



CITY OF HOBART

# **AGENDA**

## **City Planning Committee Meeting**

### **Open Portion**

**Monday, 25 November 2019**

**at 5:00 pm**

**Lady Osborne Room, Town Hall**

## THE MISSION

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

## THE VALUES

**The Council is:**

<b>People</b>	We value 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 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, 25 November 2019 at 5:00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Deputy Lord Mayor Burnet (Chairman)  
Briscoe  
Denison  
Harvey  
Behrakis

**Apologies:**

**Leave of Absence:**

**NON-MEMBERS**

Lord Mayor Reynolds  
Zucco  
Sexton  
Thomas  
Dutta  
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, 11 November 2019](#), 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 General Manager.

**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 General Manager is to arrange the agenda so that the planning authority items are sequential.

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

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

### **RECOMMENDATION**

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

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

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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 General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

## **7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

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**7.1.1 46,48-50-52 New Town Road and 7A Clare Street and Adjacent Road Reserve, New Town - Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works - Deferral  
File Ref: F19/149442**

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Memorandum of the Manager Development Appraisal of 20 November 2019 and attachments.

Delegation: Council



City of **HOBART**

## MEMORANDUM: CITY PLANNING COMMITTEE

### **46,48-50-52 New Town Road and 7A Clare Street and Adjacent Road Reserve, New Town - Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works - Deferral**

#### **Introduction**

This memorandum relates to planning application PLN-19-291 proposing Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works at 46, 48-50 and 52 New Town Road, 7A Clare Street and Adjacent Road Reserve, New Town.

The application was publicly advertised between 20 August and 3 September 2019 and received fifty four (54) representations, fifty two (52) objecting to, one (1) supporting, and one (1) whose position was unclear. The application was assessed by officers against the *Hobart Interim Planning Scheme 2015*, and a report (dated 7 October 2019 - Attachment A to this memorandum) recommending refusal of the proposal was presented to the Council's City Planning Committee at their meeting of 28 October 2019. At that meeting, the Committee resolved as follows:

*That the item be deferred to a subsequent City Planning Committee meeting to allow time for a meeting to be convened between the Applicant and Representors to see if a satisfactory solution can be reached in relation to the concerns raised by the Representors.*

#### *Post-Deferral Advice*

Following that deferral, advice was sought from both the applicant and from representors who made deputations at the Committee meeting of 28 October 2019 regarding whether there had been any outcomes since deferral of the application.

The applicant has advised that an onsite meeting was held with representors, which was amicable and undertaken without prejudice, as agreed by all parties. They have indicated that representors were briefed on potential changes to the proposal intended to alleviate their concerns, to which they were appreciative.

The applicant has advised that the representors at the meeting indicated that they did not represent all representors and could not provide any further feedback regarding

the changes, but agreed with the applicant that the planning process was the appropriate forum for further discussions.

Representors who made deputations at the Committee meeting of 28 October 2019 have confirmed that a meeting was convened between themselves and the applicant, where they agreed to the applicant's request that the discussions proceed without prejudice.

Those representors have also confirmed that the applicant presented several potential alterations to the development on an electronic display at that meeting, and that they (the representors) indicated that any response to those alterations could only be provided after further advice had been sought.

They have also advised that following consideration, their position is that those potential alterations do not address the non-compliance issues identified by representors and in the City of Hobart officer assessment, and may in fact contribute to some issues.

Those representors have advised that they contacted the applicant following the meeting to express their thanks, and to indicate that they remained open to further discussions. They have also advised that they believe the problems associated with the application aren't trivial, and unfortunately cannot be addressed with small alterations to the building layout and/or operating conditions.

They advise that they sincerely thank the Council and elected members for the opportunity, that they would gratefully accept any further opportunities to discuss their views and concerns at an upcoming City Planning Committee meeting, and that they look forward to continuing to work towards a timely resolution to this matter.

#### *Supplementary Information*

The applicant has also provided supplementary information in the form of potential changes to the proposal intended to respond to the recommended basis for refusal and concerns raised by representors. That supplementary information is attached to this memorandum, and includes a covering letter from the applicant (Attachment E), potential amended plans (Attachment F), a potential amended landscape plan (Attachment G), a revised acoustic report (Attachment H) and additional photomontages showing the potential changes compared to existing street and townscapes (Attachment I).



In their covering letter, the applicant provides a brief summary of the potential changes, which is as follows:

1. Increased setback of the building along the south-western elevation (to 3m) across the basement and ground floor level;
2. Additional landscaping to a depth of 3m at ground level along the western and south-western boundary facing residential zoned properties (i.e. 54 New Town Road, Seymour Street and Clare Street properties);
3. Provision of a green-wall along the western elevation and part of the northern-elevation facing Seymour Street and 54 New Town Road, respectively;
4. Relocation of the existing fire tank further below ground to offset the loss of car parks (a result of the increase in setback to south-western boundary, as per point 2). Carpark numbers have not changed, and further bicycle and motorcycle spaces have been provided;
5. Relocation of the entry gate to Clare Street and increased landscaping along the side boundary of 9a Clare Street;
6. Additional privacy screening over windows along northern and southern elevations; and
7. Dense screen planting and green wall added to north side of the northern access ramp to screen light and noise from 54 New Town Road.

In the supplementary information covering letter dated 12 November 2019, the applicant indicates that they are of the view that these potential changes do not substantially alter the proposed use or development and could be specified as conditions of any planning permit issued by the Council.

The applicant has been advised that this view – that the potential changes shown in the supplementary information could be approved as conditions of a possible planning permit - is not shared by City of Hobart officers. The officer view is that the only way the changes shown in the supplementary information could become part of the application is if the applicant formally amended the application to include those changes, after which the amended proposal would be publicly re-advertised to provide the community with the opportunity to view and make representations in relation to the amended application if they wished. An extension of time would also need to be granted for at least 42 days to enable not only the re-advertising of the application to occur, but for the amended proposal incorporating the changes to be formally assessed by City officers before being presented to future City Planning Committee and Council meetings. That advice has been conveyed to the applicant, who has indicated they understand the officer view.

As the applicant's preference is for the application to be considered at the City Planning Committee meeting of 25 November 2019 and subsequent Council meeting of 2 December 2019 rather than to grant an extension of time and formally amend and re-advertise the proposal, the potential changes shown in the supplementary information do not form part of the application and have not been assessed by City of Hobart officers against the *Hobart Interim Planning Scheme 2015*. However, some of the potential changes, including the changes to setback to the southwest boundary and the proposed green wall adjacent to the northwest boundary, would appear to be beyond the scope of conditions ordinarily imposed by the Council.

Although acknowledging that these matters are arguable, the risk associated with issuing any approval that includes conditions associated with the potential changes shown in the supplementary information is that the change they require is of such an extent that the Council would not have determined the application as proposed (and publicly advertised), with the conditions being considered tantamount to refusal.

Although there is little risk of the applicant appealing any approval issued subject to such conditions, a successful third party appeal made by one of the application's 54 representors could potentially be accompanied by an examination of an approval's overall validity if that approval included conditions requiring the changes offered by the applicant. Again, while arguable, there are potential cost implications for the Council if this scenario were to arise.

### **Conclusion**

Following deferral by the City Planning Committee, a meeting was held between the applicant and representors, where representors were briefed on potential changes that could be made to the proposal. Following the meeting, representors have advised that while they have thanked the applicant for the opportunity to meet, the potential changes do not address the issues identified by representors or City of Hobart officers, and may contribute to some of those issues.

The applicant has asked that the Council consider approving the application subject to conditions that would achieve the changes shown in the supplementary information. If the Council is of a mind to issue such an approval, it is recommended that other standard conditions associated with servicing and the like be included.

The officer view, however, is that any approval that included conditions to achieve those changes would require the proposal applied for to be changed to such an extent that the validity of such an approval would be questionable in the event of a third party appeal, exposing Council to potential costs. It is therefore recommended that the Council refuse the proposal for the reasons detailed in the attached planning report, and that the proponents be encouraged to submit a new application responding to the concerns outlined in that report.

Following extensions of time granted by the applicant, the application is due to expire on 3 December 2019.

### **RECOMMENDATION**

#### ***That:***

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works at 46, 48-50, and 52 New Town Road, and 7A Clare Street, New Town for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed hours of operation of the 24 hour hospital

component of the development will have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.










2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P4 of the *Hobart Interim Planning Scheme 2015* because the potential timing of commercial vehicle movements could result in unreasonable adverse impact upon residential amenity.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not consistent with the built form of the surrounding buildings, offers little or no transition between the site and its surrounds, does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P2 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not compatible with the built form of the surrounding buildings.
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.2 P2 of the *Hobart Interim Planning Scheme 2015* because it does not prevent unreasonable adverse impacts on residential amenity by overshadowing, overlooking, and visual impact from adjoining Inner Residential Zoned Properties.
6. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.5 P1 of the *Hobart Interim Planning Scheme 2015* because the extent, location and proposed species for the landscaping of the site is not sufficient to enhance the appearance of the development, or to avoid unreasonable adverse impact on the visual amenity of adjoining land in the Inner Residential Zone.

*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.*



Rohan Probert  
**MANAGER DEVELOPMENT  
APPRAISAL**

Date: 20 November 2019  
File Reference: F19/149442

- Attachment A: PLN-19-291 - 52 NEW TOWN ROAD NEW TOWN TAS 7008 - Planning Committee or Delegated Report ↓ 
- Attachment B: DA-19-49352 PLN-19-291 - 46, 48-50 AND 52 NEW TOWN ROAD NEW TOWN TAS 7008 AND ADJACENT ROAD RESERVE - CPC Agenda Documents (Supporting information) 
- Attachment C: PLN-19-291 - 46, 48-50 AND 52 NEW TOWN ROAD NEW TOWN TAS 7008 AND ADJACENT ROAD RESERVE - CPC Supporting Documents (Supporting information) 
- Attachment D: PLN-19-291 - 52 NEW TOWN ROAD NEW TOWN TAS 7008 - Planning Referral Officer Environmental Development Planner Report (Supporting information) 
- Attachment E: PLN-19-291 - 46 NEW TOWN ROAD NEW TOWN TAS 7008 - Supplementary Info - Planning - Covering letter from applicant dated 12 November 2019 Additional Information - AIS-19-1762 ↓ 
- Attachment F: PLN-19-291- 46 NEW TOWN ROAD NEW TOWN TAS 7008 - Supplementary Information - Amended Plan - Additional Information - AIS-19-1762 ↓ 
- Attachment G: PLN-19-291- 46 NEW TOWN ROAD NEW TOWN TAS 7008 - Supplementary Information - Amended Landscape Plan - Additional Information - AIS-19-1762 ↓ 
- Attachment H: PLN-19-291 - 46 NEW TOWN ROAD NEW TOWN TAS 7008 - Supplementary Information - Amended Acoustic Report - Additional Information - AIS-19-1762 ↓ 
- Attachment I: PLN-19-291 - 48-50 NEW TOWN ROAD NEW TOWN TAS 7008 - Supplementary Information - Photo montages - additional information AIS-19-1777 ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Council:	21 October 2019
Expiry Date:	6 November 2019
Application No:	PLN-19-291
Address:	52 NEW TOWN ROAD , NEW TOWN 48 - 50 NEW TOWN ROAD , NEW TOWN 46 NEW TOWN ROAD , NEW TOWN 7 A CLARE STREET , NEW TOWN ADJACENT ROAD RESERVE
Applicant:	(FromNex Pty Ltd, by their Agent, Ireneinc Planning and Urban Design) 49 Tasma Street
Proposal:	Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works
Representations:	Fifty Four (54)
Performance criteria:	Zone Use Standards Zone Development Standards Potentially Contaminated Land Code Road and Railway Assets Code Parking and Access Code Signs Code

**1. Executive Summary**

- 1.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works.

- 1.2 More specifically the proposal includes the demolition of existing buildings, and the construction of a new private hospital with 4 floors (plus roof and rooftop plant), housing both in-patient and out-patient care such as surgeries and rehabilitation. It will also accommodate ancillary health services such as pharmacy, radiology, and a conference area. The basement of the building will accommodate car parking spaces as well as services for the site. The ground floor will provide a mixture of further car parking spaces, health-based tenancies, a cafe, and some meeting rooms and conference facilities. Level 1 and 2 will provide a mixture of medical tenancies and the private hospital, including surgery theatres, wards, nurse stations, rehabilitation areas, staff areas and a courtyard. The building is proposed to have a height of approximately 24.2 metres to the top of its rooftop plant. The total gross floor area of the proposed building is approximately 6600m<sup>2</sup>.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Zone Use Standards - Hours of Operation and Commercial Vehicle Movements
  - 1.3.2 Zone Development Standards - Height, Setback, Design, Passive Surveillance, Landscaping and Fencing
  - 1.3.3 Potentially Contaminated Land Code
  - 1.3.4 Road and Railway Assets Code
  - 1.3.5 Parking and Access Code
  - 1.3.6 Signs Code
- 1.4 Fifty two (52) representations objecting to, one (1) representation supporting, and one (1) representation who's position was unclear regarding the proposal were received within the statutory advertising period between 20 August and 3 September 2019
- 1.5 The proposal is recommended for refusal.
- 1.6 The final decision is delegated to the Council.

**2. Site Detail**

- 2.1 The application site is comprised of four properties, two of which will contain the hospital buildings, carparking, and access (48-50 and 52 New Town Road), and two of which are included as they contain service upgrades to facilitate the hospital development (46 New Town Road and 7a Clare Street).
- 2.2 The site containing the hospital proper has frontages to New Town Road, Clare Street and Seymour Street. This site is predominantly zoned Urban Mixed Use, however the access strip fronting Seymour Street is zoned Inner Residential under the Hobart Interim Planning Scheme 2015.
- 2.3 46 New Town Road, which is included for servicing works only, is zoned Urban Mixed Use under the Hobart Interim Planning Scheme 2015, and is also affected by the Historic Heritage Code, being an individually listed Place.
- 2.4 7a Clare Street, which is included for servicing works only, is zoned Inner Residential under the Hobart Interim Planning Scheme 2015.
- 2.5 All properties subject to the application are affected by the Potentially Contaminated Land Code of the Hobart Interim Planning Scheme 2015.
- 2.6 46 New Town Road and 7a Clare Street both contain privately occupied single dwellings. There is no change to this use or development as part of the current application.
- 2.7 48-50 and 52 New Town Road currently contain buildings that are occupied as offices, storage, workshop and warehouses for an electrical repairs provider, Contact Group. This use is all contained within the pre-existing buildings on the site that were formerly used as offices and studios for Win Television.

- 2.8 The existing site development occupies approximately 32% of the 7282m<sup>2</sup> site, with areas for car parking and manoeuvring provided along the whole of the eastern, New Town Road, frontage that are accessed from three crossovers along that frontage. There is also a secondary parking, manoeuvring, and storage area accessed from the Clare Street frontage which is contained behind the existing buildings when viewed from New Town Road, but presents as a car park occupying the whole site when viewed from Clare Street. A significant portion of the western side of the site is currently vegetated with grass, trees and shrubs, providing a vegetated backdrop to the majority of the dwellings that front Seymour Street. The majority of the site is generally level, however there is a steep slope down toward the adjacent residential properties to the west, north-west in Seymour Street, and to the northern residential property in New Town Road.
- 2.9 The surrounding area contains a mix of uses, including residential, dental, dry cleaning, and union offices. Notwithstanding this, the predominant use of the area, and in particular of the properties adjacent to the subject site, is for residential purposes.



Figure 1: Location of application site is outlined in blue





Figure 2: Zoning of application site and surrounds



Figure 3: Google Streetview image of current site development facing north west



Figure 4: Google Streetview image of Current site development facing south west

### 3. Proposal

- 3.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works.
- 3.2 More specifically the proposal is for:
- Demolition of all existing buildings on site.
  - Construction of a new mixed use building.
  - Hospital use will occupy the bulk of the upper level, with a 408m<sup>2</sup> tenancy located internally in the southern half of the building.
  - The first floor will contain ten tenancies, ranging in size from 252m<sup>2</sup> to 548m<sup>2</sup>. This level will include shared bathroom facilities, and a plant room on the eastern side wall, just south of the centre of the building.
  - The ground floor will have a 76 space carpark, with space for 6 motorcycles, occupying the southern portion. It will also contain seven tenancies in the northern portion ranging in size from 123m<sup>2</sup> to 462m<sup>2</sup>. There will be three meeting rooms, shared bathroom facilities, and additional storage rooms for garbage, cleaners equipment, gases, and maintenance equipment, as well as a small central plant room.
  - The basement level will contain a 150 space carpark for visitors, staff and drop off. There will be a further 10 motorcycle space and 58 bicycle spaces provided within the carpark. This level will also house the fire tank and pump room, a generator, a second waste room, and an additional plant room.
  - An elevator is provided near the front of the building providing access between all levels.
  - Access to the site is primarily from New Town Road, with service vehicle access from Clare Street.
  - The building will have a maximum height of 24.2m for its four floors and an approximate gross floor area of 6600m<sup>2</sup>.



*Figure 5: Applicant's photomontage of the New Town Road (eastern) frontage of the proposed new building*



*Figure 6: Applicant photomontage of the southern view of the proposed new building*

#### **4. Background**

- 4.1 The developer met with Council Planning and Engineering Officers in April 2018 and again in March 2019 to discuss preliminary concepts for the proposed development of the site. In both of these meetings the developer was advised that they did not have sufficiently detailed documentation to enable specific advice to be provided. However, at both of these meetings the developer was also advised that it would be very important to consider the height and transitions of any proposed development of this site, given the residential zoning and use of the majority of the surrounding properties.
- 4.2 Upon lodgement, the applicant was advised that the scale of the development, and apparent lack of transition to adjacent properties appeared problematic. The applicant was asked to consider their position when responding to any additional information requests. At this time, the applicant was advised that Council Officers are required to determine the application in a manner consistent with the RMPAT decision regarding 9 Sandy Bay Road, which focused on the importance of height compatibility and transition.
- 4.3 Once all of the information necessary to assess the proposal had been received and the application was ready to advertise, the applicant was again advised of the difficulty Council Planning Officers may have with supporting the proposal as presented. The applicant was asked whether they wished to re-consider their position, or whether they wished for Council to progress with advertising and assessing the application. The applicant advised that they wished to proceed with the application as proposed.
- 4.4 The application was considered by the Council's Urban Design Advisory Panel at their meeting of 20 August 2019, whilst the application was also on public notification. The UDAP Panel comments are as follows:

##### ***Landscaping***

- *The Panel was disappointed that nearly all established vegetation was being removed from the site.*
- *The Applicant was encouraged to provide space for trees that could go right up to the front boundary to minimise the impact of the dominant façade on New Town Road.*
- *The Panel suggested more trees be included within the site to achieve improved outlooks and amenity for the benefit of patients and surrounding residents. All boundary setbacks are minimal, resulting in little opportunity for landscaping buffers to reduce impacts on neighbourhood properties. In particular, the setback space on the north western side of the building is very close, leaving little space for any plantings to help with the impact of the building on Seymour Street.*

**Bulk**

- *From an Urban Design point of view, the Panel struggles to see how a building of this floor area, height and bulk will sit in the existing urban setting. The Panel considers there has been little attempt to transition the scale and bulk of the building, in the context of the main road streetscape and particularly in regard to adjacent residential properties in Clare and Seymour Streets.*
- *It is noted that at the northern end of the site, where the site begins to fall away, the building levels do not change. It is hard for the Panel to see that the northern end is compatible with the area around it. The Panel agreed that there is potential for stepping down at the northern end of the development.*
- *On the frontage of New Town Road there is a very long façade. With the rhythm of the fenestration of the building along New Town Road, the curve in the road, the boundary is not straight along that front boundary. If there were a slight variation in the angle of the façade on New Town Road it may improve the bulk of the building and its ability to fit within the broader urban design character of the area. The Panel suggested remodelling the façade and its detailing to reduce the overall apparent bulk of the building.*

**Scale and inconsistency within the area**

- *The Panel felt that the scale of the building in comparison with the properties within the street did not relate to the scale of the area.*
- *The building was considered an over development of that site, with minimal setbacks and a challenging height.*
- *The Panel believes that the development would have a significant impact on the adjoining properties, with loss of amenity, likely increased*



*noise levels from substantial roof top plant, significant solar access impact, increased overlooking and significant reduction in the quality of visual outlook.*

- *The Panel notes that the actual hospital component is relatively small. The development allocates a substantial amount of floor area to yet to be identified tenancies. The Panel encourages the proponent to consider the extent of these tenancies with a view to substantially reducing the overall floor area of the proposal.*

## 5. Concerns raised by representors

- 5.1 Fifty two (52) representations objecting to, one (1) representation supporting, and one (1) representation who's position was unclear regarding the proposal were received within the statutory advertising period between 20 August and 3 September 2019.
- 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.

<b>OPPOSITION</b>
<i>Section 52 of LUPAA:</i>
One representor has expressed concern that one of the land owners for the application was not adequately notified of the intention to include their land when lodging the application. As such the representor has suggested that the application may not be valid.
<i>Building Height:</i>
Many of the representors have expressed the opinion that the proposed height of the building is excessive, out of character with the surrounds, and fails to have regard for the surrounding residential scale of development.

<p>Several representors have highlighted an excerpt from the submitted planning report which indicates that stepping the building to respond to adjacent residential dwellings would not be appropriate as it would compromise the viability of the hospital under the current business model. The representors have indicated that this does not address or meet the performance criteria, and as such is not a planning justification for why the height discretion should be supported. The representors go on to suggest that if this height is necessary for the proposed hospital, then this is not the appropriate location for the hospital.</p>
<p>Representors have highlighted an excerpt from the submitted planning report which identifies the height of the dwelling to the north as being built well below street level. The representors suggest that this is evidence for how the proposed building does not comply with the performance criteria, rather than as justification for why the proposal doesn't need to comply.</p>
<p><i>"The proposal uses 38-40 and 42-44 New Town Road to establish a height datum and mount an argument that the building height is compatible with the scale of nearby buildings. It fails however to address the relationship to all other surrounding buildings and the landfall that results in a significant height difference between the proposal and property at 54 New Town Road. No attempt has been made to transition to the height of the adjoining buildings located along New Town Road to the north of the proposal and those located on Clare and Seymour Streets."</i></p>
<p><b>Building Setback:</b></p>
<p>Many representors have indicated that the proposed setback of the building to the side and rear property boundaries is not sufficient given the height of the building. They have expressed concern that the bulk of the building is unreasonable given the setbacks to the side and rear boundaries.</p>
<p>Representors have expressed concern that the front setback is not sufficient to be consistent with the surrounding street.</p>
<p>Some representors have questioned the assessment of the front setback and consider that it does not address the planning scheme provisions having regard to the performance criteria.</p>
<p><b>Scale / Visual Bulk / Building Massing:</b></p>

<p>Several representors are concerned that the proposed scale of the building is such that it will result in a significant detriment to the enjoyment of their dwellings and outdoor areas. The representors have indicated that the scale is 'extreme' and their properties will be dwarfed by the scale of the development and as such wish for the development to not be supported.</p>
<p>One representor has stated that "<i>The monolithic scale, intensity of use and footprint of the proposed hospital are in sharp contrast to, and totally incompatible with the adjoining residential zones and designated heritage precinct. It would have a devastating impact on our residential amenity and standard of living.</i>"</p>
<p>Representors are concerned that the proposed security lighting will illuminate the walls of the building at night, which will increase the visibility and apparent bulk of the building when viewed from habitable rooms and outdoor areas of adjacent residential dwellings.</p>
<p>Several representors have indicated that the the proposed new building is "<i>completely out of proportion to the adjacent residential homes. It dwarfs the homes by towering over them...</i>"</p>
<p>Several representors have expressed the view that the plans provided are deficient because there are no massing and elevation drawings for the northern and western sides of the building showing its relationship to the adjacent and surrounding residential development.</p>
<p>Several representors have commented that the scale of the proposed building is larger than that of the IMAS or MACq01 buildings. The representors have then gone on to note the difference in the context and surrounds of those two buildings, which are both in larger, warehouse style areas and spatially removed from other buildings, from the surrounds of the proposed new building, which is a suburban neighbourhood, with one and two storey dwellings which much smaller facade widths.</p>

Representors have indicated that the footprint (site coverage) of the proposed building is incompatible with the coverage of the residential properties adjoining and surrounding the site, with one representor stating that <i>"The overall size in terms of height, massing, and building footprint is not responsive to the character of the streetscape" and "The proposal is clearly not of a scale appropriate to the site and area. This is demonstrated through the height of the building being out of scale with the neighbouring properties, and the high percentage of site coverage needed to fulfil the functional requirements of the development. The building is simply too large for the site"</i> .
<b>Overshadowing / Loss of Solar Access:</b>
Several representors have expressed concern with the scale and height of the proposed building as it will result in an unreasonable amount of overshadowing and loss of solar access to their adjacent and nearby dwellings and outdoor areas.
Several representors have indicated that the extent of overshadowing from the proposed building will result in a loss of the ability to have productive gardens for the growing of fruit and vegetables as these plants will no longer receive sufficient light to be productive.
Representors have indicated that the extent of overshadowing will reduce their ability to passively heat and provide light into their homes and as such they will be required to use more electricity for this purpose.
Representors are concerned that the proposed new building is of a scale that will overshadow some of the adjoining residential dwellings to the extent that solar collectors, solar heating and hot water, passive solar internal lighting, solar (outdoor) clothes drying, and viable gardens will no longer be possible. The representors are concerned that this will result in increased living costs for the occupants of these dwellings.
Representors are concerned that there is no existing sun shadow detail provided, and as such suggest that they are unable to make a reasonable assessment of the changes in shadowing impacts from the proposed development.
<b>Building Materials / Design:</b>



Representors are concerned that the proposed tilt panel concrete construction, combined with the glazing and aluminium accents is not consistent with and not complimentary to the surrounding, predominantly brick and masonry development.
<i>"The proposal is clearly not of a scale appropriate to the site and area. This is demonstrated through the height of the building being out of scale with the neighbouring properties, and the high percentage of site coverage needed to fulfil the functional requirements of the development. The building is simply too large for the site."</i>
Representors have noted that the architectural schedule for materials and finishes references charcoal, black and metallic silver, whereas the planner's report references dark silver and there is no reference in either to the light reflectance values of the proposed materials. As such, the representors are concerned that the proposal will have a greater light reflectance value than is appropriate given the residential surroundings.
<b>Views:</b>
Several representors are concerned that the proposed new building will result in a loss of significant views from adjoining and nearby properties.
Some representors have indicated that the bulk of the proposed building will occupy the entire outlook from their site, with the building dominating their habitable rooms and outdoor space, resulting in an unreasonable loss of amenity.
<b>Privacy:</b>
Several representors are concerned that the proposed new building will result in an unacceptable loss of privacy for occupants of surrounding residences, both within the dwellings and in the outdoor space adjoining the application site.
<b>Noise:</b>
Several representors are concerned that the works associated with both the demolition and the re-development of the site will result in an unreasonable noise impost for the surrounding neighbourhood.

Several representors have raised concern with the plant and equipment to be used to operate the premises. The representors have expressed concerns with equipment that will be required for the 24 hour operation of the site that they believe will disrupt the enjoyment of their adjacent and nearby properties.
Several representors are concerned that the increased vehicle movements that will occur to and from the site, including heavy vehicles for deliveries and waste removal, will occur outside of normal business hours and as such will result in a significant loss of residential amenity for adjacent and nearby properties.
Several representors have raised concern with the increased potential for emergency services vehicles to be accessing the site at all times of day and night given the 24 hour operation of the site. The representors are concerned that there will be sirens on when a vehicle approaches the site, and that the frequency of such vehicles will be increased as a result of the proposed use. The representors note that it could be a requirement for sirens to be turned off upon entry to the site, but suggest that this will not be sufficient, and that it would be difficult to police such a requirement in any event and as such it should not be relied upon to mitigate against the increased noise that will result from the proposed development and ongoing use of the site.
Several representors are concerned with the noise generated by the loading and unloading of trucks outside of normal business hours, such as would be required to enable trucks to access and exit the site outside of peak traffic periods.
Representors have highlighted a component of the submitted noise assessment which indicates that the diesel generator, when operating, is a significant source of noise to the nearby neighbours. The representors are concerned that the most likely times for this to be operating are during power outages, and could be at night. They have indicated that this is going to significantly impact the amenity and residential function of the nearby dwellings, and as such should not be supported.
Representors note that a full acoustic review of the operation should be undertaken in the detailed design phase, suggesting that the applicant is unable to confirm the actual noise emissions anticipated from the site, which the representors feel is unacceptable given the potential for negative impacts on the surrounding dwellings.

Representors are concerned that the noise emitted from the underground car park is in no way screened to be minimised. As such, the representors are concerned that the amenity of the adjacent dwellings in Seymour Street will be severely impacted and reduced as a result of the development.
Representors are concerned that the noise mitigation measures in the noise report are not adequately quantified, and nor is the benefit of the proposed measures. The representors question how there can be certainty regarding noise minimisation given the perceived ambiguity in the report and its recommendations.
<i>Light Spill:</i>
Several representors are concerned that the 24 hour operation of the site will result in light spill from external lighting into adjacent and nearby residences throughout the night.
Representors are concerned that there will be vehicle headlights flashing through the windows of adjacent dwellings at all hours of the night as a result of staff and commercial vehicles entering and exiting the site outside of normal business hours.
Some representors are concerned that the proposed internally illuminated signage will result in increased background light levels and light spill onto adjacent and nearby residences if the signage is allowed to be illuminated at all times.
Representors are concerned that the proposed security lighting at the rear of the building, whilst angled toward the building, will result in light spill into the adjacent residential properties as it will be illuminating the walls of a very large building and will therefore reflect back into these properties.
Representors are concerned that the upper level hospital wards will be illuminated through the night, and that there will be light spill from these windows into adjacent and nearby residences.
<i>Health Impacts:</i>
Representors have indicated that adequate solar exposure is necessary for the health and well being of individuals. The representors suggest that the loss of solar exposure to dwellings and outdoor areas will have negative impacts for the health of surrounding residents.
<i>Parking:</i>

<p>Many of the representors are concerned that there is not adequate car parking proposed to be provided on site. The representors are all concerned that the car parking deficit on site will result in overflow parking of staff and guests in the surrounding streets.</p>
<p>Several representors are concerned that the proposed car parking deficit will disadvantage long term residents of the surrounding streets as there will not be on street parking for their guests and helpers when it is needed.</p>
<p>Several representors have indicated that the car parking in the surrounding streets is already highly utilised for commuter parking by people who drive to the area, then walk to work in the city. The representors have indicated that the proposed development will result in increased demand for parking in these streets, and cause increased difficulty for residents who also wish to utilise on street parking near their property. Several of these representors have requested restricted parking with resident parking permits to help combat this difficulty.</p>
<p>Several representors have indicated that the applicant has relied upon the New South Wales Road Traffic Authority research into commuter behaviour. The representors are concerned that the public transport available in Hobart is sufficiently different from that available in New South Wales that it is not appropriate to compare the two when assessing a car parking discretion of the magnitude requested. The representors have also indicated that there is a difference in car ownership and use behaviour between Hobart and New South Wales which will further impact the appropriateness of relying on this research to justify the discretion.</p>
<p>Several representors are also concerned that it is standard practice for hospitals to require day surgery patients to be released into someone's care, and are unlikely to allow patients to be released to then use public transport or bicycles to get home. As such the representors have indicated that they believe the uptake of car parking will be higher than it would be for a hospital where patients are there for longer periods which leads to lower turnover and opportunity for visitors to utilise alternative means of transport.</p>

Representors have identified a Victorian guideline for car parking for day surgery hospitals. They have suggested that this guideline calls for integration of car parking for staff and visitors, rather than the provision of separate areas. This is said to provide benefits due to overlapping demand for spaces, and reduce the impacts on the wider street network from overflow.
Representors have indicated that the ABS Motor Vehicle Census 2018-19 indicates that Tasmanians are the nations highest per-capita car owners, whilst New South Wales has among the lowest rates of car ownership. It is therefore suggested that the use of 1992 statistics from Greater Sydney are not statistically significant for the assessment of a development proposed in Tasmania.
One representor has suggested that Tasmanian Government Traffic Impact Assessments Guidelines suggest that parking assessments should include overspill. The representor then suggests that the assessment fails to provide this assessment and is therefore deficient.
Representors have expressed concern that the parking provided on site may be permit or paid parking, and that this may discourage the use of the car park, with visitors to the site utilising free parking in the surrounding residential streets, in turn causing issues for residents and their visitors.
One representor notes that the applicants submission includes reference to a loading zone on New Town Road. The representor then notes that there is no such loading zone, so one would need to be created for the development, thus reducing the availability of car parking on the street.
<i>Traffic:</i>
Representors are concerned that the vehicular access from Seymour Street will be utilised by staff and guests and as such will result in an unsafe increase in the number of vehicles accessing via this narrow street.
Representors are concerned that the proposed development will result in increased and larger vehicles accessing the site other than from New Town Road, and as such through narrow residential streets that do not have capacity to cope with the increased volumes of vehicles on a daily basis.

<p>A number of representors have indicated that there is an existing situation in Clare Street which sees parking on both sides of the road such that it is difficult for cars to pass in two directions, and on some occasions it is difficult for buses to traverse the street. The representors have expressed concern that the proposed development will increase the demand for this parking and has the potential to subsequently exacerbate this concern, with increased demand for the parking that is available in the street.</p>
<p>Representors are concerned that the access to New Town Road is not sufficiently safe for both the users of the site and users of the road itself. The representors have indicated that this assessment is based on a question of the veracity of the traffic counts used in the traffic impact assessment.</p>
<p>Representors are concerned that the location of the northern access ramp, which is the vehicular access to the main carpark, is located adjacent to the dwelling to the north of the application site. Representors are concerned that the noise, vibrations, fumes and light spill that will be directed at this adjacent dwelling are unreasonable and will significantly negatively impact the residential amenity of the site.</p>
<p>Representors are concerned that the increased reliance on access from Clare and Seymour Streets, particularly for larger vehicles, will result in increased traffic congestion in these streets, as well as Augusta Road and New Town Road as the effects of this potential congestion spread. Representors suggest that this will cause unreasonable impacts both on residents and on commuters utilising this as an option to avoid the main road on the highway.</p>
<p>Representors have expressed concern that the southern New Town Road access is directly opposite Warragul Avenue. Given the increased parking available from this access point, and likely increase in the hours that the access will be used, there is concern that there will be traffic conflicts and safety issues arising from having a high usage access located directly opposite an intersection on a busy road.</p>
<p><i>Pedestrian Safety:</i></p>
<p>Several representors are concerned that the increased traffic resulting from this proposed development will pose a safety risk to pedestrians passing the site and its access roads.</p>

<p>Several representors are concerned that children who walk to both Friends School and to Sacred Heart School will be at increased risk due to the increased number of vehicles accessing this site, as well as the increased number of vehicles parking in the surrounding area. The concern is both due to the increased vehicle numbers, and due to the perceived increase in vehicles parking in nearby streets which will narrow the road for vehicles passing through, as well as reduce visibility for pedestrians, making it less safe to cross the road.</p>
<p><i>Bicycle Parking Location:</i></p> <p>One representor has expressed the opinion that the location of the visitor bicycle parking is hidden and not easily identifiable for infrequent visitors to the site. The representor has recommended a condition requiring additional bicycle parking facilities at the main, New Town Road, entrance to the building.</p>
<p><i>Stormwater:</i></p> <p>Representors have indicated that stormwater from the site is currently not adequately managed, and pools in places. They are concerned that this issue will be exacerbated by the proposed site development.</p>
<p><i>Use:</i></p> <p>One representor has suggested that the proposed use is not appropriate for the site given its predominantly residential surrounds. The representor has indicated that the site would be better suited to multiple dwellings, with car parking and landscaping.</p> <p>Representors are concerned that the proposed use will have unreasonable impacts on the amenity of the predominantly residential surrounding area as a result of the 24 hour operation of the site and the subsequent emission, such as noise and light.</p> <p>Several representors have indicated that the proposed intensity of the use of the site is inconsistent with the surrounding residential area, and will cause unreasonable loss of amenity.</p>

<p>Several representors have indicated that the applicant's justification of the application based on a need for such facilities in southern Tasmania does not automatically enable the use to occur in this location at the scale proposed. The representors have implored Council to consider the ongoing impacts of allowing this use at this scale to occur in this location, and have suggested that the intensity of the use proposed is not appropriate in this location.</p>
<p>Representors have noted that the planner's report accompanying the application uses existing hospital and medical facilities in the broader area as a means for justifying the proposed use and operation of the site, and the associated scale of development. The representors have indicated that this has no basis in the Planning Scheme and as such cannot be used as justification for the proposal. They have requested that the use be assessed on its own merits.</p>
<p>Representors have noted the comparison between the proposed use and associated development with the Calvary Hospital in Lenah Valley. Whilst the representors indicate that the comparison is not appropriate under Planning Scheme provisions, they further note the difference in the locational specifics. That is to say, Calvary Hospital pre-dates many of the surrounding residences, and has a buffer of public roads on most sides, reducing the impacts on the residences that surround it. As such, the representors suggest that even if it were appropriate to make such a comparison, they believe that the comparison would suggest that the application site is not appropriate for the proposed intensity of use and associated scale of development.</p>
<p><i>Un-allocated Tenancies:</i></p>
<p>Several representors were concerned that there are a significant number of un-allocated tenancies. Their concern is that once the building has been constructed there will be limited opportunity to stop the building being occupied by retail and evolving into a suburban shopping mall.</p>
<p><i>24 hour operation of site:</i></p>



Several representors feel that the proposed 24 hour operation of the site will result in an unreasonable loss of amenity for adjacent and nearby residences as there will be shift workers, vehicles, emergency vehicles, lights, ventilation and air conditioning units operation at all time of the day and night that have the potential to greatly increase the background noise and potential for disruption and disturbance.
Several representors have noted that there are no other 24 hour businesses operating in the surrounding area, and as such it would be out of character to allow this site 24 hour operation.
<i>Smokers:</i>
One representor is concerned that there is no designated smokers area on the site plan. They are concerned that the site operators will not want smokers at the front of the building on New Town Road, and as such fear that there will be designated smoking areas at the side or rear, which will have noise and smoke emissions impacts for surrounding residents.
<i>Lack of Streetscape Neighbourhood Compatibility:</i>
Many representors have expressed the view that the proposal fails to address the performance criteria relating to the proposed height of the building. The representors have suggested that there is little or no stepping of the building in response to the adjacent residential development on all three sides of the application site.
Representors have indicated that the proposed building does not respond to the streetscape in terms of the scale or bulk of the building.
<i>Heritage Considerations:</i>
Many representors have indicated an opinion that there is no integration of the proposed development into the surrounding heritage precinct. The representors have indicated that the surrounding area is typified by one to two storey residential development, is of significant heritage value as one of Hobart's earlier suburbs, much of which is individually heritage listed, and that they do not believe that this proposed building in any way integrates into these surrounds.

<p>Representors have expressed concern for the structural integrity, residential viability and heritage values of the dwelling at 46 New Town Road. The representors are concerned that the extent of excavation, and the scale of the subsequent development are such that the dwelling will be at risk of being damaged during development, having the livability of the site for residential purposes significantly reduced, and have the heritage values of the site eroded as a result of the unsympathetic development occurring in such close proximity to it.</p>
<p><i>Removal of Sculpture Through Building Demolition:</i></p>
<p>Representors are concerned that there is a Stephen Walker Sculpture on the facade of the existing building on the site which is going to be removed from the site as part of the demolition works. The representor has requested that the sculpture be removed from the existing building and reinstated in the design of the new building to continue the legacy of the artist.</p>
<p>Representors have noted that there is a Sculpture on the existing building that has been recognised in Hobart's Public Art audit and as such have requested that the sculpture be retained.</p>
<p><i>"While I recognise that the artwork has no specific basis for its protection under the planning scheme. I suggest that it is within the intent of the objectives of the Land Use Planning and Approvals Act 1993 Part 2</i>  (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;  <i>that public art created by prominent and important Tasmanian artists be protected and maintained."</i></p>
<p><i>Planning Scheme Compliance:</i></p>
<p>Several representors have expressed concern that the proposed development fails to meet the purpose of the various zone and code provisions under which it is to be assessed. Specifically this includes the Parking and Access Code and the Urban Mixed Use Zone. The representors suggest that the proposed car parking deficiency is not supportable as there is not sufficient car parking provided to meet the reasonable needs of the users of the site.</p>

Representors have noted that the Zone Purpose Statements for the Urban Mixed Use Zone call for reuse and adaptation of existing buildings. They feel that the demolition of all buildings on site does not meet this requirement and as such the development should not be supported.
<i>Landscaping:</i>
Several representors have indicated that the proposed extent and species of landscaping is not sufficient to adequately ameliorate the impacts of the proposed development on the surrounding properties and the streetscape in general.
Representors have indicated that the depth and nature of the proposed landscaping fails to enhance the development, or to provide an adequate visual break between the proposed dwelling and the adjacent residential dwellings.
Representors have noted that the proposed landscape plan includes the replacement of the existing boundary fence with a 1.8m colorbond fence. The representors are concerned that there has been no consultation regarding the proposed new fence. They have also indicated that the proposed new fence is not in-keeping with the remainder of their boundary fences, and in conjunction with the proposed low level landscaping, is not sufficient to address the relevant performance criteria.
Representors have indicated that given the height and scale of the proposed building, significantly greater depths of landscaping would be required to prevent an unreasonable adverse impact on visual amenity.
<i>Proposed Signage</i>
Several representors are concerned with the proposal to back light all of the signage. They have suggested that the size, location, and proximity to surrounding residential dwellings is such that it is inappropriate and will cause unreasonable loss of residential amenity. The representors have requested that the signage not be illuminated.
Representors have questioned the scale, illumination and location of the proposed signage. Of particular concern, is the proposed sign on the western facade, which the representors suggest serves no operational function. This proposed sign would face, and is quite close to, residential dwellings. The proposed size and illumination of this sign is anticipated to cause light spill into the dwellings and their outdoor space at night.

Representors have noted that the planning report states that there will be repetitive signage on the New Town Road frontage. The representors suggest that this is contrary to the performance criteria, which <i>"clearly states signage must not involve the repetition of messages or information on the same street frontage or involve the repetition of messages or information"</i> . The representors go on to say <i>"The justification provided acknowledges the repetition but states that the signs are not overbearing and provide clearly identifiable access to the site and services. This justification is irrelevant as the Planning Scheme clearly states that repetition in signage on the same street frontage is prohibited"</i> .
<i>Extent of Excavation:</i>
Several representors are concerned with the extent of excavation proposed. The representors consider that the proposed excavation will undermine the stability of surrounding dwellings.
Several representors are concerned that, given the extent of excavation already proposed, the design does not propose an additional level of sub-surface car parking to alleviate the potential for increased parking in surrounding streets. These representors suggest that additional excavation would be favourable to the proposed car parking deficit.
Representors are concerned that the soil profile drawings submitted appear to show excavation in the location of the dwelling at 46 New Town Road. The representor is concerned that this excavation will cause harm to the heritage listed dwelling, and is unlikely to be supported by the land owner.
<i>External Waste Storage:</i>
Representors are concerned with the location and nature of the waste storage proposed. They feel that the location of the waste storage, adjacent to the boundary with residential properties, and the lack of specificity of what waste will be stored, or how, has the potential for significant amenity impacts for the adjacent residential dwellings. Representors have requested that the waste storage be re-located to be away from any residential properties.
<i>Location of Service Infrastructure / Storage Areas:</i>

One representor is concerned that the location of the proposed sub-station will result in unreasonable noise emissions and potential safety risks to the nearby residences.
Representors are concerned that the storage for volatile materials and chemicals is located at the rear of the site, quite close to the adjacent residences. They are concerned that any spills or incidents that may occur will have a significant negative impact on the adjacent dwellings.
Representors are concerned that the location of one of the mechanical plant rooms on the rooftop deck to house 16 air cooled chillers has not been adequately considered in the assessment provided by the applicant. The representors are concerned that there will be unreasonable noise emissions as a result of the proposed location of the plant and equipment.
<i>Contamination Assessment and Management:</i>
Several representors are concerned that there is identified contamination present on site. They are further concerned that the means proposed to contain the contamination may not be adequate during the demolition, construction and ongoing use that will occur on site.
Several representors are concerned that asbestos and other soil based contamination has been identified on site. They are concerned that the means of demolition and removal of this hazardous material has not been adequately addressed in the submitted information. Accordingly, the representors have requested that suitable conditions be included in any approval to ensure that the contamination does not spread to adjacent residential properties.
One representor has suggested that the contamination assessment provided states that the acceptable solutions of the Code have not been met, and as such the proposal must meet the performance criteria. They then go on to suggest that there is not sufficient information provided to confirm whether the contamination has been adequately considered and will be appropriately managed during the site works.
<i>Construction Impacts:</i>
Several representors are concerned that there will be significant disruption through noise, vibrations, dust and construction vehicles for the duration of the proposed works on site.

Several representors are concerned that the proposed construction works will cause damage to the structural integrity of the surrounding dwellings.
Representors are concerned that the construction vehicle access to the site will be off Clare and Seymour Streets, which the representors feel are too narrow and would be unreasonably impacted by large vehicles.
<i>Accuracy of Documents:</i>
Several representors have indicated that there is inconsistency between, and inaccuracy in some of, the documentation submitted. Specifically, the representors have indicated that the sun shadow modelling does not accurately represent the shape or location of some of the dwellings on the adjacent properties.
Representors have suggested that there is inconsistency and inaccuracy in the fencing details for the proposed works and as such have suggested that no reasonable assessment of the suitability of the fencing can occur.
Several representors have noted that the three dimensional renderings of the proposal include trees that do not exist, and do not accurately depict the scale or location of surrounding dwellings. The representors have suggested that renderings are misleading as they do not represent to true scale and proportions of the proposed development.
Representors indicate that the planners report states access for pedestrians will only be provided from New Town Road, however they also indicate that the plans show pedestrian access from both Clare and Seymour Streets. As such, the representors are concerned that this potential alternative access has not been adequately considered when looking at parking and traffic impacts outside of the site.
<b>SUPPORT</b>
<i>General:</i>
Several representors have provided qualified support for the concept of some form of scaled down medical facility being located on the site.
One representor has provided unqualified support, indicating a belief that the scale, location, parking and proposed business model are ideally situated on this site and will have no negative impact on the surrounding area or adjacent 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 Urban Mixed Use Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is service industry. The proposed use is Hospital Services, Business and Professional Services, and General Retail and Hire. The existing use is a discretionary use in the zone. The proposed uses are discretionary uses in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 15.0 Urban Mixed Use Zone
  - 6.4.2 Part E - E2.0 Potentially Contaminated Land Code
  - 6.4.3 Part E - E5.0 Road and Railway Assets Code
  - 6.4.4 Part E - E6.0 Parking and Access Code
  - 6.4.5 Part E - E7.0 Stormwater Management Code
  - 6.4.6 Part E - E13.0 Historic Heritage Code
  - 6.4.7 Part E - E17.0 Signs Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Non-Residential Use - Part D 15.3.1 P1, P2 and P4
  - 6.5.2 Building Height - Part D 15.4.1 P1 and P2
  - 6.5.3 Setback - Part D 15.4.2 P1 and P2

- 6.5.4 Design - Part D 14.4.3 P1
- 6.5.5 Passive Surveillance - Part D 14.4.4 P1
- 6.5.6 Landscaping - Part D 14.4.5 P1 and P2
- 6.5.7 Fencing - Part D 14.4.7 P1
- 6.5.8 Use Standards - Part E E2.5 P1
- 6.5.9 Excavation - Part E E2.6.2 P1
- 6.5.10 Road Access and Junctions - Part E E5.6.2 P2
- 6.5.11 Number of car parking spaces - Part E E6.6.1 P1
- 6.5.12 Design of Vehicular Access - Part E E6.7.2 P1
- 6.5.13 Layout of Parking Areas - Part E E6.7.5 P1
- 6.5.14 Standards for Signs - Part E E17.7.1 P1 and P2
- 6.6 Each performance criterion is assessed below.
- 6.7 Non-Residential Use - Part D 15.3.1 P1, P2 and P4
  - 6.7.1 The acceptable solution at clauses 15.3.1 A1, A2 and A4 require non-residential uses to adhere to limits in relation to the hours of operation, noise emissions and commercial vehicle movements so as to not have an unreasonable negative impact on the surrounding residential amenity.
  - 6.7.2 The proposal includes 24 hour operation, the potential for commercial vehicle movements outside of the permitted hours, and the potential for noise emissions to exceed the permitted standards.
  - 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.7.4 The performance criterion at clauses 15.3.1 P1, P2 and P4 provide as follows:

*P1 - Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle*



*movements, noise or other emissions that are unreasonable in their timing, duration or extent.*

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

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

- (a) the time and duration of commercial vehicle movements;*
- (b) the number and frequency of commercial vehicle movements;*
- (c) the size of commercial vehicles involved;*
- (d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);*
- (e) noise reducing structures between vehicle movement areas and dwellings;*
- (f) the level of traffic on the road;*
- (g) the potential for conflicts with other traffic.*

- 6.7.5 The proposal has been assessed by Council's Environmental Development Planner. Their full assessment is provided at Attachment E. In summary, the Environmental Development Planner has indicated that the documentation submitted fails to adequately address the performance criteria in terms of the increased noise emissions from the site resulting from the proposed use and operation of the site.
- 6.7.6 Notwithstanding this, it is noted that the performance criteria are not just limited to noise emissions from the site. They extend to include any emissions which may have an unreasonable impact on surrounding residential use due to their time, duration or extent.
- 6.7.7 Light emissions are another potential source of unreasonable impact for surrounding residential dwellings. Much like the noise, it is the 24 hour nature of the proposed use which shifts these impacts from being

potentially reasonable to being unreasonable. This is because both light spill from inside the hospital (through the window openings) and from the headlights of the vehicles of shift workers, emergency vehicles, and service vehicles (such as deliveries and waste removal) will all have the potential to impact upon the surrounding residences beyond the light intrusion that is currently experienced, or indeed that which might be experienced from a lesser scale building or from reduced hours of operation.

6.7.8 As such, it could be concluded that the proposed medical tenancies that occupy the first two floors of the building could be conditioned to operate as requested and the resulting impacts of this more limited intensity of use would not create an unreasonable negative impact upon the surrounding amenity.

6.7.9 Were this aspect of the use to be considered acceptable, the issue would still remain of the potential for noise disturbance created by the backup generator, as it is considered probable that the medical tenancies desired would have temperature-sensitive mediums for which the generator may start to operate in the instance of a power outage. As such, even were the hours of operation to reduce significantly, it would remain appropriate to condition for the re-location and sound baffling of the generator to ensure that noise emissions do not have an unreasonable impact on residential amenity

Similarly, were use limitations to be focused on the proposed medical tenancies that occupy the first two floors of the building, the matter of delivery vehicles would remain a potential cause of unreasonable negative impact for the surrounding residences. As such, it would be appropriate to condition that commercial vehicle movements to and from the site only occur within nominated hours.

6.7.7 The proposal does not comply with the performance criterion.

6.8 Building Height - Part D 15.4.1 P1 and P2

6.8.1 The acceptable solutions at clauses 15.4.1 A1 and A2 require the maximum overall building height to be 10m, with the maximum building height within 10m of a residential zone being 8.5m.

6.8.2 The proposal includes an overall maximum building height of 24.2m, with maximum building heights within 10m of a residential zone being 21.3m.

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 clauses 15.4.1 P1 and P2 provide as follows:

*P1 - Building height must satisfy all of the following:*

*(a) be consistent with any Desired Future Character Statements provided for the area;*

*(b) be compatible with the scale of nearby buildings;*

*(c) not unreasonably overshadow adjacent public space;*

*(d) allow for a transition in height between adjoining buildings, where appropriate;*

*P2 - Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.*

6.8.5 There are no Desired Future Character Statements for the Urban Mixed Use Zone. As such, the proposal cannot be inconsistent with them, and therefore meets part (a) of the performance criteria.

6.8.6 When assessing the height of the proposed new building, it is important to have regard to the Resource Management and Planning Appeal Tribunal (the Tribunal) decision in the matter of *9 Sandy Bay Road Pty Ltd v Hobart City Council & Ors [2017] TASRMPAT 19*. In paragraphs 82-88 of this decision, the Tribunal has considered the matter of the scale of development, and the compatibility of this scale with surrounding residential developments.

6.8.7 This Tribunal decision guides the assessment of scale to consider the form not just of immediately adjacent buildings, but of buildings which can reasonably be seen within the same view field as the proposal. The decision further identifies that this assessment should be considered for all facades of the proposed building, not just for the primary, New Town Road frontage.

6.8.8 With this understanding of what constitutes 'nearby' in mind, it is necessary to view the proposed development in the round, and to

consider the compatibility of the height of the proposed building with all nearby (surrounding) buildings. The surrounding area is predominantly characterised by one or two storey dwellings of a residential scale.

- 6.8.9 The height and scale of the proposed building is significantly larger than that which is prevailing, and is not compatible with the scale of nearby buildings. As such part (b) of this performance criteria is not met by the proposal.
- 6.8.10 Sun shadow diagrams provided by the applicant demonstrate that the building will only begin to overshadow adjacent public space (New Town Road) after 1pm on the winter solstice. This extent of overshadowing is not considered unreasonable, and as such part (c) of the performance criteria is met.
- 6.8.11 When assessing the transition of height between adjoining buildings, it is again important to have regard to the Tribunal decision in the matter of 9 *Sandy Bay Road Pty Ltd v Hobart City Council & Ors [2017] TASRMPAT 19*. In paragraphs 89-98 of this decision, the Tribunal has considered the matter of the transition of height between the proposed development and the existing adjacent buildings.
- 6.8.12 The Tribunal notes at paragraph 91 that:
- "Transitions between adjoining buildings are common provisions in town planning controls. Obviously, the intent of such controls is to avoid discordant differences in building heights by requiring the design of higher buildings to have regard for, and a recognition of, lower building. Stepped buildings are one way to achieve a transition...."*
- 6.8.13 The proposed design does little to attempt to step the building down to provide a transition between the heights of the dwellings to the north or west. Where it has been incorporated, stepping within the built form is recessed in and at the upper most level. This does not provide a transition in height between adjoining buildings.
- 6.8.14 Whilst the heights are comparable, and there may broadly be considered to be a step between the dwelling to the south at 46 New Town Road, and the proposed building, it is again important to refer back to the above mentioned Tribunal decision. This decision looks to the built form of an existing adjacent dwelling to guide how appropriate the proposed transition in height may be.

- 6.8.15 In the current application, the surrounding (adjacent) buildings are all one and two storey residential dwellings of fairly traditional built form, with hipped or gable roof forms and masonry or weatherboard cladding.
- 6.8.16 As such, the proposed flat roof design of the building, presented as a solid block form with modern tilt panel concrete, steel accents and large glazing units, is not consistent with the built form of the surrounding buildings, and offers little or no transition between the site and its surrounds. As such, part (d) of this performance criteria is not met by the proposal.
- 6.8.17 The objective for this standard is: *"To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in the General Residential Zone or Inner Residential Zone."* The above assessment concludes that the proposed building does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.
- 6.8.18 The proposal does not comply with the performance criterion.
- 6.9 Setback - Part D 15.4.2 P1
- 6.9.1 The acceptable solution at clauses 15.4.2 A1 requires buildings to be set back from the front boundary within 1m of the median setback of all buildings within 100m of the site in either direction on the same side of the road, which has in this case been calculated to be 1.6m.
- 6.9.2 The proposal includes a building that has no setback to the front boundary.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause 15.4.2 P1 provides as follows:
- Building setback from frontage must satisfy all of the following:*
- (a) be consistent with any Desired Future Character Statements provided for the area;*
- (b) be compatible with the setback of adjoining buildings,*

*generally maintaining a continuous building line if evident in the streetscape;*

*(c) enhance the characteristics of the site, adjoining lots and the streetscape;*

*(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;*

*(e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.*

6.9.5 There are no Desired Future Character Statements for the Urban Mixed Use Zone. As such, the proposal cannot be inconsistent with them, and therefore meets part (a) of the performance criteria.

6.9.6 Given the variety of setbacks present in the street, it is not possible to establish a continuous building line. As such, when assessing the front setback of the proposed new building, it is important to have regard to the Resource Management and Planning Appeal Tribunal (the Tribunal) decision in the matter of 9 Sandy Bay Road Pty Ltd v Hobart City Council & Ors [2017] TASRMPAT 19. paragraph 52-54 of this decision defines compatible as:

*"...To be compatible is to be consistent or congruous with that which comparison is required to be made. The Tribunal holds that to be "compatible" requires that the building height be capable of co-existing with the scale of nearby buildings.*

*The Tribunal defined the term 'compatible' in two recent decision: Henry Design & Consulting v Clarence City Council and Flood v George Town Council. In Henry Design, the Tribunal held at [50] that 'compatible' meant "not necessarily the same... but at least similar to, or in harmony or broad correspondence with the surrounding area".*

*The effect of the Tribunal's ruling in those cases, and the approach it adopts in this appeal, requires an outcome which is in harmony or broad correspondence with the surrounding area."*

- 6.9.7 When assessing the street front setbacks of the surrounding properties, there is generally a trend for the larger buildings to the south to be located closer to the front boundaries, presenting a strong building line to the street. The properties to the north vary more, with outbuildings and verandahs closest to the street, but with softer, more broken built form presenting to the street frontage.
- 6.9.8 As such, the assessment turns on whether the proposed setback can co-exist with the setback of nearby buildings. Whilst there are other factors that render this proposal inappropriate for the site, the proposed front setback of itself is not unreasonable. The built form, height and scale of the building are not appropriate for the location, and these factors are compounded by the street front setback. However, a different built form, of a scale more comparable to those existing in the street, would be more acceptable at such a front setback. Accordingly, the proposal is considered to satisfy part (b) and (c) of the performance criteria.
- 6.9.9 Variations to the proposed setback are as a result of the deviations in the boundary, and are not used to break the massing of the building. As such, no entrapment spaces are created by the proposed New Town Road frontage setback. Accordingly, the proposal is considered to satisfy part (d) of the performance criteria.
- 6.9.10 The variation in building alignment along New Town Road is not large and as such the proposal is considered to satisfy part (e) of the performance criteria.
- 6.9.11 The proposal complies with the performance criterion.
- 6.10 Setback - Part D 15.4.2 P2
- 6.10.1 The acceptable solution at clauses 15.4.2 A2 require buildings to be set back half the height of the wall from any residential zone boundary.
- 6.10.2 The proposal includes a building that is 20.7m tall at a setback of 9.8m to the northern boundary, 20.7m tall at a setback of 3.7m to the western boundary, and 12.4m on the southern boundary.
- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion at clause 15.4.2 P2 provides as follows:

*Building setback from the General Residential or Inner Residential Zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:*

*(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;*

*(b) overlooking and loss of privacy;*

*(c) visual impact when viewed from adjoining lots,*

*taking into account aspect and slope.*

- 6.10.5 The shadow diagrams provided demonstrate that the private open space for the adjacent dwellings in Clare Street (within the Inner Residential Zone) will be completely overshadowed by the proposed new building throughout the morning, until after 12pm on the winter solstice. Existing surrounding development will then see the rear yards approximately half in shadow by 3pm and completely shaded by 4pm. As such, the proposal fails to meet part (a) of the performance criteria in relation to these dwellings as there is not a minimum 3 hours of sunlight to the private open space.
- 6.10.6 The shadow diagrams provided demonstrate that the private open space for the adjacent dwellings in Seymour Street will be largely overshadowed by the proposed development early in the morning, with sunlight penetrating the majority of the rear yard by 10am. Existing surrounding development will then see the rear yards starting to be shaded around 2pm, and almost completely in shadow by 4pm. As such, these dwellings, whilst experiencing a loss of early morning sunlight will still receive around 4 hours of sunlight to their private open space. As such, the proposal meets part (a) of the performance criteria in relation to these dwellings.
- 6.10.7 The dwelling to the north of the application site will experience no increase in detriment in terms of overshadowing as a result of the development. As such, the proposal meets part (a) of the performance criteria in relation to this dwelling.
- 6.10.8 Windows on the southern facade of the proposed building are located 3.5m from the side boundary, have an internal sill height of 1.2m, and are



proposed to have 'window reveals' extending 500mm beyond the external wall to prevent overlooking of occupants of the adjacent dwellings and yards from inside the building. However, due to the gradients of the land in this area, there will still be uninterrupted views into these properties. As privacy measures have been implemented elsewhere, it is presumed that they are not desired by the applicant in this location, so conditioning their installation would not be appropriate. Accordingly, the proposal fails to meet part (b) of the performance criteria in relation to these dwellings.

- 6.10.9 Windows on the south western facade of the proposed building are to be located 3.5m from the rear boundary, have an internal sill height of 1.2m, and are proposed to have 'window reveals' extending 500mm beyond the external wall and angled fins within these reveals eliminating the ability to look down from these windows to prevent overlooking of occupants of the adjacent dwellings and yards from inside the building. It is considered that the combination of the fins and reveals is sufficient to ensure the privacy of the dwellings adjacent to the boundary for this section of the building.
- 6.10.10 Windows on the north western facade of the proposed building are to be located 5.5m from the rear boundary, have an internal sill height of 1.2m, and are proposed to have 'window reveals' extending 500mm beyond the external wall and angled fins within these reveals eliminating the ability to look down from these windows to prevent overlooking of occupants of the adjacent dwellings and yards from inside the building. It is considered that the combination of the fins and reveals is sufficient to ensure the privacy of the dwellings adjacent to the boundary for this section of the building.
- 6.10.11 Windows on the northern facade of the proposed building are proposed to be located 12.3m from the side boundary at their closest point, have an internal sill height of 1.2m, and are proposed to have 'window reveals' extending 500mm beyond the external wall to prevent overlooking of occupants of the adjacent dwellings and yards from inside the building. Due to the gradients of the land in this area, this is considered adequate to protect the privacy of occupants of the adjacent dwelling.
- 6.10.12 The residential properties to the south west of the development site on Clare Street currently back onto single storey additions to the existing building, which are set back approximately 4m from the rear boundary at the closest point of the building. Whilst larger than a domestic scale building, it is down hill slightly of the adjacent dwellings, and as such enables views over the building. The proposal would result in a wall which is in excess of 12m in height to be located on the rear boundary of these

dwellings. The visual impact of this will be significant in terms of closing off the field of view with a significant structure that will dominate the rear yards of the dwellings. Accordingly, the proposal fails to meet part (c) of the performance criteria in relation to these dwellings.

6.10.13 The residential properties to the north west of the development site on Seymour Street currently back onto a property with a setback of approximately 17m to the boundary at the closest point of the building. The building itself is also only two storeys currently. This means that these residences are not closed in or overwhelmed by the bulk or massing of the existing site development. The proposal would result in a wall which is in excess of 14m in height being located 5.5m from the rear boundary. The visual impact of this will be significant in terms of closing off the field of view with a significant structure that will dominate the rear yards of the dwellings. Accordingly, the proposal fails to meet part (c) of the performance criteria in relation to these dwellings.

6.10.14 The residential property to the north of the development site on New Town Road is currently set back approximately 36m from the nearest building, with landscaping and car parking in the intervening space. As such, there is limited, if any visual impact from the current site. The proposal would result in a wall which is in excess of 20m in height being located between 10.5m and 15.8m from the shared boundary. Given the setback in this location, and the proposed landscaping, it is considered that the increased visual impact from the proposed new building is not unreasonable. Accordingly, the proposal meets part (c) of the performance criteria in relation to this dwelling.

6.10.15 The proposal does not comply with the performance criterion.

6.11 Design - Part D 15.4.3 P1

6.11.1 The acceptable solution at clause 15.4.3 A1 requires for there to be no security shutters on frontages to public places.

6.11.2 The proposal includes a security screen door over the staff carpark entrance to the south of the main hospital entrance on the front facade.

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 15.4.3 P1 provides as follows:

*Building design must enhance the streetscape by satisfying all of the following:*

*(a) provide the main access to the building in a way that addresses the street or other public space boundary;*

*(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;*

*(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;*

*(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;*

*(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;*

*(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;*

*(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;*

*(h) be consistent with any Desired Future Character Statements provided for the area.*

6.11.5 The proposed security door is to be clad in the same material as the adjacent wall so as to blend with the wall it is set into. As such, it will not present as a security door, but rather as an element of the facade. A security door is the only feasible way to secure this part of the building.

6.11.6 The proposal complies with the performance criterion.

6.12 Passive Surveillance - Part D 15.4.4 P1

- 6.12.1 The acceptable solution at clause 15.4.4 A1 requires that there are no entrapment spaces on the site.
- 6.12.2 The proposal includes less than 30% glazing to the front building facade at street level, and an entrapment space in the south eastern portion of the site, between the building and the rear of the property at 9A Clare Street.
- 6.12.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.12.4 The performance criterion at clause 15.4.4 P1 provides as follows:

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

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

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

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

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

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

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

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

- 6.12.6 The potential entrapment space at the rear of the property is not in an area where the general public will be directed, it is more an area that will be accessed by delivery vehicles and the like. As such, it will likely be used during the day and will be well lit whilst in use. It also backs onto the rear yard of the property at 9A Seymour Street, so any untoward activity in that space outside of daylight hours is likely to be witnessed / heard by the

adjacent residents.

6.12.7 The proposal complies with performance criterion.

6.13 Landscaping - Part D 15.4.5 P1 and P2

6.13.1 The acceptable solutions at clauses 15.4.5 A1 and A2 require landscaping along a frontage where the building setback is greater than 1m, and to a minimum depth of 2m to all boundaries abutting an Inner Residential Zone.

6.13.2 The proposal includes approximately 1m of landscaping adjacent to the carparking along the access strip from Clare street, 2m wide landscaping to the rear of 7 and 9 Seymour Street, less than 2m landscaping width to the rear of 5, 11 and 13 Seymour Street and 9A Clare Street, 2m wide landscaping to the southern side of 54 New Town Road, and no landscaping to the rear of 9 Clare Street.

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

6.13.4 The performance criterion at clauses 15.4.5 P1 and P2 provide as follows:

*P1 - Landscaping must be provided to satisfy all of the following:*

*(a) enhance the appearance of the development;*

*(b) provide a range of plant height and forms to create diversity, interest and amenity;*

*(c) not create concealed entrapment spaces;*

*(d) be consistent with any Desired Future Character Statements provided for the area.*

*P2 - Along a boundary with the General Residential Zone or Inner Residential Zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in the General Residential Zone or Inner Residential Zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zoned land.*

- 6.13.5 The Clare Street frontage currently has a chain wire fence recessed approximately 5m into the site, and the whole width of this portion of the site is hard standing area for vehicle parking. It is proposed to construct a driveway with 90 degree parking along this portion of the site. There will be a large strip of landscaping, ranging between approximately 2m and approximately 4.5m along this south western site boundary. There will then be approximately 1m of landscaping between the car parking and the front boundary (except where the gas cutoff is located) that then wraps up the north eastern side boundary, adjacent to the residential property at 9A Clare Street. Whilst this landscaping does not meet the acceptable solution, there are no buildings within this portion of the site, and as such, the reduced landscaping is considered a general improvement on the current outlook from the adjacent properties, and on the existing streetscape views of the site. Notwithstanding this, should a permit issue for the proposed development, it is recommended that the gas valves be relocated to the southwestern side of the frontage, and rotate to sit along the boundary so as to reduce their visual impact when viewed from the road.
- 6.13.6 The residential properties to the north west of the development site on Seymour Street currently back onto a property with a setback of approximately 17m to the boundary at the closest point of the building. The building itself is also only two storeys currently. This means that these residences are not closed in or overwhelmed by the bulk or massing of the existing site development. The proposal would result in a wall which is in excess of 14m in height being located 3m from the rear boundary. The proposed landscaping in this strip is annotated as being "low native ground covers". There is also proposed to be a 2.1m high corrugated metal fence on the boundary. As such, the proposed landscaping will offer no benefit to the adjacent residential dwellings in terms of reducing the adverse impacts on the visual amenity from the proposed development. There are also no apparent building design solutions employed to assist in reducing such impacts upon these adjacent properties.
- 6.13.7 The residential properties to the south west of the development site on Clare Street currently back onto single storey additions to the existing building, which are set back approximately 4m from the rear boundary at the closest point of the building. Whilst larger than a domestic scale building, it is down hill slightly of the adjacent dwellings, and as such enables views over the building, as well as light to penetrate the rear of the residences. The proposal would result in a wall which is in excess of 12m in height being located on the rear boundary for all of 9 and half of

9A, with only ground cover provided for the section of the rear of 9A that does not have building. This ground cover will again be screened with a 2.1m high fence and as such offers no benefit in terms of reducing the adverse impacts on the visual amenity from the proposed development. There are also no apparent building design solutions employed to assist in reducing such impacts upon these adjacent properties.

6.13.8 The proposal does not comply with the performance criterion.

6.14 Fencing - Part D 15.4.7 P1

6.14.1 The acceptable solution at clause 15.4.7 A1 requires fencing within 4.5m of a frontage to have a maximum height of 1.5m.

6.14.2 The proposal includes replacement of all fencing, including within 4.5m of frontages with solid, corrugated metal 2.1m high fencing. The proposal also includes replacement and new gates and fencing to the Clare and Seymour Street frontages of an undisclosed height.

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

6.14.4 The performance criterion at clause 15.4.7 P1 provides as follows:

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

*(a) the height of the fence;*

*(b) the degree of transparency of the fence;*

*(c) the location and extent of the fence;*

*(d) the design of the fence;*

*(e) the fence materials and construction;*

*(f) the nature of the use;*

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

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

- 6.14.5 The site is currently bounded by open chain wire fencing to both dwellings adjacent to the New Town Road and both dwellings adjacent to the Seymour Street frontages. The Clare Street frontage has a higher chain wire fence to the west and a lapped paling fence to the east, which angles down to the street front. The height and material for the remainder of the internal fencing (to the rear boundaries of the Clare and Seymour Street dwellings) is unknown.
- 6.14.6 The properties along Clare and Seymour Streets all have front fences and fences within 4.5m of the front boundary that are typically around 1-1.5m, increasing in height gradually further back in the site. As such, it is not appropriate to approve side fencing of a height of 2.1m in a solid material within 4.5m of the front boundary. Accordingly, it is considered appropriate to require a reduced fence height in this area to ensure that the proposed new fencing is compatible with the height of surrounding existing fences.
- 6.14.7 The height and material of the gates to the Clare and Seymour Street frontages has not been specified. As the Seymour Street frontage is within a Heritage Precinct, it is appropriate to condition that any proposed gate be of a material and height consistent with the surrounding properties in the street. As there are no high gates in the immediate area of the Clare Street frontage, it is considered appropriate to condition for the height and material of the proposed new gate to be consistent with those of surrounding properties.
- 6.14.8 The proposal complies with the performance criterion subject to the above mentioned conditions.
- 6.15 Potentially Contaminated Land Code - Use Standards - Part E E2.5 P1
- 6.15.1 The acceptable solution at clause E2.5 A1 requires certification by the Director of the Environment Protection Authority, or a person appointed by the Director, that the land is suitable for the intended use.
- 6.15.2 The proposal includes assessment and proposed contamination management measures to ensure that the site is suitable for the intended



use upon completion of works, but this has not been certified by the Director of the Environment Protection Authority, or a person appointed by the Director.

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

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

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

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

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

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

*(i) an environmental site assessment;*

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

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

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

*P1(c) a plan to manage contamination and associated risk to human health or the environment was submitted (the Environmental Site Assessment) and it includes:*

*(i) An Environmental Site Assessment;*

*(ii) It outlines specific remediation and protection measures required to be implemented before any use commences. This will involve the preparation, submission and implementation of a Contamination Management Plan (CMP) prior to commencement of excavation works; and*

*(iii) An assessment against the suitability of the site for its intended use (against the NEPM requirements - Section 9) was conducted within the ESA and a land use suitability determination made. A statement that the land is suitable for the intended use has been made within the ESA's concluding Summary (Section 14.5).*

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

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

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

6.16.2 The proposal includes excavation on a contaminated site.

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

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

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

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

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

*(i) an environmental site assessment;*

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

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

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

*The excavation does not adversely impact on health and the environment, having regard to (b) The CMP manages contamination and the associated risk to human health and the environment, and includes; (i) an Environmental Site Assessment (ESA), (ii) it details specific remediation and protection measures required to be implemented before excavation commences; and (iii) includes a statement that the excavation does not adversely impact on human health or the environment.*

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

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

- 6.17.1 The acceptable solution at clause E5.5.1 A3 requires a maximum increase of 20% or 40 additional vehicle movements to be generated by a development.
- 6.17.2 The proposal includes more than 20% or 40 additional vehicle movements being generated by the development.
- 6.17.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.17.4 The performance criterion at clause E5.5.1 P3 provides as follows:

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

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

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

*The development accesses to the road network which has a speed limit of 50km/h and the traffic generation by the development will exceed the 20% increase or 40 vehicle requirement of the acceptable solution and is to be assessed against the*

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

*Performance Criteria – P3:*

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

*(a) the increase in traffic caused by the use; - The traffic generated by the proposed development is likely to be up to 386 vehicle trips/hour during peak times. The TIA has concluded that there are no issues or concerns identified with the location of the driveways and their full use by all vehicle movements and the overall proposed development will not create any operational issues and is supported on traffic grounds.*

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

*(c) the nature and efficiency of the access or the junction; - The*

*Traffic Impact Assessment states that the conflicting traffic volume at the development site driveway with Clare Street will only be less than 30% of the maximum conflicting traffic volume of 1,500 vehicles /hour and the driveway access at the Warragul Avenue and New Town Road intersection will be well less than capacity.*

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

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

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

*(g) the need for the use; - The need for the use has not been assessed in this report.*

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

*(i) any written advice received from the road authority. - The road authority (Council) was requested to provide comments, however comments were not provided.*

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

6.17.6 The proposal complies with the performance criterion.

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

- 6.18.1 The acceptable solution at clause E6.6.1 A1 requires 330 car parking spaces for the proposal.
- 6.18.2 The proposal includes 235 car parking spaces.
- 6.18.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.18.4 The performance criterion at clause E6.6.1 P1 provides as follows:

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

*(a) car parking demand;*

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

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

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

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

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

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

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

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

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

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

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

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

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

*HIPS Table E6.1 identifies that a hospital is to provide 1 car parking space per 40m<sup>2</sup> of floor area and 1 car parking space per 30m<sup>2</sup> floor area for business and professional services. The total number of car parking spaces required to meet the acceptable solution for the development is 330. The total number of car parking spaces proposed for the site is 235 (including 6 parking spaces for people with disabilities and complies with BAC requirements). The deficiency in car parking spaces is 95.*

*Performance Criteria - P1:*

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

*(a) car parking demand; - The Traffic Impact Assessment provided with the application indicates that the provision of 235 on-site car parking spaces will sufficiently meet the likely demands associated with the development when considering applicable factors such as modal split, for which RTA guide indicates is 66% (car use) at medical centres, easy access to public bus services and the supply of motorcycle and bicycle parking spaces for employees and the public.*

*(b) the availability of on-street and public car parking in the locality; - There is a relatively large supply of on-street parking in the surrounding road network. Much of the available parking is in the form of time-restricted parking, with authorised residents excepted. Observations indicate that [there] is a large pool of*

*parking that would be available to meet the potential demands of visitor and overflow parking, particularly after normal working hours.*

*(c) the availability and frequency of public transport within a 400m walking distance of the site; - Metro Tasmania operate regular bus services along New Town Road with a bus stop on both sides of the road with in the frontage of the development.*

*(d) the availability and likely use of other modes of transport; - Other modes of transport [are] available. The developer proposes to provide 58 bicycle parking spaces and 16 parking spaces for motorcycles which exceeds the requirements of HIPS for bicycle and motor cycle parking spaces, therefore provides some compensation for the deficiency in car parking spaces.*

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

*(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; - The development proposes a mixed use of hospital and the commercial tenancies. Although it is not known what the tenancies will be it is considered that it is likely the sharing of car parking spaces will occur by the multiple uses.*

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

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

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

*(j) any verified prior payment of a financial contribution in lieu of*



*parking for the land; - Not applicable.*

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

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

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

*Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme. This is particularly due to the actual parking demands that will be generated by the development.*

6.18.6 The proposal complies with the performance criterion.

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

6.19.1 The acceptable solution at clause E6.7.2 A1 requires non-domestic driveways not to be located opposite street intersections.

6.19.2 The proposal includes a non-domestic driveway directly opposite Warrugal Avenue.

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

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

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

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

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

*(c) suitability for the type and volume of traffic likely to be*

*generated by the use or development;*

*(d) ease of accessibility and recognition for users.*

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

*The existing crossover from New Town Road for the southern access to the site is proposed to be altered and also the use is proposed to intensify as a result of accessing 69 proposed car parking spaces. This access is located opposite Warrugal Avenue within the intersection of New Town Road and Warrugal Avenue. To comply with section 3.2.3 of AS/NZS 2890.1:2004 and figure 3.1 "Prohibited Locations of Access Driveways" no non domestic driveways are to be located on the opposite side of intersections with in the area marked Y-Y on figure 3.1 "Prohibited Locations of Access Driveways". A Traffic Impact Assessment has provided an assessment of the Warrugal Avenue and New Town Road intersection including the car park access within the prohibited location and determined the driveway access should be supported at the proposed location as this intersection will be well less than the 1,500 vehicles/hour conflicting approach traffic volumes capacity for intersections and junctions. The Traffic Impact Access states the sight distances, width and gradients of all accesses will meet AS/NZS 2890.1:2004. The new location for the northern access from New Town Road is proposed to be provided in accordance with AS/NZS 2890.1:2004.*

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

*Performance Criteria - P1:*

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

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

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

- (c) suitability for the type and volume of traffic likely to be generated by the use or development; - Feasible  
(d) ease of accessibility and recognition for users. - Feasible

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

6.19.6 The proposal complies with the performance criterion.

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

- 6.20.1 The acceptable solution at clause E6.7.5 A1 requires parking areas to be designed and constructed in accordance with section 2 of the Australian Standard.
- 6.20.2 The proposal includes a parking area that does not comply with section 2 of the Australian Standard.
- 6.20.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.20.4 The performance criterion at clause E6.7.5 P1 provides as follows:

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

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

*Car Parking Space Dimensions (AS2890.1 Fig 2.2 = 2.4x5.4m Class 1A): - Feasible  
Car Parking Space Design Envelope (AS2890.1 Fig 5.2 300mm clearance on side): - Feasible  
Headroom: (AS2890.1 Fig 5.3 = 2.2m clearance): - Complies  
Parking Space Gradient (5%): - The majority of parking spaces will meet the AS2890.1 requirements, however there are seven parking spaces located in the car park off Clare Street that will have cross sectional gradient of approximately 12% that do not meet the AS2890.1 requirement of 6.25%. The Traffic Impact Assessment has identified that these parking spaces are*

*proposed to be 3.5m wide instead of the standard 2.5m width of a car parking space to compensate for the steepness in gradient by providing more side clearance for door opening and manoeuvring on the grade. The car park off Clare Street is for staff parking and accessed by a secure gate. It is considered acceptable under the performance criteria*

*Aisle Width (AS2890.1 Fig 2.2 = 5.8m Class 1A): - Feasible  
Garage Door Width & Apron (AS2890.1 Fig 5.4 = 2.4m wide => 7m wide apron): - N/A*

*Parking Module Gradient (manoeuvring area 5% Acceptable Soln, 10% Performance): - The majority of parking modules will meet the AS2890.1 requirements, however there are seven parking spaces located in the car park off Clare Street will have parking module gradients of approximately 12% that do not meet the AS2890.1 requirements. The Traffic Impact Assessment has identified that these parking spaces are proposed to the 3.5m width instead of the standard 2.5m width of a car parking space to compensate for the steepness in gradient by providing more side clearance for door opening and manoeuvring on the grade. The gradients of manoeuvring areas off Clare Street will be approximately 12%, 10% is generally acceptable under performance criteria. As the car park off Clare Street is for staff parking and the uses will become familiar with the site then it is considered acceptable under the performance criteria*

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

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

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

*Blind Aisle End Widening (AS2890.1 Fig 2.3 = 1m extra): - There are two blind aisle arrangements proposed that do not provide for end widening or suitable manoeuvring area for some parking spaces. The developer proposes Jockey Parking in this situation. The parking spaces associated with the Jockey Parking arrangement are proposed to be for staff parking and is considered acceptable under performance criteria*

*"Jockey Parking" (Performance Assessment): - Jockey Parking is proposed for five parking spaces and are proposed for staff parking. Although Jockey Parking arrangements for commercial uses are not desirable in this instance it is acceptable under Performance Criteria.*

*Performance Criteria - P1:*

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

6.20.6 The proposal complies with the performance criterion.

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

6.21.1 The acceptable solution at clauses E17.7.1 A1 and A2 require a maximum of one of each sign type per frontage, and a maximum wall sign size of 2m<sup>2</sup> and a maximum lettering height of 450mm.

6.21.2 The proposal includes three wall signs on the eastern (front) elevation. Two of the signs are identical and are approximately 2.3m high and 6.2m wide, with lettering up to 1.2m high. The third sign is approximately 1.2m high, and 10.5m wide, with lettering up to 1.2m high. There is also a wall sign on the western facade which is approximately 2.2m high, and 5.3m wide, with lettering up to 1.2m. All signs are proposed to be back lit.

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

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

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

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

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

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

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

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

*(f) not contribute to or exacerbate visual clutter;*

*(g) not cause a safety hazard.*

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

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

*(b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;*

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

6.21.5 When viewing the building as a whole, the signage does not appear to be unreasonable in scale. However, due to the scale of the building, the scale of the signage is quite significant. When viewing the site from the street, the signage proposed at ground level is 1.2m high, which will dominate the perception of the building. As such, the two ground level signs are not supported and a condition should be included if a permit is granted requiring the removal of these signs.

6.21.6 There is no detail of the proposed signage material included on the architectural drawings. However, it is reasonable to condition that the approved signs be maintained in good condition at all times. As such, should a permit be granted a condition should be included to this effect.

6.21.7 Several representors expressed concern that the proposed back lighting of the signage will result in unreasonable light spill and amenity impacts for residences facing the signs. It is proposed to back-light the signs, which will reduce the potential for light spill. However, it is not considered appropriate for the sign to the rear of the building which faces residential back gardens to be illuminated. As such, should approval be granted, a condition should be included to remove the illumination of this sign. Similarly, whilst there are already streetlights and vehicle headlights along New Town Road which will result in some light spill into the nearby residences facing this facade, it is considered that the back lighting of the hospital signage should not result in unreasonable loss of amenity for those residences. As such, it is considered appropriate to only have the signage illuminated during the hours that the building is open to the public

(other than overnight patients). Accordingly, should a permit issue for the proposal, a condition should be included that restricts the hours of illumination of the sign to between 6:30am and 8pm Monday to Friday and between 7:30am and 3:30pm Saturdays. The signage illumination should be controlled with an automated system which is maintained for the duration of the approved use of the site.

6.21.8 The eastern (front) elevation includes two identical signs. This is not supported. The removal of one of the signs can be conditioned as detailed above at paragraph 6.20.5.

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

## 7. Discussion

- 7.1 Planning approval is sought for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works.
- 7.2 The application was advertised and received fifty two (52) representations objecting to, one (1) representation supporting, and one (1) representation who's position was unclear. The representations raised concerns including Section 52 of LUPAA, Building Height, Building Setback, Scale / Visual Bulk / Building Massing, Overshadowing / Loss of Solar Access, Building Materials / Design, Views, Privacy, Noise, Light Spill, Health Impacts, Parking, Traffic, Pedestrian Safety, Bicycle Parking Location, Use, Un-allocated Tenancies, 24 hour operation of site, Smokers, Lack of Streetscape / Neighbourhood Compatibility, Heritage Considerations, Removal of Sculpture through Building Demolition, Planning Scheme Compliance, Landscaping, Proposed Signage, Extent of Excavation, External Waste Storage, Location of Service Infrastructure / Storage Areas, Substation, Volatile substance storage, Contamination Assessment and Management, Construction Impact and Accuracy of Documents.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered not to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Environmental Development Planner, Road Services Engineer, Stormwater Assets Officer, and Manager Traffic Engineering. The officers have raised no objection to the proposal, subject to conditions.

7.5 The proposal was referred to TasWater, who have provided conditions for inclusion should a permit be granted.

7.6 The proposal is recommended for refusal.

## 8. Conclusion

8.1 The proposed Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works at 46, 48-50, and 52 New Town Road, and 7a Clare Street, New Town does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.



## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Demolition, New Building for Hospital Services, Business and Professional Services, and General Retail and Hire, Signage, and Associated Infrastructure Works at 46, 48-50, and 52 New Town Road, and 7a Clare Street, New Town for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed hours of operation of the 24 hour hospital component of the development will have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P4 of the *Hobart Interim Planning Scheme 2015* because the potential timing of commercial vehicle movements could result in unreasonable adverse impact upon residential amenity.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not consistent with the built form of the surrounding buildings, offers little or no transition between the site and its surrounds, does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.
- 4 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P2 of the *Hobart Interim Planning Scheme 2015* because the proposed building is not compatible with the built form of the surrounding buildings.
- 5 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.2 P2 of the *Hobart Interim Planning Scheme 2015* because it does not prevent unreasonable adverse impacts on residential amenity by overshadowing, overlooking, and visual impact from adjoining Inner Residential Zoned Properties.

- 6 The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.5 P1 of the *Hobart Interim Planning Scheme 2015* because the extent, location and proposed species for the landscaping of the site is not sufficient to enhance the appearance of the development, or to avoid unreasonable adverse impact on the visual amenity of adjoining land in the Inner Residential Zone.



(Helen Ayers)

**Development Appraisal Planner**

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



(Cameron Sherriff)

**Acting Senior Statutory Planner**

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

Date of Report: 7 October 2019

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - CPC Supporting Documents

Attachment D - Referral Officer Report (Environmental Development Planner)



12 November 2019

General Manager  
Hobart City Council  
GPO Box 503  
HOBART TAS 7001  
(Submitted through e-Portal)

Attention: Rohan Probert

SUPPLEMENTARY INFORMATION - 48-52 NEW TOWN ROAD, NEW TOWN

This document has been prepared to provide an outline of the changes proposed to the development and how these changes positively respond to Council's basis for refusal, along with concerns raised by residents.

The following revised documents have been prepared and accompany this submission:

- Architectural plans;
- Photo montages;
- Revised Acoustic Report; and
- Revised Landscape Plan.

A brief summary of the changes proposed is provided below:

1. Increased setback of the building along the south-western elevation (to 3m) across the basement and ground floor level;
2. Additional landscaping to a depth of 3m at ground level along the western and south-western boundary facing residential zoned properties (i.e. 54 New Town Road, Seymour Street and Clare Street properties);
3. Provision of a green-wall along the western elevation and part of the northern-elevation facing Seymour Street and 54 New Town Road, respectively;
4. Relocation of the existing fire tank further below ground to offset the loss of car parks (a result of the increase in setback to south-western boundary, as per point 2). Carpark numbers have not changed, and further bicycle and motorcycle spaces have been provided;
5. Relocation of the entry gate to Clare Street and increased landscaping along the side boundary of 9a Clare Street;
6. Additional privacy screening over windows along northern and southern elevations; and

7. Dense screen planting and green wall added to north side of the northern access ramp to screen light and noise from 54 New Town Road.

These changes serve to substantially reduce visual impacts and significantly improve the overall perception and visual characteristics of the building when viewed from adjoining properties and surrounding streets.

The green-wall and privacy screening will substantially reduce any opportunity for overlooking onto adjoining dwellings along Seymour and Clare Street properties.

These elements will also ensure little or no light spill from the building during night-time hours along with automated internal blinds (on solar sensor).

The following section provides commentary around Council's reasons for refusal:

*Reason 1:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed hours of operation of the 24 hour hospital component of the development will have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.*

*Reason 2:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.3.1 P4 of the Hobart Interim Planning Scheme 2015 because the potential timing of commercial vehicle movements could result in unreasonable adverse impact upon residential amenity.*

The Acoustic Report has been updated to provide further clarification regarding noise emissions from the site in response to both Council concerns and those raised by representors.

The report specifies that the development meets the acceptable solution for noise emissions between 8.00am and 6.00pm. During the morning peak period (6.30am-8.00am) and evening peak period (6.00pm-8.00pm) the noise levels exceed the acceptable solution but meet the performance criteria as a result of noise mitigation measures employed (i.e. acoustic screening).

Outside of normal business hours (night-time), movements will be substantially reduced to occasional patients/visitors leaving the Hospital. Visiting hours are generally between 6.00pm-8.30pm.

The retaining wall along the northern elevation which shields the access ramp, will be increased and covered by the proposed green wall, substantially reducing any possibility for light spill generated by vehicles turning right into this access point.

The ground floor car park will be screened with acoustic mesh and the proposed 'green wall' will also serve to reduce noise emissions. Access via Clare Street is for staff and commercial vehicles ONLY. Staff movements outside of normal business hours will be significantly less, given that the tenancies will be closed, and the only staff movements will be during the shift change at around 10pm.

Commercial movements will be restricted to only occur between 7.00am and 5.00pm.

*Reason 3:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed building is not consistent with the built form of the surrounding buildings, offers little or no transition between*

*the site and its surrounds, does not contribute positively to the streetscape and will have an unreasonable impact on residential amenity of land in the Inner Residential Zone.*

*Reason 4:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 P2 of the Hobart Interim Planning Scheme 2015 because the proposed building is not compatible with the built form of the surrounding buildings.*

The proposed modifications do not change the overall built form of the building. However, the green-wall and increased setback will substantially improve residential amenity, as detailed further below.

*Reason 5:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.2 P2 of the Hobart Interim Planning Scheme 2015 because it does not prevent unreasonable adverse impacts on residential amenity by overshadowing, overlooking, and visual impact from adjoining Inner Residential Zoned Properties.*

*Reason 6:*

*The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.5 P1 of the Hobart Interim Planning Scheme 2015 because the extent, location and proposed species for the landscaping of the site is not sufficient to enhance the appearance of the development, or to avoid unreasonable adverse impact on the visual amenity of adjoining land in the Inner Residential Zone.*

The privacy/shading fins applied to the northern, southern, south-western and western elevations, along with the proposed 'green-wall' will provide a substantial screening effect, making it virtually impossible to overlook the properties along Seymour Street and Clare Street. The 'green-wall' will also substantially reduce any potential for light spill emanating from the north-western corner of the building right through to the south-western corner. Several examples illustrating green-walls in practice are shown below.



Figure 1: Various examples of green-wall successfully applied in urban contexts (source: SPA).

The additional landscaping along the south-western elevation ensures that the proposal complies with the acceptable solution A2 to Clause 15.4.5 by providing landscaping at a minimum depth of 2m along boundaries facing residential zones. This additional landscaping and setback also serve to reduce the visual scale of the building.

The requirements under Section 56 of LUPAA provide an applicable test when determining the merits of changes to a use/development and whether those changes can be approved without requiring a new application and/or re-advertisement.

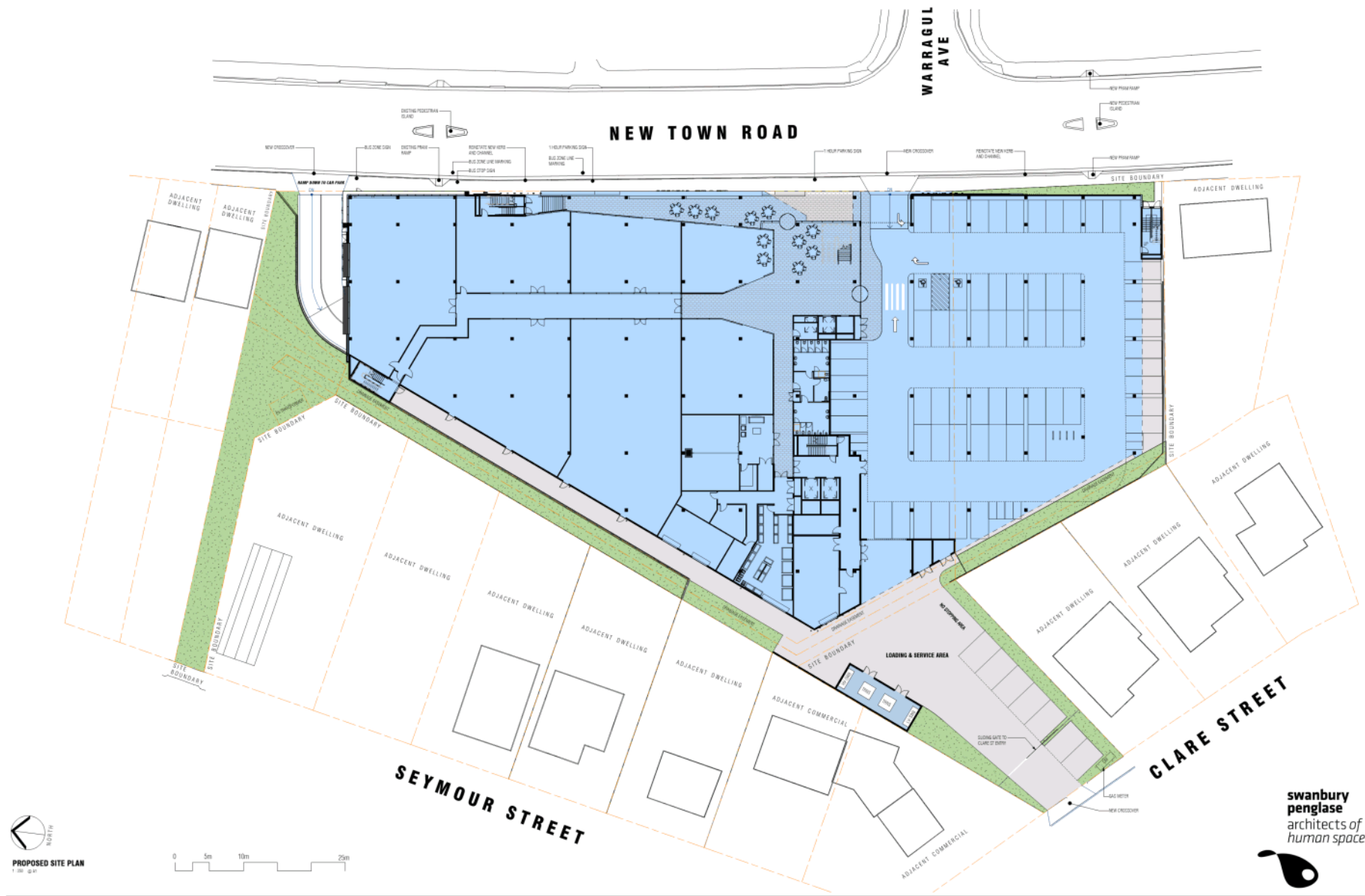
The proposed changes do not substantially alter the use/development proposed and could be specified as a condition of any subsequent permit.

If you have any further queries in relation to any of the above, please contact me on 6234 9281.

Yours sincerely,

Phil Gartrell  
Planner  
IRENEINC PLANNING & URBAN DESIGN





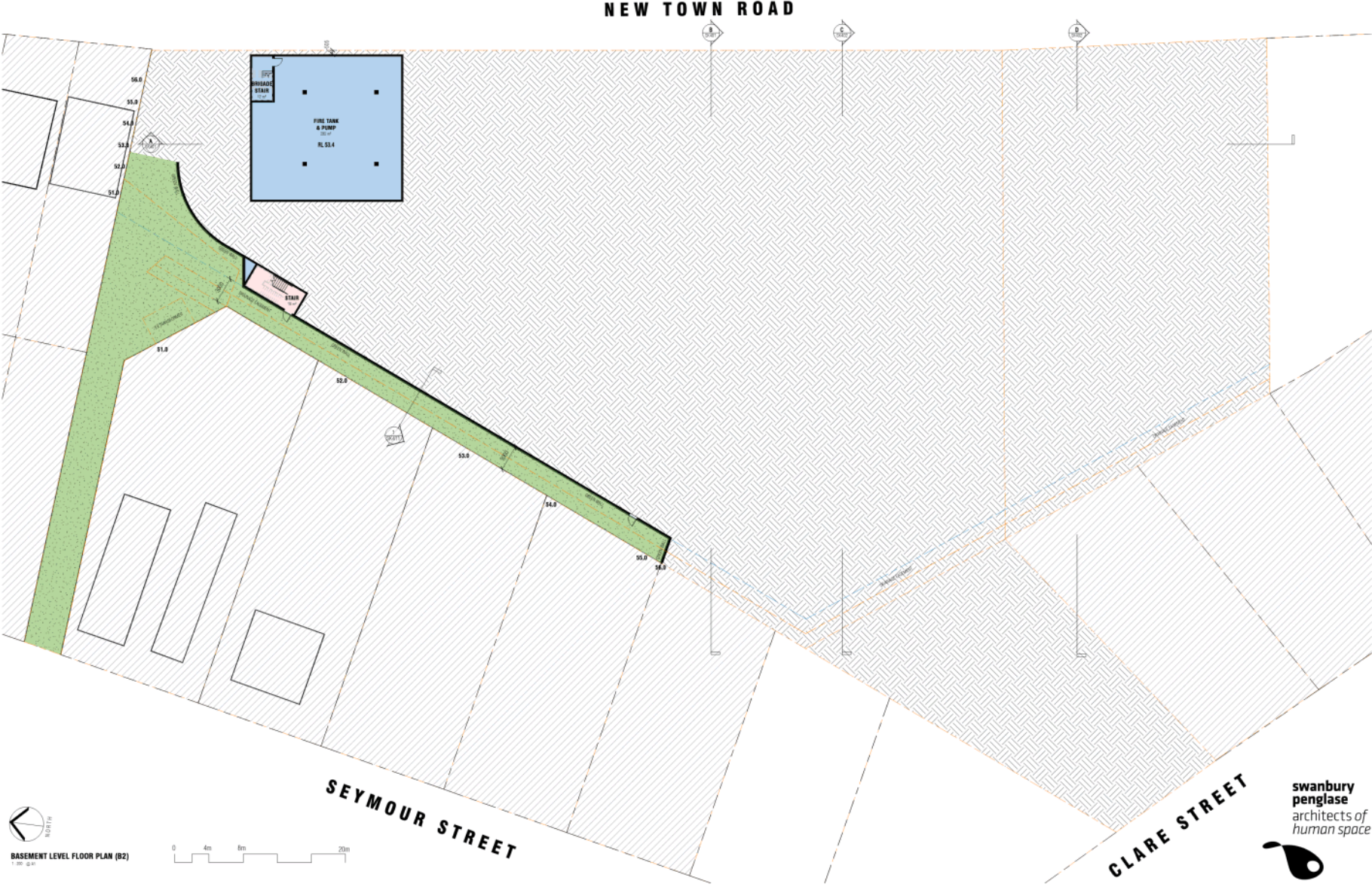
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**48-52 NEW TOWN ROAD, HOBART**

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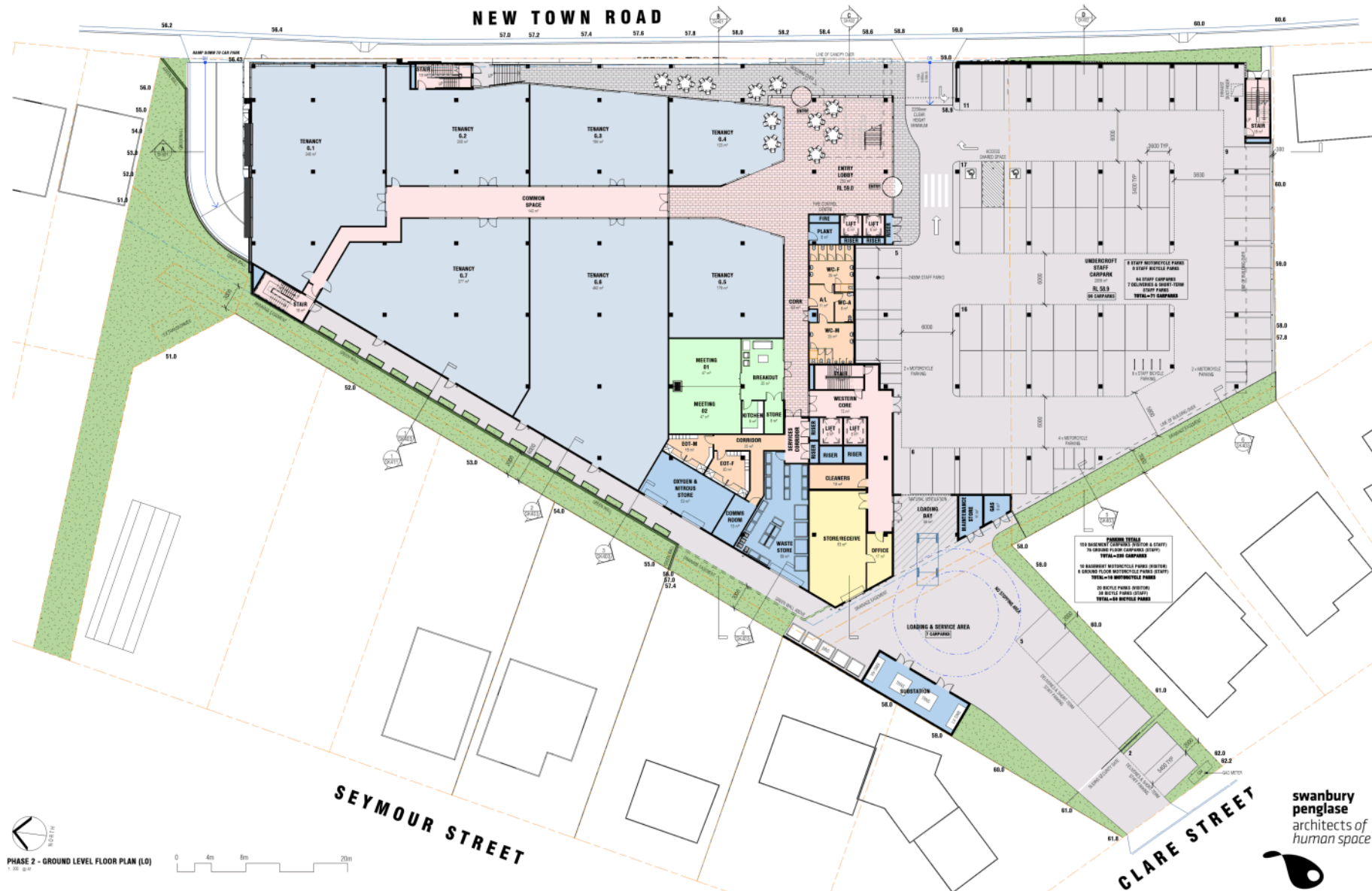




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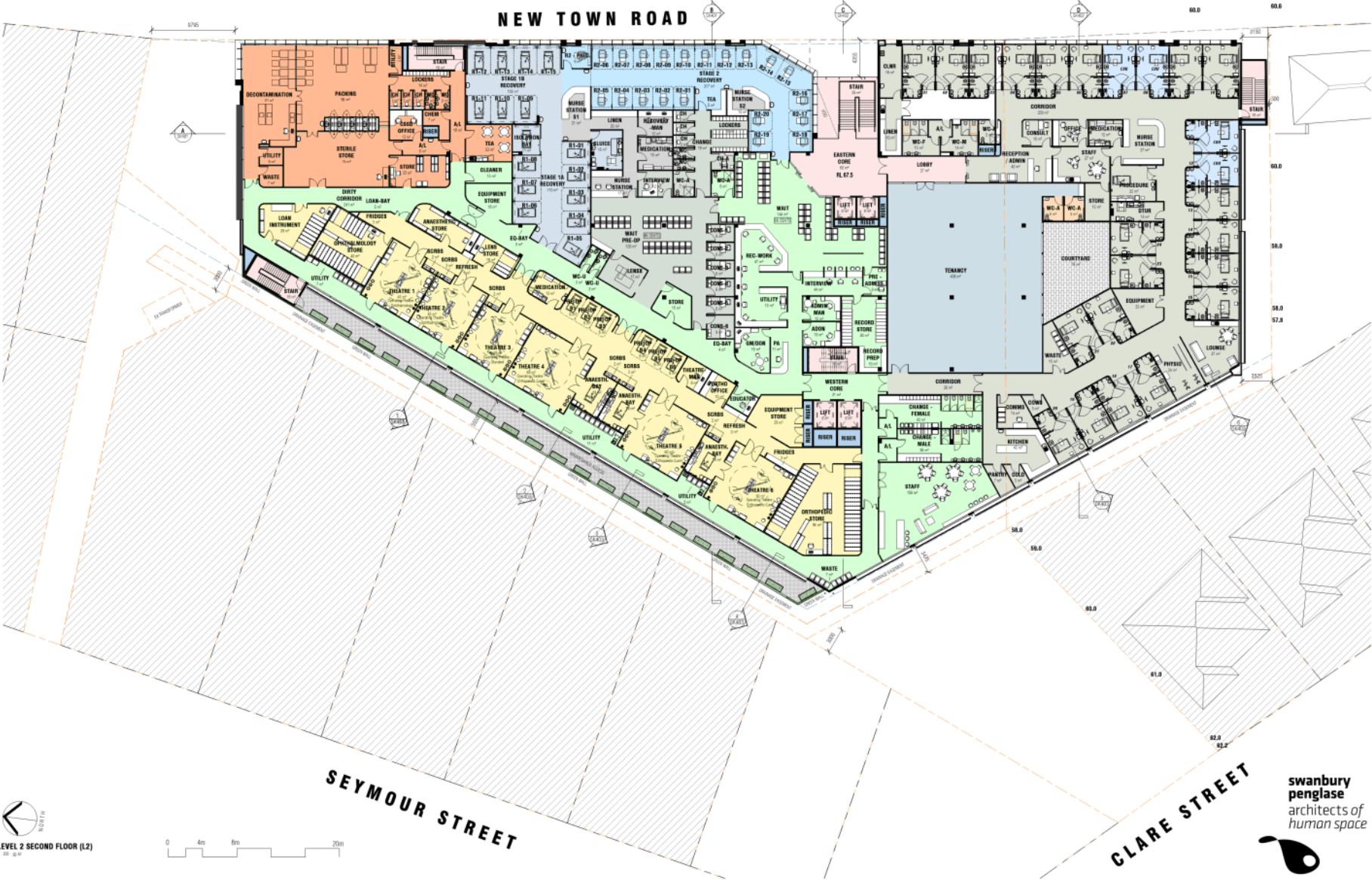
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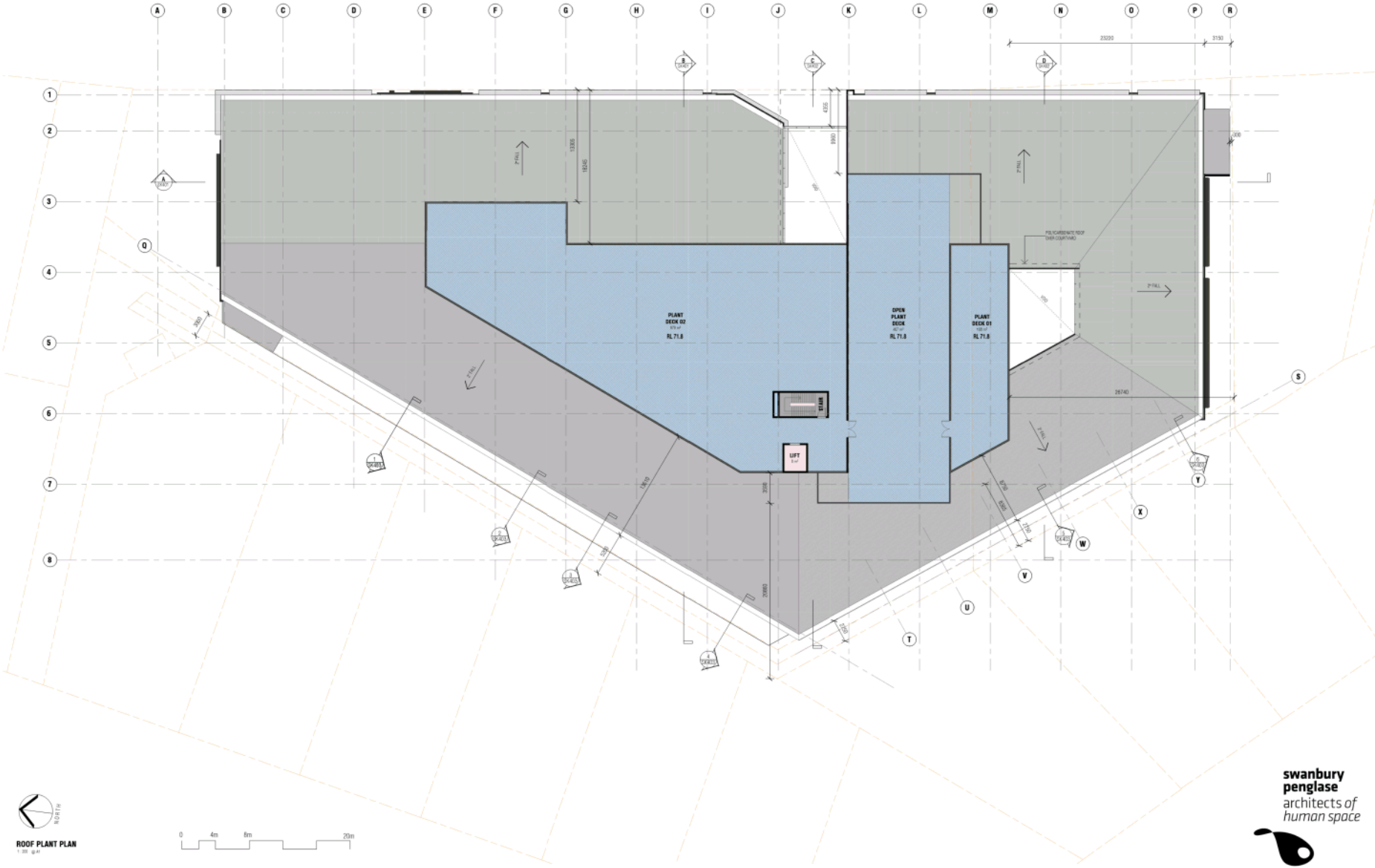
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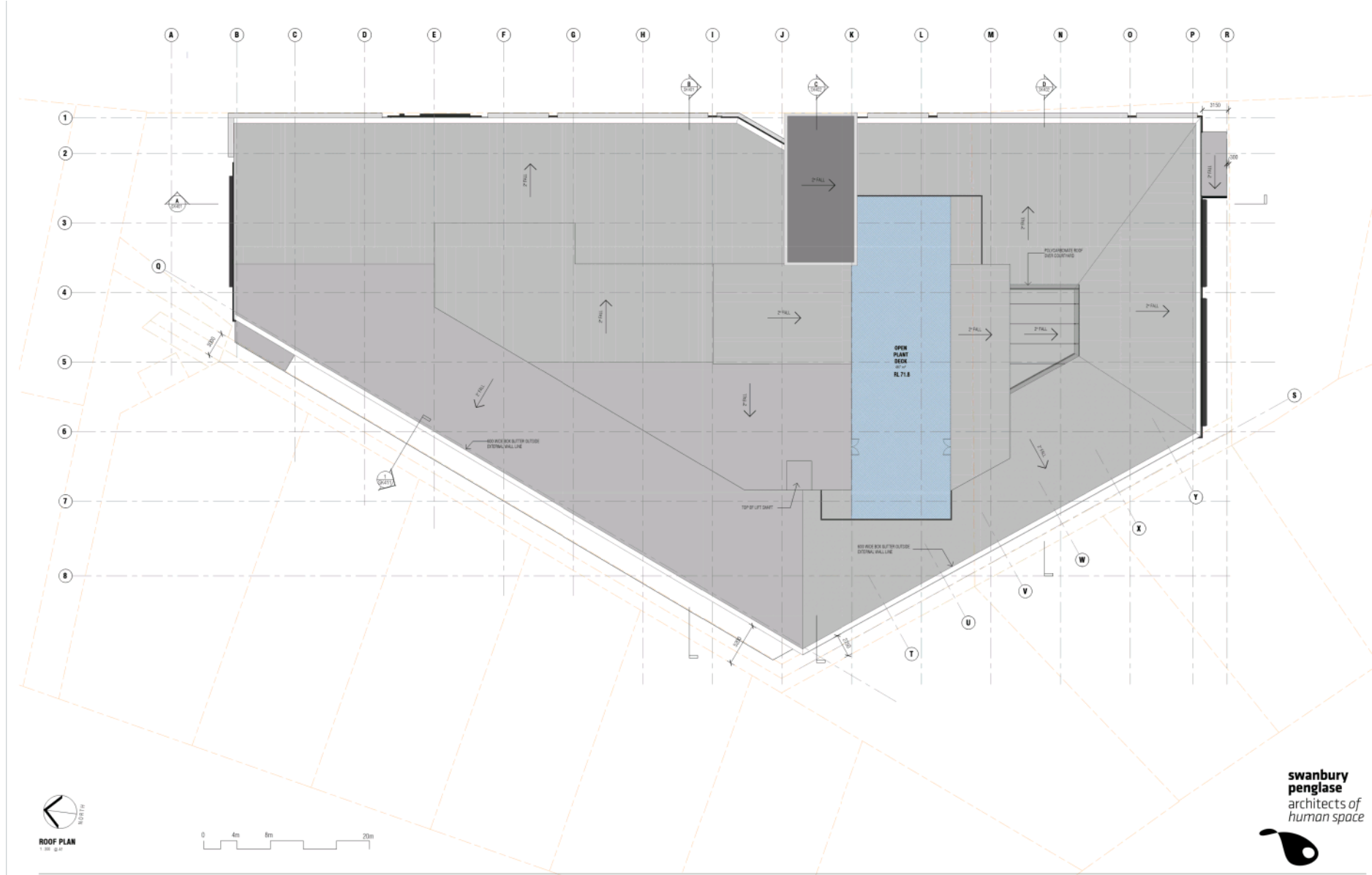




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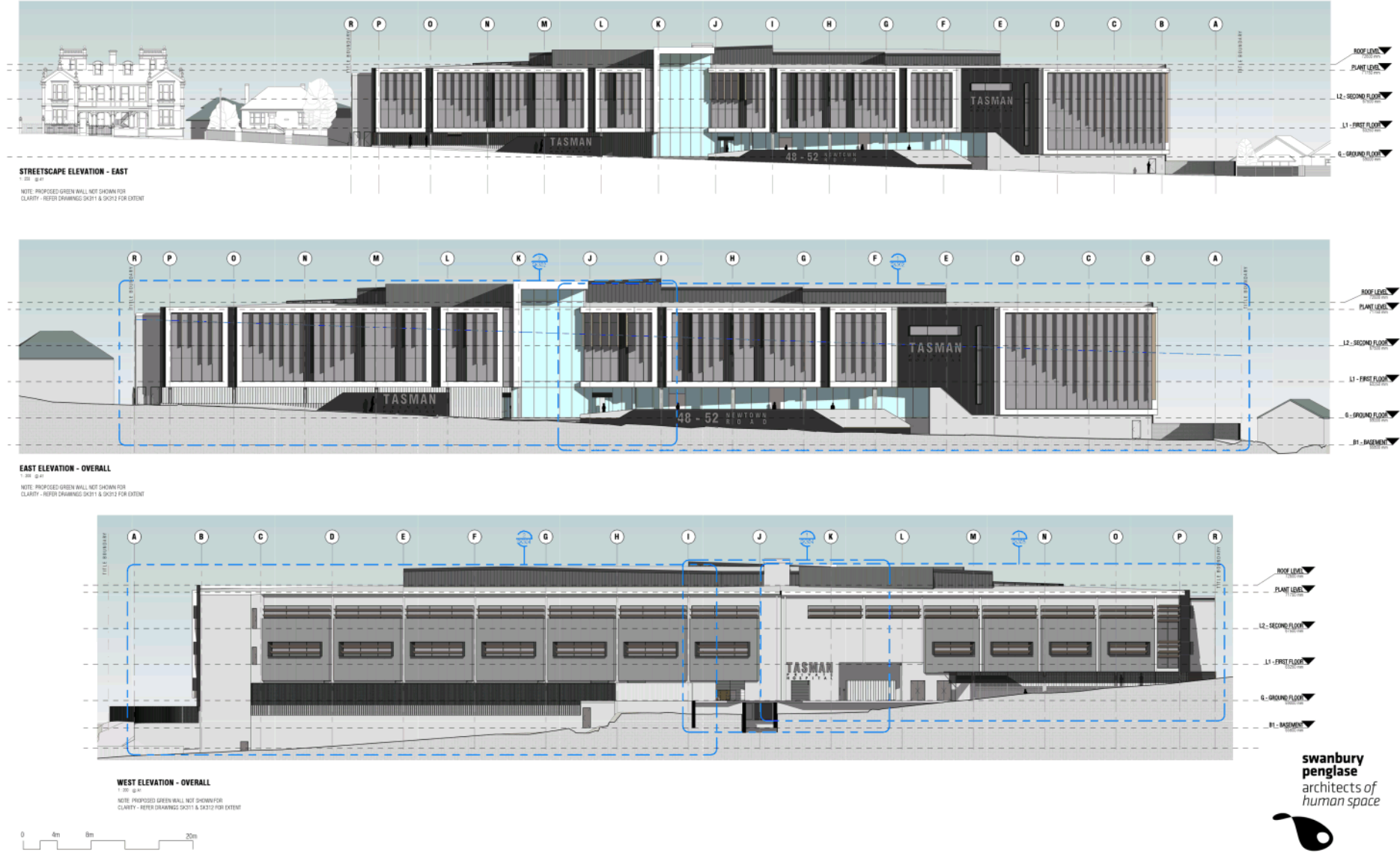


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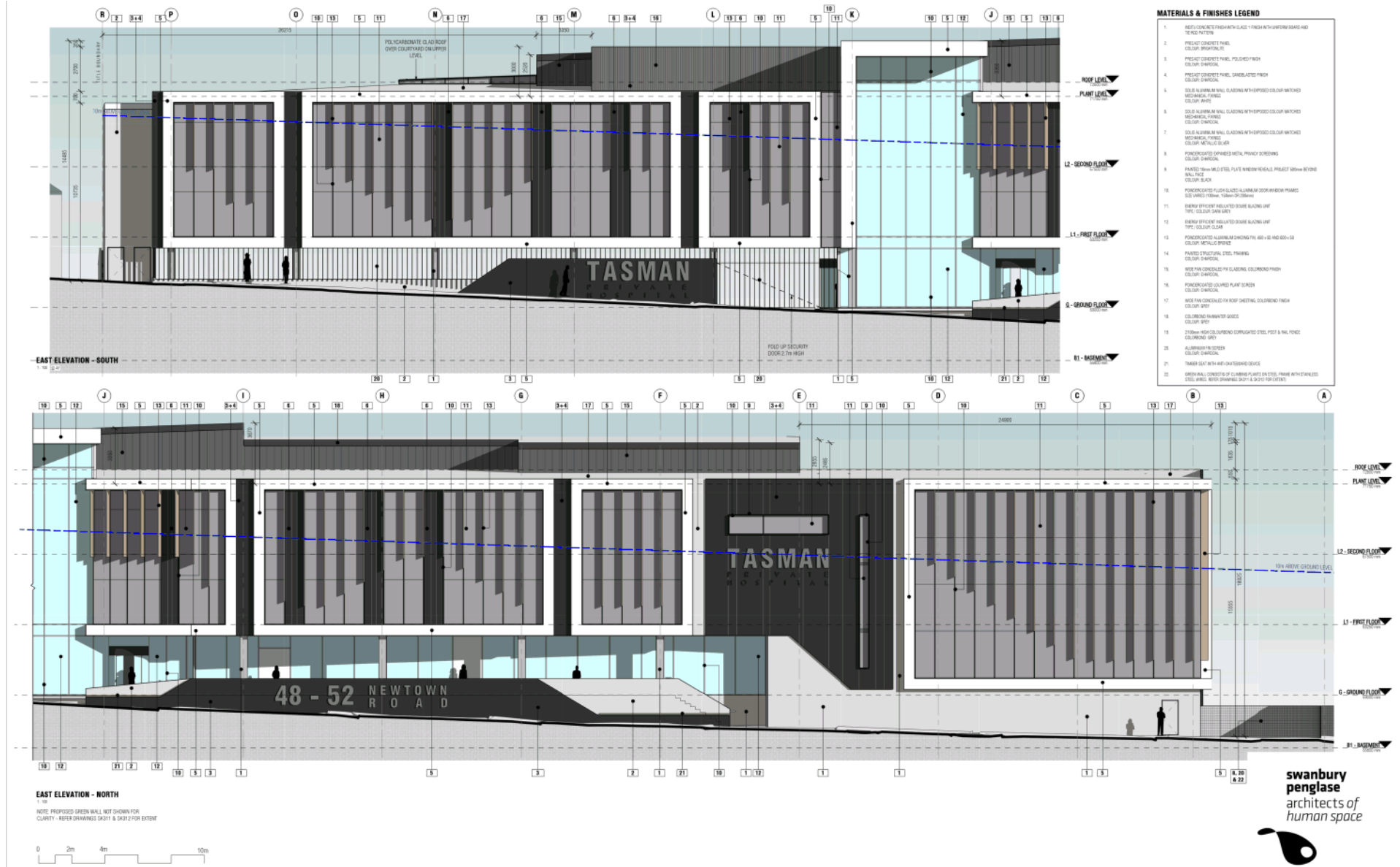




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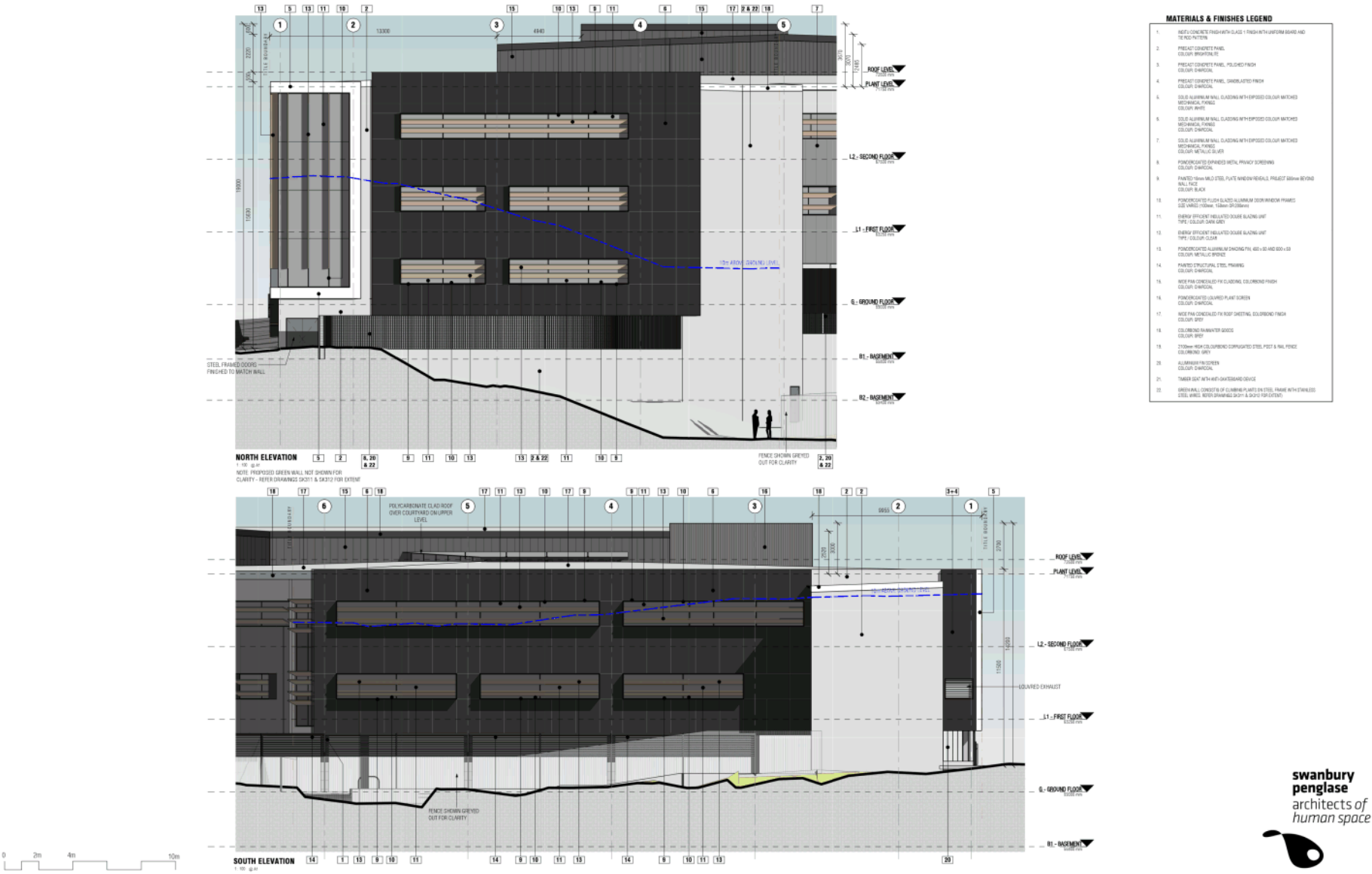




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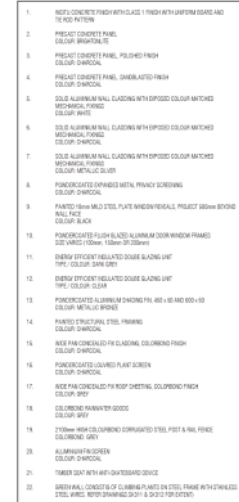


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**NORTH-WEST ELEVATION - SOUTH** NOTE: PROPOSED GREEN WALL NOT SHOWN FOR CLARITY - REFER DRAWINGS SK311 & SK312 FOR EXTENT

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human space

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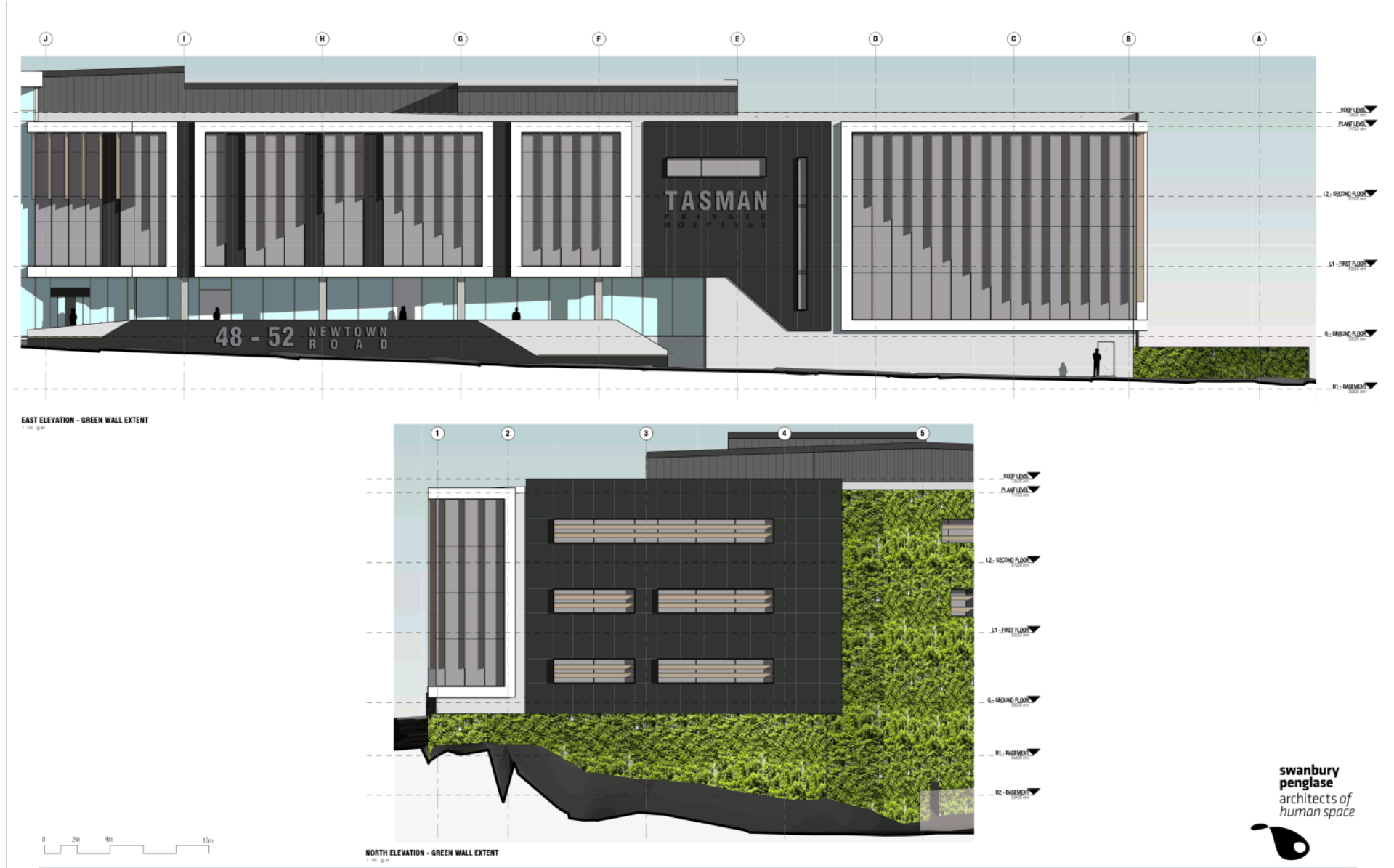
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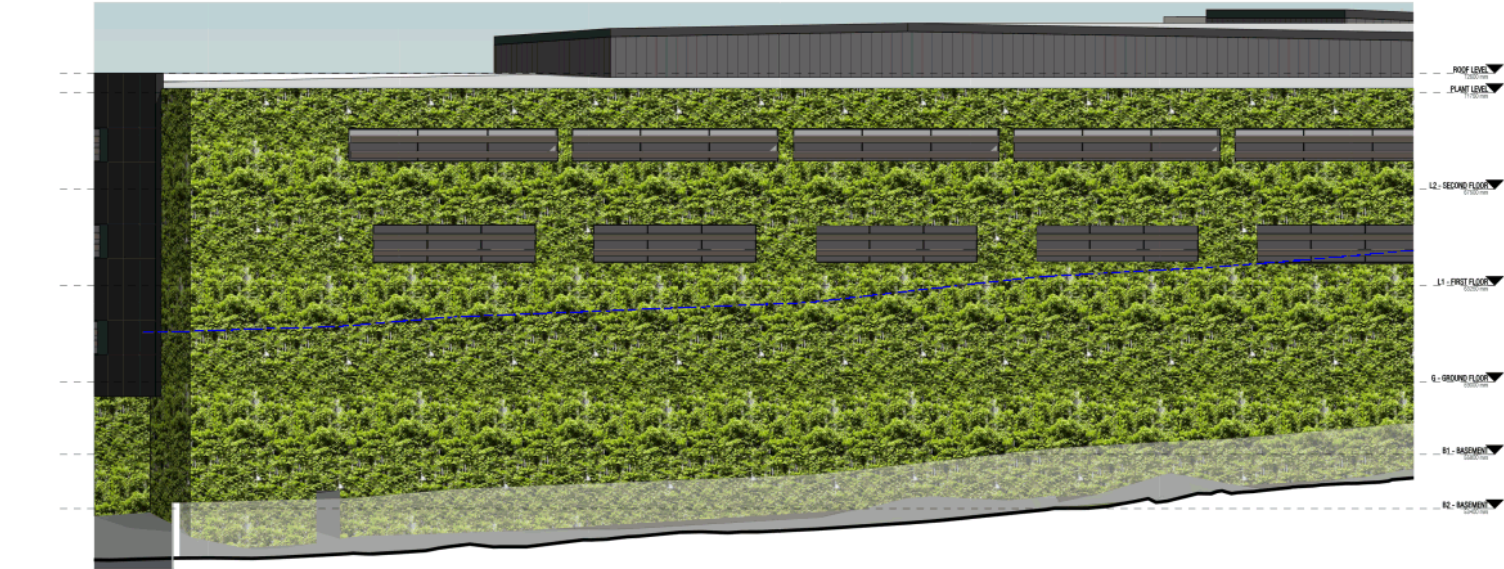
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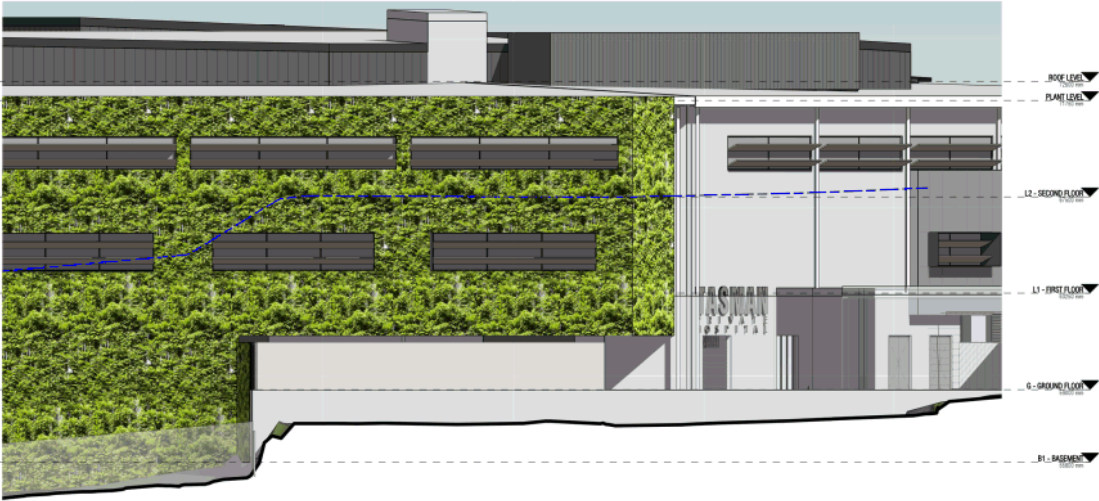
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NORTH-WEST ELEVATION - GREEN WALL EXTENT (NORTH)  
1:100 g.a.



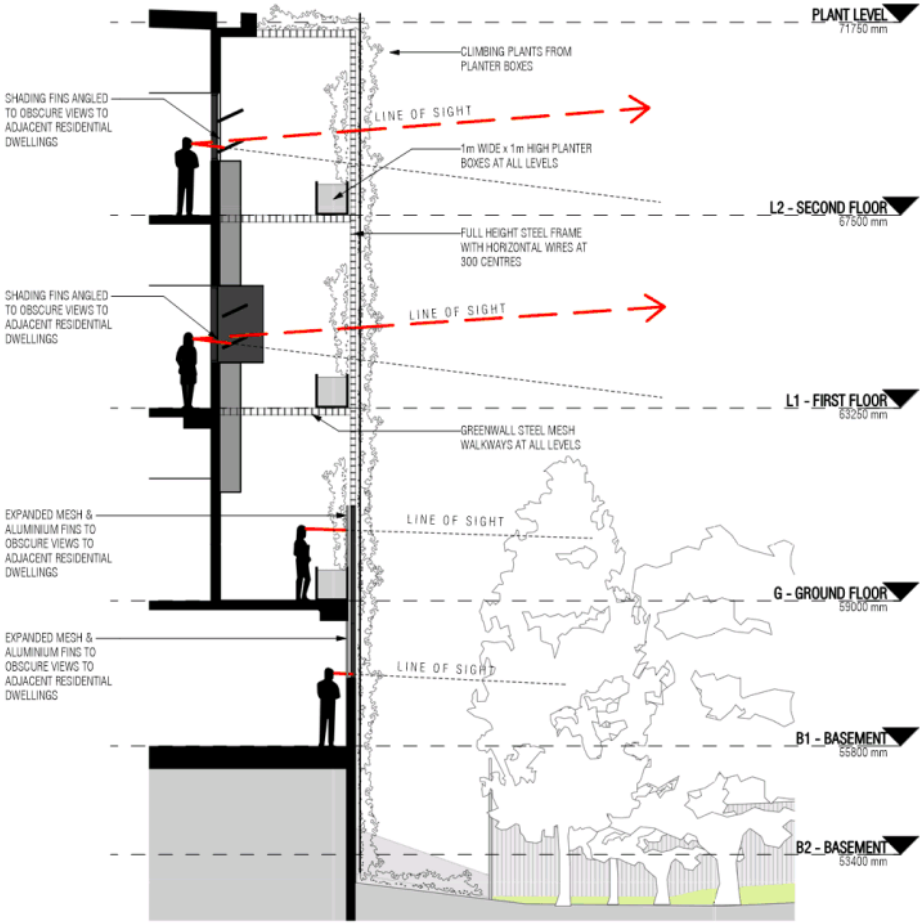
NORTH-WEST ELEVATION - GREEN WALL EXTENT (SOUTH)  
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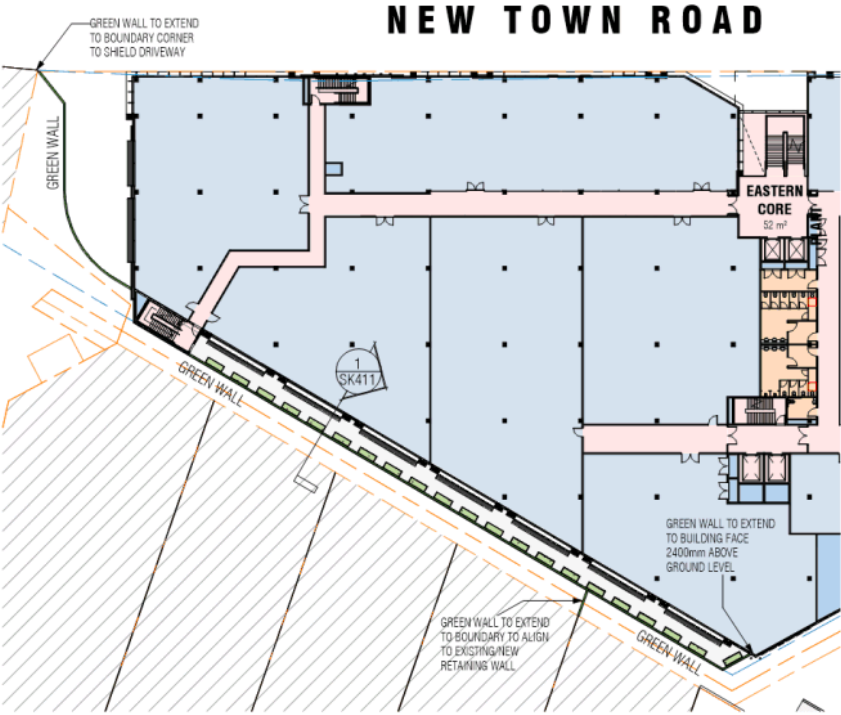
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**TYPICAL GREEN WALL SECTION - 1**  
1 : 100



**GREEN WALL EXTENT**  
1 : 500  
REFER ELEVATION DRAWINGS SK311 & SK312 FOR  
EXTENT OF GREEN WALL ON ELEVATIONS



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New Town Medical Centre Landscape Master Plan

48-52 New Town Road, Hobart | Development Application Revision B  
PREPARED FOR FROMNEX PTY LTD.





Swanbury Penglase  
244 Gilbert Street  
Adelaide SA 5000  
Attention: Stephen Penglase

8 November 2019

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#### NEW TOWN MEDICAL CENTRE – DA NOISE ASSESSMENT

A 3-storey health care facility is to be built at 48 – 52 New Town Road. The development will comprise retail, consulting and day surgery spaces, and has residential dwellings around it. This letter presents an assessment of likely noise emissions from the development against the Hobart Interim Planning Scheme (Scheme), conducted by NVC in April 2019.

### 1. SITE DESCRIPTION

The site is situated between New Town Road and Clare Street, on land that slopes down gently to the north and occupies an area of some 8,000 m<sup>2</sup>. The site is zoned Urban Mixed Use, and surrounded by predominately residential single and multiple dwellings, which are in an Inner Residential zone. There are a small group of buildings that operate as commercial activities adjacent the development that are within the Urban Mixed Use zone.



Fawn shading denotes Inner Residential zoning

Image courtesy Google Earth

Figure 1: Site and Surrounds

New Town Road is a significant traffic route between North Hobart and New Town/Moonah, and as such traffic noise from it is the main ambient noise.

The proposed development is for a new private hospital providing both in-patient and out-patient care, such as surgeries and rehabilitation. The site will also provide for a number of health-based retail tenancies, conference area and hospital support facilities. Primary access to the site will be from New Town Road, which will be used for all public access. An additional entry from Clare Street will be predominately used for service vehicle access.

The site and surrounds are shown in Figure 1.

## 2. NOISE SOURCES

Noise sources associated with the site have been identified as listed below:

### TasNetworks substation:

- The existing transformer is to be upgraded to a dual transformer substation, located on the SW boundary within a concrete panel building. Based on the transformer size (2x1.5MVA), the sound power level of the transformers is predicted to be 71 dBA. When located within a concrete building, the noise at the nearest residential boundary will be less than 25 dBA. This source is therefore not further considered in the assessment.

### Traffic access to the site:

- Traffic comprises light vehicles accessing site via two driveways on New Town Road, and service vehicles via Clare Street.
- Only the northern access off New Town Road is considered, as this is adjacent a residential boundary and carries the bulk of the traffic to the site (an order of magnitude more traffic than central access).
- Access via New Town Road will be predominantly between 7:00AM and 6:00PM for tenancy vehicles, and 6:30AM to 8:00PM for hospital vehicles. For night time noise levels a flow rate of 10 trips per hour has been assumed for each driveway.
- Medium and heavy service vehicles are assumed to access site within the hours indicated under the Acceptable Solutions in clause 15.3.1-A4 of the Scheme; 7:00AM to 5:00PM, i.e. day time hours only.
- Service vehicle reversing beacons are also considered under the Scheme Lmax criterion.
- Ambulance entrance to the site is included in the predictions in terms of general vehicle noise, but not in terms of its siren. The ambulance siren is assumed turned off on entrance to the site.
- The ambulance is taken as a light vehicle, and is included in day and night time vehicle movements.
- Peak vehicle movement numbers have been taken from a Traffic Impact Assessment<sup>1</sup>, and are summarised in Table 1. The morning and evening period counts were not produced specifically for the 06:30AM to 08:00AM and 06:00PM to 08:00PM periods, and thus are likely to be significantly greater than the traffic flows to be experienced in these periods – the predictions therefore represent a worst-case scenario. It should be noted that the morning peak flow rate is the highest for the day, and thus is used to assess the day time period also.
- It is noted that the single heavy vehicle and four medium vehicles on Clare St are predictions for daily, rather than hourly vehicle movements. However, they are modelled as occurring in one hour, to represent a worst-case scenario.
- Vehicles moving within the carpark are significantly further away from the residences than when on the access driveway, and experience substantially more screening from them. They are thus deemed insignificant in comparison, and are not further considered in the assessment.

<sup>1</sup> Traffic Impact Assessment – Proposed Tasman Private Hospital Development – Milan Prodanovic Traffic Engineering & Road Safety, May 2019

**Roof top mechanical plant room:**

- Contains AHUs, various pumps, and supply/exhaust fans.
- In-duct fans draw/exhaust air via louvres to the plant room, for which standard noise mitigation is applicable and effective (silencers, lined ducts, acoustic louvres). Standard acoustic design during detail design/documentation stages can achieve an acceptable noise level here.
- During design/documentation it will become apparent what the room wall/ceiling construction should be to meet the Scheme requirements. It is likely an absorptive lining will be required for some of the internal surfaces, and that the wall be Colorbond plus a secondary leaf (e.g. 18mm plywood or 12mm cement sheet).
- As standard noise mitigation practices may control emissions from the plant room, it is not considered in any further detail.

**Waste Disposal & Collection:**

- Vehicles used for waste collection are accounted for in the commercial vehicle movements.
- Waste disposal also includes the assessment of the  $L_{max}$  resulting from the depositing of glass bottles into a skip bin. It is noted that this noise is strongly dominated by high frequencies, and thus is easily attenuated via screening.

**Roof top plant deck:**

- Comprises 16 air-cooled chillers, assumed all operating at full load during the day, and 3 during the night.
- Selected units currently Hitachi RME-140AH2, with extra super low noise option.
- Fans are VSD controlled so can be run at low speed. Running two units at low speed is preferable to a single unit at full speed.
- The deck walls are to have an absorptive internal lining, and a barrier wall either end of the deck to a height of 0.5m above the units.
- The barrier wall should have a surface mass of at least  $15 \text{ kg/m}^2$ .

**Emergency generator:**

- For emergency power back up, and located in the basement in its own room, constructed of masonry blocks with a louvre for inlet air.
- The louvre is to be acoustic-type, and located in the internal wall to the car park.
- The set is test run monthly, during the daytime. As it only runs briefly, and infrequently, it is assessed on its own.
- Cummins generator C400D5.

**Car park exhaust fans:**

- Located in the basement using a ducted system with inlet on the western side and exhaust at ground level on the southern side.
- For both supply and exhaust there is substantial lengths of ductwork between the fan and entry / exit that may be lined or have an attenuator installed. As such noise emissions from this source may be controlled using standard mitigation practices, and such mitigation will be resolved during detail design stages. This source is then not considered further in any detail.

The locations of the noise sources are shown in Figure 1, and their octave sound power levels are listed in Table 2.

**Table 1: Peak Vehicle Movements – Two-Way, Per Hour**

	New Town Road, Northern Entry	Clare Street Entry	Clare Street Entry	
VEHICLE TYPE	Light	Light	Medium	Heavy
Day Time (08:00AM – 06:00PM)	173	10	4	1
Morning Time (06:30AM – 08:00AM)	173 <sup>1</sup>	10	–	–
Evening Time (06:00PM – 08:00PM)	127 <sup>2</sup>	10	–	–
Night Time (06:00PM – 08:00AM)	10	10	–	–

<sup>1</sup> This represents peak hourly flow in the 'Morning Period'<sup>2</sup> This represents peak hourly flow in the 'Evening Period'**Table 2: Octave Sound Power Levels**

Source	Qty	Sound Power Level, dBA								
		Frequency Band, Hz								
		63	125	250	500	1k	2k	4k	8k	O'all
Roof top AHU: RME-140H2	16	8	85	88	93	97	88	75	65	99
Car, 20 < km/hr	1	69	76	78	81	84	84	78	71	89
Large truck, < 20 km/hr	1	79	88	92	97	100	98	91	84	104
Medium truck, < 20 km/hr	1	81	85	90	99	100	96	88	76	104
Substation transformers	2			66	63					68
Generator, enclosed: C400D5	1	85	95	96	96	94	91	86	81	102
Disposal of glass bottles (Lmax)	–	64	77	87	93	96	107	110	98	112
Truck reversing beacon (Lmax)	–				85	101	109			101

### 3. PREDICTED NOISE LEVELS

Of the sources listed in the previous section, some are either insignificant (very low sound power), or readily controlled with standard noise mitigation practices and hence no longer considered for detailed assessment. This leaves three noise sources for detailed assessment, viz:

- The roof top external plant deck AHU's.
- Traffic noise, from the northern access off New Town Road, and off Claire street.
- The diesel generator set.

The noise emissions from these sources have been predicted using a spreadsheet-based model which implements the ISO 9613 algorithm, using topographic data from The List, and include attenuation due to distance, screening and air absorption. The following mitigation options are included in the model:

- An acoustic barrier / screen surrounds the roof top external plant deck to a height 0.5m above the plant. The screen has an absorptive internal lining.
- A 1.8m solid boundary fence lines the Clare Street access driveway.
- The diesel generator has acoustic louvres used for intake air from the car park area.

The predicted levels at the relevant boundaries and at elevated positions in the community are listed in Table 3. Note that these predictions are for emissions from the noise sources alone, and are not relative to existing ambient noise.

For R1 and R2, which are some 100m from the development but elevated to it, the controlling noise source is the roof top plant. Traffic accessing the site has negligible influence.

At the site boundary (R3 and R4), the traffic accessing the site is the dominant noise source as the bulk of the building provides a very effective barrier to the roof top plant.

When the diesel backup generator operates, emissions at the boundary to the nearest residences on the Seymour St are predicted to be 47 dBA, and thus it is a significant source there. The generator noise predictions do not account for any screening between the acoustic louvres and the residences, so noise levels at the residences are likely to be somewhat lower than the predictions indicate.



Predictions of instantaneous noise emissions have also been completed, to be assessed against the L<sub>max</sub> criterion under the Scheme. The strongest noise source predicted to be on site is a heavy vehicle, with a sound power level of 104 dBA, and is nearest to the residences when located on the Clare Street driveway. Reversing beacons from service vehicles on the Clare Street driveway are considered separately, with the sound power level taken from previous measurements by NVC.

The disposal of glass bottles into the skip bins is also considered. It should be noted that the sound power level for the glass bottle disposal was measured by NVC for a restaurant bar, and so comprised a large quantity of bottles being dropped into a skip bin, with the measurement being above the bin, i.e. with direct line of site into the bin. This level is then likely to significantly exceed the noise generation likely to occur by the hospital's use. The predicted L<sub>max</sub> level at each of the receivers is shown in Table 4.

Table 3: Predicted Noise Levels

Period	Receiver	Predicted Sound Pressure Level Per Source, dBA				TOTAL
		New Town Rd	Vehicle Movements Clare Street, Light Vehicles	Clare St, Medium/ Heavy Vehicles	Rooftop Mech. Plant	
Day	R1	<20	26	37	46	47
	R2	23	<20	<20	42	42
	R3	38	<20	<20	32	39
	R4	<20	38	49	44	51
Morning	R1	<20	26	–	46	47
	R2	23	<20	–	42	42
	R3	38	<20	–	32	39
	R4	<20	38	–	44	45
Evening	R1	<20	26	–	46	47
	R2	22	<20	–	42	42
	R3	37	<20	–	32	38
	R4	<20	38	–	44	45
Night	R1	<20	26	–	38	38
	R2	11	<20	–	39	39
	R3	26	<20	–	25	29
	R4	<20	38	–	32	39

Table 4: Predicted Instantaneous Sound Pressure Level from Heavy Vehicle

Source	Sound Pressure Level, dBA				
	R1	R2	R3	R4	Seymour St
Heavy vehicle, Clare Street driveway	53	29	30	69	62
Commercial vehicle reversing beacon, Clare Street driveway	49	25	27	65	58
Glass bottles deposited into bins	45	36	38	65	67

#### 4. CRITERIA

The Hobart Interim Planning Scheme 2015 defines noise criteria for an Urban Mixed Use zone under clause 15.3.1, which details Acceptable Solutions and Performance Criteria, with the objective “To ensure that non-residential use does not unreasonably impact residential amenity.”

Particular to noise it states:

**Acceptable Solution, A2:** Noise emissions measured at the boundary of the site must not exceed the following:

- (a) 55 dB(A) (L<sub>Aeq</sub>) between the hours of 7:00 am to 7:00 pm;

- (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7:00 pm to 7:00 am;
- (c) 65dB(A) (L<sub>Amax</sub>) at any time.

**Performance Criteria, P2:** Noise emissions measured at the boundary of the site must not cause environmental harm."

For commercial vehicles, it states:

**Acceptable Solution, A4:** Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to within the hours of:

- (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
- (b) 8.00 am to 5.00 pm Saturdays;
- (c) 9.00 am to 12 noon Sundays and Public Holidays

Unattended noise measurements were made at R2, R3 and R4, each over a 4-day period, to determine the current background and ambient noise levels in the area, and are summarised in Table 5.

**Table 5: Measured Ambient Noise Levels**

Time	Location	Sound Level, dBA 15 mins		
		L10	L90	Leq
Day (8:00AM – 6:00PM)	R2	52	46	50
	R3	65	49	61
	R4	54	42	51
Morning (6:30AM – 8:00AM)	R2	52	44	50
	R3	65	48	60
	R4	51	42	49
Evening (6:00PM – 8:00PM)	R2	51	43	49
	R3	64	47	60
	R4	52	42	49
Night (6:00PM – 8:00AM)	R2	46	36	43
	R3	58	41	55
	R4	48	37	46

The ambient noise measurements used a ten-minute interval period, and stored the L<sub>max</sub> for each of these. The percentage of these intervals which experienced an L<sub>max</sub> event over 65 dBA, and over 69 dBA are shown in Table 6. Note that these percentages are calculated from 24-hour data, and thus would be expected to be significantly higher if calculated for the day time only.

**Table 6: Measured L<sub>max</sub> Statistics**

L <sub>max</sub> exceeding	Percentage of 10-minute intervals with exceedance		
	R2	R3	R4
L <sub>max</sub> over 65	27%	97%	36%
L <sub>max</sub> over 69	12%	84%	23%

Combining the measurements with the Planning Scheme determines the Acceptable Solutions noise criteria are 55 dBA during the day time (8:00AM to 6:00PM) and 40 dBA during the night time (6:00PM to 8:00AM).

## 5. ASSESSMENT

Table 7 compares the predicted noise levels to the relevant criteria under the Planning Scheme. Site operating hours extend outside of the day time period under Clause 15.3.1-A2 of the scheme, and thus the 'morning' and 'evening' periods have been defined as shown in the table, and are assessed under the night time criteria. The remaining 'night' time period is then 08:00PM to 6:30AM, and is assessed separately.

Table 7: Assessment of Site Noise Emissions

		R1	R2	R3	R4
<b>DAY</b> (08:00AM – 6:00PM)	<b>Predicted Level</b>	47	42	39	51
	<b>Acceptable Solutions Criteria</b>	55	55	55	55
	<b>Pass/Fail</b>	PASS	PASS	PASS	PASS
<b>MORNING</b> (06:30AM – 08:00AM)	<b>Predicted Level</b>	47	42	39	45
	<b>Acceptable Solutions Criteria</b>	40	40	40	40
	<b>Pass/Fail</b>	FAIL	FAIL	PASS	FAIL
	<b>Performance Criteria – L90+5</b>	47	49	–	47
	<b>Exceeds Performance Criteria?</b>	NO	NO	–	NO
<b>EVENING</b> (06:00PM – 08:00PM)	<b>Pass/Fail</b>	PASS	PASS	–	PASS
	<b>Predicted Level</b>	47	42	38	45
	<b>Acceptable Solutions Criteria</b>	40	40	40	40
	<b>Pass/Fail</b>	FAIL	FAIL	PASS	FAIL
	<b>Performance Criteria – L90+5</b>	47*	48	–	47
<b>NIGHT</b> (08:00PM – 06:30AM)	<b>Exceeds Performance Criteria?</b>	NO	NO	–	NO
	<b>Pass/Fail</b>	PASS	PASS	–	PASS
	<b>Predicted Level</b>	38	39	29	39
	<b>Acceptable Solutions Criteria</b>	40	40	40	40
	<b>Pass/Fail</b>	PASS	PASS	PASS	PASS

\*Background L90 was not measured for R1, and thus value for R4 is used, as it is closest and deemed most representative.

It may be seen that the proposal meets the Acceptable Solutions criteria under the Scheme for both the day and night time periods. Noise emissions during the morning and evening periods require assessment against the night time criteria under the Scheme, and thus do not satisfy the Acceptable Solutions.

The NSW Noise Policy for Industry identifies intrusive noise as being 5dB higher than the background (L90) level. This is thus adopted as the Performance Criteria for the assessment. Applying this criterion during the morning and evening periods at each receiver, the proposal is deemed to satisfy the Performance Criteria.

Table 4 shows that instantaneous noise emissions from the loudest noise sources expected to be on site are below the Lmax criteria of 65 dBA at receivers R1, R2 and R3. The highest predicted Lmax is 69 dBA at R4, however this is only expected to occur once per day. Glass bottle disposal is proposed to generate an Lmax of 67 dBA at the adjacent residence, however the sound power used for the model is likely well in excess of what will occur in this case, and it is also likely to be an irregular occurrence. Additionally, ambient noise measurements at R4 demonstrate that ambient noise already exceeds 69 dBA at least once in 23% of the 10-minute intervals over the measurement period. As such, a small number of additional exceedances per day are unlikely to impact upon residential amenity, and thus deemed to comply with the Performance Criteria under clause 15.3.1-P2 of the Scheme.

Noise emissions from the emergency backup generator are predicted to be 47 dBA at the nearest residences on Seymour St. When run during the day (either for testing or emergency), these emissions therefore comply with the Acceptable Solutions under the Scheme.

At night, the backup generator noise is then assessed against the Performance Criteria, requiring it does not cause environmental harm. The NSW Noise Policy for Industry identifies an intrusive noise as being 5dB higher than the background level. For the generator this would imply 38+5=43 dBA.

The generator, if it operates at night, will be only for emergency (loss of mains power), and hence is expected to be infrequent. To account for this infrequent operation in assessing the noise, the noise limit may be increased, the Victorian noise regulations SEPP N1 at B4 indicating a 5 dB increase at night is appropriate. A limit of 48 dBA is then indicated as reasonable. The generator is below this, and hence is determined a reasonable noise at night, so unlikely to cause environmental harm.

## 6. CONCLUSION

An initial noise assessment of the proposed day hospital at 48 – 52 New Town Road has been performed. The various noise sources have been identified and described, with some being determined of insignificant sound power or readily controllable with standard mitigation practices (silencers, lined ducts, high mass walls, etc.)

Noise emissions from the remaining sources; traffic at Clare Street and New Town Road access points, the emergency diesel generator, and the roof top external plant deck, have been assessed in more detail using predictions based on the ISO9613 algorithms. The predicted noise levels have then been compared against the Hobart Interim Planning Scheme, under clause 15.3.1.

With the following mitigation options implemented the noise assessment has shown the development can satisfy either the Acceptable Solutions or Performance Criteria under clauses 15.3.1-A2/P2 of the Scheme:

- The diesel generator room should have an absorptive lining on the ceiling, and acoustic louvres for inlet air on the internal car park wall.
- The outdoor mechanical plant deck enclosure should have a surface mass of at least 15 kg/m<sup>2</sup>, be to a height 0.5m above the top of the plant, and have an absorptive lining on the inside (e.g. Stratocell Whisper, 50mm).
- Where boundary fences are replaced / installed, they should be to a height of 1.8m and of solid construction (>15kg/m<sup>2</sup>). At a minimum such a fence should line the Clare Street access on both sides, and the northern boundary of the New Town Rd access driveway, adjacent to the nearest residence.
- Commercial vehicles should only access site within the acceptable hours of 7:00AM to 5:00PM.
- Bottles should only be deposited into recycling bins within the day time hours of 8:00AM to 6:00PM. Alternatively additional screening may be installed behind recycling bins.
- Ambulance sirens should be turned off upon entry to the site.
- A full acoustic review of the mechanical plant noise to the community should be conducted during detail design to ensure the Scheme criteria are met.

It is noted that further mitigation of site noise emissions is possible, via increased screening around the rooftop mechanical plant, and limiting access hours on the Clare St driveway – implementing a combination of these approaches could effectively reduce noise emissions to all neighbouring residences.

Provided the above recommendations are adhered to, the proposal is deemed to satisfy Clause 15.3.1 of the Scheme.

Should you have any queries, please do not hesitate to call this office directly.

Yours faithfully



**Bill Butler**



## ACOUSTIC GLOSSARY

<i>Ambient Noise</i>	All noise associated with a measurement, typically ignoring the particular noise under investigation. Typically measured as Leq, and will usually comprise noise from many sources.
<i>Background Noise</i>	Background noise describes the underlying level of noise present in the ambient noise. It may be described as the average of the minimum noise levels measured, and is typically measured by the statistical L90 level.
<i>Decibel [dB]</i>	The scale used for describing sound. It is a logarithmic scale that uses a reference sound pressure of 20 µPa, or reference sound power of 10 <sup>-12</sup> Watts.
<i>dBA</i>	A-weighted decibel. The human ear does not perform linearly and is better at hearing high frequency rather than low frequency sounds, i.e. low frequency sound at the same dB level as a high frequency sound will be perceived as quieter. To replicate the human ear response, a frequency weighting, denoted as an A-weighting, is applied to the sound. A sound measured in this way is then an A-weighted sound pressure level with units dBA. In practise noise is usually measured using the A-weighting.
<i>Leq</i>	Energy averaged sound pressure level over a period of time, usually 10 to 15 minutes. The number represents a single noise level, which if present continuously over a measurement period, would contain the same acoustic energy as the measured noise. Units of decibels, typically A weighted, hence dBA.
<i>Frequency</i>	Frequency is synonymous with pitch and has the units of Hertz (Hz) – cycles per second. A bass drum produces a low frequency sound, and a small bell a high frequency sound. The frequency range for human hearing is approximately 30Hz to 16kHz.
<i>L10, L90...</i>	Ln is the sound pressure level that is exceeded for n% of the time. Hence the L10 describes the noisier events during the interval, and L90 the quieter events. The L90 is often used to describe the background level. A significant variation between the L10 and L90 would indicate an environment where there is a strong variation in noise levels, and the background is not the dominant source. As the variation between the L10 and L90 decreases, the background generally becomes a more dominant.
<i>Inversion</i>	A condition typically occurring on clear, still nights which is characterised by the air near the ground being colder than air at higher altitudes. The increasing speed of sound with altitude bends the sound back towards the ground causing a focussing of the sound in a small area. The inversion effect can cause increases in noise levels of 5 to 10 dB with greater increases in exceptional circumstances.

## Existing View



## View of Compliant Building Envelope





## View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building



## Existing View





## View of Compliant Building Envelope



## View of Proposed Building





## Overlay of Compliant Building Envelope with Proposed Building



## Existing View



## View of Compliant Building Envelope





## View of Proposed Building



## Overlay of Compliant Building with Proposed Building





## Existing View



## View of Compliant Building Envelope



**Note:** Compliant building envelope modelled using permitted setback and height standards, based on the surveyed site topography.



## View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building





## Existing View



## View of Compliant Building Envelope



**Note:** Compliant building envelope modelled using permitted setback and height standards, based on the surveyed site topography.



## View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building





Existing View



## View of Compliant Building Envelope





View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building





## Existing View



## View of Compliant Building Envelope





View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building





## Existing View



## View of Compliant Building Envelope





## View of Proposed Building





## Overlay of Compliant Building Envelope with Proposed Building



## Existing View





## View of Compliant Building Envelope



**Note:** Compliant building envelope modelled using permitted setback and height standards, based on the surveyed site topography.

## View of Proposed Building





## Overlay of Compliant Building Envelope with Proposed Building





## Existing View



## View of Compliant Building Envelope





## View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building





## Existing View





## View of Compliant Building Envelope



## View of Proposed Building





## Overlay of Compliant Building Envelope with Proposed Building



## Existing View





## View of Compliant Building Envelope



**Note:** Compliant building envelope modelled using permitted setback and height standards, based on the surveyed site topography.



## View of Proposed Building



## Overlay of Compliant Building Envelope with Proposed Building



**7.1.2 21 GREGORY STREET, SANDY BAY - PARTIAL DEMOLITION,  
ALTERATIONS AND EXTENSION  
PLN-19-478 - FILE REF: F19/149227**

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Address: 21 Gregory Street, Sandy Bay

Proposal: Partial Demolition, Alterations and Extension

Expiry Date: 23 December 2019

Extension of Time: Not Applicable

Author: Jeff Krafft

**RECOMMENDATION**




That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations and extension at 21 Gregory Street, Sandy Bay for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.7.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that there are environmental, social, economic or safety reasons of greater value to the community than the historic values of the place; nor are any prudent or feasible alternatives proposed.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the incompatible bulk, form, siting, fenestration, materials and colours would cause loss of the historic cultural heritage significance of the place.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A2 and P2 of the *Hobart Interim Planning Scheme 2015* because the development is not designed to be subservient or complimentary to the heritage place.
- 4 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A3 and P3 of

the *Hobart Interim Planning Scheme 2015* because the materials, built form and fenestration do not respond to the dominant heritage characteristics of the place.

- 5 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A4 and P4 of the *Hobart Interim Planning Scheme 2015* because the proposed extension to the existing building would detract from the historic cultural heritage significance of the heritage place.
- 6 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition of the slate roof will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that: there are environmental, social, economic or safety reasons of greater value to the community than the historic values of the place; nor is there a feasible alternative.
- 7 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed extension is designed and sited in a way that results in detriment to the historic cultural heritage significance of the precinct as listed in Table E.13.2.
- 8 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.8.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the proposed extension to the existing building would detract from the historic cultural heritage significance of the heritage precinct.
- 9 The proposal does not meet the acceptable solution or the performance criterion with respect to clause F.1.3.5 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed building height is incompatible with the scale of nearby buildings and would result in unreasonable impact on the residential amenity of the area.



- Attachment A: PLN-19-478 - 21 GREGORY STREET SANDY BAY  
TAS 7005  Planning Committee or Delegated  
Report ↓
- Attachment B: PLN-19-478 - 21 GREGORY STREET SANDY BAY  
TAS 7005 - CPC Agenda Documents ↓ 
- Attachment C: PLN-19-478 - 21 GREGORY STREET SANDY BAY  
TAS 7005 - Planning Referral Officer Cultural  
Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Committee: 2 December 2019  
Expiry Date: 23 December 2019  
Application No: PLN-19-478  
Address: 21 GREGORY STREET , SANDY BAY  
Applicant: Glenn Burgess  
21 Gregory Street  
Proposal: Partial Demolition, Alterations and Extension  
Representations: Nil  
Performance criteria: Historic Heritage Code  
Gregory Street Specific Area Plan

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**1. Executive Summary**

- 1.1 Planning approval is sought for partial demolition, alterations and extension at 21 Gregory Street, Sandy Bay.
- 1.2 More specifically, the proposal includes:
  - internal demolition removing kitchen joinery, fixtures and internal walls;
  - external demolition removing a section of the dwelling's eastern facade;
  - internal alterations to construct new kitchen, dining and lounge areas;
  - replacement of the existing slate roof; and
  - a first floor, cubed extension to construct a new sitting room.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Historic Heritage Code
  - 1.3.2 Gregory Street Specific Area Plan
- 1.4 No representations were received during the statutory advertising period between 20 September - 4 October 2019.
- 1.5 The proposal is recommended for refusal.

- 1.6 The final decision is delegated to the Council.

**2. Site Detail**

- 2.1 The subject site is a regularly-shaped lot in Sandy Bay. It is developed with a detached, single storey dwelling accessed from Gregory Street to the north. The dwelling is a brick cottage with a hipped slate roof, double-hung windows and a front verandah. Private open space is located to the south of the dwelling, and an existing outbuilding is built to the southeast corner of the property. The land slopes slightly from the front to rear boundary.
- 2.2 No. 21 Gregory Street is the central dwelling of a set of three Victorian Georgian domestic buildings. Built at the same time, the three dwellings exhibit similar built form and characteristics.
- 2.3 The wider area is characterised by single and double storey dwellings on similarly sized lots. The site itself is bordered by single storey dwellings to the east and west and a large expanse of private open space to the south.



- 2.4 The property is listed on the Tasmanian Heritage Register, is a City of Hobart listed place and is located in the SB2 Heritage Precinct. The site is also located within the Gregory Street Specific Area Plan.



Figure 1: Subject site bordered in blue.

### 3. Proposal

- 3.1 Planning approval is sought for partial demolition, alterations and extension to an existing dwelling.
- 3.2 More specifically, the proposal includes demolishing internal kitchen joinery, fixtures and fittings, internal walls and a portion of the dwelling's eastern, exterior facade. Internal alterations would then construct a new kitchen and dining area, ground floor lounge and extend the dwelling vertically by constructing a first floor sitting room.
- 3.3 The first floor extension (27m<sup>2</sup>) would be a cube and constructed with vertical timber cladding. It is also proposed to replace the existing slate roof with 'Monier roof tiles to future selection'.

- 3.4 Figures 2 and 3 below show the proposal from the site's frontage and adjoining properties.

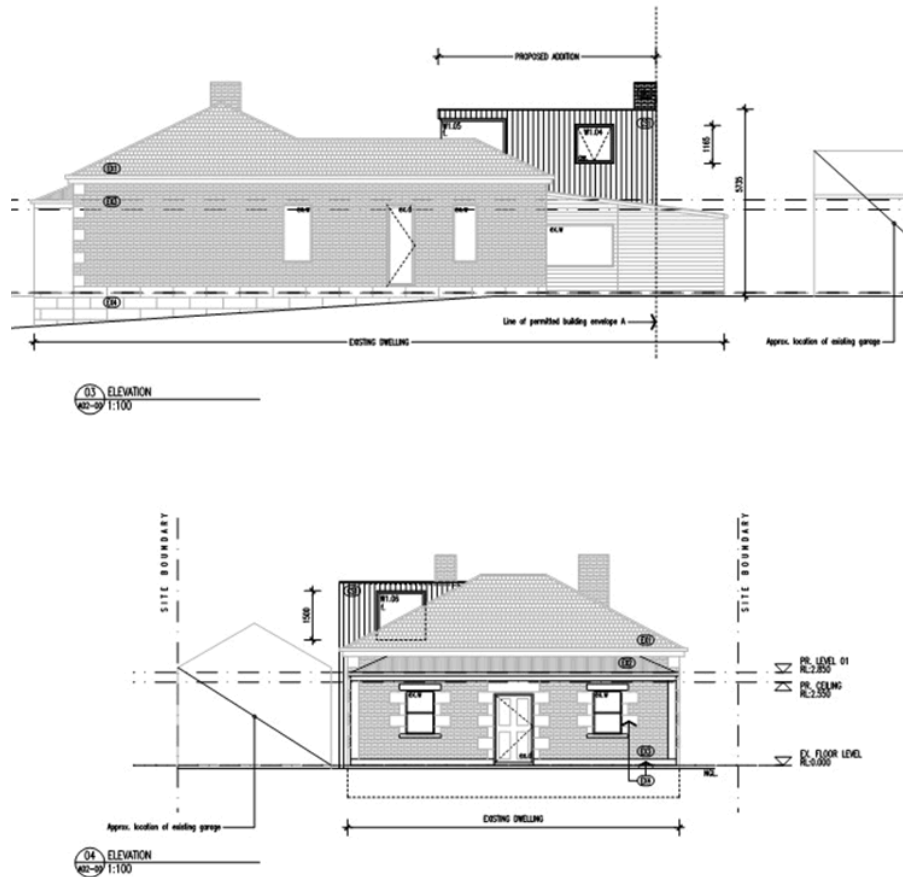


Figure 2: Proposed north (street frontage) and west elevations.

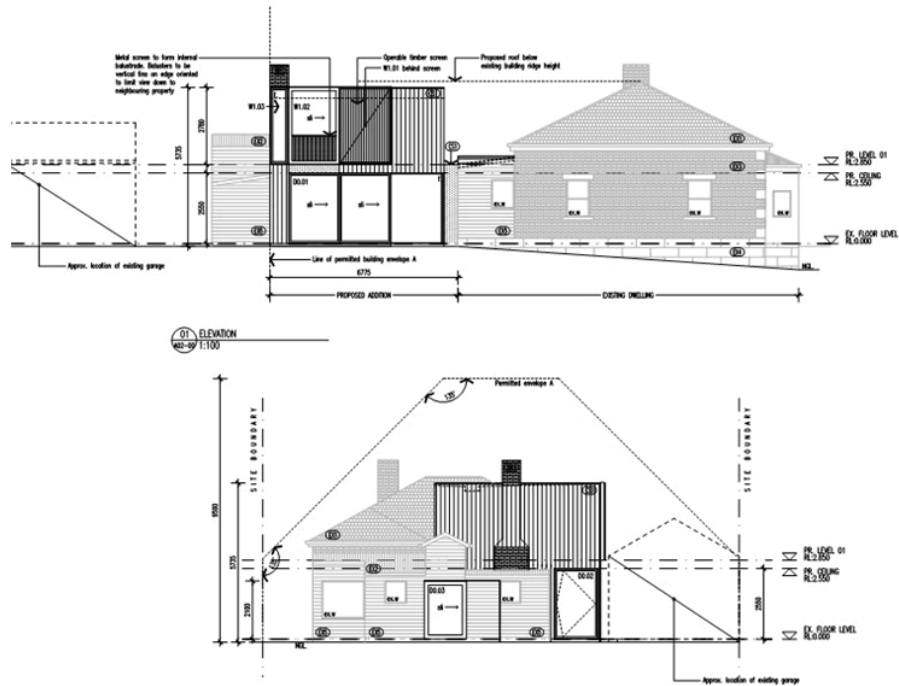


Figure 3: Proposed south and east elevations.

#### 4. Background

- 4.1 Council's Development Appraisal Planner and Cultural Heritage Officer met with the applicant's architect on 20 August 2019 to seek a height reduction to the proposed first floor. The architect thereafter submitted amended plans that reduced the overall height by 150mm.
- 4.2 On 22 October 2019, another meeting was held with the applicant's architect informing that the City Planning Division would be recommending refusal.
- 4.3 The application was externally referred to the Tasmanian Heritage Council who requested further information. The Heritage Council advised it was satisfied with the response to its request on 16 September 2019.

#### 5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between 20 September - 4 October 2019.

**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 single dwelling and no change of use is proposed. The use does not require a planning permit in the zone.
- 6.4 The proposal has been assessed against:
  - 6.4.1 Part D – 11.0 Inner Residential Zone
  - 6.4.2 Part E – 6.0 Parking and Access Code
  - 6.4.3 Part E – 7.0 Stormwater Management Code
  - 6.4.4 Part E – 13.0 Historic Heritage Code
  - 6.4.5 Part F – 1.0 Gregory Street Specific Area Plan
- 6.5 The proposal does not comply with the applicable standards:
  - 6.5.1 Heritage – Part E.13.7.1 P1
  - 6.5.2 Heritage – Part E.13.7.2 P1, P2, P3, & P4
  - 6.5.3 Heritage – Part E.13.8.1 P1
  - 6.5.4 Heritage – Part E.13.8.2 P1 & P3
  - 6.5.5 Building Height – Part F.1.3.5 P1
- 6.6 Each performance criterion is assessed below by the Council's Cultural Heritage Officer.
- 6.7 Demolition (Heritage Places) Part E.13.7.1 P1



6.7.1 There is no acceptable solution for E.13.7.1 A1, so assessment against the performance criterion is relied on.

6.7.2 The performance criterion at clause E.13.7.1 P1 provides as follows:

*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

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

*(b) there are no prudent and feasible alternatives;*

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

*(d) significant fabric is documented before demolition.*

6.7.3 The proposed demolition does not involve the removal of any fabric to the rear or internal areas of the property that are of significant cultural heritage value. Rather, the most significant change is the proposed removal of the existing slate roof and replacement with "... Monier roof tiles, to future selection." Whilst unclear, it is most likely that the proposed roofing refers to the Monier Elemental range, a composite product that looks like slate. The Tasmanian product manager for Monier has confirmed that the range is to be varied and that the Elemental Monier faux slate tile will soon be discontinued.

6.7.4 It is acknowledged that the existing slate roof is at the end of its life. However, approving the replacement of the roof with a product that will soon be no longer available is problematic. Further, no specifics were provided for the rationale, type of tile or what the future selection might be. The lack of specificity presents risk because Monier produce a vast array of products. It is recommended that this aspect of the proposal not be approved until a suitable alternative is found.

6.7.5 The decision to re-roof 21 Gregory Street will affect any future decisions for re-roofing the adjoining, 19 and 23 Gregory Street properties. It is relevant that 23 Gregory Street has planning approval for the (since discontinued) Monier Elemental. There are two potential options for re-roofing the three houses in a manner that ensures consistency, authenticity, similar detailing and the retention of streetscape values. The

first is real slate, and the second is a galvanised roofing product with heritage detailing and finishes.

- 6.7.6 Given the proposal for re-roofing lacks detail, and the fact that the Monier Elemental tile will no longer be available, it is not considered that subclauses (a) and (b) are satisfied. This performance criterion requires that all subclauses be satisfied and because this is not the case, the proposal fails to meet the performance criterion.

6.8 Building and Works other than Demolition (Heritage Places) Part E.13.7.2 P1

- 6.8.1 There is no acceptable solution for E.13.7.2 A1, so assessment against the performance criterion is relied on.

- 6.8.2 The performance criterion at clause E.13.7.2 P1 provides as follows:

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

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

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

- 6.8.3 The proposed first floor box form will be visually apparent in the historic streetscape. The new structure is to be clad in black vertical timber strip cladding. The black cladding will contrast significantly with the warm tone of the original unpainted masonry dwelling. The overall height of the proposed two storey element is marginally (230mm) lower than the ridge line of the front of the house. The distance between the side walls of 19 and 21 Gregory Street is 6.65 metres and is open with no built structures. As a result, the proposed rear extension has a heightened visibility when viewed from the street frontage.

- 6.8.4 In comparison, the distance between 21 and 23 Gregory Street is 4.86 metres, meaning visibility is more limited from that vantage point. All three houses have the same hipped roof form with a rear hipped wing on the western elevation; this gives the areas behind the triangulated roofs a wider view field and heightened visibility. In practical terms, it means more of the double storey box will be visible from the street than appears in the street elevation drawing.

- 6.8.5 As a consequence, it is considered that the consistency of roofscape, scale and form of the three houses will be lost through the introduction of the one incompatible design feature (the cubed extension). The loss occurs as a consequence of the form, height, bulk, fenestration pattern, siting, materials and colours of the proposal.
- 6.8.6 It is considered that the proposal does not satisfy E.13.7.2 P1.
- 6.9 Building and Works other than Demolition (Heritage Places) Part E.13.7.2 P2
- 6.9.1 There is no acceptable solution for E.13.7.2 A2 so assessment against the performance criterion is relied on.
- 6.9.2 The performance criterion at clause E.13.7.2 P2 provides as follows:
- Development must be designed to be subservient and complementary to the place through characteristics including:*
- (a) scale and bulk, materials, built form and fenestration;*
  - (b) setback from frontage;*
  - (c) siting with respect to buildings, structures and listed elements;*
  - (d) using less dominant materials and colours.*
- 6.9.3 The double storey extension to the rear would be the first two storey rear extension to any of the three adjacent Victorian Georgian heritage places. Both 19 and 23 Gregory Street have single storey rear extensions (PLN-05-00830 and PLN-18-548 respectively), both as a result of discussions and advice that single storey would be the most appropriate direction. As a result these extensions are modest, respecting the scale and qualities of the heritage listed houses and the streetscape. Council officers sought a meeting with the applicant to seek a reduction in height. A reduction in height of 150mm was offered and while this reduction in height is appreciated, the net result is still that of a double storey extension. As a result, the proposed two storey extension will be visible from numerous locations in Gregory Street particularly between 19 and 21 Gregory Street. It will not be a subservient structure in relation to the scale, bulk and siting of the listed elements.
- 6.9.4 The proposal does not satisfy E.13.7.2 P2.
- 6.10 Building and Works other than Demolition (Heritage Places) Part E.13.7.2 P3

- 6.10.1 There is no acceptable solution for E.13.7.2 A3, so assessment against the performance criterion is relied on.
- 6.10.2 The performance criterion at clause E.13.7.2 P3 provides as follows:
- Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.*
- 6.10.3 The proposed built form and fenestration do not respond to the dominant heritage characteristics of the listed place. A glazed box form beyond the ground floor is inconsistent with the traditional pattern of development in Gregory Street. The second level of the houses in Gregory Street are either entirely roofed structures or occasionally augmented by an attic and small dormer window. The proposed second storey windows are large, full height glazed panels and inconsistent with the design of windows of the listed place which are modestly-sized transparent panes within opaque walls.
- 6.10.4 This clause states that the proposal 'must respond to the dominant heritage characteristics' which in this case is a single storey, hipped roof form with a symmetrical frontage and modest windows. In this case, the materials, built form and fenestration do not respond to the dominant heritage characteristics and thereby fail to satisfy E.13.7.2 P3.
- 6.10.5 The proposal does not comply with the performance criterion.
- 6.11 Building and Works other than Demolition (Heritage Places) Part E.13.7.2 P4
- 6.11.1 There is no acceptable solution for E.13.7.2 A4, so assessment against the performance criterion is relied on.
- 6.11.2 The performance criterion at clause E.13.7.2 P4 provides as follows:
- Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.*
- 6.11.3 The definition of 'detract from' means 'to diminish or depreciate the value being considered' (see *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8 at [57]). The significance of the place is a single storey Victorian Georgian cottage with a symmetrical frontage - central entry, windows either side and a hipped roof form. The proposed extension is a box form which will be visible from Gregory Street, particularly the corridor

between 19 and 21 Gregory Street, a corridor that is open and wider than other corridors between houses in the street. Since the structure will have a large glazed area and sliding timber screen, the element is incongruous and out of character with the single storey Victorian Georgian cottage to the front.

- 6.11.4 Consequently, it is considered that the proposal will detract from the place as described above and therefore does not satisfy E.13.7.2 P4.

6.12 Demolition (For Heritage Precincts) Part E.13.8.1 P1

- 6.12.1 There is no acceptable solution for E.13.8.1 A1, so assessment against the performance criterion is relied on.

- 6.12.2 The performance criterion at clause E.13.8.1 P1 provides as follows:

*Demolition must not result in the loss of any of the following:*

*(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;*

*(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;*

*unless all of the following apply;*

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

*(ii) there are no prudent or feasible alternatives;*

*(iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.*

- 6.12.3 This precinct is significant for reasons including:

1. The early subdivision pattern of the main streets enhanced by the later street additions to form a coherent precinct of high overall heritage integrity.
2. The very fine examples of housing seen throughout the precinct that represent all of the major architectural styles.
3. The consistency of housing forms and the relatively low level of intrusive elements.
4. The high visual integrity of the streetscapes and the mix of development that allows the historical layers and development of



the precinct to be seen and understood.

5. The extensive group of early buildings that represent the first phase of development of the Sandy Bay Precinct.

6.12.4 These precinct statements refer to 'fine examples of housing', 'consistency of housing forms and the relatively low level of intrusive elements' and 'high visual integrity'. For the reasons outlined in the discussion for E.13.7.1 P1, the slate roof of this property (and also for 19 and 23 Gregory Street) is fabric that contributes to the significance of the precinct; the demolition of it will result in the loss of heritage values. A feasible alternative has not been offered and the notation does not provide a satisfactory outcome.

6.12.5 The proposal does not satisfy E.13.8.1 P1.

6.13 Building and Works other than Demolition (For Heritage Precincts) Part E.13.8.2 P1

6.13.1 There is no acceptable solution for E.13.8.2 A1, so assessment against the performance criterion is relied on.

6.13.2 The performance criterion at clause E.13.8.2 P1 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 E.13.2.*

6.13.3 Detriment means 'damage or loss to such value or thing' (see *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8 at [57]). It is considered that the proposed extension will result in 'damage or loss to such value or thing'. In particular, damage and loss will occur to the 'fine examples of housing', 'consistency of housing forms and the relatively low level of intrusive elements' and 'high visual integrity' of the precinct. The proposal is discordant in its design and siting in a manner that fails to satisfy E.13.8.2 P1.

6.13.4 The proposal does not comply with the criterion.

6.14 Building and Works other than Demolition (For Heritage Precincts) Part E.13.8.2 P3

6.14.1 There is no acceptable solution for E.13.8.2 A3, so assessment against the performance criterion is relied on.

- 6.14.2 The performance criterion at clause E.13.8.2 P3 provides as follows:

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

- 6.14.3 The proposed design and siting of the extension to the building at 21 Gregory Street will detract from the historic cultural heritage significance of the precinct. The significance is considered to reside in the "consistency of housing forms and the relatively low level of intrusive elements". The houses at 17, 19, 21, 23, 25, 28, 24, 20 and 18A Gregory Street are all single storey with pitched roofs. The house at 26 Gregory Street is double storey; however, the building is both Tasmania Heritage Council and City of Hobart heritage listed and is thus not considered an intrusive element. It is important to note that the walls of the house at 26 Gregory Street are masonry to gutter level and the roof is pitched. The proposed extension is a box form and will not taper to a point toward the ridge cap. In this way it will be distinct within, and to the detriment of, the precinct which is notable for its 'consistency of housing forms'.

- 6.14.4 To detract from means 'to diminish or depreciate the value being considered' (see Solvyns at [57]). The extension is a two storey box in a streetscape of single storey houses. It will diminish and certainly alter the fact that there is a consistency of housing forms, low level of intrusive elements and zero two storey extensions to the rear of single storey houses.

- 6.14.5 It is thereby considered that the proposal does not satisfy E.13.8.2 P3.

6.15 Building Height Part (Gregory Street Specific Area Plan) F.1.3.5 A1

- 6.15.1 The acceptable solution at F.1.3.5 A1 requires that buildings must be no more than 1 storey in height or 2 storeys if both adjoining buildings are 2 storeys.
- 6.15.2 A 2 storey extension is proposed and both adjoining dwellings are single storey buildings.
- 6.15.3 The proposal does not comply with the acceptable solution, so assessment against the performance criterion is relied on.
- 6.15.4 The performance criterion at clause F.1.3.5 P1 provides as follows:

*Building height must be no more than 12 metres and must be compatible with the scale of nearby buildings.*

- 6.15.5 The proposal is less than 12m but the but the dominant character of buildings in the vicinity of the subject site, particularly on the southern side of Gregory Street, is single storey. The houses at 17, 19, 21, 23, 25, 28, 24, 20 and 18A Gregory Street are all single storey.
- 6.15.6 The two storey extension proposed would be incompatible with the scale of nearby buildings and thereby not satisfy F.1.3.5 P1.
- 6.15.7 The proposal does not comply with the performance criterion.

## **7. Discussion**

- 7.1 Planning approval is sought for partial demolition, alterations and extension.
- 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 does not perform well.
- 7.4 The proposal has been assessed by Council's Development Engineer and Cultural Heritage Officer. Council's Development Engineer does not object to the proposal. Council's Cultural Heritage Officer strongly objects to the proposal and recommends refusal.
- 7.5 The site is listed on the Tasmanian Heritage Register. The proposal was externally referred to the Tasmanian Heritage Council who do not object to the proposal subject to a condition on the exterior cladding of the proposed extension.
- 7.6 On balance, the proposed double storey, box form extension is not considered to be subservient to the historic cultural heritage values of the heritage place or responsive to its dominant characteristics. The proposal is not considered to be sympathetic to the precinct and would cause loss to the historic heritage significance of the place. The proposed height and built form of the development contrast starkly with the conformity and characteristics of Gregory Street. The development would not positively contribute to the streetscape but rather intrude on the residential amenity of the area.
- 7.7 The proposal is recommended for refusal.

**8. Conclusion**

- 8.1 The proposed partial demolition, alterations and extension at 21 Gregory Street, Sandy Bay does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations and extension at 21 Gregory Street, Sandy Bay for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.7.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that there are environmental, social, economic or safety reasons of greater value to the community than the historic values of the place; nor are any prudent or feasible alternatives proposed.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the incompatible bulk, form, siting, fenestration, materials and colours would cause loss of the historic cultural heritage significance of the place.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A2 and P2 of the *Hobart Interim Planning Scheme 2015* because the development is not designed to be subservient or complimentary to the heritage place.
- 4 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the materials, built form and fenestration do not respond to the dominant heritage characteristics of the place.
- 5 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.7.2 A4 and P4 of the *Hobart Interim Planning Scheme 2015* because the proposed extension to the existing building would detract from the historic cultural heritage significance of the heritage place.



- 6 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition of the slate roof will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that: there are environmental, social, economic or safety reasons of greater value to the community than the historic values of the place; nor is there a feasible alternative.
- 7 The proposal does not meet the acceptable solution or the performance criteria with respect to clause E.13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed extension is designed and sited in a way that results in detriment to the historic cultural heritage significance of the precinct as listed in Table E.13.2.
- 8 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E.13.8.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the proposed extension to the existing building would detract from the historic cultural heritage significance of the heritage precinct.
- 9 The proposal does not meet the acceptable solution or the performance criterion with respect to clause F.1.3.5 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the proposed building height is incompatible with the scale of nearby buildings and would result in unreasonable impact on the residential amenity of the area.



(Jeff Krafft)

*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.*



(Cameron Sherriff)

**Acting Senior Statutory Planner**

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

Date of Report: 15 October 2019

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report (Cultural Heritage)

DRAWING SCHEDULE - ARCHITECTURAL		
DRAWING NO.	DRAWING	REVISION
A00-00	Cover Page	E
A00-01	Site Plan	E
A01-00	Ground Demolition Plan	E
A02-00	Ground Floor Plan	E
A02-10	Level 01 Floor Plan	E
A02-11	Roof Plan	E
A04-00	Elevations	E
A04-01	Elevations	E

DESIGN DETAILS	
TITLE REFERENCE	
CERTIFICATE FOLIO	219018
VOLUME	1

FLOOR AREAS	
EXISTING SITE AREA	556 m <sup>2</sup>
EXISTING GROUND FLOOR	183.5 m <sup>2</sup>
PROPOSED TOTAL GROUND FLOOR	194.2 m <sup>2</sup>
EXISTING LEVEL 01	n/a
PROPOSED TOTAL LEVEL 01 FLOOR	40 m <sup>2</sup>
TOTAL FLOOR AREA	234.2 m <sup>2</sup>



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Proprietor  
GLENN BURGESS

Project  
21 GREGORY STREET, SANDY BAY  
ALTERATIONS AND ADDITION

Drawing  
COVER PAGE

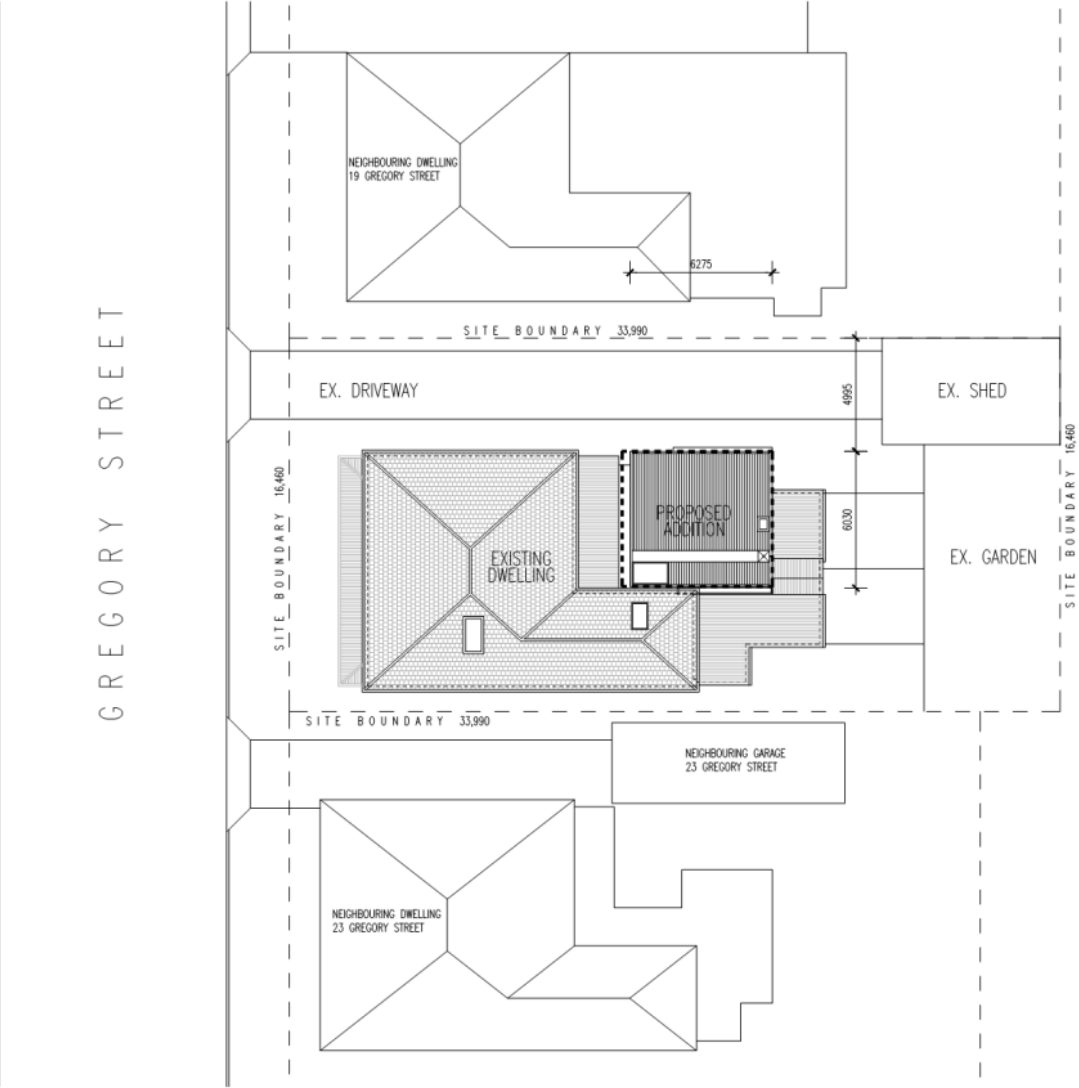
Scale

Revision

A	17/10/17	Issued for Client Meeting	SC	DL
B	14/02/18	Issued for DA	SC	DL
C	05/06/19	Issued for client review	IS	DL
D	02/08/19	Issued for DA	SC	DL
E	03/09/19	Building height amended	IS	DL

Project No  
17016

Drawing Number  
A00-00 E



- FINISHES SCHEDULE**
- (CB) Colorbond roof sheeting, profile and colour to future selection.
  - (CS1) Vertical timber strip cladding with black composite stain (confirm).
  - (CS2) 6mm cement sheet, All point finish, colour to be confirmed.
  - (BR1) New brickwork, colour to future selection.
  - (EX1) Existing roofing tile to be replaced with Munier roof tiles, to future selection.
  - (EX2) Existing roof sheeting, no works.
  - (EX3) Existing brickwork, no works.
  - (EX4) Existing sandstone, no works.
  - (EX5) Existing weatherboards, no works.

- GENERAL NOTES**
- ex.w Existing window
  - ex.d Existing door
  - W0.00 New window
  - D0.00 New door
  - aw. Awning window
  - f. Fixed window
  - sl. Sliding opening
  - ex.g Existing eaves gutter, colour to future selection
  - g.1 Colorbond box gutter, min fall 1:100, 150mm min (deep), fall to sump.
  - dp.1 new 90 deg pvc downpipe, point finish, connect to existing infrastructure at nearest point via gravity fed system.
  - o/f box gutter overflow spout.
  - sk.1, sk.2 Copral St Lucia skylight.
  - sk.3 Velux skylight with played internal shaft



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Project	21 GREGORY STREET, SANDY BAY ALTERATIONS AND ADDITION			
Drawing	PROPOSED SITE PLAN			
Scale	1:200 @ A3			
Revision				
A	17/10/17	Issued for Client Meeting	SC	DL
B	24/02/18	Issued for DA	SC	DL
C	05/06/19	Issued for client review	IS	DL
D	02/08/19	Issued for DA	SC	DL
E	03/09/19	Building height amended	IS	DL

Project No 17016

Drawing Number A00-01



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ALTERATIONS AND ADDITION

Drawing

DEMOLITION  
GROUND FLOOR PLAN

Scale 1:100 @ A3

Revision \_\_\_\_\_

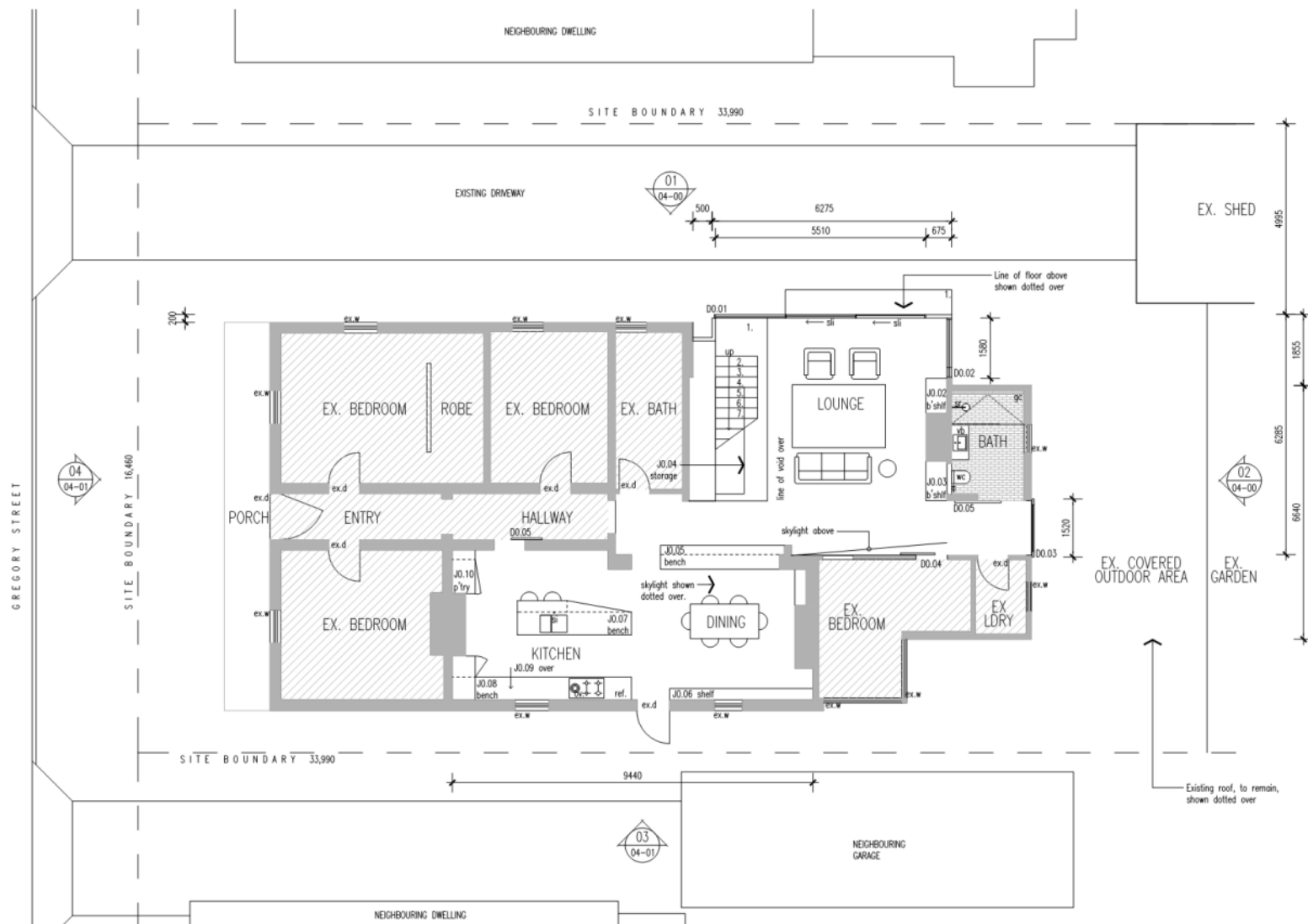
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B	14/02/18	Issued for DA	SC	DL
C	05/06/18	Issued for client review	IS	DL
D	02/08/19	Issued for DA	SC	DL
E	03/09/19	Building height amended	IS	DL

Project No. 17016

Drawing Number 401 00

A01-00 E





### FINISHES SCHEDULE

- |       |   |
|-------|---|
| (C8)  | Coloured roof sheeting, profile and colour to future selection.                   |
| (C51) | Vertical timber strip cladding with black composite stain (confirm).              |
| (C52) | 6mm cement sheet. All paint finish, colour to be confirmed.                       |
| (B81) | New brickwork, colour to future selection.  |
| (E31) | Existing roofing tile to be replaced with Monier roof tiles, to future selection. |
| (E32) | Existing roof sheeting, no works.   |
| (E33) | Existing brickwork, no works.   |
| (E34) | Existing sandstone, no works.   |
| (E35) | Existing weatherboards, no works.   |

## GENERAL NOTES

- |           |  |
|-----------|--|
| ex.d      | Existing window  |
| ex.d      | Existing door  |
| W0.00     | New window   |
| D0.00     | New door   |
| aw.       | Awning window  |
| f.        | Fired window   |
| sl.       | Sliding opening  |
| ex.g      | Existing eaves gutter, colour to future selection  |
| g.1       | Colorbond bar gutter, min fall 1:100. 150mm min (deep), fall to sump.  |
| dp.1      | New 90 dpc downpipe, paint finish, connect to existing infrastructure of nearest point via gravity feed system |
| o/f       | bar gutter overflow spout.   |
| sl.1, sk2 | Copral SL Lucio skylight.  |
| sk3       | Velux skylight with splayed internal shaft   |



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Proprietor: GLENN BURGESS

Project 21 GREGORY STREET, SANDY BAY  
ALTERATIONS AND ADDITION

Drawing \_\_\_\_\_ PROPOSED  
GROUND FLOOR PLAN

Scale 1:100 @ A3

Revision

A	17/10/17	Issued for Client Meeting	SC	0
B	14/02/18	Issued for DA	SC	0
C	05/06/19	Issued for client review	IS	0
D	02/08/19	Issued for DA	SC	0
E	03/09/19	Building height amended	IS	0

Project No. 1701

Drawing Number A02-00



**FINISHES SCHEDULE**

(CB)	Colorbond roof sheeting, profile and colour to future selection.
(CS)	Vertical timber strip cladding with black composite stain (confirm).
(CS2)	6mm cement sheet. All point finish, colour to be confirmed.
(BR)	New brickwork, colour to future selection.
(EX)	Existing roofing tile to be replaced with Munier roof tiles, to future selection.
(EX2)	Existing roof sheeting, no works.
(EX3)	Existing brickwork, no works.
(EX4)	Existing sandstone, no works.
(EX5)	Existing weatherboards, no works.

**GENERAL NOTES**

ex.w	Existing window
ex.d	Existing door
W0.00	New window
D0.00	New door
aw	Awning window
f	Fixed window
sl	Sliding opening
ex.g	Existing eaves gutter, colour to future selection
g.1	Colorbond box gutter, min fall 1:100. 150mm min (deep), fall to sump.
dp.1	new 90 deg pvc downpipe, paint finish, connect to existing infrastructure at nearest point via gravity fed system.
o/f	box gutter overflow spout.
sk.1, sk.2	Capral St Lucia skylight.
sk.3	Velux skylight with splayed internal shaft



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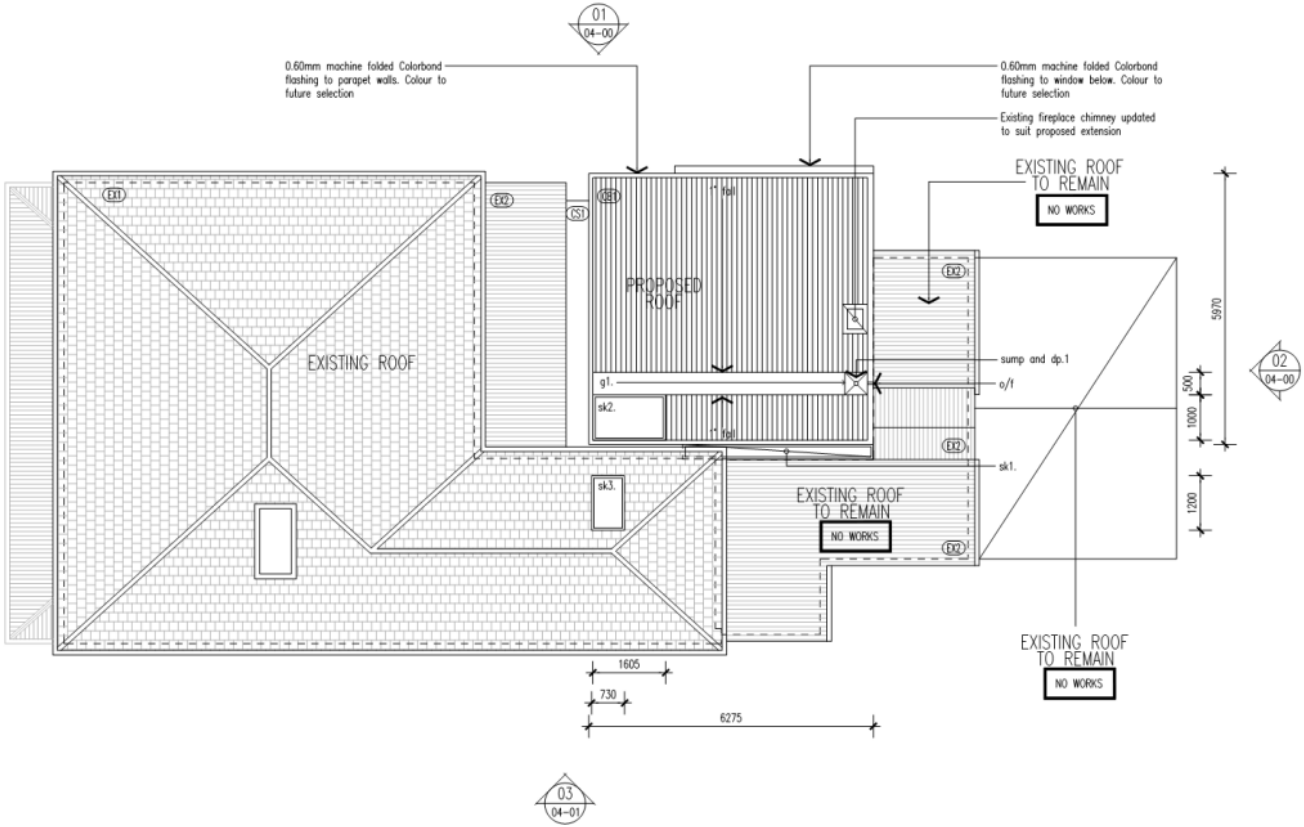
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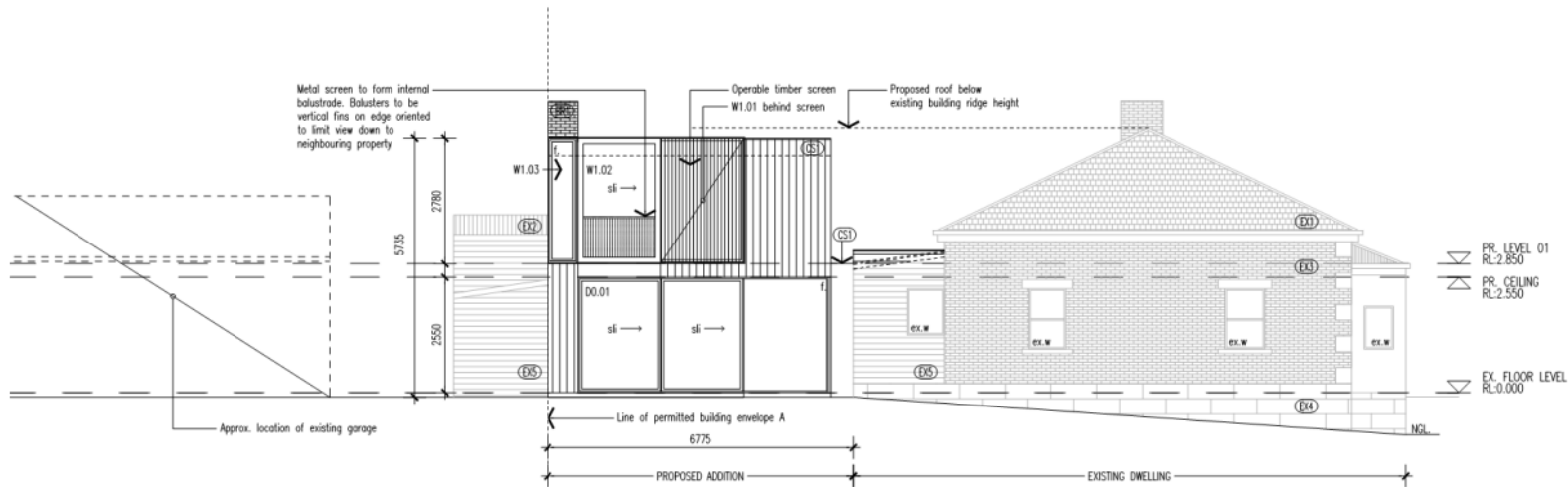


Proprietor	BURGESS		
Project	21 GREGORY STREET, SANDY BAY ALTERATIONS AND ADDITION		
Drawing	PROPOSED FIRST FLOOR PLAN		
Scale	1:100 @ A3		
Revision			
A	17/10/17	Issued for Client Meeting	SC DL
B	24/02/18	Issued for DA	SC DL
C	05/06/19	Issued for client review	IS DL
D	02/08/19	Issued for DA	SC DL
E	03/09/19	Building height amended	IS DL

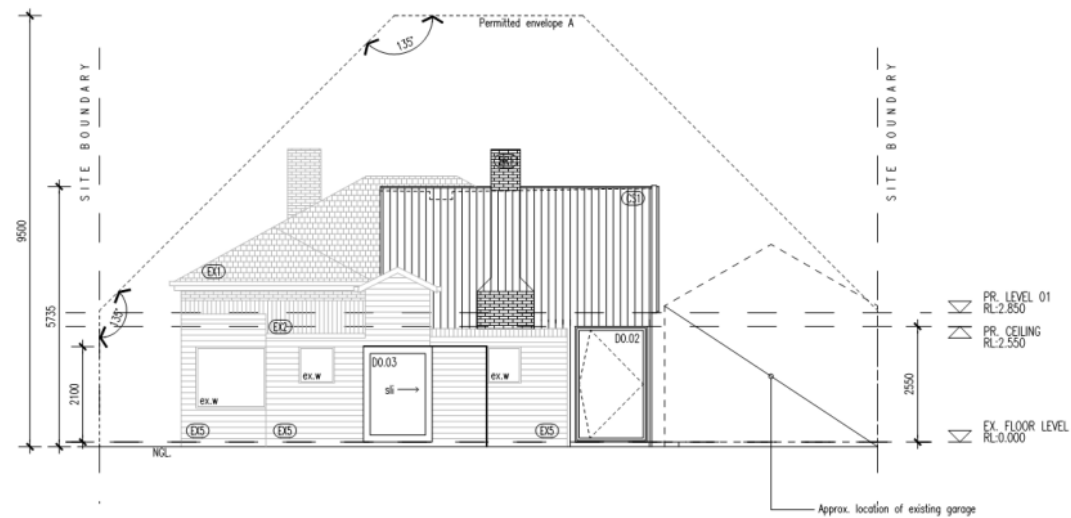
Project No 17016

Drawing Number A02-11





01 ELEVATION  
A02-00 1:100



02 ELEVATION  
A02-00 1:100

#### FINISHES SCHEDULE

- (CB) Colorbond roof sheeting, profile and colour to future selection.
- (CS1) Vertical timber strip cladding with black composite stain (confirm).
- (CS2) 6mm cement sheet. All point finish, colour to be confirmed.
- (BR1) New brickwork, colour to future selection.
- (EX1) Existing roofing tile to be replaced with Munier roof tiles, to future selection.
- (EX2) Existing roof sheeting, no works.
- (EX3) Existing brickwork, no works.
- (EX4) Existing sandstone, no works.
- (EX5) Existing weatherboards, no works.

#### GENERAL NOTES

- ex.w Existing window
- ex.d Existing door
- W0.00 New window
- D0.00 New door
- aw Awning window
- f Fixed window
- sl Sliding opening
- ex.g Existing eaves gutter, colour to future selection
- g.1 Colorbond box gutter, min fall 1:100. 150mm min (deep), fall to sump.
- dp.1 new 90 deg pvc downpipe, paint finish, connect to existing infrastructure of nearest point via gravity fed system.
- o/f box gutter overflow spout.
- sk.1, sk.2 Capital St Lucian skylight.
- sk.3 Velux skylight with splayed internal shaft



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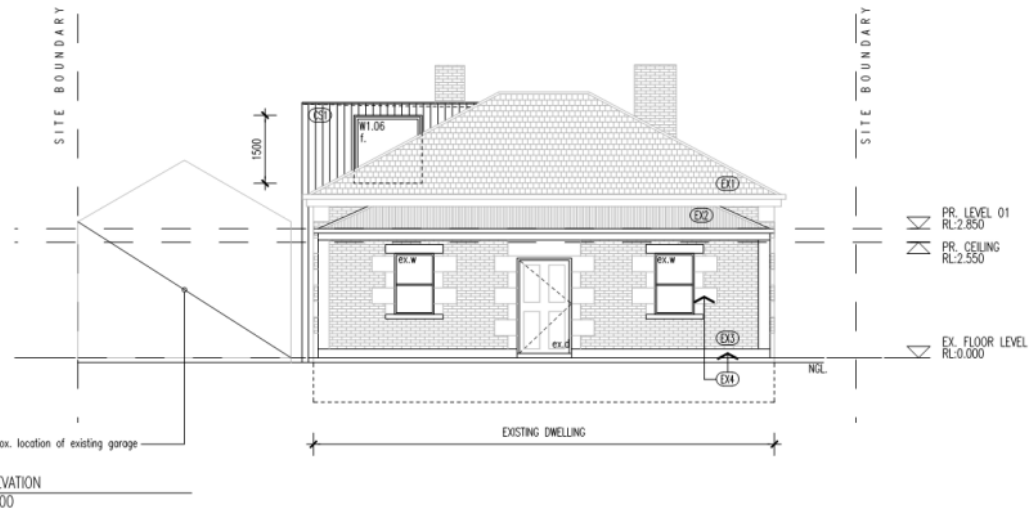
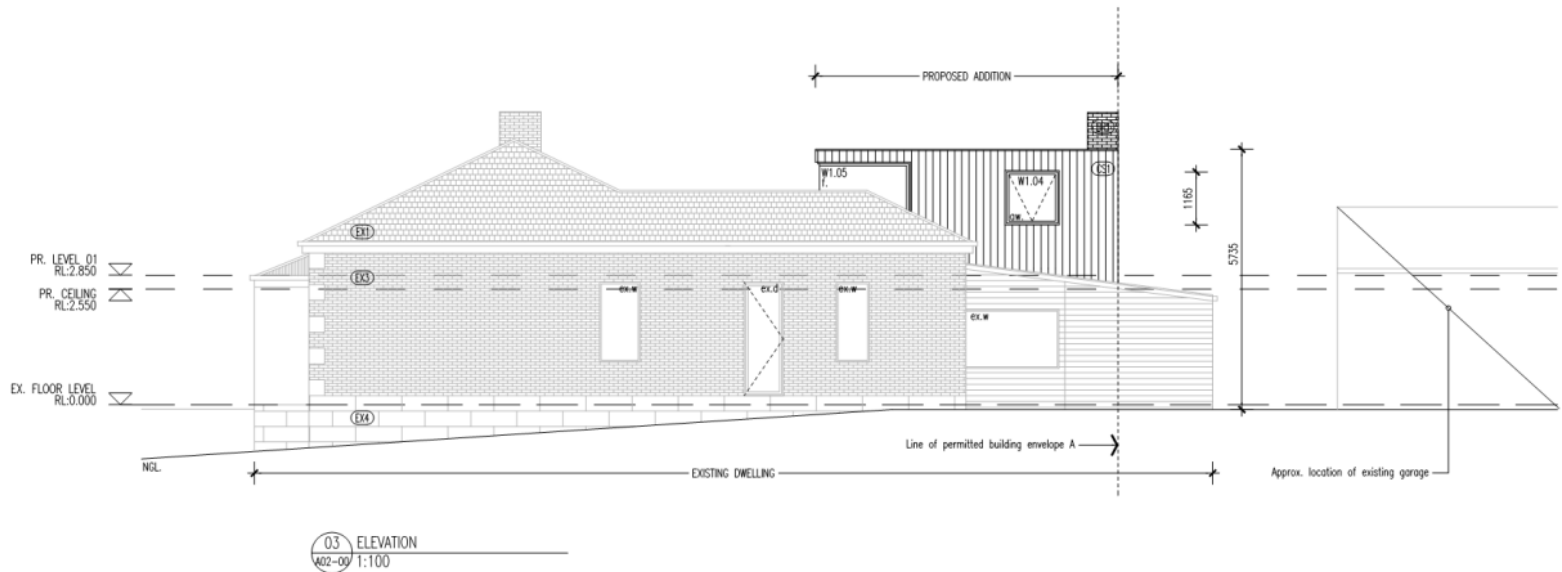
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Proprietor	BURRESS		
Project	21 GREGORY STREET, SANDY BAY ALTERATIONS AND ADDITION		
Drawing	PROPOSED ELEVATIONS		
Scale	1:100 @ A3		
Revision			
A	17/10/17	Issued for Client Meeting	SC DL
B	14/02/18	Issued to DA	SC DL
C	05/06/19	Issued for client review	IS DL
D	02/08/19	Issued for DA	SC DL
E	03/09/19	Building height amended	IS DL

Project No. 17016

Drawing Number

A04-00



- FINISHES SCHEDULE**
- (CB) Colorbond roof sheeting, profile and colour to future selection.
  - (CS1) Vertical timber strip cladding with black composite stain (confirm).
  - (CS2) 6mm cement sheet. All point finish, colour to be confirmed.
  - (BR1) New brickwork, colour to future selection.
  - (EX1) Existing roofing tile to be replaced with Munier roof tiles, to future selection.
  - (EX2) Existing roof sheeting, no works.
  - (EX3) Existing brickwork, no works.
  - (EX4) Existing sandstone, no works.
  - (EX5) Existing weatherboards, no works.

- GENERAL NOTES**
- ex.w Existing window
  - ex.d Existing door
  - W0.00 New window
  - D0.00 New door
  - aw. Awning window
  - f. Fixed window
  - sl. Sliding opening
  - ex.g Existing eaves gutter, colour to future selection
  - g.1 Colorbond box gutter, min fall 1:100. 150mm min (deep), fall to sump.
  - dp.1 new 90 deg pvc downpipe, point finish, connect to existing infrastructure at nearest point via gravity fed system.
  - o/f box gutter overflow spout.
  - sk.1, sk.2 Copral St Lucie skylight.
  - sk.3 Velux skylight with splayed internal shaft



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Proprietor	BURGESS
Project	21 GREGORY STREET, SANDY BAY ALTERATIONS AND ADDITION
Drawing	PROPOSED ELEVATIONS
Scale	1:100 @ A3
Revision	
A	17/10/17 Issued for Client Meeting SC DL
B	24/02/18 Issued for DA SC DL
C	05/06/19 Issued for client review IS DL
D	02/08/19 Issued for DA SC DL
E	03/09/19 Building height amended IS DL

Project No 17016  
Drawing Number A04-01





BEN IKIN  
HOBART CITY COUNCIL

Town Hall, Macquarie Street Hobart  
GPO Box 503  
Hobart Tasmania 7001

To Ben Ikin,

11/09/2019

RFI: 21 Gregory Street PLN-19-478

Please find attached and below, a response to your request for information dated the 8th of August 2019.

1. Please find attached photos documenting the historic fabric of the building. The joinery elements within the kitchen to be removed are not part of the historic fabric.
2. The proposed kitchen door is to be a surface mounted slider. Modifications / demolition of the kitchen / hallway wall is within an area that has previously been modified. Part of the wall base and delineation at the head will reference / identify the alignment of the existing condition. There will be no alterations to historic joinery.
3. There will be no change to the existing floor in the kitchen-dining area.

In addition, please find attached updated drawings with reduced building height, finish materials and notations as discussed.

Kind regards,

Daniel Lane

---

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Fig. 1 Existing kitchen joinery



Fig. 2 Existing kitchen joinery



Fig. 3 Existing kitchen joinery



Fig. 4 Existing kitchen joinery



Fig. 5 Existing kitchen joinery



Fig. 6 Existing kitchen joinery



Fig. 7 Existing hall

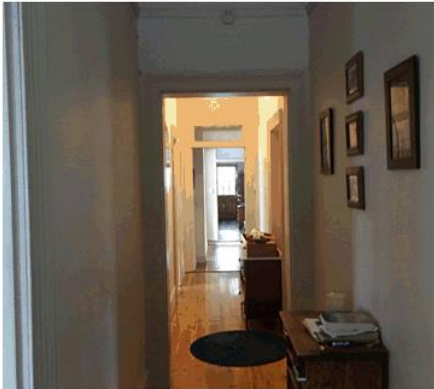


Fig. 8 Existing hall



Fig. 9 Existing hall



Fig. 10 Existing hall



Fig. 11 Existing kitchen



Fig. 12 Existing kitchen joinery



Fig. 13 Existing kitchen door



Hobart City Council  
Planning Department  
16 Elizabeth Street  
Hobart, TAS 7000

2<sup>nd</sup> August 2019

**Reference: Statement of Compliance - 21 Gregory Street, Sandy Bay**

The Australian Heritage Register indicates that *21 Gregory Street is of historic heritage significance because of its ability to demonstrate the principal characteristics of a Victorian Georgian domestic building.*

This proposal retains the original Victorian Georgian Cottage, and includes the demolition of part of a later extension to make way for the new works at 21 Gregory Street, Sandy Bay. We believe that both the demolition and the new works respect the original Victorian Georgian cottage.

The proposed extension celebrates the existing L-shape plan of the original brick dwelling. Situated in the heart the existing dwelling, the addition will greatly improve natural light throughout the home and provide a physical connection with the exterior.

The proposed addition includes a new lounge room and an upper floor sitting /study room to accommodate the growing families needs. The added purpose of the space is to draw light into the heart of the home, brightening the once dark internal spaces of the existing.

All of the additional works are located behind the original brick cottage, reducing visual impact from the primary façade of the original dwelling on Gregory Street.

***E13.7.1 - Demolition***

***P1 - Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural significance of the place.***

The proposed demolition work includes only that of a later extension located behind the original cottage. The demolition works will not impact the street façade of the original building.

The original L shaped Victorian Georgian cottage will remain intact.

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Hobart  
45 Goulburn Street Hobart TAS 7000  
T 61 3 6231 2923  
Melbourne  
3 Tivoli Road South Yarra VIC 3141  
T 61 3 9827 8902  
info@prestonlane.com.au  
prestonlane.com.au



**E13.7.2 – Building and works other than Demolition****P1 – Development must no result in any of the following;**

- a) *Loss of historic cultural heritage significance to the place through incompatible design, including height, scale, bulk, form, fenestration, siting, materials colours and finishes.***

The new works are located centrally on the site and set well back from the primary façade of the original building on Gregory Street. The original brick building runs along the Northern (Gregory Street) and North Western boundaries, both of which will be retained in their original condition.

Whilst the form of the proposed extension differs from the original building; it is a simple pure form which clearly delineates the old from the new works. The proposal will incorporate refined detailing and will be clad in darkened timber. The dark colours will ensure the new works are recessive, enabling it to act as a shadow to the original building.

The proposal is two levels in height to draw light into the heart of the home. Its height is commensurate with the ridge line of the original cottage.

- 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.***

No streetscape elements of the original dwelling will be altered. The proposed upper level extension remains setback on the site. Visual impact from the street will therefore be reduced.

**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;***

The extension is to be constructed in a refined and recessive manner, incorporating darkened timber cladding which will contrast the existing, celebrating the existing scale, bulk, materials and fenestration. The proposal will be visually separated from the original building through rebated junctions, providing a clear delineation between old and new.

- b) *Setback and frontage;***

As indicated above, the existing setback and frontage will be retained with all new works located to the centre of the site.

—  
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**c) Siting with respect to buildings, structures and listed elements;**

As indicated above, the siting of the extension is located to the centre of the site, and retains all of the original brick façade, the hipped roof, double-hung windows and sandstone quoins.

**d) Using less dominant materials and colours.**

Dark colours have been selected for the proposed extension as a subservient and recessive compliment to the existing brick and sandstone façade.

**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.**

The original cottage will remain dominant on the street, with new materials contrasting and lightly touching the existing dominant heritage characteristics of the place.

**P4 – Extension to existing buildings must not detract from the historic cultural heritage significance of place.**

As indicated above, the extension is sited to the rear of the existing historic cultural heritage significance of the original building.

**P5 – New front fences and gates must be sympathetic in design.**

N/A – The proposal does not include amendments or adjustments to existing front fences or gates.

**P6 – 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 of the place.**

N/A – The proposal does no include amendments to landscaping.

***E13.8.2 – Demolition******P1 – Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2 (SB2).***

The extent of proposed demolition does not include the original Victorian Georgian characteristics of the cottage. External walls demolished are centrally located on the site and do not impact the main street, therefore, will not significantly result in detriment to historical cultural significants of the Sandy Bay Precinct .

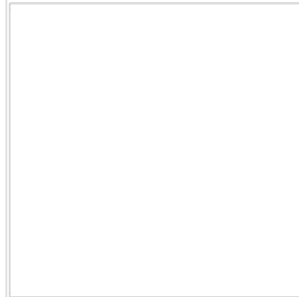
***P2 – Design and siting of buildings and works must comply with any relevant design criteria/conservation policy listed in table E13.2.******P3 – Extensions to existing buildings must not detract from the historic cultural heritage significants of the precinct.***

Table E13.2 indicates the precinct SB2 is significant due to the representation of all major architectural styles. The extension is to be constructed in a refined and recessive manner to contrast and celebrate the original building. The proposed will be a fine example of modern architecture, improving the indoor quality of the dwelling without detracting from the precinct.

Planning: #184350

**Property**

21 GREGORY STREET SANDY BAY TAS 7005

**People**

Applicant

\*

Glenn Burgess  
21 Gregory Street  
SANDY BAY TAS 7005  
0418355012  
renosol@bigpond.net.au

Owner

\*

Glenn Burgess  
21 Gregory Street  
SANDY BAY TAS 7005  
0418355012  
renosol@bigpond.net.au

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?

☒ Yes

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

Megan Baynes

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 Class 1

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

\*

partial demolition and proposed addition

Estimated cost of development

\*

400000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

183.50

194.20

556

**Carparking on Site**

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection chosen)

1

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?

- ☒ Yes

**Documents****Required Documents**

Title (Folio text and Plan and Schedule of Easements)

\*

Folio Text and Plan-29018-1.pdf

Plans (proposed, existing)

\*

17016 190802 Issued for DA.pdf

Covering Letter

17076 190802 Statement of Compliance.pdf



**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 219018	FOLIO 1
EDITION 3	DATE OF ISSUE 27-Nov-2000

SEARCH DATE : 16-Oct-2017

SEARCH TIME : 02.47 PM

DESCRIPTION OF LAND

City of HOBART

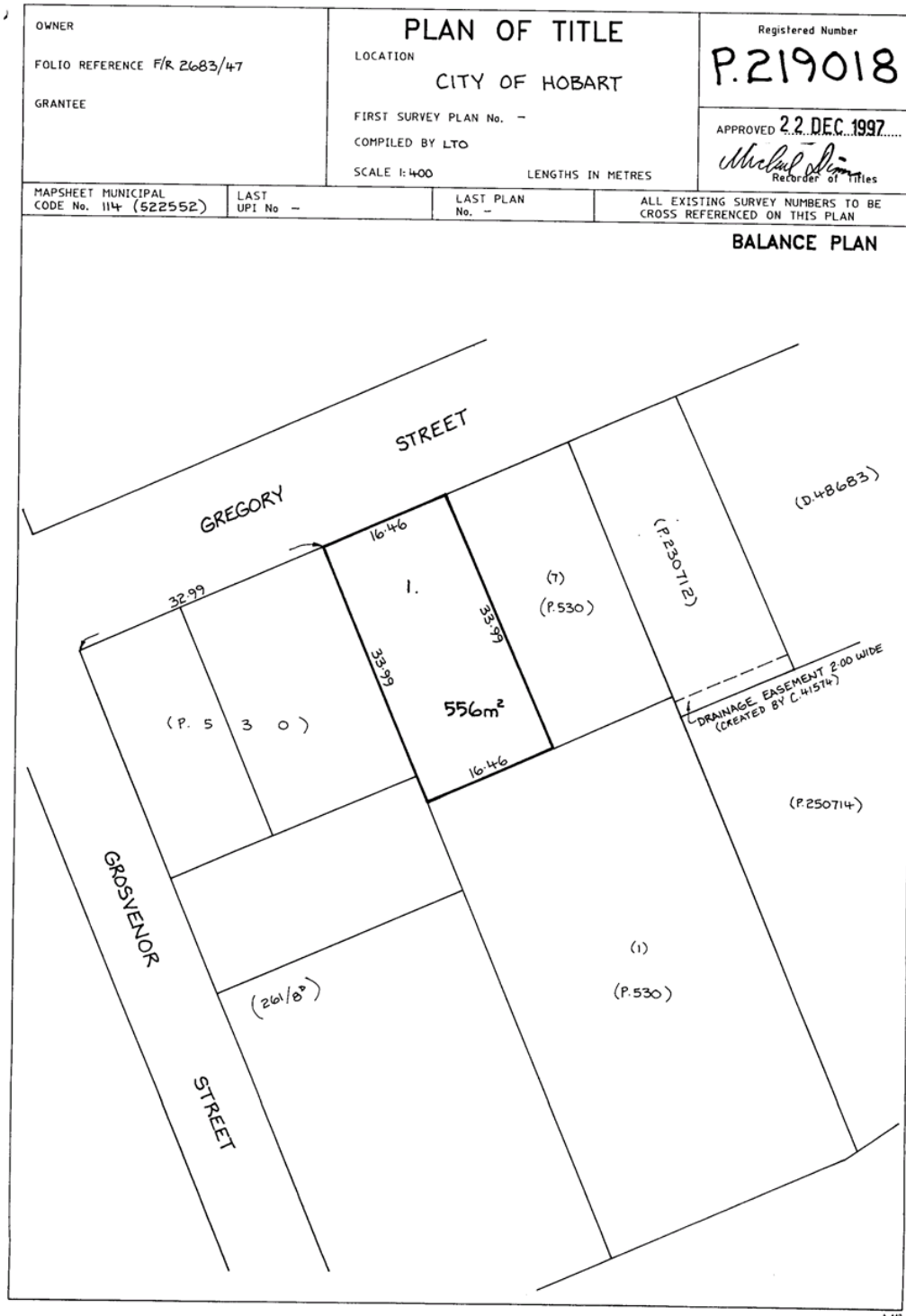
Lot 1 on Plan 219018

Derivation : Part of 89A-2R-0Ps. Gtd. to W.M. Orr

Prior CT 2683/47

SCHEDULE 1C263786 TRANSFER to GLENN BARRY BURGESS Registered  
27-Nov-2000 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any  
C41574 BENEFITTING EASEMENT: Right of drainage over the  
Drainage Easement 2.00 wide on P219018C263787 MORTGAGE to Commonwealth Bank of Australia  
Registered 27-Nov-2000 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





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-19-478  
THC WORKS REF: 5991  
REGISTERED PLACE NO: 2966  
APPLICANT: Glenn Burgess  
DATE: 17 October 2019

## NOTICE OF HERITAGE DECISION

*(Historic Cultural Heritage Act 1995)*

The Place: 21 Gregory Street, Sandy Bay.  
Proposed Works: Partial demolition, additions and alterations.

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-19-478, advertised on 20 September 2019, subject to the following condition:

**1. The exterior cladding of the new building must have a low level of reflectivity and be of a muted coloured in dark tones.**

Reason for condition

To ensure that the new building has a material character that does not intrude upon the visual qualities of the principle characteristics of the place.

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

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

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

## Application Referral Cultural Heritage - Response

<b>From:</b>	Brendan Lennard
<b>Recommendation:</b>	Proposal is unacceptable.
<b>Date Completed:</b>	
<b>Address:</b>	21 GREGORY STREET, SANDY BAY
<b>Proposal:</b>	Partial Demolition, Alterations and Extension
<b>Application No:</b>	PLN-19-478
<b>Assessment Officer:</b>	Jeff Krafft,

### Referral Officer comments:

21 Gregory Street is a single storey brick cottage with a hipped slate roof, double-hung windows and a verandah. There are sandstone quoins at the building's corners and also around the windows. The house is the central dwelling of a set of three Victorian Georgian domestic buildings, all built at the same time and all exhibiting similar form and characteristics, all being single storey, having a symmetrical frontage and hipped roof, albeit each having some The use of slate (although deteriorated) as a roofing material is a good indication of the quality of the original construction. Together these houses make a very positive contribution to the streetscape and precinct. The following images show the subject property with the properties either side.



19 Gregory St: Source: Council image



21 Gregory St: Source: Council image



23 Gregory Street: Council image

21 Gregory Street is on the Tasmanian Heritage Register, a listed place and also located in heritage precinct SB2. The proposal is also located within F1.0 Gregory Street Specific Area as defined by the *Hobart Interim Planning Scheme 2015*. The state and local listing are an indication of the quality and significance of the building, whilst the precinctual significance relates to the collection of buildings in the street and beyond. The precinct is noted as significant for the following reasons:

*This precinct is significant for reasons including:*

- 1. The early subdivision pattern of the main streets enhanced by the later street additions to form a coherent precinct of high overall heritage integrity.*
- 2. The very fine examples of housing seen throughout the precinct that represent all of the major architectural styles.*
- 3. The consistency of housing forms and the relatively low level of intrusive elements.*
- 4. The high visual integrity of the streetscapes and the mix of development that allows the historical layers and development of the precinct to be seen and understood.*
- 5. The extensive group of early buildings that represent the first phase of development of the Sandy Bay Precinct.*

#### **Proposal**

The applicant seeks to build a two storey 'box-like' extension at the rear and side of the house. At the rear of the house a new lounge, dining room and bathroom are proposed. Also proposed are internal alterations, demolition of walls as well as the removal of the slate roof and replacement with 'existing roofing tile to be replaced with Monier roof tiles, to future selection.' Whilst each one of the three houses 19, 21 and 23 Gregory Street has some degree of modification, the house at No. 21 Gregory Street retains elements such as unpainted masonry, timber verandah details and original sash windows and overall features to the side and rear, not to mention the original slate roof. The proposal is for both demolition and works and therefore the Historic Heritage Code of the Scheme needs to be considered:

#### **Relevant Planning Scheme Provisions**

The following sections of the Historic Heritage Code and the Specific Area Plans apply.

- E13.7.1 - Demolition - Heritage Place
- E13.7.2 - Buildings and Works - Heritage Place
- E13.8.1 - Demolition - Heritage Precinct
- E13.8.2 - Buildings and Works - Heritage Precinct
- F1.0 Gregory Street Specific Area Plan.

The following specific provisions apply. All other acceptable solutions or performance criteria, if not listed below, either do not apply or are not relevant in this instance.

Clause E13.7.1 P1 - Demolition states:



*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) there are no prudent and feasible alternatives;*
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) significant fabric is documented before demolition*

The proposed demolition does not involve the removal of any fabric to the rear and internally of the property of significant cultural heritage value. The most significant change to the property is the proposed removal of the existing slate roof and replacement with "Existing roofing tile to be replaced with Monier roof tiles, to future selection." While not clear, it is most likely that the proposed roofing refers to the Monier Elemental range, a composite product that looks like slate. However, the Tasmanian product manager for Monier has confirmed that the range is to be varied and that the Elemental Monier faux slate tile will soon no longer be available. While it is acknowledge that the slate roof is at the end of its life, approving the replacement of the roof with a product that will soon be no longer available is problematic. In addition, no documentation has been provided for the rationale nor specifics provided regarding the type of tile, what the future selection might be, particularly in light of the fact that Monier produce a vast array of product. It is recommended that this aspect of the proposal not be approved at this point in time until an alternative is found. The decision regarding roofing for 21 Gregory Street will affect the decisions for roofing of both 19 and 23 Gregory Street, with it noted that 23 Gregory Street already has a permit for the Monier Elemental, the product that is to be no longer available. On the basis of this information, there are two potential authentic and options for the reroofing of these three houses to ensure a consistent approach so that the three houses have similar detailing and streetscape values. The first option is for real slate, the second is for a galvanised roofing product with heritage detailing and finishes.

Given the options for the reroofing lacks detail and the fact that the Monier Elemental tile will no longer be available, it is not considered that clause E13.7.1 P1 (a) and (b) are satisfied, in a situation where all the subclauses must be satisfied.

The Objective of E13.7.2 Buildings and Works other than Demolition for a Heritage listed place is:

*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.*

Clause E13.7.2 P1 states:

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

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

The proposal is the construction of a two storey box form which will be visually apparent in the historic streetscape. The new structure is to be clad in black vertical timber strip cladding. The black cladding will contrast significantly with the warm tone of the original unpainted masonry dwelling. The overall height of the proposed two storey element is marginally (230mm) lower than the ridge line of the front of the house. The distance between the side walls of 19 and 21 Gregory Street is 6.65 metres and is open with no built structures. As a result, the proposed

rear extension has a heightened visibility. In comparison, the distance between 21 and 23 Gregory Street is less at 4.86 metres, such that visibility is more limited. All three houses have the same hipped roof form with a rear hipped wing on the western elevation, giving a triangulated roof form such that visibility of anything behind increases over a wider view field, such that more of the two storey structure will be visible from the street than appears in the street elevation drawing.



21 Gregory St: Council image

As a consequence, it is considered that the consistency of roofscape, scale and form of the three houses will be lost through the introduction of this one incompatible design of this rear extension, namely through form, height, bulk, fenestration pattern, siting, materials and colours. It is considered that the proposal does not satisfy E13.7.2 P1.

Clause E13.7.2 P2 states:

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

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

As described in the response to E13.7.2 P1, the rear two storey extension will be visible and involve the first two storey rear extension to a single storey house. Both 19 and 23 Gregory Street have recent single storey rear extensions (PLN-05-00830 and PLN-18-548 respectively), both as a result of discussions and advice that single storey would be the most appropriate direction. As a result these extensions are modest, respecting the scale and qualities of the heritage listed houses and the streetscape. Council officers sought a meeting with the applicant to seek a reduction in height. A reduction in height of 230mm was offered and while this reduction in height is appreciated, the net result is still that of a double storey extension. As result, the proposed two storey extension will be visible from numerous locations in Gregory Street particularly between 19 and 21 Gregory Street and as such will not be a subservient structure in relation to its scale and bulk, siting with respect to buildings and listed elements. The proposal does not satisfy E13.7.2 P2.

Clause E13.7.2 P3 states:

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

This proposal is a box-like structure that does not respond by virtue of its incompatible built form and fenestration pattern of one large window on the northern (street elevation). This clause states that the proposal 'must respond to the dominant heritage characteristics' which in this case is a single storey, hipped roof form with a symmetrical frontage. A window that is a

scaled, proportioned and more symmetrically positioned variant may achieve a more compatible outcome, however, when the fenestration pattern is combined with the built form, the proposal fails to satisfy E13.7.2 P3.

Clause E13.7.2 P4 states:

*Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.*

The definition of 'detract from' means 'to diminish or depreciate the value being considered'. See *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8 at [57]. The significance of the place is a single storey Victorian Georgian cottage with a symmetrical frontage - central entry and windows either side, a hipped roof form. The proposed extension is a box-like form visible which will be visible from Gregory Street, particularly the open corridor between 19 and 21 Gregory Street, a corridor that is open and wider than other corridors between houses in the street. As a box like structure with a large glazed area and sliding timber screen, this element is incongruous and out of character with the single storey Victorian Georgian cottage to the front. Consequently, it is considered that the proposal will detract from the place as described above and therefore does not satisfy E13.7.2 P4.

Clause E13.8.1 P1 states:

*Demolition must not result in the loss of any of the following:*

- (a) buildings or works that contribute to the historic cultural heritage significance of the precinct;*
- (b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct; unless all of the following apply;*
  - (i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
  - (ii) there are no prudent or feasible alternatives;*
  - (iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.*

The statements of significance of the precinct refer to the following: 'fine examples of housing', 'consistency of housing forms and the relatively low level of intrusive elements' and 'high visual integrity'. For the reasons outlined in the discussion for E13.7.1 P1, the slate roof of this property (and also for 19 and 23 Gregory Street) is fabric that contributes to the significance of the precinct, such that the demolition of it will result in the loss of heritage values. A feasible alternative has not been offered and given Monier manufacture a vast array of products, the notation does not offer a satisfactory outcome to satisfy the provision pertaining to demolition in this heritage precinct. The proposal does not satisfy E13.8.1 P1.

Clause E13.8.2 P1 states:

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

In this case detriment means 'damage or loss to such value or thing.' see *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8 at [57]. It is considered that the proposed extension will result in 'damage or loss to such value or thing' in particular the following characteristics of: 'fine examples of housing', 'consistency of housing forms and the relatively low level of intrusive elements' and 'high visual integrity'. It is also worth noting that there are no second storey extensions to single storey buildings in this area. While only a small structure it is discordant in its design and siting such that it is considered that the proposal does not satisfy E13.8.2 P1.

Clause E13.8.2 P3 states:

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

The words detract from means 'to diminish or depreciate the value being considered' See Solvyns at [57]. The extension is two storey box in a streetscape of single storey houses, such that it will diminish and certainly alter the fact that there is a consistency of housing forms and low level of intrusive elements and no two storey extensions to the rear of single storey houses. As such it is considered that the proposal does not satisfy E13.8.2 P3.

The purpose of the Gregory Street Specific Area Plan is:

*F1.1.1 The purpose of this specific area plan is to ensure that development of land in Gregory Street is in conformity with and reinforces the characteristic uses in the street and the building forms that comprise the streetscape.*

The following Development Standards for Buildings and Works and Additional Sign Standards within the Specific Area Plan are either not relevant or do not apply:

F1.3.1 A1 and P1 - Streetscape Character

F1.3.2 A1 and P1 - Residential Amenity

F1.3.3 A1 and P1 - Lighting in Car Parks and Pedestrian Areas

F1.3.4 A1 and P1 - Surface Treatments

F1.4.1 (a) - Additional Sign Standards

In terms of building height, the objective is:

*F1.3.5 To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.*

The proposal does not satisfy the Acceptable Solution F1.3.5 A1 and therefore must be assessed against F1.3.5 P1 which states:

*Building height must be no more than 12 metres and must be compatible with the scale of nearby buildings.*

In this circumstances, the proposal is less than 12 metres but the dominant character of buildings in the vicinity of the subject site, particularly on the southern side of Gregory Street is single storey. As a two storey extension, the proposal would be incompatible with the scale of nearby buildings. It does not satisfy F1.3.5P1.

No representations have been made in relation to this application.

The proposed extension will dominate the original Victorian Georgian architecture and change the character of this original singles storey grouping. The extension, as proposed, is considered to be visually intrusive and is not subservient as required by the provisions of the Scheme, particularly in the context of a grouping of 3 very significant similar houses in the street. The proposed extension being off-centre is also inconsistent with the very symmetry of the Victorian Georgian house. The proposed works fail to satisfy E13.7.2 P1, E13.7.2 P2, E13.7.2 P3, E13.7.2 P4, E13.8.1 P1, E 13.8.2 P1, E13.8.2 P3 and F1.3.5 P1 of the Historic Heritage Code and the Gregory Street Specific Area Plan of the *Hobart Interim Planning Scheme 2015*.

**The reasons for refusal are as follows:**

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.1 P1 (a), (b) and (c) of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that: there are, environmental, social, economic or safety reasons of greater value to the community that the historic values of the place; or there are no prudent and feasible alternatives.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.2 P1 of the *Hobart Interim Planning Scheme 2015* because the development would result in a loss of historic cultural heritage significance to the place through incompatible

design, including in height, bulk, form, siting and colour. The double storey height of the proposed building is incompatible in the context of single storey houses at 19, 21 and 23 Gregory Street.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.2 P2 of the *Hobart Interim Planning Scheme 2015* because the development has not been designed to be subservient and complementary to the place. Specifically:

(a) the proposed scale and bulk, and 'box' form exceed the datum set by the existing heritage listed houses at 19, 21 and 23 Gregory Street

(c) the proposed siting of a two storey 'box' form located in an asymmetrical location behind a traditional, tapering, pitched roof form which is not subservient nor complementary to the listed place.

(d) the proposed black finish to the vertical board cladding will contrast significantly with the warm muted tones of the historically significant masonry brickwork.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.2 P3 of the *Hobart Interim Planning Scheme 2015* because the proposed built form and fenestration do not respond to the dominant heritage characteristics of the listed place with an off centre two storey box with large areas of glazing to the street elevation.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.2 P4 of the *Hobart Interim Planning Scheme 2015* because the proposed extension is two storeys and will detract from the historic cultural heritage significance of the place which is that of a single storey, masonry, Georgian Victorian residence.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.8.1 P1 (a) of the *Hobart Interim Planning Scheme 2015* because the proposed demolition of the slate roof will result in the loss of 19th century fabric that contributes to the historic cultural heritage significance of the place and it has not been demonstrated that: there are, environmental, social, economic or safety reasons of greater value to the community that the historic values of the place; and in particular there is a feasible alternative.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.8.2 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed extension is two storey, positioned asymmetrically and is designed and sited in a way that it results in detriment to the historic cultural heritage significance of the precinct as listed in Table E13.2.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.8.2 P3 of the *Hobart Interim Planning Scheme 2015* because the proposed extension is two storey, positioned asymmetrically and is designed and sited in a way that it detracts from the historic cultural heritage significance of the precinct.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause F1.3.5 P1 Building Height in the Gregory Street Local Area Plan of the *Hobart Interim Planning Scheme 2015* because it is incompatible with the scale of nearby buildings.

Sarah Waight  
Acting Senior Cultural Heritage Officer  
21 October 2019



**7.1.3 636 SANDY BAY ROAD, SANDY BAY AND 636A & B SANDY BAY ROAD, SANDY BAY - DEMOLITION AND TWO MULTIPLE DWELLINGS**  
**PLN-19-359 - FILE REF: F19/149890**

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Address: 636 SANDY BAY ROAD, SANDY BAY  
636 A & B SANDY BAY ROAD, SANDY BAY

Proposal: Demolition and Two Multiple Dwellings

Expiry Date: 2 December 2019

Extension of Time: Not applicable

Author: Helen Ayers

***RECOMMENDATION***

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and two multiple dwellings at 636 and 636 A + B Sandy Bay Road 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-19-359 - 636 AND 636A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00881-HCC dated 23/08/2019 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**ENG sw1**

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

Reason for condition

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

**ENG sw2.1**

**A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.**

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

Reason for condition

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

**ENG sw2.2**

**A post-construction CCTV recording of the Council's**

**stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.**

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

Reason for condition

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

### **ENG sw3**

**The proposed foundations and overhangs must be designed to ensure the protection and access to the Council's stormwater main.**

**A detailed design must be submitted and approved prior to construction. The detailed design must:**

- 1. Demonstrate how the design will ensure the protection to the Council's stormwater main.**

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

*Advice:*

*Detailed design must include indicative plans and cross-sections, clearly indicating the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings and overhangs). These drawings must demonstrate that no loading will be imposed on Council's infrastructure, that the Council stormwater infrastructure will be outside the zone of influence of*

*the footings, and that the structure will be fully independent of the main and its trenching.*

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

Reason for condition

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

#### **ENG 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, prior to commencement of work. 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:*

*Under Urban drainage act 2013 - Part 4 Connections, property owners are only allowed to have a single connection point to a public stormwater system.*

*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 sw7**

**Stormwater detention for stormwater discharges from the development must be installed prior to commencement of use.**

**A stormwater management report and design must be submitted and approved, prior to issue of any consent under the Building Act 2016 or construction. The stormwater management report and design must:**

- 1. Be prepared by a suitably qualified engineer**
- 2. Provide details and supporting calculations of the detention tank sized such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding. All assumptions must be clearly stated.**
- 3. Show layout, of the inlet and outlet including long-section.**
- 4. Details of the overflow mechanism.**
- 5. Clarification of the emptying times and outlet size.**
- 6. Include supporting maintenance plan**
- 7. Include a Stormwater Management Summary Plan that outlines the**  
**obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems**



**operate; details of the life of assets and replacement requirements.**

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

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

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

Reason for condition

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

**ENG tr1**

**Traffic management within the access driveway must be installed prior to the commencement of the use.**

**Traffic management design drawing(s) (including signage and line marking), must be submitted and approved, prior to commencement of the use. The design drawing(s) must include (but not be limited to):**

- 1. Be prepared by a suitably qualified person.**
- 2. Signs each side of the driveway entry/exit (adjacent to, and 2m above the pedestrian path in Sandy Bay Road) with the text 'caution - vehicles exiting' clearly displayed.**
- 3. A road hump located at the car park exit to ensure low vehicle speeds when crossing the pedestrian path and exiting onto Sandy Bay Road;**

**All work required by this condition must be undertaken in accordance with the approved traffic management design**

**drawings.***Advice:*

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

## Reason for condition

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

**ENG 3a**

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

## Reason for condition

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

**ENG 3b**

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

**The access driveway and parking module 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:*

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

Reason for condition

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

**ENG 4**

**The access driveway and parking module approved by this permit must be constructed to a sealed standard and surface drained to the Council's stormwater infrastructure prior to the commencement of use.**

Reason for condition

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

**ENG 5**

**The number of car parking spaces approved on the site for use is two (2).**

**All parking spaces must be delineated by means of yellow lines 80mm to 100mm wide in accordance with Australian Standards AS/NZS 2890.6 2009. The shared area between the two parking spaces must be marked with non-slip yellow, 45deg diagonal stripes 150mm-200mm wide, with spaces 200mm-300mm between each stripe.**

**All line-marking must be completed 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 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.

#### **ENV s1**

**The finished floor level of the apartments must be 2.5m AHD or higher.**

Reason for condition

To ensure that risk from coastal inundation is appropriately managed

#### **ENV s2**

**Any filling of the site must not raise the existing ground level by more than 0.5m.**

Reason for condition

To ensure that landfill does not unreasonably increase the risk from coastal inundation



## ADVICE

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

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

## CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

### **Value of Building Works Approved by Planning Permit Fee:**

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238

2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

### **BUILDING PERMIT**

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

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

### **PLUMBING PERMIT**

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

### **NEW SERVICE CONNECTION**

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

### **STORM WATER**

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

### **STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN**

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division.

### **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.

## **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-19-359 - 636 SANDY BAY ROAD SANDY BAY TAS 7005 - Planning Committee or Delegated Report ↓ 

Attachment B: PLN-19-359 - 636 AND 636A SANDY BAY ROAD SANDY BAY TAS 7005 - CPC Agenda Documents ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Council: 2 December 2019  
Expiry Date: 2 December 2019  
Application No: PLN-19-359  
Address: 636 SANDY BAY ROAD , SANDY BAY  
636 A + B SANDY BAY ROAD , SANDY BAY  
Applicant: Robert Walters  
2 DeWitt Street  
Proposal: Demolition and Two Multiple Dwellings  
Representations: Four (4)  
Performance criteria: Parking and Access Code  
Inundation Prone Areas Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Demolition and Two Multiple Dwellings at 636 Sandy Bay Road and 636 A + B Sandy Bay Road, Sandy Bay.
- 1.2 More specifically the proposal includes:
  - Demolition of the existing dwelling on site
  - Construction of two, two storey, co-joined multiple dwellings.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Parking and Access Code
  - 1.3.2 Inundation Prone Areas Code
- 1.4 Four (4) representations objecting to the proposal were received within the statutory advertising period between 3 and 17 September 2019.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

## 2. Site Detail

- 2.1 The application site is a 648m<sup>2</sup> internal lot on the northern side of Sandy Bay Road. The site is nestled behind a row of commercial premises, and is adjacent to a Council car park associated with the surrounding commercial use and the beach. There is a mixture of residential development to the north and west of the site and commercial to the south and east.



Figure 1: The location of the application Site is outlined in blue.





Figure 2: The property the proposed dwellings are to be contained within is highlighted in yellow (with access and vehicle manoeuvring over the other title).

### 3. Proposal

3.1 Planning approval is sought for Demolition and Two Multiple Dwellings.

3.2 More specifically the proposal is for:

- Demolition of the existing single dwelling on the lot.
- Construction of two, two storey, co-joined multiple dwellings.
- The floor plans of the dwellings are mirror images of each other, and contain two bedrooms and a bathroom on the upper level, and a third bedroom (with ensuite), an open living dining kitchen area, and a walk through laundry on the lower level.
- Construction of a detached, three car carport.

### 4. Background

4.1 There is no relevant background for this application.

**5. Concerns raised by representors**

- 5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 3 and 17 September 2019.
- 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.

Stormwater:
Several Representors are concerned that the proposal does not adequately address the stormwater flows from the site. The representors are concerned that the development will result in the flooding of adjacent properties.
Traffic:
One representor is concerned that the increased traffic using the right of way has not been properly considered. The representor suggests that the numbers used for assessment do not accurately reflect the existing situation on site. The representor has provided a Strata Title plan which indicates 7 car parking spaces within one garage and two car parking spaces within the other, each of which is reported [in the submitted TIA] to have a single vehicle. This will alter the vehicles utilising the right of way from the 5 reported to a potential 12, and as such, the representor is concerned with the safety of the access.
One representor suggests that the safety measures proposed are not adequate to protect pedestrians on Sandy Bay Road given the gradient and width of the driveway.
One representor has indicated that delivery vehicles for the Sandy Bay Road businesses that have a right to the right of way frequently park within it whilst loading and unloading. As such, the representor has indicated that there will be queuing and delays entering and exiting the site beyond those identified and assessed.
One representor has indicated that site lines and gradients are such that there is a risk to pedestrians crossing the driveway on the footpath that will only be exacerbated with increased numbers of vehicles.

**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 Local Business Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is residential (single dwelling). The proposed use is residential (two multiple dwellings). 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 Part D - 20.0 Local Business Zone
  - 6.4.2 Part E - E5.0 - Road and Railway Assets Code
  - 6.4.3 Part E - E6.0 Parking and Access Code
  - 6.4.4 Part E - E15.0 Inundation Prone Areas Code
  - 6.4.5 Part E - E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Number of Car Parking Spaces - Part E E6.6.1 P1
  - 6.5.2 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas – Part E E15.7.5 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Number of Car Parking Spaces - Part E E6.6.1 P1
- 6.7.1 The acceptable solution at clause E6.6.1 A1 requires four car parking spaces for the proposed development.
  - 6.7.2 The proposal includes three car parking spaces.

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 E6.6.1 P1 provides as follows:

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

*(a) car parking demand;*

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

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

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

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

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

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

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

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

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

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

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

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

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

*The applicant wishes to construct two, three bedroom townhouses in the Local Business Zone, however the use class is residential and as a result the Acceptable Solution is to provide four on-site parking spaces. As identified in the Traffic Impact Assessment submitted by the applicant, it is possible to provide as many as four on-site spaces (with one a jockey park). However, because the access is via a sub-standard Right of Way (ROW) that already services eight parking spaces in association with the adjoining properties, Council engineers have required that the number of on-site spaces be limited to the existing number (two) to ensure compliance with the Road and Railway Assets Code, and to minimise conflict with other users of the ROW. To summarise:*

- The application is for two, three bedroom townhouses in the Local Business Zone, however the use class is residential and as a result the Acceptable Solution is to provide four on-site parking spaces*
- It is possible to provide as many as four on-site spaces (with one a jockey park)*
- Council engineers have required that the number of on-site spaces be limited to the existing number (two) to ensure compliance with the Road and Railway Assets Code, and to minimise conflict with other users of the ROW*
- The resulting parking deficiency means the proposal must be assessed against the relevant Performance Criteria*
- A traffic impact statement has been completed by Milan Prodanovic and the performance criteria have been addressed in clause PA 7 (page 9) of the report.*

*Taking into account an assessment of the proposal against the relevant performance criteria (presented below), Development Engineering supports the application in its current form, with a reduction in proposed on-site parking spaces to a maximum of 2 (two).*



**ASSESSMENT:**

*In accordance with the Hobart Interim Planning Scheme 2015 Cl E6.1 Purpose, the relevant primary goals of the Parking and Access Code are to:*

- (a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;*
- (b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;*
- (c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;*
- (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;*
- (f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;*
- (g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;*
- (h) provide for safe servicing of use or development by commercial vehicles.*

*With a view to achieving these goals the Acceptable Solution in the planning scheme is in the form of a specific number of spaces to be provided for a particular development type, in this case 4. If the proposal does not meet the Acceptable Solution then it must be assessed against the performance criteria.*

**E6.6.1 Number of Car Parking Spaces****Performance Criteria P1**

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

***(a) car parking demand;***

*The goal of the Parking and Access Code relevant to demand is to 'ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities'. The provision of two on-site parking spaces, although less than the 4 required to meet the Acceptable Solution in the planning scheme, is in accordance with the RTA Guide to Traffic Generating Developments. Taking into account the development's location this number is*

*considered to meet the reasonable requirements of users, and in particular people with disabilities (removal of the middle parking space from the carport means the two remaining spaces meet AS/NZS 2890.6:2009 Off-Street Parking for People with Disabilities).*

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

*Kerb side parking is available in the street, however road widths in general residential areas are designed on the basis that the lots they service will have provision for at least some on-site parking. To this effect the Parking and Access Code aims to:*

- (c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network; and*
- (a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;*
- (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;*

*Time restricted (half hour during the day) kerb side parking is available in the street, and from 6pm to 6am this becomes unrestricted - this is considered satisfactory to meet visitor parking demand and the development is unlikely to impact on use and availability of these spaces from 6am to 6pm - the efficiency of the road network will thus be preserved.*

*There is a public carpark directly adjacent to the subject site's eastern boundary (with access via Beach Road), these spaces are restricted to 2hrs between 8am and 6pm, and are unrestricted outside of that - It is understood an informal pedestrian gate exists between the subject property and the carpark. The unrestricted hours of this carpark are ideal in terms of meeting the needs of occupants who work during the day and thus it can be considered to provide significant support for the application in its current form.*

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

*The closest bus stop servicing the route to Hobart CBD (Metro 401&402) is on Sandy Bay Road, 120m away. The frequency on weekdays is half hourly with buses during the day going to the CBD*

*beginning at around 7.00am and ending at around 6.00pm. In the evening the frequency is every 1-2 hours until around midnight. Buses from the CBD follow a similar schedule. The availability of public transport is thus considered to be excellent.*

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

*Taxi's and uber are available though their use is usually curtailed by cost. Cycling is relevant due to the comparatively flat nature of the surrounding area and the route to the CBD.*

*All other performance criteria in this provision are not applicable to a residential dwelling and have therefore not been addressed.*

**RECOMMENDATION:**

*The application in its current form should be supported [on the condition that the number of on site parking spaces is reduced to two]. The two parking spaces to be conditioned to be constructed will meet DDA requirements, and by only providing two it will ensure use of the existing sub-standard access is not intensified. There is ample off-site parking available, along with excellent public transport service, and cycling in this location is also a practical and economical means of alternative transport.*

- 6.7.6 The proposal complies with the performance criterion, irrespective of the condition reducing the number of car parking spaces on site to two.
- 6.8 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas – Part E E15.7.5 P1
- 6.81 There is no acceptable solution for E15.7.5 A1.
- 6.8.2 The proposal includes landfill and an external wall in the inundation 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 E15.7.5 P1 provides as follows:
- Landfill, or solid walls greater than 5 m in length and 0.5 m in height, must satisfy all of the following:*

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

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

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

- 6.8.5 The application has been assessed by Council's Environmental Development Planner, who has provided the following comment:

*The proposed landfill to raise the ground level under the building would be less than 0.5m in depth and therefore does not meet the code definition of 'landfill'. The only consideration is therefore the external wall of the proposed apartment building.*

*A brief coastal inundation hazard assessment was submitted with the application. The assessment includes the following commentary:*

*The proposed extension [sic] does not increase the risk to the current residence or surrounding properties as the location is virtually at the end of the hazard area, the property to the west has a retaining wall and is set above the hazard level, the area to the east is an existing carpark, and the area to the south is limited in area. The support for the new extension will be onto sound foundations not subject to erosion. The building will be constructed of material not affected by flood water. Any increase in building area will be minimal with the surrounding properties already affected by the inundation with negligible affect by the proposal due its location at the head of the affected area.*

*The proposed walls would not impact upon the rate of stormwater discharge from the property and would not reduce stormwater quality.*

*The proposal is considered compliant with the performance criterion.*

- 6.8.6 The proposal complies with the performance criterion.

**7. Discussion**

- 7.1 Planning approval is sought for Demolition and Two Multiple Dwellings at 636 and 636 A + B Sandy Bay Road.
- 7.2 The application was advertised and received four (4) representations. The representations raised concerns including stormwater and traffic / pedestrian safety.
- 7.3 One of the representors questioned the accuracy of the applicant's submitted Traffic Impact Assessment, noting that there were more cars sharing the right of way than was indicated. Following this representation, the applicant was contacted for comment, and whilst a number of justifications supporting the application were presented, it was ultimately considered problematic by Council Development Engineering Officers. The applicant was again contacted following this assessment, with a suggestion of reducing the number of car parking spaces for the new dwellings such that there are no additional car parking spaces on the site, and as such there is no discretion triggered requiring assessment under the Road and Railway Assets Code. The applicant was happy with this suggested condition and has supplied plans confirming this to demonstrate that the vehicle movements will work with the reduced number of car parking spaces. Accordingly, it is recommended that a condition be included in any approval granted restricting the number of car parking spaces for the new development to two.
- 7.4 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.5 It is noted that the application did not meet the acceptable solution provided at Clauses E7.7.1 A3 and A4 relating to stormwater management. As there are no associated performance criteria, conditions have been provided for inclusion, should a permit issue, to ensure compliance with the acceptable solutions. It is the opinion of Council Engineering staff that compliance with the requirements of the acceptable solutions can be achieved on the site.
- 7.6 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental Development Planner, Traffic Engineer, and Stormwater Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.7 The proposal is recommended for approval.

**8. Conclusion**



- 8.1 The proposed Demolition and Two Multiple Dwellings at 636 and 636 A + B Sandy Bay Road satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Demolition and Two Multiple Dwellings at 636 and 636 A + B Sandy Bay Road 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-19-359 - 636 AND 636A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.**

Reason for condition

To clarify the scope of the permit.

### TW

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00881-HCC dated 23/08/2019 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

### ENG sw1

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

Reason for condition

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

### ENG sw2.1

**A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.**

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

Reason for condition

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

#### **ENG sw2.2**

**A post-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.**

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

Reason for condition

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

#### **ENG sw3**

**The proposed foundations and overhangs must be designed to ensure the protection and access to the Council's stormwater main.**

**A detailed design must be submitted and approved prior to construction. The detailed design must:**

1. **Demonstrate how the design will ensure the protection to the Council's stormwater main.**

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

*Advice:*

*Detailed design must include indicative plans and cross-sections, clearly indicating the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings and overhangs). These drawings must demonstrate that no loading will be imposed on Council's infrastructure, that the Council stormwater infrastructure will be outside the zone of influence of the footings, and that the structure will be fully independent of the main and its trenching.*

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

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

Reason for condition

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

#### **ENG 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, prior to commencement of work. 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:*

*Under Urban drainage act 2013 - Part 4 Connections, property owners are only allowed to have a single connection point to a public stormwater system.*

*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 sw7**

**Stormwater detention for stormwater discharges from the development must be installed prior to commencement of use.**

**A stormwater management report and design must be submitted and approved, prior to issue of any consent under the Building Act 2016 or construction. The stormwater management report and design must:**

1. **Be prepared by a suitably qualified engineer**
2. **Provide details and supporting calculations of the detention tank sized such that there is no increase in flows from the developed site up to 5% AEP storm events and no worsening of existing flooding. All assumptions must be clearly stated.**
3. **Show layout, of the inlet and outlet including long-section.**
4. **Details of the overflow mechanism.**
5. **Clarification of the emptying times and outlet size.**
6. **Include supporting maintenance plan**
7. **Include a Stormwater Management Summary Plan that outlines the**



obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

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

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

Reason for condition

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

#### **ENG tr1**

**Traffic management within the access driveway must be installed prior to the commencement of the use.**

**Traffic management design drawing(s) (including signage and line marking), must be submitted and approved, prior to commencement of the use. The design drawing(s) must include (but not be limited to):**

1. **Be prepared by a suitably qualified person.**
2. **Signs each side of the driveway entry/exit (adjacent to, and 2m above the pedestrian path in Sandy Bay Road) with the text 'caution - vehicles exiting' clearly displayed.**
3. **A road hump located at the car park exit to ensure low vehicle speeds when crossing the pedestrian path and exiting onto Sandy Bay Road;**

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

*Advice:*

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

## Reason for condition

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

**ENG 3a**

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

## Reason for condition

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

**ENG 3b**

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

**The access driveway and parking module 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:*

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

## Reason for condition

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

**ENG 4**

**The access driveway and parking module approved by this permit must be constructed to a sealed standard and surface drained to the Council's stormwater infrastructure prior to the commencement of use.**

## Reason for condition

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

**ENG 5**

**The number of car parking spaces approved on the site for use is two (2).**

**All parking spaces must be delineated by means of yellow lines 80mm to 100mm wide in accordance with Australian Standards AS/NZS 2890.6 2009. The shared area between the two parking spaces must be marked with non-slip yellow, 45deg diagonal stripes 150mm-200mm wide, with spaces 200mm-300mm between each stripe.**

**All line-marking must be completed 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 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.

#### **ENV s1**

**The finished floor level of the apartments must be 2.5m AHD or higher.**

Reason for condition

To ensure that risk from coastal inundation is appropriately managed

#### **ENV s2**

**Any filling of the site must not raise the existing ground level by more than 0.5m.**

Reason for condition

To ensure that landfill does not unreasonably increase the risk from coastal inundation

#### **ADVICE**

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

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

#### **CONDITION ENDORSEMENT ENGINEERING**

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

##### **Value of Building Works Approved by Planning Permit Fee:**

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building



and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

### **BUILDING PERMIT**

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

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

### **PLUMBING PERMIT**

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

### **NEW SERVICE CONNECTION**

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

### **STORM WATER**

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

### **STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN**

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division.

**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.

**NOISE REGULATIONS**

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

**WASTE DISPOSAL**

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

Further information regarding waste disposal can also be found on the Council's [website](#).

**FEES AND CHARGES**

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

**DIAL BEFORE YOU DIG**

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



(Helen Ayers)

**Development Appraisal Planner**

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



(Cameron Sherriff)

**Acting Senior Statutory Planner**

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

Date of Report: 18 November 2019

**Attachment(s):**

Attachment B - CPC Agenda Documents

**e a d e s i g n**

gregory eade building design

26 browne street

west hobart 7000

636 SANDY BAY ROAD, SANDY BAY

Application no. PLN-19-359

Letter addressing HCC requested additional information (2nd July 2019)

**TW1** Answered on drgs A03/ A05/ A08

**PA 2.2** Answered on document TIS 636 sandy Bay Rd 19 Aug 2019 by  
MILAN PRODANOVIC

**PA 3** Answered on document TIS 636 sandy Bay Rd 19 Aug 2019 by  
MILAN PRODANOVIC and drawings A03 REV A & A04 REVA with turning circles  
designed by JMG consulting engineers

**PA 5.1** Answered on document TIS 636 sandy Bay Rd 19 Aug 2019 by  
MILAN PRODANOVIC and drawings A03 REV A, A04 REVA & A05 REV A with  
turning circles designed by JMG consulting engineers

**Sw 2** Answered on drawings A04 REVA, A05 REV A & A08 REV A

**IPAC 1/2** Answered on drawings A04 – A12 inclusive REVA

**IPAC 3/4** Answered on drawing A04 REV A showing max land increase 300  
and average 50mm, so not greater than 500 as defined as 'landfill'

**IPAC 5** Answered on document 636 sandy Bay Road – Coastal Erosion  
Hazard Assessment by JMG Consulting Engineers

**PA 7** Answered on document TIS 636 sandy Bay Rd 19 Aug 2019 by  
MILAN PRODANOVIC

## e a d e s i g n

636 SANDY BAY ROAD, SANDY BAY  
NEW APARTMENTS

WIND CLASSIFICATION: - N3  
TITLE REFERENCE: - CT 3113/64  
SOIL CLASSIFICATION: - M  
CLIMATE ZONE: - 7  
BAL RATING - low  
ZONING - local business

## DRAWING LIST

A01 COVER SHEET  
A02 NOTE SHEET  
A03 SITE PLAN  
A04 SITE DRAINAGE PLAN  
A05 LOWER FLOOR PLAN  
A05 UPPER FLOOR PLAN  
A06 ROOF PLAN  
A07 SOUTH ELEVATION  
A09 EAST ELEVATION  
A10 NORTH ELEVATION  
A11 WEST ELEVATION  
A12 SECTION

REV A 1.08.2019 RE-SUBMITTED FOR PLANNING AFTER HCC RFI

g r e g o r y e a d e b u i l d i n g d e s i g n

26 browne street, west hobart 7000  
mobile: 0427 871723  
email: geade@bigpond.net.au  
accreditation: CC1133F  
ABN number: 11959657057  
client: robert walters



**NOTES**

1. ALL WORK TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA AND THE LOCAL COUNCIL REGULATIONS.
2. MATERIALS AND WORKMANSHIP SHALL COMPLY WITH THE RELEVANT S.A.A. CODES AND STANDARDS
3. ALL TIMBER TO BE NEW AND FREE FROM DEFECTS. ALL FRAMING SHALL COMPLY WITH A.S. 1684. TIMBER TO BE GRADE F17 AND NEW STUD WALLS TO BE 90 x 45 F17 @ 450 CRS. UNLESS NOTED OTHERWISE.
4. PLASTERBOARD TO BE 10mm TO INTERNAL WALLS AND 13mm TO CEILINGS. WATER RESISTANT PLASTERBOARD TO ALL WET AREAS.
5. BUILDING TO COMPLY TO BCA ENERGY EFFICIENCIES PART 3.12. EXTERNAL DOORS & WINDOWS TO HAVE SUITABLE SEALS TO COMPLY WITH BCA PART 3.12.3.3 TO MAKE BUILDING AIRTIGHT. EXTERNAL DOORS TO HAVE RAVEN SEALS OR SIMILAR APPROVED:  
RP20 TOP & SIDES  
RP3 BOTTOM  
RP2A SLIDING DOORS
6. PROVIDE IMPERVIOUS WALLS AND FLOOR FINISHES TO ALL WET AREAS. SUBSTRATES, FINISHES, SPLASHBACKS & SEALING TO COMPLY WITH A.S. 3740 - 2010 & TO BCA PART 3.8.1 & TABLE 3.8.1.1. AROUND AND UNDER SHOWERS & OTHER WET AREAS. SPLASHBACKS 200 MIN. ABOVE BASINS/ SINK. ENCLOSED SHOWER WITHOUT HOB TO BE WATERPROOFED OVER THE ENTIRE ENCLOSED SHOWER AREA INCLUDING WATERSTOP. WATERPROOF TO NOT LESS THAN 150mm ABOVE THE SHOWER FLOOR SUBSTRATE WITH THE REMAINDER BEING WATER RESISTANT TO A HEIGHT OF 1800mm ABOVE FINISHED FLOOR LEVEL.  
JOISTS TO BE 250 MAX CRS. SUBSTRATE TO BE 18mm CEMENT SHEET. ALL JOINTS SEALED. WATERPROOFING TO BE SIKA OR APPROVED EQUIVALENT.  
ALL CORNERS - INTERNAL, EXTERNAL, HORIZONTAL - TO BE WATERPROOFED 40mm WIDE TO 1800MM ABOVE FLOOR LEVEL
7. STRUCTURAL DESIGN  
ALL ENGINEERING DESIGN INCLUDING HOLD DOWN DETAILS, BRACING, LINTELS & FRAMING BY JOHNSTONE, McGEE & GANDY.
8. SMOKE DETECTORS / ALARM ARE TO BE INSTALLED IN ACCORDANCE WITH BCA PART 3.7.2. SMOKE DETECTORS MUST BE INTER-CONNECTED TO MAINS POWER AND INSTALLED IN CEILINGS IN LOCATIONS SHOWN THUS ON PLANS. WIRED IN SMOKE DETECTORS/ ALARMS TO COMPLY WITH A.S. 3786.

9. GLAZING TO BE TOUGHENED 5mm MIN. THICK. WHERE REQUIRED TO DECK AREA, TO COMPLY WITH AS. 12.88 - 2006 & A.S. 2047 & TO BCA PART 3.12.1. & TO BE low 'e' CLEAR (U.N.O.) DOUBLE GLAZED THROUGHOUT TO COMPLY WITH STEVE WATSON ENERGY 6 STAR RATING. ALL WINDOWS CLEAR (C.) UNLESS SHOWN 'O.' = OPAQUE
10. INSULATION TO BE TO BCA PART 3.12.1  
ROOF -R5.2 ( bradford 'anticon 80' over purlins installed to manufacturer's specification to reduce condensation & R4 bulk insulation - PINKBATT)  
EXTERNAL WALLS -R2.5 (25 battens over PROCTOR building sheet/ 80 thick R2.0 PINKBATT)  
INTERNAL WALLS between wet areas and adjacent rooms ( BATHROOM/ LAUNDRY) TO HAVE R 2.0 BATTS IN STUD WALLS.
11. ALL STAIRS TO HAVE NON-SLIP NOSING TO COMPLY WITH B.C.A. PART 3.9.1 - 2015. HANDRAIL 900 ABOVE NOSING - MIN 30 DIA AND 50 CLEAR OF SIDE WALL.
12. DRAINAGE / PLUMBING  
INSTALL ALL PLUMBING TO TASMANIA PLUMBING REGULATIONS A.S.3500 AND TO LOCAL COUNCIL APPROVAL.  
INSTALL 'RMC' TYPE TEMPERING VALVE TO HWC. TEMPERATURE FROM HWC OUTLET TO BE MINIMUM 60° C. TEMPERATURE AT SANITARY FIXTURE OUTLETS TO BE MAXIMUM 50° C..
13. NO CEILING PENETRATIONS FOR LIGHTING. ALL LIGHTING TO BE SURFACE MOUNTED. ALL EXHAUST FANS AND VENTILATING RANGE HOOD TO RUN TO OUTSIDE AND TO BE FITTED WITH SELF CLOSING DAMPER, FILTER OR THE LIKE TO A.S. PART 3.12.3.4

LOT AREA (EXISTING TOTAL)	648 m <sup>2</sup>
EXISTING HOUSE (demolished)	99 m <sup>2</sup>
EXISTING SHEDS (demolished)	26 m <sup>2</sup>
PROPOSED APARTMENT	186.7 m <sup>2</sup>
PROPOSED SHEDS	12.5 m <sup>2</sup>
TOTAL FOOTPRINT	199.2 m <sup>2</sup>
LOT RATIO	30.7 %

**FINISHES SCHEDULE**

REFERTO SCHEDULE EACH ELEAVTION DRAWING

**ROOF SHEETING**

LYSAGHT KLIPLOK &amp; FLASHINGS TO BE 0.42 BMT WITH COLORBOND AM125 min COATING IN 'SURFMIST'

MAIN APARTMENTS COLORBOND KLIPLOK SURFMIST

CARPORT COLORBOND KLIPLOK SURFMIST

**WINDOW FRAMES:**

ALL WINDOWS U.N.O. TO BE FROM RICHARDS ALUMINIUM CAPRAL NARROWLINE 325. ALL POWDER COATED BLACK.  
 SET ALL SLIDING DOOR SEALS & TRACKS TO FLOOR LEVEL TO BE FLUSH.  
 BOX WINDOWS TO BE 8mm STEEL PLATE PAINTED BLACK WITH 'U' CHANNEL WINDOW FRAMES

**WALL CLADDING:**

UPPER APARMENTS:  
 AUSTRAL MASONRY GB HONED PORCELAIN (OFF WHITE). 3 ROWS 200/ 2 ROWS 100 - REPEAT PATTERN  
 LOWER APARTMENTS:  
 ISLAND BLOCK 200 SERIES CHARCOAL HONED BLOCK BLACK MORTAR  
 PARTY WALL AND BOUNDARY WALL:  
 ISLAND BLOCK 200 SERIES CHARCOAL  
 NON-HONED BLOCK BLACK MORTAR  
 LIFT WALL:  
 PORCELAIN PANELS - DARK GREY

**FLOORING:**

POWDER/ LAUNDRY/ TILES OVER CONCRETE OVER  
 BATHROOM/ ENSUITE: WATERPROOFING MEMBRANE  
 KITCHEN: TILES OVER CONCRETE  
 DINING / LIVING: CARPET OVER CONCRETE  
 BEDROOMS : CARPET OVER CONCRETE

**DOWNPIPES**

PVC 100 DIA. - PAINTED TO MATCH WALL COLOUR

**PLASTERBOARD FINISH:**

ALL WINDOWS TO BE FLUSH MOUNTED. NO ARCHITRAVES. SHADOWLINE FINISH TO WALL JOINS WITH CEILING AND FLOOR. NO CORNICES , 100 SKIRTING BOARDS FLUSH WITH SHADOWLINE OVER. PAINTED DULUX WHISPER WHITE U.N.O.

**3.6.4 Human impact safety requirements**

The thickness and type of glazing installed in areas of a building that have a high potential for human impact (an area of a building frequented by the occupants during everyday activities in which a person could fall into or against the glazed panel) must comply as follows:  
 (a) Doors — in accordance with 3.6.4.1.  
 (b) Door side panels — in accordance with 3.6.4.2.  
 (c) Full height glass panels — in accordance with 3.6.4.3.  
 (d) Glazed panels, other than doors or side panels, on the perimeter of rooms — in accordance with 3.6.4.4.  
 (e) Bathrooms, ensuite and spa room glazing — in accordance with 3.6.4.5.  
 (f) Visibility of glazing — in accordance with 3.6.4.6.

ALL DOORS 2400 HIGH UNLESS NOTED/ SHOWN OTHERWISE.

**SCHEDULE**

☛ SMOKE DETECTOR HARD WIRED  
 dw DISHWASHER  
 st STOVE  
 s SINK  
 b BASIN  
 sh SHOWER  
 tr TROUGH  
 wm WASHING MACHINE  
 dp DOWNPIPE  
 FFL FINISHED FLOOR LEVEL  
 RL REDUCED LEVEL  
 U.N.O. UNLESS NOTED OTHERWISE

**15. DOOR HARDWARE**

ALL INTERNAL AND EXTERNAL HANDLES:32213 – Berlin lever square plate, satin stainless steel finish  
 A5260 – Tube latch  
 LOCKS: 005/B2LSCDP – deadbolt square plate, brushed satin chrome finish  
 ALUMINIUM DOOR HANDLE:PL4/B5/L3SP – narrow plate furniture, satin pearl finish  
 U-X930-SS-M5 – narrow mortice lock 25mm, 30mm OR 35mm backset  
 Euro cylinder with above lock  
 SLIDING DOOR LOCK :9A3A2/5PSP – Onyx slide lock, satin pearl finish  
 SLIDING DOOR HANDLE: 151x300SSS – back to back handle, satin stainless steel finish

REV A 1.08.2019 RE-SUBMITTED FOR PLANNING AFTER HCC RFI

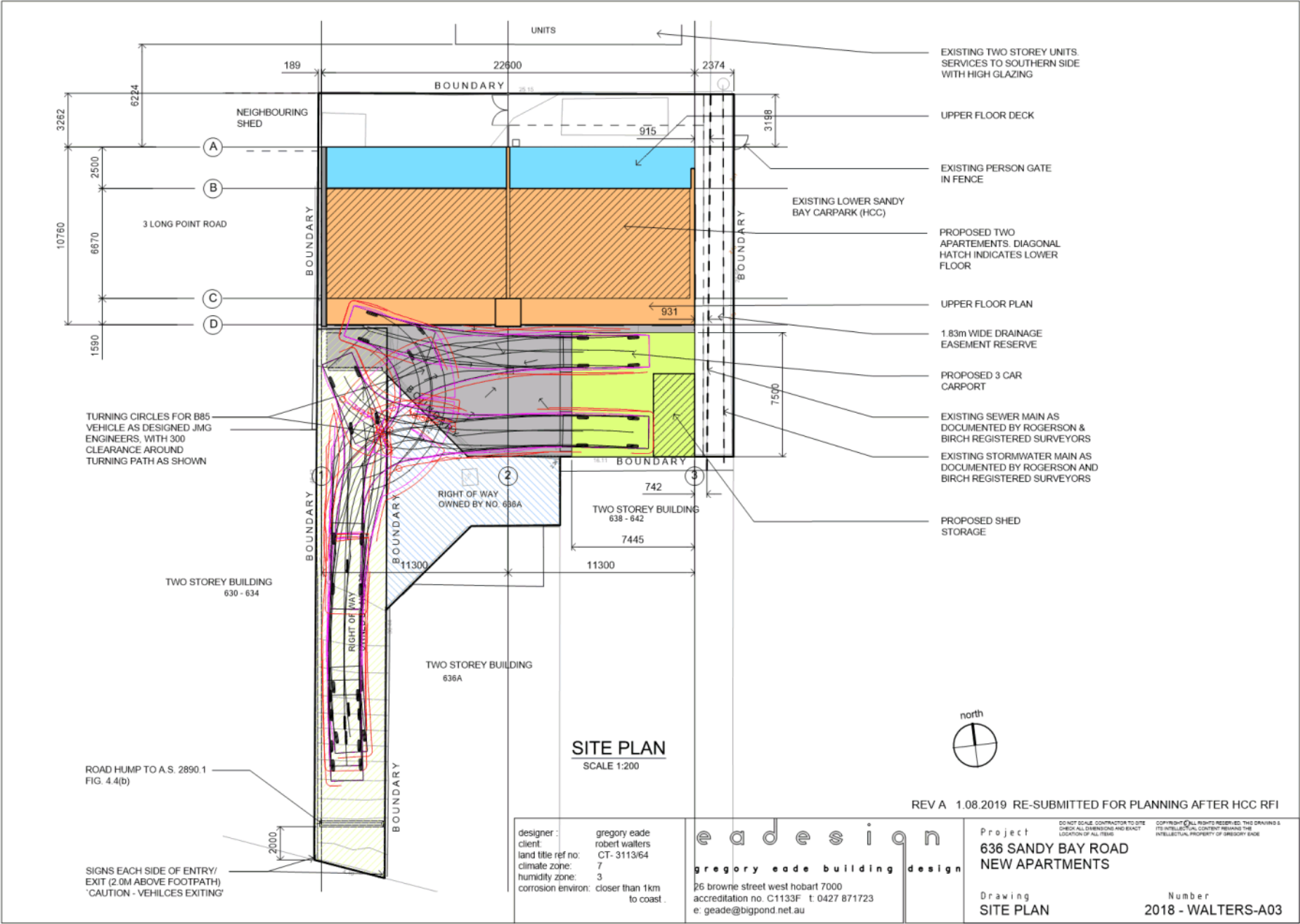
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 client : robert wallers  
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 humidity zone: 3  
 corrosion environ: closer than 1km to coast

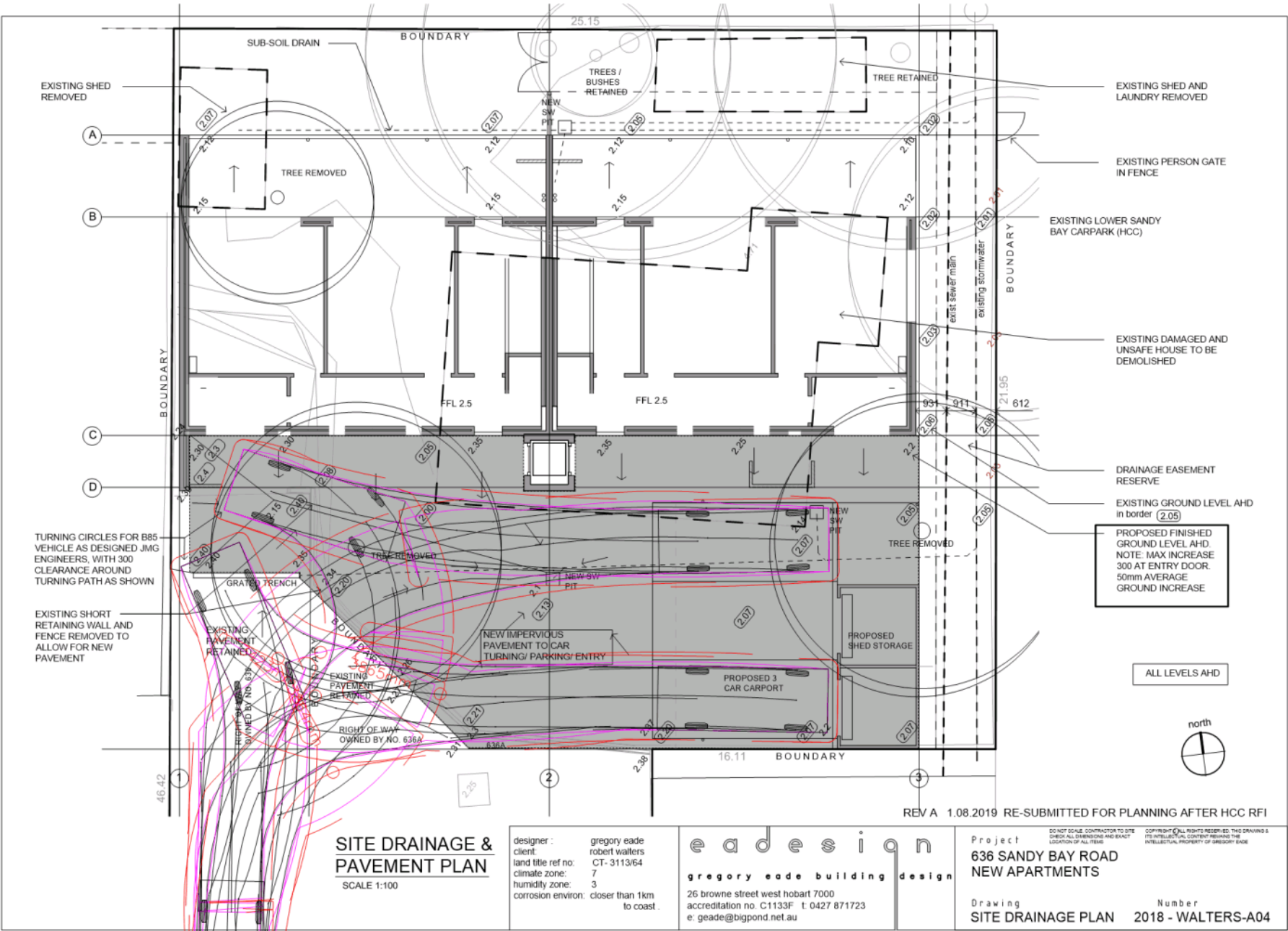
**e a d e s i o n**  
 g r e g o r y e a d e b u i l d i n g d e s i g n  
 26 browne street west hobart 7000  
 accreditation no. C1133F t 0427 871723  
 e: geade@bigpond.net.au

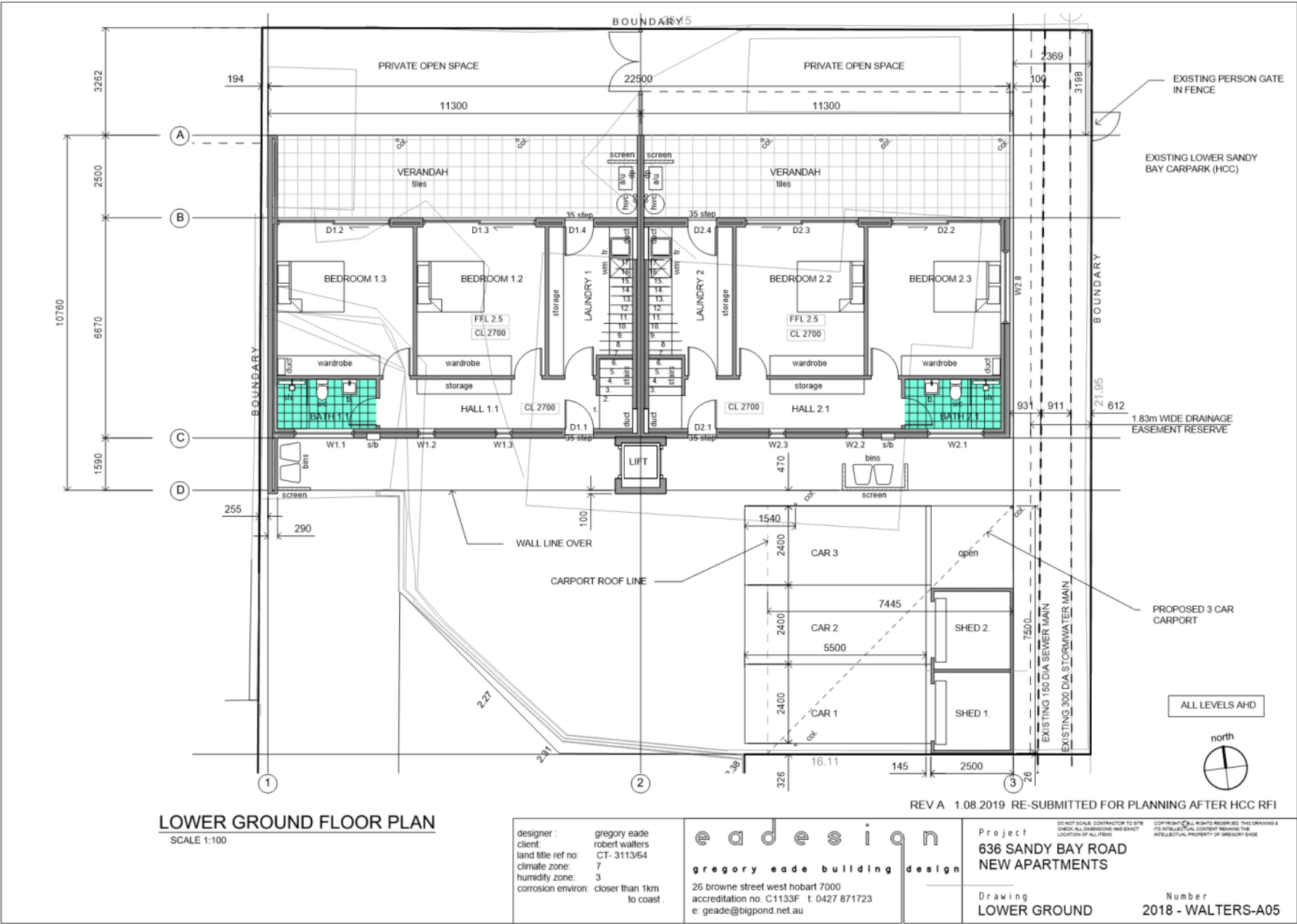
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**636 SANDY BAY ROAD**  
**NEW APARTMENTS**

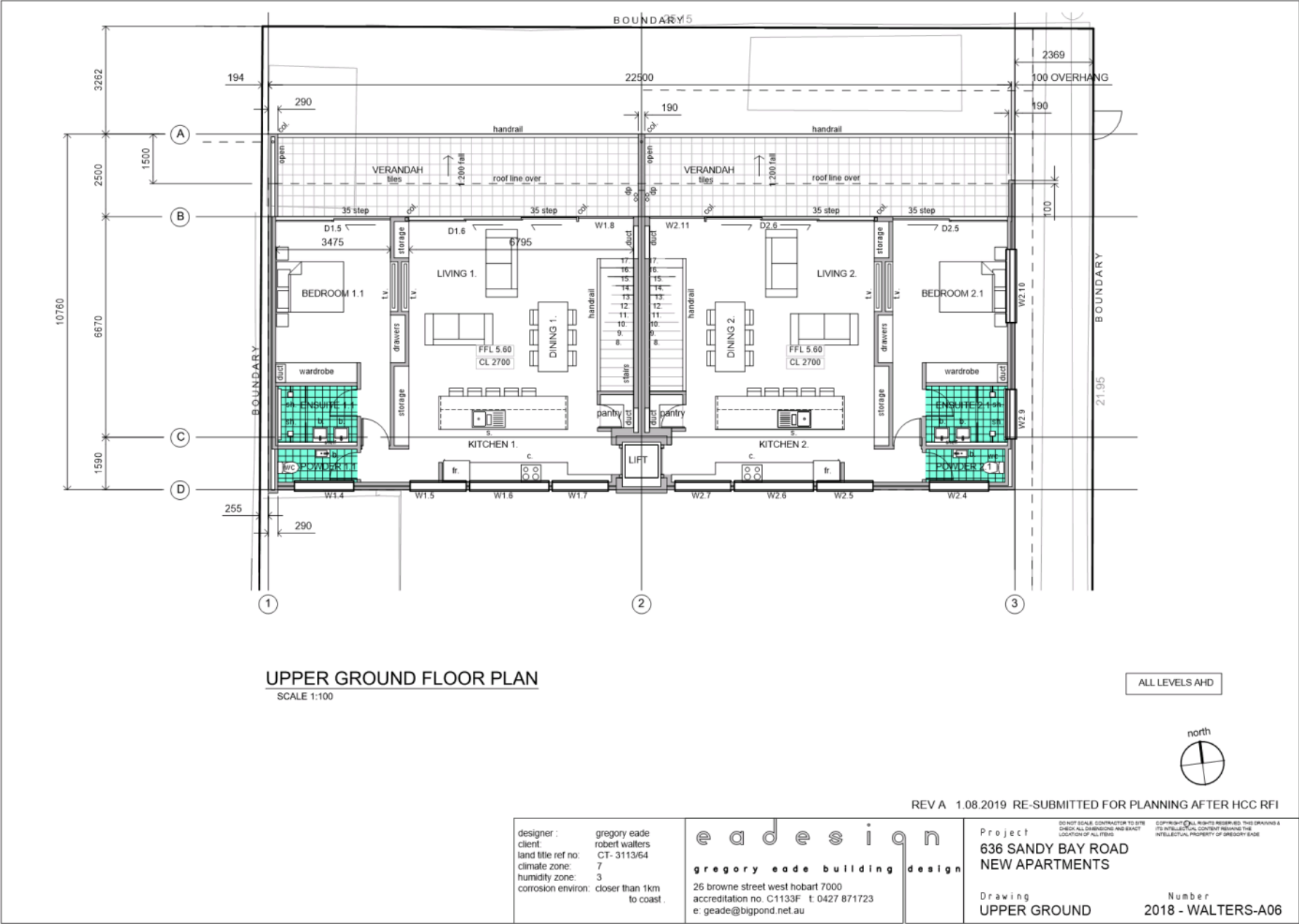
Drawing  
**NOTE SHEET**

Number  
**2018 - WALTERS-A02**

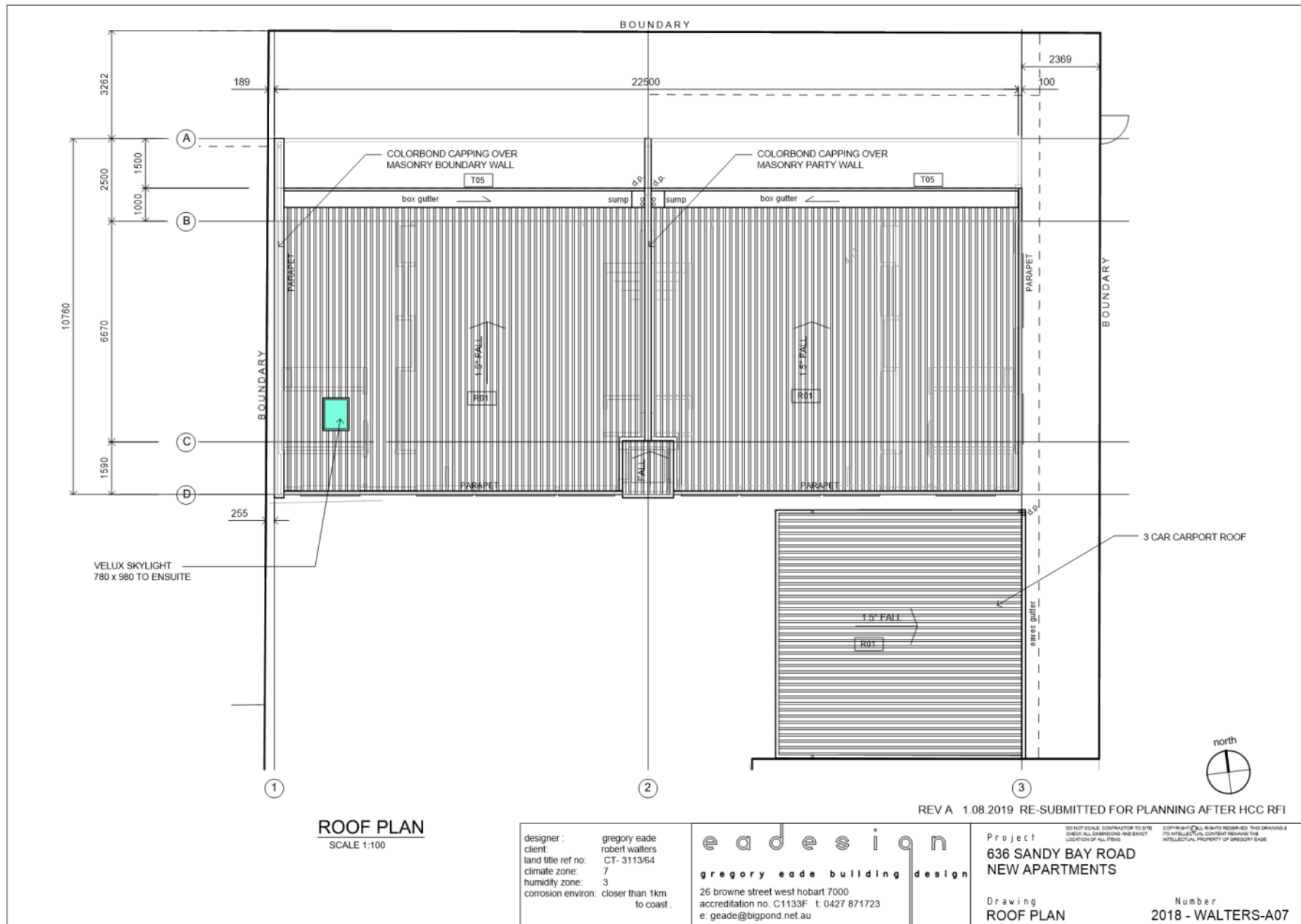


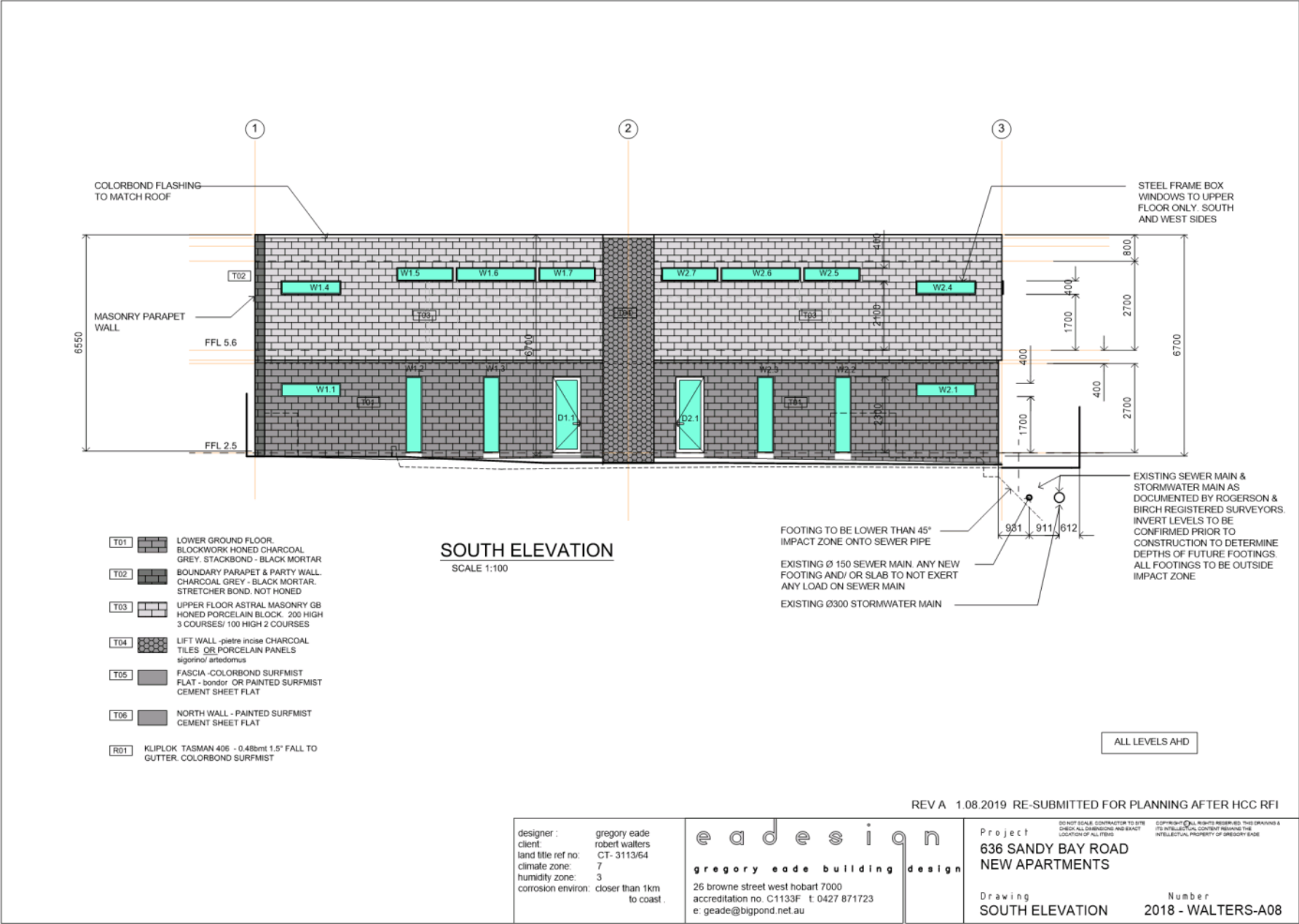


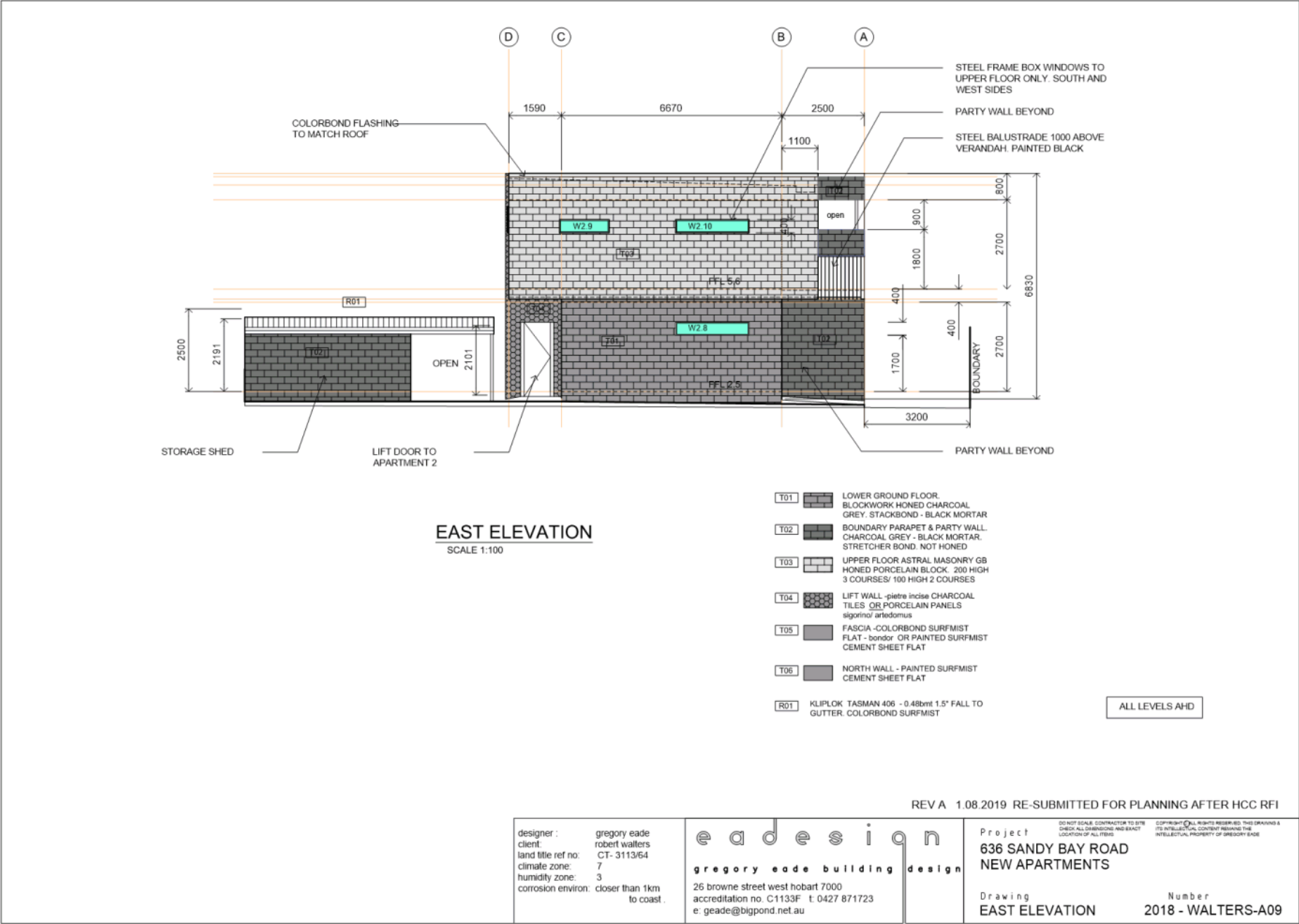




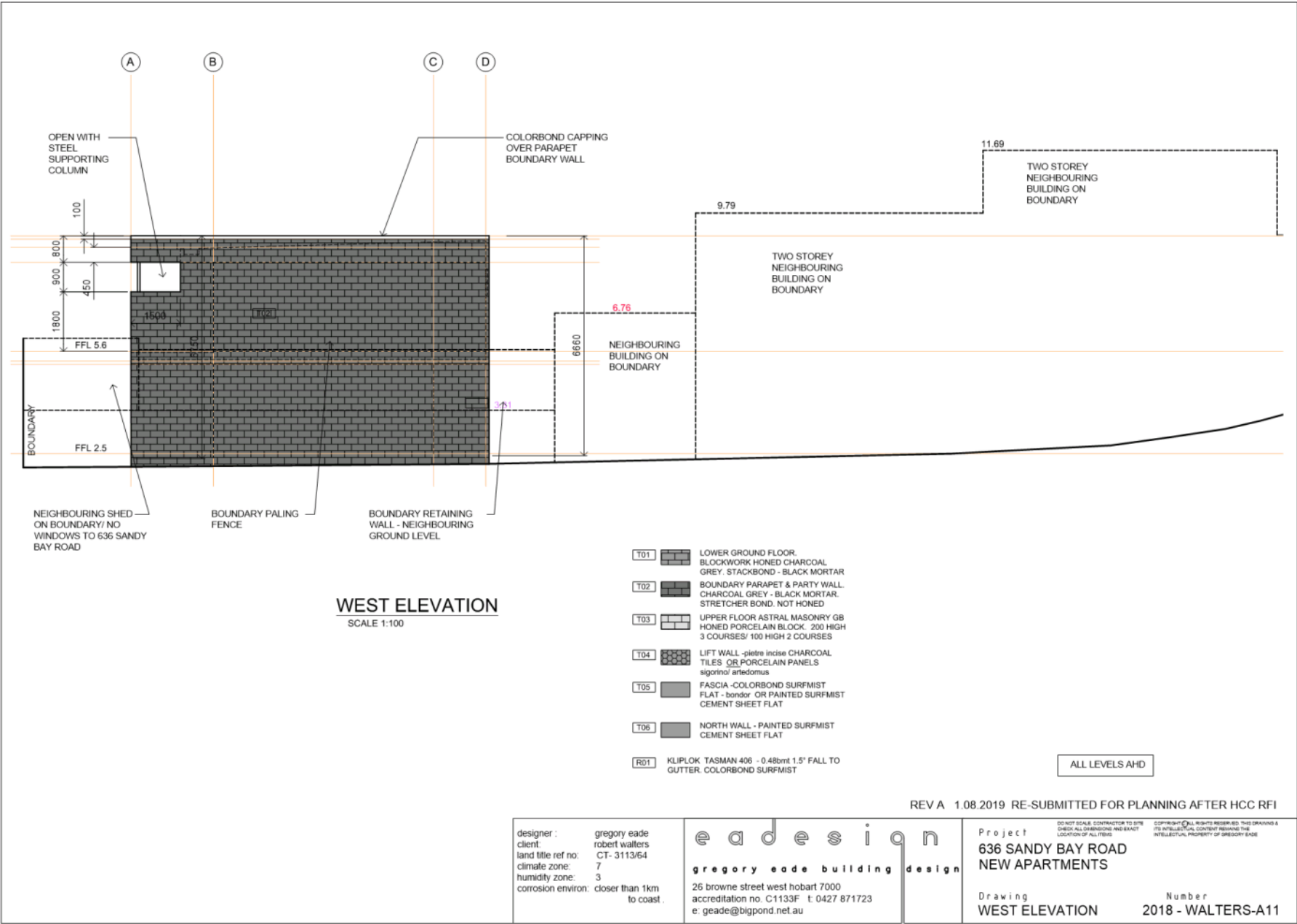


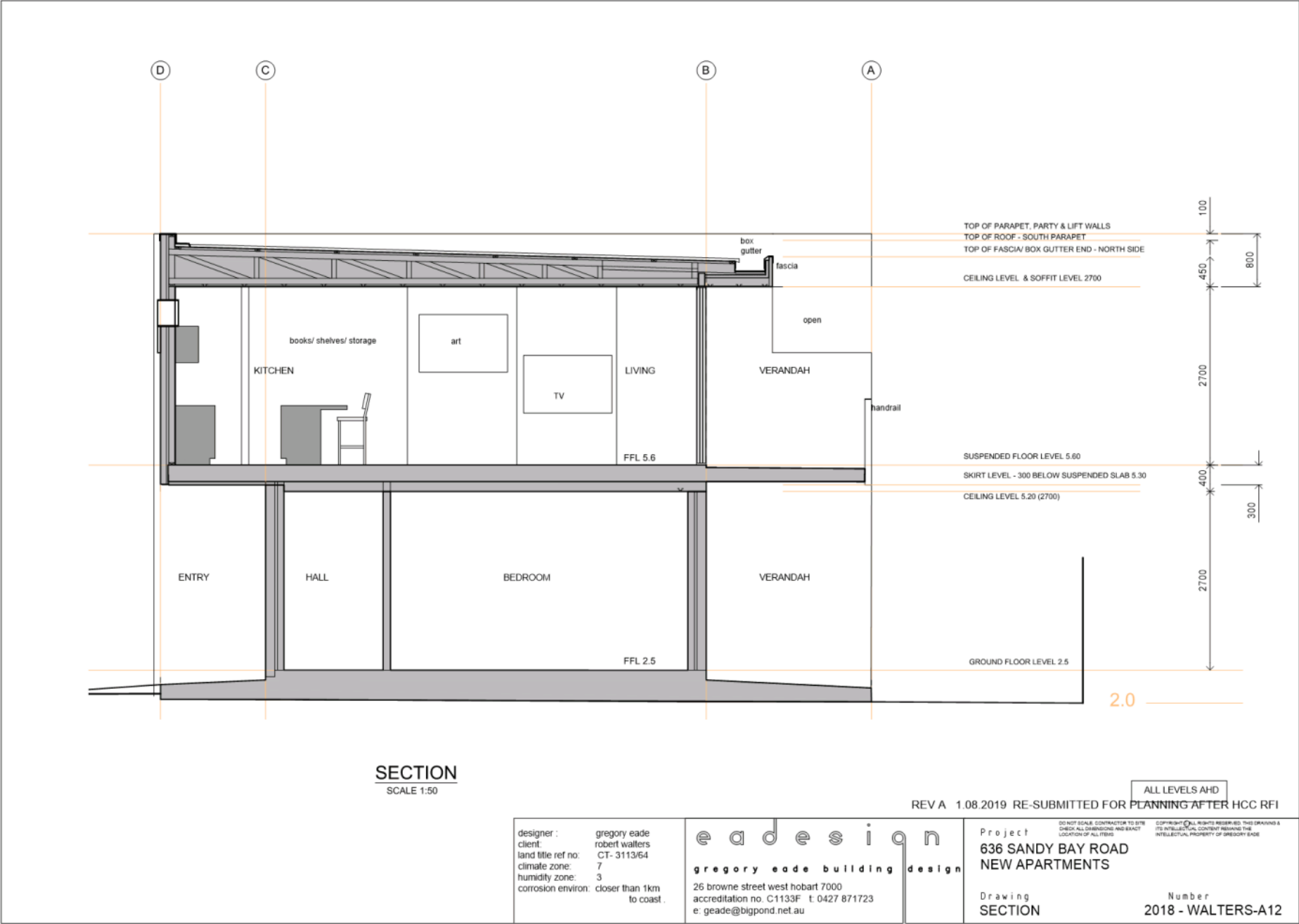
















## TRAFFIC IMPACT STATEMENT

### PROPOSED RESIDENTIAL UNIT DEVELOPMENT

636 SANDY BAY ROAD, SANDY BAY

#### 1. INTRODUCTION

A development application has been lodged with the Hobart City Council for the demolition of an old building and construction of two residential units at 636 Sandy Bay Road in Sandy Bay.

In considering the application, the council has raised concern about a number of design, operational and safety matters.

This Traffic Impact Statement (TIS) has been prepared to address the issues.

#### 2. PROPOSED DEVELOPMENT

The development site is located at the rear of a row of commercial buildings that front onto the eastern side of Sandy Bay Road in the lower Sandy Bay shopping centre.

Access to the development site is gained via a driveway located between shops, which is seen in Photograph 2.1. The development site is seen in Photographs 2.2 and 2.3.

As part of a proposed redevelopment of the site and surroundings, the owners of the property propose to demolish an existing house on the property and construct two unit dwellings.

Three car parking spaces are proposed on the site for the two units.

The design drawings detailing site layout, building as well as vehicle parking and circulation area are seen on the attached drawings.



**Photograph 2.1: View of driveway to 636 Sandy Bay Road**



**Photograph 2.2: View of property at 636 Sandy Bay Road  
(behind paling fence) and adjacent garage accesses**



**Photograph 2.3: View of property at 636 Sandy Bay Road (behind paling fence) and adjacent car park accesses**

### 3. RESPONSE TO TRAFFIC ISSUES

#### PA 2.2 Driveway sight distances to approaching vehicles and pedestrians

The request from Council refers to *Clause E5.6.4* and *Clause E6.7.2* from the Hobart Interim Planning Scheme.

*Clause E6.7.2 A1 states: 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.*

AS 2890.1 details the required sight distances to approaching vehicles on public roads from a driveway such as is under consideration in this assessment. It will serve four of domestic units, which is a little more than a domestic driveway (defined as serving up to three dwelling units).

It seems *Clause E5.6.4* is not a relevant clause for consideration in this case as it is a clause dealing about the adequacy of the available sight distance between vehicles at a public road intersection or junction.

Having regard to *Clause E6.7.2*, the desirable and minimum sight distance, based on AS 2890.1, for approach vehicle speeds of 50km/h and at a point

3

2.5m back from the edge of the road is 69m and 45m respectively. Vehicle speeds in Sandy Bay Road are a little less than 50km/h during business hours and around 50km/h during other times of the day.

As there is a median along the middle of Sandy Bay Road at the driveway, vehicles will be turning left into the driveway and left out of the driveway.

A driver exiting the site will be able to see much further than the minimum 45m to the north along Sandy Bay Road (over 120m) when driving in a forward direction, if there are no parked cars along Sandy Bay Road, as can be seen in Photograph 3.1.

When there are parked cars along Sandy Bay Road, exiting drivers have a view of approaching traffic to the right of the parked cars, between or through parked cars or they can safely continue to exit the site up to the edge of the outer parking lane to obtain the minimum 45m sight distance along Sandy Bay Road, before turning left into the traffic stream.

This is normal and common practice at any driveway on a public street where there are parked cars along the near side of the road.

There are no issues or concerns with the adequacy of sight distance along Sandy Bay Road for drivers exiting the driveway to 636 Sandy Bay Road.



**Photograph 3.1: View to north along Sandy Bay Road from driveway at 636 Sandy Bay Road**

The Council advice states that the required pedestrian sight triangles are as detailed in AS 2890.1.

In considering the situation as it exists, there is no possibility of achieving these sight triangles in any form at this location; there are building walls on both sides of the driveway.

Photographs 3.2 and 3.3 provide views of the driveway from both pedestrian approaches.

In considering this driveway's characteristics and its current and future use, the following factors need to be taken into account:

- The driveway has a width of 4.3m. The dimensions for the pedestrian sight triangles in AS 2890.1 are based on a driveway width of 3.0m. Therefore, there is around a 1.1m distance between the edge of exiting vehicle and the building line which does provide a small sight triangle;
- All vehicles will exit the site in a forward direction;
- Collisions between pedestrians and exiting from this type of driveway layout are very rare.

Notwithstanding the above advice, it is proposed that two measures be introduced to mitigate against the likelihood of any incidents occurring into the future with this development.

One measure is the placement of a road hump in the driveway at a point 2.0m from the back of the footpath. The proposed type of hump is as detailed in AS 2890.1 and on the site drawings.

The other measure is the placement of signs to be placed slightly below eye height on both sides of the driveway and as near as practical to the footpath, again as detailed on the site drawings

These measures will be more than a sufficient response to addressing the pedestrian sight distance deficiency.





Photograph 3.2: View available to pedestrians heading north,  
positioned adjacent to property line at driveway to 636 Sandy Bay Road



Photograph 3.3: View available to pedestrians heading north,  
positioned adjacent to property line at driveway to 636 Sandy Bay Road



**PA 3            Vehicular passing areas**

Clause E.6.7.3 A1 states vehicular passing areas are required if the proposed access:

- *services more than five (5) car parking spaces,*
- *is longer than 30m, or*
- *meets a road serving more than 6,000 vehicles per day.*

There are currently two existing garages off the driveway as seen in Photographs 2.2 and 2.3. Advice has been received that each garage is used by one vehicle and the proposed development proposes three additional car parking spaces. The driveway will service five car parking spaces.

The length of the single lane section of the driveway is around 18m and less than 25m when including the internal car parking area.

The traffic volume on the adjacent section of Sandy Bay Road is higher than 6,000 vehicles/day.

Hobart City Council advised the last traffic survey of Sandy Bay Road in this area was in 2009. The survey was undertaken on Sandy Bay Road, directly outside the development site driveway.

The virtual week data indicates the daily traffic volume was 6,735 vehicles/day but a review of the hourly details has found clearly there were problems with the accuracy (possibly parked cars on the tubes) and the directional input data.

The data indicated the daily traffic volume actually was around 8,000 vehicles/day with:

- around 630 vehicles/hour morning peak hour and 330 vehicles/hour afternoon peak hour northbound; and
- 220 vehicles/hour in morning peak hour and 500 vehicles/hour afternoon peak hour southbound.

Assuming a 2% p.a. growth in traffic over the last 10 years to the present, the current passing daily traffic volume would be around 9,750 vehicles/day and the above hour traffic volumes would be around 21% higher.

The Clause E.6.7.3 A1 does not qualify the use or turnover of the car park with five parking spaces and the reason for the 6,000 vehicles/day threshold. Therefore, it must be expected this covers the worst of the possible foreseeable circumstances with a high car parking turnover.

A small commercial car park with five parking spaces could generate up to at least 10-20 vehicles/hour based on an average half and quarter hour parking duration.

The four residential units that the driveway will serve are expected to generate no more than 6 vehicles/day/unit, 24 vehicles hour in total and 2-3 vehicles/hour based on the peak hour traffic activity being 10% of the daily traffic.

This analysis alone should be sufficient to demonstrate the clause will be met with respect to the performance criteria, which state:

- 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.*

However, the most compelling reason why the performance criteria will be met is that all traffic movements to and from the driveway will be left turn movements, with no right turn movements either from the driveway or Sandy Bay Road.

Therefore, effectively the conflicting traffic volume on Sandy Bay Road is only around 4,000 vehicles/day, well less than the 6,000 vehicles/day in the clause, which by itself meets acceptable solution. Furthermore, the left turning vehicles exiting the driveway will experience much reduced delays compared with right turn movements.

A SIDRA analysis has found the stop line delay for left turn exiting vehicles (2 vehicles/hour) into a 4,000 vehicles/day one way traffic volume on Sandy Bay Road will be nearly four times that for (2 vehicles/hour) turning right into a 6,000 vehicles/day two way traffic volume (per planning scheme) on Sandy Bay Road.

Therefore, this latter analysis has confirmed the intent of the acceptable solution with respect to the passing traffic volume will be met as the conflicting traffic volume on Sandy Bay Road will be only 4,000 vehicles/day (less 6,000 vehicles/day as stated in the planning scheme) but also the stop line delay will be much lower than if the traffic needs to enter a two way traffic stream.

Therefore, there is not a need for any passing area in the driveway at the edge of Sandy Bay Road.

The SIDRA analysis has further determined that if the left turning traffic volume was four times higher, the stop line delay would increase by only 0.1 seconds.

**PA 5.1 Car park layout**

The design of the car parking area has been modified to provide for 5.4m long and 2.4m wide car parking bays as required by AS 2890.1 for residential parking, with at least 300mm clearances to side obstructions and the columns located clear of the door opening envelope.

**PA 7 A traffic impact statement making particular reference to:**

- the onsite parking shortfall.
- any issues associated with additional traffic generation from the site, in relation to pedestrian safety impacts both where the driveway meets the footpath and within the driveway (where there is no separate path for pedestrians to access these new dwellings).
- any issues associated with the traffic island on Sandy Bay Road, and how this impacts on vehicle movements to and from the site.

Parking supply

The planning scheme two resident car parking spaces for units with two or more bedrooms and one visitor parking space for each four dwellings. It is understood Hobart City Council requires a visitor car park for four or more dwellings at the planning scheme rate.

The site layout drawing for the development indicates three marked car parking spaces will be provided for the residents, one less than the scheme requirement.

The following advice is provided in response to the performance criteria for Clause 6.6.1 in the planning scheme:

- surveys of the car parking demand at multiple unit developments around the greater Hobart area has found there is not a need for two car parking spaces in many cases. The average car parking demand for two and three bedroom units has found the parking demand was 1.1 car parking spaces per unit;
- site observations have found there is a high number of vacant car parking spaces in the surrounding area – limited time parking in the immediate area along Sandy Bay Road and Beach Road or unrestricted parking further away along Sandy Bay Road and side roads, but still only 120-150m walking distance;
- there are regular route bus services along Sandy Bay Road with bus stops within 120m walking distance for both directions of travel;

- there are bicycle lanes along both sides of Sandy Bay Road to the north and south of the development site;
- there are also some food, newsagent and café shops in the immediate area of the development site;
- all these factors reduce the demand on use of motor vehicles.

Notwithstanding these considerations, given the very low traffic usage that the driveway will receive, the low impact that the traffic will have at Sandy Bay Road, lower than the planning scheme allows as the acceptable solution, and the above SIDRA analysis, the addition of one jockey parking space to either parking space 1 or parking space 3 will not add measurably to the traffic activity and not create any adverse traffic outcomes beyond that of the acceptable solutions in the planning scheme.

It is recommended Council allow for the jockey parking space as a condition in the planning permit.

#### Pedestrian and vehicle activity

The low level of vehicle activity along the driveway (up to three vehicles/hour) and expected pedestrian activity of up to two to three movements per hour is not to a level requiring any special measures. In addition, the driveway has a width of 4.3m over a length of 17m, which provide for sufficient separation between a car (say 3.0m wide travel path) and a 1.3m width of any pedestrian.

#### Effect of median on Sandy Bay Road

The median along Sandy Bay Road across the frontage of the driveway limits the use of the driveway to left turn movements only. Most vehicle movements would be to and from the north, therefore only the right turn movement for the driveway is affected by the median.

A similar situation exists for the unit development on Sandy Bay Road directly opposite the development site.

Exiting motorists undertaking the left turn from the driveway and wanting to travel to the north have a convenient U-turning area around the corner, within the loop road at the end of Beach Road. The need to undertake such a travel path is not seen to be an imposition on the users of the driveway, but rather accepted as a normal requirement of living at the development site.

## 4. CONCLUSIONS

In considering the concerns raised by Council about traffic activity, sight distances, parking supply and layout as well as other related matters for the

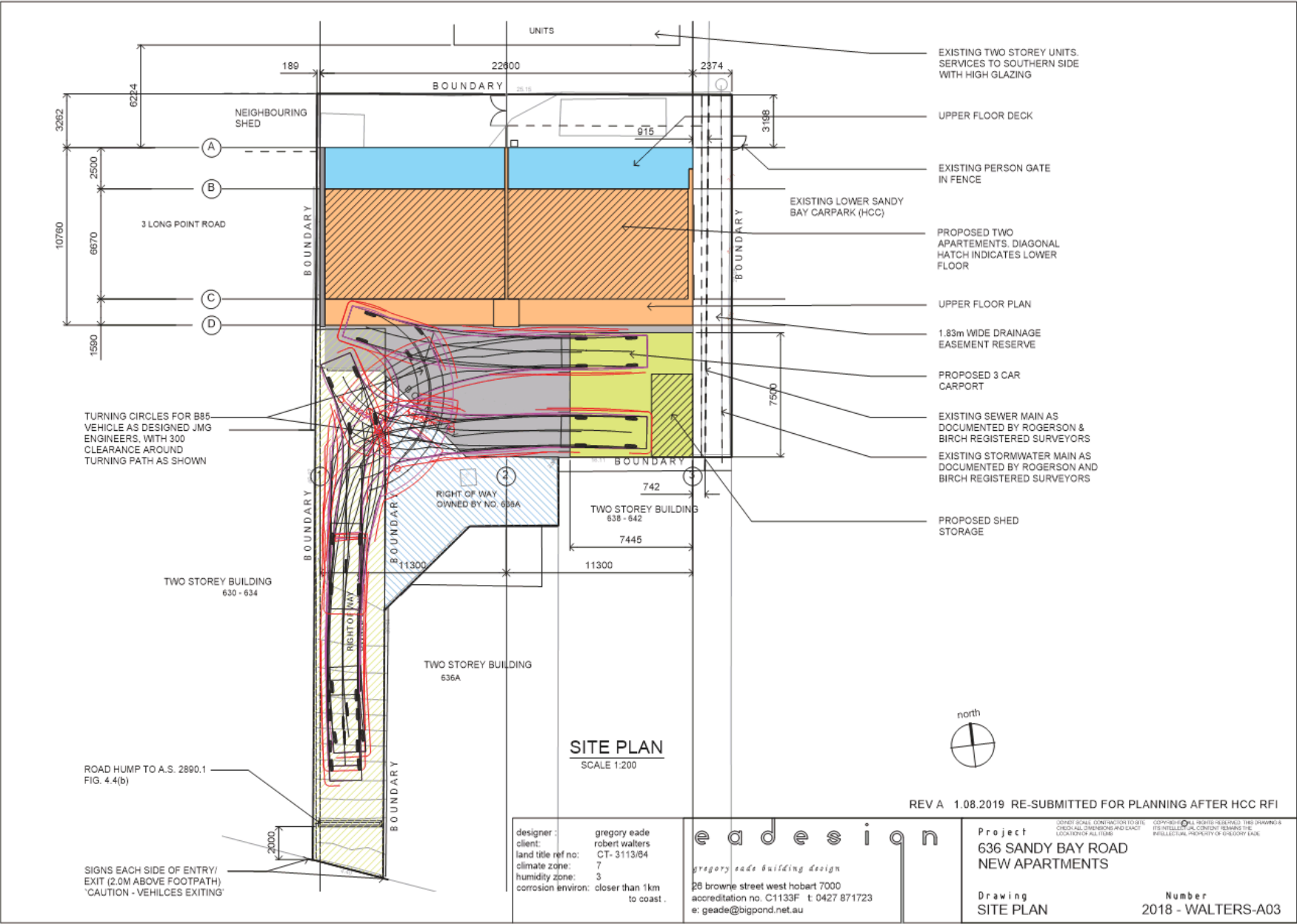
proposed development and driveway to 636 Sandy Bay Road, it has been concluded:

- there is not a need for a passing area along the driveway at the edge of Sandy Bay Road;
- there are no issues or concerns with the adequacy of sight distance along Sandy Bay Road for drivers exiting the driveway at 636 Sandy Bay Road;
- two measures (a road hump and signing) are recommended to address the pedestrian sight distance deficiencies at the driveway as detailed on the attached driveways;
- it is recommended Council allow for the jockey parking space as a condition in the planning permit at one of the proposed onsite parking spaces;
- the level of vehicle activity along the driveway and expected pedestrian activity is not to a level requiring any special measures for the safety of pedestrians given the width of the driveway;
- the median along Sandy Bay Road across the frontage of the driveway is not seen to be an imposition on the users of the driveway.



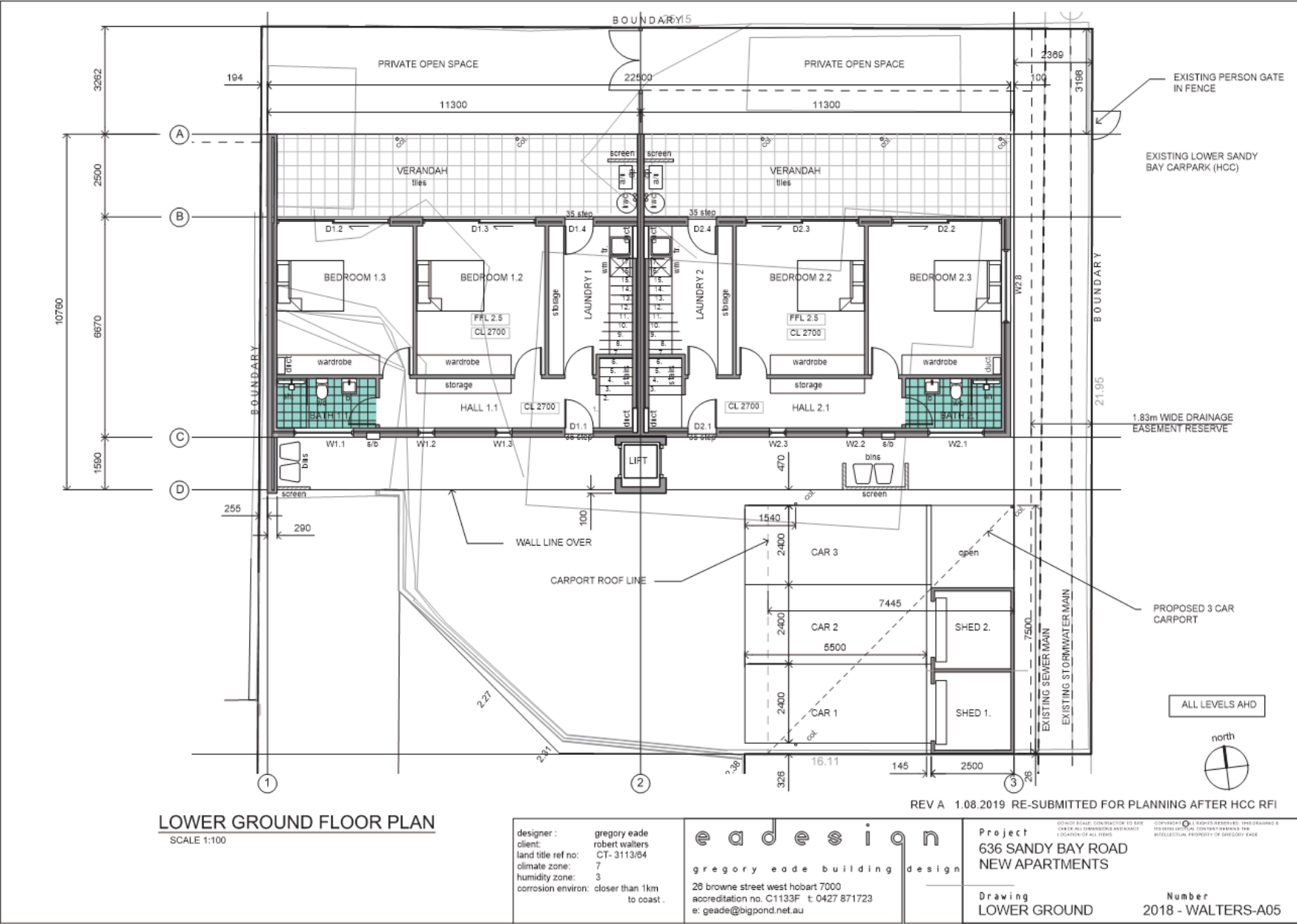
Milan Prodanovic

19 August 2019









COASTAL INUNDATION HAZARD  
AREA ASSESSMENT

636 Sandy Bay Road,  
Sandy Bay

July 2019

**Johnstone McGee & Gandy Pty Ltd**

ABN 76 473 834 852 ACN 009 547 139

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2. Existing Conditions ..... 4

3. Proposal..... 4

4. Conclusion..... 5

Appendix A - List Maps of Inundation Area and Coastal Erosion Hazard Area



## 1. Background

### 1.1 Introduction

JMG have been engaged by the landowner to address Hobart City Council's requirements for a report on a property development which falls within the Coastal Inundation Hazard Area Overlay.

### 1.2 Site Location

The site is currently developed with a residential dwelling which is landlocked and with no direct access to the coast and the River Derwent to the East. The site has a 'Low' category for Coastal Inundation Area Overlay and is also within the Coastal Inundation Hazard Area, also listed as "Low" category.

## 2. Existing Conditions

The existing residence is a single storey timber framed house which is to be replaced by a two-storey building. The proposed ground floor is RL 2.5m AHD and the upper level is RL5.6m AHD. The lower level will have a slab on grade with block walls while the upper level will also have masonry external walls.

As shown in the attachment, the Coastal Inundation Hazard Overlay obtained from the LISTMAP, the extent of horizontal erosion zone extends into the property of 636 Sandy Bay Road.

## 3. Proposal

The following has been prepared as a direct response to the Coastal Inundation Hazard Area Overlay.

The site overlay extends from the north. The site is protected from the east, south and west. There are many properties to the north - approximately ten - that would be affected by any coastal inundation.

The proposed extension does not increase the risk to the current residence or surrounding properties as the location is virtually at the end of the hazard area, the property to the west has a retaining wall and is set above the hazard level, the area to the east is an existing carpark, and the area to the south is limited in area. The support for the new extension will be onto sound foundations not subject to erosion. The building will be constructed of material not affected by flood water. Any increase in building area will be minimal with the surrounding properties already affected by the inundation with negligible affect by the proposal due its location at the head of the affected area.

The new works do not protect or reduce the current risk to the residence, other than the slight rise in the lower floor level.

With regard to coastal erosion hazard, future users of the site will be aware well in advance of the rate and level of potential erosion as it approaches the property and dwelling. Based on this awareness, the user is able to take appropriate measures to defend and if needed, vacate the property thus reducing the risk to life.



It would be reasonable to categorise the erosion hazard level for adjoining or nearby properties, or public infrastructure as low. This is based on the users of the northern properties implementing remedial works to protect their structures prior to it becoming a hazard to adjoining or nearby properties or public infrastructure.

No important natural features have been identified on the site.

It would be reasonable to consider that if or when the erosion encroaches close towards the residence, and prior to the residence becoming affected, then the property owners at the time would react and implement erosion control measures to prevent further erosion of the foreshore. It is considered that measures could be put in place that do not affect the residence.

The measures indicated in the above responses will not increase the risk to health or safety of individuals.

## 4. Conclusion

In the unlikely event the property is in danger from the effects of erosion and sea surge, it would then become necessary for the northern owners to implement strategies to defend the northern properties. By addressing potential issues at the time (potentially in many decades) the best available technologies can be utilised. Currently available technologies include, large rock walls, concrete walls, reinforced soil embankments, sand filled geo-tubes, sheet pile walls and similar.

The measures identified in the discussion above will have no impact on public access to the foreshore nor will the health and safety of individuals be placed at risk. Council would also need to manage the foreshore sea wall/walkway which runs between the northern property boundaries and the foreshore. It is likely that Council would close this pathway if the erosion increased the risk to users.

Furthermore, no important natural features have been identified on site requiring adequate protection.

---

## **APPENDIX A**

### List Maps of Inundation Area & Coastal Erosion Hazard Area



Coastal Inundation Overlay ex theList Yellow = Low



Coastal Erosion Hazard ex theList Dark Green = Low

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**e a d e s i g n**

gregory eade building design

26 browne street

west hobart 7000

636 SANDY BAY ROAD, SANDY BAY

ZONED: LOCAL BUSINESS

The only overlay on the site is a Coastal Inundation Hazard Area (low). The site is not heritage listed by the Hobart City Council or the Tasmanian Heritage Council.

The site has an existing timber framed house which was badly damaged in the floods of 2018. The house has been found to be structurally un-sound and is to be demolished.

**Local Business Zone:**

- all neighbouring properties are in the Local Business Zone so there is no requirement for setback from boundaries.
- the zone has a maximum height of 9m and the proposal has a maximum height of 6.83m.
- the zone has a maximum site coverage of 60% and the proposal is for 30.7% site coverage.

**Flood proofing:**

In response to the flood damage, the site will have three new stormwater pits and one new stormwater grated trench to collect ground water and diminish the egress of stormwater into the ground floor of the new apartments. The ground floor of both apartments has all walls constructed from masonry (double masonry external walls and internal single skin masonry) bearing onto



a new concrete slab. This will maintain the structural integrity of the two-storey building in the unlikely event of future flooding.

**Carparking:**

Three carpark areas have been proposed to replace the existing one-car carpark. This will be one carpark for each apartment and one carpark for guests. There is also access to the site via an existing gate to the neighbouring public carpark – Lower Sandy Bay Carpark - for guests. This arrangement is currently in place and is to be maintained.

Turning circles are shown on the site plan (B85 vehicle), as designed by JMG Engineers. This shows turning for all car parks with front access & egress to Sandy Bay Road.

The southern properties to the proposal are two masonry warehouses and the back-of-store buildings (refer to attached photos). The south-east corner is carparking area of the Lower Sandy Bay Carpark. The effects of overshadowing to these areas will have no impact on any residential or office areas.

The northern neighbouring site is a two-storey block of 'units' (although still in The Local Business Zone), will be 6.2m from the proposed verandah edge and only has services (bathrooms, toilets, laundry) on its southern side. This boundary line is also heavily vegetated with trees, so minimal impact for these 'units'.

We believe that the proposal meets all requirements of the Planning Scheme and should be exempt from a planning permit.



## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 77663	FOLIO 1
EDITION 4	DATE OF ISSUE 19-Aug-2009

SEARCH DATE : 10-Oct-2018

SEARCH TIME : 03.39 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 77663 (formerly being 291-37D)

Derivation : Part of 41A-2Rs Gtd. to G. Cartwright and anr.

Prior CT 3113/64

SCHEDULE 1

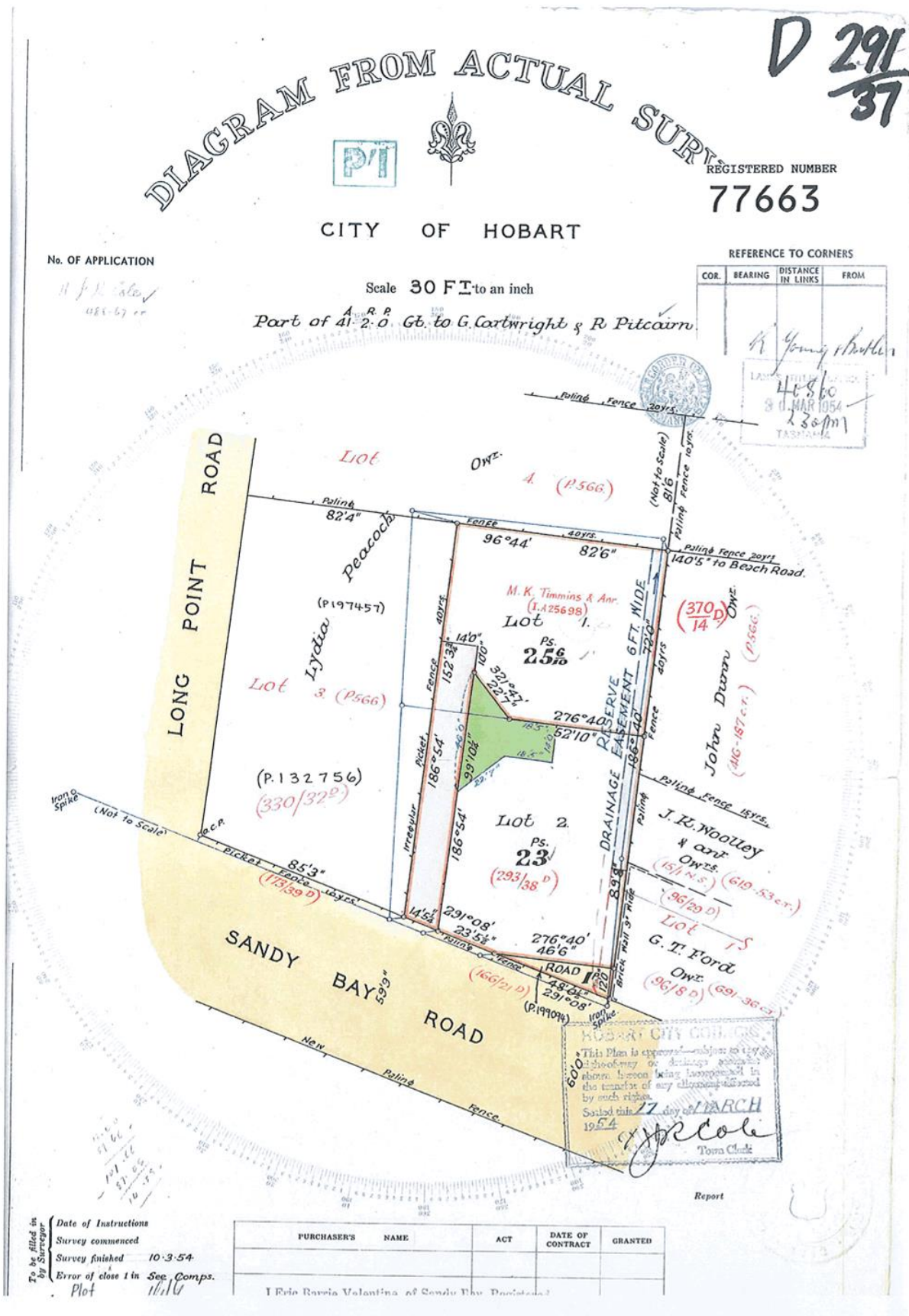
B242437, B909904, C792948 &amp; C927457 TRANSFER to ROBERT JOHN WALTERS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 BENEFITING EASEMENT a right of carriage way over the land  
 coloured green on Diagram No. 77663  
 BURDENING EASEMENT a right of carriage way (appurtenant to Lot  
 2 on Diagram No. 77663) over the strip of land  
 coloured Pink on Diagram No. 77663  
 BURDENING EASEMENT a right of drainage (appurtenant to the  
 said Lot 2) on Diagram No. 77663 over the strip of  
 land marked Drainage Easement on Diagram No. 77663  
 A25698 FENCING CONDITION in Transfer  
 B909905 MORTGAGE to National Australia Bank Limited  
 Registered 14-May-1996 at 12.02 PM  
 C927763 PARTIAL DISCHARGE OF MORTGAGE B909905 as relates to  
 the personal responsibility of Viki Marie Walters  
 Registered 19-Aug-2009 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



**RESULT OF SEARCH**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 77733	FOLIO 1
EDITION 5	DATE OF ISSUE 19-Mar-2010

SEARCH DATE : 27-Aug-2019

SEARCH TIME : 03.27 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 77733 (formerly being 293-38D)

Derivation : Part of 41 1/2 Acres Gtd to Geo. Cartwright &amp;

Anor Part of 38A-0R-12Ps Gtd to Wm. St. Paul Gellibrand

Prior CT 2052/41

SCHEDULE 1

B14812 &amp; B134576 DANIEL YUEN LEE CHAN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BENEFITING EASEMENT: Right of Drainage over the Drainage

Easement 3 feet wide shown on Diagram No.77733 and

over the Drainage Reserve 6 feet wide marked A B

shown on Diagram No.77663.Easement amended this

3-March-2004 Recorder of Titles

BENEFITING EASEMENT: a right of carriage way over the land

coloured red on D 77733

BURDENING EASEMENT: Right of Carriageway [appurtenant to Lot 1

on D.291/37 and Lot 2 on D 77733] over the land

marked A B C D E F on D 77733

A26894 FENCING CONDITION AND OTHER CONDITIONS in Transfer

C900667 LEASE to WEIMIN DENG and YUANLI ZHOU DENG of a

leasehold estate for the term of 10 Years from

02-Jan-2009 of that part of the said lands within

described containing 202m2, 169m2 and 149m surrounded

by black lines and hatched as shown on the said Lease

Registered 16-Dec-2009 at noon

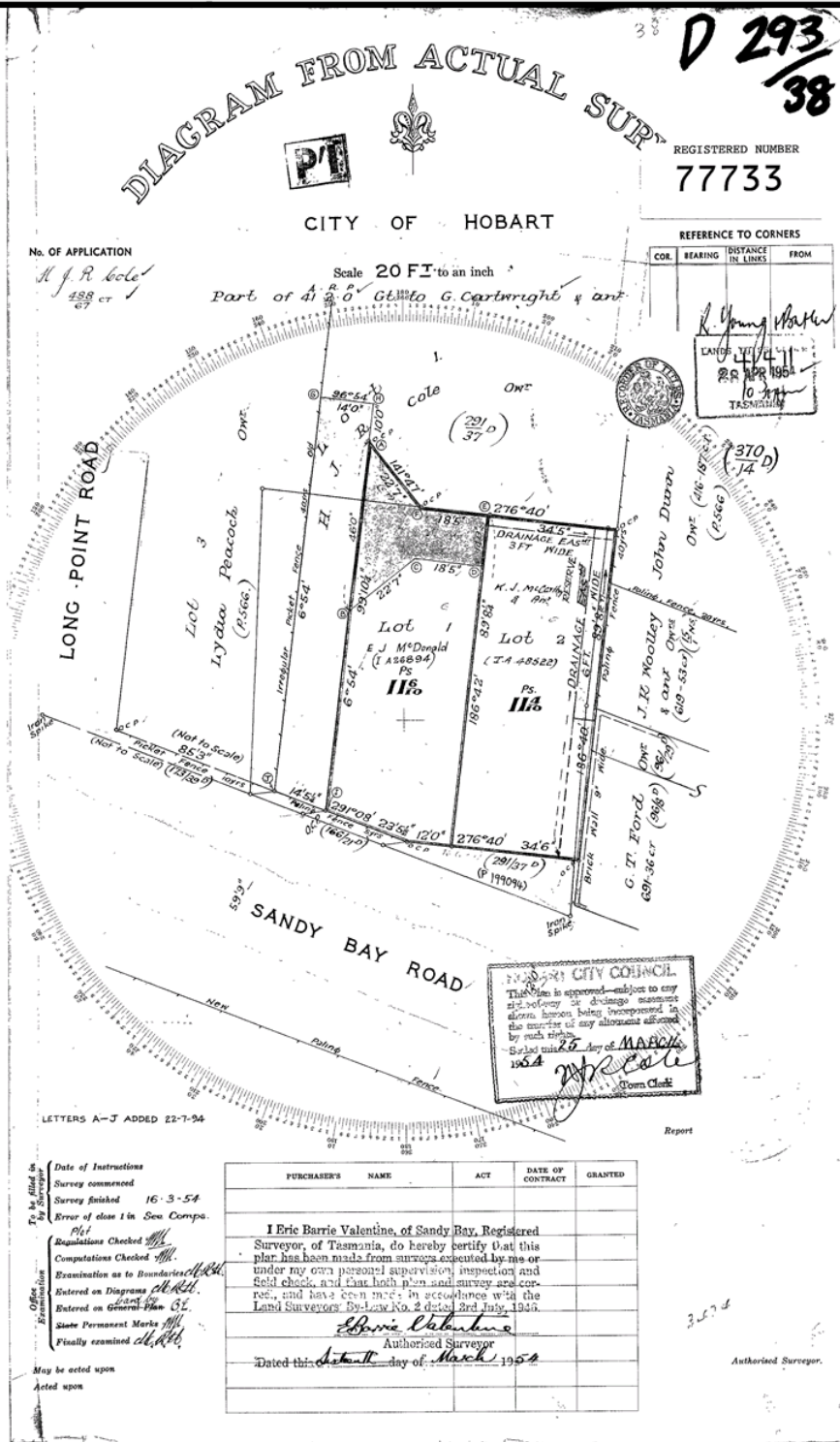
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

## FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





















































## Submission to Planning Authority Notice

Council Planning Permit No.	PLN-19-359	Council notice date	24/06/2019
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2019/00881-HCC	Date of response	23/08/2019
TasWater Contact	Sam Bryant	Phone No.	(03) 6237 8642
<b>Response issued to</b>			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
<b>Development details</b>			
Address	636 SANDY BAY RD, SANDY BAY	Property ID (PID)	5640437
Description of development	Demolition and Two New Multiple Dwellings		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Gregory Eade Buiding Design	Lower Ground Floor Plan 2018-Walters-A05	--	Received 21/08/2019
Gregory Eade Buiding Design	South Elevation 2018-Walters-A08	--	Received 21/08/2019
<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>			
<ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit of 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 use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> <li>4. conditions.</li> </ol>			
<b>56W CONSENT</b>			
<ol style="list-style-type: none"> <li>5. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.  The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must 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</li> </ol>			





Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must 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. Existing property sewer connection I.O must be located outside the proposed building envelope and in an accessible location.
- c. 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;
- d. A note on the plan indicating how the pipe location and depth were ascertained.

#### DEVELOPMENT ASSESSMENT FEES

6. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required by the due date as noted on the statement when issued by TasWater.

#### Advice

##### General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

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

##### Service Locations

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

The location of infrastructure as shown on the GIS is indicative only.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- 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
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

#### Declaration

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

#### Authorised by

**Jason Taylor**

Development Assessment Manager



TasWater Contact Details			
Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		

**7.1.4 Amendment PSA-19-1 - Hobart Interim Planning Scheme 2015 -  
Amenity Standards in the Central Business and Commercial Zones  
File Ref: F19/136163; PSA-19-1**

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Report of the Development Planner and the Manager Planning Policy  
and Heritage of 20 November 2019 and attachments.

Delegation: Council

**REPORT TITLE: AMENDMENT PSA-19-1 - HOBART INTERIM PLANNING SCHEME 2015 - AMENITY STANDARDS IN THE CENTRAL BUSINESS AND COMMERCIAL ZONES**

**REPORT PROVIDED BY:** Development Planner  
Manager Planning Policy & Heritage

**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to consider the merits of the representation received in relation to the draft PSA-19-1 Amendment to the Hobart Interim Planning Scheme 2015 (HIPS 2015). It also considers recommendations to the Tasmanian Planning Commission (TPC) regarding the need for any modifications to the amendment.
- 1.2. The proposal benefits the community by encouraging a higher level of amenity for residents of, and visitors to, the central Hobart area, without unduly restricting commercial development that meets the zone purposes.

**2. Report Summary**

- 2.1. The proposal is to consider 1 representation made in relation to planning scheme amendment PSA-19-1 – Amenity Standards in the Central Business and Commercial Zones.
- 2.2. The representation is provided in full in **Attachment A**.
- 2.3. At its meeting on 9 September 2019, Council resolved to initiate the PSA-19-1 Amendment to the HIPS 2015 to include standards relating to amenity (primarily for residential and visitor accommodation uses) in the Central Business Zone and Commercial Zone.
- 2.4. The certified amendment was placed on exhibition from 18 September 2019 to 16 October 2019.
- 2.5. The representation received raised the following main points:
  - 2.5.1. Overall, the changes are positive and will improve liveability. High design quality and amenity benefits both the developer and the community;
  - 2.5.2. On smaller sites, boundary setbacks and minimum courtyard dimensions of 5m may be restrictive;
  - 2.5.3. Courtyards should not be restricted to being 'central', best located in a position appropriate to north;
  - 2.5.4. Setbacks for terrace designs may not be best placed at the rear, depending on orientation of the site;

- 2.5.5. An external window visible from all points of a living room may be prohibitive. Suggest visibility from 75% of a living room;
  - 2.5.6. Above ground floor level private open space not being located within 5m of private open space on another building may be restrictive for smaller sites;
  - 2.5.7. Space for heat pumps should be separate to balconies;
  - 2.5.8. Communal spaces are important but should not be seen as an alternative to private open space;
  - 2.5.9. Discretionary exception from the requirement to provide onsite waste collection should also be provided for new buildings on the basis of site constraints, heritage or streetscape, not only for existing buildings.
- 2.6. The issues raised in the representation have been considered, and some amendments suggested.
  - 2.7. Some additional changes to the provisions, outside of the issues raised in the representation, are also proposed.
  - 2.8. The recommended updated amendment document is provided as **Attachment B**, showing marked revisions.

### 3. **Recommendation**

#### ***That:***

- 1. ***Pursuant to Section 39(2) of the former provisions of the Land Use Planning and Approvals Act 1993, Council endorse this report as the formal statement of its opinion as to the merit of the representation received during the exhibition of the draft PSA-19-1 Amendment.***
- 2. ***Pursuant to Section 39(2) of the former provisions of the Land Use Planning and Approvals Act 1993, Council recommend to the Tasmanian Planning Commission that the PSA-19-1 Amendment to the Hobart Interim Planning Scheme 2015 be finally approved, as modified in Attachment B.***



#### 4. Background

- 4.1. At its meeting on 9 September 2019, Council resolved to initiate the PSA-19-1 Amendment to the HIPS 2015 to include standards relating to amenity (primarily for residential and visitor accommodation uses) in the Central Business Zone and Commercial Zone.
- 4.2. The standards relate to 5 categories – noise, access to daylight and natural ventilation, open space, storage and waste storage and collection.
- 4.3. A workshop was held with elected members on 12 August 2019 to consider the proposed standards. Changes arising from this workshop were included in the final draft amendment as initiated on 9 September 2019.
- 4.4. The certified amendment was placed on exhibition from 18 September 2019 to 16 October 2019.
- 4.5. One representation was received during this statutory advertising period. A full copy of the representation is provided in **Attachment A**.

#### 5. Proposal and Implementation

- 5.1. The proposal is to consider 1 representation made in relation to planning scheme amendment PSA-19-1 – Amenity Standards in the Central Business and Commercial Zones.
- 5.2. Some additional changes to the provisions, outside of the issues raised in the representation, are also proposed.
- 5.3. The representation received during the formal exhibition period was from the Tasmanian Chapter of the Australian Institute of Architects. The representation is provided in full in **Attachment A**.
- 5.4. A summary of the issues raised in the representation, along with responses, is detailed as follows:

Issue	Response
<p>Overall, the proposed changes are positive and will assist in ensuring developments are more liveable. Developments of a high design quality and amenity are beneficial to both developers and the community.</p>	<p>Noted.</p>
<p><b>Clause 22.4.9/23.4.8 A2</b></p> <p><b><i>Residential or serviced apartment components of a new building must:</i></b></p> <p><b><i>(a) unless a wall with no habitable room windows, be set back from a side or rear boundary, or another building on the same site, at least 5m (including external elements such as a balcony, roof garden, terrace or deck);</i></b></p> <p><b><i>(b) be designed around a central open courtyard or void with a minimum horizontal dimension of 5m in all directions; or</i></b></p> <p><b><i>(c) be of a terraced design that is set back from a rear boundary at least 5m (including external elements such as a balcony, roof garden, terrace or deck).</i></b></p>	
<p><b>In relation to (a)</b></p> <p>On smaller sites, 5m setback is restrictive, particularly to a balcony/deck. 3m more appropriate and aligns with National Construction Code, which requires 6m separation of openings opposite and 3m separation from boundary ('fire source feature').</p> <p>Smaller scale developments within the CBZ should be promoted to encourage small scale developers and to fit with the urban grain of the city.</p>	<p>It is noted that some sites in Hobart may not be able to meet this separation distance on all sides.</p> <p>Subclause (c) of the Acceptable Solution allows for terrace style developments 5m clearance to the rear boundary, but no minimum side boundary setback. This clause is proposed to be amended to allow for further design flexibility (<i>See 'in relation to (c)' below</i>).</p> <p>5m separation is an average requirement in relation to provisions in other Australian cities, and on the smaller side for higher elements. Allowing for a lesser setback as an Acceptable Solution is not considered to be desirable as the development potential on adjacent sites, particularly</p>

	<p>in the Central Business Zone, can allow for buildings of significant height. In both the Commercial and Central Business Zones, commercial development is not required to consider the amenity of existing adjacent residential buildings.</p> <p>Setbacks lesser than 5m can be considered under the performance criteria, where the design allows for sufficient light and ventilation. If a site is too small to accommodate development that adequately meets these criteria, it may be too small for a multiple dwelling development.</p>
<p><b>In relation to (b)</b></p> <p>A small site would not necessarily have the space to accommodate a courtyard of 5m. A dimension of 3m may be more appropriate.</p> <p>The use of the term 'central' is ambiguous – courtyards and voids to allow light would best be located at a position appropriate to north in relation to the site and its surrounds.</p>	<p>Developments on particularly small sites are unlikely to be designed around a courtyard.</p> <p>Where a courtyard or void is surrounded on all, or most, sides by buildings, it is important to allow for sufficient space to provide daylight, ventilation, and some degree of privacy between dwellings. 5m is not considered to be an unreasonable dimension for courtyards and voids. Smaller courtyards and voids can be considered under the performance criteria.</p> <p>It is accepted that the term 'central' could preclude some forms of courtyards or voids that are open on one or more sides. The term 'central' should be removed.</p>
<p><b>In relation to (c)</b></p> <p>Setbacks from the rear may not be the best aspect – this would be determined by the orientation of the site.</p> <p>It is ambiguous as to whether the first clause (a) also needs to be adhered to when adhering with clause (b) or (c)</p>	<p>The intent of this clause is to allow for dual aspect dwellings that have sufficient light and ventilation to both aspects, but potentially no side setback.</p> <p>It is acknowledged that this acceptable solution could be broadened to allow for different</p>

<p>as there is only an 'or' between clauses (b) and (c).</p>	<p>building orientations.</p> <p>It is proposed to amend the acceptable solution to allow for any building containing only dual aspect apartments to take advantage of aspect. The building would be required to have a 5m separation between both of the aspects and the boundary (whether side or rear) but potentially no setback from the other boundaries.</p> <p>In terms of which clauses are required to be met, drafting conventions dictate that where there is an 'or' before the final clause in a list, and no other 'ands' or 'ors' in the list, all clauses are 'or'. This means developments are only required to comply with one of these three options.</p>
<p><b>Clause 22.4.9/23.4.8 A3</b></p> <p><b><i>Every habitable room in a dwelling:</i></b></p> <p><b><i>(a) must have at least one external window;</i></b></p> <p><b><i>(b) must have at least one external window visible from all points of the room if a living room;</i></b></p> <p><b><i>(c) where the only external window in the room is located within a recess, that recess must be:</i></b></p> <p><b><i>(i) a minimum width of 1.2m; and</i></b></p> <p><b><i>(ii) a maximum depth of 1.5 times the width, measured from the external surface of the external window;</i></b></p> <p><b><i>(d) must have a room depth from an external window of not more than 2.5 times the ceiling height; and</i></b></p> <p><b><i>(e) in open plan layouts (where the living, dining and kitchen are combined), must have a room depth from an external window of no more than 8m.</i></b></p>	
<p><b>In relation to (b)</b></p> <p>An external window that is required to be visible from all points of a living room could be prohibitive. Visible from</p>	<p>It is not considered overly prohibitive to require that living rooms have a window visible from all points the room as an acceptable solution. These are critical spaces for light</p>

<p>75% of the room might be more appropriate.</p>	<p>penetration, and should be encouraged to be as light as possible.</p> <p>Habitable rooms other than living rooms may include windows that are not visible from every point of the room, under A3(c). Living rooms with windows that are not visible from all points of the room may be considered under the performance criteria, where they provide for adequate light and ventilation.</p>
<p><b>Clause 22.4.9/23.4.8 A5</b></p> <p><b><i>Private open space for dwellings or serviced apartments must:</i></b></p> <ul style="list-style-type: none"> <li><b><i>(a) have an area not less than:</i></b> <ul style="list-style-type: none"> <li><b><i>(i) 8m<sup>2</sup> for 1 bedroom dwellings or serviced apartments;</i></b></li> <li><b><i>(ii) 10m<sup>2</sup> for 2 bedroom dwellings or serviced apartments;</i></b></li> <li><b><i>(iii) 12m<sup>2</sup> for 3 or more bedroom dwellings or serviced apartments;</i></b></li> </ul> </li> <li><b><i>(b) where the outdoor component of an air conditioning unit is located within the private open space, include a further 1.5m<sup>2</sup> of area in addition to the minimum area in (a) above.</i></b></li> <li><b><i>(c) unless drying facilities are provided elsewhere on the site, include a clothes drying area of at least 2m<sup>2</sup> in addition to the minimum area in (a) above, that may be in a separate location, and is screened from public view;</i></b></li> <li><b><i>(d) have a minimum horizontal dimension of 2m, or 1.5m for a 1 bedroom dwelling or serviced apartment;</i></b></li> <li><b><i>(e) not be located on a face of the building that is orientated between 30 degrees East of South and 30 degrees West of South;</i></b></li> <li><b><i>(f) where above ground floor level, not be located within 5m of private open space of any other dwelling or serviced apartment in another building; and</i></b></li> <li><b><i>(g) be screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms, unless the outdoor component of an air conditioning unit servicing that dwelling or serviced apartment.</i></b></li> </ul>	
<p><b>In relation to (f)</b></p> <p>Might prove to be restrictive, especially with smaller developments.</p>	<p>This requirement is in line with the separation from boundary distances and is not considered to be excessive. It is in fact half of the required setback between two new residential buildings</p>



	<p>(if both meet the 5m boundary setback).</p> <p>Where a new building is adjacent to another residential development (including a separate building on the same site), it is considered appropriate to offset or set back new balconies from existing areas of private open space to maintain a level of privacy and amenity for both occupants. Developments with a lesser setback can still be considered through the performance criteria.</p>
<p><b>In relation to (a)</b></p> <p>Generally, private open spaces should be encouraged and promoted at sizes that are a minimum, with larger spaces encouraged.</p>	<p>The sizes required in the acceptable solution are in line with requirements in other Australian cities (for example the NSW Apartment Design Guide).</p>
<p><b>In relation to (b) and (g)</b></p> <p>Space for heat pumps should be separate to balconies.</p>	<p>It is acknowledged that this would be a preferred outcome. The acceptable solution should be amended to preclude air conditioning units within private open space as permitted development, but consider this scenario under the performance criteria as long as space allows.</p>
<p>Communal open spaces are also important parts of developments, however should not be seen as an alternative to private open space.</p>	<p>It is noted that private open space and communal open space have different functions. However, some models of development are based on a more communal mode of living. Allowing for these models, as a discretionary option, allows for diversity in the housing market, and choice for purchasers.</p>
<p><b>Clause 22.4.10/23.4.9 P1</b></p> <p><b><i>Bulk waste bins that are commercially serviced must be provided unless:</i></b></p> <p><b><i>(a) the frontage has a width equivalent to 5m for each dwelling, accommodation unit or tenancy with individual bins, and kerbside</i></b></p>	

***collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians; or***

***(b) the development is within an existing building and areas for bulk waste bin storage and collection cannot reasonably be provided due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code.***

<p><b>In relation to (b)</b></p> <p>Discretion is also required here for new buildings, as well as existing buildings.</p>	<p>It is accepted that new buildings may also be subject to these issues, particularly in relation to heritage. This subclause should be amended so that heritage considerations can apply to both existing and new buildings.</p>
<p>With small sites, commercial collection is difficult due to truck heights and turning circles and a desire not to have garbage storage areas taking up street frontage – especially if bins cannot be placed on the street (either due to council requirements or site restrictions).</p>	<p>This is noted. However, the requirement for onsite collection only applies to developments with 5 or more dwellings, or multiple commercial tenancies. If a site is too small to accommodate onsite storage, it is unlikely to be developed to this density. Sites with small street frontage widths cannot reasonably accommodate a large number of bins on the footpath for collection.</p> <p>It is also noted that, despite the number of dwellings or tenancies on a site, if the number of bins is restricted this can be acceptable. Shared bins between low-waste producing tenancies could meet the Acceptable Solution options. It is also an option that private collectors retrieve bins from within the site, without entering the site with a vehicle (i.e. the bins are wheeled to the kerb).</p> <p>The storage areas of bins is controlled by a separate provision. It is proposed that this provision (in the Central Business Zone 22.4.10 A2) be amended to require bin storage areas to be set back at least 4.5m from a frontage where in a pedestrian priority area, to ensure blank walls or roller doors are discouraged on a frontage in these areas.</p> <p>It is considered that these provisions are flexible enough to allow for smaller sites to be reasonably developed.</p>
<p>The numbering of this section</p>	<p>It is noted that the clause number in the Commercial Zone is referred to as</p>

requires review.	22.4.9, rather than 23.4.9. This is to be corrected.
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- 5.5. Further to the issues raised in the representation, there are three additional provisions that are proposed to be amended.
- 5.6. Acceptable Solution 22.4.9/23.4.8 A3 includes standards relating to room depths as follows:
- (d) must have a room depth from an external window of not more than 2.5 times the ceiling height; and*
  - (e) in open plan layouts (where the living, dining and kitchen are combined), must have a room depth from an external window of no more than 8m.*
- 5.7. It is not intended that (d) must also be met if (e) is met, although the current structure does not make this clear. As such, the standard should be altered to the following:
- (d) must have a room depth from an external window of:*
    - (i) not more than 2.5 times the ceiling height; or*
    - (ii) if an open plan layout (where the living, dining kitchen are combined), not more than 8m.*
- 5.8. Acceptable Solution 22.4.9/23.4.8 A5 includes a standard relating to the orientation of private open space, as follows:
- (e) not be located on a face of the building that is orientated between 30 degrees East of South and 30 degrees West of South.*
- 5.9. It is preferred that private open space (such as a deck or balcony) is not located on the shadiest aspect of a building. However, it is noted that as a result of the grid layout in Central Hobart, the primary water view aspect is towards the south-east in the Central Business and Commercial Zones.
- 5.10. Precluding locating balconies on the primary view aspect as permitted is considered to be overly restrictive, considering the amenity that views provide. This requirement is also considered overly restrictive where existing buildings are converted to residential uses and, given the block orientation and relatively small lot sizes, the only available aspect for balconies faces south-east or south-west.
- 5.11. In addition, the performance criteria relating to private open space does not require direct consideration of access to sunlight, as it is acknowledged that the provisions for non-residential development in the

Central Business and Commercial Zones do not protect sunlight access to adjacent residential development.

5.12. The standard relating to the orientation of private open space should be deleted. The setback provisions requiring buildings (including balconies) to be set back at least 5m from a boundary should ensure that there is adequate opportunity for daylight to these spaces.

5.13. Performance Criterion 23.4.9 P3 includes issues to be considered by a waste collection plan, including:

*(h) the volume of pedestrians using the street and whether it is a pedestrian priority street (Figure E6.7.12).*

5.14. Unlike in the Central Business Zone, the Commercial Zone does not include any pedestrian priority streets. Where this provision applies in the Commercial Zone, the reference to pedestrian priority streets should be deleted.

## **6. Strategic Planning and Policy Considerations**

6.1. The proposed amendments are consistent with the objectives of the Capital City Strategic Plan 2019-29, in particular with the following outcomes:

6.1.1. Hobart keeps a strong sense of identity, even as the city changes.

6.1.2. Hobart's cityscape reflects the heritage, cultural and natural environment that make it special.

6.1.3. In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place.

6.1.4. Development enhances Hobart's unique identity, human scale and built heritage.

6.1.5. Community involvement and an understanding of future needs help guide changes to Hobart's built environment.

## **7. Financial Implications**

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. None.

7.2. Impact on Future Years' Financial Result

7.2.1. None.

7.3. Asset Related Implications



7.3.1. None.

## 8. Legal, Risk and Legislative Considerations

- 8.1. The *Land Use Planning and Approvals Act 1993* (LUPAA) requires that planning scheme amendments must seek to further the objectives of Schedule 1 of the Act and be prepared in accordance with the State Policies.
- 8.2. The Objectives of the Act require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with the other Schedule 1 Objectives.
- 8.3. It is considered that the proposed amendment meets the objectives of LUPAA, in particular it:
  - 8.3.1. Assists sound strategic planning by not prejudicing the achievements of the relevant Zone Objectives or the STRLUS objectives;
  - 8.3.2. It is consistent with the objective to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;
  - 8.3.3. Considers social impacts of residential dwelling densification;
  - 8.3.4. Specifically promotes the health and wellbeing of Tasmanians and visitors by ensuring a pleasant, efficient and safe environment for residents and visitor accommodation occupants;
  - 8.3.5. Considers historical interest of existing buildings;
  - 8.3.6. Considers the capability of the land, given increasing demand for residential accommodation, in a way that ensures residents have adequate access to adequate living amenity.
- 8.4. No State Policies are directly relevant to the proposed amendments.
- 8.5. S32(e) of the *former provisions* of LUPAA requires that planning scheme amendments must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area. This amendment seeks to define parameters around use and development that is already allowable in the zones. The intent is to achieve a higher quality result for occupants within the Commercial and Central Business Zones, and it is not expected this will create conflict between scheme areas.
- 8.6. S32(f) of the *former provisions* of LUPAA requires that planning scheme amendments must have regard to the impact that use and development

permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The proposed amendments aim to improve residential amenity for those living within denser dwelling developments in or near the city, and therefore they are considered to have a positive impact, particularly in social terms, as housing density increases across the region.

- 8.7. Section 30O of LUPAA requires that an amendment to an interim planning scheme is as far as practicable consistent with the regional land use strategy. It is considered that the amendments are consistent with the strategy, in that they support higher density development in a way that does not compromise amenity for occupants.

## **9. Environmental Considerations**

- 9.1. The proposal seeks to ensure buildings have adequate access to daylight and natural ventilation, potentially decreasing reliance on energy consumption.

## **10. Social and Customer Considerations**

- 10.1. The proposal is not considered to have any negative impact on social inclusion.

## **11. Marketing and Media**

- 11.1. There are no marketing or branding implications of this amendment.

## **12. Community and Stakeholder Engagement**

- 12.1. The community has been consulted regarding this amendment.

## **13. Delegation**

- 13.1. This matter is delegated to the Council.

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




Sarah Crawford  
**DEVELOPMENT PLANNER**



James McIlhenny  
**MANAGER PLANNING POLICY &  
HERITAGE**

Date: 20 November 2019  
File Reference: F19/136163; PSA-19-1

Attachment A: Representation ↓ 

Attachment B: Amendment Document Including Marked Changes ↓ 



Australian  
Institute of  
Architects

ABN 72 000 023 012  
The Royal Australian Institute of Architects  
trading as Australian Institute of  
Architects

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Date: 16.10.2019

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**RE: Hobart Interim Planning Scheme 2015 *PSA-19-1 Amendment –  
Amenity Standards in the Central Business and Commercial Zones***

The Tasmanian Chapter of the Australian Institute of Architects (the Institute) has reviewed the City of Hobart's proposed amendments to the Hobart Interim Planning Scheme 2015 *PSA-19-1 Amendments – Amenity Standards in the Central Business and Commercial Zones* and would like to make the following representation.

Overall, the proposed changes to the Planning Scheme are positive and will assist in ensuring that developments are more liveable. Developments that are of a high design quality and have great amenity are beneficial to both developers and the community.

**PSA-19-1 22.4 Development Standards for Buildings and Works of the Central Business Zone**

***22.4.9 Residential and Visitor Accommodation Visitor Amenity***

A2 (a):

On smaller sites a 5m setback is restrictive – particularly to a balcony/deck. 3m setback to balcony deck or wall is perhaps more appropriate and aligns with NCC separation of openings opposite (6m) & distance to fire source feature (boundary) of 3m. This may be able to be dealt with via the performance criteria. Smaller scale developments within the Central Business Zone should be promoted and encouraged in order to encourage small scale developers and to fit with the urban grain of the city.

A2 (b):

Likewise to (a) above, a small site would not necessarily have the space to accommodate a courtyard of 5m. Again, a 3m dimension may be more appropriate. The use of the term 'central' is also ambiguous – courtyards and voids to allow light would be best located at a position appropriate to north in relation to the site and its surrounds.

A2 (c):

Setbacks from the rear may not be best placed at the rear of the property. This would be determined by the orientation of the site.

It is ambiguous as to whether the first clause (a) also needs to be adhered to when adhering with clause (b) or clause (c) (there is an 'or' at the end of clause (b), but not at the end of clause (a)).

A3 (b):

An external window that is required to be visible from all point of the room if a living room could prove to be prohibitive. A change to this requirement to be visible from 75% of the room if a living room might be more appropriate.

A5 (f):

This clause might prove to be restrictive, especially with smaller developments.

Generally, private open spaces should be encouraged and promoted, at sizes that are a minimum, with larger spaces encouraged. Space for heat pumps should be separate to balconies. Communal spaces are also important parts of developments, however should not be seen as an alternative to private open space.

#### **PSA-19-1-2 22.4 Development Standards for Buildings and Works of the Central Business Zone**

##### ***22.4.10 Waste Storage and Collection***

P1 (b) Discretion is also required here for new buildings, as well as existing buildings. Again, with small sites, commercial collection is difficult due to truck heights and turning circles and a desire not to have garbage storage areas taking up street frontage – especially if bins cannot be placed on the street (either due to council requirements or site restrictions).

#### **PSA-19-1-3 23.4 Development Standards for Buildings and Works of the Commercial Zone**

##### ***23.4.8 Residential and Visitor Accommodation Visitor Amenity***

See comments for the Central Business Zone.

#### **PSA-19-1-4 23.4 Development Standards for Buildings and Works of the Commercial Zone**

##### ***23.4.10. Waste Storage and Collection***



The numbering of this section requires review, and see comments for the Central Business Zone.

The Institute would be happy to discuss any issues mentioned in further detail if required.

Yours sincerely,



Jennifer Nichols  
Tasmanian Executive Director,  
Australian Institute of Architects



Shamus Mulcahy  
Tasmanian President,  
Australian Institute of Architects

The Australian Institute of Architects is the peak body for the architectural profession, representing 11,500 members across Australia and overseas. The Institute actively works to improve the quality of our built environment by promoting quality, responsible and sustainable design. Learn more about the Institute, log on to [www.architecture.com.au](http://www.architecture.com.au).



HOBART INTERIM PLANNING SCHEME 2015

# PSA-19-1 AMENDMENTS

The Common Seal of the City of Hobart  
is fixed hereon, pursuant to  
Council's resolution of ???  
in the presence of:

.....General Manager

.....Deputy General Manager

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## AMENDMENTS TO THE PLANNING SCHEME ORDINANCE

**Amendment PSA-19-1-1**

Amend 22.4 Development Standards for Buildings and Works of the Central Business Zone by inserting a new 22.4.9 as follows:

## 22.4.9 Residential and Visitor Accommodation Amenity

<b>Objective:</b>	
To ensure that buildings for residential or visitor accommodation uses provide reasonable levels of amenity and safety in terms of noise, access to daylight and natural ventilation, open space and storage, without compromising the development or operation of uses that are consistent with the zone purpose.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Residential or visitor accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – <i>Road Traffic Noise Intrusion (Building Siting and Construction)</i> and AS2107:2000 – <i>Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)</i> ).	<b>P1</b> Residential or visitor accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – <i>Road Traffic Noise Intrusion (Building Siting and Construction)</i> and AS2107:2000 – <i>Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)</i> ), unless:  (a) alterations required to meet these standards would negatively impact on historic cultural heritage values of an existing building listed as a place, or within a precinct, in the Historic Heritage Code; or  (b) external alterations of an existing building that are required to meet these standards would negatively impact on the streetscape.
<b>A2</b> Residential or serviced apartment components of a new building must:	<b>P2</b> Residential or serviced apartment components of a new building must be

<p>(a) unless a wall with no habitable room windows, be set back from a side or rear boundary, or another building on the same site, at least 5m (including external elements such as a balcony, roof garden, terrace or deck);</p> <p>(b) be designed around a central an open courtyard or void with a minimum horizontal dimension of 5m in all directions; or</p> <p>(c) be of a terraced design that is set back from a rear boundary at least 5m (including external elements such as a balcony, roof garden, terrace or deck). If all dwellings or serviced apartments within a building are dual aspect, be set back from a boundary (except a frontage) on both aspects at least 5m (including external elements such as a balcony, roof garden, terrace or deck).</p>	<p>designed to allow for reasonable access to daylight into habitable rooms and private open space, and reasonable opportunity for air circulation and natural ventilation, having regard to:</p> <p>(a) proximity to side and rear boundaries;</p> <p>(b) proximity to other buildings on the same site;</p> <p>(c) the height and bulk of other buildings on the same site;</p> <p>(d) the size of any internal courtyard or void;</p> <p>(e) the use of light wells or air shafts;</p> <p>(f) development potential on adjacent sites, particularly under the Acceptable Solutions of 22.4.1; and</p> <p>(g) any assessment by a suitably qualified person.</p>
<p><b>A3</b> Every habitable room in a dwelling:</p> <p>(a) must have at least one external window;</p> <p>(b) must have at least one external window visible from all points of the room if a living room;</p> <p>(c) where the only external window in the room is located within a recess, that recess must be:</p> <p>(i) a minimum width of 1.2m; and</p> <p>(ii) a maximum depth of 1.5 times the width, measured from the external surface of the external window; and</p>	<p><b>P3</b> Every habitable room in a dwelling must have reasonable access to natural daylight and ventilation from an external window, having regard to:</p> <p>(a) the orientation of the room;</p> <p>(b) the size and location of windows;</p> <p>(c) the size of the room;</p> <p>(d) the ceiling height;</p> <p>(e) the opportunity for cross-ventilation;</p> <p>(f) the proposed use of the room;</p> <p>(g) overshadowing of the site from existing development;</p> <p>(h) existing site constraints; and</p>

<p>(d) must have a room depth from an external window of:</p> <ul style="list-style-type: none"> <li>(i) not more than 2.5 times the ceiling height; <del>and/or</del></li> <li>(ii) <del>if an</del> open plan layouts (where the living, dining and kitchen are combined), <del>must have a room depth from an external window of</del> not more than 8m.</li> </ul>	<p>(i) any assessment by a suitably qualified person.</p>
<p><b>A4</b> Private open space must be provided for at least 75% of dwellings or serviced apartments on a site.</p>	<p><b>P4</b> Private open space may be provided to less than 75% of dwellings or serviced apartments on a site if:</p> <ul style="list-style-type: none"> <li>(a) communal open space is provided on site that exceeds size requirements under 22.4.9 A6 by 10m<sup>2</sup> for each dwelling unit or serviced apartment without private open space under 75%, and is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility;</li> <li>(b) environmental conditions such as high winds or high levels of noise would significantly diminish the amenity of the private open space and is unable to be mitigated through screening that does not unreasonably reduce access to daylight, as demonstrated by a suitably qualified person; or</li> <li>(c) the dwelling or serviced apartment is in an existing building that cannot reasonably accommodate private open space due to site constraints, or impacts on historic cultural heritage values of a place</li> </ul>



	or precinct listed in the Historic Heritage Code.
<p><b>A5</b> Private open space for dwellings or serviced apartments must:</p> <ul style="list-style-type: none"> <li>(a) have an area not less than: <ul style="list-style-type: none"> <li>(i) 8m<sup>2</sup> for 1 bedroom dwellings or serviced apartments;</li> <li>(ii) 10m<sup>2</sup> for 2 bedroom dwellings or serviced apartments;</li> <li>(iii) 12m<sup>2</sup> for 3 or more bedroom dwellings or serviced apartments;</li> </ul> </li> <li>(b) <del>where the not include plant and equipment such as</del> outdoor components of an air conditioning unit, <del>is located within the private open space, include a further 1.5m<sup>2</sup> of area in addition to the minimum area in (a) above.</del></li> <li>(c) unless drying facilities are provided elsewhere on the site, include a clothes drying area of at least 2m<sup>2</sup> in addition to the minimum area in (a) above, that may be in a separate location, and is screened from public view;</li> <li>(d) have a minimum horizontal dimension of 2m, or 1.5m for a 1 bedroom dwelling or serviced apartment;</li> <li><del>(e) not be located on a face of the building that is orientated between 30 degrees East of South and 30 degrees West of South;</del></li> <li><del>(f)</del>(e) where above ground floor level, not be located within 5m of private open space of any other dwelling or serviced apartment in another building; and</li> <li><del>(g)</del>(f) be screened visually and acoustically from mechanical</li> </ul>	<p><b>P5</b> Private open space for dwellings or serviced apartments must provide reasonable amenity and be capable of meeting the projected outdoor recreation requirements of occupants, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size and minimum dimensions of the space, <u>excluding space occupied by plant and equipment such as outdoor components of an air conditioning unit;</u></li> <li>(b) the number of people the space could comfortably accommodate;</li> <li>(c) the amount of space available for furniture or plantings;</li> <li>(d) the potential for significant noise intrusion;</li> <li>(e) proximity and overlooking to the private open space of existing adjacent residential and serviced apartment developments;</li> <li>(f) screening where necessary for privacy that does not unreasonably restrict access to daylight;</li> <li>(g) screening where necessary for noise and wind protection that does not unreasonably restrict access to daylight;</li> <li>(h) screening from public view for clothes drying areas; and</li> <li>(i) any advice from a suitably qualified person.</li> </ul>

<p>plant and equipment, service structures and lift motor rooms, <del>unless the outdoor component of an air conditioning unit servicing that dwelling or serviced apartment.</del></p>	
<p><b>A6</b> Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that:</p> <ul style="list-style-type: none"> <li>(a) is at least 70m<sup>2</sup>, with an additional 2m<sup>2</sup> for every dwelling or serviced apartment over 10;</li> <li>(b) if provided in multiple locations, at least one single area must be a minimum of 40m<sup>2</sup>;</li> <li>(c) has a minimum horizontal dimension of 3m;</li> <li>(d) includes at least 20% of the total area for plantings (including food growing), being deep soil planting if at ground level;</li> <li>(e) is directly accessible from common entries and pathways;</li> <li>(f) screens any communal clothes drying facilities from public view;</li> <li>(g) may be above ground floor level, including rooftops;</li> <li>(h) is screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms;</li> <li>(i) does not include vehicle driveways, manoeuvring or hardstand areas; and</li> <li>(j) includes no more than 20% of the total area located between 30 degrees East of South and 30 degrees West of South of: <ul style="list-style-type: none"> <li>(i) a building on the site with a height more than 3m; or</li> <li>(ii) a side or rear boundary within 5m.</li> </ul> </li> </ul>	<p><b>P6</b> Sites with 10 or more dwellings or serviced apartments must provide quality communal open space on the site that is sufficient for the needs of occupants, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the area and dimensions of the space;</li> <li>(b) the total number of dwellings or serviced apartments on the site;</li> <li>(c) the accessibility of the space;</li> <li>(d) the flexibility of the space and opportunities for various forms of recreation;</li> <li>(e) the availability and location of common facilities within the space;</li> <li>(f) landscaping;</li> <li>(g) the degree of gardens, trees and plantings (including food gardens);</li> <li>(h) accessibility to daylight, taking into account the development potential of adjacent sites;</li> <li>(i) the outlook from the space;</li> <li>(j) the level of noise intrusion from external noise sources; and</li> <li>(k) any advice from a suitably qualified person;</li> </ul> <p>unless:</p> <ul style="list-style-type: none"> <li>(i) the dwellings or serviced apartments are located in an existing building where communal open space cannot be reasonably achieved due to site constraints, or impacts on historic cultural heritage values</li> </ul>

## PSA-19-1 Amendment

	<p>of a place or precinct listed in the Historic Heritage Code;</p> <p>(ii) public open space that is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility and that can adequately accommodate the needs of occupants is provided on the site; or</p> <p>(iii) private open space is provided for 100% of dwellings or serviced apartments on the site, provides a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation, entertainment, planting, outdoor dining and children's play.</p>
<p><b>A7</b> Each multiple dwelling must be provided with a dedicated and secure storage space of no less than 6m<sup>3</sup>, located externally to the dwelling.</p>	<p><b>P7</b> Each multiple dwelling must be provided with adequate storage space.</p>

**Amendment PSA-19-1-2**

Amend 22.4 Development Standards for Buildings and Works of the Central Business Zone by inserting a new 22.4.10 as follows:

**22.4.10 Waste Storage and Collection****Objective:**

To ensure the storage and collection of waste provides for a reasonable level of amenity and safety for surrounding occupants and for traffic, cyclists, pedestrians and other road and footpath users.

**A1**

Bulk waste bins that are commercially serviced must be provided for sites:

- (a) with more than one commercial tenancy;
- (b) with one commercial tenancy that is greater than 100m<sup>2</sup>;

**P1**

Bulk waste bins that are commercially serviced must be provided unless

kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and

<p>(c) with more than 4 dwellings or visitor accommodation units (or 3 if a mixed use site); and</p> <p>(d) with more than 2 dwellings or visitor accommodation units (or 1 if a mixed use site) if fronting a pedestrian priority street (Figure E6.7.12);</p> <p>unless:</p> <p>(i) there are no more than 4 individual bins for kerbside collection at any one time per commercial site or any site fronting a pedestrian priority street (Figure E6.7.12);</p> <p>(ii) There are no more than 8 individual bins for kerbside collection at any one time per residential or mixed use site not fronting a pedestrian priority street (Figure E6.7.12); or</p> <p>(iii) Individual bins are commercially serviced without being placed on the kerbside for collection.</p>	<p><b>pedestrians, and:</b></p> <p>(a) the frontage <b>of the site</b> has a width equivalent to 5m for each dwelling, accommodation unit or tenancy with individual bins; <b>or;</b> <b>and kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians; or</b></p> <p><b>(b) the development is within an existing building and areas for bulk waste bin storage and collection cannot reasonably be provided on site due to:</b></p> <p><b>(i) site constraints, or</b> impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code; <b>or</b></p> <p><b>(ii) site constraints, if for an existing building.</b></p>
<p><b>A2</b></p> <p>An on-site storage area, with an impervious surface (unless for compostables), must be provided for bins that:</p> <p>(a) if for separate bins per dwelling, visitor accommodation or commercial tenancy:</p> <p>(i) provides an area for the exclusive use of each dwelling, accommodation unit or tenancy, and is not located between the building and a frontage;</p> <p>(ii) is set back not less than 4.5m from a frontage unless within a fully enclosed building;</p> <p>(iii) is not less than 5.5m horizontally from any</p>	<p><b>P2</b></p> <p>A storage area for waste and recycling bins must be provided that is:</p> <p>(a) capable of storing the number of bins required for the site;</p> <p>(b) of sufficient size to enable convenient and safe access and manoeuvrability for occupants, and waste collection vehicles where relevant;</p> <p>(c) in a location on-site that is conveniently and safely accessible to occupants, without compromising the amenity and flow of public spaces;</p> <p>(d) screened from view from public spaces and dwellings or accommodation units; and</p>

<p>dwelling or accommodation unit unless for bins associated with that dwelling, or within a fully enclosed building; and</p> <p>(iv) is screened from the frontage and any dwelling or accommodation unit by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p> <p>(b) If for bulk waste bins:</p> <p>(i) is located on common property;</p> <p>(ii) Includes dedicated areas for storage and management of recycling and compostables;</p> <p><del>(iii)</del> is not less than 5.5m from any dwelling or accommodation unit unless within a fully enclosed building;</p> <p><del>(iii)</del>(iv) is set back not less than 4.5m from a frontage if fronting a pedestrian priority street (Figure E6.7.12);</p> <p><del>(iv)</del>(v) is screened from any public road, dwelling or accommodation unit by a wall to a height not less than 1.8m above the finished surface level of the storage area;</p> <p><del>(v)</del>(vi) is accessible to each dwelling, accommodation unit or tenancy without the requirement to travel off-site; and</p> <p><del>(vi)</del>(vii) where the development is mixed use, have separate storage spaces for commercial and residential bins with separate access to each.</p>	<p>(e) if the storage area is for common use, separated from dwellings or units on the site to minimise impacts caused by odours and noise.</p>
A3	P3



<p>Bulk waste bins must be collected on site by private commercial vehicles, and access to storage areas must:</p> <ul style="list-style-type: none"> <li>(a) in terms of the location, sight distance, geometry and gradient of an access, as well as off-street parking, manoeuvring and service area, be designed and constructed to comply with AS2890.2 - 2002 Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities;</li> <li>(b) ensure the vehicle is located entirely within the site when collecting bins; and</li> <li>(c) include a dedicated pedestrian walkway, alongside or independent of vehicle access ways.</li> </ul>	<p>A waste collection plan demonstrates the arrangements for collecting waste do not compromise the safety, amenity and convenience of surrounding occupants, vehicular traffic, cyclists, pedestrians and other road and footpath users, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of bins;</li> <li>(b) the method of collection;</li> <li>(c) the time of day of collection;</li> <li>(d) the frequency of collection;</li> <li>(e) access for vehicles to bin storage areas, including consideration of gradient, site lines, manoeuvring, direction of vehicle movement and pedestrian access;</li> <li>(f) distance from vehicle stopping point to bins if not collected on site;</li> <li>(g) the traffic volume, geometry and gradient of the street; and</li> <li>(h) the volume of pedestrians using the street and whether it is a pedestrian priority street (Figure E6.7.12).</li> </ul>
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#### **Amendment PSA-19-1-3**

Amend 23.4 Development Standards for Buildings and Works of the Commercial Zone by inserting a new 23.4.8 as follows:

#### **23.4.8 Residential and Visitor Accommodation Amenity**

<b>Objective:</b>	
To ensure that buildings for residential or visitor accommodation uses provide reasonable levels of amenity and safety in terms of noise, access to daylight and natural ventilation, open space, storage and waste storage and collection, without compromising the development or operation of uses that are consistent with the zone purpose.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Residential or visitor accommodation development must demonstrate that	<b>P1</b> Residential or visitor accommodation development must demonstrate that

<p>design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – <i>Road Traffic Noise Intrusion (Building Siting and Construction)</i> and AS2107:2000 – <i>Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)</i>).</p>	<p>design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – <i>Road Traffic Noise Intrusion (Building Siting and Construction)</i> and AS2107:2000 – <i>Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)</i>), unless:</p> <ul style="list-style-type: none"> <li>(a) alterations required to meet these standards would negatively impact on historic cultural heritage values of an existing building listed as a place, or within a precinct, in the Historic Heritage Code; or</li> <li>(b) external alterations of an existing building that are required to meet these standards would negatively impact on the streetscape.</li> </ul>
<p><b>A2</b> Residential or serviced apartment components of a new building must:</p> <ul style="list-style-type: none"> <li>(a) unless a wall with no habitable room windows, be set back from a side or rear boundary, or another building on the same site, at least 5m (including external elements such as a balcony, roof garden, terrace or deck);</li> <li>(b) be designed around <del>an a central</del> open courtyard or void with a minimum horizontal dimension of 5m in all directions; or</li> <li>(c) <del>be of a terraced design that is set back from a rear boundary at least 5m (including external elements such as a balcony, roof garden, terrace or deck) If all dwellings or serviced apartments within a building are dual aspect,</del></li> </ul>	<p><b>P2</b> Residential or serviced apartment components of a new building must be designed to allow for reasonable access to daylight into habitable rooms and private open space, and reasonable opportunity for air circulation and natural ventilation, having regard to:</p> <ul style="list-style-type: none"> <li>(a) proximity to side and rear boundaries;</li> <li>(b) proximity to other buildings on the same site;</li> <li>(c) the height and bulk of other buildings on the same site;</li> <li>(d) the size of any internal courtyard or void;</li> <li>(e) the use of light wells or air shafts;</li> <li>(f) development potential on adjacent sites, particularly under the Acceptable Solutions of</li> </ul>

<p>be set back from a boundary (except a frontage) on both aspects at least 5m (including external elements such as a balcony, roof garden, terrace or deck).;</p>	<p>23.4.1; and</p> <p>(g) any assessment by a suitably qualified person.</p>
<p><b>A3</b> Every habitable room in a dwelling:</p> <ul style="list-style-type: none"> <li>(a) must have at least one external window;</li> <li>(b) must have at least one external window visible from all points of the room if a living room;</li> <li>(c) where the only external window in the room is located within a recess, that recess must be: <ul style="list-style-type: none"> <li>(i) a minimum width of 1.2m, and</li> <li>(ii) a maximum depth of 1.5 times the width, measured from the external surface of the external window; <del>and</del>.</li> </ul> </li> <li><del>(d) must have a room depth from an external window of:</del> <ul style="list-style-type: none"> <li>(i) not more than 2.5 times the ceiling height; <del>and/or</del></li> <li>(ii) <del>If an open plan layout in open plan layouts</del> (where the living, dining and kitchen are combined); <del>must have a room depth from an external window of</del> not more than 8m.</li> </ul> </li> </ul>	<p><b>P3</b> Every habitable room in a dwelling must have reasonable access to natural daylight and ventilation from an external window, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the orientation of the room;</li> <li>(b) the size and location of windows;</li> <li>(c) the size of the room;</li> <li>(d) the ceiling height;</li> <li>(e) the opportunity for cross-ventilation;</li> <li>(f) the proposed use of the room;</li> <li>(g) overshadowing of the site from existing development;</li> <li>(h) existing site constraints; and</li> <li>(i) any assessment by a suitably qualified person.</li> </ul>
<p><b>A4</b> Private open space must be provided for at least 75% of dwellings or serviced apartments on a site.</p>	<p><b>P4</b> Private open space may be provided to less than 75% of dwellings or serviced apartments on a site if:</p> <ul style="list-style-type: none"> <li>(a) communal open space is provided on site that: exceeds size requirements under 23.4.8 A6 by</li> </ul>

	<p>10m<sup>2</sup> for each dwelling unit or serviced apartment without private open space under 75%, and is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility;</p> <p>(b) environmental conditions such as high winds or high levels of noise would significantly diminish the amenity of the private open space and is unable to be mitigated through screening that does not unreasonably reduce access to daylight, as demonstrated by a suitably qualified person; or</p> <p>(c) the dwelling or serviced apartment is in an existing building that cannot reasonably accommodate private open space due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code.</p>
<p><b>A5</b> Private open space for dwellings or serviced apartments must:</p> <p>(a) have an area not less than:</p> <p>(i) 8m<sup>2</sup> for 1 bedroom dwellings or serviced apartments;</p> <p>(ii) 10m<sup>2</sup> for 2 bedroom dwellings or serviced apartments;</p> <p>(iii) 12m<sup>2</sup> for 3 or more bedroom dwellings or serviced apartments;</p> <p>(b) <del>where the not include plant and equipment such as</del> outdoor components of an air conditioning unit <del>is located within the private open space, include a further</del></p>	<p><b>P5</b> Private open space for dwellings or serviced apartments must provide reasonable amenity and be capable of meeting the projected outdoor recreation requirements of occupants, having regard to:</p> <p>(a) the size and minimum dimensions of the space, <del>excluding space occupied by plant and equipment such as outdoor components of an air conditioning unit</del>;</p> <p>(b) the number of people the space could comfortably accommodate;</p> <p>(c) the amount of space available for</p>

<p><del>1.5m<sup>2</sup> of area in addition to the minimum area in (a) above.</del></p> <p>(c) unless drying facilities are provided elsewhere on the site, include a clothes drying area of at least 2m<sup>2</sup> in addition to the minimum area in (a) above, that may be in a separate location, and is screened from public view;</p> <p>(d) have a minimum horizontal dimension of 2m, or 1.5m for a 1 bedroom dwelling or serviced apartment;</p> <p><del>(e) not be located on a face of the building that is orientated between 30 degrees East of South and 30 degrees West of South;</del></p> <p><del>(f)</del>(e) where above ground floor level, not be located within 5m of private open space of any other dwelling or serviced apartment in another building; and</p> <p><del>(g)</del>(f) be screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms; <del>unless the outdoor component of an air conditioning unit servicing that dwelling or serviced apartment.</del></p>	<p>furniture or plantings;</p> <p>(d) the potential for significant noise intrusion;</p> <p>(e) proximity and overlooking to the private open space of existing adjacent residential and serviced apartment developments;</p> <p>(f) screening where necessary for privacy that does not unreasonably restrict access to daylight;</p> <p>(g) screening where necessary for noise and wind protection that does not unreasonably restrict access to daylight;</p> <p>(h) screening from public view for clothes drying areas; and</p> <p>(i) any advice from a suitably qualified person.</p>
<p><b>A6</b></p> <p>Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that:</p> <p>(a) is at least 70m<sup>2</sup>, with an additional 2m<sup>2</sup> for every dwelling or serviced apartment over 10;</p> <p>(b) if provided in multiple locations, at least one single area must be a minimum of 40m<sup>2</sup>;</p>	<p><b>P6</b></p> <p>Sites with 10 or more dwellings or serviced apartments must provide quality communal open space on the site that is sufficient for the needs of occupants, having regard to:</p> <p>(a) the area and dimensions of the space;</p> <p>(b) the total number of dwellings or serviced apartments on the site;</p> <p>(c) the accessibility of the space;</p>



<ul style="list-style-type: none"> <li>(c) has a minimum horizontal dimension of 3m;</li> <li>(d) includes at least 20% of the total area for plantings (including food growing), being deep soil planting if at ground level;</li> <li>(e) is directly accessible from common entries and pathways;</li> <li>(f) screens any communal clothes drying facilities from public view;</li> <li>(g) may be above ground floor level, including rooftops;</li> <li>(h) is screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms;</li> <li>(i) does not include vehicle driveways, manoeuvring or hardstand areas; and</li> <li>(j) includes no more than 20% of the total area located between 30 degrees East of South and 30 degrees West of South of: <ul style="list-style-type: none"> <li>(i) a building on the site with a height more than 3m; or</li> <li>(ii) a side or rear boundary within 5m.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(d) the flexibility of the space and opportunities for various forms of recreation;</li> <li>(e) the availability and location of common facilities within the space;</li> <li>(f) landscaping;</li> <li>(g) the degree of gardens, trees and plantings (including food gardens);</li> <li>(h) accessibility to daylight, taking into account the development potential of adjacent sites;</li> <li>(i) the outlook from the space;</li> <li>(j) the level of noise intrusion from external noise sources; and</li> <li>(k) any advice from a suitably qualified person;</li> </ul> <p>unless:</p> <ul style="list-style-type: none"> <li>(i) the dwellings or serviced apartments are located in an existing building where communal open space cannot be reasonably achieved due to site constraints, or impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code.;</li> <li>(ii) public open space that is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility and that can adequately accommodate the needs of occupants is provided on the site; or</li> <li>(iii) private open space is provided for 100% of dwellings or serviced apartments on the site, provides a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation.</li> </ul>
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PSA-19-1 Amendment

	entertainment, planting, outdoor dining and children’s play.
<b>A7</b> Each multiple dwelling must be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> , located externally to the dwelling.	<b>P7</b> Each multiple dwelling must be provided with adequate storage space.

**Amendment PSA-19-1-4**

Amend 23.4 Development Standards for Buildings and Works of the Commercial Zone by inserting a new **22.4.923.4.9** as follows:

**22.4.9 Waste Storage and Collection****Objective:**

To ensure the storage and collection of waste provides for a reasonable level of amenity and safety for surrounding occupants and for traffic, cyclists, pedestrians and other road and footpath users.

**A1**

Bulk waste bins that are commercially serviced must be provided for sites:

- (a) with more than one commercial tenancy;
- (b) with one commercial tenancy that is greater than 100m<sup>2</sup>; and
- (c) with more than 4 dwellings or visitor accommodation units (or 3 if a mixed use site);

unless:

- (i) there are no more than 4 individual bins for kerbside collection at any one time per commercial site;
- (ii) there are no more than 8 individual bins for kerbside collection at any one time per residential or mixed use site; or
- (iii) individual bins are commercially serviced without being placed on the kerbside for collection.

**P1**

Bulk waste bins that are commercially serviced must be provided unless

**kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians, and:**

- (a) the frontage **of the site** has a width equivalent to 5m for each dwelling, accommodation unit or tenancy with individual bins, **and kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians;** or
- (b) **the development is within an existing building and areas for bulk waste bin storage and collection cannot reasonably be provided on site due to:**
  - (i) **site constraints, or** impacts on historic cultural heritage values of a place or precinct listed in the Historic Heritage Code; **or**
  - (ii) **site constraints, if for an existing building.**

<p><b>A2</b></p> <p>An on-site storage area, with an impervious surface (unless for compostables), must be provided for bins that:</p> <ul style="list-style-type: none"> <li>(a) if for separate bins per dwelling, visitor accommodation or commercial tenancy: <ul style="list-style-type: none"> <li>(i) provides an area for the exclusive use of each dwelling, accommodation unit or tenancy, and is not located between the building and a frontage;</li> <li>(ii) is set back not less than 4.5m from a frontage unless within a fully enclosed building;</li> <li>(iii) is not less than 5.5m horizontally from any dwelling or accommodation unit unless for bins associated with that dwelling, or within a fully enclosed building; and</li> <li>(iv) is screened from the frontage and any dwelling or accommodation unit by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> <li>(b) If for bulk waste bins: <ul style="list-style-type: none"> <li>(i) is located on common property;</li> <li>(ii) Includes dedicated areas for storage and management of recycling and compostables;</li> <li>(iii) is not less than 5.5m from any dwelling or accommodation unit unless within a fully enclosed building;</li> <li>(iv) is screened from any public road, dwelling or accommodation unit by a wall to a height not less than</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A storage area for waste and recycling bins must be provided that is:</p> <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site;</li> <li>(b) of sufficient size to enable convenient and safe access and manoeuvrability for occupants, and waste collection vehicles where relevant;</li> <li>(c) in a location on-site that is conveniently and safely accessible to occupants, without compromising the amenity and flow of public spaces;</li> <li>(d) screened from view from public spaces and dwellings or accommodation units; and</li> <li>(e) if the storage area is for common use, separated from dwellings or units on the site to minimise impacts caused by odours and noise.</li> </ul>
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<p>1.8m above the finished surface level of the storage area;</p> <p>(v) is accessible to each dwelling, accommodation unit or tenancy without the requirement to travel off-site; and</p> <p>(vi) where the development is mixed use, have separate storage spaces for commercial and residential bins with separate access to each.</p>	
<p><b>A3</b></p> <p>Bulk waste bins must be collected on site by private commercial vehicles, and access to storage areas must:</p> <p>(a) in terms of the location, sight distance, geometry and gradient of an access, as well as off-street parking, manoeuvring and service area, be designed and constructed to comply with AS2890.2 - 2002 Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities;</p> <p>(b) ensure the vehicle is located entirely within the site when collecting bins; and</p> <p>(c) include a dedicated pedestrian walkway, alongside or independent of vehicle access ways.</p>	<p><b>P3</b></p> <p>A waste collection plan demonstrates the arrangements for collecting waste do not compromise the safety, amenity and convenience of surrounding occupants, vehicular traffic, cyclists, pedestrians and other road and footpath users, having regard to:</p> <p>(a) the number of bins;</p> <p>(b) the method of collection;</p> <p>(c) the time of day of collection;</p> <p>(d) the frequency of collection;</p> <p>(e) access for vehicles to bin storage areas, including consideration of gradient, site lines, manoeuvring, direction of vehicle movement and pedestrian access;</p> <p>(f) distance from vehicle stopping point to bins if not collected on site;</p> <p>(g) the traffic volume, geometry and gradient of the street; and</p> <p>(h) the volume of pedestrians using the street <del>and whether it is a pedestrian priority street (Figure E6.7.12).</del></p>



## **8      REPORTS**

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### **8.1   Monthly Building Statistics and Graphs** **File Ref: F19/149422**

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Mmorandum of the Director City Planning of 19 November 2019 and attachments.

Delegation:    Committee



City of **HOBART**

## MEMORANDUM: CITY PLANNING COMMITTEE

### Monthly Building Statistics and Graphs

Attached is the Monthly Building Statistics for the period 1 October 2019 to 31 October 2019.

#### **RECOMMENDATION**

That the information be received and noted:

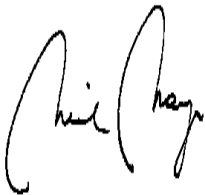
The Director City Planning reports:

1. During the period 1st October 2019 to 31st October 2019, 45 permits were issued to the value of \$7,160,709 which included:
  - (i) 24 for Extensions/Alterations to Dwellings to the value of \$2,578,700;
  - (ii) 6 New Dwellings to the value of \$2,089,913; and
  - (iii) 0 Major Projects
2. During the period 1 October 2018 to 31 October 2018, 63 permits were issued to the value of \$26,573,560 which included:
  - (i) 39 Extensions/Alterations to Dwellings to the value of \$5,905,250
  - (ii) 11 New Dwellings to the value of \$4,466,810 and
  - (iii) 5 Major Projects:
    - (a) 34 Argyle Street – New Building (Hotel - Stage 2 Structural Works) - \$7,500,000;
    - (b) 191 New Town Road - Commercial Extension (Dan Murphy's) - \$4,400,000;
    - (c) 324 Davey Street, South Hobart - Multiple Dwellings x 2 - \$1,500,000;
    - (d) 1A Brisbane Street, Hobart - Commercial Internal Alterations (DJ Mitsubishi) - \$1,500,000;

- (e) 410 Sandy Bay Road, Sandy Bay (Wrest Point Hotel Casino) -  
Commercial Internal Alterations - \$1,200,000


1. In the twelve months ending 31st October 2019, 617 permits were issued to the value of \$298,788,537; and
2. In the twelve months ending 30st October 2018, 661 permits were issued to the value of \$437,085,095.


*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: 19 November 2019  
File Reference: F19/149422

Attachment A: Number of Building Permits Issued - 5 Year Comparison -  
October 2019 ↓ 

Attachment B: Value of Building Permits Issued - 5 Year Comparison -  
October 2019 ↓ 







**8.2 City Planning - Advertising Report**  
**File Ref: F19/149504**

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Memorandum of the Director City Planning of 19 November 2019 and attachment.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**City Planning - Advertising Report**

Attached is advertising list for the period 5 November 2019 to 18 November 2019.

***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: 19 November 2019  
File Reference: F19/149504

Attachment A: City Planning - Advertising Report ↓ 

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-19-576	15 GOURLAY STREET	WEST HOBART	Partial Demolition, Extension and Alterations	\$3,750.00	22/10/2019	baconr	Director	8/11/2019	22/11/2019
PLN-19-456	84 LIVERPOOL CRESCENT	WEST HOBART	Alterations and Change of Use to Visitor Accommodation	\$0.00	4/09/2019	baconr	Director	14/11/2019	28/11/2019
PLN-19-769	2 DAVIES AVENUE (QUEENS DOMAIN, COUNCIL FACILITIES)	HOBART	Bin Storage Shelter	\$20,000.00	17/12/2019	baconr	Council	15/11/2019	29/11/2019
PLN-19-421	16 HEATHCOMBE CRESCENT	SANDY BAY	Partial Demolition, Alterations and Extension (amended plan)	\$185,000.00	26/08/2019	baconr	Director	18/11/2019	2/12/2019
PLN-19-754	2 / 55 CARLTON STREET	NEW TOWN	Alterations (Awning)	\$7,863.00	12/12/2019	Foalem	Director	6/11/2019	20/11/2019
PLN-19-755	29 ABERDEEN STREET	GLEBE	Partial demolition and alterations	\$20,000.00	13/12/2019	Foalem	Director	13/11/2019	27/11/2019
PLN-19-699	379 ELIZABETH STREET	NORTH HOBART	Partial Change of Use to Food Services	\$25,000.00	25/11/2019	krafftj	Director	5/11/2019	19/11/2019
PLN-19-772	67 LIVERPOOL STREET	HOBART	Partial Demolition and Alterations	\$12,500.00	17/12/2019	krafftj	Director	11/11/2019	25/11/2019
PLN-19-596	29 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$400,000.00	25/10/2019	langd	Director	5/11/2019	19/11/2019
PLN-19-691	1 / 28 SUMMERHILL ROAD	WEST HOBART	Partial Change of Use to Visitor Accommodation	\$0.00	22/11/2019	langd	Director	13/11/2019	27/11/2019
PLN-19-788	2 / 4 JERSEY STREET	SANDY BAY	Change of Use to Visitor Accommodation	\$0.00	19/12/2019	langd	Director	14/11/2019	28/11/2019
PLN-19-726	338 MURRAY STREET	NORTH HOBART	Partial Change of Use to Visitor Accommodation	\$0.00	6/12/2019	langd	Director	14/11/2019	28/11/2019
PLN-19-711	2 DALKEITH COURT	SANDY BAY	Driveway Extension and Alterations	\$9,000.00	2/12/2019	maxwellv	Director	12/11/2019	26/11/2019

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-19-789	8 BEDDOME STREET	SANDY BAY	Partial Demolition, Extension, Alterations and Ancillary Dwelling	\$500,000.00	19/12/2019	maxwellv	Director	18/11/2019	2/12/2019
PLN-19-661	273 ELIZABETH STREET	NORTH HOBART	Partial Demolition, Alterations and Signage	\$500,000.00	14/11/2019	mcclenahanm	Director	7/11/2019	21/11/2019
PLN-19-734	3 / 334 LIVERPOOL STREET	WEST HOBART	Change of Use to Visitor Accommodation	\$0.00	9/12/2019	nolanm	Director	5/11/2019	19/11/2019
PLN-19-751	69 RUTH DRIVE	LENAH VALLEY	Partial Change of Use to Home-Based Business	\$30,000.00	11/12/2019	nolanm	Director	13/11/2019	27/11/2019
PLN-19-785	112 CASCADE ROAD	SOUTH HOBART	Extension and Alterations (Storeroom)	\$32,000.00	19/12/2019	nolanm	Director	18/11/2019	2/12/2019
PLN-18-702	232 - 242 LIVERPOOL STREET	HOBART	Sign	\$0.00	16/11/2018	smeea	Director	7/11/2019	21/11/2019
PLN-19-739	9 LYNTON AVENUE	SOUTH HOBART	Alteration to Approved Building Height	\$10,000.00	10/12/2019	smeea	Director	7/11/2019	21/11/2019
PLN-19-645	21 CROSS STREET	NEW TOWN	Bus Shelter and Associated Works	\$50,000.00	11/11/2019	smeea	Council	8/11/2019	22/11/2019
PLN-19-428	105 SWANSTON STREET	NEW TOWN	Demolition and Two Multiple Dwellings	\$520,000.00	26/08/2019	smeea	Director	11/11/2019	25/11/2019
PLN-19-689	40 MELVILLE STREET	HOBART	Alterations to Approved Development and Tree Removal	\$400,000.00	21/11/2019	widdowsont	Council	6/11/2019	20/11/2019
PLN-19-658	20 MORTIMER AVENUE	MOUNT STUART	Partial Change of Use to Visitor Accommodation	\$0.00	14/11/2019	widdowsont	Director	8/11/2019	22/11/2019
PLN-19-489	678 SANDY BAY ROAD	SANDY BAY	Partial Demolition and Replacement Access Stairs	\$20,000.00	19/09/2019	widdowsont	Director	12/11/2019	26/11/2019
PLN-18-334	2 GOODHART PLACE	SANDY BAY	Alterations, Carport and Fencing	\$150,000.00	12/07/2018	widdowsont	Director	15/11/2019	29/11/2019
PLN-19-736	1 / 1 PLIMSOLL PLACE	SANDY BAY	Change of Use to Visitor Accommodation	\$0.00	9/12/2019	wilsone	Director	5/11/2019	19/11/2019

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-19-727	14 / 17 MARGARET STREET	SANDY BAY	Alterations	\$17,000.00	6/12/2019	wilsone	Director	12/11/2019	26/11/2019
PLN-19-765	58 / 4 FRANKLIN WHARF	HOBART	Umbrella and Signage	\$20,000.00	16/12/2019	wilsone	Director	12/11/2019	26/11/2019
PLN-19-580	18 HAIG STREET	LENAH VALLEY	Partial Demolition, Extension and Alterations	\$450,000.00	23/10/2019	wilsone	Director	13/11/2019	27/11/2019

**8.3 Delegated Decisions Report (Planning)**  
**File Ref: F19/149615**

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Memorandum of the Director City Planning of 20 November 2019 and attachment.

Delegation: Committee





City of **HOBART**

**MEMORANDUM: CITY PLANNING COMMITTEE**

**Delegated Decisions Report (Planning)**

Attached is the delegated planning decisions report for the period 5 November 2019 to 19 November 2019.

***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: 20 November 2019  
File Reference: F19/149615

Attachment A: Delegated Decisions Report (Planning) ↓ 

20 November 2019

**Delegated Decisions Report (Planning)**

72 applications found.

Planning Description	Address	Works Value	Approved	Withdrawn / Cancelled	All
			Decision	Authority	
PLN-18-643 Dwelling	604 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 1,000,000	Withdrawn	Applicant	
PLN-19-244 Partial Demolition, Alterations, Garage and Front Fencing	71 LANSDOWNE CRESCENT WEST HOBART TAS 7000	\$ 120,000	Approved	Delegated	
PLN-19-463 Dwelling	15 ROSE COURT SANDY BAY TAS 7005	\$ 900,000	Withdrawn	Applicant	
PLN-19-474 Partial Demolition, Alterations and Extension	4 HURLE STREET DYNRYNE TAS 7005	\$ 850,000	Approved	Delegated	
PLN-19-511 Dwelling	16 ANCANTHE AVENUE LENA VALLEY TAS 7008	\$ 450,000	Approved	Delegated	
PLN-19-552 Signage	188 COLLINS STREET HOBART TAS 7000	\$ 5,000	Approved	Delegated	
PLN-19-554 Signage	435-439 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated	
PLN-19-568 Dwelling	7 NOBLE DRIVE NEW TOWN TAS 7008	\$ 400,000	Approved	Delegated	
PLN-19-569 Dwelling	5 NOBLE DRIVE NEW TOWN TAS 7008	\$ 541,400	Not Required	Delegated	
PLN-19-571 Partial Demolition, Extension and Alterations	25 LOCHNER STREET WEST HOBART TAS 7000	\$ 160,000	Approved	Delegated	
PLN-19-572 New Dwelling	1 NOBLE DRIVE NEW TOWN TAS 7008	\$ 362,900	Approved	Delegated	
PLN-19-581 Garage and Retaining Wall	13 DOWDING CRESCENT NEW TOWN TAS 7008	\$ 20,000	Approved	Delegated	
PLN-19-586 New Dwelling	25 COPLEY ROAD LENA VALLEY TAS 7008	\$ 400,000	Not Required	Delegated	
PLN-19-607 Partial Change of Use to Visitor Accommodation	68 ADELAIDE STREET SOUTH HOBART TAS 7004	\$ 0	Approved	Delegated	
PLN-19-610 Dwelling	286 STRICKLAND AVENUE SOUTH HOBART TAS 7004	\$ 200,000	Approved	Delegated	
PLN-19-614 Alterations and Change of Use to Sports and Recreation (Gymnasium)	37 BARRACK STREET HOBART TAS 7000	\$ 30,000	Approved	Delegated	
PLN-19-615 Partial Demolition, Extension and Alterations	49 COLVILLE STREET BATTERY POINT TAS 7004	\$ 250,000	Approved	Delegated	
PLN-19-617 Signage	73-81 MURRAY STREET HOBART TAS 7000	\$ 0	Approved	Delegated	
PLN-19-619 Partial Demolition, Alterations, Signage and Change of Use to Educational and Occasional Care	4-4A WATCHORN STREET HOBART TAS 7000	\$ 250,000	Not Required	Delegated	
PLN-19-622 Alterations	19-29 CAMPBELL STREET HOBART TAS 7000	\$ 59,000	Approved	Delegated	
PLN-19-624 Outdoor Dining Furniture & Change of Use to Eating Establishment	58/4 FRANKLIN WHARF HOBART TAS 7000	\$ 2,000	Approved	Delegated	
PLN-19-627 Partial Demolition, Replacement and New Outbuildings and Play Equipment	113 PRINCES STREET SANDY BAY TAS 7005	\$ 180,000	Approved	Delegated	
PLN-19-630 Partial Demolition, Extension and Outbuilding	14 STAR STREET SANDY BAY TAS 7005	\$ 150,000	Approved	Delegated	
PLN-19-632 Partial Demolition, Extension, Alterations and Front Fencing	1/472 NELSON ROAD MOUNT NELSON TAS 7007	\$ 120,000	Approved	Delegated	
PLN-19-633 Partial Demolition, Garage, Studio, Retaining Walls and Driveway Upgrades	152 WARWICK STREET WEST HOBART TAS 7000	\$ 100,000	Approved	Delegated	

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-19-637 Extension and Alterations	764A SANDY BAY ROAD SANDY BAY TAS 7005	\$ 120,000	Approved	Delegated
PLN-19-642 Alterations	7 PILLINGER STREET DYNMYRNE TAS 7005	\$ 5,000	Approved	Delegated
PLN-19-647 Change of Use to Visitor Accommodation	105 MONTAGU STREET NEW TOWN TAS 7008	\$ 0	Approved	Delegated
PLN-19-648 Change of Use to Visitor Accommodation	88 LANSLOWNE CRESCENT WEST HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-650 Partial Demolition and Alterations	308 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 65,000	Approved	Delegated
PLN-19-656 Partial Demolition, Extension and Alterations	27 PILLINGER DRIVE FERN TREE TAS 7054	\$ 150,000	Approved	Delegated
PLN-19-664 Partial Demolition, Extension and Alterations	3 CARR STREET NORTH HOBART TAS 7000	\$ 90,000	Approved	Delegated
PLN-19-667 Partial Change of Use to Visitor Accommodation	7/7 VIEW STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-19-669 Signage	56 ELIZABETH STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-671 Partial change of use to visitor accommodation	266 PARK STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-674 Change of Use to Visitor accommodation	1/563 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-19-678 Signage	28 ELIZABETH STREET HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-683 Change of Use to Visitor Accommodation	225 BATHURST STREET WEST HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-684 Dwelling	20 TABART STREET NEW TOWN TAS 7008	\$ 207,000	Approved	Delegated
PLN-19-686 Outbuilding (Garage)	4 SATCHELL DRIVE KINGSTON TAS 7050	\$ 16,000	Approved	Delegated
PLN-19-687 Change of Use to Visitor Accommodation	21 WEERONA AVENUE MOUNT STUART TAS 7000	\$ 0	Approved	Delegated
PLN-19-693 Outbuilding (Studio)	60A OLDHAM AVENUE NEW TOWN TAS 7008	\$ 100,000	Approved	Delegated
PLN-19-694 Change of Use to Visitor Accommodation	82 QUEEN STREET SANDY BAY TAS 7005	\$ 10,000	Approved	Delegated
PLN-19-695 Change of Use to Visitor Accommodation	29 LILLIE STREET GLEBE TAS 7000	\$ 0	Approved	Delegated
PLN-19-703 Change of Use to Visitor Accommodation	1/369 ARGYLE STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-707 Change of Use to Visitor Accommodation	1/4A BEN STREET WEST HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-708 Partial Demolition, Extension and Alterations	141 KING STREET SANDY BAY TAS 7005	\$ 250,000	Withdrawn	Applicant
PLN-19-721 Change of Use to Visitor Accommodation	6 WIGNALL STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-722 Partial Demolition, Extension and Alterations for Ancillary Dwelling	96B SUMMERLEAS ROAD FERN TREE TAS 7054	\$ 70,000	Not Required	Delegated
PLN-19-725 Partial Demolition, Alteration and Extension	49 AUGUSTA ROAD LENA VALLEY TAS 7008	\$ 450,000	Approved	Delegated

Planning Description	Address	Works Value	Decision	Authority
PLN-19-731 Change of Use to Visitor Accommodation	5 ADA CRESCENT SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-19-738 Partial Change of Use to Visitor Accommodation	79 OLDHAM AVENUE NEW TOWN TAS 7008	\$ 0	Exempt	Delegated
PLN-19-741 Partial Demolition and Rebuilding of Deck	39 FISHER AVENUE SANDY BAY TAS 7005	\$ 60,000	Withdrawn	Applicant
PLN-19-743 Change of Use to Visitor Accommodation	2/11 GLADSTONE STREET BATTERY POINT TAS 7004	\$ 0	Approved	Delegated
PLN-19-750 Partial Demolition, Alterations and Partial Change of Use to Educational Establishment	73-81 MURRAY STREET HOBART TAS 7000	\$ 35,000	Exempt	Delegated
PLN-19-752 Partial Change of Use to Food Services (Mobile Food Van)	144-146 NEW TOWN ROAD NEW TOWN TAS 7008	\$ 0	Withdrawn	Applicant
PLN-19-757 Partial Demolition, Alterations and Change of Use to Food Services	40 ELIZABETH STREET HOBART TAS 7000	\$ 100,000	Exempt	Delegated
PLN-19-759 Use of Property for Visitor Accommodation while Owner is on Holiday or Temporarily Absent	23 WILLIAM STREET WEST HOBART TAS 7000	\$ 0	Exempt	Delegated
PLN-19-760 Change of use to visitor accommodation	2/249 BATHURST STREET WEST HOBART TAS 7000	\$ 0	Withdrawn	Applicant
PLN-19-761 Change of Use to Visitor Accommodation	28 RYDE STREET NORTH HOBART TAS 7000	\$ 0	Approved	Delegated
PLN-19-767 Partial Change of Use to Visitor Accommodation	11A PINE STREET WEST HOBART TAS 7000	\$ 0	Exempt	Delegated
PLN-19-77 Dwelling	71 ATHLEEN AVENUE LENA VALLEY TAS 7008	\$ 330,000	Approved	Delegated
PLN-19-771 Partial Demolition and Alterations	34 MARIEVILLE ESPLANADE SANDY BAY TAS 7005	\$ 160,000	Withdrawn	Applicant
PLN-19-775 Partial Change of Use to Visitor Accommodation	4 FRASER STREET NEW TOWN TAS 7008	\$ 0	Approved	Delegated
PLN-19-777 Signage	88 BATHURST STREET HOBART TAS 7000	\$ 0	Exempt	Delegated
PLN-19-781 Change of Use to Visitor Accommodation	5/15 GLADSTONE STREET BATTERY POINT TAS 7004	\$ 0	Approved	Delegated
PLN-19-782 Change of Use to Visitor Accommodation	7/15 GLADSTONE STREET BATTERY POINT TAS 7004	\$ 0	Approved	Delegated
PLN-19-786 Change of Use to Visitor Accommodation	14/64 ST GEORGES TERRACE BATTERY POINT TAS 7004	\$ 1,500	Withdrawn	Applicant
PLN-19-798 Extension to Driveway and Parking Area	594 NELSON ROAD MOUNT NELSON TAS 7007	\$ 5,000	Withdrawn	Applicant
PLN-19-799 Partial Change of Use to Visitor Accommodation	4 MOLLE STREET HOBART TAS 7000	\$ 0	Exempt	Delegated
PLN-19-805 Install of a new sink in breakout / kitchen area	144 MACQUARIE STREET HOBART TAS 7000	\$ 5,000	Withdrawn	Applicant
PLN-19-819 Change of Use to Visitor Accommodation	30 GIBLIN STREET LENA VALLEY TAS 7008	\$ 0	Approved	Delegated

## **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 PLANNING COMMITTEE STATUS REPORT  
- October 2019

<p style="text-align: center;"><b>CITY PLANNING COMMITTEE – STATUS REPORT</b> OPEN PORTION OF THE MEETING October 2019</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>The Tasmanian Government closed the project on 30 May 2019 following submission of the final report by SGS Economics and Planning Consultants (Oct 2018). The report concluded that a EUF did not present a viable option for Tasmania due to there being insufficient demand to achieve necessary uptake. The State Government indicated that the SGS report is not for public release and that the City must seek approval of the Crown before making any media statements regarding the project. A closed council report is being prepared for the December 2019 Committee meeting.</p>



2	<b>PROPOSED NEW HERITAGE ADVISORY COMMITTEE</b> Open CPC Item 9, 20 July 2015	A report be sought on the merits of establishing a Heritage Advisory Committee in line with other councils' Heritage Advisory Committees operating around Australia.	Director City Planning	A workshop regarding the application of heritage precincts under the <i>Hobart Interim Planning Scheme 2015</i> was conducted on 31 July 2018.  A report in regard to the establishment of a Heritage Advisory Committee will be provided by February 2020.
3	<b>CLIMATE CHANGE POLICY REVIEW</b> Open CPC Item 7, 4 April 2016	A report be prepared that builds on the City's existing corporate mitigation measures and recommends new climate change mitigation policies, strategies and programs to further reduce both corporate and community emissions and considers potential targets.	Director City Innovation	A Climate Change (Sustainable Hobart) Framework and Action Plan have been drafted and are undergoing final strategic alignment, internal peer review, and graphic design scoping.  The draft work products will be provided to Planning Committee on 9 <sup>th</sup> December to seek approval for a period of public consultation.
4	<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	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.	Director City Planning	This will be addressed as part of the ICAP AP06 Campbell Street Upgrade project with initial project planning now commenced, with further design work to take place in 2019/2020.

5	<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>	<p>Director City Planning</p>	<p>Article placed in Capital City News and promoted via social media. Communication with architectural community still to be actioned.</p>
6	<b>GLENORCHY TO HOBART PUBLIC TRANSIT CORRIDOR PROJECT UPDATE</b> Open Council 20 August 2018	<ol style="list-style-type: none"> <li>1. The Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016) be provided to the State Government.</li> <li>2. The Council engage with State and Federal Government in relation to process and opportunities for governance change to help drive urban renewal projects such as proposed with the Glenorchy to Hobart Public Transit Corridor Project. <ol style="list-style-type: none"> <li>(i) A report be prepared on the formation of a steering committee, which is to be chaired by the Lord Mayor, to undertake the work required.</li> </ol> </li> <li>3. The Glenorchy to Hobart Public Transit Corridor Study outcomes (GHD Oct 2016) be considered as part of a future City Deal proposal.</li> </ol>	<p>Director City Planning</p>	<p>The Glenorchy to Hobart Public Transit Corridor Implementation Facilitation Report - LUTI Consultants (June 2018) was presented to the Open City Planning Committee of 13 August 2018.</p> <p>Based on the advice from Minister Gutwein and the decision of the Glenorchy City Council made on 30 July 2018, further activities by the Hobart Glenorchy Public Transit Corridor Committee be put on hold pending finalisation of the Hobart City Deal process.</p>

		<p>4. A communications strategy be developed in relation to the Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016).</p> <p>5. A further report be prepared regarding the potential for a medium density mixed use development project on the Hobart owned land forming part of the corridor</p>		
8	<p><b>HISTORIC URBAN LANDSCAPES BALLARAT</b> Open Committee 29 October 2018</p>	<p>A further report on:</p> <p>(i) The outcomes of discussions between City of Hobart officers and the City of Ballarat about its consultation process for any learning on getting people involved in supporting local heritage precincts in their city;</p> <p>(ii) A rolling consultation process be undertaken over the next four years for local heritage precincts ratepayers, asking questions much like the City of Ballarat has, to check the planning premises; and</p> <p>(iii) To further investigate how planning conflicts between use of building stock in the precincts and desires for current and future use can be managed as social, cultural and economic demands change over time in our City.</p>	Director City Planning	Report to be provided in December 2019.

9	<p><b>PROJECTED POPULATION AND ECONOMIC GROWTH MODEL</b> Open Council 1 April 2019</p>	<p>A report be prepared into the development of a useable model of projected population and economic growth of the Greater Hobart region. This modelling tool is to be integrated into Hobart City Council planning, infrastructure, strategy development and decision-making.</p> <p>The report also consider using the United Nations Sustainable Development Goals as a framework to achieve sustainable development.</p>	Director City Life	Officers are examining a potential model and will provide a report to the Committee in December.
10	<p><b>REGULATION OF SOCIAL FOOD DELIVERY VEHICLES</b> Open Council 19 August 2019</p>	<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	Information brochures and audit safety checklists are currently being developed.

11	<b>RESPONSE TO PETITION TO BAN THE CBD SMOKING BAN</b> Open Council 9 September 2019	<ol style="list-style-type: none"><li>1. The Council maintains its commitment to the expansion of smoke-free areas as resolved by the Council at its meeting on 15 April 2019.</li><li>3. The petitioners be advised of the Council decision.</li></ol>	Director City Planning	Completed
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**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 General Manager reports:-**

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

**10.1 New Whole Homes - Change of Use - Short Stay Accommodation**  
**File Ref: F19/81082; 13-1-10**

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Memorandum of the Director City Planning of 19 November 2019.

Delegation: Committee

*That the information be received and noted.*



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **NEW WHOLE HOMES - CHANGE OF USE - SHORT STAY ACCOMMODATION**

**Meeting:** Economic Development &  
Communications Committee

**Meeting date:** 20 June 2019

**Raised by:** Councillor Ewin

**Question:**

Can the Director please advise how many new whole homes have been approved for change of use to short stay accommodation since the election of the new Council?

**Response:**

There has been 104 planning applications for whole houses approved for change of use to short stay accommodation between 1<sup>st</sup> November 2018 and 19<sup>th</sup> November 2019.

*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:** 19 November 2019  
**File Reference:** F19/81082; 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 General Manager or the General Manager's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
  - (i) offer an argument or opinion; or
  - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
  - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
  - (ii) a written response will be provided to all Elected Members, at the appropriate time.
  - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

## **12. CLOSED PORTION OF THE MEETING**

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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
- Questions without notice in the closed portion

The following items were discussed: -

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda                       |
| Item No. 3 | Indications of pecuniary and conflicts of interest                       |
| Item No. 4 | Questions Without Notice   |