



CITY OF HOBART

# AGENDA

## City Planning Committee Meeting

### Open Portion

Monday, 14 September 2020

at 5:00 pm

## SUPPLEMENTARY ITEMS

### ORDER OF BUSINESS

COMMITTEE ACTING AS PLANNING AUTHORITY ..... 3

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

- 12 6/8 De Witt Street, Battery Point - Partial Change of Use to Visitor  
Accommodation - ETA-20-129 ..... 4
- 13 284-284 A Argyle Street, North Hobart - Partial Demolition,  
Alterations, Signage and Change of Use to Resource Processing,  
Food Services and General Retail Hire ..... 32



**The General Manager reports:**

“That in accordance with the provisions of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, these supplementary matters are submitted for the consideration of the Committee.

Pursuant to Regulation 8(6), I report that:

- (a) information in relation to the matter was provided subsequent to the distribution of the agenda;
- (b) the matter is regarded as urgent; and
- (c) advice is provided pursuant to Section 65 of the Act.”



## **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.



**12 6/8 De Witt Street, Battery Point - Partial Change of Use to Visitor  
Accommodation - ETA-20-129  
File Ref: F20/98737**

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Memorandum of the Development Appraisal Planner and the Senior  
Statutory Planner of 10 September 2020 and attachments.

Delegation: Council





City of **HOBART**

## MEMORANDUM: CITY PLANNING COMMITTEE

### **6/8 De Witt Street, Battery Point - Partial Change of Use to Visitor Accommodation - ETA-20-129**

#### **Introduction:**

This memorandum relates to a request to extend the time period to substantially commence planning permit PLN-18-405 (the permit) for Partial Change of Use to Visitor Accommodation at 6/8-10 De Witt Street, Battery Point.

The original planner's report, final planning documents, and documentation submitted with this extension of time application are provided as attachments to this report.

#### **Background:**

On 30 July 2018, approval was granted under delegated authority for partial Change of Use to Visitor Accommodation at 6/8-10 De Witt Street (the site). The property is located within the Battery Point Heritage Area (BP1).

The proposal was assessed against *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* and Code E6.0 Parking and Access Code under the *Hobart Interim Planning Scheme 2015*.

*Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* was applicable at the time of assessment and allowed for visitor accommodation in the area dedicated under BP1 of the *Hobart Interim Planning Scheme 2015*.

There was one discretion:

1. No onsite car parking was proposed. Code E6.0 Parking and Access of the *Hobart Interim Planning Scheme 2015* requires one onsite car parking space.

Two representations were lodged within the statutory advertising period. No appeal was lodged with the Resource Management and Planning Appeal Tribunal.



The applicant had until 30 July 2020 to substantially commence the proposal under the planning permit. The use has not commenced to date.

The applicant has requested a four year extension of time (until 30 July 2024) in which to substantially commence the proposal. The request is made under Section 53(5)(a) and (b) of the *Land Use Planning and Approvals Act 1993*.

*Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* was replaced by the (current) *Planning Directive No. 6 - Exemption for Standards for Visitor Accommodation in Planning Schemes*, which came into effect 1 August 2018. The key changes relevant to this proposal are:

- new requirements for the consideration of visitor accommodation use that form part of a strata scheme (e.g. multiple dwellings or apartments) in residential zones in interim planning schemes;
- reinstating the limitations on visitor accommodation in Battery Point that were in place prior to 1 July 2017. Specifically, 2.0 Application states:

*2.1 This planning directive applies to the following planning schemes:*

- (a) *interim planning schemes that have been declared or made under the Land Use Planning and Approvals Act 1993 (the Act);*
- (b) *notwithstanding 2.1(a), the area identified as Battery Point Heritage Precinct (BP1) in the Hobart Interim Planning Scheme 2015 is excluded from the application of 3.1(c), 3.1(d) and 3.1(e). it excludes the area identified as Battery Point Heritage Precinct*

Therefore, based on 2.1(b) above, an application for visitor accommodation within the Battery Point Heritage Precinct (BP1) is prohibited. As stated above, the property is located in the Battery Point Heritage Precinct (BP1) and cannot be approved under delegation.

### **Evaluation:**

### **Extension of time delegation**

Usually, requests for extension of time to a permit are dealt with at an officer level under delegation. However, delegation can only be exercised at officer level when the 'strategic intent of the relevant planning scheme has not significantly changed'.



As stated above, the proposal was considered under the relevant provisions of Hobart Interim Planning Scheme and *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Scheme* which was superseded by *Planning Directive No. 6- Exemption for Standards for Visitor Accommodation in Planning Schemes* on 1 August 2018. If the provisions of the *Hobart Interim Planning Scheme 2015* or the *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* has been superseded insofar as they are applicable to the proposal, delegation to grant the extension of time rests with the Council.

**Strategic Intent of the Planning Scheme including *Planning Directive No. 2 and No.6 - Exemption for Standards for Visitor Accommodation in Planning Schemes***

As stated above, the proposal was originally assessed under the Hobart Interim Planning Scheme and *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes*. The unit in question is one of 9 multiple dwellings and two visitor accommodation units within a strata scheme in a building which has a total floor area in excess of 200sqm. The proposal originally triggered discretions under Code 6.0 Parking and Access Code, as it did not provide any onsite car parking.

Under the now in force *Planning Directive No. 6- Exemption for Standards for Visitor Accommodation in Planning Schemes*, the site remains within the Battery Point Heritage Precinct (BP1). The use is now prohibited under 2.1(b). Consequently, it is considered that the strategic intent of the use applicable to the site has changed from the former *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* to the *Planning Directive No. 6- Exemption for Standards for Visitor Accommodation in Planning Schemes*.

The applicant has requested that the Committee approve their request for an extension of time to commence the use on the following basis:

- the application is for the extension of an *existing* permit, not an entirely *new* permit, so no new right of privilege would be created by approving it for a further period; we simply seek to maintain the status quo;
- the unit is stylish and well equipped but small (essentially being a bedsit), so by its very nature it lends itself to short stay visitor accommodation rather than long term tenancy; indeed it seems to have purposely configured for such a use;



- we understand that before the recent redevelopment of 8-10 De Witt St and our purchase of unit 6, our unit and certain other units there had been used for short stay visitor accommodation as (so we have been led to believe) an adjunct of St Ives;
- the unit at the rear of 8-10 De Witt St building and shares access with just one other unit so visitors are unlikely to disturb or disrupt the amenity of other unit owners or that of the owners of adjoining properties;
- having stylish units like this available for short stay visitor accommodation give visitors to our State a wonderful opportunity to stay in the heart of, and enjoy, a special historical charms of one of Hobart's premier precincts; our unit is perfectly sited for this in terms of access to markets, eateries and parks etc, and moreover, it affords a great view of the mountain and a spectacular close up view of St George's spire; the tourist bus stop is just nearby;
- it was not so long ago that there was a serious shortage of short stay visitor accommodation in Hobart and property owners were being publicly encouraged by government to make their properties available for such use; indeed this was a factor we relied on in purchasing the unit; we note that the 'political winds' have since shifted but there can be little doubt that such zigzags in accommodation policy cause inequitable detriment to the persons thereby affected; and
- when we contracted to purchase this unit in November 2017 there was no indication that a policy barring short term visitor accommodation in Battery Point would be introduced and we had hoped to have the option of hosting visitors to our wonderful State and that this would be an interesting and enjoyable interest for us in our retirement years, especially as we have ourselves have much enjoyed staying in similar short stay accommodation in some special places overseas.

The change in the use being permitted under *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* to prohibited under the *Planning Directive No. 6- Exemption for Standards for Visitor Accommodation in Planning Schemes* represents a significant change to the strategic intent of the scheme provisions applicable to the site. Therefore, delegation to approve the extension of time to the permit rests with the Council.



**Conclusion:**

The strategic intent of the planning provisions applicable to the site has significantly changed from the former *Planning Directive No. 2 - Exemption for Standards for Visitor Accommodation in Planning Schemes* to the *Planning Directive No. 6- Exemption for Standards for Visitor Accommodation in Planning Schemes*, on the basis that visitor accommodation in the Battery Point Heritage Area (BP1) is now prohibited. If the planning application were lodged today Council would be bound to refuse it. On that basis the extension of time request is also recommended for refusal.

If the City Planning Committee grants the extension of time request, the applicant will have until the 30 July 2022 to substantially commence the proposal.

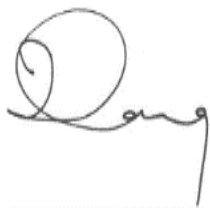
If the City Planning Committee refuses to grant the extension of time request, the applicant is unable to lodge a new development application as the use is prohibited in the Battery Point Heritage Area (BP1).

There is no provision under the Act to appeal an extension of time refusal.

**RECOMMENDATION**

That the Council refuse the extension of time request lodged under Section 53(5)(b)(c) of the *Land Use Planning Approval Act 1993* in respect of PLN-18-415.

*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.*





Deanne Lang  
**DEVELOPMENT APPRAISAL  
PLANNER**



Ben Ikin  
**SENIOR STATUTORY PLANNER**

Date: 10 September 2020  
File Reference: F20/98737

Attachment A: ETA-20-129 - 6/8-10 DE WITT STREET BATTERY POINT TAS  
7004 - Original Planner Report ↓   
Attachment B: ETA-20-129 - 6/8-10 DE WITT STREET BATTERY POINT TAS  
7004 - Final Planning Documents ↓ 



Attachment C:      ETA-20-129 - 6/8-10 DE WITT STREET BATTERY POINT TAS  
7004 - Applicant Cover Letter ↓ 



**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Delegated  
Delegated: 27 July 2018  
Expiry Date: 4 August 2018  
Application No: PLN-18-405  
Address: 6 / 8 - 10 DE WITT STREET , BATTERY POINT  
Applicant: Colin Grey  
29 Frederick Street  
Proposal: Partial Change of Use to Visitor Accommodation  
Representations: Two  
Performance criteria: Code E6.0 Parking and Access

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**1. Executive Summary**

- 1.1 Planning approval is sought for partial change of use to visitor accommodation.
- 1.2 More specifically the proposal includes:
  - change of use of unit 6 to visitor accommodation.
  - no internal or external works are required
  - currently there is no onsite parking and none is proposed to be provided
  - no signage is proposed
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Code E6.0 Parking and Access
- 1.4 Two (2) representations objecting to the proposal were received within the statutory advertising period between 4-18 July 2018.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Senior Statutory Planner.



## 2. Site Detail

- 2.1 The subject site is located in an established residential suburb characterised by a significant number of heritage listed properties. Council records indicate that there are several visitor accommodation units in the immediate area. There are a number of services and restaurants/cafes within 100m of the subject site.



Fig. 1 - the subject unit is bordered in red. Access to the site is via a laneway off De Witt Street.

## 3. Proposal

- 3.1 Planning approval is sought for Partial Change of Use to Visitor Accommodation.
- 3.2 More specifically the proposal is for:
- change of use of unit 6 to visitor accommodation.
  - no internal or external works are required
  - currently there is no onsite parking and none is proposed to be provided
  - no signage is proposed



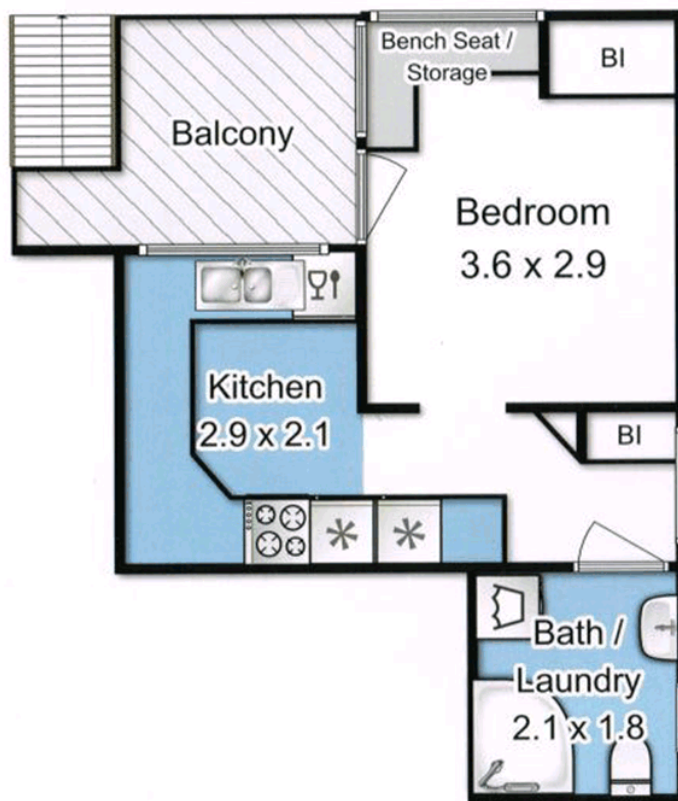


Fig. 2 - proposed floor plan

#### 4. Background

4.1 N/A

#### 5. Concerns raised by representors

- 5.1 Two (2) representations objecting to the proposal were received within the statutory advertising period between 4- 18 July 2018.
- 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.



This unit consists of a bedroom, kitchen and bathroom. It is tiny. There is no lounge room. I do not understand how it can be 'partially' used for visitor accommodation.
This block was renovated and several long term tenants were evicted. The flats were carved up and re-marketed at vastly increased prices.
The apartment in question is one of two on the upper floor that were clearly marketed as Airbnb potential.
What is happening in Hobart - to the detriment of this suburb (Battery Point) and the lifestyle of those who live in it. Visitor Accommodation impacts on the residential amenity. This is a residential suburb - not a wall to wall Airbnb.
There is insufficient parking available to support visitor accommodation. This will put further pressure on traffic and parking congestion in the neighbourhood.

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is residential and the proposed use is visitor accommodation. Both are permitted uses in the zone.
- 6.4 The proposal has been assessed against:
  - 6.4.1 Part D - 11 Inner Residential Zone
  - 6.4.2 E6.0 Parking and Access Code



- 6.4.3 E13.0 Historic Heritage Code
- 6.4.4 Interim Planning Directive No. 2 - Visitor Accommodation
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
  - 6.5.1 Part E: Code 6.0 Parking and Access
- 6.6 Each performance criterion is assessed below.
- 6.7 Parking and Access Part E6.6.1P1
  - 6.7.1 The acceptable solution at Code E6.0 Table 1 requires one car parking space per visitor accommodation unit.
  - 6.7.2 The proposal does not provide any onsite car parking.
  - 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 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 objective of the number of car parking spaces provided per use is to meet the reasonable needs of all users of a use or development, as well as the use not detracting from the residential amenity of the users (in this case residents) or the locality. Any use or development must also minimise the impact of carparking on heritage and local character.

The property is a one bedroom dwelling and is located in heritage precinct BP1. There are no trees in the immediate area which are listed under the Significant Trees Code.

As stated above, there is currently no onsite car parking on the site and none is proposed. Under table 6.1 of the Parking and Access Code, both a one bedroom dwelling and one visitor accommodation unit require one onsite car parking space to be provided. Consequently, there is no change to the status quo.

However, it is considered that the change of use will result in less impact and pressure on the current availability of onstreet parking and will not impact the safety and efficiency of the local road network. This is because it is highly unlikely that the visitor accommodation unit will have a 100% occupancy year round, as typically would be the case with permanent residents. In addition, the location of the visitor accommodation unit may mean that visitors may not have a rental car, as the property is in easy walking distance to the CBD, tourist sites and cafes and restaurants. There is also a regular bus service to Battery Point from the CBD, the Sandy Bay Shopping Precinct and beyond.

- 6.7.6 The proposal complies with the performance criterion.



**7. Discussion**

- 7.1 Planning approval is sought for Partial Change of Use to Visitor Accommodation.
- 7.2 The application was advertised and received two representations. The representations raised concerns including the change of use resulting in detrimental residential amenity and loss of onstreet car parking in the area.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

**8. Conclusion**

- 8.1 The proposed Partial Change of Use to Visitor Accommodation at 6/8-10 De Witt Street, Battery Point satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.



## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Change of Use to Visitor Accommodation at 6/8-10 De Witt Street, Battery Point 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-18-405 6/8-10 DE WITT STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### ADVICE

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

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

### VISITOR ACCOMMODATION

A Building Self-Assessment Form must be completed in the following situations for a change of use to visitor accommodation:

- Owner occupiers of dwellings or residential premises of more than four bookable rooms; or
- Investment properties or shacks less than 300m<sup>2</sup> gross floor area (which are not occupied by the owner).

A change of use to visitor accommodation for strata lots will also need to comply with any additional requirements from the body corporate.

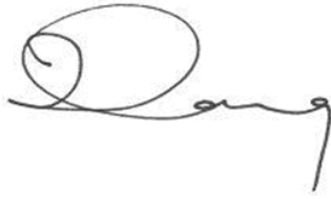
You should consult with your insurance provider to ensure appropriate insurance



coverage.

More information on visitor accommodation can be found [here](#).





(Deanne Lang)

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



(Ben Ikin)

**Senior Statutory Planner**

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

Date of Report: 27 July 2018

**Attachment(s):**

Attachment A - Final Planning Documents





22 June 2018

29 Frederick Street  
West Hobart Tas 7000

(03) 62311846 (home)  
0409439693(mob)

The General Manager  
City of Hobart  
Town Hall  
Hobart Tas 7000

Dear General Manager

**Planning Application for Approval of Use as Visitor Accommodation – 2/8-10 De Witt St, Battery Point**

Please note that the attached planning application for visitor accommodation really relates to Unit 6/8-10 De Witt St Battery Point, not unit 2.

The application is only being made in respect of Unit 2 on the telephone advice of your planning and administration officers because the certificate of title for/strata plan encompassing unit 6 has only issued in the last month. Accordingly unit 6 did not come up electronically on your list of properties for such applications.

We are mindful of the impending restriction of short-term accommodation in Battery Point but we contracted to purchase unit 6 last November and obviously would have made this application much sooner. However we have been held up by repeated delays in the issue of title and thus repeated postponements of the settlement date. We only finally acquired legal ownership of unit 6 today.

We believe that the small size of the unit (38m<sup>2</sup>) would make it more suitable for visitor accommodation than long-term residential living. We contracted to purchase the unit, over 6 months ago, with short-term visitor accommodation in mind. We also understand that the unit has previously been used for short-term accommodation.

We trust that this application receives your favourable attention in accordance the *subsisting* planning law.

Yours faithfully,

C & M Grey





26 June 2018

29 Frederick Street  
West Hobart Tas 7000

(03) 62311846 (home)  
0409439693(mob)

[colinsgrey@gmail.com.au](mailto:colinsgrey@gmail.com.au) (email)

Mr Ben Ikin  
Senior Statutory Planner / City Planning  
City of Hobart  
Hobart Council Centre  
16 Elizabeth Street  
Hobart Tas 7000

Dear Mr Ikin

**Unit 6\* / 8-10 De Witt Street, Battery Point**  
**Application for Partial Change of Use to Visitor Accommodation**  
**Application No. PLN-18-405**

We refer to your letter of the 25<sup>th</sup> instant requesting additional information on the above application which we made last Friday.

The information you seek is as follows:

1. No work is required to enable the partial change of use. The unit is already fully furnished and equipped; it is in excellent condition and has been finished and decorated to a very high standard. As mentioned in our application we understand that, prior to the recent makeover of the complex and the recent issue of the new stratum plan, our unit had been variously used for both long-term residential rental *and* short-term visitor accommodation.
2. The unit is on the upstairs level of the complex, not ground level. As such it is accessed by a staircase located at the *rear* of the complex. There is good open and wide access to the staircase just off the paved side laneway.

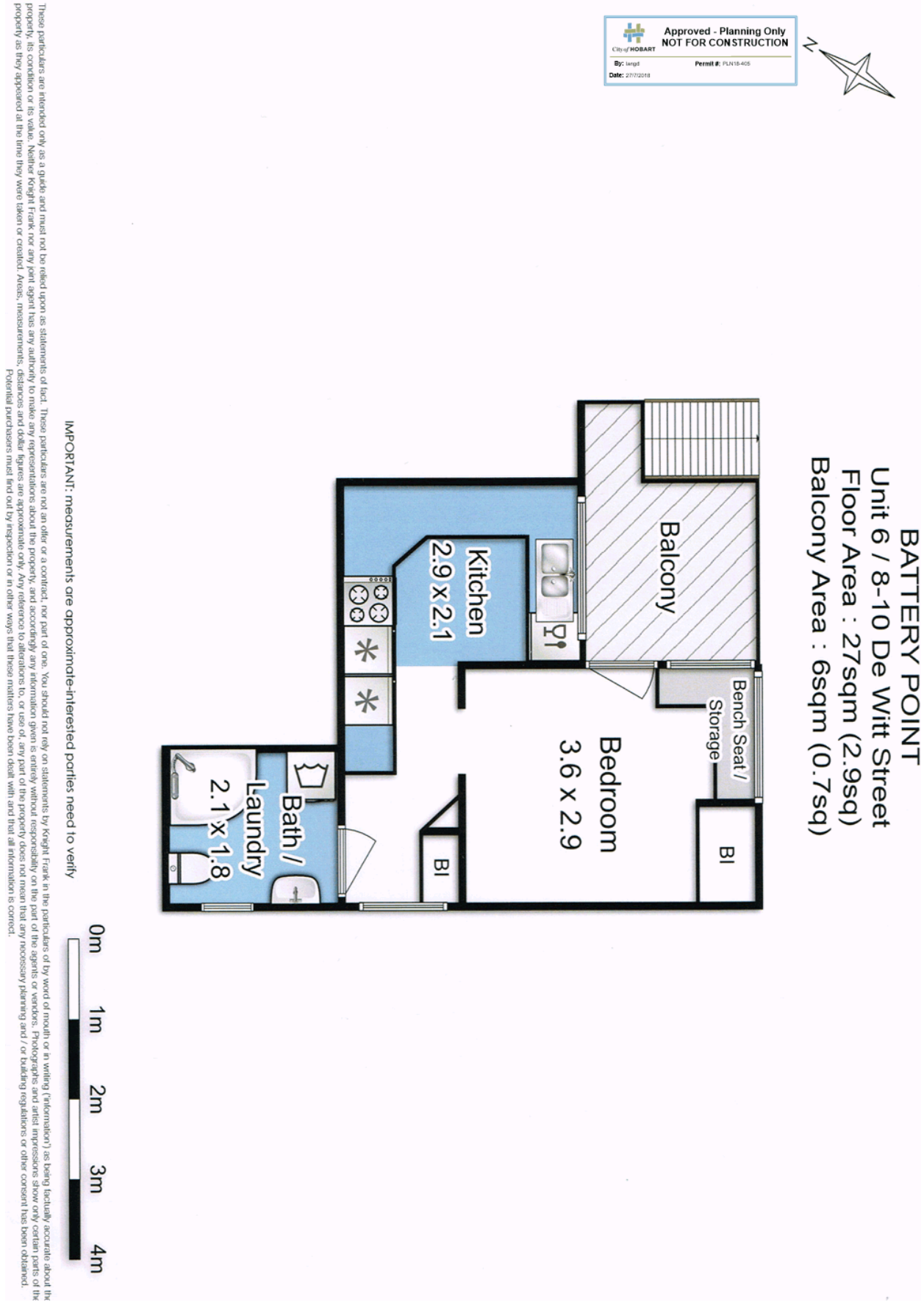
We trust that this sufficiently answers your query. Please contact us if you need anything further in this matter.

Yours faithfully,

C & M Grey

*\* As noted, we were asked to use the Unit 2 address as our real address (Unit 6) was not available on the Council website last week.*









## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 168029	FOLIO 6
EDITION 1	DATE OF ISSUE 30-May-2018

SEARCH DATE : 31-May-2018  
SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

City of HOBART

Lot 6 on Strata Plan 168029 and the Unit Entitlement in the  
Strata Scheme being -

A general unit entitlement operating for all purposes of the  
said Strata Scheme being a 10 undivided 1/100 interest

A special unit entitlement for fixing the proportionate  
contribution to be made to the body corporate in respect to  
all expenses and sinking funds relating to the upkeep and  
maintenance in good order and repair of the apartment building  
facades, surfaces and structures solely serving Lots 2-7 & 9  
being a 10 undivided 1/70 share

Derived from Strata Plan 168029

Derivation : Part of 0A-1R-30P Gtd. to Richard Brown

SCHEDULE 1

M613244 TRANSFER to BATTERY POINT PTY LTD Registered  
14-Feb-2017 at 12.01 PM


SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
The registered proprietor holds the lot and unit entitlement  
subject to any interest noted on common property  
Folio of the Register volume 168029 folio 0


UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





**RESULT OF SEARCH**  
RECORDER OF TITLES  
*Issued Pursuant to the Land Titles Act 1980*

  
Tasmanian  
Government

SEARCH OF TORRENS TITLE	
VOLUME 168029	FOLIO 0
EDITION 1	DATE OF ISSUE 25-Jun-2014

SEARCH DATE : 31-May-2018  
SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

City of HOBART  
The Common Property for Strata Scheme 168029  
Derivation : Part of OA-1R-30P Gtd. to Richard Brown  
Prior CT 146767/1

SCHEDULE 1

STRATA CORPORATION NUMBER 168029, 8-10 DE WITT STREET, BATTERY  
POINT

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
STR168029 FIRST BY-LAWS lodged with the strata plan  
E70071 APPLICATION by body corporate to amend strata plan  
168029 by amending Lots 1 & 2 by increasing the area  
of Lot 1, decreasing the area of Lot 2 & creating  
Lots 3-9 inclusive, increasing common property,  
amending general unit entitlements & creating special  
unit entitlements Registered 30-May-2018 at noon  
E132799 APPLICATION for registration of change of by-laws  
Registered 30-May-2018 at 12.01 PM  
E132800 APPLICATION for registration of exclusive use by-laws  
Registered 30-May-2018 at 12.02 PM



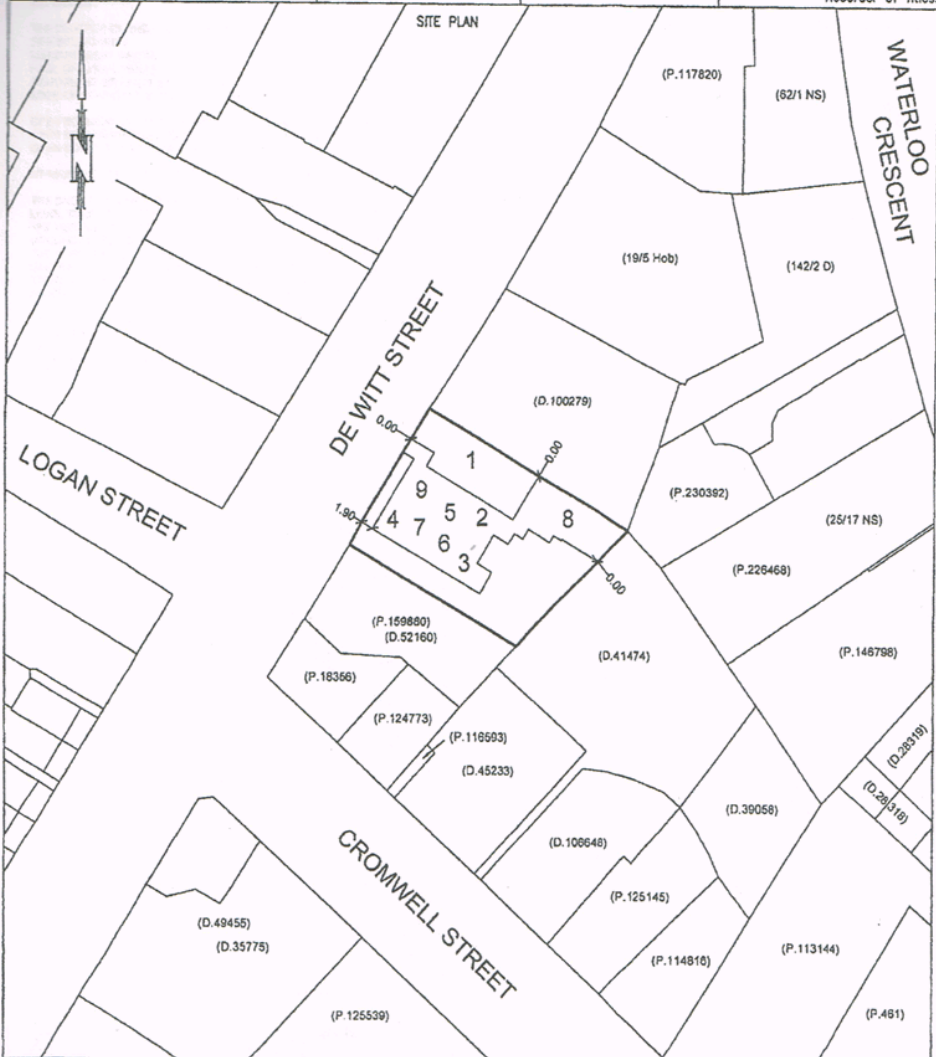

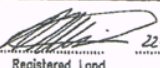
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

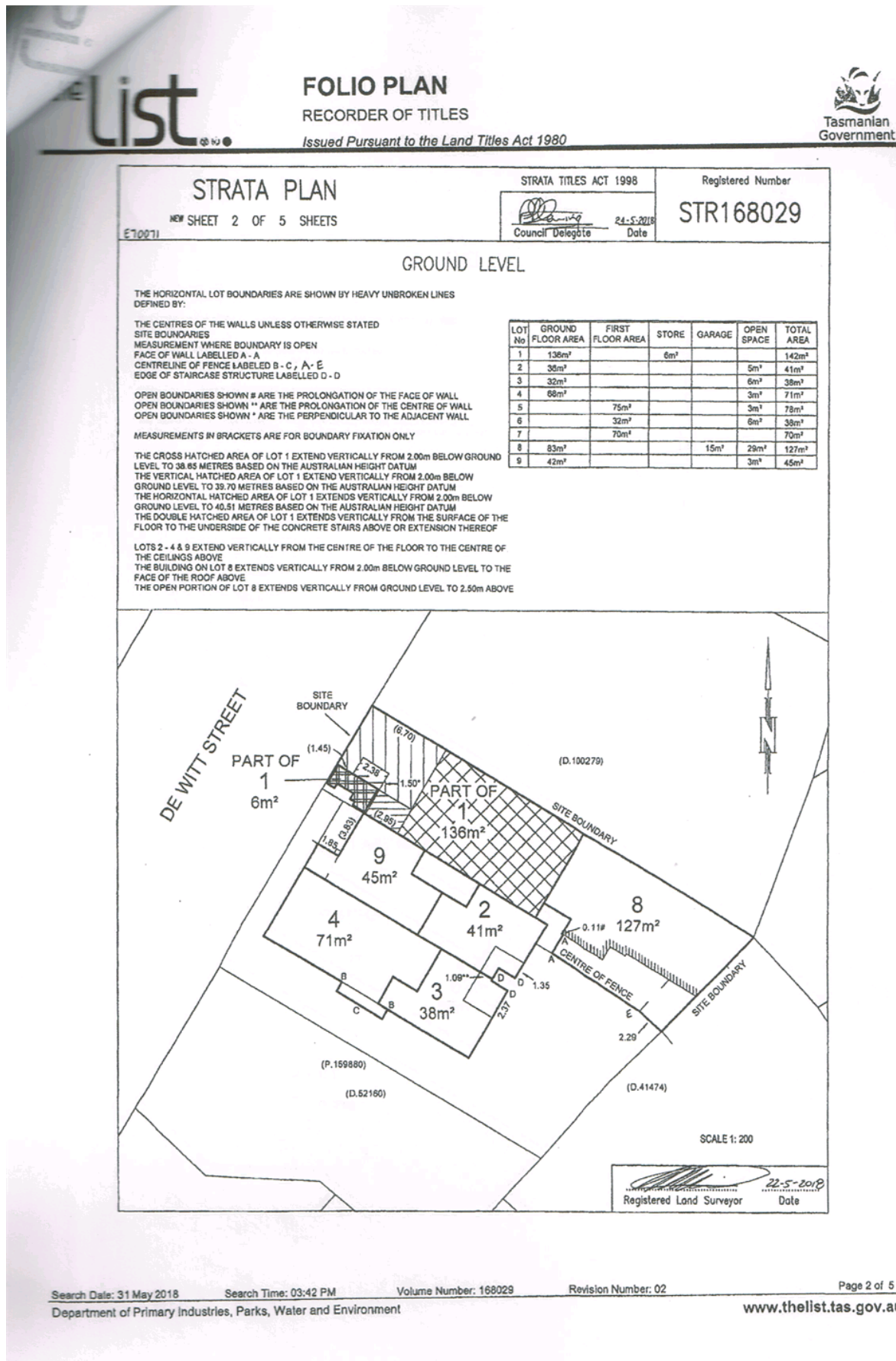
Department of Primary Industries, Parks, Water and Environment

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[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)

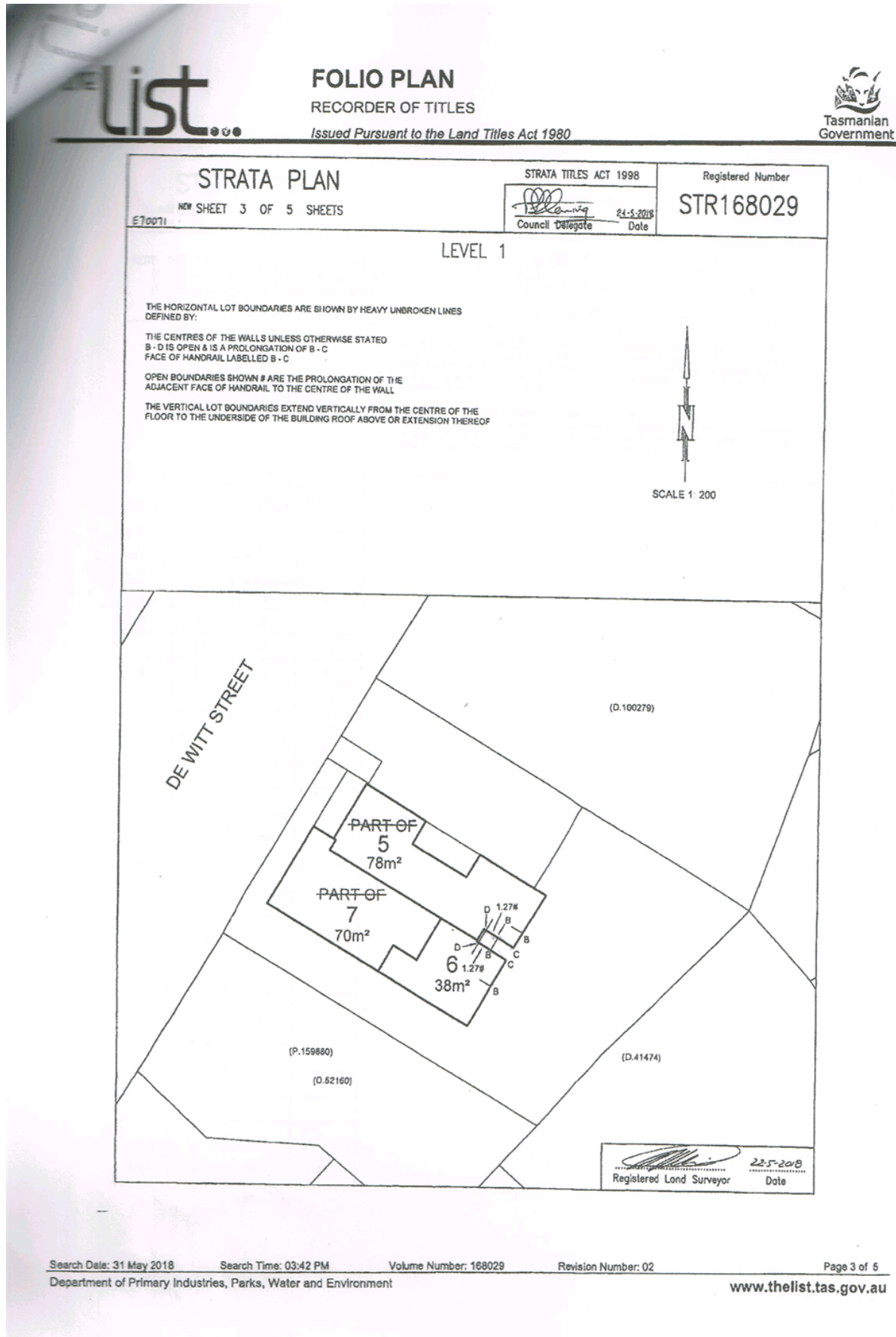


		<b>FOLIO PLAN</b> RECORDER OF TITLES <i>Issued Pursuant to the Land Titles Act 1980</i>			
CITY/TOWN: HOBART SUBURB/LOCALITY: BATTERY POINT FOLIO REFERENCE: C.T.168029/4 146767-1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. P168030		<b>STRATA PLAN</b> NEW SHEET 1 OF 5 SHEETS E70071 NAME OF STRATA SCHEME No 8 - 10 DE WITT STREET, BATTERY POINT		Registered Number <b>STR168029</b> STRATA TITLES ACT 1998 REGISTERED 25 JUN 2018 <i>Alice Harris</i> Recorder of Titles	
MAPSHEET MUNICIPAL CODE No. 114	LAST UPI No.	SCALE 1: 500	LENGTHS IN METRES		
					
NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1. (ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAN 2.00 METRES TO BE SHOWN ON SHEET 1.		 Council Delegate Date 24.5.2018		 Registered Land Surveyor Date 22.5.2018	
STAGED/COMMUNITY DEVELOPMENT SCHEME No. (IF APPLICABLE)		LODGED BY ROGERSON & BIRCH SURVEYORS			

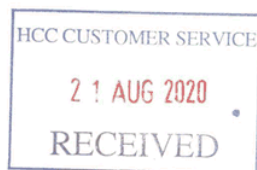












20 August 2020

29 Frederick Street  
West Hobart  
Tas 7000mob: 0409439693  
email: colinsgrey@gmail.com

Ms Deanne Lang  
Development Appraisal Planner  
City Planning Department  
Hobart City Council  
Hobart Council Centre  
16 Elizabeth Street  
Hobart  
Tas 7000

Dear Ms Lang,

**Application to Extend Planning Permit: PLN-18-405**  
**Unit 6/8-10 De Witt Street, Battery Point**  
**Partial Change of Use to Visitor Accommodation**

Thanks for your response to our application to extend the above permit granted on 30 July 2018 - your email to us of 29 July 2020 refers. We apologise for the delay in responding.

After considering the matter we would still like to have our application referred to the City Planning Committee, noting your advice that the committee, as delegate, has a discretion to grant the extension. We understand and accept that in this circumstance the application fee will *not* be refunded.

Our grounds for proceeding with the application and seeking a favourable exercise of the committee's discretionary power are as follows:

- the application is for the *extension* of an existing permit, not an entirely *new* permit, so no new right or privilege would be created by approving it for a further period; we simply seek to maintain the *status quo*
- the unit is stylish and well equipped but small (being essentially just a bedsit) so by its very nature and configuration it lends itself to short stay visitor accommodation rather than long term tenancy; indeed it seems to have been purposely configured for such use - please see the attached floor plan
- we understand that before the recent redevelopment of 8-10 De Witt St and our purchase of unit 6, our unit and certain other units there had been used for short stay visitor accommodation as (so we have been led to believe) an adjunct of St Ives
- the unit is at the rear of the 8-10 De Witt St building and shares access with just one other unit so visitors are unlikely to disturb or disrupt the amenity of other unit owners or that of




the owners of adjoining properties

- having stylish units like this available for short stay visitor accommodation gives visitors to our State a wonderful opportunity to stay in the heart of, and enjoy, the special historical charms of one of Hobart's premier precincts; our unit is perfectly sited for this in terms of access to markets, eateries and parks &c. and, moreover, it affords a great view of the mountain and a spectacular close up view of St George's spire; the tourist bus stop is just nearby
- it was not so long ago that there was a serious shortage of short stay visitor accommodation in Hobart and property owners were being publicly encouraged by government to make their properties available for such use; indeed this was a factor we relied on in purchasing the unit; we note that the 'political winds' have since shifted but there can be little doubt that such zigzags in accommodation policy cause inequitable detriment to the persons thereby affected
- when we contracted to purchase this unit in November 2017 there was no indication that a policy barring short term visitor accommodation in Battery Point would be introduced and we had hoped to have the option of hosting visitors to our wonderful State and that this would be an interesting and enjoyable interest for us in our retirement years, especially as we have ourselves have much enjoyed staying in similar short stay accommodation in some special places overseas.

We trust that these factors can and will be taken into account by the committee in making its decision.

Yours faithfully,



Colin & Margaret Grey





Floor Area : 27sqm (2.9sq)  
Balcony Area : 6sqm (0.7sq)



IMPORTANT: measurements are approximate-interested parties need to verify

These particulars are intended only as a guide and must not be relied upon as statements of fact. These particulars are not an offer or a contract, nor part of one. You should not rely on statements by Knight Frank in the particulars of by word of mouth or in writing ("information") as being factually accurate about the property, its condition or its value. Neither Knight Frank nor any joint agent has any authority to make any representations about the property, and accordingly any information given is entirely without responsibility on the part of the agents or vendors. Photographs and artist impressions show only certain parts of the property as they appeared at the time they were taken or created. Areas, measurements, distances and dollar figures are approximate only. Any reference to alterations to, or use of, any part of the property does not mean that any necessary planning and / or building regulations or other consent has been obtained. Potential purchasers must find out by inspection or in other ways that these matters have been dealt with and that all information is correct.



**13     284-284 A ARGYLE STREET, NORTH HOBART - PARTIAL DEMOLITION, ALTERATIONS, SIGNAGE AND CHANGE OF USE TO RESOURCE PROCESSING, FOOD SERVICES AND GENERAL RETAIL HIRE  
PLN-20-323 - FILE REF: F20/99104**

---

Address:                      284 – 284A ARGYLE STREET, NORTH HOBART

Proposal:                    Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire

Expiry Date:                21 September 2020

Extension of Time:        Not applicable

Author:                      Michael McClenahan

**RECOMMENDATION**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, signage and change of use to resource processing, food services and general retail and hire at 284 - 284A Argyle Street for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-323 - 284 -284A ARGYLE STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00759-HCC dated 16/06/2020 as attached to the permit.**



Reason for condition

To clarify the scope of the permit.

### **PLN 13**

**Music and recorded sound must not be played external to the building.**

Reason for condition

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

### **PLN 14**

**The noise generated by the approved use and development must not cause environmental harm when measured at the boundary of the Inner Residential zone.**

*Advice: It is recommended that the doors to the 'front of house' component of the propose use and development remain closed as much as practicable to mitigate noise impacts on residential amenity.*

Reason for the condition

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

### **PLN 6**

**The following hours of operation are approved for the various components of the use.**

**Manufacturing/Distillery/Brew House:-**

**7am to 7pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day).**

**Front of House/Tasting Area:-**

**12 noon to 10:30pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day).**



**External Overflow/Special Events/Summer Trading Area:-  
12 noon to 9pm Monday to Sunday and Public Holidays (excluding Good  
Friday and Christmas Day).**

*Advice: It is noted that:*

- *In relation to the manufacturing/distillery/brew house, in the majority of cases, the Manufacturing only happens two days a week and will most likely be Monday to Friday*
- *In relation to the front of house/tasting area, last drinks will be 10pm. The 30 minute buffer is to get patrons out the door and close up.*
- *In relation to the external overflow/special events/summer trading area, this area is not serviced and will not have speakers etc.*

Reason for condition

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

#### **ENG sw1**

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

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

Reason for condition

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

#### **ENG sw3**

**The proposal 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 the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed design must:**



1. **Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching.**
2. **Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.**
3. **Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated.**
4. **Be certified by a suitably qualified engineer**

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

*Advice:*

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

*Failure to address condition 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 13**

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

**A detailed waste management plan must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first), to the satisfaction of the Council's Director City Planning. The waste management plan must:**



1. **Include details for the handling of waste (i.e. placement of bins on collection day) within Council's highway reservation.**
2. **Include details of the quantity and type/size of bins.**

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

*Advice: Should you have any queries in relation to formulating a solid waste management plan Council staff can assist with the development of a waste management plan outlining Council's requirements. Please contact the Council's Customer Liaison Officer, on Phone 6278 0273.*

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

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

Reason for condition

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

### **ENG 3a**

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

*Advice:*

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



Reason for condition

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

### **ENG 3c**

**The access driveway and parking module (parking spaces and manoeuvring area) must be constructed in accordance with the JMG documentation received by the Council on the 2nd June 2020.**

Reason for condition

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

### **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 white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004 and AS/NZS 2890.6: 2009, prior to first occupation.**

Reason for condition

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

### **ENG 6**

**The number of bicycle parking spaces approved on the site is a minimum of five (5).**

**The bicycle parking areas must be constructed on the site compliant with the Australian Standards AS/NZS 2890.3:2015 prior to the commencement of the use.**

Reason for condition

To ensure safe and efficient parking adequate to provided for the use.



**ENG 12**

**Prior to the first occupation/commencement of use, the reinstatement of the existing section of redundant crossover at the frontage of the "Food Services" area to footpath, kerb and gutter within the Argyle Street highway reservations must be constructed substantially in accordance with:**

- 1. LGAT Standard Drawing - TSD R11-v2 - Urban Roads Footpaths - ASPHALT; and**
- 2. LGAT Standard Drawing - TSD R14-v2 - Approved Concrete Kerbs and Channles Profile Dimensions - TYPE KC.**

*Advice: Modified crossover to LGAT Standard Drawing - TSD-R09-v2 – Urban Roads Driveways - Single width crossover (3.6m wide excluding wings) located centrally to the entry access point (Resource Processing).*

Reason for condition

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

**ENG 1**

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

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

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

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



Reason for condition

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

## ENG s2

**Approval from Council's Director City Planning must be obtained prior to the issue of any consent under the *Building Act 2016* (excluding demolition or excavation) for any changes to the existing on street parking arrangements in Argyle Street.**

### **Advice:**

- *All works will be at the developer's expense. Please contact Council's City Infrastructure Division Manager Traffic Engineering with regard to the application process for any changes to the on street parking arrangements in Davey Street.*
- *Any request to temporarily or permanently remove any sensor requires a written application to be submitted to the Parking Operations Unit.*
- <https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial-Before-You-Dig-Parking-Sensors>

Reason for condition

To ensure that relevant approvals are obtained.

## ENV 1

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

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

Reason for condition

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



## ADVICE

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

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

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## PUBLIC HEALTH

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

## FOOD BUSINESS REGISTRATION

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

## OCCUPATION OF THE PUBLIC HIGHWAY

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



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

## **GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS**

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

## **PLANNING**

It is recommended that the on-site Bicycle Parking Area remain well-lit during evening operations so as to avoid creation of concealment points and minimise risk to employees and patrons.

## **STORM WATER**

Council notes that the site is subject to the severe overland flooding and all external doors should be outward opening and sealed to be flood proofed to withstand flood depth. Only the top half of the door should be glazed to minimise the internal flood damage.

## **ACCESS**

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

## **CROSS OVER CONSTRUCTION**

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

## **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.



## WORK PLACE HEALTH AND SAFETY

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

## NOISE REGULATIONS

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

## WASTE DISPOSAL

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


Further information regarding waste disposal can also be found on the Council's [website](#).


## FEES AND CHARGES

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

## DIAL BEFORE YOU DIG

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

Attachment A: PLN-20-323 - 284A-284B ARGYLE STREET NORTH HOBART  
TAS 7000 - Planning Committee or Delegated Report ↓ 

Attachment B: PLN-20-323 - 284A-284B ARGYLE STREET NORTH HOBART  
TAS 7000 - CPC Agenda Documents ↓ 



**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Council:	21 September 2020
Expiry Date:	21 September 2020
Application No:	PLN-20-323
Address:	284 - 284 A ARGYLE STREET , NORTH HOBART
Applicant:	(JMG Engineering & Planner OBO SolutionsWon PTY LTD) 117 Harrington Street
Proposal:	Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire
Representations:	Seven (7)
Performance criteria:	Use, Light Industrial Zone Use and Development Standards, Parking and Access Code, Electricity Transmission Infrastructure Protection Code, Sigr Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire, at 284-284A Argyle Street, North Hobart (also known as 284A-284D Argyle Street).



- 1.2 More specifically the proposal includes:
- Change of use to resource processing (Whiskey distillery/Brewery) with associated tasting and food services.
  - Proposed Hours of Operation for Distillery and Brewery: 7:00am - 7:00pm (Monday - Sunday).
  - Proposed Hours of Operation for Bar and Food Area: 12:00pm - 10:30pm (Monday - Sunday).
  - Partial demolition of the building facade and north western wall of the front building.
  - Installation of new doors and windows, including security lighting, along west and east facades.
  - Construction of new connecting corridor between the existing front and rear building.
  - Provision of associated services, such as on-site storage, bicycle parking facilities, parking for two vehicles (for staff) and commercial vehicle loading and unloading area.
  - Installation of new wall sign and vertical projecting wall sign on east facade.
  - Installation of new wall sign on west facade.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Light Industrial Zone - Use
  - 1.3.2 Light Industrial Zone Use Standards - Hours of Operation, Noise, External Lighting
  - 1.3.3 Light Industrial Zone Development Standards - Design, Landscaping
  - 1.3.4 Parking and Access Code - Number of Car Parking Spaces, Design of Vehicular Accesses, Vehicular Passing Along an Access, and On-Site Turning
  - 1.3.5 Electricity Transmission Infrastructure Protection Code - Development within the Electricity Transmission Corridor
  - 1.3.6 Signs Code - Use of Signs
- 1.4 Seven (7) representations objecting to the proposal were received within the statutory advertising period between 13/08/20 - 27/08/20.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council, because more than five objections have been received.



## 2. Site Detail

- 2.1 The subject site is located at 284-284A Argyle Street, North Hobart (also known as 284A-284D Argyle Street) and comprises a single title rectangular lot approximately 1138m<sup>2</sup> in area. The site presently contains two large single storey commercial and warehouse buildings with the remaining area used as a hardstand parking and manoeuvring area. The surrounding area is characterised by a combination of residential, industrial, and commercial uses.



**Figure 1:** Aerial image of the subject site (bordered in blue) and surrounding area.

## 3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire, at 284-284A Argyle Street, North Hobart (also known as 284A-284D Argyle Street).



3.2 More specifically the proposal is for:

- Change of use to resource processing (Whiskey distillery/Brewery) with associated tasting and food services.
- Proposed Hours of Operation for Distillery and Brewery: 7:00am - 7:00pm (Monday - Sunday).
- Proposed Hours of Operation for Bar and Food Area: 12:00pm - 10:30pm (Monday - Sunday).
- Partial demolition of the building facade and north western wall of the front building.
- Installation of new doors and windows, including security lighting, along west and east facades.
- Construction of new connecting corridor between the existing front and rear building.
- Provision of associated services, such as on-site storage, bicycle parking facilities, parking for two vehicles (for staff) and commercial vehicle loading and unloading area.
- Installation of new wall sign and vertical projecting wall sign on east facade.
- Installation of new wall sign on west facade.







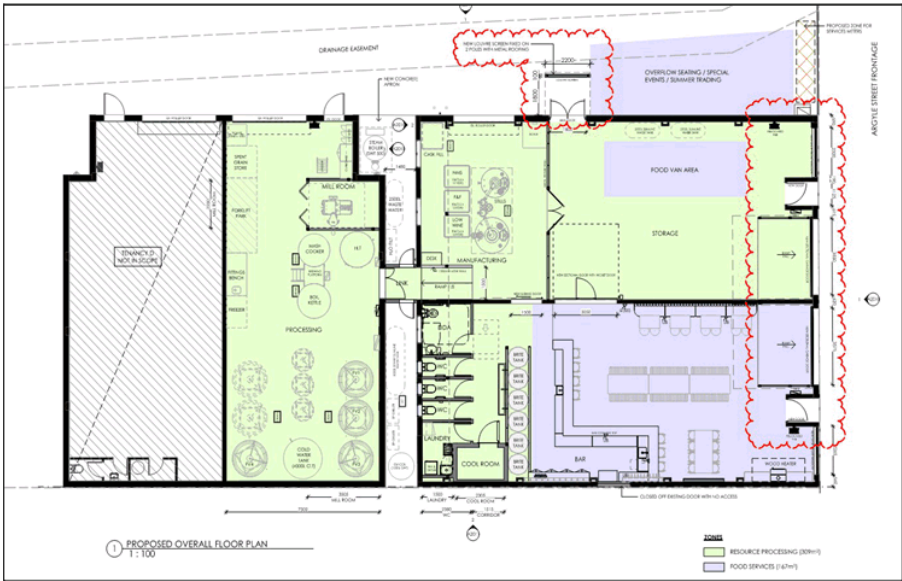


Figure 3: Proposed floor plan detailing resource processing uses (highlighted in green) and food servicing uses (highlighted in lilac).

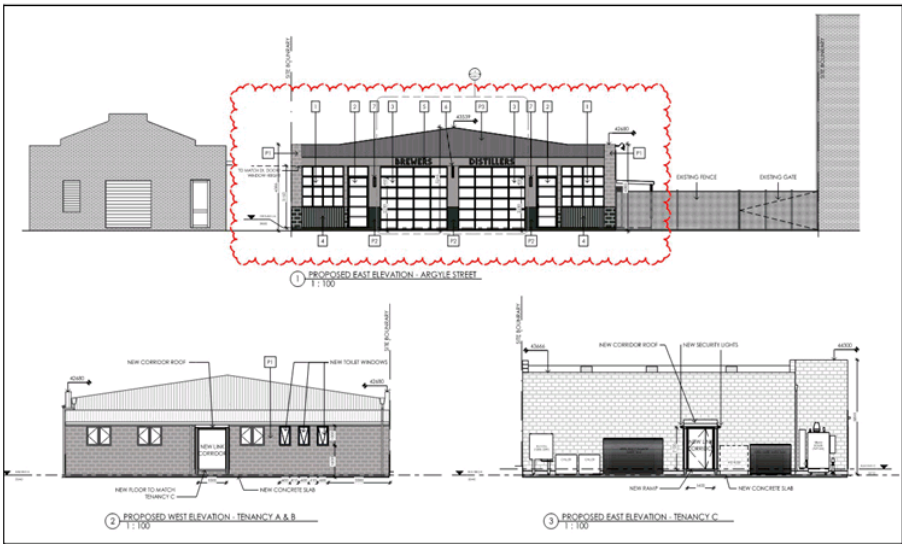


Figure 4: Proposed east and west elevations.



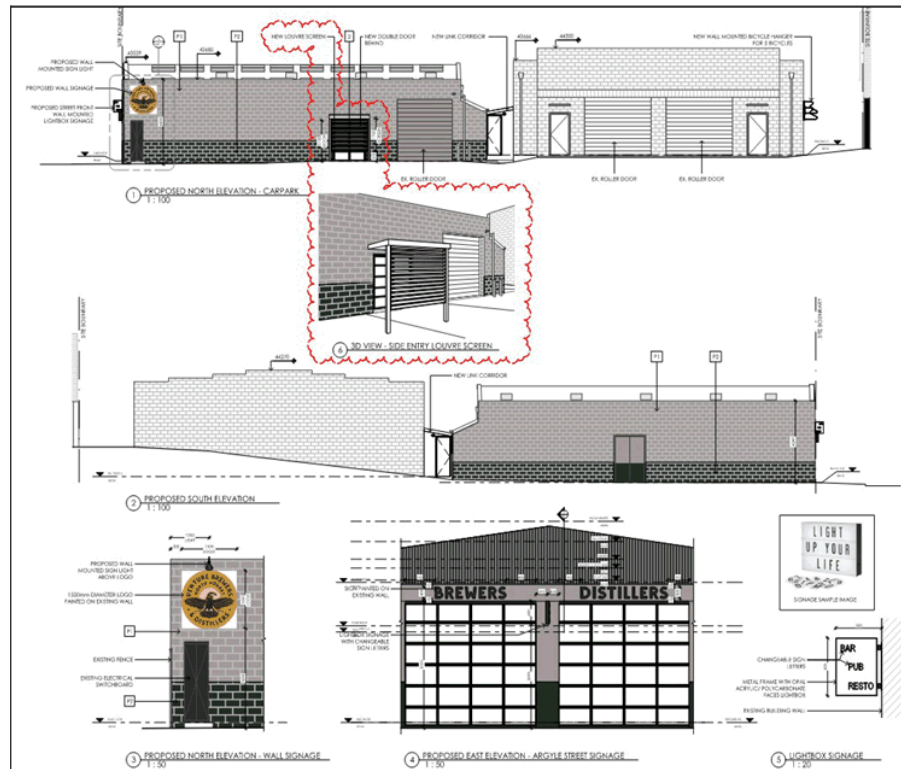


Figure 5: Proposed north and south elevations and details of proposed signage.

#### 4. Background

- 4.1 The site was subject to a Planning Scheme Amendment under PSA 19-4 to amend the Light Industrial Zone Use Table to allow for 'resource processing (if for food and beverage production)' and unqualified 'food services' as discretionary uses. This amendment was approved on 23 April 2020. There is no other relevant background for this application.

#### 5. Concerns raised by representors

- 5.1 Seven (7) representations objecting to the proposal were received within the statutory advertising period between 13/08/20 - 27/08/20.



- 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.

**General -**

From the DA it is unclear as to whether the proposed distillery will be selling other beverages as well as their distilled product, eg beer, wines, and cider. Also, whether takeaways are provided for beverages and food from the two on-site food vans.

**Hours of Operation -**

The DA hours if approved would have an unreasonable impact on the residential amenity that we currently enjoy. It is noted that the other whiskey distiller in the Hobart area has operating hours far less than the proposed DA, with finishing time of 8:00 p.m. Monday to Saturday and no trading on Sunday.

We strongly believe that the proposed Hours of Operation and 7 Day a Week Trading will have an unreasonable impact on the residential amenity we currently enjoy.

We are therefore requesting that strong consideration be given to our amenity of land in a residential zone. Having a business which will operate directly opposite our home 7 days a week till 10.30pm at night and probably later will most certainly have an impact on our privacy and the noise factor would be greatly increased. To say it will not have an unreasonable impact on the current amenity we enjoy is absolutely ridiculous.

**Noise -**

We are most concerned that noise emissions are certain to impact our residential amenity as our boundary is only 25 metres from the proposed development. We are particularly concerned that the proposed change of use for 284 Argyle Street is geared to promote functions and events where patrons could number as many as 90+.

Although the proposed closing hours are stated as 10.30 p.m. it is unlikely that all patrons would leave at this time, and it is inevitable there would be times when patrons if they had not finished their meal or drink would be leaving closer to 11 p.m. Inevitable, there is an increased noise level in the street whilst patrons are departing which



would be of great concern to use. Additionally, from prior experience, the kitchen and bar staff always operate to a later house for a clean up after the patrons have left and this will contribute to noise till later.

There is a need for a designated smoking area for patrons and staff and it is likely for this to occur outside the building or on the foot path. Noise created from this activity is of concern particularly if patrons are also drinking.

In Appendix D Noise Assessment, it is predicted that, in our residential area, our sound pressure levels would be

- Doors Open 46 dBA

- Patrons Outside 38 dBA

The relevant criteria should be less than 40 dBA and we are most concerned that, as our boundaries are within 25 metres, we will have serious impact on our amenity.

We live within 20 metres of this proposed development and the noise emissions will certainly impact on our residential amenity. The two front rooms of our home are the bedrooms.

If the patron area is fully occupied with an estimated capacity of 60 people in the main bar area and another 30 people in the outdoor area there will be noise from three difference areas: Indoor noise emissions with all doors open, indoor noise emissions with all doors closed, and patron noise from the outdoor overflow seating area.

According to Point 4 ASSESSMENT (Page 4 Appendix D) it states "these noise emissions are considered unlikely to impact residential amenity at locations B and C and thus will not cause environmental harm." We strongly disagree with this conclusion that this will not cause environmental harm. Our home is located directly opposite the proposed Development so it will have serious impact on our amenity particularly when the doors are open during the summer. There will be significant loss to our privacy and the noise level would be increased greatly. We do not feel this is at all acceptable.

Will there be provision made for the discarding of cigarette butts?

#### **Traffic Impact -**

In the residential precinct within 200-250 metres of the proposed development, there is not a lot of off-street parking for residents, and



residents rely on *Residential Parking Permits* issued by the Council.

This DA does not provide an acceptable level of off-street carparks to meet the *Hobart Interim Planning Scheme (2015)* and this will put significant pressure on the spaces available on-street.

It should be noted that the survey of car park supply included in the *Traffic Impact Assessment, Appendix E*, was conducted on 23rd - 27th May 2020 which is relatively current, however it was done at a time when Hobart was at a Level 3 Lockdown due to COVID-19 and is not representative of the normal situation.

Whilst we are fortunate to have off-street parking there are normally no parks available within 250 metres of our property and DA site. It is not unusual for our driveway to be blocked by people parking illegally with delivery drivers also parking because there are no spaces for deliveries in the area.

It should be noted that the *Traffic Impact Assessment* is based on surveys of traffic flows in June 2016 and it is well recognised that traffic has increased substantially since that time.

It is of concern that some deliveries and pickups will be via 5t trucks which will have to reverse into the site. This will not only be a traffic hazard but the necessary warning horns for the reversing vehicle will be of concern to us as it will occur within a few metres of our front fence.

It is indicated in the proposal that there have been no reported incidents or collisions along Argyle between Burnette (sic) Street and Federal Street within the last five years. This is not strictly correct as a vehicle collision did occur immediately outside 284 Argyle Street on 9th January 2017.

Many residences in this area do not have off-street parking and because of the close proximity to the CBD, North Hobart shopping precinct and the State Theatre, parking in the area is always at a premium. From time to time our driveway has been blocked by people parking illegally including delivery trucks which has delayed our exit/entry to and from our property. To say that there is sufficient availability for on street parking is being very unrealistic.



As a resident of North Hobart for 22 years and someone who visits the restaurants, pubs and *State Cinema* at least twice a week my observations are both informed and practical. The lack of on-site parking for the proposed development is a major obstacle which has been disguised through the provision of misleading and spurious survey results and unfounded projections of altered customer transport habits.

Objection to this criterion is on the serious grounds of inadequate and deceptive information provided by the proponent.

The three time frames which were surveyed did not fully reflect the opening hours of the proposed development. If the business is to operate till 10.30 pm then a later period should also have been examined. By surveying the area at a later hour it would have been clear that by 6.30 pm parking in the surrounding area is at an optimum and patrons would have difficulty finding a vacant space. *The Waggon and Horses, The Republic Bar and Cafe, Nandos, Lizzie & Lefroy, The Roaring Grill, Annapurna, The Queen's Head, Dede Indonesian and Thai Cuisine, The Taj Palace Indian, Room for a Pony* and the *State Cinema and Cafe* are just a few of the businesses whose patrons and staff vie for parking during this later period. Also by 6.00 pm residents have returned home and occupy spaces. A later survey slot would have yielded a very different result. It is inexplicable why a more thorough survey was not carried out.

More telling is the specific dates of the survey which are not indicative of the typical parking demand in the North Hobart precinct. To have conducted the survey during a period of lockdown due to COVID-19 could be viewed as a cynical exercise designed to create an atypical impression of available parking. Just a few of the businesses in the area which were closed or operating under restricted conditions during the survey period were:

- *The Smith Street Cafe* across the road from the proposed development was closed during the survey.
- *Lizzie & Lefroy* was closed during the surveyed dates.
- *The State Cinema and Cafe* was closed during the survey.
- *The Waggon and Horses* only reopened on the Tuesday and Wednesday of the survey and seated only 10 diners at a time.
- *The Republic Bar and Cafe* was closed on the Tuesday and Wednesday and operated with only 10 diners on the Saturday night of the survey.
- *The Roaring Grill* had just reopened to 10 patrons only.



I would challenge anyone reading this to name the last time they visited a local pub or restaurant using a Metro bus! Indeed public transport may be available but it will not necessarily be adopted. This criterion does therefore not obviate the need for street car spaces.

With respect to the availability and likely use of other modes of transport. The absence of designated bicycle parking racks nor the presence of bicycles parked outside premises would together suggest that it is not currently a common mode of transport. Once again it is an aspiration and of great merit, but it does not currently exist and the presence of a new business however sympathetic to the cause would not initiate this cultural change. Again other modes of transport may be available, in fact the options are limited only by our imagination, but again they will not necessarily be adopted. Once again this criterion does not obviate the need for street car spaces.

**Sustainability of the Project -**

The distillery plans to discharge 20,000l of water into the sewer each day during the production. As this water is from cooling condensers' in the distilling process this should not be contaminated. Surely, there is an engineering solution that will allow the water to be recycled for reuse using storage tanks and chillers.

**Signs -**

With regards to the External Lighting being approximately 20m from our home and bearing in mind that the two front rooms of our home are the bedrooms we are very concerned that this will impact on us.

**Emissions -**

Distilleries produce ethanol which is known to promote the growth of a black fungus called *Baudoinia Compniscensis*, commonly known as 'Angel Share'. Ethanol vapours in the air combine with moisture to produce a black thick mould that cover walls, building, cars and flora. The concern is that our buildings and surrounding buildings will be at risk of being covered in this black mould. This is not only unsightly, it represents an ongoing maintenance and cost concern for all property owners in the area, possibly devaluing homes in the vicinity. It is also known to affect the aluminium on window frames; the mould causing pitting in the metal.



**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 Light Industrial Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is General Retail and Hire. The proposed use is Resource Processing, Food 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 D24.0 Light Industrial Zone
  - 6.4.2 E6.0 Parking and Access Code
  - 6.4.3 E7.0 Stormwater Management Code
  - 6.4.4 E8.0 Electricity Transmission Infrastructure Protection Code
  - 6.4.5 E15. Inundation Prone Areas Code
  - 6.4.6 E17.0 Signs Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Light Industrial Zone
    - Use - D24.2
  - 6.5.2 Light Industrial Zone Use Standards
    - Hours of Operation D24.3.1 P1
    - Noise D24.3.2 P1
    - External Lighting D24.3.3 P1



- 6.5.3 Light Industrial Zone Development Standards
- *Design D24.4.3 P3*
  - *Landscaping D24.4.5 P2*
- 6.5.4 Parking and Access Code
- *Number of Car Parking Spaces E6.6.1 P1*
  - *Design of Vehicular Accesses E6.7.2 P1*
  - *Vehicular Passing Areas Along an Access E6.7.3 P1*
  - *On-Site Turning E6.7.4 P1*
- 6.5.5 Electricity Transmission Infrastructure Protection Code
- *Development within the Electricity Transmission Corridor E8.7.1 P1*
- 6.5.6 Signs Code
- *Use of Signs E17.6.1 P4*
- 6.6 Each performance criterion is assessed below.
- 6.7 Use - D24.2
- 6.7.1 The restaurant, distillery and brewery is classed as Food Services and Resource Processing, and is a discretionary use in the zone.
- 6.7.2 There is no acceptable solution with regard to use, rather clause 8.10.1 and 8.10.2 ('determining applications') states that when determining an application for a discretionary use, the Council must consider the following (insofar as each is relevant to the discretion being exercised):
- *All applicable standards and codes;*
  - *Any representations received;*
  - *The purpose of the applicable zone;*
  - *Any relevant local area objective or desired future character statement for the applicable zone;*
  - *The purpose of any applicable code;*
  - *The purpose of any applicable specific area plan.*
- 6.7.3 The zone purpose statement for the Light Industrial Zone says that the



zone should:

- *Provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.*
- *Promote efficient use of existing industrial land stock.*
- *Minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.*
- *Ensure that building design and form enhances the streetscape and protects the amenity of the neighbourhood.*
- *Provide for use or development that supports and does not adversely impact on industrial activity.*

- 6.74 The subject site is located in the Light Industrial zone. The proposal is for a change of use to a distillery and brewery with attached public bar and food service area. Of the 476m<sup>2</sup> of usable internal and external space approximately 309m<sup>2</sup> will be devoted to the Resource Processing Use which will include brewing and distilling equipment and ingredient storage as well as bathrooms, cool room and a laundry. The remaining 167m<sup>2</sup> will include a bar and taproom with 47 seats, food van area, and seasonal overflow outdoor seating. The proposed number of employees to service both uses is 7.

With respect to the Light Industrial zone purpose statements, the proposed resource processing and food services activities will provide for processing distilling and brewing opportunities at a scale which will see minimal off-site impacts and limited conflict or impact upon the amenity of adjoining land uses. The distilling and brewing uses will be across 309m<sup>2</sup> of floor area on the site which represents an efficient use of the existing industrial land stock in the zone. The proposed operation of the uses will be to an extent which will minimise land use conflict and minimise impacts through noise and other emissions so as to protect the safety and amenity of sensitive land uses in adjacent residential zones. The distilling and brewing operations will only occur from 7:00am to 7:00pm Monday to Sunday and operation of the food services and bar will go as late as 10:30pm but with appropriate management of activity and noise so as to limit impacts on nearby properties. The existing building facade will be refurbished with more openings to the street, facilitating engagement between public and private realm and will enhance the streetscape. Whilst new lighting is proposed this will minimise lightspill so as to protect the amenity of the neighbourhood.



During the public notification period seven representations were received in objection to the proposed change of use and development. The concerns raised including impacts to adjoining properties due to the hours of operations, lightspill, noise, public nuisance, traffic movements and parking restrictions, and emissions from the distilling processes. Many of these concerns are addressed against specific use standards in the assessment of the proposal. It has been assessed that whilst there will be some impacts as a result of the proposed change of use, these will not be to an extent that would represent an unreasonable impact upon the amenity of adjoining sensitive uses.

6.8 Hours of Operation - D24.3.1 P1

- 6.8.1 The acceptable solution at clause 24.3.1 A1 requires hours of operations of a use within 100m of a residential zone must be within 7:00am to 7:00pm Mondays to Fridays inclusive; 9:00am to 5:00pm Saturdays; and nil Sundays and Public Holidays, except for office and administrative tasks.
- 6.8.2 The proposal includes an hours of operations of 7.00am to 7:00pm Monday to Sunday for the distillery and brewery and an hours of operation of 12:00pm to 10:30pm for the bar and food area.
- 6.8.3 The proposal does not comply with them acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.8.4 The performance criterion at clause 24.3.1 P1 provides as follows:

*Hours of operation of a use within 100 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.*

- 6.8.5 The subject site is located within 100m of a residential zone, the adjacent lots at 16 Lefroy Street and 286 Argyle Street are zoned as Inner Residential and the lots directly opposite at 321A and 323 Argyle Street also fall under the same zoning. The hours of proposed operation will see trading extend to 10:30pm from Monday to Sunday for the internal area, and 12 noon to 9:00pm Monday to Sunday for the outdoor area. The applicant has outlined in their submission that commercial vehicle movements will be limited to between 8:00am and 5:00pm on weekdays and all brewing activities will conclude by 7:00pm with an indication that these will be predominantly occurring on weekdays. Whilst there is a



seating area marked on the proposal this will only be used for overflow, special events, and summer trading and no external speakers are proposed to be located in these spaces.

A supporting Noise Assessment was supplied which concluded that "noise emissions from the proposed use are then deemed likely to be dominated by patron noise and background music within the venue." Predicted noise levels, from internal operations, at the boundary with 16 Lefroy Street were between 29dBA with venue doors open and 27dBA with doors closed, measurements at the boundary of 286 Argyle Street saw 42 dBA and 32dBA with doors open and closed, and finally across the road measurements of 46dBA with open doors and 26dBA with closed doors was predicted. The report concludes that such levels would be unlikely to represent an impact to residential amenity given existing ambient traffic noise, that operations will cease at 10:30pm and will not cause sleep disturbance, and that predictions of patron onsite assumes both spaces would be fully occupied with all patrons speaking simultaneously which would mean predictions are well in excess of the likely normal operation.

With respect to other emissions, the applicant concludes that the brewing and distilling activities do not generate airborne contaminants and that all operations will be ceased by 7:00pm. Furthermore, all external lighting will be shielded to prevent light spill and that their use into the late hours will not see any unreasonable impact to nearby residential zones.

Several representations were received during the public notification process which raised concerns as to the operating hours and impacts through noise generation, movement of commercial vehicles, and impacts due to emissions from the brewing and distilling process. The representations objected that the proposed hours of operation and subsequent noise from the venue would represent an unreasonable impact to nearby residential amenity and will cause environmental harm.

Given that commercial vehicle movements will be restricted to the daytime during weekdays and there will be limited emissions from the operation of the brewery and distillery it is assessed that the duration and timing of these elements of business operation would not have an unreasonable impact upon the residential amenity of land in nearby and adjoining residential zones. With respect to the noise levels it is noted that the day to day operations of the venue with congregations of patrons and amplified music would see some impacts upon properties in the adjacent inner residential zone with audible noise being heard. No amplified music



will be played outside the existing buildings and will be restricted to inside the proposed venue, no live music is proposed in the venue either. The predicted noise levels from these internal areas (with doors shut) remains compliant with the noise standards for the zone required under clause 24.3.2 A1. Of course the standard does not guarantee no noise impact, but considers it to be an acceptable impact given the location and that such impacts would remain within reasonable levels. It is likely that doors to the venues, particularly those facing residential zones across the street and next door, will not remain open for long stretches of time into the evenings further reducing the level of noise to the surrounding area. Given the predicted levels, the existing ambient sound on what is a well travelled city-fringe roadway, and that the majority of venue operation will be conducted indoors, the overall impacts due to the hours of operation is not assessed as unreasonable. Conditions are recommending which confirm the approved hours of operation, prescribe the playing of music external to the building, and requiring noise generated by the proposal not to cause environmental harm when measured at the boundary of the adjacent residential zone is recommended.

6.8.6 The proposal complies with the performance criterion.

6.9 Noise - D24.3.2 P1

6.9.1 The acceptable solution at clause 24.3.2 A1 requires that noise emissions at the boundary of a residential zone must not exceed 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; or 65dB(A) (LAmix) at any time.

6.9.2 An accompanying Noise Assessment report determined that night time noise generated by patrons in the outside overflow seating area and from patrons seated inside with the building doors open will exceed the acceptable solution levels.

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 24.3.2 P1 provides as follows:

*Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.*

6.9.5 A supporting Noise Assessment was supplied which concluded that:



- *Since the site is within a Light Industrial zone, and fronts onto a major road (Argyle Street), the existing ambient noise level during the proposed operating hours is likely to exceed the predicted level of noise emissions from site. Noise measurements have previously been conducted in the area by NVC for unrelated works, which reveal a typical background (L90) level of 43 to 46 dBA, and an ambient (Leq) level of 49 to 51 dBA.*
- *Operations cease at 10:30PM, and will thus not cause sleep disturbance.*
- *Predictions of patron noise assume both spaces are fully occupied, with all patrons speaking simultaneously - the predicted noise level is thus in excess of the level which is likely during normal operation.*
- *The neighbouring building at 286 Argyle St, previously being an industrial facility, is built up to the boundary and comprises a masonry wall with small, high-level windows. No external residential area is located adjacent this boundary, and thus residential amenity here is only relevant internal to the building. Due to the facade construction, noise from site is expected to be inaudible internally.*

More specifically, predicted noise levels, from internal operations, at the boundary with 16 Lefroy Street were between 29dBA with venue doors open and 27dBA with doors closed, measurements at the boundary of 286 Argyle Street saw 42 dBA and 32dBA with doors open and close, and finally across the road measurements of 46dBA with open doors and 26dBA with closed doors was predicted. The report concludes that such levels would be unlikely to represent an impact to residential amenity given existing ambient traffic noise, that operations will cease at 10:30pm and will not cause sleep disturbance, and that predictions of patron onsite assumes both spaces would be fully occupied with all patrons speaking simultaneously which would mean predictions are well in excess of the likely normal operation.

Representations received during the public notification period raised concern as to the environmental harm that would be caused on nearby dwellings due to noise emissions. The predicted levels are understood to remain at 46 dBA or lower for inside operations (with doors open) or a maximum of 49 dBA from outside patrons. Given the predicted noise levels, the nature of noise from the proposed venue, the existing ambient levels on the adjoining street, and the hours of operation, the predicted noise levels are assessed as not being to a level or nature that would cause environmental harm within the residential zone. Conditions are recommending which confirm the approved hours of operation, prescribe the playing of music external to the building, and requiring noise



generated by the proposal not to cause environmental harm when measured at the boundary of the adjacent residential zone is recommended.

6.9.6 The proposal complies with the performance criterion.

6.10 External Lighting - D24.3.3 P1

6.10.1 The acceptable solution at clause 24.3.3 A1 requires that external lighting within 50m of a residential zone must be turned off between 10:00 pm and 6:00 am, except for security lighting; and all security lighting must be baffled to ensure they do not cause emission of light outside the zone.

6.10.2 The proposal includes external lighting which will remain switched on during business hours, 12:00pm - 10:30pm,

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

6.10.4 The performance criterion at clause 24.3.3 P1 provides as follows:

*External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:*

*(a) level of illumination and duration of lighting;*

*(b) distance to habitable rooms in an adjacent dwelling.*

6.10.5 The proposed external security lighting is described as discrete downlighting along the Argyle Street facade with an illumination of the immediate footpath area to prevent intrusive light spill to nearby residential zoned land. One representation was received concern for lightspill impacting dwellings 20m away from the subject site. Given the proposed lighting design will be directed downwards the foreseen impact will be minimal or non-existent when considering existing ambient street lighting. It is assessed that the proposed lighting will not have an adverse affect on the amenity of adjoining residential areas given the lighting design and distance between habitable rooms and the subject site.

6.10.6 The proposal complies with the performance criterion.

6.11 Design - D24.4.3 P3



- 6.11.1 The acceptable solution at clause 24.4.3 A3 requires that site coverage must be no more than 50%.
- 6.11.2 The existing site coverage is already 58% and the proposal will increase this coverage to 59%
- 6.11.3 The proposal does not comply with them acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.11.4 The performance criterion at clause 24.4.3 P3 provides as follows:

*Site coverage must satisfy all of the following:*

*(a) protect streetscape values;*

*(b) prevent unreasonable adverse impacts on residential amenity on neighbouring lots by:*

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

*(ii) overlooking and loss of privacy*

*(iii) visual impact, when viewed from adjoining lots, through building bulk and massing;*

- 6.11.5 The proposed alterations will see greater openings to the streetscape which will increase visibility between the venue and the street which will represent an improvement upon existing streetscape venues. The proposed change will not see any increase in overshadowing or reduction in sunlight to adjoining properties or see an increase in the opportunity for overlooking and loss of privacy. There will be no visible change to the building form and therefore the proposal will not represent any unreasonable visual impact.
- 6.11.6 The proposal complies with the performance criterion.
- 6.12 Landscaping - D24.4.5 P2
- 6.12.1 The acceptable solution at clause 24.4.5 A2 requires that along a



boundary with a residential zone landscaping must be provided for a depth no less than 2m.

- 6.12.2 The proposal does not include any landscaping along the boundaries with a residential zone.
- 6.12.3 The proposal does not comply with them acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.12.4 The performance criterion at clause 24.4.5 P2 provides as follows:

*Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.*

- 6.12.5 The adjoining residential land to the north of the subject site, at 286 Argyle Street, is delineated by a double storey brick wall to an existing building. The boundary with the residential land to the west, at 16 Lefroy Street, is delineated by existing residential building walls and a 3m high wall. It is assessed that given the existing built environment along the boundaries will provide an adequate response to avoid unreasonable adverse impact on the visual amenity of adjoining land.
  - 6.12.6 The proposal complies with the performance criterion.
- 6.13 Number of Car Parking Spaces - E6.6.1 P1
- 6.13.1 The acceptable solution at clause 6.61 A1 requires that the number of car parking space on the site must be no less than and no greater than the number set out in Table E6.1. The combined resource processing and food services uses require a total of 32 car parking spaces.
  - 6.13.2 The proposal includes on-site parking for two employee cars as well as delivery/commercial vehicles loading/unloading space.
  - 6.13.3 The proposal does not comply with them acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.13.4 The performance criterion at clause 6.6.1 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 generated by the proposed use during its proposed hours of operation;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400 m 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 Historic Heritage Code.*
- (m) any existing on-street parking restrictions;*

6.13.5 Referral was made to Council's Development Engineer who has provided



the following assessment:

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 required demand for both Resource Process and Food Services uses under Table E6.1 is 32 spaces. The TIA indicates a demand of 19 -27 car parking spaces depending on the time of day and day of week.**

(b) the availability of on-street and public car parking in the locality; -**The TIA states that surveys were taken and during each of the survey periods, there were at least 54 and up to 95 vacant car parking spaces within the surveyed area where a car could be parked for at least two hours.**

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

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

(e) the availability and suitability of alternative arrangements for car parking provision; -**Cycleways exist on Argyle Street and the proposed development is within close proximity to a number of residential streets from which patrons are likely to originate such that walking may be a viable transport option.**

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

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

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



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

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

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

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

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

**Council's Traffic Engineer has provided the following advice regarding the representations pertaining to traffic issues;**

*"I have been requested to provide comment on the representations received for PLN-20-323, for 284-284A Argyle Street.*

*In terms of matters raised in the representations, that relate to matters for which I am able to offer traffic engineering comment, I would summaries the points made as follows:*

- *That the traffic impact assessment study was prepared in 2016, and as such would not contain current data and information to allow the proposal to be assessed.*
- *That the two parking spaces to be provided on-site is insufficient to cater to the 30 to 90 patrons on the premises, and that this will put extra pressure on public parking in the surrounding area, including on-street parking currently relied on by residents who do not have access to their own parking.*
- *That the survey of public parking availability undertaken in support of the proposal, which was conducted on 23-27 May 2020, is not representative as Hobart was still impacted by the Level 3 lockdown due to COVID-19 at that time.*
- *That on-street parking in the area is at times under significant pressure, with at times no vacant spaces available, and at times driveways parked across be delivery drivers etc.*



*I provide the following comment on these matters:*

- *That the traffic impact assessment study was prepared in 2016, and as such would not contain current data and information to allow the proposal to be assessed.*
- *The study itself was prepared in 2020. It utilized two previous counts of vehicle turning movements from June 2016 to discuss vehicle turning movements in the area. It is considered quite appropriate to use existing 2016 vehicle turning movement data in this case, as the matters to which vehicle turning movement data is used (impacts of development on congestion and delays to road users etc.) are not points of contention for this proposal.*
- *That the survey of public parking availability undertaken in support of the proposal, which was conducted on 23-27 May 2020, is not representative as Hobart was still impacted by the Level 3 lockdown due to COVID-19 at that time.*
- *The survey from the TIA showed parking occupancy within 200 to 250m of the site to be at 52% at 12:30pm on Saturday 23 May 2020. Surveys undertaken for City of Hobart on a Saturday in August 2017 showed parking occupancy in the larger North Hobart precinct to be at about 64% occupancy at 12:30pm. This would tend to suggest that parking demand (particularly for visitors to the area) would have been suppressed at the time of the 2020 parking survey.*
- *That on-street parking in the area is at times under significant pressure, with at times no vacant spaces available, and at times driveways parked across by delivery drivers etc.*
- *The City of Hobart had a review of parking usage in the North Hobart precinct undertaken in August 2017. This consisted of an hourly survey of parking occupancy from 8am to 10pm on Friday 18 August and Saturday 19 August. This survey did not include Argyle Street and the streets to the east of Argyle Street, but did include all parking to the west of Argyle Street and would be a good representation during "normal" conditions. In summary, parking demand is similar across the precinct on a Friday and a Saturday, with the minimum occupancy being of about 40% at 8am, a lunchtime peak of about 65% from about 12noon to 2pm, an afternoon reduction to about 55% from about 3pm to 5pm, then an increase to a daily peak of about 75% occupancy from about 6:30pm to 8:30pm.*
- *That the two parking spaces to be provided on-site is insufficient to*



*cater to the 30 to 90 patrons on the premises, and that this will put extra pressure on public parking in the surrounding area, including on-street parking currently relied on by residents who do not have access to their own parking.*

- The available public parking supply in the North Hobart Precinct is only typically under significant pressure in the evenings on days of the week where restaurants, cafes and venues are busy. The additional parking demand generated by the proposed development would need to be catered for on-street, and these patrons would be competing with visitors to other venues, employees at local businesses, and to residents who do not have access to their own parking spaces. In terms of expected parking demand, MRCagney prepared an access and parking plan for the North Hobart Retail and Entertainment Precinct in July 2020. That plan included the results of surveys of mode of transport utilized by people getting to the North Hobart Precinct. The survey found that 56% of people visiting the precinct arrive by car, 28% walk, 6% by bicycle, 4% by bus, and the remaining 5% by some combination. In a simplistic sense then, of 30 patrons, 17 would arrive by car. Assuming an occupancy rate of 1.7 persons per vehicle, this would equate to about 10 additional cars. If there were 90 patrons, this would equate to about 30 additional cars.*
- The majority of venues and restaurants and venues in the North Hobart area do not provide for their peak parking demand on their own sites, and instead rely on their customers occupying public parking spaces in the wider area. If this proposal were to proceed, it would operate on the same principle, and put additional pressure on the general parking supply in the area.*
- With the proposed venue being on the edge of the North Hobart Precinct, the overspill parking for the venue would be most likely to push into Argyle Street and the side streets to the east of Argyle Street. This would certainly place additional pressure on the availability of on-street parking for residents who use on-street parking, particularly on Friday and Saturday evenings (when parking demand in the precinct is at its peak).*

*In summary, there are no issues from a City Mobility perspective. Essentially it is an amenity issue for surrounding residents and a commercial matter for other businesses, neither of which I feel qualified to comment on.*

- 6.13.6 It is noted that the Senior Engineer Roads and Traffic has indicated that the parking deficiency is acceptable, but that it will impact on the amenity



of surrounding residents and businesses. While this performance criteria does not specifically require an assessment of the impact of car parking deficiency on amenity, it does require that parking provided be sufficient to meet the reasonable needs of users, and the objective of the standard in part requires that a proposal does not detract from the amenity of users or the locality. Clearly car parking in North Hobart is a vexed and existing issue. No doubt this proposal will contribute to that issue, in the same way that existing residences and business alike also contribute to that issue. Given the nature of the proposal (primarily a whisky producing and tasting facility), the fact that the site is located in area which has good walkability and access to public transport, and that it is likely to be part of a multi-destination trip (i.e. out for dinner in North Hobart then on for a whisky tasting), it is not considered that the level of parking provided is so deficient that it warrants refusal of the application. In support of the car parking deficiency the TIA includes the following:

- *The whiskey distillery/brewery food service customers will be either local residents from the surrounding area, employees from the various local businesses, and motorists either passing or driving to the site.*
- *The business is aiming at attracting local residents and tourists that will walk and cycle.*
- *Local residents will not create a parking demand as they will walk to/from the development site.*
- *Those customers who are not local will generate a peak parking demand for 19 car parking spaces on weekdays and up to 27 spaces when well outside business hours as well as Saturdays and Sundays.*
- *A proportion of customers arriving by car will be car passengers which will further reduce the parking demand when well outside business hours. The car occupancy may not be as high as 2.2 persons/car for a restaurant (as indicated in the RTA Guide), but an occupancy of 1.5 persons/car (on weekends and later in evenings) will reduce the parking demand to around 18 car parking spaces.*
- *If there will be use of taxis and bicycles by those further away, the parking demand will be further reduced.*
- *Therefore, the above assessment concludes that the parking demand is expected to be around 18 car parking spaces and probable somewhat less than this.*
- *The additional parking that would be generated by the development will not adversely impact on other land use activities.*
- *The streets in the surveyed area have extensive parking restrictions over the weekday and some cases on Saturday to ensure a parking*



*turnover that meets the needs of adjacent businesses. There are also resident permit parking scheme arrangements in the denser residential areas.*

- *Surveys show there is more than sufficient parking available along the surrounding streets to easily meet the parking demand which the proposed business will generate.*
- *Having regard for all relevant factors including: the proposed business operation and site occupancy; available on-site parking; alternative modes of travel to and from the site; and available on-street parking along the surrounding streets; it is concluded that there is more than a sufficient parking supply in the area within acceptable walking distance of the development site to meet the parking demand.*

6.13.7 On the basis of the above, and on balance, the amount of parking provided is considered sufficient to meet the reasonable needs of users and will not detract from the existing level of amenity enjoyed by users and the locality.

6.13.8 The proposal complies with the performance criterion.

6.14 Design of Vehicular Accesses - E6.7.2 P1

6.14.1 The acceptable solution at clause 6.7.3 A1 requires that in the case of commercial vehicles access ; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.

6.14.2 The submitted plans indicated sight triangle areas abutting the driveway which are not kept clear of obstructions and therefore not in compliance with the Australian Standards.

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

6.14.4 The performance criterion at clause 6.7.2 P1 provides as follows:

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



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

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

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

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

- 6.14.5 Referral was made to Council's Development Engineer who has provided the following assessment:

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**

The submitted Traffic Impact Assessment stated the following;

*"The design does not propose a change to the existing driveway to address this on the northern side. It is considered there is not a compelling argument to address the northern side of the driveway given the current higher use of this driveway, the number of driveways along Argyle Street with similar sight distance limitations and the fact that there have been no reported incidents or collisions involving a pedestrian along Argyle Street between Burnett Street and Federal Street within the last five years."*

**Council's Traffic engineers has not raised any concerns regarding the access onto the roads.**

**Based on the above assessment and given the submitted documentation, sight lines that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic on the road from which the property gains access.**



6.14.6 The proposal complies with the performance criterion.

6.15 Vehicular Passing Areas Along an Access E6.7.3 P1

6.15.1 The acceptable solution at clause 6.7.3 A1 requires that vehicular passing must be provided if it meets a road serving more than 6000 vehicles per day.

6.15.2 The subject site will have a frontage to Argyle Street which will have serve more than 6000 vehicles per day and no passing areas are provided for along the access.

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

6.15.4 The performance criterion at clause 6.7.3 P1 provides as follows:

*Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:*

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

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

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

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

6.15.5 Referral was made to Council's Development Engineer who has provided the following assessment:

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

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

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



adjoining roads; - **Feasible**

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

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

**Based on the above assessment and given the submitted documentation, vehicle passing areas may be accepted under Performance Criteria P1:E6.7.3 of the Planning Scheme. Given the driveway configuration, and the low volume of traffic.**

6.15.6 The proposal complies with the performance criterion.

6.16 On-Site Turning E6.7.4 P1

6.16.1 The acceptable solution at clause 6.7.4 A1 requires that on-site turning must be provided to enable vehicles to exit a site in a forward direction, except where it meets a road carrying less than 6000 vehicles per day.

6.16.2 The subject site will have a frontage to Argyle Street which will have serve more than 6000 vehicles per day.

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

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

*On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:*

*(a) avoidance of conflicts between users including vehicles, cyclists, dwelling occupants 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;*

*(e) suitability of the location of the access point and the traffic volumes on the road.*



- 6.16.5 Referral was made to Council's Development Engineer who has provided the following assessment:

On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists, dwelling occupants 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**
- (e) suitability of the location of the access point and the traffic volumes on the road. - **Feasible**

**Based on the above assessment and given the submitted documentation, on-site turning is not required and may be accepted under of Performance Criteria P1:E6.7.4 of the Planning Scheme.**

- 6.16.6 The proposal complies with the performance criterion.

6.17 Development within the Electricity Transmission Corridor E8.7.1 P1

- 6.17.1 The acceptable solution at clause 8.7.1 A1 requires that development is not within an inner protection area or a registered electricity easement.

- 6.17.2 The proposal includes development within an inner protection area.

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

- 6.17.4 The performance criterion at clause 8.7.1 P1 provides as follows:

*Development must be located an appropriate distance from electricity transmission infrastructure, having regard to all of the following:*

- (a) the need to ensure operational efficiencies of electricity transmission infrastructure;*
- (b) the provision of access and security to existing or future electricity transmission infrastructure;*



*(c) safety hazards associated with proximity to existing or future electricity transmission infrastructure;*

*(d) the requirements of the electricity transmission entity.*

- 6.17.5 The electricity transmission infrastructure includes underground Transend Cables and the proposed development works will have no impact upon the operation efficiencies of this infrastructure. Furthermore, the development will not restrict the access and security to existing or future electricity infrastructure and will not present as a safety hazard.

The applicant has provided confirmation from the electricity transmission entity was notified about the proposed development and no objection to the proposal proceeding was raised.

- 6.17.6 The proposal complies with the performance criterion.

6.18 Use of Signs E17.6.1 P4

- 6.18.1 The acceptable solution at clause 17.6.1 A4 requires that an illuminated sign must not be located within 30 metres of a residential use.

- 6.18.2 The proposal includes illuminated signage along the Argyle Street frontage which will be within 30 metres of a residential use.

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

- 6.18.4 The performance criterion at clause 17.6.1 P4 provides as follows:

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

- 6.18.5 Two of the four proposed signs will be illuminated and located within 30 metres of a residential use. Information provided by the applicant outlines that the lights will be shining parallel to the building facade and will minimise light spill, that low voltage lighting will be used, and that illumination will only be during business hours. Understanding the lighting design and type of signage as well as the context of the area and distance between subject site and the signs in question it is assessed that the illumination will not have an unreasonable impact on nearby residential uses.



6.18.6 The proposal complies with the performance criterion.

## 7. Discussion

7.1 Planning approval is sought for Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire.

7.2 The application was advertised and received seven (7) representations. The representations raised concerns including hours of operation, noise impacts, traffic and parking impacts, validity of traffic studies supplied, and fungal impacts as a result of distillery emissions.

Many of the concerns related to discretions under the Light Industrial Use Standards as well as Parking and Access Code and have therefore been addressed in Section 6 of this report.

One representation sought clarification on the beverages sold on site and whether takeaway will be available. It is understood that in addition to whiskey the resource processing use will also brew beer which will be sold on site. Whilst not confirmed in the supplied documentation it would be reasonable to expect wine, cider and spirits to be available for purchase at the proposed bar. With respect to takeaways, no information is supplied by the applicant as to consumption on or off the site. If there is an intention to make this takeaway option available this will remain under the food services use definition.

7.3 With respect to the representations which raised concern as to airborne contaminants from the distilling process in the form of a black fungus called *Baudoinia Compniscensis* or 'Angel's Share' and the impacts this may have on ongoing maintenance and costs for property owners. It is understood that such impacts are typical to large scale distillery operations and in the circumstances would be unlikely to arise with the proposed small scale distillery operations. In the instances that there is subsequent impact through distillery operations Council Environmental Health Officers can be engaged to investigate the potential of addressing or abating the potential nuisance under the *Environmental Management and Pollution Control Act 1994*.

7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.



- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, Environmental Health Officer and Traffic Engineer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

## 8. Conclusion

- 8.1 The proposed Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire at 284 - 284A Argyle Street, North Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.



## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations, Signage and Change of Use to Resource Processing, Food Services and General Retail and Hire at 284 - 284A Argyle Street for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### GEN

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-323 - 284 -284A ARGYLE STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### TW

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00759-HCC dated 16/06/2020 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

### PLN 13

**Music and recorded sound must not be played external to the building.**

Reason for condition

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

### PLN 14

**The noise generated by the approved use and development must not cause environmental harm when measured at the boundary of the Inner Residential**



zone.

*Advice: It is recommended that the doors to the 'front of house' component of the propose use and development remain closed as much as practicable to mitigate noise impacts on residential amenity.*

Reason for the condition

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

#### **PLN 6**

**The following hours of operation are approved for the various components of the use.**

**Manufacturing/Distillery/Brew House:-**

**7am to 7pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day).**

**Front of House/Tasting Area:-**

**12 noon to 10:30pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day).**

**External Overflow/Special Events/Summer Trading Area:-**

**12 noon to 9pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day).**

*Advice: It is noted that:*

- In relation to the manufacturing/distillery/brew house, in the majority of cases, the Manufacturing only happens two days a week and will most likely be Monday to Friday*
- In relation to the front of house/tasting area, last drinks will be 10pm. The 30 minute buffer is to get patrons out the door and close up.*
- In relation to the external overflow/special events/summer trading area, this area is not serviced and will not have speakers etc.*

Reason for condition

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

**ENG sw1**



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

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

Reason for condition

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

### **ENG sw3**

**The proposal 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 the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first). The detailed design must:**

1. **Demonstrate how the design will maintain the overland flow path, provide adequate access to the main, impose no additional loads onto the main and that the structure will be fully independent of the main and its trenching.**
2. **Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main.**
3. **Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, engineering details and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated.**
4. **Be certified by a suitably qualified engineer**

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

*Advice:*



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

*Failure to address condition 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 13**

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

**A detailed waste management plan must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (which ever occurs first), to the satisfaction of the Council's Director City Planning. The waste management plan must:**

1. **Include details for the handling of waste (i.e. placement of bins on collection day) within Council's highway reservation.**
2. **Include details of the quantity and type/size of bins.**

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

*Advice: Should you have any queries in relation to formulating a solid waste management plan Council staff can assist with the development of a waste management plan outlining Council's requirements. Please contact the Council's Customer Liaison Officer, on Phone 6278 0273.*

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

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



Reason for condition

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

#### **ENG 3a**

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

*Advice:*

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

Reason for condition

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

#### **ENG 3c**

**The access driveway and parking module (parking spaces and manoeuvring area) must be constructed in accordance with the JMG documentation received by the Council on the 2nd June 2020.**

Reason for condition

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

#### **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 white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with**



**Australian Standards AS/NZS 2890.1 2004 and AS/NZS 2890.6: 2009, prior to first occupation.**

Reason for condition

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

#### **ENG 6**

**The number of bicycle parking spaces approved on the site is a minimum of five (5).**

**The bicycle parking areas must be constructed on the site compliant with the Australian Standards AS/NZS 2890.3:2015 prior to the commencement of the use.**

Reason for condition

To ensure safe and efficient parking adequate to provided for the use.

#### **ENG 12**

**Prior to the first occupation/commencement of use, the reinstatement of the existing section of redundant crossover at the frontage of the "Food Services" area to footpath, kerb and gutter within the Argyle Street highway reservations must be constructed substantially in accordance with:**

- 1. LGAT Standard Drawing - TSD R11-v2 - Urban Roads Footpaths - ASPHALT; and**
- 2. LGAT Standard Drawing - TSD R14-v2 - Approved Concrete Kerbs and Channles Profile Dimensions - TYPE KC.**

*Advice: Modified crossover to LGAT Standard Drawing - TSD-R09-v2 – Urban Roads Driveways - Single width crossover (3.6m wide excluding wings) located centrally to the entry access point (Resource Processing).*

Reason for condition

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

#### **ENG 1**

**Any damage to council infrastructure resulting from the implementation of this**



permit, must, at the discretion of the Council:

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

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

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

Reason for condition

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

## **ENG s2**

**Approval from Council's Director City Planning must be obtained prior to the issue of any consent under the *Building Act 2016* (excluding demolition or excavation) for any changes to the existing on street parking arrangements in Argyle Street.**

*Advice:*

- *All works will be at the developer's expense. Please contact Council's City Infrastructure Division Manager Traffic Engineering with regard to the application process for any changes to the on street parking arrangements in Davey Street.*
- *Any request to temporarily or permanently remove any sensor requires a written application to be submitted to the Parking Operations Unit.*
- <https://www.hobartcity.com.au/City-services/Parking/Integrated-Parking-System/Dial-Before-You-Dig-Parking-Sensors>

Reason for condition



To ensure that relevant approvals are obtained.

#### ENV 1

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

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

Reason for condition

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

#### ADVICE

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

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

#### BUILDING PERMIT

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

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

#### PLUMBING PERMIT

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

#### PUBLIC HEALTH



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

#### **FOOD BUSINESS REGISTRATION**

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

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

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

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

#### **GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS**

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

#### **PLANNING**

It is recommended that the on-site Bicycle Parking Area remain well-lit during evening operations so as to avoid creation of concealment points and minimise risk to employees and patrons.

#### **STORM WATER**

Council notes that the site is subject to the severe overland flooding and all external doors should be outward opening and sealed to be flood proofed to withstand flood depth. Only the top half of the door should be glazed to minimise the internal flood damage.

#### **ACCESS**

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

#### **CROSS OVER CONSTRUCTION**



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

#### **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.

#### **WORK PLACE HEALTH AND SAFETY**

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

#### **NOISE REGULATIONS**

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

#### **WASTE DISPOSAL**

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

Further information regarding waste disposal can also be found on the Council's [website](#).

#### **FEES AND CHARGES**

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

#### **DIAL BEFORE YOU DIG**

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





(Michael McClenahan)  
**Assistant Planner**

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



(Ben Ikin)  
**Senior Statutory Planner**

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

Date of Report: 9 September 2020

**Attachment(s):**

Attachment B - CPC Agenda Documents



Planning: #205591

**Property**

284A-284D ARGYLE STREET NORTH HOBART TAS 7000

**People**

## Applicant

\*

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## Owner

\*

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## Entered By

JMG Engineers and Planners  
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## Entered By

FRANCES BEASLEY  
117 HARRINGTON STREET  
HOBART TAS 7000  
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Other

**Details**

Have you obtained pre application advice?

- ☐ No



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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

\*

☐ No

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

\*

☐ No

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

### Details

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

\*

Service Industry; General Retail and hire

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

\*

Change of use to Resource Processing and Food Services, with partial demolition of existing building facade, and provision of associated services.

Estimated cost of development

\*

2000000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

605.00

607.60

1138

### Carparking on Site

N/A

Total parking spaces

Existing parking spaces

☐ Other (no selection chosen)

2

7

### Hours of Business

Are the proposed hours of business different from the existing?

☐ Yes

What days and hours of operation are proposed for the business?

Existing

Proposed

From

To

From

To

Monday to Friday

Monday to Friday

From

To

Saturday

From

To

Saturday

From

To

Sunday

From

To

Sunday

From

To

### Number of Employees

List the total number of people who will be working on the site.

Proposed number of employees

7

Existing number of employees

### Goods Deliveries

Will there be any commercial vehicles accessing the site?

☐ Yes

Type of Vehicle

Trips per Week



Very Large (Semi trailer)	
Large	
Medium	1 - 2
Small	1 - 2

**Outdoor storage / seating / number of beds**

Is outdoor storage proposed? ☒ Yes

*\* Please ensure the proposal shows the location of where the outdoor storage areas are and what type of goods are stored.*

**Other Details**

Does the application include signage?  
\*

☒ Yes

*\* Please be advised that you are required to lodge plans of the sign. The plans should show: dimensions, location, colours, wording, method of illumination, does it flash, method of fixing to wall, etc.*

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

3

**Tasmania Heritage Register**

Is this property on the Tasmanian Heritage Register? ☒ No

**Documents**

**Required Documents**

Title (Folio text and Plan and Schedule of Easements)  
\*

Appendix A Title Information - 284 Argyle Street North Hobart.pdf  
Plans (proposed, existing)  
\*

Appendix B - Proposal Plans.pdf

**Supporting Documents**

Concept Servicing Plan  
Appendix G 2020.05.13 Concept Services Report (4921.032) R1.pdf  
Traffic Impact Assessment  
Appendix E TIA 284 Argyle St Distillery 1 June 2020.pdf  
Planning Report  
DA Planning Report Final for submission.pdf  
Other  
Appendix A Letter Notifying Owner of DA final.pdf  
Other  
Appendix C Trade Waste Background Information 363-04-M01.pdf  
Other  
Appendix D Noise Assessment NVC 6152\_02.pdf  
Other  
Appendix F Vehicle Manoeuvring.pdf  
Other  
Appendix H Advice from Tasnetworks.pdf



## PLANNING REPORT

FOR SOLUTIONSWON

# VSC Distillery 284A -284D Argyle Street, North Hobart Change of Use and Development



June 2020



**Johnstone McGee & Gandy Pty Ltd**

ABN 76 473 834 852 ACN 009 547 139

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Appendix A - Title Information / Land Owner Notification Letter

Appendix B - Proposal Plans

Appendix C - Background Information - Trade Waste

Appendix D - Noise Assessment

Appendix E - Traffic Impact Assessment

Appendix F - Vehicle Manoeuvring

Appendix G - Concept Services Report and Plans

Appendix H - Advice from TasNetworks



## Executive Summary

JMG Engineers and Planners have been engaged by SolutionsWon Pty Ltd to prepare a change of use and development application for an existing building, for use as a whiskey distillery/brewery with associated tasting and food services, and amenities at 284A-284D Argyle Street, North Hobart (CT 104000/1) on their behalf.

The proposal repurposes the existing buildings on site, with most of the works being internal.

Proposed external works include:

- partial demolition of the building façade and north western wall of the front building;
- installation of new doors and windows to enhance the building character, including security lighting;
- a new connecting corridor between the existing front and rear building;
- provision of associated service, such as on-site storage, bicycle parking facilities, parking for two vehicles (for staff) and commercial vehicle loading and unloading area; plus
- new signage to identify the premises.

The proposal relies on discretion with respect to the following Scheme provisions:

- Clause 24.3.1 Hours of Operation - Performance Criteria P1;
- Clause 24.3.2 Noise - Performance Criteria P1;
- Clause 24.3.3 External Lighting - Performance Criteria P1;
- Clause 24.4.3 Design - Performance Criteria P3;
- Clause 24.4.5 Landscaping - Performance Criteria P2;
- Clause E6.6.1 Number of Car Parking Spaces - Performance Criteria P1;
- Clause E6.7.2 Design of Vehicular Accesses - Performance Criteria P1;
- Clause E6.7.3 Vehicular Passing Areas Along an Accesses - Performance Criteria P1;
- Clause E6.7.4 On-Site Turning - Performance Criteria P1;
- E8.7.1 Development within the electricity transmission corridor - Performance Criteria P1;
- E15.7.4 Riverine Inundation Hazard Area - Performance Criteria P2,
- E17.6.1 Use of Signs - Performance Criteria P4;

A number of expert reports are included in the Report Appendices to provide additional information with respect to a number of the above elements, including a Noise Assessment, a Traffic Impact Assessment and a Concept Services Report.

This report provides an assessment of the proposed change of use, development and works against the provisions of the *Hobart Interim Planning Scheme 2015* ('the Scheme'), and demonstrates that the proposal is compliant with relevant Acceptable Solutions or able to satisfy applicable Performance Criteria



## 1 Introduction

JMG Engineers and Planners have been engaged by SolutionsWon Pty Ltd to prepare a change of use and development application for an existing building, for use as a whiskey distillery/brewery with associated tasting and food services, and amenities at 284A-284D Argyle Street, North Hobart (CT 104000/1) on their behalf.

This report provides an assessment of the proposed change of use, development and works against the provisions of the *Hobart Interim Planning Scheme 2015* ('the Planning Scheme').

The following documents are enclosed in support of the application:

- Title Information and Land Owner Advice Letters (Appendix A);
- Proposal Plan (Appendix B);
- Background Information - Trade Waste (Appendix C)
- Noise Assessment (Appendix D);
- Traffic Impact Assessment (Appendix E);
- Vehicle Manoeuvring (Appendix F);
- Concept Services Report (Appendix G)
- Advice from TasNetworks (Appendix H)

Appendices are enclosed at the end of this letter.

## 2 Site Location & Context

The subject site is located at 284A-284D Argyle Street, North Hobart (CT 104000/1) refer Figure 1. The proposal includes the titles listed in Table 1 below. Title Information and Landowner Consent/Notification are included in Appendix A.

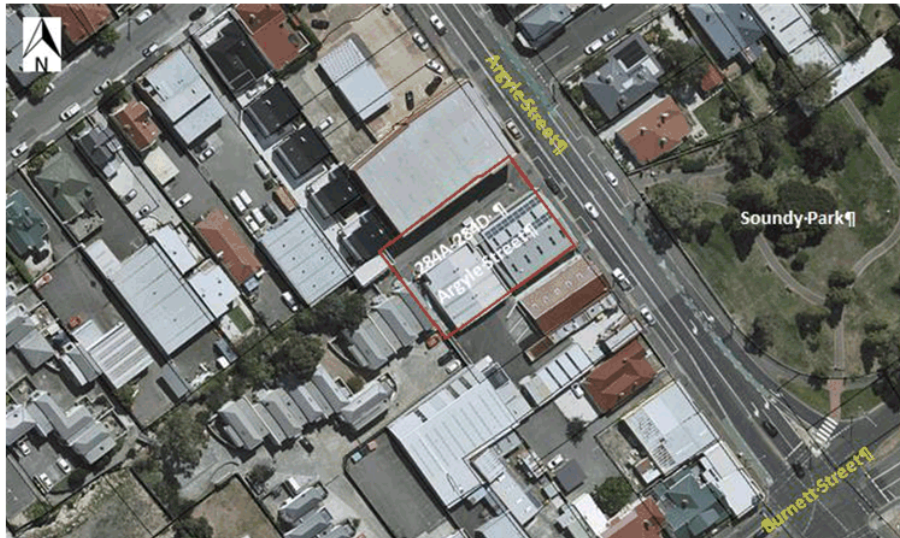


Figure 1 Location of subject site (outlined in red) (Source LISTmap)



Table 1 - Title Subject to Change of Use and Development

Property	Title Reference	Owner	Notification/Consent
284A-284D Argyle Street, North Hobart	CT 104000/1	RAMAI PTY LTD and CAN 122 201 110 PTY LTD	Owner Advice letter as per s52 (1) of <i>Land Use Planning and Approvals Act 1993</i> .

The site has a total area of 1138m<sup>2</sup> with frontage onto Argyle Street. The existing buildings on site have historically been used for a number of commercial and light industrial uses including small appliance sales and service centre, and a custom sign design business.

The surrounding area comprises a range of development categories including; commercial uses to the south east, residential uses to the south-west and north east, and open space to the east, reflective of the land use zoning (see Figure 2). Buildings range in height from single to double storey with commercial buildings generally showing no setback from the frontage. There is a range of architectural styles including; Georgian sandstone dwellings, Federation dwellings, and post war commercial building styles, of brick or concrete block construction.

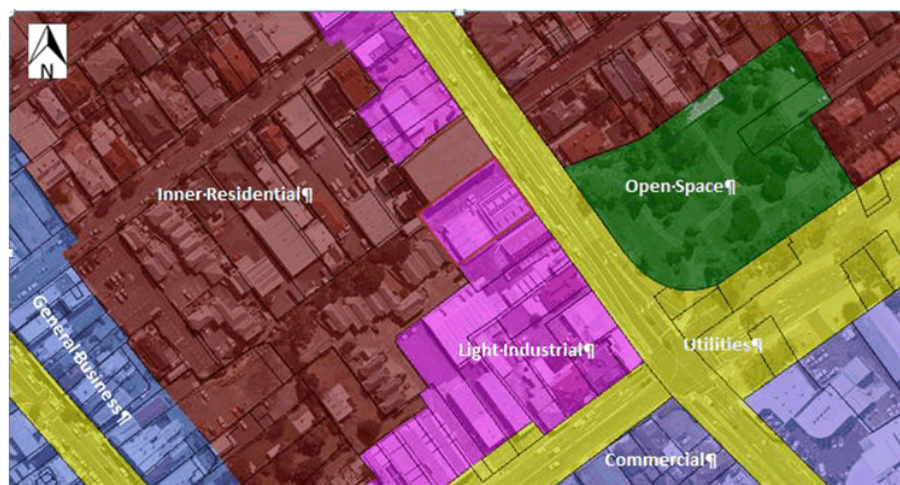


Figure 2 Land Use zoning context for the subject site (Source LISTmap)

The subject site and adjoining properties are not heritage listed or within a Heritage Precinct overlay, although a number of Heritage Tasmania registered sites are located within 100m of the property, including the "Rubble Stone Wall only" in Soundy Park.

The site is located approximately 1km to the north west of the Hobart Central Business District and is within 1.5km of the Hobart Waterfront area. Metro bus services run along Argyle and Burnett Streets, with the Soundy Park bus stop on the northern side of Argyle Street.

The site is located within TasWater Full Service water and sewer area.

The site is subject to a Stormwater Easement as shown in Appendix A.



### 3 Proposed Use & Development

The proposed use of the site is for a boutique whiskey distillery and brewery, with associated 'cellar door' facilities to taste the product produced on site. In addition to bar snacks it is proposed that patrons will be able to purchase food from on-site food van(s), which will provide flexible food choices. The majority of the existing building will be converted to accommodate the distilling and brewing equipment and provide raw product storage space.

It is anticipated that the proposed distilling/brewery operations will take place on two days of the week and require no more than 40,000l of water per day, the majority of which is used for the cooling of the condensing jackets on the stills. Accordingly it is considered that the proposed use is a Level 1 activity and will not require EPA assessment.

Raw materials will be delivered to the site during normal business hours with waste product collected twice a week for reuse on farms as organic fertiliser. Liquid waste will be directed to the sewer system with pre-treatment and water dilution from the stills cooling jackets. The Background Information - Trade Waste in Appendix C provides further details of the operational distilling/brewing parameters.

Proposed hours of operation for the Manufacturing/Distillery/Brew House are:

- 7am to 7pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - noting that in the majority of cases, the Manufacturing only happens two days a week and will most likely be Monday to Friday

Proposed hours of operation for the Front of House/tasting area:

- 12 noon to 10:30pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - noting that last drinks will be 10pm. The 30 minute buffer is to get patrons out the door and close up.
- 12 noon to 9pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - for the external overflow/special events/ summer trading area. Noting that this area is not serviced and will not have speakers etc.

When fully operational it is projected that the business will employ 7 staff (3 in Manufacturing/Distilling/Brew House area and 4 in the Front of House/tasting area). Depending on the food van(s) it is anticipated that potentially a further 2 people per food van may be on site during Front of House/tasting area operating hours. The site plan allows for 2 small food vans or 1 large food van - hence the total number of 'serving staff' on site is somewhat variable.

Preparation of the site for the proposed uses will predominantly involve internal building modifications. There will be some modification of the existing external building structure, including changes to doorways and windows, front building façade, signage, security lighting, and onsite parking arrangements.

No changes are proposed to the existing building heights, existing impermeable surface area (the entire site), or existing site access.

The development does not include any works on titles external to the primary site.

The business philosophy is to create a viable, sustainable business with minimal environmental footprint. The anticipated target markets are tourists and residents who will be able to access the site via active transport modes including walking and cycling. Staff will also be encouraged to use such transport modes, with dedicated bicycle parking facilities provided at the rear of the building. Consumables will be sourced based on their ability to be recycled, and beer produced on site will be provided 'on tap' to minimise container waste.

A number of expert reports are provided in the Appendices, including but not limited to Noise Report, Traffic Impact Assessment and Concept Services report. Each will be referenced more specifically against the relevant planning scheme provisions.



## 4 Policy Assessment

### 4.1 Hobart Interim Planning Scheme 2015

Figure 2 shows the zoning of the site, identifying that the proposed use and development works will be located within the Light Industrial Zone.

The proposed distilling and brewing operations are classified as Resource processing, a defined term that means:

*use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.*

It is considered that the 'cellar door' bar area in the Front of House is directly associated with and subservient to the resource processing on site and is therefore categorised into the same use class as per *Clause 8.2 Categorising Use or Development*, specifically sub-clause 8.2.2.

The Front of House area will also provide patrons with food (prepared by the operators of the food vans) for consumption on or of the premises, which is classified as Food services, a defined term that means:

*use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.*

The identified use categories have discretionary use status within the Light Industrial Zone, with site specific qualifications "if at 284A-284D Argyle Street, North Hobart (folios of the Register 104000/1).

An assessment against the applicable zone provisions is provided in Section 4.2 of this report.

The site is partially covered by the Electricity Transmission Infrastructure Protection Overlay (Underground ETC and Inner Protection Area Underground Transend Cables), as shown in Figure 3 and Figure 4.

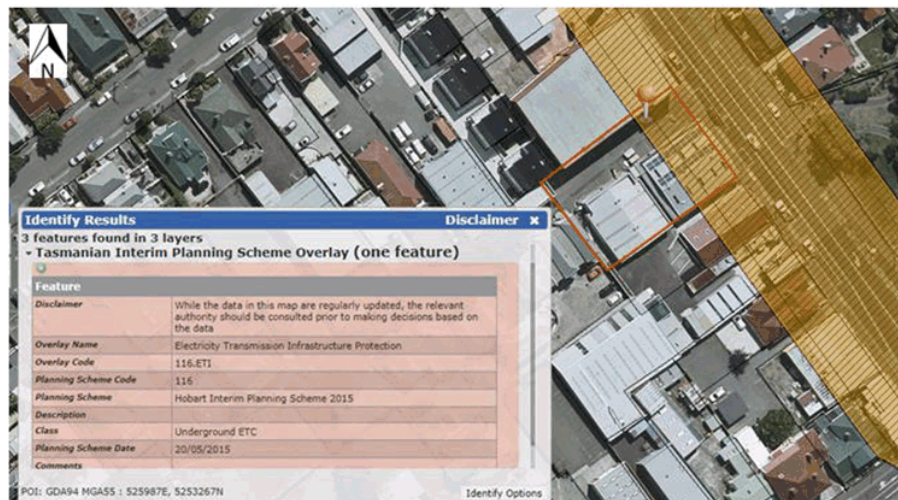


Figure 3 Area of site subject to the Electricity Infrastructure Protection Overlay - Underground ETC, highlighted in orange (Source LISTmap)



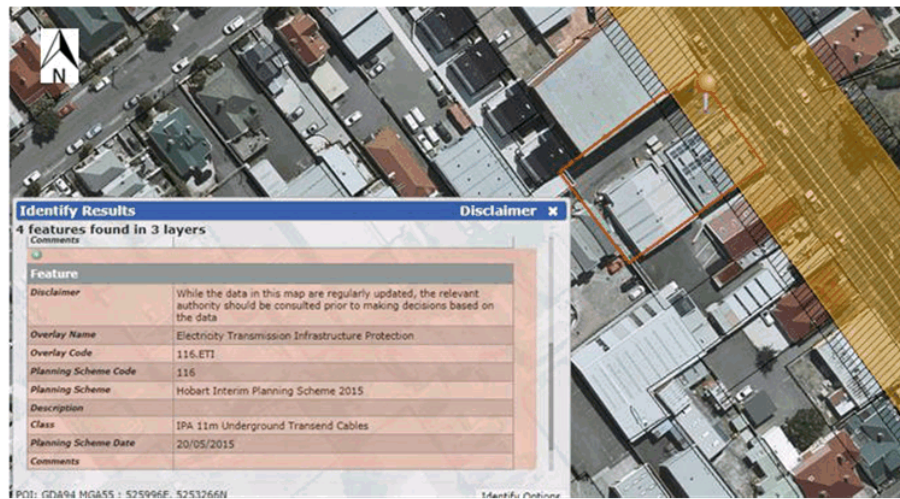


Figure 4 Area of site subject to the Electricity Infrastructure Protection Overlay - Internal Protection Area, highlighted in orange (Source LISTmap)

In addition to the overlay provisions, the proposal will also require assessment against a number of Scheme Codes, including:

- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code
- E8.0 Electricity Transmission Infrastructure Protection Code
- E15.0 Inundation Prone Areas Code (E1.7.4)
- E17.0 Signs Code

The proposal has also been assessed against the following Codes to verify that either the Code is not applicable, or the proposal is exempt from consideration against the code:

- E2.0 Potentially Contaminated Land Code;
- E5.0 Road and Railway Assets Code; and
- E9.0 Attenuation Code.

An assessment against the applicable Code provisions is provided in Section 4.3 of this report.



The subject site is entirely within the Royal Hobart Hospital Helipad Airspace Specific Area Plan as shown in Figure 5.

An assessment against the applicable Specific Area Plan (SAP) provisions is provided in Section 4.4 of this report.

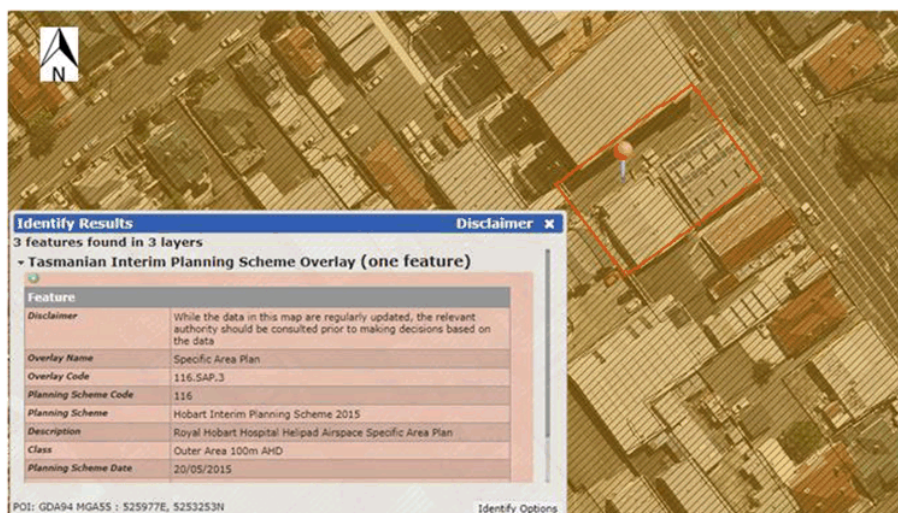


Figure 5 Specific Area Plan impacting on the subject site as shown by the hashed/orange area (Source LISTmap)

## 4.2 Zones - 24.0 Light Industrial Zone

The zone purpose is to:

- provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.
- To promote efficient use of existing industrial land stock.
- To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.
- To ensure that building design and form enhances the streetscape and protects the amenity of the neighbourhood.
- To provide for use or development that supports and does not adversely impact on industrial activity.

There are no Local Area Objectives or Desired Future Character Statements for the zone.



## 24.3 Use Standards

24.3.1 Hours of Operation	
<b>Objective:</b> To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>Hours of operation of a use within 100 m of a residential zone must be within:</p> <p>(a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 5.00 pm Saturdays;</p> <p>(c) nil Sundays and Public Holidays.</p> <p>except for office and administrative tasks.</p>	<p><b>P1</b></p> <p>Hours of operation of a use within 100 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>

Proposed hours of operation for the Manufacturing/Distillery/Brew House are:

- 7am to 7pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - noting that in the majority of cases, the Manufacturing only happens two days a week and will most likely be Monday to Friday

Proposed hours of operation for the Front of House/tasting area:

- 12 noon to 10:30pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - noting that last drinks will be 10pm. The 30 minute buffer is to get patrons out the door and close up.
- 12 noon to 9pm Monday to Sunday and Public Holidays (excluding Good Friday and Christmas Day) - for the external overflow/special events/ summer trading area. Noting that this area is not serviced and will not have speakers etc.

The proposal is located within 100m of a residential zone and as outlined above the proposed hours of operation for different elements of the use do not comply with Acceptable Solution A1 and the Performance Criteria must be considered.

It is noted that:

- commercial vehicle movements will be restricted to occur between 8am and 5pm, Monday to Fridays;
- brewing/distilling activities will also predominantly occur on weekdays; and
- there is no external sound system proposed.

The Noise Assessment undertaken by Noise Vibration Consulting (NVC) in Appendix D, considers the proposed activities in context of the site's location and building construction, and concludes that noise emissions are unlikely to impact on residential amenity.

The brewing and distilling activities do not generate airborne contaminants, and all external lighting will be shielded security lighting.

The proposed hours of operation and commercial vehicle movements comply with Hobart City Council's advice on Prohibited hours of equipment use as outlined at <https://www.hobartcity.com.au/Residents/Noise/Prohibited-hours-of-equipment-use>.

Based on the above, the proposal is considered to demonstrate that it will not have an unreasonable impact upon the residential amenity of land in a residential zone through



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

The proposal is considered to satisfy Performance Criteria P1.

24.3.2 Noise	
<b>Objective:</b> To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <p>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</p> <p>(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;</p> <p>(c) 65dB(A) (LAmax) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p><b>P1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>

The Noise Assessment undertaken by Noise Vibration Consulting (NVC) in Appendix D, assesses that the proposal is generally compliant with the Acceptable Solution A1, except for night time noise generated by patrons in the outside overflow seating area and from patrons seated inside when the large doors to Argyle Street are open.

Accordingly, Performance Criteria P1 must be considered.

The NVC report considers a number of additional elements, including the ambient noise from Argyle Street, the hours of operation, likely number of patrons on site and construction of adjacent buildings and concludes that the noise emissions are unlikely to impact residential amenity and will not cause environmental harm.

The proposal is considered to satisfy Performance Criteria P1.

<p><b>A2</b></p> <p>External amplified loud speakers or music must not be used within 50 m of a residential zone.</p>	<p><b>P2</b></p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>
---	---

There will be no external amplified loudspeakers or music, compliant with Acceptable Solution A2.



**24.3.3 External Lighting**

**Objective:** To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>External lighting within 50 m of a residential zone must comply with all of the following:</p> <p>(a) be turned off between 10:00 pm and 6:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.</p>	<p><b>P1</b></p> <p>External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p> <p>(a) level of illumination and duration of lighting;</p> <p>(b) distance to habitable rooms in an adjacent dwelling.</p>

Drawing A1300 Rev E in Appendix B shows that the proposed external lighting within 50m of a residential zone is security lighting and new wall mounted sign lighting. Discrete downlighting is proposed for the Argyle Street Façade as indicated in Proposed East Elevation- Argyle Street, and Image 7 on Drawing A2010 Rev F in Appendix B.

The proposed hours of operation (until 10.30pm) means that the proposal does not comply with Acceptable Solution A1 (a) and the Performance Criteria must be considered.

The proposed lighting directs the façade and sign light downwards and is only of sufficient intensity to illuminate the immediate area, preventing intrusive light to nearby residential zoned land. (a)

The internal lay out of the adjacent dwelling to the north west is not known. The building is located approximately 11m away from the nearest external lighting (i.e. wall sign light). It is anticipated that any habitable rooms are likely to have windows facing north (i.e. onto Argyle Street), or if in the south-eastern façade it is anticipated that windows would be at the 1<sup>st</sup> floor level and hence above the proposed lighting. This offset in height, in conjunction with the downward directional nature of the proposed lighting is considered to mitigate the 11m direct distance to any potential habitable rooms. (b)

Based on the above, the proposal is considered to satisfy Performance Criteria P1.

**24.3.4 Commercial Vehicle Movements**

**Objective:** To ensure that commercial vehicle movements not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;</p>	<p><b>P1</b></p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p>



(b) 9 am to 5.00 pm Sundays and Public Holidays.	<p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>
--	--

Commercial vehicles entering the site will be delivering the raw materials for the distilling/brewing processes, as well as collecting the spent grain. The latter will be collected by farmers generally in 2 to 5 tonne flatbed trucks.

Other waste, such as food waste, including biodegradable plates and cutlery will be composted into Green Waste Bins. Collection of hard waste is proposed to be via a suitable number of 240l bins, for collection by Council. It is anticipated that once the operations are more established and 'predictable' it may be feasible to acquire a composting machine to deal with such waste material, and to provide a further "side product" for sale.

Commercial vehicle movements are anticipated to occur between 8am and 5pm, Monday to Fridays (see sub-clause (a) of the acceptable solution). No commercial vehicle movements are proposed on Sundays and Public Holidays (see sub-clause (b)).

The proposal is considered compliant with Acceptable Solution A1.

24.3.5 Outdoor Work Areas	
<b>Objective:</b> To ensure that use of outdoor work areas does not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.</p>	<p><b>P1</b></p> <p>Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans located within 50 m of a residential zone must be accompanied by effective acoustic screening in the intervening space.</p>

The proposal does not include any outdoor work areas or noise emitting equipment.

Accordingly this clause is considered as not applicable.



**24.4 Development Standards for Buildings and Works**

<b>24.4.1 Building Height</b>	
<b>Objective:</b> 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.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b> <i>Building height must be no more than 8.5 m.</i>	<b>P1</b> <i>Building height must satisfy all of the following:</i> <i>(a) be consistent with any Desired Future Character Statements provided for the area;</i> <i>(b) be compatible with the scale of nearby buildings;</i> <i>(c) not unreasonably overshadow adjacent public space;</i> <i>(d) allow for a transition in height between adjoining buildings, where appropriate;</i>

The proposal will repurpose the existing buildings on site, with no changes to the existing building height, which at its highest point is 5.8m above natural ground level (refer Diagram 3 on Drawing A2000 Rev E in Appendix B).

The proposal is considered compliant with Acceptable Solution A1.

<b>A2</b> <i>Building height within 10 m of a residential zone must be no more than 8.5 m.</i>	<b>P2</b> <i>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.</i>
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The rear of the existing building (south west wall), in the south is located 3m to 4.6m from the adjoining Inner Residential Zone. The north west wall of the existing building is located 10.7m to 11m from the adjoining Inner Residential Zone.

The existing building, at its highest point is 5.8m above natural ground level compliant with Acceptable Solution A1.

<b>24.4.2 Setback</b>	
<b>Objective:</b> To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>



<p><b>A1</b></p> <p><i>Building setback from frontage must be parallel to the frontage and must be no less than:</i></p> <p><i>3m, except in Argyle Street, Burnett Street and on the southern side of Federal Street where the minimum setback is 0 m and the maximum setback is 2 m from a primary frontage.</i></p>	<p><b>P1</b></p> <p><i>Building setback from frontage must satisfy all of the following:</i></p> <p><i>(a) be consistent with any Desired Future Character Statements provided for the area;</i></p> <p><i>(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</i></p> <p><i>(c) enhance the characteristics of the site, adjoining lots and the streetscape;</i></p> <p><i>(d) provide adequate opportunity for parking.</i></p>
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The existing building setback is parallel to the frontage, with a distance of 0m from Argyle Street primary frontage.

The proposal retains the building location, although some changes to the façade wall are proposed as outlined in the proposal plans.

The proposal is considered compliant with Acceptable Solution A1.

<p><b>A2</b></p> <p><i>Building setback from a residential zone must be no less than:</i></p> <p><i>(a) 3 m;</i></p> <p><i>(b) half the height of the wall, whichever is the greater.</i></p>	<p><b>P2</b></p> <p><i>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</i></p> <p><i>(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;</i></p> <p><i>(b) overlooking and loss of privacy;</i></p> <p><i>(c) visual impact when viewed from adjoining lots,</i></p> <p><i>(d) industrial activity.</i></p>
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The Inner Residential zone adjoins the subject site to the south west and north west. As outlined above, the existing building boundary setbacks are:

- from 3m to 4.6m to the south west; and
- 10.7m to 11m to the north west

Both setbacks comply with Acceptable Solution A2 (a)

The south west wall of the existing building has a height of 5.81m, half of this height is 2.9m, and therefore the existing setback of 3m is greater. The north west wall of the existing



building has a height of 4.26m, half of this height is 2.13m, and therefore the existing setback of 10.7m is greater.

Therefore Acceptable Solution A2 (b) is not applicable and the proposal is compliant by virtue of Acceptable Solution A2 (a).

24.4.3 Design	
<b>Objective:</b> To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Building design must comply with all of the following:</i></p> <p><i>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</i></p> <p><i>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front facade no less than 40% of the surface area of the ground floor level facade ;</i></p> <p><i>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front facade and facades facing other public spaces is not greater than 50% of the length of the facade;</i></p> <p><i>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</i></p> <p><i>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</i></p> <p><i>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</i></p> <p><i>(g) not include security shutters over windows or doors with a frontage to a street or public place.</i></p>	<p><b>P1</b></p> <p><i>Building design must enhance the streetscape by satisfying all of the following:</i></p> <p><i>(a) provide the main access to the building in a way that is visible from the street or other public space boundary;</i></p> <p><i>(b) provide windows in the front facade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</i></p> <p><i>(c) treat very large expanses of blank wall in the front facade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</i></p> <p><i>(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 limited when viewed from the street;</i></p> <p><i>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have limited visual impact;</i></p> <p><i>(f) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</i></p> <p><i>(g) be consistent with any Desired Future Character Statements provided for the area.</i></p>

The main pedestrian entry to the building will be via the accesses onto the Argyle Street, which will be clearly visible, and reinforced by the proposed signage. Refer Drawing A2010 Rev F in Appendix B (see sub-clause (a) of the acceptable solution).

Drawing A2000 Rev E in Appendix B shows the existing Argyle Street facade and identifies those elements to be removed/demolished. Drawing A2010 Rev F in Appendix B shows the proposed Argyle Street facade, including images (1, 2, and 3) of the style of windows, doors and sectional doors to be installed.



The area of the front façade is calculated to be 81.29m<sup>2</sup>. The proposal will provide a total glazed area of 39.88m<sup>2</sup>, this is 49% of the total façade area, as shown on Drawing A2010 Rev F in Appendix B (see above sub-clause (b)).

The proposed façade does not include any single expanse of blank wall at the ground level that is greater than 50% of the length of the façade. No other facades face public spaces (see above sub-clause (c)).

As shown on Drawing A1300 Rev E in Appendix B, ancillary equipment including water tanks and chillers are located in the space between the buildings and will not be visible from the street or other public spaces (see above sub-clause (d)).

The proposal does not include any rooftop service infrastructure, awnings over the footpath or security shutter over windows or doors with frontage to a street or public place, and accordingly Acceptable Solution A1 sub-clauses (e), (f) and (g) are considered not applicable.

Based on the above the proposal is considered to comply with all applicable elements of Acceptable Solution A1.

<p>A2</p> <p><i>Walls of a building on land adjoining a residential zone must comply with all of the following:</i></p> <p><i>(a) be coloured using colours with a light reflectance value not greater than 40 percent;</i></p> <p><i>(b) if within 50 m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.</i></p>	<p>P2</p> <p><i>No performance criteria.</i></p>
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The proposal repurposes the existing buildings on the site, which adjoins land within the Inner Residential zone to the south west and north west.

The south western wall of the rear building, and the north western wall of both existing buildings (with the exception of a small section of the front building - which is painted blue) have walls constructed of unpainted concrete block.

As shown on Drawing A2010 Rev F in Appendix B - the walls of the rear building, including the south west and north west wall are to remain as unpainted concrete blocks. The north west wall of the front building is proposed to be painted with Resene - Neutral (Triple Rakaia) and Resene- Green (Black Bean), with final colours selection to conform to a Light Reflectance Value of less than 40%, compliant with sub-clause (a).

The existing buildings have personnel doors and roller doors along the north western sidewalls, which face the Inner residential zone adjoining the subject site to the north west. The proposal includes an additional person door in the wall of the front building. The existing building walls are within 11m of the residential zone, which is delineated by a solid brick wall along the common boundary. This structure is considered to effectively block the sight line to the land in the adjoining Inner Residential Zone, compliant with sub-clause (b).



<p>A3</p> <p>Site coverage must be no more than 50%</p>	<p>P3</p> <p>Site coverage must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) protect streetscape values;</li> <li>(b) prevent unreasonable adverse impacts on residential amenity on neighbouring lots by: <ul style="list-style-type: none"> <li>(i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00am and 5.00pm on June 21 or further decrease sunlight hours if already less than 3 hours;</li> <li>(ii) overlooking and loss of privacy</li> <li>(iii) visual impact, when viewed from adjoining lots, through building bulk and massing;</li> </ul> </li> </ul>
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Site coverage is defined term and means;

*means the proportion of a site (excluding any access strip) covered by roofed buildings.*

The subject site area is 1038m<sup>2</sup>, with existing buildings that occupy approximately 605m<sup>2</sup> of the site, which is 58% of the overall site area. The proposal includes a connecting corridor between the two existing buildings, with a roofed area of 2.6m<sup>2</sup>. The proposal will result in a total site coverage area of 607.6m<sup>2</sup>, which equates to 59% (rounded up) of the overall site. Accordingly the proposal does not comply with the Acceptable Solution A1 and the Performance Criteria must be considered.

Streetscape is a defined term and means:

*means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.*

*For the purposes of determining streetscape with respect to a particular site, the above factors are relevant if within 100 m of the site.*

The proposed increase in site coverage, makes no change to key elements of the existing streetscape, including the road width, street planting, public utility structure within the road reserve, or the setback of the existing buildings and structure on the subject lot front boundary. The proposal repurposes the existing buildings and therefore there is no change to the existing scale or bulk of the site's buildings and structures fronting the road reserve.

The only streetscape element that is changing is the 'structure fronting the road reserve'. As shown in Diagram 1 Proposed East Elevation - Argyle Street (Drawing A2010 Rev F in Appendix B) the proposal will result in decluttering the existing multi-coloured façade by replacing it with a more cohesive and consistent façade that provides increased passive surveillance of the footpath. The proposed façade changes are considered to be more sympathetic to the



residential streetscape character on the northern side of Argyle Street, while still maintaining the Light Industrial character of the southern side of Argyle Street, as shown in Figures 6 to 9.

Based on the above, the proposal is considered to protect street scape values in accordance with sub-clause (a) of the above performance criterion.



Figure 6 Aerial image showing extent of streetscape relevant to subject site (Source LISTmap)



Figure 7 Looking north showing existing streetscape, location 1 and 3 (Source Google Street View November 2019)





Figure 8 Looking south showing existing streetscape, location 2 and 4, with subject site facade outlined in red (Source Google Street View November 2019)

The buildings already exist on the site, and the proposal makes no change to their height. Therefore it is not possible for the proposal to result in any unreasonable impact on residential amenity on neighbouring lots above and beyond any that already exists in relation to overshadowing (b)(i), overlooking or loss of privacy (b)(ii), or visual impact when viewing from adjoining lots, through building bulk and massing (b)(iii). And it is considered that P3(b) is not applicable.

Based on the above the proposal is considered to satisfy all applicable elements of Performance Criteria P3.

#### 24.4.4 Passive Surveillance

**Objective:** To ensure that building design provides for the safety of the public.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Building design must comply with all of the following:</i></p> <p><i>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</i></p> <p><i>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front facade which amount to no less than 20 % of the surface area of the ground floor level facade;</i></p> <p><i>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the facade of any wall which faces a public space or a car park which amount to no less than 10 %</i></p>	<p><b>P1</b></p> <p><i>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</i></p> <p><i>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</i></p> <p><i>(b) locate windows to adequately overlook the street and adjoining public spaces;</i></p> <p><i>(c) incorporate windows and doors for ground floor offices to look upon public access to the building;</i></p> <p><i>(d) locate external lighting to illuminate any entrapment spaces around the building site;</i></p> <p><i>(e) design and locate public access to provide high visibility for users and provide clear</i></p>



<p>of the surface area of the ground floor level facade;</p> <p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p>	<p>sight lines between the entrance and adjacent properties and public spaces;</p> <p>(f) provide for sight lines to other buildings and public spaces.</p>
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The proposed changes to the existing building are considered compliant with Acceptable Solution A1 as outlined below:

- The main pedestrian entry to the building will be via the accesses onto the Argyle Street, which will be clearly visible, and reinforced by the proposed signage. Refer Drawing A2010 Rev F in Appendix B, compliant with sub-clause (a);
- Drawing A2000 Rev E in Appendix B shows the existing Argyle Street facade and identifies those elements to be removed/demolished. Drawing A2010 Rev F in Appendix B shows the proposed Argyle Street facade, including images (1, 2, and 3) of the style of windows, doors and sectional doors to be installed.

The area of the front facade is calculated to be 81.29m<sup>2</sup>. The proposal will provide a total glazed area of 39.88m<sup>2</sup>; this is 49% of the total facade area, as shown on Drawing A2010 Rev F in Appendix B, compliant with sub-clause (b);

- There is no public parking proposed on the site and there are no facades other than the front facade that faces a public space; accordingly, sub-clauses (c) and (f) are considered not applicable.
- There are no alcoves near public spaces, compliant with sub-clause (d).
- External lighting is provided as shown in Drawings A1300 Rev E and A2010 Rev F in Appendix B compliant with sub-clause. (e)

Based on the above the proposal is considered to comply with all applicable elements of Acceptable Solution A1.

24.4.5 Landscaping	
<p><b>Objective:</b> To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.</p>	<p>P1</p> <p>Landscaping must be provided to satisfy all of the following:</p> <p>(a) enhance the appearance of the development;</p>



	<p>(b) provide a range of plant height and forms to create diversity, interest and amenity;</p> <p>(c) not create concealed entrapment spaces;</p> <p>(d) be consistent with any Desired Future Character Statements provided for the area.</p>
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No landscaping is proposed as the existing front building has nil setback to the frontage, compliant with Acceptable Solution A1.

<p>A2</p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than:</p> <p>2 m.</p>	<p>P2</p> <p>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zoned land.</p>
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The site adjoins residential land along the north and south western boundaries; the proposal retains the existing impervious driveway and storage areas, and no landscaping is proposed. Therefore the Performance Criteria must be considered.

The existing boundary delineations to the Inner Residential zoned land include the:

- Double story brick wall of the existing building on 268-288 Argyle Street, which defines the boundary along the north western boundary. It is noted that there are no windows on the ground floor of this building; and
- Existing residential building walls and a 3m high wall along the southwestern boundary to 16 Lefroy Street, and along the north western boundary to 4 Lefroy Street.

It is considered that these existing structural delineations, in effect provide building design solutions that avoid the subject site from creating adverse impacts on the visual amenity of the adjoining land.

The proposal is considered to satisfy Performance Criteria P2.

24.4.6 Outdoor Storage Areas	
<b>Objective:</b> To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <p>(a) be located behind the building line;</p>	<p>P1</p> <p>Outdoor storage areas for non-residential uses must satisfy all of the following:</p>



<i>(b) all goods and materials stored must be screened from public view;</i>	<i>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</i>
<i>(c) not encroach upon car parking areas, driveways or landscaped areas.</i>	<i>(b) not encroach upon car parking areas, driveways or landscaped areas.</i>

The proposed outdoor storage areas are considered compliant with sub-clauses of Acceptable Solution A1 as outlined below:

- The external storage area (for bins) is provided at the rear of the building as shown in Drawing A0102 Rev E in Appendix B compliant with sub-clause (a);
- All goods and materials are stored inside the building and therefore screened from public view, compliant with sub-clause (b);
- The external and internal storage areas are separate from and do not encroach upon on-site car and bicycle parking areas, or the driveway and as there are no landscaped areas the proposal is compliant with sub-clause (c)

The proposal is considered compliant with Acceptable Solution A1.

24.4.7 Fencing	
<b>Objective:</b> To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Fencing must comply with all of the following:</i></p> <p><i>(a) fences, walls and gates of greater height than 1.5 m must not be erected within 10 m of the frontage;</i></p> <p><i>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;</i></p> <p><i>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.</i></p>	<p><b>P1</b></p> <p><i>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</i></p> <p><i>(a) the height of the fence;</i></p> <p><i>(b) the degree of transparency of the fence;</i></p> <p><i>(c) the location and extent of the fence</i></p> <p><i>(d) the design of the fence;</i></p> <p><i>(e) the fence materials and construction;</i></p> <p><i>(f) the nature of the use;</i></p> <p><i>(g) the characteristics of the site, the streetscape and the locality, including fences;</i></p> <p><i>(h) any Desired Future Character Statements provided for the area.</i></p>



The proposal makes no change to the existing fencing and gate along the frontage to the north of the existing building. The existing structures are higher than 1.5m with a nil setback from the frontage, 50% transparent above 1.2m designed for security purposes. As previously outlined the common boundaries with land in a residential zone are defined by existing building walls on the adjoining lots and 3m high common block wall fencing.

The existing fencing is not compliant with Acceptable Solution A1, but as no changes are proposed the existing fence and gate at the site are considered pre-existing non-conforming structures. Therefore, this clause is considered not applicable to the proposal.



### 4.3 Codes

The proposal has been considered against a number of *the Scheme* Code provisions, as detailed in this section of the report.

#### *E2.0 Potentially Contaminated Land Code*

The purpose of the code is to ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

It is noted that the proposal is not for a sensitive use, defined as

*a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.*

and does not involve any of the use classes listed in Table E2.2.1. Furthermore, advice was received from Hobart City Council that the subject site is not listed on Council's register of potentially contaminated land.

Therefore it is considered that the proposal does not require assessment against the code as *Clause E2.2 Application of this Code* criteria do not apply.

#### *E5.0 Road and Railway Assets Code*

The purpose of the code is to:

- (a) protect the safety and efficiency of the road and railway networks; and*
- (b) reduce conflicts between sensitive uses and major roads and the rail network.*

The proposal retains the existing vehicle crossing and no changes are proposed.

The proposed change of use at the site is anticipated to have a level of vehicle use that is lower than the previous uses at the site because:

- There will only be one business occupying the site;
- On-site parking is reduced to two Class 2 car spaces (AS2890.1) for staff;
- The number of commercial vehicle movements to and from the site is anticipated to be less than 18 per week; and
- The total traffic generation (to and from the site) will be around 10 vehicles/day (8 cars and 2 delivery vehicles) (see page 10 Appendix E)

The proposal does not involve a sensitive use, a building, works or subdivision within 50m of a Utilities zone that is part of a:

- Rail network;
- A category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h.

Therefore it is considered that the proposal does not require assessment against the code as *Clause E5.2 Application of this Code* criteria do not apply.



**E6.0 Parking and Access Code**

The purpose of this code is 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;*
- (d) ensure parking areas are designed and located in conformity with recognised standards to enable safe, easy and efficient use and contribute to the creation of vibrant and liveable places;*
- (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.*

The likely impact of the proposal has been considered in detail as documented in the Traffic Impact Assessment (TIA) prepare by Milan Prodanovic and dated May 2020 is included in Appendix E.

The following Use Standard clauses are not applicable as the subject site is located within the Light Industrial Zone:

- *E6.6.5 Number of Car Parking Spaces - Central Business Zone;*
- *E6.6.6 Number of Car Parking Spaces - General and Local Business Zone;*
- *E6.6.7 Number of Car Parking Spaces - Particular Purpose Zone 4;*
- *E6.6.8 Number of Car Parking Spaces - Particular Purpose Zone 8;*
- *E6.6.9 Number of Car Parking Spaces - Particular Purpose Zone 10;*
- *E6.6.10 Number of Car Parking Spaces - Residential Zones;*

The following Development Standard clauses of the code are considered not applicable;

- *E6.7.7 Lighting of Parking Areas - as the site does not provide on-site parking for more than 5 cars;*
- *E6.7.8 Landscaping of Parking Area - as the site does not provide on-site parking for more than 5 cars;*
- *E6.7.9 Design of Motorcycle Parking Areas - no requirement for Motorcycle parking;*
- *E6.7.10 Design of Bicycle Parking Areas - no requirement for Bicycle parking (existing building);*
- *E6.7.11 Bicycle End of Trip Facilities - no requirement for Bicycle parking (existing building);*
- *E6.7.12 Siting of Car Parking - no requirement, the site is located in the Light Industrial Zone;*
- *Clause E6.7.15 Access to Niree Lane Sandy Bay - as the site is not located in Niree Lane; and*
- The site does not have frontage onto an area identified in Figure E6.7.12 Pedestrian Priority Streets.

The following assessment against the code provisions references the TIA where applicable.



## E6.6 Use Standards

## E6.6.1 Number of Car Parking Spaces

**Objective:** To ensure that:

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.
- (b) a use or development does not detract from the amenity of users or the locality by:
- (i) preventing regular parking overspill;
  - (ii) minimising the impact of car parking on heritage and local character.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>The number of on-site car parking spaces must be:</i></p> <p><i>(a) no less than and no greater than the number specified in Table E6.1;</i></p> <p><i>except if:</i></p> <p><i>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</i></p> <p><i>(ii) the site is subject to clauses E6.6.5, E6.6.6, E6.6.7, E6.6.8, E6.6.9 or E6.6.10 of this planning scheme.</i></p>	<p><b>P1</b></p> <p><i>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:</i></p> <p><i>(a) car parking demand;</i></p> <p><i>(b) the availability of on-street and public car parking in the locality;</i></p> <p><i>(c) the availability and frequency of public transport within a 400m walking distance of the site;</i></p> <p><i>(d) the availability and likely use of other modes of transport;</i></p> <p><i>(e) the availability and suitability of alternative arrangements for car parking provision;</i></p> <p><i>(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;</i></p> <p><i>(g) any car parking deficiency or surplus associated with the existing use of the land;</i></p> <p><i>(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></p> <p><i>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport</i></p>



	<p>facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p> <p>(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.</p>
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The site is not subject to:

- a car parking plan; or
- the following clauses:
  - E6.6.5 Number of Car Parking Spaces - Central Business Zone;
  - E6.6.6 Number of Car Parking Spaces - General and Local Business Zone;
  - E6.6.7 Number of Car Parking Spaces - Particular Purpose Zone 4;
  - E6.6.8 Number of Car Parking Spaces - Particular Purpose Zone 8;
  - E6.6.9 Number of Car Parking Spaces - Particular Purpose Zone 10;
  - E6.6.10 Number of Car Parking Spaces - Residential Zones;

The proposal does not provide the number of car parks specified in Table E6.1 and therefore does not comply with Acceptable Solution A1 and the Performance Criteria must be considered.

Section 6.1 page 12 in the TIA (refer Appendix E) estimates the required car parking supply based on Table E6.1 to be 32 spaces and provides an assessment against the Performance Criteria (see pp17 to 19 for details).

The following is a summary of the assessment against each sub-clause of Performance Criteria P1:

- car parking demand is estimated at 18 spaces or less (a);
- there is more than sufficient availability of on street parking (b);
- there are Metro bus services within 200m of the site (c); and
- the site is well located for access via cycle and pedestrians (d); and
- the remaining criteria (e) to (l) inclusive are not applicable to the proposal.

The TIA concludes on p19 "that there is more than a sufficient parking supply in the area within acceptable walking distance of the development site to meet the parking demand".

Based on the above the proposal is considered to satisfy Performance Criteria P1.

E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	
<b>Objective:</b> To ensure that a use or development provides sufficient accessible car parking for people with a disability.	
Acceptable Solution	Performance Criteria
A1	P1



Car parking spaces provided for people with a disability must:	No Performance Criteria.
(a) satisfy the relevant provisions of the Building Code of Australia;	
(b) be incorporated into the overall car park design;	
(c) be located as close as practicable to the building entrance.	

The proposed use of the buildings aligns most closely with Building Code of Australia building Class 8 and 6 where:

➤ Class 8 means

*a laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale, or gain.*

And

➤ Class 6 means

*a shop or other building for the sale of goods by retail or the supply of services direct to the public, including—*

- *an eating room, café, restaurant, milk or soft-drink bar; or*
- *a dining room, bar area that is not an assembly building, shop or kiosk part of a hotel or motel; or*
- *a hairdresser's or barber's shop, public laundry, or undertaker's establishment; or*
- *market or sale room, showroom, or service station.*

Class 8 buildings have a requirement of 1 all ability space for every 100 car parking spaces or part thereof.

Class 6 buildings (up to 1000 car parking spaces) have a requirement of 1 all ability space for every 50 car parking spaces or part thereof.

However, sub-clause (b) of Section D3.5 Accessible carparking (NCC BCA Volume One, 2019) states that accessible carparking spaces “...need not be provided...in a carparking area where a parking service is provided and direct access to any of the carparking spaces is not available to the public.”

It is considered that the proposal is aligned with this exception because the site provides for two off street parking spaces at the rear of the site, which will be allocated for staff use, so that effectively the site does not provide any off street parking for the public.

Accordingly, it is considered that this provision is not applicable to the proposal.

E6.6.3 Number of Motorcycle Parking Spaces	
<b>Objective:</b> To ensure enough motorcycle parking is provided to meet the needs of likely users of a use or development.	
Acceptable Solution	Performance Criteria
A1	P1



<i>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</i>	<i>The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:</i> <ul style="list-style-type: none"> <li><i>(a) motorcycle parking demand;</i></li> <li><i>(b) the availability of on-street and public motorcycle parking in the locality;</i></li> <li><i>(c) the availability and likely use of other modes of transport;</i></li> <li><i>(d) the availability and suitability of alternative arrangements for motorcycle parking provision.</i></li> </ul>
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The proposal only includes two onsite car parking spaces, therefore does not trigger the requirement for on-site motorcycle parking and this provision is considered not applicable.

#### E6.6.4 Number of Bicycle Parking Spaces

**Objective:** To ensure enough bicycle parking is provided to meet the needs of likely users and by so doing to encourage cycling as a healthy and environmentally friendly mode of transport for commuter, shopping and recreational trips.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</i></p>	<p><b>P1</b></p> <p><i>The number of on-site bicycle parking spaces provided must have regard to all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) the nature of the use and its operations;</i></li> <li><i>(b) the location of the use and its accessibility by cyclists;</i></li> <li><i>(c) the balance of the potential need of both those working on a site and clients or other visitors coming to the site.</i></li> </ul>

The proposed use at the site incorporates 481m<sup>2</sup> of the existing buildings, therefore as per Operation of Table E6.2 (d)

*No new bicycle parking spaces are required to be provided for a change of use in an existing building where there is no increase in the floor area of the building and floor area used is less than 500m<sup>2</sup>.*

This provision is considered not applicable to the proposal.

Notwithstanding this Scheme provision, the operational model is based on staff using active transport modes including cycling and walking, hence five onsite bicycle parking spaces are provided at the rear of the site.



## E6.7 Development Standards

## E6.7.1 Number of Vehicular Accesses

**Objective:** To ensure that:

- (a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:
  - (i) the number of vehicle access points; and
  - (ii) loss of on-street car parking spaces;
- (b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;
- (c) vehicle access points do not have a dominating impact on local streetscape and character.

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</i></p>	<p><b>P1</b></p> <p><i>The number of vehicle access points for each road frontage must be minimised, having regard to all of the following</i></p> <ul style="list-style-type: none"> <li><i>(a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points;</i></li> <li><i>(b) whether the additional access points can be provided without compromising any of the following:</i> <ul style="list-style-type: none"> <li><i>(i) pedestrian safety, amenity and convenience;</i></li> <li><i>(ii) traffic safety;</i></li> <li><i>(iii) residential amenity on adjoining land;</i></li> <li><i>(iv) streetscape;</i></li> <li><i>(v) cultural heritage values if the site is subject to the Local Historic Heritage Code;</i></li> <li><i>(vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.</i></li> </ul> </li> </ul>

The site has an existing access to Argyle Street, which is intended to be retained without changes.

The proposal is considered compliant with Acceptable Solution A1.

<p><b>A2</b></p> <p><i>In the Central Business Zone and Particular Purpose Zone 10 (Royal Hobart Hospital) no new vehicular access is provided unless an existing access point is removed.</i></p>	<p><b>P2</b></p> <p><i>In the areas covered by the Active Frontage Overlay (Figure 22.1) and Pedestrian Priority Street Overlay (Figure E6.7.12) and in Particular Purpose Zone 10 any new</i></p>
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	<p>vehicular access point must not compromise any of the following:</p> <p>(a) pedestrian safety, amenity and convenience;</p> <p>(b) traffic safety;</p> <p>(c) streetscape;</p> <p>(d) cultural heritage values if the site is subject to the Historic Heritage Code;</p> <p>(e) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.</p>
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The site is not located in the Central Business Zone or Particular Purpose Zone 10 (Royal Hobart Hospital) and this provision is considered not applicable.

<p>A3</p> <p><i>In Particular Purpose Zone 4 - Calvary Healthcare Hospital Campus access to the site is to be provided according to the location of approved access points off Augusta Road and Honara Avenue shown on the endorsed plans associated with permit PLN-14-00428-01. The other access points noted are to be utilised for emergency access only.</i></p>	<p>P3</p> <p><i>No performance criteria</i></p>
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The site is not located in the Particular Purpose Zone 4 (Calvary Healthcare Hospital Campus) and this provision is considered not applicable.

E6.7.2 Design of Vehicular Accesses	
<p><b>Objective:</b> To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p><i>Design of vehicle access points must comply with all of the following:</i></p> <p><i>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 - "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</i></p>	<p>P1</p> <p><i>Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:</i></p> <p><i>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</i></p> <p><i>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</i></p>



(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	(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.
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Section 6.4 (pages 19 to 22) in the TIA (refer Appendix E) considers the sight distances from the existing site access and identifies that the geometry of the northern sight triangle is not in accordance with AS2890.1. Accordingly, the proposal is not able to comply with Acceptable Solution A1; and therefore the Performance Criteria must be considered.

The non-compliance of the existing access results from the existing building located on the property to the north, namely 286 to 288 Argyle Street, as shown in Figure 7.

As articulated in the TIA:

- there are no issues or concerns with the adequacy of sight distance along Argyle Street for drivers entering or exiting this driveway (p20); and given the dedicated cycle lane on Argyle Street, and number of driveways in proximity to the site, it is considered that other traffic users will be attuned to vehicles entering or leaving the site satisfying sub-clauses (a) and (b);
- The anticipated daily traffic activity is estimated to be 6 to 10 vehicles, which is a lower volume than previous uses at the site. Commercial vehicles will enter and exit the site in a forward direction, with the exception of the MRV commercial vehicles (see Appendix F), which will need to reverse into the site; a manoeuvre that will be audibly announced to pedestrians satisfying sub-clause (c); and
- as show in the Proposal Plans (see Appendix B) the existing vehicle access is clearly identified and is located approximately 10m north of the closest pedestrian entrance of the building's frontage, satisfying sub-clause (d).

Accordingly it is considered that the proposal satisfies Performance Criteria P1.

E6.7.3 Vehicular Passing Areas Along an Accesses	
<b>Objective:</b> To ensure that: (a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists; (b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.	
Acceptable Solution	Performance Criteria
<b>A1</b>  Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day;	<b>P1</b>  Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following: (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;



<i>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</i>	<i>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</i>
<i>(c) have the first passing area constructed at the kerb;</i>	<i>(d) ease of accessibility and recognition for users.</i>
<i>(d) be at intervals of no more than 30 m along the access.</i>	

Although the site access:

- does not service more than 5 car parking space (as per sub-clause A1 (a) (i); and
- is not more than 30m long (as per sub-clause A1 (a) (ii);
- vehicular passing areas are required as the access meets a road servicing more than 6000 vehicles per day (as outlined in Section 4.2 , pages 8 to 9 of the TIA in Appendix E) (as per sub-clause A1 (a) (iii).

The existing internal driveway area is wider than 10m for its entire length and allows for vehicular passing, compliant with A1 (b).

The existing internal driveway is approximately 35m long and the existing site arrangements, do not include marked up passing areas at the kerb or at intervals of 30m. Therefore the proposal is not able to comply with Acceptable Solution A1 (c) or (d) and the Performance Criteria P1 must be considered.

As articulated in the TIA:

- there are no issues or concerns with the adequacy of sight distance along Argyle Street for drivers entering or exiting this driveway (p20); and given the dedicated cycle lane on Argyle Street, and number of driveways in proximity to the site, it is considered that other traffic users will be attuned to vehicles entering or leaving the site, satisfying sub-clauses (a), (b) and (d); and
- The anticipated daily traffic activity is estimated to be 6 to 10 vehicles, which is a lower volume than historical vehicle movements. Commercial vehicles will enter and exit the site in a forward direction, with the exception of the MRV commercial vehicles (see Appendix F), which will need to reverse into the site; a manoeuvre that will only be required up to around once or twice a week but not every week, satisfying sub-clause (c).

Based on the above the proposal is considered to satisfy Performance Criteria P1.

E6.7.4 On-Site Turning	
<b>Objective:</b> To ensure safe, efficient and convenient access for all users, including drivers, passengers, pedestrians and cyclists, by generally requiring vehicles to enter and exit in a forward direction.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</i></p> <p><i>(a) it serves no more than two dwelling units;</i></p> <p><i>(b) it meets a road carrying less than 6000 vehicles per day.</i></p>	<p><b>P1</b></p> <p><i>On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:</i></p> <p><i>(a) avoidance of conflicts between users including vehicles, cyclists, dwelling occupants and pedestrians;</i></p> <p><i>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</i></p>



	<p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users;</p> <p>(e) suitability of the location of the access point and the traffic volumes on the road.</p>
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The access to the site meets a road servicing more than 6000 vehicles per day (b) accordingly on-site vehicle turning is required.

The site provides sufficient onsite vehicle turning space for sedans and small rigid commercial vehicles but not for medium rigid vehicles (see p23 TIA in Appendix E); and accordingly the Performance Criteria P1 must be considered.

As articulated in the TIA:

- there are no issues or concerns with the adequacy of sight distance along Argyle Street for drivers entering or exiting this driveway (p20); and given the dedicated cycle lane on Argyle Street, and number of driveways in proximity to the site, it is considered that other traffic users will be attuned to vehicles entering or leaving the site satisfying sub-clauses (a), (b) and (d); and
- The anticipated daily traffic activity is estimated to be 6 to 10 vehicles, which is a lower volume than historical vehicle movements. Vehicles will enter and exit the site in a forward direction, with the exception of the MRV commercial vehicles (see Appendix F), which will need to reverse into the site; a manoeuvre that will only be required up to around once or twice a week but not every week, satisfying sub-clause (c)
- The access is existing; and it is not feasible to provide an alternate access to the site, satisfying sub-clause (e)

Based on the above the proposal is considered to satisfy Performance Criteria P1.

E6.7.5 Layout of Parking Areas	
<b>Objective:</b> To ensure that parking areas for cars (including assessable parking spaces), motorcycles and bicycles are located, designed and constructed to enable safe, easy and efficient use.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p>	<p>P1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.</p>

The two on-site car parks (for staff) and the commercial loading/unloading space comply with the applicable standards as shown on Drawing A0102 Rev E in Appendix B.

The proposal is considered compliant with Acceptable Solution A1.



E6.7.6 Surface Treatment of Parking Areas	
<b>Objective:</b> To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</i></p> <p><i>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</i></p> <p><i>(b) drained to an approved stormwater system,</i></p> <p><i>unless the road from which access is provided to the property is unsealed.</i></p>	<p><b>P1</b></p> <p><i>Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:</i></p> <p><i>(a) the suitability of the surface treatment;</i></p> <p><i>(b) the characteristics of the use or development;</i></p> <p><i>(c) measures to mitigate mud or dust generation or sediment transport.</i></p>

The parking spaces and vehicle circulation roadways are already sealed with a durable all weather pavement and the proposal makes no change to this arrangement, compliant with sub-clause A1 (a).

The existing sealed areas are drained to an approved stormwater system, by existing pits outlined in the Concept Services Report (see Appendix G), compliant with sub-clause (b).

The proposal is compliant with Acceptable Solution A1.

E6.7.13 Facilities for Commercial Vehicles	
<b>Objective:</b> To ensure that facilities for commercial vehicles are provided on site, as appropriate.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:</i></p> <p><i>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;</i></p> <p><i>(b) the use is not primarily dependent on outward delivery of goods from the site.</i></p>	<p><b>P1</b></p> <p><i>Commercial vehicle arrangements for loading, unloading or manoeuvring must not compromise the safety and convenience of vehicular traffic, cyclists, pedestrians and other road users.</i></p>

The commercial loading/unloading space complies with the applicable standards as shown on Drawing A0102 Rev E in Appendix B.



The proposal is considered compliant with Acceptable Solution A1.

E6.7.14 Access to a Road	
<b>Objective:</b> To ensure that access to the road network is provided appropriately.	
Acceptable Solution	Performance Criteria
A1 <i>Access to a road must be in accordance with the requirements of the road authority.</i>	P1 <i>No Performance Criteria.</i>

The existing access is constructed in accordance with the requirements of the road authority.

The proposal is considered compliant with Acceptable Solution A1.

Based on the preceding assessment, the proposal is considered to be aligned with the Code purpose as it will not give rise to any adverse traffic or parking issues.

#### E7.0 Stormwater Management Code

The purpose of this code is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.

The code applies to development requiring the management of stormwater but does not apply to use as per *Clause E7.2 Application*. No development is exempt from this code as per *Clause E7.4*.

It is noted that the entire site is covered by impervious surfaces and the proposal makes no change to this situation; however, as the proposal includes development it is considered against the provisions of the code.

The Concept Services Report (pages 1 to 2) prepared by COVA dated 12 May 2020, provides an analysis of the existing and proposed Stormwater arrangements at the site (refer Appendix G).

#### E7.7 Development Standards

E7.7.1 Stormwater Drainage and Disposal	
<b>Objective:</b> To ensure that stormwater quality and quantity is managed appropriately.	
Acceptable Solution	Performance Criteria
A1 <i>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</i>	P1 <i>Stormwater from new impervious surfaces must be managed by any of the following:</i> <i>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</i> <i>(b) collected for re-use on the site;</i> <i>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to</i>



	<i>minimise the risk of failure to the satisfaction of the Council.</i>
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There are no new impervious surfaces proposed; accordingly this provision is considered not applicable.

<p><b>A2</b></p> <p><i>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</i></p> <p><i>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</i></p> <p><i>(b) new car parking is provided for more than 6 cars;</i></p> <p><i>(c) a subdivision is for more than 5 lots.</i></p>	<p><b>P2</b></p> <p><i>A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.</i></p>
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There are no new impervious surfaces (a); on-site parking is for two vehicles only (b) and the proposal is not for a subdivision (c).

Accordingly, this provision is considered not applicable.

<p><b>A3</b></p> <p><i>A minor stormwater drainage system must be designed to comply with all of the following:</i></p> <p><i>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</i></p> <p><i>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</i></p>	<p><b>P3</b></p> <p><i>No Performance Criteria.</i></p>
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As per the analysis in Section 3.2 of the COVA report (refer Appendix G) the existing stormwater system is sized appropriately (a) and

As the proposal does not increase the impervious surface areas of the site, the stormwater runoff will be no greater than pre-existing runoff. (b).

The proposal is considered compliant with Acceptable Solution A3.

<p><b>A4</b></p> <p><i>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years</i></p>	<p><b>P4</b></p> <p><i>No Performance Criteria.</i></p>
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The proposal does not increase the impervious surface areas of the site and this provision is considered not applicable.

Based on the preceding assessment, the proposal is considered to be aligned with the Code purpose as it will manage stormwater disposal in a way that furthers the objectives of the State Stormwater Strategy.

#### ***E8.0 Electricity Transmission Infrastructure Protection Code***

The purpose of this provision is to:

- (a) ensure protection of use and development against hazard associated with proximity to electricity transmission infrastructure;*
- (b) ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure;*
- (c) maintain future opportunities for electricity transmission infrastructure.*

The code applies to development within an electricity transmission corridor as per *Clause E8.2.1 (a) (i)*.

As shown in Figure 3 and Figure 4 the proposed changes to the existing building façade are located within an electricity transmission corridor, including an inner protection are. Accordingly the proposal is considered against the code provisions as it does not meet the exemption criteria of *Clause 8.4 Use and Development Exempt from this Code*.

The following Use Standard clauses do not apply to the proposal:

- *E8.6.1 - Sensitive use within 65m of a substation facility - as the proposal is not for a sensitive use; and*
- *E8.6.2 Use other than sensitive use within 65m of a substation facility - as the site is over 170m from the substation facility to the south east at 222 Campbell Street.*

The following Development Standard clauses do not apply to the proposal:

- *E8.7.2 Development for sensitive uses within 65m of a substation facility- as the proposal is not for a sensitive use;*
- *E8.7.3 Development for uses other than sensitive uses within 65m of a substation facility - as the site is over 170m from the substation facility to the south east at 222 Campbell Street; and*
- *E8.7.4 Development within 55m of a communication station - as the site is not located within 55m of a communication station.*

The following is an assessment against the only code provision considered relevant, namely *Clause E8.7.1 Development within the electricity transmission corridor*.

#### **E8.7 Development Standards for Buildings and Works**

##### **E8.7.1 Development within the electricity transmission corridor**

**Objective:** To ensure that development is located appropriate distances from electricity transmission infrastructure to:

- (a) ensure operational efficiencies, access and security of existing or future electricity transmission infrastructure;
- (b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure



Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Development is not within:</i></p> <p><i>(a) an inner protection area; or</i></p> <p><i>(b) a registered electricity easement.</i></p>	<p><b>P1</b></p> <p><i>Development must be located an appropriate distance from electricity transmission infrastructure, having regard to all of the following:</i></p> <p><i>(a) the need to ensure operational efficiencies of electricity transmission infrastructure;</i></p> <p><i>(b) the provision of access and security to existing or future electricity transmission infrastructure;</i></p> <p><i>(c) safety hazards associated with proximity to existing or future electricity transmission infrastructure;</i></p> <p><i>(d) the requirements of the electricity transmission entity.</i></p>

The proposed changes to the existing building front façade are located within an inner protection area (IPA) as shown in Figure 4; hence the proposal is not able to comply with Acceptable Solution A1 and the Performance Criteria P1 must be considered.

It is noted that the overlay is for the IPA associated with 11m underground Transend Cables, which are now part of the TasNetworks business.

As all of the proposed works are above ground, they will not:

- Impact on the operational efficiency of the electricity transmission infrastructure, satisfying sub-clause (a);
- Impact on the provision of access and security to existing or future electricity transmission infrastructure, satisfying sub-clause (b); and
- create safety hazards associated with proximity to existing or future electricity transmission infrastructure, satisfying sub-clause (c).

Advice was sought from TasNetworks in relation to this matter, but no specific requirements were provided, and the advice concluded that TasNetworks has no objection to the proposal proceeding, as shown in Appendix H, satisfying sub-clause (d).

Accordingly it is considered that the proposal satisfies Performance Criteria P1.

The proposal is considered to align with the Code purpose.

#### **E9.0 Attenuation Code**

The purpose of this code is to:

- (a) minimise adverse effect on the health, safety and amenity of sensitive use from uses with potential to cause environmental harm; and*
- (b) minimise likelihood for sensitive use to conflict with, interfere with or constrain uses with potential to cause environmental harm.*

This code is considered not applicable to the proposal as none of the criteria in *Clause E9.2 Application* are triggered, namely:



*E9.2.1 (a)* as the proposed uses at the site do not include any of the activities listed in Table E9.1 or Table E9.2 and the subject site is located within the Light Industrial Zone; and

*E9.2.1 (b)* the proposed development is not for a sensitive use.

Accordingly the proposal is not considered further against this Scheme provision.

#### ***E15.0 Inundation Prone Areas Code***

The purpose of this code is to:

*(a) identify areas which are at risk of periodic or permanent inundation from one or more of the following:*

- (i) riverine, watercourse and inland flooding, (where spatial information exists),*
- (ii) storm tide,*
- (iii) sea level rise;*

*(b) manage development in areas at risk from periodic or permanent inundation so that:*

- (i) people, property and infrastructure are not exposed to an unacceptable level of risk,*
- (ii) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised,*
- (iii) marine-infrastructure on coastal landforms is undertaken in a way that protects coastal features, processes and ecological systems from adverse impacts;*

*(c) facilitate sustainable development of the coast in response to the impacts of climate change;*

*(d) manage development on the coast so that:*

- (i) people, property and infrastructure are not exposed to an unacceptable level of risk,*
- (ii) adverse effects on the stability and functioning of the coastal environment are minimised,*
- (iii) future options for adaptation, protection, retreat or abandonment of property and infrastructure are maintained and associated future costs are minimised,*
- (iv) marine-infrastructure on coastal landforms is undertaken in a way that protects coastal features, processes and ecological systems from adverse impacts;*

*(e) preclude development that will affect flood flow or be affected by flood water, or change coastal dynamics in a way detrimental to development sites or other property;*

*(f) provide for appropriate development dependent on a coastal location.*

Advice was received from Council that the site is within an area at risk of flooding, although not shown within a Riverine Inundation Hazard Area, hence this code is applicable to the proposal as per *Clause E15.2.1 (c) (ii)*.

The following Use Standards are considered not applicable to the proposal:



- *E15.6 Use Standards* - as the proposal is not for a change of use involving a habitable building or habitable rooms.

The following Development Standards are considered not applicable to the proposal as the site is not located within the areas identified in the above Code, including:

- *E15.7.1 Coastal Inundation High Hazard Areas;*
- *E15.7.2 Coastal Inundation Medium Hazard Areas;*
- *E15.7.3 Coastal Inundation Low Hazard Areas;*
- *E15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas; and*
- *E15.7.6 Development Dependent on a Coastal Location.*

The proposal is considered against the applicable Development Standard, namely *E15.7.4 Riverine Inundation Hazard Areas*.

E15.7.4 Riverine Inundation Hazard Area	
<b>Objective:</b> To ensure that risk from riverine, watercourse or inland flooding is appropriately managed and takes into account the use of the buildings.	
Acceptable Solution	Performance Criteria
<b>A1</b>  <i>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.</i>	<b>P1</b>  <i>A new habitable building must have a floor level that satisfies all of the following:</i> <ul style="list-style-type: none"> <li>(a) <i>risk to users of the site, adjoining or nearby land is acceptable;</i></li> <li>(b) <i>risk to adjoining or nearby property or public infrastructure is acceptable;</i></li> <li>(c) <i>risk to buildings and other works arising from riverine flooding is adequately mitigated through siting, structural or design methods;</i></li> <li>(d) <i>need for future remediation works is minimised;</i></li> <li>(e) <i>provision of any developer contribution required pursuant to policy adopted by Council for riverine flooding protection works.</i></li> </ul>

The proposal is not for a new habitable building and this provision is considered not applicable.

<b>A2</b>  <i>An extension to an existing habitable building must comply with one of the following:</i>	<b>P2</b>  <i>An extension to an existing habitable building must satisfy all of the following:</i> <ul style="list-style-type: none"> <li>(a) <i>floor level to be no lower than existing floor level;</i></li> </ul>
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(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;	(b) risk to users of the site, adjoining or nearby land is not increased;
(b) floor area of the extension no more than 60 m <sup>2</sup> as at the date of commencement of this planning scheme.	(c) risk to adjoining or nearby property or public infrastructure is not increased.

Habitable building is a defined term which means

*a building of Class 1 - 9 of the Building Code of Australia.*

The proposed use of the existing buildings has been assessed as being consistent with a Class 6 and a Class 8 building.

The proposal is for alterations to the external wall, and includes the provision of a new link corridor between the existing buildings as shown in Drawing A0102 Rev E in Appendix B. The height of the floor level in relation to 1% AEP (100 yr ARI) storm event is not known, and although the floor area of the link corridor (at approximately 2.6m<sup>2</sup>) is less than 60m<sup>2</sup> (compliant with sub-clause (b)); the proposal is not able to comply with Acceptable Solution A2 (a) and the Performance Criteria P2 must be considered.

The link corridor extension is no lower than the existing floor level as shown in Drawing A2010 Rev F in Appendix B, satisfying sub-clause (a).

As per the assessment on p 2 of the COVA report (see Appendix G) the "flow of overland water through this site from further up in the catchment is unlikely as there is a wall on the south west boundary". The proposal retains this boundary wall and hence it is considered that:

- the risk to users of the site, adjoining or nearby land is not increased, satisfying sub-clause (b); and
- risk to adjoining or nearby property or public infrastructure is not increased, satisfying sub-clause(c).

Accordingly it is considered that the proposal is able to satisfy Performance Criteria P2.

<p>A3</p> <p>A land application area for onsite wastewater management must comply with all of the following:</p> <p>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;</p> <p>(b) vertical separation distance from the water table must be no less than 1.5 m.</p>	<p>P3</p> <p>A land application area for onsite wastewater management must satisfy all of the following:</p> <p>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must satisfy all of the following:</p> <p>(i) be no less than 15 m,</p> <p>(ii) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system,</p> <p>(iii) the average gradient is no more than 16 degrees;</p> <p>(b) vertical separation distance from the water table must satisfy all of the following:</p>
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	<p>(i) be no less than 0.6 m, (whether 'in ground' or by use of a raised bed),</p> <p>(ii) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system.</p>
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The proposal does not involve the provision of an on-site wastewater management system and this provision is considered not applicable.

Based on the preceding assessment the proposal is considered to align with the Code purpose.

#### E17.0 Signs Code

The purpose of this code is to:

- (a) provide opportunities for commercial advertising essential to support and encourage business activity;
- (b) promote the use of well designed signs that complement and enhance the streetscape and do not exacerbate visual clutter or adversely impact on residential amenity;
- (c) promote signs which assist with way-finding and pedestrian usability as part of a coordinated interpretative and directional signage framework;
- (d) ensure that signs do not adversely impact on the cultural heritage values of places of cultural significance.

The proposal includes signage for the business associated with the change of use at the site and this code applies as per *Clause E17.2.1 (a) and (b)*.

Details of the proposed signage are provided by Diagrams 3, 4 and 5 on Drawing A2011 Rev F of Appendix B.

The following table (see Table 2) summarises the key attributes of the proposed signage as per *E17.3 Definition of Terms*, *E17.2 Sign Standards*, and *Table E17.3 Status of Signs in Zones*.

**Table 2 Descriptive summary of proposed signs**

Sign Location	Type of Sign (E17.3)	Dimension of Sign (E17.2)	Status of Sign (Table E17.3)	Other information
North west elevation wall	Wall sign	Circular, diameter 1.5m Area of approx. 1.76m <sup>2</sup> .	Permitted	Diagram 3 ; Wall mounted light above, complies with standard dimensions in Table E17.2 Sign Standards
Facade	Wall Sign	2 x words - Painted on Letters 0.3m x 1.75m each Area of both signs approx. 1.05m <sup>2</sup>	Permitted	Diagram 4; not lit, complies with standard dimensions in Table E17.2 Sign Standards
Facade	Vertical projecting Wall Sign	1 x Lightbox, 0.5m wide x 0.6m high, mounted 2.69m above the ground; below eaves or	Permitted	Diagram 4 and 5, illuminated; complies with standard dimensions in



		parapet; 0.2m wide		Table E17.2 Sign Standards
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The following Development Standard is considered not applicable:

- *Clause E17.7.2 Standards for Signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts - as the site is not a Heritage Place subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts.*

The proposed signage is assessed against the applicable provisions of the code.

#### E17.6 Use Standards

E17.6.1 Use of Signs	
<b>Objective:</b> To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>A sign must be a permitted sign in Table E.17.3.</i></p>	<p><b>P1</b></p> <p><i>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:</i></p> <p><i>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i></p> <p><i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i></p> <p><i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i></p> <p><i>(d) not result in loss of amenity to neighbouring properties;</i></p> <p><i>(e) not involve the repetition of messages or information on the same street frontage;</i></p> <p><i>(f) not contribute to or exacerbate visual clutter;</i></p> <p><i>(g) not cause a safety hazard.</i></p>

The three signs are permitted signs in the Light Industrial Zone as per Table 2 above.

The proposal is compliant with Acceptable Solution A1.

<b>A2</b>	<p><b>P2</b></p> <p><i>No Performance Criteria.</i></p>
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<i>A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.</i>	
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The signs identify the location of the brewery/distillery and directly relate to the proposed uses to be undertaken in the existing buildings.

The proposal is compliant with Acceptable Solution A2.

<b>A3</b>	<b>P3</b>
<i>A sign must not contain flashing lights, moving parts or moving or changing messages or graphics, except if a Statutory Sign</i>	<i>A sign contain flashing lights, moving parts or moving or changing messages or graphics must not have an unreasonable impact upon the residential amenity of a residential use caused by light shining into windows of habitable rooms, movement or visual intrusion or cause undue distraction to drivers of motor vehicles.</i>

The proposed 'Vertical Projecting Wall Sign' is illuminated (Diagram 4) and provides the ability to change the text or message, however, the latter is a manual process and not by means of changes to the light emissions per se.

Accordingly it is considered that the proposed signs are compliant with Acceptable Solution A3.

<b>A4</b>	<b>P4</b>
<i>An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign</i>	<i>An illuminated sign within 30 metres of a residential use must not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms.</i>
<i>Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.</i>	

The two illuminated signs are located within 30m of a residential use and the proposal is not able to comply with Acceptable Solution A4 and the Performance Criteria must be considered.

The 'Vertical Projecting Wall Sign' is located approximately 20m:

- from the residential use opposite, on the north eastern side of Argyle Street. The internal layout of the residences is not known, but it is likely that rooms fronting onto Argyle Street would contain windows to habitable rooms; and
- from the residential development underway at 286-288 Argyle Street. It is considered less likely that there would be any windows to habitable rooms impacted by light from this sign, given the solid brick walls at the ground floor level.

Furthermore, the light emitting from the 'Vertical Projecting Wall Sign' sign will be:

- shining parallel to the building façade rather than directly into the residential properties on the opposite side of Argyle Street;
- low voltage as the light only needs to provide the "message outline"; and
- will be turned off after 10.30pm (end of proposed operating hours);

The 'circular Wall Sign' on the north western wall is located:

- approximately 20m from the residential use opposite, on the north eastern side of Argyle Street. The internal layout of the residences is not known, but it is likely that rooms fronting onto Argyle Street would contain windows to habitable rooms; and



- approximately 11m from the residential development underway at 286-288 Argyle Street. It is considered less likely that there would be any windows to habitable rooms impacted by light from this sign, as there are no window openings on the ground floor.

Furthermore, the light emitting from the 'circular Wall Sign' sign will be:

- directed to shine downwards onto the sign rather than directly into the residential properties on the opposite side of Argyle Street, and unlikely to create spillage that would impact any second storey windows at 286-288 Argyle Street;
- low voltage as the light only needs to illuminate the sign; and
- will be turned off after 10.30pm (end of proposed operating hours);

Based on the above, the proposed illuminated/lit signage is considered to not have an unreasonable impact upon the residential amenity of nearby dwellings.

The proposal is considered to satisfy Performance Criteria P4.

#### E17.7 Development Standards

E17.7.1 Standards for Signs	
<b>Objective:</b> To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>A sign must comply with the standards listed in Table E. 17.2 and be a permitted sign in Table E17.3.</i></p>	<p><b>P1</b></p> <p><i>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:</i></p> <p><i>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i></p> <p><i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i></p> <p><i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i></p> <p><i>(d) not result in loss of amenity to neighbouring properties;</i></p> <p><i>(e) not involve the repetition of messages or information on the same street frontage;</i></p> <p><i>(f) not contribute to or exacerbate visual clutter;</i></p> <p><i>(g) not cause a safety hazard.</i></p>

As per Table 2 above, all the proposed signs comply with Table 17.2 Sign standards and are permitted signs in the Light Industrial Zone

The proposal complies with Acceptable Solution A1.



<p><b>A2</b></p> <p><i>The number of signs per business per street frontage must comply with all of the following:</i></p> <p>(a) maximum of 1 of each sign type;</p> <p>(b) maximum of 1 window sign per window;</p> <p>(c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;</p> <p>(d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.</p> <p><i>except for the following sign types, for which there is no limit;</i></p> <p>(i) Building Site,</p> <p>(ii) Name Plate,</p> <p>(iii) Newspaper Day Bill,</p> <p>(iv) Open/Closed,</p> <p>(v) Real Estate,</p> <p>(vi) Street Number,</p> <p>(vii) Temporary Sign.</p>	<p><b>P2</b></p> <p><i>The number of signs per business per street frontage must:</i></p> <p>(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;</p> <p>(b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;</p> <p>(c) not involve the repetition of messages or information.</p>
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The street frontage will contain:

- 1 Wall Sign; and
- 1 'Vertical Projecting Wall Sign' compliant with sub-clause (a).

The proposal does not include any Window Signs and sub-clause (b) is considered not applicable.

The street frontage is approximately 30m, therefore sub-clause (c) is not applicable; and as the proposal only includes 2 signs at the front façade it is compliant with sub-clause (d).

Based on the above the proposal is considered compliant with Acceptable Solution A2.

<p><b>A3</b></p> <p><i>Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.</i></p>	<p><b>P3</b></p> <p><i>No Performance Criteria.</i></p>
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The proposed signs do not obscure or prevent drivers from seeing statutory signs.

The proposal complies with Acceptable Solution A3.

<p><b>A4</b></p>	<p><b>P4</b></p> <p><i>No Performance Criteria.</i></p>
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<i>Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.</i>	
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The proposed signs do not resemble statutory signs.

The proposal complies with Acceptable Solution A4.

The preceding assessment demonstrates that the proposal is aligned with the Code purpose.



#### 4.4 Specific Area Plans

The purpose of this specific area plan is

*to ensure that development of land does not obstruct safe air navigation of aircraft approaching and departing the Royal Hobart Hospital helipad.*

The proposed development is located on a site that is within the Royal Hobart Hospital Helipad Airspace Specific Area Plan - Outer Area 100m AHD, and accordingly the Specific Area Plan (SAP) provisions must be considered as per Clause F4.2 Application of Specific Area Plan.

There are no Use Standards for the SAP. The proposal is considered against *Clause F4.3 Development Standards for Buildings and Works*.

F4.3.1 Building Height	
<b>Objective:</b> To ensure that buildings do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Building height including minor protrusions, masts or aerials within the areas shown on Figure F4.1 must be no more than:</i></p> <p>(a) 64.5m AHD if within the Inner Area;</p> <p>(b) 100m AHD if within the Outer Area</p>	<p><b>P1</b></p> <p><i>Buildings that exceed the specified height must not create an obstruction or hazard for the operation of aircraft, having regard to any advice from the Civil Aviation Safety Authority, the Department of Health and Human Services and the helipad operator.</i></p>

The proposed change of use and development is using the fabric of existing buildings at the subject site and does not make any change to the existing building height.

The site is located at an elevation between the 35m and 40m contours, with the maximum height above natural ground level of 5.81m leading to an estimate of the existing buildings to be less than 50m AHD.

The proposed development is located within the - Outer Area 100m AHD overlay, hence sub-clause (a) is not applicable.

Given the estimated 50m height above AHD, the proposal is compliant with sub-clause (b).

The proposal is compliant with the applicable elements of Acceptable Solution A1.

The preceding assessment demonstrates that the proposal is aligned with the Specific Area purpose.



## 5 Conclusion & Recommendations

The proposed change of use at 284A-284D Argyle Street, North Hobart for a whiskey distillery and food services business, will repurpose the existing buildings on the site thereby enhancing the street scape.

The foregone assessment of the proposal against applicable elements of the Scheme, has demonstrated that the proposal is aligned with the purpose of the Light Industrial Zone and all applicable Codes.

The proposal relies on discretion with respect to the following Scheme provisions:

- Clause 24.3.1 Hours of Operation - Performance Criteria P1;
- Clause 24.3.2 Noise - Performance Criteria P1;
- Clause 24.3.3 External Lighting - Performance Criteria P1;
- Clause 24.4.3 Design - Performance Criteria P3;
- Clause 24.4.5 Landscaping - Performance Criteria P2;
- Clause E6.6.1 Number of Car Parking Spaces - Performance Criteria P1;
- Clause E6.7.2 Design of Vehicular Accesses - Performance Criteria P1;
- Clause E6.7.3 Vehicular Passing Areas Along an Accesses - Performance Criteria P1;
- Clause E6.7.4 On-Site Turning - Performance Criteria P1;
- E8.7.1 Development within the electricity transmission corridor - Performance Criteria P1;
- E15.7.4 Riverine Inundation Hazard Area - Performance Criteria P2,
- E17.6.1 Use of Signs - Performance Criteria P4;

This report provided an assessment of the proposed change of use, development and works against the provisions of the *Hobart Interim Planning Scheme 2015* ('the Scheme') and has demonstrated that the proposal is compliant with relevant Acceptable Solutions or able to satisfy applicable Performance Criteria.

The proposal is considered to align with the purpose of the Light Industrial Zone and all applicable Codes, and Specific Area Plans. The proposal is recommended for Council support.



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## **APPENDIX A**

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### Title Information/ Land Owner Notification Letter







JMG Ref: J193072PH

1 June 2020

RAMAI PTY LTD and ACN 122 201 110 PTY LTD  
15 Chessington Court,  
SANDY BAY TAS 7005

Dear Mr. Reed

**284A-284D ARGYLE STREET, NORTH HOBART- DEVELOPMENT APPLICATION  
NOTIFICATION**

We advise that JMG Engineers and Planners seeks to make a development application on behalf of SolutionsWon for change of use and development of land at 284A-284D Argyle Street, North Hobart into a Brewery and Distillery with associated 'cellar door' and food services. The proposed change of use will include development and works, including changes to doorways and windows, front building façade, signage, security lighting, and onsite parking arrangements.

Accordingly, we write to notify you (as Director and Secretary of the owner entities, as shown on the Title) of the application, in accordance with our statutory obligations under section 52(1) of the *Land Use Planning and Approvals Act 1993*.

More information will be available from Hobart City Council when the application is formally advertised.

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

A handwritten signature in blue ink, appearing to read 'Mat Clark', is written over a light blue horizontal line.

Mat Clark

PARTNER/SENIOR TOWN PLANNER

117 Harrington Street  
Hobart 7000  
Phone (03) 6231 2555  
Fax (03) 6231 1535  
infohbt@jmg.net.au

49-51 Elizabeth Street  
Launceston 7250  
Phone (03) 6334 5548  
Fax (03) 6331 2954  
info@jmg.net.au

Johnstone McGee &  
Gandy Pty Ltd  
ABN 76 473 834 852  
ACN 009 547 139  
as trustee for Johnstone  
McGee & Gandy  
Unit Trust

[www.jmg.net.au](http://www.jmg.net.au)





## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 104000	FOLIO 1
EDITION 4	DATE OF ISSUE 08-Feb-2019

SEARCH DATE : 10-Sep-2019

SEARCH TIME : 04.40 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Diagram 104000

Derivation : Whole of 0A-1R-5Ps. Gtd. to W. Yates

Derived from APPLICATION A11627

SCHEDULE 1

M739010 TRANSFER to RAMAI PTY LTD of nine hundred and eighty undivided 1/1630 shares and A.C.N. 122 201 110 PTY LTD of six hundred and fifty undivided 1/1630 shares as tenants in common Registered 08-Feb-2019 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

B982351 BURDENING EASEMENT: Drainage Right for The Director of Housing over the Drainage Easement 2.00 wide on D104000 (subject to the provisions contained therein) Registered 04-Mar-1997 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





## FOLIO PLAN

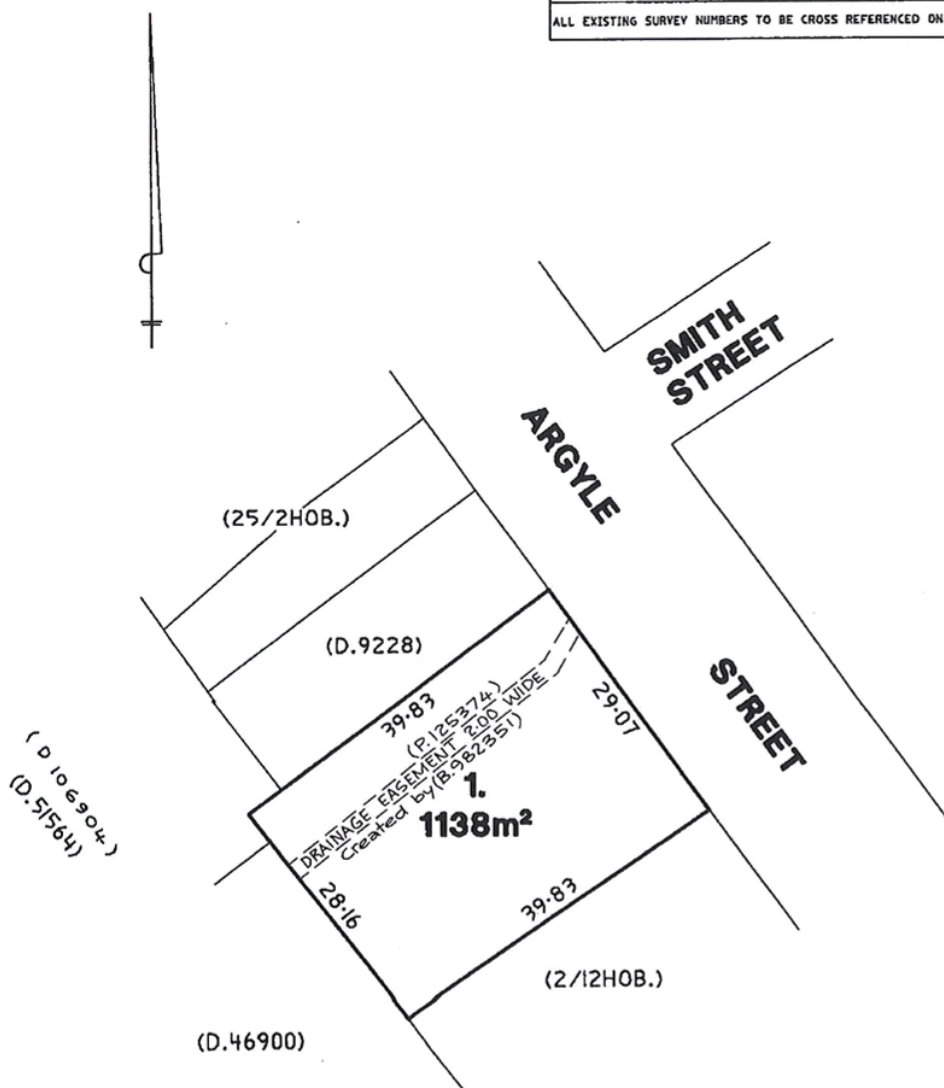
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Owner: L.T.ACT 1980	<b>PLAN OF TITLE</b> of land situated in the <b>CITY OF HOBART</b> <b>(SEC.K2)</b> COMPILED FROM 1/204L.O. SCALE 1: 500 MEASUREMENTS IN METRES	Registered Number: <b>D.104000</b>
Title Reference: A.11627		Approved 29 JAN 1993
Grantee: WHOLE OF 0-1-5 GTD TO WILLIAM YATES		<i>Michael Dini</i> Recorder of Titles

TASHAP MUNICIPAL CODE NO. 21	LAST TASHAP UPI NO. 3940
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	







## ATTACHMENT A

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### Revised Appendix B - Proposal Plans



**VSC PROPOSED WHISKEY DISTILLERY**284 ARGYLE STREET  
NORTH HOBART, TAS 70001 LOCATION PLAN  
1:500**PROJECT INFORMATION**

FOR: VSC  
 TITLE: LOT 1 ON DIAGRAM 104000  
 PROJECT ADDRESS: 284 ARGYLE STREET,  
 NORTH HOBART, TASMANIA

SITE AREA: 1160m<sup>2</sup>  
 TENANCY A FOOTPRINT: 173m<sup>2</sup>  
 TENANCY B FOOTPRINT: 173m<sup>2</sup>  
 TENANCY C FOOTPRINT: 133m<sup>2</sup>  
 TENANCY D FOOTPRINT: 135m<sup>2</sup> (NOT IN SCOPE)  
 PROPOSED CORRIDOR FOOTPRINT: 3m<sup>2</sup>  
 TOTAL EXISTING FOOTPRINT: 614m<sup>2</sup>  
 TOTAL PROPOSED FOOTPRINT: 617m<sup>2</sup>  
 EXISTING SITE COVERAGE: 52.9%  
 PROPOSED SITE COVERAGE: 53.1%

**DA DRAWING LIST**

Drawing Number	Drawing Name
A0001	COVER PAGE
A0100	SITE PLAN - EXISTING
A0101	SITE PLAN - DEMOLITION
A0102	SITE PLAN - PROPOSED
A1000	FLOOR PLAN - EXISTING/DEMO
A1100	FLOOR PLAN - PROPOSED
A1300	ROOF PLAN - PROPOSED
A2000	ELEVATIONS - EXISTING/DEMO
A2001	ELEVATIONS - EXISTING/DEMO
A2010	ELEVATIONS - PROPOSED
A2011	ELEVATIONS - PROPOSED

ALL DIMENSIONS AND LEVELS TO BE VERIFIED ON SITE BEFORE THE COMMENCEMENT OF ANY WORK.  
 ANY DISCREPANCIES MUST BE REPORTED TO ARCHITECTON DESIGN IMMEDIATELY.  
 DO NOT SCALE DRAWINGS - FIGURED DIMENSIONS HAVE PREFERENCE OVER DIMENSIONS SCALED FROM THE DRAWINGS.  
 THESE DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND OTHER ASSOCIATED DOCUMENTS.  
 REFER TO ENGINEERING SERVICES DRAWINGS FOR COORDINATION OF LOCATIONS AND HEIGHT OF FITTINGS, AIR SUPPLIES, GRILLES, SPRINKLERS, SMOKE DETECTORS, AND ALL OTHER ITEMS MOUNTED OR LOCATED. SERVICE OUTLETS AND FITTINGS ARE INDICATED BY A SET OF CIRCLES WITH NUMBERS. SPREAD ALL THE FITTINGS, CUT OUTS AND TRY TO SUIT ALL RELEVANT SERVICE OUTLETS AND FITTINGS.  
 ANY DISCREPANCIES BETWEEN SOLUTIONSWON AND SERVICES DOCUMENTS ARE TO BE REPORTED TO ARCHITECTON DESIGN FOR CLARIFICATION.  
 \*NOTES INDICATED A NOMINAL DIMENSION TO BE CHECKED ON SITE

**PRELIMINARY**

REV	DATE	DESCRIPTION
H	01/07/2020	POST EA
G	07/06/2020	EXTERIOR EXTERIOR WALL PAINT COLOUR
F	07/06/2020	POST CLIENTS REVIEW
E	26/06/2020	REVISED SITE PLAN AND PROPOSED FOOD VAN & OVERFLOW DRINKING AREA
D	07/06/2020	POST EA REVIEW
C	02/06/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
B	03/04/2020	PRELIMINARY LAYOUT REVIEW
A	07/04/2020	POST EA REVIEW
REV	DATE	DESCRIPTION

Client:

**VSC DISTILLERY**

Solutionsworn Group Pty Ltd  
 E: info@solutionsworn.com  
 W: www.solutionsworn.com

VIC / NSW / WA / TAS  
 HOBBART OFFICE  
 Level 2, 83 Salamanca Place, Battery Point TAS 7004  
 P: +61 3 9053 5000 F: +61 3 9053 5444



ARCHITECTON DESIGN PTY LTD  
 Level 1, 170 Bridge Street, Albany Park VIC 3206  
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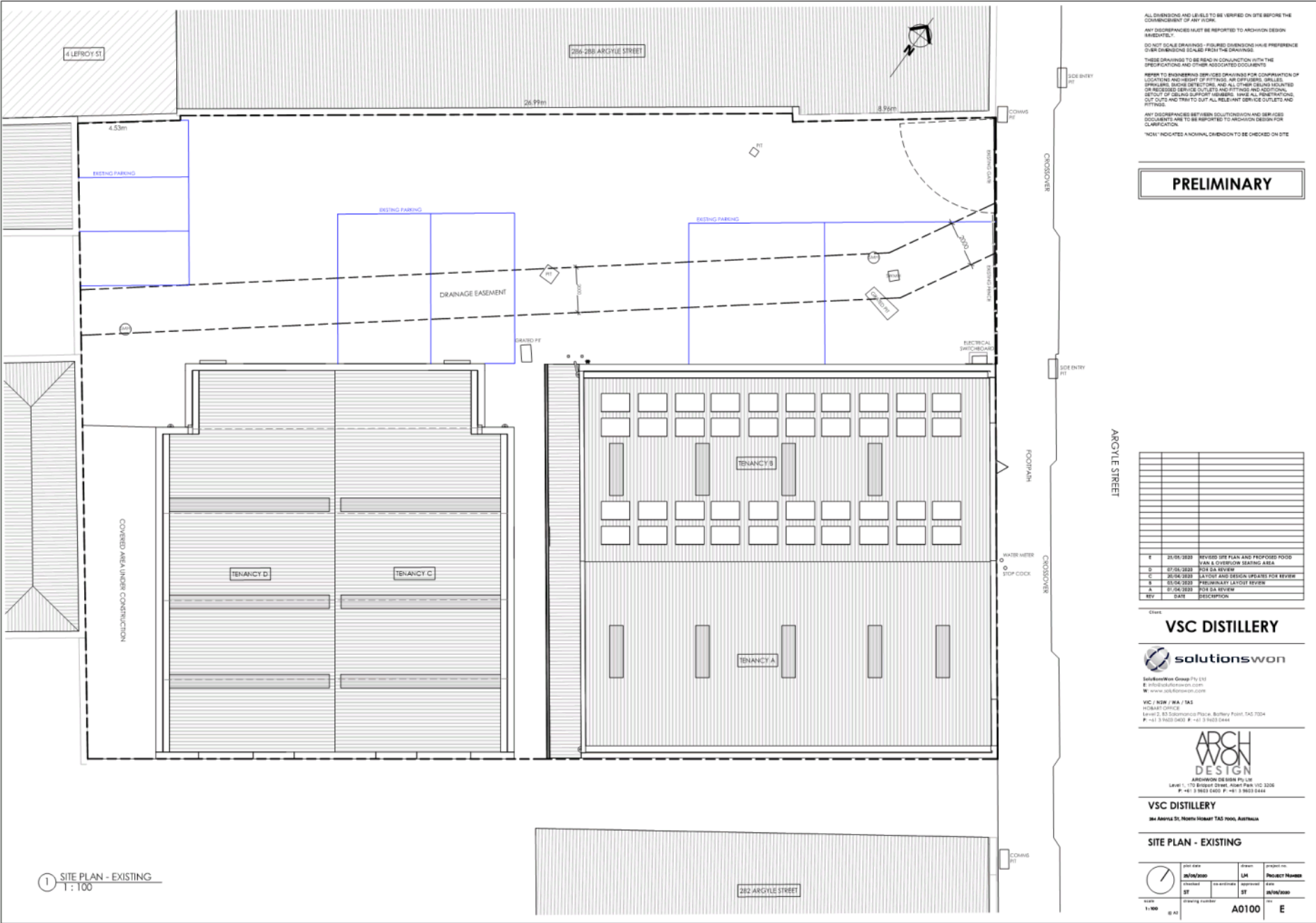
**VSC DISTILLERY**

384 Adelaide St, North Hobart TAS 7000, Australia

**COVER PAGE**

drawn	checked	approved	project no.
ca/07/2020	ST	LM	000001
drawn	checked	approved	date
ca/07/2020	ST	LM	07/07/2020
drawn	checked	approved	date
ca/07/2020	ST	LM	07/07/2020
As indicated @ A2		A0001	H





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REFER TO ENGINEERING SERVICES DRAWINGS FOR COMPARISON OF LOCATIONS AND HEIGHTS OF FITTINGS, AIR SUPPLIES, GRILLES, EXHAUSTERS, EXHAUST EXTRACTORS, AND ALL OTHER ITEMS MOUNTED OR INCORPORATED INTO SERVICE OUTLETS AND FITTINGS AND ADDITIONAL DETAIL OF SERVICE SUPPORT STRUCTURES, SPRING ALL RELEVANT SERVICE OUTLETS AND FITTINGS.  
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"NOM" INDICATES A NOMINAL DIMENSION TO BE CHECKED ON SITE.

**PRELIMINARY**

REV	DATE	DESCRIPTION
1	28/08/2020	REVISED SITE PLAN AND PROPOSED FOOD VAN & OVERFLOW DRAINING AREA
2	07/09/2020	POST EA REVIEW
3	20/09/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
4	01/10/2020	PRELIMINARY LAYOUT REVIEW
5	07/10/2020	POST EA REVIEW
6	DATE	DISCUSSION

Client: **VSC DISTILLERY**

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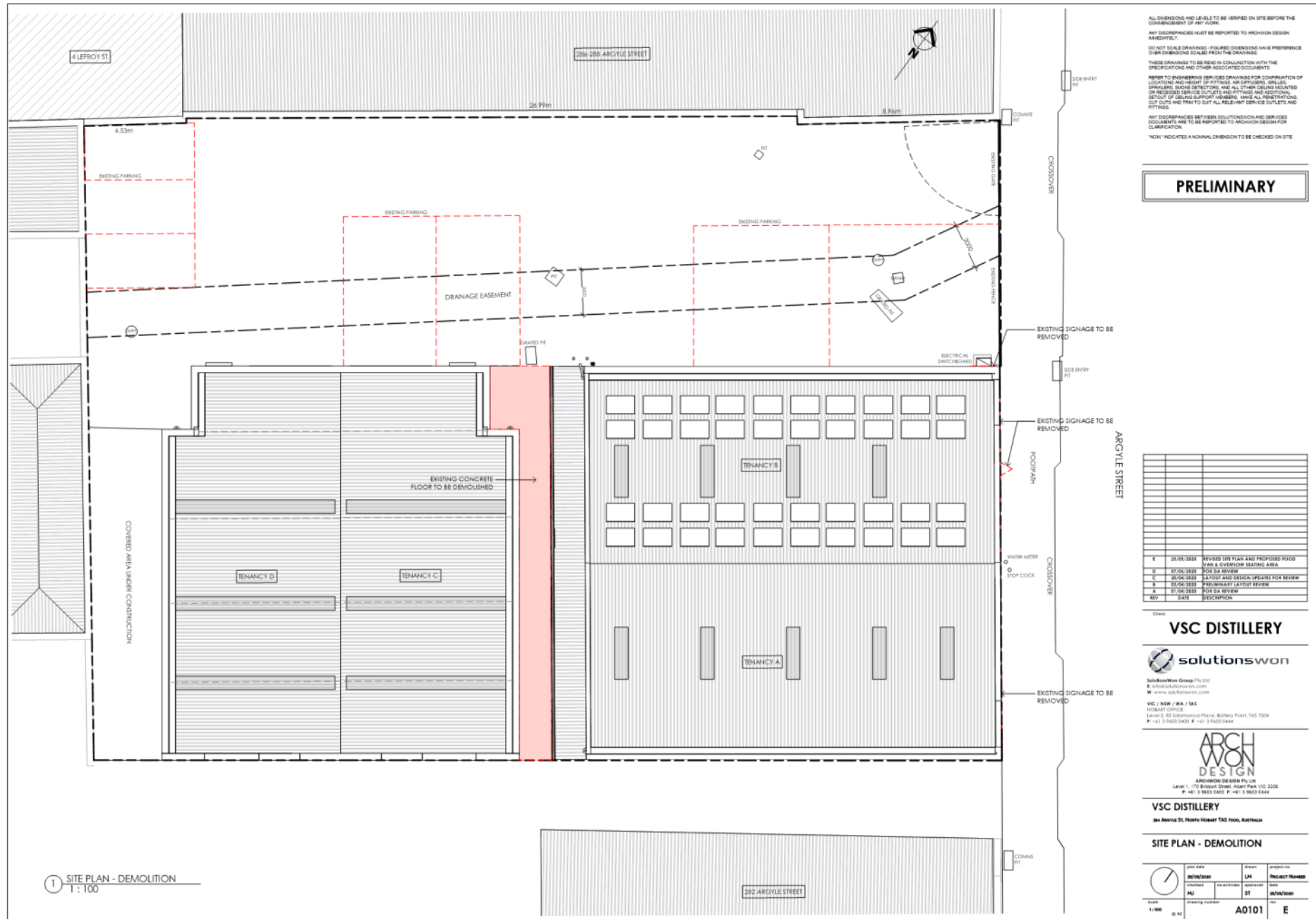
**VSC DISTILLERY**

384 ANNEVILLE ST, HOBART TAS 7000, AUSTRALIA

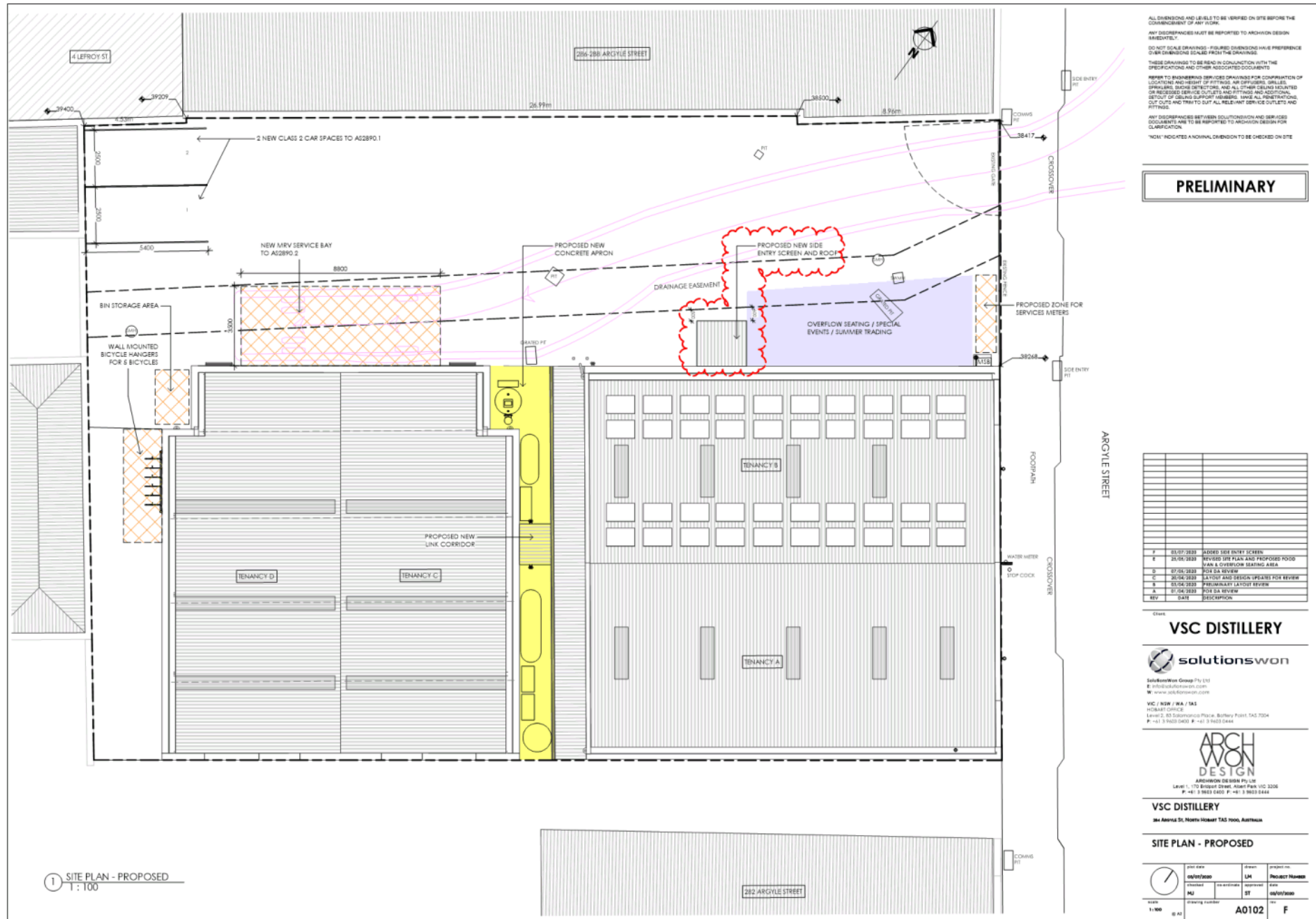
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DATE	BY	DATE	BY	DATE	BY
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07/09/2020	ST	01/10/2020	ST	07/10/2020	ST
drawing number		A0100		E	











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THESE DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND OTHER ASSOCIATED DOCUMENTS.  
REFER TO ENGINEERING SERVICES DRAWINGS FOR COMPARISON OF LOCATIONS AND HEIGHT OF FITTINGS, AIR SUPPLIES, DRAINS, OVERHEADS, BENCH DETECTORS, AND ALL OTHER ITEMS MOUNTED OR REQUIRED SERVICE OUTLETS AND FITTINGS AND ADDITIONAL DETAIL OF SERVICE SUPPORT NUMBER, SPREAD ALL THE FITTINGS, CUT CLIPS AND TRY TO CUT ALL RELEVANT SERVICE OUTLETS AND FITTINGS.  
ANY DISCREPANCIES BETWEEN SOLUTIONSWON AND SERVICE DOCUMENTS ARE TO BE REPORTED TO ARCHITECT DESIGN FOR CLARIFICATION.  
"NOM" INDICATED A NOMINAL DIMENSION TO BE CHECKED ON SITE.

PRELIMINARY

REV	DATE	DESCRIPTION
1	01/07/2020	AMENDED THE LOCATION, KEEP EXISTING ENTRY DOOR LOCATION.
2	21/08/2020	REVISED THE PLAN AND PROPOSED FOOD PLAN & OVERFLOW DRAINING AREA.
3	07/09/2020	FOR CA REVIEW
4	07/09/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
5	01/04/2020	PRELIMINARY LAYOUT REVIEW
6	07/04/2020	FOR CA REVIEW
7	07/04/2020	FOR CA REVIEW

DATE: 01/07/2020

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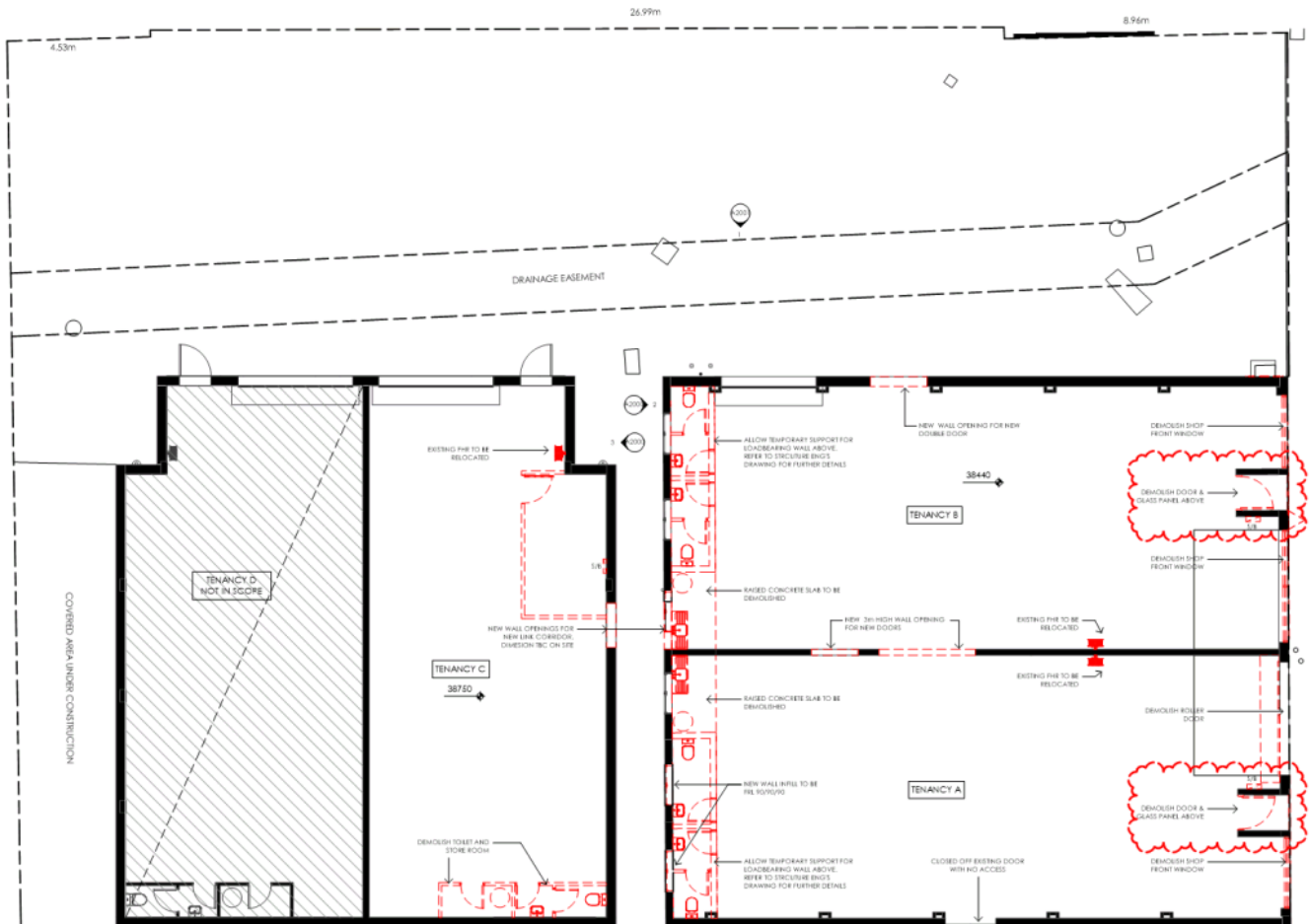
VSC DISTILLERY  
304 ANNEVILLE ST, HOBART TAS 7000, AUSTRALIA

FLOOR PLAN - EXISTING/DEMO

DATE	BY	DATE	BY	DATE	BY
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01/07/2020	AM	01/07/2020	AM	01/07/2020	AM
01/07/2020	AM	01/07/2020	AM	01/07/2020	AM

As indicated @ AS

A1000 F



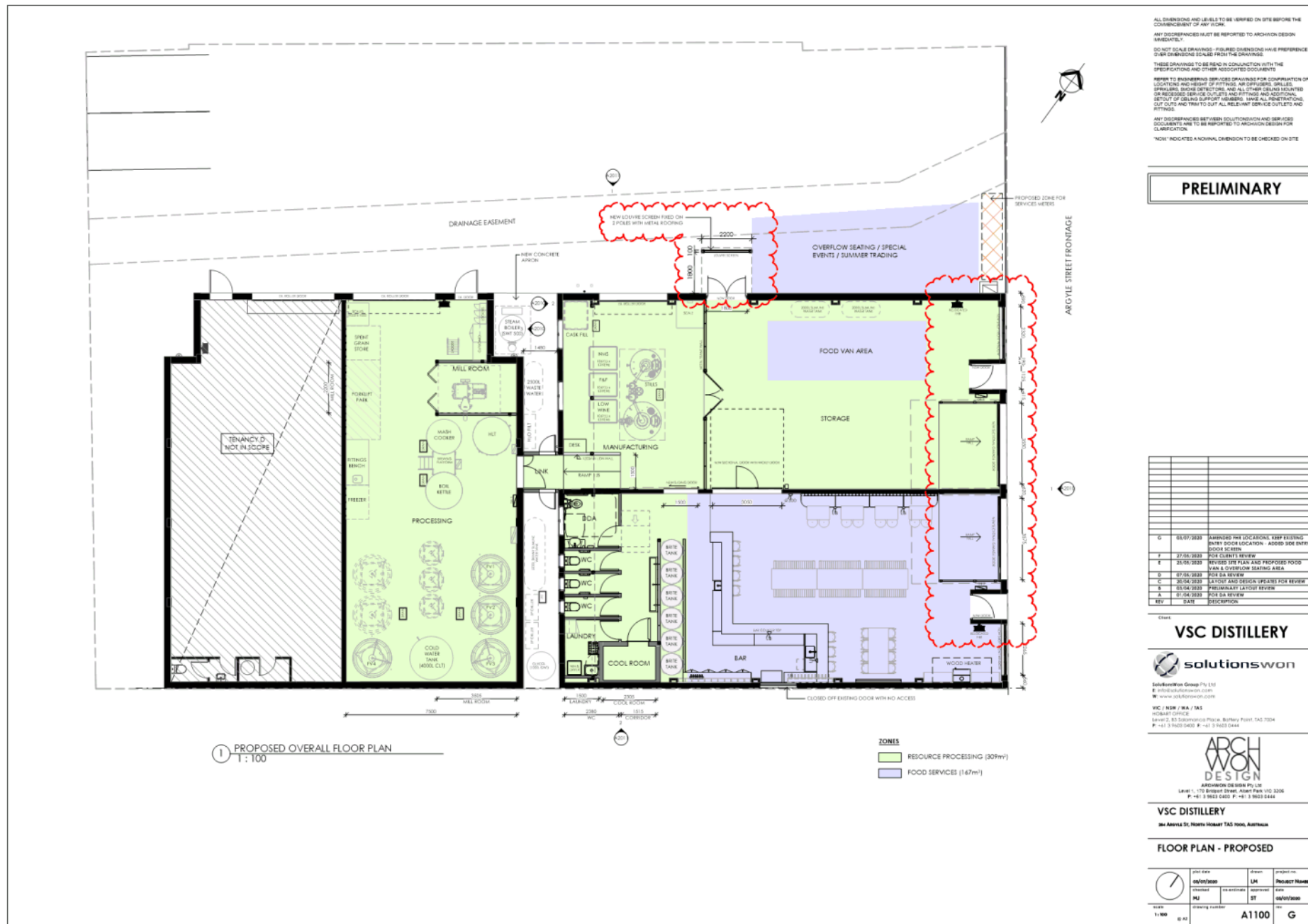
1 FLOOR PLAN - EXISTING/DEMO  
1:100

**DEMOLITION NOTES:**  
GENERALLY DEMOLITION WORKS MUST BE CARRIED OUT IN ACCORDANCE WITH AS 2601:2001 DEMOLITION OF STRUCTURES & REGULATIONS 45, 46 & 47 OF THE BUILDING REGULATIONS (TAS) 2014.  
PROCEDURES & METHODS OF DEMOLITION MUST BE ADEQUATE TO PREVENT INJURY TO PERSONS & AVOID DAMAGE TO NEIGHBOURING PROPERTIES.  
ALL DEMOLISHED MATERIALS, RUBBISH & DEBRIS SHALL BE REMOVED FROM THE SITE ON COMPLETION OF DEMOLITION.  
BEFORE DEMOLISHING EXISTING WALLS SHOWN TO BE DEMOLISHED, BUILDER SHALL CONFIRM ON-SITE WHETHER THEY ARE LOAD-BEARING / BRACING OR NOT.  
IF IT IS FOUND THAT THEY ARE LOAD-BEARING / BRACING, A STRUCTURAL ENGINEER MUST BE ENGAGED TO DETERMINE ANY MEANS REQUIRED TO SUPPORT THESE EXISTING LOADS.  
ALL REDUNDANT SEWER, WATER & WATER CONNECTIONS ASSOCIATED WITH THE DEMOLITION SHALL BE CUT & SEALED TO THE SATISFACTION OF COUNCIL'S SENIOR PLUMBING INSPECTOR.  
THE REMOVAL OF EXISTING PLUMBING FITTINGS SHALL INCLUDE ALL ASSOCIATED WATER & WASTE PIPES, FLOOR DRAINS, WATER SERVICE PIPES, BRACKETS, SUPPORTS ETC. & SEAL OFF EXISTING SERVICES, SEAL OFF & WARE GOOD-ALL FLOOR, WALL & ROOF PENETRATIONS.  
GENERALLY, MAKE GOOD TO EXISTING FLOORS, WALLS & CEILINGS WHERE ALL DEMOLITION WORK OCCURS TO MATCH EXISTING AS & WHERE REQUIRED.

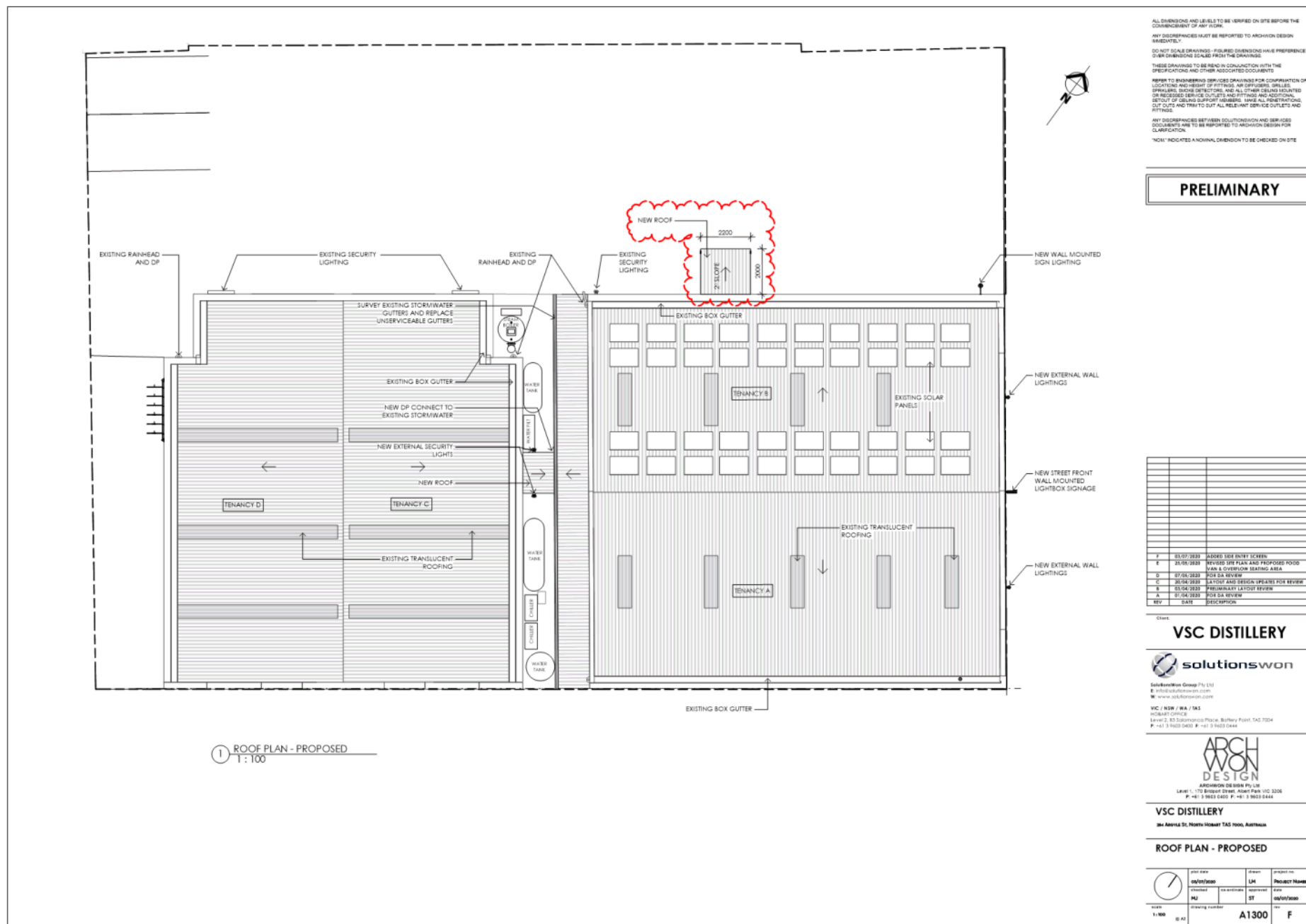
**SETOUT NOTES:**  
ALL EXISTING DIMENSIONS ARE TO BE CONFIRMED ON SITE.  
ANY ANOMALIES ARE TO BE DIRECTED TO THE DESIGNER.  
USE WRITTEN DIMENSIONS ONLY (SA, DO NOT SCALE DRAWINGS).  
CHECK ALL LEVELS, DATUMS & DIMENSIONS BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS.

**LEGEND:**  
— EXISTING RETAINED  
--- TO BE DEMOLISHED

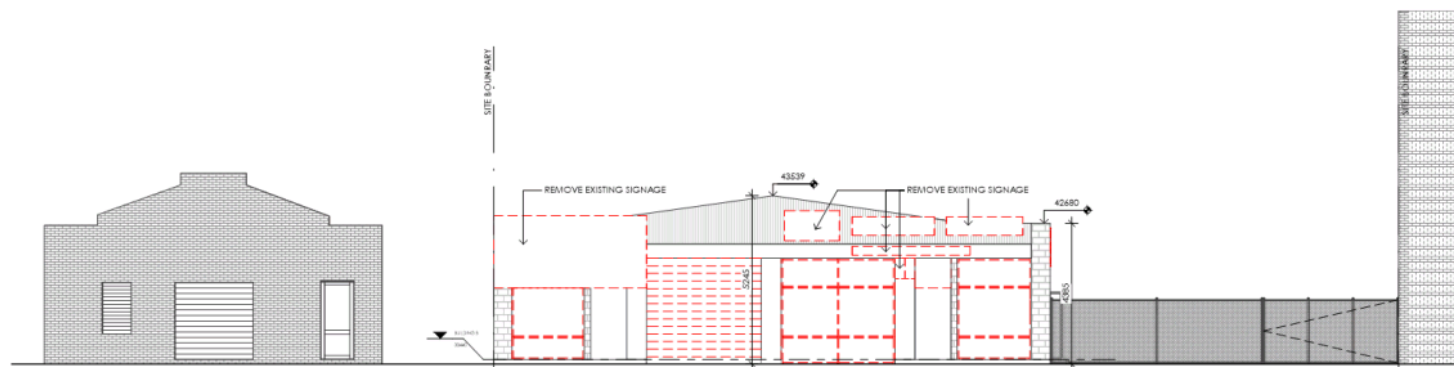




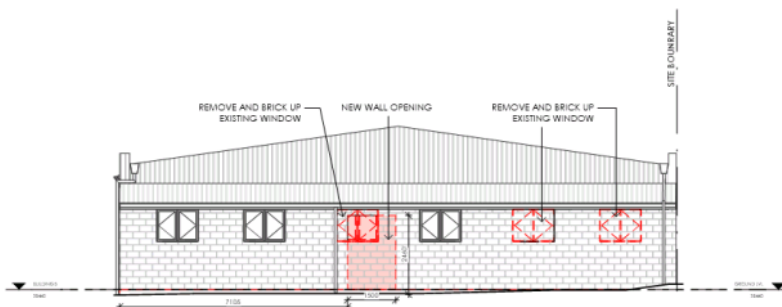




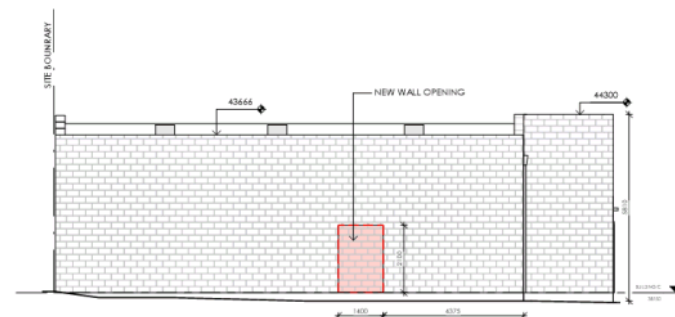




1 EXISTING EAST ELEVATION - ARGYLE STREET  
1:100



2 EXISTING WEST ELEVATION - TENANCY A & B  
1:100



3 EXISTING EAST ELEVATION - TENANCY C  
1 : 100

DEMOLITION NOTES:

PROCEDURES & METHODS OF DEMOLITION MUST BE ADEQUATE TO PREVENT INJURY TO PERSONS & AVOID DAMAGE TO NEIGHBORING PROPERTIES.

BEFORE REMOVING EXISTING WALLS SHOWN TO BE DEMOLISHED, BUILDER SHALL CONFIRM ON SITE WHETHER THEY ARE LOADBEARING / BRACING OR NOT. IF IT IS FOUND THAT THEY ARE LOADBEARING / BRACING, A STRUCTURAL ENGINEER MUST BE ENGAGED TO DETERMINE ANY BEAMS REQUIRED TO SUPPORT THESE EXISTING LOADS.

ALL REDUNDANT STORMWATER, SEWER AND WATER CONNECTIONS ASSOCIATED WITH THE DEMOLITION SHALL BE CUT & SEALED TO THE SATISFACTION OF COUNCIL'S SENIOR PLUMBING INSPECTOR.

THE REMOVAL OF EXISTING PLUMBING FIXTURES SHALL INCLUDE ALL ASSOCIATED WASTE & VENT PIPES, FLOOR DRAINS, WATER SERVICE PIPEWORK, BRACKETS, SUPPORTS etc. & SEAL OFF EXISTING SERVICES. SEAL OFF & MAKE GOOD ALL FLOOR, WALL & ROOF PENETRATIONS.

GENERALLY, MAKE GOOD TO EXISTING FLOORS, WALLS & CEILINGS WHERE ALL DEMOLITION WORK OCCURS TO MATCH EXISTING, AS & WHERE REQUIRED.

**SETOUT NOTES:**

ALL 'EXISTING' DIMENSIONS ARE TO BE CONFIRMED ON-SITE.  
ANY ANOMALIES ARE TO BE DIRECTED TO THE DESIGNER.

USE WRITTEN DIMENSIONS ONLY (i.e. DO NOT SCALE DRAWINGS).

CHECK ALL LEVELS, DATUMS & DIMENSIONS BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS

**LEGEND:**

 EXISTING RETAINED  
 TO BE DEMOLISHED

ALL DIMENSIONS AND LEVELS TO BE VERIFIED ON SITE. THE CONTRACTOR SHALL REPORT THE DISCREPANCIES OF ANY KIND.

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THESE DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND OTHER ASSOCIATED DOCUMENTS

NOT TO ENGINEER'S SERVICE DRAWINGS FOR COMPARISON OF FIELD AND DESIGN DIMENSIONS. THESE DRAWINGS INCLUDE: SPRINKLER, SMOKE DETECTORS, AND ALL OTHER BEING MOUNTED OR RECESSED SERVICE OUTLETS AND FITTINGS AND ADDITIONAL DIMENSIONS AND SUPPORT VENEERS. MAKE ALL PENETRATIONS, CUT OUTS AND TRIM TO CUT ALL RELEVANT SERVICE OUTLETS AND FITTINGS.

ANY DISCREPANCIES BETWEEN EXISTING/DRAWN AND SERVICES DIMENSIONS ARE TO BE REPORTED TO ARCHIGION DESIGN FOR CLARIFICATION.

NOTE: ANY DISCREPANCY, ANOMALY, DIMENSION TO BE CHECKED ON SITE

## PRELIMINARY

E	21/01/2020	REVISED IRI PLAN AND PROPOSED FOOD VAN & OVERFLOW SEATING AREA
D	07/01/2020	POL EX REVIEW
C	26/04/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
B	01/04/2020	PRELIMINARY LAYOUT REVIEW
A	07/04/2020	POL EX REVIEW
REV	DATE	DESCRIPTION

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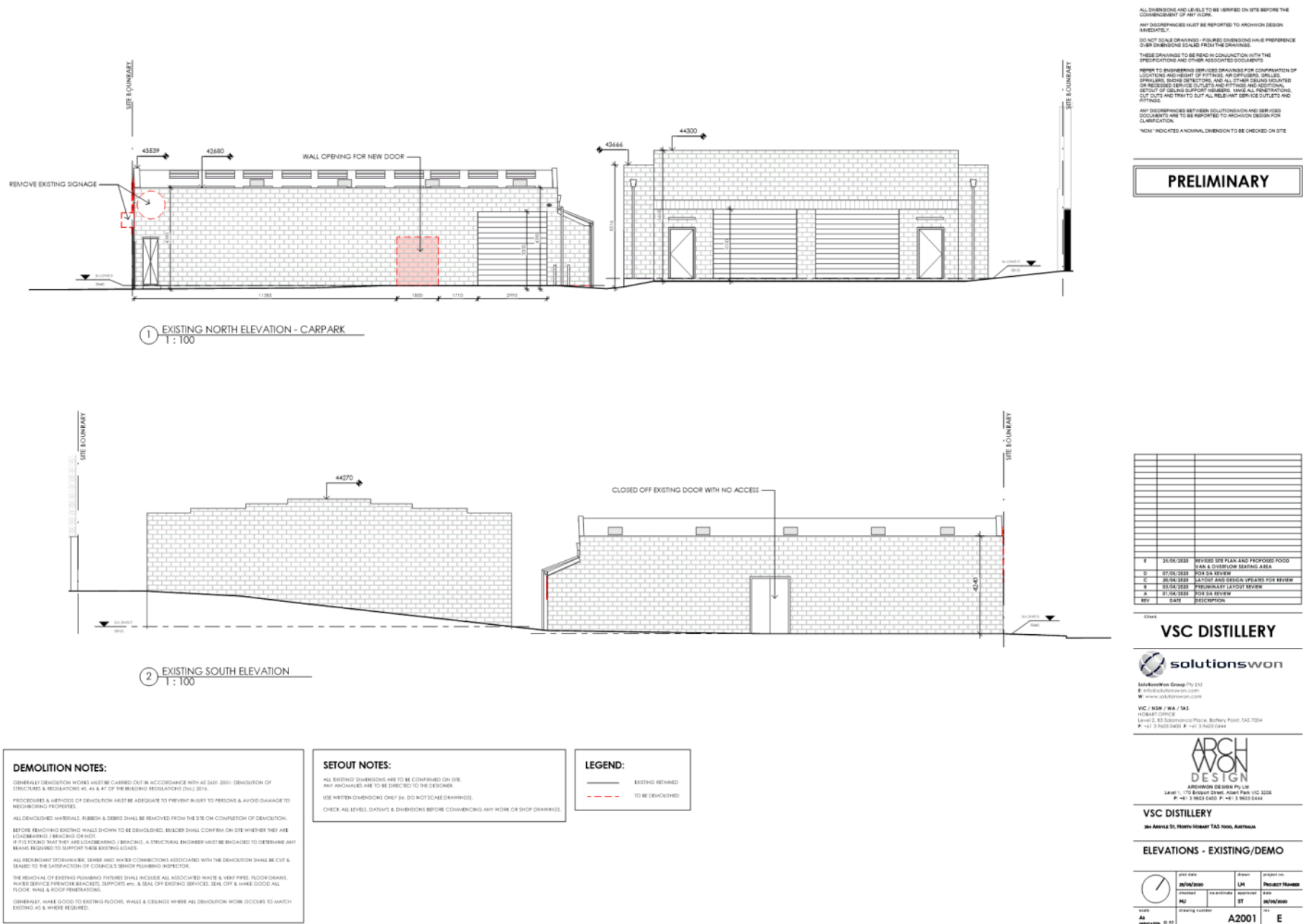
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**VSC DISTILLERY**  
384 ARBYLLE ST. NORTH HURST TAS 7000, AUSTRALIA

ELEVATIONS - EXISTING/DEMO

	plot date 20/04/2020		drawn LM	project no. PROJECT NAME
	checked MJ	co-ordinate	approved ST	date 20/04/2020
scale As shown, 1:1	drawing number A2000		rev E	









1 2  
METAL FRAME WINDOWS & DOORS WITH  
BLACK POWDER COATED



3  
METAL FRAME SECTIONAL DOORS WITH BLACK POWDER COATED



4  
WALL CLADDING - SCYON AXON  
13mm SMOOTH PAINTED IN P2



6  
LIGHTBOX SIGNAGE WITH  
CHANGEABLE SIGN LETTERS

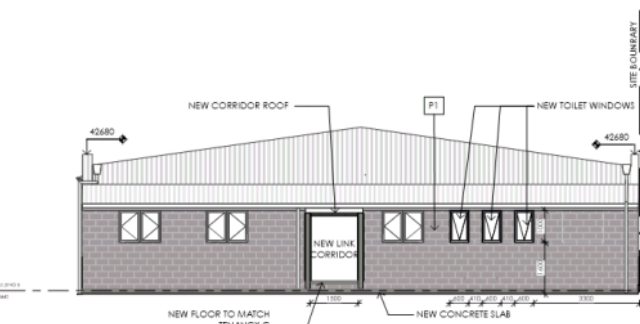
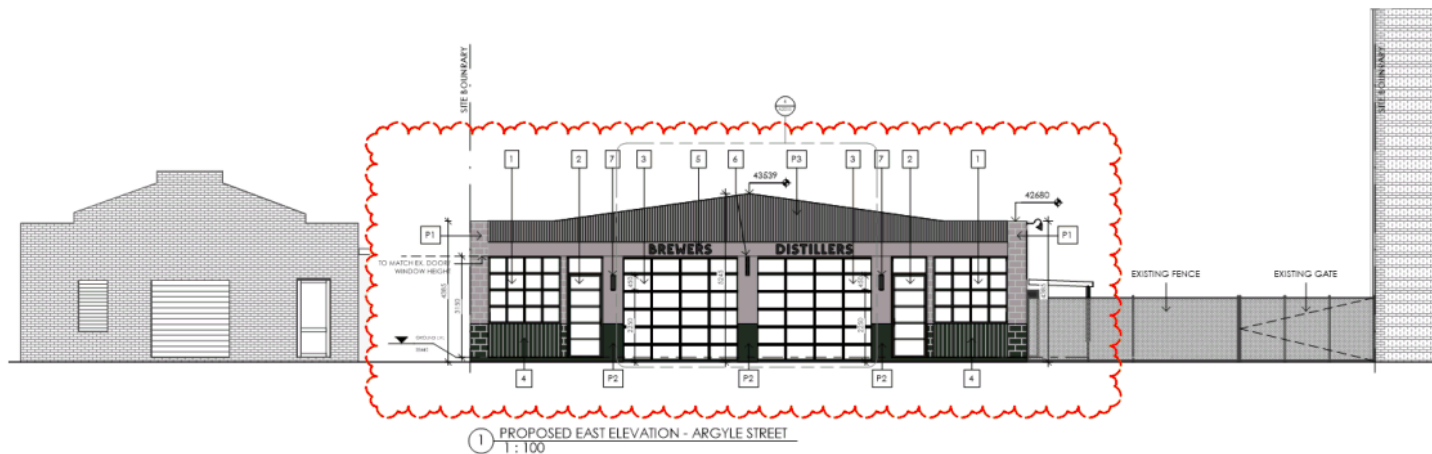


7  
EXTERNAL WALL LIGHTS

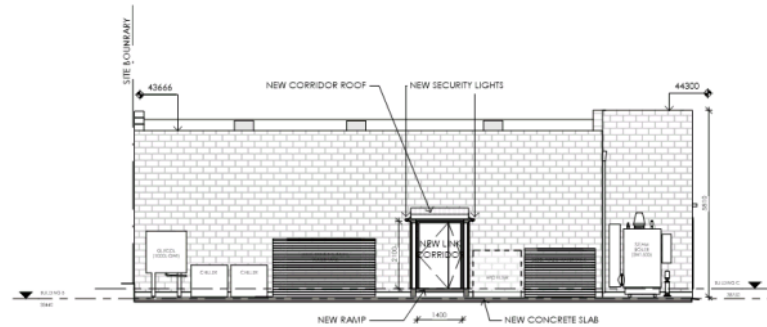
- P1 PAINT - RESENE - NEUTRAL - TRIPLE RAKAIA  
P2 PAINT - RESENE - GREEN - BLACK BEAN  
P3 PAINT - RESENE - BLACK

\*FINAL SELECTION OF EXTERIOR PAINT COLOUR TO HAVE  
LIGHT REFLECTANCE (LRV) OF LESS THAN 40%

BUILDING ELEVATION AREA	81.29m <sup>2</sup>	100%
WINDOW/GLASS AREA	39.88m <sup>2</sup>	49%



2  
PROPOSED WEST ELEVATION - TENANCY A & B  
1:100



3  
PROPOSED EAST ELEVATION - TENANCY C  
1:100

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IMMEDIATELY.  
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OVER DIMENSIONS SCALED FROM THE DRAWINGS.  
THESE DRAWINGS TO BE READ IN CONJUNCTION WITH THE  
SPECIFICATIONS AND OTHER ASSOCIATED DOCUMENTS.  
REFER TO ENGINEERING SERVICES DRAWINGS FOR CONSTRUCTION OF  
LOCATIONS AND HEIGHT OF FITTINGS, AIR SUPPLIES, GRILLES,  
SPRINKLERS, SMOKE DETECTORS, AND ALL OTHER ITEMS MOUNTED  
ON WALLS, CEILING, FLOORS AND ROOFS. IN ADDITION, THE  
LOCATION OF SERVICE OUTLETS AND FITTINGS, AND ADDITIONAL  
CUT OUTS AND TRAYS TO SUIT ALL RELEVANT SERVICE OUTLETS AND  
FITTINGS.  
ANY DISCREPANCIES BETWEEN SOLUTIONSWON AND SERVICES  
DOCUMENTS ARE TO BE REPORTED TO ARCHITECT DESIGN FOR  
CLARIFICATION.  
\*NOTES INDICATED A NOMINAL DIMENSION TO BE CHECKED ON SITE

PRELIMINARY

REV	DATE	DESCRIPTION
6	05/07/2020	AMENDED ENTRY DOOR
5	07/06/2020	AMENDED EXTERIOR WALL PAINT COLOUR
4	26/06/2020	REVISED SITE PLAN AND PROPOSED FOOD VAN & OVERFLOW STAGING AREA
3	07/06/2020	FOR CA REVIEW
2	05/06/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
1	05/06/2020	PRELIMINARY LAYOUT REVIEW
A	07/06/2020	FOR CA REVIEW
REV	DATE	DESCRIPTION

CHART

VSC DISTILLERY



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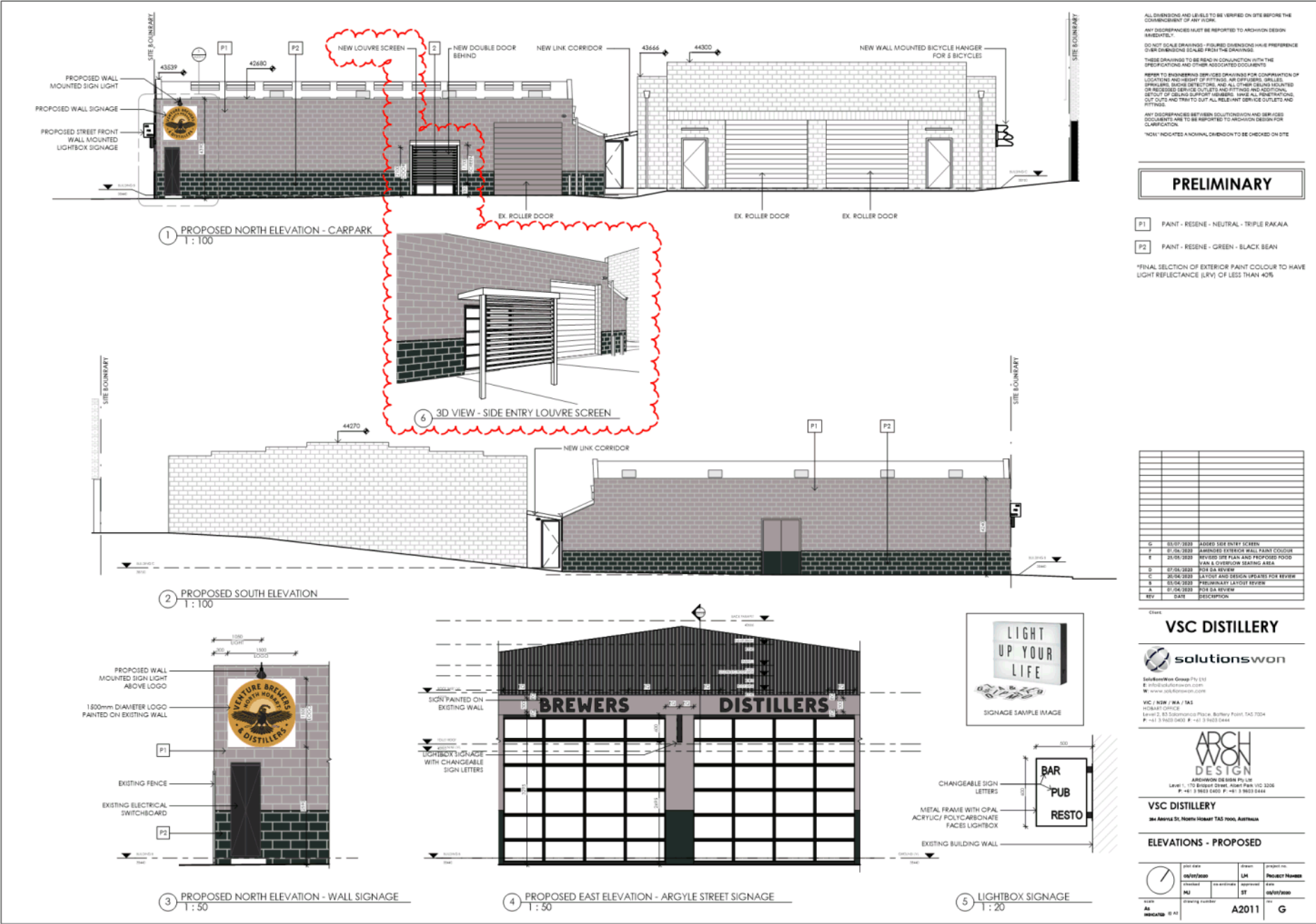
VSC DISTILLERY

84A Ansonia St, Hobart TAS 7000, Australia

ELEVATIONS - PROPOSED

plan date	drawn	project no.
05/07/2020	LM	
checked	approved	date
AJ	ST	05/07/2020
drawing number		
A2010		G







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## **APPENDIX C**

### Background Information - Trade Waste





## M E M O R A N D U M

<b>TO:</b>	SolutionsWon	<b>PAGE:</b>	1 of 6
<b>ATTENTION:</b>	Maciej Jankowiak	<b>DATE:</b>	06 May 2020
<b>PROJECT:</b>	VSC Distillery	<b>PROJECT #:</b>	363.04
<b>FROM:</b>	Glenn Allen	<b>REFERENCE:</b>	363.04-M01
<b>FAX OR EMAIL #:</b>	maciej@solutionswon.com		
<b>TRANSMITTED BY:</b>	Mail <input type="checkbox"/> , Hand <input type="checkbox"/> , Fax <input type="checkbox"/> , Email <input checked="" type="checkbox"/>		
<b>SUBJECT:</b>	VSC Distillery D.A. – Trade Waste Pre-Treatment		

This memo provides supporting information regarding trade waste volumes and make-up from sources across the proposed development, and the treatment approach to be implemented.

## 1 BACKGROUND

The production of spirits is essentially a three step process and is simply described as brewing a beer (wash), stripping the wash to a low strength spirit (low wines), then distilling the low wines into clean spirit (new make spirit)

The general distillery process steps are described further below. Each step generates waste (liquid and solids) and has an associated cleaning regime which adds to the trade waste stream.

- In the mash cooker - mill in grain and mix with hot water to extract starch and convert it to sugar.
- Move sugary grain liquid (called wort) to ferment tank.
- Pitch yeast which convert the sugar to alcohol. The yeast ferments the wort into beer (wash).
- When all sugar is converted to alcohol, the wash is transferred to the wash still for stripping. The alcohol is concentrated into low wines.
- The low wines are transferred to the spirit still where the alcohol is concentrated again into new make spirit.
- This new make spirit is transferred to oak barrels for maturation for a minimum of 2 years.

For the purposes of this discussion, a single cycle comprises the steps above.

## 2 TRADE WASTE GENERATION

The distillery comprises two main areas used in the production process described above, each of which generates trade waste streams.



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Processing Area, which includes the following stages of production and general equipment:

- Grain storage & grain milling – no liquid trade waste generation, area subject to floor cleaning;
- Mash cooker & boil kettle to extract initial sugars – removal of spent grain, clean up, wash out & sterilisation / sanitation of equipment, floor wash down;
- Fermentation to create the wash – spent yeast, clean up, wash out & sterilisation / sanitation of equipment, floor wash down.

Manufacturing Area, which includes the following stages of production and general equipment:

- Stills – remaining very low alcohol liquid following distillation, still clean up & surface treatment (caustic & acid wash), condenser cooling water, floor wash down;
- Cask fill – potential for spills, floor cleaning.

The trade waste streams from the process steps above are described in detail below, with expected volumes and strength tabulated. These figures are derived from similar operations the proponent currently manages in Australia.

**Spent grain** (not listed in table) is a protein-rich by-product of the brewing process, and is disposed of off-site as a useful supplement for livestock feed. There is no discharge of the bulk grains waste to the trade waste system, excepting small amounts in the equipment clean up process.

**Spent yeast** (not listed in table) is a highly nutritious by-product of the fermentation process is disposed of off-site as a useful supplement for livestock feed. There is no discharge of the yeast lees to the trade waste system, excepting small amounts in the equipment clean up process.

**Pot ale** is the spent liquid from the first distillation and after the alcohol has been removed in the wash still. It is water with protein, carbohydrates, yeast and 0.1% alcohol. Pot ale may need to be pH adjusted. The still will be rinsed & cleaned after each use, with all liquid sent to the trade waste pre-treatment system..

**Spent lees** is the waste liquid from the still after the second distillation. It is mostly water but contains some fats/oils and 0.1% alcohol. The liquid may need to be pH adjusted. The still will be rinsed & cleaned after each use, with all liquid sent to the trade waste pre-treatment system.

**Brewery waste** - sparge water (1500L - 2000L) is part of the process to rinse sugars from the grain after mashing and is not something that is discharged to waste each cycle as it can be recycled through consecutive cycles. Discharge is anticipated to be approximately once per week. The waste stream will have a BOD of 10,000 and SS of 3,000. It is made up of water, cellulose, sugar and spent grain.

**Brewery waste** - trub (100L) is something that is produced approximately once per week, it is very high in BOD (85,000), SS (35,000), protein and grain by-products. It is expected to be disposed of off-site as a useful supplement for livestock feed. In cases where treatment onsite is required it would be combined with the pot ale, settled, pH adjusted and discharged via the trade waste pre-treatment system.



**Brewery cleaning** is rinsing water from the brewing equipment, fermentation tanks, brite tanks pot stills and the floor. It will contain low levels of BOD, SS, spent grain, protein, yeast, fats/oils, sugar, carbohydrates and cleaning chemicals - specifically sodium hydroxide and peracetic acid. Cleaning chemicals are used sparingly due to the effects on the distillery equipment metals. All equipment cleaning waste is directed to the separated trade waste collection system by way of floor wastes or direct transfer from tanks.

**Condenser cooling water** is used in the distillation process and is to condense the vapour off the stills back into liquid. The cooling water is the mains potable supply to the distillery. The cooling water will be used on a single pass through the system in order to dilute the smaller concentrated trade waste steams generated by the manufacturing process.

**Reverse Osmosis** (1,000L) is used to prepare a volume of pure water to be used in the brewery (mash cooker) and spirit breakdown (dilution of new make spirit). The waste stream is expected to comprise 25% of the final volume per cycle, based on experience with Hobart water.

The trade waste generated in each area and from each stage of the process is isolated from the building sanitary drainage system, and collected at the main pre-treatment tank prior to discharge to the sewer at the trade waste sampling point.

### 3 TRADE WASTE PRE-TREATMENT

The trade waste pre-treatment system comprises two primary systems:

- Separation
- Dilution

#### 3.1 Separation

The system of separation begins primarily with the process, whereby the majority of materials that contribute to suspended solids are removed. This is described in Section 2 for the spent grain & yeast components, preventing the bulk of solid materials from entering the liquid trade waste system.

To further improve solids removal, all floor waste pits will be provided with fine perforated mesh baskets, with hole size as per the Taswater guidelines for pre-treatment of trade waste – basket strainers. The particle size of left over materials washed out of the process equipment (mash cooker & fermenters) is generally grain husk around 3-5mm.

All floor wash down areas within the Processing and manufacturing areas are directed to these pits. Refer to drawing 364.04-SK01 Rev A for the layout.

#### 3.2 Dilution

Dilution of the concentrated trade waste streams with condenser cooling water is the secondary means of treating the trade waste discharge from the site to meet Taswater parameters.

The condenser water is effectively potable mains water, passed through a heat exchanger that raises the temperature by approx. 7-8 degrees.

The concentrated waste streams from the process equipment and floor wash down is directed to a 2,500 litre main trade waste tank. This tank will be provided with a vent and



carbon filter to manage odour. The trade waste tank will receive pumped discharge from the floor waste sump, stills and other direct connections.

The trade waste tank will "dose" a 490 litre balance tank at a ratio of approx. 20: 1 against the condenser discharge. The condenser is discharging to the balance tank at approx. 90 litres/min. The trade waste tank will pump at 4.5 litres/min. This ratio allows the blending of a day's production from the trade waste tank with the cooling water volume.

The balance tank will have an orifice plate discharge to allow consistent release of dilution water to a mixing standpipe. The standpipe is the trade waste sampling point, prior to the treated trade waste stream entering the sanitary drainage system.

The trade waste collection system will be provided with appropriate level monitoring & control to ensure that an uncontrolled release of untreated trade waste does not occur. A detailed site & process HAZOP will refine this system.

The cask fill room will have a floor sump and retention pit to prevent the release of high strength alcohol into the sanitary drainage system. The retention pit will be valved shut under normal operating conditions. Retained spills and floor washdown water are directed back into the trade waste pre-treatment system.

#### 4 TRADE WASTE VOLUMES

The trade waste volumes and strengths are summarised per cycle, being the production of a wash, low wines and new make spirit.

**Table 1: Trade Waste Volume & Strength**

Waste	Volume (litres)	BOD (mg/L)	TSS (mg/L)
Pot ale	1,300	33,200	10,200
Spent lees	480	19,300	<5
Brewery waste*	2,000	med - high	med
Brewery cleaning	1,100	low	low
Condenser cooling	45,000	0	0
Reverse Osmosis	1,000	0	low
* recycle this waste back into the next brew, weekly release			



The trade waste volumes and strength in Table 1 are associated with a single days production cycle. The target annual production volume of cask spirit and associated number of production days and trade waste discharge is shown below. Cask strength is the alcohol content of the final product, and for the basis of these calculations is 52.5%.

**Table 2: Annual Production & Trade Waste Volume**

Year	Vol. produced (cask Strength, litres)	No. Days / Year Production	Trade Waste Vol. (KL)
1	30,000	104	5,125.12
2	40,000	138	6,800.64
3	55,000	190	9,363.20
4	75,000	259	12,763.52
5	100,000	350	17,248.00

The trade waste volumes above are derived from the total trade waste discharge per cycle of 48.88KL, with the brewery waste sparge water as described in Section 2 included on a 5 day basis.

The figures above indicate a daily water use of approx 5,300 litres (initial beer plus total cleaning volumes plus spirit breakdown), plus 45,000 litres of water run through the cooling condenser.

The daily discharge volume to trade waste is comprised of the total waste figures in the table above, as the cooling water is proposed to be blended with the concentrated liquid wastes to achieve temperature and BOD / TSS targets.

Based on the expected strength of the concentrated trade waste streams (derived from similar facilities the proponent manages on the mainland), it is expected that BOD of the combined trade waste discharge volume will be **less than 1,200mg/l** (estimated at 1,070mg/l).

It is expected that suspended solids discharge will be approx **270mg/l** as capture of spent grains and yeast lees will be applied, in conjunction with basket strainers for all floor waste pits.

The pH of the final trade waste discharge as a result of dilution with condenser cooling water is expected to be approx **5.8 - 6.0**. There may be some pH adjustment required as it could be as low as 5.7 (based on some calculations using an estimated range of typical pot ale pH of 4.0-4.6).

Where pH is below the target for discharge to Taswater sewer this can be remedied by adding approx 500g of soda ash (calcium carbonate) per cycle. A much smaller volume of caustic solution (proposed to be used in the cleaning of stills & other equipment) can be added, however detailed analysis is required and would be based on the actual water chemistry.

The temperature of trade waste for discharge to the Taswater sewer must be below 38 degrees C. It is expected that the condenser cooling water stream will be raised from ambient of between 12-18 degrees, to approx. 20-25 degrees. The much larger volume of



cooler water is approx. 30-35 times the volume of high temperature pot ale & spent lees, resulting in an expected increase of final trade waste discharge by approx. 2-3 degrees over the condenser water stream.

**Table 3: Discharge Trade Waste Parameters**

BOD (mg/L)	TSS (mg/L)	pH	Temperature °C
1,070	270	5.8-6.0	22-28



Glenn Allen

Civil Engineer

Building Services Provider (Engineer, Civil & Hydraulic)

CC7077



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## **APPENDIX D**

### Noise Assessment







Johnstone, McGee & Gandy PTY LTD  
117 Harrington Street  
Hobart, TAS 7000

28 May 2020

Doc 6152\_02

Attention: Indra Boss

## VSC DISTILLERY — DA NOISE ASSESSMENT

A distillery is proposed in an existing building at 284 Argyle Street, Hobart. Noise emissions from patrons and music have the potential to be intrusive in the neighbouring residential area. As such, a noise assessment has been requested by the developer to accompany the DA submission, in order to assess compliance against the Hobart Interim Planning Scheme 2015, clause 24.3.2. This letter presents the results of such an assessment, completed by NVC in May 2020.

### 1. BACKGROUND

#### 1.1. Surrounding Area

The proposed site is an existing building at 284 Argyle Street, Hobart, and is outlined in red in Figure 1. The site is zoned as Light Industrial (pink overlay in figure). The Light Industrial zone extends to the south-east of site. Bounding the south-western and north-western sides of the site is an Inner Residential zone (maroon overlay in figure), which continues across Argyle Street to the north-east. To the east is an Open Space zone, occupied by Soundy Park.



FIGURE 1: SITE AND SURROUNDING AREA

The nearest residential zone boundaries in each direction are labelled A, B and C. A and C are occupied by residential dwellings. Location B appears to comprise an industrial building, however at the time of writing it appears to be undergoing construction. The nature of the intended use is not currently known to NVC, however, due to the zoning it is assumed that it may be used as residential.

NVC PTY. LTD.

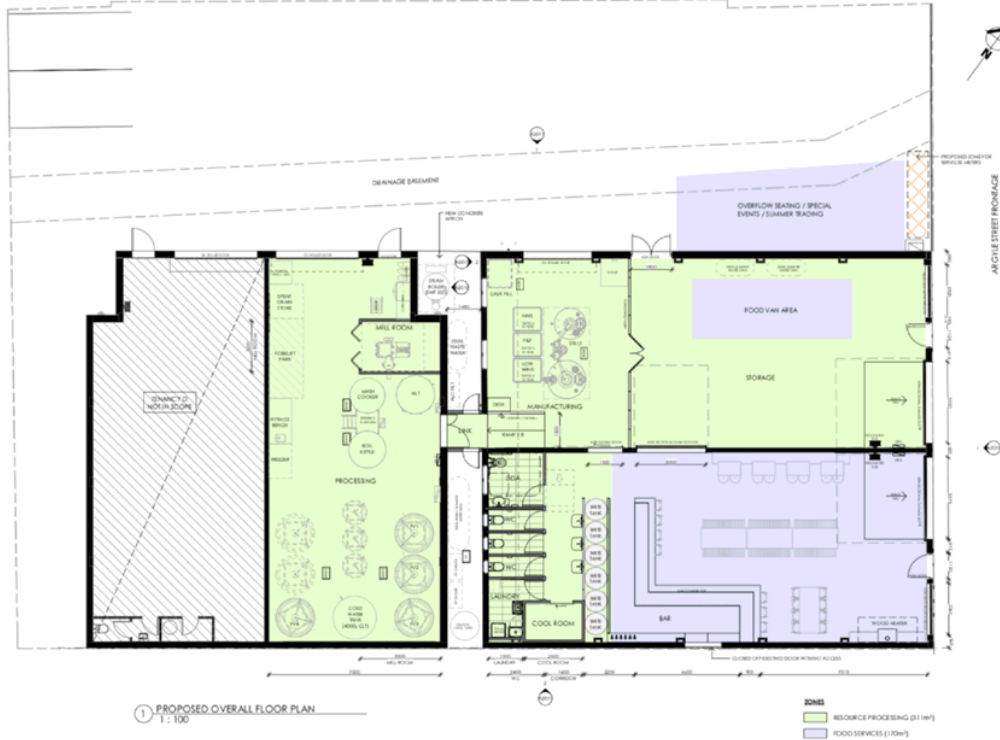
ABN 53 626 639 521  
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PO Box 476, ROSNY PARK, TAS 7018  
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**1.2. Site Operations**

The site building is proposed to undergo renovations to house a distillery, incorporating processing and production areas, bar/tasting area, internal food van and storage area, and associated amenities. The proposed layout of the site is shown in Figure 2. Note that the dotted lines on the perimeter of the figure denote the site boundary as outlined in Figure 1.

**FIGURE 2: PROPOSED SITE LAYOUT**

The outdoor area to the north of the building is proposed to be used for additional patron area. It is noted that this area is not serviced and will not have speakers/music - it is intended to be used as overflow patron area.

The walls are constructed of concrete block and the roof profiled metal. The building has openings on the Argyle Street and north-western facades only, as shown in Figure 2.

All manufacturing/processing area is internal, as is the majority of the associated equipment. Waste water storage tanks, two chiller units, and a steam boiler are located externally, in the narrow laneway between the two buildings.

Proposed operating hours for each area are:

Manufacturing/Distilling/Brew House:	Monday - Sunday 7:00AM - 7:00PM
Front of House/Tasting Area:	Monday - Sunday 12:00PM - 10:30PM
External Garden/Overflow Area:	Monday - Sunday 12:00PM - 9:00PM

Operations are expected to be as-normal on public holidays, aside from Christmas Day and Easter Friday.

Commercial vehicles may access site to deliver and/or collect product. These vehicle movements are to occur within the hours defined under the Acceptable Solutions in clause 24.3.4-A1 of the Scheme, and are thus not further considered.



## 2. CRITERIA

Section 24 of the Hobart Interim Planning Scheme 2015 contains criteria for a Light Industrial zone. In particular, clause 24.3.2 details criteria specific to noise emissions, the objective of which is:

*"To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone."*

To satisfy this objective, the following Acceptable Solutions criteria are stated under clause 24.3.2-A1:

*"Noise emissions measured at the boundary of a residential zone must not exceed the following:*

- a. 55 dB(A) (LAeq) between the hours of 7:00 am to 7:00 pm;*
- b. 5 dB(A) above the background (LA90) or 40 dB(A) (LAeq), whichever is the lower, between the hours of 7:00 pm to 7:00 am;*
- c. 65 dB(A) (LMax) at any time..."*

If the Acceptable Solutions criteria are not met, the following Performance Criteria are stated under 24.3.2-P1:

*"Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone."*

The relevant criteria are then 55 dBA between 7:00AM and 7:00PM (day time) and 40 dBA between 7:00PM and 7:00AM (night time). It is noted that for the night time criterion to be less than 40 dBA, the background noise level measured in the area would need to be below 35 dBA, which due to the proximity to high-traffic roads is extremely unlikely.

## 3. NOISE PREDICTIONS

A spreadsheet based model has been used to calculate noise emissions from the proposed use at the neighbouring receivers. The following comments are relevant to the noise predictions:

- Previous noise assessments by NVC have indicated that noise emissions from brewing/distilling production process are likely to be negligible, and in this case also will only occur within day time hours under the Scheme. Noise from production is thus not further considered.
- Noise emissions from the proposed use are then deemed likely to be dominated by patron noise and background music within the venue.
- It is assumed that the patron area is fully occupied, with an estimated capacity of 60 people in the main bar area, and 30 people in the outdoor seating area. It is assumed that these patrons are all speaking simultaneously, which is a worst-case scenario and thus conservative.
- Noise measurements previously made by NVC in a similar venue have been used to quantify the expected music level within the venue. It is noted that music in the venue is recorded music through speakers only - no live music is proposed.
- The model accounts for the transmission loss through the various building elements, transmission through doorways, and the directivity of emissions from each element of the facade.
- Predictions are completed for the nearest residential zone boundaries in each direction. The prediction at the boundary is at a height of 1.5m, as stipulated by the TAS Noise Measurement Procedures Manual.
- The model does not account for air absorption, or screening due to fences, adjacent buildings, etc. These factors will slightly reduce noise emissions at the neighbouring residences compared to the predictions.

Predictions are for three different scenarios: indoor noise emissions with all doors open, indoor noise emissions with all doors closed, and patron noise from the outdoor overflow seating area.

Table 1 shows the predicted noise levels from each of these scenarios at the nearest residential dwellings.



TABLE 1: PREDICTED NOISE LEVELS AT THE NEAREST RESIDENTIAL BOUNDARIES

Receiver	Sound Pressure Level, dBA		
	Inside Operations (Patrons & Music)		Patrons Outside
	Doors Open	Doors Closed	
<b>A</b>	29	27	40
<b>B</b>	42	32	49
<b>C</b>	46	26	38

The following comments are relevant to the predicted results:

- Noise from inside operations is predicted to be primarily patron noise, rather than music noise.
- The dominant noise from the site at the neighbouring residential boundaries is predicted to be patron noise from the outdoor overflow seating area.
- Noise emissions from within the building with doors open are strongest at C due to the large door opening on the Argyle Street facade.
- Noise emissions from within the building with the doors closed are very low, and are thus unlikely to be audible at any of the residential boundaries.

#### 4. ASSESSMENT

From Table 2, it is noted that predicted noise emissions from the proposed use comply with the Acceptable Solutions criteria under clause 24.3.2 of the Scheme, aside from night time outdoor patrons at location B, and night time indoor operations with doors open at B and C. For these scenarios, the Performance Criteria are referred to, for which the following is relevant:

- Since the site is within a Light Industrial zone, and fronts onto a major road (Argyle Street), the existing ambient noise level during the proposed operating hours is likely to exceed the predicted level of noise emissions from site. Noise measurements have previously been conducted in the area by NVC for unrelated works, which reveal a typical background (L90) level of 43 to 46 dBA, and an ambient (Leq) level of 49 to 51 dBA.
- Operations cease at 10:30PM, and will thus not cause sleep disturbance.
- Predictions of patron noise assume both spaces are fully occupied, with all patrons speaking simultaneously - the predicted noise level is thus in excess of the level which is likely during normal operation.
- The neighbouring building at B, previously being an industrial facility, is built up to the boundary and comprises a masonry wall with small, high-level windows. No external residential area is located adjacent this boundary, and thus residential amenity here is only relevant internal to the building. Due to the facade construction, noise from site is expected to be inaudible internally.

Considering these points, these noise emissions are considered unlikely to impact residential amenity at locations B and C, and thus will not cause environmental harm there. The proposed use is therefore deemed to comply with the Performance Criteria under clause 24.3.2-P1 of the Scheme.

In conclusion, the proposal meets the Acceptable Solutions criteria during the day, and at some locations during the night. Where the Acceptable Solution is not met, the Performance Criteria is satisfied, and overall the proposal complies with clause 24.3.2 of the Scheme.

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

Kind regards,



**Jack Pitt**



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## **APPENDIX E**

### Traffic Impact Assessment







# **TRAFFIC IMPACT ASSESSMENT**

**PROPOSED  
WHISKEY DISTILLERY/BREWERY  
DEVELOPMENT**

**284 ARGYLE STREET  
NORTH HOBART**

JUNE 2020





## **TRAFFIC IMPACT ASSESSMENT**

### **PROPOSED WHISKEY DISTILLERY/BREWERY DEVELOPMENT**

**284 ARGYLE STREET  
NORTH HOBART**

JUNE 2020

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**ATTACHMENTS:**

Attachment A - Drawings of proposed layout of whiskey distillery/brewery development site plus commercial vehicle access



TIA – PROPOSED WHISKEY DISTILLERY/BREWERY DEVELOPMENT  
284 ARGYLE STREET, NORTH HOBART



## REFERENCES:

- Australian Standard AS 1742.2-2009 – Manual of uniform traffic control devices Part 2: Traffic control devices for general use
- AUSTROADS – Guide to Road Safety Part 6: Road Safety Audit
- Road Traffic Authority NSW – Guide to Traffic Generating Developments, 2002
- Australian Standard AS 2890 – Parking Facilities, Part 1 – Off-street car parking
- Australian Standard AS 2890 – Parking Facilities, Part 2 – Off-street commercial vehicle facilities
- AUSTROADS – Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings (2019)
- AUSTROADS – Guide to Traffic Management Part 12: Traffic Impacts of Developments (2019)
- Department of State Growth publication: *A Framework for Undertaking Traffic Impact Assessments (2007)*
- Hobart Interim Planning Scheme 2015



## 1. INTRODUCTION

A development application will be lodged with the Hobart City Council for a whiskey distillery development at 284 Argyle Street, North Hobart.

This Traffic Impact Assessment (TIA) report has been prepared in support of the proposed development.

The report considers the existing road and traffic characteristics along Argyle Street in the area of the development site. A determination is made of the traffic activity that the proposed development will generate and the effect that this traffic will have on Argyle Street.

Attention is given to the adequacy of the parking supply and demand having regard to Hobart Interim Planning Scheme (2015) requirements and the nature of the proposed business.

This report is based on the Department of State Growth publication: *A Framework for Undertaking Traffic Impact Assessments*, with regard also given to Austroads – Guide to Traffic Management Part 12.

The techniques used in the investigation and assessment incorporate best practice road safety and traffic management principles.



## 2. SITE DESCRIPTION

The proposed development site is located on the western side of Argyle Street around 100m to the north of the Burnett Street intersection.

There are mixed businesses along both sides of Argyle Street and generally in this area. There are also a number of residential dwellings along the eastern side of Argyle Street and the side streets on both sides of Argyle Street.

The site at 284 Argyle Street is zoned as 'light industrial' use.

The location of the development site has been highlighted on the extract from the street atlas for this area, seen in Figure 2.1.

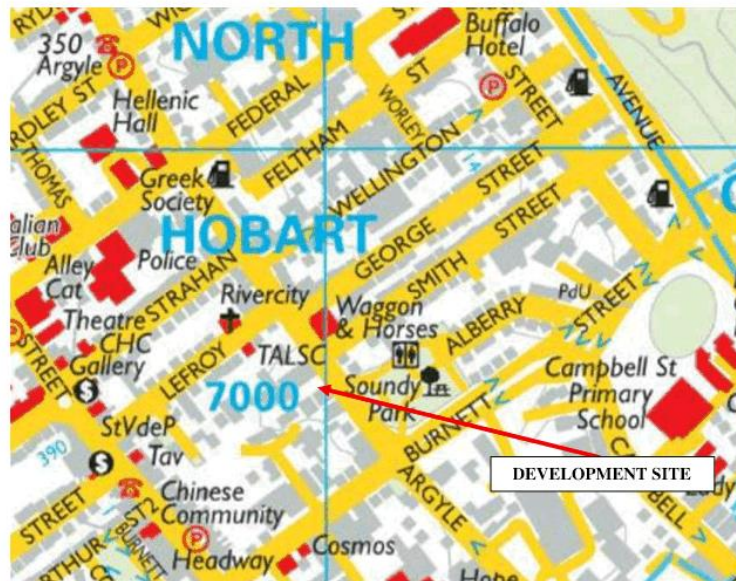


Figure 2.1: Extract from street atlas showing location of proposed whiskey distillery/brewery development site



### 3. DEVELOPMENT PROPOSAL

The proposed development at 284 Argyle Street is for the establishment of a whiskey distillery/brewery and bar for tasting as well as also a food and drink area with seating for up to 47 people.

The proposed development will fall within the 'resource processing' use activity which will have an area of 311m<sup>2</sup> and the "food services" use activity with an area of 170m<sup>2</sup>.

There will be up to six employees working in both parts of the business in the first couple of years of operation and expected to increase up to 11 employees by around year 4.

Photograph 3.1 provides a view of the development site from Argyle Street.



**Photograph 3.1: View of the access and the building (on left) from Argyle Street**

The business will operate during the following hours:

- Distillery/Brew House - 7:00am - 7:00pm, Monday to Sunday;
- Food area/tasting area - 12:00noon - 10:30pm, Monday to Sunday

There will be on-site parking for two employee cars as well as delivery/commercial vehicles loading/unloading space.

Drawings that detail the proposed building layout and parking/access are included with this report as Attachment A.



#### 4. EXISTING ROAD AND TRAFFIC ENVIRONMENT

##### 4.1 Road Characteristics

Argyle Street is a major arterial road through the Hobart Municipality.

In the area of the development site, Argyle Street is a two-way two lane road with a bicycle lane and a parking lane along both sides of the road. It has a straight alignment and a slight sag vertical curve with the bottom of the sag at the development site.

There are a number of local side streets off Argyle Street between Burnett Street and Federal Street which also have a mix of businesses and residential dwellings.

There is on-street parking available for all land uses in the area through the extensive parking restrictions along both sides of all streets. The restrictions include the whole range of times limits from 15 minutes to three hours as well as resident permit parking.

This is relevant to the proposed business because it will be somewhat dependent on available on-street parking.

##### 4.2 Traffic Activity

Peak hour traffic volume data have previously been received from the Hobart City Council for another traffic assessment in the area.

This included a turning movement survey undertaken by council at the Federal Street/Argyle Street intersection on 1 June 2016.

The data indicate that during the morning peak hour between 8:00am and 9:00am the two-way traffic volume on Argyle Street to the south of Federal Street was 1,580 vehicles/hour. The two-way traffic volume south of Federal Street during afternoon peak hour, between 4:30pm and 5:30pm, was 1,307 vehicles/hour.

A morning peak hour traffic volume survey was also undertaken by this consultant at the junction of Lefroy Street and Argyle Street during the 8:00 – 9:00am period on Friday 10 June 2016 for another development project in the area. The result from this latter survey has been summarised in Figure 4.1.

As expected, this survey found the same morning peak hour traffic volume on Argyle Street as for the council survey. The traffic volume past the development site was 1,547 vehicles/hour and the afternoon peak hour traffic volume was estimated at around 1,300 vehicles/hour.



The daily traffic volume on Argyle Street would be around 14,000 vehicles/hour.

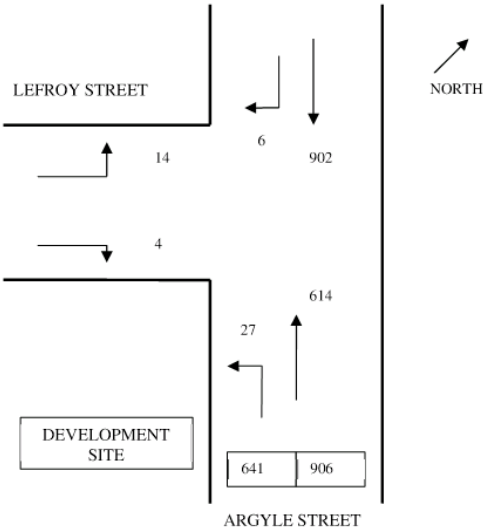


Figure 4.1: Turning traffic volumes at Lefroy Street junction with Argyle Street – 8:00am to 9:00am



**5. TRAFFIC GENERATION BY THE DEVELOPMENT**

As outlined in Section 3 of this report, the development being proposed is the modifications to the existing building on the development site into a whiskey distillery/brewery and food business which will have some 47 customer seats. The business will be open to customers from midday into the evening on weekdays and on weekends.

The proposed development will have two on-site car parking spaces and access for small to medium commercial vehicles to enter the site.

The expected commercial activity is as detailed in the table below.

Operation	# Times/Week	Truck Size
Grain delivery	0.5	5 ton
Cask delivery	0.25	5 ton
Keg shipping	0.5	2 ton
Spent grain removal	3	2 ton
Rubbish removal		Council trucks
Food delivery	3	2 ton
Barrels to bond store	1	2 ton

The 5t vehicles will be medium rigid vehicles arriving at around 1 vehicle/week. The other trucks will be small rigid vehicles arriving at around 8 vehicles/week.

The Council collection will be from the kerbside at the normal rate for domestic properties.

Advice has been received from the developer that the business model is not relying on people travelling to the site by car.

Target market is local residents and tourists staying in local accommodation; not intending to be a "destination venue" per se. The business model is based on a catchment area based and active transport modes of walking and cycling. Staff will also be encouraged to walk or cycle to work; hence provision of bicycle parking facilities on the site.

Assuming there will be no turnover of parked cars in the two staff parking spaces over the day, the total traffic generation (to and from the site) will be around 6 vehicles/day (4 cars and two delivery vehicles). If there will be one turnover of parked cars in the two staff parking spaces per day, the total traffic generation (to and from the site) will be around 10 vehicles/day (8 cars and two delivery vehicles).



## 6. TRAFFIC ASSESSMENT AND IMPACT

This section of the report evaluates the impact of the expected parking demand which will be generated by the proposed whiskey distillery/brewery and food service development on the parking supply in the surrounding area and associated traffic activity.

The traffic movement to and from the site will be very low, not sufficient to be a concern with respect to the traffic conflict at the driveway onto Argyle Street.

### 6.1 Assessment of Required Parking Supply and Demand

The required parking supply for the proposed development has been considered against the Hobart Interim Planning Scheme (2015) requirements and also surveys of the on-street parking supply and findings of the availability of parking along the surrounding streets.

#### Assessment based Hobart Planning Scheme requirements

Clause E6.6.1 of the Planning Scheme states:

#### **Acceptable Solutions Performance Criteria - A1**

The number of onsite car parking spaces must be:

*(a) no less than and no greater than the number specified in Table E6.1.*

For a food services use the requirement is 15 car parking spaces for each 100m<sup>2</sup> of floor area or 1 car parking space for each 3 seats, whichever is the greater, while for a resource processing use, the requirement is 1 car parking space per 50m<sup>2</sup>.

The required car parking supply based on the planning scheme is as summarised in Table 6.1.

The planning scheme requires parking supply is 32 car parking spaces. The scheme also requires five bicycle parking spaces on the site (two for food service employees, two for food service customers and one for resource processing employees).

The development site will have up to 47 seats and eventually up to 11 employees.

There will be on-site parking for two cars, a commercial vehicle and five bicycles.



USE OR DEVELOPMENT CATEGORY	SCHEME PARKING REQUIREMENTS	FLOOR AREA OR SEATING	REQUIRED PARKING SPACES
Food Services Use	15 spaces per 100m <sup>2</sup> or 1 space per 3 seats	170m <sup>2</sup> 47 seats	25.5 spaces 15.7 spaces
Resource Processing Use	1 space per 50m <sup>2</sup>	311m <sup>2</sup>	6.2 spaces
<b>REQUIRED TOTAL PARKING</b>			<b>32 spaces</b>

**Table 6.1: Estimate of required car parking supply based on Planning Scheme requirements**

## 6.2 Distillery/Brewery Business Parking Considerations

The development site will have two employee car parking spaces on the site. As outlined earlier, most employees will be encouraged to travel by other modes than a car. With an eventual 11 employees, there may still be some employees that will need parking in the surrounding area.

The whiskey distillery/brewery food service customers will be either local residents from the surrounding area, employees from the various local businesses, and motorists either passing or driving to the site.

The business is aiming at attracting local residents and tourists that will walk and cycle.

There is a large resident population within 400m walking distance of the development site, numerous small businesses as well as the North Hobart Shopping Centre.

Having a regard to this and for the purpose of this assessment, it is considered the mix of customers at the whiskey distillery/brewery business will be around:

- Locals residents - 15%;
- Local employees on weekdays/Saturdays - 25%;
- Drivers from outside of surrounding area - 60%.

This mix assumes a higher customer proportion from outside of the surrounding area what it is considered the development proponents are aiming



at. However, the assessment based on this will ensure a higher car parking demand can be met.

Local residents will not create a parking demand as they will walk to/from the development site.

Similarly, employees from other local businesses will also not create a parking demand as they will have off-street parking at their work place within the area where their vehicle will remain parked during the visit to the development site. This employee parking is off-street over the day as there are very few unrestricted on-street parking spaces in the surrounding area.

In addition, the employees that are users of public transport or a bicycle will also not create a parking demand when visiting the whiskey distillery/brewery business.

The planning scheme parking supply assessment for 32 car parking spaces does not take into account such factors, which will reduce the parking demand.

The expected 60% of customers will generate a peak parking demand for 19 car parking spaces on weekdays and up to 27 spaces when well outside business hours as well as Saturdays and Sundays.

A proportion of customers arriving by car will be car passengers which will further reduce the parking demand when well outside business hours. The car occupancy may not be as high as 2.2 persons/car for a restaurant (as indicated in the RTA Guide), but an occupancy of 1.5 persons/car (on weekends and later in evenings) will reduce the parking demand to around 18 car parking spaces.

If there will be use of taxis and bicycles by those further away, the parking demand will be further reduced.

Therefore, the above assessment concludes that the parking demand is expected to be around 18 car parking spaces and probable somewhat less than this.

### 6.3 Availability of On-street Car Parking

In order to determine the available on-street car parking in the area around the development site, a comprehensive survey of the on-street parking supply and demand has been undertaken along the surrounding streets within around a 200-250m walking distance of the development site.

The surveys were undertaken during the expected busier times of the day on weekdays and weekends for the proposed business. The results have been summarised in Table 6.1.

The surveys have found there are 199 car parking spaces along the streets that were surveyed.



During each of the survey periods, there were at least 54 and up to 95 vacant car parking spaces within the surveyed area where a car could be parked for at least two hour.

The higher number of vacant parking spaces was available in the late afternoon, after 5:00pm on weekdays and on the weekends, when the highest patronage would be expected at the development site.

The surveys have found there is more than sufficient parking available along the surrounding street to easily meet the expected parking demand which the proposed business will generate, based on an assessment of the business operation and patronage (around 18 car parking spaces), with a supply of at least three times this number of car parking spaces.

#### Impact of Additional Parking

The additional parking that would be generated by the development will not adversely impact on other land use activities.

As mentioned, the streets in the surveyed area have extensive parking restrictions over the weekday and some cases on Saturday to ensure a parking turnover that meets the needs of adjacent businesses. There are also resident permit parking scheme arrangements in the denser residential areas.



LOCATION	TOTAL NUMBER OF PARKING SPACES IN BLOCK	NUMBER OF VACANT PARKED VEHICLES WITH <u>TWO HOUR OF MORE PARKING</u>					
		TIME/DAY/DATE					
		SAT 12-12:30 PM 23 MAY 2020	TUE 12:45-1:15 PM 26 MAY 2020	WED 5:15-5:45 PM 27 MAY 2020			
ARGYLE ST – WEST SIDE BURNETT ST TO FEDERAL ST	19	19	1	10			
LEFROY ST – SOUTH SIDE ARGYLE ST TO MIDWAY	10	7	0	8			
LEFROY ST – NORTH SIDE ARGYLE ST TO MIDWAY	11	8	6	5			
STRAHAN ST – SOUTH SIDE ARGYLE ST TO MIDWAY	10	4	0	3			
STRAHAN ST – NORTH SIDE ARGYLE ST TO MIDWAY	11	5	7	0			
ARGYLE ST – EAST SIDE FEDERAL ST TO BURNETT ST	22	9	7	8			







WELLINGTON ST – NORTH SIDE ARGYLE ST TO MIDWAY	15	2	2	7			
WELLINGTON ST – SOUTH SIDE ARGYLE ST TO MIDWAY	17	9	6	7			
GEORGE ST – NORTH SIDE ARGYLE ST TO MIDWAY	22	15	11	6			
GEORGE ST – SOUTH SIDE ARGYLE ST TO MIDWAY	19	6	1	3			
SMITH ST – NORTH SIDE ARGYLE ST TO MIDWAY	21	10	10	7			
SMITH ST – SOUTH SIDE ARGYLE ST TO MIDWAY	22	8	3	7			
<b>TOTALS</b>	<b>199</b>	<b>95</b>	<b>54</b>	<b>71</b>			

Table 6.1: Available car parking along surrounding street to development site



Consideration of Performance Criteria for Clause E6.6.1

The performance criteria P1 of Clause E6.6.1 are listed below and advice is provided in respect to each:

*The number of onsite 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 above assessment of the required parking supply, having regard for the planning scheme indicates a need for up to 32 car parking spaces. There will be provision for 2 parked cars on the site;
- this means there is a required supply of 30 parking spaces for customers and employees which will need to come from on-street parking;
- the above assessment based on other travel modes determine the likely parking demand will be 18 spaces or less.

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

- a comprehensive survey of the on-street parking supply and demand has been undertaken along the surrounding streets within around a 200-250m walking distance of the development site. The surveys were undertaken during the expected busier times of the day on weekdays and weekends for the proposed business;
- the surveys have found there are at least 54 vacant car parking spaces in this area;
- the surveys show there is more than sufficient parking available along the surrounding streets to easily meet the parking demand which the proposed business will generate;

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

- Metro Tasmania currently operates regular bus services along Argyle Street with bus stop located within 200m walking distance of the development site;

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

- there could be some attraction to cycle to and from the site as part of a multi-purpose trip, including to and from the employment site, as there are cycle lanes passing the development site in Argyle Street for both direction of travel;
- more likely during weekends and evenings, some customers are expected to arrive and depart by taxi, as found at such food service venues in the Hobart area;



- being located with surrounding residential area, there would be local customers who would walk to and from the site.

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

- no other alternative off-street car parking arrangements are available at this time other than the two employee parking spaces;

*(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;*

- this is not applicable at this time;

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

- this is not applicable at this time;

*(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;*

- it is considered the site currently would not have any parking credits.

*(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;*

- this would not be applicable to this area of North Hobart and not proposed due to other available parking; (HCC has no policy for cash in lieu contribution);

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

- it is considered this is not the case; (HCC has no policy for cash in lieu contribution – so perhaps not applicable?)

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

- it is considered this is not the case;

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

- this would not be applicable (not a provision in the HCC 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;

- this would not be applicable.

#### Overview of Parking Supply and Demand

Having regard for all relevant factors including:

- the proposed business operation and site occupancy;
- available on-site parking;
- alternative modes of travel to and from the site; and
- available on-street parking along the surrounding streets;

it is concluded that there is more than a sufficient parking supply in the area within acceptable walking distance of the development site to meet the parking demand.

This meets the planning scheme objective in regard to parking supply which states:

*To ensure that:*

*(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.*

*(b) a use or development does not detract from the amenity of users or the locality by:*

*(i) preventing regular parking overspill;*

*(ii) minimising the impact of car parking on heritage and local character.*

#### **6.4 Sight distance considerations**

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 domestic driveway such as is under consideration in this assessment.



The required sight distance for approach vehicle speeds of 50km/h is 69m from a point 2.5m back from the edge of road. Vehicle speeds in Argyle Street would be around 50km/h at most times of the day.

A driver exiting the site will be able to see much further than 69m in both directions along Argyle Street when driving in a forward direction if there are no parked cars along Argyle Street. If there are parked cars along Argyle Street, exiting drivers could safely continue to exit the site up to the edge of the outer parking lane to obtain sufficient sight distance along Argyle Street before moving 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. At this driveway, there is the added advantage of the bicycle lane which allows the driver to obtain a line of sight clear of parked cars.

The available sight lines along Argyle Street, from behind the edge of kerb, and also the edge of traffic lane, are seen in Photographs 6.1 to 6.4.

There are no issues or concerns with the adequacy of sight distance along Argyle Street for drivers entering or exiting this driveway.

#### Sight distances to approaching pedestrians

The pedestrian sight triangles between drivers exiting the site and pedestrians approaching along the Argyle Street footpath will be available on the southern side of the driveway, as required in AS 2890.1, and noted on the attached drawings.

It is considered there is not a compelling argument to require any interventions to improve the situation on the northern side of the driveway.

There are a number of driveways along Argyle Street, including in close proximity of the development site. There have been no reported incidents or collisions involving a pedestrian along Argyle Street between Burnett Street and Federal Street within the last five years.

The driveway will also receive little traffic activity, 6-10 vehicles/day, clearly much less than it receives at present based on up to six parked vehicles seen in the parking area during passing observations at different times and days, and different parked vehicles during those observations.





**Photograph 6.1: View to south along Argyle Street from behind kerb**



**Photograph 6.2: View to south along Argyle Street back from edge of traffic lane**





Photograph 6.3: View to south along Argyle Street from behind kerb



Photograph 6.4: View to north along Argyle Street back from edge of traffic lane



**6.5 Car and Delivery/Service Vehicle Access and Parking**

Vehicle access to the site will be via the existing driveway. It will have a width at the property boundary of just over 4m.

This will be quite sufficient for the low traffic use of the driveway, at around 6-10 vehicles/day.

The business will receive deliveries associated with the whiskey distillery/brewery production and food service at around 9 vehicles/week.

The two proposed employee car parking spaces will be compliant with standard requirements. The cars will be able to easily reverse within the site, immediately behind the parking bays as there will not be any constraints to engaging in full lock forward and reverse turns from a stationary position which allows a car to turn around within a width of 8.5m.

All of the small rigid vehicles will also be able to enter and exit the site in a forward direction. These vehicles, with a length of up to 6.4 m will again be able to turn around within the site where the width of the manoeuvring area is around 11m.

The larger medium rigid vehicles will need to reverse into the driveway as detailed on the attached drawing. The frequency of this manoeuvre will be up to around once or twice a week but not every week.

With this infrequent manoeuvre, it is consistent with a permitted manoeuvre for an occasional service (defined as less than once a day) for a road such as Argyle Street, as detailed in Section 3 of AS 2890.2.



## 7. SUMMARY AND RECOMMENDATIONS

This Traffic Impact Assessment has been prepared in support of the development application to the Hobart City Council for the whiskey distillery/brewery at 284 Argyle Street in North Hobart.

The business will be a whiskey distillery/brewery but also include a food service area with seating for up to 47 people. There will eventually be up to 11 employees working in the business.

There will be parking for two employee cars and a delivery/commercial vehicle on the development site, which will be redeveloped to accommodate the proposed business.

The assessment has reviewed the existing road and traffic environment along Argyle Street in the area of the development site and no issues of concern have been identified.

It is expected there will be 6-10 vehicles/day using the driveway. Otherwise all vehicle traffic generated by the proposed development will consist of parking and unparking manoeuvres by customers along Argyle Street and the side roads during open hours for the business.

It has been determined the Hobart Interim Planning Scheme requires up to 32 car parking spaces for the proposed business.

When considering customers at the business will include local residents, employees from the various local businesses, or motorists either passing or driving to the site, the parking demand by the proposed development is expected to be around 19 car parking spaces on weekdays and up to 27 spaces when well outside business hours as well as Saturdays and Sundays. With car sharing this will reduce the parking demand to around 18 car parking spaces. The use of taxis and bicycles by those further away will further reduce the parking demand.

Surveys have established there is more than a sufficient supply of on-street parking less than 200-250m walking distance of the development site.

There are no issues or concerns with the adequacy of sight distance along Argyle Street for drivers entering or exiting this driveway.

The pedestrian sight triangles, as required in AS 2890.1, will be available on the southern side of the driveway between drivers exiting the site and pedestrians approaching along the Argyle Street footpath.

The design does not propose a change to the existing driveway to address this on the northern side. It is considered there is not a compelling argument to address the northern side of the driveway given the current higher use of this driveway, the number of driveways along Argyle Street with similar sight distance limitations and the fact that there have been no reported incidents or



collisions involving a pedestrian along Argyle Street between Burnett Street and Federal Street within the last five years.

The business will receive commercial vehicle deliveries for the whiskey distillery/brewery production and food preparation

Vehicle access to the site will be via the existing driveway which will have a width at the property boundary of just over 4m. This will be quite sufficient for the low traffic use of the driveway.

The two proposed employee car parking spaces will be compliant with standard requirements.

The 11m width of the vehicle access area within the development site is sufficient to allow cars and small rigid vehicles to turn around within this area and exit the site in a forward direction.

The occasional larger medium rigid vehicles will need to reverse into the driveway. This is consistent with a permitted manoeuvre for an occasional service as detailed in Section 3 of AS 2890.2.

Overall, it has been concluded that the proposed development can be supported on traffic grounds as it will not give rise to any adverse traffic or parking issues.



ATTACHMENT A

Drawings of proposed layout of whiskey distillery/brewery  
development site plus commercial vehicle access



284 ARGYLE STREET  
NORTH HOBART, TAS 7000



① LOCATION PLAN  
1 : 500

<b>SITE AREA:</b>	1160m <sup>2</sup>
<b>TENANCY A FOOTPRINT:</b>	173m <sup>2</sup>
<b>TENANCY B FOOTPRINT:</b>	173m <sup>2</sup>
<b>TENANCY C FOOTPRINT:</b>	133m <sup>2</sup>
<b>TENANCY D FOOTPRINT:</b>	135m <sup>2</sup> (NOT IN SCOPE)
<b>PROPOSED CORRIDOR FOOTPRINT:</b>	3m <sup>2</sup>
<b>TOTAL EXISTING FOOTPRINT:</b>	614m <sup>2</sup>
<b>TOTAL PROPOSED FOOTPRINT:</b>	617m <sup>2</sup>
<b>EXISTING SITE COVERAGE:</b>	52.9%
<b>PROPOSED SITE COVERAGE:</b>	53.1%

Drawing Number	Drawing Name
A0001	COVER PAGE
A0100	SITE PLAN - EXISTING
A0101	SITE PLAN - DEMOLITION
A0102	SITE PLAN - PROPOSED
A1000	FLOOR PLAN - EXISTING/DEMO
A1100	FLOOR PLAN - PROPOSED
A1300	ROOF PLAN - PROPOSED
A2000	ELEVATIONS - EXISTING/DEMO
A2001	ELEVATIONS - EXISTING/DEMO
A2010	ELEVATIONS - PROPOSED
A2011	ELEVATIONS - PROPOSED

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REFER TO SUBSEQUENT SERVICES DRAWINGS FOR COMPLETION OF LOCATIONS AND HEIGHT OF FITTINGS, AIR DIFFUSERS, GRILLES, SPRINKLERS, EXHAUST DIFFUSERS, AND ALL OTHER CEILING MOUNTED SERVICES, SERVICE OUTLETS AND FITTINGS AND ADDITIONAL SETTING OF CEILING SUPPORT MEMBERS. MAKE ALL PENETRATIONS, CUT OUTS AND TRIM TO MEET ALL RELEVANT SERVICE OUTLETS AND FITTINGS.

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E	25/01/2023	REVISED SITE PLAN AND PROPOSED FOOD VAN & OVERFLOW SEATING AREA
D	07/04/2023	PDR SA REVIEW
C	26/04/2023	LAYOUT AND DESIGN UPDATES FOR REVIEW
B	05/04/2023	PRELIMINARY LAYOUT REVIEW
A	01/04/2023	PDR SA REVIEW
REV	DATE	DESCRIPTION

Client:

## VSC DISTILLERY



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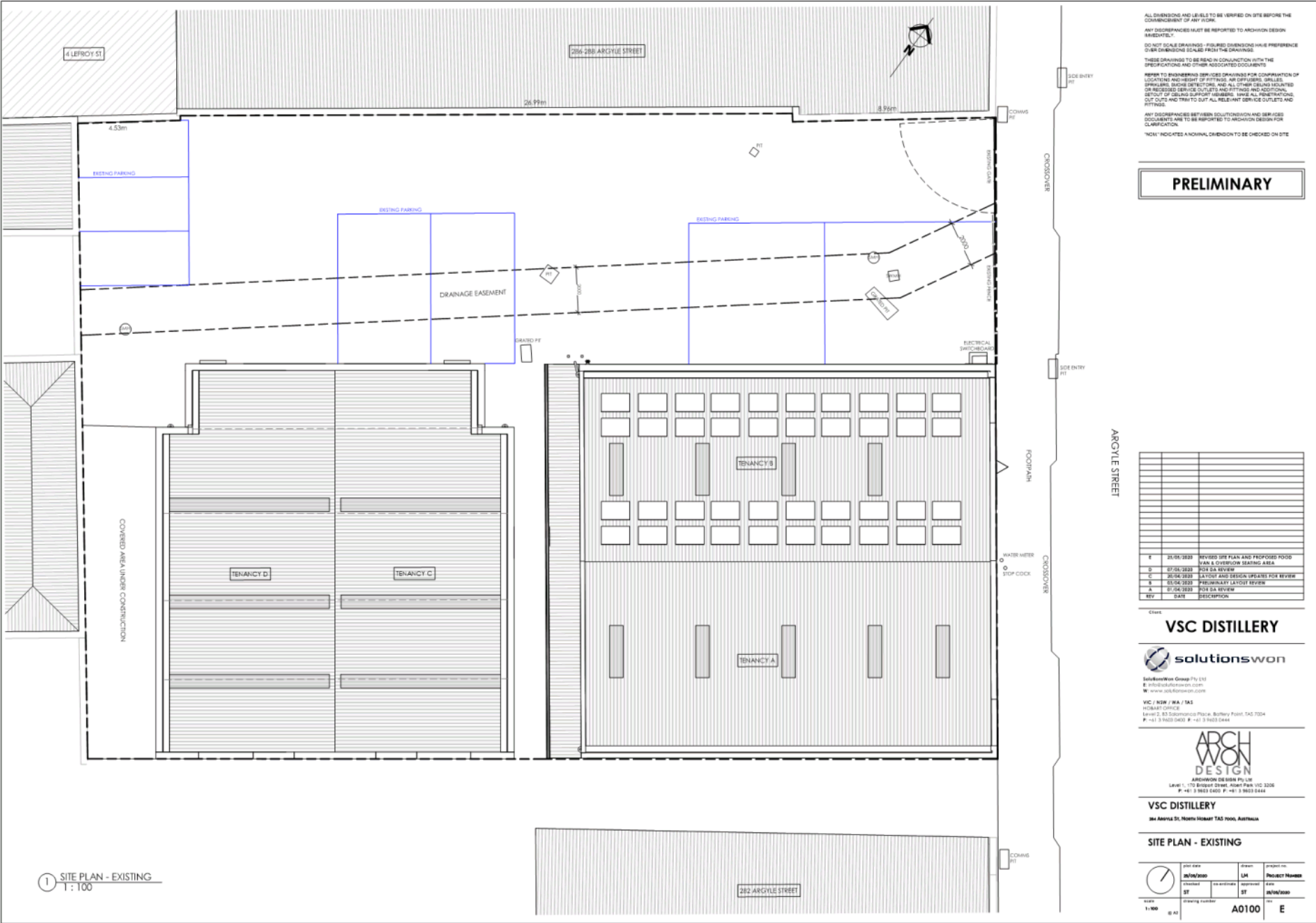
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284 Abbey St, North Hobart TAS 7000, Australia

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1	28/08/2020	REVISED SITE PLAN AND PROPOSED FOOD PLAN & OVERFLOW DRAINAGE AREA
2	07/09/2020	POST EA REVIEW
3	20/09/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
4	01/10/2020	PRELIMINARY LAYOUT REVIEW
5	01/10/2020	POST EA REVIEW
6	01/10/2020	POST EA REVIEW

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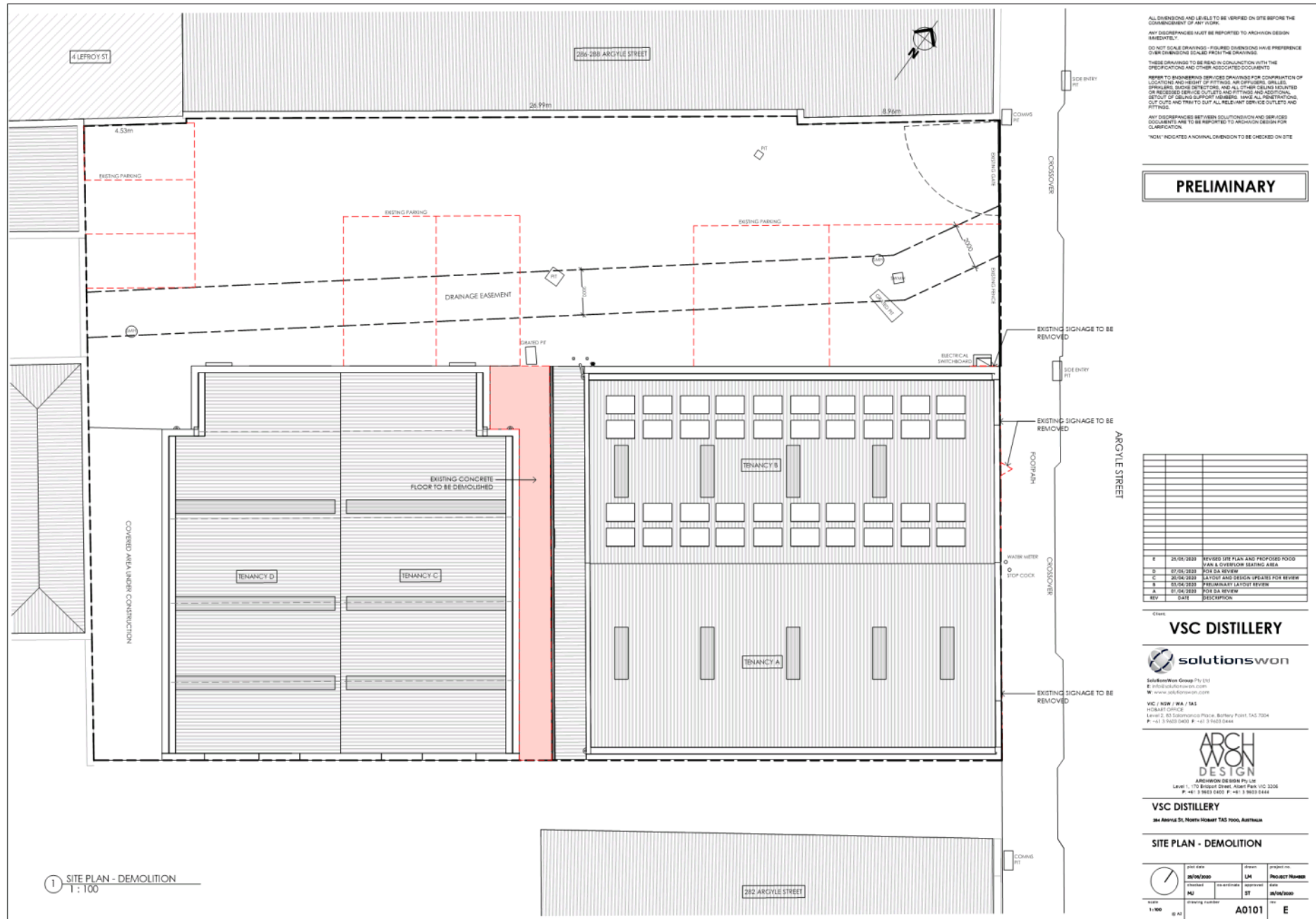
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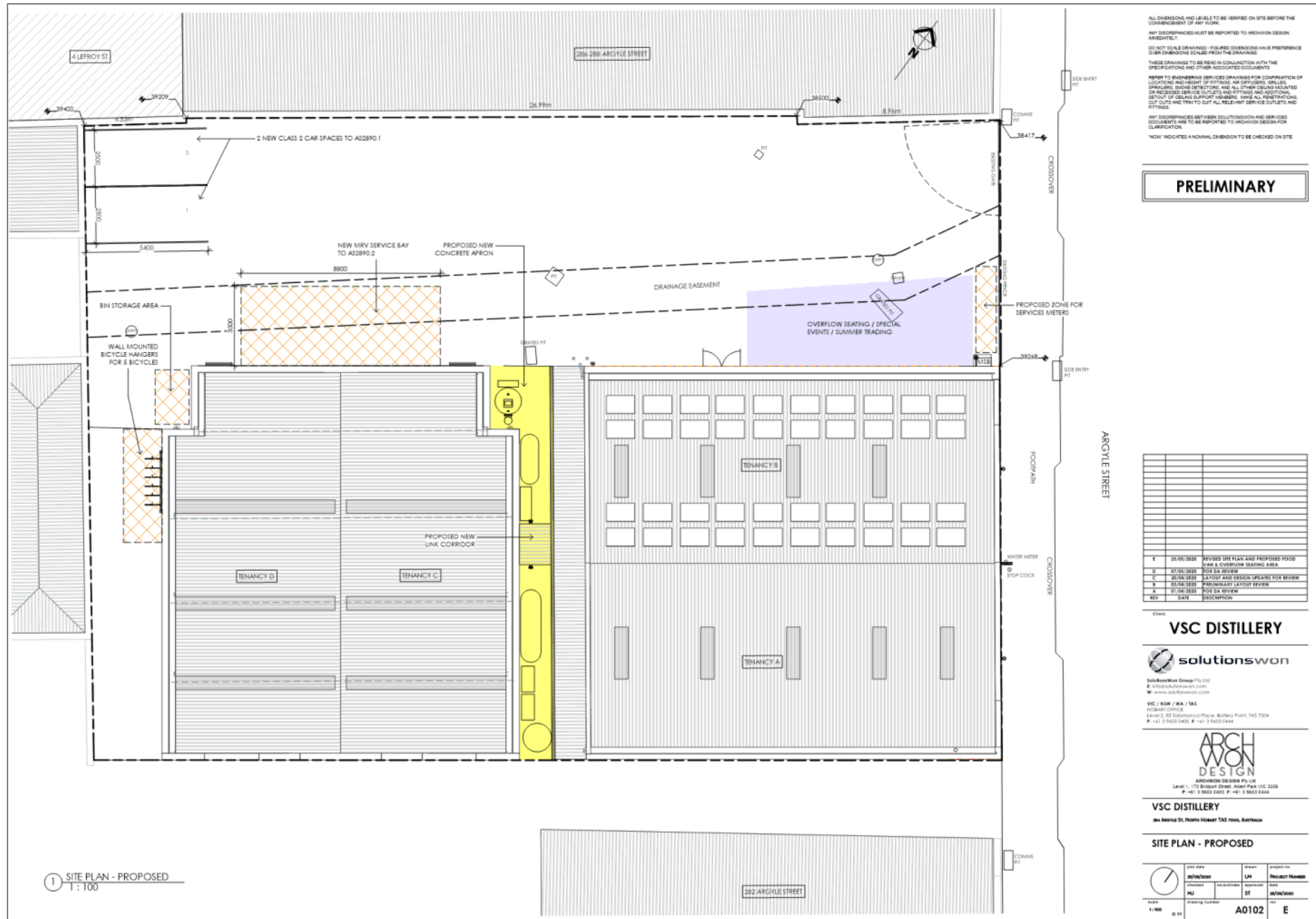
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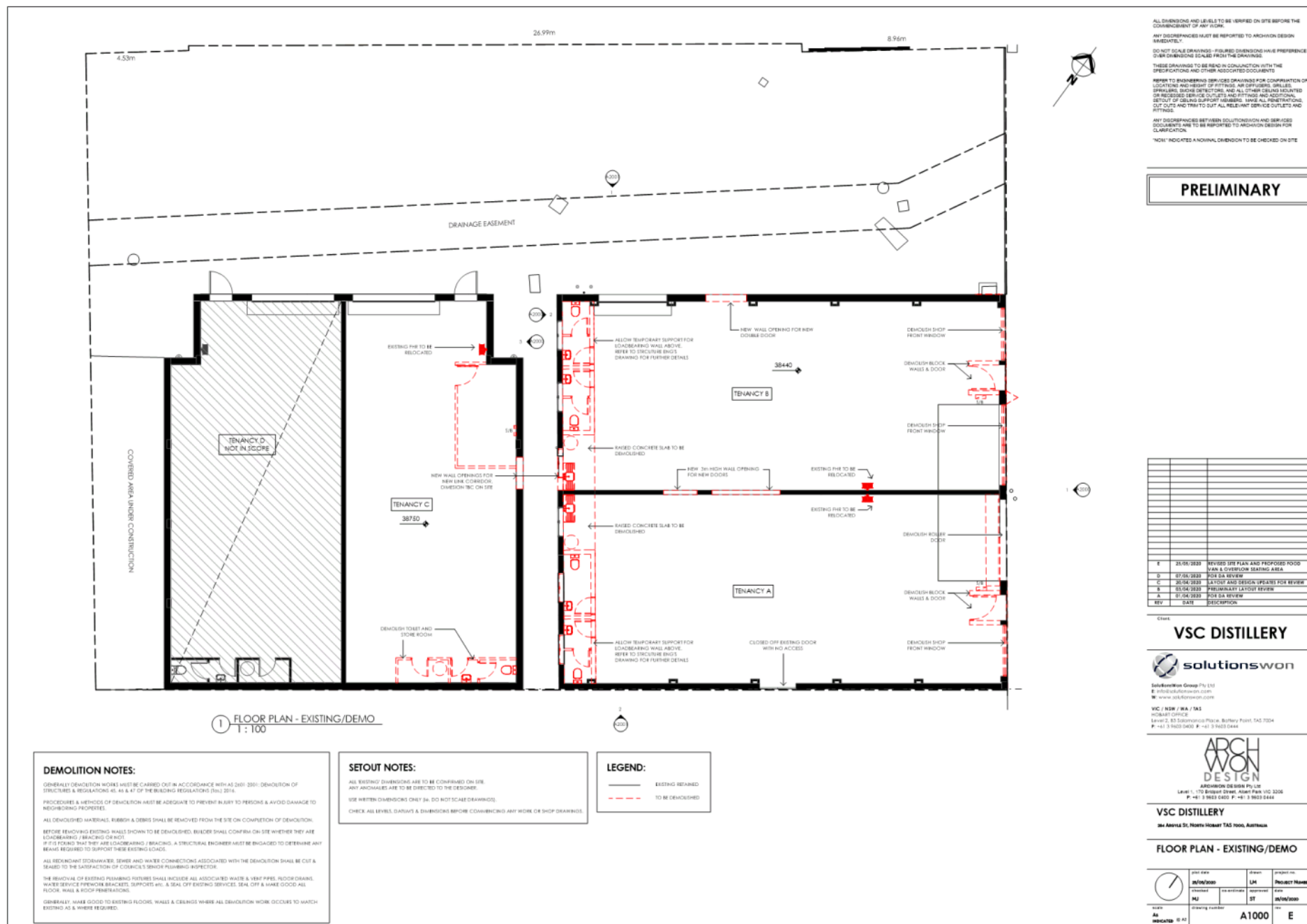




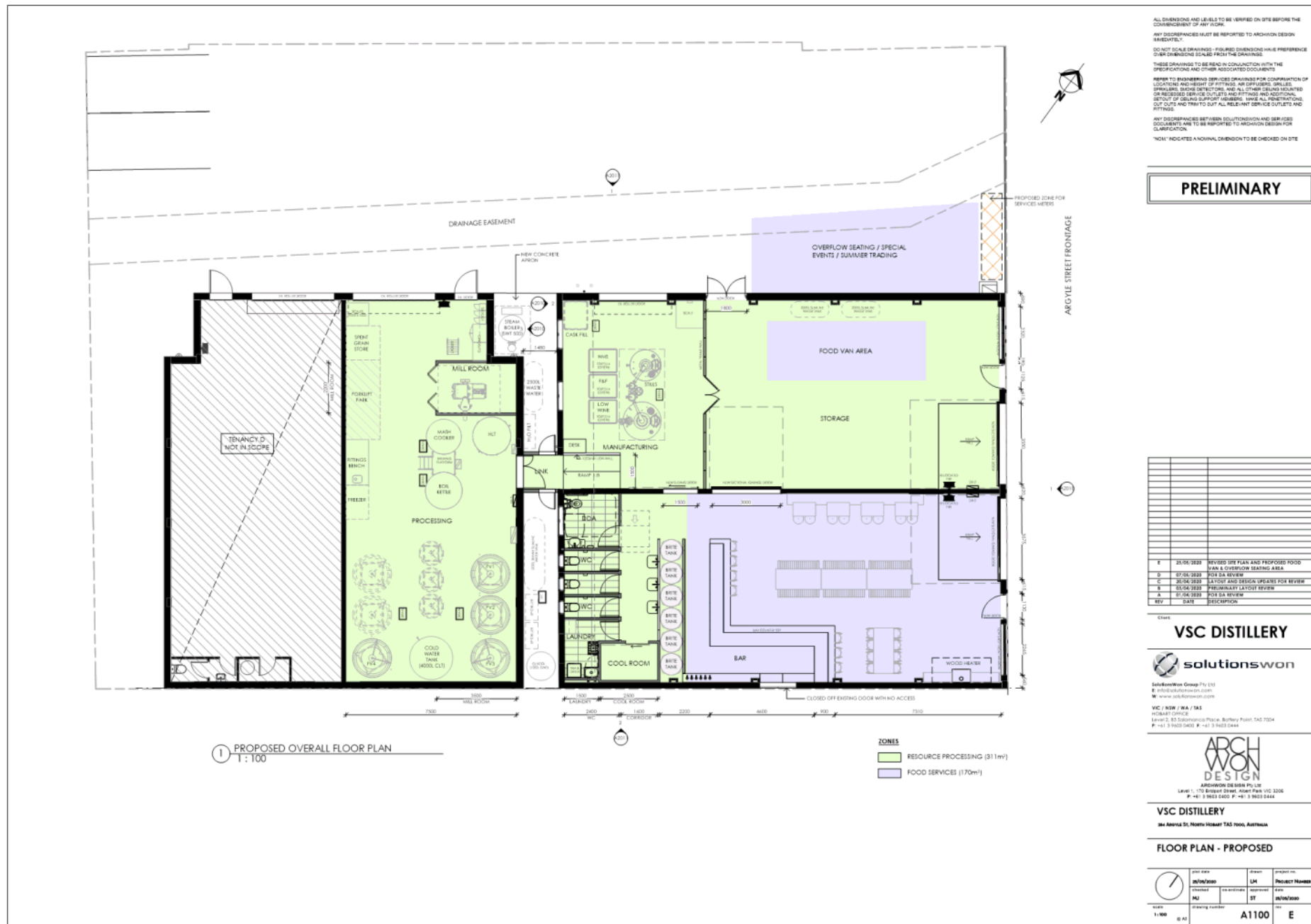




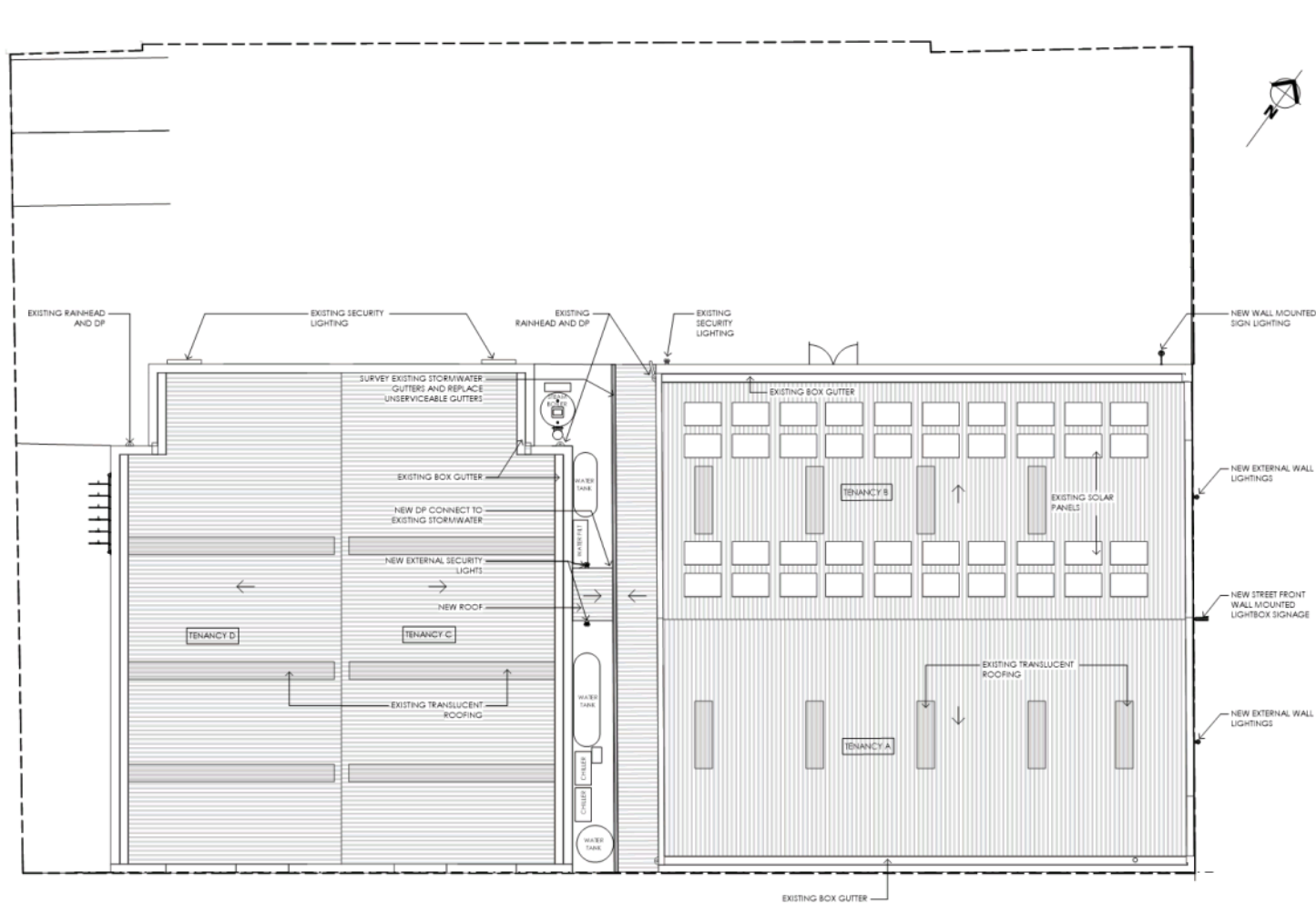












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C	26/04/2020	LAYOUT AND DESIGN UPDATES FOR REVISION			
B	03/04/2020	PRELIMINARY LAYOUT REVIEW			
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416

## VSC DISTILLERY



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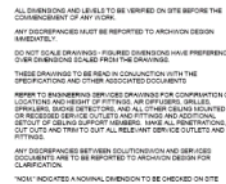
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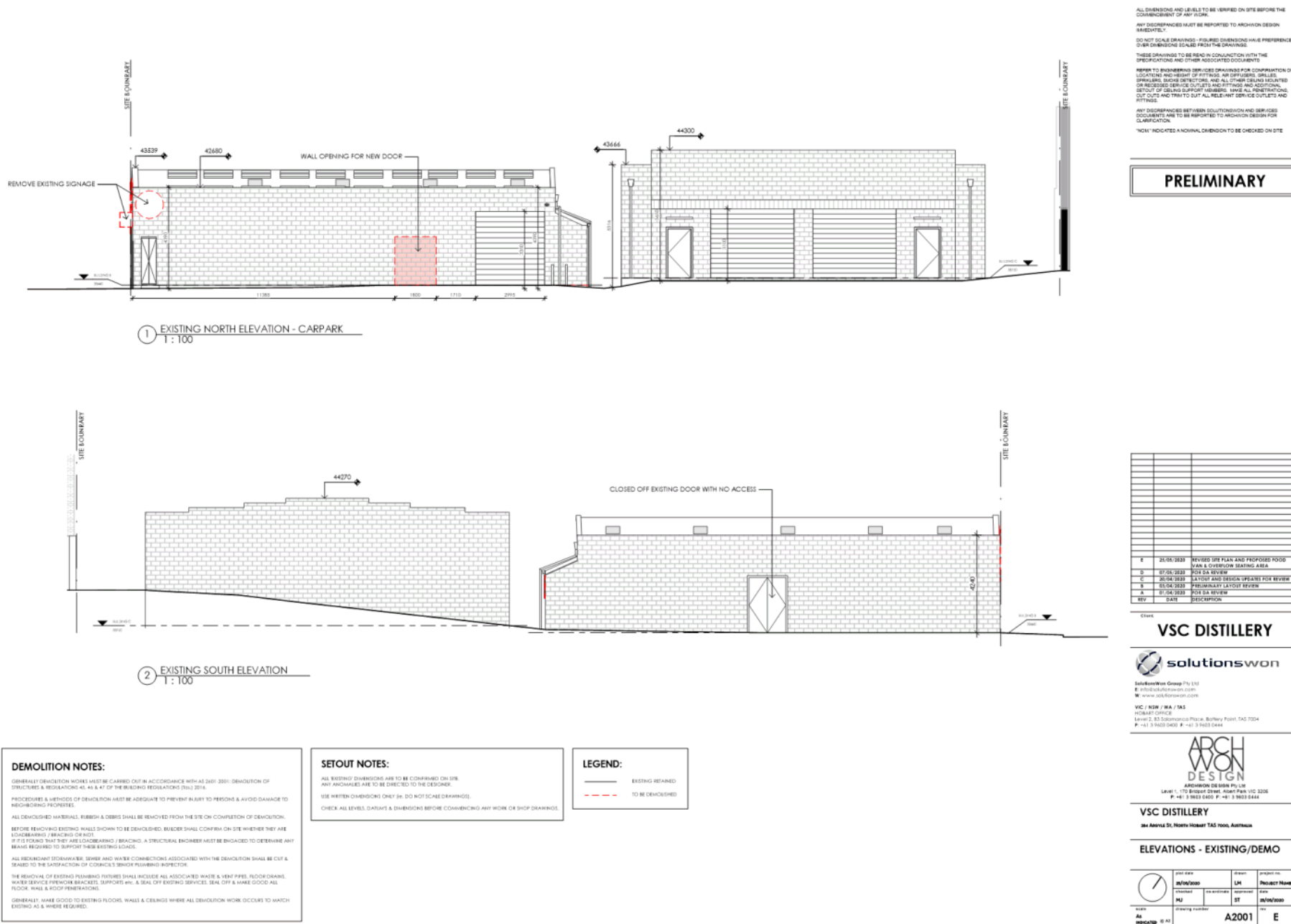
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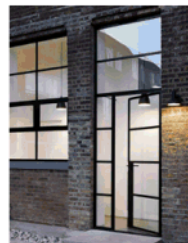












1 2  
METAL FRAME WINDOWS & DOORS WITH  
BLACK POWDER COATED



3  
METAL FRAME SECTIONAL DOORS WITH BLACK POWDER COATED



4  
WALL CLADDING - SCYON AXON  
13mm SMOOTH PAINTED IN P2



6  
LIGHTBOX SIGNAGE WITH  
CHANGEABLE SIGN LETTERS

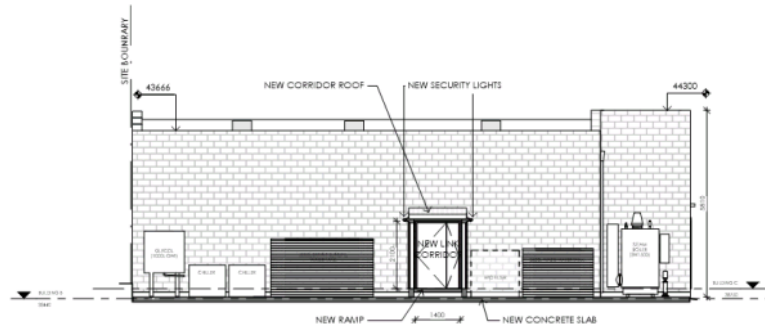
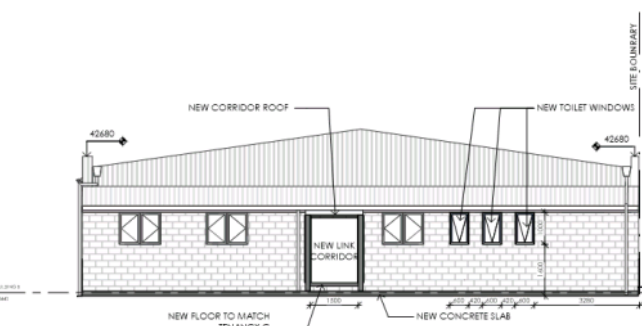
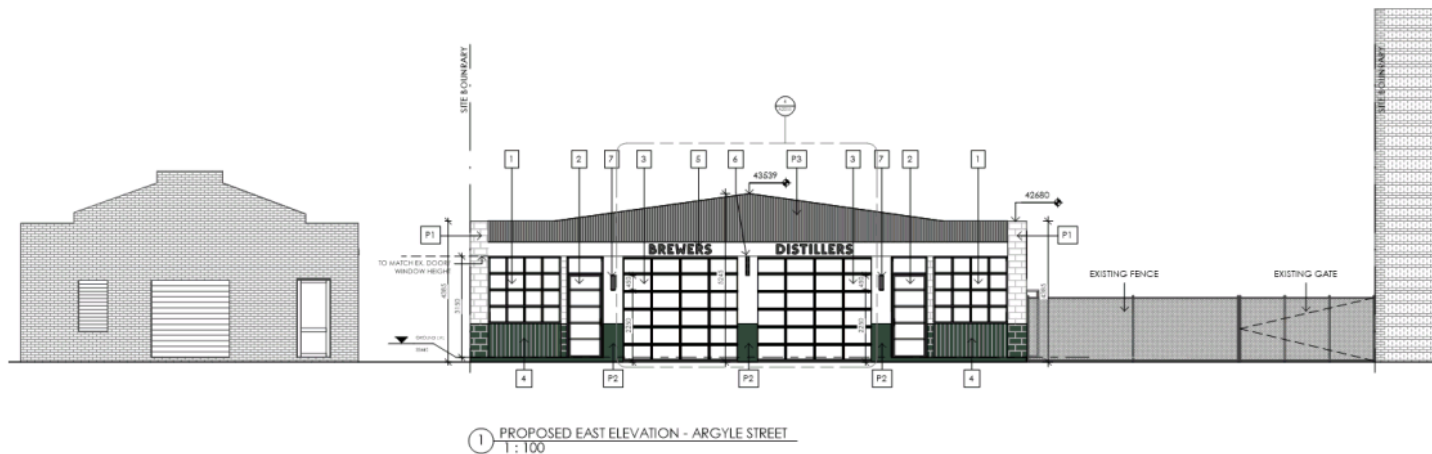


7  
EXTERNAL WALL LIGHTS

- P1 PAINT - DULUX 'NATURAL WHITE'  
P2 PAINT - DULUX 'GOVERNMENT GREEN'  
P3 PAINT - DULUX 'BLACK'

5  
PAINTED WALL SIGNAGE - IN BLACK

BUILDING ELEVATION AREA	81.29m <sup>2</sup>	100%
WINDOW/GLASS AREA	39.88m <sup>2</sup>	49%



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C	05/08/2020	LAYOUT AND DESIGN UPDATES FOR REVIEW
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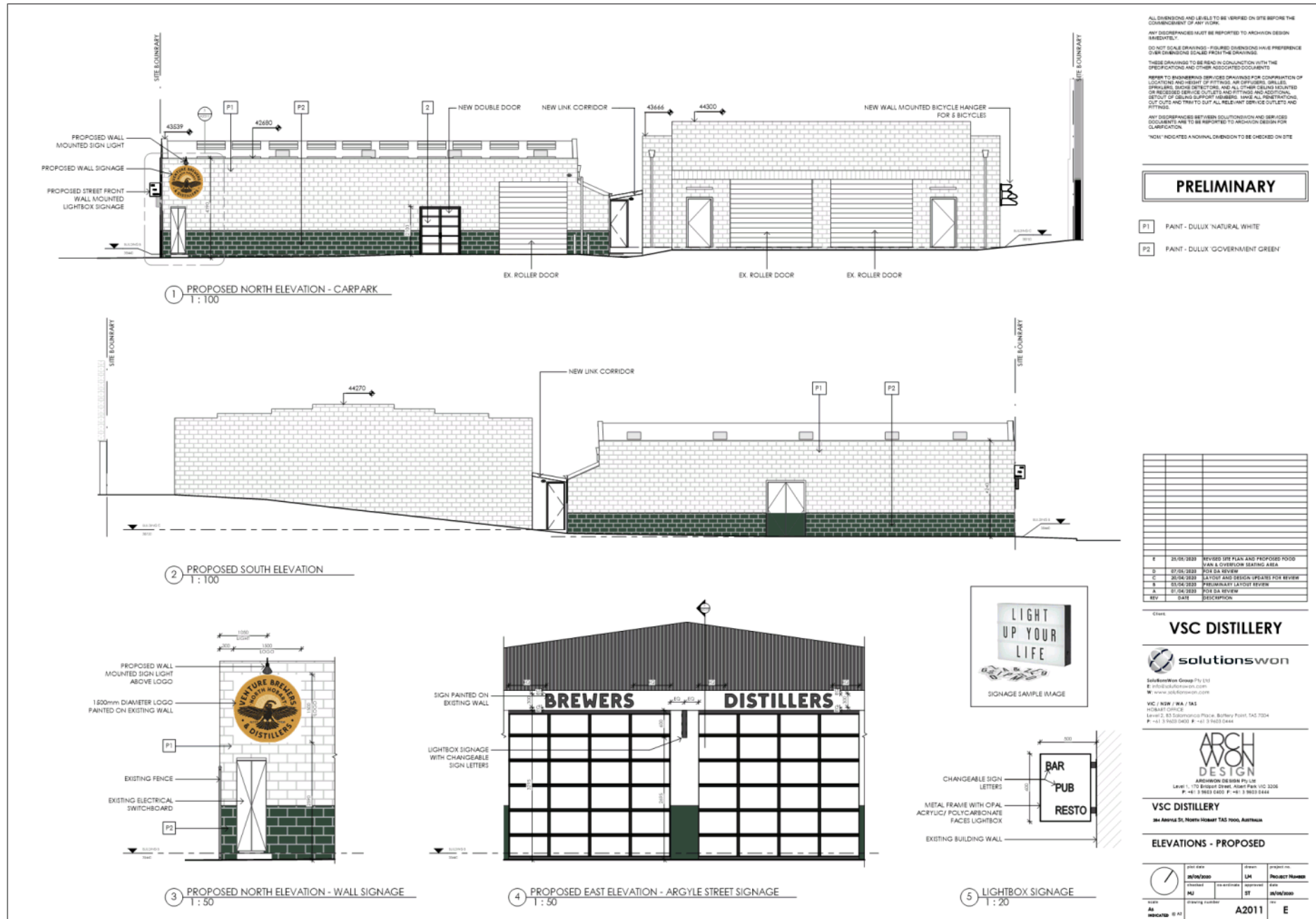
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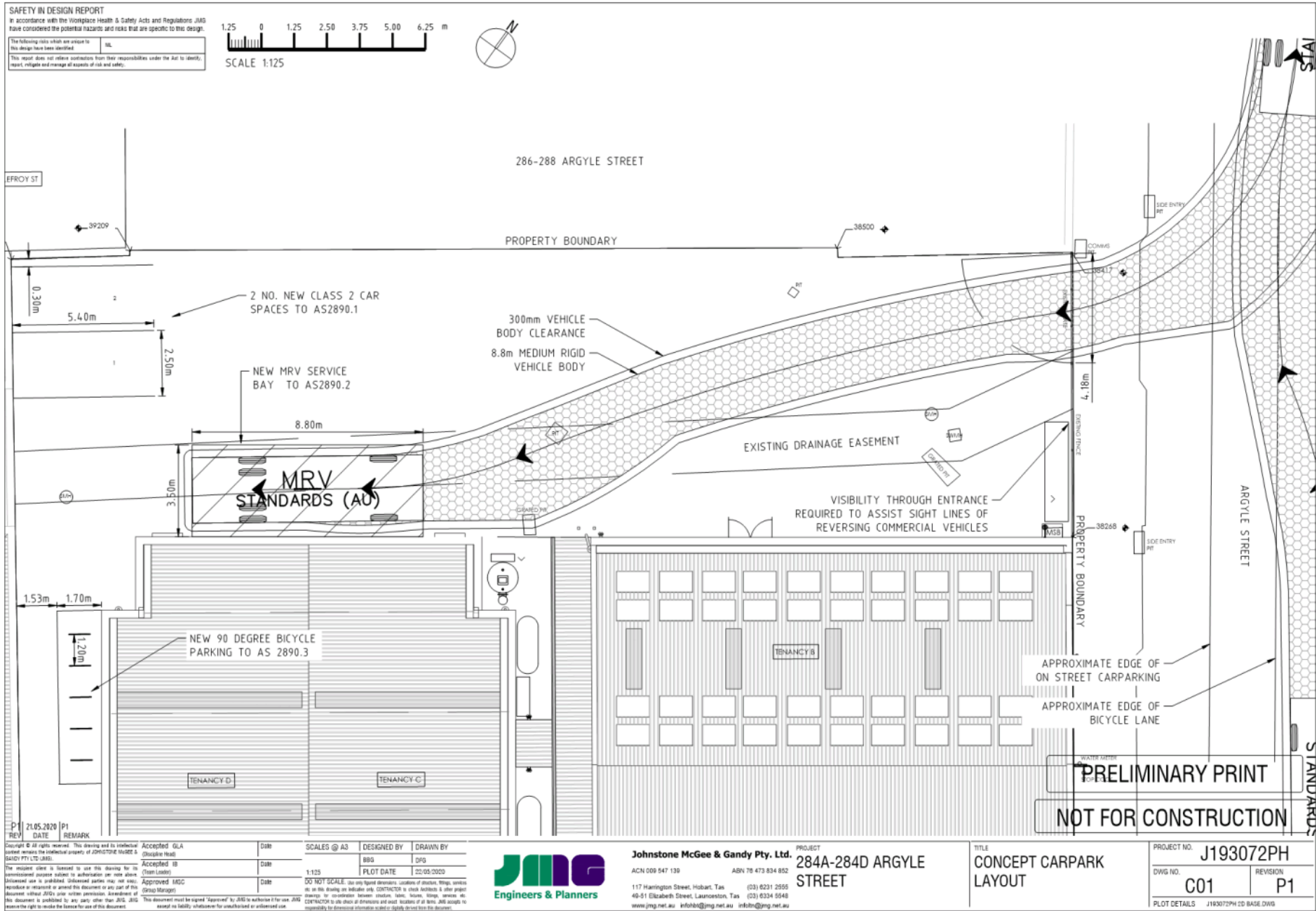


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## **APPENDIX F**

### Vehicle Manoeuvring







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## **APPENDIX G**

### Concept Services Report and Plans





# VSC DISTILLERY

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VSC DISTILLERY – 284 ARGYLE STREET  
CONCEPT SERVICES REPORT – FOR SOLUTIONS WON

Project No: 4921.032  
12 May 2020

**COVA**

COVA A4 Standard Document (F100 04)  
Revision 31 • 11 February 2020





## CONCEPT SERVICES REPORT

VSC Distillery

## DOCUMENT ISSUE AUTHORISATION

**PROJECT:** VSC Distillery  
**PROJECT NO:** 4921.032  
**AUTHOR:** Patrick Bird  
Senior Mechanical / Hydraulic Engineer  
Registration Number: 844142646

DATE	PURPOSE OF ISSUE/NATURE OF REVISION	REV	REVIEWED BY	ISSUE AUTHORISED BY
05.05.2020	For Development Approval	0	D. Hall	D. Hall
12.05.2020	Revised - Stormwater planning	1	D. Hall	D. Hall

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## CONCEPT SERVICES REPORT

VSC Distillery

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## CONCEPT SERVICES REPORT

VSC Distillery

**1. INTRODUCTION**

This report describes conceptual services requirements for the proposed construction of a distillery at 284 Argyle Street, North Hobart.

This site comprises of four main shed style buildings and a carpark area with a drainage easement. One of the buildings is currently occupied by a commercial business.

The drainage easement contains a major underground stormwater pipeline.

The information in this report is based on existing information obtained from historical services documentation. COVA do not accept responsibility for any inaccuracies from historical documentation from other sources.





## CONCEPT SERVICES REPORT

VSC Distillery

**2. ROAD AND ACCESS****2.1 EXISTING CONDITIONS**

The existing vehicle entry point on Argyle Street is approximately 4m wide and is likely to remain as access to the property and carpark. Argyle street is approximately 14m wide, with ample space for allowing vehicles to pull out of the traffic in a safe manner. It is unlikely that the change in commercial use of this property will have a significant effect on existing traffic flow conditions.

**3. STORMWATER****3.1 EXISTING CONDITIONS**

The site generally falls to the north-east corner toward Argyle Street into a large grated pit, and into the stormwater main below. The existing stormwater drainage from buildings generally connects to various pits and discharge into the previously mentioned grated pit.

Stormwater drainage from the buildings is generally in good condition. There are eaves gutters that require replacement. The existing stormwater pit and grate at the end of the passageway between the buildings is ageing and in poor – average condition. It is proposed to replace this pit.

The site has an area of approximately 1080m<sup>2</sup>. Total building footprint is approximately 600 m<sup>2</sup>, and total open and carpark area is 480 m<sup>2</sup>. None of this site is permeable.

**3.2 DESIGN STANDARD**

Stormwater rainfall intensity will be calculated based on a 1:50 year storm event. The estimated rainfall intensity will be 103mm/hr for a duration of 5 minutes (from the Bureau of Meteorology IFD data). The catchment area and estimated rainfall intensity indicate a stormwater surcharge flow rate of 31 l/s. Stormwater infrastructure will be constructed to the requirements of Hobart City Council.

Hobart City Council require that the Hobart Interim Planning Scheme (IPS) is implemented for property developments. The IPS Stormwater Management Code clause E7.7.1 – Stormwater drainage and disposal requires the following:

OBJECTIVE / PERFORMANCE CRITERIA	EXPLANATION / SOLUTION
Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	All external surfaces on this site are existing and impervious. Appropriately sized drainage exists and discharges to the existing stormwater easement.
A stormwater system must be of a size and design sufficient to achieve the stormwater quality and quantity targets as stated in the State Stormwater Strategy 2010.	Roof drainage will be designed to AS3500.3 and discharged into existing/refurbished pits that also collect ground water run-off. Pits will effectively be silt traps, which will greatly reduce total suspended solids.





## CONCEPT SERVICES REPORT

VSC Distillery

A minor stormwater drainage system must be designed to accommodate a storm with an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed	As previously mentioned, the fully developed stormwater flow rate is expected to be 31 l/s. The existing stormwater system is sized appropriately. Some minor refurbishment of existing pipes and pits will be necessary.
A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	The Providence Valley Rivulet stormwater easement is outside the scope of this development.

**3.3 PROPOSED SYSTEM**

It is anticipated that the existing stormwater will remain largely unchanged, with only minor modifications such as refurbished pits and the like to suit the new building modifications. Refer Appendix A for sketches of proposed works.

**3.4 STORMWATER QUALITY TREATMENT**

All stormwater runoff from this site will be from non-pervious surfaces and are likely to have a very low quantity of suspended solids. It is proposed that any suspended solids in stormwater runoff are captured in silt trap pits, prior to the stormwater draining to the drainage easement.

Phosphorus and Nitrogen from fertiliser usage and organic waste; and Nitrogen from deposition of vehicle emissions is not likely to be present on this site in any significant quantity. Currently there is no vegetation on this site, nor are there any fertilisers used. Waste liquids from the proposed distillery will be treated via an on-site trade waste system and drained to TasWater's town sewer system. Organic waste solids will be hauled off site. Vehicle traffic will be limited to what is required for the daily operation of the business.

**3.5 OVERLAND FLOW PATH**

The flow of overland stormwater through this site from further up in the catchment area is unlikely as there is a wall on the south-west boundary, where the drainage easement enters the property.



Carpark area with  
wall at the rear





## CONCEPT SERVICES REPORT

VSC Distillery

**4. SEWER****4.1 EXISTING CONDITIONS**

An existing property connection is located on Argyle Street at the front of the property. It is intended that the new and modified fixtures will be connected to the existing sewer drainage on the property, with only minor modifications to existing sewer mains.

**4.2 DESIGN STANDARD**

All sewer installations will be constructed to AS3500.2-2018, requirements of TasWater and City Council.

**4.3 PROPOSED SYSTEM**

It is proposed that the refurbishment of this property into a distillery will require typical amenities fixture connections to the existing sewer. The process waste will require a trade waste system approved by TasWater, also connected to the sewer system.

Refer Appendix A for sketches of proposed works.

**4.4 SEWER TREATMENT (TRADE WASTE)**

Upon provision of process waste details, appropriately sized trade waste tanks (and treatment system if required) will be designed and submitted for TasWater and Council approval. It is proposed that treated trade waste will also be discharged to the town sewer system.

**5. WATER****5.1 EXISTING CONDITIONS**

The existing site water connection is at the front of the building in a valve box under the footpath. It is a 20mm valved connection and meter. The existing water connection is not sufficient to provide the required flow and pressure to the proposed distillery plant and fire hose reels. It is proposed that the existing connection will be made redundant and a new appropriately sized connection and meter assembly will be installed.

**5.2 DESIGN STANDARD**

All water installations will be constructed to AS3500.1-2018, requirements of TasWater and City Council. Hot water installations will be constructed to AS3500.4-2018. (excluding process heated and hot water systems)

**5.3 PROPOSED SYSTEM**

The proposed water supply will be sized to cater for the front-of-house and amenities areas, the fire hose reels, and the process plant. A new water meter, back flow prevention device and pressure reduction equipment will need to be installed at the front of the property at a TasWater approved location.

Refer Appendix A for sketches of proposed works.





## CONCEPT SERVICES REPORT

VSC Distillery

**6. NATURAL GAS****6.1 EXISTING CONDITIONS**

There is currently no natural gas connection to the TasGas main in Argyle Street.

**6.2 DESIGN STANDARD**

All natural gas installations will be constructed to AS5601.1-2013, requirements of Department of Justice and City Council.

**6.3 PROPOSED SYSTEM**

The proposed natural gas connection will need to cater for all front-of-house space heating requirements and the heating requirements for the proposed process plant. A new natural gas meter and pressure reduction valve will need to be installed at a TasGas approved location.

Refer Appendix A for sketches of proposed works.

**7. POWER, TELECOMMUNICATIONS AND LIGHTING****7.1 EXISTING CONDITIONS**

There is currently an underground LV cable powering the site. Currently there are four tenants on site, with associated energy meters.

There is an existing nbn connection to the site, which can be retained and utilised for the distillery.

**7.2 DESIGN STANDARD**

All electrical works will be compliant with AS 3000, AS3008, TasNetworks Service and Installation Rules. All telecommunications works will be compliant with AS 11801 and nbn requirements.

**7.3 PROPOSED SYSTEM**

The TasNetworks feed into the site will be connected to the Main Switchboard, from which the various distribution boards for the distillery will be fed. The existing tenancy at the back of the site will also be fed from the Main Switchboard as it is currently.

TasNetworks have advised that if the Maximum Demand (MD) for the site exceeds 200A/ph then a substation will likely need to be installed as their LV infrastructure in the area is at capacity. A preliminary MD assessment for the site shows a requirement for 300A/ph, including an allowance for the existing additional tenancy on site.





## CONCEPT SERVICES REPORT

VSC Distillery

**8. SUMMARY**

Generally, the existing site drainage connections will be sufficient to service the proposed distillery development, pending the approval of authorities.

The Water and gas connections will need to be upgraded to cater for the proposed distillery development services requirements.

The electrical supply for the site is expected to require an upgrade to cater for the proposed distillery development services requirements. The existing telecommunications infrastructure for the site can be reused.

It is not anticipated that there will be any adverse effect on traffic flow with the proposed distillery development.





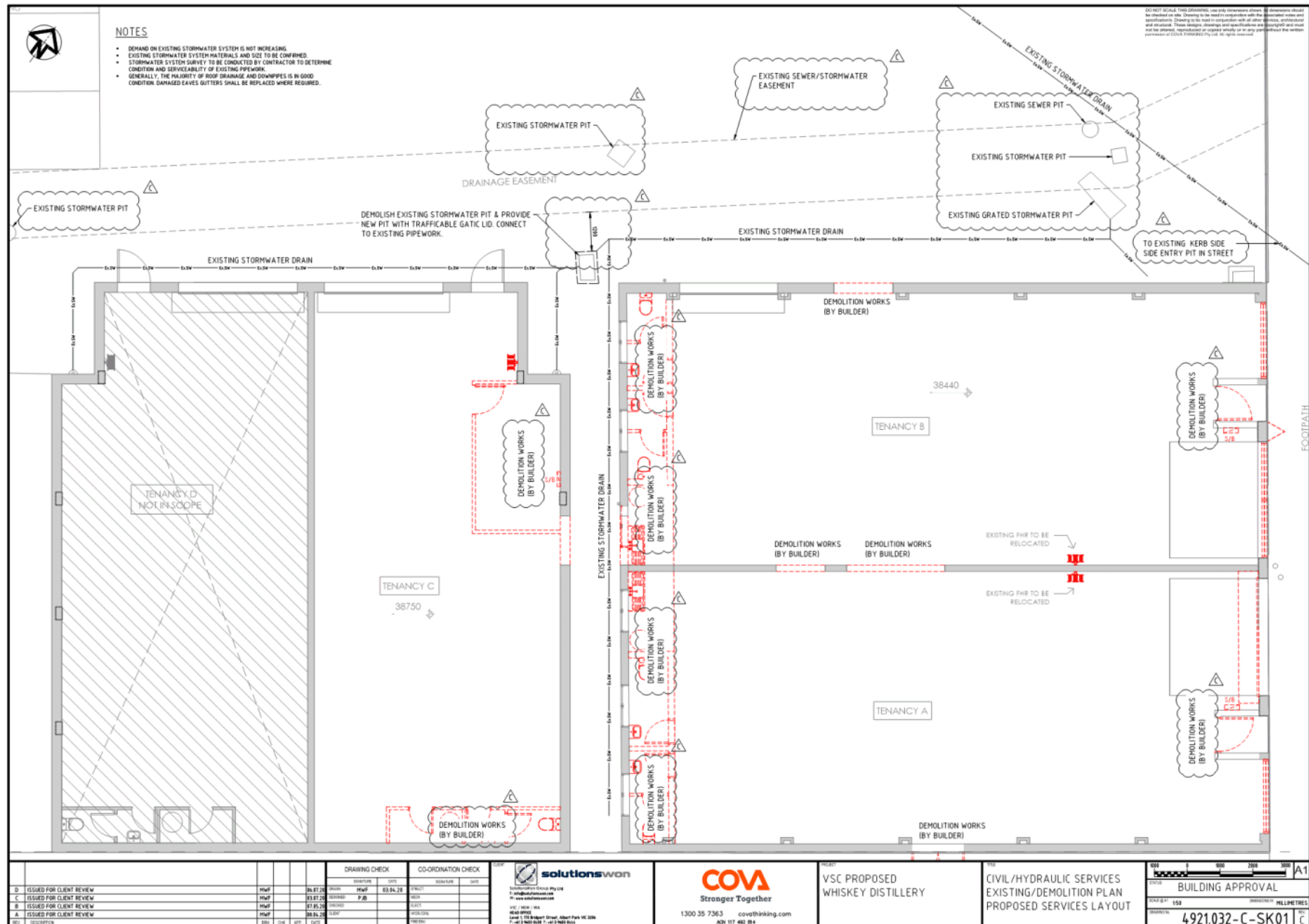
CONCEPT SERVICES REPORT

VSC Distillery

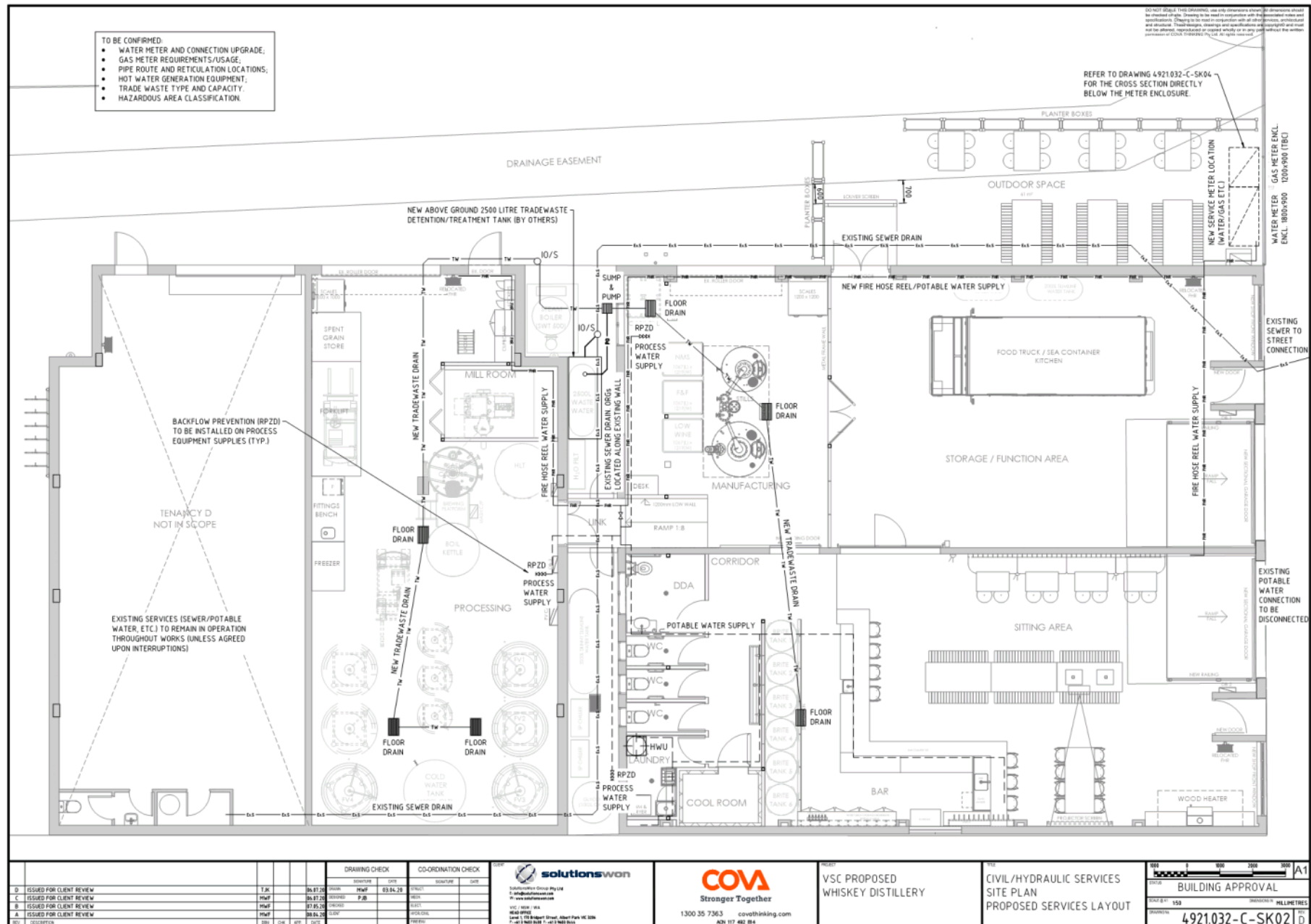
**APPENDIX A**

Schematic Design Drawings

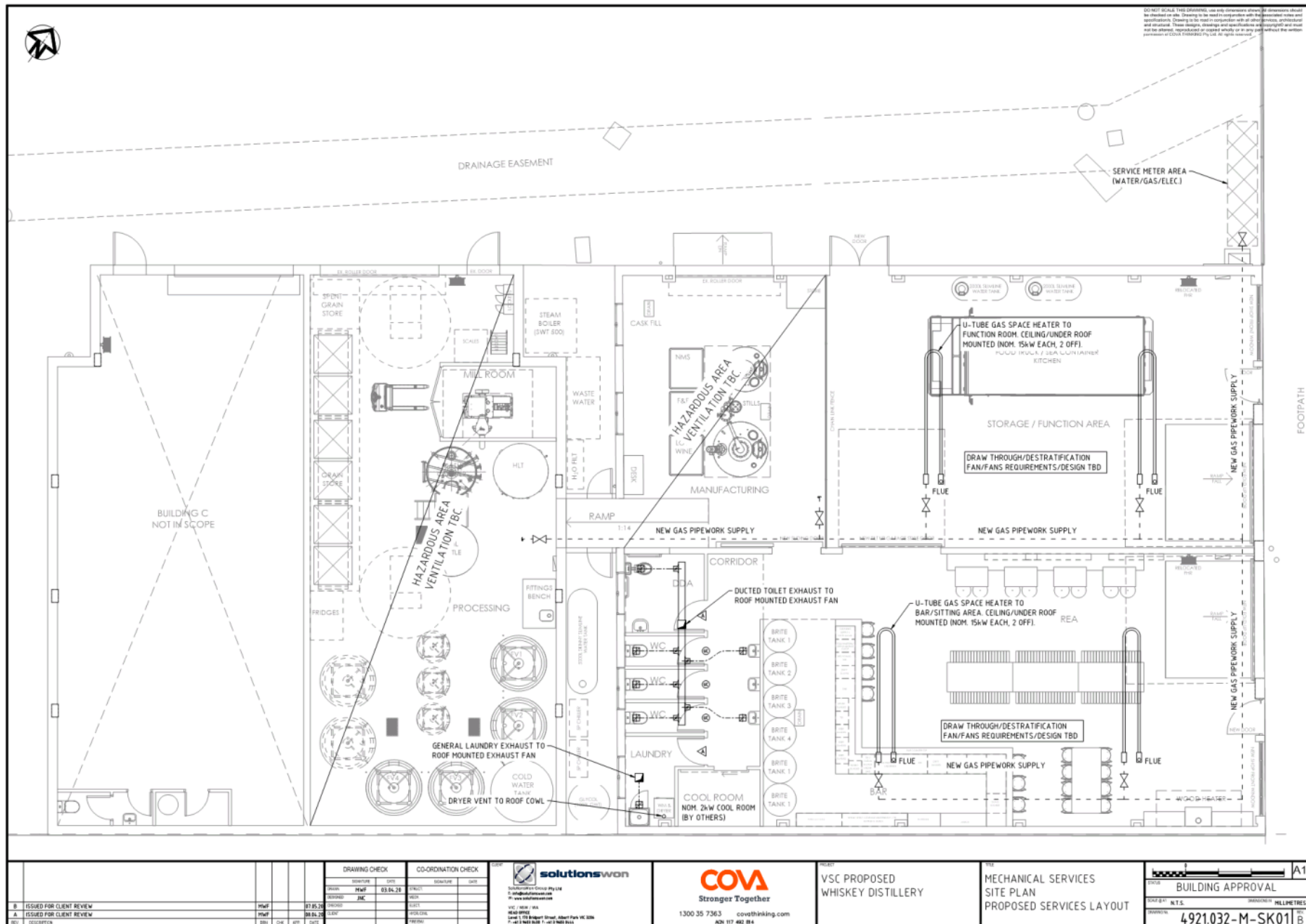














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## **APPENDIX H**

### Advice from TasNetworks



**From:** Odin Kelly <Odin.Kelly@tasnetworks.com.au>  
**Sent:** Monday, May 18, 2020 2:15 PM  
**To:** Indra Boss <iboss@jmg.net.au>  
**Subject:** RE: 284A-284D Argyle Street, Hobart

Hi Indra

Carrying on from my previous email (below) regarding the proposed change of use and associated works at 284A/D Argyle Street, North Hobart our subject matter experts have reviewed your application and note the following.

*As there is no alteration to the building frontage itself, TasNetworks has no objection to the proposal proceeding. The Inner Protection Area is associated with EHV cable and as the building itself is not being altered then there is no problem.*

If you require any further information regarding the ETIP Code please don't hesitate to contact me

Cheers




**Odin Kelly**  
Consultant Planner  
Strategic Asset Management  
**P:** 0402 627 369 **E** [odin.kelly@tasnetworks.com.au](mailto:odin.kelly@tasnetworks.com.au)

*Monday & Wednesday*

1 – 7 Maria Street, Lenah Valley 7008  
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 [@TasNetworks](https://twitter.com/TasNetworks)

 [/TasNetworks](https://www.facebook.com/TasNetworks)

**From:** Indra Boss <[iboss@jmg.net.au](mailto:iboss@jmg.net.au)>  
**Sent:** Thursday, 14 May 2020 3:13 PM  
**To:** Odin Kelly <[Odin.Kelly@tasnetworks.com.au](mailto:Odin.Kelly@tasnetworks.com.au)>  
**Subject:** RE: 284A-284D Argyle Street, Hobart

**CAUTION:** This email comes from an external source. Do not click links or open attachments unless you recognise the sender and know that the content is safe.

Thanks for the update Odin, I'll await further advice from your underground cable SMEs. Will they be getting back directly to me or will the advice come via you?

Thanks for your help with this one.



Cheers, Indra

**Indra Boss**  
**TOWN PLANNER**  
email: <<mailto:iboss@jmg.net.au>>

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Due to the Coronavirus situation we are transitioning to working from home. While aiming to maintain full functionality and service levels, our office remains open and reception is operating - staff are contactable via normal channels – email, office phone, or mobile. Meetings will now only be held via electronic means, unless absolutely necessary to do otherwise. Please stay safe in these difficult times.

**From:** Odin Kelly <[Odin.Kelly@tasnetworks.com.au](mailto:Odin.Kelly@tasnetworks.com.au)>  
**Sent:** Thursday, May 14, 2020 3:02 PM  
**To:** Indra Boss <[iboss@jmg.net.au](mailto:iboss@jmg.net.au)>  
**Subject:** 284A-284D Argyle Street, Hobart

Hi Indra

Thanks for your email.

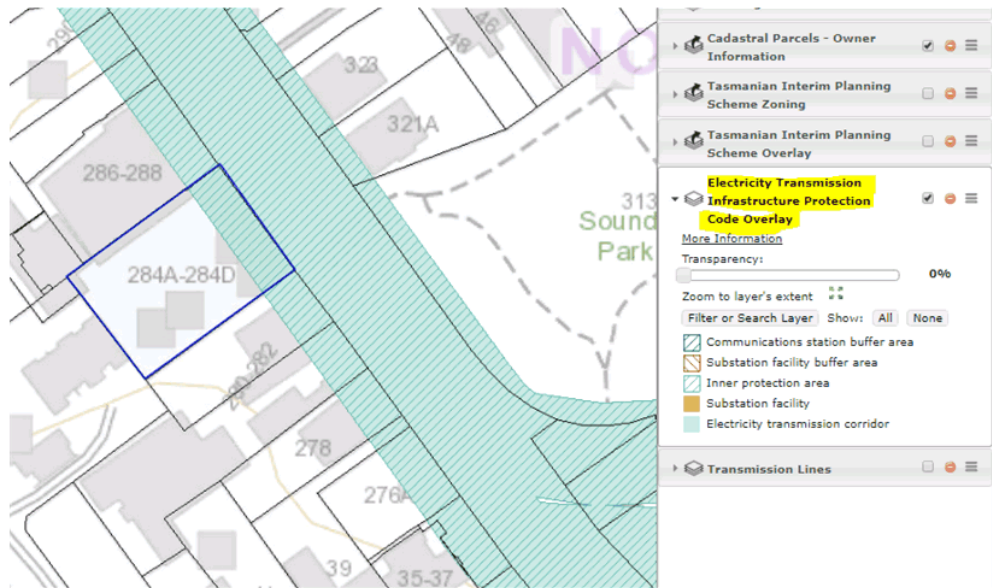
The site 284A/D Argyle Street, North Hobart is subject to the Inner Protection Area of the ETIP Code as shown in the following figure. FYI I find the layer I've highlighted easier to use and more accurate. This layer will also form the basis for Code in all of the Local Provisions Schedules.

As the proposal includes works within the IPA you will need to assess E8.7.1.

I have referred the application to our underground cable subject matter experts for review. I will endeavour to get you a response by next week.

Cheers





Odin Kelly  
Consultant Planner  
Strategic Asset Management  
P: 0402 627 369 E [odin.kelly@tasnetworks.com.au](mailto:odin.kelly@tasnetworks.com.au)

*Monday & Wednesday*

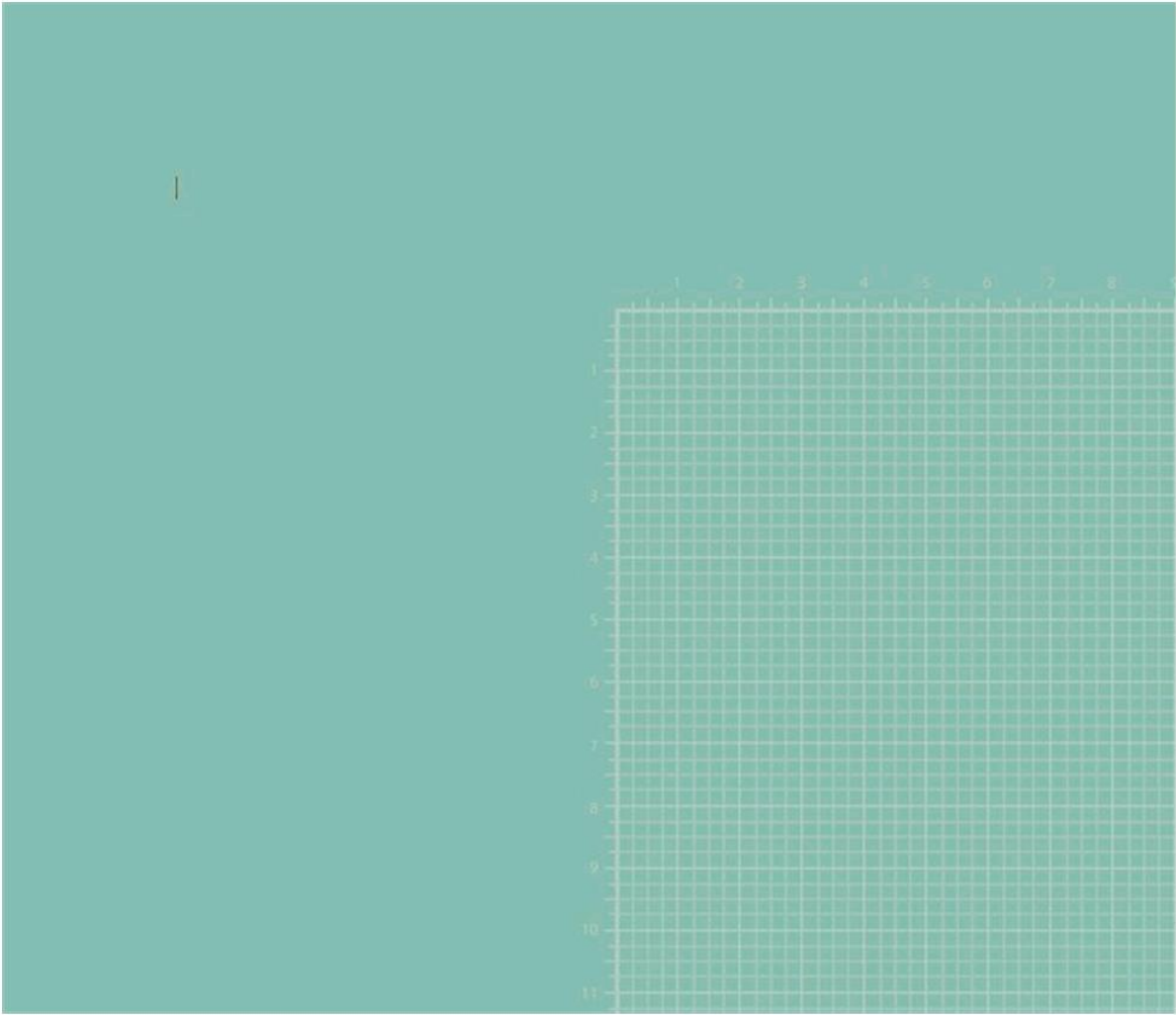
1 – 7 Maria Street, Lenah Valley 7008  
PO Box 606, Moonah TAS 7009

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

[@TasNetworks](https://twitter.com/TasNetworks) [\[twitter.com\]](https://twitter.com)

[f/TasNetworks](https://facebook.com/TasNetworks) [\[twitter.com\]](https://twitter.com)





**Johnstone McGee & Gandy Pty Ltd**

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JMG Ref: 193072PH

10 July 2020

General Manager  
Hobart City Council  
Attn: Michael McClenahan

Via City of Hobart - online services development portal

Dear Michael,

**DA REFERENCE PLN-20-323 - ADDRESS 284 - 284 A ARGYLE STREET- NORTH HOBART - PARTIAL DEMOLITION, ALTERATIONS, SIGNAGE AND CHANGE OF USE TO RESOURCE PROCESSING, FOOD SERVICES AND GENERAL RETAIL AND HIRE Proposal**

Please refer to the following with regards to the 'request for additional information letter' received from Hobart City Council, dated 17 June 2020.

The required additional information is addressed in sequence below.

**1. ITEM Planning Advice Clause D24.4.3 A2**

*[NB the following information replaces the text on p 18, of the Planning Report (June 2020) addressing this scheme provision.]*

The proposal repurposes the existing buildings on the site, which adjoins land within the Inner Residential zone to the south west and north west.

The south western wall of the rear building, and the north western wall of both existing buildings (with the exception of a small section of the front building - which is painted blue) have walls constructed of unpainted concrete block.

As shown on Drawing A2010 Rev G in Appendix B - the walls of the rear building, including the south west and north west wall are to remain as unpainted concrete blocks. The north west wall of the front building is proposed to be painted with Resene - Neutral (Triple Rakaia) and Resene- Green (Black Bean), with final colour selection to conform to a Light Reflectance Value of less than 40%, compliant with sub-clause (a).

The existing buildings on the subject site, have personnel doors and roller doors along the north western walls, which face the Inner Residential Zone adjoining the subject site to the north west. The proposal includes an additional personnel door in the north western wall of the front building. The existing building wall is within 11m of the Inner Residential Zone.

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Johnstone McGee &  
Gandy Pty Ltd  
ABN 76 473 834 852  
ACN 009 547 139  
as trustee for Johnstone  
McGee & Gandy  
Unit Trust

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The double storey building on the adjoining Inner Residential lot is built up to the property boundary; has no window openings at the ground floor level and 6 tall, narrow light well windows at the second floor level. The second floor windows do not appear to be directly associated with habitable rooms, refer Figure 1 below.



*Figure 1 View of typical second storey window openings onto light wells (17 June 2020)*

To minimise any potential loss of amenity to the second floor of the building in the adjoining Inner Residential Zone, a fixed screen is proposed to be located directly in front of the proposed new door, as shown in the attached revised Appendix B - Proposal Plans, in particular the following drawings:

- Site Plan - Proposed, Drawing Number A0102 Rev F;
- Floor Plan - Proposed, Drawing Number A1100 Rev G;
- Floor Plan - Proposed, Drawing Number A1300 Rev F;
- Elevation Proposed - Drawing Number A2010 Rev G;
- Elevations Proposed - Drawing Number A2011 Rev G;
  - Diagram 1 - Proposed North Elevation - Carpark;
  - Diagram 6 - 3D View - Side Entry Louvre Screen.

The structure has been designed to minimise any potential impact on the overland flow path at the site, whilst also blocking the line of sight to the adjoining building by virtue of slats (titled at 45 degrees) and a solid roof over the entry.

The proposed structure is considered a building, as per the following s3(1) *Land Use Planning and Approvals Act 1993* definition:

*Building includes -*

*(a) a structure and part of a building or structure; ...*

Accordingly the proposal is considered compliant with A2 (b).





## 2. ITEM Parking Access - PA; Clause E6.7.1 Acceptable Solution A1

*[NB the following information replaces the text on p 32, of the Planning Report (June 2020) addressing this scheme provision]*

The subject site is provided with two existing cross overs, one of which provides access to the two existing buildings fronting Argyle Street and one which provides access to rear building on the site, as shown in the attached revised Appendix B - Proposal Plans, in Site Plan - Proposed, Drawing Number A0102 Rev F.

There are no plans to remove any of the existing cross overs. The cross over furthest west will provide the day to day operational vehicle access. The cross over central to the Argyle Street frontage will be retained to maintain the garage industrial look of the space and for potential future all ability access once the accessibility consultant has reviewed these. The garage doors are not intended for regular/normal vehicular access to the site, although occasionally, such as for special events for example, a food truck may enter the storage building via the existing central cross over.

The occasional vehicle use of the central cross over is not considered to materially impact on the traffic generation assumptions or sight distance assessment in the Traffic Impact Statement (Appendix E) previously submitted to Council.

As the two access points (cross overs) are existing, the proposal is considered compliant with Acceptable Solution A1.

## 3. ITEM Protection of Council Infrastructure - Stormwater

Updated service plans (see Updated Appendix G, Appendix A Drawing No. 4921.032-C-SK01 Rev C; and Drawing No. 4921.032-C-SK02 Rev C) have been prepared which indicate that:

- No works are proposed that would impact existing stormwater or sewer pits located within the existing stormwater easement, existing infrastructure has been clearly identified;
- Easement setback distance of 1.2m is shown for the existing stormwater pit which is to be replaced with a "new pit with trafficable gatic lid & connected to the existing pipework";
- The proposed screening structure directly opposite the proposed north western wall opening in the front building, is setback 600mm to 700mm from the stormwater easement and is clear of the existing sewer drain on the site; and
- There is sufficient area for the proposed new service meter infrastructure to maintain at least a 700mm setback to the stormwater easement and more than 1m from the stormwater main itself.

It is considered that the updated drawings clearly indicate that:

- adequate access to the stormwater main will be maintained as all existing infrastructure within the easement remains, including access pits;
- the proposal will be located in existing buildings, with no increase to the existing impervious surface areas. The proposed connection between the front two buildings and middle building is located on an area of the site that





is currently concreted and hence will not increase the impervious surface or stormwater flow generated by the site; and

- the concrete slab to be laid for the proposed service meter cage is not considered to materially impede the existing overland water flow on the site.

In addition, the revised proposal plan (updated Appendix B) Elevations - Proposed Drawing Number A2011 Rev G - Diagram 6 indicates that the proposed screen is supported on poles, and hence is considered unlikely to materially impede the existing overland water flow on the site.

Finally, the revised proposal plan (updated Appendix B) Floor Plan - Proposed Drawing Number A1100 Rev G indicates that all external personnel doors will be outward opening.

The following table summarises the elements of the planning report document that have been changed as a result of this request for further information response.

RIF Item	RFI Response in this letter	Changed element of Original Supporting Report
1 Clause D24.4.3 A2	Text response	Supersedes text on p 18 of the supporting report body
1 Clause D24.4.3 A2	Attachment A - Updated Proposal Plans	Appendix B - Proposal Plans
2 Clause E6.7.1 Acceptable Solution A1	Text response	Supersedes text on p 32 of the supporting report body
2 Clause E6.7.1 Acceptable Solution A1	Attachment A - Updated Proposal Plans	Appendix B - Proposal Plans
3 Protection of Council Infrastructure - Stormwater	Text response	Addendum to E7.0 Stormwater Management Code pp 38 to 40
3 Protection of Council Infrastructure - Stormwater	Attachment B - Updated Service Plans Civil/Hydraulic Services Existing/Demolition Plan Proposed Services Layout Drawing No. 4921.032 -C -SK01 Rev C	Appendix G - of supporting planning report COVA Report - Appendix A, Civil/Hydraulic Services Existing/Demolition Plan Proposed Services Layout Drawing No. 4921.032 -C -SK01 Rev B
3 Protection of Council Infrastructure - Stormwater	Attachment B - Updated Service Plans Civil/Hydraulic Services Site Plan Plan Proposed Services Layout Drawing No. 4921.032 -C -SK02 Rev C	Appendix G - of supporting planning report COVA Report - Appendix A, Civil/Hydraulic Services Site Plan Proposed Services Layout Drawing No. 4921.032 -C -SK02 Rev B

We trust this satisfies Council's request however if further information or clarification is required with respect to this request, please contact me on 6231 2555 or via e-mail at [iboss@jmg.net.au](mailto:iboss@jmg.net.au) or [planning@jmg.net.au](mailto:planning@jmg.net.au).

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

INDRA BOSS  
TOWN PLANNER





JMG Ref: 193072PH

29 July 2020

General Manager  
Hobart City Council  
Attn: Michael McClenahan

Via City of Hobart - online services development portal

Dear Michael,

**DA REFERENCE PLN-20-323 - ADDRESS 284 - 284 A ARGYLE STREET- NORTH HOBART - PARTIAL DEMOLITION, ALTERATIONS, SIGNAGE AND CHANGE OF USE TO RESOURCE PROCESSING, FOOD SERVICES AND GENERAL RETAIL AND HIRE**

Please refer to the following with regards to the 'request for additional information letter' received from Hobart City Council, dated 21 July 2020.

The required additional information is addressed below.

**1. ITEM Protection of Council Infrastructure - Stormwater (INFsw1)**

We note that after the discussion with the council, the RCP in the location of the water meter is 400 Diameter not 1500 Diameter. From our site investigation the line changes at the side entry pit in the street and hence we have shown this correctly in our section attached in Attachment A. The proposed services for the water meter, inclusive of the slab, are well above the 1m clear requirements for the Council infrastructure as indicated.

Attachment A is additional to the previously submitted application support documentation and does not replace any plans.

Attachment B - Updated site plan, replaces Attachment B - Updated Services Plan; Civil/Hydraulic Services - Site Plan - Proposed Services Layout - Drawing No. 4921.032 -C -SK02 Rev C submitted as Attachment B of RFI response dated 10 July 2020.

The following table summarises the elements of the application supporting planning report that have been changed as a result of this request for further information response.

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as trustee for Johnstone  
McGee & Gandy  
Unit Trust

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RIF Item	RFI Response in this letter	Changed element of Original Supporting Report
Protection of Council Infrastructure - Stormwater (INFsw1)	Attachment A - cross section of infrastructure at façade Drawing No. 4921.032 -C - SK04 Rev A	Additional to Appendix G - of supporting planning report
3 Protection of Council Infrastructure - Stormwater (INFsw1)	Attachment B - Updated Service Plans Civil/Hydraulic Services Site Plan Proposed Services Layout Drawing No. 4921.032 -C - SK02 Rev D	Appendix G - of supporting planning report COVA Report - Appendix A, Civil/Hydraulic Services Site Plan Proposed Services Layout Drawing No. 4921.032 -C - SK02 Rev B

We trust this satisfies Council's request however if further information or clarification is required with respect to this request, please contact me on 6231 2555 or via e-mail at [iboss@jmg.net.au](mailto:iboss@jmg.net.au) or [planning@jmg.net.au](mailto:planning@jmg.net.au).

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

A handwritten signature in black ink, appearing to read 'Indra Boss'.

INDRA BOSS  
TOWN PLANNER

Encl: Attachment A - VSC Distillery - Stormwater, façade section  
Attachment B - Updates site plan showing location of Stormwater  
Façade section



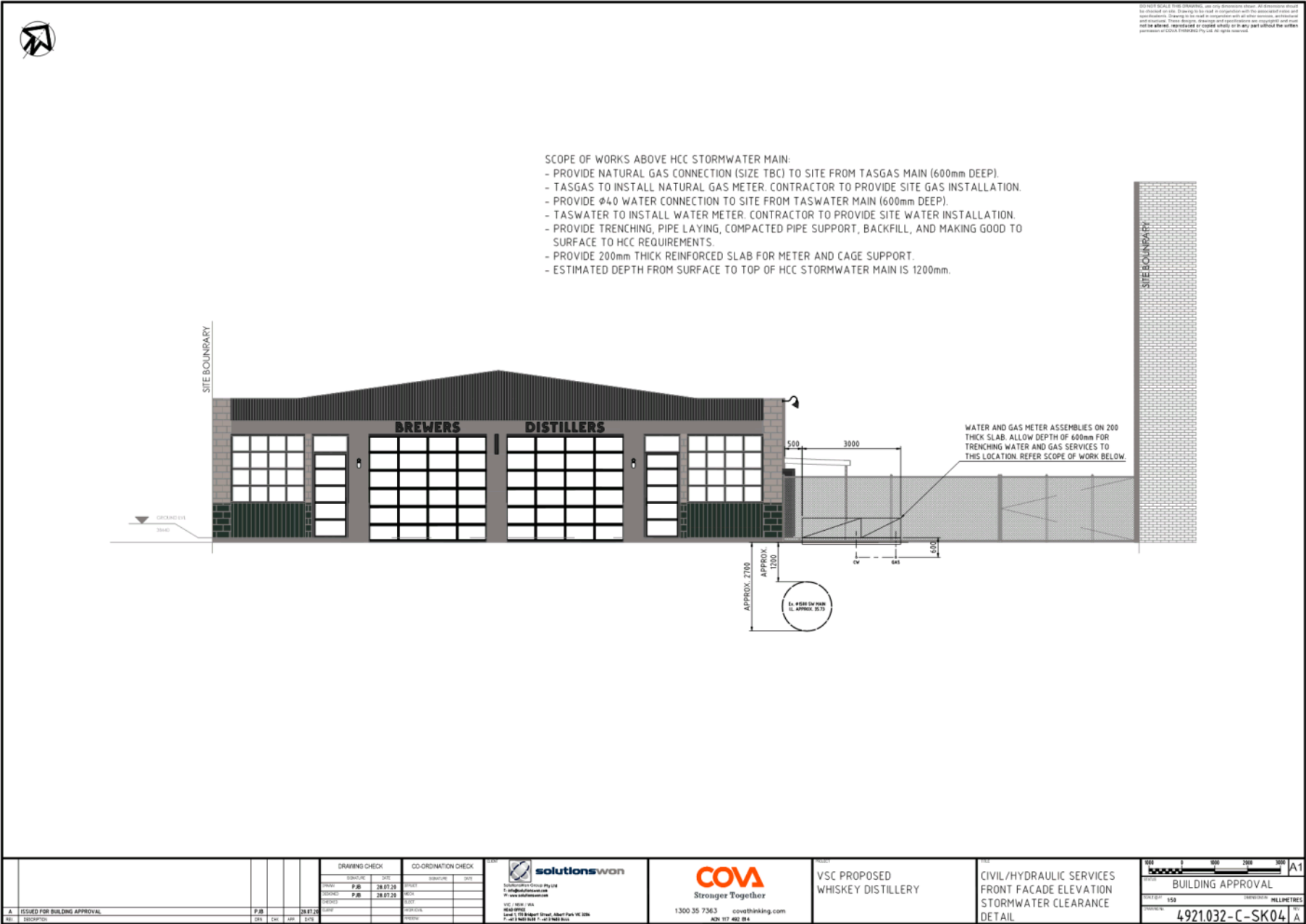


## **ATTACHMENT A**

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### **Civil/Hydraulic Services - Front Façade Elevation**







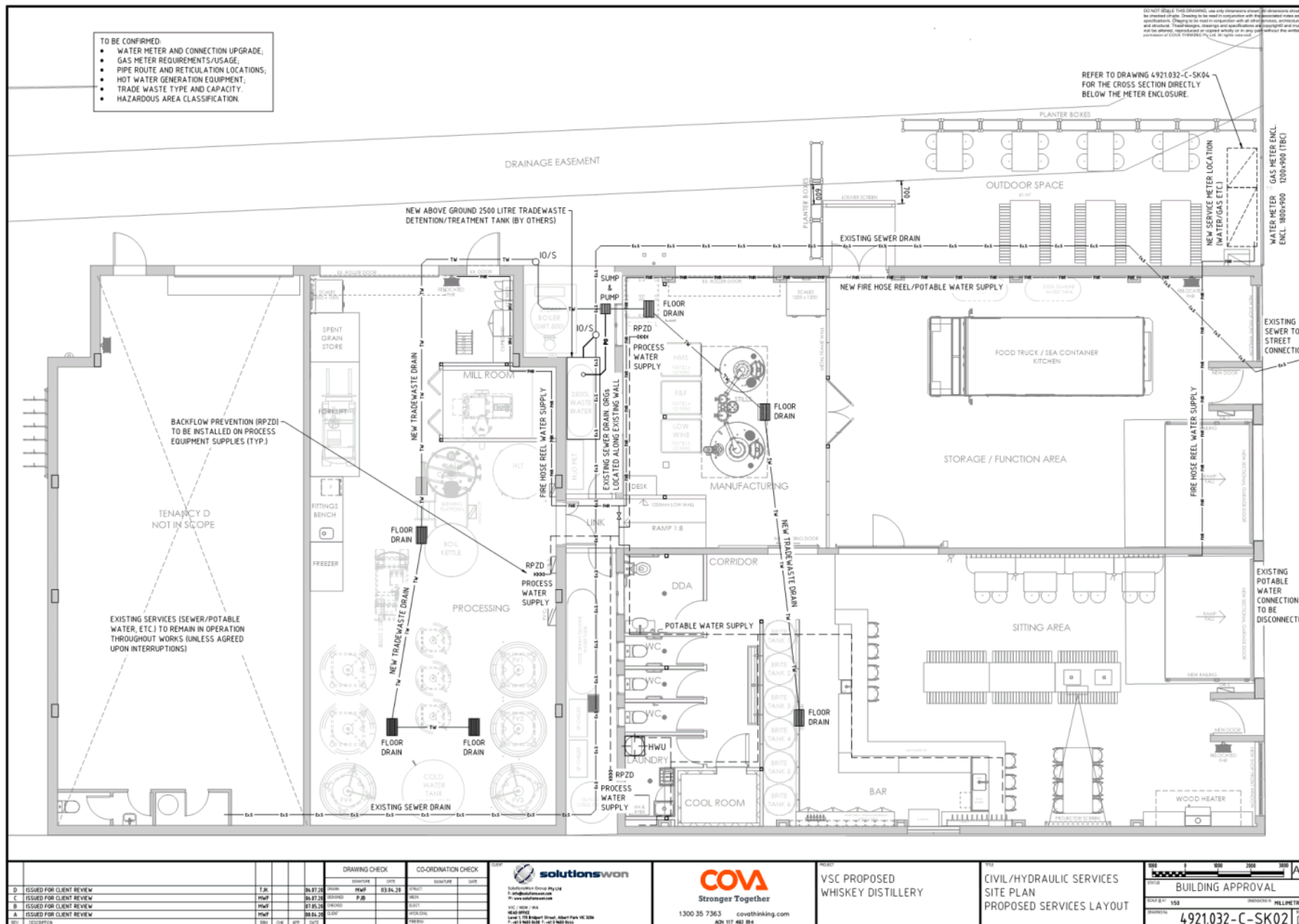


## **ATTACHMENT B**

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### Civil/Hydraulic Services Site Plan









## Submission to Planning Authority Notice

Council Planning Permit No.	PLN-20-323	Council notice date	3/06/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/00759-HCC	Date of response	16/06/2020
TasWater Contact	Phil Papps Greg Cooper (Trade Waste)	Phone No.	(03) 6237 8246 (03) 62378280 or 0459 069 276
<b>Response issued to</b>			
Council name	HOBART CITY COUNCIL		
Contact details	coh@hobartcity.com.au		
<b>Development details</b>			
Address	284A-284 ARGYLE ST, NORTH HOBART	Property ID (PID)	5655225
Description of development	Partial demolition, alterations - distillery and food service		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Archwon Design	Floor Plan / A1100	F	27/05/2020
<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 metered water connection and sewerage connection to the development must be provided 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> </ol>			
<b>TRADE WASTE</b>			
<ol style="list-style-type: none"> <li>4. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.</li> <li>5. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.</li> <li>6. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent</li> </ol>			
<b>DEVELOPMENT ASSESSMENT FEES</b>			
<ol style="list-style-type: none"> <li>7. The applicant or landowner as the case may be, must pay a development assessment fee of \$675.71 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.</li> </ol> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			





## Advice

### General

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

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

### Service Locations

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

### Boundary Trap Area

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

### Trade Waste

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate for Certifiable Work (Building and/or Plumbing). The Certificate for Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

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

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

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-Waste/Commercial>.

### 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

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