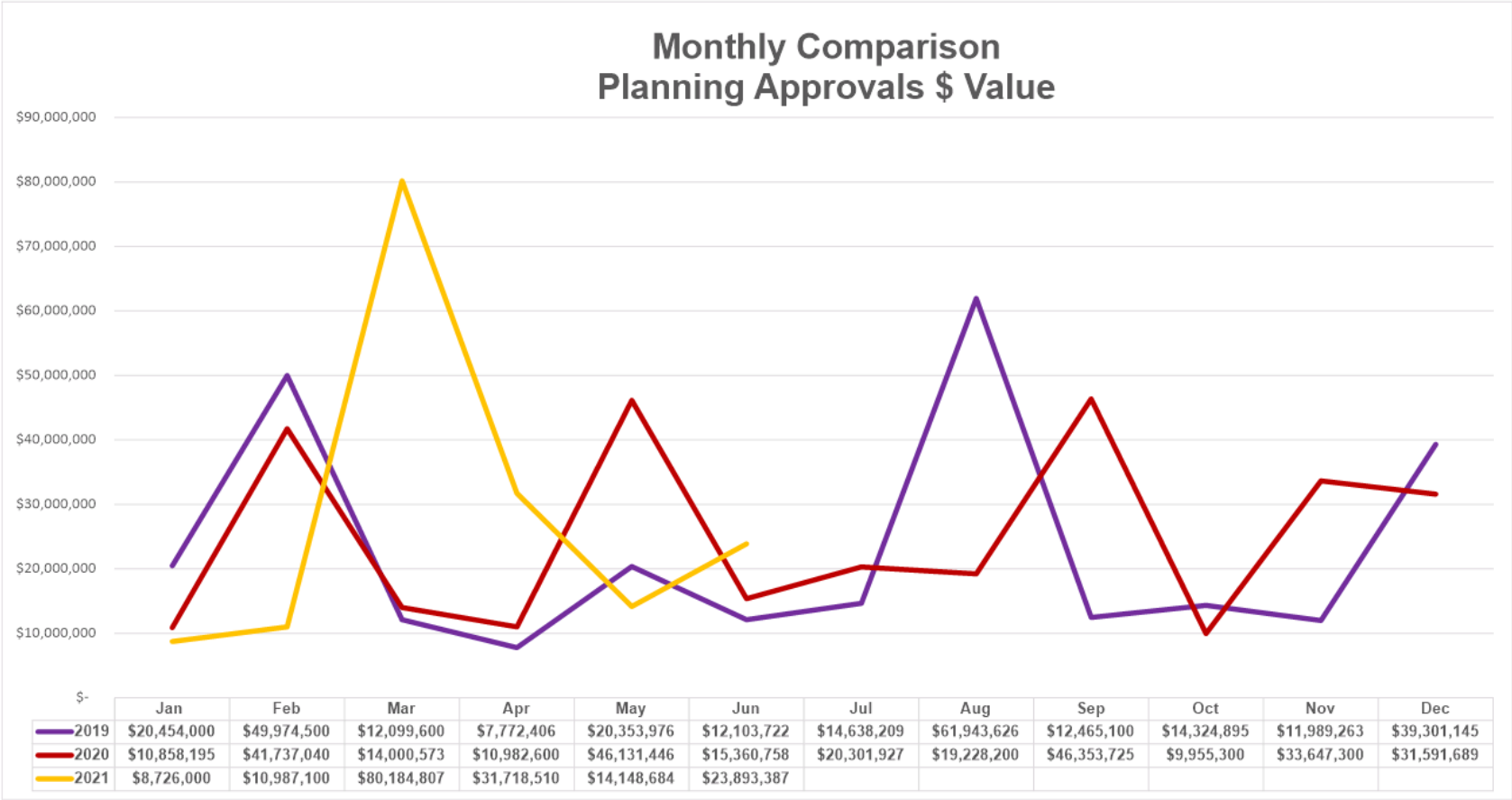
Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 5 July 2021  
File Reference: F21/64749

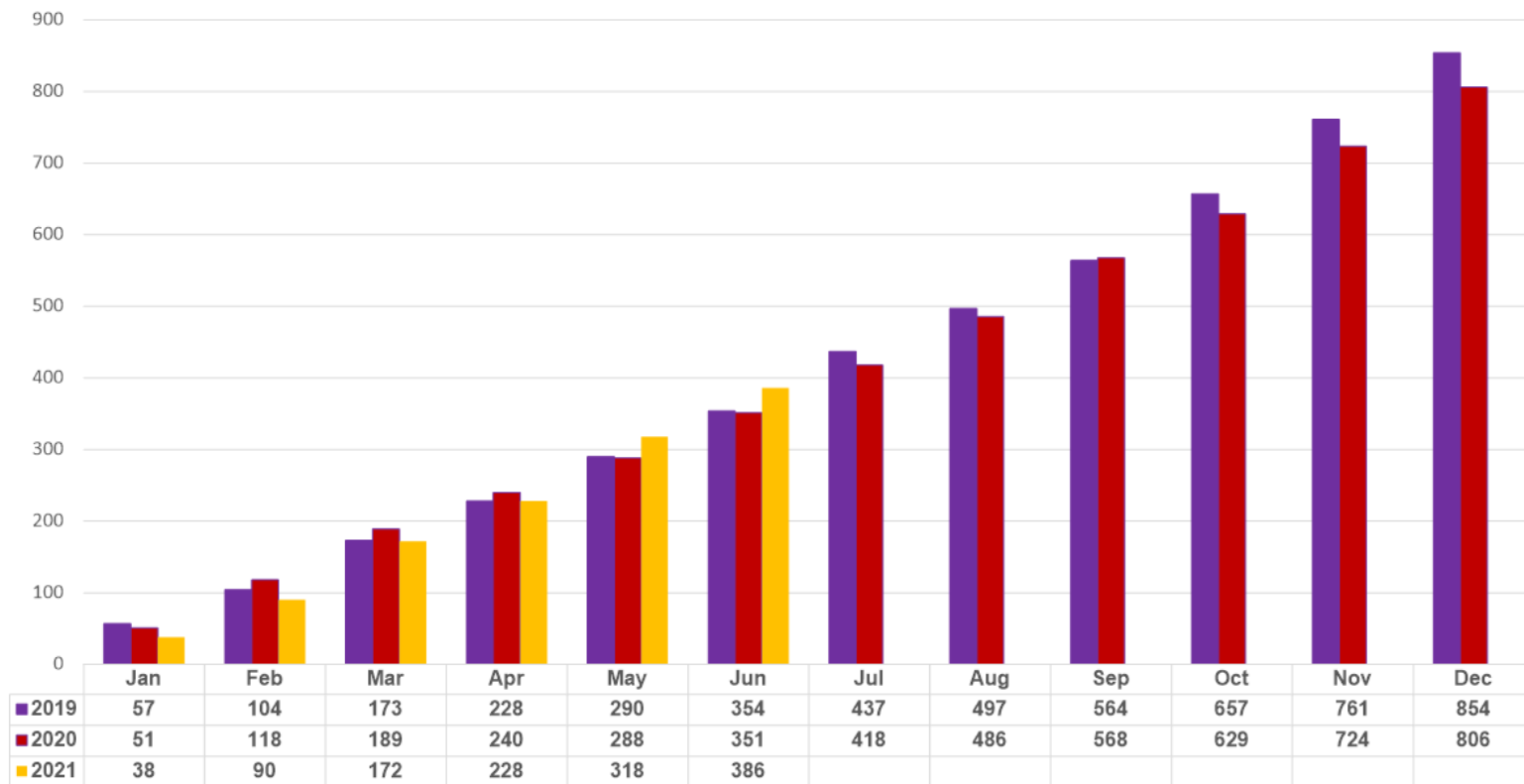
- Attachment A: Monthly Comparison Number of Planning Permit Issued June 2021 ↓ 
- Attachment B: Monthly Comparison Planning Approvals \$ Value June 2021 ↓ 
- Attachment C: Number of Planning Permit Issued Accumulative Monthly Comparison June 2021 ↓ 
- Attachment D: Value of Planning Permit Issued June 2021 ↓ 

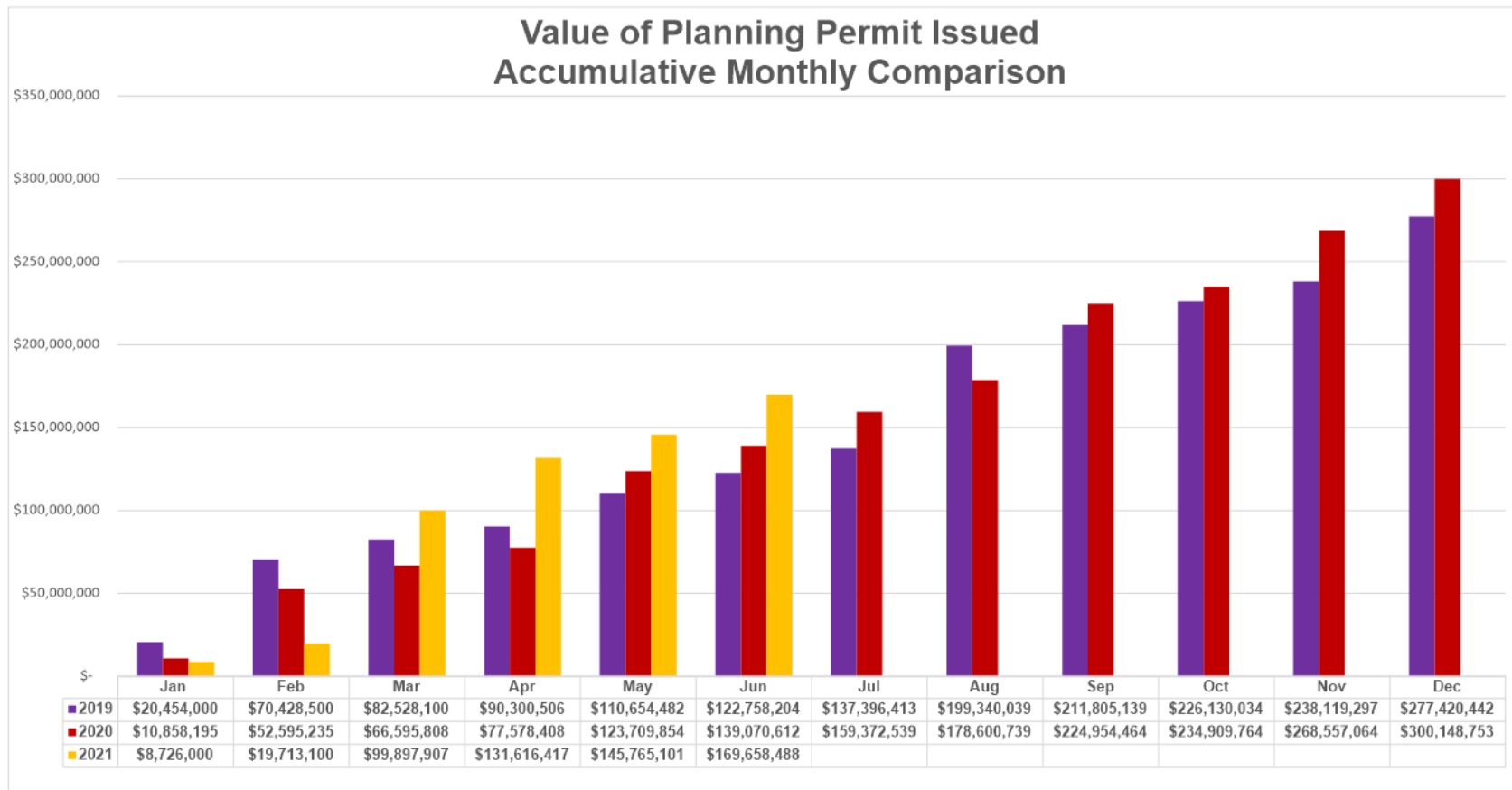






## Number of Planning Permit Issued Accumulative Monthly Comparison





**8.2 Monthly Building Statistics - 1 June - 30 June 2021**  
**File Ref: F21/64782**

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Memorandum of the Director City Planning of 5 July 2021 and attachments.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**Monthly Building Statistics - 1 June - 30 June 2021**

Attached is the Building Permit Statistics for the period 1 June 2021 – 30 June 2021

The Director City Planning reports:

**Building Statistical Report:**

During the period 1 June 2021 to 30 June 2021, 77 permits were issued to the value of \$24,577,711 which included:

- (i) 42 for extensions/alterations to dwellings to the value of \$15,064,851;
- (ii) 7 new dwellings to the value of \$3,278,370;
- (iii) 4 new multiple dwellings to the value of \$2,000,000; and
- (iv) 2 major projects:
  - (a) 66 Burnett Street, North Hobart - Stage 2 - Structural only - \$9,000,000;
  - (b) 1 Burnett Street, North Hobart - New commercial residential building x4 - \$2,000,000;

During the period 1 June 2020 to 30 June 2020, 101 permits were issued to the value of \$28,271,003 which included:

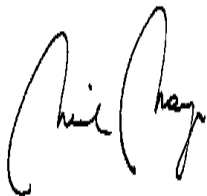
- (i) 47 for extensions/alterations to dwellings to the value of \$6,296,969;
- (ii) 16 new dwellings to the value of \$6,410,832;
- (iii) 0 new multiple dwellings; and
- (iv) 6 major projects:
  - (a) 1 Risdon Road, New Town - Internal Refurbishment, Stage 1 - \$3,292,985
  - (b) 22-26 Elizabeth Street, Hobart - Alterations - \$2,458,400;
  - (c) 96 Bathurst Street, Hobart - Alterations, Level 1 to 6 - \$2,000,000;

- (d) 200 Collins Street, Hobart - Alterations - \$1,600,000;
- (e) 34 Davey Street, Hobart - Alterations - \$1,500,000;
- (f) 5 Dresden Street, Sandy Bay - New Building - \$1,000,000;

In the twelve months ending June 2021, 662 permits were issued to the value of \$198,957,830; and

In the twelve months ending June 2020, 620 permits were issued to the value of \$223,597,790.





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



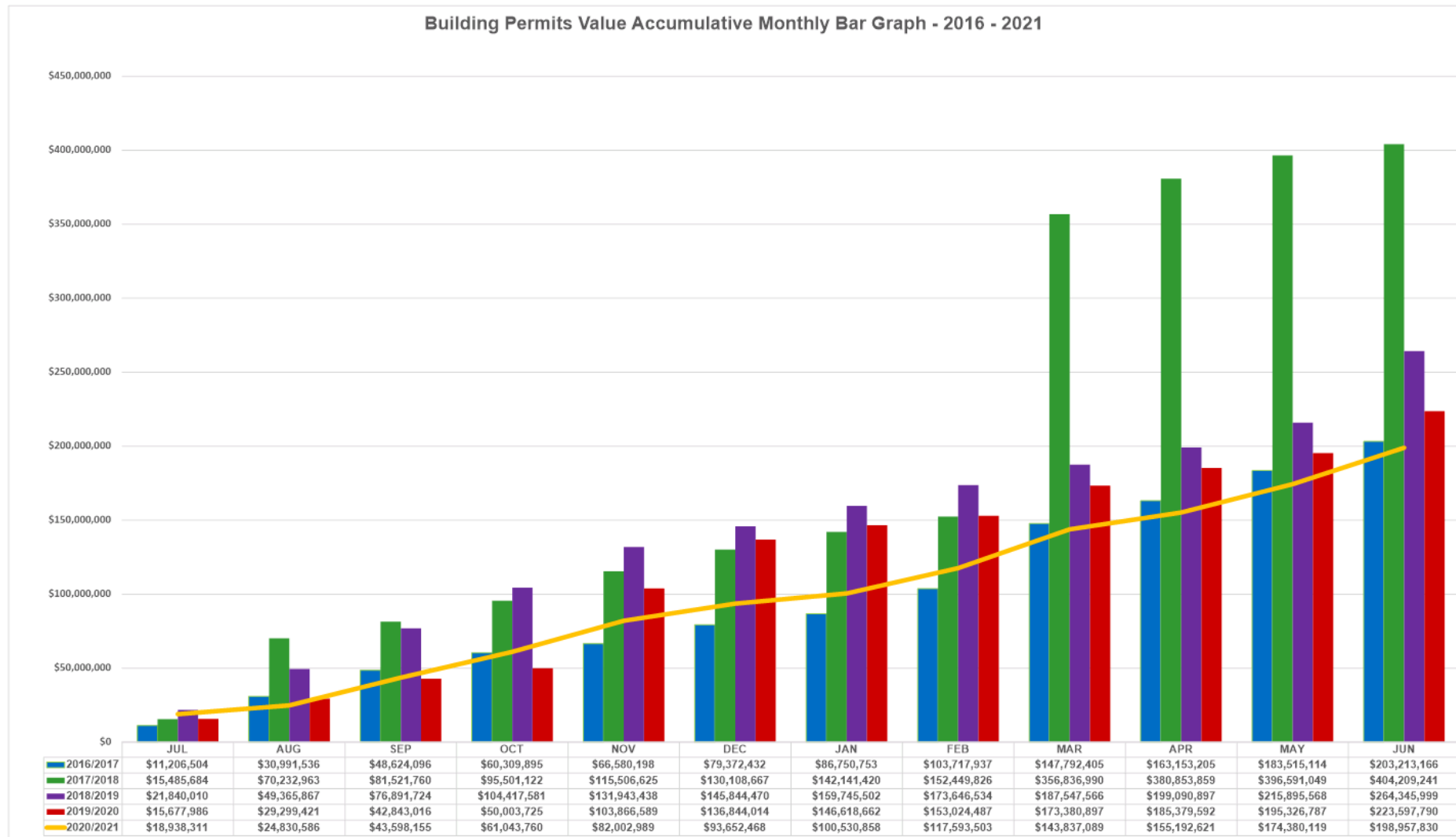
Neil Noye

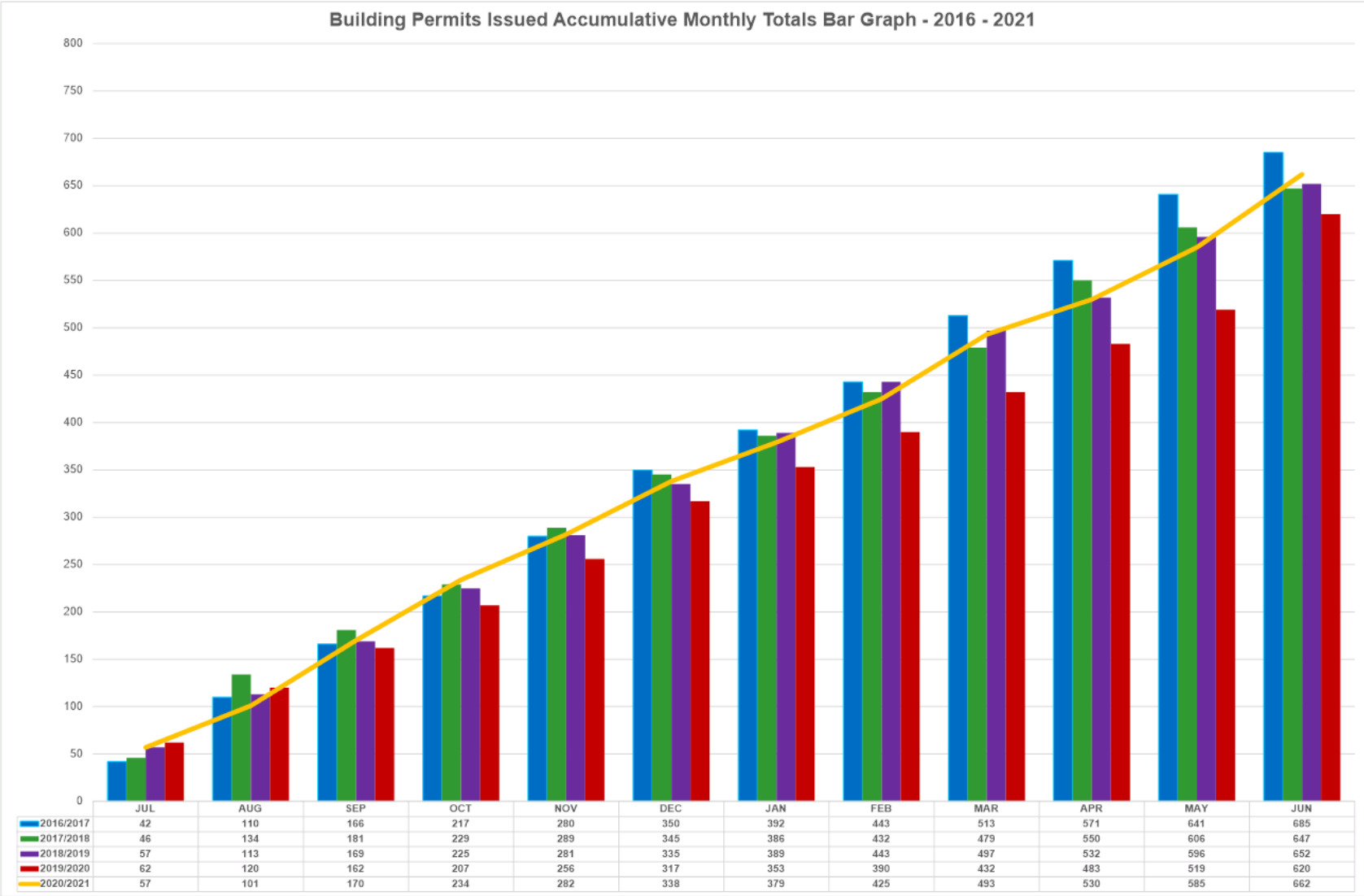
**DIRECTOR CITY PLANNING**

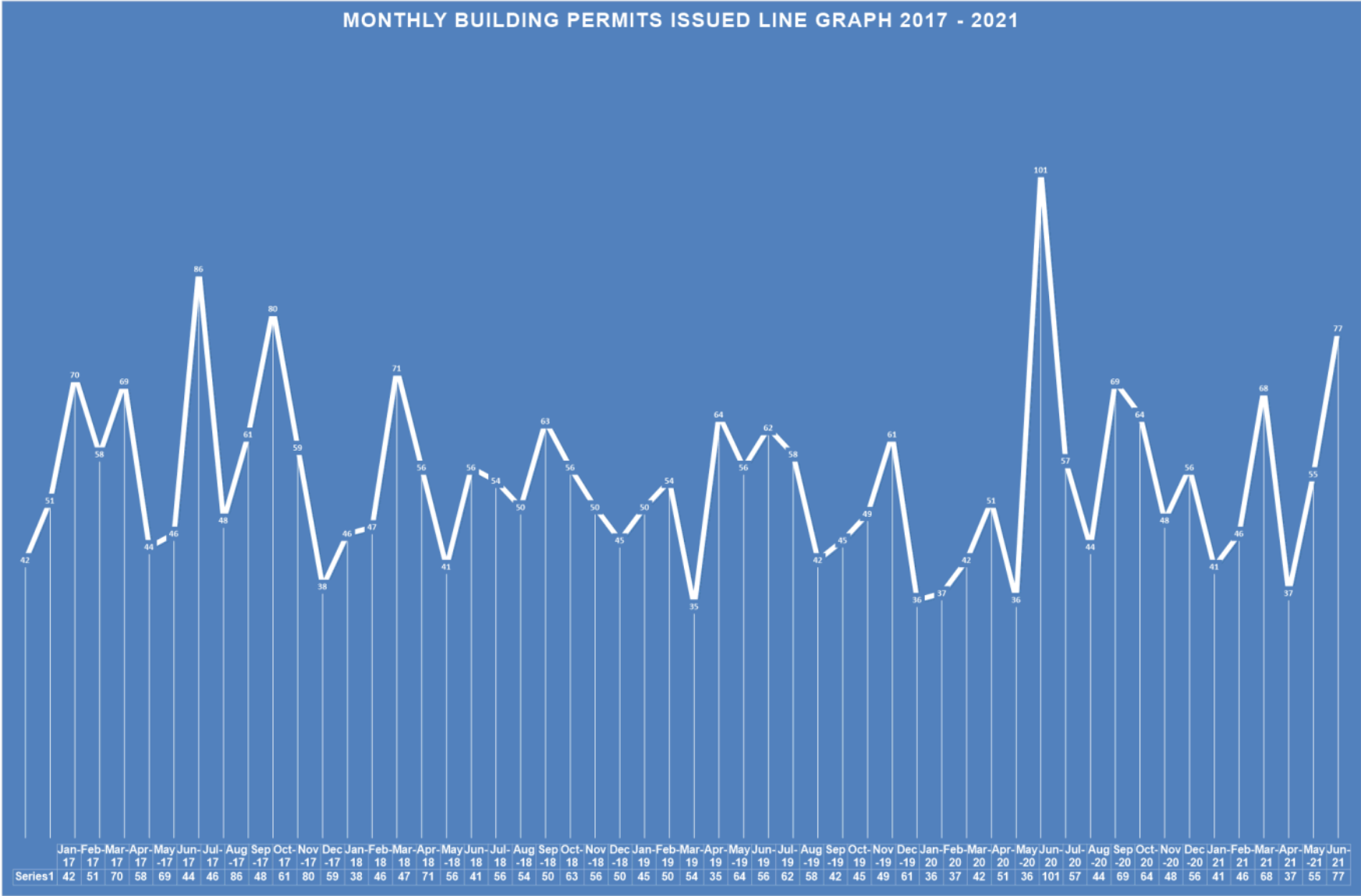
Date: 5 July 2021  
File Reference: F21/64782

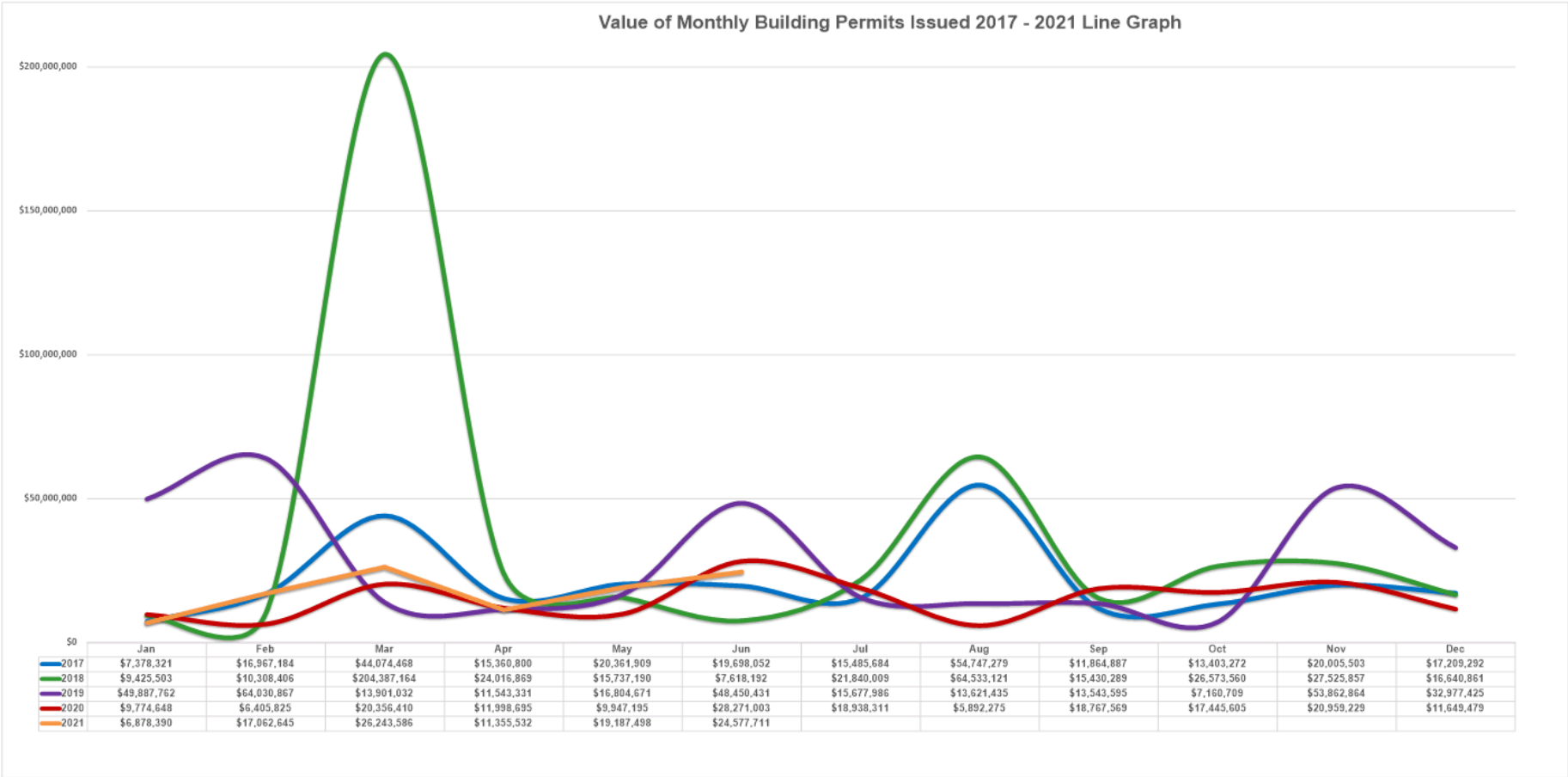
- Attachment A: Building Permits Value Accumulative Monthly Bar Graph - 2016 - 2021 June ↓ 
- Attachment B: Building Permits Issued Accumulative Monthly Totals Bar Graph - 2016 - 2021 June ↓ 
- Attachment C: Monthly Building Permits Issued Line Graph 2017 - 2021 June ↓ 
- Attachment D: Value of Monthly Building Permits Issued 2017 - 2021 Line Graph June ↓ 











**8.3 Delegated Decision Report (Planning)**  
**File Ref: F21/67745**

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Memorandum of the Director City Planning of 13 July 2021 and attachment.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**Delegated Decision Report (Planning)**

Attached is the delegated planning decisions report for the period 21 June 2021 to 9 July 2021.

***RECOMMENDATION***

***That:***

- 1. That the information be received and noted.***

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

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 13 July 2021  
File Reference: F21/67745

Attachment A: Delegated Decision Report (Planning) ↓

12 July 2021

**Delegated Decisions Report (Planning)**

44 applications found.

			Approved	Refused	All
Planning Description	Address	Works Value	Decision	Authority	
PLN-20-515 Subdivision (Boundary Adjustment)	177 WATERWORKS ROAD DYNMYRNE TAS 7005	\$ 0	Approved	Delegated	
PLN-20-625 Partial Demolition, Alterations, and Change of Use to Two Multiple Dwellings	24 TASMA STREET NORTH HOBART TAS 7000	\$ 400,000	Approved	Delegated	
PLN-20-792 Swimming Pool	3 KEITH WHITE CRESCENT MOUNT STUART TAS 7000	\$ 55,000	Approved	Delegated	
PLN-20-798 Four Multiple Dwellings (Three Existing, One New)	851 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 350,000	Approved	Delegated	
PLN-20-823 Partial Demolition, Alterations, and Extension	4 GRACE STREET SANDY BAY TAS 7005	\$ 400,000	Approved	Delegated	
PLN-20-829 Partial Demolition, Alteration, Extension, Outbuilding, and Front Fencing	361 PARK STREET NEW TOWN TAS 7008	\$ 250,000	Approved	Delegated	
PLN-20-911 Partial Demolition and New Building for Visitor Accommodation, Hotel Industry, Food Services, and Community Meeting and Entertainment, and Associated Works	79 COLLINS STREET HOBART TAS 7000	\$ 22,000,000	Refused	Delegated	
PLN-21-140 Dwelling	10 HEARTWOOD ROAD LENA VALLEY TAS 7008	\$ 280,000	Approved	Delegated	
PLN-21-155 Partial Demolition, Alterations, Extension, and Front Fencing	91A FOREST ROAD WEST HOBART TAS 7000	\$ 30,000	Approved	Delegated	
PLN-21-178 Partial Demolition, Alterations, Extension, and Side Boundary Fence	101 ARTHUR STREET WEST HOBART TAS 7000	\$ 200,000	Approved	Delegated	
PLN-21-195 Partial Demolition, Alterations and Extension	245-247 MACQUARIE STREET HOBART TAS 7000	\$ 250,000	Approved	Delegated	
PLN-21-217 Partial Demolition, Alterations, and Extension	82 REGENT STREET SANDY BAY TAS 7005	\$ 250,000	Approved	Delegated	
PLN-21-243 Demolition and Outbuilding	525 NELSON ROAD MOUNT NELSON TAS 7007	\$ 80,000	Approved	Delegated	
PLN-21-256 Dwelling and Outbuilding	14 BLUESTONE RISE LENA VALLEY TAS 7008	\$ 600,000	Approved	Delegated	
PLN-21-271 Signage	50-62 SANDY BAY ROAD BATTERY POINT TAS 7004	\$ 0	Approved	Delegated	
PLN-21-279 Partial Demolition, Alterations, Signage and Partial Change of Use to Hotel Industry	396-396A ELIZABETH STREET NORTH HOBART TAS 7000	\$ 100,000	Approved	Delegated	
PLN-21-282 Partial Demolition, Alterations and Extension	180 HARRINGTON STREET HOBART TAS 7000	\$ 4,000,000	Approved	Delegated	
PLN-21-284 Partial Demolition, Alterations, Fencing, Outbuildings, Garage, and Landscaping	13 NEWCASTLE STREET BATTERY POINT TAS 7004	\$ 550,000	Approved	Delegated	
PLN-21-287 Partial Demolition, Alterations and Extension	14 WILLOWDENE AVENUE SANDY BAY TAS 7005	\$ 400,000	Approved	Delegated	
PLN-21-294 Partial Demolition, Re-Roofing and Front Fencing	19 ST GEORGES TERRACE BATTERY POINT TAS 7004	\$ 8,000	Approved	Delegated	
PLN-21-307 Partial Demolition, Alterations and Extension	16 WELD STREET SOUTH HOBART TAS 7004	\$ 140,000	Approved	Delegated	

CITY OF HOBART



Planning Description	Address	Works Value	Decision	Authority
PLN-21-309 Partial Demolition, Alterations and Extension	21 BOA VISTA ROAD NEW TOWN TAS 7008	\$ 25,000	Approved	Delegated
PLN-21-310 Partial Demolition and Alterations	21 SALAMANCA PLACE BATTERY POINT TAS 7004	\$ 15,000	Approved	Delegated
PLN-21-316 Alterations and Change of Use to Ancillary Dwelling	4 PICKARD STREET LENA VALLEY TAS 7008	\$ 19,000	Not Required	Delegated
PLN-21-318 Partial Demolition, Alterations and Front Fencing	406 PARK STREET NEW TOWN TAS 7008	\$ 15,000	Approved	Delegated
PLN-21-323 Swimming Pool and Front Fencing	72 ADELAIDE STREET SOUTH HOBART TAS 7004	\$ 60,000	Approved	Delegated
PLN-21-326 Partial Demolition, Alterations and Signage	57 ELIZABETH STREET HOBART TAS 7000	\$ 18,300	Approved	Delegated
PLN-21-333 Partial Demolition and Alterations	20 MCAULAY ROAD SANDY BAY TAS 7005	\$ 25,000	Approved	Delegated
PLN-21-347 Signage	10 EVANS STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-21-349 Partial Demolition and Alterations	BOATSHED 6 QUEENS WALK NEW TOWN TAS 7008	\$ 30,000	Approved	Delegated
PLN-21-352 Partial Change of Use to Visitor Accommodation	11/351 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-21-355 Change of Use to Visitor Accommodation	2/23 RANDALL STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-21-357 Alterations (Garage)	33 QUEEN STREET SANDY BAY TAS 7005	\$ 5,000	Approved	Delegated
PLN-21-358 Tree Removal	419 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 100	Approved	Delegated
PLN-21-359 Partial Demolition, Alterations and Extension	2 MCROBIES ROAD SOUTH HOBART TAS 7004	\$ 50,000	Approved	Delegated
PLN-21-364 Dwelling	11 WESTINWOOD ROAD LENA VALLEY TAS 7008	\$ 250,000	Approved	Delegated
PLN-21-377 Alterations	122 MARLYN ROAD SOUTH HOBART TAS 7004	\$ 15,889	Not Required	Delegated
PLN-21-379 Partial Demolition and Garage	25 ANGLESEA STREET SOUTH HOBART TAS 7004	\$ 40,000	Approved	Delegated
PLN-21-381 Alterations (Solar Panels and Heat Pump)	31 MORTIMER AVENUE MOUNT STUART TAS 7000	\$ 40,000	Approved	Delegated
PLN-21-384 Alterations (Solar Panels)	41 RUNNYMEDE STREET BATTERY POINT TAS 7004	\$ 12,000	Approved	Delegated
PLN-21-385 Change of Use to Visitor Accommodation	11/166 BATHURST STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-21-401 Partial Demolition and Alterations	726A SANDY BAY ROAD SANDY BAY TAS 7005	\$ 80,000	Approved	Delegated
PLN-21-407 Alterations and Signage	129 ARGYLE STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-21-421 Partial Change of Use to General Retail and Hire, Alterations and Signage	1 RISDON ROAD NEW TOWN TAS 7008	\$ 0	Approved	Delegated

**8.4 City Planning - Advertising Report**  
**File Ref: F21/67991**

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Memorandum of the Director City Planning of 14 July 2021 and attachment.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**City Planning - Advertising Report**

Attached is the advertising list for the period 21 June 2021 to 9 July 2021.

**RECOMMENDATION**

***That:***

- 1. That the information be received and noted.***

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

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 14 July 2021  
File Reference: F21/67991

Attachment A: City Planning - Advertising Report ↓

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-140	10 HEARTWOOD ROAD	LENAH VALLEY	Dwelling	\$280,000	16/08/2021	ayersh	Director	22/06/2021	06/07/2021
PLN-20-499	30 DAVEY STREET	HOBART	Demolition, New Building for Visitor Accommodation, Function Centre, and Eating Establishments, Bar, and Shop, Lot Consolidation, and Associated Works in the Road Reserve including Removal of Car Parking Spaces, Relocation of Public Street Furniture, Lighting and New Stairs	\$30,000,000	17/07/2021	ayersh	Council (Council Land)	23/06/2021	07/07/2021
PLN-21-385	11 / 166 BATHURST STREET	HOBART	Change of Use to Visitor Accommodation	\$0	30/07/2021	ayersh	Director	24/06/2021	08/07/2021
PLN-21-414	67 ARTHUR STREET	WEST HOBART	Carport	\$40,000	31/07/2021	ayersh	Director	02/07/2021	16/07/2021
PLN-21-336	20 - 22 NEWDEGATE STREET	NORTH HOBART	Alterations and Change of Use to Visitor Accommodation	\$20,000	29/07/2021	baconr	Director	21/06/2021	05/07/2021
PLN-21-254	265 MACQUARIE STREET	HOBART	Alterations and Partial Change of Use to Visitor Accommodation	\$5,000	15/07/2021	baconr	Director	25/06/2021	09/07/2021
PLN-21-308	48 MOUNT STUART ROAD	MOUNT STUART	Partial Demolition, Alterations and Garage	\$150,000	27/07/2021	baconr	Director	30/06/2021	14/07/2021
PLN-21-390	4 SMITH STREET	NORTH HOBART	Outbuilding	\$7,500	29/07/2021	baconr	Director	30/06/2021	14/07/2021
PLN-21-375	40 - 50 MOLLE STREET	HOBART	Roadworks including Traffic Signals, and Subdivision	\$400,000	14/07/2021	langd	Council (Council Applicant)	23/06/2021	07/07/2021
PLN-21-304	22 - 26 ELIZABETH STREET	HOBART	Partial Demolition and Alterations	\$125,000	01/08/2021	langd	Director	29/06/2021	13/07/2021

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-338	340 ELIZABETH STREET	NORTH HOBART	Alterations (Solar Panels)	\$19,980	30/07/2021	langd	Director	29/06/2021	13/07/2021
PLN-21-398	65 - 69 LETITIA STREET	NORTH HOBART	Partial Change of Use to Sport and Recreation	\$0	24/07/2021	langd	Director	29/06/2021	13/07/2021
PLN-21-423	692 SANDY BAY ROAD	SANDY BAY	Partial Demolition, Alterations and Extension	\$100,000	08/08/2021	langd	Director	30/06/2021	14/07/2021
PLN-21-325	1 / 1 RISELEY COURT	LENAH VALLEY	Partial Demolition, Alterations and Deck	\$150,000	20/07/2021	langd	Director	02/07/2021	16/07/2021
PLN-20-718	1 / 276 BATHURST STREET	WEST HOBART	Partial Demolition, Alterations and Decks	\$20,000	15/07/2021	langd	Director	09/07/2021	23/07/2021
PLN-21-176	2 PRIMROSE PLACE	SANDY BAY	Partial Demolition, Alterations, Extension, and Alterations to Driveway	\$200,000	09/08/2021	langd	Director	09/07/2021	23/07/2021
PLN-21-373	27 SALAMANCA PLACE	HOBART	Reinstatement of Existing Boundary Wall	\$20,000	16/07/2021	maxwellv	Director	23/06/2021	07/07/2021
PLN-21-86	12 NICHOLAS DRIVE	SANDY BAY	Ancillary Dwelling	\$55,000	12/08/2021	maxwellv	Director	29/06/2021	13/07/2021
PLN-21-270	58 FOREST ROAD	WEST HOBART	Partial Demolition, Alterations, Extension, Carport and Front Fencing	\$118,000	15/08/2021	maxwellv	Director	30/06/2021	14/07/2021
PLN-21-315	404 PARK STREET	NEW TOWN	Partial Demolition, Alterations, Extension, and Three Multiple Dwellings (One Existing, Two New)	\$499,000	16/07/2021	maxwellv	Director	06/07/2021	20/07/2021
PLN-21-379	25 ANGLESEA STREET	SOUTH HOBART	Partial Demolition and Garage	\$40,000	16/07/2021	mcclenahanm	Director	21/06/2021	05/07/2021
PLN-21-407	129 ARGYLE STREET	HOBART	Alterations and Signage	\$0	27/07/2021	mcclenahanm	Director	21/06/2021	05/07/2021
PLN-21-359	2 MCROBIES ROAD	SOUTH HOBART	Partial Demolition, Alterations and Extension	\$50,000	10/07/2021	mcclenahanm	Director	24/06/2021	08/07/2021

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-311	5 FRANCIS STREET	BATTERY POINT	Partial Demolition, Alterations and Front Fencing	\$30,000	05/08/2021	mcclenahanm	Director	25/06/2021	09/07/2021
PLN-21-297	9 MANING AVENUE	SANDY BAY	Partial Demolition, Alterations and Extension	\$195,000	16/07/2021	mcclenahanm	Director	30/06/2021	14/07/2021
PLN-21-422	6 STAR STREET	SANDY BAY	Alterations (Solar Panels)	\$8,000	04/08/2021	mcclenahanm	Director	02/07/2021	16/07/2021
PLN-21-43	9 RUSHWOOD COURT	LENAH VALLEY	Dwelling	\$300,000	09/08/2021	mcclenahanm	Director	08/07/2021	22/07/2021
PLN-21-399	47 DAVEY STREET	HOBART	Partial Change of Use to Residential (Hostel)	\$0	01/08/2021	mcclenahanm	Director	09/07/2021	23/07/2021
PLN-21-447	28 LETITIA STREET	NORTH HOBART	Signage	\$0	16/08/2021	mcclenahanm	Director	09/07/2021	23/07/2021
PLN-21-392	10 WENTWORTH STREET	SOUTH HOBART	Partial Demolition, Alterations, and Extension	\$10,000	27/07/2021	sherriffc	Director	21/06/2021	05/07/2021
PLN-21-121	1 / 816 SANDY BAY ROAD	SANDY BAY	Partial Demolition, Alterations, Ancillary Dwelling, Carport and Garage	\$150,000	20/08/2021	sherriffc	Director	29/06/2021	13/07/2021
PLN-21-403	79 CARLTON STREET	NEW TOWN	Partial Demolition, Alterations, and Extension	\$100,000	28/07/2021	sherriffc	Director	29/06/2021	13/07/2021
PLN-21-408	143 - 145 NEW TOWN RD (CT 42048/1)	NEW TOWN	Partial Change of Use to Food Services (Mobile Food Van)	\$0	03/08/2021	sherriffc	Director	30/06/2021	14/07/2021
PLN-21-302	100 PINNACLE ROAD	MOUNT WELLINGTON	New and Upgraded Shared Use and Mountain Bike Tracks and Associated Works	\$500,000	23/08/2021	sherriffc	Council (Council Land)	02/07/2021	16/07/2021
PLN-21-321	72 FORSTER STREET	NEW TOWN	Alterations and Subdivision (Boundary Adjustment)	\$35,000	04/08/2021	sherriffc	Council (Council Land)	06/07/2021	20/07/2021

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-21-431	19 PATERNOSTER ROW	NORTH HOBART	Partial Demolition, Alterations, and Front Fencing	\$20,000	10/08/2021	sherriffc	Director	08/07/2021	22/07/2021
PLN-19-362	9 CANNING COURT	MOUNT STUART	Car Parking Space	\$6,000	14/08/2021	smeea	Director	24/06/2021	08/07/2021
PLN-20-868	2 SAYER CRESCENT	SANDY BAY	Demolition, New Building for 14 Multiple Dwellings, and Associated Works, including works within the road reserve	\$10,000,000	24/07/2021	smeea	Council (Major Development)	01/07/2021	15/07/2021
PLN-21-404	1 / 1 UNA STREET	MOUNT STUART	Change of Use to Visitor Accommodation	\$0	12/08/2021	smeea	Director	09/07/2021	23/07/2021
PLN-21-319	30 WENTWORTH STREET	SOUTH HOBART	Partial Demolition, Alterations, and Extension	\$400,000	15/07/2021	widdowsont	Director	21/06/2021	05/07/2021
PLN-21-351	35 MELVILLE STREET	HOBART	Alterations to Previously Approved Development	\$100,000	20/07/2021	widdowsont	Council (Objection)	22/06/2021	06/07/2021
PLN-21-168	25 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$280,000	14/07/2021	widdowsont	Director	14/07/2021	13/07/2021
PLN-21-411	40 QUEEN STREET	SANDY BAY	Partial Demolition, Alterations, and Extension	\$165,000	29/07/2021	widdowsont	Director	01/07/2021	15/07/2021
PLN-20-760	60 FEDERAL STREET	NORTH HOBART	Partial Change of Use to Caretaker & Dwelling	\$0	30/07/2021	widdowsont	Director	08/07/2021	22/07/2021



**8.5 Visitor Accommodation Map**  
**File Ref: F21/68163**

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Memorandum of the Director City Planning of 14 July 2021 and attachments.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**Visitor Accommodation Approvals – 01 August 2014 - 30 June 2021**

At its meeting on 14 August 2017, the Council requested a report be prepared on a six monthly basis in relation to the location of approvals of self-contained visitor accommodation.

Attached are maps showing

- current visitor accommodation permits issued from 1 January – 30 June 2021 as well as those approved up to and including 1 August 2014; and
- a heat map showing all visitor accommodation permits issued from 1 August 2014 to 30 June 2021.


**RECOMMENDATION**


***That the information contained in the memorandum titled ‘Visitor Accommodation Approvals – 01 August 2014 - 30 June 2021 be received and noted.***

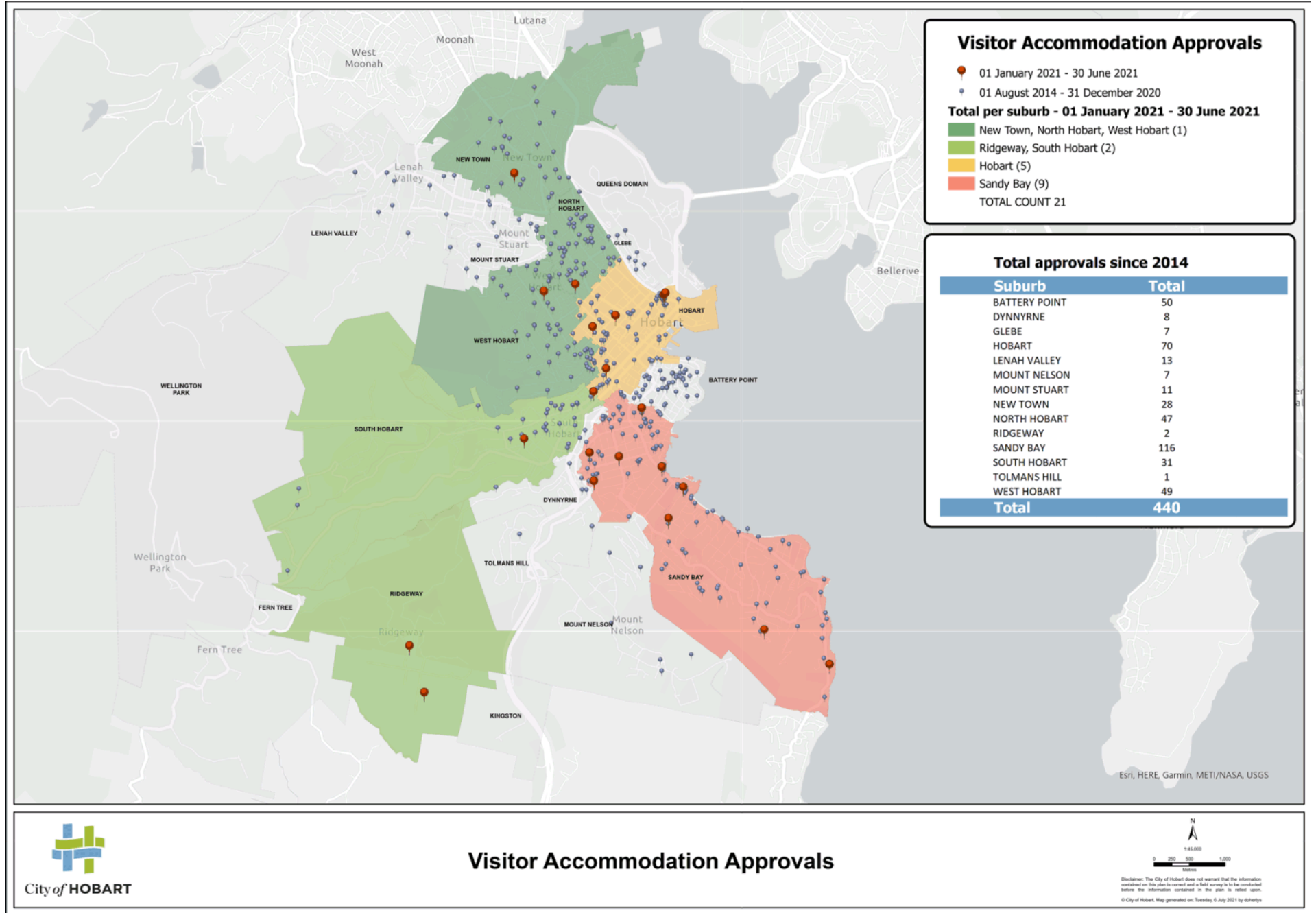
*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

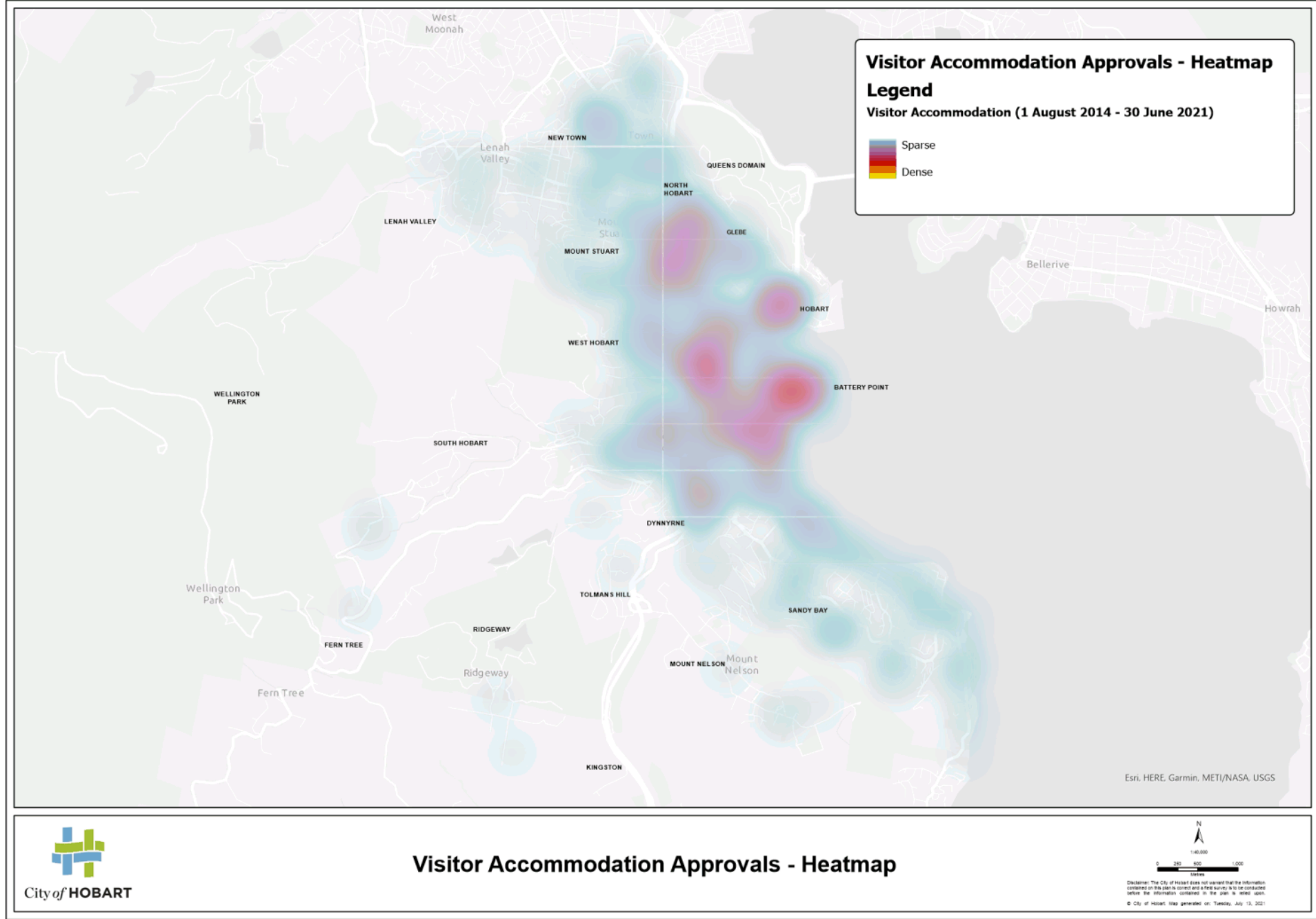
Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 14 July 2021  
File Reference: F21/68163

Attachment A: Visitor Accommodation Map - 1 January - 30 June 2021 ↓ 

Attachment B: Heatmap - Visitor Accommodation Map - 01 August 2014 - 30 June 2021 ↓ 





City of HOBART

**Visitor Accommodation Approvals - Heatmap**

0 250 500 1,000  
metres

1:40,000

Disclaimer: The City of Hobart does not warrant that the information contained on this plan is correct and a true source, or to be conducted before the information contained in the plan is relied upon.

© City of Hobart Map generated on: Tuesday, July 13, 2021

## **9. COMMITTEE ACTION STATUS REPORT**

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### **9.1 Committee Actions - Status Report**

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A report indicating the status of current decisions is attached for the information of Elected Members.

#### ***RECOMMENDATION***

***That the information be received and noted.***

Delegation: Committee

Attachment A: City Planing Status Report - June 2021

<p style="text-align: center;"><b>CITY PLANNING COMMITTEE – STATUS REPORT</b> OPEN PORTION OF THE MEETING June 2021</p>				
Ref.	Title	Report / Action	Action Officer	Comments
1	<p><b>SUSTAINABLE BUILDING PROGRAM</b> Open Council 15 December 2014 Item 10; Open CPC Item 8, 20 July 2015</p>	<ol style="list-style-type: none"> <li>1. The Council consider the development of a Sustainable Building Program based on Environmental Upgrade Finance (EUFs) in collaboration with the Tasmanian Government;</li> <li>2. A detailed report for the Council's consideration, including the segmentation study and business case, be prepared on the Sustainable Buildings Program, based on EUFs by June 2015;</li> <li>3. That a further report be prepared providing data on the uptake of EUFs in other cities; and</li> <li>4. A report be prepared on the merits of the Council joining the Green Building Council of Australia along with the 49 of local city councils that have joined this organisation, that provides networks, training and capacity for the private and public sectors understanding sustainable building work.</li> </ol>	Director City Innovation	<p>Various contemporary approaches to sustainability in buildings and Council's role in these are considered in the targets and actions of the Sustainable Hobart Action Plan. Updated information will be provided to the committee in June.</p>



Ref.	Title	Report / Action	Action Officer	Comments
3	<b>19-27 CAMPBELL STREET, 29 CAMPBELL STREET, 19 COLLINS STREET, CT.198531/2, ADJACENT ROAD RESERVATIONS, HOBART (UTAS CIPAD)</b> Open CPC 4 April 2016 - Supp. item 6.2.1	<p>That the Council explore options for increasing pedestrian and bicycle access in the vicinity of the UTAS Creative Industries and Performing Arts Development at 19-27 Campbell Street and 19 Collins Street, Hobart in conjunction with the redevelopment of the site.</p>	Director City Planning	<p>This will be addressed as part of the ICAP AP06 Campbell Street Upgrade project. The current trial traffic and parking arrangements in Campbell Street have been in place for some 9 months.</p> <p>Delays in RHH K-Block acceptance and Hedberg occupation along with restrictions on use of Theatre Royal (COVID-19) have restricted trial observations.</p> <p>A report evaluating these provisions will be submitted to the Council at the conclusion of the trial period, enabling the consideration of more permanent arrangements in lower Campbell Street, with this report being expected in July 2021.</p>
4	<b>FRONT FENCING</b> Open Committee 23 October 2017	<p>That the Council significantly promote the risk of building front fences without appropriate Council approval and for this information to be promoted in writing to the architectural community and via suitable media platforms such as Capital City News and social media.</p>	Director City Planning	<p>Article placed in Capital City News and promoted via social media. Communication with architectural community still to be actioned. To be included in the announcements regarding Open Office.</p>

Ref.	Title	Report / Action	Action Officer	Comments
5	<b>REGULATION OF SOCIAL FOOD DELIVERY VEHICLES</b> Open Council 19 August 2019	<ol style="list-style-type: none"> <li>1. The Council develop and distribute to relevant persons and companies an information brochure that summarises the food safety obligations of social food delivery vehicle drivers.</li> <li>2. The Council's Environmental Health Officers undertake an audit within the next four (4) months of social food delivery vehicles operating in North Hobart in order to determine compliance with the Food Act 2003 and Food Safety Standards.</li> <li>3. A further report be provided in relation to the monitoring of complaints in regards to the carriage of food in social food delivery vehicles in August 2020.</li> </ol>	Director City Planning	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. The audit is not proceeding as per advice received from the Department of Health.</li> <li>3. Report rescheduled to July meeting.</li> </ol>
6	<b>SMOKE – FREE HOBART PROJECT UPDATE</b> Open Committee 28 September 2020	<p>Further investigations be undertaken to identify additional areas within the Hobart municipality that could be strategically implemented as smoke free.</p> <p>A further update to the City Planning Committee be provided in February 2021.</p>	Director City Planning	Update to Committee to follow Executive Leadership Team review of project status and resourcing.

Ref.	Title	Report / Action	Action Officer	Comments
7	<b>PUBLIC ART FRAMEWORK – PUBLIC ART PRIVATE DEVELOPMENT GUIDE</b> Open Committee 23 November 2020	<ol style="list-style-type: none"> <li>1. A Public Amenity Policy for the City be developed, with public art being noted as one way a developer might contribute to the public amenity of the city. This policy would be the subject of a future report to the Council.</li> <li>2. A report be provided to the Council on an annual basis detailing the contributions made under the Public Art Private Development Guide.</li> </ol>	City Planning Director	Officers are progressing the matter.
8	<b>SHORT STAY ACCOMMODATION – PLANNING DIRECTIVE</b> Open Council 17 December 2020	That a report be prepared on the possible amendments, and their merits, to the planning regulations to more appropriately control the number of private properties being converted to whole home short stay accommodation.	Director City Planning	Officers are progressing the matter.

Ref.	Title	Report / Action	Action Officer	Comments
9	<b>THE NORTH HOBART RETAIL AND ENTERTAINMENT PRECINCT PLACE VISION AND ACCESS AND PARKING PLAN PROJECT</b> Open Council 7 December 2020	<ol style="list-style-type: none"> <li>1. Taking account of the busy period leading up to the end of the current calendar year, particularly for businesses and the post New Year holiday period, the public engagement process be undertaken for an eight (8) week period, commencing on Monday 1 February 2021, in line with the methodology detailed in this report.</li> <li>2. A further report detailing the outcomes of the engagement process and proposed project action plan, including the associated capital and operating cost implications, be submitted to a Council meeting in the second quarter of 2021.</li> </ol>	Director City Planning	Officers are progressing the matter.

Ref.	Title	Report / Action	Action Officer	Comments
10	<b>HOUSING SUPPLY PLANNING PROVISIONS</b> Open Council 9 February 2021	<p>1. A report be prepared on the possible amendments, their merits and potential consequences, to the planning regulations to implement the following recommendations made in the UTAS Report titled: Regulating Short-Stay Accommodation in Tasmania: Issues to consider and options for reform:</p> <p>(i) Recommendation 3: That the Tasmanian Government amend the current planning scheme to allow consideration of housing market conditions when making planning decisions.</p> <p>(ii) Recommendation 4: That the current planning scheme include provisions so that it can respond to community-level housing needs in a timely manner.</p> <p>2. Advice be prepared as to the merits and potential consequences of endorsing Recommendation 5 of the same report:</p> <p>(i) Recommendation 5: That the Tasmanian Government establish a Housing Supply Forecasting Council to collect and analyse housing supply and demand drivers, including the impact of the SSA sector, and provide policy recommendations.</p>	Director City Planning and Director Community Life	Officers are progressing the matter.

Progress report to June 2021

11	<p><b>LOCAL HOUSING SOLUTIONS</b> Open Council 21 June 2021</p>	<ol style="list-style-type: none"> <li>1. A report be prepared that investigates ways Council can provide advice to property owners regarding dwelling and property modifications, with a view to increase accommodation options across Hobart.</li> <li>2. The advice be tailored for people who might want the flexibility to remain living at their property as their lifestyles might change or as they age, and also to increase the dwelling capacity on their property.</li> <li>3. The report would:               <ol style="list-style-type: none"> <li>1) Structure “plain English” explanations as to options for home modifications, planning requirements and how to meet building codes and heritage considerations.</li> <li>2) Identify suitable properties where an increase in the number of dwellings could be possible</li> <li>3) Provide more information for such opportunities in partnership with organisations such as the Australian Institute of Architects or Housing Industry Association</li> <li>4) Consider allocating officer time as point of contact on finding these local housing solutions</li> <li>5) Consider the financial return to Council in order for the program to be successful.</li> </ol> </li> </ol>	Director City Planning	Officers and progressing the matter.
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Progress report to June 2021



**10. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 13-1-10

**The Chief Executive Officer reports:-**

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

**10.1 Multiple Dwellings - Bulk**  
**File Ref: F21/9431; 13-1-10**

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Memorandum of the Director City Planning of 13 July 2021.

**10.2 Local Planning Schemes**  
**File Ref: F21/59110; 13-1-10**

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Memorandum of the Director City Planning of 12 July 2021.

**10.3 Special Meeting Format - Cable Car Development Application**  
**File Ref: F21/64980; 13-1-10**

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Memorandum of the Director City Planning of 12 July 2021.

*That the information be received and noted.*

Delegation: Committee



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **MULTIPLE DWELLINGS - BULK**

**Meeting:** City Planning Committee

**Meeting date:** 1 February  
2021

**Raised by:** Alderman Briscoe

#### **Question:**

Can the Director advise what can be done to alleviate the problems with the building of multiple dwellings that overshadow, overlook, overbear and change the character of areas where there are single dwelling houses such as the proposal for 55 Mount Stuart Road?

#### **Response:**

The planning provisions governing the construction of multiple dwellings in the General Residential zone is substantially dictated by a Planning Directive issued by the Minister for Planning. Changes to the Planning Directive would need to be agreed to by the Minister to reduce the impacts on the residential amenity outcomes for neighbouring properties from such developments.

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

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 13 July 2021  
File Reference: F21/9431; 13-1-10



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **LOCAL PLANNING SCHEMES**

**Meeting:** City Planning Committee

**Meeting date:** 15 June 2021

**Raised by:** Alderman Behrakis

**Question:**

Can the Director advise what is the current status of the Hobart LPS and is there a hold up in its formulation?

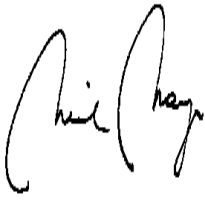
**Response:**

The final version of the LPS was submitted to the Tasmanian Planning Commission (TPC) following a resolution by Council supporting some additional inclusions on 1 February 2021.

The TPC have been reviewing all changes made to the LPS, most of which were in response to queries raised by the TPC following an initial post-lodgement conference between TPC and CoH staff.

The TPC have recently advised that they wish to hold an additional post-lodgement conference to raise some queries relating to the changes. The TPC have advised that it is likely this conference will be scheduled for July 2021, and that the timeframe to exhibition after that point will depend on the time required to respond to their additional enquiries.

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

A handwritten signature in black ink, appearing to read 'Neil Noye', with a stylized, cursive script.

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 12 July 2021  
File Reference: F21/59110; 13-1-10



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **SPECIAL MEETING FORMAT - CABLE CAR DEVELOPMENT APPLICATION**

**Meeting:** City Planning Committee

**Meeting date:** 28 June 2021

**Raised by:** Councillor Dutta

**Question:**

Will it be a decision of the Elected Members on how they would like the special meeting to be conducted or will it be a directive on the format of the proceedings?

**Response:**

This was addressed via a memorandum from the Chief Executive Officer distributed to elected members via the Hub on 8 July 2021.

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

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 12 July 2021  
File Reference: F21/64980; 13-1-10

## **11. QUESTIONS WITHOUT NOTICE**

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Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 13-1-10

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the Chief Executive Officer or the Chief Executive Officer's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
  - (i) offer an argument or opinion; or
  - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, Chief Executive Officer or Chief Executive Officer's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
  - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
  - (ii) a written response will be provided to all Elected Members, at the appropriate time.
  - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

## 12. CLOSED PORTION OF THE MEETING

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That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the Closed portion of the meeting
- Question without notice response

The following items were discussed: -

- |              |                                                                            |
|--------------|----------------------------------------------------------------------------|
| Item No. 1   | Minutes of the last meeting of the Closed Portion of the Committee Meeting |
| Item No. 2   | Consideration of supplementary items to the agenda                         |
| Item No. 3   | Indications of pecuniary and conflicts of interest                         |
| Item No. 4   | Responses to Questions Without Notice                                      |
| Item No. 4.1 | Cable Car Development Application<br>LG(MP)R 15(4)(b)                      |
| Item No. 5   | Questions Without Notice                                                   |