



CITY OF HOBART

AGENDA

Planning Committee Meeting
Open Portion
Wednesday, 19 April 2023
at 5:00 pm
Council Chamber, Town Hall



City of **HOBART**

THE MISSION

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

THE VALUES

The Council is:

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

ORDER OF BUSINESS

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

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Planning Committee Meeting (Open Portion) held Wednesday, 19 April 2023 at 5:00 pm in the Council Chamber, Town Hall.

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

COMMITTEE MEMBERS

Alderman S Behrakis (Chairman)
Lord Mayor Councillor A M Reynolds
Deputy Lord Mayor Councillor H Burnet
Alderman M Zucco
Councillor W F Harvey
Councillor M Dutta
Councillor Dr Z Sherlock
Councillor J Kelly
Councillor L Elliot
Alderman L Bloomfield
Councillor R Posselt
Councillor B Lohberger

Apologies:

Leave of Absence: Nil.

1. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the Planning Committee meeting held on [Wednesday, 29 March 2023](#), are submitted for confirming as an accurate record.

2. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

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

3. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

4. TRANSFER OF AGENDA ITEMS

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

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

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

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

5. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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

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

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

RECOMMENDATION

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

6. COMMITTEE ACTING AS PLANNING AUTHORITY

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

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

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

6.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

6.1.1 20 MCVILLY DRIVE, HOBART AND ADJACENT ROAD RESERVE - PARTIAL DEMOLITION, RELOCATION OF SHARED PATH, AND ASSOCIATED WORKS PLN-22-436 - FILE REF: F23/34823

Address:	20 McVilly Drive, Hobart and Adjacent Road Reserve
Proposal:	Partial Demolition, Relocation of Shared Path and Associated Works
Expiry Date:	19 April 2023
Extension of Time:	Not applicable
Author:	Ben Ikin

RECOMMENDATION

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for partial demolition, relocation of shared path, and associated works at 20 McVilly Drive and adjacent road reserve, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-22-436 - 20 MCVILLY DRIVE 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 2023/00247-HCC dated 08/03/2023 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 19

Cranes or other temporary structures used in the construction of the approved development must not create an obstruction or hazard for the operation of aircraft.

Advice:

Further advice about whether the development will or will not create an obstruction or hazard can be obtained by contacting the Civil Aviation Safety Authority, the Department of Health and Human Services (rhhfmeadmin@ths.tas.gov.au (03) 6166 8832) and the helipad/helicopter operator (Rotorlift, chiefpilot@rotorlift.com.au (03) 6248 4117).

Please be aware of the possibility of downdraft conditions in the Royal Hobart Hospital Heli Airspace / flightpath area from operating helicopters on any crane lifts when any crane operation is taking place and consider this in Job Safety Analysis / Safe Work Method Statements.

Please consider the use of boom illumination or warning lights when operating in the Royal Hobart Hospital Heli Airspace / flightpath area as part of Job Safety Analysis / Safe Work Method Statements.

Reason for condition

To ensure that buildings do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s1

Electrical conduit/s, or similar, must be installed under the pathway pavement to ensure adequate power can be supplied from existing power boxes, without creating a hazard to path users.

Advice:

The applicant is encourage to consult with the Royal Hobart Regatta Association to ensure the installations also meet their requirement

ENG sw1

All stormwater from the proposed development must be drained via gravity 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.

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's online request form which is available on its website and approved.

The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure;
4. connections which are free-flowing gravity driven;

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

ENG tr1

Prior to the issuing of any building consent under the *Building Act 2016*, or the commencement of works on site, whichever occurs first, a revised signage and line marking plan must be submitted and approved as a condition endorsement, to the satisfaction of the Director City Life.

The revised plan must:

1. address safety and conflict concerns raised by the Department of State Growth and City Mobility about the intersection of the new path and the existing path adjacent to the Tasman Highway, and the signage and line marking at the crossing for the new path across McVilly Drive; and
2. include details of a safety fence to separate users of the path at the new intersection adjacent to the Tasman Highway from moving vehicles on the Tasman Highway.

All work required by this condition, must be undertaken in accordance with the approved revised signage and line marking plan.

Advice:

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

The applicant is encouraged to consult with TasRail regarding the revised line marking plan in relation to the crossing of McVilly Drive.

Reason for condition

To ensure the safety of the users of the shared path

ENG 1

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

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

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

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

Reason for condition

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

ENV 2

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

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

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

Advice:

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

Reason for condition

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

OPS 5

All trees within 15m of the proposed works, including the demolition works, the works near the Tasman Highway and the works near McVilly Drive, must be fenced off before works commence. All trees must be protected from damage for the duration of the works, to the satisfaction of the Director City Life. No vehicular access, excavation, placement of fill, storage of materials or soil disturbance is to occur within the tree protection zone of any tree, as defined in AS4970. There must be no pruning, lopping or damage to the trees including trunks and roots.

Details of the tree protection measures must be clearly notated on all detailed drawings and described in the specification documents.

Reason for condition

To protect and enhance the intrinsic and cultural values of the Domain.

ADVICE

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

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

CONDITION ENDORSEMENT

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

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

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

BUILDING PERMIT

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

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

STORMWATER

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

DIAL BEFORE YOU DIG

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

Attachment A: PLN-22-436 - 20 MCVILLY DRIVE HOBART TAS
7000 - Planning Committee or Delegated Report ↓



Attachment B: PLN-22-436 - 20 MCVILLY DRIVE HOBART TAS
7000 - Planning Committee Agenda Documents ↓



**APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997**

Type of Report:	Committee
Committee:	19 April 2023
Expiry Date:	19 April 2023
Application No:	PLN-22-436
Address:	20 MCVILLY DRIVE , HOBART ADJACENT ROAD RESERVE
Applicant:	(ERA Planning and Environment) Level 1, 125a Elizabeth Street
Proposal:	Partial Demolition, Relocation of Shared Path, and Associated Works
Representations:	One
Performance criteria:	Conservation of Cultural Heritage Values Schedule, Public Urban Space Schedule, Demolition Schedule

1. Executive Summary

- 1.1 Planning approval is sought for Partial Demolition, Relocation of Shared Path, and Associated Works at 20 McVilly Drive and adjacent road reserve, Hobart.
- 1.2 More specifically the proposal includes:
 - Demolition of existing path, including some bollards.
 - New (generally) 4m wide concrete path, connecting into Cenotaph carpark, and Tasman Highway, and Bridge of Remembrance. There are small sections of the path that are 3m wide and 6m wide.
 - Reinstatement of bollards.
 - Associated stormwater works.
 - Zebra crossing in the Cenotaph car park.
 - Statutory signage.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Conservation of Cultural Heritage Schedule - Development at a Listed Place, and at a Place of Archaeological Sensitivity
 - 1.3.2 Public Urban Space Schedule - Minor Road Works
 - 1.3.3 Demolition Schedule - Partial Demolition

- 1.4 One representation objecting the proposal was received within the statutory advertising period between 16 and 30 March 2023.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Planning Committee, because it involves Council land that is not a road.

2. Site Detail

- 2.1 The site is primarily 20 McVilly Drive, with some works also located within the Tasman Highway road reservation. In the area of the proposed works, the site is largely grassed, forming part of the Cenotaph and Regatta Grounds. There are two existing paths in close proximity to the proposed path, one of which is proposed to be removed. There is also the Bridge of Remembrance. The path will connect into the northwestern end of the existing Council car park, where a zebra crossing is proposed.



Figure 1: The works are located broadly within the area highlighted red.



Figure 2: The path will connect into the existing Council car park at the Cenotaph, with the blue arrows indicatively showing the crossing point.



Figure 3: The path will align in between the two existing paths, with the path on the left hand side of the image to be removed.



Figure 4: The path will connect into the Tasman Highway footpath close to this intersection with the existing path, which will be removed. The new path will come under the Bridge of Remembrance on the Cenotaph side of the large pillar, and connect into the existing paths on either side of the Bridge.



Figure 5: The existing paths on either side of the Bridge of Remembrance that the new path will connect into.

3. Proposal

3.1 Planning approval is sought for Partial Demolition, Relocation of Shared Path, and Associated Works at 20 McVilly Drive and adjacent road reserve, Hobart.

3.2 More specifically the proposal is for:

- Demolition of existing path, including some bollards.
- New (generally) 4m wide concrete path, connecting into Cenotaph carpark, and Tasman Highway, and Bridge of Remembrance. There are small sections of the path that are 3m wide and 6m wide.
- Reinstatement of bollards.
- Associated stormwater works.
- Zebra crossing in the Cenotaph car park.
- Statutory signage.



Figure 2: The proposed site plan overlaid against an aerial image of the site.

4. Background

- 4.1 The proposal is a Council project.
- 4.2 The proposal includes Council owned land (20 McVilly Drive). General Manager Consent to lodge the application was sought and obtained on 24 February 2022. The proposal also involves Crown Land (Tasman Highway road reserve). The consent of the Minister's delegate to lodge the application was provided on 23 February 2023.

5. Concerns raised by representors

- 5.1 One representation objecting to the proposal was received within the statutory advertising period between 16 and 30 March 2023.
- 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.

TasRail only became aware of this application through a search of the HCC website. As per my telephone conversation with Ben Ikin on Friday 31 March 2023, TasRail queries why it was not notified of the above planning application as an adjoining landowner?

TasRail has now reviewed the available documentation for PLN-22-436 and advises that it objects to the proposed zebra crossing because of its potential to create a queueing risk over the adjacent railway crossing. TasRail recommends the zebra crossing be removed from the proposal.

However if HCC were to propose some other arrangement as an alternative to the zebra crossing, TasRail requests early consultation with the railway to ensure that both TasRail (as the Rail Infrastructure Manager) and HCC (as the Road Manager/Owner) can achieve compliance with their respective obligations under Rail Safety National Law 2012 which requires joint risk assessment to identify and control risks associated with the rail crossing or other rail interface, including when a development has potential to trigger a change in conditions.

A copy of the TasRail Standard Notes is attached to inform applicants about relevant matters for developments near or adjoining a non-operational rail corridor.

Please note that the rail corridor running through this area comprises part of the State Rail Network as defined under the Rail Infrastructure Act 2007. The Act does not differentiate between operational and non-operational lines.

Under the legal, regulatory and administrative framework that governs the State Rail Network, TasRail is required to ensure that non-operational lines are protected and that development does not constrain or impede future use or add costs or risks to future transport operations.

6. Assessment

- 6.1 The *Sullivans Cove Planning Scheme 1997* is a performance based planning scheme. This approach recognises that there are in many cases a number of ways in which a proposal can satisfy desired environmental, social and economic

standards. In some cases a proposal will be 'permitted' subject to specific 'deemed to comply' provisions being satisfied. Performance criteria are established to provide a means by which the objectives of the planning scheme may be satisfactorily met by a proposal. Where a proposal relies on performance criteria, the Council's ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located in the Doman Open Space Activity Area of the 2.1 *Sullivans Cove Planning Scheme 1997*.
- 6.3 The existing use is passive recreation. This is not proposed to be changed or intensified. The use is exempt in this Activity Area.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Parts A and B – Strategic Framework
 - 6.4.2 Part D – Clause 17 – Activity Area Controls
 - 6.4.3 Part E – Schedule 1 – Conservation of Cultural Heritage Values
 - 6.4.4 Part E – Schedule 3 – Public Urban Space
 - 6.4.5 Part E – Schedule 4 – Signs
 - 6.4.6 Part E – Schedule 5 – Traffic, Access and Parking
 - 6.4.7 Part E – Schedule 7 – Demolition
 - 6.4.8 Part E – Schedule 8 – Environmental Management
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 Heritage:
 - Listed - clause 22.4.5*
 - Archaeology – clause 22.6.5.*
 - 6.5.2 Public Urban Space:
 - Minor Road Works - clause 22.4.6*

6.5.3 Demolition:

Partial Demolition - clause 28.6.

6.6 Each performance criterion is assessed below.

6.7 Heritage - Listed Place and Archaeology

6.7.1 The proposal includes development at a listed place, and within a place of archaeological sensitivity.

6.7.2 Clause 22.4.5 of the planning scheme provides as follows with respect to development at a listed place.

Discretionary' 'Building or Works'

'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority. The following criteria must be taken into consideration in the assessment of all proposals to undertake 'building or works' on places of cultural significance:

- *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
- *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
- *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*
- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged.*

6.7.3 Clause 22.6.5 of the planning scheme provides as follows with respect to development within a place of archaeological sensitivity.

'Discretionary' 'Building or Works'

Having regard to the contents and recommendations of an Archaeological Sensitivity Report accepted by the Planning Authority pursuant to Clause 22.6.3 the following criteria must be taken into consideration in the assessment of all proposals to develop places of cultural significance listed in Table 2 or that are considered likely to be

of archaeological interest or significance:

- *The likelihood of the proposed 'building or works' resulting in the removal or destruction of items of archaeological significance.*
- *The cultural significance of the site.*
- *Evidence of an adequate archaeological reconnaissance and site sampling prior to the approval or carrying out of works.*
- *The need to reasonably protect potential archaeological significance during the design, and carrying out of works.*
- *The need to undertake an archaeological 'watching brief' to be required during the carrying out of works.*

- 6.7.4 The Council's Senior Cultural Heritage Officer has assessed the proposal as follows.

This application is for a curvilinear shared pathway connecting the intercity cycleway, across McVilly Drive, across the Regatta Ground, under the Bridge of Remembrance through to the existing Anzac Parade to the Tasman Highway. The works include new surface bollards, grated trench drains, pathway connections, removal of existing asphalt to connect to the new, line markings, battered edges and various other works to the existing kerbs.

A report by ERA Planning addresses the works under Schedule 1 Conservation of Cultural Heritage Values of the SCPS 1997.

The works are both on and adjacent to places listed in Table 1 (site 121) as well as not on land covered by Table 1. The excavation is also considered to be a place of archaeological sensitivity but not permitted (clause 22.6.5 applies)

Clauses 22.4.5, applies and can be considered to satisfy all dot points under this clause.

When assessed under clause 22.5, the proposal is permitted under 22.5.4.

When assessed under clause 22.6.5 it is understood that there is a very low likelihood of removal or destruction of items of archaeological sensitivity.

The proposal is considered consistent with the above clauses of the Sullivans Cove Planning Scheme 1997.

6.7.5 The proposal complies with clauses 22.4.5 and 22.6.5.

6.8 Public Urban Space - Minor Road Works

6.8.1 For the purposes of this Schedule, the site is within the Enclosing Ridge public urban space type and the Open Space public urban space function, and the proposed works are considered 'minor road works' and 'civic works'.

6.8.2 Pursuant to the table at clause 24.4.2 minor road works are discretionary in the Enclosing Ridge.

6.8.3 Pursuant to clause 24.4.6 discretionary works must be compatible with:

- The 'Civic Works and Public Street Furniture' Guidelines outlined in Clause 24.4.8.
- The function of the Public Urban Space as described in Clause 24.4.10.

6.8.4 Clause 24.4.8 relevantly provides:

Amenity and Safety

Positioning civic works must allow for convenient pedestrian movement (minimum 2.5 m wide clearance) in designated 'Mixed', 'Pedestrian Movement' or 'Open Space' under Clause 24.4.10.

Sight lines should be provided between pedestrians and drivers and levels of night lighting are to be to the satisfaction of the Planning Authority.

Specific Precinct Guidelines - Enclosing Ridges

Spatial and Urban Character

Domain Parkland. The Cenotaph ridge is a strong formal 1920's civic landmark imposed in counterpoint to picturesque cedar walks with formal memorial avenue, through to an irregular eucalypt grassy woodland.

Preferred Design Response - Civic Works Character

Civic works and public street furniture should be in compliance with the Queens Domain Management Plan (1996).

Positioning Criteria

Civic works and public street furniture should be in compliance with the Queens Domain Management Plan (1996).

An Integrated Conservation Plan and Civic Design Concept is required

for significant works in this area.

- 6.8.5 Clause 24.4.10 provides as follows:

Public Urban Space Function 4 – Open Space

The function of this public urban space type is to facilitate outdoor recreation activities. These spaces are set aside for pedestrian activities, and form an important component of the character and functionality of the Cove. The amenity of these spaces is of utmost importance. Such spaces must be protected from the impacts of overshadowing, traffic noise and other disturbances. Such spaces must also be well connected to other pedestrian oriented spaces in the Cove.

- 6.8.6 In terms of amenity and safety, the width of the path (minimum 3m) and the sight lines are considered adequate. However, note the concerns of the Council's Senior Traffic Engineer with respect to the proposed zebra crossing, as set out in detail in the Discussion section of this report below.

- 6.8.7 In terms of the specific precinct guidelines, these generally require the proposal to be compliant with the 1996 Queens Domain Management Plan, which has been replaced by the [Queens Domain Master Plan 2013-2033](#). The proposal is considered to be compliant with the management plan on the basis that:

- The new path is not explicitly provided for, but is also not explicitly proscribed.
- It generally improves accessibility.
- It does not compromise any explicit outcomes identified in the management plan.

- 6.8.8 The planning report accompanying the application also provided the following comment with respect to the management plan:

...the proposal meets the objectives and performance criteria of Clause 17.2 of the Domain Open Space Zone. This includes the vision statement of the Queens Domain Management Plan 1996, which identifies the Domain as a "park of the people" that can provide recreation opportunities for residents and visitors. A full version of the Queens Domain Management Plan 1996 is not publicly available, and it is understood from the City of Hobart that the Queens Domain Master Plan 2013 – 2033 is now referenced. The development is also consistent with the values and principles for the Domain identified in the Master Plan, including that "development should facilitate safe and

legible movement to and through the Domain's quality public spaces". The Master Plan also identifies pedestrian and cycle connections as a critical part of improving the access and legibility of circulation networks for the Domain.

- 6.8.9 In terms of the Open Space public urban space function, the proposed path will clearly facilitate pedestrian and outdoor recreation activity, and will connect into other pedestrian and cycle paths. Given the nature of the works they will not diminish the existing amenity of the space, i.e. there will be no overshadowing, traffic noise, or other disturbances.
- 6.8.10 The proposal is considered to comply with the relevant clauses of this Schedule.
- 6.9 Demolition - Partial Demolition
- 6.9.1 The proposal includes partial demolition of the existing pathway and a number of bollards.
- 6.9.2 Pursuant to clause 28.3.1 all demolition is discretionary.
- 6.9.3 The relevant matters to be considered are set out at clause 28.6 as follows:

Matters to be Considered

In considering any proposal for demolition, the Planning Authority shall give regard to the following matters:

- *The impact of the proposed demolition on the character of the Activity Area;*
 - *The impact of the proposed demolition on the cultural heritage values of the Cove;*
 - *The need to avoid creation of vacant sites and 'lost space' in the Cove.*
- 6.9.4 Given the nature of the partial demolition, the proposal will:
- have a positive impact on the character of the Activity Area;
 - not detract from the cultural heritage values of the Cove, as set out by the Council's Senior Cultural Heritage Officer above at paragraph 6.7.4; and
 - not create a vacant site or a lost space in the Cove.
- 6.9.5 The proposal complies with clause 28.6.

7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Relocation of Shared Path, and Associated Works at 20 McVilly Drive and adjacent road reserve, Hobart.
- 7.2 The application was advertised and no representations were received.
- 7.2 The application was advertised and received one representation. The representation raised concerns about being notified of the application, and the proposed zebra crossing. In relation to the zebra crossing, it is noted that this has also been raised as an issue by the Council's Senior Traffic Engineer, refer below, and a condition on the permit is recommended requiring a revised line marking plan to address this issue. In relation to notification, Council is of the view that the appropriate notification was undertaken for this application, however, Council's process in this regard is being reviewed to ensure that it is complying with its statutory obligations for future applications.
- 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 Senior Cultural Heritage Officer, Development Engineer, Stormwater Officer, Open Space Planner, and Senior Traffic Engineer. The officers are supportive of the proposal subject to conditions. The Senior Traffic Engineer provided the following comment:

Background.

In this location, City Mobility does not have a direct role on behalf of the City of Hobart as road authority, as no part of project is located on a statutory public highway under the care and control of the City of Hobart. The only part of the proposed works located on a statutory public highway are the connection of the new path to the existing shared path located on the Tasman Highway road reserve (which is a road owned and managed by State Growth).

Road Authority Comments.

The Department of State Growth have made comment about elements of the design.

They have suggested that at the point where the new path would meet the existing path on the Tasman Highway, there is a risk of a cyclist travelling towards the city who may lose control or be involved at an incident falling or sliding into the moving vehicle lanes on the Tasman Highway. They have

suggested that a safety fence be considered at this location.

In my opinion this would be a sensible response to an obvious hazard. I suggest that a suitable condition be added to a permit if issued.

State Growth have also noted that for the current design, cyclists on the new path will be required to give way to cyclists on the existing shared path running adjacent to the Tasman Highway, which due to the installation of the proposed new path would have no real use.

In my opinion, further consideration should be given to the linemarking and signage at the intersection of the old and new path, and in particular the removal of the existing shared path line marking on the existing footpath east of the intersection should be considered, to give priority to users on the new path. I suggest that a suitable condition be added to a permit if issued.

While not directly on land under their ownership, the Department of State Growth also commented about the proposed crossing across McVilly Drive, raising concerns that the proposed crossing is not located on the desire line and is unlikely to be used by the majority of pedestrians and cyclists.

I will comment further about that matter below.

City Mobility Comment.

The main issue of concern for City Mobility with the existing design, is the proposed placement of "zebra" pedestrian crossing pavement markings at the crossing point across McVilly Drive, and the inconsistent signage proposed with the installation.

If an installation that would appear to be a 'zebra' pedestrian crossing to road users were installed, it is the view of City Mobility that it should be installed with linemarking and signage that best complies with national standards and the Tasmanian Road Rules. Under standards and the road rules, where the white 'zebra' pedestrian crossing markings are installed, the regulatory 'Pedestrian Crossing' sign must also be installed.

In the current design, no regulatory 'Pedestrian Crossing' sign is proposed, instead there are warning signs indicating to drivers that there may be pedestrians and cyclists crossing the road. These signs do not require a driver to give way to a pedestrian or cyclist in the same way that the 'Pedestrian Crossing' sign does.

Under the Tasmanian Road Rules, a driver must give way to a pedestrian or

cyclist at a line marked "zebra" crossing regardless of the presence of a 'Pedestrian Crossing' sign, but if the intent is that a zebra crossing be installed, to minimise confusion the warning signage should be replaced with a 'pedestrian crossing' signage.

In terms of whether a 'zebra' pedestrian crossing is the most appropriate treatment at this location, it would be the view of the City Mobility Unit that it is not.

Under the Tasmanian Road Rules, a cyclists using a 'zebra' crossing must come to a complete stop before entering the crossing. Similarly, under the Tasmanian Road Rules, a pedestrian must not cross a road within 20 metres of a "zebra" crossing unless they cross at the crossing (or another pedestrian crossing).

At this location, pedestrians and cyclists moving between the new path and the existing cycleway (to the north) are unlikely to utilise the proposed crossing. The volume and speed of vehicles on McVilly Drive is so low that there is little benefit to doing so, and it is not on the direct path of travel for these users who would have to travel a longer distance .

It would be expected that somewhere from 60% to 90% of pedestrians and cyclists will not cross at the proposed crossing, and that if the crossing is a marked "zebra" crossing all pedestrians that do not cross at the crossing will be breaking the road rules. Similarly, for those cyclists who do cross at the crossing, the majority will not come to a stop before crossing, and as such will be breaking the road rules.

The suggestion of City Mobility would be that the "zebra" line marking not be installed, and that the crossing be a conventional crossing similar to that installed approximately 50 metres to the south.

It is suggested that an appropriate condition be added to a permit, should it be issued.

Suggested Permit Conditions.

Prior to the issuing of a building permit, a revised signage and linemarking plan be prepared to the satisfaction of the Director City Life, that addresses safety and conflict concerns raised by the Department of State Growth and City Mobility about the intersection of the new path and the existing path adjacent to the Tasman Highway, and the signage and linemarking at the crossing for the new path across McVilly Drive. This plan should include consideration of a safety fence to separate users of the path at the new

intersection adjacent to the Tasman Highway from moving vehicles on the Tasman Highway.

7.5 A condition to this effect has been included in the recommendation.

7.6 The proposal is recommended for approval.

8. Conclusion

8.1 The proposed Partial Demolition, Relocation of Shared Path, and Associated Works at 20 McVilly Drive and adjacent road reserve, Hobart satisfies the relevant provisions of the *Sullivans Cove Planning Scheme 1997*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for Partial Demolition, Relocation of Shared Path, and Associated Works at 20 McVilly Drive and adjacent road reserve, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-22-436 - 20 MCVILLY DRIVE 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 2023/00247-HCC dated 08/03/2023 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 19

Cranes or other temporary structures used in the construction of the approved development must not create an obstruction or hazard for the operation of aircraft.

Advice:

Further advice about whether the development will or will not create an obstruction or hazard can be obtained by contacting the Civil Aviation Safety Authority, the Department of Health and Human Services (rhhfmeadmin@ths.tas.gov.au, (03) 6166 8832) and the helipad/helicopter operator (Rotorlift, chiefpilot@rotorlift.com.au, (03) 6248 4117

Please be aware of the possibility of downdraft conditions in the Royal Hobart Hospital Heli Airspace / flightpath area from operating helicopters on any crane lifts when any crane operation is taking place and consider this in Job Safety Analysis / Safe Work Method Statements.

Please consider the use of boom illumination or warning lights when operating in the Royal Hobart Hospital Heli Airspace / flightpath area as part of Job Safety Analysis / Safe Work Method Statements.

Reason for condition

To ensure that buildings do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s1

Electrical conduit/s, or similar, must be installed under the pathway pavement to ensure adequate power can be supplied from existing power boxes, without creating a hazard to path users.

Advice: The applicant is encourage to consult with the Royal Hobart Regatta Association to ensure the installations also meet their requirement

ENG sw1

All stormwater from the proposed development must be drained via gravity 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.

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant

connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's online request form which is available on its website and approved.

The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure;
4. connections which are free-flowing gravity driven;

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

ENG tr1

Prior to the issuing of any building consent under the *Building Act 2016*, or the commencement of works on site, whichever occurs first, a revised signage and line marking plan must be submitted and approved as a condition endorsement, to the satisfaction of the Director City Life.

The revised plan must:

1. address safety and conflict concerns raised by the Department of State Growth and City Mobility about the intersection of the new path and the existing path adjacent to the Tasman Highway, and the signage and line marking at the crossing for the new path across McVilly Drive; and
2. include details of a safety fence to separate users of the path at the new intersection adjacent to the Tasman Highway from moving vehicles on the Tasman Highway.

All work required by this condition, must be undertaken in accordance with the approved revised signage and line marking plan.

Advice:

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

The applicant is encouraged to consult with TasRail regarding the revised line marking plan in relation to the crossing of McVilly Drive.

Reason for condition

To ensure the safety of the users of the shared path

ENG 1

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

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

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

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

Reason for condition

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

ENV 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas

have been stabilised and/or restored or sealed to the Council's satisfaction.

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

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

Advice:

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

Reason for Condition

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

OPS 5

All trees within 15m of the proposed works, including the demolition works, the works near the Tasman Highway and the works near McVilly Drive, must be fenced off before works commence. All trees must be protected from damage for the duration of the works, to the satisfaction of the Director City Life. No vehicular access, excavation, placement of fill, storage of materials or soil disturbance is to occur within the tree protection zone of any tree, as defined in AS4970. There must be no pruning, lopping or damage to the trees including trunks and roots.

Details of the tree protection measures must be clearly notated on all detailed drawings and described in the specification documents.

Reason for condition

To protect and enhance the intrinsic and cultural values of the Domain.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not

exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

CONDITION ENDORSEMENT

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

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

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

BUILDING PERMIT

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

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

STORMWATER

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

DIAL BEFORE YOU DIG

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



(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.



(Karen Abey)

Manager Development Appraisal

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: 4 April 2023

Attachment(s):

Attachment B - Planning Committee Agenda Documents



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-22-436	Council notice date	23/02/2023
TasWater details			
TasWater Reference No.	TWDA 2023/00247-HCC	Date of response	08/03/2023
TasWater Contact	Elio Ross	Phone No.	0467 874 330
Response issued to			
Council name	CITY OF HOBART		
Contact details	coh@hobartcity.com.au		
Development details			
Address	20 MCVILLY DR, QUEENS DOMAIN	Property ID (PID)	2835597
Description of development	Partial Demolition, Relocation of Shared Path and Associated Works		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Ad Design & Consulting	Project: 21044	A	04/10/2022
	Sheets: C-1-00-01 to C-1-00-03		
	C-1-02-01, C-1-05-01, C-1-05-02		
	C-1-06-01 to C-1-06-03		
	C-1-08-01, C-1-12-01		
	C-1-15-01 to C-1-15-03		
	C-1-16-01 to C-1-16-06		
Ad Design & Consulting	Project: 21044, Sheet: C-1-06-00	B	28/10/2022
Conditions			
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:			
INFRASTRUCTURE WORKS			
1. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.			
2. Ground levels over the TasWater assets must not be altered without the written approval of TasWater.			
3. A construction management plan must be submitted with the application for Engineering Design Approval. The construction management plan must detail how the existing TasWater infrastructure location and depth were verified, and how the existing TasWater infrastructure will be protected during the construction of the works. The construction plan must include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.			



In the event that TasWater infrastructure is negatively impacted or required to be replaced, realigned or relocated due to the proposed works the following conditions will apply :

ASSET CREATION

4. Where applicable, prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for to TasWater's satisfaction.
5. Where applicable, prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
6. Where applicable all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
7. Where applicable, prior to the issue of a Certificate of Water and sewerage Compliance (Building and/or Plumbing) all additions, extensions, alterations or upgrades to TasWater's infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
8. Where applicable, after testing to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
9. At practical completion of the infrastructure works and prior to TasWater issuing a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
10. Where applicable, after the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.



12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
13. Where applicable, a construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

DEVELOPMENT ASSESSMENT FEES

14. The applicant or landowner as the case may be, must pay a development assessment fee of \$226.71 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Service Locations

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

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

Declaration

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

TasWater Contact Details

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



Regatta Grounds Shared Use Pathway

Development application

General Manager Consent

7 July 2022



ERA Planning Pty Ltd trading as ERA Planning and Environment

ABN 67 141 991 004

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Job Number: 2122-103

Document Status

Document Version	Date	Author	Reviewer
Draft_V1	24 May 2022	Claire Watt	Clare Hester
Final	19 June 2022	Claire Watt	Client review
Final_V1	7 July 2022	Claire Watt	For GM consent

Regatta Grounds Shared Use Pathway
Development application

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1 Introduction

1.1 Purpose of the report

ERA Planning and Environment (ERA) has been engaged by Parks and City Amenity Division, City of Hobart, to seek a planning permit for the use and development of an upgraded and reconfigured shared use pathway in proximity to the Bridge of Remembrance between Tasman Highway and McVilly Drive. This report provides a supporting planning submission providing relevant background information, project details and an assessment against the relevant planning scheme provisions.

1.2 Name of Planning Authority

The Planning Authority is the City of Hobart.

1.3 Statutory controls

The site is subject to the provisions of the *Sullivans Cove Planning Scheme 1997*.

1.4 Subject site

The subject site consists of a primary title (CT 135056/4; PID 2835597) which is known as the 'Cenotaph and Regatta Grounds' site (where majority of works will be undertaken) and a small area of the eastern side of the road reserve for the Tasman Highway. The title for CT 135056/4 incorporates the Regatta Grounds, Cenotaph, Anzac Parade and the eastern side of the Bridge of Remembrance.

CT 135056/4 is under the ownership of City of Hobart. Both land parcels are maintained by City of Hobart.

The Certificate of Title is provided at Appendix B.

1.5 Enquiries

Enquiries relating to this planning report should be directed to:

Clare Hester
Team Leader Planning
ERA Planning and Environment
Level 1, 125a Elizabeth Street, Hobart TAS 7000
O: 03 6165 0443
M: 0429 359 636
E: clare@eraplanning.com.au

2 The proposal

2.1 Overview

The reconfigured shared use pathway will replace the existing bike pathway that connects the Intercity Cycleway near Regatta Grounds area to the Intercity Cycleway on the eastern side of the Tasman Highway. The proposed two-way pathway will pass under the Bridge of Remembrance and will simplify the connections between McVilly Drive and the Intercity Cycleway. The proposal is important for improving the safety and legibility of the cycle and pedestrian network in the area and the connections to existing infrastructure and local features.

The proposed shared use pathway will be two-way and generally 4 m wide, other than a short 3 m wide section to the east of McVilly Drive and a section that will widen to 6 m on the southern side of the Bridge of Remembrance between Anzac Parade and the Intercity Cycleway. The pathway material will be concrete with a painted centreline. The proposed pathway will include a new zebra pedestrian crossing to allow safe crossing of McVilly Drive. A short pathway connection will be provided on the southern side of McVilly Drive to tie into the existing Regatta Grounds carpark. The proposed pathway will also provide additional connections to tie into the western ends of the existing paths along both sides of Anzac Parade.

In addition, the proposal incorporates connections for restricted vehicle access to the area. The northern end will include a separate short single-lane vehicle connection between the shared use pathway and McVilly Drive with a new boom gate to restrict access. At the southern end, existing lockable bollards will be reinstalled near the connection of the proposed pathway and the Intercity Cycleway.

Refer to general arrangement plans prepared by AD Design & Consulting at Appendix A.

3 Subject site and surrounds

3.1 Site description

The title for CT 135056/4 incorporates the Regatta Grounds, Cenotaph, Anzac Parade and the eastern side of the Bridge of Remembrance (see Figure 1). The proposed shared use pathway will tie into the existing Intercity Cycleway in the road reserve for the Tasman Highway which is a separate to the main title (refer Figure 2).

The topography of the subject site consists of a small hillside with the Cenotaph located on the hilltop. The site has gentle sloping topography towards the Derwent River, Tasman Highway and Macquarie Point. The area of the intercity bikeway along the Tasman Highway has a sloping southern aspect. The proposed pathway layout will seek to maintain a relatively level pathway approximately along the 20m RL (refer to general arrangement plans at Appendix APlans).

The area of the proposed works is largely a cleared grassed area. There is a row of trees along Anzac Parade and Cenotaph sites that are important to the sites and will not be affected by the proposal.



Figure 1: Aerial image showing subject site location. Source: www.thelist.tas.gov.au, May 2022.



Figure 2: Aerial image showing the area of the site where works are proposed. Source: www.thelist.tas.gov.au, May 2022.

3.2 Title information

The Certificates of Title for the subject site are attached at **Appendix A** and summarised below.

Table A: Certificate of Title details

Address	Title reference	Land Owner	Title Area
Cenotaph & Regatta Grounds' site 20 McVilly Drive, Queens Domain	CT 135056/4	Hobart City Council	Approx. 8.4 ha

There are no easements within the subject site title.

General Manager consent is required for the works in CT 135056/4.

4 Planning controls

4.1 Statutory controls

The site is located subject to the provisions of the *Sullivans Cove Planning Scheme 1997* (planning scheme).

The proposed works are all located in the 2.1 Domain Open Space Zone (refer to Figure 3 below).

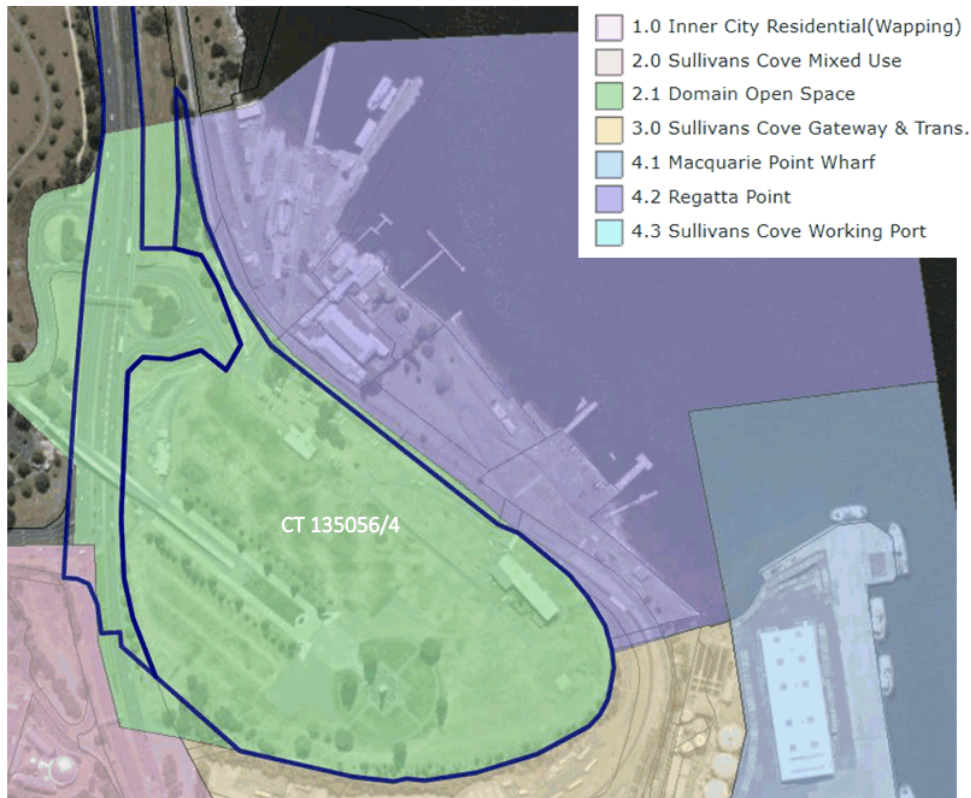


Figure 3: Zoning of subject site (highlighted with blue borders) and surrounds. Source: www.thelist.tas.gov.au, May 2022.

4.2 Sullivans Cove Special Areas

There are no Sullivans Cove Special Areas applying to the site.

4.3 Relevant schedules

The following schedules are considered relevant to the proposal:

- Schedule 1 – Conservation of Cultural Heritage Values

- Schedule 3 – Public Urban Space
- Schedule 4 – Signs
- Schedule 5 - Traffic, Access and Parking
- Schedule 7 – Demolition
- Schedule 10 – Royal Hobart Hospital Helipad Airspace Protection.

4.4 Domain Open Space Zone

4.4.1 Objectives and performance criteria for activities

The following objectives and performance criteria are outlined in Clause 17.2 of the Domain Open Space Zone. A response to each item is provided in Table B below.

Table B: Objectives and performance criteria outlined in Clause 17.2 of the planning scheme

Objectives	Performance criteria
a) <i>To protect and enhance the intrinsic and cultural values of the Domain.</i>	<ul style="list-style-type: none"> • <i>Activities must not adversely impact on the cultural heritage and aesthetic values of the area.</i> • <i>Activities must be compatible with these values, and where possible reinforce and enhance these values.</i>
<p><u>Planner response:</u></p> <p>The shared use pathway will be compatible with the cultural heritage and aesthetic values of the area, including the vision of the Domain in the 1996 <i>Queens Domain Management Plan</i> as a “park of the people”. It involves the upgrading and reconfiguring of the existing pathway and does not pose an additional impact on the values of the Domain.</p>	
b) <i>To maintain and encourage informal recreation and tourism uses related to the area’s intrinsic and cultural value,</i>	<ul style="list-style-type: none"> • <i>Use and development with the potential to adversely impact on the area’s intrinsic and cultural values, and the related informal recreation and tourism uses (as identified in the 1996 <i>Queens Domain Management Plan</i>) will be discouraged.</i>
<p><u>Planner response:</u></p> <p>Clause 17.1 of the planning scheme identifies the following vision statement for the Domain from the 1996 <i>Queens Domain Management Plan</i>:</p> <p><i>“The Queens Domain shall be a park of the people which celebrates and protects its significant natural landscape and rich cultural history whilst providing for the education, recreation, health and enjoyment of its visitors.”</i></p> <p>The shared use pathway supports this vision statement by providing for recreation uses and improving public access to the site as a “park of the people”. It directly supports the informal recreation uses identified for the Domain in the Management Plan, including the objective to “manage and promote informal recreation uses related to the area’s intrinsic natural and cultural values”. It is also consistent with the principles outlined in</p>	

the <i>Queens Domain Master Plan 2013 – 2033</i> , including to “facilitate safe and legible movement to and through the Domain’s quality public spaces”.	
c) <i>To consolidate and contain existing structured recreation, tourism and play activities.</i>	<ul style="list-style-type: none"> Activities which are compatible with the type and intensity of existing structured recreation, tourism and play uses of the Domain (as identified in the 1996 <i>Queens Domain Management Plan</i>) are encouraged.
<p><u>Planner response:</u></p> <p>The upgraded and reconfigured shared use pathway is similar in character to the existing bike pathway. It improves the connections, safety and legibility of the pathway and is compatible with the type and intensity of existing structured recreation in the area.</p>	
d) <i>To protect and improve views to and from the Activity Area.</i>	<ul style="list-style-type: none"> Use and development of land must not adversely impact upon the views to and from the Activity Area.
<p><u>Planner response:</u></p> <p>The shared use pathway will follow a similar alignment to the existing pathway but will be reconfigured to simplify the pathway network. The shared use pathway is designed to follow the contours of the hillside which will minimise its visual appearance to and from the Cenotaph and Domain areas. The visual appearance from within and outside the site will be like the existing pathway.</p>	
e) <i>To increase pedestrian and cyclist accessibility to the Domain from the Cove and the CBD.</i>	<ul style="list-style-type: none"> Use and development must not negatively impact upon, and where possible, must facilitate, pedestrian and cyclist access and circulation.
<p><u>Planner response:</u></p> <p>The upgraded and reconfigured shared use pathway directly supports this objective. The development will facilitate pedestrian and cyclist access and circulation by simplifying the connections between McVilly Drive and the Intercity Cycleway and improving the separation between vehicle and pedestrian/cyclist movement. This will improve the safety and legibility of the cycle and pedestrian network.</p>	
f) <i>To minimise the impacts of vehicle traffic and parking on the special qualities of the area.</i>	<ul style="list-style-type: none"> Management of traffic and parking must be in accordance with the recommendations of the 1996 <i>Queens Domain Management Plan</i>.
<p><u>Planner response:</u></p> <p>The <i>Queens Domain Master Plan 2013 – 2033</i> identifies improving the safety and legibility of vehicle and pedestrian/bicycle access and circulation as a key issue for the area. The proposed development includes some minor changes to vehicle access to the site to improve safety in line with the master plan. This includes a realigned vehicle access (with boom gate) to provide greater vehicle separation from the shared use pathway and a new zebra crossing on McVilly Drive to improve visibility and safety when crossing from the Intercity Cycleway to the Cenotaph site. There are no proposed changes to parking in the Cenotaph area and there is no expected increase to the number of vehicle movements. Access is for maintenance and service access and no public vehicle access is proposed.</p>	

g) To ensure sound environmental planning and management for all activities.	<ul style="list-style-type: none"> • All use and development to demonstrate the minimisation of on and off site energy requirements resulting from the proposed activity. • All use and development must minimise direct and indirect environmental risk or effects and where possible provide a net environmental gain for the wider environment.
Planner response: Not applicable.	

The performance criteria for Clause 17.2 are satisfied.

4.4.2 Use class

The proposed shared use pathway falls within the Passive Recreation use class under the planning scheme.

The Passive Recreation use class is defined in Part G of the planning scheme as:

*Means the use of land for a park, garden, playground or reserve for leisure activities including **Informal Outdoor Recreation**. It does not include **Major Sport and Recreation** or **Minor Sport and Recreation**.*

The proposed use for a new shared use pathway falls under the definition of **Informal Outdoor Recreation** in Part G of the planning scheme and is therefore included in the Passive Recreation use class:

Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, picnic or barbecue area, or a walking or jogging track.

4.4.3 Use status

Passive Recreation is an 'Exempt' Use in the Domain Open Space Zone under Clause 17.3.1.

4.4.4 Development of land

The development component of the proposal is not exempt under Clause 8.4 of the planning scheme and requires a permit.

As per Clause 17.4.2, all development must satisfy:

- The provisions of the *Queens Domain Management Plan 1996*;
- The relevant provisions contained within the schedules of this Scheme.

4.4.4.1 Provisions of the *Queens Domain Management Plan 1996*

As outlined in Table B above, the proposal meets the objectives and performance criteria of Clause 17.2 of the Domain Open Space Zone. This includes the vision statement of the *Queens Domain Management Plan 1996*, which identifies the Domain as a "park of the people" that can provide recreation opportunities for residents and visitors. A full version of the *Queens Domain Management Plan 1996* is not publicly available, and it understood from the City of Hobart that the *Queens Domain Master Plan 2013 – 2033* is now referenced. The development is also consistent with the values and principles for the Domain identified in the Master Plan, including that "development should facilitate safe and legible movement to and through the Domain's quality

public spaces". The Master Plan also identifies pedestrian and cycle connections as a critical part of improving the access and legibility of circulation networks for the Domain.

4.4.4.2 Relevant provisions within the schedules of this Scheme

An assessment of the proposal against relevant schedules of the planning scheme is provided in the following section of this report.

4.5 Schedule 1: Conservation of Cultural Heritage Values

4.5.1 Conservation of Places of Cultural Significance

Clause 22.4 applies to the carrying out of 'building or works' on places of cultural significance identified in Table 1 to the Schedule, and on Figure 5 'Places of Cultural Significance'. The status afforded to the places identified applies to all of the land within the title boundary, except where this is specifically indicated in Table 1 as not being the case.

The reconfigured shared use pathway will tie into the western end of the two existing paths along the sides of Cenotaph Avenue/Anzac Parade. The Cenotaph and Cenotaph Avenue are listed in Table 1 of Schedule 1 (Ref. No. 121). As noted above, the status afforded to listed places applies to all the land within the title boundary. It therefore applies to all of CT 135056/4.

The proposal is not exempt from the schedule under Clauses 22.4.2. The provisions of Clause 22.4 will therefore apply to the proposal.

4.5.2 'Discretionary' 'Building or Works'

The reconfigured shared use pathway does not meet the 'deemed to comply' requirements for permitted building or works under Clause 22.4.4 as the works are not related to the conservation of a place of cultural significance.

'Building or works' on places of cultural significance which cannot satisfy the 'deemed to comply' provisions of Clause 22.4.4 may be approved at the discretion of the Planning Authority under Clause 22.4.5 'Discretionary' Building or Works'. The following criteria must be taken into consideration:

- *'Building or works' must complement and contribute to the cultural significance, character and appearance of the place and its setting;*
- *'Building or works' must be in compliance with the conservation strategy of an approved Conservation Plan, where required and/or provided;*
- *The location, bulk and appearance of 'building or works' must not adversely affect the heritage values of any place of cultural significance;*
- *'Building or works' must not reduce the apparent authenticity of places of cultural significance by mimicking historic forms;*
- *'Building or works' may be recognisable as new but must not be individually prominent;*
- *The painting of previously unpainted surfaces is discouraged.*

Planner response

The proposal triggers a discretion under Clause 22.4.5.

The proposed 'building and works' within CT 135056/4 consist of the upgrading and reconfiguration of the pathway that is already existing on the site. The development will complement and contribute to the site by improving the legibility and safety of the pedestrian and bicycle network and access to places of cultural significance. It also provides for informal recreation in line with the vision of the *Queens Domain Management Plan 1996*. The upgraded pathway will have a similar visual appearance, bulk and location as the existing pathway. It is not expected to pose an additional impact in relation to the heritage values of the site than the existing bicycle path. The pathway is not understood to be subject to the conservation strategy of an approved Conservation Plan.

The pathway will tie into the western end of the two existing paths along the sides of Cenotaph Avenue/Anzac Parade in a similar manner to the existing pathway. The development will be recognisable as new but is not expected to be individually prominent on the site, in line with the appearance of the existing pathway. A painted dashed centre line marking is proposed along the main section of pathway for pedestrian and cyclist safety. Line marking is not proposed on the two shorter pathway connections to Cenotaph Avenue/Anzac Parade.

4.5.3 'Building or Works' on Land Not Included in Table 1

Clause 22.5 applies to 'building or works' on all land within the Planning Area, excepting places of cultural significance under Clause 22.4.

The part of the shared use pathway that fall within the road reserve for the Tasman Highway will be subject to this clause. The remaining parts of the pathway fall within CT 135056/4 and are subject to Clause 22.4 (as addressed above).

4.5.4 'Permitted' 'Building or Works'

Under Clause 22.5.4, 'building or works' on other land within the planning area is 'permitted' where it can be demonstrated that the following 'deemed to comply' standards can be met:

For 'building or works' on sites adjacent (as defined in clause 22.3) to a place of cultural significance:

- *The height of 'building or works' adjacent to places of cultural significance must not exceed that of any building on the place, at a distance of less than 10 (horizontal) metres from the building; and*
- *The area of the facade of any new 'building or works' must not exceed that of the facade of an adjacent place of cultural significance by a factor of 2.*

Planner Response

The proposed 'building and works' within the road reserve of the Tasman Highway will be adjacent to a place of cultural significance (the Cenotaph and Cenotaph Avenue) and therefore Clause 22.5.4 applies. The proposed 'building and works' within the road reserve consist of the upgrading and reconfiguration of the existing pathway. The 'building and works' will be over 10 m from the place of cultural significance and will not exceed the height requirements outlined in Clause 22.5.4 and are therefore considered to satisfy the 'deemed to comply' standards of Clause 22.5.4 for permitted building or works.

4.6 Places of Archeological Sensitivity

Clause 22.6 applies to 'building or works' which involve the excavation of land within the planning area.

4.6.1 'Permitted' 'Building or Works'

Under Clause 22.6.4, works which constitute the excavation of land on any place of cultural significance (as identified in Table 1), including those identified in Table 2, are 'permitted' where a statement is provided by a qualified archaeologist that either the site has been surveyed previously and found not to be of archaeological significance or that the nature of the 'building or works' will not result in destruction of any aspects of items of archaeological significance.

The subject site includes a place of cultural significance identified in Table 1 (Ref. No. 121: Cenotaph and Cenotaph Avenue). The proposed pathway and works will not be in an area identified in Table 2 or Figure 5a of the planning scheme as a Place of Archaeological Sensitivity.

The application does not include a statement from a qualified archaeologist and therefore triggers a discretion.

4.6.2 'Discretionary' 'Building or Works'

Under Clause 22.6.5, the following criteria are required to be taken into consideration in the assessment of all proposals to develop places of cultural significance listed in Table 2 or that are considered likely to be of archaeological interest or significance:

- *The likelihood of the proposed 'building or works' resulting in the removal or destruction of items of archaeological significance.*
- *The cultural significance of the site.*
- *Evidence of an adequate archaeological reconnaissance and site sampling prior to the approval or carrying out of works.*
- *The need to reasonably protect potential archaeological significance during the design, and carrying out of works.*
- *The need to undertake an archaeological 'watching brief' to be required during the carrying out of works.*

The Cenotaph is identified in Table 2 (Figure 5a) of the planning scheme. Cenotaph Avenue is not included in the Cenotaph area shown in Figure 5a (refer Figure 4 below) and is therefore not a place of archaeological sensitivity. Given the building and works for the shared pathway are located towards the Tasman Highway side of the site, are for the reconfiguration of an existing path only, and are not within an area identified as a place of archaeological sensitivity, it is understood the likelihood of the proposed building or works resulting in the removal or destruction of items of archaeological significance is low.

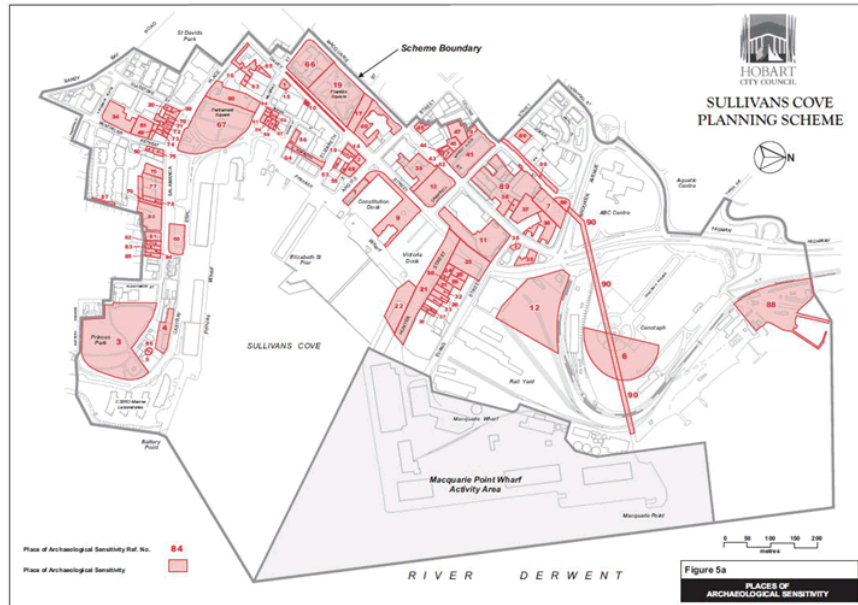


Figure 4: Figure 5a Places of Archaeological Sensitivity under the planning scheme. Source:
<https://www.hobartcity.com.au/files/assets/public/development/planning-schemes/sullivans-cove-planning-scheme-10-march-2021.pdf>, June 2022.

5 Schedules

5.1 Schedule 3 – Public Urban Space

5.1.1 Part A – Civic Works and Public Street Furniture

Clause 24.4 applies to the construction, exterior alteration or exterior decoration of any building or the construction or carrying out of any works within the public urban spaces identified in the 'Public Urban Space Types' plan. It includes items such as the resurfacing of pavements and footpaths and will apply to the proposal.

Under the 'Public Urban Space Types' plan, the proposed shared pathway and works will fall within the Enclosing Ridge urban space type (refer Figure 5). The pathway will tie into the Intercity cycleway along the edge of the section of the Tasman Highway that is in the Rear of Cove urban space type. The Intercity cycleway predominantly falls in the Enclosing Ridge, but as it is not shown clearly in Figure 9 of the planning scheme an assessment is provided against the Enclosing Ridge and Rear of Cove urban space types.

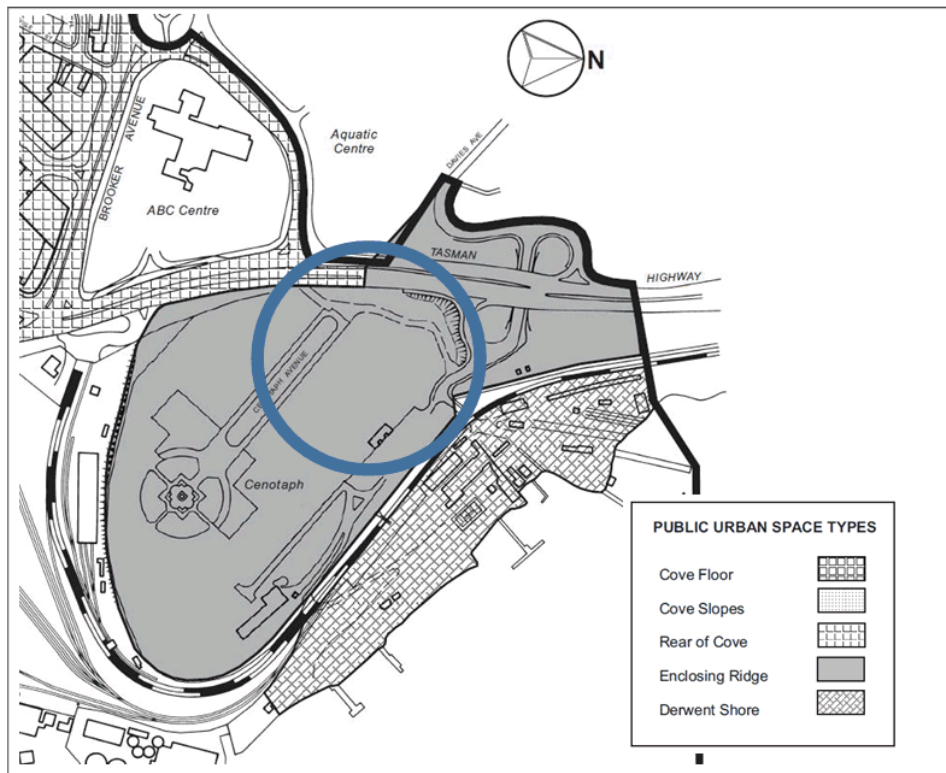


Figure 5: Extract from Figure 9: Public Urban Space Types under the planning scheme showing the area of the proposed works (circled in blue). Source: <https://www.hobartcity.com.au/files/assets/public/development/planning-schemes/sullivans-cove-planning-scheme-10-march-2021.pdf>, June 2022.

The proposed shared use pathway is considered to fall under the Other Building Construction or Works category under the table to Clause 24.4.2. This category is identified in the table as discretionary in both the Enclosing Ridge and Rear of Cove urban space types. The proposal does not meet the exemption requirements under Clause 24.4.3 as it will involve realignment of the existing pathway.

In accordance with Clause 24.4.6, as the proposal involves discretionary works, the Planning Authority must satisfy itself that the works are compatible with the following:

- The 'Civic Works and Public Street Furniture' Guidelines outlined in Clause 24.4.8.
- The function of the Public Urban Space as described in Clause 24.4.10.
- The provisions of Clause 24.4.9 apply where appropriate.

An assessment against these items is provided below.

5.1.2 Clause 24.4.8 'Civic Works and Public Street Furniture' Guidelines

The design of civic works and public street furniture is required to respond to the guidelines in Clause 24.4.8B.

Positioning of Civic Works and Public Street Furniture in Primary Spaces
<p><i>Public street furniture must strengthen spaces by standing apart from and not softening, the junction of walls and pavement and by running parallel to the dominant lines in a space. Civic works must run parallel to the dominant walls of a space, building walls or edges of docks or wharves.</i></p> <p><i>Repeated elements, such as seats and trees must run parallel to the dominant lines of the buildings and streets.</i></p> <p><i>Where different elements occur in proximity, their co-location must reflect a 'squared up' relationship and they must be grouped into small clusters to minimise their impact on the space.</i></p> <p><i>Minor landscape works are discouraged within primary spaces.</i></p>
<p><u>Planner response:</u></p> <p>Not applicable. The upgraded pathway will not include public street furniture or trees.</p>
Positioning of Civic Works and Public Street Furniture in Secondary Spaces
<p><i>The following guidelines are to be applied to Secondary Spaces in all Public Urban Space Type Areas.</i></p> <p><i>Civic Works and Public Street Furniture are to create an irregular patterning while still being 'squared up' to the walls of spaces and are not required to run parallel to the dominant lines of the space.</i></p> <p><i>Minor landscape works are encouraged.</i></p>
<p><u>Planner response:</u></p> <p>Not applicable. The upgraded pathway will not include public street furniture or trees.</p>

Amenity and Safety			
<p><i>Positioning civic works must allow for convenient pedestrian movement (minimum 2.5 m wide clearance) in designated 'Mixed', 'Pedestrian Movement' or 'Open Space' under Clause 24.4.10.</i></p> <p><i>Sight lines should be provided between pedestrians and drivers and levels of night lighting are to be to the satisfaction of the Planning Authority.</i></p>			
<p><u>Planner response:</u></p> <p>The subject site is not within a 'Mixed' or 'Pedestrian Movement' area so these are not applicable. 'Domain Park' and 'Regatta Point' are listed as applicable public spaces under Public Urban Function 4 – Open Space (Clause 24.4.10A) and the 'Open Space' category therefore applies to the subject site.</p> <p>The pathway is between 3.0m to 6.0m wide (predominantly 4.0m wide) and will allow for convenient pedestrian and cycle movement. There is no street furniture or landscaping proposed near the pathway that will interfere with pathway movement. A minimum clearance of 3.0m is provided from the footing of the Bridge of Remembrance.</p> <p>The realigned pathway provides a clearer separation between the shared pathway and vehicle access at McVilly Drive. A new zebra crossing and pathway connection near the Regatta Point carpark will improve sight lines and safety for crossing over McVilly Drive. Bollards are provided at the ends of the pathway to restrict vehicle access from the Tasman Highway and a boom gate is provided to restrict access from McVilly Drive. There is no additional lighting proposed. Existing lighting is provided along the Bridge of Remembrance and Tasman Highway.</p>			
Specific Precinct Guidelines			
Context		Preferred Design Response	
Applicable Public Urban Space Types	Spatial and Urban Character	Civic Works & Public Street Furniture Character	Positioning Criteria
Enclosing Ridges	C. Domain Parkland. The Cenotaph ridge is a strong formal 1920's civic landmark imposed in counterpoint to picturesque cedar walks with formal memorial avenue, through to an irregular eucalypt grassy woodland.	Civic works and public street furniture should be in compliance with the Queens Domain Management Plan (1996).	<p>Civic works and public street furniture should be in compliance with the Queens Domain Management Plan (1996).</p> <p>An Integrated Conservation Plan and Civic Design Concept is required for significant works in this area.</p>

Rear of Cove	Urban area in transition. Historically these areas were irregular, urban and gritty with a failed 1920's grand vision laid over them.	Contemporary hard, sparse utilitarian character. Secondary spaces more irregular, except Market Place.	Regular placing of street furniture, parallel to dominant lines of space. Minor irregularity in secondary spaces.
<p><u>Planner response:</u></p> <p>The upgraded and realigned pathway accords with the 1996 <i>Queens Domain Management Plan</i> and the <i>Queens Domain Master Plan 2013-2033</i> by providing a safe, convenient and legible shared pathway network that connects the Domain and Regatta Point with the waterfront and city. The pathway is similar in character to the existing pathway and complements the contours of the open grassland area of Regatta Point.</p>			

5.1.3 Clause 24.4.9 Requirement for a Civic Works and Public Street Furniture Concept Plan

The provisions of Clause 24.4.9 apply where appropriate. The proposed works do not fall within one of the categories listed under Clause 24.4.9 and therefore the preparation and approval of a Civic Works and Public Street Furniture Concept Plan is not required.

5.1.4 Clause 24.4.10 Function of Public Urban Space Types

Under Clause 24.4.10, the function of the public urban space type must be taken into account in the assessment of all 'discretionary' buildings or works. The proposed works fall under Public Urban Space Function 4 – Open Space (see below). '

Public Urban Space Function 4 – Open Space	Applicable Open Spaces
The function of this public urban space type is to facilitate outdoor recreation activities. These spaces are set aside for pedestrian activities, and form an important component of the character and functionality of the Cove. The amenity of these spaces is of utmost importance. Such spaces must be protected from the impacts of overshadowing, traffic noise and other disturbances. Such spaces must also be well connected to other pedestrian oriented spaces in the Cove.	Princes Park, Parliament Square, Franklin Square, Salamanca Lawns, Domain Park, Regatta Point.
<p><u>Planner response:</u></p> <p>The upgraded and realigned pathway directly contributes to the function of the Open Space urban space type by facilitating outdoor recreation activities. The realigned pathway improves the safety and amenity of the existing pathway and provides improved connections to the Intercity cycleway and the Regatta Point area.</p>	

The proposal is considered to satisfy the requirements of Clause 24.4.6 for 'Discretionary' Building and Works.

5.2 Schedule 4 – Signs

This Schedule applies to the construction, putting up for display or erection (development) and the continuous display (use) of all signs in the Sullivans Cove Planning Area.

The proposal includes a number of pathway signs, including bicycle/pedestrian path signs and give way signs (refer to signage plan at Appendix A). These are considered to fall under the category of Statutory Signs which are exempt from the provisions of Schedule 4 as outlined in the table to Clause 25.7.

The proposal is exempt from the requirements of Schedule 4.

5.3 Schedule 5 – Traffic, Access and Parking

5.3.1 Proposed vehicle access

The proposal includes provisions for vehicle access to the Cenotaph area for maintenance and service access only. The access points will be secured by lockable bollards for access at the southern end of the pathway and a boom gate for access near McVilly Drive.

5.3.2 Requirements under Schedule 5

Clause 26.3 requires that the provision of parking in the 'Domain Open Space' Activity Area be kept to a minimum. No on-site carparking spaces are proposed and there is no change to the existing parking numbers or arrangement.

The guidelines for development controls under Clause 26.4 specify that where a development is approved that involves the provision of on site car parking, servicing or emergency access facilities that will result in a material increase in the volume of vehicular traffic entering or leaving a public road, then provision shall be made to accommodate such additional vehicles and their movement to the satisfaction of the Planning Authority, having regard to traffic safety or amenity as appropriate.

The proposed vehicle access will be for maintenance and service access purposes. There is no expected increase to the number of vehicle movements and no public vehicle access is proposed. The realigned pathway will minimise footpath crossovers and disruption to footpath movements.

The proposal is considered to meet the requirements of Schedule 5.

5.4 Schedule 7 – Demolition

5.4.1 Proposed demolition

It is proposed to demolish the two existing pedestrian and cycle pathways that extend from the southern side of McVilly Drive to the Tasman Highway. Refer to demolition plan prepared by AD Design & Consulting at Appendix A.

5.4.2 Requirements under Schedule 7

Under Clause 28.3, a permit is required for all demolition and partial demolition of any building or works in the Cove. All such demolition is 'discretionary'. As the proposal involves the demolition of the existing shared pathway it will be subject to the provisions of Schedule 7. The works are not exempt under Clause 28.4.

Regarding Clause 28.6 matters to be considered, the proposed demolition will be of a small scale and is not considered to have an impact on the character of the Domain Open Space area or the cultural heritage values of the Cove. The demolition will not create a vacant site or 'lost space' in the Cove. The area of pathway that will be demolished will be reinstated with grass and replaced by the new proposed shared pathway.

The proposed demolition outlined in the attached Demolition Plan prepared by AD Design & Consulting is considered to meet the requirements of Schedule 7.

5.5 Schedule 10 – Royal Hobart Hospital Helipad Airspace Protection

This Schedule applies to the area of land designated as the Royal Hobart Hospital Helipad Airspace Protection Area on Figure 30A1.1 of the planning scheme (refer extract at Figure 6). Part of the subject site falls with the Outer Area 100m AHD of airspace protection area and requires assessment against Clause 30A1.3.



Figure 6: Extract of Figure 20A1.1 of the planning scheme with subject area circled in orange. Source: <https://www.hobartcity.com.au/files/assets/public/development/planning-schemes/sullivans-cove-planning-scheme-10-march-2021.pdf>, June 2022.

5.5.1 30A1.3 Development Standards for Buildings and Works

30A1.3.1 Building Height

Acceptable Solutions	Performance criteria
A1	<p>P1</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,</i></p>

<p><i>Building height including minor protrusions, masts or aerials within the areas shown on Figure 30A1.1 must be no more than:</i></p> <p><i>(a) 64.5m AHD if within the Inner Area; or</i></p> <p><i>(b) 100m AHD if within the Outer Area.</i></p>	<p><i>the Department of Health and Human Services and the helipad operator.</i></p>
<p><u>Planner response:</u></p> <p>The upgraded pathway is partially located in the Outer Area. It will approximately follow the 20m RL (refer to general arrangement plans at Appendix APlans) and will not be more than 100m AHD within the Outer Area.</p> <p>The proposal meets the acceptable solutions.</p>	

6 Conclusion

The upgraded and reconfigured shared use pathway will replace the existing bike pathway that connects the Intercity Cycleway near the Regatta Grounds area to the Intercity Cycleway on the eastern side of the Tasman Highway. The proposed two-way pathway will simplify the connections between McVilly Drive and the Intercity Cycleway and improve the linkages to existing infrastructure and local features. The character of the upgraded pathway will be in keeping with the character of the existing bike pathway and other infrastructure in the area.

The proposal relies upon the following performance criteria:

- Clause 17.2 Domain Open Space: Objectives and Performance Criteria for Activities
- Clause 22.4.5 Conservation of Places of Cultural Significance: 'Discretionary' Building or Works
- Clause 22.6.5 Places of Archaeological Sensitivity: 'Discretionary' Building or Works
- Clause 24.4.6 Schedule 3 - Public Urban Space: 'Discretionary' Buildings or Works

The proposal will provide important improvements to the safety and legibility of the cycle and pedestrian network in the area and supports the values and principles for the Domain identified in the *Queens Domain Master Plan 2013 – 2033* Master Plan, including that “development should facilitate safe and legible movement to and through the Domain’s quality public spaces”.

The proposal is consistent with the requirements of the *Sullivans Cove Planning Scheme 1997* and is recommended for approval.

Appendix A Plans

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Design			Legend		
12.5	Design Contours Labels		Retaining wall		Ex Drainage Dish Drain
	Design Contours Major		Design Fence		Ex Drainage Open Drain
	Design Contours Trim Minor		Design Comms		Ex Drainage Pipe
	Design Boundaries Easement		Design Comms Optical Fiber		Ex Drainage Spoon Drain
	Design Boundaries Property		Design Comms Tele Conc Pit		Ex Drainage Table Drain
	Design Crossovers		Design Comms Tele Conc PIT Twin		Ex Drainage Water Course
	Design Road Edge Of Concrete		Design Gas main		Ex Services Comms
	Design Road Kerb Back		Design Gas Manhole		Ex Services Elec OH
	Design Road Kerb Invert		Design Power Underground		Ex Services Elec UG
	Design Road Kerb Lib		Design Power Overhead		Ex Sewer Main
	Design Road Kerb Top		Design Power Junction Box		Ex Sewer Rising Main
	Design Road Control Line		Design Power Light Outreach		Ex Sewer Trunk Main
	Design Road Edge Of Lane		Design Power Pole Light		Ex Water Pipe
	Design Road Shoulder		Design Power Pole Power		Ex Water Recycled
	Design Road Edge Of Median		Design Flow Path Arrow		Ex Water Trunk Main
	Design Road Verge		Section Design Surface		Ex Water Fittings
	Design Road Footpath		Section EX Surface		Ex Boundary Cadastral
	Design Road Table Drain				Ex Boundary Fence
	Design Road Barrier W-Beam				
	Design Road Barrier Wire Rope				
	Design Road Sawcut				
	Design Line Marking				
	Design Earthworks Batter				
	Design Sewer Pipe				
	Design Sewer internal				
	Design Sewer Structures Internal				
	Design Sewer Structures				
	Design Water Main				
	Design Water Internal				
	Design Water Fittings				
	Design Water Fittings				
	Design Drainage Pipe				
	Design Drainage Internal				
	Design Drainage Structure Internal				
	Design Drainage Subsoil				
	Design Drainage GVP				
	Design Drainage SEP Type 1				
	Design Drainage SEP Type 2				
	Design Drainage SEP Type 3				
	Design Drainage SEP Type 4				
	Design Drainage SEP Type 5				
	Design Drainage SEP Type 6				
	Design Drainage Field Inlet				
	Design Drainage Manhole				
12.5	EX Contours Trim Labels		Ex Drainage Dish Drain		12
	EX Contours Trim Major		Ex Drainage Open Drain		Ex Boundary Lot Numbers
	EX Contours Trim Minor		Ex Drainage Pipe		Ex Boundary Property Line
			Ex Drainage Spoon Drain		Ex Building Outline
			Ex Drainage Table Drain		Ex Building Retaining Wall
			Ex Drainage Water Course		Ex Building Roof Cover
			Ex Services Comms		Ex Building Stairs
			Ex Services Elec OH		Ex Building Wall
			Ex Services Elec UG		Ex Misc Demolish
			Ex Sewer Main		Ex Road CL
			Ex Sewer Rising Main		Ex Road Footpath
			Ex Sewer Trunk Main		Ex Road Kerb
			Ex Water Pipe		Ex Services Gas
			Ex Water Recycled		Ex Services Gas High Pressure
			Ex Water Trunk Main		Ex Services Optic Fibre
			Ex Water Fittings		Ex Services Elec Tel OH
			Ex Boundary Cadastral		
			Ex Boundary Fence		

PROJECT NOTES

General

1. These notes have been prepared as a guide to relevant codes, regulations and standards for use by the contractor during the construction process.
2. Council & LGAT current specifications and drawings are to be read in conjunction with these drawings. Works to be carried out to the satisfaction of the manager, engineering services of Council and in accordance with relevant permits.
3. The Council and all service authorities shall be notified, in writing, seven days prior to commencement of the works. All existing services in the vicinity of the works are to be located prior to commencement.
3. Workmanship and materials to comply with requirements of S.A.A codes, building code of Australia and by-laws and ordinances of relevant building authorities. All codes referred to are those current (as amended) at commencement of contract.
4. Prior to commencement of the works, the contractor shall provide the superintendent the following information.
 - (a) Source of quarry material.
 - (b) Optimum moisture content and maximum modified dry density of the fine crushed rock (FCR), to be used from NATA approved laboratory.
 - (c) If the source of the quarry material is changed during the course of the works, new test results shall be provided.
5. On completion, the contractor is responsible for the removal of all rubbish and spoil from the site.
6. All services are to be located prior to commencement of works.
7. All levels are to be confirmed prior to commencement of works.
8. All levels are to Australian height datum (A.H.D.).

Approvals

1. The Contractor is responsible for ensuring that start work notices are in place for all works.
2. The Contractor shall not commence construction within a road reserve until the following requirements are met:
 - 2.1. The 'Permit to carry out works within a council road reservation' has been issued by Council; and
 - 2.2. All traffic management has been prepared in accordance with DSG traffic control code of practice.
3. Refer to Council permit for full disclosure of permit conditions.

Soil and Water Management

1. Implement soil and water management procedures to avoid erosion, contamination and sedimentation of site, surrounding areas and drainage systems.
2. All works are to be carried out in accordance with 'Soil and Water Management on building and construction site. All guidelines are available from the Derwent Estuary Program website.

www.derwentestuary.org.au/stormwater-factsheets

Safety in Design

1. The 'safety in design' risk mitigation measures for this project do not necessarily account for all design, construction, operation, maintenance and demolition assessments. It does not reduce or limit the obligations of the constructor, user, operator, maintainer and demolisher to perform their own safety in design risk assessment.
2. Construction and installation safe work method statements, to eliminate and minimize installation risks, to be reviewed by a suitably qualified person.

Earthworks

1. All general earthworks, material and workmanship shall comply with the current edition of the S.A.A code for earthworks, AS3798 where applicable.
2. All earthwork filling is to be constructed in accordance with section 6 of AS3798. Minimum 95% standard dry density (SMDD).
3. Pavement subgrade is to be compacted to a minimum 98% standard dry density (SMDD).
4. The contractor shall erect and maintain all shoring, plank and bracing, dewatering devices, barriers, signs, lights etc necessary to keep works in a safe and stable condition and for the protection of the public.
5. The Contractor must take the utmost care to protect all existing vegetation, unless identified on the civil works plans for removal. Should any tree be removed without the Council - open space teams written authority, or damaged due to negligence by the Contractor, then the Contractor shall pay compensation for the tree.
6. All areas shown on the drawings to be cut or filled are to be stripped of topsoil to a depth of 100mm. Upon completion of the bulk earthworks, the topsoil is to be spread to a depth of 100mm over the area and graded to finished levels shown on the drawings with a minimum slope of 1 in 150.

Signage

1. Contractor to install all signage.
2. Contractor to install "end of road" barricade/sign at end of works in accordance with staging plans.

Concrete

1. All workmanship and materials shall be in accordance with AS3600 and specification.
2. All footpaths to be 170 thick, M40 concrete refer details on drg C-1-17-01.
3. If abbreviations other those in accordance with AS1100.501 are to be used and their meaning is no explicit shown on drawings, ask engineer for clarification prior proceeding.
4. Concrete shall be from an approved source and shall comply with the requirements of the following standards, unless noted otherwise:

AS 3600 AS 4671 AS 1379 AS 2758-1	Concrete Structures Steels Reinforcements Materials Ready-mixed concrete Concrete Aggregates
--	---

Drainage

1. All works to be carried out in accordance with Council Municipal Standards, LGAT standard drawings, AS3500 and project specification where required and to the satisfaction of Councils Municipal Engineer.
2. All fill material is to be placed and compacted prior to excavation of trenches.
3. All trench excavations over 1.5m in depth must be carried out in accordance with workplace standard code of practice for excavation works. Contractor to notify Superintendent 48 hours prior to commencing excavations.
4. All stormwater drains shall be as specified on drawings, if not specified all pipes are to be iplex Blackmax or approved equivalent.
5. All stormwater pits in allotments shall be 1.0m offset from building lines unless otherwise shown.
6. All pits constructed on steep terrain, the finished surface profile of the structure is to match the existing or finished slope of the ground.
7. All pipes, located beneath existing or proposed road pavement, driveways, footpaths and drains must be completely backfilled with 20mm, class 4 FCR, watered, compacted & tested to the satisfaction of Council.
8. All pipe work in stormwater drainage pits are to be well aligned ensuring incoming flows are jetted directly to the outlet pipe, that is, the centre line of the inlet pipe is to intersect the centre line of the outlet pipe at the outlet pit wall.
9. All stormwater pits unless otherwise specified are to be constructed with a minimum concrete strength of 25MPa provide 2 No. 65 dia weep holes for stormwater side entry pits and manholes.
10. All anchor blocks (concrete bulkheads) are to be keyed into undisturbed, competent material to ensure movement of bedding and backfill material is reduced and the integrity of the pipe is maintained.

1. Using the drawings and satellite imagery to determine the location of the spawning and incubating birds.

http://www.washington.edu/centerforinnovation/innovation/washington.edu						
A	4/10/22	For Approval				
Rev/No	Date	Revision Note	2m	Var	App	

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Project	Domain Regatta Grounds Pathway
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Drawn	Signed	Date
AS		4/10/22
Designed	Signed	Date
IS		4/10/22
Checked	Signed	Date
MS		4/10/22
Approved	Signed	Date
AD		4/10/22

SUBJECT TO FINAL VERIFICATION AND APPROVAL

Project Notes

FOR APPROVAL

Project No.	21044
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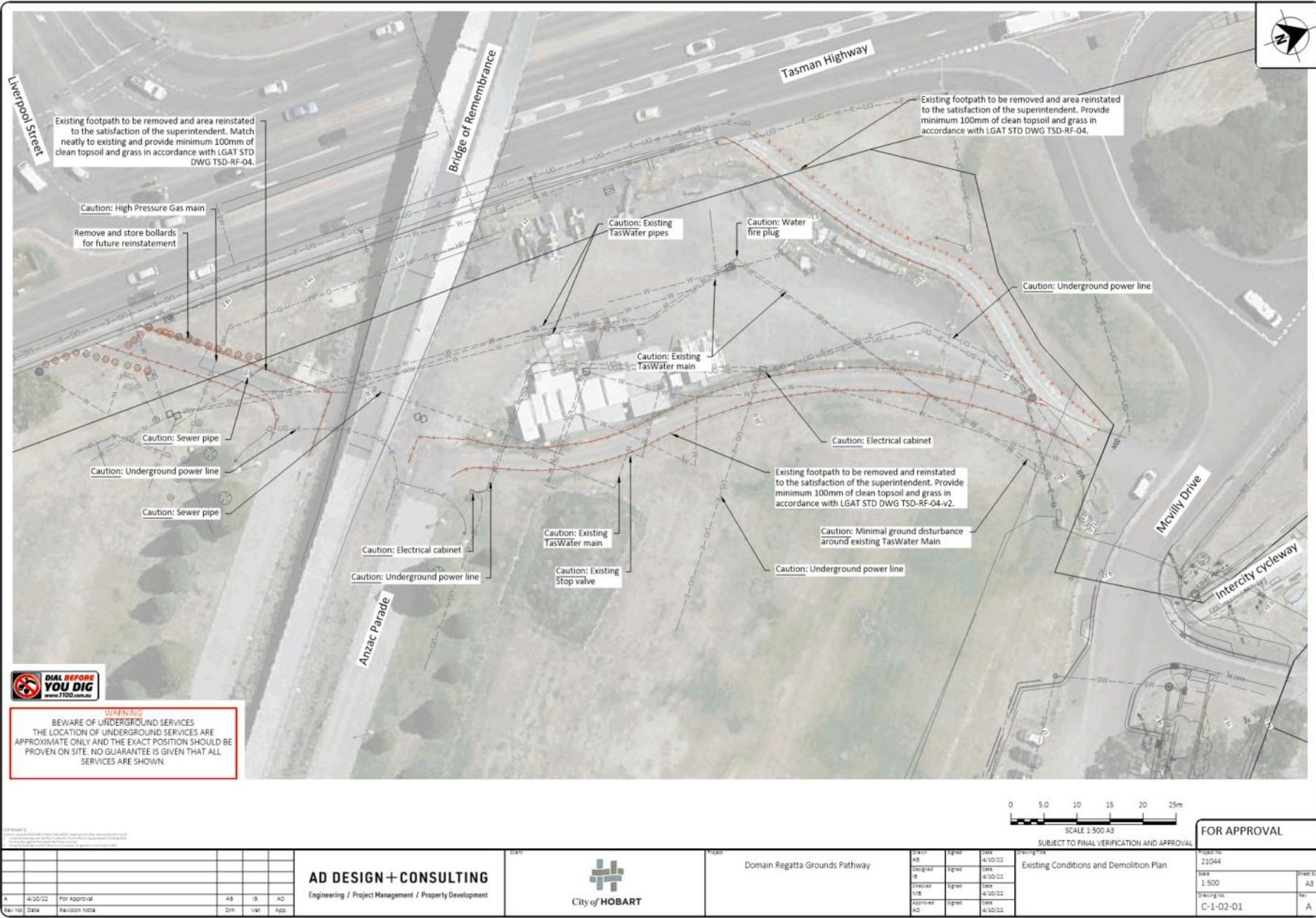
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Drawing No.
C-1-00-03

Sheet Size

Rev	A
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MP01 HORIZONTAL POINTS								
PT	CHAINAGE	EASTING	NORTHING	HEIGHT	BEARING	RAD/SPIRAL	A.LENGTH	DEFL.ANGLE
IP 1	0.000	474722.334	659481.639	16.112	37°07'57.04"			
TC	8.772	474727.630	659488.633	17.077	37°07'57.04"			
IP 2	15.336	474731.656	659493.951	17.786		R = -30.000	13.127	25°04'13.10"
CT	21.899	474733.050	659500.474	18.547	12°03'43.94"			
TC	32.096	474735.181	659510.446	19.202	12°03'43.94"			
IP 3	35.808	474735.966	659514.118	19.346		R = -20.000	7.423	21°15'58.98"
CT	39.520	474735.365	659517.824	19.491	350°47'44.96"			
TC	41.985	474734.971	659520.258	19.587	350°47'44.96"			
IP 4	45.294	474734.416	659523.679	19.715		R = 9.000	6.616	42°07'16.85"
CT	48.602	474736.300	659526.589	19.844	32°55'01.81"			
TC	48.646	474736.323	659526.625	19.846	32°55'01.81"			
IP 5	52.118	474738.245	659529.593	19.981		R = -15.000	6.944	26°31'31.17"
CT	55.590	474738.638	659533.107	20.116	6°23'30.64"			
TC	55.600	474738.640	659533.117	20.117	6°23'30.64"			
IP 6	61.461	474739.293	659538.949	20.345		R = -100.000	11.722	6°42'59.02"
CT	67.323	474739.260	659544.816	20.573	359°40'31.62"			
TC	87.018	474739.148	659564.512	21.285	359°40'31.62"			
IP 7	105.607	474739.035	659584.417	21.251		R = 42.000	37.178	50°43'02.49"
CT	124.196	474754.371	659597.108	20.419	50°23'34.11"			
TC	133.756	474761.737	659603.202	19.940	50°23'34.11"			
IP 8	144.586	474770.645	659610.574	19.398		R = 25.000	21.660	49°38'24.79"
CT	155.415	474782.030	659608.559	18.943	100°01'58.90"			
TC	185.300	474811.458	659603.353	17.699	100°01'58.90"			
IP 9	188.793	474815.272	659602.678	17.423		R = -6.500	6.987	61°35'08.16"
CT	192.287	474817.681	659605.712	17.147	38°26'50.75"			
IP 10	197.243	474820.763	659609.594	16.756	38°26'50.75"			
MP02 HORIZONTAL POINTS								
PT	CHAINAGE	EASTING	NORTHING	HEIGHT	BEARING	RAD/SPIRAL	A.LENGTH	DEFL.ANGLE
IP 1	0.000	474752.416	659503.643	19.151	307°55'40.86"			
TC	17.857	474738.331	659514.620	19.354	307°55'40.86"			
IP 2	24.926	474731.232	659520.152	19.600		R = 9.000	14.137	90°00'00.00"
CT	31.995	474736.764	659527.251	19.876	37°55'40.86"			
TC	35.262	474738.772	659529.828	19.988	37°55'40.86"			
IP 3	42.330	474744.304	659536.927	20.054		R = 9.000	14.137	90°00'00.00"
CT	49.399	474751.403	659531.395	20.095	127°55'40.86"			
IP 4	68.128	474766.176	659519.883	20.066	127°55'40.86"			
MK01 HORIZONTAL POINTS								
PT	CHAINAGE	EASTING	NORTHING	HEIGHT	BEARING	RAD/SPIRAL	A.LENGTH	DEFL.ANGLE
IP 1	0.000	474736.661	659503.014	18.913	12°03'43.94"			
IP 2	5.056	474738.328	659510.818	19.233		R = 5.000	10.111	115°51'56.92"
IP 3	10.111	474744.623	659505.913	19.342	127°55'40.86"			
MK02 HORIZONTAL POINTS								
PT	CHAINAGE	EASTING	NORTHING	HEIGHT	BEARING	RAD/SPIRAL	A.LENGTH	DEFL.ANGLE
IP 1	0.000	474741.222	659541.430	20.483	181°35'02.33"			
IP 2	3.945	474741.083	659536.397	20.261		R = -5.000	7.889	90°24'24.54"
IP 3	7.889	474746.118	659536.293	20.122	91°10'37.79"			

Note:

Base Survey Supplied By CoH in State Plane. Survey Notes not provided with survey. Contact CoH for details regarding horizontal and vertical datum and coordinate origin

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Rev No	Date	Revision Note	Rev No	Date	Revision Note
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2			19		

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Domain Regatta Grounds Pathway

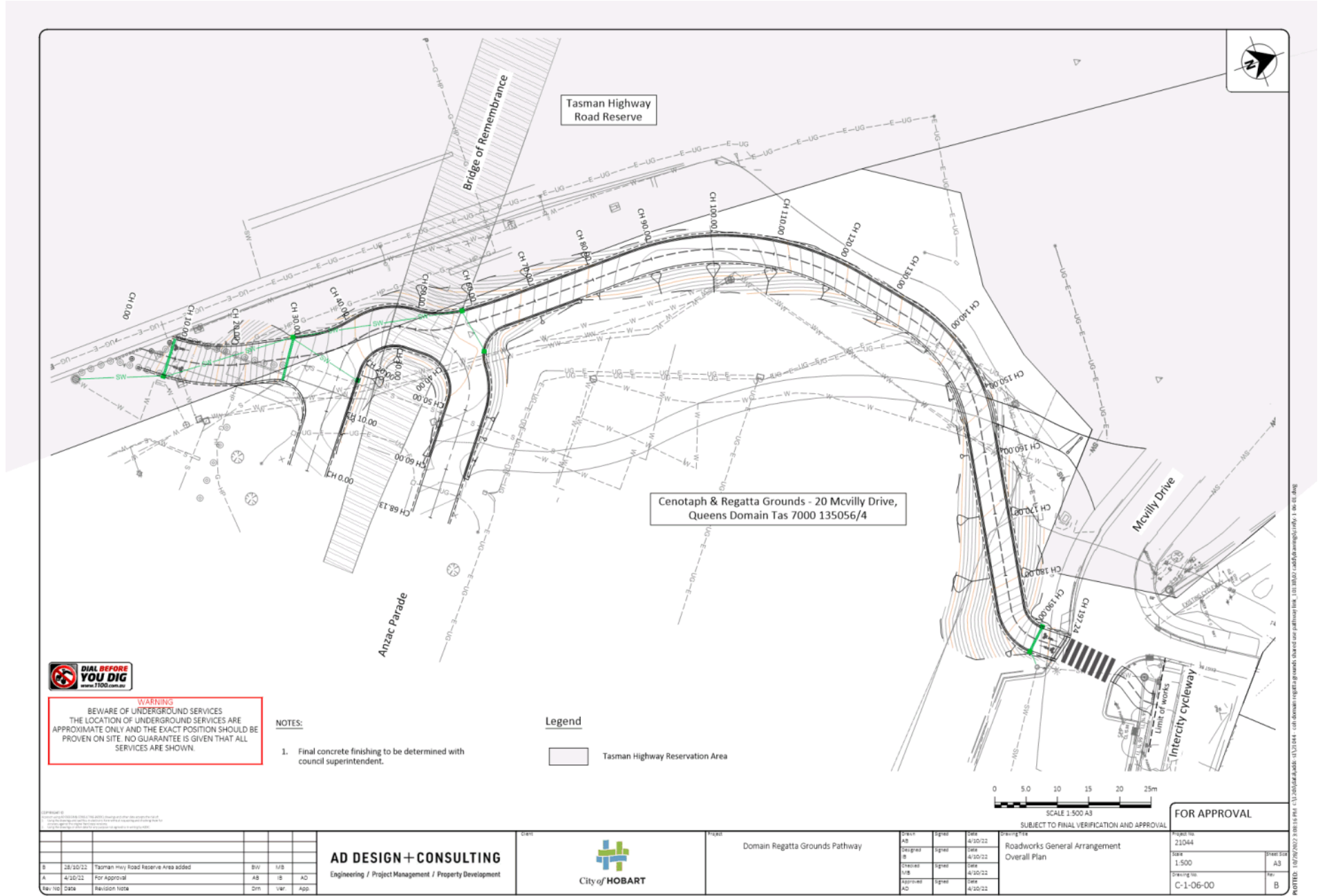
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Design	19	20	21
Check	22	23	24
Issue	25	26	27
Approval	28	29	30

Subject to Final Verification and Approval
 Alignment Plan - Sheet 2

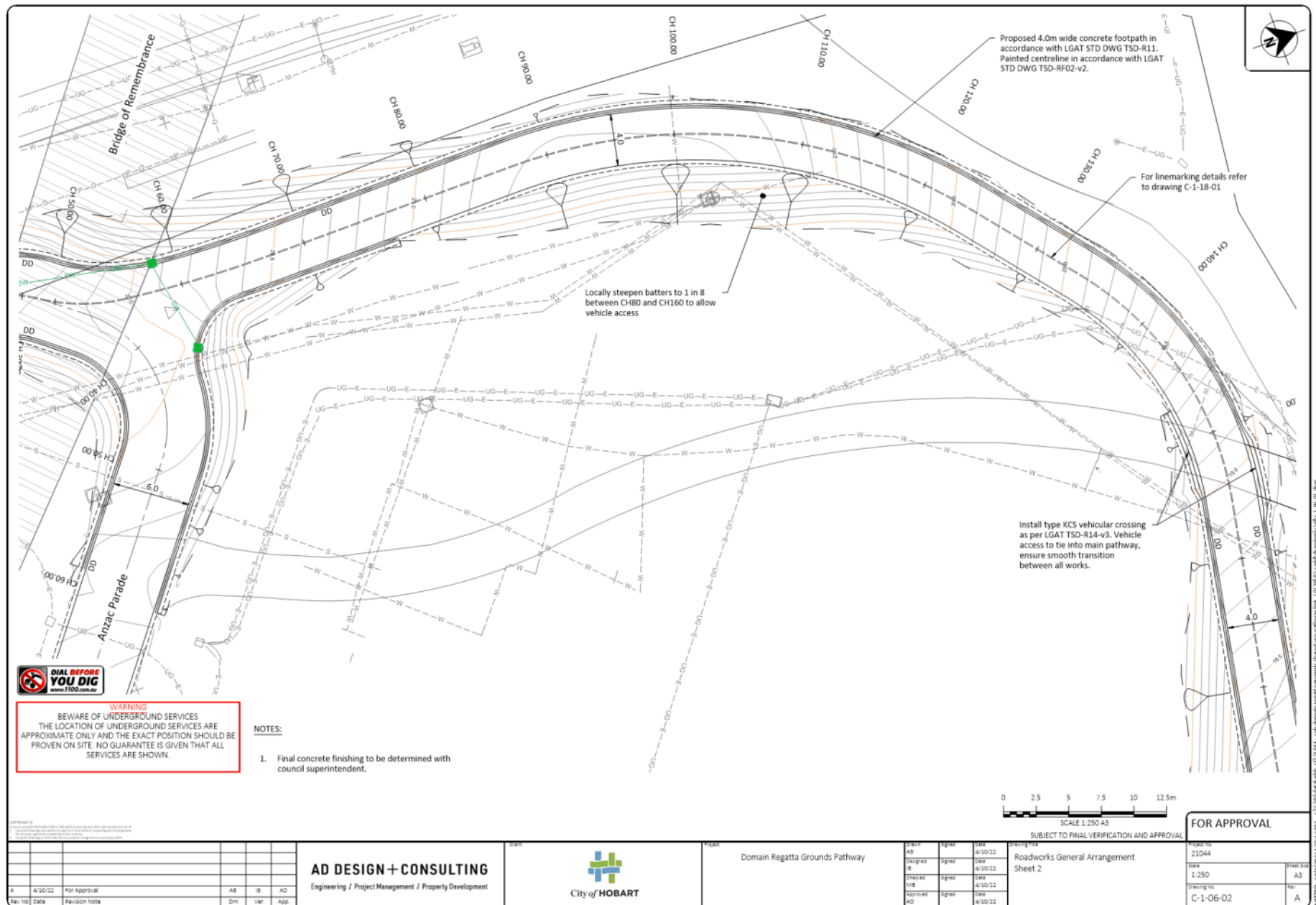
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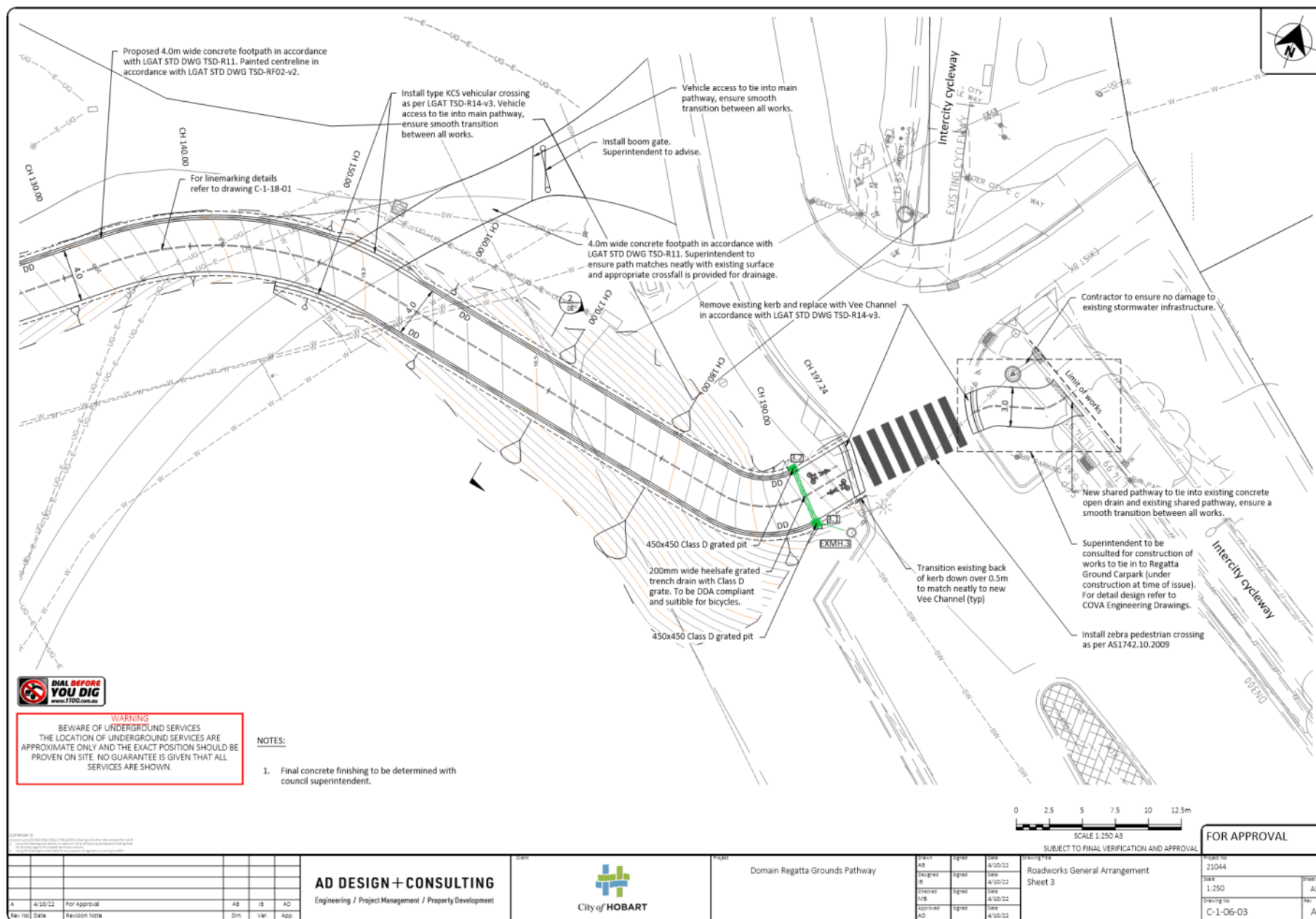
Project No	21044
Scale	1:500
Drawing No	C-1-05-02
Rev	A

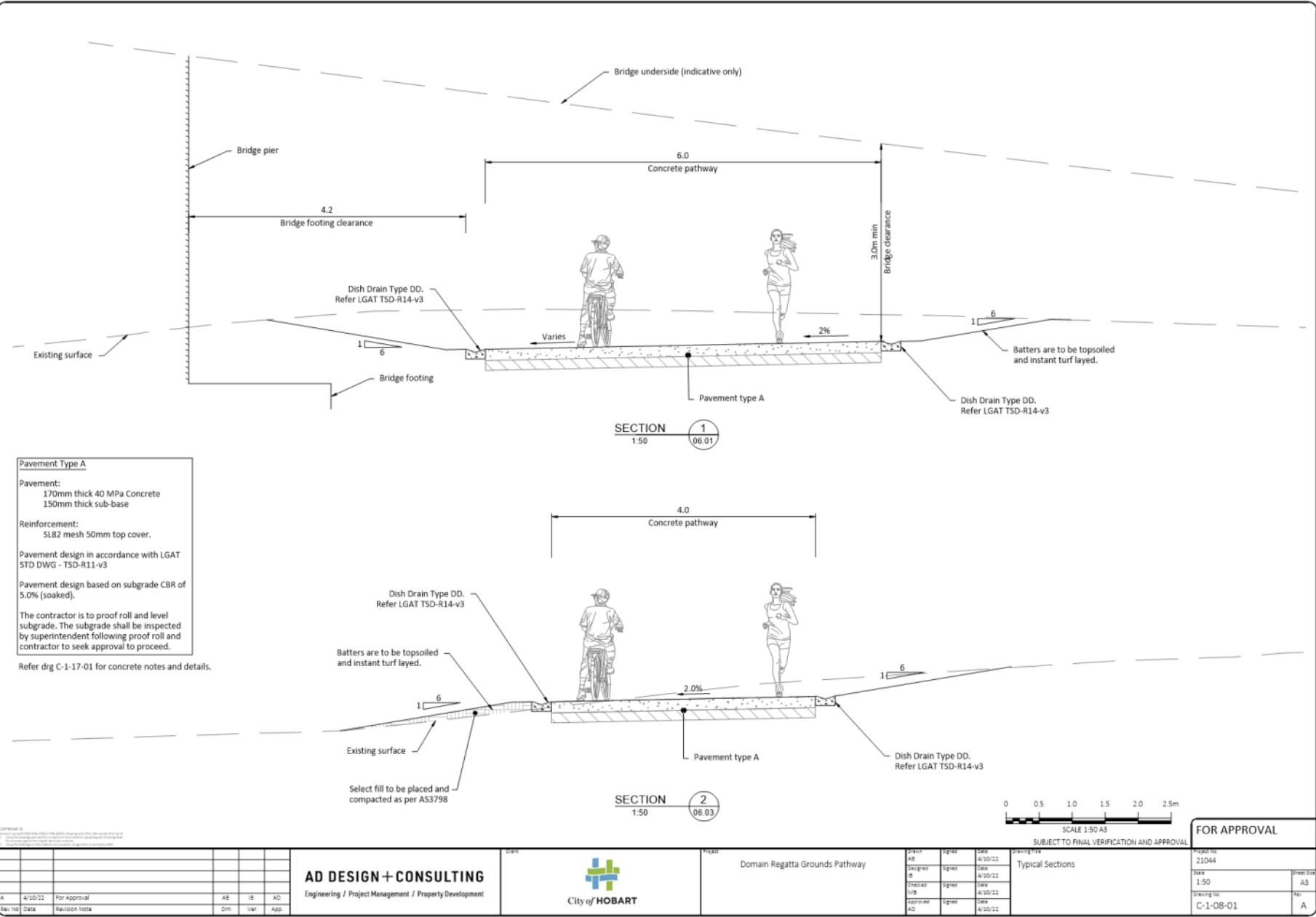
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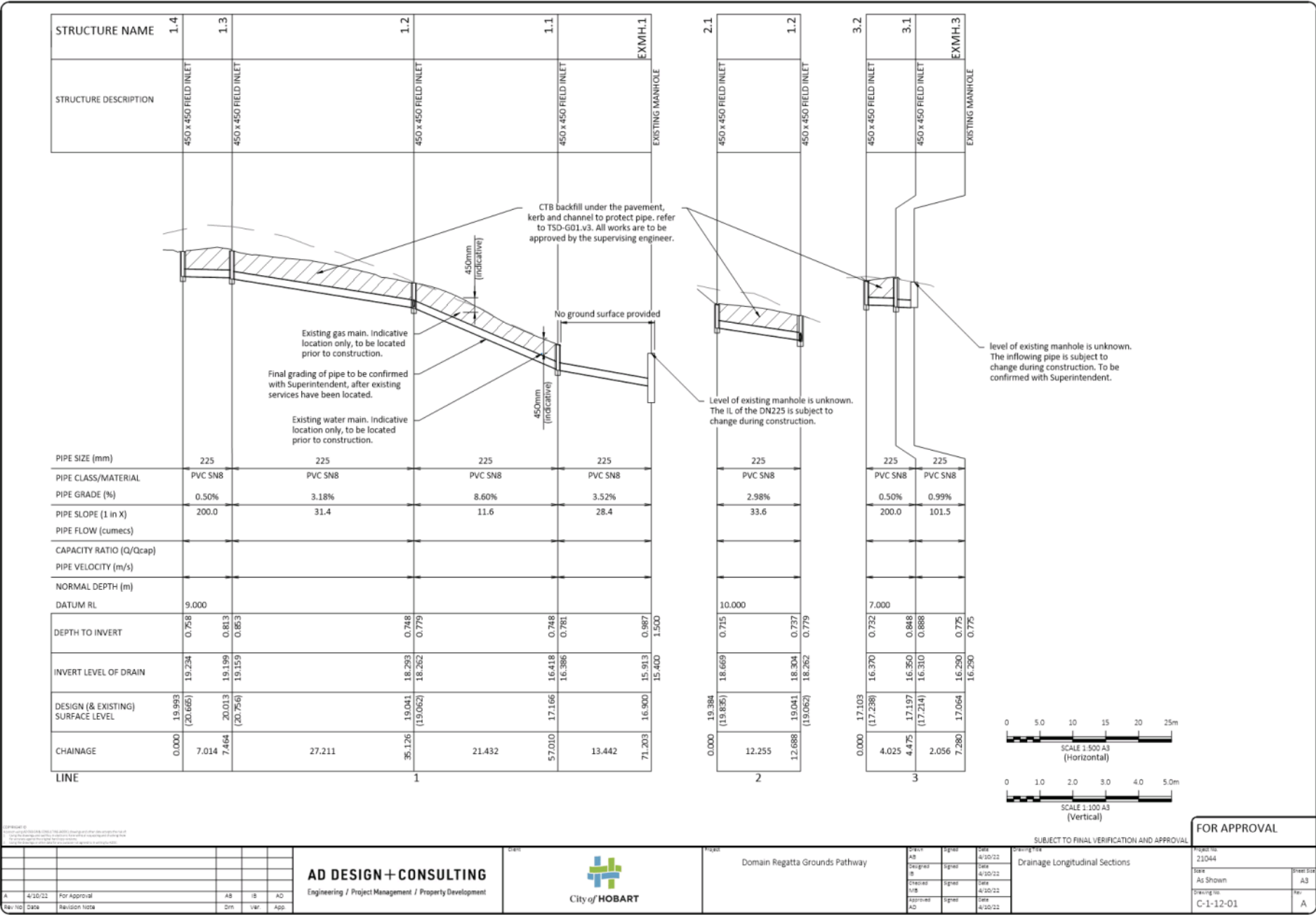












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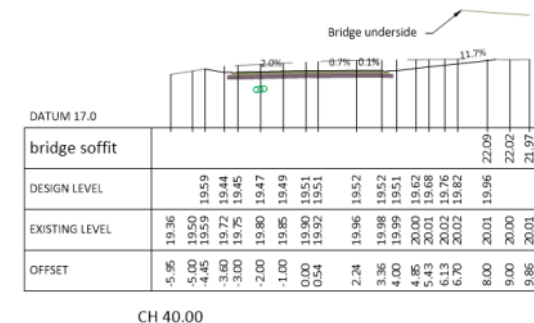
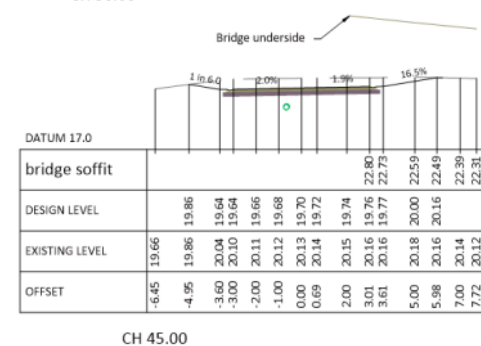
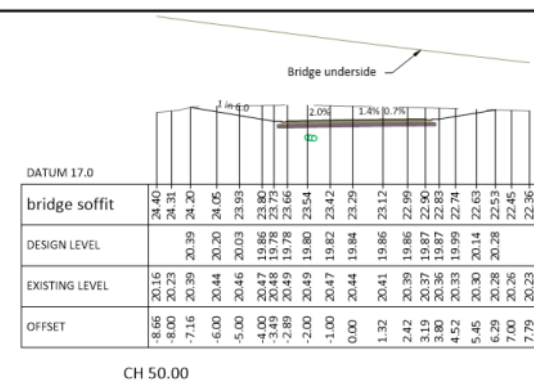


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Scale	As Shown
Drawing No.	C-1-15-01

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FOR APPROVAL	
Project No. 21044	
Scale As Shown	Sheet Size A3
Drawing No. C-1-15-02	Rev. A



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Project No.	21044	
Scale	1:200	Sheet No.
Drawing No.	C-1-16-01	Rev.

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CH 110.00

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CH 140.00

CH 155.00

CH 105.00

CH 120.00

CH 135.00

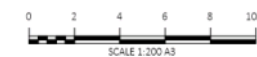
CH 150.00

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CH 115.00

CH 130.00

CH 145.00



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<p>Using the template below, create a response to the question in the scenario below.</p>						
A	4/16/23	For Approval	AB	IB	AD	
Bar/Nil	Date	Revision Number	Form	Unit	App	

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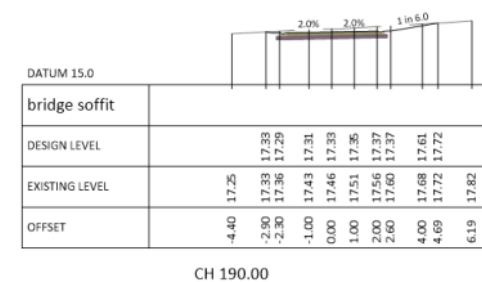


Project	Domain Regatta Grounds Pathway
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Drawn A/B	Signed	Date 4/10/22
Designed B	Signed	Date 4/10/22
Checked M/B	Signed	Date 4/10/22
Approved A/D	Signed	Date 4/10/22

Drawing Title Pathway Cross Sections MPO1 - Sheet 3

FOR APPROVAL	
Project No. 21044	
Scale 1:200	Sheet No. A3
Drawing No. C-1-16-03	Rev. A



Project No.	21044	
Scale	1:200	Sheet Size A3
Drawing No.	C-1-16-04	Rev A





CONCRETE NOTES**1. GENERAL**

Design reference: Guide to Residential Streets and Paths.

Works to be constructed in accordance with current Australian and Local Authority standard drawings and specifications unless noted otherwise.

Concrete construction shall comply with the following standards and codes:

General - AS 3600 Concrete Code.

Strength and testing - AS 1012.

Curing periods and methods - AS 3600 and AS 3799 respectively.

All surface finishes to be confirmed with Superintendent.

Pavements should not be trafficked for a minimum of 7 days of placement.

2. CONCRETE SPECIFICATION

Unless otherwise specified concrete must be normal grade and have the following properties:

a) Minimum Strength 40 MPa

b) Maximum Aggregate Size 20 mm

c) Maximum Slump 80 mm

The use of chemical admixtures and fly ash must only be used with the prior direction or approval of the Superintendent.

3. FORMWORK

Forms must be of approved material, rigid, securely braced and supported to produce mortar tight joints and smooth even surfaces. Interior surfaces of forms must be thoroughly cleaned and oiled before erection.

4. REINFORCING

Reinforcing shall comply to AS/NZS 4671 and shall be free from material which may affect bond with the concrete.

Reinforcing shall be generally supported on bar chairs in a regular grid secured to subbase in such a way as to resist displacement during concrete pouring.

Fabric: Shall be in the form of a single sheet and supported on bar chairs in a regular grid not exceeding 1m. Lap so that the two outermost wires on one sheet overlaps the outermost wire on the sheet being lapped.

Cover:

Top Cover 50mm for concrete base

Joints 75mm from transverse contraction, isolation, and longitudinal warping joints

Dowels:

All Dowels shall be 28mmØ Grade 250R steel bars 450mm long, hot dip galvanised, and placed at 300mm centres. The insertion of dowels during the placing of concrete is not acceptable.

To permit joint movement, dowels shall be -

- sawn, not cropped
- straight, smooth and free of burrs
- effectively de-bonded over at least half their length
- placed orthogonal to the joint direction and parallel to the pavement surface

Tie Bars:

All Tie Bars shall be Grade 500Y deformed steel bars, 12mm diameter, 1000mm long and placed at 800mm centres.

5. CONSTRUCTION JOINTS AND INTERFACES

Joints shall be airblasted clean prior to application of sealant.

Abelflex or approved equivalent is required at all locations where concrete pavement meets kerbing, manholes, pits or similar.

Apply small trowel finish (5mm) to edge of concrete pavements at all A.C. interface locations.

6. CONCRETE PLACEMENT

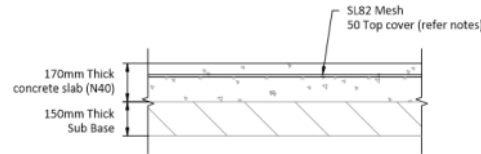
Concrete must not be placed until all formwork, reinforcement and surface preparation have been approved by the Superintendent. Unless approved by the Superintendent, concrete must be placed in dry conditions and only in such quantities as are required for immediate use and must be placed before initial set has occurred.

Concrete must be placed to avoid segregation and must be thoroughly compacted during and immediately after placing by means of continuing tamping, spading or use of vibrators, as directed by the Superintendent. Under no circumstances must concrete be shaken, displaced or disturbed after the initial set of the concrete.

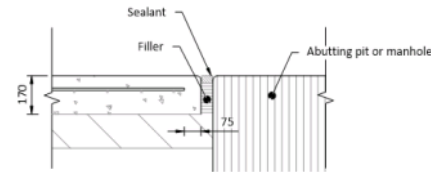
As soon as practicable after finishing, exposed concrete surface shall be covered with wet sand, wet hessian, or polythene sheet and kept moist for a minimum of 7 days. Alternatively, broom on 'STAYCURE WB' curing compound or the equivalent, to the manufacturer's directions, to satisfy the requirements of AS3799-1998. NOTE: if the concrete is to be painted or to have applied finishes, check with the manufacturer whether STAYCURE WB is suitable.

7. HOLD POINTS

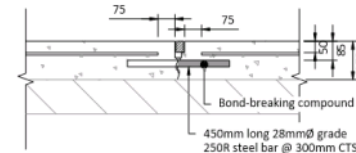
All subgrades, boxing depths & steel placement must be inspected by Superintendent. Contractor shall notify the Superintendent a minimum of 24hrs prior to the required inspection.



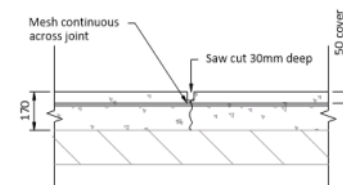
Typical Concrete Pavement Section
 Scale 1:20



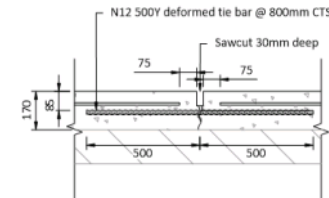
Isolation Joint
 Scale 1:20



Transverse Contraction Joint
 Scale 1:20



Sawcut Joint Detail
 Scale 1:20



Longitudinal Warping Joint
 Scale 1:20

All joints are to be determined on-site by the contractor during construction and confirmed by the superintendent

SUBGRADE INSPECTION AND TESTING NOTES**1. Subgrade Inspections:**

1.1. The contractor shall notify the superintendent twenty-four (24) hours in advance of when the subgrade will be ready for the superintendent's inspection. Paving shall not commence until the superintendent has inspected and approved the subgrade preparation.

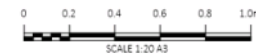
1.2. The subgrade is to be free from sticks, organic matter, clay lumps and other deleterious material.

2. Subgrade Testing

2.1. The minimum standard of compaction shall be:

- Subgrade - 100% standard compaction
- Subgrade replacement material - 95% modified compaction
- Sub-base - 95% modified compaction

2.2. Compaction tests are required on subgrade, subgrade replacement, sub-base and base layers at a frequency of one (1) test per 100 meters of roadways or one (1) test per 500m² for general paving.



SUBJECT TO FINAL VERIFICATION AND APPROVAL

FOR APPROVAL

Project No.	21009
Scale	1:20
Sheet No.	A3
Drawing No.	C-1-17-01
Rev.	A

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Rev	No	Date	For Approval	By	Check	App
A	1	4/10/22	For Approval	AB	IB	AD
Rev	No	Date	Revision Note	Dim	Var	App

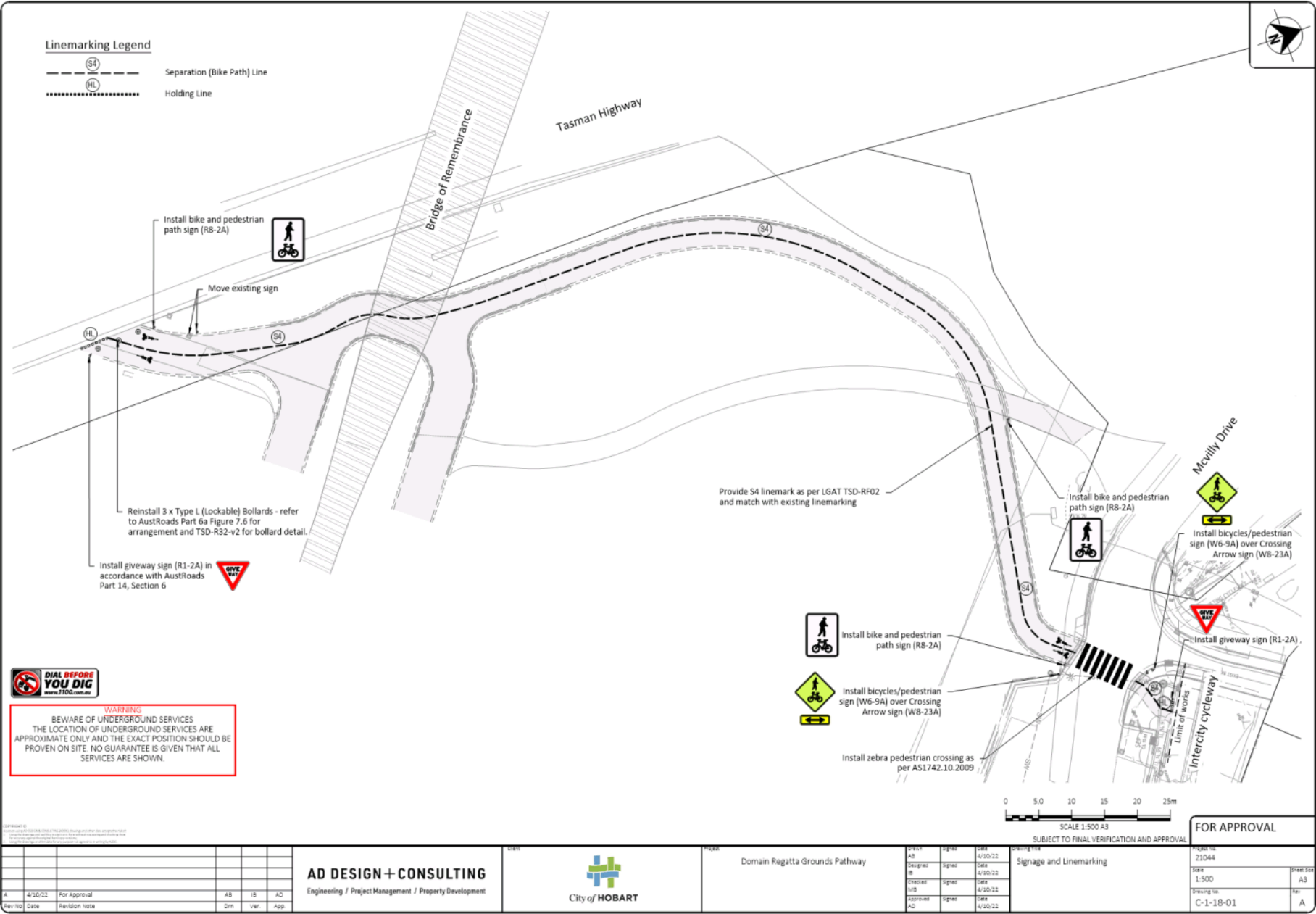
AD DESIGN+CONSULTING
 Engineering / Project Management / Property Development



Project: Domain Regatta Grounds Pathway

Project	AB	Signer	Date
Design	IB	Signer	Date
Checked	IB	Signer	Date
Approved	AD	Signer	Date

Project Title: Concrete Pavement Notes and Joint Details



Appendix B Certificate of Title

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 135056	FOLIO 4
EDITION 1	DATE OF ISSUE 11-Dec-2000

SEARCH DATE : 20-Jun-2022

SEARCH TIME : 09.15 AM

DESCRIPTION OF LAND

City of HOBART

Lot 4 on Plan 135056

Derivation : Whole of Lot 4 Gtd to the Hobart City Council

Derived from Grant No.358/26

SCHEDULE 1

HOBART CITY COUNCIL

SCHEDULE 2

- 358/26 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown
- 358/26 Grant made Subject To use (subject to the Hobart Corporation Act 1963) for the recreation, amusement, health & enjoyment of the inhabitants of the city and other persons resident in or coming into the city

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



OWNER: Hobart City Council		PLAN OF TITLE		REGISTERED NUMBER P135056
FOLIO REFERENCE: 358/26 G.		LOCATION CITY OF HOBART		APPROVED EFFECTIVE FROM 11 DEC 2008
GRANTEE: WHOLE OF LOTS 1-6 GRANTED TO THE HOBART CITY COUNCIL		FIRST SURVEY PLAN No. CPR5388 L.O.		<i>Alice Kawa</i> Recorder of Titles
		COMPILED BY OFFICE OF THE SURVEYOR-GENERAL		
		NOT TO SCALE		LENGTHS IN METRES
MAPSHEET MUNICIPAL CODE No 114	LAST UPI No 2106967 & 2103999	LAST PLAN No	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

SKETCH BY WAY OF ILLUSTRATION ONLY

**COMPILED PLAN
INDEX PLAN**

This plan has been prepared under Section 143A of the Land Titles Act 1980

(1) This plan has been compiled from field surveys, the Hobart City Council Detail Sheets & Relevant Statutes.

(2) The boundaries identified by scaled measurement are approximate. They have been compiled from the descriptions contained in the relevant Acts.

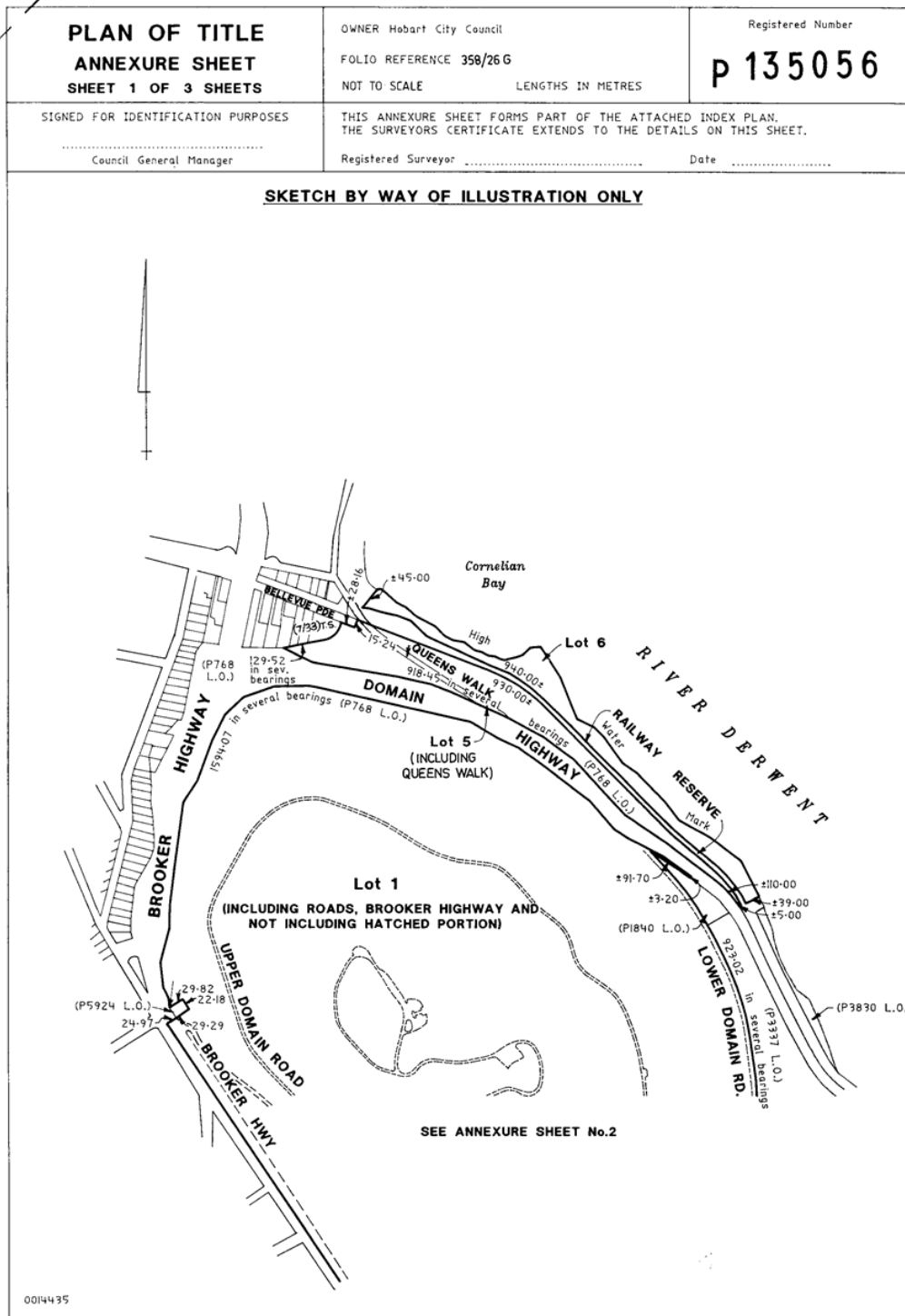
(3) This plan has been prepared to aid in the interpretation and illustration of the Queens Domain's boundaries.

Compiled from CPR5388 L.O.

**FOLIO PLAN**

RECORDER OF TITLES

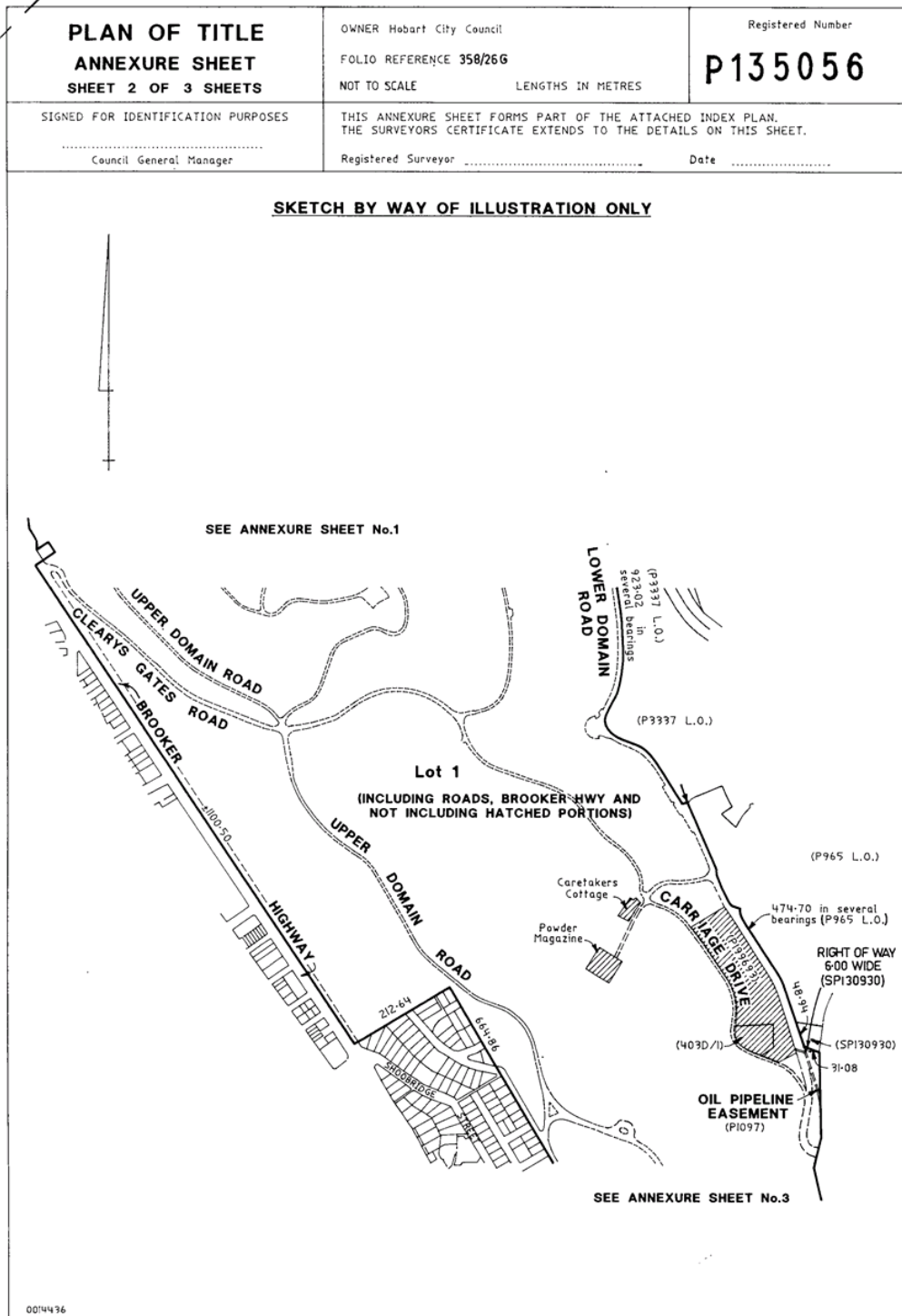
Issued Pursuant to the Land Titles Act 1980



**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



PLAN OF TITLE ANNEXURE SHEET SHEET 3 OF 3 SHEETS	OWNER Hobart City Council FOLIO REFERENCE 358/26G NOT TO SCALE LENGTHS IN METRES	Registered Number P135056
SIGNED FOR IDENTIFICATION PURPOSES Council General Manager	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET. Registered Surveyor _____ Date _____	

SKETCH BY WAY OF ILLUSTRATION ONLY

SEE ANNEXURE SHEET No.1

Lot 1
(INCLUDING ROADS, BROOKER HIGHWAY AND NOT INCLUDING HATCHED PORTION)

0014437



City of **HOBART**

Enquiries to: City Life
Phone: (03) 6238 2711
Email: coh@hobartcity.com.au

2 December 2022

(ERA Planning and Environment)
Level 1 125a Elizabeth Street
HOBART TAS 7000
mailto: clare@eraplanning.com.au

Dear Sir/Madam

**20 MCVILLY DRIVE, HOBART - GMC - RECONSTRUCTION OF SHARED USE PATH
NOTICE OF LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-
22-48**

Site Address:

20 McVilly Drive and Adjacent Road Reserve

Description of Proposal:

Partial Demolition, Relocation of Shared Path, and Associated Works

Applicant Name:

ERA Planning and Environment

PLN (if applicable):

PLN-22-436

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

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

Hobart Town Hall 50 Macquarie Street Hobart TAS 7000	Hobart Council Centre 16 Elizabeth Street Hobart TAS 7000	City of Hobart GPO Box 503 Hobart TAS 7001	T 03 6238 2711 F 03 6234 7109 E coh@hobartcity.com.au W hobartcity.com.au	City of Hobart Official f	ABN 39 055 343 428 Hobart City Council
--	---	--	--	------------------------------	---

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

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

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

Yours faithfully



(Glenn Doyle)

HEAD OF CITY PROJECTS

Relevant documents/plans:


Drawings: C-1-00-01 to C-1-00-03, C-1-02-01, C-1-05-01, C-1-05-02, C-1-06-00 to C-1-06-03, C-1-08-01, C-1-12-01, C-1-15-01 to C-1-15-03, C-1-16-01 to C-1-16-06, C-1-17-01 and C-1-18-01 from AD Design + Consulting

Hobart Town Hall
50 Macquarie Street
Hobart TAS 7000

Hobart Council Centre
16 Elizabeth Street
Hobart TAS 7000

City of Hobart
GPO Box 503
Hobart TAS 7001

T 03 6238 2711
F 03 6234 7109
E coh@hobartcity.com.au
W hobartcity.com.au

 CityofHobartOfficial
ABN 39 055 343 428
Hobart City Council

City of Hobart

INSTRUMENT OF DELEGATION

General Delegation

Head of City Projects

Section 64 of the Local Government Act 1993

I, Kelly Grigsby, Chief Executive Officer, being the General Manager as appointed by Council pursuant to Section 61 of the *Local Government Act 1993 (Tas)* ("the Act") hereby delegate pursuant to Section 64 of the Act, the following powers and functions to the Head of City Projects:

1. to sign an application; and
2. to provide written permission to make an application;

pursuant to section 52(1B) of the *Land Use Planning and Approvals Act 1993*, except where an application pursuant to that section is recommended for refusal by Council officers.

Dated this 24th day of February 2022

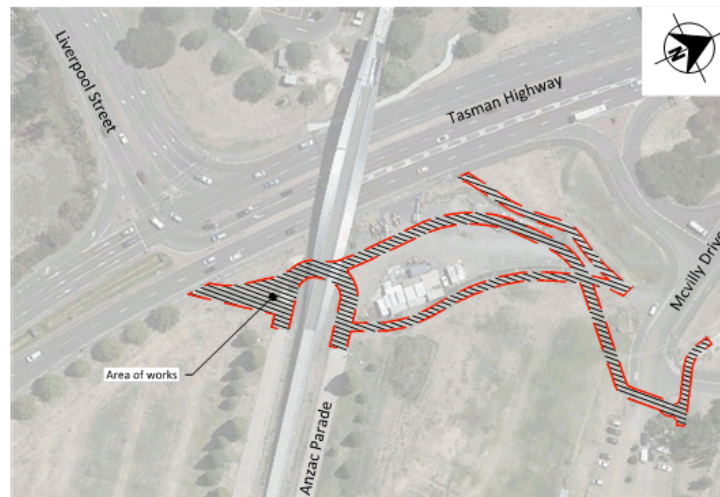
SIGNED
Kelly Grigsby
(Chief Executive Officer)

Being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*



Approved - General
Manager Consent Only
GMC-22-48 02/12/2022

Domain Regatta Grounds Shared Use Pathway For Approval



Locality Plan
Scale NTS

DRAWING LIST	
NUMBER	DESCRIPTION
C-1-00-01	Cover Sheet
C-1-00-02	Legend
C-1-00-03	Project Notes
C-1-02-01	Existing Conditions and Demolition Plan
C-1-05-01	Alignment Plan - Sheet 1
C-1-05-02	Alignment Plan - Sheet 2
C-1-06-00	Roadworks General Arrangement - Overall
C-1-06-01	Roadworks General Arrangement - Sheet 1
C-1-06-02	Roadworks General Arrangement - Sheet 2
C-1-06-03	Roadworks General Arrangement - Sheet 3
C-1-08-01	Typical Section
C-1-12-01	Drainage Longitudinal Sections
C-1-15-01	Pathway Longitudinal Sections MP01 - Sheet 1
C-1-15-02	Pathway Longitudinal Sections MP01 - Sheet 2
C-1-15-03	Pathway Longitudinal Sections MP02 - Sheet 1
C-1-16-01	Pathway Cross Sections MP01 - Sheet 1
C-1-16-02	Pathway Cross Sections MP01 - Sheet 2
C-1-16-03	Pathway Cross Sections MP01 - Sheet 3
C-1-16-04	Pathway Cross Sections MP01 - Sheet 4
C-1-16-05	Pathway Cross Sections MP02 - Sheet 5
C-1-16-06	Pathway Cross Sections MP02 - Sheet 6
C-1-17-01	Concrete Pavement - Notes and Joint Details
C-1-18-01	Signage and Linemarking

COMMENTS:
The project is a shared use pathway for the Domain Regatta Grounds. The project is a shared use pathway for the Domain Regatta Grounds. The project is a shared use pathway for the Domain Regatta Grounds.

Rev No	Date	Revision Note	AB	SB	AD
1	4/10/22	For Approval			

AD DESIGN + CONSULTING
Engineering / Project Management / Property Development

Client



Brand

Domain Regatta Grounds Pathway

Task	Status	Date
Design AB	Signoff	4/10/22
Design SB	Signoff	4/10/22
Design VBA	Signoff	4/10/22
Approved MD	Signoff	4/10/22


SUBJECT TO FINAL VERIFICATION AND APPROVAL

Cover Sheet

FOR APPROVAL

Project No.	21044
Scale	NTS
Drawing No.	C-1-00-01
Rev	A

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Approved - General
Manager Consent Only
GMC-22-48 02/12/2022

Legend

Design

12.5

Design Contours Labels

Design Contours Major

Design Contours Trim Minor

Design Boundaries Easement

Design Boundaries Property

Design Crossovers

Design Road Edge of Concrete

Design Road Kerb Back

Design Road Kerb Invert

Design Road Kerb Lib

Design Road Kerb Top

Design Road Control Line

Design Road Edge Of Lane

Design Road Shoulder

Design Road Edge Of Median

Design Road Verge

Design Road Footpath

Design Road Table Drain

Design Road Barrier W-Beam

Design Road Barrier Wire Rope

Design Road Sawcut

Design Line Marking

Design Earthworks Batter

Design Sewer Pipe

Design Sewer Internal

Design Sewer Structures Internal

Design Sewer Structures

Design Water Main

Design Water Internal

Design Water Fittings

Design Water Fittings

Design Drainage Pipe

Design Drainage Internal

Design Drainage Structure Internal

Design Drainage Subsoil

Design Drainage GVP

Design Drainage SEP Type 1

Design Drainage SEP Type 2

Design Drainage SEP Type 3

Design Drainage SEP Type 4

Design Drainage SEP Type 5

Design Drainage SEP Type 6

Design Drainage Field Inlet

Design Drainage Manhole

Existing

12

Ex Drainage Dish Drain

Ex Drainage Open Drain

Ex Drainage Pipe

Ex Drainage Spoon Drain

Ex Drainage Table Drain

Ex Drainage Water Course

Ex Services Comms

Ex Services Elec OH

Ex Services Elec UG

Ex Sewer Main

Ex Sewer Rising Main

Ex Sewer Trunk Main

Ex Water Pipe

Ex Water Recycled

Ex Water Trunk Main

Ex Water Fittings

Ex Boundary Cadastral

Ex Boundary Fence

12.5

EX Contours Trim Labels

EX Contours Trim Major

EX Contours Trim Minor

Design

face

Retaining wall

Design Fence

Design Comms

Design Comms Optical Fiber

Design Comms Tele Conc Pit

Design Comms Tele Conc Pit Twin

Design Gas main

Design Gas Manhole

Design Power Underground

Design Power Overhead

Design Power Junction Box

Design Power Light Outreach

Design Power Pole Light

Design Power Pole Power

Design Flow Path Arrow

Section Design Surface

Section EX Surface

Existing

Ex Boundary Lot Numbers

Ex Boundary Property Line

Ex Building Outline

Ex Building Retaining Wall

Ex Building Roof Cover

Ex Building Stairs

Ex Building Wall

Ex Misc Demolish

Ex Road CL

Ex Road Footpath

Ex Road Kerb

Ex Services Gas


Ex Services Gas High Pressure

Ex Services Optic Fibre

Ex Services Elec Tel OH

AD DESIGN + CONSULTING

Engineering / Project Management / Property Development



City of HOBART

Domain Regatta Grounds Pathway

Client

Domain Regatta Grounds Pathway

Project No.

21044

Project Title

Domain Regatta Grounds Pathway

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Project No.</

PROJECT NOTES



General

- These notes have been prepared as a guide to relevant codes, regulations and standards for use by the contractor during the construction process.
- Council & LGAT current specifications and drawings are to be read in conjunction with these drawings. Works to be carried out to the satisfaction of the manager, engineering services of Council and in accordance with relevant permits.
- The Council and all service authorities shall be notified, in writing, seven days prior to commencement of the works. All existing services in the vicinity of the works are to be located prior to commencement.
- Workmanship and materials to comply with requirements of S.A.A codes, building code of Australia and by-laws and ordinances of relevant building authorities. All codes referred to are those current (as amended) at commencement of contract.
- Prior to commencement of the works, the contractor shall provide the superintendent the following information:
 - Source of quarry material.
 - Optimum moisture content and maximum modified dry density of the fine crushed rock (FCR), to be used from NATA approved laboratory.
 - If the source of the quarry material is changed during the course of the works, new test results shall be provided.
- On completion, the contractor is responsible for the removal of all rubbish and spoil from the site.
- All services are to be located prior to commencement of works.
- All levels are to be confirmed prior to commencement of works.
- All levels are to Australian height datum (A.H.D.).

Approvals

- The Contractor is responsible for ensuring that start work notices are in place for all works.
- The Contractor shall not commence construction within a road reserve until the following requirements are met:
 - The 'Permit to carry out works within a council road reservation' has been issued by Council; and
 - All traffic management has been prepared in accordance with DSG traffic control code of practice.
- Refer to Council permit for full disclosure of permit conditions.

Soil and Water Management

- Implement soil and water management procedures to avoid erosion, contamination and sedimentation of site, surrounding areas and drainage systems.
- All works are to be carried out in accordance with 'Soil and Water Management on building and construction site. All guidelines are available from the Derwent Estuary Program website.

www.derwentestuary.org.au/stormwater-factsheets

Safety in Design

- The 'safety in design' risk mitigation measures for this project do not necessarily account for all design, construction, operation, maintenance and demolition assessments. It does not reduce or limit the obligations of the constructor, user, operator, maintainer and demolisher to perform their own safety in design risk assessment.
- Construction and installation safe work method statements, to eliminate and minimize installation risks, to be reviewed by a suitably qualified person.

Earthworks

- All general earthworks, material and workmanship shall comply with the current edition of the S.A.A code for earthworks, AS3798 where applicable.
- All earthwork filling is to be constructed in accordance with section 6 of AS3798. Minimum 95% standard dry density (SMDD).
- Pavement subgrade is to be compacted to a minimum 98% standard dry density (SMDD).
- The contractor shall erect and maintain all shoring, planking and strutting, dewatering devices, barricades, signs, lights etc necessary to keep works in a safe and stable condition and for the protection of the public.
- The Contractor must take the utmost care to protect all existing vegetation, unless identified on the civil works plans for removal. Should any tree be removed without the Council - open space teams written authority, or damaged due to negligence by the Contractor, then the Contractor shall pay compensation for the tree.
- All areas shown on the drawings to be cut or filled are to be stripped of topsoil to a depth of 100mm. Upon completion of the bulk earthworks, the topsoil is to be spread to a depth of 100mm over the area and graded to finished levels shown on the drawings with a minimum slope of 1 in 150.

Signage

- Contractor to install all signage.
- Contractor to install "end of road" barricade/sign at end of works in accordance with staging plans.

Concrete

- All workmanship and materials shall be in accordance with AS3600 and specification.
- All footpaths to be 170 thick, N40 concrete refer details on drg C-1-17-01.
- If abbreviations other than those in accordance with AS1100.501 are to be used and their meaning is no explicit shown on drawings, ask engineer for clarification prior proceeding.
- Concrete shall be from an approved source and shall comply with the requirements of the following standards, unless noted otherwise:

AS 3600	Concrete Structures
AS 4671	Steels Reinforcements Materials
AS 1379	Ready-mixed concrete
AS 2758.1	Concrete Aggregates

Drainage

- All works to be carried out in accordance with Council Municipal Standards, LGAT standard drawings, AS3500 and project specification where required and to the satisfactory of Councils Municipal Engineer.
- All fill material is to be placed and compacted prior to excavation of trenches.
- All trench excavations over 1.5m in depth must be carried out in accordance with workplace standard code of practice for excavation works. Contractor to notify Superintendent 48 hours prior to commencing excavations.
- All stormwater drains shall be as specified on drawings, if not specified all pipes are to be Iplex Blackmax or approved equivalent.
- All stormwater pits in allotments shall be 1.0m offset from building lines unless otherwise shown.
- All pits constructed on steep terrain, the finished surface profile of the structure is to match the existing or finished slope of the ground.
- All pipes, located beneath existing or proposed road pavement, driveways, footpaths and drains must be completely backfilled with 20mm, class 4 FCR, watered, compacted & tested to the satisfaction of Council.
- All pipe work in stormwater drainage pits are to be well aligned ensuring incoming flows are jetted directly to the outlet pipe, that is, the centre line of the inlet pipe is to intersect the centre line of the outlet pipe at the outlet pit wall.
- All stormwater pits unless otherwise specified are to be constructed with a minimum concrete strength of 25MPa provide 2 No. 65 dia weep holes for stormwater side entry pits and manholes.
- All anchor blocks (concrete bulkheads) are to be keyed into undisturbed, competent material to ensure movement of bedding and backfill material is reduced and the integrity of the pipe is maintained.

COMMENTS:
 Approved - General Manager Consent Only GMC-22-48 02/12/2022

Rev	No	Date	Revision	For Approval	AB	IB	AD
1	1	4/10/22		For Approval			

AD DESIGN + CONSULTING
 Engineering / Project Management / Property Development



Client: Domain Regatta Grounds Pathway

Drawn	AB	Signed	Date
Designed	IB	Signed	Date
Checked	AB	Signed	Date
Approved	AD	Signed	Date

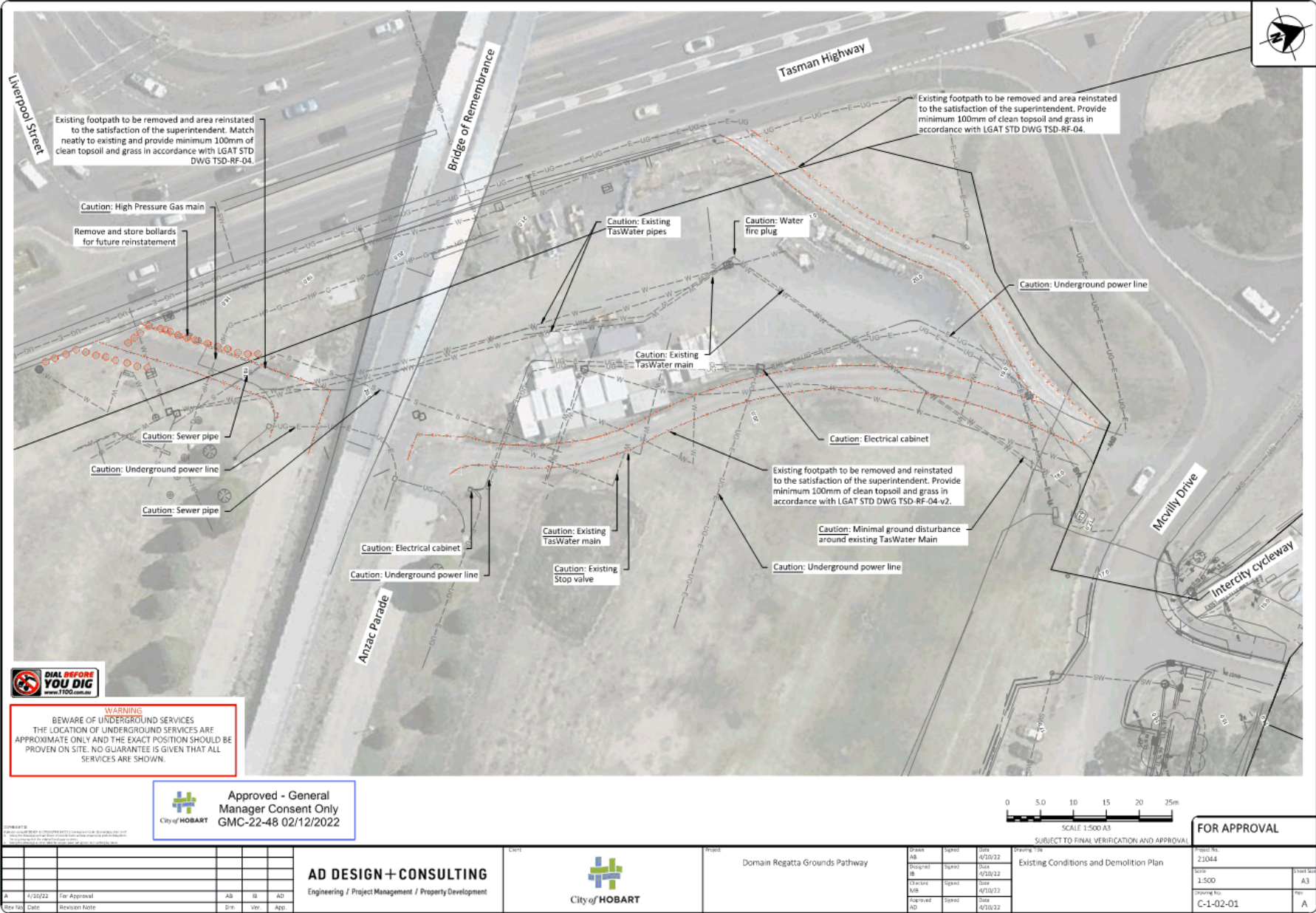
SUBJECT TO FINAL VERIFICATION AND APPROVAL

Project Notes

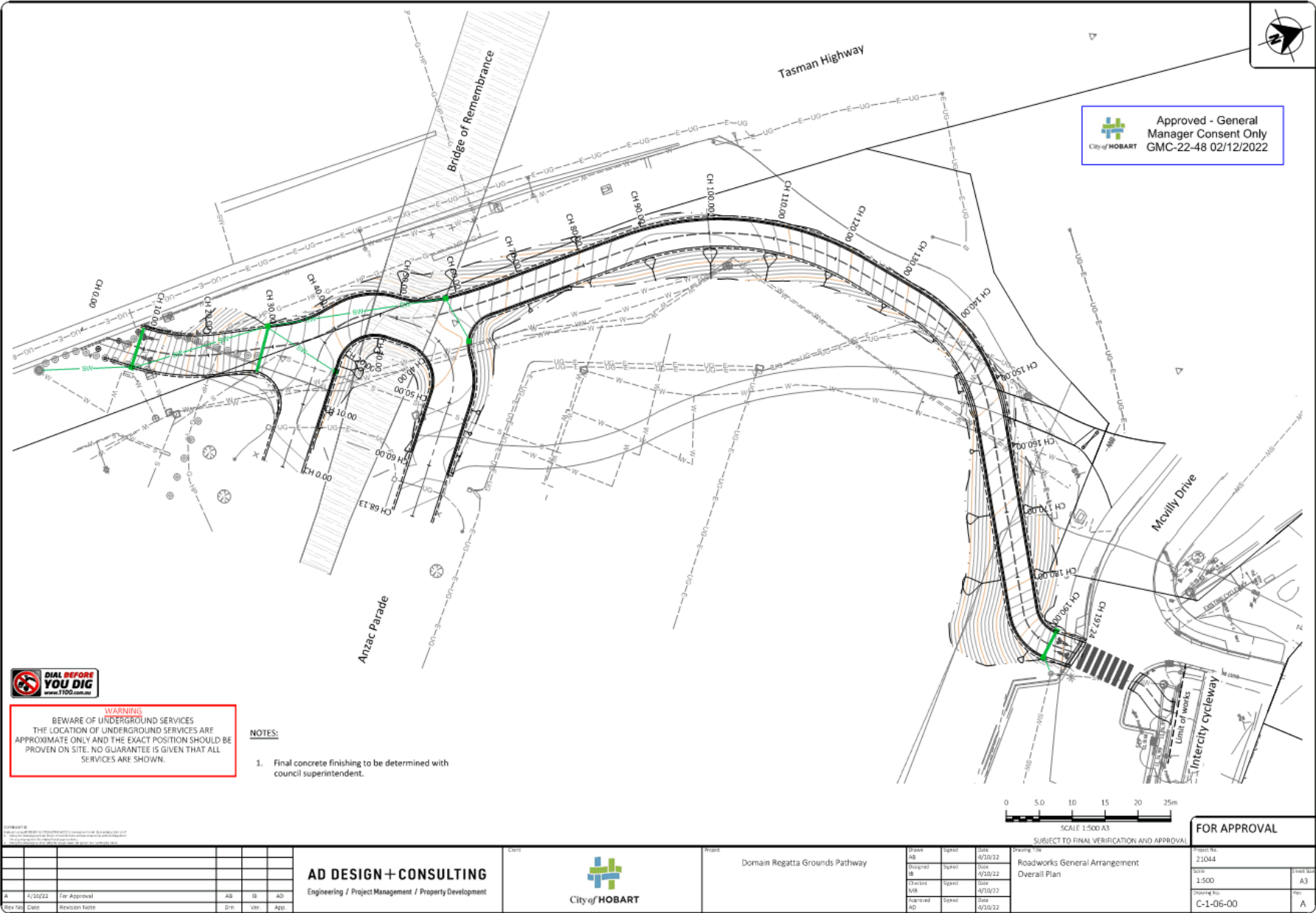
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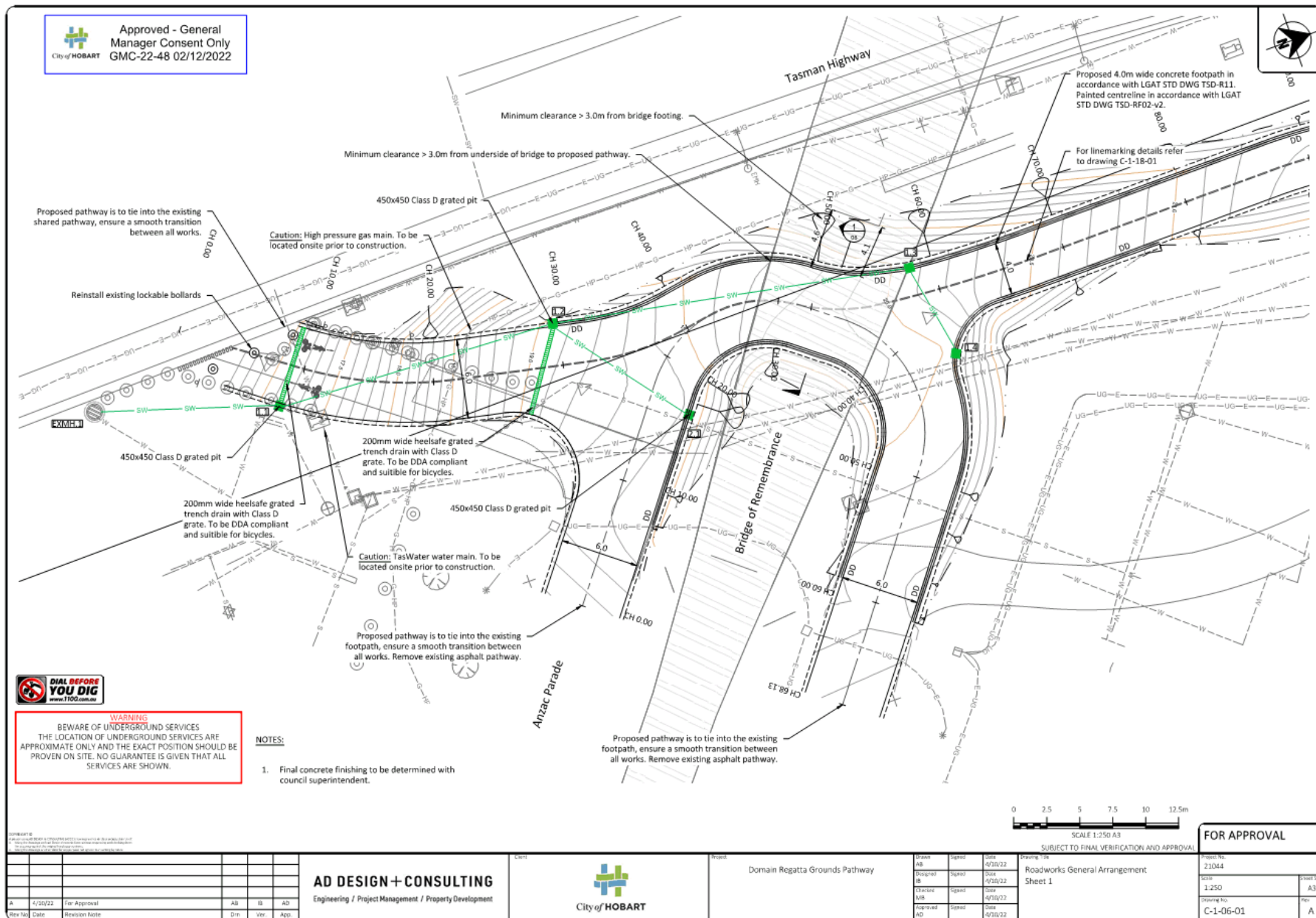
Project No.	21044
Rev	NTS
Drawing No.	C-1-00-03
Rev	A

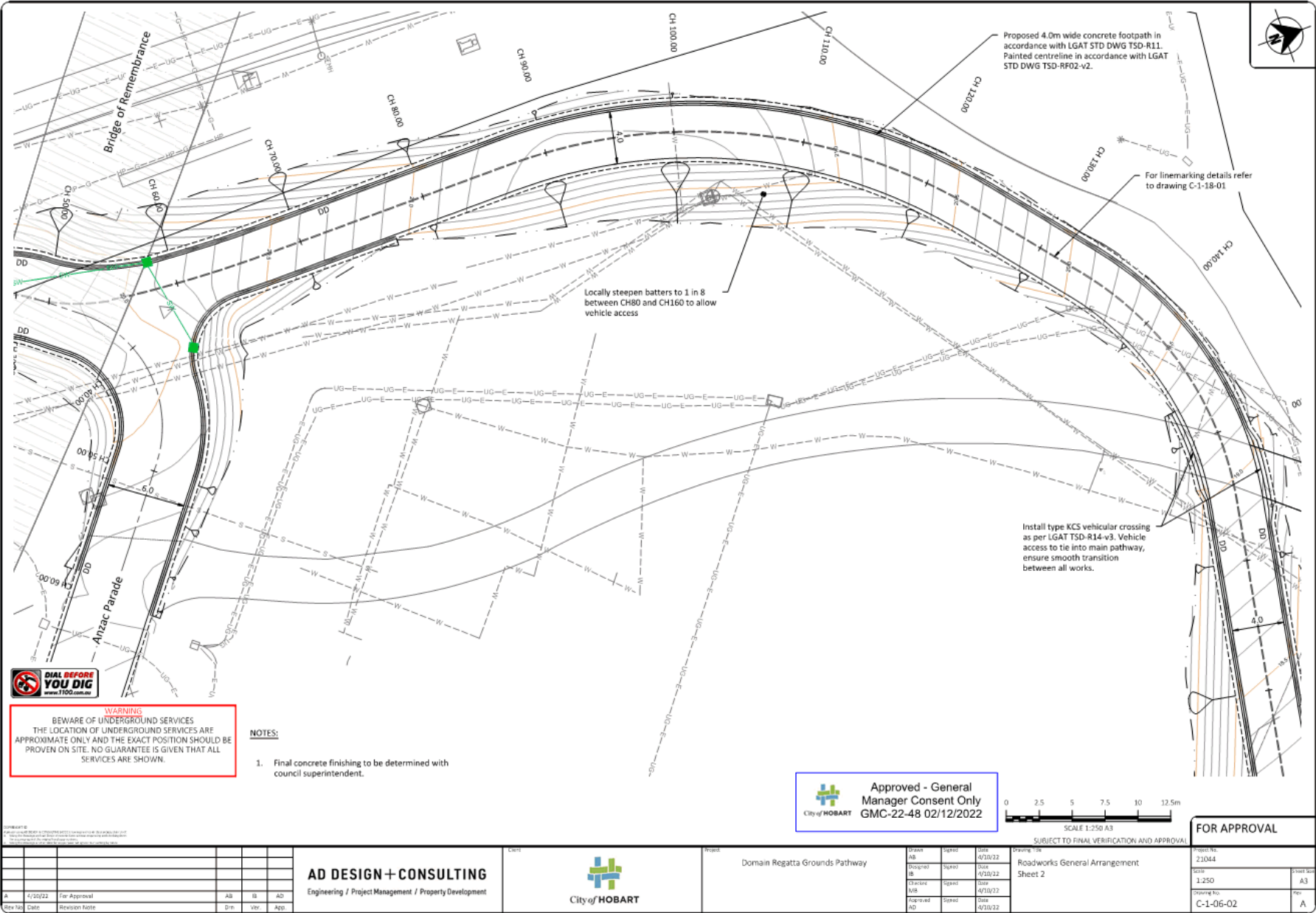
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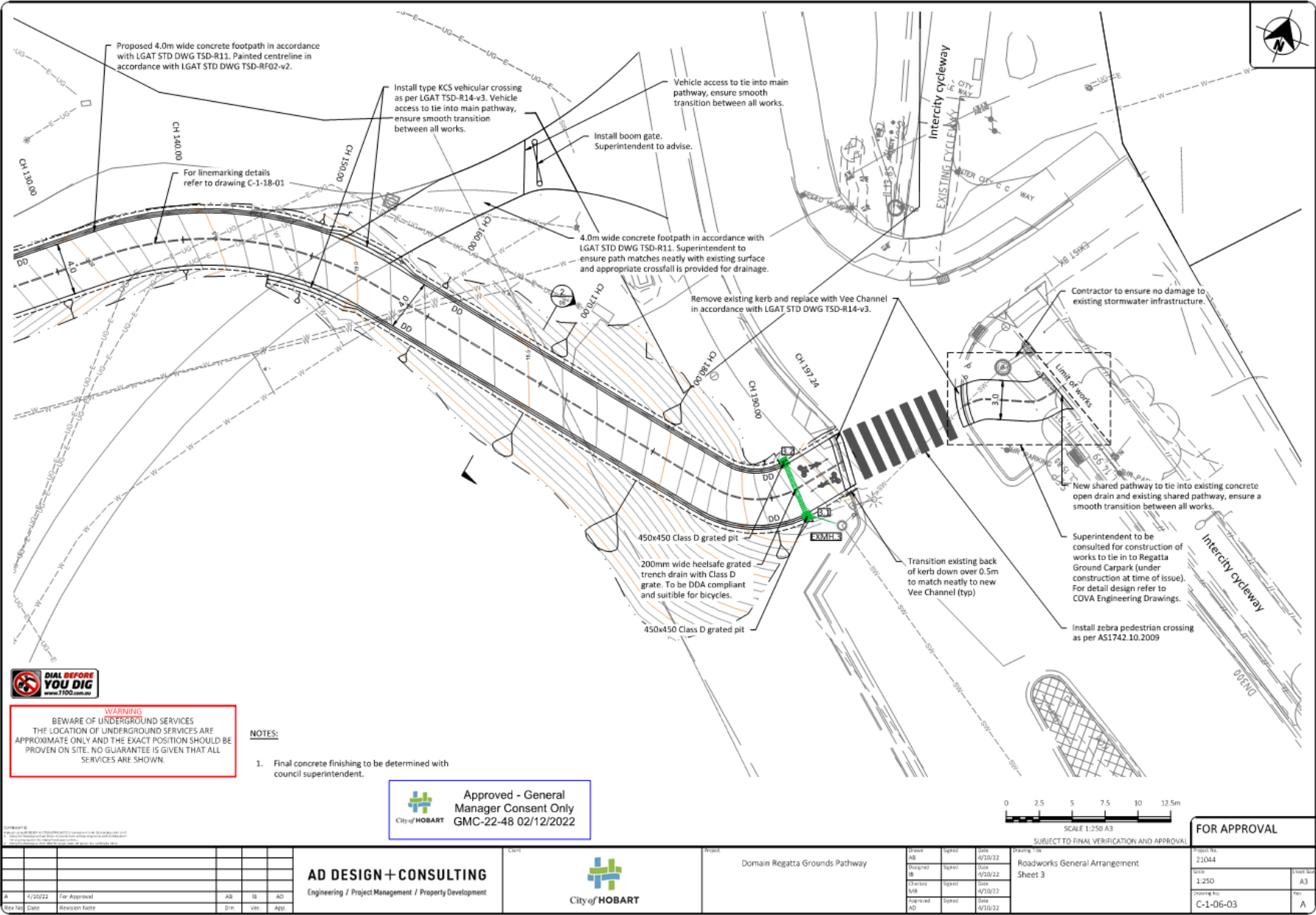








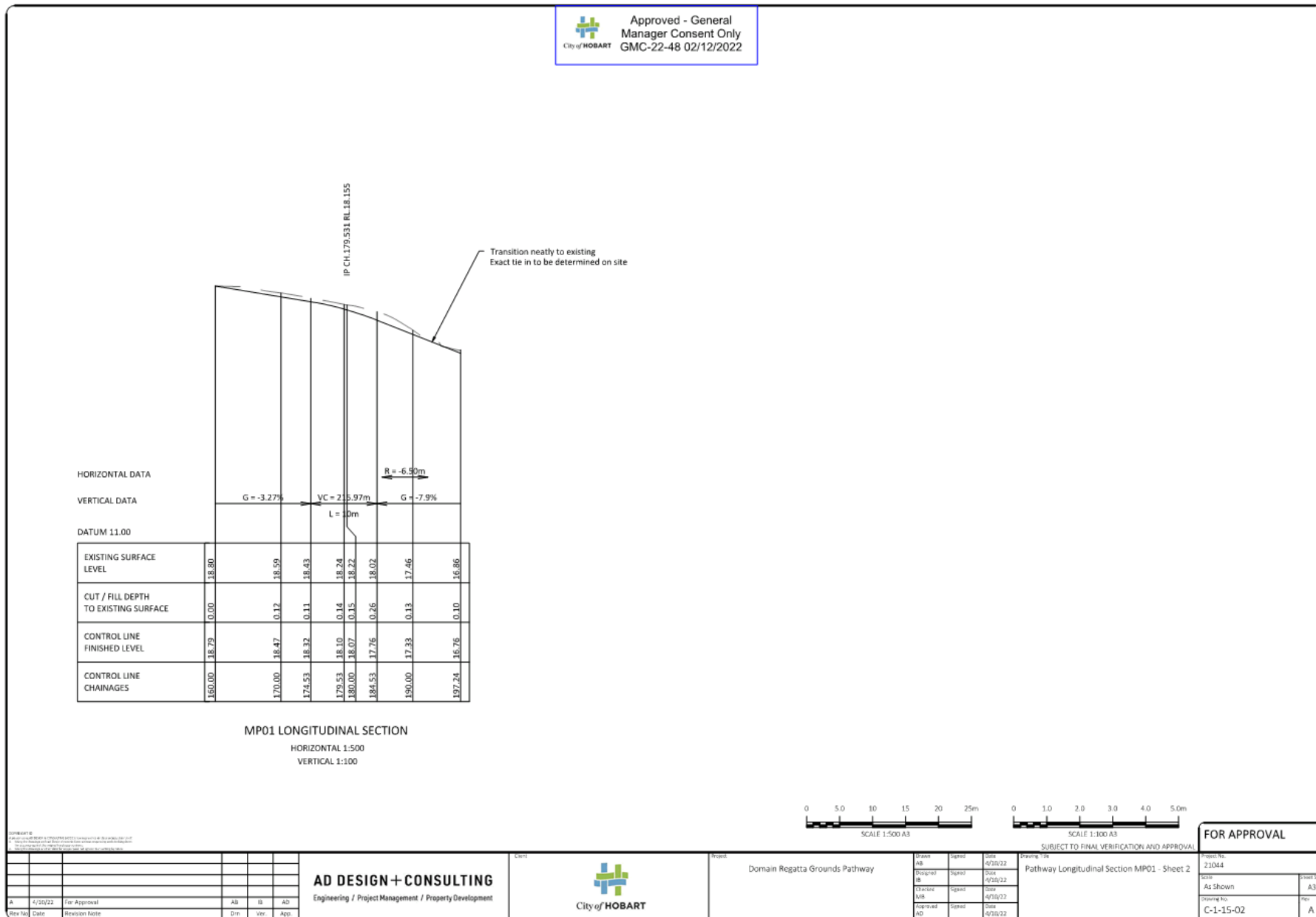




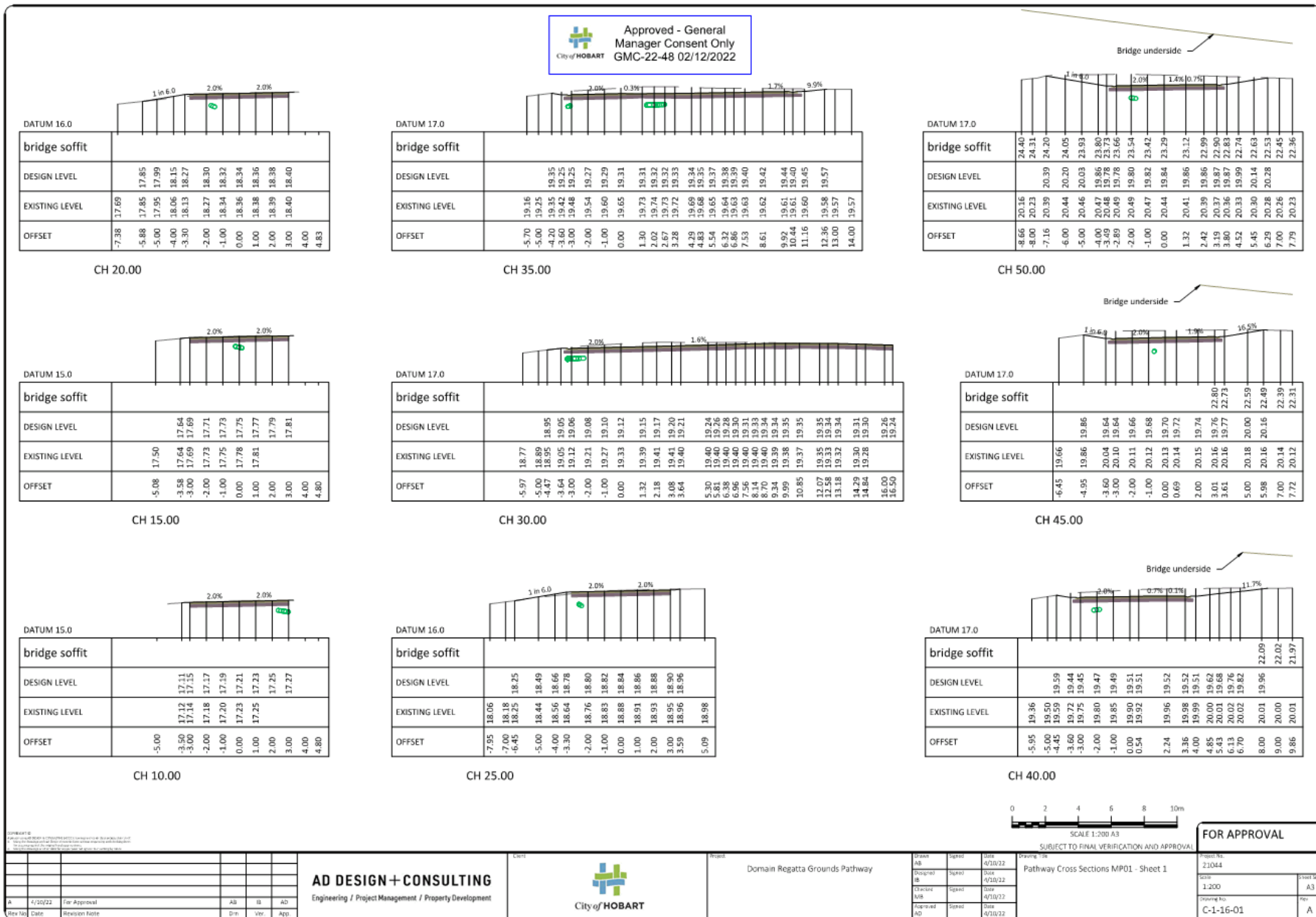














DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
-7.51	20.79	20.84	-7.00
-6.01	20.92	20.93	-5.00
-4.00	20.94	20.95	-2.60
-2.60	20.95	20.96	-1.00
-1.00	20.96	20.97	0.00
0.00	20.97	20.98	1.00
1.00	20.98	20.99	2.00
2.00	20.99	20.99	2.60
2.60	20.99	20.99	4.00
4.00	20.99	20.99	4.60
4.60	20.99	20.99	6.10

CH 65.00

Bridge underside

DATUM 18.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
24.74	20.74	20.74	-7.00
24.66	20.74	20.74	-6.21
24.57	20.74	20.74	-5.00
24.43	20.74	20.74	-4.00
24.37	20.74	20.74	-3.22
24.30	20.74	20.74	-2.60
24.23	20.74	20.74	-2.00
24.16	20.74	20.74	-1.00
24.08	20.74	20.74	0.00
24.00	20.74	20.74	1.00
23.92	20.74	20.74	1.69
23.85	20.74	20.74	2.31
23.78	20.74	20.74	3.22
23.70	20.74	20.74	3.96
23.63	20.74	20.74	4.63
23.55	20.74	20.74	5.34
23.48	20.74	20.74	5.86
23.40	20.74	20.74	6.79
23.33	20.74	20.74	7.64
23.25	20.74	20.74	8.35
23.18	20.74	20.74	8.87
23.10	20.74	20.74	9.78
23.02	20.74	20.74	10.51
22.95	20.74	20.74	11.26
22.87	20.74	20.74	12.04
22.80	20.74	20.74	12.84
22.72	20.74	20.74	13.46
22.65	20.74	20.74	14.18
22.57	20.74	20.74	15.00
22.50	20.74	20.74	15.91

CH 60.00

Bridge underside

DATUM 18.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
24.45	20.39	20.39	-8.19
24.37	20.39	20.39	-6.69
24.29	20.39	20.39	-6.00
24.20	20.39	20.39	-5.00
24.08	20.39	20.39	-4.00
23.97	20.39	20.39	-2.93
23.85	20.39	20.39	-2.33
23.78	20.39	20.39	-1.00
23.63	20.39	20.39	0.00
23.52	20.39	20.39	1.26
23.38	20.39	20.39	2.13
23.25	20.39	20.39	2.76
23.10	20.39	20.39	3.77
22.95	20.39	20.39	4.31
22.80	20.39	20.39	4.84
22.65	20.39	20.39	5.47
22.50	20.39	20.39	6.09
22.35	20.39	20.39	6.63
22.20	20.39	20.39	7.23
22.05	20.39	20.39	7.84
21.90	20.39	20.39	8.44
21.75	20.39	20.39	9.01
21.60	20.39	20.39	9.60
21.45	20.39	20.39	10.22
21.30	20.39	20.39	10.82
21.15	20.39	20.39	11.41
21.00	20.39	20.39	12.41
20.85	20.39	20.39	12.94
20.70	20.39	20.39	14.23
20.55	20.39	20.39	15.00
20.40	20.39	20.39	16.50

CH 55.00

DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
21.32	21.33	21.33	-6.12
21.33	21.33	21.33	-4.62
21.30	21.33	21.33	-4.00
21.23	21.33	21.33	-2.60
21.20	21.33	21.33	-2.00
21.10	21.33	21.33	-1.00
21.02	21.33	21.33	0.00
21.04	21.33	21.33	1.00
21.06	21.33	21.33	2.00
21.08	21.33	21.33	3.42
21.09	21.33	21.33	4.00
21.09	21.33	21.33	4.92

CH 80.00

DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
21.21	21.21	21.21	-6.70
21.21	21.21	21.21	-6.00
21.21	21.21	21.21	-5.20
21.01	21.21	21.21	-4.00
21.01	21.21	21.21	-2.60
21.01	21.21	21.21	-2.00
21.01	21.21	21.21	-1.00
21.01	21.21	21.21	0.00
21.01	21.21	21.21	1.00
21.01	21.21	21.21	2.00
21.01	21.21	21.21	2.60
21.01	21.21	21.21	4.47

CH 75.00

DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
21.01	21.01	21.01	-7.01
21.01	21.01	21.01	-5.51
21.01	21.01	21.01	-5.00
21.01	21.01	21.01	-4.00
21.01	21.01	21.01	-2.60
21.01	21.01	21.01	-2.00
21.01	21.01	21.01	-1.00
21.01	21.01	21.01	0.00
21.01	21.01	21.01	1.00
21.01	21.01	21.01	2.00
21.01	21.01	21.01	2.60
21.01	21.01	21.01	3.84
21.01	21.01	21.01	5.34

CH 70.00

DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
21.43	21.43	21.43	-5.10
21.43	21.43	21.43	-3.60
21.43	21.43	21.43	-2.60
21.43	21.43	21.43	-2.00
21.43	21.43	21.43	-1.00
21.43	21.43	21.43	0.00
21.43	21.43	21.43	1.00
21.43	21.43	21.43	2.00
21.43	21.43	21.43	3.00
21.43	21.43	21.43	4.00
21.43	21.43	21.43	5.00
21.43	21.43	21.43	6.27
21.43	21.43	21.43	7.00
21.43	21.43	21.43	8.15

CH 95.00

DATUM 19.0

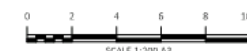
bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
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21.43	21.43	21.43	-4.00
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21.43	21.43	21.43	-2.60
21.43	21.43	21.43	-2.00
21.43	21.43	21.43	-1.00
21.43	21.43	21.43	0.00
21.43	21.43	21.43	1.00
21.43	21.43	21.43	2.00
21.43	21.43	21.43	3.00
21.43	21.43	21.43	4.00
21.43	21.43	21.43	5.00
21.43	21.43	21.43	5.84
21.43	21.43	21.43	7.34

CH 90.00

DATUM 19.0

bridge soffit	DESIGN LEVEL	EXISTING LEVEL	OFFSET
21.43	21.43	21.43	-4.82
21.43	21.43	21.43	-4.00
21.43	21.43	21.43	-3.32
21.43	21.43	21.43	-2.60
21.43	21.43	21.43	-2.00
21.43	21.43	21.43	-1.00
21.43	21.43	21.43	0.00
21.43	21.43	21.43	1.00
21.43	21.43	21.43	2.00
21.43	21.43	21.43	3.00
21.43	21.43	21.43	4.00
21.43	21.43	21.43	4.91
21.43	21.43	21.43	6.41

CH 85.00



SUBJECT TO FINAL VERIFICATION AND APPROVAL

FOR APPROVAL

Sheet No. 21044

Scale 1:200

Drawing No. C-1-16-02

Rev. A

Comments:

1. The design is based on the existing ground level and the proposed bridge structure.

2. The design is based on the existing ground level and the proposed bridge structure.

3. The design is based on the existing ground level and the proposed bridge structure.

Rev	No	Date	Revision Note	By	Rev	App
A	1	1/10/22	For Approval	AB	18	AD

AD DESIGN + CONSULTING

Engineering / Project Management / Property Development

Client



Brand

Domain Regatta Grounds Pathway

Status

Signed

Date

4/10/22

4/10/22

4/10/22

4/10/22

4/10/22

4/10/22

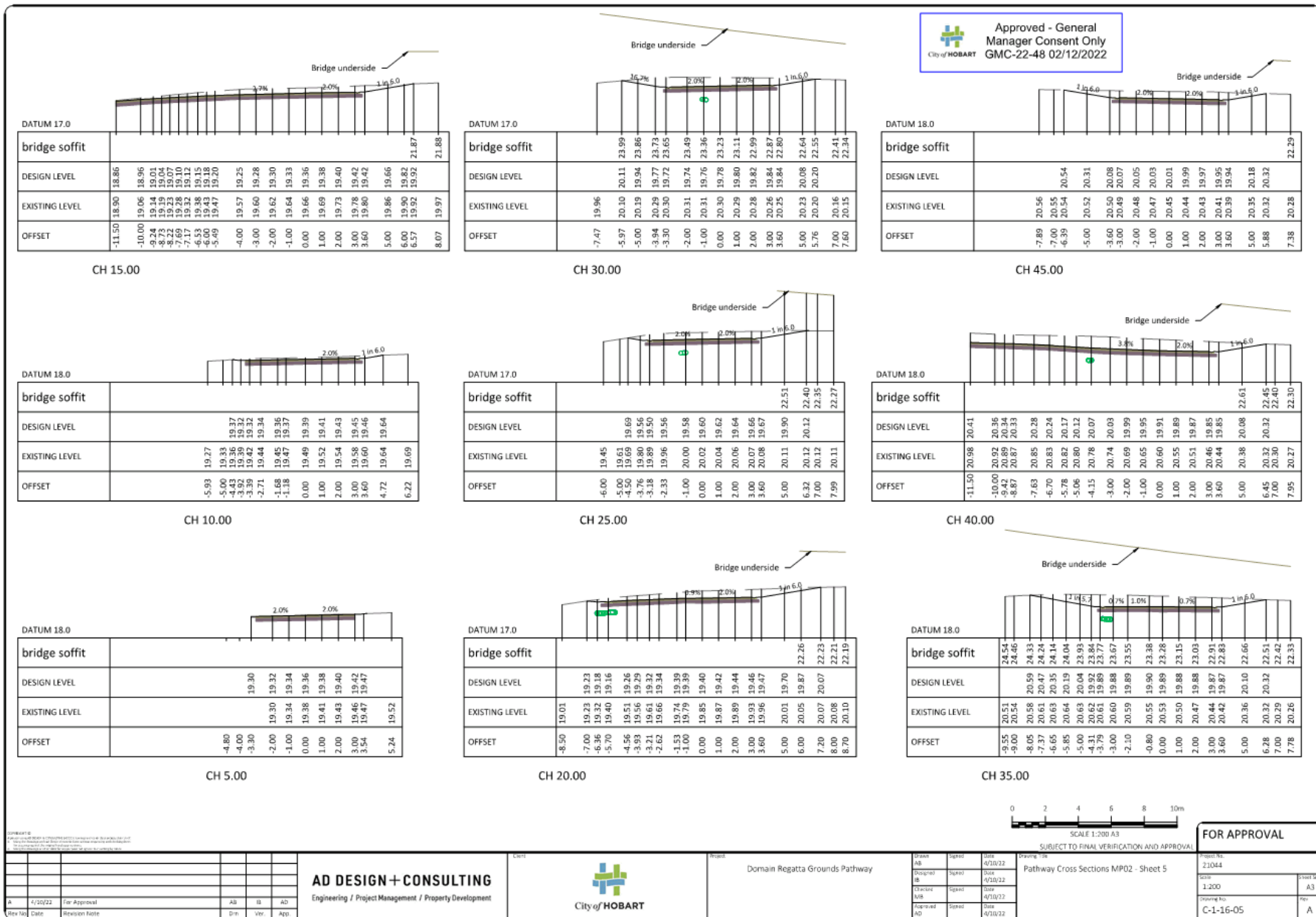
4/10/22

4/10/22

4/10/22

4/10/22



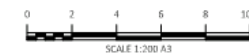


CH 60.00

CH 55.00

CH 50.00


 Approved - General
 Manager Consent Only
 GMC-22-48 02/12/2022



4. please include **FIGURE CAPTION** (with a heading) at the **beginning** of the text.

<p> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Pending </p>						
A	4/10/22	For Approval	AB	IS	AD	
Rev No	Date	Revision Note	Dim	Ver	App	

AD DESIGN + CONSULTING
Engineering / Project Management / Property Development



Project:	Domain Regatta Grounds Pathway
----------	--------------------------------

Drawn AB	Signed	Date 4/10/21
Designed IB	Signed	Date 4/10/21
Checked NIB	Signed	Date 4/10/21
Approved AD	Signed	Date 4/10/21

Drawing Title
Pathway Cross Sections MP02 - Sheet 6

FOR APPROVAL

Project No.	21044	
Scale	1:200	Sheet Size A3
Drawing No.	C-1-16-06	Rev A

bioRxiv preprint doi: <https://doi.org/10.1101/2023.05.15.538473>; this version posted May 15, 2023. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

CONCRETE NOTES**1. GENERAL**

Design reference: Guide to Residential Streets and Paths.
 Works to be constructed in accordance with current Australian and Local Authority standard drawings and specifications unless noted otherwise.
 Concrete construction shall comply with the following standards and codes:
 General - AS 3600 Concrete Code.
 Strength and testing - AS 1012.
 Curing periods and methods - AS 3600 and AS 3799 respectively.
 All surface finishes to be confirmed with Superintendent.
 Pavements should not be trafficked for a minimum of 7 days of placement.

2. CONCRETE SPECIFICATION

Unless otherwise specified concrete must be normal grade and have the following properties:

- a) Minimum Strength 40 MPa
- b) Maximum Aggregate Size 20 mm
- c) Maximum Slump 80 mm

The use of chemical admixtures and fly ash must only be used with the prior direction or approval of the Superintendent.

3. FORMWORK

Forms must be of approved material, rigid, securely braced and supported to produce mortar tight joints and smooth even surfaces. Interior surfaces of forms must be thoroughly cleaned and oiled before erection.

4. REINFORCING

Reinforcing shall comply to AS/NZS 4671 and shall be free from material which may affect bond with the concrete.
 Reinforcing shall be generally supported on bar chairs in a regular grid secured to subbase in such a way as to resist displacement during concrete pouring.
 Fabric: Shall be in the form of a single sheet and supported on bar chairs in a regular grid not exceeding 1m. Lap so that the two outermost wires on one sheet overlaps the outermost wire on the sheet being lapped.

Cover:

Top Cover 50mm for concrete base

Joints 75mm from transverse contraction, isolation, and longitudinal warping joints

Dowels:

All Dowels shall be 28mmØ Grade 250R steel bars 450mm long, hot dip galvanised, and placed at 300mm centres. The insertion of dowels during the placing of concrete is not acceptable.

To permit joint movement, dowels shall be -

- sawn, not cropped
- straight, smooth and free of burrs
- effectively de-bonded over at least half their length
- placed orthogonal to the joint direction and parallel to the pavement surface

Tie Bars:

All Tie Bars shall be Grade 500Y deformed steel bars, 12mm diameter, 1000mm long and placed at 800mm centres.

5. CONSTRUCTION JOINTS AND INTERFACES

Joints shall be airblasted clean prior to application of sealant.

Abelflex or approved equivalent is required at all locations where concrete pavement meets kerbing, manholes, pits or similar.

Apply small trowel finish (5mm) to edge of concrete pavements at all A.C. interface locations.

6. CONCRETE PLACEMENT

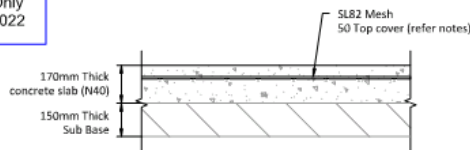
Concrete must not be placed until all formwork, reinforcement and surface preparation have been approved by the Superintendent. Unless approved by the Superintendent, concrete must be placed in dry conditions and only in such quantities as are required for immediate use and must be placed before initial set has occurred.

Concrete must be placed to avoid segregation and must be thoroughly compacted during and immediately after placing by means of continuing tamping, spading or use of vibrators, as directed by the Superintendent. Under no circumstances must concrete be shaken, displaced or disturbed after the initial set of the concrete.

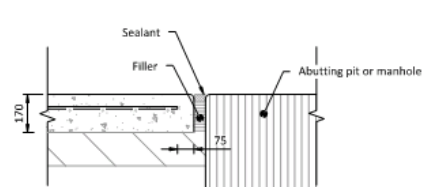
As soon as practicable after finishing, exposed concrete surface shall be covered with wet sand, wet hessian, or polythene sheet and kept moist for a minimum of 7 days. Alternatively, broom on 'STAYCURE WB' curing compound or the equivalent, to the manufacturer's directions, to satisfy the requirements of AS3799-1998. NOTE: If the concrete is to be painted or to have applied finishes, check with the manufacturer whether STAYCURE WB is suitable.

7. HOLD POINTS

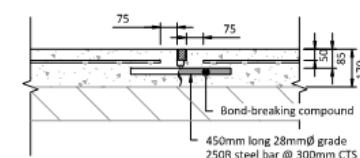
All subgrades, boxing depths & steel placement must be inspected by Superintendent. Contractor shall notify the Superintendent a minimum of 24hrs prior to the required inspection.

**Typical Concrete Pavement Section**

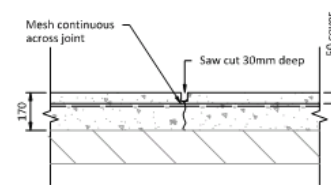
Scale 1:20

**Isolation Joint**

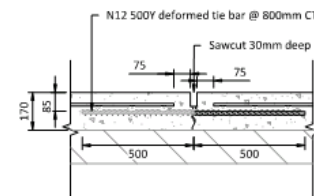
Scale 1:20

**Transverse Contraction Joint**

Scale 1:20

**Sawcut Joint Detail**

Scale 1:20

**Longitudinal Warping Joint**

Scale 1:20

SUBGRADE INSPECTION AND TESTING NOTES**1. Subgrade Inspections:**

1.1. The contractor shall notify the superintendent twenty-four (24) hours in advance of when the subgrade will be ready for the superintendent's inspection. Paving shall not commence until the superintendent has inspected and approved the subgrade preparation.

1.2. The subgrade is to be free from sticks, organic matter, clay lumps and other deleterious material.

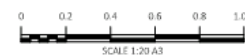
2. Subgrade Testing

2.1. The minimum standard of compaction shall be:

- Subgrade - 100% standard compaction
- Subgrade replacement material - 95% modified compaction
- Sub-base - 95% modified compaction
- Base - 98% modified compaction

2.2. Compaction tests are required on subgrade, subgrade replacement, sub-base and base layers at a frequency of one (1) test per 100 meters of roadways or one (1) test per 500m² for general paving.

All joints are to be determined on-site by the contractor during construction and confirmed by the superintendent



SCALE 1:20 A3

FOR APPROVAL

Project No.	21009
Scale	1:20
Drawing No.	C-1-17-01
Sheet No.	A

COMMENTS:
 This drawing is intended for use in the design of the project and is not to be used for construction purposes.
 The design is subject to change without notice.

Rev	No	Date	Description	By	Rev	No	Date	Description	By
1	1	4/10/22	For Approval	AB	1	1	4/10/22	For Approval	AB

AD DESIGN + CONSULTING
 Engineering / Project Management / Property Development



Domain Regatta Grounds Pathway

Drawn	AB	4/10/22
Checked	AB	4/10/22
Approved	AB	4/10/22

Concrete Pavement
Notes and Joint Details

PLOTTED: 19/04/2023 1:52:16 PM C:\21009\21009-01\21009-01-17-01.dwg



Department of State Growth

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Email permits@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Ref: SRA-22-858



Clare Hester
ERA Planning and Environment
By email: clare@eraplanning.com.au

Dear Clare

Crown Landowner Consent Granted – 20 McVilly Drive, Queens Domain

I refer to your recent request for Crown landowner consent relating to the development application at 20 McVilly Drive, Queens Domain for shared use pathway.

I, Fiona McLeod, Director Asset Management, the Department of State Growth, having been duly delegated by the Minister under section 52 (1F) of the *Land Use Planning and Approvals Act 1993* (the Act), and in accordance with the provisions of section 52 (1B) (b) of the Act, hereby give my consent to the making of the application, insofar as it affects the State road network and any Crown land under the jurisdiction of this Department.

The consent given by this letter is for the making of the application only insofar as that it impacts Department of State Growth administered Crown land and is with reference to your application dated 9 December 2022, and the approved documents, as accessible via the link below:

<https://files.stategrowth.tas.gov.au/index.php/s/yd3YvFHZintSaEI>

A copy of the Instrument of Delegation from the Minister authorising the delegate to sign under section 52 of the Act can also be accessed via the above link.

Please access and download these documents for your records as soon as possible as this link will expire six months from the date of this letter.

In giving consent to lodge the subject development application, the Department notes the following applicable advice:

Other types of works (pipeline, etc.) OR Construction of infrastructure in the road reserve/on Crown land (Works permit required)

In giving consent to lodge the subject development application, the Department notes that the works in the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit

https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au.

- 2 -

Design (Transport Network Planning)

- The design is conceptually supported, however design changes are required to address safety concerns.
- Recommend the works includes a pedestrian fence particularly if the path meets the Tasman Highway at a high angle and/or path should marry into existing path alongside the highway at a lower angle.

The Department reserves the right to make a representation to the relevant Council in relation to any aspect of the proposed development relating to its road network and/or property.

Yours sincerely



Fiona McLeod
DIRECTOR ASSET MANAGEMENT

Delegate of
Minister for Infrastructure and Transport
Michael Ferguson MP

22 February 2023

cc: General Manager, Hobart City Council

INSTRUMENT OF DELEGATION***Land Use Planning and Approvals Act 1993***

I, MICHAEL FERGUSON MP, being and as the Minister of the Crown responsible for the administration of land under section 52(1B)(a) of the *Land Use Planning and Approvals Act 1993* (the Act) pursuant to section 52(1F) of the Act, hereby revoke all previous delegations made under section 52(1B) of the Act as made in the Instrument of Delegation dated 30 June 2021, and hereby delegate the performance and exercise of my functions and powers under the provisions set out below to the persons holding, occupying or acting in the position as listed next to that provision of the said Act, being an office or position within the Department of State Growth.

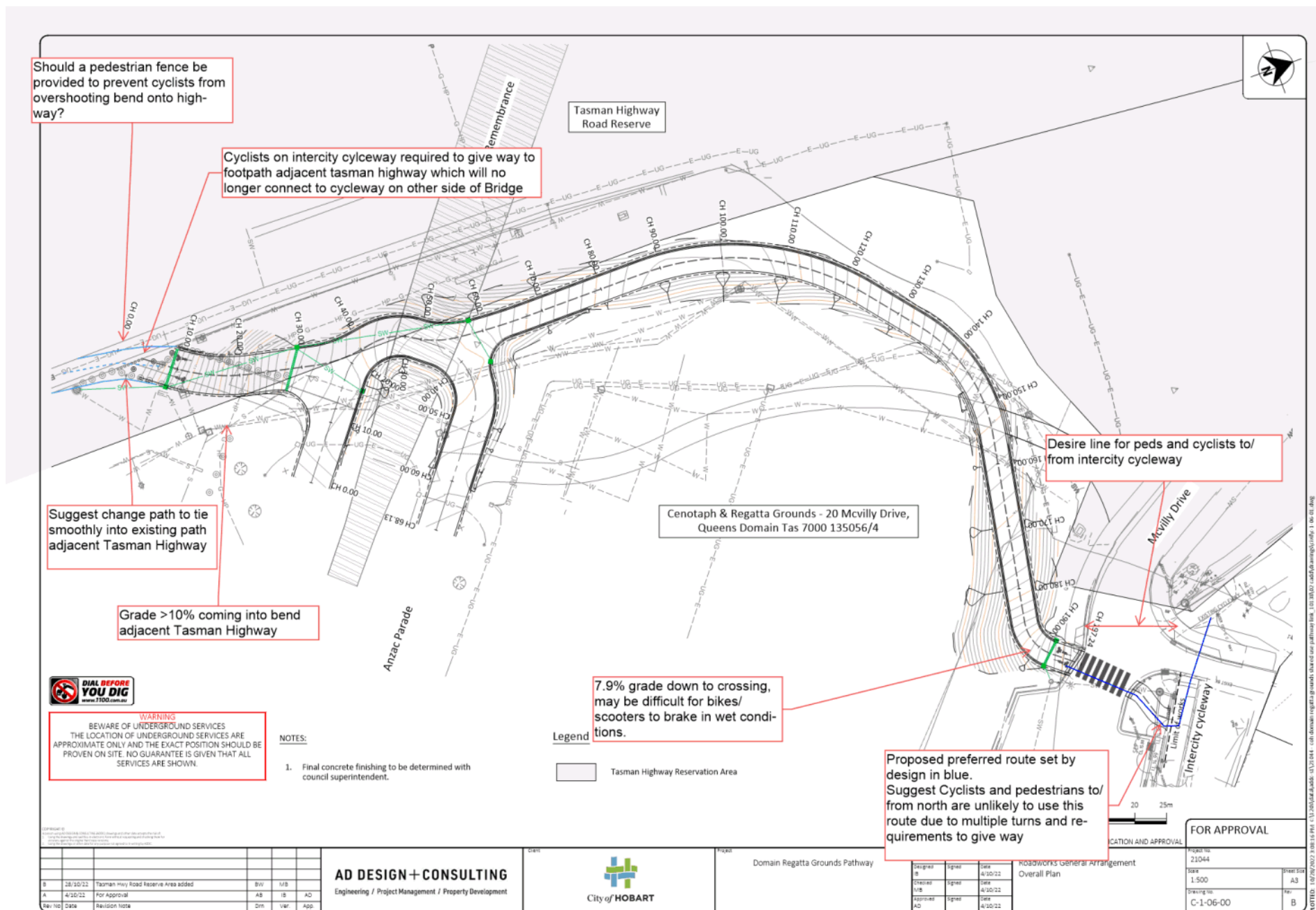
	Position	Position No
Section 52 (1B)	Chief Executive Officer	372599
	General Manager, State Roads	370470
	Director Network Management	372521
	Director Asset Management	372535
	Director Programming and Delivery	371596
	Manager Transport Network Planning	371844

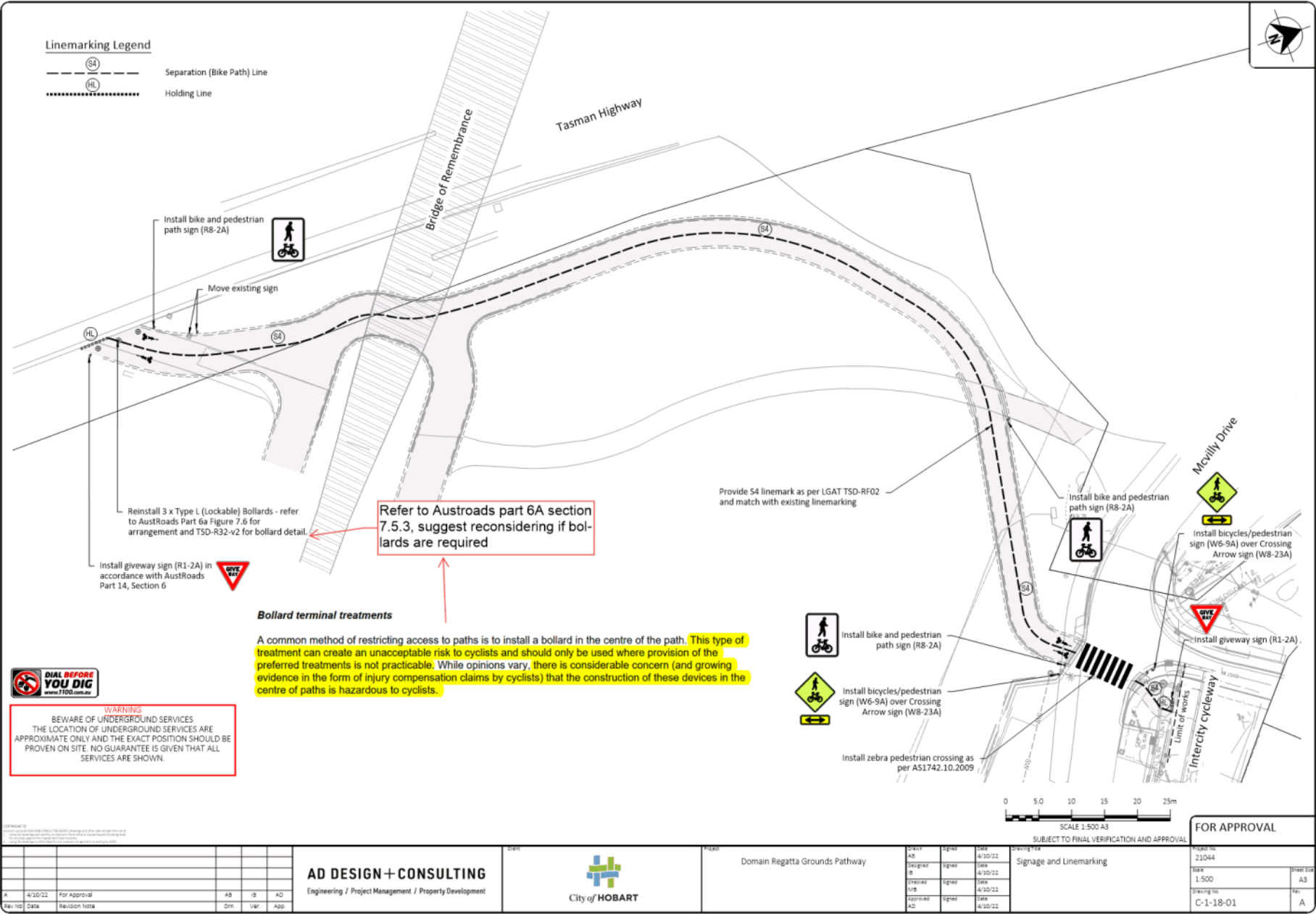
Dated this 17th day of November 2022

SIGNED:



MICHAEL FERGUSON
Minister for Infrastructure and Transport






2/23/23, 9:17 PM

Icon Software Administration

 PLN-22-436 - 20 MCVILLY DRIVE  PLN-22-436 - ADJACENT ROAD RESERVE

Application Information

▼ Application Details PLN-22-436 Partial Demolition, Relocation of Shared Path, and Associated Works 

Submitted on: 07/07/2022
Accepted as Valid on: 07/07/2022
Target Time Frame: 42 Days.
Elapsed Time: 231 Days **Expiry date: 18/08/2022**
Officer: Senior Statutory Planner

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 information button for definition. *

☒ No

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the 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)? *

Passive recreation

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

Relocation of shared path

Estimated cost of development *

250000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

Carparking on Site

2/23/23, 9:17 PM

Icon Software Administration

Total parking spaces	Existing parking spaces	N/A
<input type="text"/>	<input type="text"/>	<input type="text" value="Other (no selection chosen)"/>

Other Details

Does the application include signage? *

☒ No

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

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☒ Yes

6.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

6.2.1 41 NEWDEGATE STREET, WEST HOBART - CHANGE OF USE TO VISITOR ACCOMMODATION PLN-23-47 - FILE REF: F23/35031

Address:	41 Newdegate Street, West Hobart
Proposal:	Change of Use to Visitor Accommodation
Expiry Date:	24 April 2023
Extension of Time:	Not applicable
Author:	Deanne Lang

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for Planning approval is sought for change of use to visitor accommodation at 41 Newdegate Street Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-23-47 - 41 Newdegate Street West Hobart 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. To limit, manage, and mitigate noise generated as a result of the visitor accommodation.
2. To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation.
3. To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.
4. To specify the maximum permitted occupancy of the visitor accommodation.
5. To specify that guests must utilise the site for the parking of vehicles, that the maximum number of vehicles to be parked on the site (0). Additionally, at the booking stage, guests should be discouraged from bringing any vehicles and the parking of any vehicles in nearby streets should be discouraged.
6. To provide a name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 6. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

Advice:

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

Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

ADVICE

The following advice is provided to you to assist in the implementation of

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

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

CONDITION ENDORSEMENT

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

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

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

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).



In all cases, check with your insurance company that you have adequate cover.



If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2711.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable “bed and breakfast” parking permit.

Attachment A: PLN-23-47 - 41 NEWDEGATE STREET WEST
HOBART TAS 7000 - Planning Committee or
Delegated Report  

Attachment B: PLN-23-47 - 41 Newdegate Street West Hobart
7000 - Planning Committee Agenda Documents  

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Committee: 19 April 2023
Expiry Date: 24 April 2023
Application No: PLN-23-47
Address: 41 NEWDEGATE STREET , WEST HOBART
Applicant: Kathleen Lowe
11 Mellifont Street
Proposal: Change of use to Visitor Accommodation
Representations: Sixteen (16)
Performance criteria: E6.0 Parking and Access Code

1. Executive Summary

- 1.1 Planning approval is sought for Change of Use to Visitor Accommodation at 41 Newdegate Street Hobart.
- 1.2 More specifically the proposal includes:
- change of use of a single storey 195sqm dwelling within a freehold title to visitor accommodation;
 - no works are required to convert the dwelling to visitor accommodation;
 - no permanent resident will occupy part of the building when it is used as visitor accommodation;
 - no signage is proposed; and
 - no onsite car parking space is proposed
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Parking and Access Code - Number of Parking Spaces
- 1.4 Sixteen (16) representations objecting to the proposal were received within the statutory advertising period between 6-21 March 2023.
- 1.5 The proposal is recommended for approval subject to conditions.

- 1.6 The final decision is delegated to the Planning Committee, because sixteen (16) representations were received within the statutory advertising period.

2. Site Detail

- 2.1 The subject site is located in an established residential area and is within walking distance of the North Hobart shopping precinct.



Fig. 1 - the subject site is bordered in blue



Fig. 2 - the subject site: source - planning officer

3. Proposal

3.1 Planning approval is sought for Planning approval is sought for Change of Use to Visitor Accommodation at 41 Newdegate Street Hobart.

3.2 More specifically the proposal is for:

- change of use of a single storey 195sqm dwelling within a freehold title to visitor accommodation;
- no works are required to convert the dwelling to visitor accommodation;
- no permanent resident will occupy part of the building when it is used as visitor accommodation;
- no signage is proposed; and
- no onsite car parking space is proposed

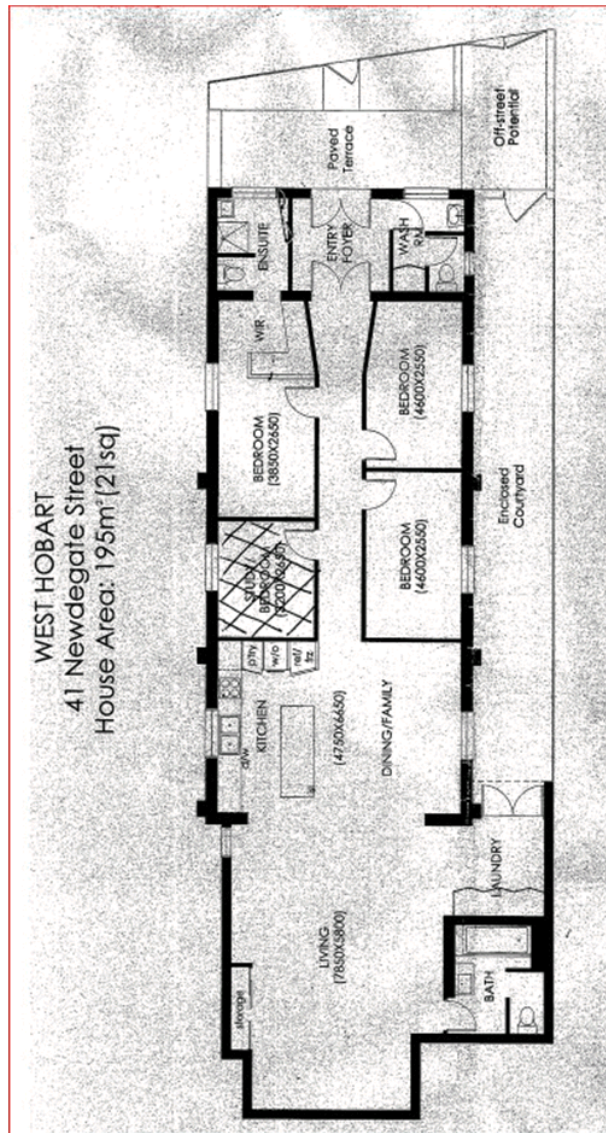


Fig. 3 Proposed site/floor plan.

4. Background

- 4.1 The site previously contained a community centre which was occupied by the Tasmanian Bridge Association Club Rooms. An application (PLN-12-00026) approved a change of use of the site to a dwelling and the demolition of the front porch which revealed the older building (and current facade) behind.



Fig. 4 prior to the current use of the property as a dwelling, the building was the Tasmanian Bridge Association Club Rooms. The photo above shows the previous facade. Source: Streetview November 2009

5. Concerns raised by representors

- 5.1 Sixteen (16) representations objecting the proposal was received within the statutory advertising period between 6 March - 21 March 2023.
- 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.

Impact on the current occupants of the dwelling and appropriate use of the dwelling on the subject site

I think it is very disappointing that 41 Newdegate Street is being turned into an air bnb especially during a rental crisis, which will only contribute to this crisis.

Each day on the news we are hearing of the acute long term rental accommodation shortage. There are already so many hotels and air bnbs for tourists to stay in but very little rentals available.

This complete dwelling would not be fit for proper use should it be changed to short stay visitor accommodation. As the City of Hobart Local Government Area is currently experiencing a housing crisis. This dwellings proper use, would be that it is utilised for long term rental, given it's proximity and access to the CBD and surrounding areas, likely by a person or couple that wish to move to this beautiful city or people who already live in Hobart who are in search of long term rentals.

Currently at the above (subject site) address are a group of young people becoming very worried about where they will live when their lease ends. They are responsible and reliable tenants paying premium rent since mid 2022). It is cruel to evict the tenants living there on the basis of wanting to make money through Air bnb. They have friends who are unable to secure anywhere to live in Hobart despite having good jobs. The young people at 41 Newdegate Street are studying and working, surely these are the type of people we should support over visitors.

The stated justification of providing employment to local businesses and a quality experience for visitors is disingenuous at the very least. I suggest that this application is entirely motivated by the desire of the landlord to maximise profits post Covid-19 without any consideration of impact on local businesses or the students and young professionals currently living in this property.

I ask that the Council reject this application and that this dwelling be utilised as a home, not a hotel

Impact short stay accommodation has had in the North Hobart Area and community

It is not acceptable to continually convert homes into short stay accommodation. Please refuse this application in order to maintain the health of this wonderful neighbourhood

I view this ongoing short stay accommodation "creep" along Newdegate St insidious. North Hobart and West Hobart, like Battery Point, has a solid residential base which should be there for homes, not mini-hotels. Like Battery Point, North and West Hobart should have protections that do not convert houses into short stay accommodation in local neighbourhoods.

The area where I have lived for over twenty years has an eclectic mix of people that has made it such a wonderful place to live. This mix is being eroded by the spread of short stay accommodation such as this application at 41 Newdegate St. The disruption to neighbourhoods like my own is something I have seen in other parts of Hobart and in cities across the globe, where neighbours' amenity is disturbed, which undermines what cohesion is left between other residents.

I live in the North Hobart area, immediately adjacent to an AirBnB - with all that comes with it: people coming and going, drinking, partying, nowhere to park our cars. In the North Hobart area there are scores of AirBnBs. I see them every day with their little key boxes out the front and the tourists pretending they live in them for a few days. I also know LOTS of locals struggling. Either in sharehouses, sleeping on couches, or in their cars. All of us are paying close to 50% of our income on rent alone, before even thinking about buying food or petrol or heaven forbid having a bit of fun or saving some money. Converting more residential homes into AirBnBs makes our situation worse.

Hobart Rental Crisis and Short Stay Accommodation

Hobart is experiencing a housing crisis. The unmanaged proliferation of short stay accommodation is a contributing factor to the crisis. The State Government has shown itself unwilling to effectively manage the impact of short stay accommodation. Accordingly, it is incumbent upon the Hobart City Council to ensure the Hobart Interim Planning Scheme is properly complied with in regard to short stay accommodation.

I strongly object to the change of use of this residential

accommodation. I acknowledge that this change of use is permissible within the planning scheme however I argue that this is not in the interest of neighbours or the greater Hobart area.

The proliferation of short stay and visitor accommodation in Hobart is driving young people and families further out of the city and interstate. It is easier to find a home in other capital cities than here as Hobart has been the nation's most unaffordable city to rent since 2018. We want young people to stay in Hobart and get jobs here but they need somewhere to live.

I ask council consider the long term future of Hobart and the many deserving people and families seeking a decent home in this beautiful city, they are the workers and customers of Hobart's businesses.

The future of Hobart should not be not a mishmash of overpriced visitor accommodation owned by a privileged few cashing in during the peak tourist season and leaving perfectly good homes vacant the rest of the time.

Please support residential accommodation for residents and look at alternative and sustainable ways to develop purpose built visitor accommodation to support tourism and visitors to the city

There are people being forced to live down by the rivulet and along the Brooker Highway because of the housing crisis. This crisis, while not solely caused by, is irrefutably exacerbated by, approval of suitable rental accommodation into short-stay accommodation.

It is unconscionable to continue to allow approvals for an investor class who reap what they didn't sow, and rent seek off the backs of people forced to take whatever "offer" comes there way. I am not saying to reappropriate all investment properties, but until sufficient housing stock (or more accurately homes) it is cruel and more malicious still, especially coming into Winter, to approve this. Let them rent it out normally. Homes are a human right.

The housing crisis is an absolute disaster right now, there's a lack of private rentals causing more people to apply for social housing. The social housing waitlist is years long and homelessness is just increasing. People are desperate for rentals and it is unconscionable in these circumstances to allow more short stay rentals.

We are still in a housing (rental) crisis and it makes no sense in turning homes into hotels. At some point we have to stop and it may as well be now. There are too many people suffering for this to continue.

I implore you to reject this permit application, and begin to bring more homes back into the long term rental market.

Assessment of the proposal against PD6: 3.1(e) P1

Council refuse the application for change of use to visitor accommodation at 385 Elizabeth Street North Hobart Tas 7000. because it does not comply with clause 3.1(e) of Planning Directive 6 in that:

the proposal is not compatible with the character and use of the area and it would cause an unreasonable loss of residential amenity.

P1 (a) The transitioning of this property to Short Stay Visitor accommodation would affect the privacy of those living long term in this street/ surrounding area as there would be constantly visitors obtaining access to the property.

P1 (b) There are also possibilities of those visitors being able to be heard by those living in the direct neighbouring houses (this point is also relevant for the above). Visitors would also not be aware of likely arrangement made by long term residents of the street/ surrounding areas (such as when it is acceptable to play loud music).

P1(d) It is the primary residential function of this area to provide long term residents access to housing close to the West Hobart shopping district. In the current housing crisis it should not be seen as within a residential function that homes are transitioned into hotels, they need to be utilised as homes for long term residents of Hobart. The primary residential function of all houses, apartments, units and studios is to provide shelter for those who live in that area.

This dwelling being changed to short stay visitor accommodation would not retain the primary residential function, as diversity is decreasing in the city due to housing affordability and to the increasing population and decreasing housing stock

Note: the proposal complies with PD6:A1 - as the building is existing and is 195sqm in area. This area is shown on the site/floor plan as 195sqm and is supported by the property report obtained from TheList which confirms that the house is 190sqm in area

Assessment of the proposal under Clause 11.3.2A1 of the *Hobart Interim Planning Scheme 2015*.

The subject property is in the Inner Residential Zone. Within this zone Visitor Accommodation is permitted use, however there are applicable Use Standards. The applicant does not meet the required standards. The Use Standards provide that visitor accommodation must have a floor area of no more than 160m² per lot. The application states that the floor area to be used by is approximately 186.5m². Clearly the application does not comply with the required standard.

Note: PD 6 replaced the Use Standards for Visitor Accommodation (11.3.2A1) within the Inner Residential Zone on 1 August 2018. The proposal complies with PD6:A1 - as the building is existing and is 195sqm in area.

The Zone Purpose provides no support to the change of use either. The Zone Purpose Statements refer to 'residential uses' and 'residential development' as opposed to 'visitor accommodation' which is a distinct use in the use table. Importantly, the Zone Purposes Statements provides that a purpose of the zone is to 'allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use...' The use will not provide services to the residents of the neighbourhood and displaces an existing residential use (a search on Domain indicates the property has previously been rented out, most recently in June 2022 <https://www.domain.com.au/property-profile/41-newdegate-street-west-hobart-tas-7000>).

General Comments

I believe that the application is in contrast to the intent of the CHIPS because of the impact it has on residential amenity. It has an unreasonable loss of amenity and privacy afforded by adjacent neighbours. There is no onsite parking in an area where there is very little parking for neighbours who do not have onsite parking themselves. Parking over driveways is not uncommon in the vicinity of other short stay accommodation places, and it cannot be ruled out in this application as well.

Before this property is short term accommodation, it is a home for people who want to call Hobart their home. Once it is converted to short stay accommodation, you are effectively displacing people my neighbours – who may be young professionals, grandparents, an older couple, a family, a couple, a single mum or dad.

It is not acceptable to continually convert homes into short stay accommodation.

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. The proposed use is visitor accommodation. The existing use is a no permit required use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes
 - 6.4.2 E6.0 Parking and Access Code

6.4.3 E13.0 Historic Heritage Code

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

6.5.1 Parking and Access Code:

Number of Parking Spaces - E6.6.1 P1

- 6.6 Each performance criterion is assessed below.

6.7 Parking and Access Code Part E6.6.1P1

- 6.7.1 The acceptable solution at clause Table E6.1 requires one onsite car parking space per visitor accommodation unit.

- 6.7.2 The proposal does not provide an onsite car parking space.

- 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 E6.6.1P1 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 onsite parking provisions is to ensure that 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 outside of the land and the access afforded by other modes of transport. use and to prevent regular parking overspill.

It is evident that there is no area, either to the front or side of the dwelling, nor access to the rear to provide for an onsite carparking space.

The application was referred to Council's Senior Development Engineer who provided the following report:

Documentation submitted to date does not satisfy the Acceptable Solution for clause E6.6.1 (a) and as such, shall be assessed under Performance Criteria.

The empirical parking assessment indicates that the provision of 1 on-site car parking spaces will sufficiently meet the likely demands associated with the development, with the exception of onsite visitor parking. The dwelling's current use is residential, requiring 2 car parking spaces. The residential use requires 2 on-site car parking spaces, however currently 0 on-site car parking spaces are provided, with the residence relying on on-street parking. The on-site parking requirement the change of use to visitor accommodation is 1 (one onsite car parking space), which results in a net decrease in the sites deficiency. This is a decrease in the demand for on-street parking in the area, and is accepted.

There is a relatively large supply of on-street parking in the surrounding road network. Much of the available parking is in the form of time-

restricted parking, with authorised residents excepted. Observations indicate that there is a large pool of parking that would be available to meet the potential demands of visitor and overflow parking, particularly after normal working hours. Un-metered parking surrounds the site meaning visitors can utilise this service during the on-peak hours and have access to on-street parking overnight.

Metro Tasmania operate regular bus services along Newdegate Street which is within 400 metres of the subject site and the site is located a convenient walking distance from shops, schools and services. No alternative parking provision is available or considered necessary.

Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme. It is expected that the single car parking space can be accommodated within the surrounding road network through metered parking and public parking.

The subject site is in a heritage precinct. There are no significant trees on or near the site. As stated above, a site inspection was undertaken which confirmed that there is not sufficient onsite area in which to provide any onsite carparking and therefore assessment is not required under this criteria.

6.7.6 The proposal complies with the performance criterion.



Fig. 6 - onstreet parking within Newdegate Street taken at 3pm 23 March 2023. The subject site is opposite the white ute. Source: planning officer

7. Discussion

- 7.1 Planning approval is sought for Planning approval is sought for Change of Use to Visitor Accommodation at 41 Newdegate Street Hobart.
- 7.2 The application was advertised and received sixteen (16) representations. The representations raised concerns including the change of use of dwellings to visitor accommodation contributing to the housing crisis and lack of rental housing in Hobart. Other concerns related to the occupiers of subject property and the impact that air bnb's are having on the North Hobart community. Other issues included assessment of the proposal under PD 6 and use standards relating to visitor accommodation under Part D 11.3.2 of the scheme.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and Planning Directive 6: Exemption and Standards for Visitor Accommodation in Planning Schemes. The proposal meet the requirements of A1 of Planning Directive 6: Exemption and Standards for Visitor Accommodation in Planning Schemes.
- The sole discretion relates to the provision of one onsite car parking space which is required under Table E6.1 of the scheme. Currently, there is no onsite parking and none is proposed. The proposal was considered against the performance criteria E6.6.1P1 of the Parking and Access Code and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Cultural Heritage Officer. Council's Development Engineer has undertaken a rigorous assessment of the proposal against E6.0 Parking and Access Code. 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 Change of Use to Visitor Accommodation at 41 Newdegate Street 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 Planning Committee, in accordance with the delegations contained in its terms of reference, approves the application for Planning approval is sought for Change of Use to Visitor Accommodation at 41 Newdegate Street Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

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The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-23-47 - 41 Newdegate Street West Hobart 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

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3. **To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.**
4. **To specify the maximum permitted occupancy of the visitor accommodation.**
5. **To specify that guests must utilise the site for the parking of vehicles, that the maximum number of vehicles to be parked on the site (0). Additionally, at the booking stage, guests should be discouraged from bringing any vehicles and the parking of any vehicles in nearby streets should be discouraged.**
6. **To provide a name and contact phone number of a person who will**

respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 6. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

Advice:

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Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

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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.

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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.

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2711.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.



(Deanne Lang)

Development Appraisal Planner

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



(Ben Ikin)

Senior Statutory Planner

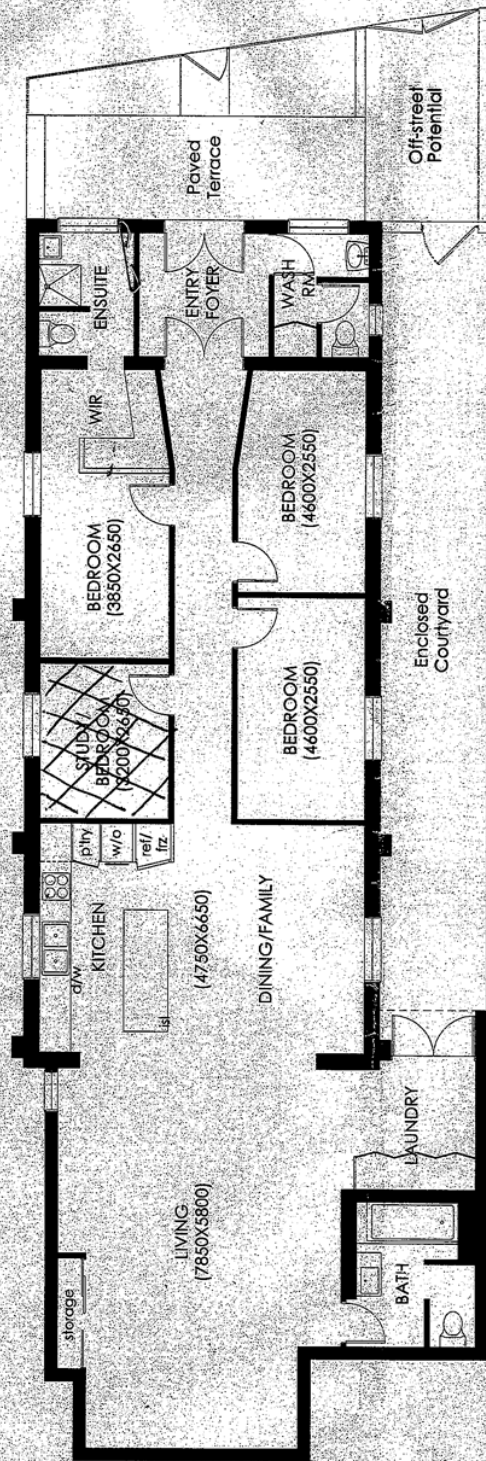
As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 5 April 2023

Attachment(s):

Attachment B - Planning Committee Agenda Documents

WEST HOBART
41 Newdegate Street
House Area: 195m² (21sq)



House Area: 195m²
Terrace: 15m²
Courtyard: 37m²
Total Usable Area: 247m²

IMPORTANT: measurements are approximate-Interested parties need to verify

charlotte peterswald for property

mpw property pty. ltd.

92 reference release ballaraciel for 7001 401 7888 4 4002 4027

Application PLN-23-47

- 1) Floor Plan uploaded
- 2) The space to be used for Visitor Accommodation (house size) is approximately 186.5 square metres
- 3) There will not be any signage
- 4) No portion of the building will be occupied by a permanent resident
- 5) No work is being undertaken to enable change of use

Declaration of property size: Application for change of use to visitor accommodation

41 Newdegate St West Hobart 7000

Title: 67281/1

I confirm that the property size for visitor accommodation is less than 200sqm.

Kathleen Lowe

Date: 30 January 2023

41 Newdegate Street Change of use to Visitor Accommodation Covering Letter

As noted, I previously used this property for visitor accommodation (prior to regulations) and enjoyed the experience of hosting visitors and ensuring they had a positive experience while visiting Hobart. I took a break from this for personal/health reasons.

I have more recently been hosting visitors (to January 2023) at another property in North Hobart; this property has recently changed to long term residence, so I am really hoping to be able to continue to provide quality visitor experience for travellers coming to Hobart.

Through providing visitor accommodation, I am also able to provide continued employment to my local cleaners/ gardeners and other suppliers. I am hoping to resume/continue providing visitor accommodation at the property at 41 Newdegate St.

Thank you for your consideration.

Kathleen Lowe

30 January 2023

Office Use Only
[insert council branding and contact details]
Application no.
Date received:
Fee:
Paid:

Guidance Information

Visitor Accommodation Use in Existing Habitable Buildings Standard Application Package

The Standard Application Package has been approved by the Minister for Planning to provide a simple pathway for seeking approval for the use of existing homes or habitable buildings for Visitor Accommodation as prescribed below. It comprises an Application for Planning Permit and a building self-assessment Form.

Completed forms must be lodged with the relevant planning/permit authority.

Application for Planning Permit

The Application for Planning Permit form relates to *Planning Directive No.6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, issued by the Minister for Planning under former sections 13(1)(a) and (4) of the *Land Use Planning and Approvals Act 1993*, and effective from 1 July 2018 and as modified on 1 August 2018.

The Application for Planning Permit form applies to the change of use of an existing habitable building where it is 'Permitted' under Planning Directive No. 6, as set out below:

Planning Scheme	Requirements
Interim planning schemes	<p>Change of use to Visitor Accommodation if:</p> <ul style="list-style-type: none"> located within the General Residential Zone; Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Environmental Living Zone, or Village Zone; not located within the Battery Point Heritage Precinct (BP1); guests are accommodated within existing habitable buildings; the use occupies not more than 200m² gross floor area per lot; the use is not within a strata scheme¹ that includes another lot, as defined in section 3 of the <i>Strata Titles Act 1998</i>, that is used for Residential use; and all other requirements in the planning scheme are met that are necessary for a 'Permitted' use.
Sullivans Cove Planning Scheme 1997	<p>Change of use to Bed and Breakfast Establishment or Visitor Accommodation if:</p> <ul style="list-style-type: none"> located within Activity Area 1.0 Inner City Residential (Wapping); guests are accommodated within existing habitable buildings; the use occupies not more than 200m² floor area per lot; and all other requirements in the planning scheme are met that are necessary for a 'Permitted' use.

¹ Strata scheme is defined in section 3 of the *Strata Titles Act 1998*.

The Application for Planning Permit form does not apply if:

- the use is exempt from requiring a planning permit under Planning Directive No.6, as set out below:

Planning Scheme	Exempt Qualification	
Interim planning schemes	Visitor Accommodation use in a dwelling (including an ancillary dwelling) if...	(i) it is used by the owner or occupier as their main place of residence, and only let while the owner or occupier is on vacation or temporarily absent; or (ii) it is used by the owner or occupier as their main place of residence, and visitors are accommodated in not more than 4 bedrooms.
<i>Flinders Planning Scheme 2000</i>	Visitor Accommodation use in a House, House and Ancillary Apartment or Grouped House if...	
<i>Sullivans Cove Planning Scheme 1996</i>	Bed and Breakfast Establishment or Visitor Accommodation uses in a dwelling if...	

- the use requires a 'Discretionary' planning permit under the planning scheme. For example, a change of use to Visitor Accommodation that does meet the requirements for a 'Permitted' use under Planning Directive No. 6, or other provisions in the planning scheme apply requiring discretionary assessment, such as off-street parking, bushfire planning, heritage, or non-residential use standards in zones (e.g. external lighting requirements).

Applicants should use the standard Council planning application form.

- other uses or if any development (not otherwise exempt) is proposed, in addition to the change of use to Visitor Accommodation.

Applicants should use the standard Council planning application form.

Building self-assessment form

The building self-assessment form is mandated under the *Director's Determination – Short or Medium Term Visitor Accommodation*, issued by the Director of Building Control under section 20(1)(e) of the *Building Act 2016*, and effective from 1 July 2018.

This Determination applies only to existing dwellings or residential premises where a fee is being charged for the use of short or medium term visitor accommodation.

The building self-assessment form must be completed in the following situations where the property is used or intended to be used as visitor accommodation:

- owner occupiers of residential premises of more than four bookable rooms, or
- investment properties or shacks (not occupied by the owner) that have a gross floor area of not more than 200m² used for visitor accommodation.

The building self-assessment form requires the owner or occupier to declare that the property meets the minimum building standards with respect to an occupancy permit, plumbing, and essential building services.

The Determination and the building self-assessment form apply, irrespective of the planning requirements. The planning and building requirements are mutually exclusive. If any premises intended to be let for short-term visitor accommodation is a lot in a strata title scheme, and any other premises in that scheme are occupied as a residence by long term residents, the proponent is not permitted to use the building self-assessment process, unless the premises is located within Activity Area 1.0 Inner City Residential (Wapping) under the Sullivans Cove Planning Scheme 1997.

**APPLICATION FOR PLANNING PERMIT
CHANGE OF USE TO VISITOR ACCOMMODATION****Section 58 of *Land Use Planning and Approvals Act 1993***To: Planning Authority**The Proposal:**(Must tick one)**Interim Planning Schemes:**

Change of use to Visitor Accommodation if:

- guests are accommodated in existing habitable buildings;
- the use has a gross floor area of not more than 200m² per lot;
- the use is not within a strata scheme² that includes another lot, as defined in section 3 of the *Strata Titles Act 1998*, that is used for Residential use; and
- the land is within one of the following zones:
 - General Residential;
 - Inner Residential, excluding land within the Battery Point Heritage Precinct 1 (BP1);
 - Low Density Residential;
 - Rural Living;
 - Environmental Living;
 - Village.

**Sullivans Cove Planning Scheme 1997:**

Change of use to Bed and Breakfast Establishment or Visitor Accommodation, where guests are accommodated in existing habitable buildings and the use has a floor area of not more than 200m² per lot, and the land is within the Activity Area 1.0 Inner City Residential (Wapping).

Description:

Brief description of the proposed change of use, including whether the whole or part of the building(s) are to be used:

The property was previously used for visitor accommodation (prior to regulations). I would like to return to using the property for visitor accommodation (whole house). I enjoy providing a positive visitor experience and this also gives employment opportunities to local goods and service providers.

Applicant: Who is making the application?Applicant Name: Business /
Company Name: Postal Address: Phone
No: Email address:

² Strata scheme means the complex of lots and common property (together with the system of administration and management) created on the registered strata plan.

The Land: Detail address and title particulars of the land for the proposed change of use

Street Address:

41 Newdegate Street

West Hobart

7000

Certificate of Title
Reference No.

67281/1

Describe the way the land is used now:

The property has previously been used for visitor accommodation. More recently it has been used for rentals (mainly corporate short-mid term)

The Owner: Owner's name and address, if land is not in applicant's ownership

(If more than one owner, all names and addresses must be provided)

Owner Name:

Business /

Company Name:

Postal Address:

Phone
No:

Email address:

The Applicant: Is the applicant the owner of the land?

(Must tick one)

☐

Yes - please complete Section A below.

☐

No - please complete Section B below, and if relevant Sections C and D.

Section A: Owner's Verification

I/we am/are the owner(s) of the land.

Owner(s):

Name: [print]

Kathleen Lowe

Signed



Date

30/01/2023

Section B: Applicant's Verification

I/we, the applicant declare that the owner /each of the owners of the land have been notified of the intention to make this application.

Applicant:

Name: [print]

Signed

Date

Section C: If the application involves land owned or administered by a council

The

consents to the making of this permit application.

General
Manager:

Name: [print]

Signed

Date

Section D: If the application involves land owned or administered by the Crown

The application must be signed by the Minister or relevant delegate responsible for the land and accompanied with written permission.

Declaration (to be completed for all applications)

I declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

	<i>Name: [print]</i>	<i>Signed</i>	<i>Date</i>
Applicant:	Kathleen Lowe		30/01/2023

Personal Information Protection Statement

As required under the *Personal Information Protection Act 2004*

1. Personal information is managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates, on request to the relevant planning authority.
2. Information can be used for other purposes permitted by the *Local Government Act 1993* and regulations made by or under that Act, and, if necessary, may be disclosed to other public sector bodies, agents or contractors of the relevant planning authority.

Planning Application Checklist

The Planning Authority requires the following to assess this Planning Application, with all documentation provided as required by the planning authority:

- (a) Completed Planning Application Form - all relevant sections filled in and signed by land owner (if required) and applicant.
- (b) A copy of the current certificate of title for all land to which the permit sought is to relate (available from Service Tasmania or from www.thelist.tas.gov.au).
- (c) Either:
 - (i) a basic floor plan of the existing habitable building(s) to scale, including identification of the gross floor area for the proposed change of use to visitor accommodation, or
 - (ii) a signed declaration by the applicant confirming the area of the existing habitable building(s) for the proposed change of use to visitor accommodation has a gross floor area³ of not more than 200m²
- (d) Payment of the prescribed fee (up to \$250.00).

Failure to provide the required information may result in your application not being able to be accepted or processed.

³ Or floor area in the case of the Sullivans Cove Planning Scheme 1997.

BUILDING SELF-ASSESSMENT FORM**Director's Determination – Short or Medium Term Visitor Accommodation****Section 20(1)(e) of Building Act 2016**

This building self-assessment form must be completed in the following situations where the property is used or intended to be used for visitor accommodation, and a fee is being charged for such use:

- owner occupiers of residential premises of more than four bookable rooms, or
- investment properties or shacks (not occupied by the owner) that have a gross floor area of not more than 200m² per lot used for visitor accommodation.

The completed form must be lodged with the relevant Permit Authority.

If any premises intended to be let for short-term visitor accommodation is a lot in a strata title scheme, and any other premises in that scheme are occupied as a residence by long term residents, the proponent is not permitted to use the building self-assessment process, unless the premises is located within Activity Area 1.0 Inner City Residential (Wapping) under the Sullivans Cove Planning Scheme 1997.

To: Permit Authority
 Address
 Suburb/postcode

Owner / Occupier details:

(Only an owner or occupier may complete this form)

Owner / Occupier: (Delete one not applicable)
 Postal Address: Phone No: 0434915315
 Email address:

Address of Property used or intended to be used for Visitor Accommodation:

Street Address:

 Certificate of Title Reference No.

Owner / Occupier Declaration:

I/we, as the owner / occupier of the property, declare that the property meets the following minimum building requirements, as set out below:

Owner/Occupier: (Delete one not applicable) Name: [print] Signed Date

Occupancy Permit:

(Must tick one)

The owner or occupier is to declare that –

☒

- (a) if an occupancy permit has been issued, the premises is fit for occupation consistent with that permit, and the maximum number of occupants stated on the permit will not be exceeded;

OR

☐

- (b) an occupancy permit or occupancy certificate was not required (as the premises was constructed / altered before 1994).

Plumbing:

(Must tick (a) or (b) and (c) or (d))

The owner or occupier is to declare that –

☒

- (a) the premises is connected to a reticulated sewerage system;

OR

☐

- (b) the premises is connected to an on-site wastewater management system that:

- is in good working order and will be maintained to perform to the same standard as it was designed; and
- has a land application distribution area designed, installed and in good serviceable condition; and
- the maximum number of occupants of the premises the system is designed for is not exceeded; and
- there is a maintenance contract in place for the servicing of the system.

☒

- (c) the premises is connected to a reticulated drinking water supply system;

OR

☐

- (d) a private drinking water supply (including from a tank, well, dam, etc.) is provided for the premises that meets the requirements of the
- Public Health Act 1997*
- .

Essential Building Services:

(Must tick one)

The owner or occupier is to declare that –

☐

- (a) regarding Essential Building Services, the premises has an approved schedule of maintenance, and fire safety features are maintained in accordance with Part 7 (regulations 72 to 78) of the
- Building Regulations 2016*
- and the Director's Maintenance of Prescribed Essential Building Services Determination;

OR

☒

- (b) the premises is not required to have an approved essential maintenance schedule, but the following fire safety features are installed and maintained in accordance with manufacturer's instructions:

- a smoke alarm with a 10-year non-removable lithium battery, or
- a hard wired smoke alarm (and are interconnected where there is more than one alarm fitted);

- (a) if any storey of the premises contains a bedroom –

- (i) installed in every corridor, or hallway, situated in the storey, that is associated with a bedroom; and

- (ii) if there is no corridor, or hallway, situated in the storey, that is associated with a bedroom, between that part of the premises containing the bedroom and the remainder of the premises; and
- (b) in any other storey of the premises that does not contain a bedroom.
- If multistorey premises are let for visitor accommodation:
 - i. emergency evacuation lighting is provided; and
 - ii. exits are provided that are clearly marked and mapped for the visitor.

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
67281		1
EDITION	DATE OF ISSUE	
4	21-Jul-2014	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Lawa

Recorder of Titles.

DESCRIPTION OF LAND

City of HOBART
Lot 1 on Diagram 67281 (formerly being 10-11NS)
Derivation : Part of 3Acs-35Ps. Gtd. to A E Brodribb
Prior CT 2882/64

SCHEDULE 1

M465456 TRANSFER to AK LOWE PTY LTD Registered 21-Jul-2014
at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: A right of eaves drop for the eaves and
spouting of the building erected on the land
comprised herein along the North Eastern boundary as
shown on Diagram 67281

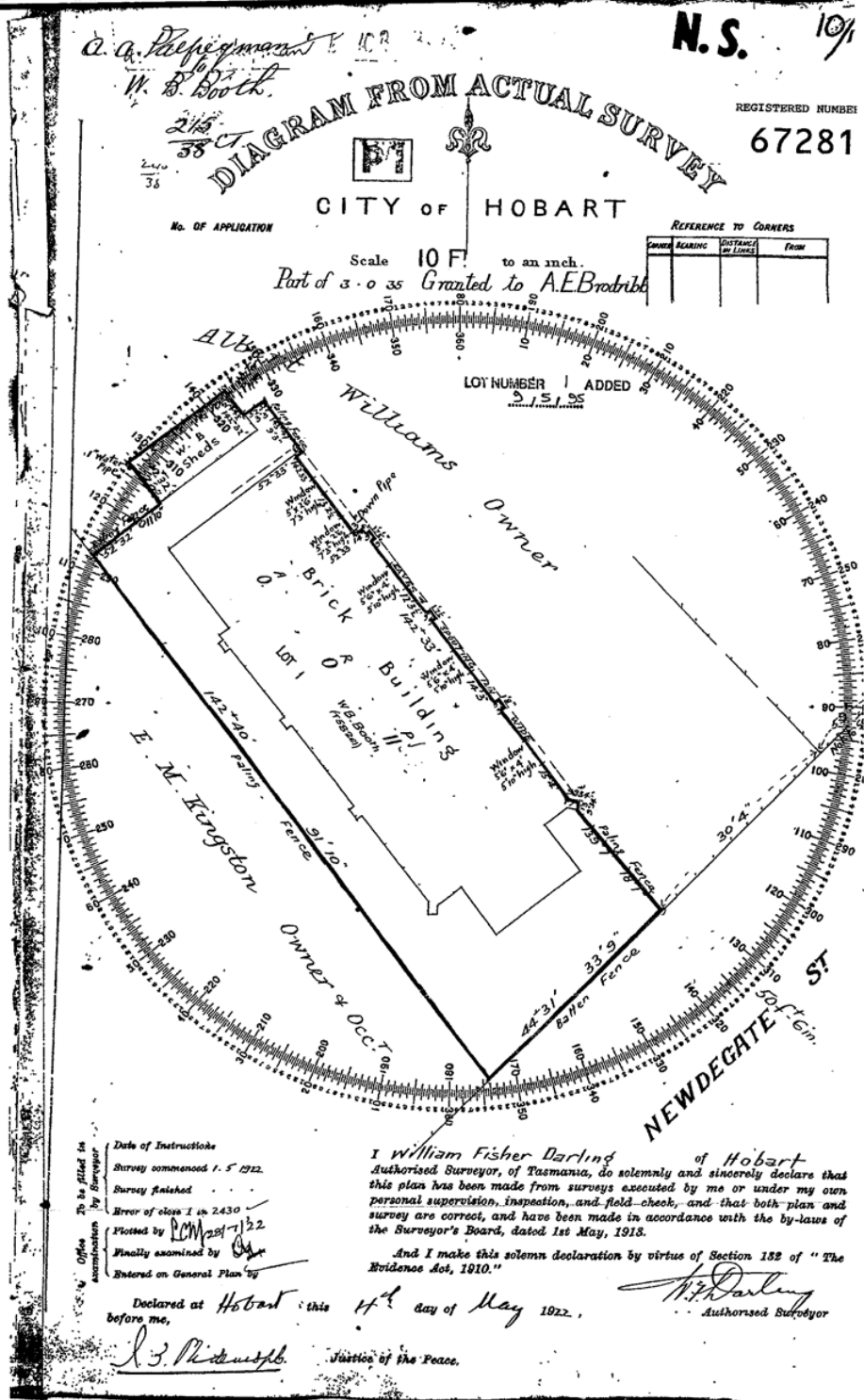
BURDENING EASEMENT: The full and free right to enter upon the
land adjoining the whole of the North Eastern
boundary for a width of 6 feet therefrom for the
purpose of inspection or repairing the buildings on
the said land comprised herein

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Planning #271450

Property

41 NEWDEGATE STREET WEST HOBART TAS 7000

**People****Applicant ***

Kathleen Lowe
11 Mellifont Street
WEST HOBART TAS 7000
0434915315
katylowe@bigpond.com

Owner *

A K Lowe Pty Ltd

11 Mellifont Street
WEST HOBART TAS 7000
0434915315
katylowe@bigpond.com

Entered By

KATHLEEN BEATRICE LOWE
0434 915 315
katylowe@bigpond.com

Use

Visitor accomodation

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. *

☒ Yes

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)? *

Rental, mainly corporate; previously visitor accommodation (pre- regulations)

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

Visiot Accommodation

Estimated cost of development *

0.00

Existing floor area (m2)

195.00

Proposed floor area (m2)

195.00

Site area (m2)

Carparking on Site

Total parking spaces

0

Existing parking spaces

0

N/A

☒ Other (no selection chosen)

Other Details

Does the application include signage? *

☒ No

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

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☒ No

Documents

Required Documents

Title (Folio text and Plan and 41 Newdegate St Folio text and folio plan.pdf
Schedule of Easements) *

Plans (proposed, existing) * Declaration of Property size.pdf

Covering Letter 41 Newdegate Street Change of use to Visitor Accommodation Covering Letter.pdf

Building self assessment Form permitted visitor accommodation Visitor-Accommodation-Standard-Application-Package-1-August-2018 (1).pdf


**6.2.2 17 ALEXANDER STREET, SANDY BAY - DEMOLITION AND TWO
MULTIPLE DWELLINGS
PLN-22-327 - FILE REF: F23/35438**



Address: 17 Alexander Street, Sandy Bay
Proposal: Demolition and Two Multiple Dwellings
Expiry Date: 3 May 2023
Extension of Time: Not applicable
Author: Richard Bacon

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee in accordance with the delegations contained in its terms of reference, refuses the application for a demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005 for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of a building that contributes to the historic cultural heritage significance of the precinct and it has not been demonstrated: that there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; that there are no prudent or feasible alternatives; and that the replacement building is more complementary to the heritage values of the precinct.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 P1 of the *Hobart Interim Planning Scheme 2015* because the design and siting of the proposal will result in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.

Attachment A: PLN-22-327 - 17 ALEXANDER STREET SANDY
BAY TAS 7005 - Planning Committee or Delegated
Report 

- Attachment B: PLN-22-327 - 17 ALEXANDER STREET SANDY
BAY TAS 7005 - CPC Agenda Documents ↓ 
- Attachment C: PLN-22-327 - 17 ALEXANDER STREET SANDY
BAY TAS 7005 - Planning Referral Officer Cultural
Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee
Council: 19 April 2023
Expiry Date: 3 May 2023
Application No: PLN-22-327
Address: 17 ALEXANDER STREET , SANDY BAY
Applicant: (John Weston Architectural Design Pty Ltd)
U1 18 Childs Drive
Proposal: Demolition and Two Multiple Dwellings
Representations: TWO
Performance criteria: HERITAGE, SUNSHADE, LANDSLIDE, LAYOUT OF PARKING

1. Executive Summary

- 1.1 Planning approval is sought for a demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005.
- 1.2 More specifically the proposal includes:
 - demolition of existing dwelling;
 - replacement two multiple dwellings, detached and of two storey height.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Inner Residential Zone - sunshade
 - 1.3.2 Parking and Access Code - Layout of Parking Spaces
 - 1.3.3 Historic Heritage Code - Heritage Precinct
 - 1.3.4 Landslide Code - buildings and works
- 1.4 Two representations objecting to the proposal were received within the statutory advertising period between the 15th February and the 1st March 2023.
- 1.5 The proposal is recommended for refusal.
- 1.6 The final decision is delegated to the Planning Committee, because officer refusal is recommended.

2. Site Detail

2.1 The site is within the Inner Residential Zone.

2.2 The site was visited dated the 25th February 2023.



Figure 1 above: location plan.



Figure 2 above: aerial photograph with 2 metre contours.



Figure 3 above: street view (Google).

3. Proposal

- 3.1 Planning approval is sought for a demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005.

- 3.2 More specifically the proposal is for:
- demolition of existing dwelling;
 - replacement two multiple dwellings, detached and of two storey height.

4. Background

- 4.1 There appears no recent background under Council's records (Trim).

5. Concerns raised by representors

- 5.1 Two representations objecting to the proposal were received within the statutory advertising period between the 15th February and the 1st March 2023.
- 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.

Use
-concern at loss of rental/tenanted dwelling; -I am writing this letter to against the application(PLN-22-327). Because I have been one of the loyal tenants of this premise since 2020, and this house is very capable of providing nearly everything I need for enjoying my lifestyle and I want to keep living here'.
Demolition
-concern at proposed demolition; -enjoy living in this house very much, we don't want it to be demolished'; -'house (is) well constructed (and) functional' - concern at loss.
Heritage
-concern at loss of heritage; -property 'just needs to be taken care of show the cultural and historical value'.
Other
-concern that the proposal is for investment purposes only.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning

scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is a dwelling. The proposed use is two multiple dwellings. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
 - 6.4.1 Part D - 11 Inner Residential Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
 - 6.4.4 E13.0 Historic Heritage Code
 - 6.4.5 E3.0 Landslide Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 Inner Residential Zone:
Sunshade – Part D 10.4.4 P1
 - 6.5.2 Parking and Access Code:
Layout of Parking Spaces - E6.7.5 P1
 - 6.5.3 Historic Heritage Code:
Building and Works within a Heritage Precinct - E13.8.1 P1, E13.8.2 P1, P2
 - 6.5.4 Landslide Code

Buildings and works within a Landslide Hazard Area - E3.7.1 P1

6.6 Each performance criterion is assessed below.

6.7 Heritage Part E 13.8.1 P1, E 13.8.2 P1, P2

- 6.7.1 There is no acceptable solution for E13.8.1 A1, or E13.8.2 A1 or A2.
- 6.7.2 The proposal includes demolition and new works within a Heritage Precinct.
- 6.7.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criteria at Clauses E13.7.1 P1 and E13.8.2 P1 and P2 apply.
- 6.7.5 Assessment of the performance criteria by Council's Cultural Heritage Officer follows.

Introduction:

Number 17 Alexander Street is located within the Sandy Bay 6 Heritage Precinct known as The Golf Links Estate. The proposal for the demolition of the existing residence and development of two units. The proposal must be assessed against E.13.8 Development Standards for Heritage Precincts under the Historic Heritage Code (E13.0) of the Hobart Interim Planning Scheme 2015.

Historical Background:

Number 17 Alexander St was originally constructed as a War Service Home for Private Arthur Snowden Hay who was a private and later corporal in World War 1 who enlisted when he was 18 years old. Arthur's father was Robert Snowdon Hay, Bishop of Tasmania, who secured the property for his son on his return to Tasmania. Number 17 Alexander Street is the only known War Service Home in Alexander Street.

1920s War Service Homes were built due to an acute shortage of houses after the World War 1, the Commonwealth Government created the War Service Homes Commission in 1919 to assist returned servicemen and their families to buy land and build affordable houses.

The Golf Links Estate:

The subject site is located within the historic subdivision known as the Golf Links Estate. Subdivided by Cooperative Estates Ltd in three parts between 1915 and 1917. The land had previously been the golf links of the Hobart Golf Club (between 1907 and 1916). A plan of the 1917 subdivision is shown below. The lots were popular, and land sold quickly. Most of the houses in this area were built in the following two decades, resulting in a very homogeneous pattern of residential development, the best such group in Hobart, the subdivision was designed with reference to the garden city philosophies of the early 20th century.

Physical Description:

The War Service Homes from this era are recognised as detached bungalows in garden settings, modest in scale and character, built with similar materials and architectural elements displaying Arts & Crafts influences in a range of standard designs and specifications. 17 Alexander Street exhibits these style indicators and is a representative example of a WW1 War Service Home.

The front of the residence is partially obscured from the street by vegetation and fencing. It is considered that the property clearly displays the form, style, detailing, level of intactness, garden setting and strong adherence to the sub-division pattern as set out in the statements of significant for the precinct, and as such, is a contributory building to the Heritage Precinct. In addition to contributing to the Heritage Precinct the house demonstrates the important Commonwealth repatriation initiative to provide affordable housing for returned servicemen and their families after World War I.

The Sandy Bay 6 Heritage Precinct - Golf Links Estate is significant for reasons including:

1. Its value as the largest single subdivision in Sandy Bay with a very fine group of c1920-1930 houses, the best such group in Hobart.
2. Its predominantly single storey Edwardian character with very intact streetscapes. The houses are all very good examples of Edwardian cottages and Californian Bungalow styles.
3. The predominantly intact building stock.
4. The connection of the site with the former golf links which is still readable in the subdivision pattern.

Proposal:

- Demolition of a single storey 6 bedroom 2 bathroom c.1926 residence
- Construction of two double storey 3 bedroom units

Supporting documentation:

The application includes a heritage report titled "Response to Historic Heritage Code" by E3 Planning, Evan Boardman. Mr Boardman is not accepted at officer level as having any qualifications or sufficient experience to be considered an expert in heritage.

Mr Boardman's report does not adequately address the requirements of the planning scheme:

- The report addresses clauses E13.7 Development Standards for Heritage Places, however, the property is not a heritage listed place.
- The report does not address clauses E13.8 Development Standards for Heritage Precincts, or provide direct commentary on the Heritage Precinct Statements of Significance within the Heritage Code Table E13.2, or the historical subdivision of the Golf Links Estate.
- In addition, the report references 3 buildings outside of the heritage precinct boundary which are not relevant and also references the Southern Tasmanian Regional Land Use Strategy (STRLUS) which does not form part of a Statutory Assessment for a Development Application against the Planning Scheme.

Representations:

There were two (2) representations received during the advertising period. Both cited heritage concerns. The heritage concerns have been summarised below.

- The house is well constructed, it owns a history and deserves historical value
- Once heritage it will always be heritage. The house just needs to be taken care of to show the cultural and historical value.

Assessment:

E13.8 Development Standards for Heritage Precincts

E13.8.1 Demolition**Objective:**

To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

Performance Criteria 1

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

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

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

The proposed demolition of 17 Alexander Street will result in the loss of historic cultural heritage values for which the Sandy Bay 6 Golf Links Estate Heritage Precinct is significant because it involves the demolition of a house, original to the Golf Links Estate. The heritage report fails to address the relevant clauses that are applicable for demolition with a heritage precinct and therefore there is no demonstration that there are environmental, social, economic or safety reasons of greater value to the community than the heritage values of the place. It may also be worth noting that there is no net gain in the number of bedrooms with this development.

From an environmental point of view, the demolition will result in large amounts of construction waste, plus the energy / resources required for demolition and reconstruction. As per the Burra Charter (the Australian Charter for Places of Cultural Significance) it is recognised best practice to ensure buildings are adapted and retained until the end of their useful life, retaining the embodied energy of existing structures, and recognising the environmental cost already paid. In addition to the environmental issues, there has been nothing submitted by the applicant to demonstrate that the building requires demolition for safety reason. In fact this 6 bedroom property is currently tenanted and habitable, and it is also worth noting that the Landslide Assessment report submitted by the applicant states that 'the existing dwelling does not have major structural issues' (p.6). In regards to economic benefits to the community, the development and associated profits would be almost exclusively of private benefit. Part (i) of E13.8.1 P1 is not satisfied.

The applicant has not provided documentation that prudent or feasible alternatives (ii) were considered or explored, such as, for example, the retention of the 6 bedroom house and the construction of a smaller secondary or ancillary dwelling on the site. Therefore, part (ii) of E13.8.1 is not satisfied. The replacement buildings are modern with large angled

street facing windows, 'timber clad feature portals' and a split skillion roof form which is a contemporary design form and not not more complementary to the heritage values of the precinct than that of the original 1926 residence. Part (iii) of E13.8.1 P1 is not satisfied. In addition to the above, it is described in the objective of the clause that demolition should not result in loss of significance "unless there are exceptional circumstances" it should be noted that no exceptional circumstances have been provided by the applicant.

The applicant's submitted heritage report states that "17 Alexander Street is of a similar appearance as hundreds of other dwellings throughout Hobart and the surrounding area." This statement fundamentally fails to understand the collective nature and cohesiveness required for the classification of a heritage precinct. Specifically the definition of a Heritage Precinct is:

"means an area shown on the planning scheme maps as a heritage precinct and described in Table E13.2 as having particular historic cultural heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values."

The Golf Links is the largest single sub-division in Sandy Bay, and is recognised as forming the most intact large group of housing stock from the 1920s-30s in Hobart. Because a building is of similar appearance to others in Hobart does not make it a valid consideration for demolition under the heritage code provisions. The demolition of buildings dating from the 1920-30s within the precinct inherently erodes the very significance of the precinct as an area with intact building stock and streetscapes from this era.

Performance Criteria 1 of E13.7.1 is not satisfied.

E13.8.2 Buildings and Works other than Demolition

Objective:

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

Performance Criteria 1

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

The statements of significance are as follows:

1. Its value as the largest single subdivision in Sandy Bay with a very fine group of c1920-1930 houses, the best such group in Hobart.
2. Its predominantly single storey Edwardian character with very intact streetscapes. The houses are all very good examples of Edwardian cottages and Californian Bungalow styles.
3. The predominantly intact building stock.
4. The connection of the site with the former golf links which is still readable in the subdivision pattern.

The scale, and extent of the development fails to demonstrate a sympathetic response to the character of the precinct. The double storey height, varied and contemporary roof form, large, modern angular fenestration pattern, use of materials and colour out of context with the precinct, and the massing of the two proposed buildings would clearly run contrary to the precincts identified single storey character of coherent Edwardian cottages and Inter-War Californian Bungalows. The proposal retains a minimal garden setting to both front and rear with much of the remaining open space being hardstand surface for vehicle maneuvering and parking.

It is considered that the removal of the garden setting, and introducing a spatial arrangement of two double storey townhouse buildings is at odds with the original pattern of development and house and garden setting of the Golf Links Estate precinct. Performance Criteria 1 of E13.8.2 is not satisfied.

Conclusion:

When considered in the underlying context of the Development Standard objectives 'Demolition in the heritage precinct does not result in the loss of historic cultural heritage values' and 'To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct', it is considered that neither Performance Criteria 1 of E13.8.1 Demolition or Performance Criteria 1 of E13.8.2 Buildings and Works other than Demolition are satisfied.

The grounds for refusal are as follows:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed demolition will result in the loss of a building that contributes to the historic cultural heritage significance of the precinct and and it has not been demonstrated: that there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural

heritage values of the place; that there are no prudent or feasible alternatives; and that the replacement building is more complementary to the heritage values of the precinct.

2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 P1 of the Hobart Interim Planning Scheme 2015 because the design and siting of the proposal will result in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.

6.7.6 The proposal does not comply with the performance criterion.

6.8 Sunshade Part D 11.4.4 P1

6.8.1 The acceptable solution at clause 11.4.4 A1 states below.

A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 11.4.3, must satisfy (a) or (b), unless excluded by (c):

(a) the multiple dwelling is contained within a line projecting (see Figure 11.4):

(i) at a distance of 3m from the northern edge of the private open space; and

(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal.

(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June.

(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:

(i) an outbuilding with a building height not more than 2.4m; or

(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.

6.8.2 The proposal includes the private open space for multiple dwelling 1 having less than 50% of sunlight within the hours of 9am and 3pm on the 21st June.

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

6.8.4 The performance criterion at clause 11.4.4 P1 provides as follows:

A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 11.4.3 of this planning scheme.

6.8.5 Assessment of the performance criterion follows.

The submitted sunshade diagrams indicate the following.

At 9am in winter, the private open space of multiple dwelling 1 would have 44.6% sunlight exposure.

At 12noon in winter, the private open space of multiple dwelling 1 would have 17.5% sunlight exposure.

At 3pm in winter, the private open space of multiple dwelling 1 would have 2.6% sunlight exposure.

At all times of the day in winter, the private open space for multiple dwelling 1 would not meet the Acceptable Solution.

During early morning, it would be only marginally below the standard. It would diminish by midday with little sunlight remaining in late afternoon.

There would be a further parcel of garden area to the front of multiple dwelling 1. This area would be accessible from the ground level rumpus and laundry. Again, the sunshade diagrams indicate this area would be overshadowed in the afternoon in winter by multiple dwelling 1. On winter mornings, the front garden should retain a reasonable degree of sunlight.

The proposal would not meet the standard. On the other hand, some mitigation is considered warranted given the long north-south shape and the south slope orientation of the lot, which would limit the opportunity for sunlight. The proposal would offer two garden areas to either end of the dwelling, with a reasonable degree of morning winter sunlight to both areas.

On balance, the proposal is considered acceptable.

6.8.6 The proposal complies with the performance criterion.

6.9 Landslide Part E3.7.1 P1

6.9.1 There is no acceptable solution for clause 3.7.1 A1.

6.9.2 The proposal includes buildings and works within a Landslide Hazard

Area.

- 6.9.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause E3.7.1 P1 provides as follows:

Buildings and works must satisfy all of the following:

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

- 6.9.5 Assessment of the performance criterion by Council's Environmental Development Planner follows.

The proposal is for two multiple dwellings in a low landslide hazard area. The application includes ground works for driveways, retaining walls and services. While the proposed buildings are exempt pursuant to clause E3.4(c) of the Landslide Code, the proposed works must be assessed against the standards of clause E3.7.3 as 'major works' are proposed (excavation exceeding 100m³).

There is no acceptable solution at clause E3.7.3 A1. Therefore, the proposal requires assessment against clause E3.7.3 P1, which reads as follows:

Major works must satisfy all of the following:

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

A Landslide Assessment Report, prepared by Doyle Soil Consulting, dated June 2022, has been submitted with the application. The report notes that development is proposed in a low landslide hazard area

mapped for deep-seated slide susceptibility (Rosetta scenario), where there is no known active landslides. Based on testing results, the report identifies the site as stable and assigns a low and acceptable landslide risk rating to the development, subject to buildings being founded into bedrock. In addition, the report makes recommendations regarding the associated works to ensure good hillside construction practice is achieved. Specifically, retaining walls greater than 2m in height should be engineered, construction methodology should avoid ponding water by implementing appropriate soil and water management, and vegetation removal should be minimised or replanted following disturbance. The proposal plans incorporate these recommendations into the design.

The proposal meets the performance criterion at clause E3.7.1 P1.

6.9.6 The proposal complies with the performance criterion.

6.10 Layout of Parking Spaces Part E 6.7.5 P1

6.10.1 The acceptable solution at clause E 6.7.5 A1 is not met by the proposed parking layout due to the gradient of the parking area being in excess of 5%.

6.10.2 The proposal includes parking and access for two multiple dwellings.

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

6.10.4 The performance criterion at clause E 6.7.5 P1 applies.

6.10.5 An assessment of the performance criterion has been undertaken by Council's Development Engineer. It was concluded that the manoeuvring area gradients meet the parameters of the performance criteria. Conditional approval is recommended.

6.10.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for a demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005.

- 7.2 The application was advertised and received two representations. The representations raised concerns including loss of rented/tenanted dwelling, concern that the proposal is for investment only, concern at proposed demolition, and concern at loss of heritage.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered unacceptable on heritage grounds.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Stormwater Engineer, Cultural Heritage Officer, Environmental Development Planner and Park Planner. The Development Engineer, Stormwater Engineer, Environmental Development Planner and Park Planner have raised no objection to the proposal, subject to conditions.

The Cultural Heritage Officer has recommended refusal of the proposal, on grounds as follows:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed demolition will result in the loss of a building that contributes to the historic cultural heritage significance of the precinct and it has not been demonstrated: that there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; that there are no prudent or feasible alternatives; and that the replacement building is more complementary to the heritage values of the precinct.
 2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 P1 of the Hobart Interim Planning Scheme 2015 because the design and siting of the proposal will result in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.
- 7.5 The applicant was advised of the likely recommendation of refusal on heritage grounds and that the application would be referred to the Planning Committee. An extension of time was granted by the applicant dated the 7th March 2023. The expiry date is now the 3rd May 2023.
- 7.6 The proposal is recommended for refusal.

8. Conclusion

- 8.1 The proposed demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005 does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Planning Committee, in accordance with the delegations contained in its terms of reference, refuses the application for a demolition and two multiple dwellings at 17 Alexander Street Sandy Bay TAS 7005 for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 P1 of the Hobart Interim Planning Scheme 2015 because the proposed demolition will result in the loss of a building that contributes to the historic cultural heritage significance of the precinct and and it has not been demonstrated: that there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; that there are no prudent or feasible alternatives; and that the replacement building is more complementary to the heritage values of the precinct.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 P1 of the Hobart Interim Planning Scheme 2015 because the design and siting of the proposal will result in in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.



(Richard Bacon)

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.



(Karen Abey)

Manager Development Appraisal

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

Date of Report: 12 April 2023

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Report

ARCHITECTURAL DRAWINGS SCHEDULE:

A01	Site Plan
A02	Unit. 1 Ground Floor Plan
A03	Unit. 1 Upper Floor Plan
A04	Unit. 2 Ground Floor Plan
A05	Unit. 2 Upper Floor Plan
A06	Unit. 1 External Elevations
A07	Unit. 2 External Elevations
A08	Site Section A-A (eastern elevation)
A09	Street Frontage External Rendering

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Farzin & Nikita Hesari**Unit Development****17 Alexander Street, Sandy Bay Tasmania**

August 2021

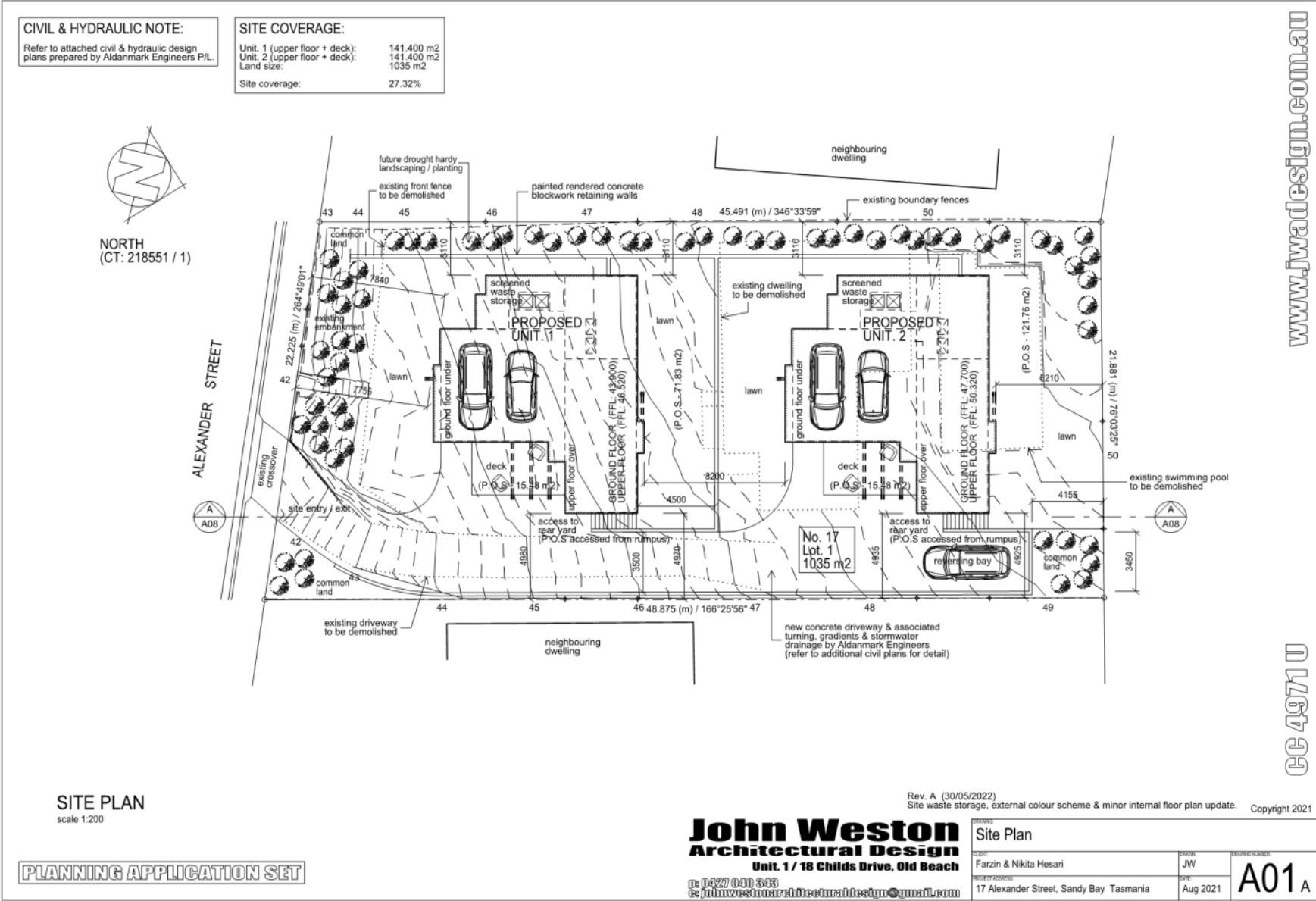
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PLANNING APPLICATION SET

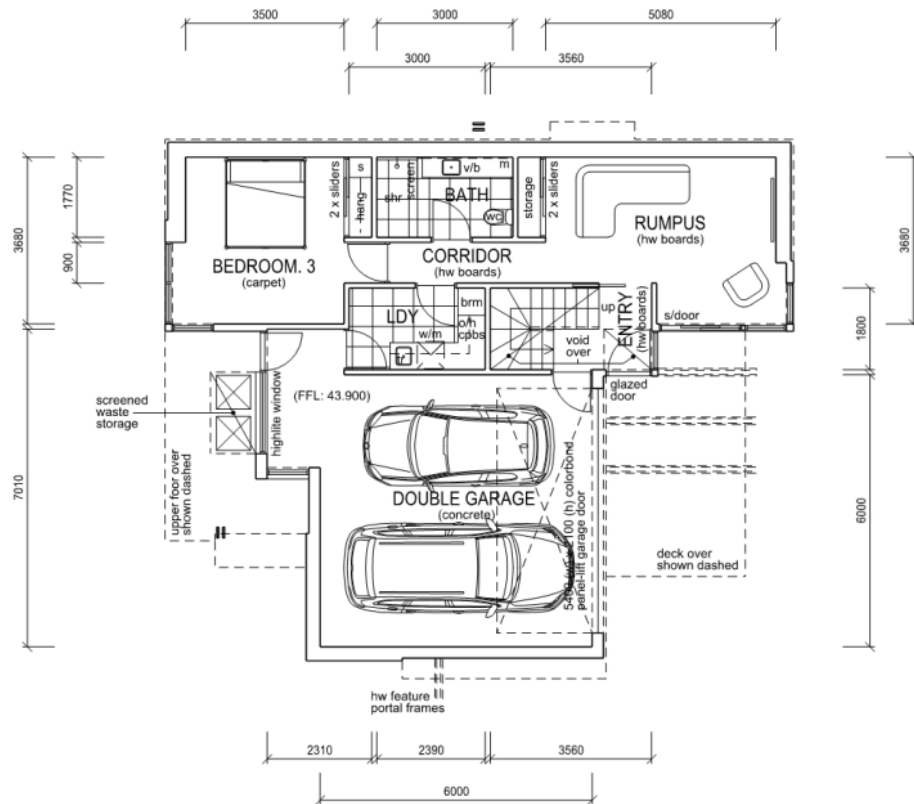
John Weston
Architectural Design

Unit. 1 / 18 Childs Drive, Old Beach

p: 0427 040 563
e: johnwestonarchitecturaldesign@gmail.com



PROPOSED FLOOR AREAS:	
Ground Floor (inc garage) (measured from external face of external walls) -	109.60 m2
Upper Floor (measured from external face of external walls) -	125.92 m2
Deck -	15.48 m2
TOTAL (ground / upper floor living areas & garage) -	235.52 m2 (25.35 squares)



UNIT. 1 GROUND FLOOR PLAN
scale 1:100

PLANNING APPLICATION SET

John Weston
Architectural Design
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Rev. A (30/05/2022)
Site waste storage, external colour scheme & minor internal floor plan update. Copyright 2021

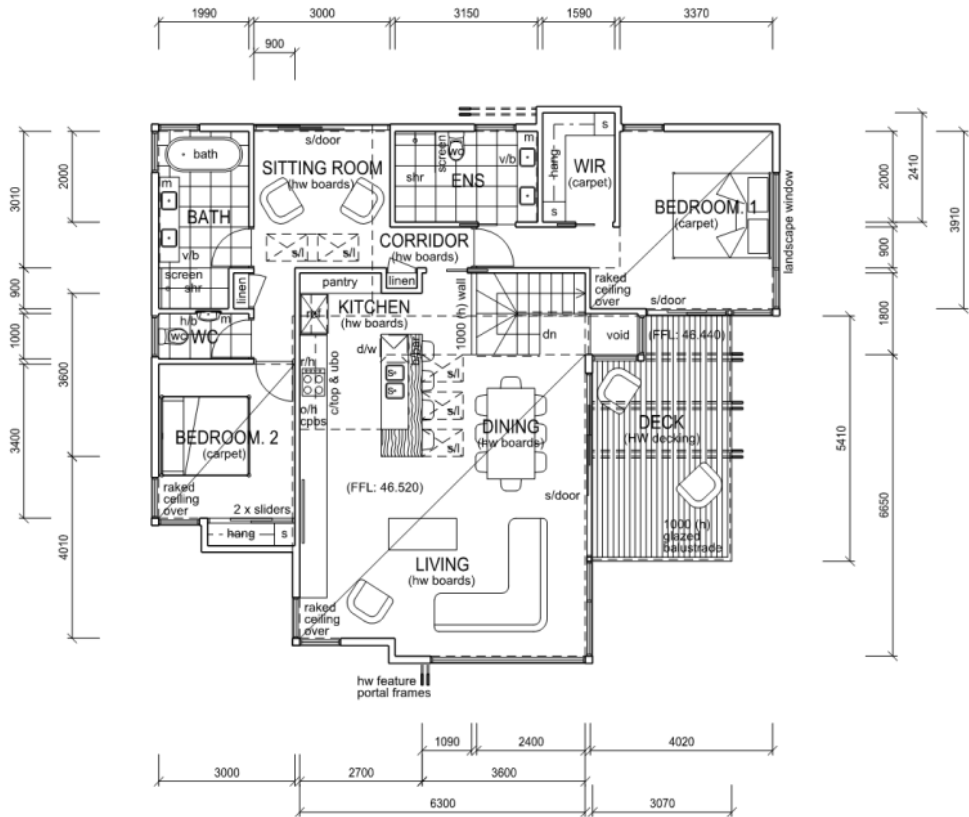
Unit. 1 Ground Floor Plan			
DESIGNER	Farzin & Nikita Hesari	DRAWN	JW
PROJECT ADDRESS	17 Alexander Street, Sandy Bay Tasmania	DATE	Aug 2021
			A02 A

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PROPOSED FLOOR AREAS:

Ground Floor (inc garage) (measured from external face of external walls) -	109.60 m ²
Upper Floor (measured from external face of external walls) -	125.92 m ²
Deck -	15.48 m ²
TOTAL (ground / upper floor living areas & garage) -	235.52 m ² (25.35 squares)



UNIT. 1 UPPER FLOOR PLAN
scale 1:100

PLANNING APPLICATION SET

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Unit. 1 / 18 Childs Drive, Old Beach

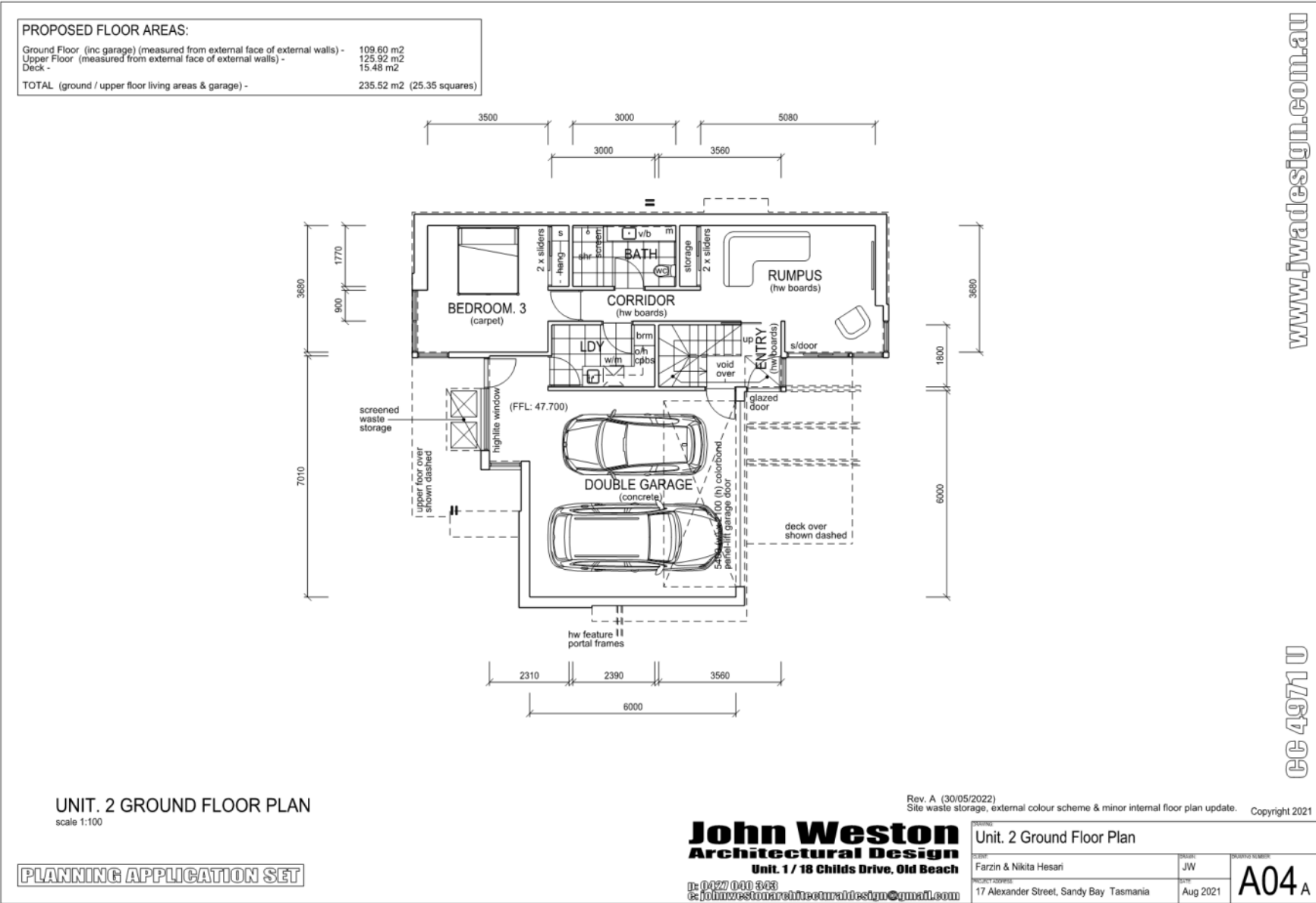
T: 0427 040 543
E: johnwestonarchitecturaldesign@gmail.com

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Site waste storage, external colour scheme & minor internal floor plan update. Copyright 2021

Unit. 1 Upper Floor Plan		
CLIENT	Farzin & Nikita Hesari	DATE
PROJECT ADDRESS	17 Alexander Street, Sandy Bay Tasmania	DATE
DATE	Aug 2021	A03 A

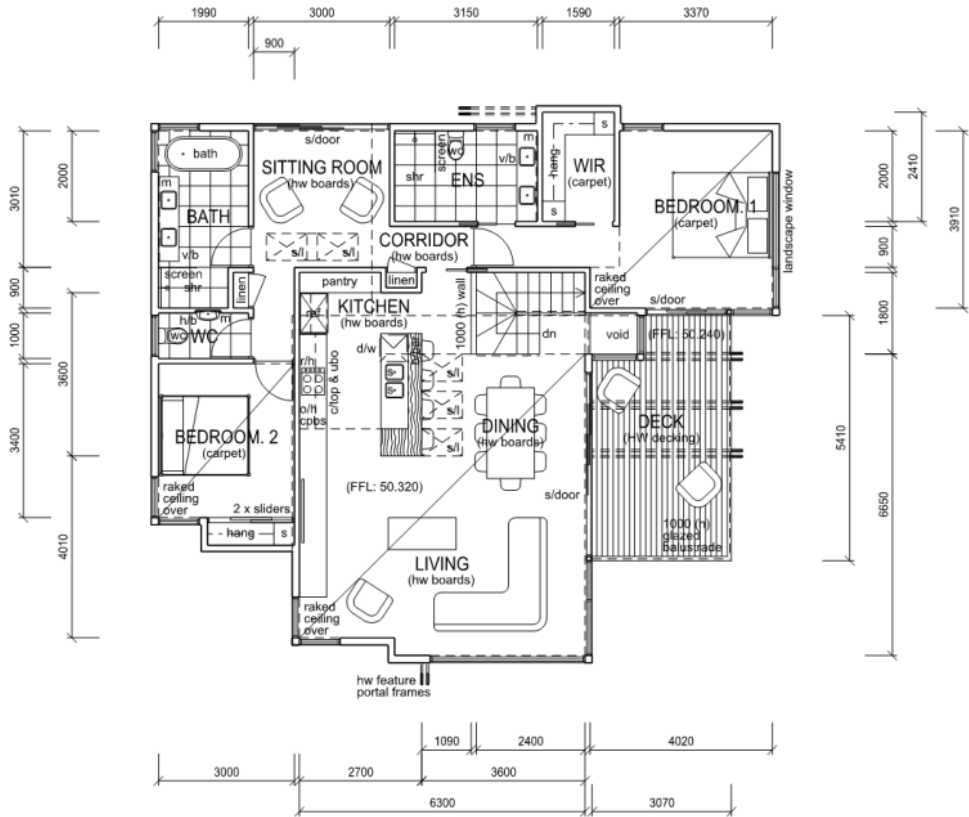
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PROPOSED FLOOR AREAS:

Ground Floor (inc garage) (measured from external face of external walls) -	109.60 m ²
Upper Floor (measured from external face of external walls) -	125.92 m ²
Deck -	15.48 m ²
TOTAL (ground / upper floor living areas & garage) -	235.52 m ² (25.35 squares)



UNIT. 2 UPPER FLOOR PLAN
scale 1:100

PLANNING APPLICATION SET

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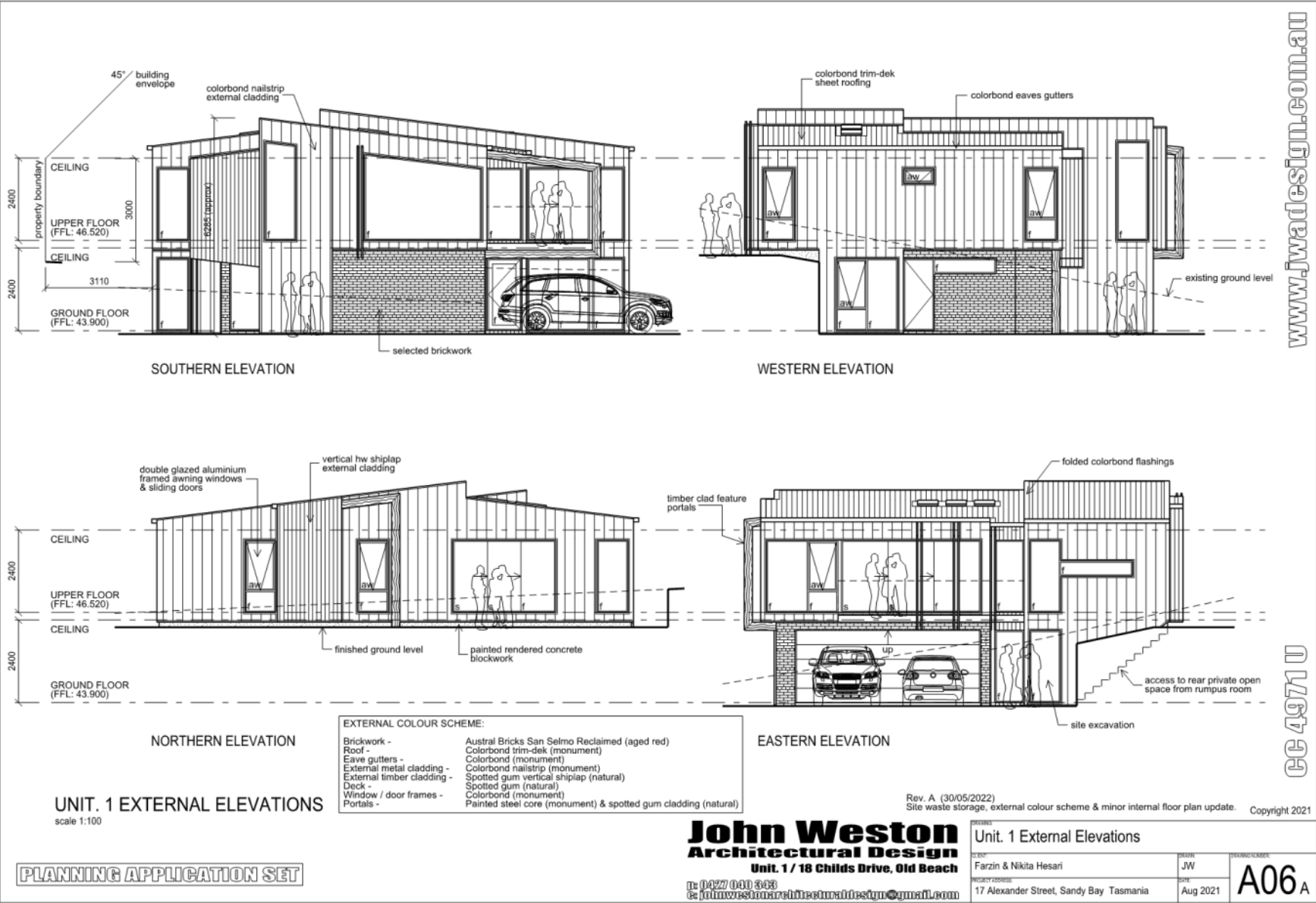
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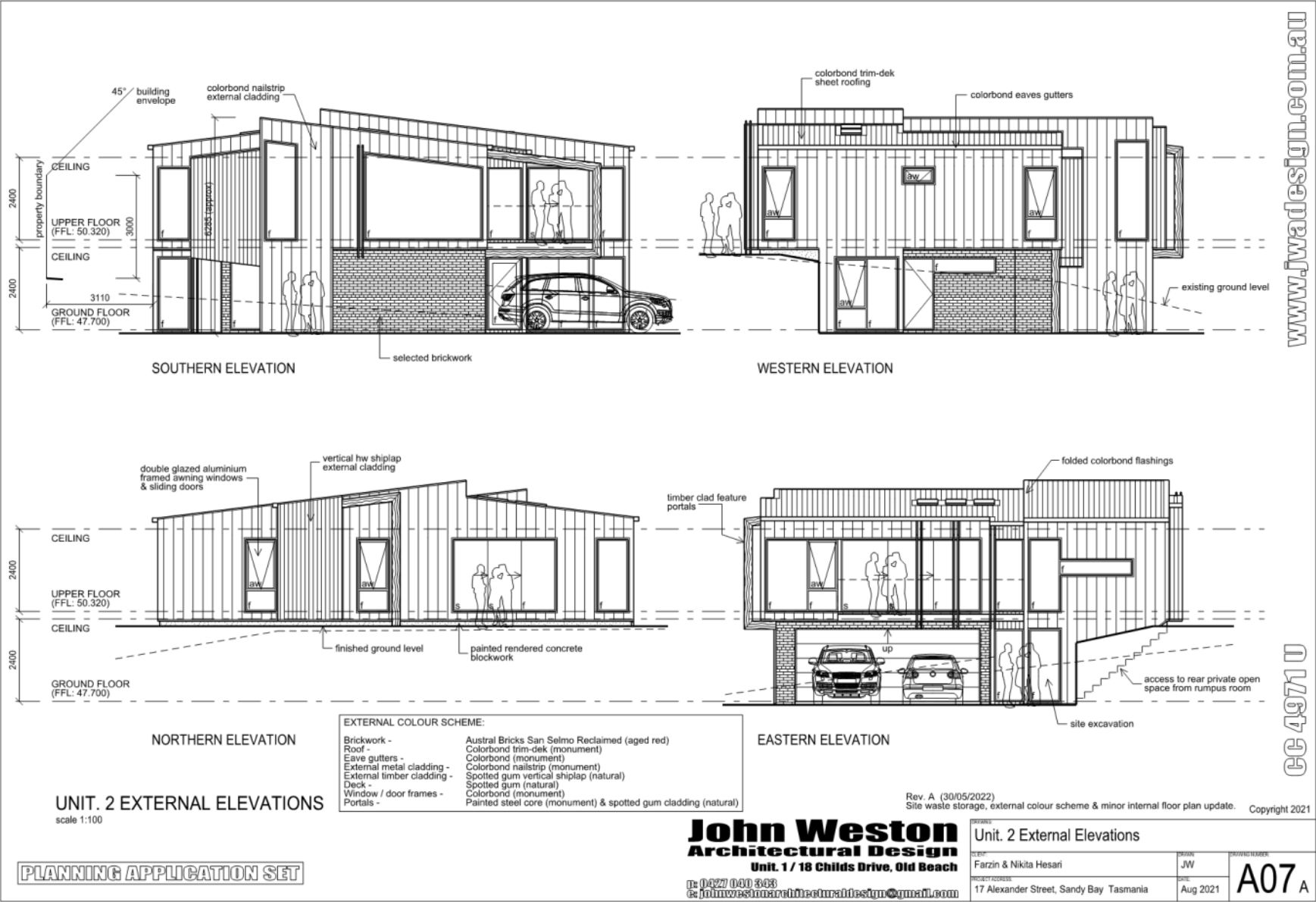
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DESIGNER	DRAWING NUMBER	
Farzin & Nikita Hesari	JW	
PROJECT ADDRESS	DATE	
17 Alexander Street, Sandy Bay Tasmania	Aug 2021	

A05 A

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Site Section A-A (eastern elevation)		
SURVEY Farzin & Nikita Hesari	DESIGNER JW	SHEET NO. A08
PROJECT ADDRESS 17 Alexander Street, Sandy Bay Tasmania	DATE Aug 2021	



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DRAWING: Street Frontage External Rendering		
CLIENT: Farzin & Nikita Hesari	DESIGNER: JW	DRAWING NUMBER: A09 A
PROJECT ADDRESS: 17 Alexander Street, Sandy Bay Tasmania	DATE: Aug 2021	

PLANNING APPLICATION SET

		DESIGN	JH	 <div>Lower Ground 199 Macquarie Street Hobart TAS 7000 03 6234 8669 mail@aldanmark.com.au www.aldanmark.com.au</div>	PROJECT	2 UNIT DEVELOPMENT	ADDRESS	17 ALEXANDER STREET SANDY BAY, TAS. 7005	SHEET	COVER		
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		DESIGN	JH									
		CHECKED	NM									
A	DEVELOPMENT APPLICATION	17/05/2022	VERIFIED	NM								
REV	ISSUE	DATE	APPROVAL									
					PROJECT No: 21E65-16 SHEET C001 REV A							



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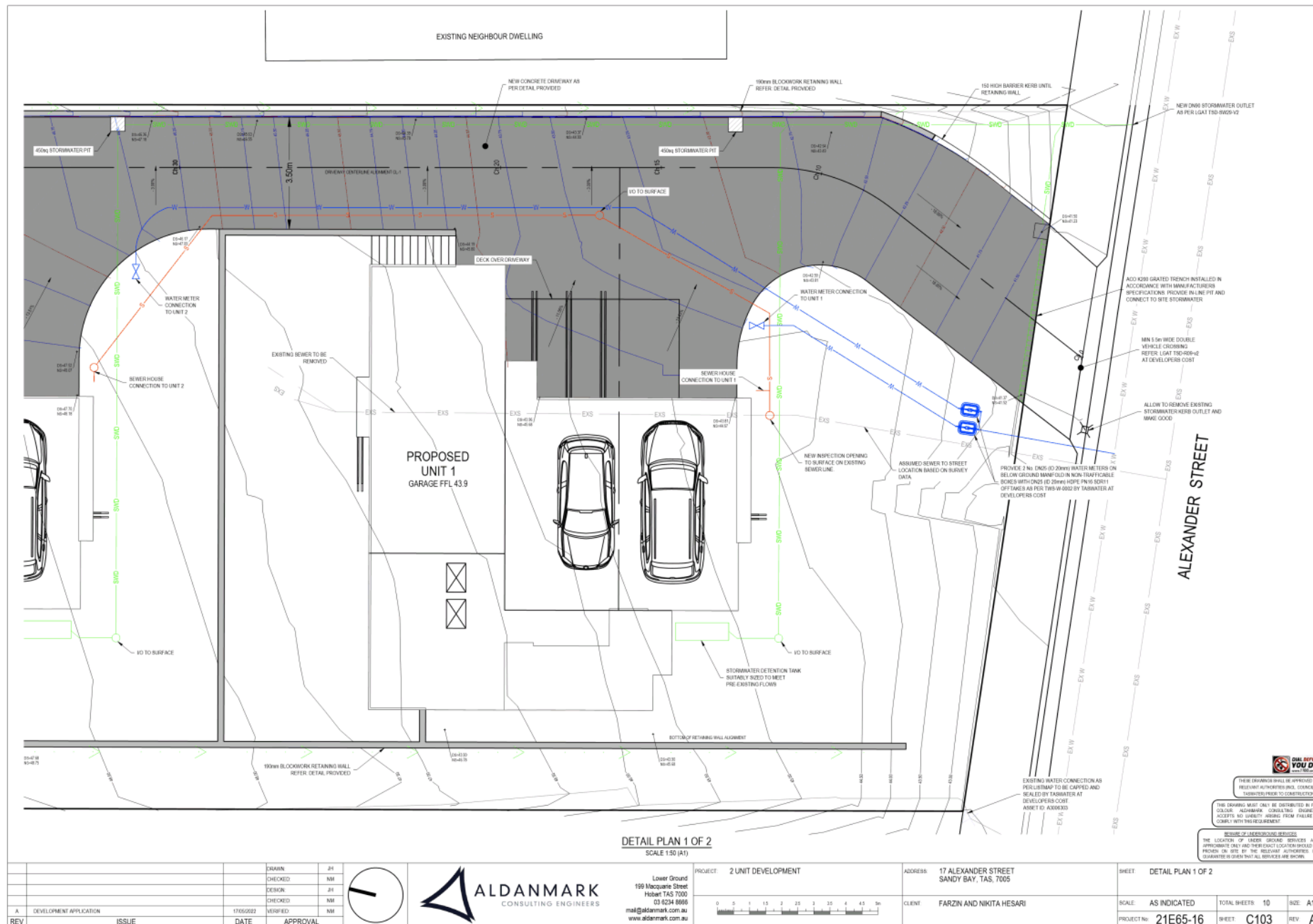
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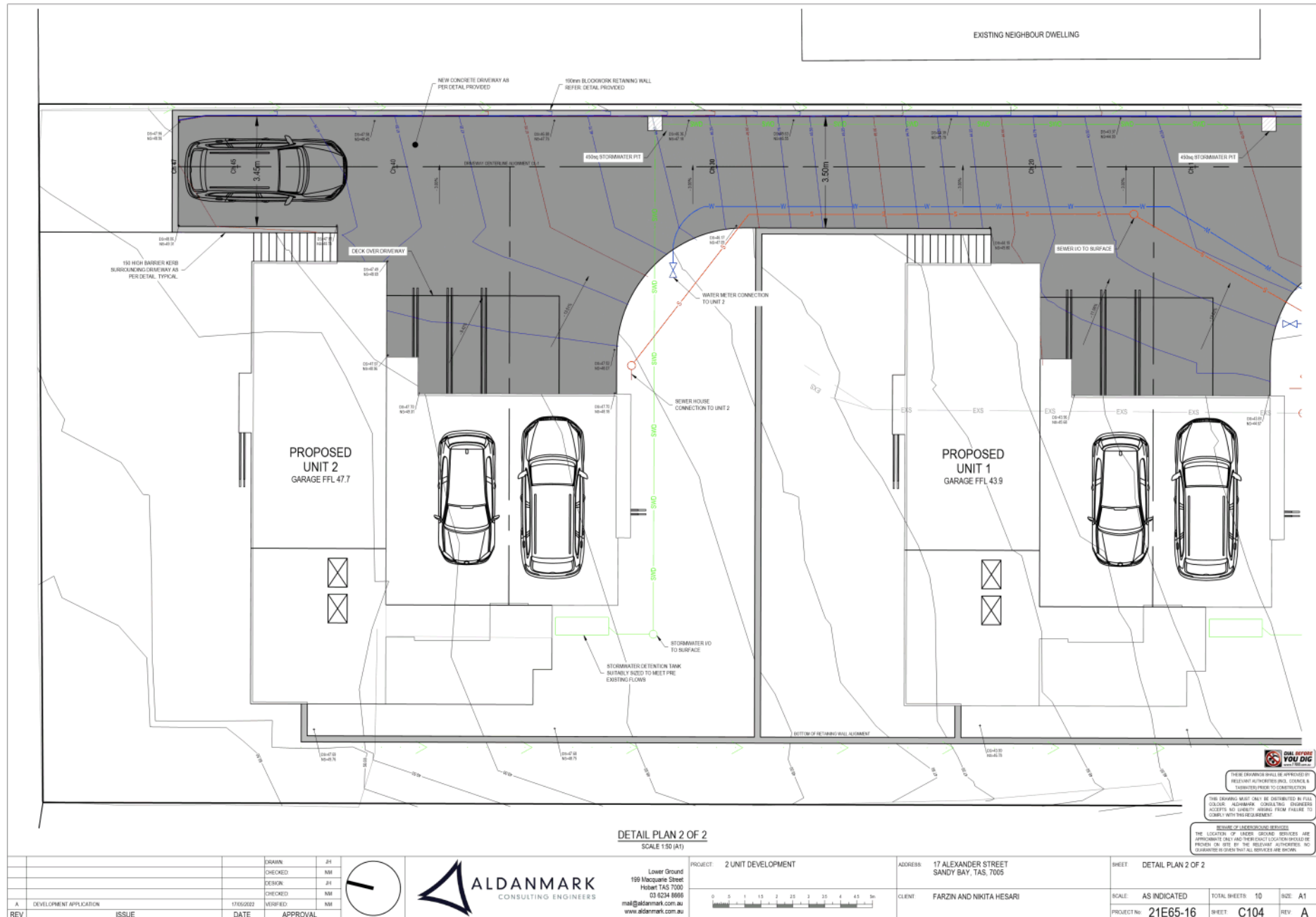
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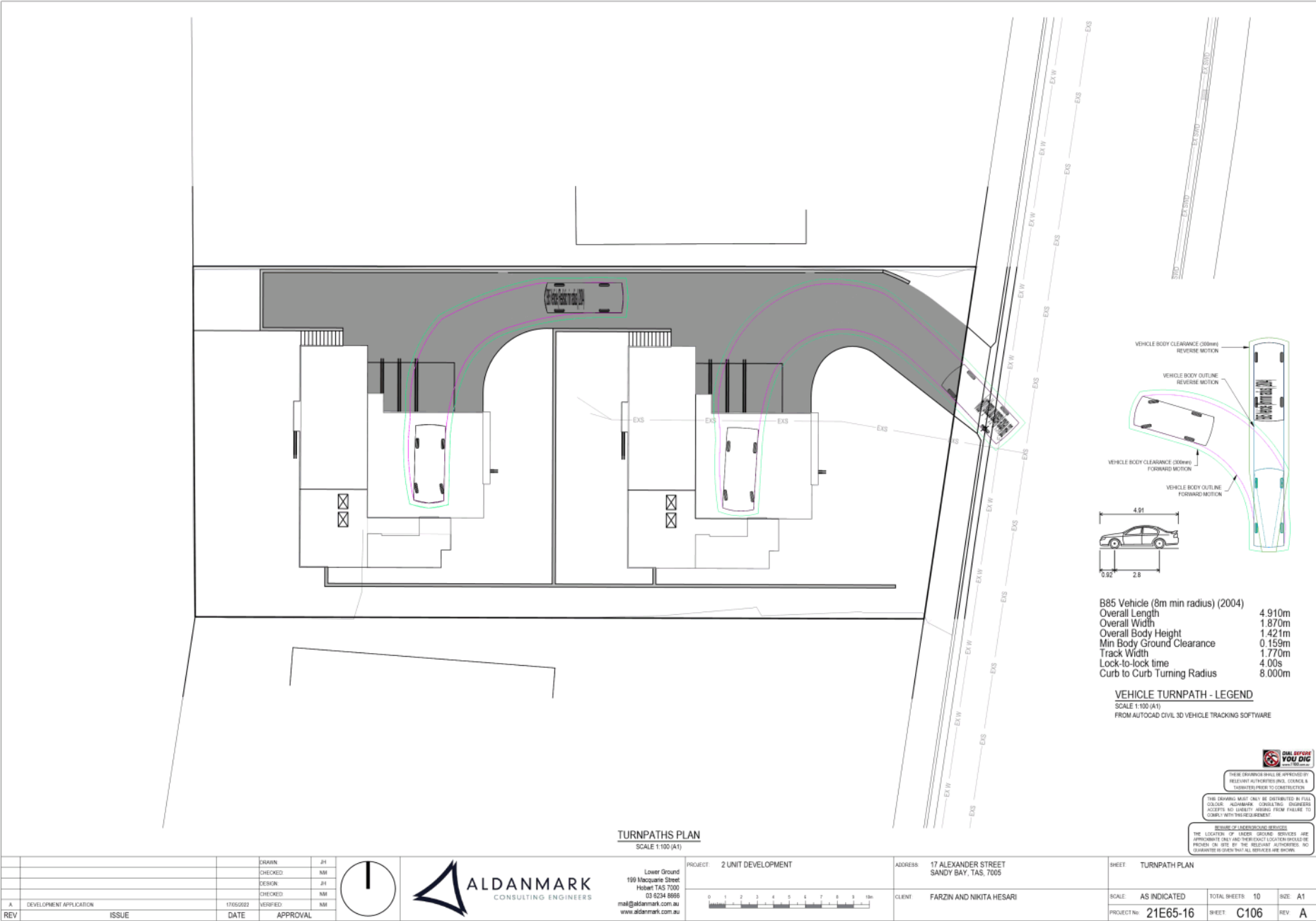
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PROJECT:	2 UNIT DEVELOPMENT	
ADDRESS:	17 ALEXANDER STREET SANDY BAY, TAS, 7005	
CLIENT:	FARZIN AND NIKITA HESARI	
SCALE:	AS INDICATED	
PROJECT No:	21E65-16	

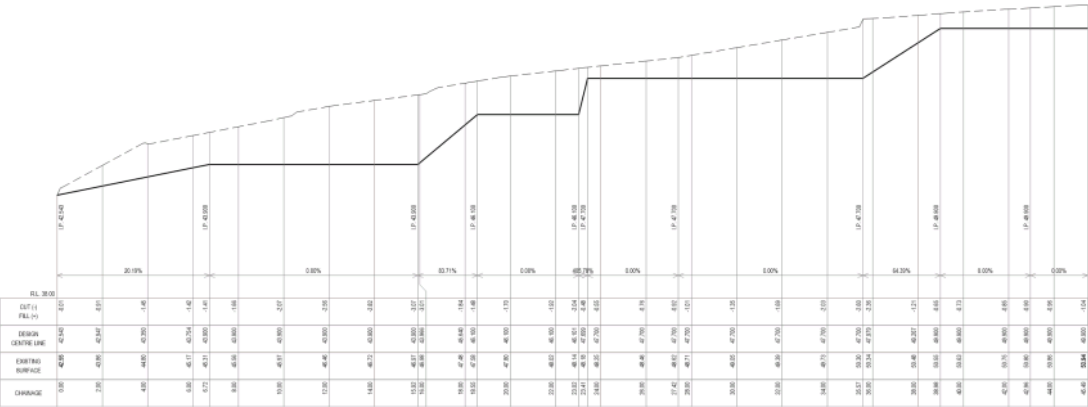
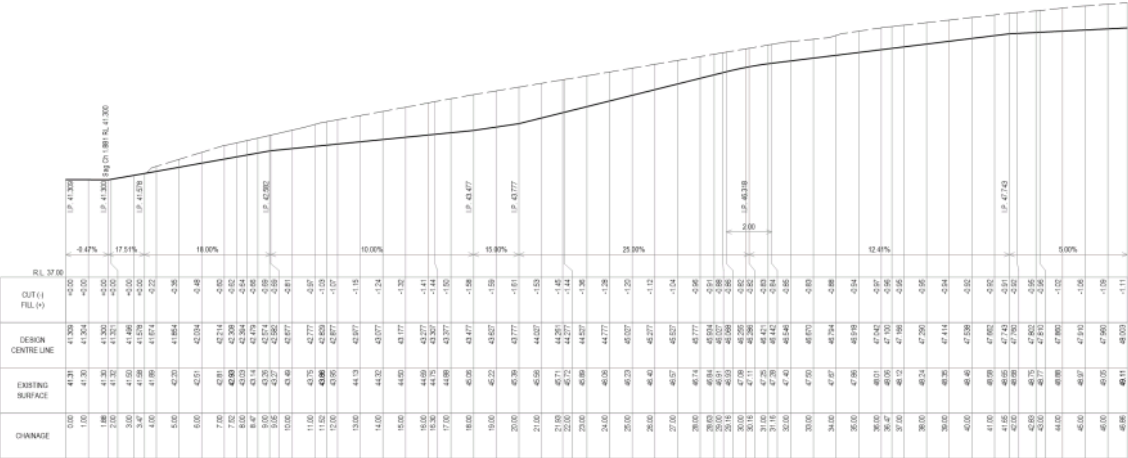
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TOTAL SHEETS	10
SIZE	A1
SHEET	C101
REV	A











SECTIONS 01
SCALE 1:100 (A1)



Lower Ground
199 Macquarie Street
Hobart TAS 7000
03 6234 8666
mail@aldanmark.com.au
www.aldanmark.com.au

PROJECT: 2 UNIT DEVELOPMENT



ADDRESS: 17 ALEXANDER STREET
SANDY BAY, TAS, 7005

CLIENT: FARZIN AND NIKITA HESARI

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SHEET: SECTIONS 1 OF 2

SCALE: AS INDICATED

PROJECT No: 21E65-16

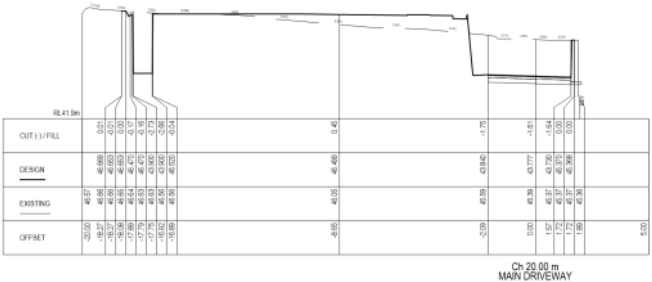
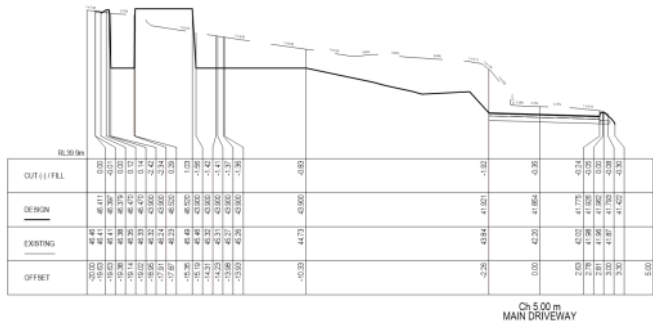
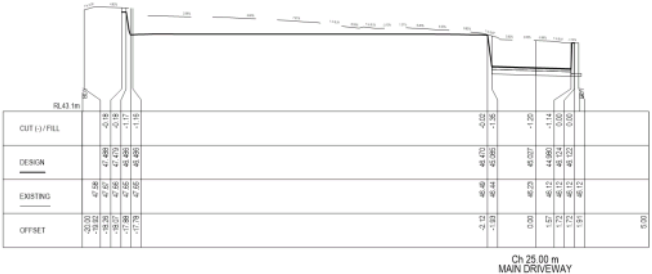
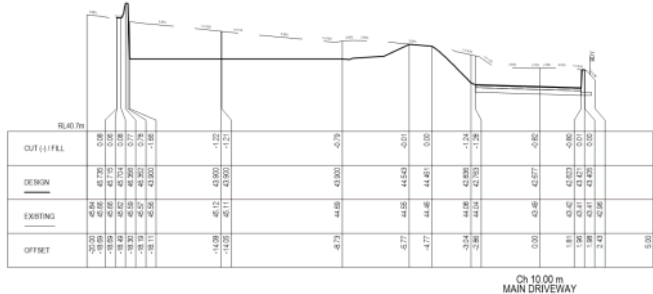
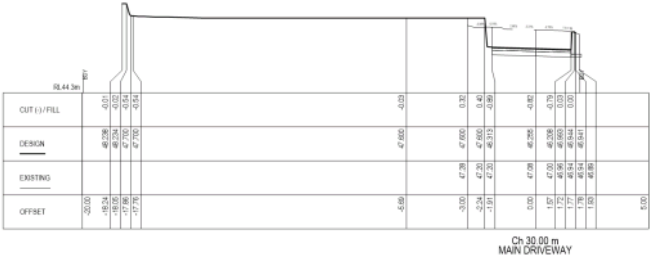
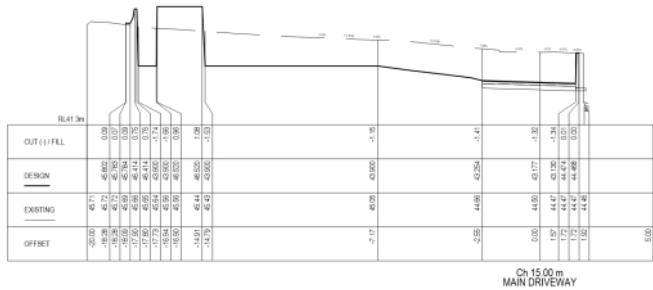
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REV	ISSUE	DATE	APPROVAL
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PROJECT: 2 UNIT DEVELOPMENT



ADDRESS: 17 ALEXANDER STREET
SANDY BAY, TAS, 7005

CLIENT: FARZIN AND NIKITA HESARI

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SCALE: AS INDICATED

PROJECT No: 21E65-16

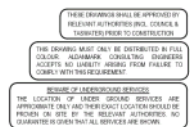
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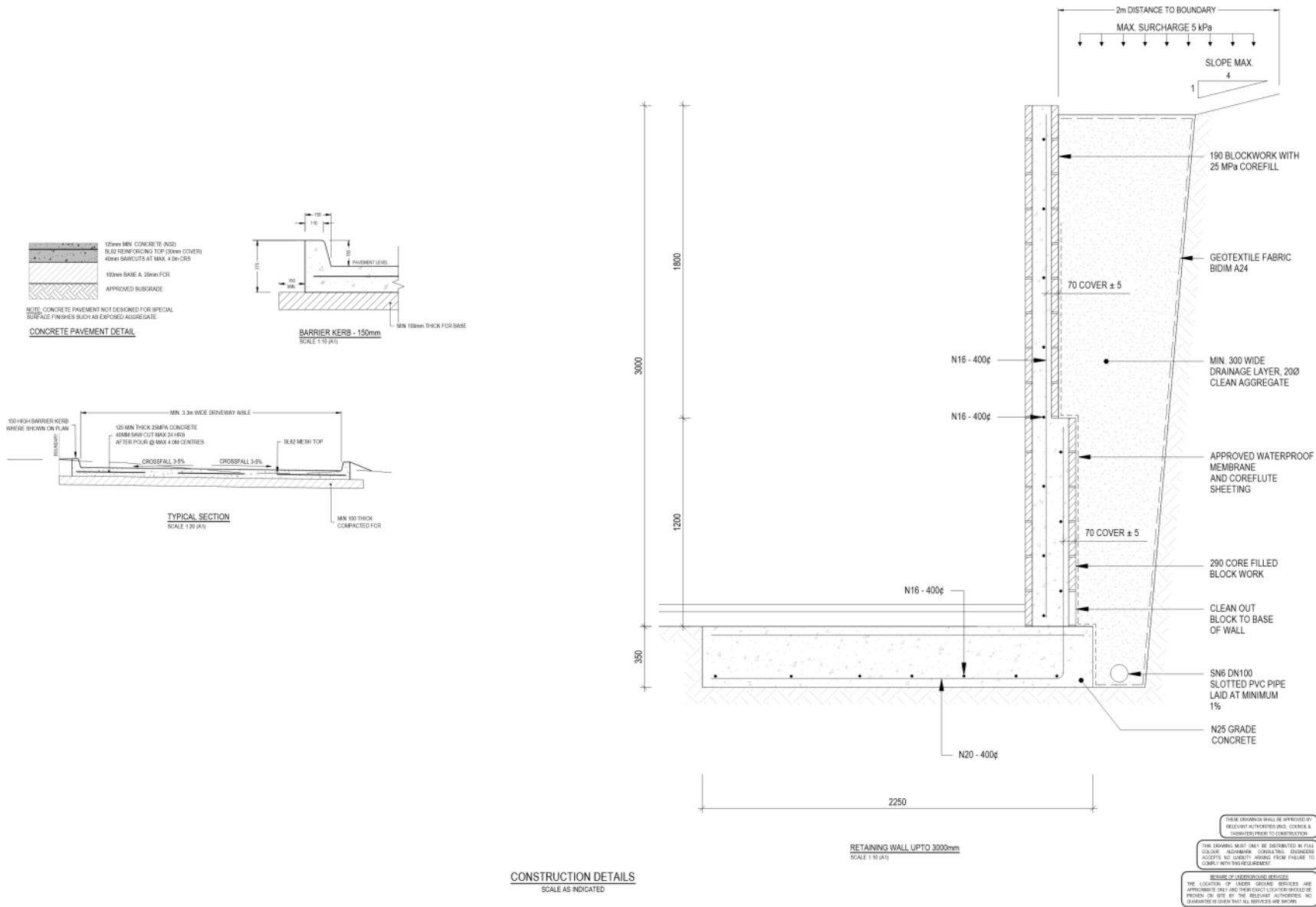
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TOTAL SHEETS: 10
SHEET: C302
SIZE: A1
REV: A



SHEET: C303	REV: A
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			CHECKED	NM
			DESIGN	JH
			CHECKED	NM
A	DEVELOPMENT APPLICATION	17/05/2022	VERIFIED	NM
REV	ISSUE	DATE	APPROVAL	



					PROJECT: 2 UNIT DEVELOPMENT	ADDRESS: 17 ALEXANDER STREET SANDY BAY, TAS, 7005	SHEET: CONSTRUCTION DETAILS			
REV	ISSUE	DATE	APPROVAL					SCALE: AS INDICATED	TOTAL SHEETS: 10	SIZE: A1
A	DEVELOPMENT APPLICATION	17/05/2022	VERIFIED			CLIENT: FARZIN AND NIKITA HESARI		PROJECT No: 21E65-16	SHEET: C401	REV: A

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 218551	FOLIO 1
EDITION 4	DATE OF ISSUE 05-Aug-2021

SEARCH DATE : 10-Aug-2021

SEARCH TIME : 10.57 PM

DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 218551

Derivation : Part of 65A-2R-0Ps. Gtd. to D. Lord.

Prior CT 2660/92

SCHEDULE 1

M894326 TRANSFER to NIKITA ANNE GHAFARI-HESARI and FARZIN
GHAFARI HESARI Registered 05-Aug-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

E266757 MORTGAGE to National Australia Bank Limited

Registered 05-Aug-2021 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469

TASMANIA

REAL PROPERTY ACT, 1862, as amended

NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE

Cert. of Title Vol. 532 Fol. 90



CERTIFICATE OF TITLE

Register Book

Vol. Fol.

2666 90

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Recorder of Titles.

DESCRIPTION OF LAND



CITY OF HOBART

ONE ROD AND NINE TENTHS OF A PERCH on the Plan hereon

FIRST SCHEDULE (Continued overleaf)

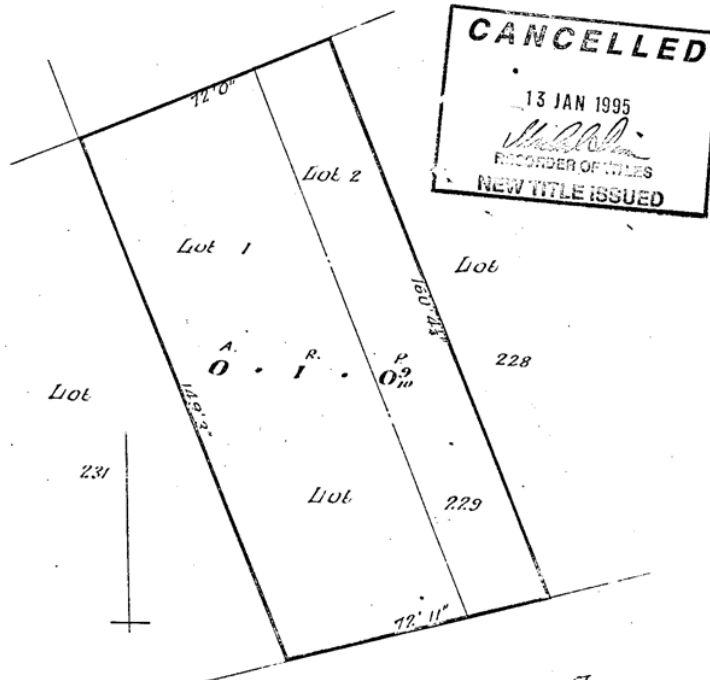
ROBERT BLAIR HAY of Hobart, Accountant

SECOND SCHEDULE (Continued overleaf)
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Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER

218551



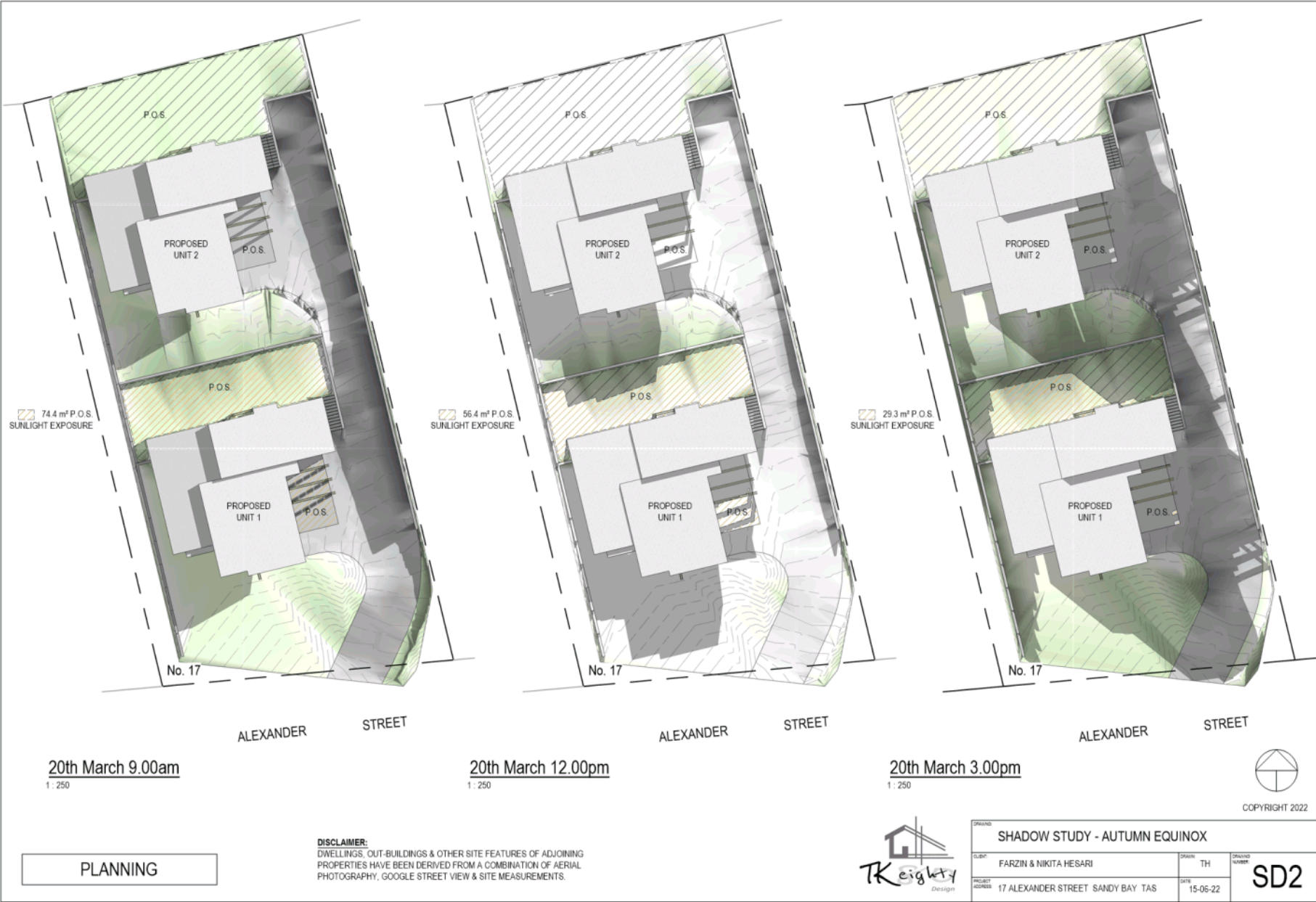
Part of 55A-2Rds.OPs. Gtd. to D. Lord
FIRST EDITION. Registered 1970

Derived from C.T. Vol. 532 Fol. 90

Transfer 117648 A. S. L. Hay

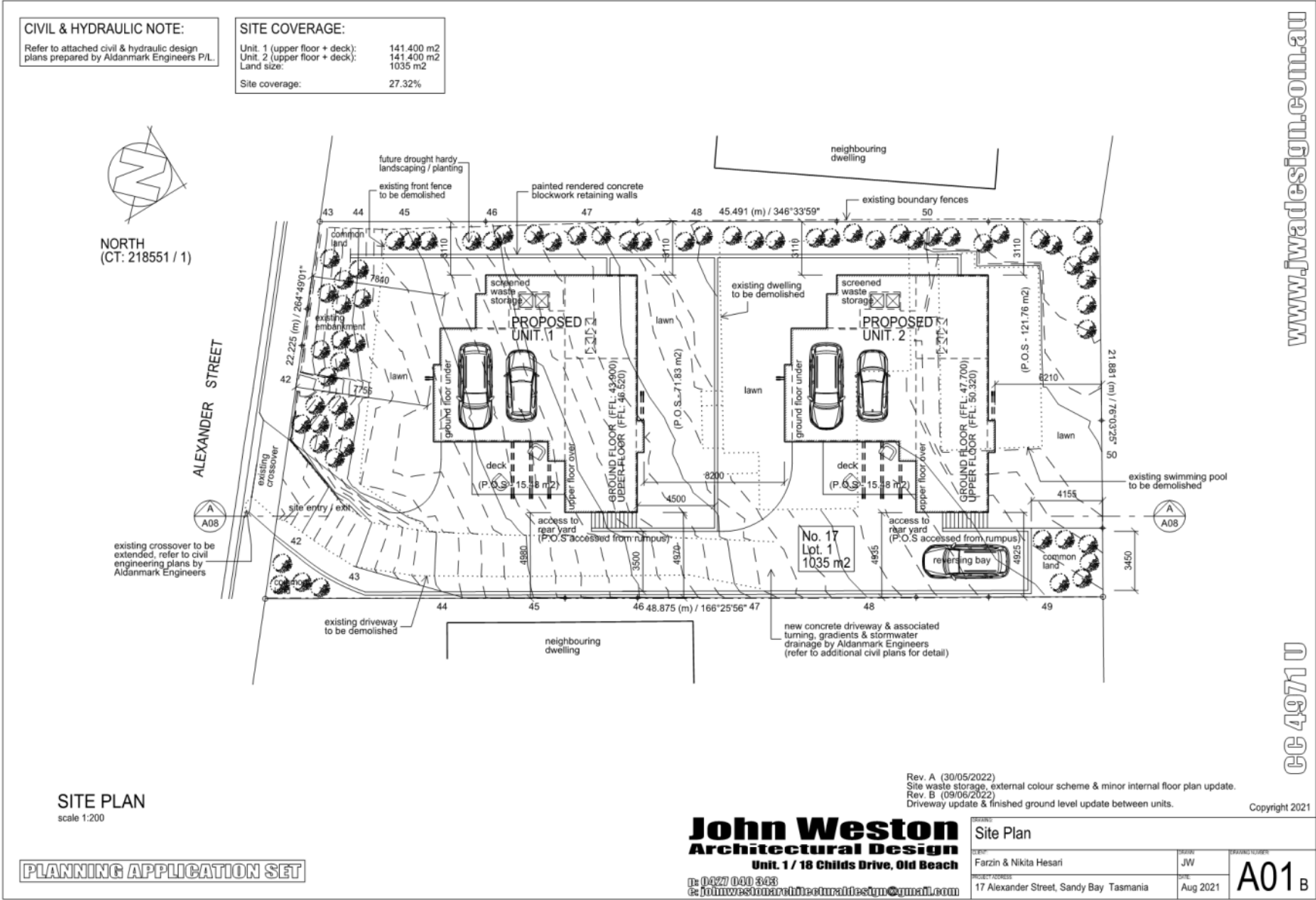
ALEXANDER ST
Meas. in st. & d. 43/15 N.S.











CIVIL DRAWINGS
2 UNIT DEVELOPMENT
17 ALEXANDER STREET

C001	COVER	B	03/06/2022
C101	LOCALITY PLAN	B	03/06/2022
C102	SITE PLAN	B	03/06/2022
C103	DETAIL PLAN 1 OF 2	B	03/06/2022
C104	DETAIL PLAN 2 OF 2	B	03/06/2022
C106	TURNPIAN PLAN	B	03/06/2022
C301	SECTIONS 01	B	03/06/2022
C302	SECTIONS 02	B	03/06/2022
C303	SECTIONS 03	B	03/06/2022
C304	VEHICLE CLEARANCE	B	03/06/2022
C401	CONSTRUCTION DETAILS	B	03/06/2022

			DRAWN	JH	 <p>Lower Ground 199 Macquarie Street Hobart TAS 7000 03 5234 5669 mail@aldanmark.com.au www.aldanmark.com.au</p>	PROJECT	2 UNIT DEVELOPMENT	ADDRESS	17 ALEXANDER STREET SANDY BAY, TAS. 7005	SHEET	COVER		
		CHECKED	NM										
		DESIGN	JH										
B	DEVELOPMENT APPLICATION	05/06/2022	CHECKED	NM									
A	DEVELOPMENT APPLICATION	17/05/2022	VERIFIED	NM									
REV	ISSUE	DATE	APPROVAL										
						CLIENT	FARZIN AND NIKITA HESARI	SCALE	AS INDICATED	TOTAL SHEETS	11	SIZE	A1
						PROJECT NO.	21E65-16	SHEET	C001	REV	B		



LOCALITY PLAN
SCALE 1:1000 (A1)

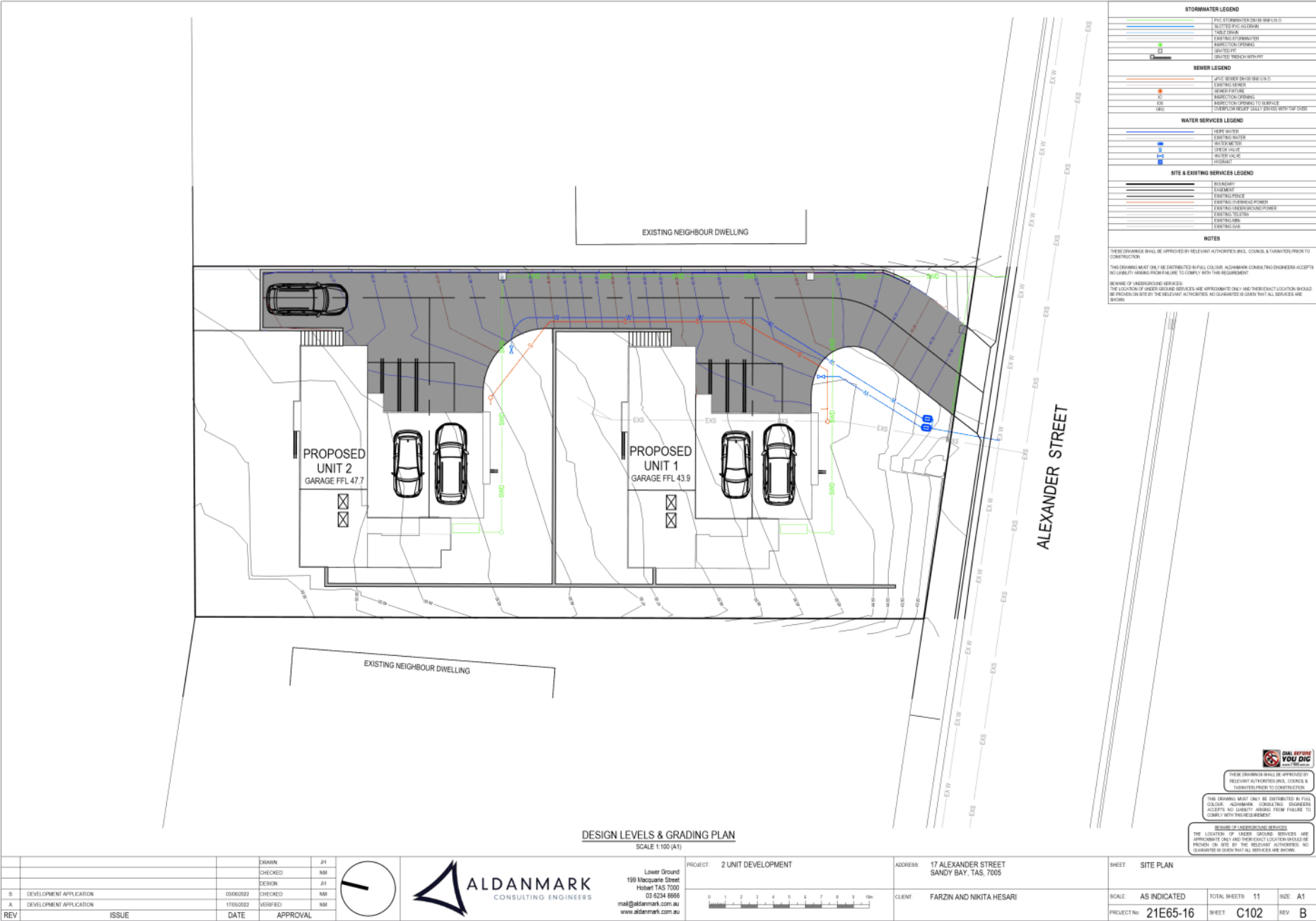
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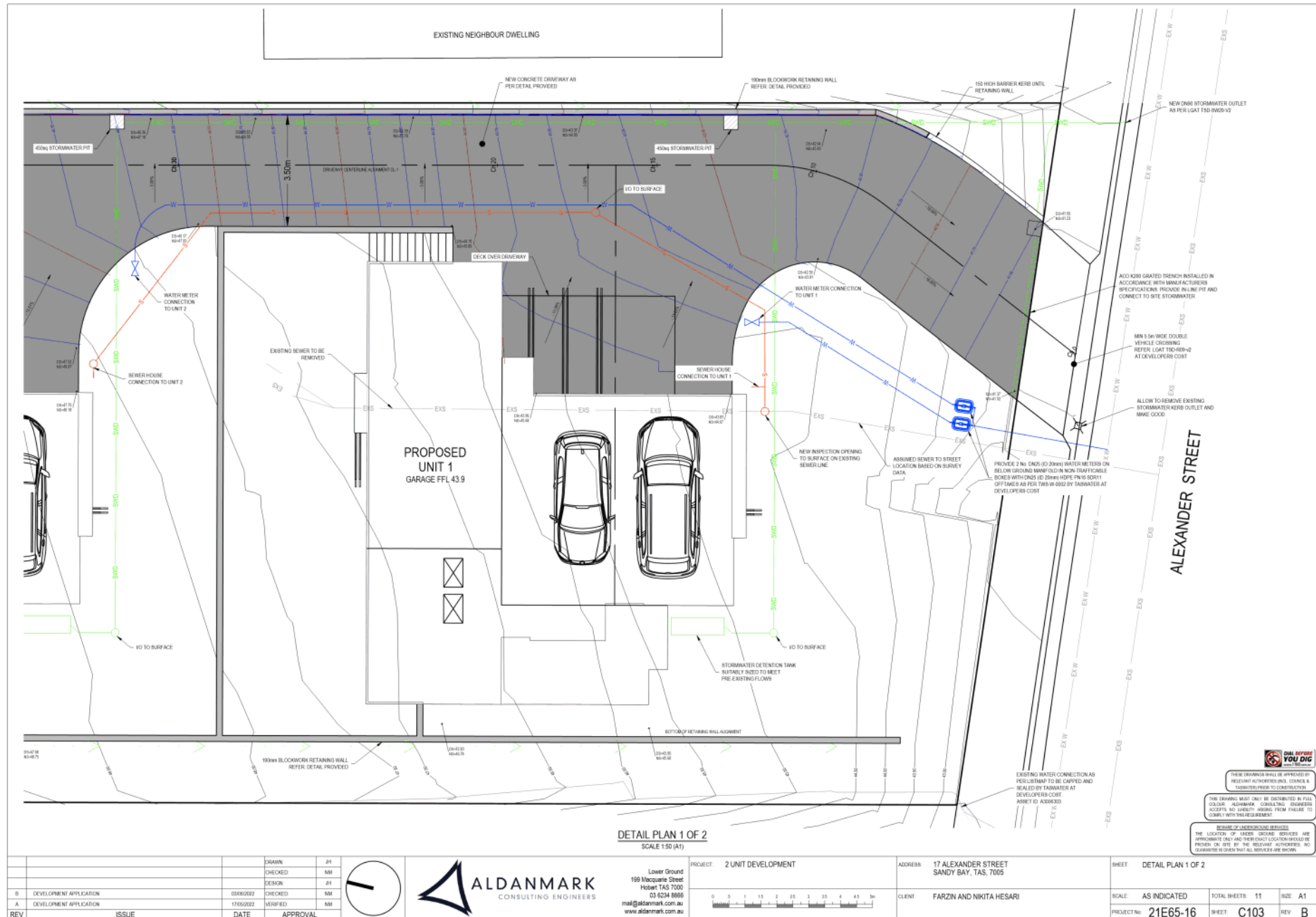
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REV	ISSUE	DATE	APPROVAL

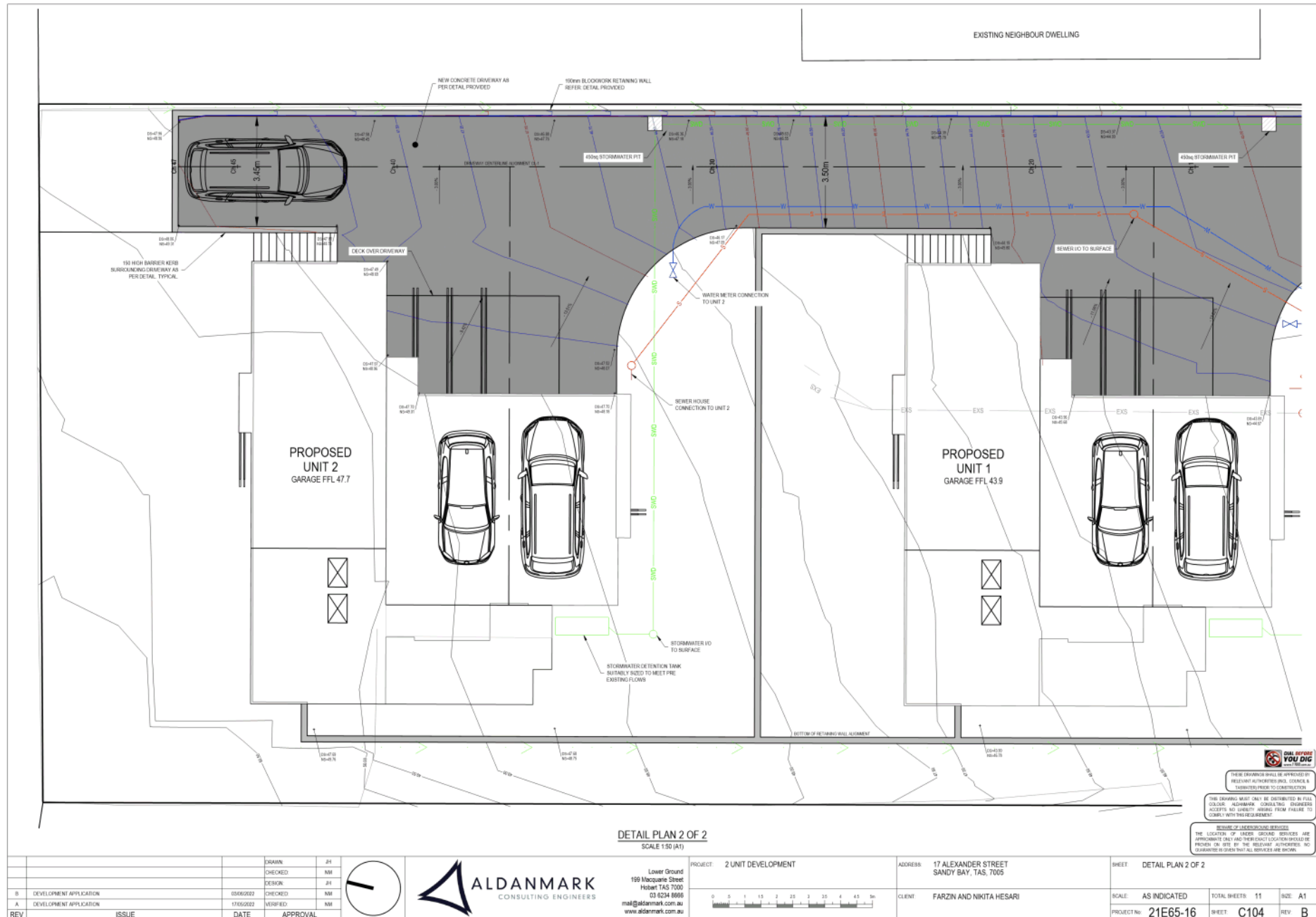


Lower Ground
199 Macquarie Street
Hobart TAS 7000
03 9234 8999
mail@aldanmark.com.au
www.aldanmark.com.au

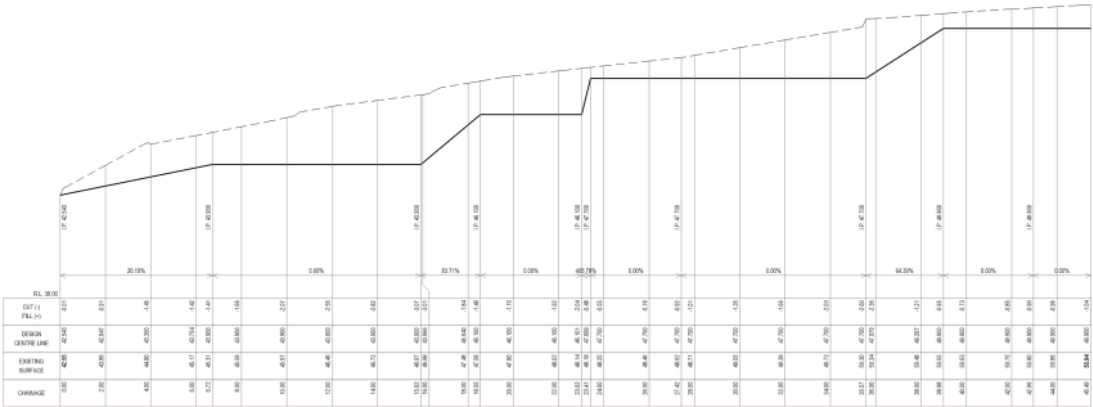
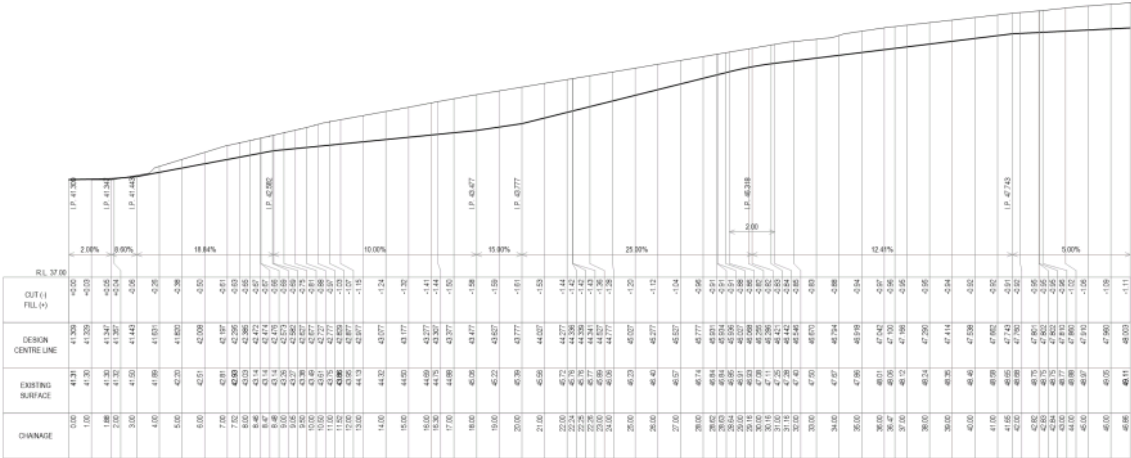
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CLIENT	FARZIN AND NIKITA HESARI	SCALE	AS INDICATED	TOTAL SHEETS	11
		PROJECT No	21E65-16	SHEET	C101
				REV	B











SECTIONS 01
SCALE 1:100 (A1)

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REV	ISSUE	DATE	APPROVAL
B	DEVELOPMENT APPLICATION	03/06/2022	CHECKED NM
A	DEVELOPMENT APPLICATION	17/05/2022	CHECKED NM
			VERIFIED NM



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199 Macquarie Street
Hobart TAS 7000
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mail@aldanmark.com.au
www.aldanmark.com.au

PROJECT: 2 UNIT DEVELOPMENT



ADDRESS: 17 ALEXANDER STREET
SANDY BAY, TAS, 7005

CLIENT: FARZIN AND NIKITA HESARI

SHEET: SECTIONS 1 OF 2

SCALE: AS INDICATED

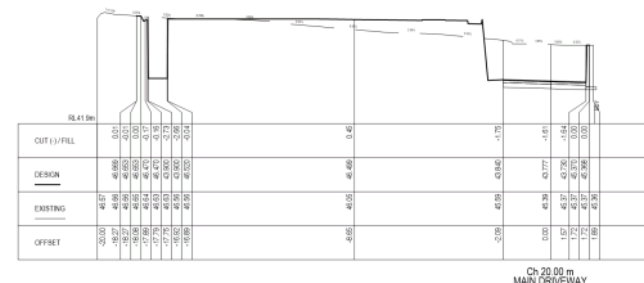
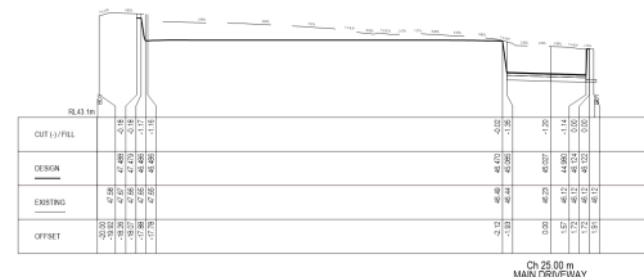
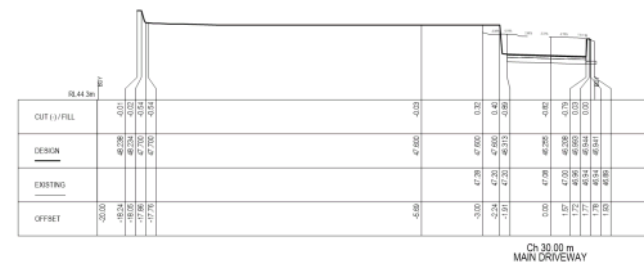
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TOTAL SHEETS: 11

SHEET: C301

SIZE: A1

REV: B



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				DRAWN	JH
				CHECKED	NM
				DESIGN	JH
B	DEVELOPMENT APPLICATION		03/06/2022	CHECKED	NM
A	DEVELOPMENT APPLICATION		17/05/2022	VERIFIED	NM
REV	ISSUE		DATE	APPROVAL	



SECTIONS 02
SCALE 1:100 (A1)

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199 Macquarie Street
Hobart TAS 7000
03 6234 8666
mail@aldanmark.com.au
www.aldanmark.com.au

PROJECT:	2 UNIT DEVELOPMENT
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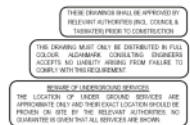
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SANDY BAY, TAS. 7005

CLIENT:	FARZIN AND NIKITA HESARI
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SHEET: SECTIONS 2 OF 2

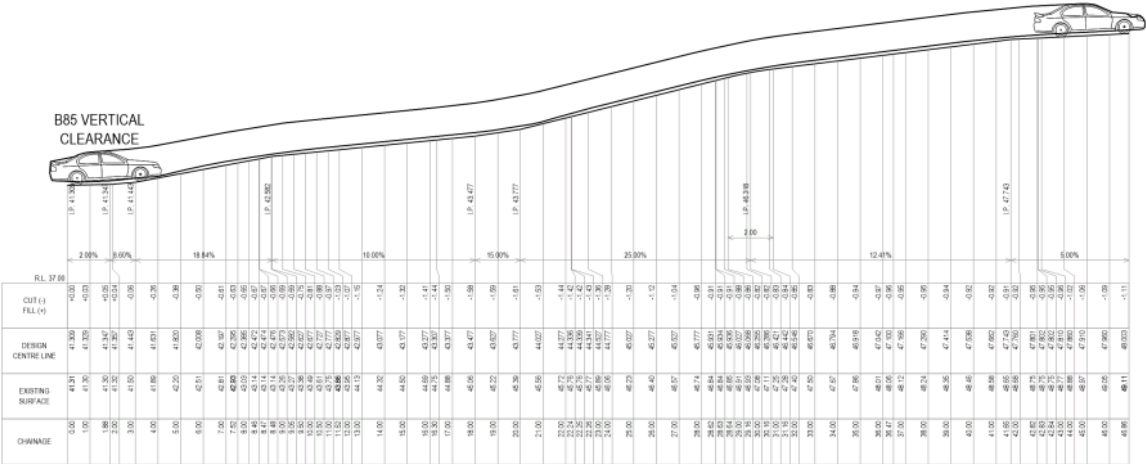
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SHEET: C302	REV: B



SHEET: C303	REV: B
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B	DEVELOPMENT APPLICATION	03/06/2022	CHECKED	NM
A	DEVELOPMENT APPLICATION	17/05/2022	VERIFIED	NM
REV	ISSUE	DATE	APPROVAL	



VEHICLE CLEARANCE
SCALE 1:100 (A1)

			DRAWN	JH
			CHECKED	NM
			DESIGN	JH
B	DEVELOPMENT APPLICATION	03/06/2022	CHECKED	NM
A	DEVELOPMENT APPLICATION	17/03/2022	VERIFIED	NM
REV	ISSUE	DATE	APPROVAL	



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Hobart TAS 7000
03 6234 8666
mail@aldanmark.com.au
www.aldanmark.com.au

PROJECT: 2 UNIT DEVELOPMENT



ADDRESS: 17 ALEXANDER STREET
SANDY BAY, TAS, 7005

CLIENT: FARZIN AND NIKITA HESARI

SHEET: VEHICLE CLEARANCE

SCALE: AS INDICATED

PROJECT No: 21E65-16

TOTAL SHEETS: 11

SHEET: C304

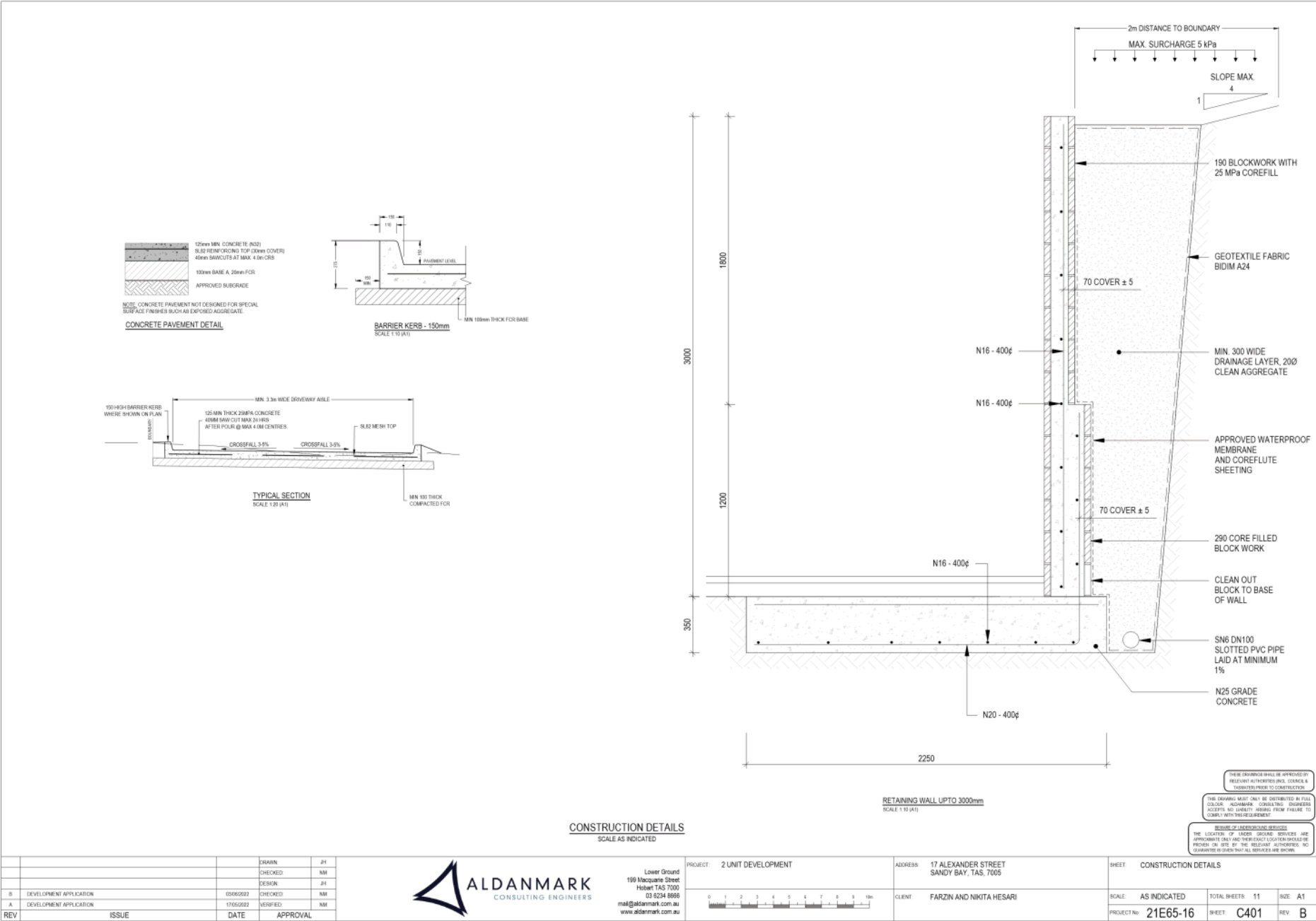
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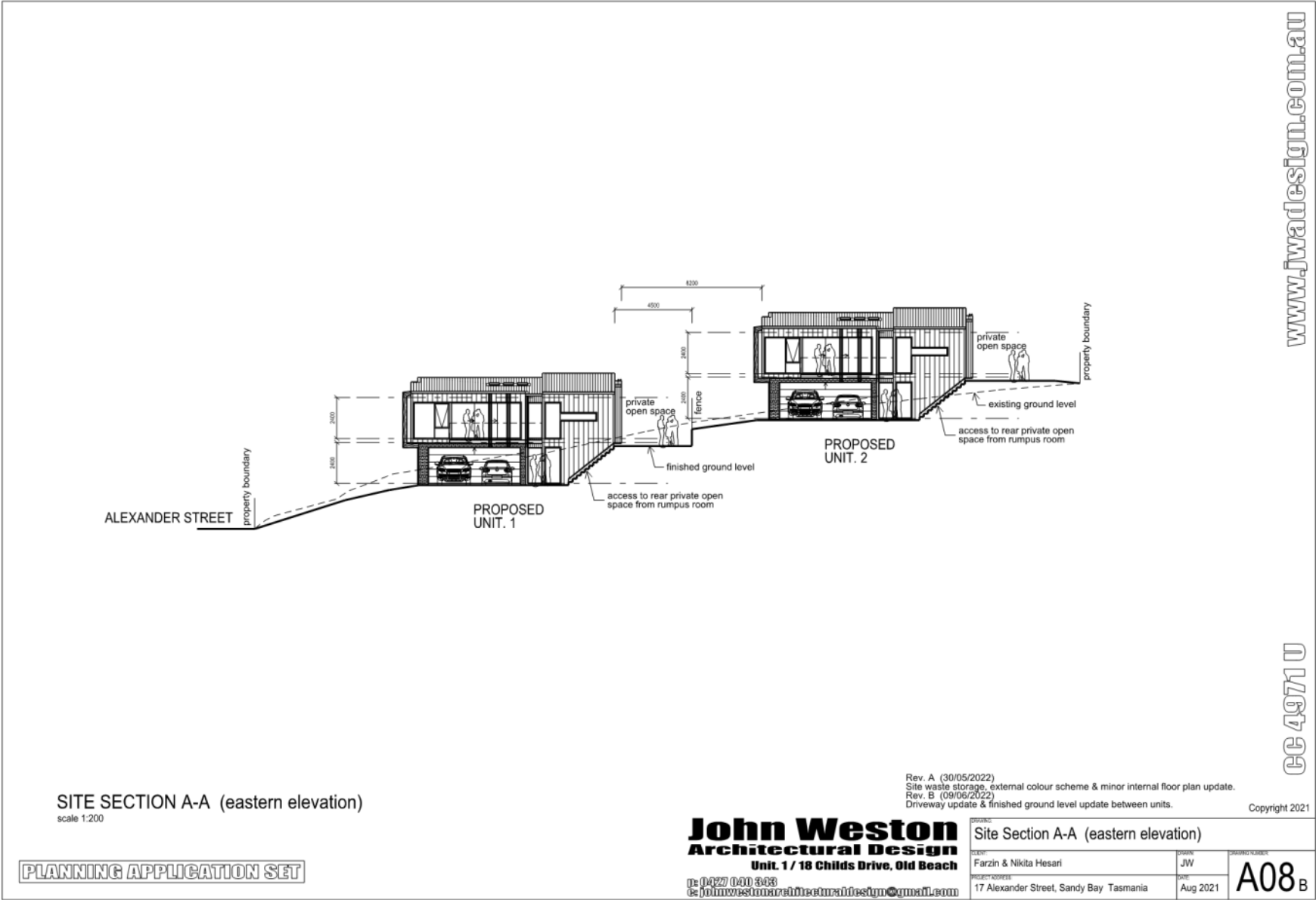
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DOYLE **SOIL** **CONSULTING**



LANDSLIDE ASSESSMENT REPORT

17 Alexander Street

Sandy Bay

June 2022

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Founding Statement

Dr Richard Doyle is a highly qualified geologist, geomorphologist and soil scientist with over 38 years work experience in earth sciences. He has a B.Sc. (Hons) in geology with a double major in physical geography (Victoria University of Wellington, NZ), an M.Sc. in geology awarded with distinction specialising in geomorphology, erosion and soil development (Victoria University of Wellington, NZ) and a PhD in soil science (UTAS). Dr Doyle is a Certified Professional Soil Scientist (CPSS) of the Australian Society of Soil Science of which he is the former state and national president. He has worked and taught around the world on a wide range of earth science projects (Greece, Namibia, USA, NZ and PNG). Dr Doyle has researched and taught soil and earth science at Tertiary level for over 28 years and co-supervised >30 honours/master students, and 21 research higher degree completions (PhDs and Masters). He has authored many landslide risk, coastal erosion, inundation and other earth based risk assessments for Tasmanian councils and has over 100 refereed scientific publications in journals, books and conference proceedings with over 50,000 publication reads and 1800 citations leading to a H-Citation Index of 20.

Introduction

This report examines the risk of a proposed construction site that is overlain by a Low Landslide Hazard Areas overlay (figure 1). This overlay is due to the area being identified to have '*Hobart-Glenorchy deep-seated slide susceptibility (Rosetta scenario)*'. The mapped Landslide Hazard overlay has been generated by Mineral Resources Tasmania (MRT), but no known active landslides have occurred recently in the low hazard area. However, no movement of land was noted at the time of investigation.

MRT states that; *deep seated landslides are failures of geological units shown on the accompanying geological map where the failure plane extends below any unmapped surficial soil or regolith material that may exist at the site. The depth of these landslides usually exceeds 5m. The stability of the Tertiary unit is expected to vary from site to site depending on a number of factors such as pore pressures, faults and fractures, lithology, structural dip, weathering, etc.*

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Site Information

Client: John Weston Architectural Design

Address: 17 Alexander Street, Sandy Bay (CT 218551/1)

Site Area: Approximately 1043 m²

Date of inspection: 30/07/2021

Building type: New house

Services: Mains water and sewer

Planning Overlays: Heritage Precinct, Landslide Hazard Area Low (Rosetta)

Mapped Geology - Mineral Resources Tasmania 1:25 000 Hobart sheet:

Tcbd = Tertiary poorly sorted boulder to pebble grade deposits with boulders up to 3 m length, clasts generally dominantly of dolerite with traces to rarely dominant amounts of Upper Parmeener mudstone and other rocks

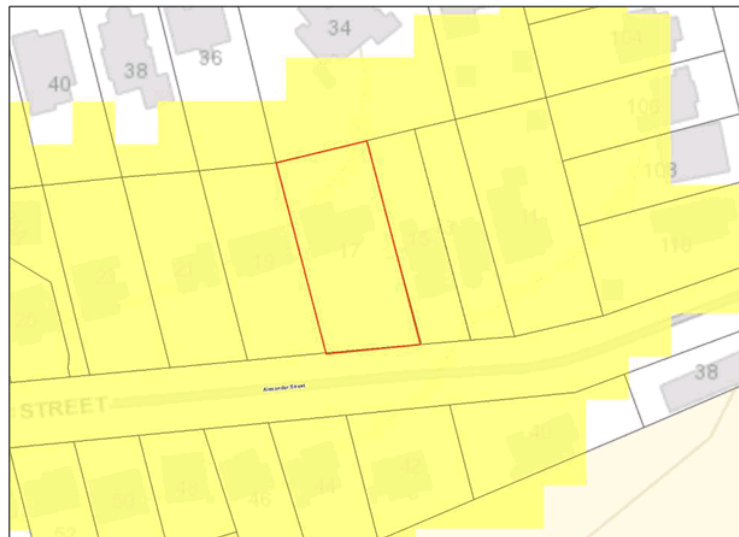
Soil Depth: Refusal at 1.7 - 1.8 m

Subsoil Drainage: Imperfect subsoil drainage

Drainage lines / water courses: Proctors Creek and Rifle Range Creek to the South

Vegetation: Grass

Rainfall in previous 7 days: Approximately 2 mm



Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Geomorphology, Soils and Geology

The soil profiles have formed from Jurassic dolerite-derived clayey colluvium and weathered dolerite boulder beds. The profiles are moderately deep with effective refusal occurring at approximately 1.7 – 1.8 m. Effective refusal indicates the bearing capacity is similar to competent bedrock.

The entire site is mapped as a low landslide hazard risk due to the underlying presence of Tertiary boulder deposits and the moderately steep slope. The design of the building and foundations should be sensitive to this topographic feature, i.e., minimise cut depths and only moderate to gentle batter angles.

The field textures of the soil profile are dominated by clay which is slightly to highly reactive, weakly to moderately structured with slightly dispersive characteristics. We recommend founding on the underlying weathered Jurassic dolerite boulder beds at approximately 1.0 m.

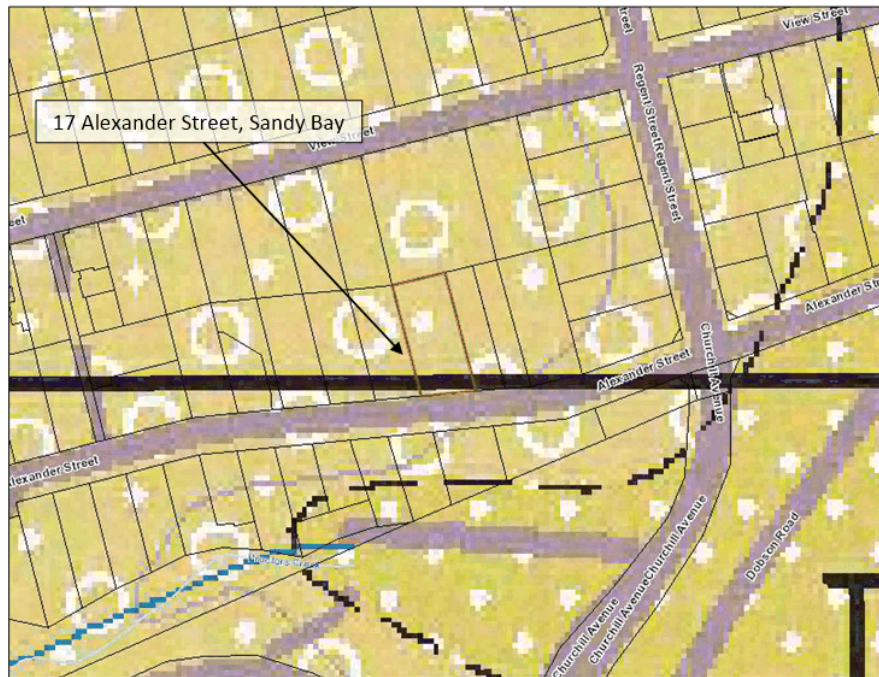


Figure 2: Mineral Resources Tasmania Hobart and Taroona 1:25 000 geological polygons of the environs around number 17 Alexander Street, Sandy Bay. The orange with white circles polygon is mapped as Tertiary deposits.

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Assessment of the surrounding landscape suggests that the clayey boulder beds were derived from Mt Nelson ranges during the Tertiary period (Neogene) via Proctors Creek. Over time Proctors Creek has cut into the landscape and over steepened the hillside. However, these subsurface materials have been in place for a significant time and so ought to be competent and relatively stable.

The building design will also need to consider the potential for moisture/water throughflow under the structure and thus pile foundations or minimal cut/fill would be wise construction practice; the building designer must ensure these landscape features are considered and managed in the design and construction of any structures crossing any minor drainage depressions.

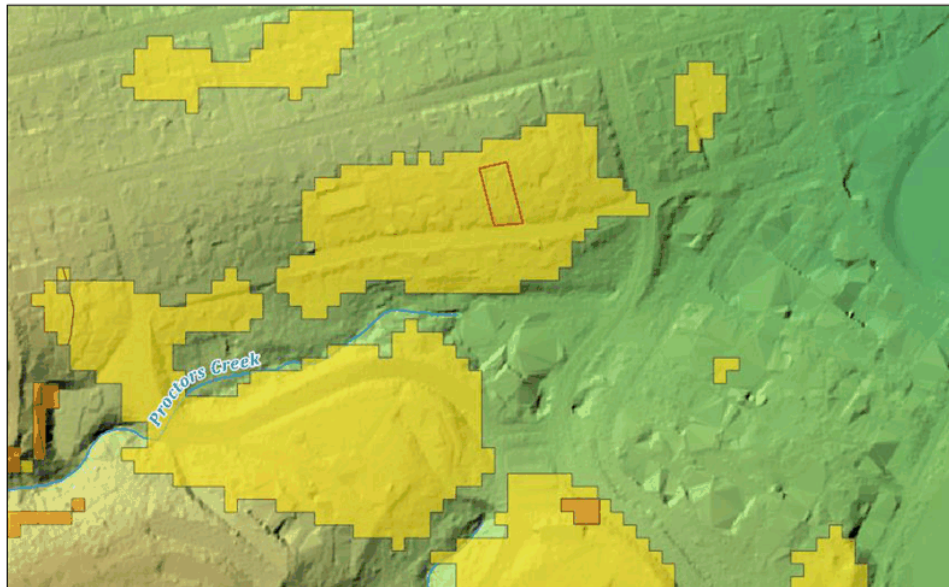


Figure 3: 1m DEM hill shade with Proctors Creek and the Landslide overlay marked up.

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay



Figure 4: Image 1 = site surface with no signs of creep or slumping. Image 2 = cracked driveway concrete indicating highly reactive clays. Image 3 = the existing dwelling did not have major structural issues.

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Geotechnical Assessment of Slope Stability

The proposed construction site for the new dwelling at 17 Alexander Street, Sandy Bay has a Landslide Hazard Area (Low) overlay. The overlay is produced by:

- Recording observations of land instability in– and surrounding the– study area (the landslide database).
- Analysis of the processes that control each landslide type.
- Computer-assisted modelling that simulates each of the landslide processes to predict areas that could be affected by future landslides.

The proposed construction site falls under the Tasmanian Planning Scheme – Huon Valley - State Planning Provisions Code E3.0 Landslide Code.

According to section E3.2.1, This Code applies to:

- a) Development for buildings and works or subdivision on land within a Landslide Hazard Area.
- b) Use of land for vulnerable use or hazardous use within a Landslide Hazard Area.

The site is assessed according to E3.7.1 P1 and E3.7.3 of the Scheme. This geotechnical advice on the site considers several important and specific parameters pertinent to the area.

Potential for Mass Movement of Soil Materials at The Site

The site has moderately steep slopes of approximately 10 – 20+° with a pasture cover and flower gardens and some trees. The auger holes revealed moderately deep clayey subsoils developing above weathered dolerite boulder beds. The moderately thick clayey subsoils (>1 m) are highly reactive and have lower permeability (weakly-structured) so they are prone to shrinking and swelling and therefore can slowly soil creep over time. Foundation piles onto the weathered dolerite boulders will mitigate any land sliding concerns.

An extract from MRT state; Contributing or triggering factors for landslides can be achieved by natural events such as unusually wet seasons, wave attack of coastal cliffs, and undercutting of riverbanks by stream action. Human activities can also affect stability such as leakage from water services, deforestation, and inappropriate excavations on hill– slopes.

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

The Tertiary weathered dolerite boulder beds are known to be a potentially problematic lithology, and the soil-regolith (colluvium) is generally only moderately deep across the site there is a potential for deep-seated land sliding.

The site appears stable with regard to land sliding with no evidence of active instability in the area, therefore, the geotechnical risk associated with instability in the natural soils confirms the LOW ranking for this hazard so long as the building is founded/piered onto the boulder beds. The soils may be subject to water erosion if exposed i.e., left bare of vegetation for extended periods, and therefore minimal soil disturbance and maintenance of vegetation cover will be needed during and after foundation excavations to minimise surface soil erosion. However, no evidence of more deep-seated landslide hazards, i.e., 3 – 10 m of soft regolith, were detected or are likely at this site.

Modification of drainage on site may affect the regolith stability as excess water destabilises loose or soft surface (<0.5 m) sediments – therefore drainage design should avoid water accumulation in the construction area - *Please refer to the extract on good hillside construction practice from the Australian Geomechanics Society (Appendix 3) and CSIRO BTF-18.*

Measures to Mitigate Against Instability

There are few trees and gardens on the property of the proposed construction site which ought to be retained where possible as vegetation helps stabilise slopes. We suggest that appropriate sediment and erosion control measures be in place during all phases of construction and thought be given to utilising landscaping to help maintain slope stability – and in particular address potential topsoil erosion via adequate site drainage and vegetation retention.

The risk of land instability within the proposed building envelope can be reduced via use of current best practice for construction on sloping sites as appended to this report. Most critically the building needs to be founded on the boulder beds and a piered/pile method of foundation is highly recommended.

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

E3.7.1 Buildings and Works, other than Minor Extensions & E3.7.3

Major Works

Objective:

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

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

Acceptable Solution A1	Comments
No acceptable solution.	

Performance Solution P1	Comments
Buildings and works must satisfy all of the following: <ul style="list-style-type: none"> a) no part of the buildings and works is in a High Landslide Hazard Area b) the landslide risk associated with the buildings and works is either: <ul style="list-style-type: none"> i. acceptable risk; or ii. capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk. 	It is recommended the building is founded on the boulder beds at and below approx. 1 m (or less) and that minimal land (vegetation) disturbance occurs during construction phase. Further, that shrubland and deep-rooted grassy vegetation be re-established on the site to stabilise the slopes against water erosion.

Landslide Risk Analysis

Risk assessment of land sliding relates to:

- 1) Likelihood of occurrence of any form of mass movement e.g., soil creep, debris flow, slumping, landslide, rock fall etc, including its' likely scale (size, area, volume) would be affected by the scale of any land cutting in the rear and side walls of the building. However, in generally the boulder beds are stable and competent materials. Revegetation and minimum site disturbance are recommended to minimise water erosion. Cuts deeper than

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

2 m will require an engineered retaining wall and shallower cuts will require a shallow batter angle e.g., approx. 1V:2H.

- 2) The estimated consequences to life, property and services of such is low if the site is appropriately developed as outlined in this report, e.g., pole/pier foundations with all foundations set into the competent bedrock.

In this case the likelihood of land sliding is LOW, and if founding on the competent weathered dolerite boulders units to negate any actions of soil creep, then the consequence is acceptable.



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



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

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Appendix 1 – Approximate test hole locations



Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Appendix 2 – Risk tables

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

TABLE 1: RISK TO PROPERTY

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

TABLE 2: LIKELIHOOD

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

TABLE 3: RISK TO LIFE

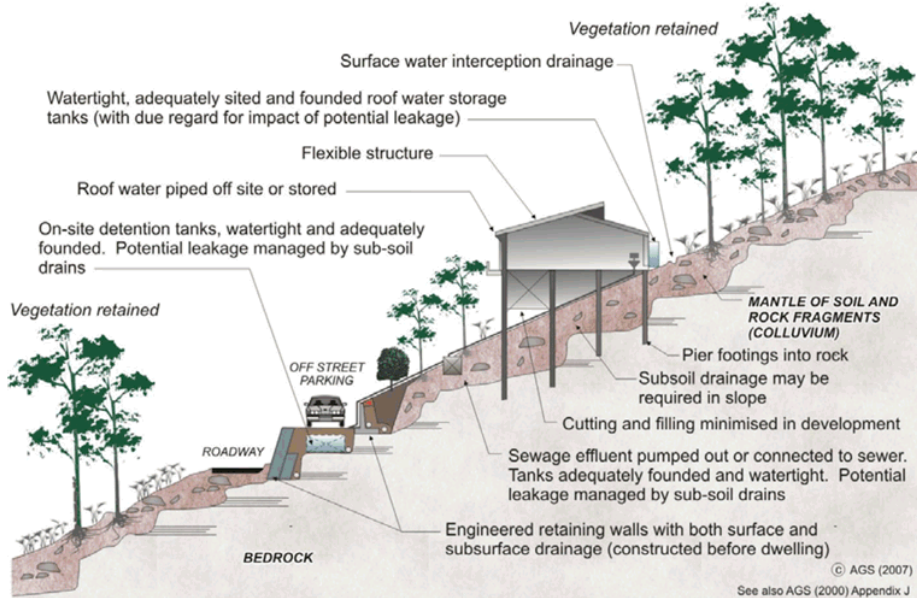
Risk (deaths per participant per year)	Activity/Event Leading to Death (NSW data unless noted)
1:1,000	Deep sea fishing (UK)
1:1,000 to 1:10,000	Motor cycling, horse riding , ultra-light flying (Canada)
1:23,000	Motor vehicle use
1:30,000	Fall
1:70,000	Drowning
1:180,000	Fire/burn
1:660,000	Choking on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

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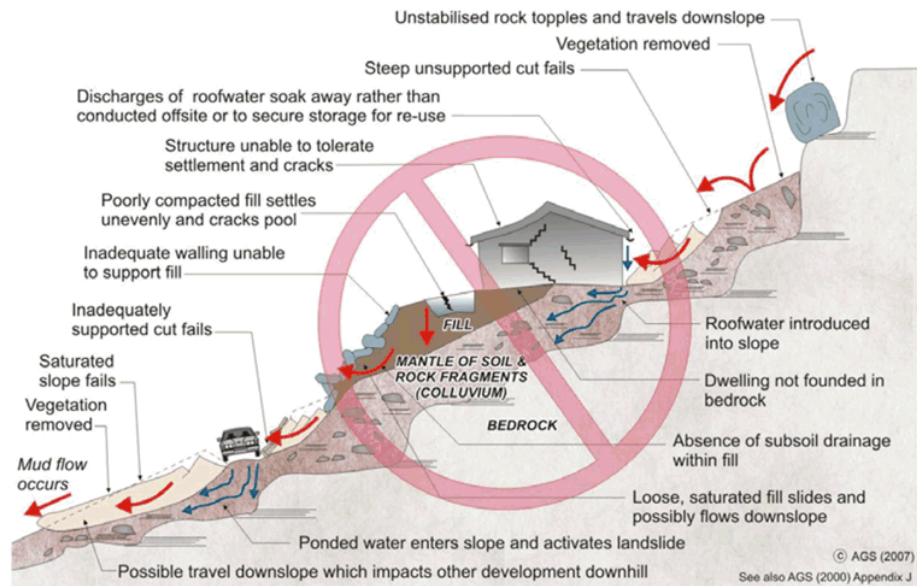
Appendix 3 – Guidelines for hillside construction

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

EXAMPLES OF **GOOD** HILLSIDE CONSTRUCTION PRACTICE



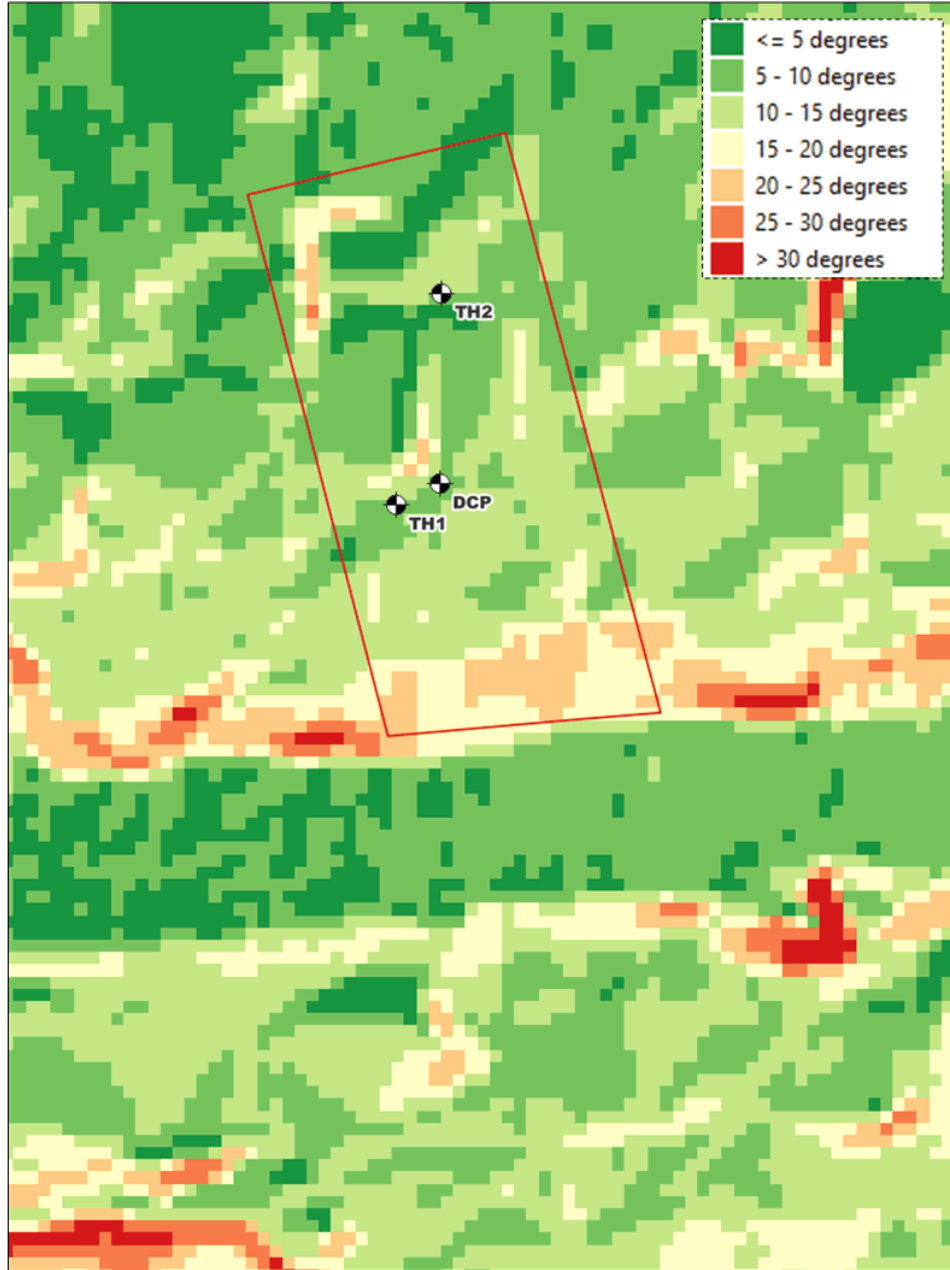
EXAMPLES OF **POOR** HILLSIDE CONSTRUCTION PRACTICE



Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Appendix 4 – 1 metre contour map and slope angle raster

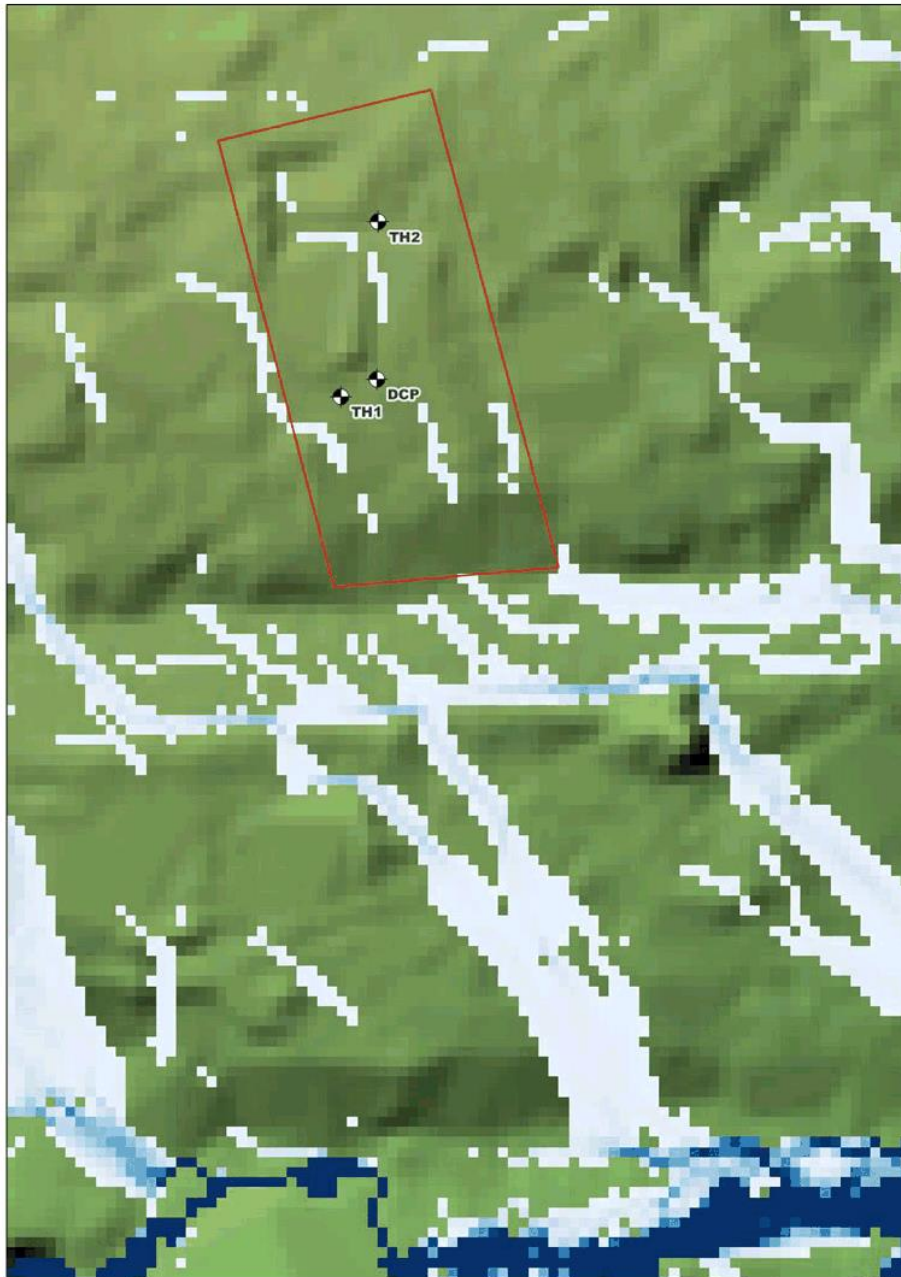
This map was generated using QGIS, LiSTMap extracted data, and ELVIS Digital Elevation Data (DEM) to process the 1 m contour lines and raster image that shows the slope angle.



Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Appendix 5 – Flow Accumulation

This map was generated using QGIS, LiSTMap extracted data, and ELVIS Digital Elevation Data (DEM) to process the raster image that shows accumulation of surface water flow (light blue to dark blue)



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Appendix 6 – Site Assessment and Sample Testing

A geotechnical site investigation in accordance with AS1726-2017.

Two drill cores with refusal @ 1.8 m at TH1, and refusal @ 1.7 m at TH2

Dynamic Cone Penetrometer (DCP) test near TH1 refusal @ 1.4 m

Emerson Dispersion test on subsoils (none detected) and linear shrinkage tests on all likely founding layers

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

Appendix 7 – Linear Shrinkage and Soil Reactivity

Samples of the clayey subsoils were tested for reactivity using the linear shrinkage test. Linear shrinkage provides an approximate guide to aid soil classification of reactivity of clays for foundations. The tests indicate the clays are Class S and Class H-1, indicating layers of slightly to highly reactive clays.

Appendix 8 – Emerson Aggregate Dispersion

Samples of the clayey subsoils were tested for dispersion susceptibility using the Emerson Aggregate test. Aggregate dispersion provides an approximate guide to estimate possible erosion, and in particular tunnels leading to eventual gully erosion. Based upon field survey of the property and the surrounding area, no erosion was identified at the site. The tests resulted the soil as class 2(1), which indicates a slight dispersive characteristic.

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Appendix 9 – SOIL PROFILES – Test Hole 1



TH1 Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.10	A1	Brown 7.5YR 4/2, Clay Loam , weak fine polyhedral structure, moist soft consistency.	SC
0.10 – 0.80	B2	Brown 7.5YR 4/3 grading to reddish yellow 7.5YR 6/6, Medium Clay , massive/coarse angular blocky structure, moist to slightly moist soft to firm consistency.	CH
0.80 – 1.80	C _w	Rubbed brownish yellow 10YR 6/6, Gritty Clay Loam , fine polyhedral structure and singe grain, dry loose consistency, mealy weathered dolerite, common dolerite gravels. Effective refusal.	SC

Doyle Soil Consulting: Geotechnical Assessment – 17 Alexander Street, Sandy Bay

Appendix 9 – SOIL PROFILES – Test Hole 2

Depth (m)	Horizon	Description and field texture grade	Soil Classifn.
0.0 – 0.20	A1	Brown 7.5YR 4/2, Clay Loam + brick, weak fine polyhedral structure, moist soft consistency.	SC
0.20 – 1.15	B2	Brown 7.5YR 4/3 grading to reddish yellow 7.5YR 6/6, Medium Clay , massive/coarse angular blocky structure, moist to slightly moist soft to firm consistency.	CH
1.15 – 1.70	C _w	Rubbed brownish yellow 10YR 6/6, Gritty Clay Loam , fine polyhedral structure and singe grain, dry loose consistency, mealy weathered dolerite, common dolerite gravels. Effective refusal.	SC

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM****Section 321****Form 55**

To: Owner /Agent
 Address
 Suburb/postcode

Qualified person details:

Qualified person:
 Address: Phone No:
 Fax No:
 Licence No: Email address:

Qualifications and Insurance details: (description from Column 3 of the
Director's Determination - Certificates
by Qualified Persons for Assessable
Items)

Speciality area of expertise: (description from Column 4 of the
Director's Determination - Certificates
by Qualified Persons for Assessable
Items)

Details of work:

Address: Lot No:
 Certificate of title No:
 The assessable item related to this certificate: (description of the assessable item being
certified)
 Assessable item includes –
 - a material;
 - a design
 - a form of construction
 - a document
 - testing of a component, building
 system or plumbing system
 - an inspection, or assessment,
 performed

Certificate details:

Certificate type: (description from Column 1 of
Schedule 1 of the Director's
Determination - Certificates by
Qualified Persons for Assessable
Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work: ☒

or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

Documents:

The attached Geotechnical Assessment Report for the address detailed above in, 'Details of Work'.

Relevant
calculations:

Refer to above report.

References:

AS2870-2011 Residential slabs and footings
AS1726-2017 Geotechnical site investigations
CSIRO Building Technology File -18

Substance of Certificate: (what it is that is being certified)

Site classification consistent with AS1726.

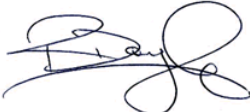
Scope and/or Limitations

The classification applies to the site as inspected and does not account for future alteration to foundation conditions as a result of earthworks, drainage condition changes or variations in site maintenance.

I certify the matters described in this certificate.

Qualified person:

Signed:



Certificate No:

1080

Date:

30/6/2022





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Authorised by

A handwritten signature in black ink, appearing to read 'Evan Boardman'.

Name: Evan Boardman

Date: December 2022



PO Box 58 South HOBART, Tasmania 7004

0438376840 evan@e3planning.com.au



1. SUITABLE QUALIFICATIONS

- 1.1. I declare that I am suitably qualified to prepare this report. I have the following academic qualifications.
- 1.2. Bachelor of Economics (University of Queensland 1991).
- 1.3. Bachelor of Science, Environmental Management (Griffith University 1993).
- 1.4. Graduate Diploma Urban and Regional Planning (University of New England 2022).
- 1.5. I am the Director of e3planning Pty Ltd a town planning and environmental management consultancy specialising in economic and social assessments of individual proposals and schemes. I have prepared planning reports which consider heritage values of buildings, structures, and the built form. I have undertaken independent heritage assessments of churches, hotels, residential dwellings and mine infrastructure. These reports have been prepared on behalf of individuals, developers, NGO's and municipal authorities and have been accepted by the Tasmanian Planning Commission, the Tasmanian Civil Administrative Tribunal (previously Resource Management and Planning Appeal Tribunal) and Local Governments.
- 1.6. Clause E13.7.1 as reproduced in this report requires a detailed assessment of *environmental, social, economic or safety reasons*. My academic qualifications and work experience developed over the past 20 years provides me with the necessary ability to undertake this assessment.





2. INTRODUCTION

- 2.1. This report responds to Council's request for further information dated 30 May 2022. Specifically, it looks to satisfy Council's request regarding heritage as reproduced below.

- HER Fi 1** A report by a suitably qualified person outlining environmental, social, economic or safety reasons claimed to be of greater value to the community than the historic cultural heritage values of the place within the Sandy Bay 6 Heritage Precinct, proposed to be demolished, and demonstrating that there is no prudent and feasible alternative;
- 2.2.

- 2.3. Clause E13.7.1 P1 (Demolition) is reproduced in entirety below and this clause is considered in detail elsewhere in this report.

P1

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

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





3. PROPERTY DESCRIPTION

- 3.1. The property is found at 17 Alexander Street Sandy Bay and is approximately 100 metres to the west of Regent Street and 50 metres to the north of the University of Tasmania Sandy Bay Campus. Figures 1 and 2 show the location of the Property.
- 3.2. The Property has an existing four-bedroom residential dwelling with has a land area of 1046m², accessed via a relatively steep driveway.
- 3.3. The front yard of the Property slopes toward Alexander Street.
- 3.4. A residential dwelling was constructed on the property in 1925.
- 3.5. The dwelling is not visible from the Street being screened with numerous large mature introduced trees approximately 8 metres in height as shown in figure 3a and 3b.

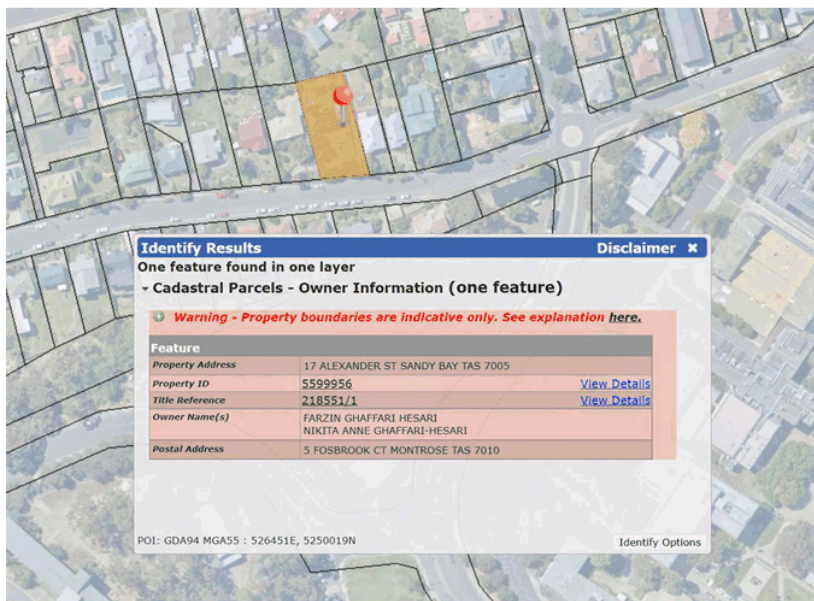


Figure 1: Property Location source: www.thelist.tas.gov.au



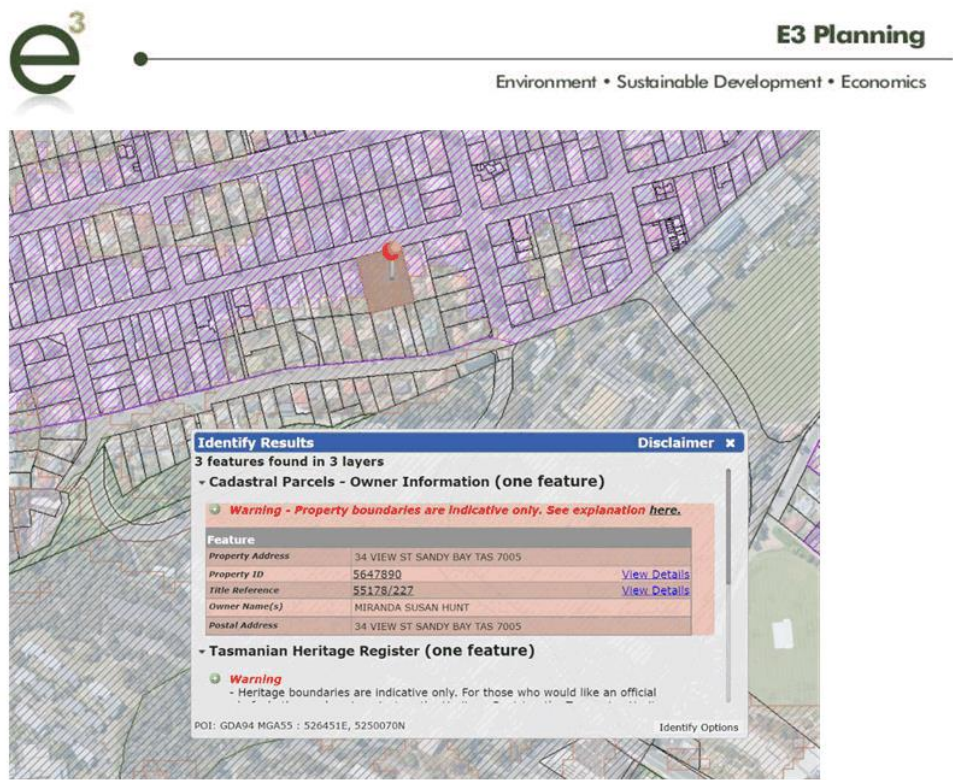


Figure 2: Property Location source: www.thelist.tas.gov.au

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Figure 3a: Image of the Property when viewed from Alexander Street.



Figure 3b: Image of the Property when viewed from Alexander Street.



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Figure 3c: Image of the southern elevation of the Property taken from the frontyard. The dwelling has been modified since its construction with the sunroom visible in the left of the image.

The existing dwelling is a typical example of an interwar (post World War 1) weatherboard traditional design with minimalist features. Including small eaves, little fenestration or architectural flair. The windows on the southern elevation are non-symmetrical craftsman style and create a dominant architectural element.

The dwelling shares characteristics with hundreds of other houses built in Hobart and the surrounding area (Sandy Bay) during the 1920's. These houses are similar in appearance, constructed of weatherboard, terracotta tiles, craftsman windows with brick foundations.

Significant renovations and modifications have been made to the original dwelling which substantially detract from any heritage value of the house.

The house has no outstanding heritage value.



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Figure 4: Eastern elevation of the Property.

The image above shows the 1976 extension. This extension significantly detracts from the architectural design and any heritage value of the original dwelling.

The eastern wall of the original 1925 house has been demolished along with the craftsman style windows, being replaced with a white painted weatherboard façade and a large sliding glass aluminium window and flat skillion roof with flat soffit and square downpipe. These elements contrast starkly with the appearance of the original design. The bay window of the original house can be seen in the right hand side of the image. This feature and the exposed rafters under the eaves have not been replicated in the 1976 extension, again detracting from the original design.



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Figure 5: roof over the front entrance is a recent addition (likely 1976) and further detracts from the original design.



Figure 6: Image showing concrete steps and metal railing leading to the front door. These are more recent additions and detract from any heritage value of



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the original dwelling.



Figure 7: Eastern elevation showing sliding glass aluminum window.



Figure 8: Eastern elevation showing rear façade (northern elevation) of the dwelling. Another sliding glass aluminum window is visible.



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Figure 9: Image of the rear of the dwelling (northern elevation). The new sunroom constructed in 1956 can be seen in the right of the image.

The appearance of the 1956 extension is out of character with the original dwelling, the 'new' windows contrast with the original and the majority of the 1925 architectural elements are now hidden or have been altered.

A network of stormwater pipes has been installed to accommodate the two new extensions. These pipes are visible across the roof of the original dwelling and the extension, they then run above the window and down the left handside of the window to the timber step door entry.

The appearance of the rear of the dwelling has been conspicuously altered from the original further detracting from any heritage value of the dwelling.



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Figure 10: Bay window detail on southern elevation facing the street.



Figure 11: Craftsman window and exposed under roof rafters.



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Figure 12: Swimming pool constructed in 1981.



Figure 13: Image showing steep driveway and long distance to Alexander Street.



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4. PERMITTING HISTORY

4.1. The Property has received the following permits

- December 1925 New House -
- January 1941 Garage
- January 1956 Additions
- March 1976 New Sunroom
- February 1981 Swimming Pool

4.2. Figures 14 through 21 show the planning and building allows and plans as issued by Hobart City Council.

4.3. A search was undertaken of the State Archives on 30 November 2022 and these following figures are the extent of all information on the property which the state archives office has on file.



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CITY OF HOBART
BUILDING SURVEYOR'S OFFICE

Application No. 2646
Date 11/12/25

Particulars of proposed work
Section of N.B. Dwelling

Locality (Street No. must be given) Alexander St
Amount of Contract (or estimated cost) £ 600.
Total Floor Area 1100 sq ft
Height One.
Number of Storeys One.
Intended use of buildings or structures As Dwelling
Number of buildings or structures (if more than one) One.
Name of Owner Wm Lavin Com.
Name of Occupier W. A. L. S. Hay
Name of Builder W. E. Williams
Address 10 Devonport St Hobart
Signature of Applicant E. Williams
Address 10 Devonport St

FOR OFFICE USE ONLY

Number of Plans Received One.
Building Fee £ 11.13.0 paid
Water Fee £ 5.0.0 paid
Plans returned () on
Signature Grossing Lee

Tasmania 7004

Memorandum

To: The Building Surveyor,
Town Hall,
Hobart.

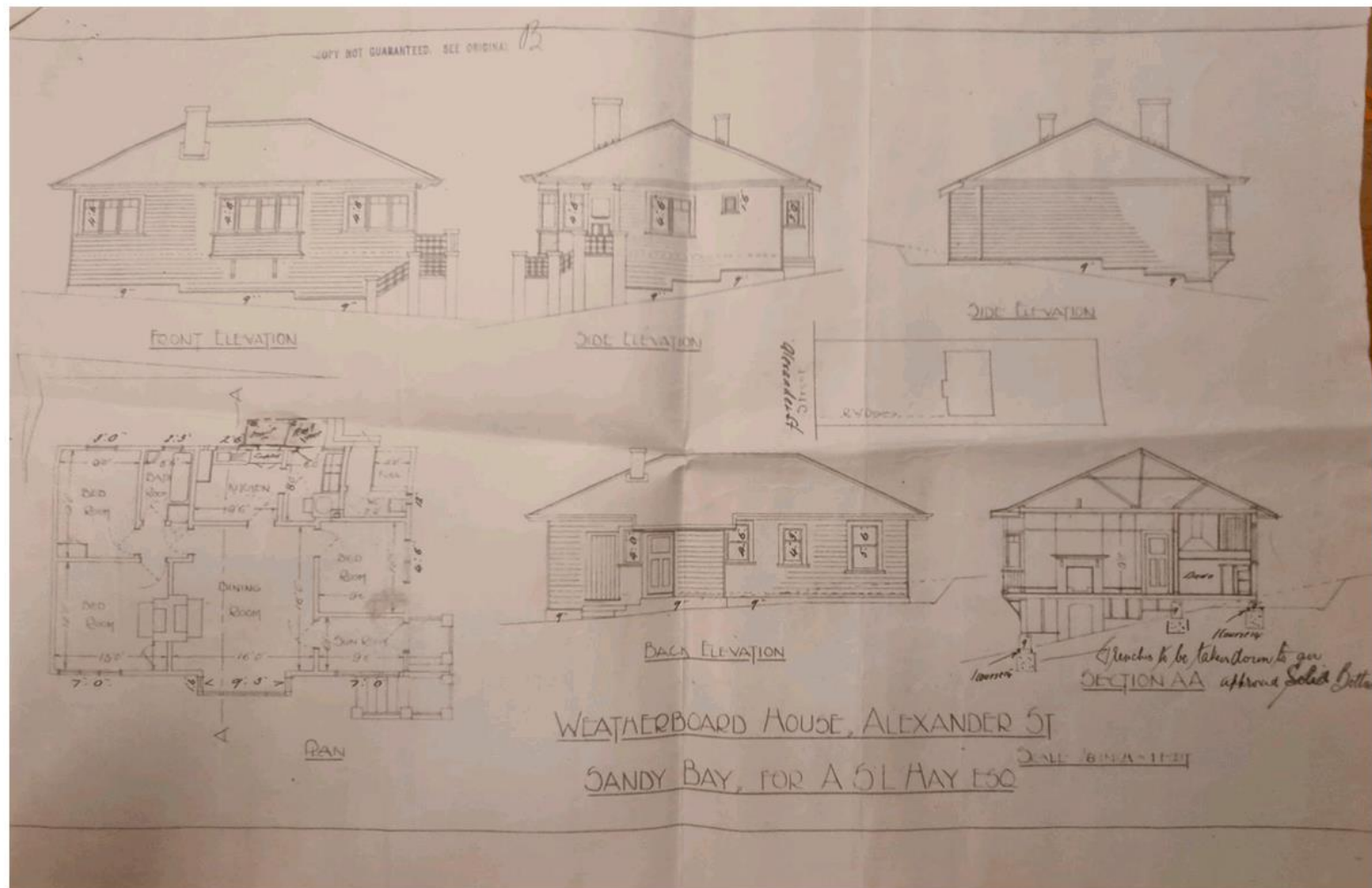
From: Health Department
Town Hall, Hobart
December 18th 1925
M.J.G.S.

Re Plan new W.B. house Alexander street,
A.S.L. Hay Esq.,

The above plan is approved, provided a 9"x6" ventilator is placed in the bathroom wall and the Health Department is notified when the drain is laid and ready for inspection.

Augustus Smith
Medical Officer of Health.

Figure 14 and 15: Building Approvals New House



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Figure 16: New Building Plans and Elevations

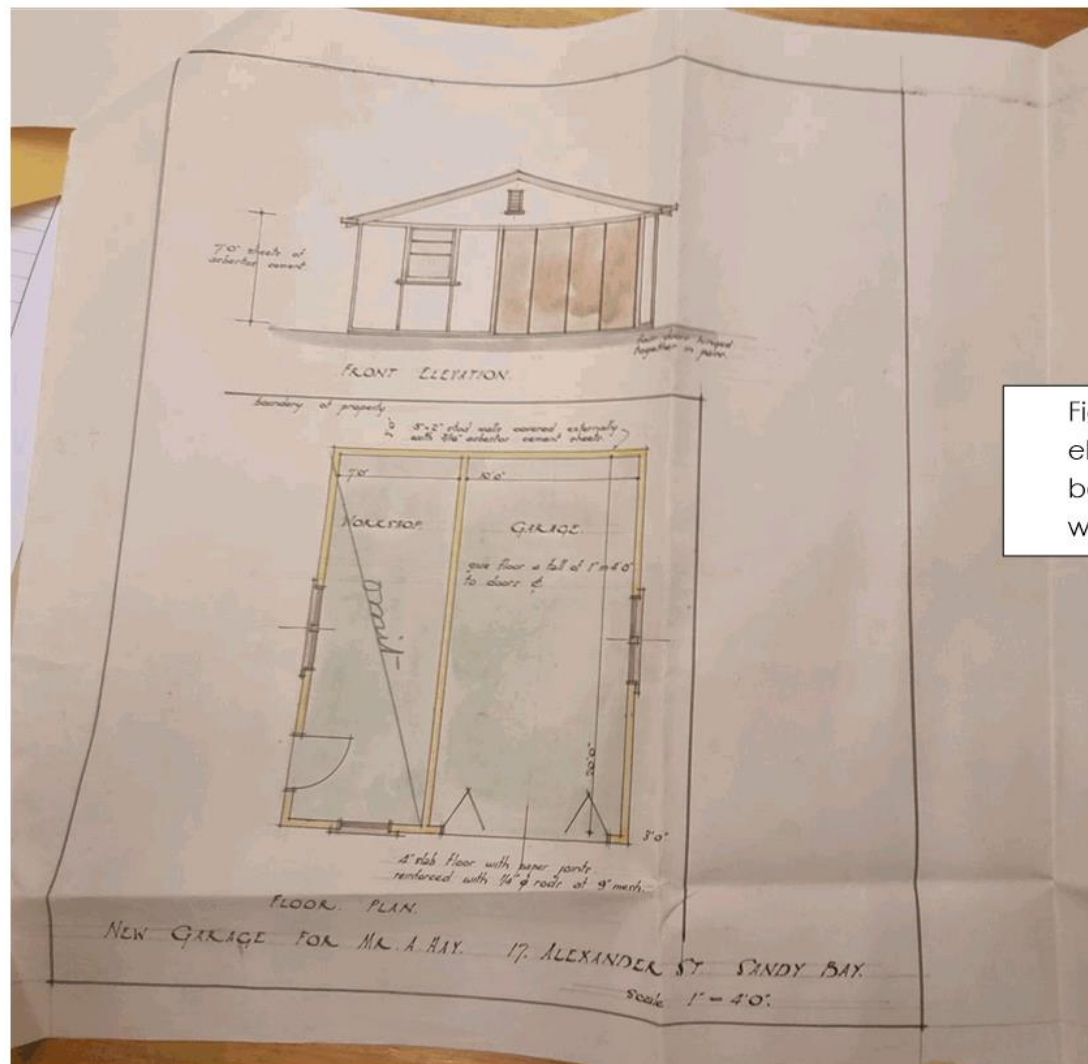


Figure 17: Asbestos Garage plan and elevation 1941. This garage has since been demolished presumably to make way for the pool.

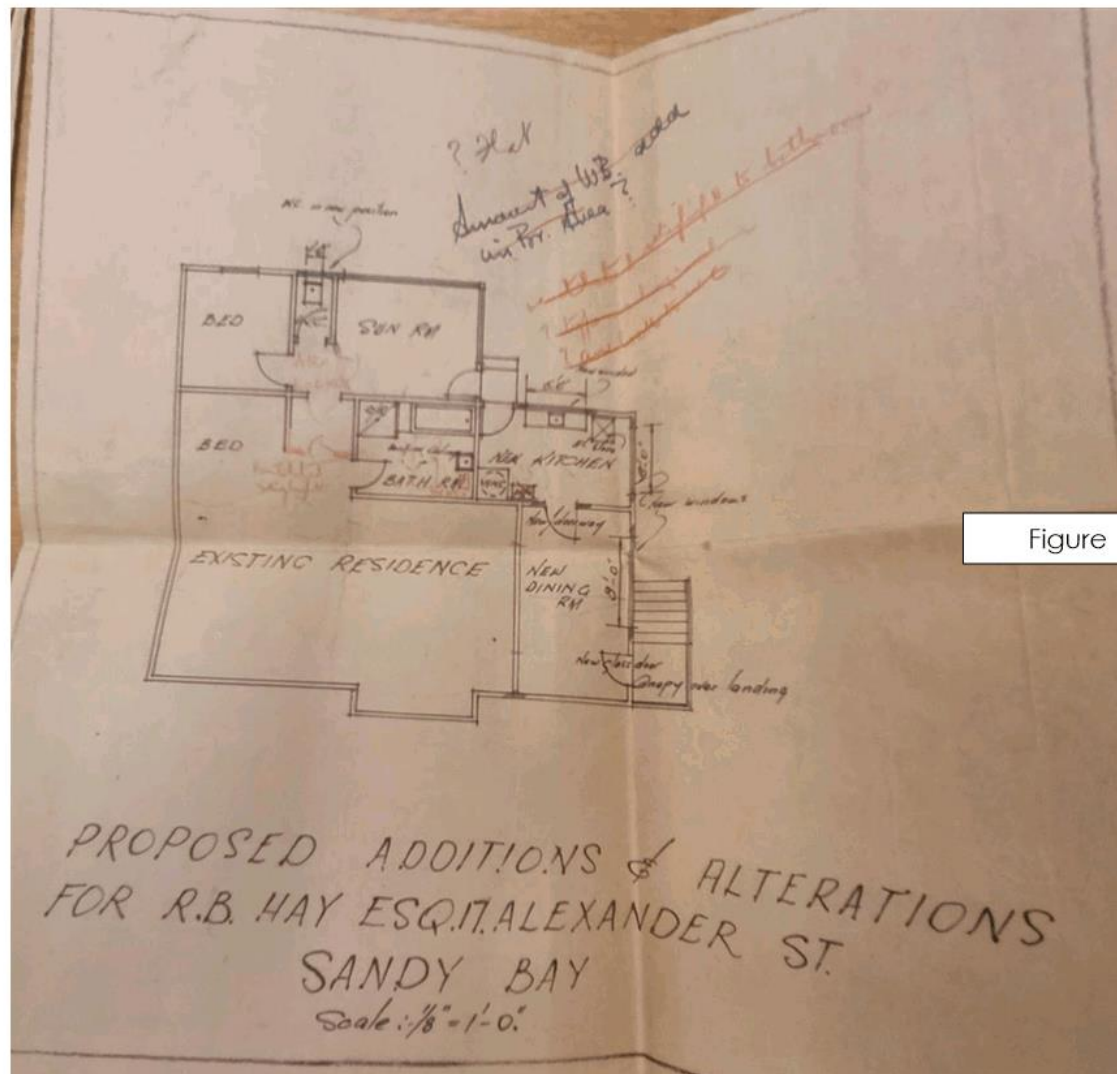


Figure 18 Additions to existing residence

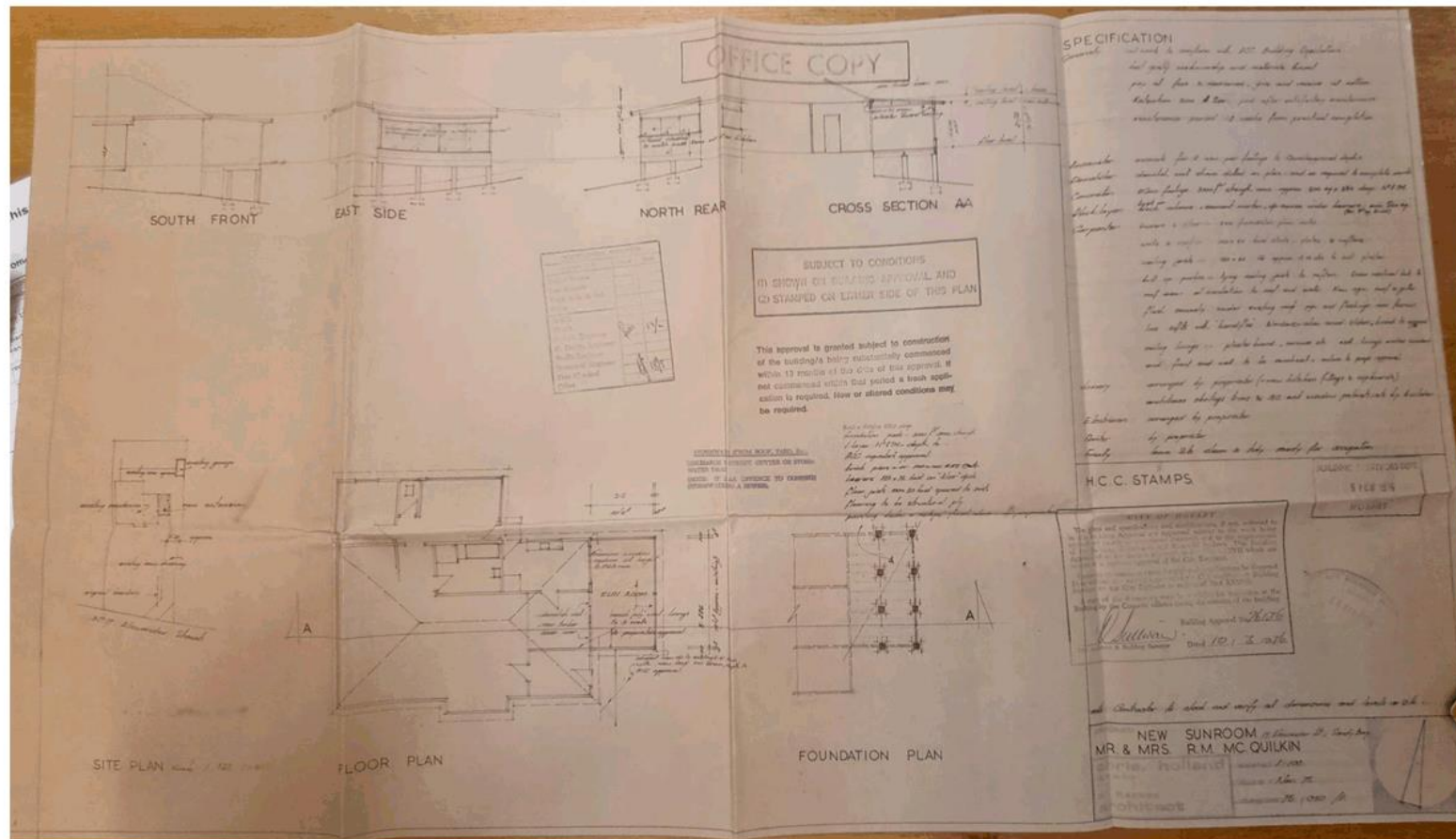


Figure 19: New Sunroom floor plan 1976



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Building Address 17 ALEXANDER STREET		INSPECTION CHECKS		Called Inspections		Approval Number 8630	
Owner D DEWHEST	Phone No.	Foundations Footpath Crossing Set Backs Side Boundaries Foundation Trenches		1. Foundations	Date Rec'd	Date	Area (sq.)
Address AS ABOVE				2. Frame		12/10/1981	
Builder DORSON & EVANS	Phone No. 23559	Piers		3. Covered In		Est. Cost	Unit Cost
Address 488 NELSON ROAD		Frame Scaffolding Foundations Walls & Vents Damp Proof Course Floor Frame Room Sizes Ceiling Heights Roof Frame Eaves Projection		4. Final		\$ 9,000	\$
Architect	Phone No.			Inspection Record		Valuation	List No.
Construction Type	Use Class					\$	
Class of Work New Building Addition Alteration		Covered In Roof Covering Plastering Windows Vents Chimneys Storm Water Drains		Foundations		Special Requirements	
Occupancy Certificate Issued / /19 . Sgd.				Frame		18% - 22/1/81	
Plans Examined and Approved Plan Receipt Date 27-8-81 No. 9927		Final Street Number Flashings Spouting Down Pipes Storm Water Outlet Vents Laundry Fixtures Kitchen Fixtures Bathroom Fixtures Outbuilding Footpath		Covered In		19/1/81	
	Date Returned			Final		From UCC 11/2/81	
City Engineer's Dept	27-8-81 27-9-81			Special		Sent to St. Clarey	
Health Dept				Follow Up		+ S. B. B. 11/2/81	
Other Depts				Job Variations		From B. B. 26/1/82	
Form CA 1 Sent	28-9-81						
Form CA 2 Sent				JOB COMPLETED RECORD			
Fees Paid \$ 157.00				Final Inspection Complete		File to Records	
Date of Occupation Completion				Asst. Build. Surv.		K. G. G. 28/1/82	
26/1/1982 . Sgd.				Date / /19		Building Surveyor	

5. SURROUNDING AREA

- 5.1. The surrounding area is an established residential street forming dwellings of contemporary and more modern ages.
- 5.2. The Property is identified as being within a Heritage Precinct as shown in figure 21.

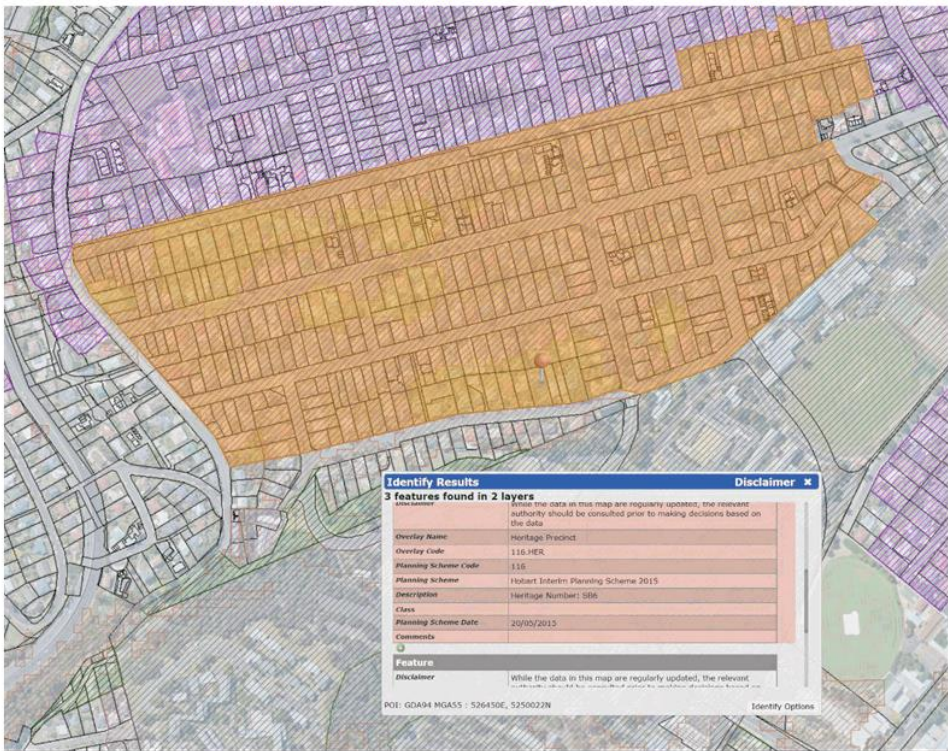


Figure 21: Precinct Area

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- 5.3. Figure 20 shows the area of the precinct laid out in a grid pattern.
- 5.4. Most of the houses in this area are brick or weatherboard.
- 5.5. Many dwellings on the topside of Alexander Street are not visible from street level due to the topography and established vegetation.
- 5.6. The streetscape is typical of the older more established suburbs of Hobart with most dwellings being constructed between 1920 and 1950.
- 5.7. There are numerous examples of new dwellings being constructed in Alexander Street and 110 Regent Street. The Scheme therefore provides scope and encourages the development of multiple dwellings within this Heritage Precinct.



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Figure 22: Image looking west along Alexander Street

Figure 23: Image looking east along Alexander Street



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Figure 24: The neighbouring dwelling at 19 Alexander Street looking north.

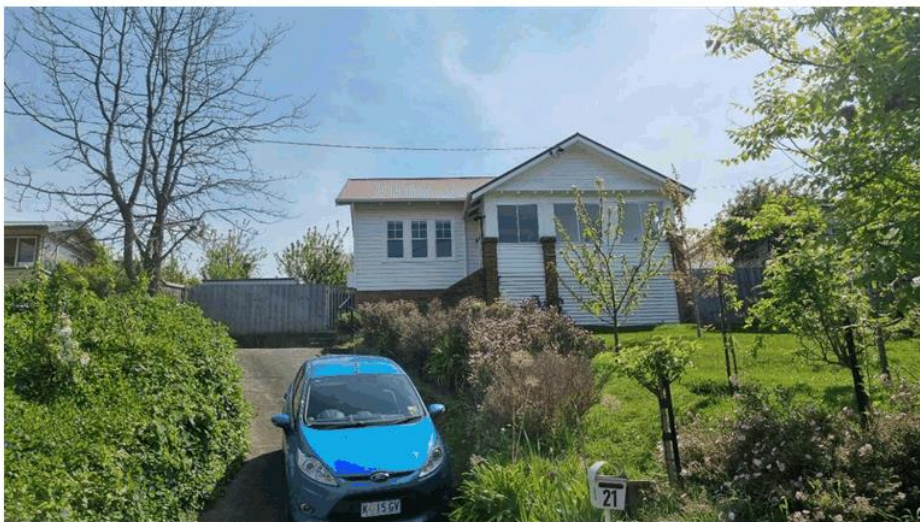


Figure 25: 21 Alexander Street

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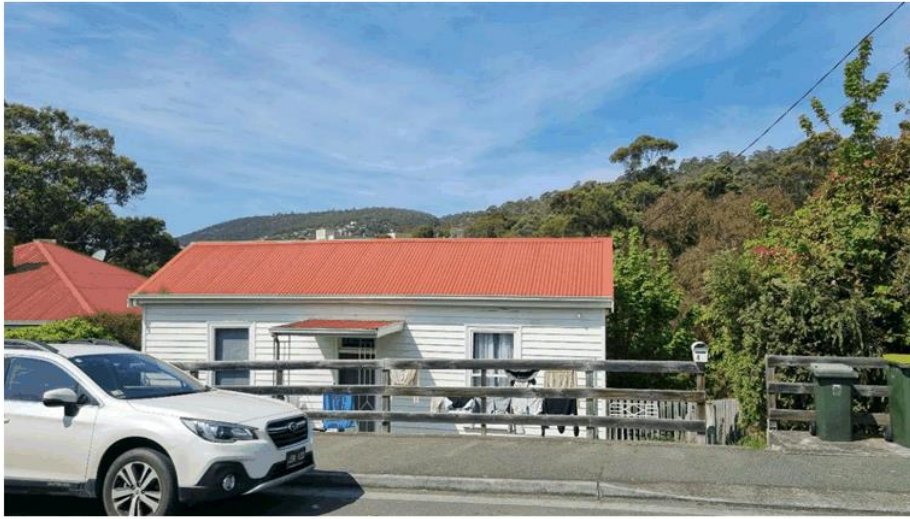


Figure 26: 4 Alexander Street at once across the road from the Property.



Figure 27: 23 Alexander Street



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Figure 28: 25a Alexander Street



Figure 29: 25a Alexander Street



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Figure 30: 110 Regent Street – this is a new build of a contemporary dwelling on an existing lot with an existing dwelling.



Figure 31: 44 Alexander Street



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Figure 32: 42 Alexander Street

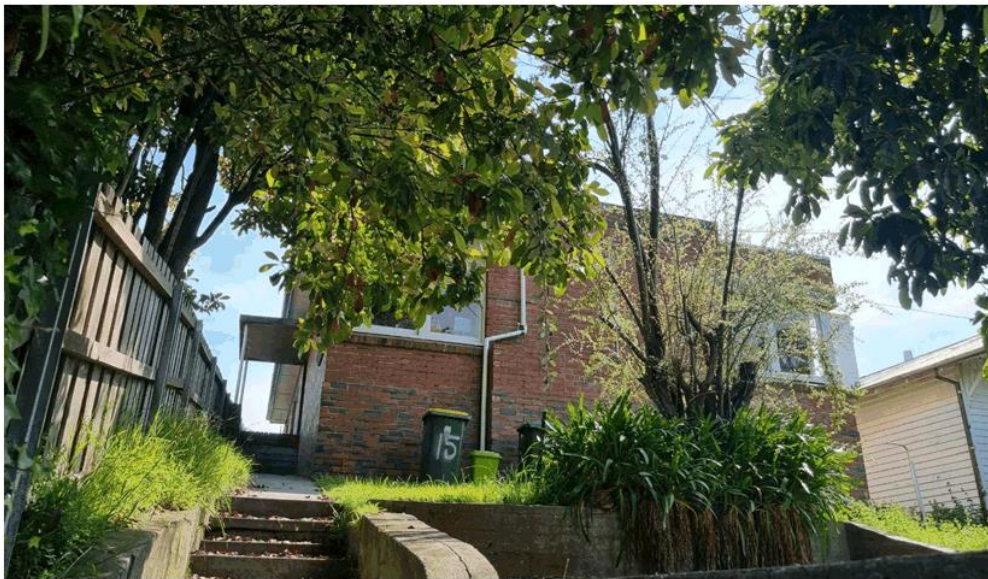


Figure 33: 15 Alexander Street



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Figure 34: 13 Alexander Street



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6. PLANNING SCHEME ASSESSMENT

- 6.1. The following supplies an assessment of the relevant provision of the Heritage Code of the Hobart Interim Planning Scheme 2015.
- 6.2. It is proposed to demolish the dwelling on the Property and hence the demolition must be considered against Clause E13.7.1 of the Scheme.
- 6.3. The relevant sections of the Scheme are reproduced below, and comments follow.

P1

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

- 6.4. The Clause clearly contemplates and supports demolition, but only if a certain number of elements can be satisfied, these are considered below.
- 6.5. The dwelling on the Property was constructed in 1925 and has been substantially changed and renovated over subsequent decades.
- 6.6. There are hundreds of similar weatherboard dwellings across Hobart and many within the surrounding area of similar vintage and appearance and the dwelling on its own is not considered to have any significant heritage fabric or form.
- 6.7. Collectively the dwellings within the streetscape contribute to the historic cultural heritage of the place (Alexander Street), however the loss of the dwelling at 17 alexander Street is not considered to affect upon the overall character and in turn the cultural heritage of the place.

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



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- 6.8. The proposal seeks to demolish the existing dwelling single storey three-bedroom dwelling and construct two three-bedroom two story residential dwellings. The site plan and footprint of these proposed dwellings are shown in figure 35.

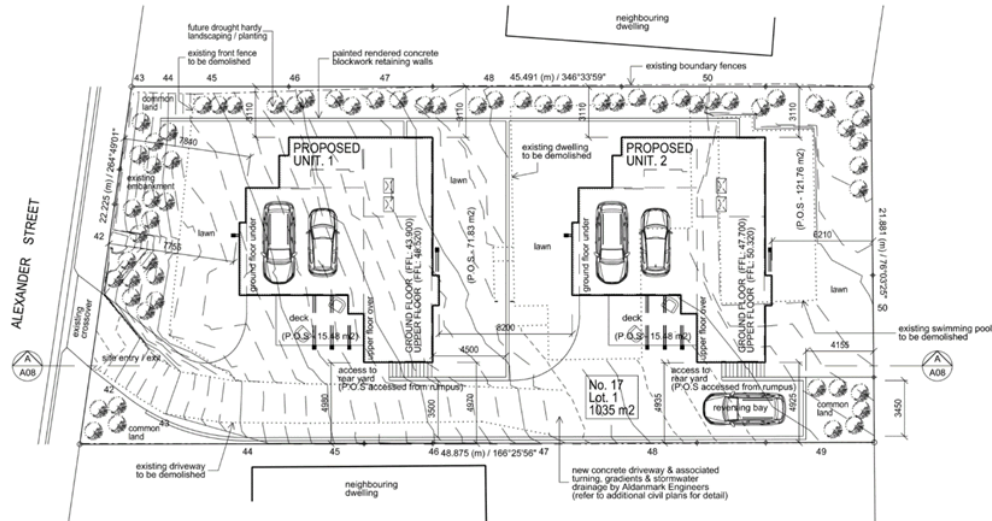


Figure 35: Footprint of proposed dwellings.



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- 6.9. The Property is relatively large at over 1,000m² and the existing development (a single four-bedroom residential dwelling) does not maximise the development potential of the property.
- 6.10. Under the Scheme the Property is zoned Inner Residential.
- 6.11. The Acceptable Solution for Residential Density Clause 11.4.1A1 for *Multiple Dwellings* supports 1 dwelling per 200m², meaning that if all other development standards could be satisfied the Property could be developed for five multiple dwellings, significantly more than that existing.
- 6.12. The Acceptable Solution for minimum lot size for subdivision under Clause 11.5.1A1 is 250m², meaning that if all other subdivision standards could be met the property could be developed at a significantly greater density than that proposed.
- 6.13. Inner Residential Zoning of the Property strongly encourages greater residential density than the single three-bedroom dwelling currently on site.
- 6.14. It is not considered efficient from a town planning and development perspective for the low density of the Property to be kept when the Zoning specifically calls for a greater density.
- 6.15. As previously considered the existing dwelling has no outstanding heritage value, being of a similar appearance as hundreds of other dwellings throughout Hobart and the surrounding area. This is not considered sufficient to prohibit the Property being developed at a higher density than presently.
- 6.16. A greater density such as proposed would supply an economic benefit by creating an added dwelling which in turn would generate increased rates.
- 6.17. There is a housing shortage in Hobart and increasing residential dwelling density (one dwelling and six bedrooms as opposed to two dwellings and six bedroom) on land zoned Inner Residential would increase



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6.18. Hobart Municipality

6.19. Section 19.6 of the Southern Tasmanian Regional Land Use Strategy 2022 (STRLUS) states:

The Greater Hobart Settlement Strategy has been formulated on the basis of the forecast demand of an additional 26,500 dwellings (see Section 3: About the Region). Existing supply and construction trends have been analysed and it is clear that continuing the current rate of urban expansion is not sustainable, particularly against the capacity of existing residential areas to accommodate additional dwellings. At present approximately 85% of new dwellings occur through greenfield development and at relatively low densities of between 7 to 10 dwelling per hectare (net density).

6.20. STRLUS calls for a significantly greater residential density across Greater Hobart, via infill and greenfield development, it says:

Greater efficiency in the use of land for residential development is required through balancing the ratio of greenfield development to infill development. The benefits of infill development resulting in increased residential densities are numerous:





6.21. Prohibition of demolition of dwellings which have no outstanding heritage value would not advance one of the strategic directions of STRLUS – increasing residential density.

6.22. The proposed residential infill development would result in¹:

- More efficient use of physical and transport infrastructure.
- Reduce vulnerability to increases in petrol costs and peak oil.
- Reduced ecological footprint of urban development and reduction in loss of biodiversity
- Increased opportunities for social interaction and reduction in social segregation.
- A greater proportion of the population living in proximity to services and employment opportunities.
- Increased economic viability of public transport, and later extension thereof.
- Better utilisation and revitalisation of other public infrastructure, including parks and open spaces.
- Provision of a greater range of housing options to suit the decreasing size of households and ageing population.
- Promotion of health and wellbeing by cutting distance as a barrier to walking and cycling as preferred modes of transport; and
- Maximising agglomeration potential of inner cities through intensification of land use

¹ These are taken from section 19.6 of STRLUS





- 6.23. The dwelling is not visible from the road and accordingly its presence or otherwise does not significantly contribute to the streetscape.
- 6.24. The environmental, social and economic benefits of increasing the residential density of the Property are considered to outweigh any heritage values which may be attributed to the dwelling.
- (b) there are no prudent and feasible alternatives;
- 6.25. For the proposed scheme to be developed the existing dwelling requires demolition.
- 6.26. It is not considered to be economically possible to construct an additional dwelling and retain the existing dwelling. Any added dwelling would reduce the value of the existing dwelling. The existing dwelling has been substantially changed to bring it back to anything resembling its original appearance and be of a high standard would not be economically feasible.
- 6.27. The alternative would be to keep the existing dwelling and construct one or more dwellings in front of the existing. The Heritage Code would not be triggered as no demolition would occur. One or more two storey dwellings in front of the existing dwelling could be constructed shielding the existing dwelling from the street which in turn would no longer contribute any character to the streetscape or the heritage place.
- 6.28. Delivering two new high-quality dwellings is more feasible than retain the existing dwelling which has limited heritage value.



**E3 Planning**

Environment • Economy • Evolution

7. CONCLUSION

- 7.1. The existing dwelling has limited heritage value, being similar in appearance as hundreds of other similar aged dwellings across Hobart and the area.
- 7.2. The modifications and renovations which have occurred have substantially detracted from the heritage value of the dwelling.
- 7.3. Although the dwelling contributes to the character of the heritage place, it does so no more than other dwellings within the street and is not visible from street level and accordingly is not a significant element in the streetscape.
- 7.4. The Property is zoned Inner Residential which supports a significantly greater residential density than existing.
- 7.5. STRLUS also calls for a substantially greater residential density, through infill development, which this would be.
- 7.6. The proposal is not considered to significantly detract from the character of the place.



PO Box 58 South HOBART, Tasmania 70040438376840 evan@e3planning.com.au



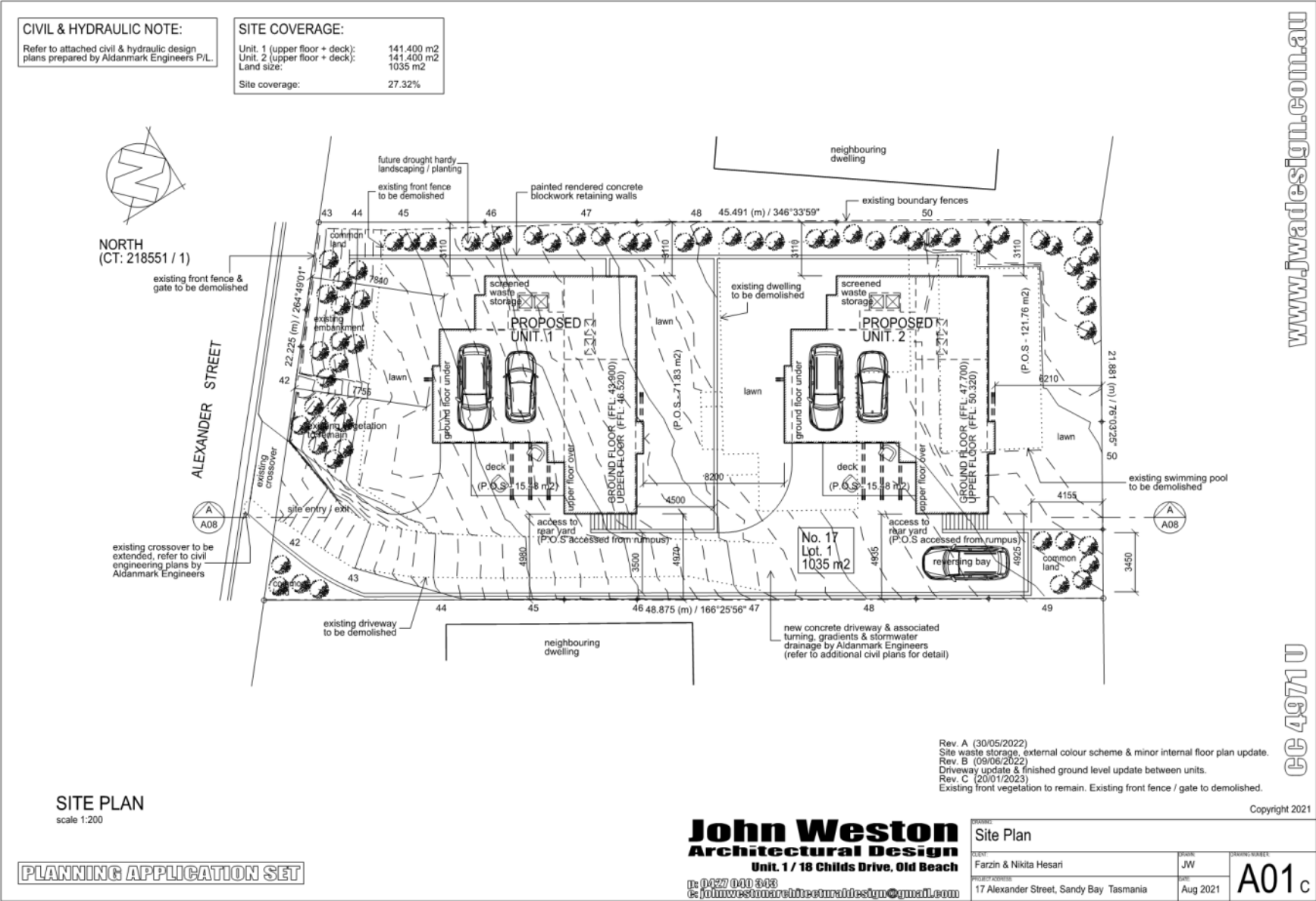
NOTE: IMAGES SHOWN ARE FOR ILLUSTRATION PURPOSE ONLY. IMAGE DOES NOT REPRESENT FINAL DESIGN & CONSTRUCTION SUBJECT TO CHANGE BY DESIGNER / DEVELOPER

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PLANNING



DRAWING: PHOTO MONTAGE - ALEXANDER STREET VIEW			
SUBMIT:	FARZIN & NIKITA HESARI	DRAWN:	TH
PROJECT ADDRESS:	17 ALEXANDER STREET SANDY BAY TAS	DATE:	
			SD9



Planning #257188

Property

17 ALEXANDER STREET SANDY BAY TAS 7005

**People****Applicant ***

John Weston Architectural Design Pty Ltd

U1 18 Childs Drive
OLD BEACH TAS 7017
0427 040 343
johnwestonarchitecturaldesign@gmail.com**Owner ***Farzin Hesari
17 Alexander Street
SANDY BAY TAS 7005
0401 009 469
farzin.hesari@linkbusiness.com.au**Entered By**JOHN WESTON
210 ELIZABETH STREET
HOBART TAS 7000
0427 040 343
johnwestonarchitecturaldesign@gmail.com**Use**

Multiple dwellings

Details

Have you obtained pre application advice?

☒ No

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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you **MUST** include signed confirmation from the owner that they are aware of this application. *☒ No

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

☒ No

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

Details		
What is the current approved use of the land / building(s)? *		
Residential		
Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) *		
Demolish existing house and swimming pool and build two new homes		
Estimated cost of development *		
1000000.00		
Existing floor area (m2)	Proposed floor area (m2)	
	235.52	
Site area (m2)		
1035		
Carparking on Site		
Total parking spaces	Existing parking spaces	N/A
4	2	<input checked="" type="checkbox"/> Other (no selection chosen)
Other Details		
Does the application include signage? *		
<input checked="" type="radio"/> No		
How many signs, please enter 0 if there are none involved in this application? *		
0		
Tasmania Heritage Register		
Is this property on the Tasmanian Heritage Register? <input checked="" type="radio"/> No		
Documents		
Required Documents		
Title (Folio text and Plan and Hesari Certificate of Title 218551-1.pdf Schedule of Easements) *		
Plans (proposed, existing) * Hesari Units Sandy Bay Planning Application Plans 17052022.pdf		
Supporting Documents		
Concept Servicing Plan 220517 CIV 21E65-16 A.pdf		



Hobart City Council

16 Elizabeth Street, Hobart 7000

Tax Invoice

Official Receipt

ABN: 39 055 343 428

18/05/2022 Receipt No: 23864221890

To: John Weston Architectural Design Pty Ltd
U1 18 Childs Drive
OLD BEACH TAS 7017

Description	Reference	Amount
Planning Permit Advertising Fee*		\$ 400.00
Planning Permit Fee		\$ 1,500.00
Transaction Total*:		\$ 1,900.00
Includes Surcharge of:		\$ 0.00
Includes GST of:		\$ 36.36

Cheque payments subject to bank clearance



Enquiries to: City Life
Phone: (03) 6238 2711
Email: coh@hobartcity.com.au

PAYMENT SUMMARY

ABN: 39 055 343 428

PLEASE NOTE: Payments can **only** be made via Council's online development portal payment gateway or by calling Customer Services on (03) 6238 2190.

24/05/2022

YOUR REFERENCE ONLY: Sandy Bay Units

To: John Weston Architectural Design Pty Ltd
U1 18 Childs Drive
OLD BEACH TAS 7017

Description	Amount
Planning Permit Advertising Fee*	\$ 400.00
Planning Permit Fee	\$ 1,500.00
<hr/>	
Total:	\$ 1,900.00
Includes GST of:	\$ 36.36
Includes Surcharge of:	\$ 0.00

Tax Receipt will be issued on payment.

Hobart Town Hall
50 Macquarie Street
Hobart TAS 7000

Hobart Council Centre
16 Elizabeth Street
Hobart TAS 7000

City of Hobart
GPO Box 503
Hobart TAS 7001

T 03 6238 2711
F 03 6234 7109
E coh@hobartcity.com.au
W hobartcity.com.au

CityofHobartOfficial
ABN 39 055 343 428
Hobart City Council



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-22-327	Council notice date	25/05/2022
TasWater details			
TasWater Reference No.	TWDA 2022/00787-HCC	Date of response	30/05/2022
TasWater Contact	Timothy Carr	Phone No.	0419 306 130
Response issued to			
Council name	CITY OF HOBART		
Contact details	coh@hobartcity.com.au		
Development details			
Address	17 ALEXANDER ST, SANDY BAY	Property ID (PID)	5599956
Description of development	Multiple Dwellings x 2 + Demolition of Existing		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Aldanmark	Site Plan – C102	A	17/05/2022
Conditions			
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:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
Advice: <i>The sewer inspection opening must be located just inside (1.0m) the front property boundary.</i>			
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.			
3. Prior to commencing construction of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
DEVELOPMENT ASSESSMENT FEES			
4. The applicant or landowner as the case may be, must pay a development assessment fee of \$219.04 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.			
The payment is required within 30 days of the issue of an invoice by TasWater.			



Advice			
<p>General</p> <p>For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards</p> <p>For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form</p> <p>Service Locations</p> <p>Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of this infrastructure as shown on the GIS is indicative only.</p> <p>(a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater</p> <p>(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies</p> <p>(c) TasWater will locate residential water stop taps free of charge</p> <p>(d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.</p>			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Application Referral Cultural Heritage - Response

From:	Allie Costin
Recommendation:	Proposal is unacceptable.
Date Completed:	
Address:	17 ALEXANDER STREET, SANDY BAY
Proposal:	Demolition and Two Multiple Dwellings
Application No:	PLN-22-327
Assessment Officer:	Richard Bacon,

Referral Officer comments:

Introduction:

Number 17 Alexander Street is located within the Sandy Bay 6 Heritage Precinct known as The Golf Links Estate. The proposal for the demolition of the existing residence and development of two units. The proposal must be assessed against E.13.8 Development Standards for Heritage Precincts under the Historic Heritage Code (E13.0) of the *Hobart Interim Planning Scheme 2015*.

Historical Background:

Number 17 Alexander St was originally constructed as a War Service Home for Private Arthur Snowden Hay who was a private and later corporal in World War 1 who enlisted when he was 18 years old. Arthur's father was Robert Snowdon Hay, Bishop of Tasmania, who secured the property for his son on his return to Tasmania. Number 17 Alexander Street is the only known War Service Home in Alexander Street.

1920s War Service Homes were built due to an acute shortage of houses after the World War 1, the Commonwealth Government created the War Service Homes Commission in 1919 to assist returned servicemen and their families to buy land and build affordable houses.

The Golf Links Estate:

The subject site is located within the historic subdivision known as the Golf Links Estate. Subdivided by Cooperative Estates Ltd in three parts between 1915 and 1917. The land had previously been the golf links of the Hobart Golf Club (between 1907 and 1916). A plan of the 1917 subdivision is shown below. The lots were popular, and land sold quickly. Most of the houses in this area were built in the following two decades, resulting in a very homogeneous pattern of residential development, the best such group in Hobart, the subdivision was designed with reference to the garden city philosophies of the early 20th century.

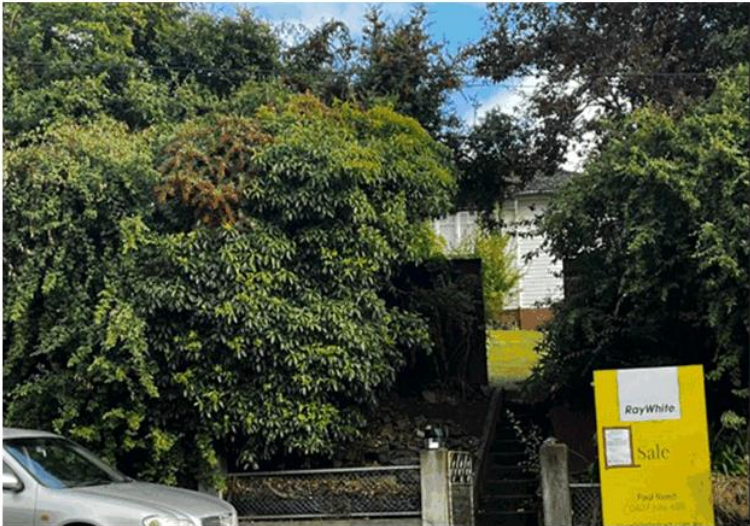


(Image showing 1917 advertisement for the Golf Links Estate subdivision - Alexander St can be seen at the bottom of the image)

Physical Description:

The War Service Homes from this era are recognised as detached bungalows in garden settings, modest in scale and character, built with similar materials and architectural elements displaying Arts & Crafts influences in a range of standard designs and specifications. 17 Alexander Street exhibits these style indicators and is a representative example of a WW1 War Service Home.

The front of the residence is partially obscured from the street by vegetation and fencing. It is considered that the property clearly displays the form, style, detailing, level of intactness, garden setting and strong adherence to the sub-division pattern as set out in the statements of significance for the precinct, and as such, is a contributory building to the Heritage Precinct. In addition to contributing to the Heritage Precinct the house demonstrates the important Commonwealth repatriation initiative to provide affordable housing for returned servicemen and their families after World War I.





(Images above showing existing c.1926 residence 17 Alexander St – taken by Heritage Officer March 2023)

The Sandy Bay 6 Heritage Precinct - Golf Links Estate is significant for reasons including:

1. *Its value as the largest single subdivision in Sandy Bay with a very fine group of c1920-1930 houses, the best such group in Hobart.*
2. *Its predominantly single storey Edwardian character with very intact streetscapes. The houses are all very good examples of Edwardian cottages and Californian Bungalow styles.*
3. *The predominantly intact building stock.*
4. *The connection of the site with the former golf links which is still readable in the subdivision pattern.*

Proposal:

- Demolition of a single storey 6 bedroom 2 bathroom c.1926 residence
- Construction of two double storey 3 bedroom units

Supporting documentation:

The application includes a heritage report titled "Response to Historic Heritage Code" by E3 Planning, Evan Boardman. The report addresses clauses E13.7 Development Standards for Heritage Places, however, the property is not a heritage listed place. The report does not address clauses E13.8 Development Standards for Heritage Precincts, or provide direct commentary on the Heritage Precinct Statements of Significance within the Heritage Code Table E13.2, or the historical subdivision of the Golf Links Estate. In addition, the report references 3 buildings outside of the heritage precinct boundary which are not relevant and also references the Southern Tasmanian Regional Land Use Strategy (STRLUS) which does not form part of a Statutory Assessment for a Development Application against the Planning Scheme.

Representations:

There were two (2) representations received during the advertising period. Both cited heritage concerns. The heritage concerns have been summarised below.

- *The house is well constructed, it owns a history and deserves historical value*
- *Once heritage it will always be heritage. The house just needs to be taken care of to show the cultural and historical value.*

Assessment:

E13.8 Development Standards for Heritage Precincts**E13.8.1 Demolition****Objective:**

To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

Performance Criteria 1

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

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

The proposed demolition of 17 Alexander Street will result in the loss of historic cultural heritage values for which the Sandy Bay 6 Golf Links Estate Heritage Precinct is significant because it involves the demolition of a house, original to the Golf Links Estate. The heritage report fails to address the relevant clauses that are applicable for demolition with a heritage precinct and therefore there is no demonstration that there are environmental, social, economic or safety reasons of greater value to the community than the heritage values of the place. It may also be worth noting that there is no net gain in the number of bedrooms with this development.

From an environmental point of view, the demolition will result in large amounts of construction waste, plus the energy / resources required for demolition and reconstruction. As per the Burra Charter (the Australian Charter for Places of Cultural Significance) it is recognised best practice to ensure buildings are adapted and retained until the end of their useful life, retaining the embodied energy of existing structures, and recognising the environmental cost already paid. In addition to the environmental issues, there has been nothing submitted by the applicant to demonstrate that the building requires demolition for safety reason. In fact this 6 bedroom property is currently tenanted and habitable, and it is also worth noting that the Landslide Assessment report submitted by the applicant states that 'the existing dwelling does not have major structural issues' (p.6). In regards to economic benefits to the community, the development and associated profits would be almost exclusively of private benefit. Part (i) of E13.8.1 P1 is not satisfied.

The applicant has not provided documentation that prudent or feasible alternatives (ii) were considered or explored, such as, for example, the retention of the 6 bedroom house and the construction of a smaller secondary or ancillary dwelling on the site. Therefore, part (ii) of E13.8.1 is not satisfied. The replacement buildings are modern with large angled street facing windows, 'timber clad feature portals' and a split skillion roof form which is a contemporary design form and not more complementary to the heritage values of the precinct than that of the original 1926 residence. Part (iii) of E13.8.1 P1 is not satisfied. In addition to the above, it is described in the objective of the clause that demolition should not result in loss of significance "*unless there are exceptional circumstances*" it should be noted that no exceptional circumstances have been provided by the applicant.

The applicant's submitted heritage report states that "17 Alexander Street is of a similar appearance as hundreds of other dwellings throughout Hobart and the surrounding area." This statement fundamentally fails to understand the collective nature and cohesiveness required for

the classification of a heritage precinct. Specifically the definition of a Heritage Precinct is:

"means an area shown on the planning scheme maps as a heritage precinct and described in Table E13.2 as having particular historic cultural heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values."

The Golf Links is the largest single sub-division in Sandy Bay, and is recognised as forming the most intact large group of housing stock from the 1920s-30s in Hobart. Because a building is of similar appearance to others in Hobart does not make it a valid consideration for demolition under the heritage code provisions. The demolition of buildings dating from the 1920-30s within the precinct inherently erodes the very significance of the precinct as an area with intact building stock and streetscapes from this era. Performance Criteria 1 of E13.7.1 is not satisfied.

E13.8.2 Buildings and Works other than Demolition

Objective:

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

Performance Criteria 1

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

The statements of significance are as follows:

- 1. Its value as the largest single subdivision in Sandy Bay with a very fine group of c1920-1930 houses, the best such group in Hobart.*
- 2. Its predominantly single storey Edwardian character with very intact streetscapes. The houses are all very good examples of Edwardian cottages and Californian Bungalow styles.*
- 3. The predominantly intact building stock.*
- 4. The connection of the site with the former golf links which is still readable in the subdivision pattern.*

The scale, and extent of the development fails to demonstrate a sympathetic response to the character of the precinct. The double storey height, varied and contemporary roof form, large, modern angular fenestration pattern, use of materials and colour out of context with the precinct, and the massing of the two proposed buildings would clearly run contrary to the precincts identified single storey character of coherent Edwardian cottages and Inter-War Californian Bungalows. The proposal retains a minimal garden setting to both front and rear with much of the remaining open space being hardstand surface for vehicle maneuvering and parking.

It is considered that the removal of the garden setting, and introducing a spatial arrangement of two double storey townhouse buildings is at odds with the original pattern of development and house and garden setting of the Golf Links Estate precinct. Performance Criteria 1 of E13.8.2 is not satisfied.



(Image: Streetscape render of the proposed front unit at 17 Alexander Street - taken from advertised DA documents)

Conclusion:

When considered in the underlying context of the Development Standard objectives 'Demolition in the heritage precinct does not result in the loss of historic cultural heritage values' and 'To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct', it is considered that neither Performance Criteria 1 of E13.8.1 Demolition or Performance Criteria 1 of E13.8.2 Buildings and Works other than Demolition are satisfied.

The grounds for refusal are as follows:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 P1 of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of a building that contributes to the historic cultural heritage significance of the precinct and it has not been demonstrated: that there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; that there are no prudent or feasible alternatives; and that the replacement building is more complementary to the heritage values of the precinct.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 P1 of the *Hobart Interim Planning Scheme 2015* because the design and siting of the proposal will result in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.

Allie Costin
Heritage Officer
5 April 2023

Reviewed

Sarah Waight
Senior Cultural Heritage Officer
6 April 2023

7. REPORTS

7.1 Planning - Advertised Applications Report File Ref: F23/31465

Memorandum of the Director City Life of 14 April 2023 and attachments.

Delegation: Committee

City of **HOBART****MEMORANDUM: PLANNING COMMITTEE****Planning - Advertised Applications Report**

Attached is the advertised applications list for the period 13 March 2023 to 4 April 2023.



RECOMMENDATION

That the Planning – Advertised Applications Report be received and noted.

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

Neil Noye
DIRECTOR CITY LIFE

Date: 14 April 2023
File Reference: F23/31465

Attachment A: Planning - Advertised Applications Report ↓ 
Attachment B: Planning - Advertised Applications Report ↓ 

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
1	PLN-23-23	36 WATERLOO CRESCENT	BATTERY POINT	Partial Demolition, Front Fence, Alterations, and Extension for Three Multiple Dwellings (Three Existing)	\$900,000	01/03/2023	baconr	Director	21/03/2023	04/04/2023
2	PLN-22-436	20 MCVILLY DRIVE	HOBART	Partial Demolition, Relocation of Shared Path, and Associated Works	\$250,000	18/08/2022	ikinb	Committee (Council Land)	16/03/2023	30/03/2023
3	PLN-22-819	103 MELVILLE STREET	HOBART	Partial Change of Use to Vehicle Parking and Signage	\$0	17/01/2023	smeea	Director	27/03/2023	13/04/2023
4	PLN-23-42	169 - 173 CAMPBELL STREET	HOBART	Alterations (Re-Roofing)	\$120,000	17/03/2023	smeea	Director	21/03/2023	04/04/2023
5	PLN-23-107	179 MACQUARIE STREET	HOBART	Signage	\$0	19/04/2023	smeea	Director	20/03/2023	03/04/2023
6	PLN-23-98	62 PATRICK STREET	HOBART	Alterations to Carparking Layout	\$0	18/04/2023	ayersh	Director	22/03/2023	05/04/2023
7	PLN-23-116	51 / 1 COLLINS STREET	HOBART	Change of Use to Visitor Accommodation	\$20,000	25/04/2023	sherriffc	Director	27/03/2023	13/04/2023
8	PLN-22-604	38 A ROSEHILL CRESCENT	LENAH VALLEY	Dwelling	\$300,000	20/10/2022	baconr	Director	24/03/2023	08/04/2023
9	PLN-22-699	97 POTTERY ROAD	LENAH VALLEY	Partial Demolition, Alterations and Extension	\$220,000	05/12/2022	mcclenahanm	Director	14/03/2023	28/03/2023
10	PLN-22-631	21 SHARPS ROAD	LENAH VALLEY	Dwelling	\$540,000	04/11/2022	ayersh	Director	16/03/2023	30/03/2023

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
11	PLN-23-56	43 ROSEHILL CRESCENT	LENAH VALLEY	Partial Demolition, Alterations, Extension, and Carport	\$250,000	23/03/2023	mcclenahanm	Director	14/03/2023	28/03/2023
12	PLN-23-78	3 HAIG STREET	LENAH VALLEY	Partial Demolition, Alterations, and Extension	\$760,000	06/04/2023	burkedan	Director	21/03/2023	04/04/2023
13	PLN-23-93	34 KALANG AVENUE	LENAH VALLEY	Partial Demolition, Alterations, and Extension	\$400,000	15/04/2023	langd	Director	16/03/2023	30/03/2023
14	PLN-23-108	6 / 538 - 540 NELSON ROAD	MOUNT NELSON	Change of Use to Visitor Accommodation	\$0	19/04/2023	nolanm	Director	20/03/2023	03/04/2023
15	PLN-22-863	14 SENATOR STREET	MOUNT STUART	Partial Demolition, Alterations, and Extension	\$300,000	31/01/2023	burkedan	Director	14/03/2023	28/03/2023
16	PLN-23-54	38 CROSS STREET	NEW TOWN	Partial Demolition, Alterations, and Extension	\$550	23/03/2023	maxwellv	Director	22/03/2023	05/04/2023
17	PLN-22-830	43 SMITH STREET	NORTH HOBART	Change of Use to Visitor Accommodation	\$0	19/01/2023	maxwellv	Committee (Called In)	27/03/2023	13/04/2023
18	PLN-23-77	9 QUAYLE STREET	SANDY BAY	Change of Use to Visitor Accommodation	\$0	05/04/2023	nolanm	Director	16/03/2023	30/03/2023
19	PLN-23-59	41 LORD STREET	SANDY BAY	Partial Demolition and Alterations	\$120,000	24/03/2023	mcclenahanm	Director	14/03/2023	28/03/2023
20	PLN-23-85	11 SANDOWN AVENUE	SANDY BAY	Partial Demolition, Alterations, and Extension	\$350,000	10/04/2023	smeea	Director	21/03/2023	04/04/2023

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
21	PLN-23-112	18 - 20 ASHFIELD STREET	SANDY BAY	Signage and Extension to Operating Hours	\$0	21/04/2023	burkedan	Director	26/03/2023	12/04/2023
22	PLN-23-113	836 A SANDY BAY ROAD	SANDY BAY	Change of Use to Visitor Accommodation	\$0	26/04/2023	nolanm	Director	20/03/2023	03/04/2023
23	PLN-22-650	10 CONGRESS STREET	SOUTH HOBART	Partial Demolition, Alterations, and Extension	\$100,000	14/11/2022	langd	Director	16/03/2023	30/03/2023
24	PLN-23-67	291 DAVEY STREET	SOUTH HOBART	Partial Demolition, Alterations, and Extension	\$150,000	30/03/2023	nolanm	Director	21/03/2023	04/04/2023
25	PLN-23-43	326 STRICKLAND AVENUE	SOUTH HOBART	Dwelling	\$600,000	17/03/2023	mcclenahanm	Director	16/03/2023	30/03/2023
26	PLN-21-796	127 WARWICK STREET	WEST HOBART	Partial Demolition, Extension to Driveway, Carport, Ancillary Dwelling and Studio	\$300,000	04/01/2022	nolanm	Director	28/03/2023	14/04/2023
27	PLN-22-726	28 ARTHUR STREET	WEST HOBART	Partial Demolition, Alterations, Extension, and Front Fencing	\$190,000	14/12/2022	baconr	Director	28/03/2023	14/04/2023

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
1	PLN-23-131	72 BRISBANE STREET	HOBART	Partial Demolition, Alterations, and Change of Use to General Retail and Hire and Single Dwelling	\$1,000,000	02/05/2023	nolanm	Director	04/04/2023	21/04/2023
2	PLN-23-99	27 TOWER ROAD	NEW TOWN	Partial Demolition, Alterations, and Garage	\$50,000	18/04/2023	burkedan	Director	04/04/2023	21/04/2023
3	PLN-23-120	10 PAVIOUR STREET	NEW TOWN	Partial Demolition, Alterations, and Extension	\$200,000	26/04/2023	burkedan	Director	04/04/2023	21/04/2023
4	PLN-23-39	45 SMITH STREET	NORTH HOBART	Partial Demolition and Alterations	\$5,000	03/05/2023	maxwellv	Director	31/03/2023	17/04/2023
5	PLN-23-111	648 SANDY BAY ROAD	SANDY BAY	Partial Demolition and Alterations (Lift)	\$100,000	21/04/2023	langd	Director	29/03/2023	31/03/2023
6	PLN-23-140	69 VIEW STREET	SANDY BAY	Alterations	\$38,361	04/05/2023	burkedan	Director	04/04/2023	21/04/2023
7	PLN-22-206	598 HUON ROAD	SOUTH HOBART	Partial Demolition, Alterations, Extension, Two Multiple Dwellings (One Existing, One New), One New Visitor Accommodation Unit, Outbuilding, Front Fencing, and Associated Works	\$1,000,000	18/04/2023	maxwellv	Director	31/03/2023	17/04/2023

8	PLN-23-7	1 FERNDENE AVENUE	SOUTH HOBART	Partial Demolition, Alterations, Carport and Store	\$200,000	20/02/2023	langd	Director	04/04/2023	21/04/2023
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7.2 Delegated Decision Report (Planning)
File Ref: F23/35039

Memorandum of the Director City Life of 12 April 2023 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: PLANNING COMMITTEE

Delegated Decision Report (Planning)

Attached is the delegated planning decisions report for the period 21 March 2023 to 6 April 2023.

RECOMMENDATION

That:

- 1. That the information be received and noted.***

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

Neil Noye
DIRECTOR CITY LIFE

Date: 12 April 2023
File Reference: F23/35039

Attachment A: Delegated Decision Report (Planning) ↓

6 April 2023

Delegated Decisions Report (Planning)

35 applications found.

Planning Description	Address	Works Value	Decision	Approved	All
				Authority	
PLN-21-830 Demolition, New Dwelling and Carport	127-127A CASCADE ROAD SOUTH HOBART TAS 7004	\$ 450,000	Approved	Delegated	
PLN-22-362 Partial Demolition, Alterations, Extension, and Change of Use to Three Multiple Dwellings (Two Existing, One New)	55 RISDON ROAD NEW TOWN TAS 7008	\$ 400,000	Approved	Delegated	
PLN-22-570 Partial Demolition and Alterations	5 LIPSCOMBE AVENUE SANDY BAY TAS 7005	\$ 20,000	Approved	Delegated	
PLN-22-582 Dwelling	19 BLUESTONE RISE LENA VALLEY TAS 7008	\$ 742,030	Approved	Delegated	
PLN-22-631 Dwelling	21 SHARPS ROAD LENA VALLEY TAS 7008	\$ 540,000	Approved	Delegated	
PLN-22-650 Partial Demolition, Alterations, and Extension	10 CONGRESS STREET SOUTH HOBART TAS 7004	\$ 100,000	Approved	Delegated	
PLN-22-699 Partial Demolition, Alterations and Extension	97 POTTERY ROAD LENA VALLEY TAS 7008	\$ 220,000	Approved	Delegated	
PLN-22-753 Partial Demolition and Alterations for Substation, and Associated Works	107-119 ARGYLE STREET HOBART TAS 7000	\$ 82,000	Approved	Delegated	
PLN-22-782 Partial Demolition, Alterations, Extension, and Two Multiple Dwellings (One Existing, One New)	7 ESK AVENUE MOUNT STUART TAS 7000	\$ 150,000	Approved	Delegated	
PLN-22-791 Dwelling	2 ANCANTHE AVENUE LENA VALLEY TAS 7008	\$ 370,000	Approved	Delegated	
PLN-22-795 Additional Aircraft	KINGS PIER MARINA 2 FRANKLIN WHARF HOBART TAS 7000	\$ 0	Approved	Delegated	
PLN-22-823 Partial Demolition, Alterations, and Extension	5 BERE STREET HOBART TAS 7000	\$ 400,000	Approved	Delegated	
PLN-22-863 Partial Demolition, Alterations, and Extension	14 SENATOR STREET MOUNT STUART TAS 7000	\$ 300,000	Approved	Delegated	
PLN-22-866 Partial Change of Use to Sport and Recreation	265-269 ELIZABETH STREET NORTH HOBART TAS 7000	\$ 100,000	Approved	Delegated	
PLN-22-871 Partial Demolition, Six Multiple Dwellings, Alterations to Parking and Access, and Associated Works	63-83 CREEK ROAD NEW TOWN TAS 7008	\$ 1,500,000	Approved	Delegated	
PLN-23-108 Change of Use to Visitor Accommodation	6/538-540 NELSON ROAD MOUNT NELSON TAS 7007	\$ 0	Approved	Delegated	
PLN-23-16 Partial Change of Use to Eating Establishment	71 MACQUARIE STREET HOBART TAS 7000	\$ 10,000	Approved	Delegated	
PLN-23-34 Alterations	22 ASCOT AVENUE SANDY BAY TAS 7005	\$ 17,855	Approved	Delegated	
PLN-23-42 Alterations (Re-Roofing)	169-173 CAMPBELL STREET HOBART TAS 7000	\$ 120,000	Approved	Delegated	
PLN-23-43 Dwelling	326 STRICKLAND AVENUE SOUTH HOBART TAS 7004	\$ 600,000	Approved	Delegated	
PLN-23-56 Partial Demolition, Alterations, Extension, and Carport	43 ROSEHILL CRESCENT LENA VALLEY TAS 7008	\$ 250,000	Approved	Delegated	
PLN-23-57 Partial Demolition, Alterations, and Ancillary Dwelling	23 DE WITT STREET BATTERY POINT TAS 7004	\$ 190,000	Approved	Delegated	
PLN-23-59 Partial Demolition and Alterations	41 LORD STREET SANDY BAY TAS 7005	\$ 120,000	Approved	Delegated	

CITY OF HOBART

Planning Description	Address	Works Value	Decision	Authority
PLN-23-60 Partial Demolition, Alterations, and Fencing	101 BURNETT STREET NORTH HOBART TAS 7000	\$ 80,000	Approved	Delegated
PLN-23-64 Partial Demolition, Alterations, and Extension	11 WOODRIDGE PLACE TOLMANS HILL TAS 7007	\$ 130,000	Approved	Delegated
PLN-23-66 Partial Demolition, Alterations, and Extension to Outbuilding (Garage)	19 MCKELLAR STREET SOUTH HOBART TAS 7004	\$ 15,000	Approved	Delegated
PLN-23-67 Partial Demolition, Alterations, and Extension	291 DAVEY STREET SOUTH HOBART TAS 7004	\$ 150,000	Approved	Delegated
PLN-23-77 Change of Use to Visitor Accommodation	9 QUAYLE STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated
PLN-23-79 Partial Demolition and Alterations	255 SANDY BAY ROAD SANDY BAY TAS 7005	\$ 70,000	Approved	Delegated
PLN-23-8 Partial Demolition, Alterations, and Swimming Pool	62 RED CHAPEL AVENUE SANDY BAY TAS 7005	\$ 200,000	Approved	Delegated
PLN-23-80 Change of Use to Visitor Accommodation	79 ATHLEEN AVENUE LENA H VALLEY TAS 7008	\$ 200	Approved	Delegated
PLN-23-83 Partial Demolition and Alterations	7 LOWER DOMAIN ROAD QUEENS DOMAIN TAS 7000	\$ 20,000	Approved	Delegated
PLN-23-85 Partial Demolition, Alterations, and Extension	11 SANDOWN AVENUE SANDY BAY TAS 7005	\$ 350,000	Approved	Delegated
PLN-23-87 Partial Demolition and Alterations	143 MACQUARIE STREET HOBART TAS 7000	\$ 19,500	Approved	Delegated
PLN-23-93 Partial Demolition, Alterations, and Extension	34 KALANG AVENUE LENA H VALLEY TAS 7008	\$ 400,000	Approved	Delegated

8. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

The Chief Executive Officer reports:-

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

8.1 Planning Scheme Amendment - Visitor Accommodation
File Ref: F22/129514

Memorandum of the Director City Life of 24 March 2023.

8.2 26 Lower Jordan Hill Road
File Ref: F23/31247; 13-1-10

Memorandum of the Director City Life of 4 April 2023.

8.3 Visitor Accommodation Approvals
File Ref: F22/13418; 13-1-10

Memorandum of the Director City Life of 14 April 2023.

8.4 Short Stay Accommodation - Appeals
File Ref: F22/45047; 13-1-10

Memorandum of the Director City Life of 14 April 2023.

8.5 Proposed AFL Stadium
File Ref: F22/74905; 13-1-10

Memorandum of the Director City Life of 14 April 2023.

8.6 Unoccupied Government Owned Residential Properties - Recent Census Data
File Ref: F22/68469; 13-1-10

Memorandum of the Director City Life of 14 April 2023.

That the information be received and noted.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

PLANNING SCHEME AMENDMENT - VISITOR ACCOMMODATION

Meeting: Planning Committee

**Meeting date: 14 December
2022**

Raised by: Councillor Dutta

Question:

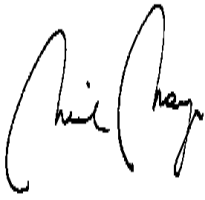
Can the Director advise on the current status of the visitor accommodation planning scheme amendment?

Response:

On 17 February 2023 the Tasmanian Planning Commission delivered its decision that it would not proceed with an assessment of the proposed draft amendment to the Hobart Interim Planning Scheme 2015 (the planning scheme), draft amendment PSA-22-1 (the draft amendment) having determined, consistent with the advice received from Simmons Wolfhagen, that it was not possible to seek an amendment to the planning scheme that could relieve the scheme from the mandatory application of PD6, nor was it possible that a planning purposes notice could be issued to relieve the scheme from the mandatory application of PD6.

Council officers are now working with Simmons Wolfhagen to bring about an outcome consistent with the decision made by the Council to restrict Visitor Accommodation use if the use is wholly within a single dwelling or dwelling (excluding for 'ancillary dwellings') in a residential zone.

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

A handwritten signature in black ink, appearing to read 'Neil Noye', with a stylized, cursive script.

Neil Noye
DIRECTOR CITY LIFE

Date: 24 March 2023
File Reference: F22/129514



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

26 LOWER JORDAN HILL ROAD

Meeting: Planning Committee

Meeting date: 15 March 2023

Raised by: Deputy Lord Mayor Burnet

Question:

Given the interest of and disruption to neighbours that still continues to this day, could the Acting Director please provide information as to the number of breaches associated with the development at 26 Lower Jordan Hill Rd, and any action and/or fines associated with that application?

Response:

A search of Council's records has identified there has been no formal action for any breach of the *Land Use Planning and Approvals Act 1993*, *Building Act 2016* or *Environmental Management and Pollution Control Act 1994*.

While general information has been received alleging non-compliance, this was not substantiated with sufficient evidence which enabled further action to be taken.

Parking infringements have been issued in the vicinity, however, it is not possible to be definitive as to which vehicles could be directly attributable to the development. *As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

Neil Noye

DIRECTOR CITY LIFE

Date: 4 April 2023

File Reference: F23/31247; 13-1-10



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

VISITOR ACCOMMODATION APPROVALS

Meeting: City Planning Committee

**Meeting date: 7 February
2022**

Raised by: Deputy Lord Mayor Burnet

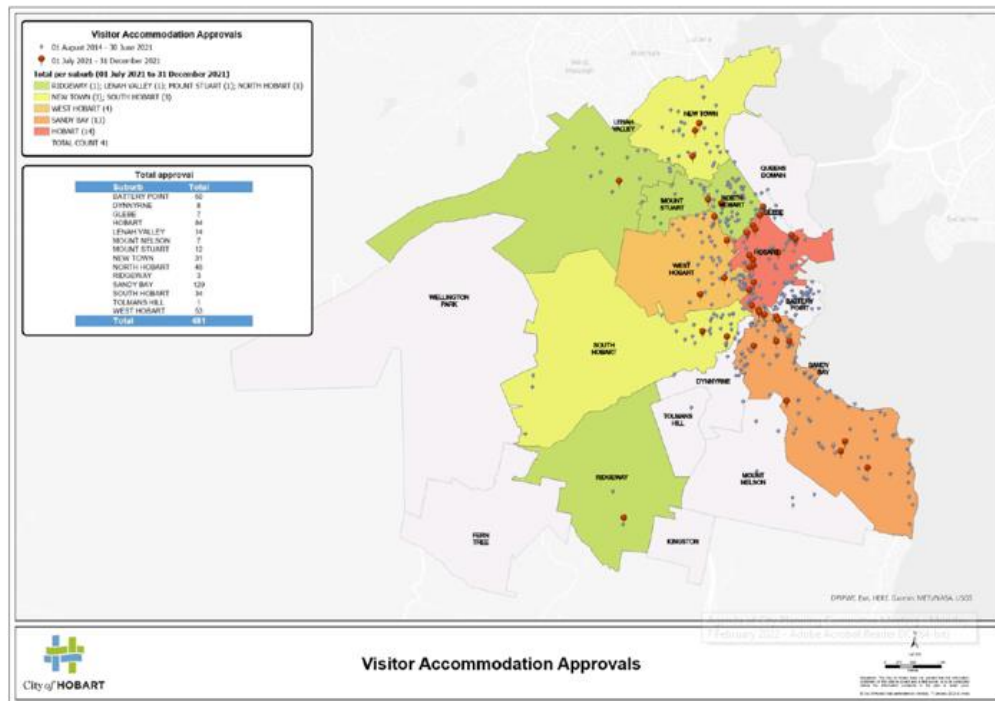
Question:

Can the Director advise in relation to visitor accommodation approvals which are listed in this agenda as 481 in total approved since 2014 and 41 of those having been approved in the past 6 months,

- a. How many complaints have been received by Council specifically relating to residential amenity?
- b. Is there any indication as to how many properties in multi-residential properties (apartments) are being used as unapproved visitor accommodation, including retrospective applications?

City Planning Committee Meeting - 7/2/2022

ATTACHMENT A



Response:

- a. The majority of complaints received by the Council about visitor accommodation relate to operating without a permit. Since 2018, approximately 12 complaints have been received by Council specifically raising concerns relating to residential amenity.
- b. The Council has no indication how many properties in multi-residential properties (apartments) are being used as unapproved visitor accommodation.

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

Neil Noye
DIRECTOR CITY LIFE

Date: 14 April 2023
File Reference: F22/13418; 13-1-10

City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

SHORT STAY ACCOMMODATION - APPEALS

Meeting: City Planning Committee

Meeting date: 9 May 2022

Raised by: Alderman Briscoe

Question:

Can the Director advise how many appeals the Council has lost to do with Short Stay Accommodation, where the officers have recommended approval?

Response:

There has, to date, been no appeal that has proceed to a full merits based hearing before TASCAT where Council, acting as planning authority, refused an application for visitor accommodation and officers recommended approval. There have been a number of appeals resolved by consent where Council, acting as planning authority, refused the application and the refusal has been overturned and replaced by an approval as agreed by Council during mediation.

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

Neil Noye
DIRECTOR CITY LIFE

Date: 14 April 2023
File Reference: F22/45047; 13-1-10



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

PROPOSED AFL STADIUM

Meeting: City Planning Committee

Meeting date: 25 July 2022

Raised by: Councillor Dutta

Question:

Can the Director advise that in regards to the proposed AFL Stadium has there been any chronology or historical discussions on planning for such a stadium?

Response:

The State Government's announcement in relation to the proposal for an AFL Stadium at Macquarie Point was made in September 2022. The Premier briefed the Council on this matter in December 2022.

It is noted that the *Macquarie Point Strategic Framework and Masterplan 2017-2030* is incorporated into the *Sullivans Cove Planning Scheme 1997*. The *Sullivans Cove Planning Scheme 1997* (including the incorporated Framework and Masterplan) does not contemplate a stadium.

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

Neil Noye
DIRECTOR CITY LIFE

Date: 14 April 2023
File Reference: F22/74905; 13-1-10



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

UNOCCUPIED GOVERNMENT OWNED RESIDENTIAL PROPERTIES - RECENT CENSUS DATA

Meeting: City Planning Committee

Meeting date: 4 July 2022

Raised by: Alderman Briscoe

Question:

Can the Director advise that due to the release of the current census data can it be ascertained how many government owned properties have been vacant in the City of Hobart area for more than 6 months and how many government owned residential properties are currently empty?

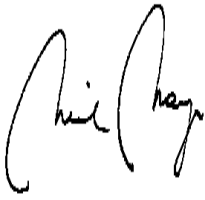
Response:

The Census records whether a dwelling was unoccupied on Census night, but not who owns the property or for how long it has been empty.

From the 2021 Census data we are able to ascertain that there were 24,775 occupied dwellings in the Hobart LGA on Census night and 2,318 or 9.4 per cent which were unoccupied. By way of comparison, in the 2016 Census there were 23,681 occupied dwellings on Census night and 2,440 unoccupied or 10.3 per cent.

Of the occupied dwellings in the 2021 Census, 651 were rented through a state housing authority and 273 by a community housing provider.

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

A handwritten signature in black ink, appearing to read 'Neil Noye', with a stylized, cursive script.

Neil Noye
DIRECTOR CITY LIFE

Date: 14 April 2023
File Reference: F22/68469; 13-1-10

9. QUESTIONS WITHOUT NOTICE

Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

- (1) A councillor at a meeting may ask a question without notice –
 - (a) of the chairperson; or
 - (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a councillor must not –
 - (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –
except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson of a meeting may require a councillor to put a question without notice in writing.

10. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the Closed portion
- Questions without notice in the Closed portion

The following items were discussed: -

Item No. 1	Minutes of the last meeting of the Closed Portion of the Committee Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Planning Authority Items – Consideration of Items with Deputations
Item No. 5	Responses to Questions Without Notice
Item No. 5.1	External Legal Advice LG(MP)R 15(4)(a)
Item No. 5.2	Impact of Legal Costs on Financial Situation LG(MP)R 15(4)(a)
Item No. 5.3	Short Stay Accommodation - Tribunal Decisions LG(MP)R 15(4)(a)
Item No. 5.4	Cable Car Development Application - Appeal LG(MP)R 15(4)(a)