



CITY OF HOBART

AGENDA

Planning Committee Meeting
Open Portion
Wednesday, 31 May 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.

APOLOGIES AND LEAVE OF ABSENCE

1. CONFIRMATION OF MINUTES.....	4
2. CONSIDERATION OF SUPPLEMENTARY ITEMS	4
3. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	4
4. TRANSFER OF AGENDA ITEMS.....	5
5. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS.....	5
6. COMMITTEE ACTING AS PLANNING AUTHORITY	6
6.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	7
6.1.1 18-44 Napoleon Street (CT39913/3, CT39913/5) Battery Point - Partial Change of Use to Residential (Caretakers Dwelling)	7
7. REPORTS	164
7.1 Planning - Advertised Applications Report	164
7.2 Delegated Decision Report (Planning)	169
8. RESPONSES TO QUESTIONS WITHOUT NOTICE.....	172
8.1 Cable Car - RMPAT & TPC Role	173
8.2 Shop Fronts	174
8.3 Planning Representations.....	176
9. QUESTIONS WITHOUT NOTICE	179
10. CLOSED PORTION OF THE MEETING.....	180

Planning Committee Meeting (Open Portion) held Wednesday, 31 May 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, 17 May 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 HOBART INTERIM PLANNING SCHEME 2015

6.1.1 18-44 NAPOLEON STREET (CT39913/3, CT39913/5) BATTERY POINT - PARTIAL CHANGE OF USE TO RESIDENTIAL (CARETAKERS DWELLING) PLN-22-609 - FILE REF: F23/54761

Address:	18-44 Napoleon Street (CT39913/3), CT39913/5), Battery Point
Proposal:	Partial Change of Use to Residential (Caretakers Dwelling)
Expiry Date:	4 July 2023
Extension of Time:	Not Applicable
Author:	Victoria Maxwell

RECOMMENDATION

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 a Partial Change of Use to Residential (Caretakers Dwelling) at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5) 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-22-609 18-44 NAPOLEON ST BATTERY POINT (CT39913/3, CT39913/4, CT39913/5) AND ADJACENT FORESHORE AND AREA OF THE RIVER DERWENT - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 8035 dated 23 May 2023, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

Occupation of the Caretakers Dwelling must be restricted to a person employed, or engaged, to have the ongoing care of the buildings, plant and equipment on the subject site.

The occupation must be ongoing and not undertaken on a part time or casual basis.

Reason for condition

To clarify the scope of this permit and to ensure that the Residential (Caretakers dwelling) use is carried out for the essential purpose connected with the boat building use (security), and in accordance with the applicant's stated intent.

PLN s2

The Residential (Caretakers Dwelling) use must only be contained with the Habitable Space in the western corner of upper floor of the proposed shed as detailed in endorsed plans by Adorn Drafting dated 14/1/2022.

Reason for condition

To clarify the scope of this permit.

PLN s3

The Residential (Caretakers Dwelling) use of the land approved by this permit must cease immediately should the Manufacturing and Processing (Boat Building) use cease or change.

Reason for condition

To ensure that the Caretakers Dwelling remains ancillary to the boat building use on site.

PLN s4

This permit is conditional on implementation of PLN-19-237 and all of the associated requirements in that permit.

The Residential (Caretakers Dwelling) use must be implemented in conjunction with PLN-19-237 and nothing in this permit should be read as overriding any condition or requirement outside the conditions associated with the caretaking function.

Reason for condition

to clarify the scope of this permit.

ENG sw1

All stormwater from the proposed development (including but not limited to:

roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

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

Advice:

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

Reason for condition

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

ENG 5b

The existing parking area and parking spaces shown on the submitted documentation do not form part of this planning application and are not approved as part of this planning permit.

Advice:

It is noted that Council approved the parking area and parking spaces under permit PLN-190237-01, and Council has not assessed them as part of this application.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ENV s1

The residence may only be occupied by a site caretaker who is an employee of the boatyard operations.

Reason for condition

To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm

HER 6

The recommendations as set out in the 'Statement of Historical Archaeological Potential and Archaeological Impact Assessment', produced by Praxis Environment, dated February 2019 in the form of an 'Archaeological Method Statement' shall be implemented in full. In addition, should any features or deposits of an

archaeological nature be discovered on the site during excavation or disturbance:

- 1. All excavation and/or disturbance must stop immediately; and**
- 2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and**
- 3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and**
- 4. All features and/or deposits discovered must be reported to the Council with 3 days of the discovery; and**
- 5. A copy of the Archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 20 days of receipt of the advice, assessment and recommendations.**

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence

HER 17a

The palette of exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local maritime precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing exterior colours, materials and finishes in accordance with the above requirement.

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

Advice:

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

Reason for condition

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

ENVHE 1

Before any works commence, a contamination Environmental Site Assessment report prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM)* as amended 2013 must be provided. The report must conclude:

- **Whether any site contamination presents a risk to the health of users of the development in consideration of the proposed use.**
- **Whether any site contamination presents an environmental risk.**
- **Whether any specific remediation and/or protection measures are required to be implemented before the proposed use commences.**
- **Whether any site contamination presents a risk to workers involved in redevelopment of the site, or future users of the site, as a result of proposed excavation of the site.**
- **Whether any site contamination presents an environmental risk from excavation conducted during redevelopment of the site.**
- **Whether any specific remediation and/or protection measures are required to ensure proposed excavation does not adversely impact human health or the environment before excavation commences.**

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted. Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil or stormwater.

Statements based on the results of the Environmental Site Assessment that:

- **The proposed use of the land will not adversely impact on human health or the environment is to be provided (subject to implementation of any identified remediation and/or protection measures as required).**
- **The excavation as part of the planned works will not adversely impact on human health or the environment is to be provided (subject to implementation of any identified remediation and/or protection measures as required).**

Reason for condition

To determine the level of site contamination, and to identify any recommended remediation/management practices/safeguards which need to be followed/put in place during any excavations/ground disturbance on, or for use of the site, to provide for a safe living environment.

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*.

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

PLANNING

The occupancy of the caretaker's dwelling may result in a lesser or lower enjoyment of residential living, and the application of lesser or lower prescribed environmental health standards, that would ordinarily be expected if living in designated or zoned residential areas.

RIGHT OF WAY

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


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


FEES AND CHARGES


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

DIAL BEFORE YOU DIG

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

Attachment A: PLN-22-609 - 18-44 NAPOLEON STREET
BATTERY POINT TAS 7004 (CT39913/3.
CT39913/4, CT39913/5) - Planning Committee or
Delegated Report ↓ 

Attachment B: PLN-22-609 18-44 NAPOLEON ST BATTERY
POINT (CT39913_3, CT39913_4, CT39913_5)
AND ADJACENT FORESHORE ~ Planning
Committee Agenda Documents ↓ 

Attachment C: PLN-22-609 - 18-44 NAPOLEON STREET
BATTERY POINT TAS 7004 (CT39913/3.
CT39913/4, CT39913/5) - Planning Referral Officer
Cultural Heritage Report ↓ 

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report:	Committee
Committee:	31 May 2023
Expiry Date:	4 July 2023
Application No:	PLN-22-609
Address:	18-44 NAPOLEON STREET (CT39913/3, CT39913/4, CT39913/5) , BATTERY POINT
Applicant:	ROBERT VAUGHAN 29 PROCTORS ROAD
Proposal:	Partial Change of Use to Residential (Caretakers Dwelling)
Representations:	Ten (10) representations (9 opposing, 1 in favour)
Performance criteria:	D38.0 Particular Purpose Zone 7 - Battery Point Slipways - Discretionary use (Caretakers Dwelling) - D38.2; E2.0 Potentially Contaminated Land Code - Change of Use - E2.5 P1; E6.0 Parking and Access Code - Number of parking spaces - E 6.6.1 P1; E9.0 Attenuation Code - Sensitive use in proximity to use with potential to cause environmental harm - E9.7.2 P1; E13.0 Historic Heritage Code - Heritage Place, Heritage Precinct (BP - New Works - E13.7.2 P1-P6, E13.7.4 P1; and E16.0 Coastal Erosion Hazard Code - Development dependent on a coastal location - E16.7.2 P1

1. Executive Summary

- 1.1 Planning approval is sought for a Partial Change of Use to Residential (Caretakers Dwelling) at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5).

- 1.2 More specifically the proposal includes:
- reconfiguring of the internal layout of a previously approved shed (under PLN-19-237) to allow a caretakers dwelling therein;
 - the caretakers dwelling will be located in the upper western portion of the previously approved shed;
 - the caretakers dwelling will be 3.94m by 7.57m including a shared bathroom, with a two way access, allowing staff to use the bathroom also;
 - the total area to be fire rated for a Class 4 dwelling (Caretakers Dwelling under the Building Act) including bathroom will 29.13m²;
 - the area excluding the bathroom is 23.87m² and includes a small kitchenette;
 - the external stairway is proposed to be reconfigured to avoid a TasWater sewer line;
 - external materials are timber cladding.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 D38.0 Particular Purpose Zone 7 - Battery Point Slipyards - Discretionary use (Caretakers Dwelling)
 - 1.3.2 E2.0 Potentially Contaminated Land Code - Change of Use
 - 1.3.3 E13.0 Historic Heritage Code - Heritage Place - New Works
 - 1.3.4 E16.0 Coastal Erosion Hazard Code - Development Dependent on a Coastal Location
 - 1.3.5 E 6.0 Parking and Access Code - Number of parking spaces
 - 1.3.6 E9.0 Attenuation Code - Development for sensitive use in proximity to use with potential to cause harm
- 1.4 Nine (9) representations objecting and one (1) supporting the proposal were received within the statutory advertising period between 5th to 19th May 2023.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Planning Committee, because the site is public land owned by Council and more than five (5) representations opposing the proposal were received.

2. Site Detail

- 2.1 The site is a section of River Derwent foreshore, located south east of Napoleon Street, between Trumpeter and Cromwell Streets. Surrounding uses are boatbuilding to the south and west of the site, sharing Rights of Way over adjacent lots to a single entrance onto Napoleon St, with public open space to the north and river foreshore to the east. Further to the north, west and south are residential uses within Battery Point.

The site is part of a larger maritime precinct. The subject site is known as Creese's workshop and contains a wooden boat shed, slip and jetty. The site backs on to a dog exercise area of public open space to the north and adjacent to Napoleon Street. The building site is benched into the natural slope behind the shed and slopes down to the high water mark. A wooden jetty, approximately 60m long extends from high water mark out into the River Derwent.



Figure 1: Site Plan (subject site in yellow) (Geo Cortex, 2023)

- 2.2 The site sits within the Battery Point Slipyards. It is of historical significance, with remnant heritage relics relating back to early shipbuilding, repair and maintenance for marine transport, whaling and fishing. Notwithstanding the historical artefacts on site, the maritime uses continue and are encouraged in this location within the Planning Scheme and various Heritage Conservation Plans.

The Battery Point Slip yards Conservation Management Plan describes the site as consisting of five historically separate slip sites, but are viewed as one open slip yard with generally no physical barriers between sites. The overall site is physically divided by a small ridge running north south across the site. Sheds and slip operations are generally located on the lower ground below the ridge and towards the shoreline. The Conservation Management Plan goes on to state "the upper area contains little built fabric, providing a different aesthetic to the lower industrial area, with a more open landscape to the west, providing view from the ridge over slip yard buildings and out to the River Derwent. Although the slip yard buildings and structures along the shoreline vary in ages, there is a consistent industrial aesthetic, with the combination of slips, jetties, machinery, workshops and simple shed structures. Sheds and workshops generally have skillion or gable roofs, clad in corrugated iron or other metal sheeting, with walls having similar materials".

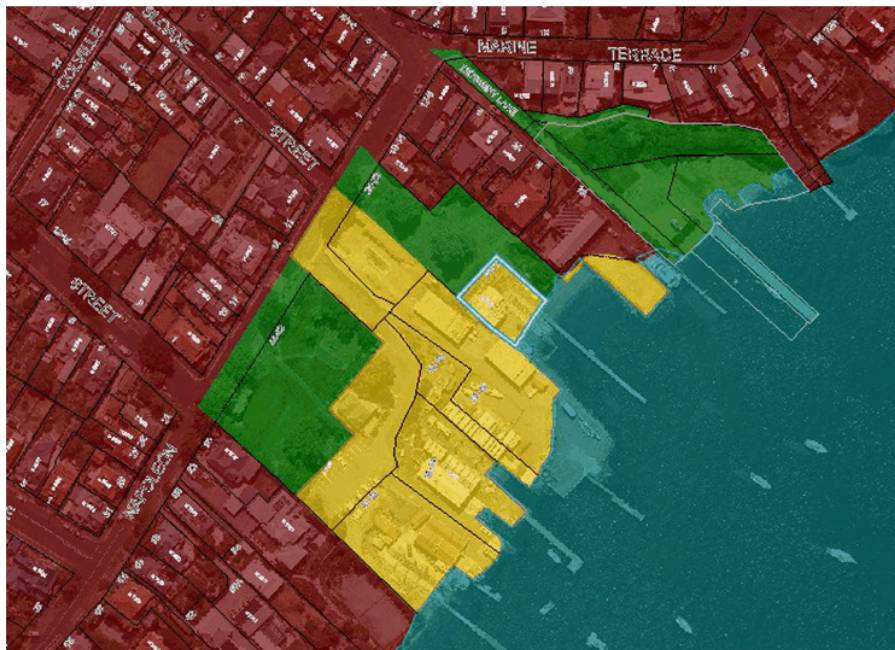


Figure 2: Particular Use zone 7 - Battery Point Slipyards (shown in yellow) with Council Open Space (shown in green) adjacent (Geo Cortex, 2023)

- 2.3 The subject site contains a slip and winch located between the existing tin shed and public access steps from the public open space to the north to the small beach. The proposed shed will enclose the winch and upper part of the slip. An "L" shaped lean-to on the north eastern side of the large shed constructed of part tin and timber is proposed to be demolished, along with a smaller structure accessed from inside the big shed. The applicant indicated that the "L" shaped building contains an existing Caretakers Dwelling. These lean-to structures are proposed to be demolished to make way for the proposed shed.



Figure 2: View of the site from Council's Public Open Space (Officer photo, 20219)

- 2.4 Inspection within the "L" shaped structure confirmed two rooms, bathroom/laundry and small kitchen.

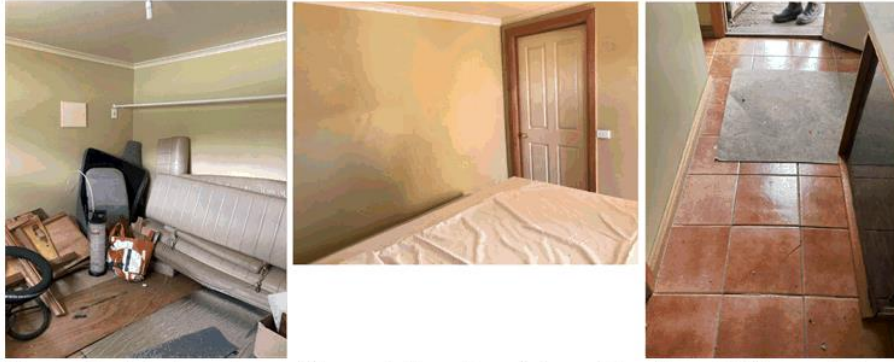


Figure 3: Interior view of the existing Caretakers Dwelling (Officer photos, November 2022)



Figure 4: View of Bathroom/Laundry inside the existing Caretakers Dwelling (Officer Photos, 2022)



Figure 5: Kitchen and window in existing Caretakers Dwelling behind tin exterior flap (Officer photos, November 2022)

- 2.5 There are glazed windows behind the lift flip tin flaps on the east and south faces, as well as a domestic door behind the tin door at the inside corner of the "L" shaped building.



Figure 6: Exterior views of the Caretakers Dwelling (Officer photos, November 2022)

- 2.6 The original 1988 lease agreement indicates the existing footprint of buildings on site and was for a "boatyard and slipway". No evidence could be found that the site ever contained a residential function. Notwithstanding this however, inspection showed an area quite capable of performing as a residence. Fittings within the existing caretakers dwelling are indicative of 1980-1990s style cornice, architrave, floor tiles etc. It is unclear when the "L" shaped structure was renovated. Certainly no approved plans for such have been found. Suggestions have been raised that it may have been a crib room and facilities for workers on site. Whatever its previous intention, it has never been granted a permit.
- 2.7 The Applicant and current Lessee took over the site in 2017. At the time of writing no condition report has been found that sets out works on site when the Applicant took over the lease. The site is under the management of a commercial rental agency.
- 2.8 Significant works have been undertaken on site without the granting of any permits. None of these unapproved works are included in this application and are subject to separate enforcement action.

3. Proposal

- 3.1 Planning approval is sought for a Partial Change of Use to Residential (Caretaker's Dwelling at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5).
- 3.2 More specifically the proposal includes:
- reconfiguring of the internal layout of a previously approved shed (under PLN-19-237) to allow a caretakers dwelling therein;
 - the caretakers dwelling will be located in the upper western portion of the previously approved shed; the caretakers dwelling will be 3.94m by 7.57m including a shared bathroom, with a two way access, allowing staff to use the bathroom also;
 - the total area to be fire rated for a Class 4 dwelling (Caretakers Dwelling under the Building Act) including bathroom will 29.13m²;
 - the area excluding the bathroom is 23.87m² and includes a small kitchenette;
 - the external stairway is proposed to be reconfigured to avoid a TasWater sewer line;
 - external materials are timber cladding.

3.3 For background in relation to PLN-19-237:

- the previous permit required the demolition of an existing lean to building (now understood to have been renovated at some time in the past), no mention was made of the use of this structure at the time of PLN-19-237 assessment;
- the previously approved ground floor plans for the shed included behind the slipway a small staff lunch room (this has been slightly enlarged) and disabled toilet, storage and a work shop on the eastern side of the slipway and office space in the south eastern corner of the building;
- on the upper floor of the previously approved building, a kitchenette and wash/dry room, along with a large canvas and rigging area that would be accessed by external stairs;
- the external stairway is proposed to be reconfigured to avoid a TasWater sewer line;
- external materials were timber cladding, this is still proposed.

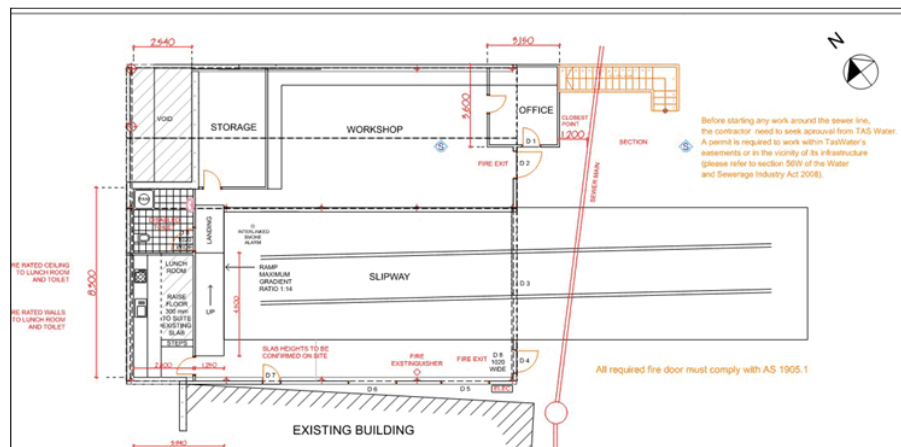


Figure 7: Ground floor (Adorn Drafting, 2023)

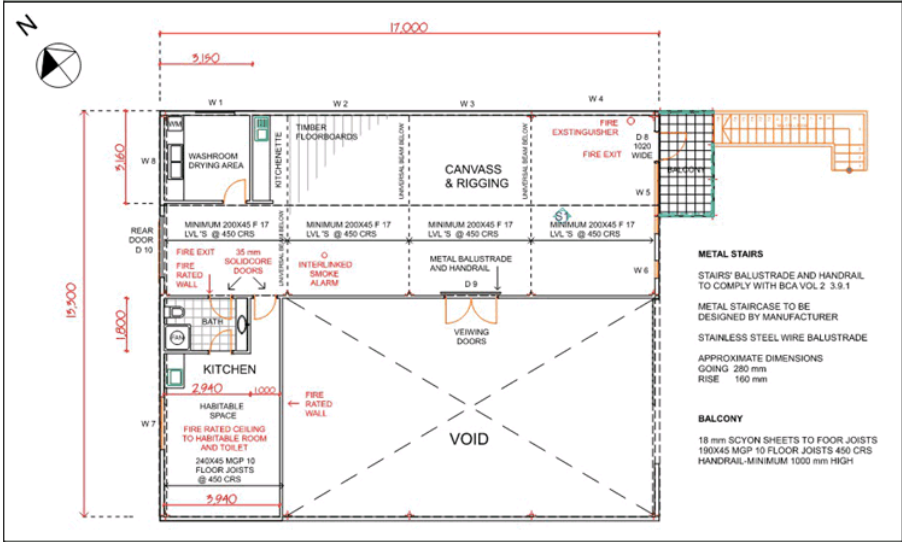


Figure 8: Upper Floor (Adorn Drafting, 2023)

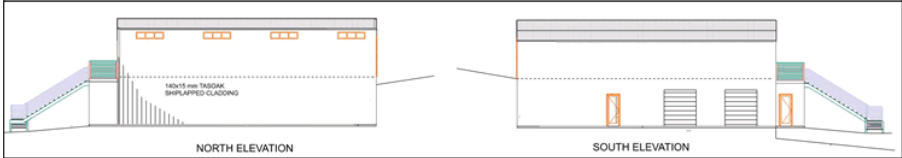


Figure 9: North and South Elevations (Adorn Drafting, 2023)

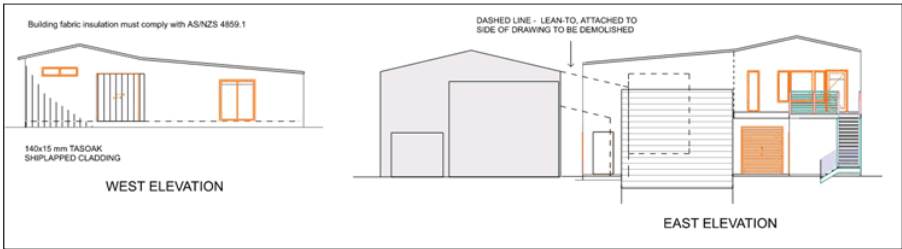


Figure 10: West and Eastern Elevations (Adorn Drafting, 2023)

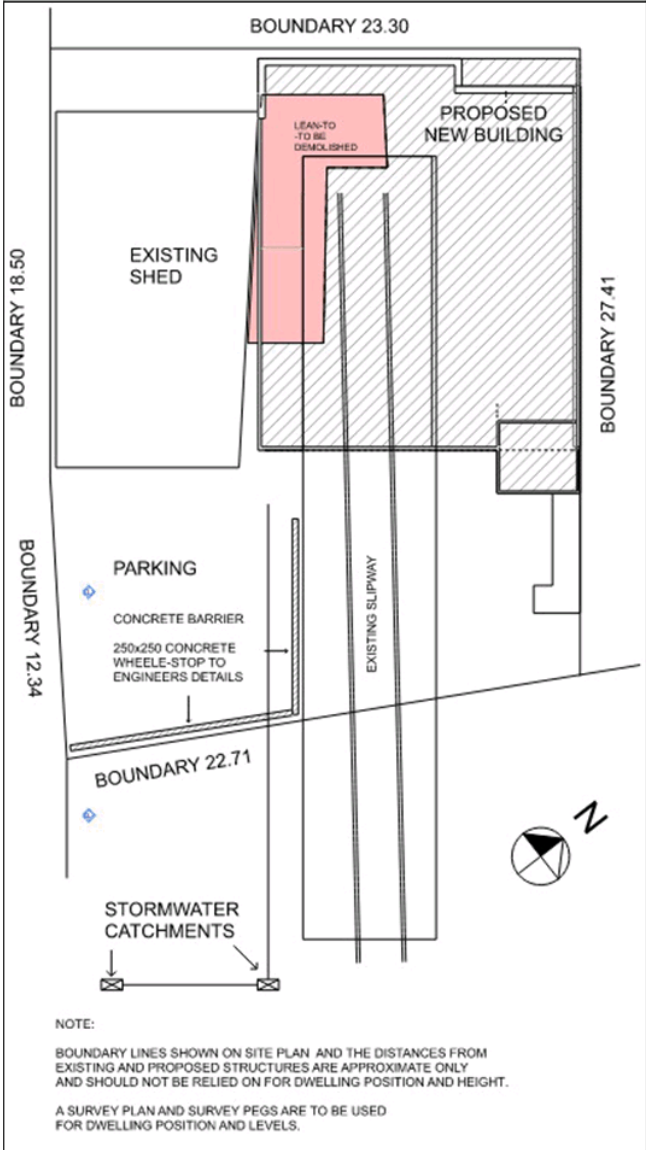


Figure 11: Site Plan and Stormwater discharge (Adorn Drafting, 2023)

4. Background

- 4.1 Previous permits relevant to this proposal and site are listed below;

PLN-18-807 - Partial demolition New boatshed - withdrawn

PLN-19-237 - Partial demolition New boatshed, Jetty Extension and Reclamation works - Approved 18th November 2019.

PAM-21-49 - Amendment to PLN-19-237 to raise roof of shed due to presence of rock - Withdrawn

ETA-22-98 - Extension of time for PLN-19-237

PAM-22-153 - Amendment to PLN-19-237 to allow Caretakers Dwelling - withdrawn

CEP-20-93 - PLN-19-237 - for Condition ENV 2 of that permit - pending

GMC-22-68 - granted by Council (as Landowner) to lodge the current application

- 4.2 The shed the subject of the current application was approved in PLN-19-237. The current proposal is to modify the interior layout of the previously approved shed and alter the external stairs, which have been forced to realign to avoid an existing sewer line. In 2022 PLN-19-237 was granted a two (2) year extension of time to commence development under ETA-22-98. This was just within the six months of the date of expiry as allowed under the Act.

- 4.3 Other permits for the Battery Point Slipyards site (not including Creese's Shed);

PLN-15-00023-01 - Partial Change of Use to Office

PLN-14-00513-01 - Partial Change of Use to Office

PLN-13-01006-01: PLN-13-01006-01 - 18-44 Napoleon Street - BATTERY POINT - Renovation

PLN-14-00207-01 - Shared public accessway, car parking spaces and Alteration, Jetty alteration, Privacy wall, fencing, landscaping and Associated works

PLN-14-00709-01 - Shared public accessway, car parking spaces and Alteration, Jetty alteration, Privacy wall, fencing, landscaping and Associated works

PLN-13-01006-01: PLN-13-01006-01 - 18-44 Napoleon Street - BATTERY POINT - Renovation

5. Concerns raised by representors

- 5.1 Ten (10) representations, nine (9) objecting to and one (1) in favour of the proposal were received within the statutory advertising period between 5th to 19th May 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.

<u>Change to residential</u>
Strongly opposed to the potential change of use by stealth, leading to further application for residential type dwellings in the Slipyard area.
We have lived in close proximity to the Slipyards since 1994 and have never seen any evidence of anybody living on site until the present occupant. We have been inside the workshop and never seen evidence of a person sleeping overnight.
The only person known to reside in the Slipyards was Fred Baker, who rented one of the Mariners Cottages at 42 Napoleon St, which were specifically built as dwellings.
We understand that Caretakers Cottage is against the planning scheme unless it is essential to the running of the working slipyard business to which it is attached. This has never been required in the significant history of this working slipyard and should security be a problem, why not use security cameras, motion detection lighting and monitored alarms.
Should this application be approved, it has the potential to set a precedence for other such applications, or worse, for major residential development in the area, as water (views) land attracts a premium.
There are several operating businesses in the area that this development would negatively impact.
Many people use the public walkway between dwellings 2 and 2B Derwent Lane to the slipyard. The addition of a new residential cottage which can be viewed from many aspects would detract from historical buildings in and around the slipyard area.
Having participated for many years in the shipyards and water front area of Napoleon Street, I thought community consensus had been reached to control future development to be in keeping with its maritime past. Residential uses were never envisaged by anyone involved in the Master Planning process and to allow this under the guise of caretakers goes completely against their vision.
Whilst not opposed to the slipyard development that has occurred on site, despite certain aspects being undertaken without planning approval, but strongly opposed to allowing residential building on site. This was never agreed in the Master Plan and no other business sees the need for such a development.
The underlying premise of a "caretaker" is that it would be for an employee, not the owners or the property.
What monitoring will be put in place to ensure the caretaker or others are not actually living continuously in the building?

If a precedent is set, then it would be difficult to regulate against permanent or semi permanent residency by the proponent or close family or associates, or other similar future proposals.
Concern is raised that this represents an unjustifiably bad precedent for residency within the heritage marine precinct, leading to a significant diminution of experience for park users and tourists.
Suspicion is that this is an attempt to gain semi permanent/permanent residency by subterfuge.
This is a very quiet corner of Hobart and there is not foot traffic through the area. A few dogs and owners use the part and that is it.
It is highly unusual to have living quarters in a business premises and set a worrying precedent for other business across Hobart. What monitoring will be put in place to ensure that the caretaker (or other) is not continuously living in the building?
The much more historically valuable and accessible Mariners Cottage does not have a caretaker, nor do any other businesses in the precinct.
As another leaseholder in the area, I would be pleased to have a part time of full time residents in the area who have an interest in it. Due to invariable petty thefts and easy public access to our work yard, it would be highly beneficial to us to have a caretaker living in the area.
<u>Heritage</u>
The Slipyard is of significant historic value and needs to be protected for current and future generations. This historic value has been acknowledged by Hobart City Council and other Agencies.
The Battery Point Slipyards Conservation Management Plans 2008 identifies the site as Precinct C, Creese's Slipyard and workshop. It is identified as High Significance and therefore any changes or additions thereto must be subject to detailed scrutiny. There is no consideration of any criteria relating to new buildings.
Reference is made to various clauses in the Battery Point Slipyards Conservation Management Plans 2008 pertaining to landscape and setting, New Building Development and Future Use. Throughout the plan there is no reference to any form of accommodation, To espouse the need for the same is disingenuous.
The Draft Battery Point Master Plan (2018) concludes with principles and ideas for the future of the area. Essentially these are to maintain the current purposes and uses of the area, while augmenting aspects of and access to its historical significance. In no place is there a suggestion of accommodation. This flies in the face of what businesses and residents want for the area.

<u>Security</u>
The applicant should consider security lights and cameras, visiting security officers, etc if they are worried about damage. Records would show that there have been few major security issues in the area in the past.
Businesses in Hampden Road use security lights in a much more populated area and none have required a permanent caretaker on site.
Security has not been a particular problem to date. The only serious vandalism was perpetrated by the applicant with the removal of plum trees, demolition and relocation of heritage sandstone walls behind the workshop and relocation of the bluestone foundations to former 18, 20 and 22 Napoleon St to wide the right of way to facilitate delivery of his building materials
Being a lessee of nearby Council property for many years, an increase in vandalism and theft have been noted from properties in the Battery Point Slipyards which are managed under Council's Battery Point Slipyards Master Plan.
<u>Visual Impacts</u>
Filling the entire pot with a two storey building hard up against the stairway will change the entire aspect of the slipyard and obscure the view from Napoleon St and the sculpture trail.
The new building will likely intimidate visitors, dog walkers and children from the last remaining piece of natural beach in Battery Point.
The proposal will result in significant interruption to views from the park, nearby residences and Napoleon Street. significantly the water will not be visible from the park entrance. This combined significantly diminishes public and tourist value. Professional assessment of this is warranted.
The plans do not show the proposed building outline in relation to the aerial image of the area to understand exactly where the building footprint will be.
<u>Environmental Concerns</u>
The planned building is well within the envelopes of both inundation and coastal erosion overlays, meaning they will both have to be taken into account for future liability of the approving body and owners of the land and building.
No evidence of consideration of sea level rise due to climate change.

In regard to Marine Solutions Tas P/L report conclusions that the proposed development will provide more effective containment of dust and particulates arising from works, thus potentially reducing contaminants from entering the receiving environment; this constitutes the less of two evils style defence, that changes would lead to a reduction from present environmental harm. This is an attempt to greenwash an activity. The emphasis should be on regulation of existing harm.
<u>General</u>
Lessees are currently planning and working collectively to improve the Slipways to comply with the HCC Master Plan.
We support the applicant's improvements that add value to the Slipways and maritime history, as well as his Planning application to provide accommodation for on site security purposes.
Should this development proceed will ratepayers (through HCC) own the building at the end of the lease?
The plans are incomplete and do not show the substantial retaining wall construction erected without appropriate Council approval. On this point alone, Council's decision should be deferred until the retaining wall matters are resolved.
The applicant has undertaken substantial modification to the building and landscape without Council approval, requiring Council corrective intervention on a number of occasions, including attempting to plant screen trees at the lower end of the Council park, which somebody has since removed.
Request to be kept informed of non compliance matters.
This application is for the construction of a new building covering the existing slipway and caretaker's residence. This residence "apparently" replaces and upgrades accommodation within the lean two that was granted planning approval in 2019.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Particular Use Zone 7.0 - Battery Point Slipways of

the *Hobart Interim Planning Scheme 2015*.

- 6.3 The existing use is Manufacturing and Processing (Boat Building). The proposed use is Manufacturing and Processing (Boat Building with Ancillary Caretakers Dwelling). The existing use is a No Permit Required use in the zone. The proposed use is a Discretionary use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 D38.0 Particular Use Zone 7.0 - Battery Point Slipyards
 - 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 E 2.0 Potentially Contaminated Land Code
 - 6.4.6 E 9.0 Attenuation Code
 - 6.4.7 E 11.0 Waterway & Coastal Protection Code
 - 6.4.8 E 15.0 Inundation Prone Areas
 - 6.4.9 E 16.0 Coastal Erosion Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Particular Purposes Zone 7
 - Use status*
 - 6.5.2 Parking and Access Code:
 - Number of Parking Spaces - E6.6.1 P1*
 - 6.5.3 Historic Heritage Code:
 - Heritage Place New works - E13.7.1 P1*
 - 6.5.4 Potentially Contaminated Land Code:

Use Standards - E1.2 P1

6.5.5 Attenuation Code:

Development for Sensitive Use in Proximity to Use with Potential to Cause Environmental Harm - E9.7.2 P1

6.5.6 Coastal Erosion Hazard Code:

Development Dependent on a Coastal Location - E16.7.2 P1

6.6 Each performance criterion is assessed below.

6.7 Particular Use Zone 7 - Battery Point Slipyards - Use

6.7.1 The Use Table for D38.2 allows Residential as a Discretionary use with the qualification "Only if a caretakers dwelling that is essential to a use allowed in the Zone".

6.7.2 The existing and proposed use on site is Manufacturing and Processing for boat building and slipyard related use, which is a Permitted use in this zone.

6.7.3 Clause 8.10.2 sets out assessment of a Discretionary application use.

In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;*
- (b) any relevant local area objective or desired future character statement for the applicable zone;*
- (c) the purpose of any applicable code; and*
- (d) the purpose of any applicable specific area plan,*

but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

6.7.4 The Zone Purpose Statements as as follows;

To conserve and enhance the Battery Point slipyards as a site of local

and national heritage significance by:

- (a) supporting its traditional use for boat building and slipyard activities;*
- (b) providing for uses that maintain ongoing links with the areas industrial maritime past;*
- (c) providing for uses related to the history of the area and its relationship with the River Derwent; and*
- (d) maintaining the key elements of its physical heritage and character.*

6.7.5 The applicant argues that to sustain their boat building activity, an on site presence is required after hours. This could be argued to support the traditional use for boat building. Given that a caretakers dwelling is permissible on site, providing the caretaking use is very much subservient and secondary to the predominant boat building use, the caretakers dwelling is considered to comply with this Zone Purpose Statement. Conditions will be imposed to restrict the location and size of the caretakers dwelling to ensure it does not overtake the boat building use on site and restrictions requiring it to be vacated should the boat building activity cease.

6.7.6 There are no Local Area Objectives.

6.7.7 The Desired Future Character Statements are as follows;

- *Conservation of the significant elements of the Battery Point Slipyards should continue as the leading priority in the future use and development of the zone. Existing structures and slipyards which are of historic or visual importance should be retained.*
- *It is desirable that the primary use of the buildings and land should remain as small scale slipyard related activities i.e. boat building, repair and maintenance. It is recognised however that boat building and slipyard uses have been in decline for some time and are unlikely to remain significant uses in the longer term.*
- *Given this situation it is proposed that other compatible uses can occur. Examples of compatible uses include the use of the workshops and sheds as working spaces for craftsmen or artists.*
- *Uses that encourage appreciation and interpretation of the slipyards and its significant features may also be suitable. These include a boat building museum, exhibition space or a small cafe to encourage visitation and service visitors and tenants on the site.*
- *Traditional boat building as an education or leisure activity is also encouraged to ensure that the links to the historic function of the slipyards are maintained.*

- *A restored jetty may also be used for mooring small recreational vessels. A marina type or scale of use where yachts would be moored is not appropriate as it would not suit the small scale use and appearance of the site.*
- *The reuse of the existing buildings of significance for compatible purposes is encouraged in preference to the construction of new buildings. Any new buildings should not render an existing building of significance (as shown in figure 38.1) redundant.*
- *A daily use of the buildings is preferable to maintain an active, working site. The use of buildings on site primarily for storage is not appropriate, although the use of smaller buildings for some ancillary storage is acceptable.*
- *It is important that the traditional scale, openness and general informality of buildings, slipways and work spaces is maintained and that new building or structures do not detract aesthetically from the character and appearance of the area.*
- *Continued public access to the foreshore should be accommodated within the constraints of protecting public safety and providing an adequate level of security for property.*

6.7.8 The scheme states that implementation of these Desired Future Character Statements is through the Use and Development Standards. The only standard that a caretakers dwelling must meet is that it is essential to a use allowed in the zone. The on site use is boat building. The use of the proposed shed is Manufacturing and Processing (Boat Building). This is a use allowed in the zone. The applicant has stated repeatedly that the on-site presence of a caretaker after hours is essential because of ongoing damage and theft to the site.

In order to minimise the intrusion that a residential use can create in this industrial area, significant negotiation with the applicant has occurred to ensure that the caretakers dwelling is a very small discreet section of the proposed shed. A Caretakers Dwelling is considered a form of dwelling. The the scheme defines a dwelling as "a building, or part of a building, used as a self contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling", but it does not separately define what a caretakers dwelling is. Consequently, a lot of care has been taken to clearly define the area of the caretakers dwelling on plan. This has been done on the understanding that the Building Act defines such a use as a Class 4 building. It requires fire separation from the dominant use on site. This has been shown on plan to restrict the use to one small corner of the proposed shed.

The minor nature of the caretakers dwelling area in the floor plan is considered to adequately protect the overarching boat building use on site. Conditions will be imposed to restrict the caretaking function to persons involved in the boat building activity on site. Should the boat building use cease, the approval of the caretakers dwelling will also cease, thereby preventing ongoing residential occupation outside the boat building activity.

A number of representations stated strong opposition to the introduction of residential uses into this area. Concerns including precedent, it having never been required previously, it being contrary to community understanding of the Master Planning for the area, concerns over regulation of the use and conversion to residential by stealth. Because the Planning Scheme particularly articulates that a caretakers dwelling is a discretionary use in this zone, but fails to give any use or development standards for such, these representation grounds cannot be sustained. However, conditions are included to limit the use and directly connect it to the need for on site security for the boat building use.

Researching how this use was introduced into the Particular Purpose zone, the Battery Point Planning Scheme indicated that a Private Residence was Discretionary, subject to clause 3.8. That clause restricted a Private Residence to a caretakers house that is "... essential to a light industrial (boat building or slip yard activity) or Local Service or Specialist Service that is essential to the economic viability of a slipyard.." Thus approval of a caretakers dwelling appears to have been potentially available for many years. Provided it is subservient to the boat building use and proven to be essential for that use, there is little argument to prevent it.

Therefore, concerns for precedent are not supported. Should any other user in the zone be able to argue the essential nature for a caretaker on site, such approval would be based on the merits of that application. It would not be based on the fact that this proposal had been approved; more that the scheme allows it if it is considered essential.

- 6.7.9 Applicable codes are noted below. None have indicated the use and development do not comply with the relevant code provisions.
- 6.7.10 There are no Specific Area Plans for this site.
- 6.7.11 The proposal with conditions is considered to pursue the objectives of the zone and relevant codes and therefore clause 8.10.

6.8 Potentially Contaminated Site Code - Use Standards - E2.5

6.8.1 The acceptable solution at clause E2.5 A1 requires the Director (under EMPCA 1994) to certify that the land is suitable for the intended use.

6.8.2 The proposal does not include any certification from the Director under EMPCA 1994 and is for a change of use to a sensitive use in an area identified as potentially contaminated.

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 E2.5 P1 provides as follows:

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

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

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

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

(i) an environmental site assessment;

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

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

6.8.5 The application was referred to Council's Environmental Health Officer, who advised the following;

The site is noted on Council's GIS as adjacent to a slip yard, which is listed as a potentially contaminating activity in the PCL Code. Reviewed documentation associated with this new development application, and the Praxis Archeological report is still relevant. Note that it states on pages 29-31:

"Specifically, the proposed development requires the following excavation⁴ which must be considered as to the possibility of archaeological impact: - Excavation of a flat platform for the proposed new boatshed, specifically excavating to a maximum depth of a maximum

of 1800mm on the rear of the site, down to 500mm at the front. - The perimeter of the shed will have a 300x300 edge beam. 4 Information supplied by Robert Vaughan, 17/2/19. 30 Praxis Environment 2019 - A series of 600x600x300(deep) pad footings will support steel posts. - A series of piles for the jetty extension. - Note that no substantial excavation is required within the footprint of the existing shed (i.e. the area known to be the site of a pre-1845 building) with the exception of minor surface drainage works. Overall, excavation to a depth of minimum 500mm will be required across the entire footprint of the proposed shed."

Reviewing the information on the previous DA (PLN-19-237) it is noted that a 'Summary Cover Letter' dated 8 March 2023 and 'Indicative Site Sampling' dated 4 March 2019 were prepared by COVA submitted to support the application. However, these were determined not to constitute an Environmental Site Assessment as per the Potentially Contaminated Land Code and hence the requirement for an Environmental Site Assessment was included as a condition of the planning permit that was ultimately approved.

It is noted that the previous application did not propose a residential use on the site, which would impact the validity of these results for this proposal. A condition will be imposed requiring an ESA.

- 6.8.6 With conditioning on the permit, the proposal complies with the performance criterion.
- 6.9 Attenuation Code – Development for Sensitive Use in Proximity to Use with Potential to Cause Environmental Harm - E9.7.2 P1
 - 6.9.1 There is no acceptable solution for E9.7.2.
 - 6.9.2 The proposal includes construction of a portion of the approved shed to be used for a Caretakers Dwelling for the boat building activity on site.
 - 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 9.7.2 P1 provides as follows:

Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:

(a) the nature of the use with potential to cause environmental harm; including:

(i) operational characteristics;

(ii) scale and intensity;

(iii) degree of hazard or pollution that may emitted from the activity;

(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;

(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions

- 6.9.5 The application was referred to Council's Environmental Development Planner, who advised the following;

Approval is sought for a partial change of use to residential (caretaker's dwelling) in an approved building at a shipyard, 18-44 Napoleon Street, Battery Point. The caretaker's dwelling would be located to the rear on the upper level of the building. An alteration to the approved external stairs for the building is also proposed.

The Attenuation Code applies because a sensitive use (residential) is proposed within the attenuation distance of an activity listed in Table E9.1 of the Code. Activities listed in Table E9.1 include including metal fabrication.

No code exemptions apply.

The relevant standards are under clause E9.7.2. There is no acceptable solution for A1. Performance criterion P1 states the following:

Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:

(a) the nature of the use with potential to cause environmental harm; including:

(i) operational characteristics;

(ii) scale and intensity;

(iii) degree of hazard or pollution that may emitted from the activity;

(b) the degree of encroachment by the sensitive use into the Attenuation

Area or the attenuation distance;

(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions

The site is used for boat building, repair and maintenance. It is of modest scale and intensity. Emissions of concern from the activity that may impact a resident in the proposed caretaker's dwelling are noise, odours and dust/particulates.

The degree of encroachment is high as the residential use would be located on the same premises as the activity with potential to cause environmental harm.

The caretaker's residence would be located on the upper level of the building. The caretaker's residence would include a bedroom, kitchen and bathroom in one space, with a laundry in a nearby separate room. The upper floor would be separated from the lower work area by the floor and walls, aside from some viewing doors on the upper level. The application includes the following comments on the potential for impacts on the resident:

"The caretaker accommodation is insulated and vapour proofed and fireproofed and has no openings to the lower work bay....

With respect to AC1 I don't agree with the need to employ another consultant to further advise on the environmental impact on a person or persons who will be actively involved in an existing boatbuilding and maintenance operation and may use accommodation in an area completely separated from the work area.

The habitable space would have fire-rated walls, floor and ceiling, with fire-rated solid core doors. Together with the insulation and vapour proofing, this should provide good physical separation between the work area and the living space and minimise the transmission of noise, particulates or vapours.

As the caretaker would be an employee of the business and involved with the boatbuilding/repair activities, residential amenity will generally not be impacted by the activity as the caretaker would be working during the operational hours of the boatyard".

Based on the above considerations, it is considered unlikely that the

proposed change of use would lead to an unreasonable impact on residential amenity, subject to a condition on permit granted limiting use of the caretaker's dwelling to a caretaker employed in the boatyard activity.

6.9.6 The proposal complies with the performance criterion.

6.10 Coastal Erosion Hazard Code - Development Dependent on a Coastal Location - E16.7.2 P1

6.10.1 The acceptable solution at clause E16.7.2 A1 requires an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.

6.10.2 The proposal includes a minor floor alteration to facilitate a change of use to allow a Caretakers Dwelling to be included in the floor plan for the Boat Building Activity on site.

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 E16.7.2 P1 provides as follows:

Buildings and works must satisfy all of the following:

- (a) need for a coastal location is demonstrated;*
- (b) new facilities are grouped with existing facilities, where reasonably practical;*
- (c) native vegetation is retained, replaced or re-established so that overall impact on erosion potential resulting from removal of native vegetation is negligible;*
- (d) potential for erosion is minimised generally;*
- (e) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;*
- (f) impacts on coastal processes, including sand movement and wave action, are minimised and any potential impacts on erosion potential are mitigated so that there are no unreasonable adverse long-term effects;*
- (g) not be located on an actively mobile landform.*

6.10.5 The application was referred to Council's Environmental Development

Planner, who advised the following;

The Code applies because a change of use involving a new habitable room is proposed within a Coastal Erosion Hazard Area (CEHA), and because development is proposed within a Coastal Erosion Hazard Area..

The proposed change of use is exempt from the Code standards pursuant to exemption clause E16.4.1(b), as the building would not be changing from a non-habitable building to a habitable building (it is already classified as habitable).

With regard to the proposed development (alteration to the design of previously-approved external stairs), the relevant standards are under clause E16.7.2. The application does not comply with the acceptable solution. Performance criterion P1 states the following:

Buildings and works must satisfy all of the following:

- (a) need for a coastal location is demonstrated;
- (b) new facilities are grouped with existing facilities, where reasonably practical;
- (c) native vegetation is retained, replaced or re-established so that overall impact on erosion potential resulting from removal of native vegetation is negligible;
- (d) potential for erosion is minimised generally;
- (e) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;
- (f) impacts on coastal processes, including sand movement and wave action, are minimised and any potential impacts on erosion potential are mitigated so that there are no unreasonable adverse long-term effects;
- (g) not be located on an actively mobile landform.

The boatyard building needs a coastal location, and is grouped with similar marine activities. No native vegetation would be impacted by the proposed stairs. Potential for erosion would be minimised somewhat by the existing landing constructed between the stair location and the foreshore. The stair design needs to fit with the approved building design and would not require any significant cut or fill. The modified stairs would have no greater impact on coastal processes than the previously-approved stairs. The proposed stairwell location is not considered to be on an actively mobile landform.

The proposed development is considered consistent with E16.7.2 P1 and the exercise of discretion is recommended.

Representations:

Matter Raised

The planned building is well within the envelopes of both the inundation and coastal erosion overlays meaning they will both have to be taken into account for future liability of the approving body, and for the owners of land and building.

Response

The building has been previously-approved and does not form part of this application. The proposed caretaker's residence is outside the coastal inundation hazard areas, but within the coastal erosion hazard area. The proposed change of use is exempt from the standards of the Coastal Erosion Hazard Code.

Matter Raised

I can't see anywhere in the proposal that there is mention or inclusion of allowances for sea level rise and other issues due to climate change. Erosion and inundation are two serious factors that need to be taken into account, and the site is clearly within these two hazard zones mapped in ListMap.

Response

The coastal inundation and coastal erosion overlay modelling included sea-level rise in accordance with the Tasmanian Government sea-level rise allowance.

- 6.10.6 The proposal complies with the performance criterion.
- 6.11 Historic Heritage Code - Heritage Place - New Works - E13.7.2 P1-6
 - 6.11.1 There is no acceptable solution for E13.7.2.
 - 6.11.2 The proposal includes modification to an approved structure under PLN-19-237 to allow a caretakers dwelling in the north western corner of the proposed shed and minor alterations to the exterior to realign the external stairs.
 - 6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.x.4 The performance criterion at clause E13.7.2 P1-P6 provides as follows:

13.7.2

P1 Development must not result in any of the following:

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

P2 Development must be designed to be subservient and complementary to the place through characteristics including:

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

P3 Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.

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

P5 New front fences and gates must be sympathetic in design, (including height, form, scale and materials), to the style, period and characteristics of the building to which they belong.

P6 The removal of areas of landscaping between a dwelling and the street must not result in the loss of elements of landscaping that contribute to the historic cultural significance of the place.

and

13.8.4

P1 Site area per dwelling may be less if the development does not detract from the pattern of development that is a characteristic of the cultural heritage significance of the precinct in the vicinity of the site.

P2 Buildings should be close to the street frontage except where the

prevailing setback on the same side of the street is substantial, in which case the setback shall conform to the general building line.

P3 The height of development must neither be obtrusive in the streetscape nor detract from the pattern of development that is a characteristic of the cultural heritage significance of the precinct in the vicinity of the site.

P4 Where reasonable and practicable, a dwelling must substantially occupy the width of the frontage of a lot, except where the prevailing setbacks from side boundaries on the same side of the street are substantial and not so as to exclude a driveway or car parking at the side of the building.

P5 The rear setback of the principal building must not detract from the layout pattern of development that contributes to the cultural heritage significance of the precinct and its contribution to private amenity facilitated by the 'house and garden' form of development.

P6 The building must not detract from the pattern of development that is a characteristic of the cultural heritage significance of the Precinct in the vicinity of the site.

P7 Land directly between a dwelling and the street shall not be designed or paved or used for the manoeuvring or parking of vehicles except to gain access.

P8 Each lot must have not more than one crossing over the footpath per frontage and have a maximum width of 3 m unless it can be demonstrated that the crossing and its width is essential and will:

- (a) not detract from the historic cultural heritage significance of the precinct;*
- (b) provide a net benefit in parking quantum taking into account any loss in on-street parking required to facilitate the additional or wider access.*

P9 Parking must not detract from the cultural heritage significance or the setting of existing dwellings.

- 6.11.5 The application was referred to Council's Cultural Heritage Officer, who advised the following;

This application is for works to a place that is heritage listed in Table

E13.1 of the Historic Heritage Code of the Scheme. It is also located within the Battery Point Heritage Precinct, BP1 as described in Table E13.2 of the Historic Heritage Code of the Scheme. It has the following Statements of Significance:

This precinct is significant for reasons including:

1. The wide variety of architectural styles and historic features ranging from entire streets of 19th century Colonial Georgian cottages, to Victorian, Edwardian and Pre and Post War examples of single and attached houses that are of historic and architectural merit, many of which demonstrate housing prior to mass car ownership.
2. It is primarily a residential area with a mix of large substantial homes and smaller workers cottages on separate lots, gardens, an unstructured street layout, and lot sizes that show successive re-subdivision into narrow lots that demonstrate early settlement patterns of Hobart.
3. The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.

The proposal is for the internal reconfiguration of a previously approved shed, fire rating and reconfiguration of the external stairway to avoid a sewer line. The previous approval is PLN-19-237.

Representations:

Ten (10) representations have been received, one (1) in support and nine (9) against. The following heritage related comments have been received:

- *This is potential "change of use" by stealth and will potentially lead to further applications for residential type dwellings in the Slipyard area. The Slipyard is of significant historic value and needs to be protected for current and future generations. The historic significance has been acknowledged by the Hobart City Council and other bodies in the past.*
- *Having participated many years ago in the master planning process for the shipyard and waterfront area in Napoleon Street, I thought community consensus had been reached about the desirability of future development in this historic area being in keeping with its maritime past. As such, I am not in opposition to the slip yard development that has been occurring in the subject site despite certain aspects of this having been undertaken without appropriate planning approvals being gained.*

- *The proposal totally destroys the historically significant Tucker Abel's shed portion of the existing building this being also the original Watson, Risby site and later Abel's, Creese's and many other important shipwrights of the 19th and 20th centuries.*
- *The Mariners Cottages were built specifically as dwellings.*
- *The subject site is referred to as 'Precinct C, Creese's slipyard and workshop'. The building on the site is identified as of High Significance and therefore any changes or additions thereto must be subjected to detailed scrutiny. Particular reference should be made to CI 7.2.2 and 7.2.3 on page 34 regarding existing buildings and their fabric; there is no consideration of any criteria relating to new buildings.*
- *...the existing building is classed High Significance. Reference must therefore be made to the following paragraph: 'Generally the same openness and number of buildings should be retained on site. New buildings should consider the impact on public views to significant buildings, public views to the River Derwent ...'*
- *This proposal represents a significant material change of use toward residency in a recognised heritage marine precinct.*
- *We also have concerns that a Caretakers Cottage is out of character with the current significant historical value of the area and that should a building of this nature be allowed, it would set a dangerous precedent for any other tenant who runs a business in the slipyard area to also be allowed future residential "caretakers cottages" thus changing the amenity from an historical working area to more private residential spaces on Crown Land. This would destroy the longstanding working nature of this historically significant site.*
- *The addition of a new residential cottage, which can be viewed from many aspects (including from Napoleon Street which is traversed by many more) would detract from the historical buildings in and around the slipyard area.*
- *We hope that the council will choose to preserve the history of this important shipbuilding area without the addition of any new modern buildings.*
- *Some people I spoke to using the dog park were dismayed not only that that this iconic view will be impeded but also quite shocked that the historic slips would be obscured, severely diminishing the Heritage nature and vibe so strongly cherished here.*

Response:

Clause E13.2.2 of the Historic Heritage Code under Applications clearly states that the Code does not apply to use. The structure/ addition containing the caretakers use is within the previously approved new

structure.

Assessment:

The works were previously assessed and the relevant heritage comments are included here:

The proposal relates to an existing Workshop and associated working hardstanding which form part of the historic Battery Point Slipyards. The proposal seeks the demolition of sections of wall to the existing 'Creeses' Workshop, erection of a new timber clad Boatshed over part of an existing winch slip which would be extended to the rear, provision of timber viewing platform, a 10 metre extension to an existing jetty and works of reclamation to the foreshore to provide a new parking hard standing.

Historical background

This section of the wider Slipyards has been in continued operation since the earliest construction of the site. Referred to as the 'Creeses' element of the wider site, the slip was acquired from the then owner by the Abel family in 1900. Long term residents of Battery Point, the Abel family were active ship/boat builders on the site, reportedly producing six boats between the 1900 to 1917 period. Max Creese took over the slip in the 1940's and is reported to have built a further five ships there between 1949 and 1966. It was during this period that the current workshop, improved slip and winch which stands on the site was constructed. The workshop in question has a timber frame and is substantially clad in corrugated iron with a skillion roof. Previous inspections of the shed have suggested that there is evidence of an earlier shed incorporated into this later building. Importantly, the site remains as an active working site.

Previous and current Historical Studies

The wider site has been subject to three relevant Conservation and Management Plans. These are:

'Ross Patent Slip and Environs Conservation Plan', Prepared by Robert Vincent in association with the Council, Audrey Hudspeth Heritage Consultants and Peter Spratt Engineering Consultant (November 1995);

'Battery Point Slipyards Conservation Management Plan' by HLCD Pty Ltd for Hobart City Council (April 2008);

'Battery Point Slipyards- Master Plan' produced by ERA Planning in association with Paul Davies Heritage Architect on behalf of Hobart City Council (April 2018).

In relation to PLN-19-237, a heritage assessment against the relevant heritage provisions of the Scheme including the provisions pertaining to Particular Purpose Zone (No. 7) - Battery Point Slipways was undertaken. The following conclusion was reached.

Given that the intended use of the proposed Boatshed is for a continuation of the Maritime industry operating from the site, the limited impact upon the existing Workshop, in particular the internal walls of the older parts of the building, and the degree to which the proposed development would comply with the design elements of the Performance Criteria, it is considered that subject to suitable condition relating to Archaeology, it is considered that the proposal would comply with the requirements of the Planning Scheme in this instance.

Conclusion:

This application is a variation to the works that have already been approved as part of the permit PLN-19-237 while other works already undertaken to date are subject to compliance and are not included in this application. The new and additional works - reconfiguration of the external stairs and reconfiguration of the internal layout of the new structure are minor changes to what has already been approved. As such, they are in line and consistent with the tenor of the maritime industry and character of the site. They are not contrary to the heritage provisions for new works E13.7.2 P1, P2, P3 and E13.8.2 P1.

The condition pertaining to archaeology should be included. Another condition relating to colours materials and finishes should also be included.

6.11.6 The proposal complies with the performance criterion.

6.12 Parking and Access Code - Number of Parking Spaces - E6.6.1 P1

6.12.1 The acceptable solution at clause E6.6.1 requires parking numbers to comply with Table 6.1. PLN-19-237 noted a deficiency in parking numbers for the proposed shed to house Manufacturing and Processing (Boat Building). That proposal required five (5) spaces, and only provided three (3) spaces. This was considered acceptable in that instance. A caretakers Dwelling requires an additional parking space increasing the deficiency.

6.12.2 The proposal does not propose any additional parking spaces.

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

6.12.4 The performance criterion at clause E6,6,1 P1 provides as follows:

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

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

6.12.5 The application was referred to Council's Development Engineer, who advised the following;

The parking number assessment must satisfy either Acceptable Solutions or Performance Criteria for each clause of the Hobart Interim Planning Scheme 2015 (HIPS 2015).

Development Engineering has concluded the documentation submitted to date does not comply with the Acceptable Solution; therefore assessment against the Performance Criterion is relied on for clause E6.6.1 (a).

Acceptable solution - A1:

- NOT MET: The proposal includes no additional car parking spaces on-site, which is one (1x) less than required by Table E6.1.

The number of on-site car parking spaces must be:

(a) no less than and no greater than the number specified in Table E6.1;

User Class: Residential (Caretaker's dwelling)

Table E6.1 requires: One 1x space for each caretaker's dwelling

The proposal does not include any additional car parking spaces on-site.

The existing parking area and parking spaces shown on the submitted documentation do not form part of this planning application and are not approved as part of this planning permit.

It is noted that Council approved the parking area and parking spaces under permit PLN-190237-01, and Council has not assessed them as part of this application.

Approval under PLN-19-237

User Class: Manufacturing and processing; 1 parking space for each 50m² of floor area. The additional floor area is approx. 227m². Therefore five (5x) car parking spaces required.

Three (3x) car parking spaces were proposed on-site, one (1x) space was to be made available as an accessible car parking space therefore resulting in a car parking deficiency of two (2x) spaces for the use. Parking demand for a further two (2x) cars needed to be accommodated within the wider transport network.

NCC Clause 3.5(d) states accessible car parking spaces need not be designated where there is a total of not more than 5 car parking spaces, so as to restrict the use of the car parking space only for people with a disability.

Performance Criteria - P1: - MET

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;
 - Based on Council's records, observations and experience the provision of 3x on-site car parking spaces will sufficiently meet the likely demands associated with the development, with the exception of onsite visitor parking, also no representations were received during the advertising period. Council is unaware of issues with respect to parking within the surrounding area. Any visitors / customers will need to compete for available car parking spaces on the public road.
- (b) the availability of on-street and public car parking in the locality;
 - There is a reasonable 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. Council also has public car parking available at the rear of Napoleon Street Park. Observations indicate that there is an adequate pool of parking that would be available to meet the potential demands of visitor and overflow parking.
- (c) the availability and frequency of public transport within a 400m walking distance of the site;
 - Metro Tasmania operate regular bus services along Sandy Bay Road which is within 650 metres of the subject site.
- (d) the availability and likely use of other modes of transport;
 - The site is located a convenient walking distance from shops, schools, services and the CBD.
- (e) the availability and suitability of alternative arrangements for car parking provision;
 - No alternative parking provision is available or considered necessary.
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;
 - Not applicable,
- (g) any car parking deficiency or surplus associated with the existing use of the land;
 - Not applicable.

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

- Not applicable.

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

- The City's current position is not to support a financial contribution in lieu of parking for developments.

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

- Not applicable.

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

- Not applicable.

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

- Assessed under the Heritage report.

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

- No impact.

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

6.12.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for a Partial Change of Use to Residential (Caretaker's Dwelling at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5).

- 7.2 The application was advertised and received nine (9) representations opposing the proposal and one (1) in support. The representations raised concerns including impact of the change to residential on the Slipyards, Heritage implications, Environmental concerns, Visual impact and general concerns about the site. There was one representation supporting the presence of a Caretaker in the slipyards.
- 7.3 The introduction of a residential use to the Slipyards has been previously addressed, including the fact that the previous planning control also allowed for it. Conditions have been imposed to restrict the use to purely in association with the boat building activity and should the latter cease, the residential use is also then to stop.
- 7.4 Heritage Implications have been addressed previously in the report by Council's Cultural Heritage Officer. The Tasmanian Heritage Council also requested involvement as the property is a listed site. That office required a condition on the permit to ensure development complies with the Battery Point Slipyards Conservation Plan.
- 7.5 Environmental concerns have been addressed previously in the report by Council's Environmental Development Planner.
- 7.6 General concerns centred around the lease arrangements and works undertaken on site without a permit. Many of these concerns, including the ownership of the buildings, are not a planning concerns under the Planning Scheme and so such representations must be dismissed. Council actions to address the works undertaken without a permit are currently the subject of compliance and these are not included in this application. The applicant proposed certain works and this is what has been assessed. The role of the planning authority is to assess the proposal as it was put to the authority. The proposal does not propose to regularise the illegal works undertaken and these are the subject of separate compliance action.

The applicant initially requested that an existing Caretakers Dwelling use be transferred to the proposed shed approved in PLN-19-237. This is the basis for the current application. The applicant stated that a caretakers dwelling was already located within the "L" shaped building on the north eastern side of the existing shed that is proposed for demolition to make way for the construction of the new shed.

Site inspection of the buildings showed substantial alteration to the existing shed, which is being addressed elsewhere. The existing shed was not part of the assessment of PLN-19-237. Plans for that application clearly state no works were proposed within the existing shed.

Inspection of the "L" shaped building confirmed that there is a small kitchen, bathroom/laundry and two other rooms able to be used for a living room and bedroom. At some point in the past this lean to building has had some work undertaken. There are no permits for such. The fittings appear 1980-1990s in style. This could have been done around that time, after the lease commenced. It may have been used as a tea room and staff facilities. Council's 1990 lease agreement does not note any accommodation on site. It simply notes "boat yard and slipway". The footprint in the lease agreement plans reflects the same footprint of buildings on site today. The Applicant (and current lessee) took over the lease in 2017. The fittings appear to pre-date this lease transfer.

The application for PLN-19-237 was for Partial Demolition, New Boat Shed, Jetty Extension and Reclamation Works. At no point in the application for, or assessment of this proposal, was there any mention of any residential component in the existing structures. Council does not agree with the applicant's assertions that there was a Caretakers Dwelling lawfully in place at any time in the past. As such, there is no opportunity to relocate this use elsewhere on site. The Planning Scheme however, does allow a discretionary permit for a Caretakers Dwelling if "*essential for a use allowed in the zone*" (Particular Purpose zone 7 - Battery Point Slipyards).

The question is whether the caretakers dwelling is essential to the use. The applicant has indicated that it is for security purposes. A number of representations have indicated that it is not. Hence Council has assessed this proposal as a new use on site, but only for security purposes. The applicant has stressed at length the need for an overnight presence. The permit is conditioned accordingly to limit the use and occupation of the caretakers dwelling to a security use only. It will require ongoing permanent occupation of the dwelling for security purposes. It is not approved for intermittent, part time or casual use.

Many of representations raised concerns about the new shed, visual impact, impacting tourist and local enjoyment of the adjacent park and beach with the construction of a substantial new building. It appears that there is some confusion over the fact that the proposed shed has previously been assessed and approved under PLN-19-237. That application included environmental reports relating to the coastal erosion and inundation codes. It had a heritage assessment and requirements for the construction of the shed and archaeological concerns during construction. This application proposes minor internal changes to the previously approved shed under PLN-19-237 and the additional Caretaker use. No significant change other than the realignment of the external stairs is proposed. Conditions will be included requiring consecutive implementation of both PLN-19-237 and the current proposal and the latter being dependent on the compliance with the former. The concerns over visual impact are not supported as this

structure was previously assessed and approved under PLN-19-237.

- 7.7 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.8 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Environmental health Officer, Stormwater Engineer, Cultural Heritage Officer and Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.
- 7.9 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Partial Change of Use to Residential (Caretakers Dwelling at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5) 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 a Partial Change of Use to Residential (Caretakers Dwelling at 18-44 NAPOLEON STREET BATTERY POINT TAS 7004 (CT39913/3, CT39913/4, CT39913/5) 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-22-609 18-44 NAPOLEON ST BATTERY POINT (CT39913/3, CT39913/4, CT39913/5) AND ADJACENT FORESHORE AND AREA OF THE RIVER DERWENT - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 8035 dated 23 May 2023, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

Occupation of the Caretakers Dwelling must be restricted to a person employed, or engaged, to have the ongoing care of the buildings, plant and equipment on the subject site.

The occupation must be ongoing and not undertaken on a part time or casual basis.

Reason for condition

To clarify the scope of this permit and to ensure that the Residential (Caretakers dwelling) use is carried out for the essential purpose connected with the boat building use (security), and in accordance with the applicant's stated intent.

PLN s2

The Residential (Caretakers Dwelling) use must only be contained with the Habitable Space in the western corner of upper floor of the proposed shed as detailed in endorsed plans by Adorn Drafting dated 14/1/2022.

Reason for condition

To clarify the scope of this permit.

PLN s3

The Residential (Caretakers Dwelling) use of the land approved by this permit must cease immediately should the Manufacturing and Processing (Boat Building) use cease or change.

Reason for condition

To ensure that the Caretakers Dwelling remains ancillary to the boat building use on site.

PLN s4

This permit is conditional on implementation of PLN-19-237 and all of the associated requirements in that permit.

The Residential (Caretakers Dwelling) use must be implemented in conjunction with PLN-19-237 and nothing in this permit should be read as overriding any condition or requirement outside the conditions associated with the caretaking function.

Reason for condition

to clarify the scope of this permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such

as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

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

Advice:

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

Reason for condition

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

ENG 5b

The existing parking area and parking spaces shown on the submitted documentation do not form part of this planning application and are not approved as part of this planning permit.

Advice: It is noted that Council approved the parking area and parking spaces under permit PLN-190237-01, and Council has not assessed them as part of this application.

Reason for condition

To clarify the scope of the permit.

ENG 1

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

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

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

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

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

ENV s1

The residence may only be occupied by a site caretaker who is an employee of the boatyard operations.

Reason for condition

To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm

HER 6

The recommendations as set out in the 'Statement of Historical Archaeological Potential and Archaeological Impact Assessment', produced by Praxis Environment, dated February 2019 in the form of an 'Archaeological Method Statement' shall be implemented in full. In addition, should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 3 days of the discovery; and
5. A copy of the Archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 20 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence

HER 17a

The palette of exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local maritime precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing exterior colours, materials and finishes in accordance with the above requirement.

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

Advice:

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

Reason for condition

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

ENVHE 1

Before any works commence, a contamination Environmental Site Assessment report prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) as amended 2013 must be provided. The report must conclude:

- **Whether any site contamination presents a risk to the health of users of the development in consideration of the proposed use.**
- **Whether any site contamination presents an environmental risk.**
- **Whether any specific remediation and/or protection measures are required to be implemented before the proposed use commences.**
- **Whether any site contamination presents a risk to workers involved in redevelopment of the site, or future users of the site, as a result of proposed excavation of the site.**
- **Whether any site contamination presents an environmental risk from excavation conducted during redevelopment of the site.**
- **Whether any specific remediation and/or protection measures are required to ensure proposed excavation does not adversely impact human health or the environment before excavation commences.**

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted. Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil or stormwater.

Statements based on the results of the Environmental Site Assessment that:

- **The proposed use of the land will not adversely impact on human health or the environment is to be provided (subject to implementation of any identified remediation and/or protection measures as required).**
- **The excavation as part of the planned works will not adversely impact**

on human health or the environment is to be provided (subject to implementation of any identified remediation and/or protection measures as required).

Reason for condition

To determine the level of site contamination, and to identify any recommended remediation/management practices/safeguards which need to be followed/put in place during any excavations/ground disturbance on, or for use of the site, to provide for a safe living environment.

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*.

PLUMBING PERMIT

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

OCCUPATION OF THE PUBLIC HIGHWAY

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

PLANNING

The occupancy of the caretaker's dwelling may result in a lesser or lower enjoyment of residential living, and the application of lesser or lower prescribed environmental health standards, that would ordinarily be expected if living in designated or zoned residential areas.

RIGHT OF WAY

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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



(Victoria Maxwell)

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



(Ben Ikin)

Senior Statutory Planner

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

Date of Report: 25 May 2023

Attachment(s):

Attachment B - Planning Committee Agenda Documents

Attachment C - Planning Referral Officer Reports



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

PLANNING REF: PLN-22-609
THC WORKS REF: 8035
REGISTERED PLACE NO: 1902
APPLICANT: Robert Vaughan
DATE: 23 May 2023

NOTICE OF HERITAGE DECISION

(Historic Cultural Heritage Act 1995)

The Place: Ross Patent Slip, 18-44 Napoleon St, Battery Point.
Proposed Works: Partial change of use to Residential (Caretaker's Dwelling).

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-22-609, advertised on 05/05/2023, subject to the following condition:

- 1. The recommendations of the *Statement of Historical Archaeological Potential and Archaeological Impact Assessment*, as outlined on page 32 of that report, must be implemented.**

Reason for condition

To ensure that archaeological potential of the site is managed in accordance with accepted practice.

Should you require clarification of any matters contained in this notice, please contact Russell Dobie on 0458 326828.

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

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

Planning: #264630

Property

18-44 NAPOLEON STREET BATTERY POINT TAS 7004

**People****Applicant ***ROBERT VAUGHAN
0499 752 567
sailglobal@gmail.com**Owner ***ROBERT VAUGHAN
0499 752 567
sailglobal@gmail.com**Entered By**ROBERT VAUGHAN
0499 752 567
sailglobal@gmail.com**Use**

Other

Details

Have you obtained pre application advice?

☒ No

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

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. *

☒ 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)? *

Boat building and boat maintenance

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

new building

Estimated cost of development *

15000.00

Existing floor area (m2)

0.00

Proposed floor area (m2)

341.00

Site area (m2)

674

Carparking on Site

Total parking spaces

3

Existing parking spaces

3

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 FolioPlan-39913-4.pdf.pdf
Schedule of Easements) *

Plans (proposed, existing) * SEPT 22 PLANS Napoleon St Building _ Combined-5.pdf.pdf

GM or Crown consent FolioText-39913-4.pdf

Covering Letter Creeses Boatyard - sailglobal@gmail.com - Gmail.pdf

Victoria Maxwell

From: Robert Vaughan <sailglobal@gmail.com>
Sent: Thursday, 13 April 2023 5:45 AM
To: Rowan Moore
Cc: Victoria Maxwell
Subject: Re: Attenuation Code RFI for PLN-22-609

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Many thanks for your informative email. Your points on separation of the bathroom and kitchenette area using the rear entrance are taken. It's important to note we don't permit Fibreglass or sandblasting. Modern paints all are low VOC and fumes are not an issue.

The caretaker accommodation is insulated and vapour proofed and fireproofed and has no openings to the lower work bay. Work upstairs may involve 'yacht interior' type of fabric which is washed in the washroom to eliminate dust and fibres, and may also involve synthetic materials, Dacron, HDPE and Aramid, which are extensively used in marine applications as well as homes and offices.

I acknowledge your concerns but insist we are environmentally conscious individuals, which is why our intention is to build an enclosed workshop and shed which will reduce noise and lessen any impact of our long standing boatyard on homes built after the business was established.

We have endeavoured to do all things included in the recent Battery Point Slipway study which specifically includes the recommendation for expansion of Creese's Boatyard.

This expansion has been approved for development and as such does not change the use of the subject property nor does it change the environmental impact on the adjacent area.

With respect to AC1 I don't agree with the need to employ another consultant to further advise on the environmental impact on a person or persons who will be actively involved in an existing boatbuilding and maintenance operation and may use accommodation in an area completely separated from the work area.

Sincerely

Rob Vaughan

On Tue, 24 Jan 2023 at 5:03 pm, Rowan Moore <moorero@hobartcity.com.au> wrote:

Hi Robert

Further to our telephone discussion yesterday I offer the following advice about how to address the Attenuation Code request for information in relation to the application for caretaker's residence:

- The Attenuation Code of the planning scheme applies because the application involves a proposed 'sensitive use' (residential) within the attenuation distance (500m) of an 'activity with the potential to cause environmental harm' (slipyard involving sandblasting, metal fabrication and fibreglass manufacturing), and the activity is not in the Light Industrial, General Industrial or Port and Marine Zone (Particular Purpose Zone). This part of the Code is trying to protect existing industrial (or other environmentally-relevant) activities from new sensitive uses being developed nearby and then being impacted by the existing activity by pollution from noise, light, odours, dust/particulates etc.

- I understand that while the site has been used for a caretaker's residence in the past, this use had not received planning approval. Further, the residential use would be in a new location in the new building so the Code would be applicable anyway.

- The purpose of the Code is to:

(a) minimise adverse effect on the health, safety and amenity of sensitive use from uses with potential to cause environmental harm; and

(b) minimise likelihood for sensitive use to conflict with, interfere with or constrain uses with potential to cause environmental harm.

- The relevant performance criterion of the Attenuation Code that must be satisfied states the following:

Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:

(a) the nature of the use with potential to cause environmental harm; including:

(i) operational characteristics;

(ii) scale and intensity;

(iii) degree of hazard or pollution that may emitted from the activity;

(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;

(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions

- You are probably the person best-placed to articulate the operational characteristics, scale/intensity and pollution characteristics of the slipway, and this detail will allow potential issues for the caretaker's residence to be identified and addressed. However, I imagine the main potential issues would be noise, odours and dust/particulates. Obviously how serious these issues are, and what appropriate mitigation measures are, will depend upon the nature and degree of the activities being carried out (duration, frequency, scale etc), and what the caretaker's role will function.

- The degree of encroachment is obviously high with the caretaker's residence being located within the same building as the slipway. Separation by distance is obviously not an option, so physical separation should be the focus.
- Based on what I know of the operation, I think physical and acoustic separation will be one of the key things to minimise potential impacts on the caretaker's residence from air emissions and noise. In terms of air emissions, air exchange between the works area and the residence should be minimised or avoided to prevent odours and particulates from the work area entering the residence. Having the kitchenette open to the remainder of the building is far from ideal and I think the kitchenette should be in a separate room. Even better would be if the entire residence (kitchenette, laundry, bathroom and bedroom) was completely separated from the rest of the building by extending the wall right across the upper level of the building with access to the residence from the rear door. If that's not possible, I would at least ensure the doors are self-closing and the door to the bathroom from the common area is removed (with access only from the bedroom). Your building surveyor or building designer is probably best-placed to give you advice on ventilation and minimising air exchange.
- In terms of noise, I imagine it could get quite noisy in the work area so the residence should be provided with good acoustic attenuation by the wall and floor of the residence, particularly for the bedroom. The fire-rated walls and solid core doors should provide quite good noise attenuation, but I think this needs some quantification. Ideally, you would estimate noise levels within the work area for noisy activities, and provide R_w (sound reduction) values for the doors and walls to estimate noise levels within the residence. I can then compare the estimate of internal noise level against recommended maximum noise levels given in noise standards and guidelines. Your building designer or building surveyor may be able to help with this, but an acoustic engineer would be the ideal person to assist.
- I think much of your response should focus on what roles the caretaker will be taking on and how these interact with the slipway activities. If the caretaker will be working on the slipway activities during the hours of operation of the slipway, there would be minimal risk of residential amenity being impacted, except when the caretaker is on holidays or is sick, as after hours (when the residence is being used) the slipway would not be operating. If the caretaker won't be working when the slipway activities are occurring, more attention needs to be given to protecting their amenity (and safety).

That's the best guidance I can give you at this stage without knowing the details of slipway operations, how the slipway and caretaker roles interact and the details of the building's construction and servicing. I hope this helps.

Regards

Rowan

Rowan Moore

Environmental Development Planner | Development Appraisal | City Life



City of HOBART

[16 Elizabeth Street, Hobart, Tasmania](#), Australia, 7000 | hobartcity.com.au
Telephone (03) 6238 2168

[Please note I don't work on Fridays](#)

Victoria Maxwell

From: Robert Vaughan <sailglobal@gmail.com>
Sent: Monday, 23 January 2023 1:27 PM
To: Victoria Maxwell
Subject: PLN22-609 18-44 Napoleon Street

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Good morning, I am writing to clarify comments from your recent communication.

I fully agree and consent to the construction details and building outline to be consistent with the approved DA plans PLN 19-237. The minor and necessary changes to the floor plan have been included in the latest plans submitted to the Portal. The only corrections to the original plans are the bathroom upstairs has been expanded to include a shower as requested, and there are additional details required by the building surveyor so that the specified habitable area will be satisfactory for the required fire rating. The toilet downstairs has been slightly enlarged to accommodate disabled use, and the doorway to the lunch room has been moved for convenience. There is no significant reduction in access and space for the lunch room.

The only exterior change is the layout of the stairs and deck and this was at the request of Taswater so as to facilitate minimal access to the sewer drain.

PLN Fi1

The stormwater catchments are existing and are located above high water level and are on the border of the City property. I have notified Crown Lands of our intention to do paving work on their land and I have received verbal consent. After 2 months waiting for written approval I believe we have automatic approval however I will call Mr. McQueen when he returns from leave next month for further clarification.

The plan for drainage is for all stormwater to pass over the catchment area and for the retained solids to be collected by Southern Waste and transported for disposal at their plant at Copping.

I will relay further details when available, and hopefully you have sufficient information now to continue your review.

Thank you,

Robert Vaughan

SITE INFORMATION

BUILDING DESIGNER - STEPHEN LAWES
ACCREDITATION - CC 4667 J
LAND TITLE REFERENCE No - CT 39913/5

BUILDING CLASS 'C'
GROUN FLOOR BOAT SHED - 242 m2
UPPER FLOOR BOAT SHED - 143 m2
DESIGN WIND SPEED - N3
SOIL CLASSIFICATION - P
CLIMATE ZONE - 7
FLOODING - NO
BAL RATING - EXEMPT

NOTES

Luminance contrast
AS 1428.1:2009 defines luminance contrast as "the light reflected from one surface or component, compared to the light reflected from another surface or component", it relates to the difference in the light reflective properties of each colour/surface. Improving luminance contrast in the environment supports many vision impairments.

In the disable toilet:

10.1 Doorway identification

All doorways shall have a minimum luminance contrast of 30 % provided between:

- (a) door leaf and door jamb; or
- (b) door leaf and adjacent wall; or
- (c) architrave and wall; or
- (d) door leaf and architrave; or
- (e) door jamb and adjacent wall.

The minimum width of the area of luminance contrast shall be 50 mm.

12.2.3 Seat

A toilet seat shall be provided on accessible toilets. The toilet seat shall -

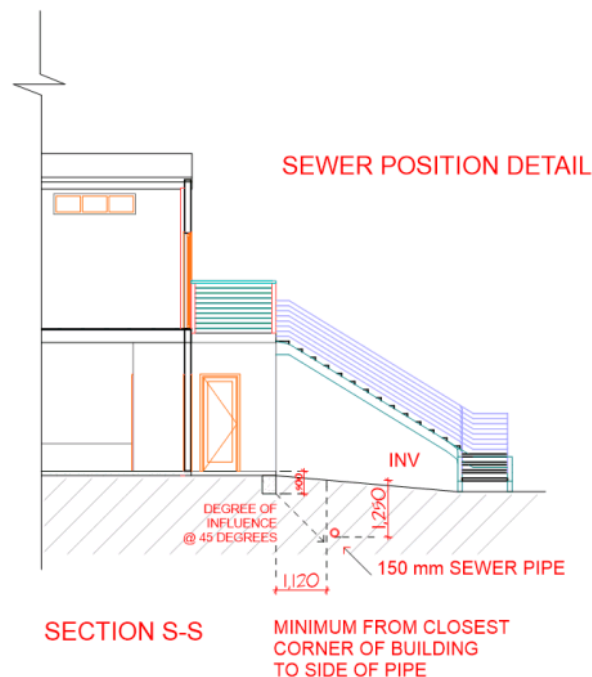
- (e) have a minimum luminance contrast of 30 % with one of the following options.

- (i) seat and pan; or
- (ii) seat and wall; or
- (iii) seat and floor against which it is viewed.

Measurement of luminance contrast between building elements, refer to Appendix B AS 1428.1:2021

DRAWING SCHEDULE

DWG -SHEET 1	COVER SHEET
DWG -SHEET 2	FLOOR PLAN
DWG -SHEET 3	UPPER FLOOR PLAN
DWG -SHEET 4	ELEVATIONS
DWG -SHEET 5	ELEVATIONS
DWG -SHEET 6	DISABLED TOILET
DWG -SHEET 7	SITE PLAN
DWG -SHEET 8	SPECIFICATION SHEET



ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

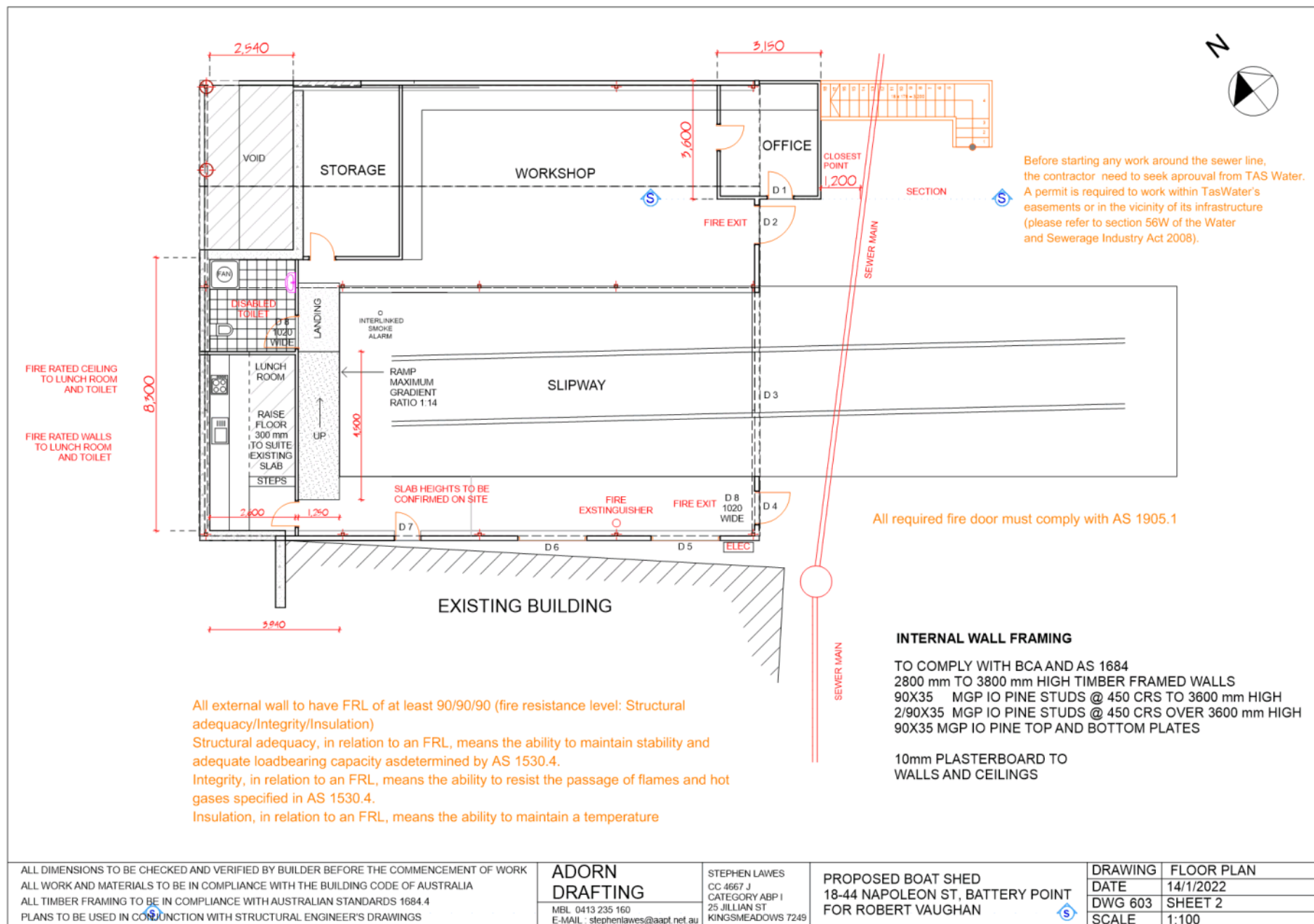
**ADORN
DRAFTING**

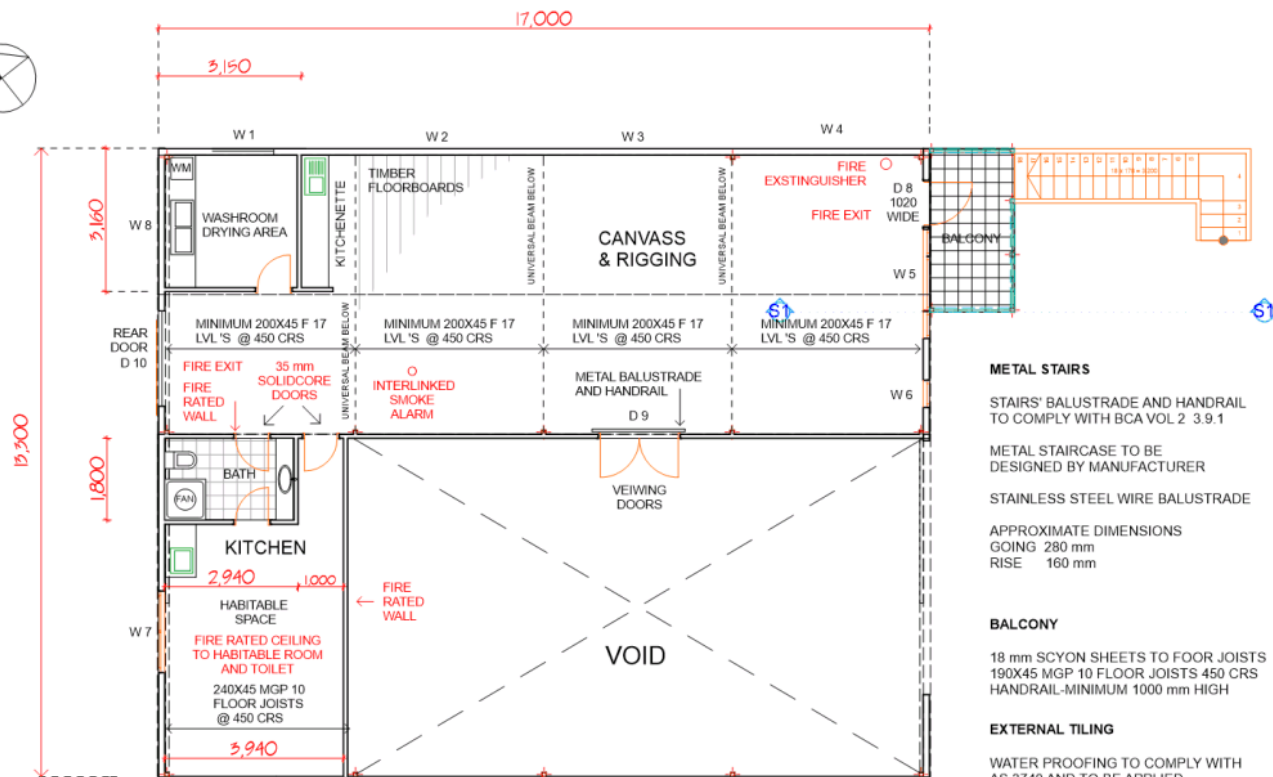
MBL 0413 235 160
E-MAIL : stephenlawes@aapt.net.au

STEPHEN LAWES
CC 4667 J
CATEGORY ABP 1
25 JILLIAN ST
KINGSMEDOWS 7249

PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN

DRAWING	COVER SHEET
DATE	14/1/2022
DWG 603	SHEET 1





Portable fire extinguishers to be selected, located and distributed in accordance with AS 2444.

- To cover Class AE or E fire risks associated with emergency services switchboards.
- To cover Class F fire risks involving cooking oils and fats in kitchens.
- To cover Class B fire risks in locations where flammable liquids in excess of 50 litres are stored or used (not including that held in fuel tanks of vehicles).
- To cover Class A fire risks in normally occupied fire compartments less than 500 m² not provided with fire hose reels (excluding open-deck carparks).

METAL STAIRS

STAIRS' BALUSTRADE AND HANDRAIL TO COMPLY WITH BCA VOL 2 3.9.1

METAL STAIRCASE TO BE DESIGNED BY MANUFACTURER

STAINLESS STEEL WIRE BALUSTRADE

APPROXIMATE DIMENSIONS
GOING 280 mm
RISE 160 mm

BALCONY

18 mm SCYON SHEETS TO FLOOR JOISTS
190X45 MGP 10 FLOOR JOISTS 450 CRS
HANDRAIL-MINIMUM 1000 mm HIGH

EXTERNAL TILING

WATER PROOFING TO COMPLY WITH AS 3740 AND TO BE APPLIED IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS

18 mm SCYON FLOOR SHEET SCREW FIXED TO FLOOR JOISTS

SHEET AND TILE VERTICAL SURFACE OF PERIMETER JOISTS AND 50 mm UP INTERNAL WALLS
WATERPROOF/TILE

WINDOWS AND DOOR SIZES WRITTEN IN SCHEDULE ARE TO BE CROSS CHECKED WITH FLOOR PLANS AND ELEVATIONS BY BUILDER FOR ANY ANOMALIES PRIOR TO QUOTING AND ORDERING

WINDOWS / DOORS TO COMPLY WITH THE NOTED BAL RATING

WINDOW AND DOOR SCHEDULE
-ALL DOORS AND WINDOWS TO BE DOUBLE GLAZED UNLESS NOTED OTHERWISE

WINDOW MANUFACTURER -SEE ENERGY EFFICIENCY CERTIFICATE. WHERE ALTERNATIVE WINDOW AND DOORS ARE USED THEY MUST HAVE EQUAL OR BETTER ENERGY EFFICIENCY RATING.

	HEIGHT	WIDTH	TYPE	GLASS
W 1	450X1800		AWN	
W 2	450X1800		AWN	
W 3	450X1800		AWN	
W 4	450X1800		AWN	
W 5	1600X2400		AWN	
W 6	2100X600		AWN	
W 7	2100X1800		SLD	
W 8	450X1800		AWN	

	DOORS	
D 1	2040X820	SOLID CORE
D 2	2040X1200	SOLID CORE
D 3	5000X5600	ROLLER DOOR
D 4	2040X1020	SOLID CORE
D 5	2400X2100	ROLLER DOOR
D 6	2400X2100	ROLLER DOOR
D 7	2040X820	SOLID CORE
D 8	2040X1020	SOLID CORE
D 9	2040X1800	SOLID CORE
D 10	2400X2100	SLIDING DOOR

	INTERNAL DOORS
	2040X820 UNLESS SHOWN OTHERWISE ON FLOOR PLAN

	TIMBER LINTELS MGP 10
0-1000	1/90X45
1000-1500	1/140X45
1500-2000	1/190X45
2000-2500	1/240X45
2500-3000	2/240X45

	METAL LINTELS
0-1200	75X10 BAR
1200-1500	75X75 10 ANGLE
1500-2400	125X75X10 ANGLE
2400-3000	150X90X10 ANGLE

FOR LINTELS OVER 3000 mm
SEE ENGINEER'S DRAWINGS

ROOF LOAD WIDTH
UP TO 4500 mm

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

ADORN DRAFTING

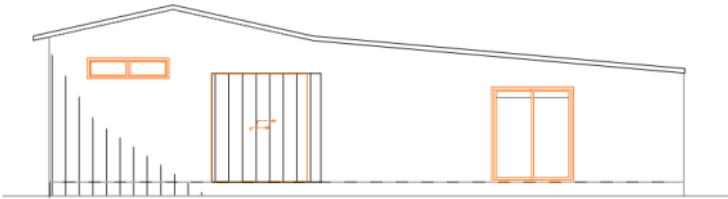
MBL 0413 235 160
E-MAIL: stepheniawes@aapt.net.au

STEPHEN LAWES
CC 4667 J
CATEGORY ABP 1
25 JILLIAN ST
KINGSMEADOWS 7249

PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN

DRAWING	UPPER FLOOR PLAN
DATE	14/1/2022
DWG 603	SHEET 3
SCALE	1:100

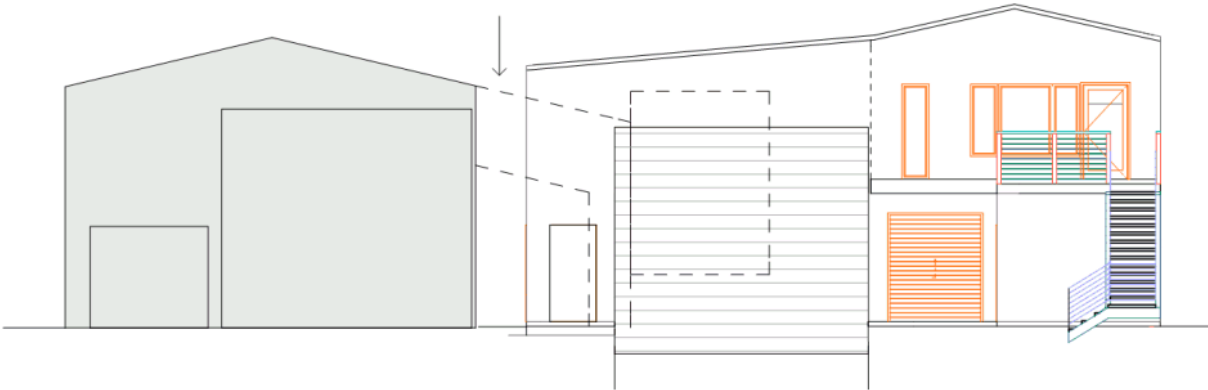
Building fabric insulation must comply with AS/NZS 4859.1



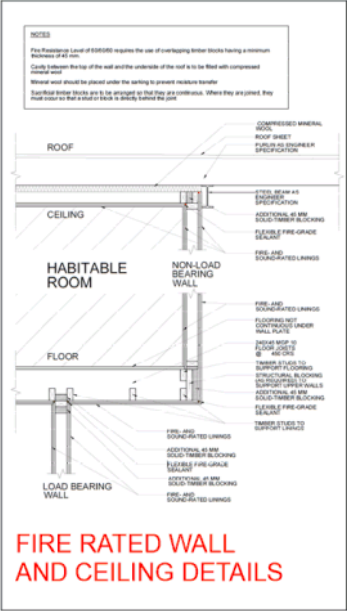
140x15 mm TASOAK
SHIPLAPPED CLADDING

WEST ELEVATION

DASHED LINE - LEAN-TO, ATTACHED TO
SIDE OF DRAWING TO BE DEMOLISHED



EAST ELEVATION



ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

ADORN
DRAFTING
MBL 0413 235 160
E-MAIL: stephenlawes@aapt.net.au

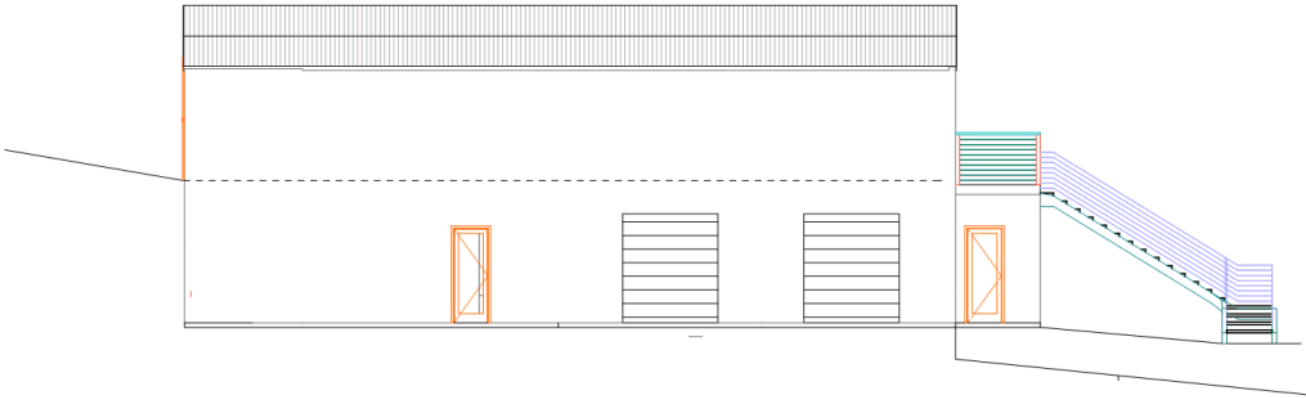
STEPHEN LAWES
CC 4667 J
CATEGORY ABP I
25 JILLIAN ST
KINGSMEADOWS 7249

PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN

DRAWING	ELEVATION
DATE	14/1/2022
DWG 603	SHEET 4
SCALE	1:100



NORTH ELEVATION



SOUTH ELEVATION

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

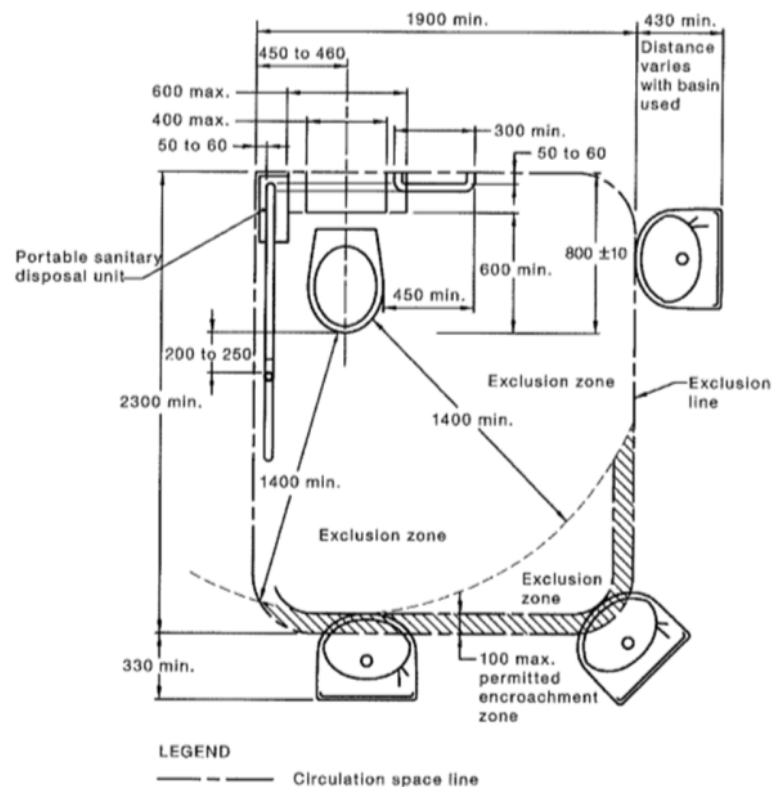
**ADORN
DRAFTING**
MBL 0413 235 160
E-MAIL : stephenlawes@aapt.net.au

STEPHEN LAWES
CC 4667 J
CATEGORY ABP I
25 JILLIAN ST
KINGSMEADOWS 7249

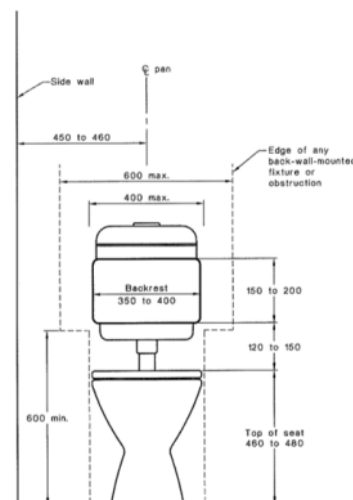
**PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN**

DRAWING	ELEVATION
DATE	14/1/2022
DWG 603	SHEET 5
SCALE	1:100

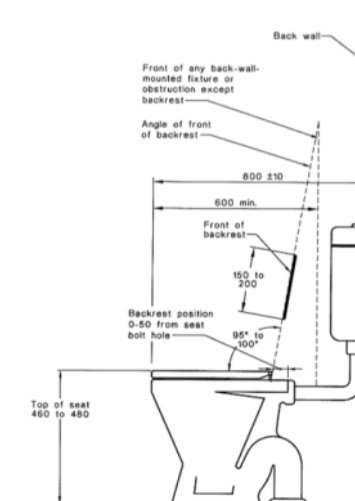
DISABLED TOILET TO COMPLY WITH AS 1428.1



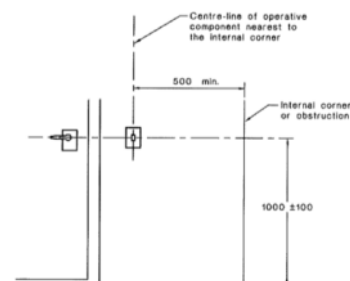
CIRCULATION SPACE FOR WC PAN



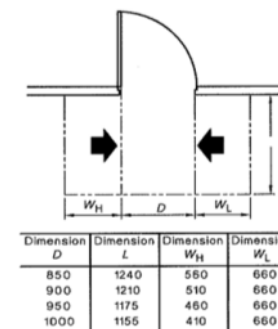
WATER CLOSET INSTALLATION



WATER CLOSET INSTALLATION



DOOR HANDLE AND SWITCH POSITIONS



CIRCULATION SPACE AT DOORWAY

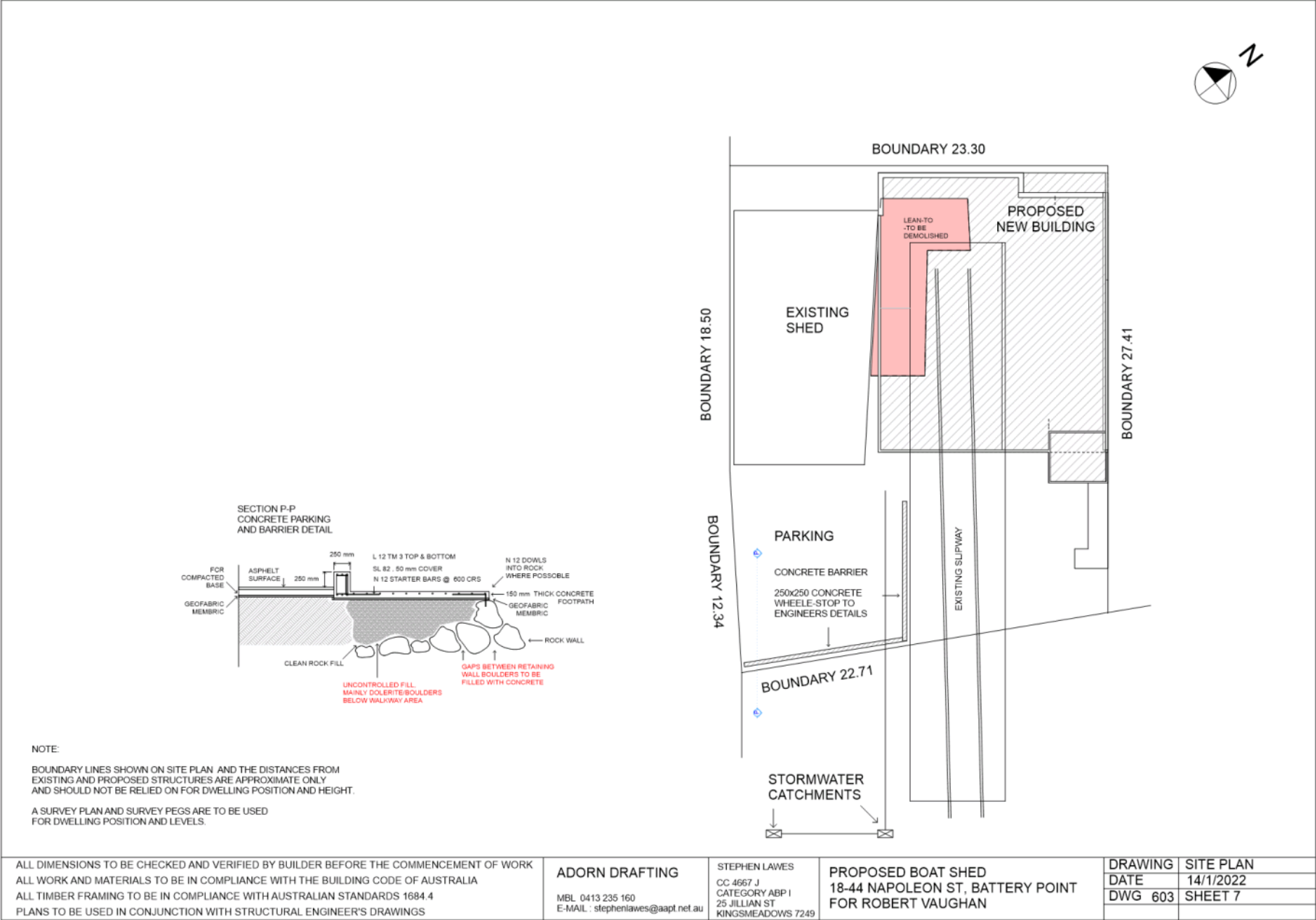
ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

**ADORN
DRAFTING**
MBL 0413 235 160
E-MAIL : stephenlawes@aapt.net.au

STEPHEN LAWES
CC 4667 J
CATEGORY ABP I
25 JILLIAN ST
KINGSMEADOWS 7249

PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN

DRAWING	DISABLED TOILET
DATE	14/1/2022
DWG 603	SHEET 6
SCALE	1:100



<p>GENERAL SPECIFICATIONS</p> <p>BEFORE COMMENCING ANY WORK, QUOTING ON OR ORDERING ANY MATERIALS VERIFY DIMENSIONS, SETBACKS AND ALL EXISTING AND PROPOSED LEVELS.</p> <p>IF DURING THE SETOUT AND CONSTRUCTION OF THE WORKS ANY DISCREPANCIES ARISE IN THE DIMENSIONS OR LOGIC THE DESIGNER SHOULD BE CONTACTED FOR CLARIFICATION AND ADVICE BEFORE WORK CONTINUES.</p> <p>ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST "BUILDING REGULATIONS " AND "THE BUILDING CODE OF AUSTRALIA" AND AS 1684.4 RESIDENTIAL TIMBER FRAMED CONSTRUCTION FOR THE RELEVANT SITE WIND VELOCITY AND THE RELEVANT "AUSTRALIAN STANDARDS" FOR EACH ASPECT OF THE WORKS.</p> <p>TO ACCOMPANY THESE PLANS FOR COUNCIL BUILDING APPLICATION, A SOIL REPORT, BRACING SCHEDULE AND STRUCTURAL DESIGN IS REQUIRED BY A GEO-TECHNICAL STRUCTURAL ENGINEER.</p> <p>NOTE: DOOR AND WINDOW SIZES ARE NOMINAL ONLY/ OPENING SIZES ARE TO SUITE ACTUAL DOORS OR WINDOWS.</p> <p>ENGINEERING</p> <p>ARCHITECTURAL PLANS ARE TO BE USED IN CONJUNCTION WITH THE ENGINEERING DRAWINGS AND SPECIFICATIONS WITH THE ENGINEERING DRAWINGS TO TAKE PRECEDENCE OVER ARCHITECTURAL PLANS .</p> <p>SITE WORKS AND GROUND LEVELS</p> <p>EXCAVATION AND FILLING OF THE SITE TO BE IN ACCORDANCE WITH BCA PART 3.1 AND AS 2870 AND ANY SPECIAL DETAILS OR INSTRUCTIONS ON THE ENGINEERS DRAWINGS SHALL TAKE PRECEDENCE.</p> <p>SURFACE DRAINAGE-ALL FINISHED GROUND TO FALL AWAY FROM BUILDING 1 IN 50 (1 IN 100 MINIMUM). FINISHED SLAB LEVELS ARE TO BE 150 mm MINIMUM ABOVE FINISHED GROUND LEVEL AND 100 mm ABOVE PATHS. GARAGE DOORWAY TO BE SHAPED TO TAKE WATER AWAY.</p> <p>FOOTINGS AND SLABS</p> <p>GENERALLY TO BE IN ACCORDANCE WITH AS 2870. PREPARATION AND PLACEMENT OF CONCRETE AND REINFORCEMENT TO BE TO AS 2870 CONCRETE AND STEEL REINFORCEMENT TO BE IN ACCORDANCE WITH AS 2870 AND AS 3500.</p> <p>ALTERNATIVELY FOOTINGS AND SLABS TO BE IN ACCORDANCE WITH STRUCTURAL ENGINEERS DRAWINGS AND SPECIFICATIONS</p> <p>THE SITE CLASSIFICATION TO BE IN ACCORDANCE WIT AS 2870. REFER TO SOIL REPORT FOR SITE CLASSIFICATION , IF ANY SOFT GROUND OR GROUND DIFFERENT FROM THE SOIL REPORT IS FOUND DURING EXCAVATION IT SHOULD BE REPORTED TO THE BUILDING SURVEYOR FOR INSTRUCTIONS.</p>	<p>FLOORS</p> <p>GENERALLY TO COMPLY WITH BCA 3.12.1.5 AND AS 1688.2 - SEE PLANS AND ENGINEERS DRAWINGS FOR MEMBER SIZES, SPACING AND RELEVANT SPECIFICATIONS</p> <p>FRAMING</p> <p>TIMBER FRAMING TO BE IN ACCORDANCE WITH AS 1684. MANUFACTURED TIMBER MEMBERS TO BE IN ACCORDANCE WITH MANUFACTURERS PRESCRIBED FRAMING MANUAL.</p> <p>SUBFLOOR VENTILATION TO BE IN ACCORDANCE WITH BCA 3.4.1 SUBFLOOR AREA IS TO BE FREE OF ORGANIC MATERIAL AND RUBBISH. PROVIDE VENT OPENINGS IN SUBSTRUCTURE WALLS AT A RATE OF 7300 mm 2/M OF WALL LENGTH, WITH VENTS NOT MOE THAN 600 mm FROM CORNERS.</p> <p>UNDERSIDE OF FLOOR FRAMING MEMBERS TO HAVE A MINIMUM CLEARANCE OF 150 mm WITHIN 2000 mm OF THE EXTERNAL SUBFLOOR WALLS AND 400mm TO ALL OTHER AREAS -SEE BCA TABLE 3.4.1.2 SUBFLOOR VENTILATION CLEARANCE.</p> <p>TIE DOWN AND BRACING OF TIMBER CONSTRUCTION TO BE IN ACCORDANCE WITH SECTION 8 OF AS 1684.2 AND, AS 4055 AND ANY ENGINEERS DRAWINGS AND SPECIFICATIONS</p> <p>STRUCTURAL STEEL FRAMING TO BE IN CCORDANCE WITH BCA 3.4.4 AS 1250, AS 4100 AND STRUCTURAL ENGINEERS DESIGN AND SPECIFICATIONS.</p> <p>ROOF TRUSSES</p> <p>TO BE DESIGNED BY TRUSS MANUFACTURER ON APPROVED OR ACCREDITED SOFTWARE AND AN ENGINEERS CERTIFICATE, IS TO BE SUPPLIED BY THE MANUFACTURER. TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH ENGINEERING PRINCIPLES</p> <p>TRUSSES SHALL BE HANDLED, ERECTED, INSTALLED AND BRACED IN ACCORDANCE WITH AS 4440 AND MANUFACTURERS SPECIFICATIONS.</p> <p>TIE TRUSSES TO TOP PLATE OF EXTERNAL WALLS WITH PRYDA'S UNITIE BRACKETS -FIX WITH 4/35X3.15mm GALVANIZED CONNECTOR NAILS TO EACH END</p> <p>TRUSS -BOTTOM CORD TO BE TIED TO INTERNAL WALLS WITH PRYDA HITCH STABILIZES -FIX WITH 3/35X3.15mm CONNECTOR NAILS TO TRUSS CORD AND 3 TO TOP PLATE</p> <p>PRYDA SPEED BRACING INSTALLATION AS TO TRUSS MANUFACTURERS BRACING LAYOUT PLAN -FIX WITH 2/35X3.15mm CONNECTOR NAILS PER TRUSS AND TO MANUFACTURERS SPECIFICATIONS</p> <p>MANUFACTURERS SPECIFICATION TO TAKE PRECEDENCE OVER THE ABOVE RECOMMENDED TIE DOWN OPTIONS</p> <p>METAL FURRING CHANNEL SCREW FIXED @ 450 CRS TO BOTTOM CORD OF ROOF TRUSSES</p>	<p>BUILDING FABRIC</p> <p>GENERALLY TO BE IN ACCORDANCE WITH 3.12.1 BUILDING FABRIC INSULATION INSULATION FITTED TO FORM CONTINUOUS BARRIER TO ROOF, CEILINGS WALLS AND FLOORS .</p> <p>REFLECTIVE BUILDING MEMBRANE INSTALLED TO CLADDING AND FITTED CLOSELY UP TO PENETRATIONS/OPENINGS, ADEQUATELY SUPPORTED AND JOINTS TO BE LAPPED A MINIMUM OF 150 mm .</p> <p>ROOF AND WALL CLADDING</p> <p>GENERALLY TO BE IN ACCORDANCE WITH BCA 3.5, ROOF CLADDING TO BE IN ACCORDANCE WITH BCA 3.5.1 AND : ROOF TILES AS 2049 AND AS 2050, METAL SHEET ROOFING AS 1562.1 , POLYCARB ROOF SHEETING AS/NZS 4256.1.2.3 AND AS 1562.3</p> <p>GUTTERS AND DOWNPIPES, GENERALLY TO BE IN ACCORDANCE WITH BCA 3.5.2 AND AS/NZS 3500.3.2 AND THE PLUMBING CODE DOWNPIPES TO BE 90 mm DIA, OR 100 X 50 mm RECTANGULAR SECTION AT MAXIMUM 12,000mm CRS AND TO BE WITHIN 1200 mm OF A VALLEY</p> <p>WALL CLADDING TO BE IN ACCORDANCE WITH BCA 3.5.3 AND MANUFACTURERS SPECIFICATIONS , FLASHINGS TO BCA 3.5.3.6.</p> <p>GLAZING</p> <p>GENERALLY BE IN ACCORDANCE WITH AS 1288 - CLASS 'A' SAFETY GLASS TO BATHROOM WINDOWS BELOW 2000 mm , EXTERNAL GLAZING IN ACCORDANCE WITH 3.1.2.2 . WINDOWS ARE TO COMPLY WITH BCA WINDOW SAFETY EQUIREMENTS. REFER ALSO TO DOOR AND WINDOW SCHEDULE</p> <p>MASONRY</p> <p>GENERALLY MASONRY WALLS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH BCA 3.3 AND AS 3700 UNREINFORCED MASONRY TO BCA 3.3.1 REINFORCED MASONRY TO BCA 3.3.2 MASONRY ACCESSORIES TO BCA 3.3.3 WEATHERPROOFING OF MASONRY TO BCA 3.3.4.</p> <p>-SEE ENGINEERS DRAWINGS FOR SPECIFIC DETAILS AND POSITION OF CONTROL JOINTS.</p> <p>INSULATION</p> <p>TO MAINTAIN THICKNESS AND POSITION AFTER INSTALLATION INSURE CONTINUOUS COVER WITHOUT VOIDS EXCEPT AROUND SERVICES AND FITTINGS .</p>	<p>TYPICAL WALL FRAME</p> <p>TO COMPLY WITH BCA AND AS 1684, 200 mm HIGH BRICK VENEER WALLS 90X35 MGP IO PINE STUDS AND NOGGINGS, 90X35 MGP IO PINE TOP AND BOTTOM PLATES . BRACING AND TIE DOWNS TO ENGINEER'S DRAWINGS</p> <p>10mm PLASTERBOARD TO WALLS AND CEILINGS INSULATION BATTS TO WALLS TO COMPLY WITH BCA PART 3.12.1.3 INSULATION BATTS TO CEILINGS TO COMPLY WITH BCA PART 3.12.1.1</p> <p>ENERGY EFFICIENCY</p> <p>GENERALLY TO BE IN ACCORDANCE WITH BCA 3.12, ENERGY EFFICIENCY TO COMPLY WITH THE CLIMATE ZONE AND STATES MINIMUM CURRENT STAR RATING REQUIREMENTS OR ABOVE.</p> <p>SERVICES</p> <p>GENERALLY TO BE IN ACCORDANCE WITH BCA 3.1.2.5 HOT WATER SUPPLY SYSTEM DESIGNED AND INSTALLED IN ACCORDANCE WITH AS/NZS 3500</p> <p>HEALTH AND AMENITY</p> <p>GENERALLY - AREA WATERPROOFING TO BE IN ACCORDANCE WITH AS 3740 AND BCA 3.8.1 WATERPROOFING OF SURFACES ADJACENT TO OPEN SHOWER, INCLUDING SHOWER OVER BATH, 1500 mm FROM A VERTICAL LINE PROJECTED FROM SHOWER ROSE TO A HEIGHT 1800 mm ABOVE FINISHED FLOOR</p> <p>WALL SURFACES ADJACENT TO PLUMBING FIXTURES, BATHS ACT TO BE PROTECTED TO A HEIGHT OF 150 mm ABOVE FIXTURES, CEILING HEIGHTS TO BE IN ACCORDANCE WITH BCA 3.8.2</p> <p>FACILITIES</p> <p>GENERALLY TO BE IN ACCORDANCE WITH BCA 3.8.3 REQUIRED FACILITIES IN ACCORDANCE WITH 3.8.3.2 SANITARY COMPARTMENTS TO BE IN ACCORDANCE WITH BCA 3.8.3.3 . PROVISIONS OF NATURAL LIGHT TO BE IN ACCORDANCE WITH BCA 3.8.4.2 WINDOWS/ ROOF LIGHTS TO PROVIDE LIGHT TRANSMISSION ARE EQUAL TO 10 % OF FLOOR AREA OF THE ROOM.</p> <p>VENTILATION TO BE IN ACCORDANCE WITH BCA 3.8.5 OR AS 1668.2 FOR MECHANICAL VENTILATION. EXHAUST FROM BATHROOM/WC TO BE VENTED OUTSIDE FOR STEAL ROOF ANT TO ROOF SPACE FOR TILE ROOF. NATURAL VENTILATION TO BE PROVIDED AT A RATE OF 5 % OF THE FLOOR AREA, IN ACCORDANCE WITH BCA 3.8.5.2</p>							
<p>ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK</p> <p>ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA</p> <p>ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4</p> <p>PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS</p>	<p>ADORN DRAFTING</p> <p>MBL 0413 235 160 E-MAIL : stephenlawes@aapt.net.au</p>	<p>STEPHEN LAWES CC 4667 J CATEGORY ABP I 25 JILLIAN ST KINGSMEADOWS 7249</p>	<p>PROPOSED BOAT SHED 18-44 NAPOLEON ST, BATTERY POINT FOR ROBERT VAUGHAN</p>	<table><tr><td>DRAWING</td><td>SPECIFICATIONS</td></tr><tr><td>DATE</td><td>14/1/2022</td></tr><tr><td>DWG 603</td><td>SHEET 8</td></tr></table>	DRAWING	SPECIFICATIONS	DATE	14/1/2022	DWG 603	SHEET 8
DRAWING	SPECIFICATIONS									
DATE	14/1/2022									
DWG 603	SHEET 8									



A.C.N. 165 838 755 A.B.N. 71165 838 755
110 Swanston Street New Town Tasmania 7008
Tel: 03 6228 5906 Mobile: 0400 697 175
Email: info@marinesolutions.net.au
Web: www.marinesolutions.net.au

31/03/2023

TO: Whom it may concern

FROM: Marine Solutions Pty. Ltd.

REGARDING: Comment on proposed stormwater runoff management at 18-44 Napoleon Street, Battery Point, Tasmania.

Marine Solutions was engaged by Robert Vaughan of Creese's Boatyard to provide comment on proposed stormwater management at the site of a proposed development (application No. PLN-22-609). Specifically, Marine Solutions has been asked to assist with PLN Fi1 relating to stormwater (see Appendix 1), to enable the Council to assess the application against clause 8.2 of the *Hobart Interim Planning Scheme 2015*.

Personnel from Marine Solutions conducted a site visit to Creese's Boatyard (18-44 Napoleon Street, Battery Point) on 29th March 2023.

The site sits on council land neighbouring several small-scale commercial businesses (including another slipway), private freehold and public reserve land (Figure 1). The waterfront adjoining the boatyard is highly modified, with a concrete slipway, jetty and foreshore consisting of reclaimed land, with rubble extending to the intertidal zone. The immediate subtidal zone consists of pebble and rubble with anthropogenic debris (Figure 2). Adjacent foreshore is similarly modified except for a small (20m in length) sandy beach directly to the north-east of the site. Dozens of moorings are located within the near field subtidal zone. There are numerous existing stormwater outfalls immediately adjacent to the site.



A.C.N. 165 838 755 A.B.N. 71165 838 755
110 Swanston Street New Town Tasmania 7008
Tel: 03 6228 5906 Mobile: 0400 697 175
Email: info@marinesolutions.net.au
Web: www.marinesolutions.net.au

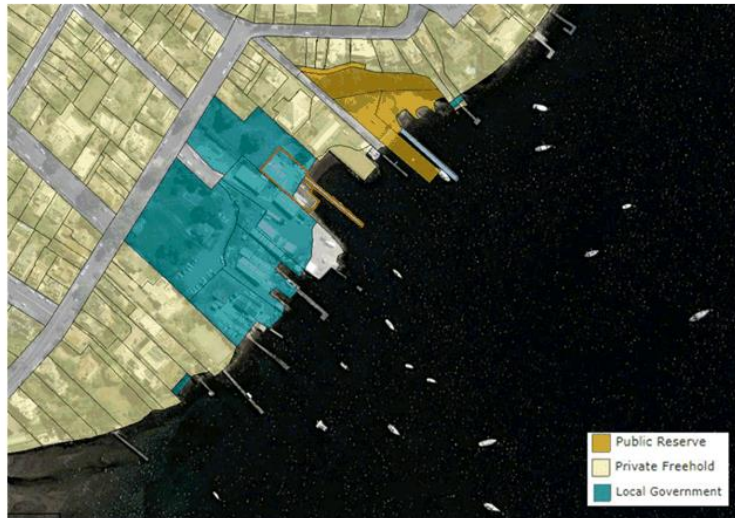


Figure 1 Image showing the cadastral parcels and land tenure of the site. Red outline shows approximate site area (Image source: LISTmap).



Figure 2 Images showing foreshore intertidal and subtidal area.



A.C.N. 165 838 755 A.B.N. 71165 838 755
110 Swanston Street New Town Tasmania 7008
Tel: 03 6228 5906 Mobile: 0400 697 175
Email: info@marinesolutions.net.au
Web: www.marinesolutions.net.au

It is our understanding that the proposed development includes of the demolition of a lean to attached to the side of the existing building, and the construction of a proposed new building adjacent to the existing building. To our understanding there are no proposed changes to commercial activities occurring onsite, which currently include slipway services.

The receiving environment for stormwater of the site is the Derwent Estuary, which is host to sensitive receptors including the federally listed Critically Endangered spotted handfish and so represents a high conservation value environment. Stormwater runoff is identified as a major source of pollution to the Derwent Estuary, as it has the potential to collect sediments, bacteria and pollutants that may harm wildlife and pollute waterways¹. Maintenance activities at slipway facilities that do not have adequate waste containment structures can pose an increased risk to the environment².

The proposed development will provide additional catchment area (187.6 m² additional roof area) that may result in altered stormwater flow dynamics into the receiving environment. It is our understanding that the proposed development intends to divert stormwater from the proposed roof catchment via existing stormwater pathways to the Derwent Estuary (referred to as "Stormwater Catchments" in engineering Drainage Plan), with no additional stormwater infrastructure proposed on Crown Land.

It is our understanding that the proposed development will enclose slipway works to within the new building, which is anticipated to provide more effective containment of dust and particulates arising from works, thus potentially reducing the potential for contaminants to enter the receiving environment. Discussion with Robert Vaughan has established that the principal form of waste from slipway activities is dry particulates that will be swept and/or vacuumed from the floor within

¹ Derwent Estuary Program (2023). <https://www.derwentestuary.org.au/stormwater/>

² EPA Tasmania (2020). Environmental Guidelines for Boast Repair and Maintenance. EPA Tasmania, Hobart, Tasmania.



A.C.N. 165 838 755 A.B.N. 71165 838 755
110 Swanston Street New Town Tasmania 7008
Tel: 03 6228 5906 Mobile: 0400 697 175
Email: info@marinesolutions.net.au
Web: www.marinesolutions.net.au

proposed building. It is our understanding that there is a proposed drainage trench to capture liquid boatshed runoff at the entrance to the new building. Wherever possible stormwater should not be directed via pathways that are designed to collect boatshed waste. Considering the above, the proposed drainage trench and pumping of liquid boatshed waste from the trench may be superfluous to waste stream requirements from an environmental perspective.

Marine Solutions is a marine environmental consultancy. This letter has not been written in consultation with engineers.

Kind regards,

A handwritten signature in dark ink, appearing to read 'Isobel Thomas', is written over a light blue horizontal line.

Isobel Thomas, Project Officer



A.C.N. 165 838 755 A.B.N. 71165 838 755
110 Swanston Street New Town Tasmania 7008
Tel: 03 6228 5906 Mobile: 0400 697 175
Email: info@marinesolutions.net.au
Web: www.marinesolutions.net.au

Appendix 1. Excerpt from letter dated 1 Feb 2023 from Hobart City Council to Robert Vaughan, relating to aspects for which Marine Solutions' assistance was requested

Stormwater

PLN Fi1 To enable the Council to assess the application against the stormwater provision of the *Hobart Interim Planning Scheme 2015*, please provide the following:

1. The Site Plan shows indicates that the stormwater runoff from the proposed boat shed may discharge to what is labelled on the plan as "Stormwater Catchments". It is unclear if these are stormwater pits that the stormwater runoff will discharge to or how the stormwater runoff is intended to be dealt with. If the "Stormwater Catchments" are proposed stormwater infrastructure then consent from the Crown for work on Crown Land is likely to be required.
2. Please clarify how the stormwater runoff from the proposed building is to be disposed of and if the application proposes any work on Crown Land.

praxisenvironment

heritage

planning

archaeology

po box 338
north hobart
tasmania 7002

0418 303 184
info@prax.com.au

Statement of Historical Archaeological Potential and Archaeological Impact Assessment

Portion of the Ross Patent Slip &
Portion of the Battery Point Shipping Activity Areas
Napoleon Street, BATTERY POINT, TASMANIA

Brad Williams
Historical & Maritime Archaeologist

For Robert Vaughan

February 2019
(v2 September 2019)

Contents:

<u>1. INTRODUCTION AND RATIONALE</u>	<u>3</u>
<u>2. ARCHAEOLOGICAL METHODOLOGY</u>	<u>6</u>
<u>3. HISTORICAL BACKGROUND OF THE SUBJECT SITE</u>	<u>8</u>
<u>3.1. SOURCE MATERIAL</u>	<u>8</u>
<u>3.2. ANALYSIS OF HISTORICAL SOURCES</u>	<u>9</u>
<u>4. SITE OBSERVATIONS</u>	<u>21</u>
<u>5. ARCHAEOLOGICAL POTENTIAL OF THE STUDY AREA & ARCHAEOLOGICAL POLICIES</u>	<u>25</u>
<u>6. THE PROPOSED DEVELOPMENT</u>	<u>28</u>
<u>7. ARCHAEOLOGICAL IMPACT ASSESSMENT</u>	<u>31</u>
<u>8. ARCHAEOLOGICAL METHOD STATEMENT</u>	<u>32</u>

This document was written by Brad Williams (BA Hons Archaeology, G.Dip Maritime Archaeology, MA Cultural Heritage Management)
Historical Archaeologist, Heritage Consultant and Director of Praxis Environment – a division of Praxis Synergy Pty. Ltd.

Unless otherwise stated, the north point (or approximate) of maps and plans is to the top of the page.

Cadastral information depicted in this document must not be relied upon without verification by a Surveyor.

This document has been prepared by Praxis Environment for Mr. Robert Vaughan (the Client), and may only be reproduced, used or distributed by the Client (or nominee), and for purposes by which the Client is bound by law to allow distribution, or for bona-fide historical or archaeological research. Praxis Environment otherwise expressly disclaims responsibility to any person other than the Client arising from or in connection with this document.

To the maximum extent permitted by law, all implied warranties and conditions in relation to the services provided by Praxis Environment and the document are excluded unless they are expressly stated to apply in this document.

Praxis Environment expressly disclaims responsibility for any error in, or omission from, this document arising from or in connection with any assumptions being incorrect.

The opinions, conclusions and any recommendations in this document are based on conditions encountered and information available at the time of preparation. Praxis Environment reserves the right to retract or review any opinion, conclusion or recommendation should further relevant information come to hand at any time in the future; otherwise Praxis Environment expressly disclaims responsibility for any error in, or omission from, this document arising from any such further information.

1. Introduction and rationale

This report has been commissioned by Mr. Robert Vaughan to accompany a development application to Hobart City Council (as planning authority) to examine any archaeological issues for the conversion of an existing boatshed at 30 Napoleon Street (part of 18-44 Napoleon Street, Battery Point C/T 39915/5, PID 7346696) for a parking area and the construction of a new boat shed adjacent to that existing.

The on-land portion of the subject site is part of the listing for the *Ross Patent Slip* site which is included on the Tasmanian Heritage Register (THR ID1902, CPR9880), and also includes part of the underwater/inter-tidal area that is included on the Tasmanian Heritage Register as part of the Battery Point Shipping Activity Areas (THR ID10541, CPR 6784) - therefore is subject to the provisions of the *Historic Cultural Heritage Act 1995*. The subject site is not included on Table E.13.1 of the *Hobart Interim Planning Scheme 2015* (HIPS15), however the on-land portion is included within the BPI Heritage Precinct, therefore is subject to the provisions of Part E.13.8 of the scheme (*Development Standards for Heritage Precincts*). Whilst these statutory heritage requirements do not explicitly require archaeological input into the development process (the subject site is not included in Table E.13.4, *Places of Archaeological Potential*), the on-land portion of the subject site has an entry against Criterion C on the Tasmanian Heritage Register (research potential) which states:

The Ross Patent Slip Site has yielded (and still has the potential to yield) important information, of an archaeological nature, that may contribute to a greater understanding of Tasmania's history.

And the underwater/inter-tidal area has the following entry against Criterion C on the Tasmanian Heritage Register (research potential) which states:

The surface and subsurface deposits of the Battery Point Shipping Activity Places are artefacts in the archaeological sense of being the tangible products of human behaviour. As such they have the potential to yield information that will contribute to a greater understanding of Tasmania's history. This site has the potential to explore sequences of construction and the shipbuilding industry during the 19th century, and changes in technology. Such tangible evidence has the potential to create new knowledge and to expand on existing knowledge. The potential information from this site may also contribute to wider research frameworks within or outside Australia.

Although the provisions of Part E.13.8 of the HIPS15 do not specifically call in archaeological considerations, under Part E.15.3 the planning authority may request a *statement of archaeological potential, impact assessment and method statement* for any development of a place included on Tables E.13.1-2 *if considered necessary*. It is also expected that the Tasmanian Heritage Council will require some level of archaeological planning for any development of the site.

Accordingly, the brief for this project was to provide a statement of historical archaeological potential (SoHAP) for the site. If archaeological potential is identified, then to undertake an archaeological impact assessment and method statement. Accordingly, this document has been prepared with regard to the Tasmanian Heritage Council's Practice Note 2 – *Managing Historical Archaeological Significance in the Works Application Process*¹, and the Tasmanian Heritage Council's *Guidelines for Historical Archaeological Research on Registered Places*².



Figure 1.1 – A recent aerial image of the study area. Adapted from www.thelist.tas.gov.au

¹ <http://www.heritage.tas.gov.au/media/pdf/29/29Practice%20note%20-%20Archaeology.pdf>

² <http://www.heritage.tas.gov.au/media/pdf/Archaeol%20Research%20Guidelines%20FINAL%20-%20June%202009.pdf>

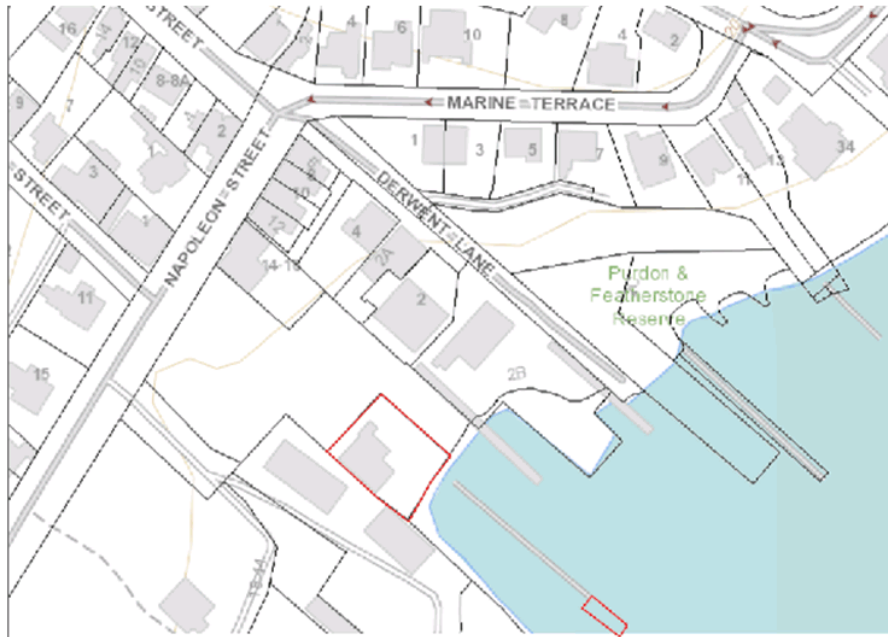


Figure 1.2 – Cadastral parcels surrounding the study area. Adapted from www.thelist.tas.gov.au

2. Archaeological methodology

Further to the THC's Practice Note 2 and Research Guidelines (as cited above), this statement of archaeological potential is derived from a process which identifies the potential of the site to yield archaeological remains, the significance of any remains, and their potential to yield meaningful information about the site, and which might contribute to relevant key archaeological and historical themes. The following briefly outlines the methodology followed:

Determining general archaeological potential: Through a desktop analysis of historical data and secondary sources, as well as non-invasive site observations, an understanding of the evolution of the site has been gained which has allowed an assessment of the archaeological potential (however significant) of any part of the site - resulting in substantiated predictions of the likelihood of finding *something* upon any particular part of the site.

This has been done by analysing primary source material, summarizing the developmental history of the site and developing a chronological narrative detailing an overview of the history of all known features to have ever existed on the site. Where possible, developmental overlays have been developed from historic maps, plans, photographs and other visual documentation. This overlay has been supported by other observations providing supplementary information, and also includes processes such as demolition and disturbance which may have removed or destroyed potential remains – and may have diminished the archaeological potential.

Assessing the significance and potential of any likely archaeological resources to yield meaningful information: Upon understanding the archaeological potential through desktop and site analysis, the next step was to understand its relationship to any aspect of the identified significance of the place – e.g. do the remains have the potential to demonstrate an aspect of the significance of the site or related key historic theme? The potential for any of the archaeological remains to demonstrate important aspects of the history of the site, whether in a state, regional or thematic context, is to be considered.

Understanding possible impact of development and formulation of management strategies: Based on any identified archaeological potential and significance of the site, consideration will be given as to whether the proposed development will impact upon any likely archaeological remains and if necessary broad management strategies will be proposed to manage any impact.

Table 1 (below) demonstrates the steps of this assessment:

Methodology for formulation of the statement of archaeological potential		
	If 'no'	If 'yes'
1. Archaeological potential. Are you likely to find something if you dig here? (i.e. a <u>Statement of Archaeological Potential</u>).	Further action may not be required, although a contingency plan may be required for unexpected finds.	The significance of the archaeological potential should be investigated.
2. Significance. Could anything you find here greatly contribute to our understanding of the site or related significant theme?	Further action may not be required.	The likely integrity of the archaeological remains should be investigated.
3. Integrity. Are any archaeological remains likely to be intact?	Further action may not be required, although a contingency plan is required for unexpected integrity.	The likelihood of significant archaeological remains is confirmed.
4. Impact Will proposed works impact upon the significant archaeological remains? i.e. an <u>Archaeological Impact Assessment</u> .	Further action may not be required, although a contingency plan may be required for unexpected impacts.	An <u>Archaeological Method Statement</u> will be required to detail how impact will be managed/mitigated.

3. Historical background of the subject site

3.1. Source material

For this initial assessment of archaeological potential, the depiction of the physical history of the site will be the main consideration – with other aspects of site history (i.e. social histories, economic history, associations *et. al.*) likely to be more useful in any post-investigation analysis of findings (i.e. artifact assessment), therefore beyond the scope of the current document. Similarly, the history of other townscape developments is beyond the scope of the current document however may be useful in further detailed analysis of future archaeological findings.

The following overview of the known physical development history of the site aims to aid in the prediction of the likely archaeological remains. This does not represent a comprehensive site history, and has been limited to a history of the physical development of the site as relevant to the archaeological resource.

Primary sources

Broadly, the primary sources consulted in the development of the statement of archaeological potential include:

- DPIPW – Land Data Branch, historic map collection (basement).
- Tasmanian Archive and Heritage Office historic map series (PH & CSO series).
- National Archives of Australia Railway survey series (P1330).
- Allport Collection – State Library of Tasmania.
- State Library of New South Wales historic map series (CB series).

Secondary sources

The following works give are useful in understanding the wider shipbuilding and maritime activities undertaken nearby and adjacent to the study area and the wider Hobart waterfront area:

- Solomon, R. (1976): *Urbanisation: The Evolution of an Australian Capital*.
Angus and Robertson Publishers.
- Mays, N. (2014): *Spirited, Skilled and Determined. The Boat and Ship Builders of Battery Point 1835-1935*.
Published by the author.

- HDLC. Pty. Ltd. (2008): *Battery Point Slipways Conservation Management Plan*. Hobart City Council).
- Tasmanian Heritage Register entries 10541 and 1092 (Battery Point Shipping Activity Areas Part 1 and Ross Patent Slip respectively) which provide detailed contextual histories for the subject site and surrounds.
- Vincent. et. al. (1995): *Historical Overview of the Battery Point Slipways & Environs, Battery Point Slipway, Napoleon Street, Conservation Plan* (Section 3).

3.2. Analysis of historical sources

As per the archaeological methodology detailed in Section 2, the initial assessment of archaeological potential relies on an understanding of the physical development of the study area, in order to gain an understanding of the location and types of structures and activities previously undertaken on the site, as well as other site formation processes such as deposition, fill, disturbance etc.

To be read in conjunction with the Tasmanian Heritage Register entry for the Ross Patent Slip site (and associated contextual history) – presented here as ATTACHMENT A, the following survey plans were drawn from various collections and were georeferenced across a wider area in order to gain a ‘best-fit’ overlay using the current street grid as well as extant buildings from that period as reference points and to depict the study area with a good degree of accuracy in relation to historic features. Commentary as to the expected accuracy of each plan is made below and further discussed in the individual assessment of each study area. Historical imagery in the form of photographs and artworks are also used to build the physical development history. The following survey plans were used in this assessment:

- Frankland’s 1839 map of Hobart and surrounds (State Library of Tasmania, Allport Stack 912.94661MAP). Whilst this survey plan is not highly accurate in terms of precise building locations and footprints, is very accurate in depicting general areas of development and the street grid.
- Sprent’s 1841-1845 map of Hobart and surrounds (www.thelist.tas.gov.au). This is considered to be one of the most accurate depictions of the layout of early Hobart buildings and the street grid, although it is limited to buildings (and parts of buildings) which were visible from public vantage points. This particular area is likely to have been surveyed by Sprent in 1842-3.
- Hobart Map 106 (c1890) which is not particularly detailed or accurate in terms of showing minor/domestic development, it does depict major public infrastructure and commercial/industrial sites.

- The 1908 Metropolitan Drainage Board survey of Hobart (State Library of Tasmania). These provide a very detailed and accurate depiction of Hobart at that time, however much of the waterfront area is missing from the surviving maps of that survey, e.g. Maps 1-3 are missing which encompass much of the Sullivans Cove and central Hobart area.
- 1922 Huon Railway survey. Although the study area is not near any railway, evidently part of the rail survey included transport infrastructure along the shoreline of the Derwent. This is a very detailed and probably highly accurate plan.
- The 1946 aerial photo run of Hobart (DPIWE).
- The 1967 Southern Metropolitan Planning Authority map, which is a very accurate and detailed map of the built infrastructure of the city.
- Various photograph collections, particularly from the Tasmanian Archive and Heritage Office (TAHO), State Library of Tasmania etc.

The following tables depict the subject site and specifically considers the possible archaeological resources on that site, as informed by georeferencing against each of the survey plans cited above (where relevant).

Figure 3.1 - 1839 Frankland survey, State Library of Tasmania, Allport Stack 912.94661MAP

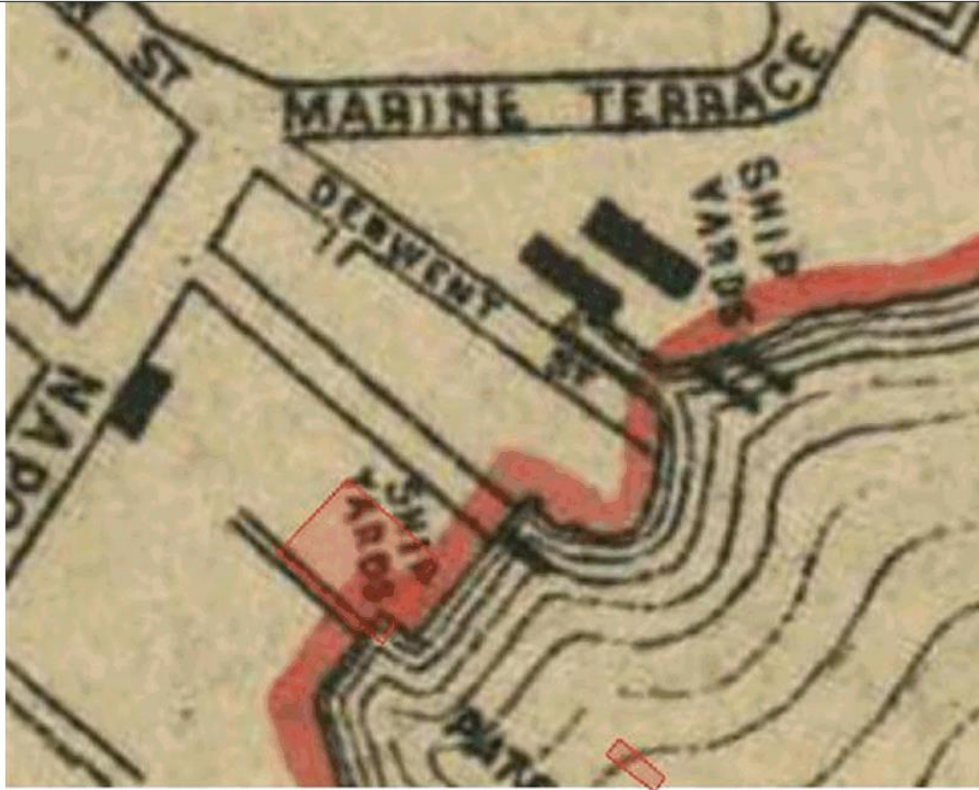


Frankland's 1839 map of Hobart and surrounds (State Library of Tasmania, Allport Stack 912.94661MAP) shows the study area as part of a larger site with a single building – the allotment running from what is now Napoleon Street to the water. Whilst this plan is known to not have a high level of accuracy, it does suggest that the study area was not the site of any development at that time. Shipbuilding and maritime activities in Battery Point had not commenced in any major way at that time, therefore it is likely that the study area was merely part of the waterfront yardspace of that building.

Figure 3.2 - 1845 Sprent survey, Libraries Tasmania

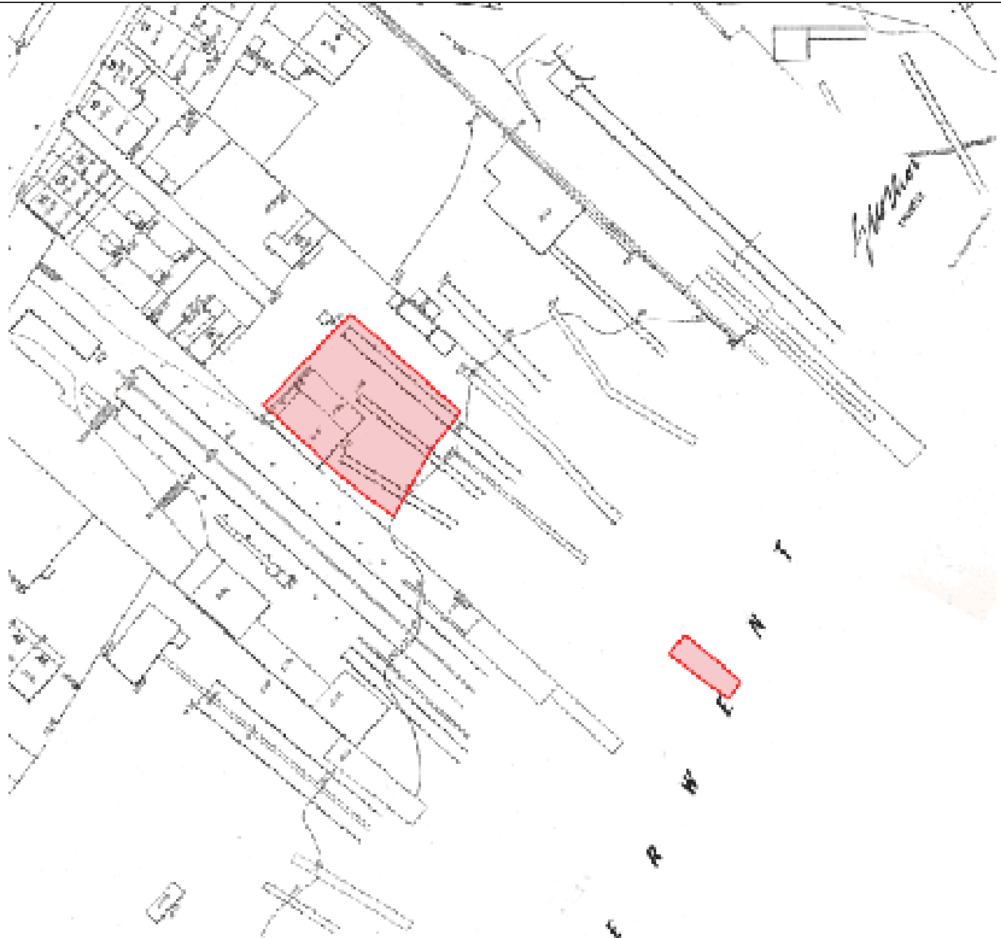
Sprent's 1845 map of Hobart and surrounds (www.thelist.tas.gov.au) is considered to be one of the most accurate depictions of the layout of early Hobart buildings and the street grid, although it is limited to buildings (and parts of buildings) which were visible from public vantage points. Nonetheless, this survey shows the subdivision of the larger allotments in the earlier surveys and an intensification of development of what would later become the Ross Patent Slip. The wider site appears to have had two masonry buildings and two timber buildings constructed by that time – one of those timber buildings is within the subject site in the location of the current boatshed. This survey also indicates some formalisation of the shoreline suggesting the lead-up to the intensification of maritime activity and use of the land-river interface. The study area itself appears to have had no development at that time.

Figure 3.3 – Hobart Map 106, c1890, DPIPW



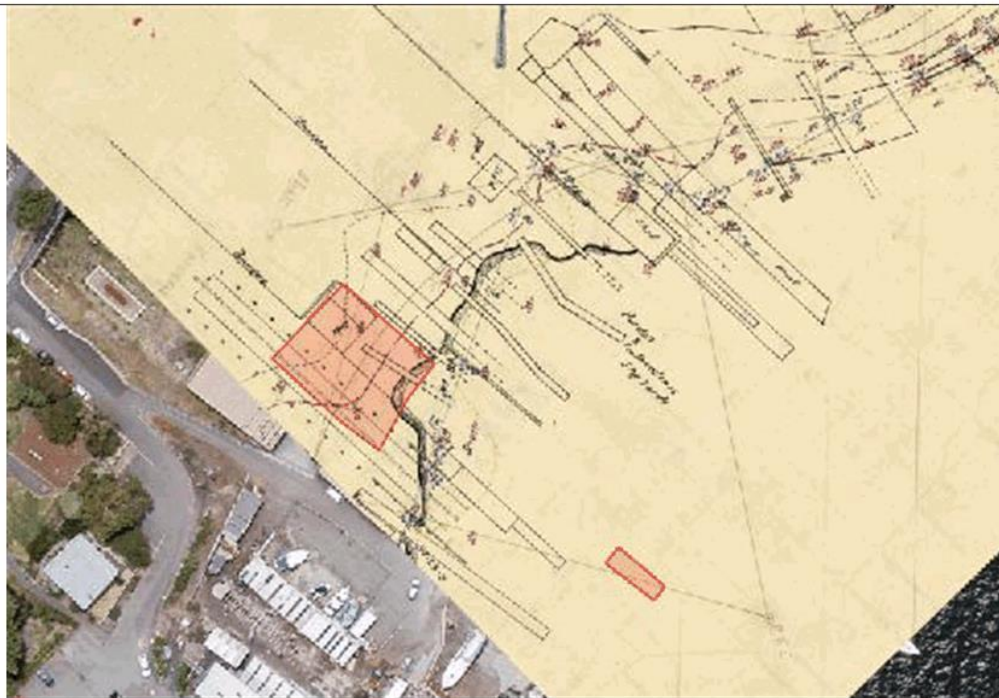
Following the suburbanisation of the surrounding Battery Point area largely a result of the subdivision of the Kermode Estate, by 1890 the streets surrounding the study area have been further formalised. The study area is noted as 'ship yards' although there is still no development marked within the study area it is possible that at that time there was minor infrastructure associated with shipyard activities within that area. Note that the building previously marked on the Sprent survey is not included in this map, however the focus of this survey appears not to have been on-shore infrastructure. The adjacent Ross Patent Slip is approximately shown.

Figure 3.4 - 1908 Metropolitan Drainage Board maps (Sheet 35, Libraries Tasmania TL.MAP 881.11).



The 1908 Metropolitan Drainage Board survey of Hobart (State Library of Tasmania) shows that by that time three slips had been established within the study area and that two sheds are depicted in the location of the current shed (larger than that shown on the earlier Sprent survey). The central slip as shown on this map approximately corresponds to the existing slip on the site. This survey also shows a long jetty extending off the site in a similar position to that which still exists.

Figure 3.5 – 1922 Huon Railway survey, National Archives of Australia, P1330:9536 (record 7812488-1).



The 1922 Huon Railway survey shows the study area in the same form as the 1908 survey with the three slips, jetty and the two sheds and a jetty on a similar line to that currently existing..

Figure 3.6 – 1946 aerial photograph survey, DPIPWE 1946 Hobart Run 1, 10893.



The 1946 aerial photograph of the area indicates that the three slips no longer remained, however the sheds and jetty were still extant at that time.

Figure 3.7 – 1967 Southern Metropolitan Planning Authority Map (Tasmanian Archive and Heritage Office).



The 1967 Southern Metropolitan Planning Authority map shows that the subject site was part of the Creese shipyard and depicts the sheds (smaller than previous depictions which is probably a drafting error) and the jetty.

The following figures depict the historically known major site features in relation to the current layout of the site (drawn from the most accurate known sources from above) – note that none of the sources above show any development in the underwater portion of the subject site:

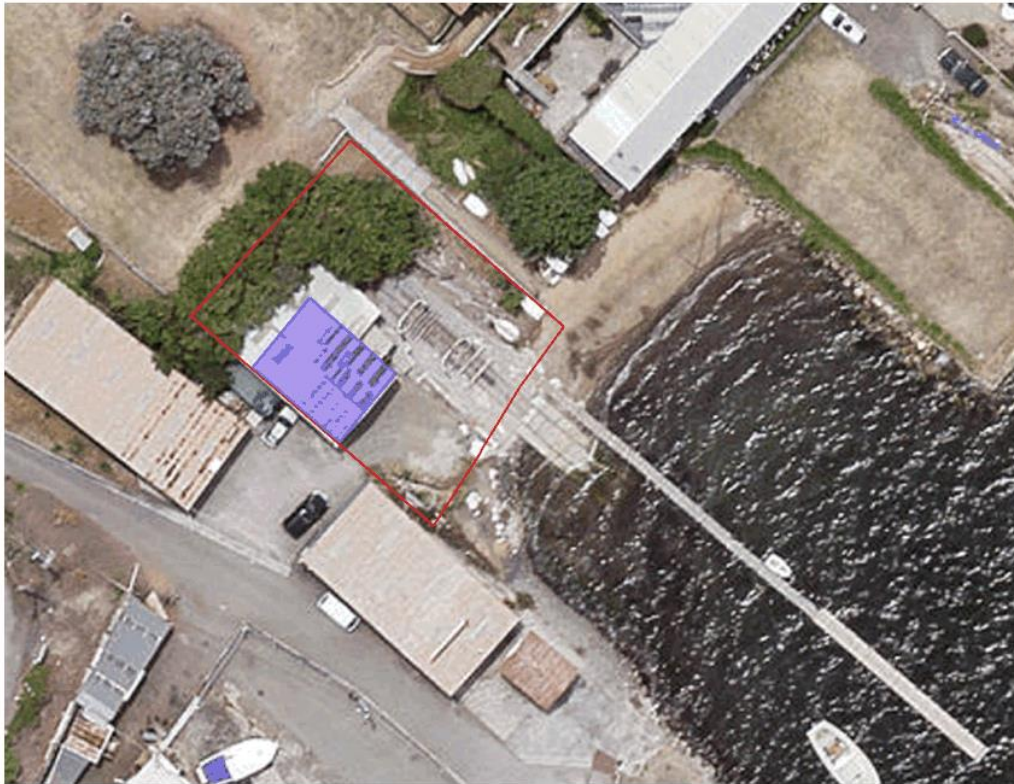


Figure 3.8 – Footprint of the building depicted on the Sprent survey in relation to current site features. Adapted from www.theliest.tas.gov.au



Figure 3.9 – Footprint of the features depicted on the 1908 Metropolitan Drainage Board survey and the 1922 Huon Railway survey in relation to current site features. Adapted from www.thelieist.tas.gov.au

From the above historical overview of the environs of the study area, as well as the information contained within the Tasmanian Heritage Register entry, the following can be summarised:

- Subdivision and residential development occurred on/near the subject site during the 1830s and by 1846 there was a timber building within the subject site, on the location of the current sheds. It appears that shipbuilding activities had not commenced in the immediate area at that time.
- In 1866 the Ross Patent Slip was established near the subject site with the main line of slip just to the west of the subject site. The site was purchased by the Kennedy family in 1883. The slip itself was sold in 1903 and in 1920 the Kennedy's sold the land to Henry Jones. Prior to 1946 the site was sold to the Hobart Marine Board and was largely destroyed by fire in 1959. New sheds were built over the line of the slipway c1965.

- The subject site appears to have been used for smaller scale slip purposes from at least as early as c1900.
- Whilst the current shed is partially on the footprint of the pre-1846 building, there appears to have been an intervening phase of building on that site therefore the building is twentieth-century.
- By 1946 the use of the subject site as a slipyard had declined, with the slips dismantled. A jetty still remained leading off the site.
- The current slip was installed in the latter-half of the c20th on the site of an earlier slip and the current jetty follows the line of that earlier jetty.

4. Site observations

The site has a distinct slope from the neighbouring parkland to the north, to the waterline southward. The shed and a raised parking/turning area occupy the western (approx.) half of the site, whilst the slip activity area occupies the eastern half. The shed is benched into the natural slope of the land (including the remnants of an early retaining wall) and the slip area generally follows the natural contour of the land, although it appears there have been some cutting, benching and retaining activities undertaken in this area. The area on the shoreward side of the shed appears to have been fairly recently filled and a retaining wall added.

An inspection of the existing infrastructure on subject site reveals that the existing slip is built on the footprint of the earlier middle-slip, as seen on Figure 3.9. That current slip is surrounded by a concrete pad and powered by a winch at the top of the slip near the shed. None of this infrastructure appears to be historic and is certainly related to the slip deriving from the latter half of the c20th. Note that observations and description of the shed itself were not part of the brief for this project.

Overall, site observations did not reveal any trace of the earlier slips at ground level or above.



Figure 4.1 – View across the slip site from the top of the site.



Figure 4.2 – View up the slip site from the top of the waterline.



Figure 4.3 – Modern fill and retaining wall benching the shoreward portion of the western part of the site.

In consideration of possible prior disturbance, as a heavily used industrial site it is likely that there has been a range of excavation and alteration of landform having previously been undertaken. As detailed above the lines of former slips appear to have had several instances of cutting, benching and retaining and although the landform of this area does still roughly follow the natural slope, it appears that here has been some (at least) shallow disturbance. Also, a search of *Dial Before you Dig* reveals that services (i.e. sewer and water lines) are limited to the very rear of the site³ which would have resulted in some localised disturbance.

The following comments on the likely archaeological integrity of the site are made based on the background history of the site coupled with site observations and consideration of disturbance history:

- The location of the pre-1846 building possibly has some archaeological potential having been covered by the existing building.
- The area shoreward of the shed has been built up in recent years and would have no shallow archaeological potential. In any case, historically this area appears to have no archaeological potential.
- It appears that there has been shallow disturbance across the site in the areas known to be the sites of earlier slips.
- The current slip has probably obscured or destroyed any archaeological traces of the earlier 'middle' slip.
- The possibility of deeper archaeological remains of the two other slips cannot be discounted at this stage.

Specifically in relation to the three slips, which are considered to be the primary historical structural elements to which any archaeological remains might be associated, the following comments are made as to the archaeological potential of each area:

³ Note that this information is not to be relied upon for pre-construction service location and it is advised that the proponent of the development make their own enquiries as to the accuracy of this statement.



Figure 4.4 – The location of each of the historical slips as per below:

Slip	Likely disturbance/integrity	Likely archaeological potential
1	Unknown, however any remains of this slip are likely to have been buried by later filling and retaining activity.	Possibility of deeper (e.g. 800-1200mm) remains of this slip beneath modern fill.
2	Any remains of the earlier slip have probably been disturbed by the construction of the current slip.	This area probably has low or no archaeological potential given the likelihood of disturbance.
3	Apart from some apparent shallow cutting/benching/filling activity this area does not appear to have been subject to extensive disturbance.	This area probably has a higher archaeological potential given that disturbance is likely to have been shallow or minimal.
4.	The current jetty is likely to be at least the third such structure along this or similar alignment. The extent of disturbance of previous structures through demolition is not known.	This area may have some archaeological potential through evidence of earlier jetties, although the value of this is questionable given that the historical record does depict these structures in detail. There is the potential for this vicinity to yield artifacts relating to off-jetty discard or incidental deposits associated with slipyard activity.

5. Archaeological potential of the study area & archaeological policies

Figure 5.1 depicts an overlay of the pre-1846 building, the pre-1908 infrastructure in comparison to the existing built features of the subject site:



Figure 5.1 – Overlay of known site development (adapted from www.thelist.tas.gov.au).

Based on the commentary in Section 4, coupled with the overview of the development history of the site in section 3, the following archaeological zoning plan is proposed for the site:



Figure 5.2 – Areas of high archaeological potential (red) (adapted from www.thelist.tas.gov.au). The remainder of the site is not considered to have any significant archaeological potential.

Area	Likely archaeological potential	Policy
1	Potential to yield structural and artifactual deposits associated with the pre-1846 building (of unknown function and significance at this stage)	Any major excavation of this area will require a more detailed statement of archaeological potential to guide any required mitigation strategies.
2	Likely to yield structural remains of one of the earlier slips but has been deeply filled in more recent times.	Any excavation beyond 800mm deep will need to be monitored and any remains of the earlier slip recorded and managed accordingly.
3	Likely to yield shallow structural remains of one of the earlier slips with probably only minor disturbance.	Any excavations beyond 300mm deep will need to be monitored and any remains of the earlier slip recorded and managed accordingly.

4	May yield remnants of over-jetty discard or incidental deposits relating to slipyard activities.	Any development which requires major disturbance (e.g. dredging or major piling operations associated with substantial jetty replacement or extension) is to be preceded by an underwater archaeological survey to record any structure and to yield (or record) any significant artifacts.
---	--	---

6. The proposed development

A development has been proposed by Mr. Robert Vaughan for a redevelopment of the subject site, which includes:

- Conversion of the current boatsheds for use as parking (reflected on amended plans not included here).
- Construction of a two-storey boatshed on the rear (north-eastern) corner of the site.
- A 10-metre extension of the jetty.

Detail of the proposed development as assessed here is derived from JSA Consulting Engineers plans for the project entitled *Partial Demolition and New Boat Shed, 18-44 Napoleon Street, Battery Point*, Drawings 19E99-10 Revision E.

Excavation required for the proposal, which has the potential for archaeological impact is limited to the benching out of the rear portion of the site (i.e. the north-eastern corner and northern edge) to flatten that area for the floor of the shed. Figure 6.1 depicts the proposed site layout:

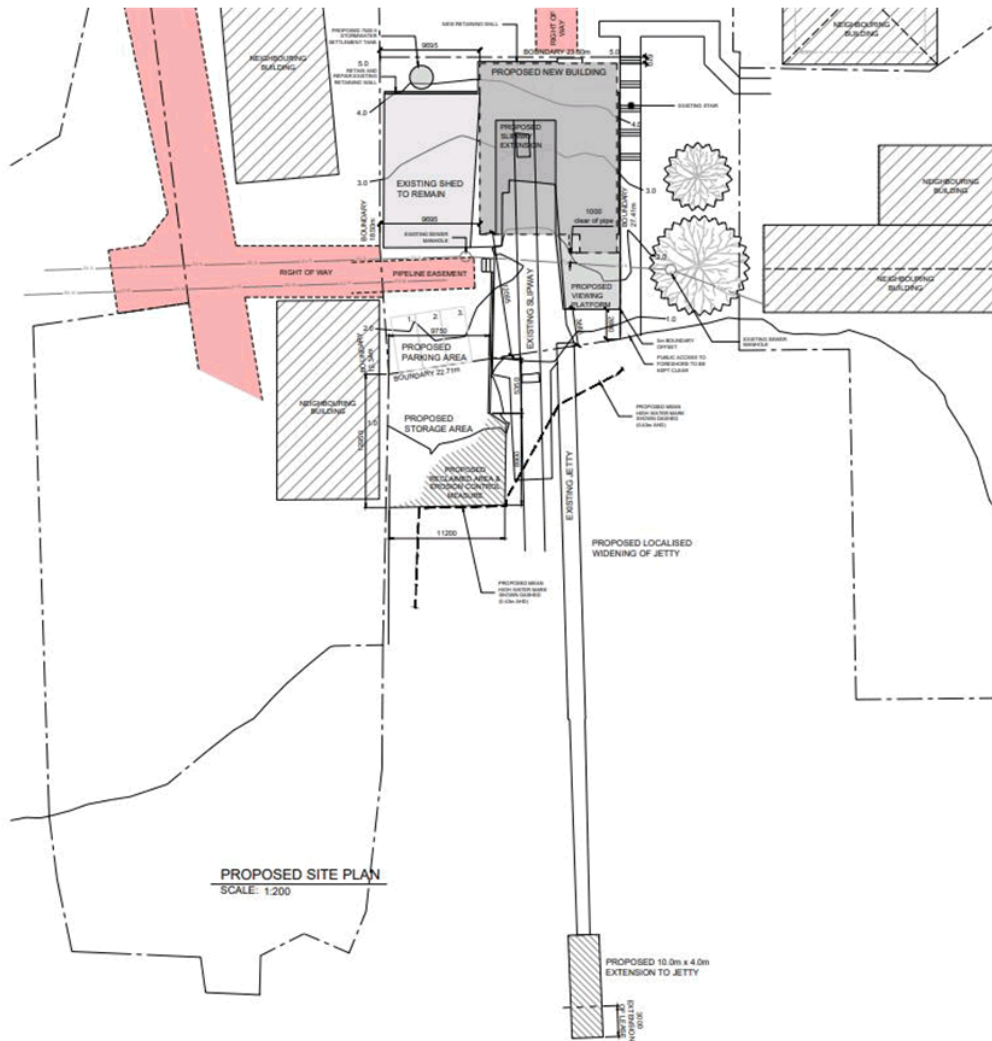


Figure 6.1 – Proposed site layout (the subject site outlined in red). M Fletcher Drawing A001.

Specifically, the proposed development requires the following excavation⁴ which must be considered as to the possibility of archaeological impact:

- Excavation of a flat platform for the proposed new boatshed, specifically excavating to a maximum depth of a maximum of 1800mm on the rear of the site, down to 500mm at the front.
- The perimeter of the shed will have a 300x300 edge beam.

⁴ Information supplied by Robert Vaughan, 17/2/19.

- A series of 600x600x300(deep) pad footings will support steel posts.
- A series of piles for the jetty extension.
- Note that no substantial excavation is required within the footprint of the existing shed (i.e. the area known to be the site of a pre-1845 building) with the exception of minor surface drainage works.

Overall, excavation to a depth of minimum 500mm will be required across the entire footprint of the proposed shed.

7. Archaeological impact assessment

As per the site observations in Section 4, and the likelihood as detailed in Section 5 that any archaeological remains are likely to be shallow and generally following the current contour of the land, it is likely that the footprint of the shed will have archaeological impact in that it will result in the total removal of any archaeological remains within the footprint of the proposed building.

The minor excavations required in the existing shed are unlikely to result in any archaeological impact and no excavations are proposed in front of the existing shed. The following table considers the excavation proposed in each area (as per Figure 5.2):

Area	Excavation required	Possible impact upon an archaeological remains
1	Minor excavation required for surface drains.	Unlikely to impact, as these excavations will be shallow and not exceed the depth of the current slab and slab bedding.
2	No excavation proposed in this area.	None.
3	Excavation up to 1800mm deep on the rear portion of the site, across approximately half the (on-land) length of the former slip.	Any archaeological remains are likely to be completely removed by the proposed works.
4	Piling for the new jetty extension.	Possible minor impact upon any seafloor deposits that may be associated with over-jetty discard or incidental debris associated with slipyard activities.

Accordingly, Section 8 will provide an archaeological method statement to mitigate the impact likely to arise from the proposal insofar as the possibility that any archaeological remains in Area 3 might be impacted by the proposed works, and to yield the archaeological potential of the site via examination and recording of these archaeological remains.

8. Archaeological method statement

It is proposed that the excavations along the eastern boundary of the site (i.e. Area 3 on Figure 5.2) be monitored by a qualified historical archaeologist at the time of works.

Approach to works

On land

It is proposed that the archaeologist monitor the mechanical excavation of this area and that excavation be undertaken utilising a 900-1200mm wide flat edged bucket and the area be scraped to a maximum depth of 50mm at a time across the site (to the required depth) in order to ascertain the presence (or not) of any archaeological remains associated with the historic slip. If no significant remains are found (e.g. if the predicted disturbance is greater than initially thought and where sterile ground is encountered - then archaeological input will cease under the direction of the archaeologist.

Underwater

It is proposed that an underwater survey of the proposed jetty extension site be undertaken by a maritime archaeologist to identify the possibility or presence of any cultural deposits in this area. This will involve non-invasive survey (i.e. no dredging). It is expected that any cultural deposits will be obvious, given the expected rocky nature of the seabed in this location and minimal chance for any seafloor burial of cultural remains.

Where significant archaeological remains are encountered

On land

In areas where significant archaeological remains are encountered excavation will continue by hand (as per methodology below), to expose the remains in order to gain further understanding of their nature, and to thoroughly record them (as per methodology below). Mechanical excavation in those areas will only continue if the archaeologist is satisfied that this can occur without detriment, that required outcomes can be achieved and that excavation by hand is not necessary.

It is expected that the stratigraphic sequence will be relatively simple, that of post demolition (possibly including some disturbance), demolition and slip-use. Excavation of remains within the defined contexts in reverse order of deposition will occur and each unit/context thoroughly recorded (as per below) prior to removal to facilitate the development

It is proposed that all depositional strata be removed initially, as per above, with the aim of exposing and retaining any/all structural remains in-situ for holistic recording, prior to their removal ahead of the works excavation program. Overall, it is considered that recording any archaeological features is sufficient to yield archaeological potential, and that subject to that thorough recording, the removal of any archaeological remains to facilitate the development is an acceptable outcome.

Underwater

If any significant cultural deposits are found, then these will be surveyed and recorded. It is not proposed that these be raised, however if these are in the path of any particular piles, and it is not considered feasible to redesign so that piling impact is avoided, then the remains will be moved to a safe underwater location as nearby as practicable to avoid impact. That new location will also be recorded.

Cessation of archaeological input

Archaeological input will cease only when the archaeologist is satisfied that all significant remains have been investigated and thoroughly recorded, as per this method statement and any conditions of statutory approvals, or if sterile ground is encountered, and that adequate consultation has been undertaken with Heritage Tasmania to verify that all on-site archaeological requirements have been met (and archaeological conditions satisfied).

Recording

Any structure or significant cultural deposit encountered will be thoroughly photographically recorded, from ground-level and via drone.

Artifacts

It is not considered likely as an industrial site that any artifacts of relevance to the primary significance of the site will be found – the significant archaeological remains are likely to be limited to slip infrastructure itself.

Reporting requirements

Excavations and monitoring must be recorded to appropriate professional standards (for example Section 4.2 of the Tasmanian Heritage Council's Practice Note 2). A final report must include (at a minimum):

- An executive summary of findings
- Details of the methodology employed
- Detailed interpretations of findings
- Relevant annotated photographs
- Site plans at a scale of no less than 1:200
- Trench plans at a scale of no less than 1:50
- Photograph log

A copy of the final report, and project archive, will be deposited with Heritage Tasmania within 6 months of completion of the excavations.

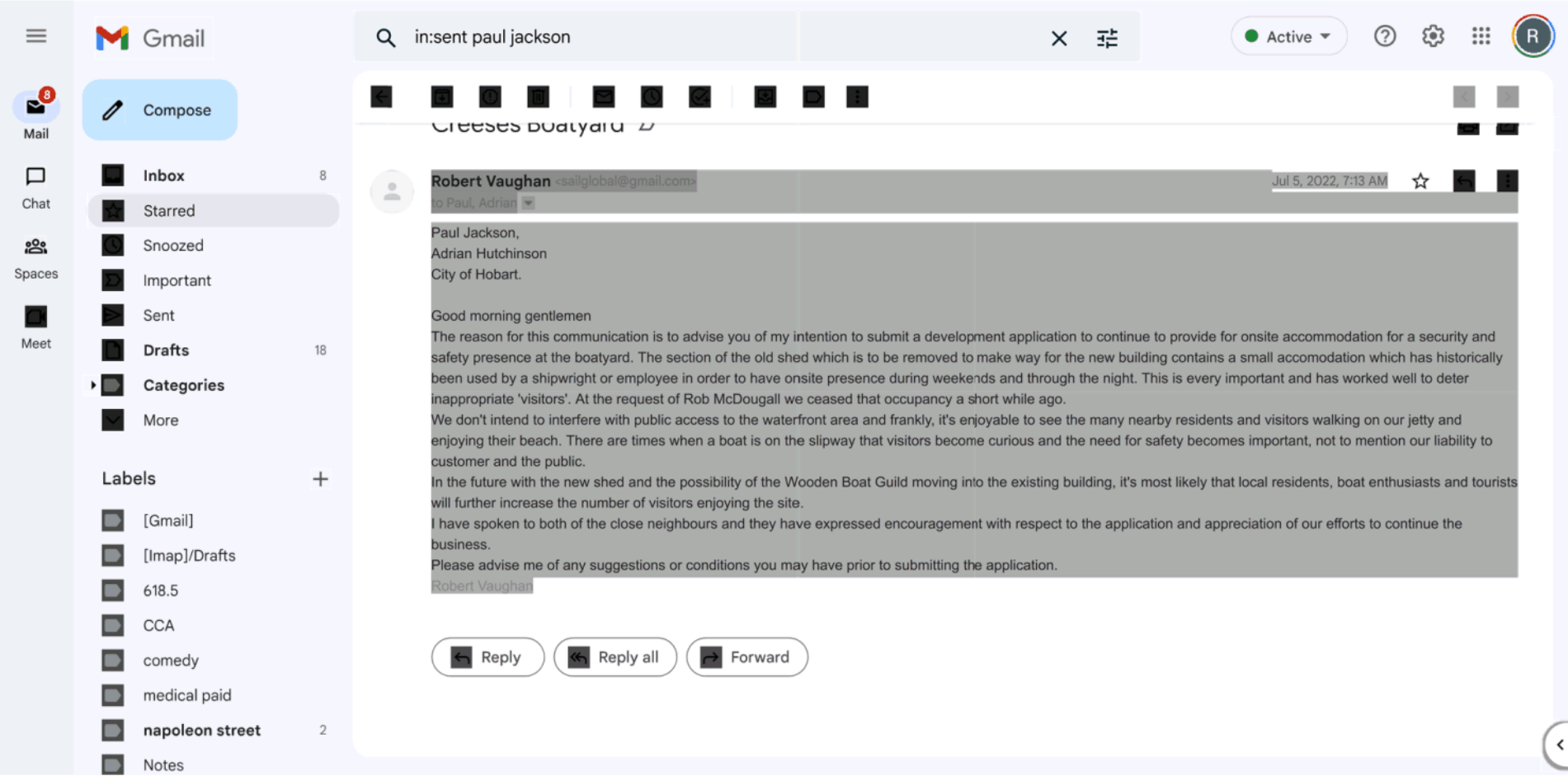
Public benefit

The project report will be made publicly available, through appropriate repositories such as Hobart City Council, Heritage Tasmania, the State Library of Tasmania and the National Library of Australia (Trove).

It is not considered feasible to have any on-site public benefit events during the works program.

Site contamination and live services

It is the responsibility of the proponent of the development to investigate the possibility of site contaminants, and to either verify that no site contaminants are present, or to take required measures to deal with any known or likely contaminants during excavation works (noting that any necessary decontamination works may require archaeological input). Further, it is the responsibility of the proponent to ensure that any live services are identified and managed accordingly.





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

2 November 2022

ROBERT VAUGHAN
29 PROCTORS ROAD
DYNMYRNE TAS 7005

mailto: sailglobal@gmail.com

Dear Sir/Madam

**18-44 NAPOLEON STREET (CT39913/3, CT39913/4, CT39913/5), BATTERY POINT -
DEMOLISH A SECTION OF THE EXISTING BUILDING AND CONSTRUCT A NEW
BOAT SHED AND SAIL LOFT TO INCLUDE AN HABITABLE SPACE. NOTICE OF
LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-22-68**

Site Address:

18-44 Napoleon Street

Description of Proposal:

Partial Change of Use to Residential (Caretaker's Dwelling)

Applicant Name:

Robert Vaughan

PLN (if applicable):

PLN-22-609

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

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

as the statutory planning authority.

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:

Sheets 1 to 8 from Adorn Drafting dated 14/01/2022

SITE INFORMATION		NOTES	
BUILDING DESIGNER	- STEPHEN LAWES	Luminance contrast	
ACCREDITATION	- CC 4667 J	AS 1428.1:2009 defines luminance contrast as "the light reflected from one surface or component, compared to the light reflected from another surface or component". It relates to the difference in the light reflective properties of each colour/surface. Improving luminance contrast in the environment supports many vision impairments.	
LAND TITLE REFERENCE No	- CT 39913/5	In the disable toilet	
BUILDING CLASS 'C'	- 242 m2	10.1 Doorway Identification	
GROUN FLOOR BOAT SHED	- 143 m2	All doorways shall have a minimum luminance contrast of 30 % provided between:	
UPPER FLOOR BOAT SHED	- N3	(a) door leaf and door jamb; or	
DESIGN WIND SPEED	- P	(b) door leaf and adjacent wall; or	
SOIL CLASSIFICATION	- 7	(c) architrave and wall; or	
CLIMATE ZONE	- NO	(d) door leaf and architrave; or	
FLOODING	- NO	(e) door jamb and adjacent wall.	
BAL RATING	- EXEMPT	The minimum width of the area of luminance contrast shall be 50 mm.	
DRAWING SCHEDULE		12.2.3 Seat	
DWG -SHEET 1	COVER SHEET	A toilet seat shall be provided on accessible toilets. The toilet seat shall -	
DWG -SHEET 2	FLOOR PLAN	(e) have a minimum luminance contrast of 30 % with one of the following options.	
DWG -SHEET 3	UPPER FLOOR PLAN	(i) seat and pan; or	
DWG -SHEET 4	ELEVATIONS	(ii) seat and wall; or	
DWG -SHEET 5	ELEVATIONS	(iii) seat and floor against which it is viewed.	
DWG -SHEET 6	DISABLED TOILET	Measurement of luminance contrast between building elements, refer to Appendix B AS 1428.1:2021	
DWG -SHEET 7	SITE PLAN		
DWG -SHEET 8	SPECIFICATION SHEET		



Approved - General
Manager Consent Only
GMC-22-68 02/11/2022

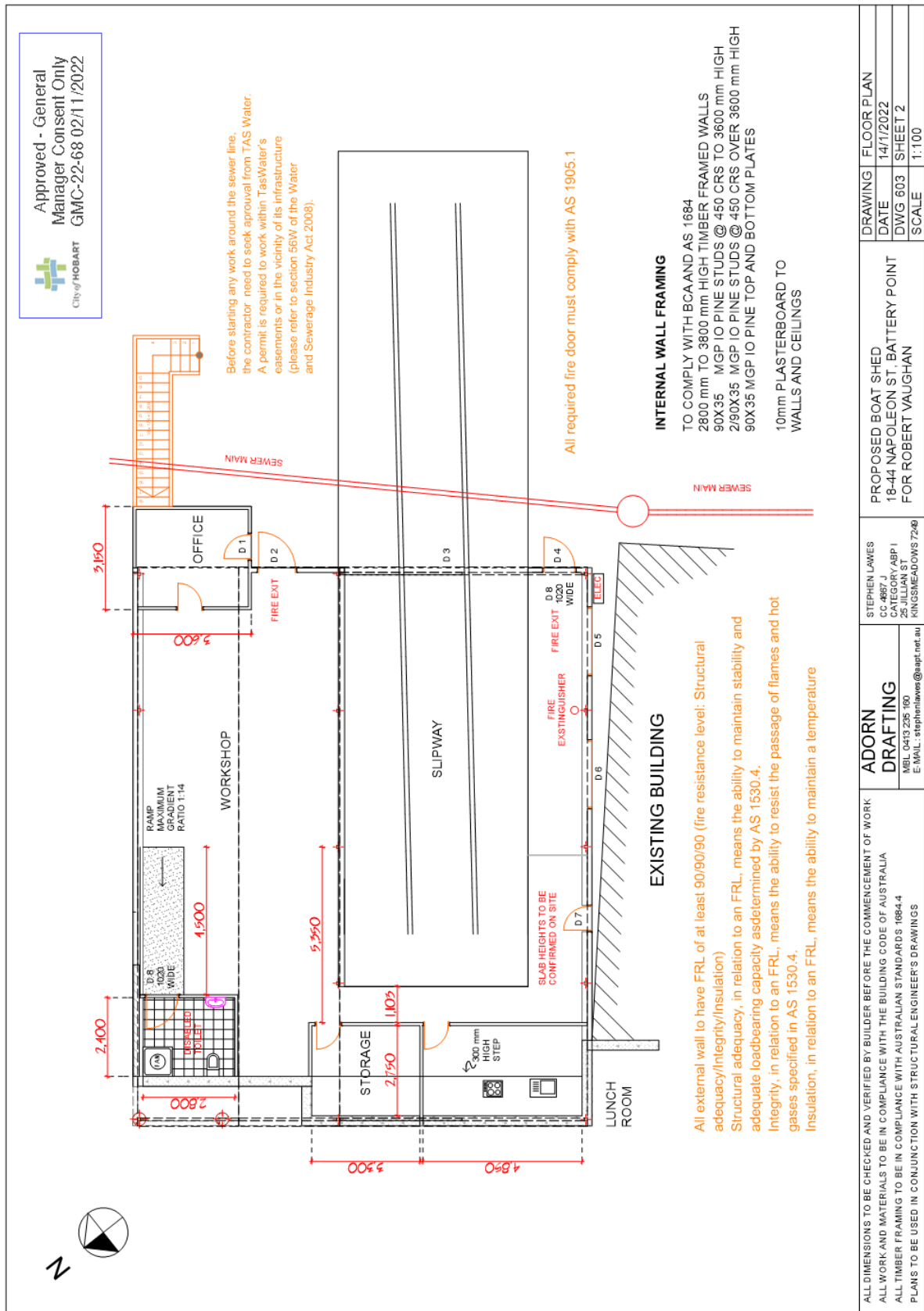
ADORN DRAFTING		PROPOSED BOAT SHED		DRAWING COVER SHEET	
STEPHEN LAWES		18-44 NAPOLEON ST. BATTERY POINT		DATE 14/1/2022	
CC-4667 J		FOR ROBERT VAUGHAN		DWG 603	
CATEGORY ABP1				SHEET 1	
25 JULIAN ST					
KINGSMED AOWS 7249					
E-MAIL: stephenlawes@aspt.net.au					

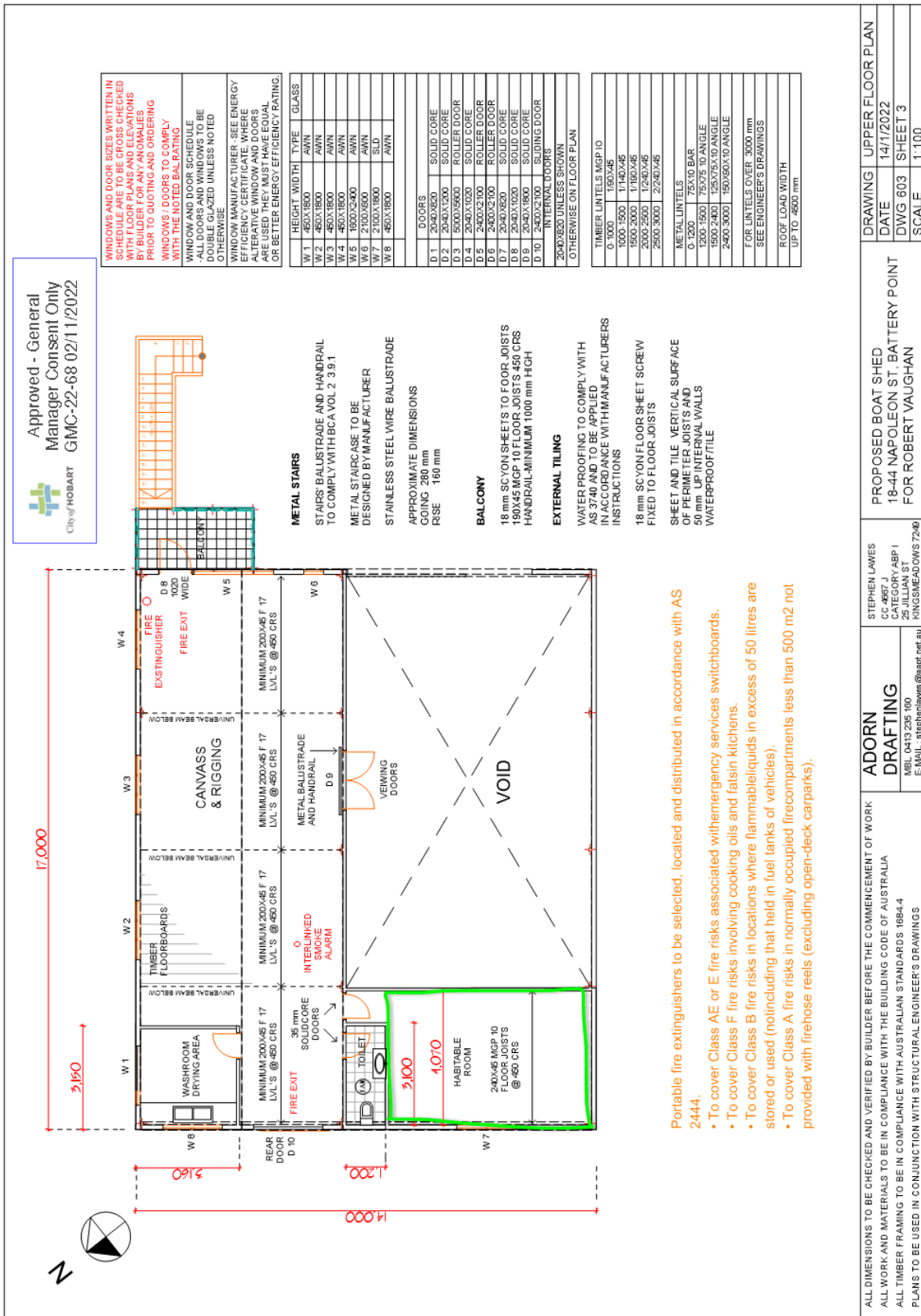
ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK

ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA

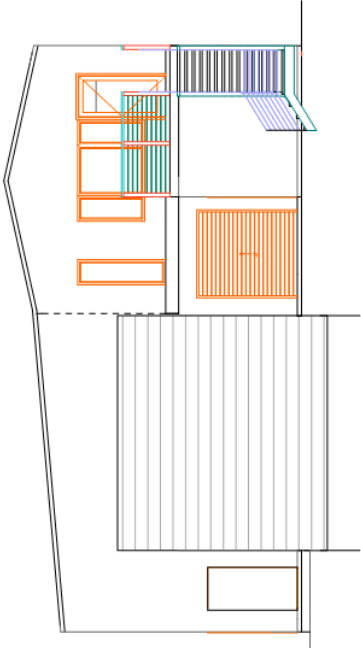
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4

PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

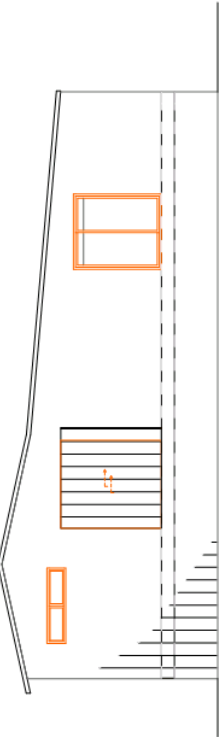




Approved - General
Manager Consent Only
GMC-22-68 02/11/2022



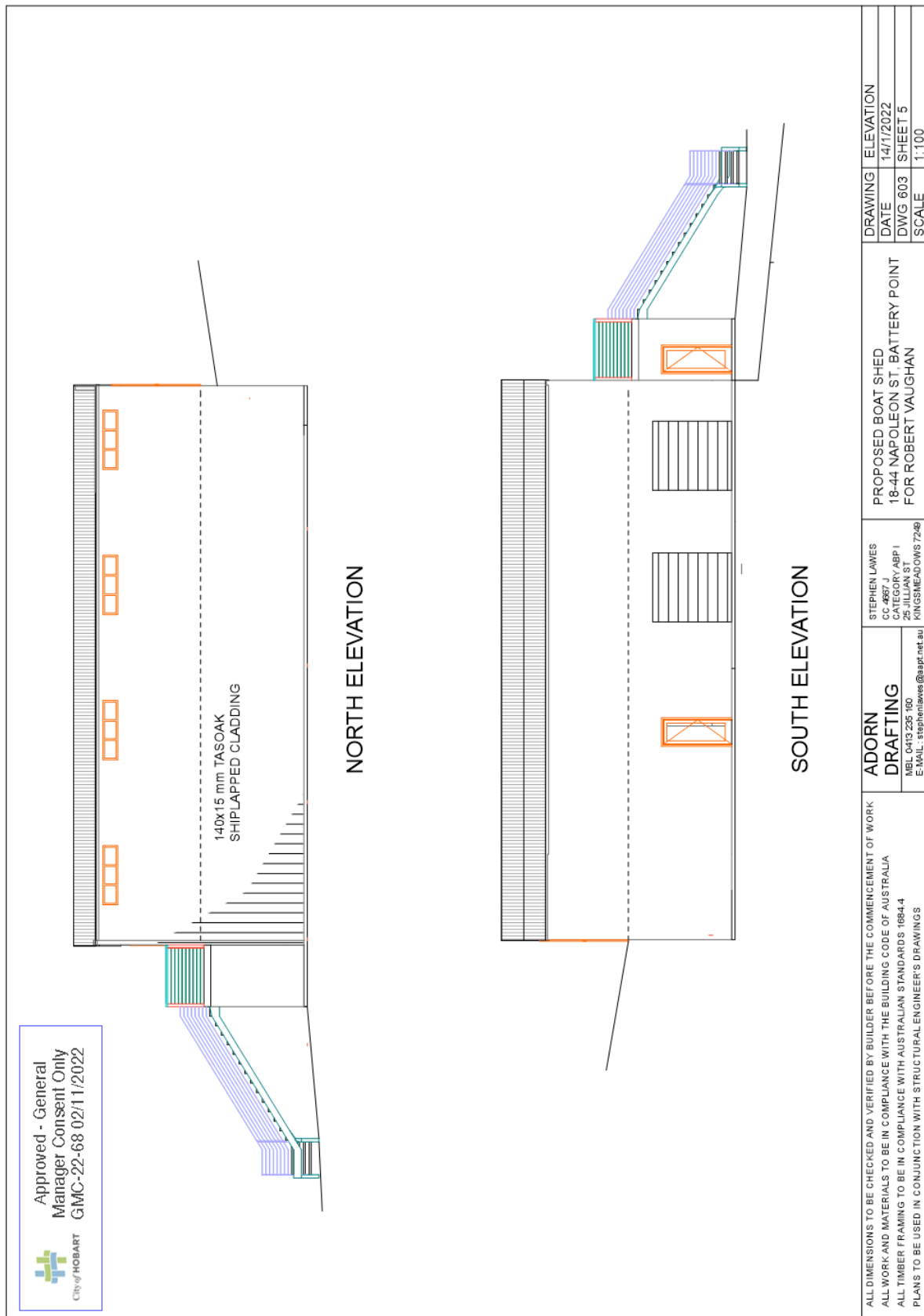
EAST ELEVATION



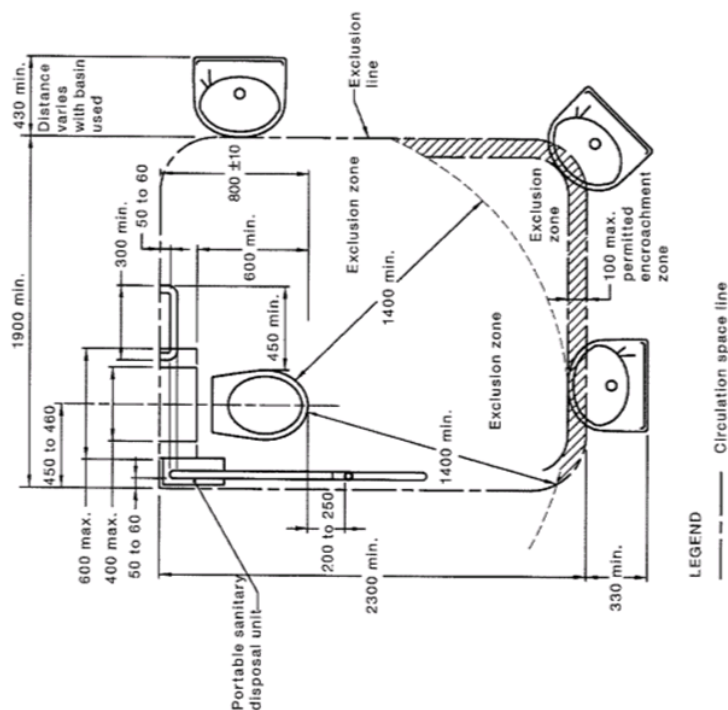
140x15 mm TASOAK
SHIPLAPPED CLADDING
Building fabric insulation must comply with AS/NZS 4859.1

WEST ELEVATION

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4 PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS	ADORN DRAFTING MBL 0413 235 160 E-MAIL: stephenl@adorn.net.au	STEPHEN LAWES CC-4667 J CATEGORY ABP 1 230 CULLEN ST RINGBROOK NSW 7249	PROPOSED BOAT SHED 18-44 NAPOLEON ST. BATTERY POINT FOR ROBERT VAUGHAN	DRAWING	ELEVATION
				DATE	14/1/2022
				DWG	603 SHEET 4
				SCALE	1:100



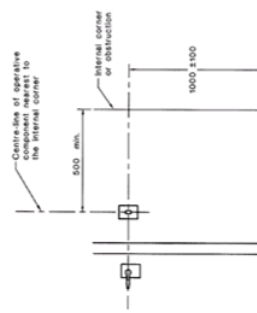
DISABLED TOILET TO COMPLY WITH AS 1428.1



CIRCULATION SPACE FOR WC PAN


 Approved - General
 Manager Consent Only
 GMC-22-68 02/11/2022

DOOR HANDLE AND SWITCH POSITIONS

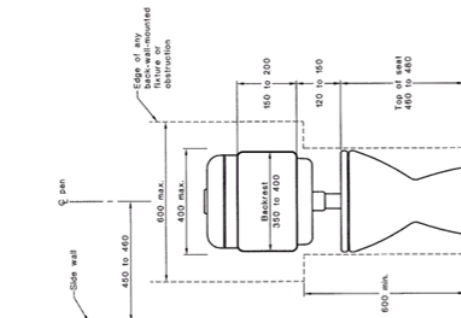


CIRCULATION SPACE AT DOORWAY

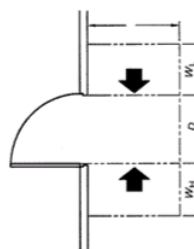
Dimension D	Dimension L	Dimension W_H	Dimension W_L
850	1240	560	660
900	1210	510	660
950	1175	460	660
1000	1155	410	660

(c) Either side approach, door opens away from user

WATER CLOSET INSTALLATION



WATER CLOSET INSTALLATION



(c) Either side approach, door opens away from user

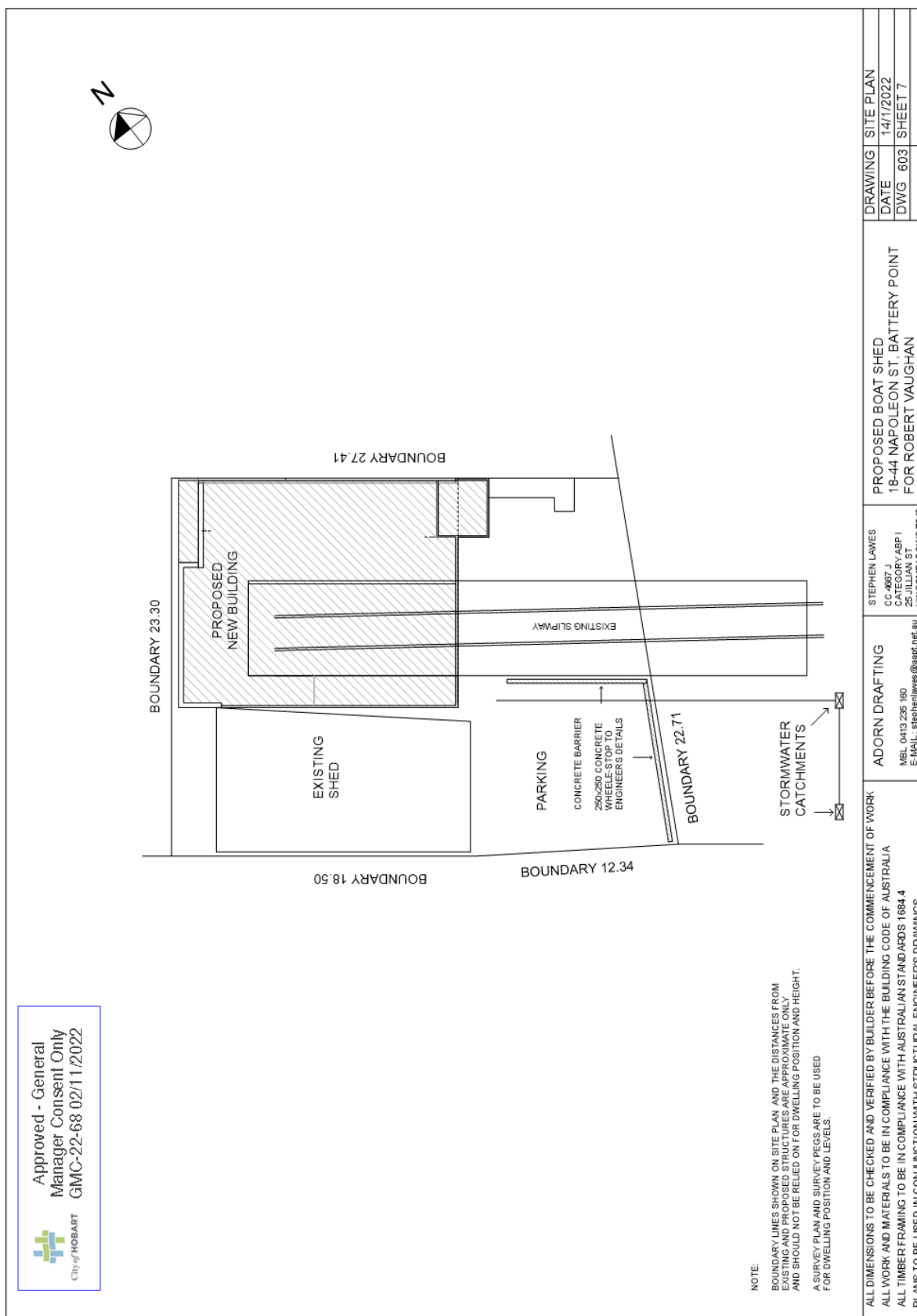
ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

**ADORN
DRAFTING**

STEPHEN LAWES
CC 4667 J
CATEGORY ABP I
25 JILLIAN ST
KINGSMEADOWS 7

PROPOSED BOAT SHED
18-44 NAPOLEON ST, BATTERY POINT
FOR ROBERT VAUGHAN

DRAWING	DISABLED TOILET
DATE	14/1/2022
DWG 603	SHEET 6
SCALE	1:100



GENERAL SPECIFICATIONS	FLOORS	BUILDING FABRIC	TYPICAL WALL FRAME
BEFORE COMMENCING ANY WORK, QUOTING ON OR ORDERING ANY MATERIALS VERIFY DIMENSIONS, SETBACKS AND ALL EXISTING AND PROPOSED LEVELS.	GENERALLY TO COMPLY WITH BCA 3.12.1.5 AND AS 1688.2 - SEE PLANS AND ENGINEERS DRAWINGS FOR MEMBER SIZES, SPACING AND RELEVANT SPECIFICATIONS	GENERALLY TO BE IN ACCORDANCE WITH 3.12.1 BUILDING FABRIC INSULATION INSULATED TO FORM CONTINUOUS BARRIER TO ROOF, CEILINGS WALLS AND FLOORS	TO COMPLY WITH BCA AND AS 1684, 200 mm HIGH BRICK VENEER WALLS 90X35 MGP 10 PINE STUDS AND NOGGINGS, 90X35 MGP 10 PINE TOP AND BOTTOM PLATES, BRACING AND TIE DOWNS TO ENGINEERS DRAWINGS
IF DURING THE SETOUT AND CONSTRUCTION OF THE WORKS ANY DISCREPANCIES ARISE IN THE DIMENSIONS OR LOCUS THE DESIGNER SHOULD BE CONTACTED FOR CLARIFICATION AND ADVICE BEFORE WORK CONTINUES.	FRAMING TIMBER FRAMING TO BE IN ACCORDANCE WITH AS 1684. MANUFACTURED TIMBER MEMBERS TO BE IN ACCORDANCE WITH MANUFACTURERS PRESCRIBED FRAMING MANUAL.	REFLECTIVE BUILDING MEMBRANE INSTALLED TO CLADDING AND FITTED CLOSELY UP TO PENETRATIONS/OPENINGS, ADEQUATELY SUPPORTED AND JOINTS TO BE LAPPED A MINIMUM OF 150 mm.	10mm PLASTERBOARD TO WALLS AND CEILINGS INSULATION BATS TO WALLS TO COMPLY WITH BCA 3.12.1.5 AND AS 1684.1 BATS TO CEILINGS TO COMPLY WITH BCA PART 3.12.1.1
ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST 'BUILDING REGULATIONS' AND 'THE BUILDING CODE OF AUSTRALIA' AND AS 1684.4. RESIDENTIAL TIMBER FRAMED CONSTRUCTION FOR THE RELEVANT SITE WIND VELOCITY AND THE RELEVANT 'AUSTRALIAN STANDARDS' FOR EACH ASPECT OF THE WORKS.	SUBFLOOR VENTILATION TO BE IN ACCORDANCE WITH BCA 3.14.1. SUBFLOOR AREAS TO BE FREE OF ORGANIC MATERIAL AND RUBBISH PROVIDE VENT OPENINGS IN SUBSTRUCTURE WALLS AT RATE OF 7300 mm ² M ² OF WALL LENGTH WITH VENTS NOT MORE THAN 600 mm FROM CORNERS.	ROOF AND WALL CLADDING GENERALLY TO BE IN ACCORDANCE WITH BCA 3.5. ROOF CLADDING TO BE IN ACCORDANCE WITH BCA 3.5.1.1. ROOF CLADDING TO BE IN ACCORDANCE WITH METAL SHEET ROOFING AS 1562.1, POLYCARBONATE ROOF SHEETING AS/NZS 4256.1.3 AND AS 1592.3	ENERGY EFFICIENCY GENERALLY TO BE IN ACCORDANCE WITH BCA 3.12. ENERGY EFFICIENCY TO COMPLY WITH THE CLIMATE ZONE AND STATES MINIMUM CURRENT STAR RATING REQUIREMENTS OR ABOVE.
TO ACCOMPANY THESE PLANS FOR COUNCIL BUILDING APPLICATION, A SOIL REPORT, BRACING SCHEDULE AND STRUCTURAL DESIGN IS REQUIRED BY A GEO-TECHNICAL STRUCTURAL ENGINEER.	UNDERSIDE OF FLOOR FRAMING MEMBERS TO HAVE A MINIMUM CLEARANCE OF 150 mm WITHIN 2000 mm OF THE EXTERNAL SUBFLOOR WALLS AND 400mm TO ALL OTHER AREAS - SEE B.C.A PART 3.4.1.2 SUBFLOOR VENTILATION CLEARANCE.	CUTTERS AND DOWNPIPPETS, GENERALLY TO BE IN ACCORDANCE WITH BCA 3.5.2 AND AS/NZS 3500.3.2 AND THE PLUMBING CODE DOWNPIPPETS TO BE 90 mm DIA. OR 100 X 50 mm RECTANGULAR SECTION AT MAXIMUM 12,000mm CRS AND TO BE WITHIN 1200 mm OF A VALLEY	SERVICES GENERALLY TO BE IN ACCORDANCE WITH BCA 3.12.5 HOT WATER SUPPLY SYSTEM DESIGNED AND INSTALLED IN ACCORDANCE WITH AS/NZS 3500
NOTE: DOOR AND WINDOW SIZES ARE NOMINAL ONLY OPENING SIZES ARE TO SUITE ACTUAL DOORS OR WINDOWS.	TIE DOWN AND BRACING OF TIMBER CONSTRUCTION TO BE IN ACCORDANCE WITH SECTION 8 OF AS 1684.1. ALL DOORS AND ANY ENGINEERS DRAWINGS AND SPECIFICATIONS	WALL CLADDING TO BE IN ACCORDANCE WITH BCA 3.5.3 AND MANUFACTURERS SPECIFICATIONS. FLASHINGS TO BCA 3.5.3.6.	HEALTH AND AMENITY GENERALLY - ARE WATERPROOFING TO BE IN ACCORDANCE WITH AS 3740 AND BCA 3.8.1 WATERPROOFING OF SURFACES ADJACENT TO OPEN SHOWER, INCLUDING SHOWER OVER BATH, 1500 mm FROM A VERTICAL LINE PROJECTED FROM SHOWER ROSE TO A HEIGHT 1800 mm ABOVE FINISHED FLOOR
ARCHITECTURAL PLANS ARE TO BE USED IN CONJUNCTION WITH THE ENGINEERING DRAWINGS AND SPECIFICATIONS WITH THE ENGINEERING DRAWINGS TO TAKE PRECEDENCE OVER ARCHITECTURAL PLANS.	STRUCTURAL STEEL FRAMING TO BE IN ACCORDANCE WITH BCA 3.4.4 AS 1250 AS 4100 AND STRUCTURAL ENGINEERS DESIGN AND SPECIFICATIONS	GLAZING GENERALLY BE IN ACCORDANCE WITH AS 1288 - CLASS 'A' SAFETY GLASS TO BATHROOM WINDOWS BELOW 2000 mm. EXTERNAL GLAZING IN ACCORDANCE WITH 3.12.2.1. WINDOWS ARE TO COMPLY WITH BCA WINDOW SAFETY REQUIREMENTS. REFER ALSO TO DOOR AND WINDOW SCHEDULE	WALL SURFACES ADJACENT TO PLUMBING FIXTURES, BATHS AND TO BE PROTECTED TO A HEIGHT OF 1500 mm. ACCORDANCE WITH BCA 3.8.2
SITE WORKS AND GROUND LEVELS	ROOF TRUSSES TO BE DESIGNED BY TRUSS MANUFACTURER ON APPROVED OR ACCREDITED SOFTWARE AND AN ENGINEERS CERTIFICATE. IS TO BE SUPPLIED BY THE MANUFACTURER. TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH ENGINEERING PRINCIPLES	MASONRY GENERALLY MASONRY WALLS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH BCA 3.3 AND AS 3703. REINFORCED CONCRETE WALLS TO BCA 3.3.1 REINFORCED MASONRY TO BCA 3.3.2. MASONRY ACCESSORIES TO BCA 3.3.3. WEATHERPROOFING OF MASONRY TO BCA 3.3.4.	FACILITIES GENERALLY TO BE IN ACCORDANCE WITH BCA 3.8.3 REQUIRED FACILITIES IN ACCORDANCE WITH 3.8.3.2 SANITARY COMPARTMENTS TO BE IN ACCORDANCE WITH BCA 3.8.3.3. PROVISIONS OF NATURAL LIGHT TO BE IN ACCORDANCE WITH BCA 3.8.4.2. WINDOWS/ROOF LIGHTS TO PROVIDE LIGHT TRANSMISSION ARE EQUAL TO 10 % OF FLOOR AREA OF THE ROOM.
EXCAVATION AND FILLING OF THE SITE TO BE IN ACCORDANCE WITH BCA PART 3.1.4 AND AS 2870 AND ANY SPECIAL DETAILS OR INSTRUCTIONS ON THE ENGINEERS DRAWINGS SHALL TAKE PRECEDENCE.	TRUSSES SHALL BE HANDLED, ERECTED, INSTALLED AND BRACED IN ACCORDANCE WITH AS 4440 AND MANUFACTURERS SPECIFICATIONS.	INSULATION TO MAINTAIN THICKNESS AND POSITION AFTER INSTALLATION INSURE CONTINUOUS COVER WITHOUT VOIDS EXCEPT AROUND SERVICES AND FITTINGS	VENTILATION TO BE IN ACCORDANCE WITH BCA 3.8.5 OR AS 1688.2 FOR MECHANICAL VENTILATION EXHAUST FROM BATHROOM/MWC TO BE VENTED OUTSIDE FOR STEAL ROOF - ANT TO BE VENTED SPACE FOR TILE ROOF. NATURAL VENTILATION TO BE PROVIDED AT RAKE OF ROOF. FLOOR AREA IN ACCORDANCE WITH BCA 3.8.5.2
SURFACE DRAINAGE - ALL FINISHED GROUND TO FALL AWAY FROM BUILDING - 1 IN 50 (1 IN 100 MINIMUM). FINISHED SLAB LEVELS ARE TO BE 150 mm MINIMUM ABOVE FINISHED GROUND LEVEL AND 100 mm ABOVE PATHS. GARAGE DOORWAY TO BE SHAPED TO TAKE WATER AWAY.	TIE TRUSSES TO TOP PLATE OF EXTERNAL WALLS WITH PRYDA'S UNITE BRACKETS - FIX WITH 435X1315mm GALVANIZED CONNECTOR NAILS TO EACH END.	TO MAINTAIN THICKNESS AND POSITION AFTER INSTALLATION INSURE CONTINUOUS COVER WITHOUT VOIDS EXCEPT AROUND SERVICES AND FITTINGS	
FOOTINGS AND SLABS	TRUSS BOTTOM CORD TO BE TIED TO INTERNAL WALLS WITH PRYDA HITCH STABILIZERS - FIX WITH 335X1315mm CONNECTOR NAILS TO TRUSS CORD AND 3 TO TOP PLATE	INSULATION TO MAINTAIN THICKNESS AND POSITION AFTER INSTALLATION INSURE CONTINUOUS COVER WITHOUT VOIDS EXCEPT AROUND SERVICES AND FITTINGS	
GENERALLY TO BE IN ACCORDANCE WITH AS 2870. PREPARATION AND PLACEMENT OF CONCRETE AND REINFORCEMENT TO BE TO AS 2870 CONCRETE AND STEEL REINFORCEMENT TO BE IN ACCORDANCE WITH AS 2870 AND AS 3600.	PRYDA SPEED BRACING INSTALLATION AS TO TRUSS MANUFACTURERS BRACING LAYOUT PLAN - FIX WITH 235X1315mm CONNECTOR NAILS PER TRUSS AND TO MANUFACTURERS SPECIFICATIONS	DETAILS AND POSITION OF CONTROL JOINTS.	
ALTERNATIVELY FOOTINGS AND SLABS TO BE IN ACCORDANCE WITH STRUCTURAL ENGINEERS DRAWINGS AND SPECIFICATIONS	MANUFACTURERS SPECIFICATION TO TAKE PRECEDENCE OVER THE ABOVE RECOMMENDED TIE DOWN OPTIONS		
THE SITE CLASSIFICATION TO BE IN ACCORDANCE WITH AS 2870. REFER TO SOIL REPORT FOR SITE CLASSIFICATION. IF ANY SOFT GROUND OR GROUND DIFFERENT FROM THE SOIL REPORT IS FOUND DURING EXCAVATION IT SHOULD BE REPORTED TO THE BUILDING SURVEYOR FOR INSTRUCTIONS.	METAL FLOORING CHANNEL SCREW FIXED @ 450 CRS TO BOTTOM CORD OF ROOF TRUSSES		

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK	ADORN DRAFTING	STEPHEN LAWES CC 4867 J CATEGORY ABP I KONIGSMEIER STR 7249 E-MAIL: stephenlawes@aspl.net.au	PROPOSED BOAT SHED 18-44 NAPOLEON ST. BATTERY POINT FOR ROBERT VAUGHAN	DRAWING SPECIFICATIONS
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA				DATE 14/1/2022
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4				DWG 603
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEERS DRAWINGS				SHEET 8

Approved - General
Manager Consent Only
GMC-22-68 02/11/2022

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 39913	FOLIO 3
EDITION 1	DATE OF ISSUE 22-Feb-1994

SEARCH DATE : 15-Sep-2022

SEARCH TIME : 11.55 AM

DESCRIPTION OF LAND

City of HOBART
Lot 3 on Sealed Plan 39913
Derivation : Whole of 1A-0R-17Ps. Gtd. to G. Hall, Whole of
1A-0R-4Ps. Gtd. to J. Watson, Whole of 0A-3R-6Ps. Gtd. to B.
Guy, Part of 90 Acres Located to W. Sorell and Whole of 131m2,
93.1m2 & 1697m2 Gtd. to Lord Mayor Aldermen & Citizens of the
City of H
Prior CT 4605/56

SCHEDULE 1

A6886 CT, SP 22470 HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 39913 EASEMENTS in Schedule of Easements
B334883 LEASE to Muir Engineering Pty. Limited of a leasehold
estate for the term of 50 years from 1-Feb-1990.
Registered 26-Feb-1990 at noon
Leasehold Title(s) issued: 39913A/3
C676597 TRANSFER of LEASE B334883 to ROBERT JOHN MUIR and
WENDY ELIZABETH MUIR Registered 18-May-2011 at noon
Leasehold Title(s) issued: 39913A/3

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

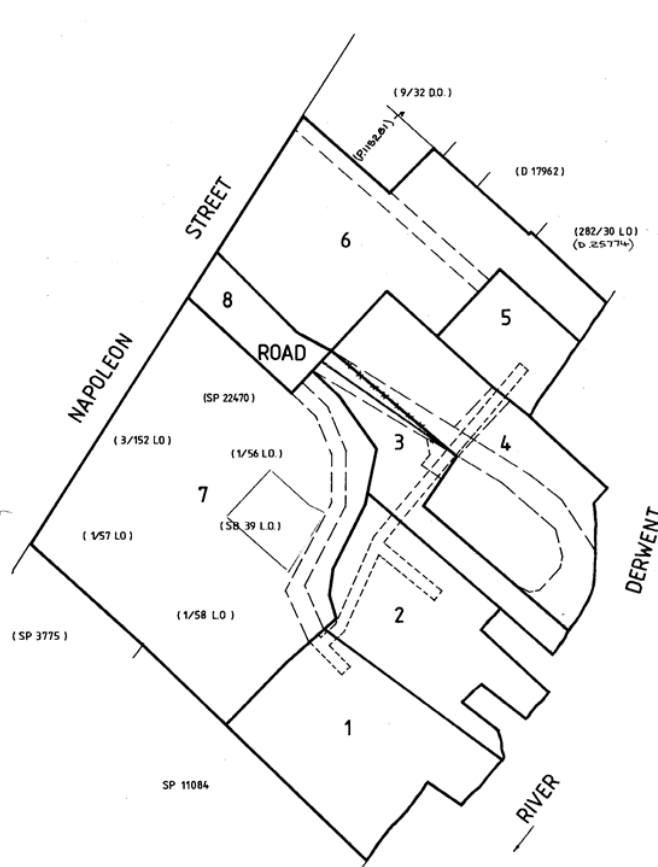
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



5P39913

Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART	PLAN OF SURVEY by Surveyor..... P.S. FLEMING of land situated in the CITY OF HOBART	Registered Number: SP39913 Approved Effective from: 11 OCT 1989 <i>Michael R. Smith</i> Recorder of Titles
Title Reference: C.T. 4265 / 100	SCALE 1:750 MEASUREMENTS IN METRES	
Grantee: WHOLE OF 1a-0r-17p GRANTED TO GEORGE HALL WHOLE OF 1a-0r-4p GRANTED TO JOHN WATSON WHOLE OF 0a-3r-6p GRANTED TO BENJAMIN GUY PART OF 90a-0r-0p LOCATED TO WILLIAM SORELL WHOLE OF 131m ² , 93.1m ² & 1697m ² GRANTED TO THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART <i>v/n s/n/s 26/2/89</i>		



BOUNDARY AMENDMENT IN RED
MADE UNDER SECTION 139 OF THE
LAND TITLES ACT 1980

Michael R. Smith
RECORDER OF TITLES
8/3/90



FOLIO PLAN

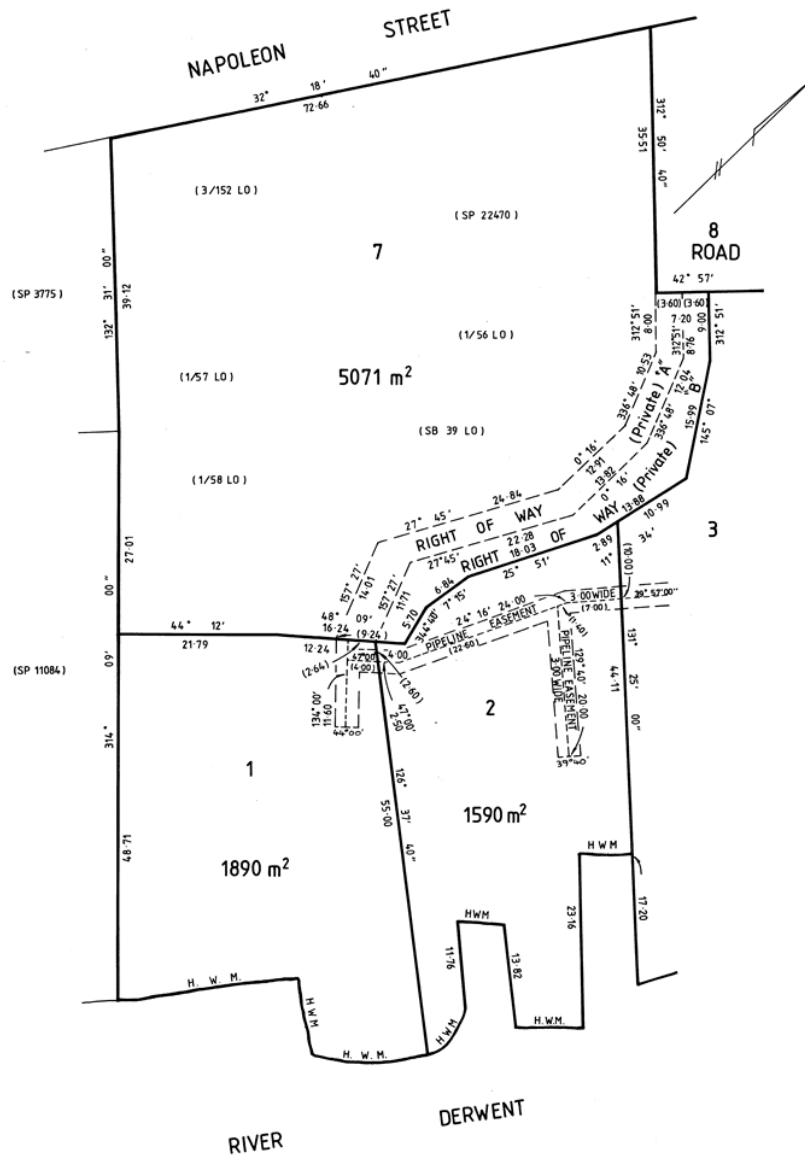
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



CD-A-1100

<p>ANNEXURE SHEET No. 1 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: SP39913</p>
<p>Signed for the purposes of identification TOWN Clerk _____</p>	<p>Surveyor: _____ Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265/100</p>	<p>Scale 1:400 Measurements in Metres</p>





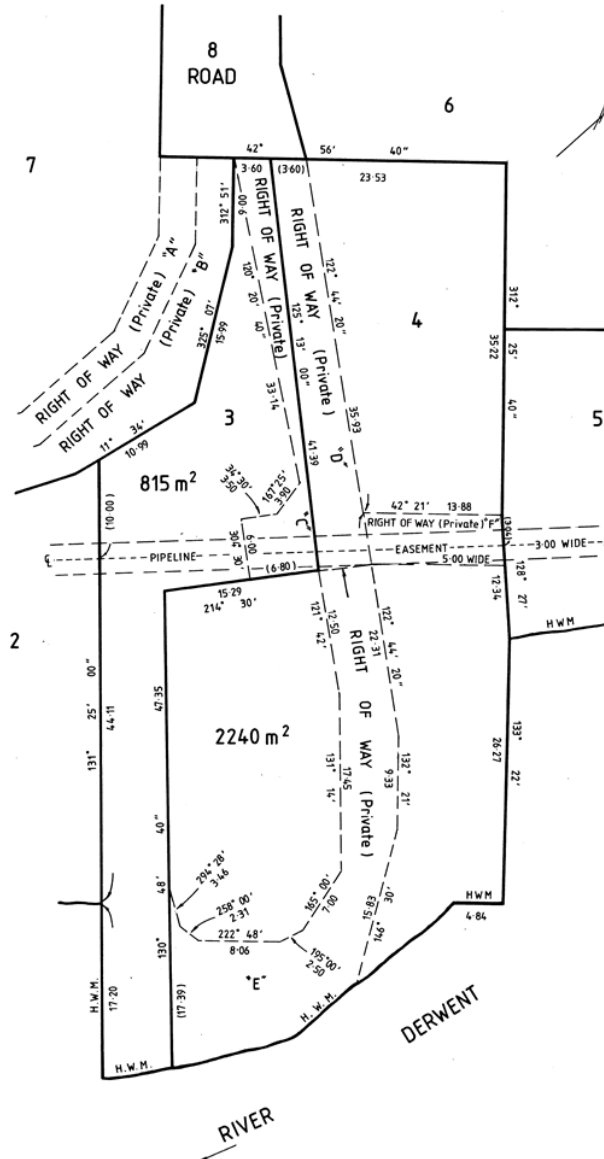
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 2 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification TOWN Council Clerk:	Surveyor: Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265 / 100	Scale 1:300 Measurements in Metres



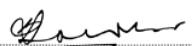


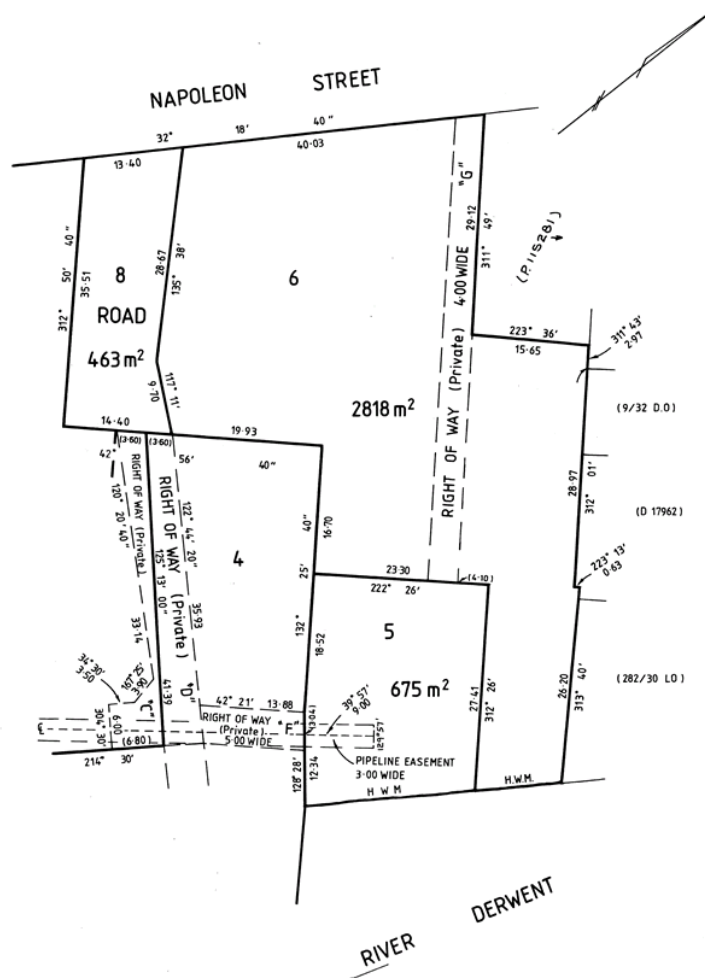
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 3 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification  TOWN Council Clerk	Surveyor: <u>Peter Spencer Fleming</u> Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265/100	Scale 1:400 Measurements in Metres



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SCHEDULE OF EASEMENTS****PLAN NO.****SP39913**

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

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

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

Each lot on the plan is subject to:—

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

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

SCHEDULE OF EASEMENTS**Lot 1 is**

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 2 is

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 3 is

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 4 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over the land marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 4 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "D"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "F"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 5 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of the Lot 4 marked 'Right of Way (Private) "F"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 6 marked 'Right of Way (Private) 4.00 wide "G"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

Lot 6 is

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) 4.00 Wide "G"' on the plan.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

LOT 7 is

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "A"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "B"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "A"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "B"" on the plan.

DATED the 22ND day of MAY 1989.

THE COMMON SEAL of the LORD)
MAYOR ALDERMEN AND CITIZENS)
OF THE CITY OF HOBART was)
hereunto affixed in the)
presence of:)

L.R. Kennedy
LORD MAYOR

[Signature]
TOWN CLERK

THE COMMON SEAL of THE)
NATIONAL TRUST OF AUSTRALIA)
(TASMANIA) was hereunto)
affixed in the presence of:)



Members of
Council

Secretary

SIGNED SEALED AND DELIVERED by

..... ~~being and~~
~~as the DIRECTOR GENERAL OF LANDS~~
~~for and on behalf of the MINISTER~~

ADMINISTERING THE CROWN LANDS ACT 1976 in the presence of:

This is the schedule of easements attached to the plan of
(Insert Subdivider's Full Name)

The Lord Mayor, Aldermen and Citizens of the City of Hobart..... affecting land in

CT 4265/100

(Insert Title Reference)

Sealed by City of Hobart

on 22ND MAY 1989

Solicitor's Reference NDH:MJD

[Signature]
Council Clerk/Town Clerk

06-4-3134

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 39913	FOLIO 4
EDITION 1	DATE OF ISSUE 02-May-1994

SEARCH DATE : 30-Jun-2022

SEARCH TIME : 02.58 PM

DESCRIPTION OF LAND

City of HOBART
Lot 4 on Sealed Plan 39913
Derivation : Whole of 1A-0R-17Ps Gtd to G Hall, Whole of
1A-0R-4Ps Gtd to J Watson, Whole of 0A-3R-6Ps Gtd to B Guy, Pt
of 90 Acres Located to W Sorell and Whole of 131m2, 93.1m2 &
1697m2 Gtd. to the Hobart City Council.
Prior CT 4605/57

SCHEDULE 1

6886 CT. & SP 22470 HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 39913 EASEMENTS in Schedule of Easements
B349846 LEASE to Michael Muir of a leasehold estate for the
term of 50 years from 1-Feb-1990 Registered
03-May-1990 at noon
Leasehold Title(s) issued: 39913A/4

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

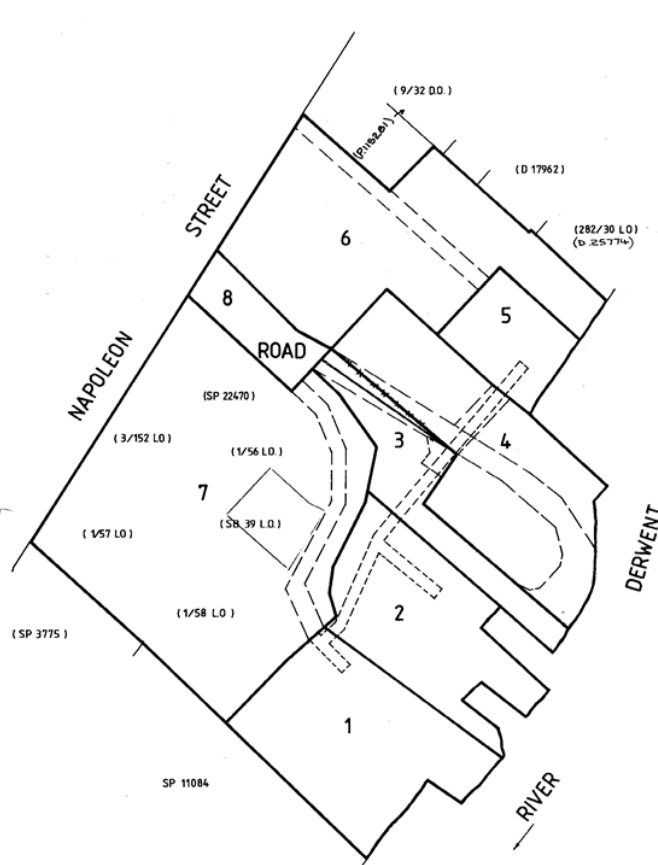
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



5P39913

Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART	PLAN OF SURVEY by Surveyor..... P.S. FLEMING of land situated in the CITY OF HOBART	Registered Number: SP39913 Approved Effective from: 11 OCT 1989 <i>[Signature]</i> Recorder of Titles
Title Reference: C.T. 4265 / 100	SCALE 1:750 MEASUREMENTS IN METRES	
Grantee: WHOLE OF 1a-0r-17p GRANTED TO GEORGE HALL WHOLE OF 1a-0r-4p GRANTED TO JOHN WATSON WHOLE OF 0a-3r-6p GRANTED TO BENJAMIN GUY PART OF 90a-0r-0p LOCATED TO WILLIAM SORELL WHOLE OF 131m ² , 93.1m ² & 1697m ² GRANTED TO THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART <i>v/n s/n/s 26/2/89</i>		



BOUNDARY AMENDMENT IN RED
MADE UNDER SECTION 139 OF THE
LAND TITLES ACT 1980

[Signature]
RECORDER OF TITLES
8/3/90





FOLIO PLAN

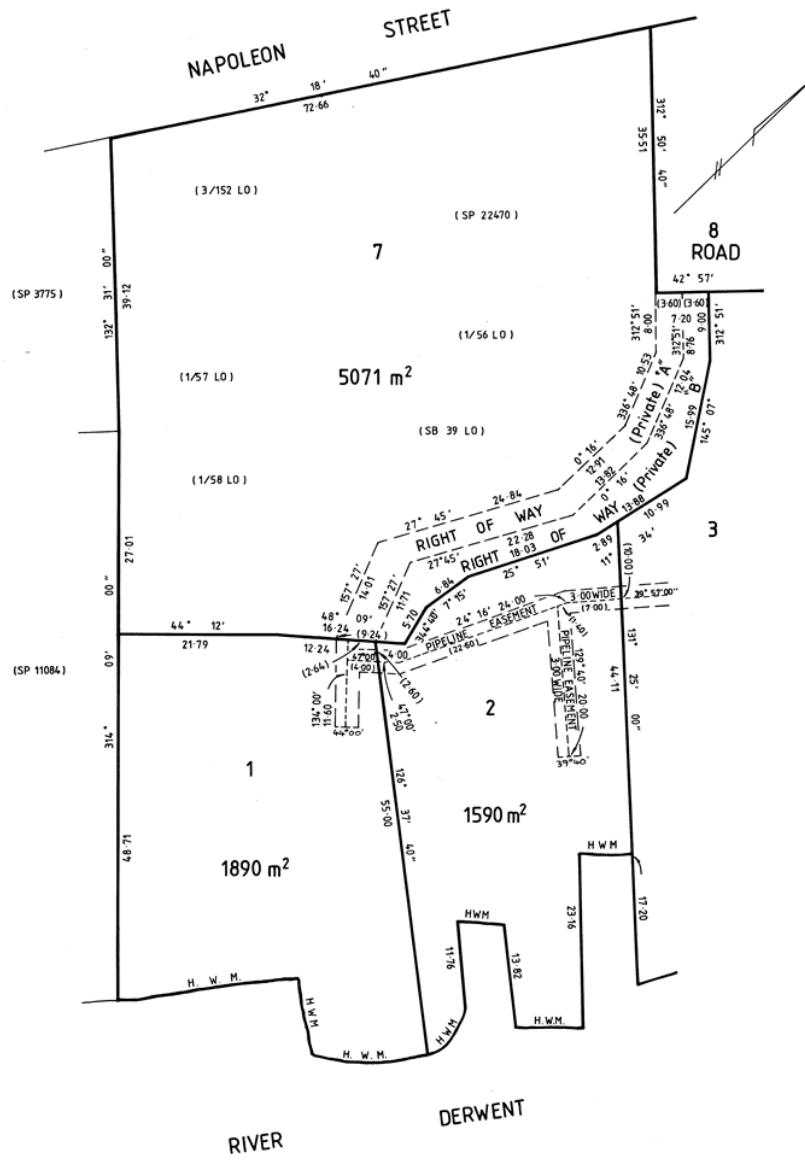
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



CD-A-1100

ANNEXURE SHEET No. 1 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification Town Clerk 	Surveyor  Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265/100	Scale 1:400 Measurements in Metres





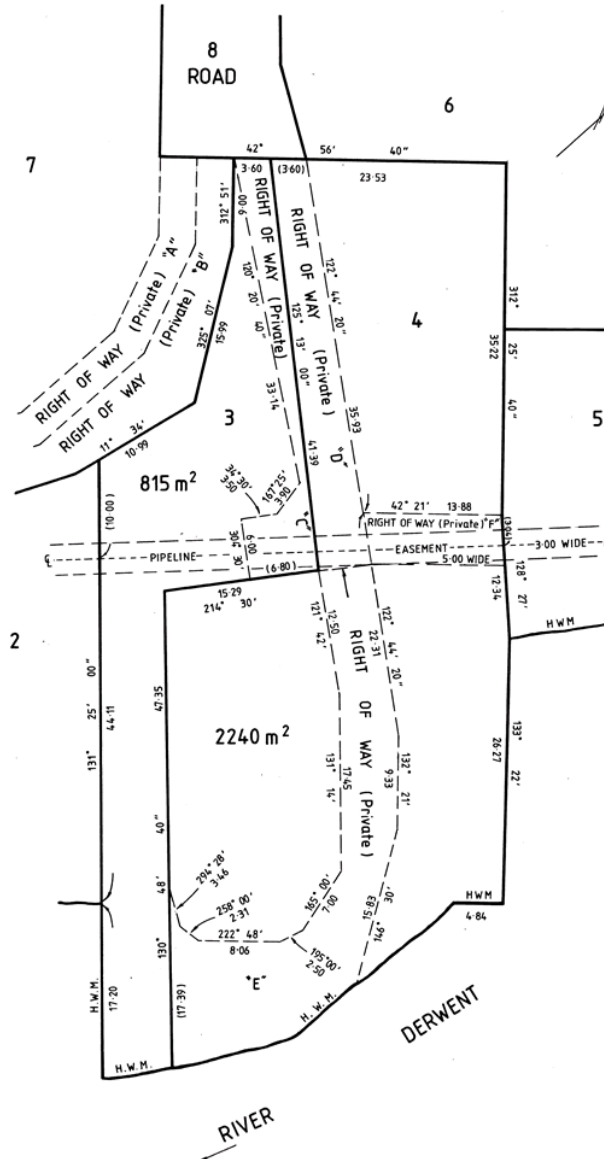
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 2 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification TOWN Council Clerk:	Surveyor: Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265 / 100	Scale 1:300 Measurements in Metres



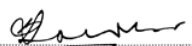


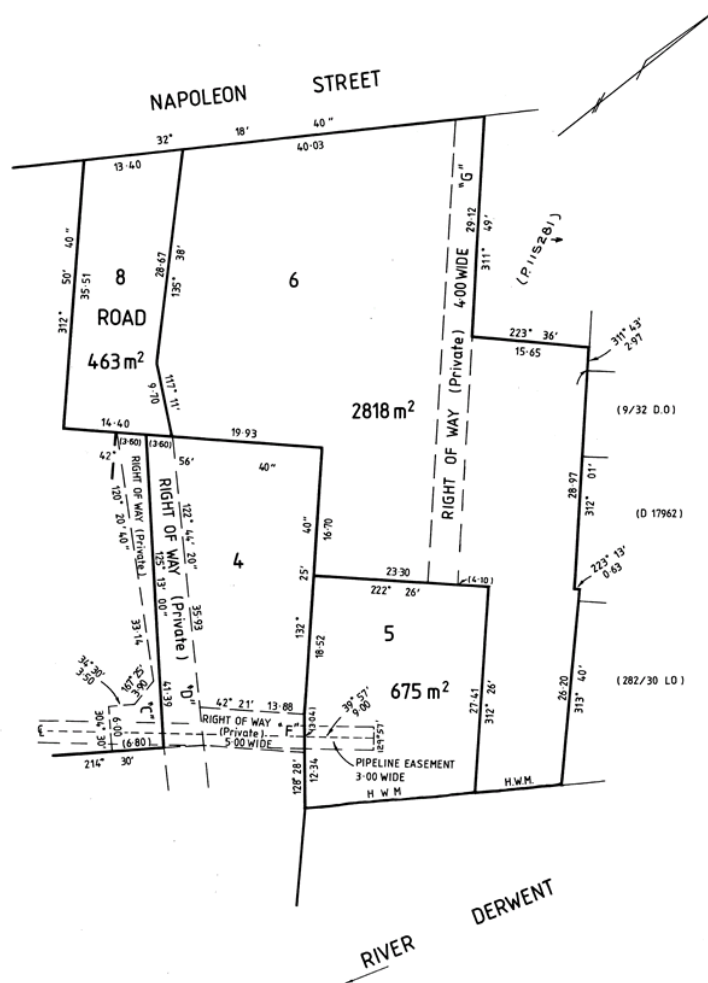
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 3 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification  TOWN Clerk	Surveyor: <u>Peter Spencer Fleming</u> Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265/100	Scale 1:400 Measurements in Metres



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SCHEDULE OF EASEMENTS****PLAN NO.****SP39913**

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

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

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

Each lot on the plan is subject to:—

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

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

SCHEDULE OF EASEMENTS**Lot 1 is**

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 2 is

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 3 is

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 4 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over the land marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 4 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "D"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "F"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 5 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of the Lot 4 marked 'Right of Way (Private) "F"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 6 marked 'Right of Way (Private) 4.00 wide "G"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

Lot 6 is

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) 4.00 Wide "G"' on the plan.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

LOT 7 is

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "A"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "B"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "A"" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "B"" on the plan.

DATED the 22ND day of MAY 1989.

THE COMMON SEAL of the LORD)
MAYOR ALDERMEN AND CITIZENS)
OF THE CITY OF HOBART was)
hereunto affixed in the)
presence of:)

L.R. Kennedy
LORD MAYOR

[Signature]
TOWN CLERK

THE COMMON SEAL of THE)
NATIONAL TRUST OF AUSTRALIA)
(TASMANIA) was hereunto)
affixed in the presence of:)



Members of
Council

Secretary

SIGNED SEALED AND DELIVERED by

..... ~~being and~~
~~as the DIRECTOR GENERAL OF LANDS~~
~~for and on behalf of the MINISTER~~

ADMINISTERING THE CROWN LANDS ACT 1976 in the presence of:

This is the schedule of easements attached to the plan of
(Insert Subdivider's Full Name)

The Lord Mayor, Aldermen and Citizens of the City of Hobart..... affecting land in

CT 4265/100

(Insert Title Reference)

Sealed by City of Hobart

on 22ND MAY 1989

Solicitor's Reference NDH:MJD

[Signature]
Council Clerk/Town Clerk

06-4 3134

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 39913	FOLIO 5
EDITION 3	DATE OF ISSUE 07-May-2018

SEARCH DATE : 15-Sep-2022

SEARCH TIME : 11.53 AM

DESCRIPTION OF LAND

City of HOBART
Lot 5 on Sealed Plan 39913
Derivation : Whole of 1A-0R-17Ps Gtd to G Hall, Whole of
1A-0R-4Ps Gtd to J Watson, Whole of 0A-3R-6Ps Gtd to B Guy, Pt
of 90 Acres Located to W Sorell and Whole of 131m2 & 1697m2
Gtd to Hobart City Council.
Prior CT 4605/58

SCHEDULE 1

6886 CT, SP 22470 HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 39913 EASEMENTS in Schedule of Easements
B354138 LEASE to Max Creese Pty. Ltd. of a leasehold estate
for the term of 50 years from 1-Feb-1990
Registered 23-May-1990 at noon
Leasehold Title(s) issued: 39913A/5
C278351 TRANSFER of LEASE B354138 to Creese's Boatyard Pty
Ltd Registered 17-Aug-2001 at noon
M590529 TRANSFER of LEASE B354138 to ROBERT VAUGHAN
Registered 07-May-2018 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

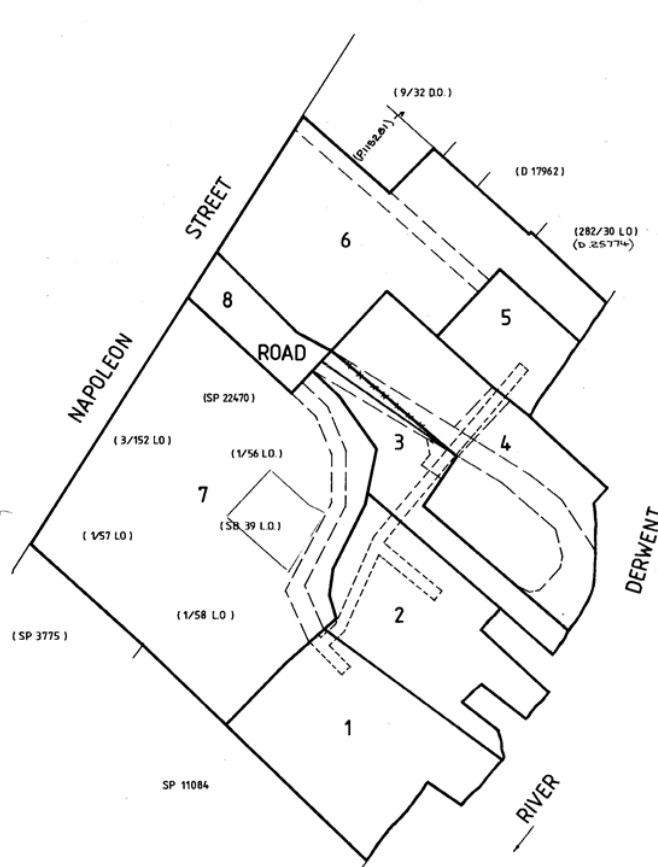
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



5P39913

Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART	PLAN OF SURVEY by Surveyor..... P.S. FLEMING of land situated in the CITY OF HOBART	Registered Number: SP39913 Approved Effective from: 11 OCT 1989 <i>Michael R. ...</i> Recorder of Titles
Title Reference: C.T. 4265 / 100	SCALE 1:750 MEASUREMENTS IN METRES	
Grantee: WHOLE OF 1a-0r-17p GRANTED TO GEORGE HALL WHOLE OF 1a-0r-4p GRANTED TO JOHN WATSON WHOLE OF 0a-3r-6p GRANTED TO BENJAMIN GUY PART OF 90a-0r-0p LOCATED TO WILLIAM SORELL WHOLE OF 131m ² , 93.1m ² & 1697m ² GRANTED TO THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART <i>v/r J.S.J.S. 26/2/89</i>		



BOUNDARY AMENDMENT IN RED
MADE UNDER SECTION 139 OF THE
LAND TITLES ACT 1980

Michael R. ...
RECORDER OF TITLES
8/3/90



FOLIO PLAN

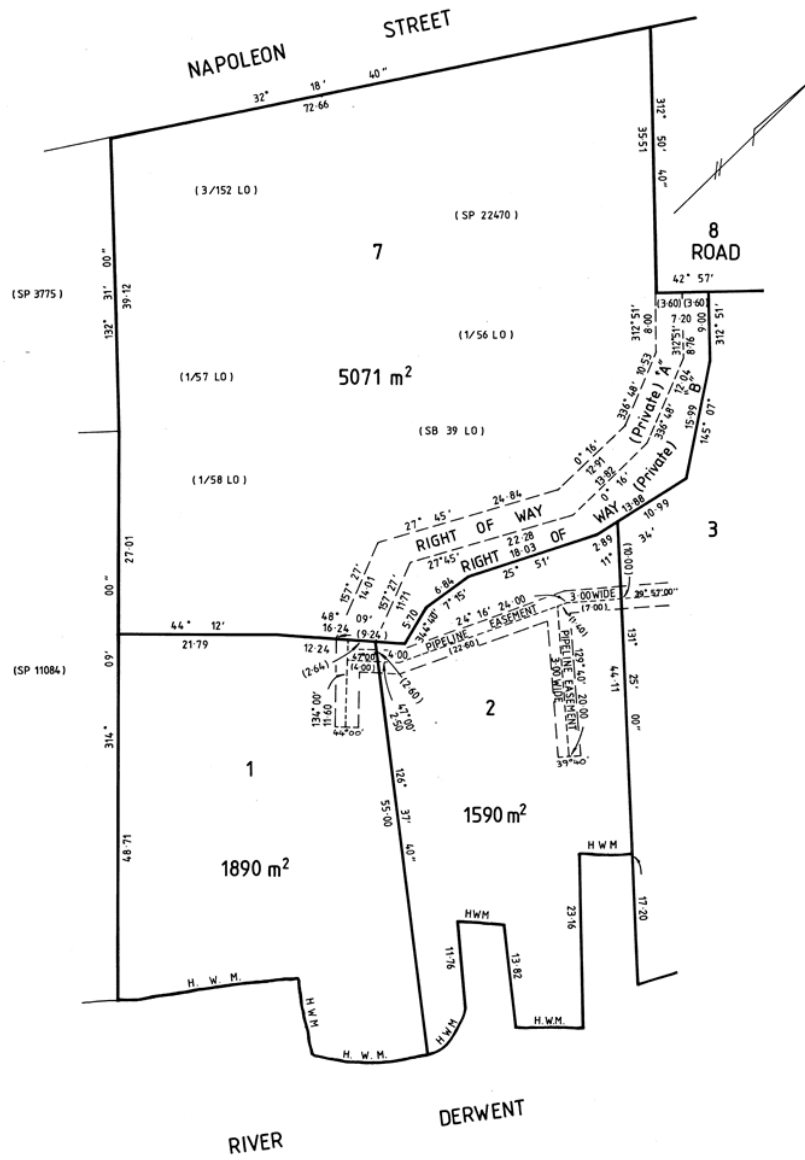
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



CD-A-1100

ANNEXURE SHEET No. 1 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.	Registered Number: SP39913
Signed for the purposes of identification	Surveyor: <i>Peter Fleming</i>	Scale 1:400
Town Clerk: <i>[Signature]</i>	Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265/100	Measurements in Metres





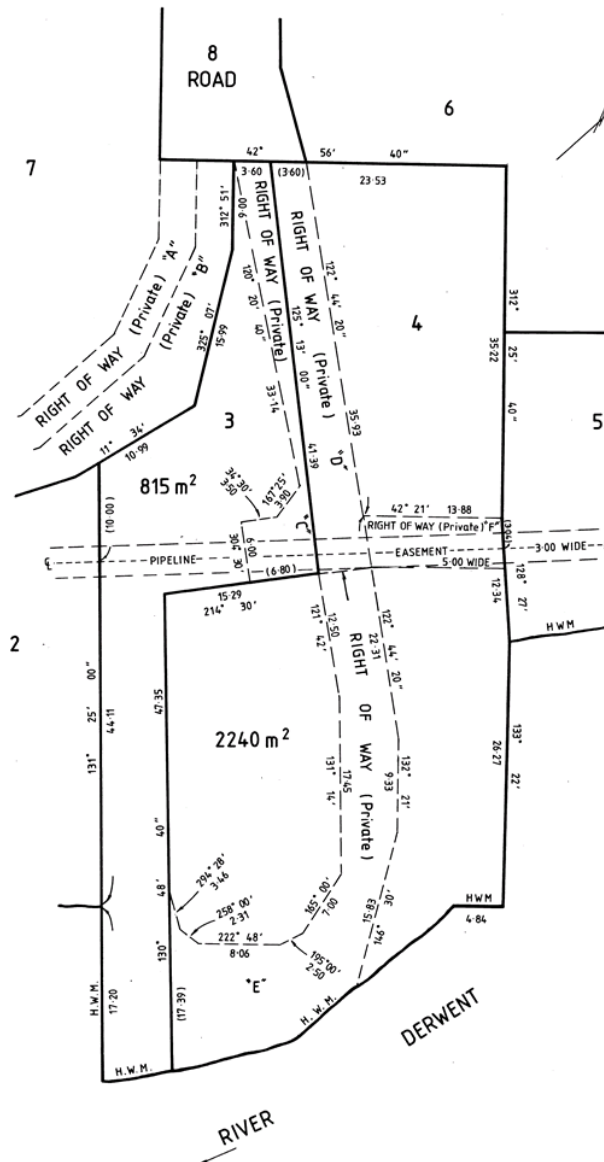
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 2 (of 3 annexures) to plan by Surveyor PETER SPENCER FLEMING	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet. Surveyor: <i>Peter Spencer Fleming</i>	Registered Number: SP39913
Signed for the purposes of identification TOWN Council Clerk: <i>[Signature]</i>	Owner: THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF HOBART Title Reference: C.T. 4265 / 100	Scale 1:300 Measurements in Metres



**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SCHEDULE OF EASEMENTS****PLAN NO.****SP39913**

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

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

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

Each lot on the plan is subject to:—

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

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

SCHEDULE OF EASEMENTS**Lot 1 is**

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 2 is

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "A"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 7 marked 'Right of Way (Private) "B"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 3 is

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 4 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over the land marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 4 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "D"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "D"' on the plan.

**SCHEDULE OF EASEMENTS**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SUBJECT TO a right of carriageway appurtenant to Lot 3 on the plan marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway in favour of the Crown over that land marked 'Right of Way (Private) "E"' on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) "F"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

LOT 5 is

TOGETHER WITH a right of carriageway over that part of Lot 3 marked 'Right of Way (Private) "C"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 4 marked 'Right of Way (Private) "D"' on the plan.

TOGETHER WITH a right of carriageway over that part of the Lot 4 marked 'Right of Way (Private) "F"' on the plan.

TOGETHER WITH a right of carriageway over that part of Lot 6 marked 'Right of Way (Private) 4.00 wide "G"' on the plan.

SUBJECT TO full and free right for the Lord Mayor, Aldermen and Citizens of the City of Hobart to enter upon at all times with workmen and others and machinery that portion of land marked 'Pipeline Easement 3.00 Wide' on the plan, to break up and excavate that land to lay and maintain either thereon or therein water pipes and valves and fittings for the purposes of the Hobart Corporation Act, 1963, and to run and pass water through and along the same and when and where necessary to lay new pipes in substitution for and in addition thereto and to do all necessary works and things in connection therewith or as may be authorised by the Hobart Corporation Act, 1963, without doing unnecessary damage and leaving the said piece or parcel of land in a clean and tidy condition.

Lot 6 is

SUBJECT TO a right of carriageway appurtenant to Lot 5 on the plan marked 'Right of Way (Private) 4.00 Wide "G"' on the plan.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

LOT 7 is

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "A" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 1 on the plan marked "Right of Way (Private) "B" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "A" on the plan.

SUBJECT TO a right of carriageway appurtenant to Lot 2 on the plan marked "Right of Way (Private) "B" on the plan.

DATED the 22ND day of MAY 1989.

THE COMMON SEAL of the LORD)
MAYOR ALDERMEN AND CITIZENS)
OF THE CITY OF HOBART was)
hereunto affixed in the)
presence of:)

L. R. Kennedy
LORD MAYOR

[Signature]
TOWN CLERK

THE COMMON SEAL of THE)
NATIONAL TRUST OF AUSTRALIA)
(TASMANIA) was hereunto)
affixed in the presence of:)



Members of
Council

Secretary

SIGNED SEALED AND DELIVERED by

..... ~~being and~~
~~as the DIRECTOR GENERAL OF LANDS~~
~~for and on behalf of the MINISTER~~

ADMINISTERING THE CROWN LANDS ACT 1976 in the presence of:

This is the schedule of easements attached to the plan of
(Insert Subdivider's Full Name)

The Lord Mayor, Aldermen and Citizens of the City of Hobart affecting land in

CT 4265/100

(Insert Title Reference)

Sealed by City of Hobart

on 22ND MAY 1989

Solicitor's Reference NDH:MJD

[Signature]
Council Clerk/Town Clerk

06-4-3134

Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	
Date Completed:	
Address:	18-44 NAPOLEON STREET (CT39913/3. CT39913/4, CT39913/5), BATTERY POINT
Proposal:	Partial Change of Use to Residential (Caretaker's Dwelling)
Application No:	PLN-22-609
Assessment Officer:	Victoria Maxwell,

Referral Officer comments:

This application is for works to a place that is heritage listed in Table E13.1 of the Historic Heritage Code of the Scheme. It is also located within the Battery Point Heritage Precinct, BP1 as described in Table E13.2 of the Historic Heritage Code of the Scheme. It has the following Statements of Significance:

This precinct is significant for reasons including:

1. *The wide variety of architectural styles and historic features ranging from entire streets of 19th century Colonial Georgian cottages, to Victorian, Edwardian and Pre and Post War examples of single and attached houses that are of historic and architectural merit, many of which demonstrate housing prior to mass car ownership.*
2. *It is primarily a residential area with a mix of large substantial homes and smaller workers cottages on separate lots, gardens, an unstructured street layout, and lot sizes that show successive re-subdivision into narrow lots that demonstrate early settlement patterns of Hobart.*
3. *The original and/or significant external detailing, finishes and materials demonstrating a high degree of integrity with a homogenous historic character.*

The proposal is for the internal reconfiguration of a previously approved shed, fire rating and reconfiguration of the external stairway to avoid a sewer line. The previous approval is PLN-19-237.

Representations:

Ten (10) representations have been received, one (1) in support and nine (9) against. The following heritage related comments have been received:

- *this is potential "change of use" by stealth and will potentially lead to further applications for residential type dwellings in the Slipyard area. The Slipyard is of significant historic value and needs to be protected for current and future generations. The historic significance has been acknowledged by the Hobart City Council and other bodies in the past.*
- *Having participated many years ago in the master planning process for the shipyard and waterfront area in Napoleon street, I thought community consensus had been reached about the desirability of future development in this historic area being in keeping with its maritime past. As such, I am not in opposition to the slip yard development that has been occurring in the subject site despite certain aspects of this*

- *having been undertaken without appropriate planning approvals being gained.*
- *The proposal totally destroys the historically significant Tucker Abel's shed portion of the existing building this being also the original Watson, Risby site and later Abel's, Creese's and many other important shipwrights of the 19th and 20th centuries.*
- *The Mariners Cottages were built specifically as dwellings.*
- *The subject site is referred to as 'Precinct C, Creese's slipyard and workshop'. The building on the site is identified as of High Significance and therefore any changes or additions thereto must be subjected to detailed scrutiny. Particular reference should be made to CI 7.2.2 and 7.2.3 on page 34 regarding existing buildings and their fabric; there is no consideration of any criteria relating to new buildings.*
- *...the existing building is classed High Significance. Reference must therefore be made to the following paragraph: 'Generally the same openness and number of buildings should be retained on site. New buildings should consider the impact on public views to significant buildings, public views to the River Derwent ...'*
- *This proposal represents a significant material change of use toward residency in a recognised heritage marine precinct.*
- *We also have concerns that a Caretakers Cottage is out of character with the current significant historical value of the area and that should a building of this nature be allowed, it would set a dangerous precedent for any other tenant who runs a business in the slipyard area to also be allowed future residential "caretakers cottages" thus changing the amenity from an historical working area to more private residential spaces on Crown Land. This would destroy the longstanding working nature of this historically significant site.*
- *The addition of a new residential cottage, which can be viewed from many aspects (including from Napoleon Street which is traversed by many more) would detract from the historical buildings in and around the slipyard area.*
- *We hope that the council will choose to preserve the history of this important shipbuilding area without the addition of any new modern buildings.*
- *Some people I spoke to using the dog park were dismayed not only that that this iconic view will be impeded but also quite shocked that the historic slips would be obscured, severely diminishing the Heritage nature and vibe so strongly cherished here.*

Response:

Clause E13.2.2 of the Historic Heritage Code under **Applications** clearly states that the Code does not apply to use. The structure/ addition containing the caretakers use is within the previously approved new structure.

Assessment:

The works were previously assessed and the relevant heritage comments are included here:

The proposal relates to an existing Workshop and associated working hardstanding which form part of the historic Battery Point Slipyards. The proposal seeks the demolition of sections of wall to the existing 'Creeses' Workshop, erection of a new timber clad Boatshed over part of an existing winch slip which would be extended to the rear, provision of timber viewing platform, a 10 metre extension to an existing jetty and works of reclamation to the foreshore to provide a new parking hard standing.

Historical background

This section of the wider Slipyards has been in continued operation since the earliest construction of the site. Referred to as the 'Creeses' element of the wider site, the slip was acquired from the then owner by the Abel family in 1900. Long term residents of Battery Point, the Abel family were active ship/boat builders on the site, reportedly producing six boats between the 1900 to 1917 period. Max Creese took over the slip in the 1940's and is

reported to have built a further five ships there between 1949 and 1966. It was during this period that the current workshop, improved slip and winch which stands on the site was constructed. The workshop in question has a timber frame and is substantially clad in corrugated iron with a skillion roof. Previous inspections of the shed have suggested that there is evidence of an earlier shed incorporated into this later building. Importantly, the site remains as an active working site

Previous and current Historical Studies

The wider site has been subject to three relevant Conservation and Management Plans. These are:

'Ross Patent Slip and Environs Conservation Plan', Prepared by Robert Vincent in association with the Council, Audrey Hudspeth Heritage Consultants and Peter Spratt Engineering Consultant (November 1995);

'Battery Point Slipways Conservation Management Plan' by HLCD Pty Ltd for Hobart City Council (April 2008);

'Battery Point Slipways- Master Plan' produced by ERA Planning in association with Paul Davies Heritage Architect on behalf of Hobart City Council (April 2018).

In relation to PLN-19-237, a heritage assessment against the relevant heritage provisions of the Scheme including the provisions pertaining to Particular Purpose Zone (No. 7) - Battery Point Slipways was undertaken. The following conclusion was reached.

Given that the intended use of the proposed Boatshed is for a continuation of the Maritime industry operating from the site, the limited impact upon the existing Workshop, in particular the internal walls of the older parts of the building, and the degree to which the proposed development would comply with the design elements of the Performance Criteria, it is considered that subject to suitable condition relating to Archaeology, it is considered that the proposal would comply with the requirements of the Planning Scheme in this instance.

Conclusion:

This application is a variation to the works that have already been approved as part of the permit PLN-19-237 while other works already undertaken to date are subject to compliance and are not included in this application. The new and additional works - reconfiguration of the external stairs and reconfiguration of the internal layout of the new structure are minor changes to what has already been approved. As such, they are in line and consistent with the tenor of the maritime industry and character of the site. They are not contrary to the heritage provisions for new works E13.7.2 P1, P2, P3 and E13.8.2 P1.

The condition pertaining to archaeology should be included. Another condition relating to colours materials and finishes should also be included.

Sarah Waight
Senior Cultural Heritage Officer
24 May 2023

7. REPORTS

7.1 Planning - Advertised Applications Report File Ref: F23/50040

Report of the Director City Life of 25 May 2023 and attachment.

Delegation: Committee



City of **HOBART**

MEMORANDUM: PLANNING COMMITTEE

Planning - Advertised Applications Report

Attached is the advertised applications list for the period 3 May 2023 to 15 May 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: 25 May 2023
File Reference: F23/50040

Attachment A: Planning - Advertised Applications Report ↓ 

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
1	PLN-22-609	18-44 NAPOLEON STREET (CT39913/3, CT39913/4, CT39913/5)	BATTERY POINT	Partial Change of Use to Residential (Caretaker's Dwelling)	\$15,000	04/07/2023	maxwellv	Committee (Council Land)	05/05/2023	19/05/2023
2	PLN-23-153	60 HAMPDEN ROAD	BATTERY POINT	Partial Demolition, Alterations, Signage, and Change of Use to Business and Professional Services (Veterinary Centre)	\$75,000	15/06/2023	ayersh	Director	11/05/2023	25/05/2023
3	PLN-23-174	ARGYLE STREET	HOBART	New Bike Lanes, Signage and Associated Works	\$1,292,480	17/05/2023	sherriffc	Committee (Council Applicant)	08/05/2023	22/05/2023
4	PLN-23-202	151 - 153 ARGYLE STREET	HOBART	Partial Change of Use to Food Services, Alterations and Signage	\$50,000	17/06/2023	burkedan	Director	09/05/2023	23/05/2023
5	PLN-23-215	21 - 27 ELIZABETH STREET	HOBART	Partial Change of Use to Education and Occasional Care	\$1,000	12/06/2023	burkedan	Director	09/05/2023	23/05/2023
6	PLN-23-216	1 / 46 POTTERY ROAD	LENAH VALLEY	Change of Use to Visitor Accommodation	\$0	12/06/2023	mcclenahanm	Director	11/05/2023	25/05/2023
7	PLN-23-169	2 / 636 NELSON ROAD	MOUNT NELSON	Outbuilding	\$16,000	14/06/2023	mcclenahanm	Director	12/05/2023	26/05/2023

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
8	PLN-22-241	18 TOORAK AVENUE	MOUNT STUART	Partial Demolition, Alterations, Extension, and Garage	\$700,000	28/05/2022	mcclenahanm	Director	11/05/2023	25/05/2023
9	PLN-23-198	150 NEW TOWN ROAD	NEW TOWN	Alterations and Additions	\$470,000	27/05/2023	maxwellv	Director	03/05/2023	17/05/2023
10	PLN-23-241	224 NEW TOWN ROAD	NEW TOWN	Signage	\$0	15/06/2023	maxwellv	Director	12/05/2023	26/05/2023
11	PLN-23-35	27 - 35 TASMA STREET	NORTH HOBART	Demolition and Replacement Retaining Wall	\$50,000	25/05/2023	langd	Director	11/05/2023	25/05/2023
12	PLN-23-214	256 - 278 ELIZABETH STREET	NORTH HOBART	Alterations (Umbrellas)	\$41,449	01/06/2023	maxwellv	Director	03/05/2023	17/05/2023
13	PLN-23-126	100 A KING STREET	SANDY BAY	Partial Demolition and Alterations	\$8,000	10/06/2023	langd	Director	11/05/2023	25/05/2023
14	PLN-23-150	42 NICHOLAS DRIVE	SANDY BAY	Tennis Court	\$80,000	30/05/2023	nolanm	Director	05/05/2023	19/05/2023
15	PLN-23-190	124 SANDY BAY ROAD	SANDY BAY	Change of Use to Visitor Accommodation□	\$0	31/05/2023	langd	Director	05/05/2023	19/05/2023
16	PLN-23-209	7 LORD STREET	SANDY BAY	Alterations (Solar Panels)	\$11,600	04/06/2023	sherriffc	Director	05/05/2023	19/05/2023
17	PLN-22-838	23 WHELAN CRESCENT	WEST HOBART	Two Multiple Dwellings (One Existing, One new), Car Parking, and Front Fencing	\$400,000	04/06/2023	sherriffc	Director	08/05/2023	22/05/2023
18	PLN-23-41	72 HILL STREET	WEST HOBART	Partial Demolition, Alterations, and Extension	\$500,000	31/05/2023	langd	Director	05/05/2023	19/05/2023

No	Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
19	PLN-23-137	42 FARADAY STREET	WEST HOBART	Partial Demolition, Alterations, Extension, and Garage	\$300,000	10/06/2023	nolanm	Director	12/05/2023	26/05/2023

7.2 Delegated Decision Report (Planning)
File Ref: F23/53127

Report of the Director City Life of 25 May 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 11 May 2023 to 22 May 2023.

RECOMMENDATION

That the 'Delegated Decisions Report (Planning), 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: 25 May 2023
File Reference: F23/53127

Attachment A: Delegated Decision Report (Planning) ↓

23 May 2023

Delegated Decisions Report (Planning)

15 applications found.

				Approved	All
Planning Description	Address	Works Value	Decision	Authority	
PLN-22-479 Partial Demolition, Alterations, and Extension	14 BROADWATERS PARADE SANDY BAY TAS 7005	\$ 90,000	Approved	Delegated	
PLN-22-850 Partial Demolition, Alterations, Extension, and Carport	4 BEN STREET WEST HOBART TAS 7000	\$ 680,000	Approved	Delegated	
PLN-23-148 Partial Demolition, Alterations, and Partial Change of Use to Ancillary Dwelling	153 MELVILLE STREET HOBART TAS 7000	\$ 60,000	Approved	Delegated	
PLN-23-152 Front Fencing	21 RED CHAPEL AVENUE SANDY BAY TAS 7005	\$ 58,000	Approved	Delegated	
PLN-23-156 Partial Demolition and Alterations (Carport)	4 NIXON STREET SANDY BAY TAS 7005	\$ 36,000	Approved	Delegated	
PLN-23-179 Partial Demolition and Alterations	91-95 MURRAY STREET HOBART TAS 7000	\$ 915,000	Approved	Delegated	
PLN-23-187 Dwelling	14 HEARTWOOD ROAD LENA VALLEY TAS 7008	\$ 600,000	Approved	Delegated	
PLN-23-196 Alterations and Partial Change of Use to Business and Professional Services (Office)	62 PATRICK STREET HOBART TAS 7000	\$ 0	Approved	Delegated	
PLN-23-210 Alterations (Solar Panels)	14 RUPERT AVENUE MOUNT STUART TAS 7000	\$ 3,000	Approved	Delegated	
PLN-23-220 Signage	72 ELIZABETH STREET HOBART TAS 7000	\$ 0	Approved	Delegated	
PLN-23-230 Change of Use to Visitor Accommodation	5 AMANDA CRESCENT SANDY BAY TAS 7005	\$ 0	Approved	Delegated	
PLN-23-237 Change of Use to Visitor Accommodation	9 BYRON STREET SANDY BAY TAS 7005	\$ 3,000	Approved	Delegated	
PLN-23-249 Change of Use to Visitor Accommodation	51 PRINCES STREET SANDY BAY TAS 7005	\$ 0	Approved	Delegated	
PLN-23-263 Partial Change of Use to Visitor Accommodation	201 NELSON ROAD MOUNT NELSON TAS 7007	\$ 0	Approved	Delegated	
PLN-23-62 Partial Demolition and Alterations	39-41 DAVEY STREET HOBART TAS 7000	\$ 1,200,000	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 Cable Car - RMPAT & TPC Role
File Ref: F23/31219; 13-1-10

Report of the Director City Life of 31 May 2023.

8.2 Shop Fronts
File Ref: F23/31231; 13-1-10

Report of the Director City Life of 31 May 2023.

8.3 Planning Representations
File Ref: F23/31238; 13-1-10

Report of the Director City Life of 31 May 2023.

That the information be received and noted.

Delegation: Committee

City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

CABLE CAR - RMPAT & TPC ROLE

Meeting: Planning Committee

Meeting date: 1 March 2023

Raised by: Lord Mayor Reynolds

Question:

Can the Director advise what role the Resource Management & Planning Appeal Tribunal or the Tasmanian Planning Commission would play in projects assessed under the Major Projects Legislation?

Response:

The Resource Management and Planning Appeals Tribunal would have no role in reviewing decisions of a declared major project.

The Tasmanian Planning Commission has the role of appointing the independent assessment panel. It also has the ability to comment to the Planning Minister if it doesn't think the project meets the criteria to become a major project under the *Land Use Planning and Approvals Act 1993*. It is the independent assessment panel that ultimately determines the project.

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: 26 May 2023
File Reference: F23/31219; 13-1-10



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

SHOP FRONTS

Meeting: Planning Committee

Meeting date: 1 March 2023

Raised by: Councillor Harvey

Question:

Can the Director advise if there is still an amendment in the planning scheme for shop fronts that are used as residences to be used once again as shop fronts if they provided a local services?

Response:

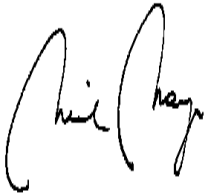
Under the *Hobart Interim Planning Scheme 2015*, in the Inner Residential Zone and General Residential Zones, changing a residential or visitor accommodation use to a commercial use such as consulting rooms, café, shop or hairdresser is prohibited and cannot be granted a planning a permit. The exception to this is if the floor area was previously designed and used for a commercial use, then the change of use becomes discretionary, giving Council scope to approve the commercial use.

An example of this is an old corner shop site with an attached dwelling behind. After the corner shop closed, the corner shop floor area was used as part of the dwelling. Although the current use is residential, because the corner shop part of the site was previously designed and used as a commercial space, a new business could be approved in this part of the building. It doesn't mean that the dwelling at the back could be turned to commercial, only the old corner shop area. Examples of uses that could be approved under these circumstances are:

- Consulting rooms, medical centre, vet clinic, child health centre
- Food services (café or restaurant, not a bar)
- Shop, hairdresser, barber, commercial art gallery, dry cleaner, beauty salon.

Impact on neighbours, hours of operation, noise, smells (eg from exhaust fans), traffic, parking, etc, are all taken into account when undertaking this assessment. The application would be publicly advertised.

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: 12 May 2023
File Reference: F23/31231; 13-1-10



City of **HOBART**

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

PLANNING REPRESENTATIONS

Meeting: Planning Committee

Meeting date: 1 March 2023

Raised by: Deputy Lord Mayor Burnet

Question:















Can the Director advise what number of representations did trigger delegation to planning committee previously and what is that number now?
Can the original number please be reinstated?

Response:

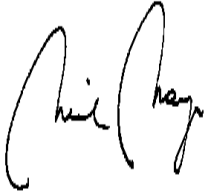
Until 27 June 2022, officers were able to determine applications which had received two or less representations. On 27 June 2022, that changed to four or less representations. The number of representations for the current delegations is five or less, as approved by the Council on 21 November 2022.

Delegations can be changed by Council resolution.

The full delegations are as follows.

CATEGORY	OFFICER	PLANNING COMMITTEE
Recommended for refusal – all applications	 except  to refuse if proposal is "prohibited"	
Representations (objecting) received, subject to the other restrictions below	0 – 5	6+
1 or more representations (objecting) where the applicant and/or owner of the property is: <ul style="list-style-type: none"> an Elected Member; a Council officer; the spouse or an immediate relative of an Elected Member or Council officer. 		
"Major projects": <ul style="list-style-type: none"> building proposed in excess of 2000m² of floor area and/or in excess of 3 storeys in height 		
Council as applicant	0 reps (objecting) & cost of works less than \$1M	1+ reps (objecting) or cost of works exceeds \$1m
Applications relating to Council owned land	Road reservation	Other Council land
Subdivisions	Up to 5 new lots	6+ new lots
Applications where the Council is being requested to make or take a financial contribution from the applicant/owner (excluding cash in lieu contributions)		
Where any Elected Member has called-in an application		
No extension – To determine applications in circumstances where the applicant has refused to grant an extension of time to allow the application to be considered at a scheduled meeting of the Planning Committee.		n/a
Tied vote – To determine applications for planning permits under sections 57 and 58 in circumstances where the application has been considered by the Planning Committee and the Planning Committee has not determined the application due to the vote on a motion being tied.		n/a
Expired applications – To exercise the power of the Council as planning authority pursuant to section 59(7) to determine applications where no request to make a decision has been lodged with the Tasmanian Civil and Administrative Tribunal.		n/a

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: 12 May 2023
File Reference: F23/31238; 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:

- Minutes of the closed meeting
- Legal matters involving the council

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. 4.1 | Applications under the Hobart Interim Planning Scheme 2015 |
| Item No. 4.1.1 | PLN-21-471 - 163-173, 175, 177 AND 179 Campbell Street
Hobart - Appeal - Mediation
LG(MP)R 15(4)(a) |