



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that a **Special Council** meeting of the Devonport City Council will be held in the Aberdeen Room, parnaple centre, 137 Rooke Street, Devonport, on Monday 19 November 2018, commencing at 5:30pm.

The meeting will be open to the public at 5:30pm.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West
GENERAL MANAGER

14 November 2018

**AGENDA FOR A SPECIAL MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 19 NOVEMBER 2018 AT THE COUNCIL OFFICES, 137 ROOKE STREET,
DEVONPORT AT 5:30PM**

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Agenda of a special meeting of the Devonport City Council to be held at the Council Offices, Level 2 paranable centre, 137 Rooke Street, Devonport on Monday, 19 November 2018 commencing at 5:30pm.

PRESENT

		Present	Apology
Chair	Ald A Rockliff (Mayor)		
	Ald A Jarman (Deputy Mayor)		
	Ald J Alexiou		
	Ald G Enniss		
	Ald P Hollister		
	Ald L Laycock		
	Ald S Milbourne		
	Ald L Murphy		
	Ald L Perry		

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

2.0 DECLARATIONS OF INTEREST

3.0 REPORTS

3.1 CERTIFICATE OF ELECTION

File: 35242 D546992

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.3 Encourage community action and participation that results in increased well-being and engagement

SUMMARY

This report is provided to formally recognise the outcome of the 2018 Council Election.

BACKGROUND

Council is required to seek candidates for election through the Tasmanian Electoral Commission in accordance with the provisions of the *Local Government Act 1993*.

STATUTORY REQUIREMENTS

The *Local Government Act 1993* stipulates the requirements for Council to be subject to an election each four years. The term of appointment for Aldermen, Mayor and Deputy Mayor is for four years.

DISCUSSION

CERTIFICATE OF ELECTION

A Certificate of Election for the 2018 Devonport City Council Election was submitted by the Returning Officer, Tasmanian Electoral Commission with the following information.

ALDERMAN POSITIONS

The following nine Aldermen were elected for a period of four years:

1. Annette ROCKLIFF
2. Leon PERRY
3. Gerard ENNISS
4. Leigh MURPHY
5. Alison JARMAN
6. Sally MILBOURNE
7. Lynn LAYCOCK
8. Peter HOLLISTER
9. John ALEXIOU

MAYOR

Ald Annette Rockliff was elected to the position of Mayor for a period of four years.

DEPUTY MAYOR

Ald Alison Jarman was elected to the position of Deputy Mayor for a period of four years.

There is a requirement that prior to an Alderman assuming office he/she is to formally undertake a Declaration of Office. All successful candidates were invited to attend a 'Declaration of Office' afternoon event on Monday 12 November 2018. All Aldermen in attendance (Ald Rockliff, Ald Perry, Ald Enniss, Ald Murphy, Ald Jarman, Ald Milbourne and Ald Laycock) complied with the Declaration of Office requirements at this event. Ald

Alexiou and Ald Hollister were both unavailable to attend the event and therefore completed their Declaration of Office separately. Ald Alexiou's declaration was completed on 8 November and Ald Hollister's on 14 November.

COMMUNITY ENGAGEMENT

The community were provided with an opportunity to participate in the election process through a postal ballot system for all persons included on the Devonport Electoral Roll.

FINANCIAL IMPLICATIONS

The cost of the election is not known at this time. It is expected that Council will receive an account from the Tasmanian Electoral Commission in the coming months. The information on the actual costs will be reported to Council when available.

RISK IMPLICATIONS

No risks have been identified in relation to this report.

CONCLUSION

The report is provided as a formality to officially recognise the commencement of the newly elected Devonport City Council.

ATTACHMENTS

- 1. [Certificate of Election - Devonport City Council](#)

RECOMMENDATION

That Council:

1. Note the outcome of the 2018 Election for Devonport City Council as advised in the Certificate of Election.
2. Note that all Aldermen have complied with the requirement of the *Local Government Act 1993* and completed their Declaration of Office.

Author:	Paul West
Position:	General Manager

2018 LOCAL GOVERNMENT ELECTIONS

Certificate of Election

Devonport City Council

In accordance with the Local Government Act 1993 I have declared the following candidates elected to the positions shown below.

9 Councillors (Aldermen)

Elected for a period of 4 years

Annette ROCKLIFF

Leon PERRY

Gerard ENNISS

Leigh MURPHY

Alison JARMAN

Sally MILBOURNE

Lynn LAYCOCK

Peter Graham HOLLISTER

John ALEXIOU

Mayor

Elected for a period of 4 years

Annette ROCKLIFF

Deputy Mayor

Elected for a period of 4 years

Alison JARMAN



Sherri Nolan RETURNING OFFICER

Friday 2 November 2018

4.0 PLANNING AUTHORITY MATTERS

The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 3.1 to 3.2.

Council is required by Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015* to deal with items as a Planning Authority under the LUPA 1993 in a sequential manner.

The following items are to be dealt with at the meeting of Council in its capacity as a Planning Authority.

- 4.1 PA2018.0133 Visitor Accommodation – assessment against performance criteria for variation to the building envelope, vehicular ingress, setback from zone boundaries and Local Heritage Code - 13 & 14-15 Victoria Parade and 5 Lower Madden Street (D551812)
- 4.2 PA2018.0153 Residential (additional unit) - 14 Henry Street Devonport (D553326)

4.1 PA2018.0133 VISITOR ACCOMMODATION – ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR VARIATION TO THE BUILDING ENVELOPE, VEHICULAR INGRESS, SETBACK FROM ZONE BOUNDARIES AND LOCAL HERITAGE CODE - 13 & 14-15 VICTORIA PARADE AND 5 LOWER MADDEN STREET

File: 35547 D551812

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

PURPOSE

The purpose of this report is to enable the Planning Authority to make a decision regarding planning application PA2018.0133.

BACKGROUND

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	Damien Oliver
Owner:	Eli Land Group Pty Ltd
Proposal:	Visitor Accommodation – assessment against performance criteria for variation to the building envelope, vehicular ingress, setback from zone boundaries and Local Heritage Code
Existing Use:	Hotel Industry and Visitor Accommodation
Decision Due:	27/11/2018

SITE DESCRIPTION

The site is located on the south-western corner of the Victoria Parade and Lower Madden Street intersection and consists of five titles. The lots have a combined area of approximately 5,300m² and contain an existing hotel, motel accommodation and ancillary bottle shop, along with a house and shed and two vacant lots. The site falls approximately 3.5m from west to east and has frontage of approximately 97m to Lower Madden Street and 66m to Victoria Parade. The property is immediately surrounded by established residential uses and parkland.

The original building on the site was constructed in 1905 and Council records show that the Elimatta Hotel was in operation by at least 1960, at which time additional rooms were added.

Figure 1 shows an aerial view of the subject site. The hotel and visitor accommodation components can be seen on 14-15 Victoria Parade, the house and shed are located on 13 Victoria Parade and 5 Lower Madden Street shows a house which was demolished in 2016.



Figure 1 - Aerial view of subject site with buildings to be demolished circled in red (Geocotex 2015)

APPLICATION DETAILS

The applicant is seeking approval for the demolition of the existing visitor accommodation, house and shed which are circled in red on the aerial photo above.

Approval is also sought for the construction of two blocks of visitor accommodation, each being three storeys and containing twenty-four rooms. Figure 2 shows the proposed site plan with one block of rooms located on the western side of the property and the other on the southern side. Attached to the western building is the motel reception, accessed via Lower Madden Street. To the east of the reception area is the manager's residence. New carparking is also proposed which is accessed via Lower Madden Street via two separate driveways. The westernmost access is for the motel and the easternmost access is for the hotel.

Figures 3 & 4 show the elevations and Figures 5 & 6 show the ground and first floor plans. The first and second floors are essentially the same. The windows have been angled to maximise river views and minimise overlooking impacts on neighbouring properties. There are two accessible rooms in the western block of rooms and two executive suites in the southern block. Also in each building are four rooms which can be joined to make two-bedroom apartments for families or small groups.

Report to special Council meeting on 19 November 2018

Sixty car parking spaces are shown on the plans. Reference is made to eleven spaces in the north eastern corner of the carpark however this is an error and should be disregarded. Figures 7 – 9 show 3D images of the proposal.

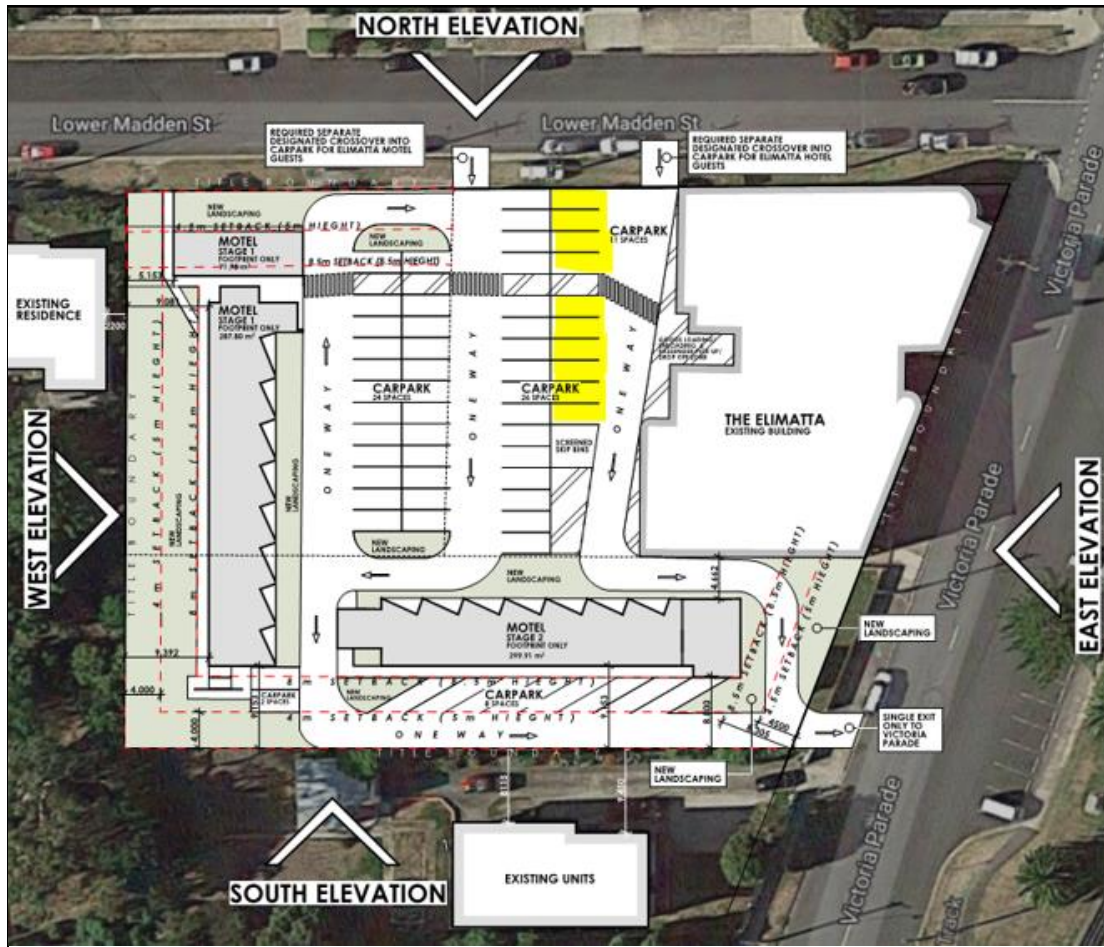


Figure 2 - Proposed site plan showing location of motel and parking

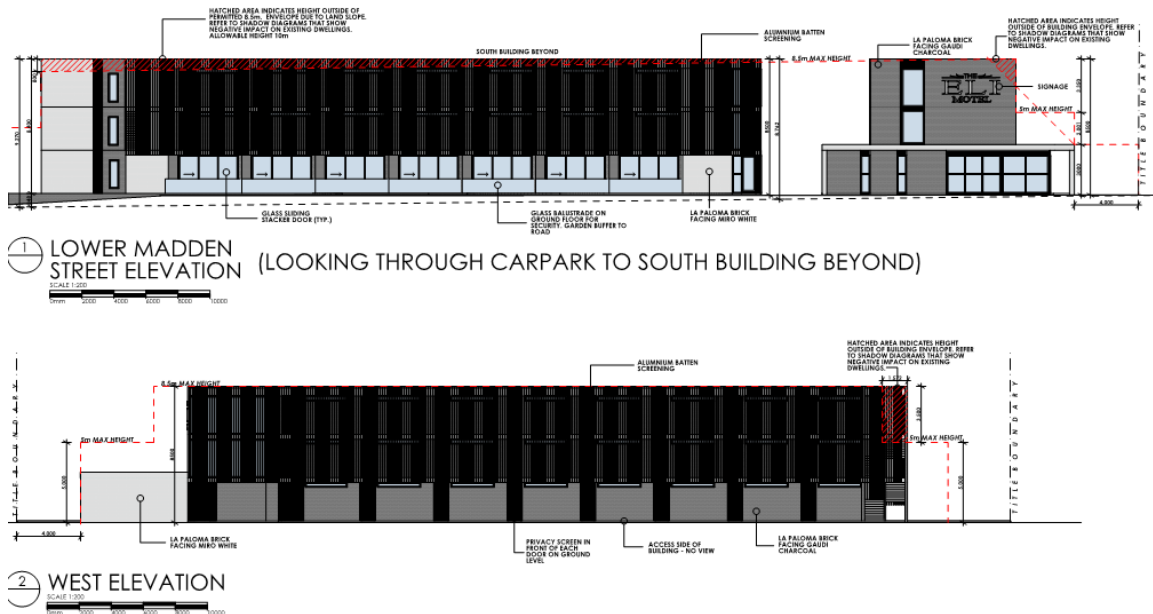


Figure 3 – Northern and western elevations

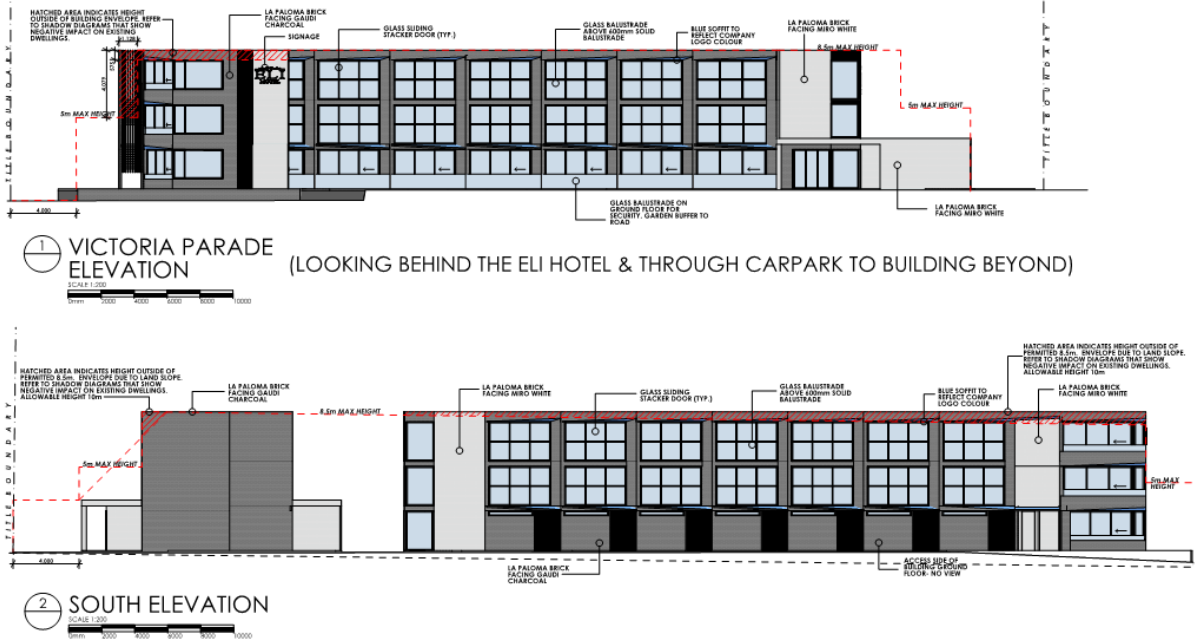


Figure 4 – Southern and eastern elevations

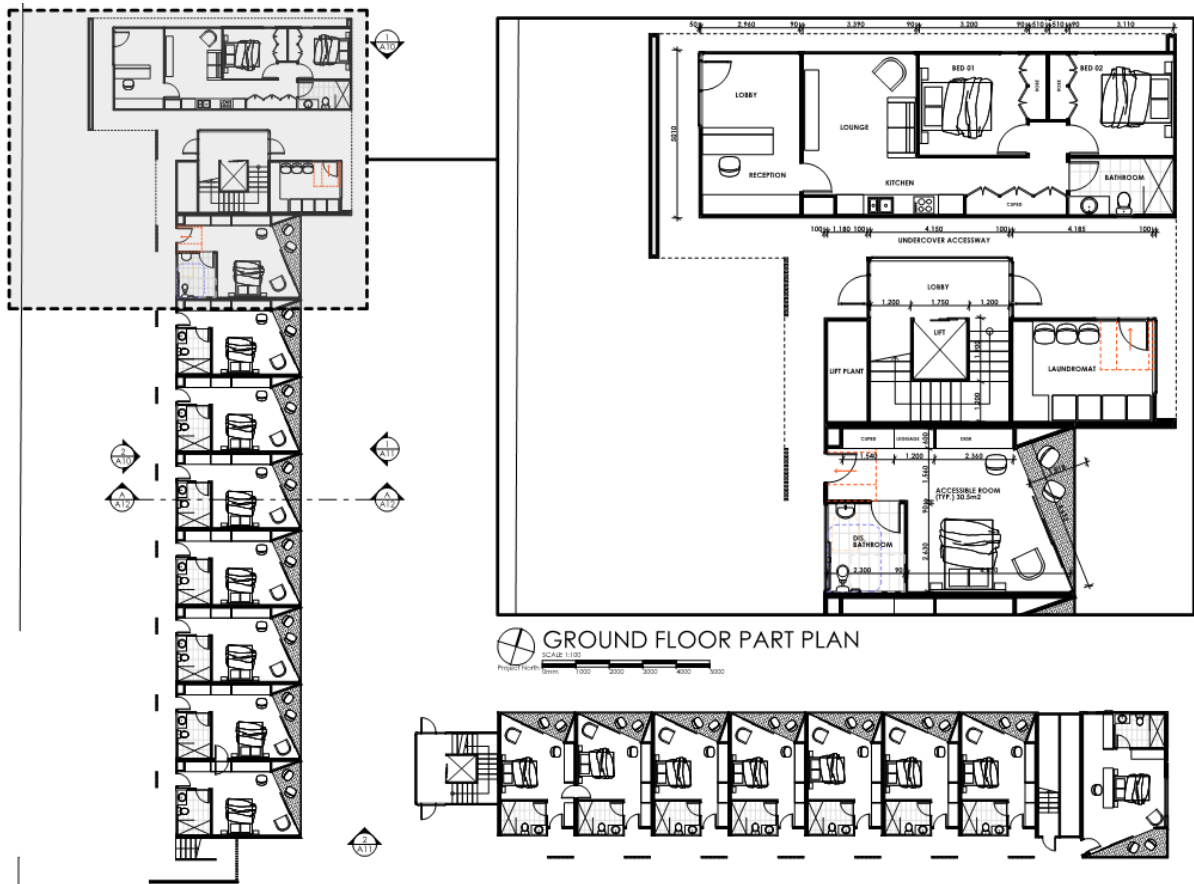


Figure 5 – Ground floor plans

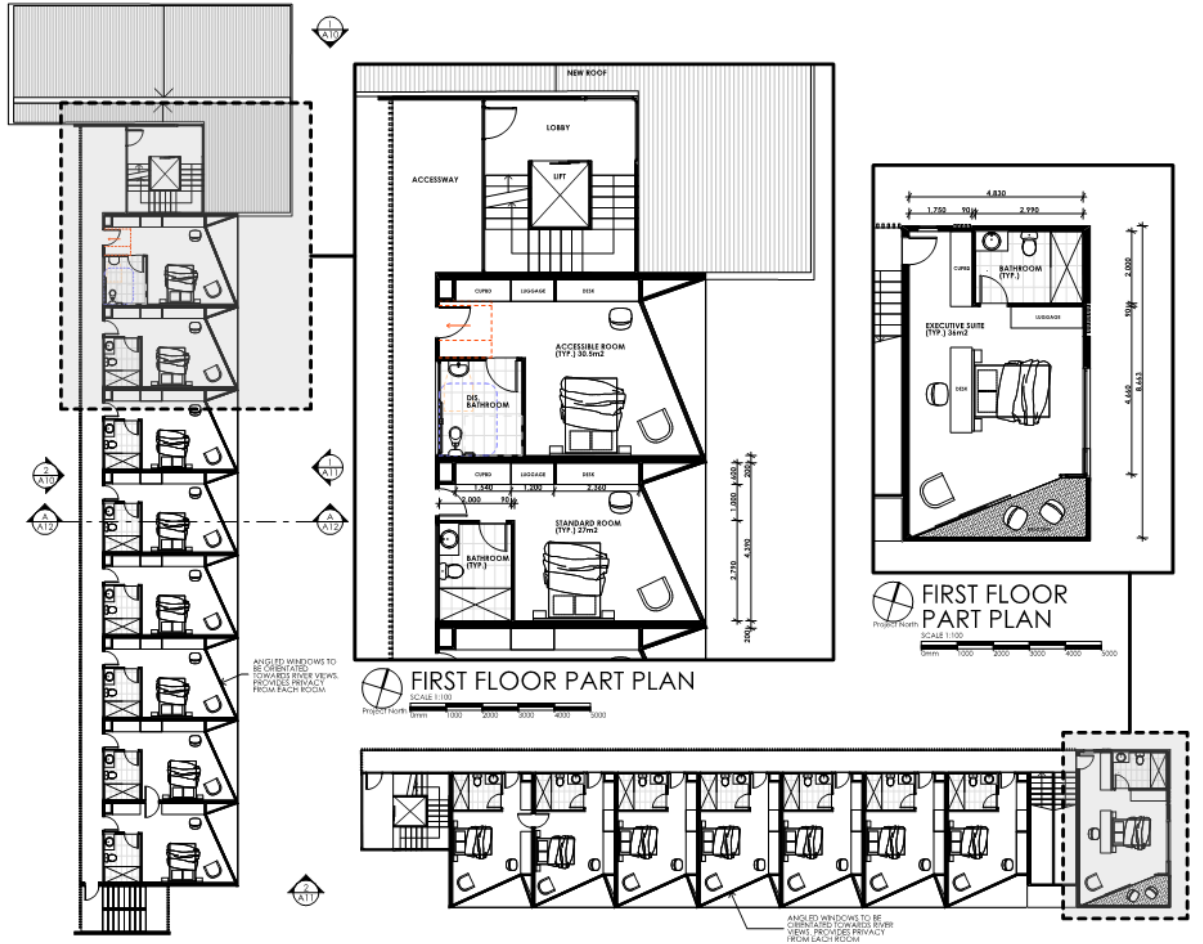


Figure 6 – First floor plans



Figure 7 – View of motel looking south west from Lower Madden Street



Figure 8 – Motel reception looking south from Lower Madden Street

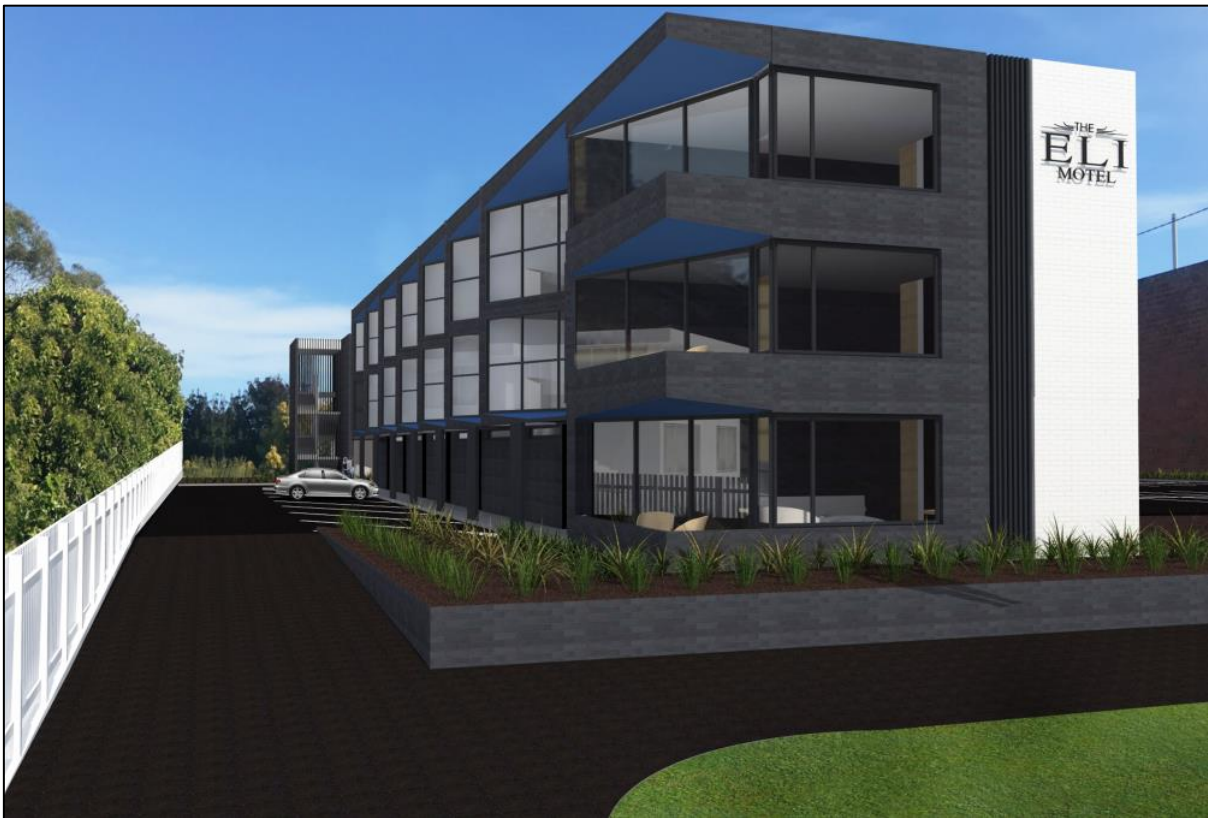


Figure 9 – Motel looking west from Victoria Parade

PLANNING ISSUES

The land is zoned Particular Purpose Zone 1 - Elimatta Hotel under the *Devonport Interim Planning Scheme 2013*. The intent of the zone is to provide for the continued use and further development of the property known as the Elimatta Hotel, to provide for other use or development that does not constrain or conflict with the hotel use and to ensure that use and development of the land does not impact adversely on the residential amenity or heritage values of the locality.

The land was previously zoned General Residential under the *Devonport Interim Planning Scheme 2013* and prior to that had been zoned Closed Residential under the *Devonport and Environs Planning Scheme 1984*. The Particular Purpose Zone came into effect on the 26 August 2016. Figure 10 shows the zoning map for the site and surrounding area. The Elimatta site, shown as Particular Purpose on the map, is approximately 130m north of the Urban Mixed Use zone which contains a supermarket, medical centre, service industries, visitor accommodation, shops and children's activity centre. The Central Business zone is approximately 300m south-west of the subject site.

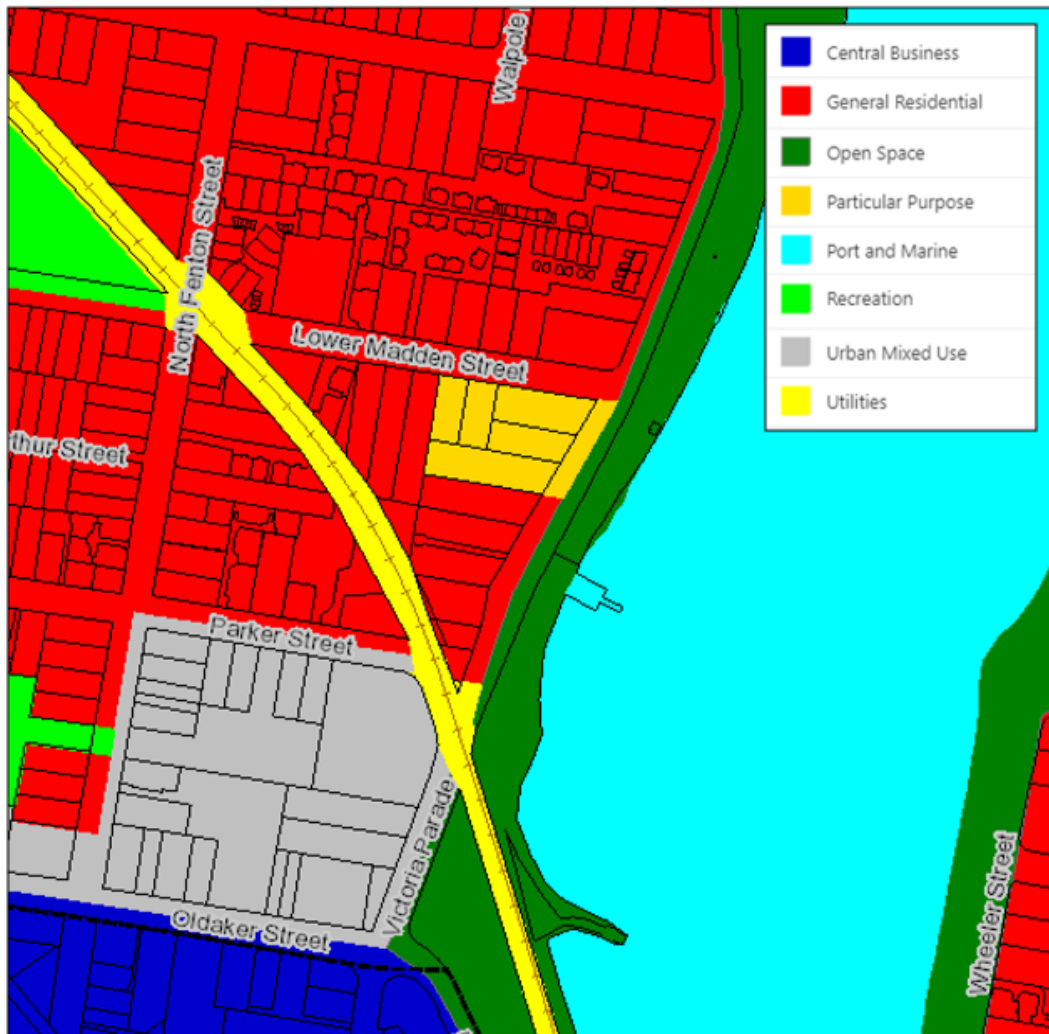


Figure 10 - Zoning map

Visitor Accommodation is a permitted use in Particular Purpose Zone 1. Any development is also permitted, provided it complies with all relevant acceptable solutions contained within the applicable zones and codes contained within the planning scheme. In instances where the acceptable solutions cannot be met an application becomes discretionary and must be assessed against the relevant performance criteria.

In this case the proposal does not comply with the acceptable solutions in regard to building envelope, vehicular ingress and setback from zone boundaries. The proposal must also be assessed against the Local Heritage Code and Traffic Generating Use and Parking Code.

The clauses against which the proposal must be assessed are reproduced below, followed by commentary on each.

Section 32 – Particular Purpose Zone 1 – Elimatta Hotel

32.3 Use Standards

32.3.1 Amenity

Objective:	
To ensure that uses do not unreasonably impact on residential amenity.	
Acceptable Solutions	Performance Criteria
A1 The hours of operation for Food services and Hotel industry uses must be within – (a) 6.00am and Midnight Monday to Saturday inclusive; and (b) 8.00am and Midnight Sunday and Public Holidays; or (c) other hours as granted on an Out of Hours Permit by the Commissioner for Licencing.	P1 The hours of operation must not have an unreasonable impact upon residential amenity, having regard to – (a) the nature and intensity of the proposed use; (b) the characteristics and frequency of any emissions generated; (c) the extent and timing of traffic generation; (d) the hours of delivery and dispatch of goods and materials; and (e) the existing levels of amenity.

No Food services or Hotel industry uses are included in this application.

A2 Commercial vehicle movements, (including loading and unloading) to or from a site and waste removal must be limited to within the hours of – (a) 8.00am to 6.00pm Monday to Saturday; and (b) 9.00am to 4.00pm Sundays and Public Holidays.	P2 Commercial vehicle movements, (including loading and unloading and garbage removal) must not unreasonably impact on the amenity of nearby sensitive uses, having regard to – (a) the extent and timing of traffic generation; (b) the dispatch of goods and materials; and (c) the existing levels of amenity.
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The proposal states that the above acceptable solution will be complied with.

A3 Noise generated by a use must – (a) not exceed a time average A-weighted sound pressure level (LAeq) of 5dB(A) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or (b) be in accordance with any permit conditions required by the Environment Protection Authority or an Environmental Protection Notice issued by the Director of the Environment Protection Authority.	P3 Noise generated must not cause unreasonable loss of amenity to adjoining sensitive uses, having regard to – (a) the characteristics and frequency of any emissions generated; (b) the nature of the proposed use; and (c) any mitigation measures proposed.
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Noise monitoring equipment would be needed to determine compliance with clause 32.3.1 A3(a) above, and it is unlikely the Environment Protection Authority would have any interest in a motel operation (clause 32.3.1 A3(b)). It is felt the most appropriate method of dealing with noise is through the *Environmental Management and Pollution Control (Noise) Regulations 2016*. If the activities at the motel result in any noise nuisance the police are able to take immediate action in accordance with the above regulations. Council staff are also able to deal with issues breaching these regulations.

Report to special Council meeting on 19 November 2018

<p>A4</p> <p>External lighting must comply with the following –</p> <p>(a) be turned off between Midnight and 7:00am, except for security lighting; and</p> <p>(b) be baffled to minimise light spillage into adjoining land containing a sensitive use.</p>	<p>P4</p> <p>External lighting used on the site must not cause an unreasonable loss of amenity to nearby sensitive uses, having regard to –</p> <p>(a) the number of light sources and their intensity;</p> <p>(b) the proximity of the proposed light sources to nearby sensitive uses; and</p> <p>(c) existing light sources nearby.</p>
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The proposal states that the above acceptable solution will be complied with.

<p>A5</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by sensitive uses in adjoining or immediately opposite properties.</p>	<p>P5</p> <p>Noise, odours, fumes or vibration generated must not cause unreasonable loss of amenity to sensitive uses in adjoining or immediately opposite properties, having regard to –</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site;</p> <p>(d) the landscaping of the site; and</p> <p>(e) any mitigation measures proposed.</p>
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The proposal states that the above acceptable solution will be complied with.

<p>A6</p> <p>Storage of goods and materials, other than for sale or consumption on the site, or waste must not be visible from any road or public open space adjoining the site, or be located closer than 10m from an adjoining sensitive use.</p>	<p>P6</p> <p>Storage of goods and materials, other than for sale or consumption on the site, or waste must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, or on the amenity of nearby sensitive uses, having regard to –</p> <p>(a) the appearance or offensiveness of the materials;</p> <p>(b) the means of containing or screening the materials; and</p> <p>(c) the distance of the storage area from sensitive uses.</p>
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The proposal states that the above acceptable solution will be complied with.

32.4.1 Location and configuration of development

<p>Objective:</p> <p>The location and configuration of development is to:</p> <p>(a) ensure the development does not dominate the streetscape when viewed from the Victoria Parade parklands;</p> <p>(b) ensure the development does not obscure or detract from the heritage values of the Victoria Parade Conservation Area;</p> <p>(c) ensure the impact of vehicle ingress and egress on Lower Madden Street is minimised.</p>	
<p>Acceptable Solutions</p> <p>A1</p> <p>Building height and setbacks must be contained within a building envelope determined by the height limits and setbacks shown in Diagram 32.4.1.</p>	<p>Performance Criteria</p> <p>P1</p> <p>Building height and setback must:</p> <p>(a) minimise likelihood for overshadowing of –</p> <p style="margin-left: 20px;">(i) a habitable room in a dwelling;</p> <p style="margin-left: 20px;">(ii) the minimum area of private open space appurtenant to an existing dwelling; and</p> <p>(b) minimise the apparent scale, bulk and proportion of buildings on the site when viewed from Victoria Parade and Lower Madden Street.</p>

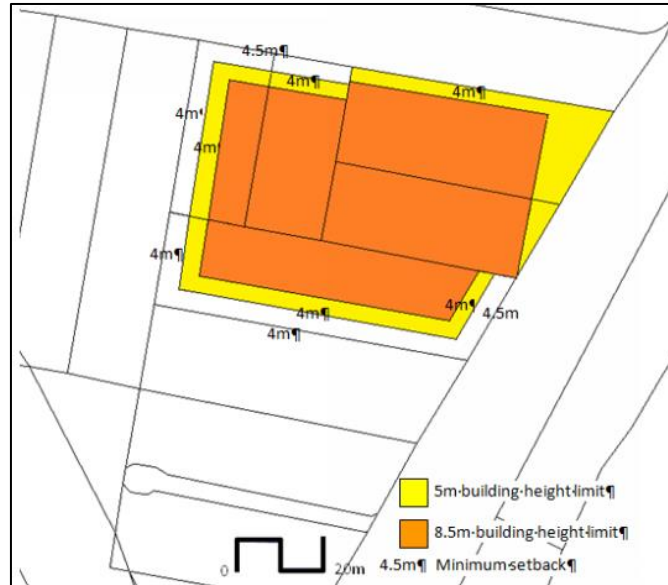


Figure 11 – Diagram 32.4.1 which specifies building heights and setbacks

Figures 3 and 4, which show the elevations, detail the building heights. The majority of the western building complies with the height restrictions along the western side however the southern end of the building has a portion which exceeds the 5m height for a length of 1.572m. Figures 12 & 13 below show this from the western and eastern elevations. On the eastern side of this building a portion of the structure is also 575mm above the permitted 8.5m height limit, due to the fall of the land. This is also shown in Figure 13.

As a result of the fall in natural ground level the southern building also exceeds the 8.5m height limit, as shown in Figures 14 & 15.

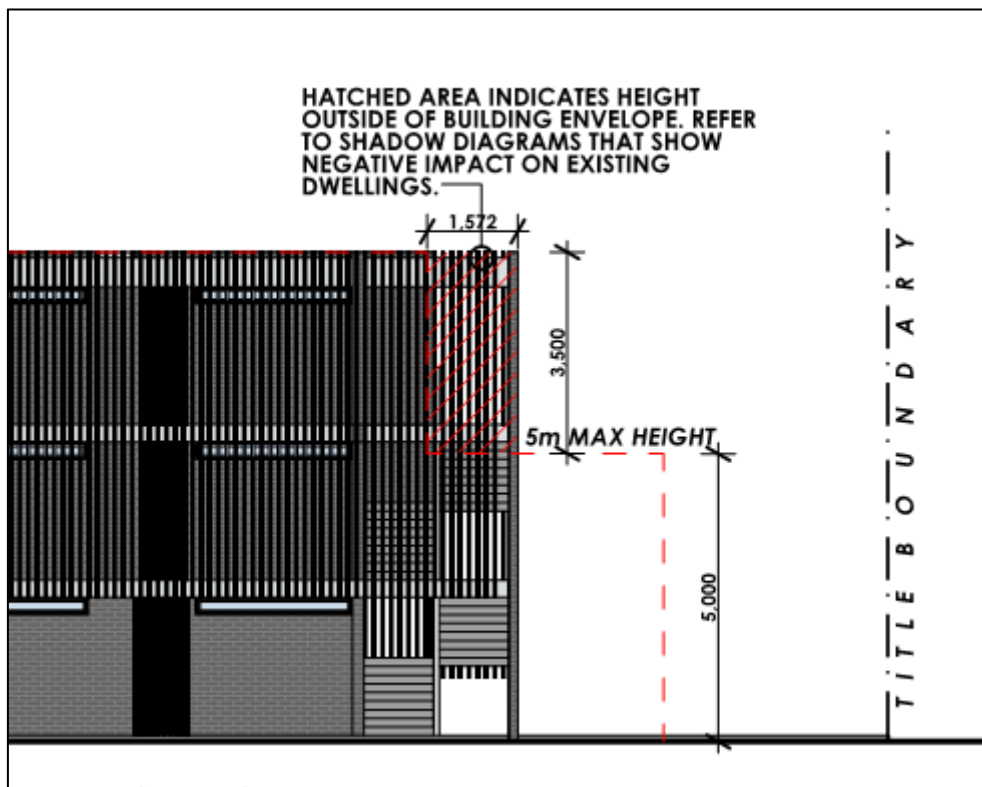


Figure 12 – Western elevation showing area greater than 5m high hatched in red

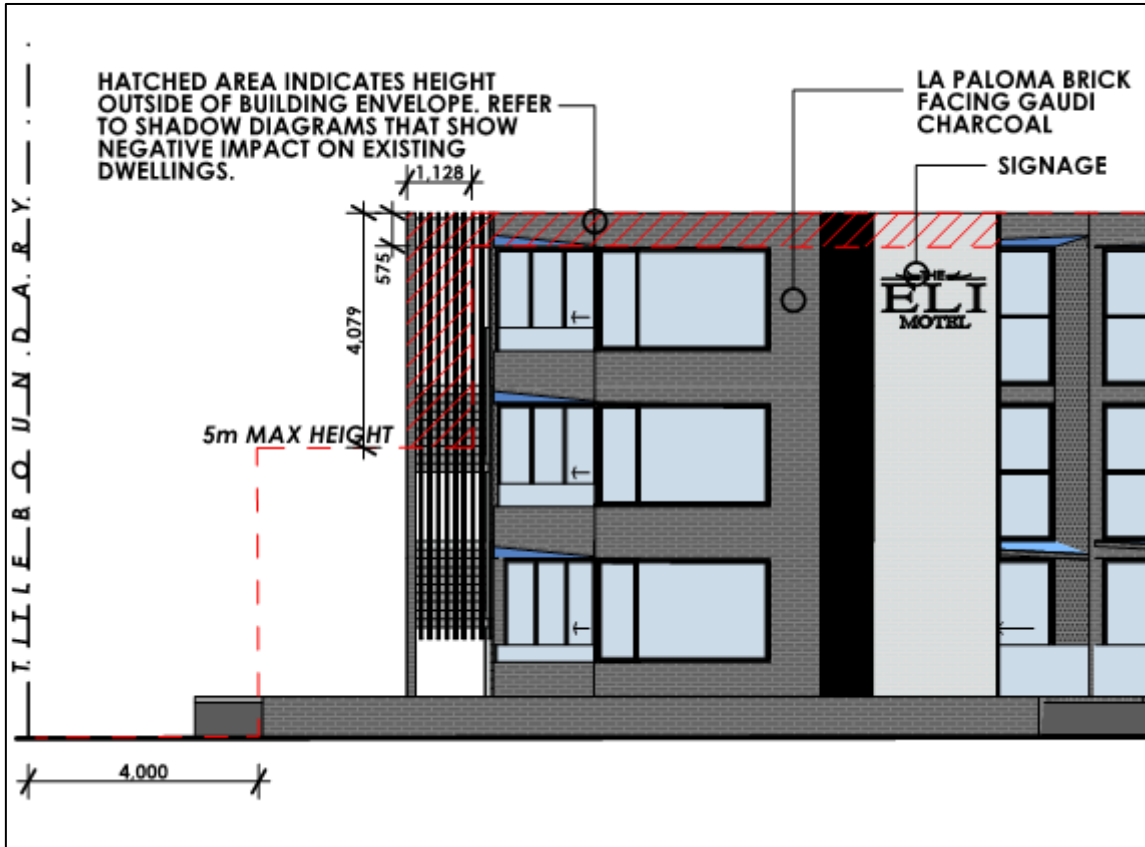


Figure 13 – eastern elevation showing areas above the height limits hatched in red

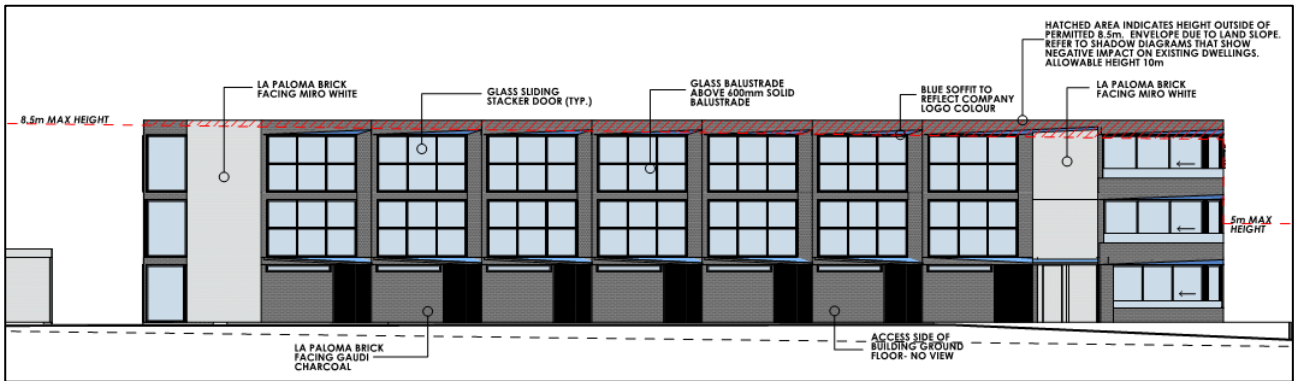


Figure 14 – southern elevation showing area above 8.5m height limit hatched in red

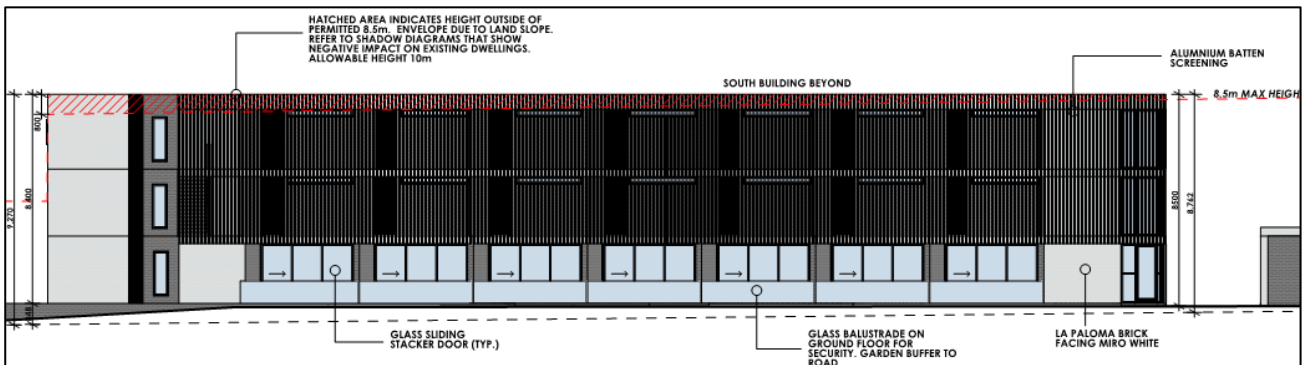


Figure 15 – northern elevation showing area above 8.5m height limit hatched in red

Given these variations to the acceptable solutions the proposal must be assessed against the corresponding performance criteria, therefore the building height and setback must

minimise the likelihood for overshadowing a habitable room in a dwelling and the minimum area of private open space belonging to an existing dwelling. In addition the buildings must minimise the apparent scale, bulk and proportion of buildings when viewed from Victoria Parade and Lower Madden Street.

The applicant has supplied Figures 16-19 to indicate the shading that will be created by the buildings on 21 June. This date is utilised when determining shading impacts because it is the shortest day of the year, when shadows are at their longest and therefore of greatest impact.

The dwelling on 7 Lower Madden Street is predominantly overshadowed by the 3m high section of building, which has a setback to the boundary of 5.153m. This height and setback greatly reduces the impact of shading caused by the building as it is less than that allowed. A 5m high wall, built 4m from the boundary is permitted on the site, the impacts of which would be much greater.

Although the building is 575mm over the permitted 8.5m limit this is due only to the fall in natural ground level from west to east. The height of the building is level and therefore the portion exceeding the height limit will not create any more shading over the western neighbours than the section within the height limit. The portion of the building exceeding the height limit that will result in additional overshadowing will only impact the very back of the garden of 7 Lower Madden Street.

Although the overshadowing effecting 7 Lower Madden Street complies with the acceptable solutions there are other components of the application which must be assessed against the performance criteria. The proposal minimises overshadowing given the setbacks and heights proposed and the diagrams show that although the shadows will be long at 9am they will reduce substantially by 11am. It must be remembered that the angle of the shadow, as well as its length will reduce as the morning progresses and sun will enter the windows of the kitchen and dining room well before 11am. The private open space will be impacted for a longer period due to the higher part of the building, but the western side of the garden will receive sunlight by mid-morning.

The apparent scale, bulk and proportion of buildings is minimised when viewed from Lower Madden Street as the front section of the building is lower than the neighbouring dwellings. The building finishes, variation in heights and setbacks and sawtooth design also reduce any impact.



Figure 16 – shadow diagram showing extent of shadows at 9am on 21 June

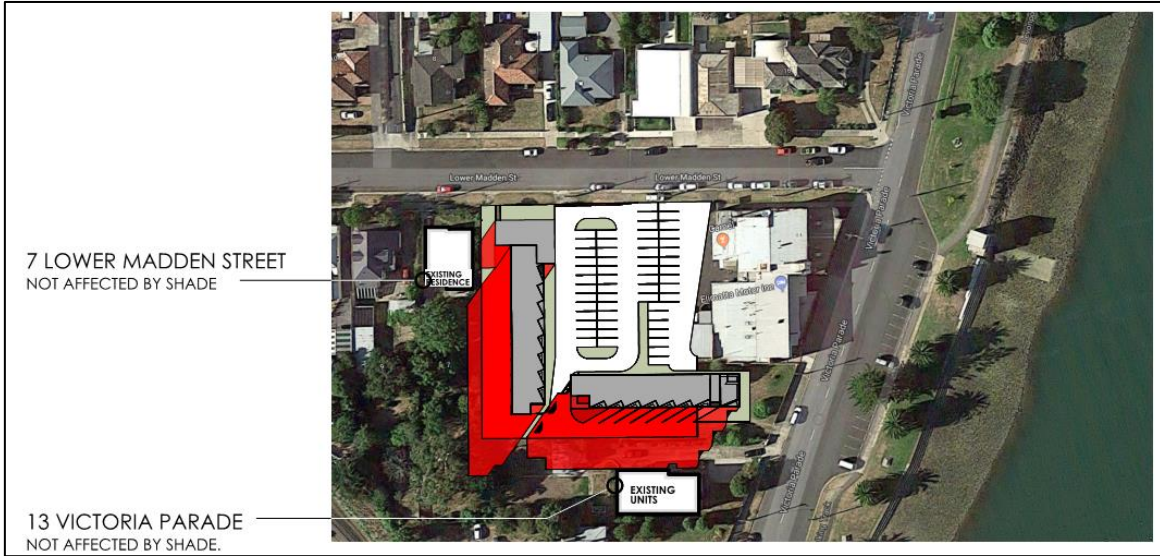


Figure 17 – shadow diagram showing extent of shadows at 11am on 21 June



Figure 18 – shadow diagram showing extent of shadows at 1pm on 21 June

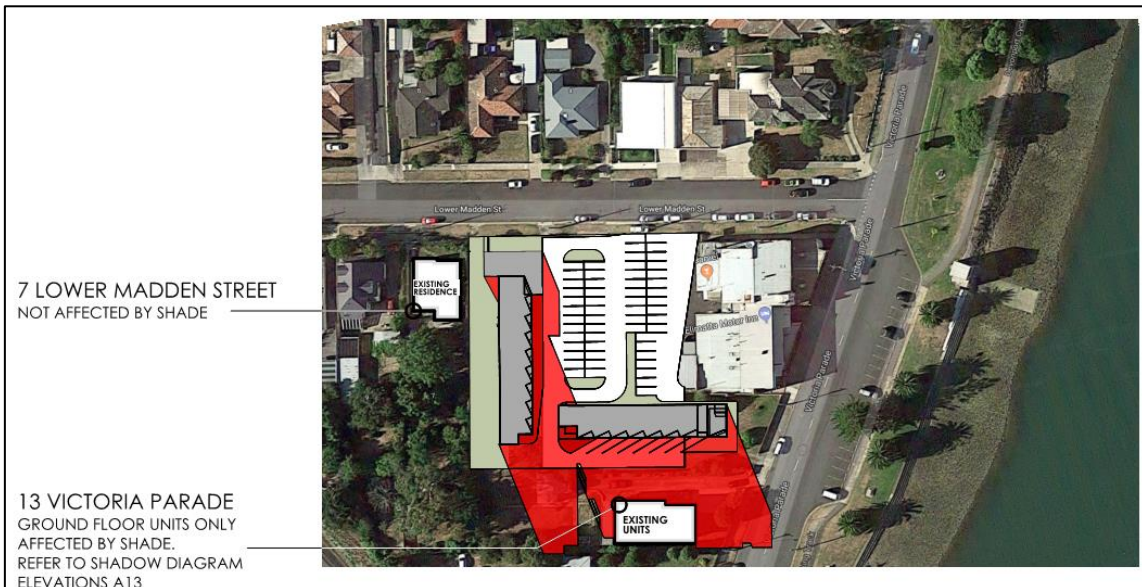


Figure 19 – shadow diagram showing extent of shadows at 3pm on 21 June



Figure 20 – shadow diagram showing position of shadows on the units to the south at 1pm and 3pm on 21 June

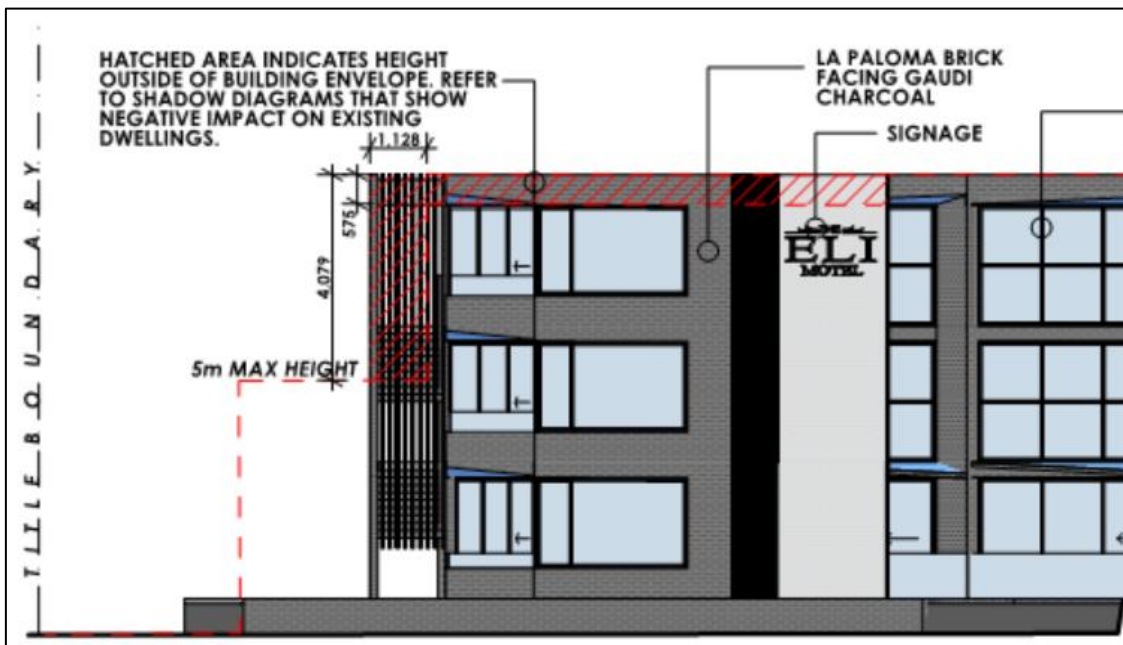


Figure 21 – approximate extent of proposed buildings visible from Victoria Parade 1pm and 3pm on 21 June

The overshadowing caused by the southern building affects the neighbouring property to the south which contains a two storey block of 4 units. The units themselves are not impacted by the overshadowing until after 1pm. Figure 20 shows that the angle of the shadow means that the windows of the units are not in shade at 1pm and at 3pm only the ground floor windows will be in shade. Therefore the units will not be affected by the motel for the majority of the day. The units are located on a large block, allowing sufficient outdoor space which will not be impacted by the shading. When viewed from Victoria Parade the apparent scale, bulk and proportion of buildings is minimised as the southern building is only 8.5m wide. This is the main section of the proposal visible from Victoria Parade. The other building has a setback of approximately 60m from Victoria Parade which will greatly reduce the visual impact. Figure 21 shows the approximate extent of new buildings visible from Victoria Parade and Figure 9 shows the 3D view of the southern building as seen from Victoria Parade.

32.4.1 Location and configuration of development

<p>A2</p> <p>Vehicular ingress and egress from car parking area must be only from –</p> <p>(a) ingress only from not more than one existing access point in Lower Madden Street;</p> <p>(b) Victoria Parade.</p>	<p>P2</p> <p>The number of accesses for each frontage and their traffic impact upon sensitive uses is to be minimised, having regard to –</p> <p>(a) the function and traffic generation characteristics of buildings served by accesses;</p> <p>(b) minimising the number of vehicle ingress and egress points;</p> <p>(c) impact on residential amenity on adjoining land;</p> <p>(d) impact on pedestrian safety and amenity; and</p> <p>(e) maintaining traffic safety.</p>
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Section 32.4.1 A2 stipulates that Lower Madden Street is to provide entry only to the site and traffic must exit the site onto Victoria Parade. It is also possible to enter the site from Victoria Parade. Only one access point is to be made available on Lower Madden Street.

The proposal complies with having entry only from Lower Madden Street, however 2 access points are proposed rather than 1. As a result the performance criteria must be satisfied. A total of 2 entry and 1 exit point are proposed. The westernmost access has been designed to cater for the motel and the easternmost access will cater for the hotel and restaurant. This entry will only provide access to 10 parking spaces, as seen highlighted in yellow in Figure 2. Although there are two access points this will not result in any more traffic entering the site than if there were only one entry. The western entry is approximately 35m from adjoining residential land and the building will provide separation between the two.

Should the Tasmanian Planning Commission (TPC) have been against multiple access points from Lower Madden Street it would not have included any performance criteria.

Having two entry points rather than one should not impact pedestrian or traffic safety other than meaning people will need to be aware at two points. It is deemed that the performance criteria are satisfied.

<p>A3</p> <p>The Lower Madden St façade of a building must not contain doorways, other than for an emergency exit.</p>	<p>P3</p> <p>The design of a building with frontage to Lower Madden Street must minimise likely adverse impacts on the streetscape or the amenity of sensitive uses.</p>
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The Lower Madden Street façade does not contain any doorways and therefore complies with the acceptable solution.

<p>A4</p> <p>Not less than 10% of the site must be provided as landscaped open space.</p>	<p>P4</p> <p>Adequate landscaping must be provided or retained to –</p> <p>(a) soften the view of unscreened car parking areas, especially from the street;</p> <p>(b) reduce the visual impact of buildings; and</p> <p>(c) maintain public views of items with heritage values in the Victoria Parade Conservation Area.</p>
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Approximately 16% of the site will be landscaped which complies with the acceptable solution.

Report to special Council meeting on 19 November 2018

<p>A5</p> <p>Continuous walls excluding fences within 1.5m of a boundary to Lower Madden Street or the General Residential zone must be not higher than 3.0 metres and not longer than 20m.</p>	<p>P5</p> <p>Continuous walls excluding fences within 1.5m of a boundary to Lower Madden Street or the General Residential zone are not obtrusive, having regard to -</p> <p>(a) whether building materials, form and proportion complements the streetscape;</p> <p>(b) the solid to void ratio;</p> <p>(c) the potential to include wall articulation or soft landscaping features; and</p> <p>(d) the amenity of adjoining sensitive uses.</p>
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There are no walls within 1.5m of Lower Madden Street or a boundary to the General Residential zone. The proposal complies.

<p>A6</p> <p>Site coverage must not be more than 50%.</p>	<p>P6</p> <p>Site coverage must have regard to -</p> <p>(a) the provision of adequate, usable areas for vehicle parking and manoeuvring, unloading and storage of goods;</p> <p>(b) the size and shape of the site;</p> <p>(c) the existing buildings and any constraints imposed by existing development;</p> <p>(d) the provision for landscaping;</p> <p>(e) the site coverage of adjacent lots; and</p> <p>(f) the character of the surrounding area.</p>
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The proposal complies with the acceptable solution as site coverage is 34.81%.

32.4.2 Setback from zone boundaries

<p>Objective:</p> <p>Use or development of land adjoining land in another zone is to minimise -</p> <p>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</p> <p>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone.</p>	
<p>Acceptable Solutions</p> <p>A1</p> <p>Development of land with a boundary to a zone must -</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown in the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause -</p> <p>(i) a building or work;</p> <p>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</p> <p>(iii) vehicle loading or parking area;</p> <p>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</p>	<p>Performance Criteria</p> <p>P1</p> <p>The location of development must -</p> <p>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</p> <p>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone.</p>

<ul style="list-style-type: none"> (v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility; (vi) a sign orientated to view from land in another zone; or (vii) external lighting for operational or security purposes; and <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> (i) the setback distance from the zone boundary as shown in the Table to this Clause; and (ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry.</p>	
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The proposal complies with clause 32.4.2 A1 (a) as the 4m setback requirement is met.

The proposal complies with clause A1 (b) except for point (ii) in regard to vehicle access. The applicant states that any conflict with the property to the south will be minimised by the height of the boundary fence. The driveway will be 3.6m wide which also allows for 400mm of landscaping. A condition can be placed on the permit to require appropriate screening of the neighbouring property either by fencing or screening plants, or both.

Clause (c) adds additional criteria to the building height and setback requirements by also requiring a building envelope be considered. For illustration purposes Figure 22 provides an example of a building envelope, taken from the General Residential zone standards, however the subject clause has the building envelope placed on the lot 4m in from the boundary, at the zone boundary setbacks. Figures 23 & 24 show the area outside the building envelope hatched in red.

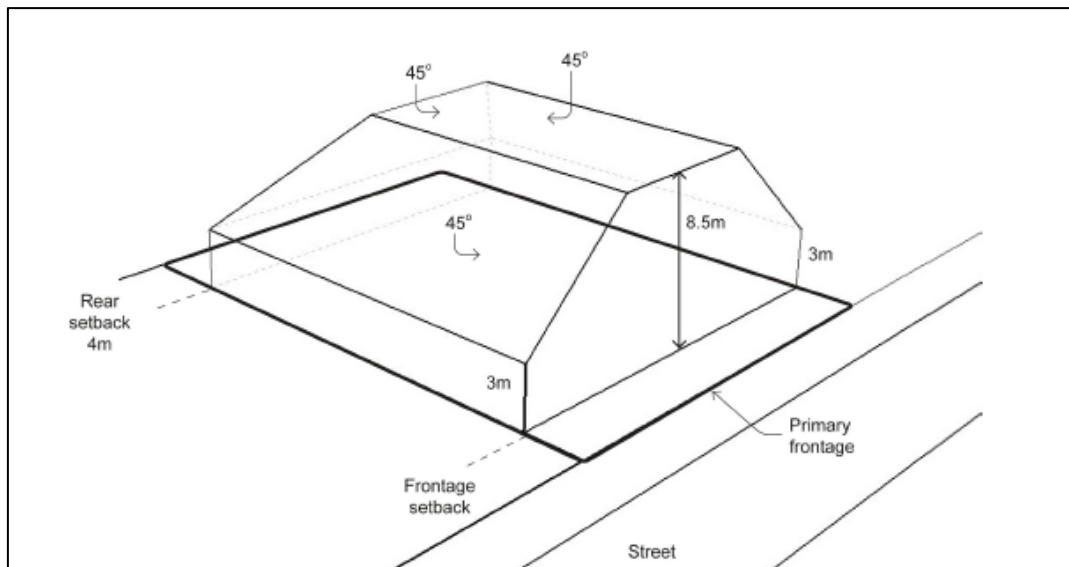


Figure 22 – diagram taken from the General Residential zone standards to demonstrate the building envelope

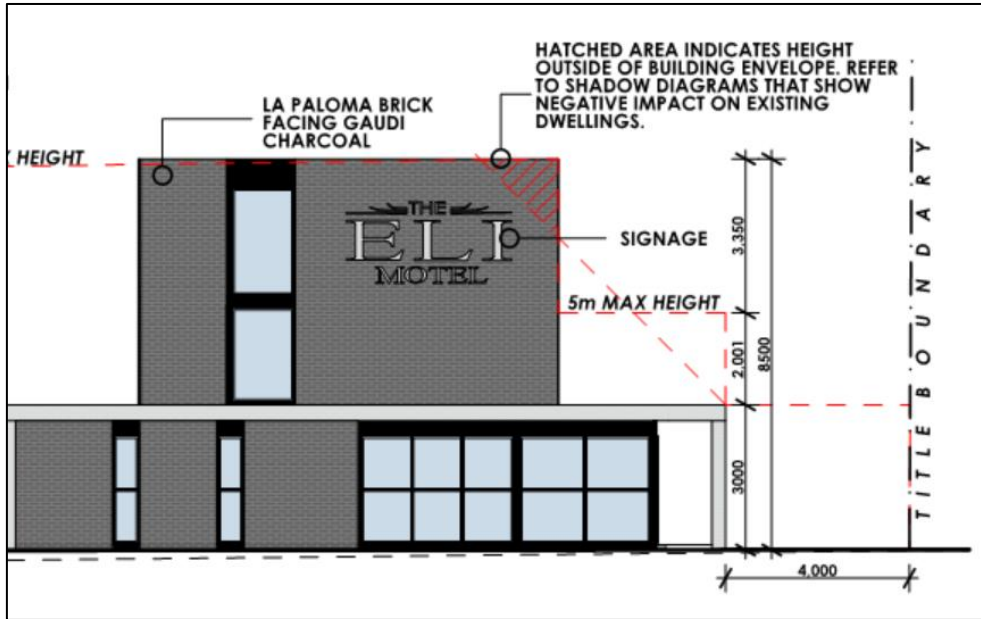


Figure 23 – northern elevation showing western building with area outside building envelope shown hatched in red

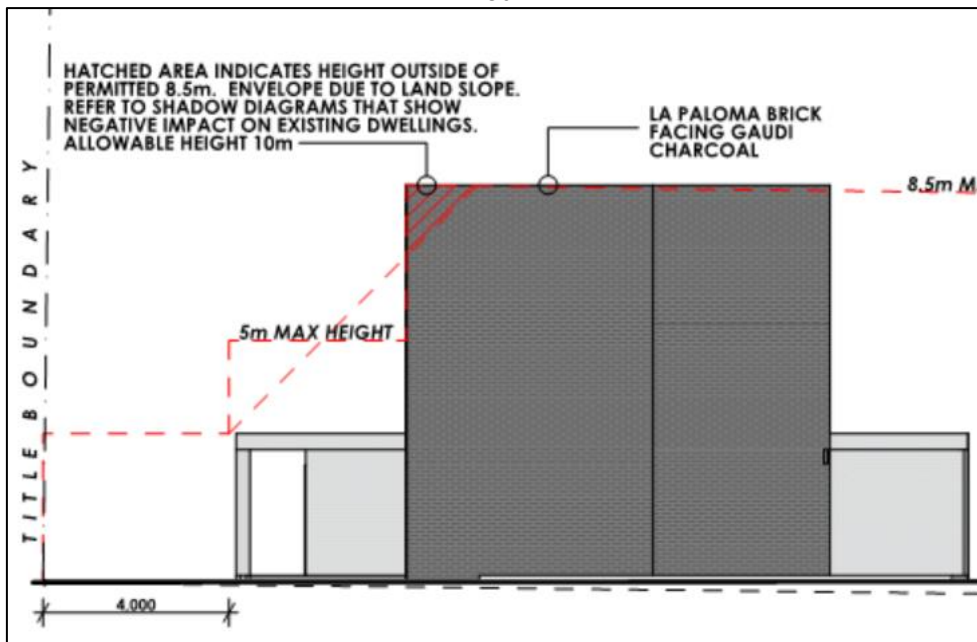


Figure 24 – southern elevation showing western building with area outside building envelope shown hatched in red (this is the same part of the building as shown in Figure 23)

Clause (d) states that the elevation of a building to a zone boundary must not contain any doors or windows to habitable rooms. The proposal shows doors on the western side of the western building. At one time it was proposed to have vehicle access on the western side of the building which made the entrances more appropriate. As this is no longer the case it is felt that the doors are no longer required, if entry can be provided via the eastern side of the building. It is felt the majority of guests would prefer to enter the rooms from the car park side of the building. The architect has agreed that this is likely and the doors are not as practical as they once were. In light of this a condition will be placed on the permit requiring the western ground level doors to be removed. Alternatively, if the applicant wishes to retain these doors, a wall can be built along this side of the building to enclose the doorways which are roofed by the floor of the storey above.

The reception is accessed via a door in the western side of the building. As there is no longer a driveway along this boundary this too seems unwarranted and access via the car park would be more appropriate. In addition, the manager's residence is currently on the car park side of the building. The architect has confirmed that this is not ideal and it is proposed to flip the building to place the reception on the eastern side and the manager's residence on the western side. A condition will be placed on the permit to ensure this occurs.

The southern block of rooms also has ground floor doors facing the General Residential zone. In addition there are windows on the southern side on the first and second floors. The doors have been screened and the windows are angled to face south-east, towards the river. Although the windows are on the southern elevation they have been designed to draw guests' eyes to the river, rather than the neighbouring land. Given the height of the windows, which will allow people to look out at the water over the residential lot, it is likely that people will look at the water rather than the neighbouring land. The ground floor rooms in this building overlook the carpark. It is possible that the applicant could be required to flip the first and second floors to do the same. The performance criteria requires the location of the development minimise the likelihood for conflict, constraint or interference from sensitive use on land in an adjoining land and minimise the likely impact on the amenity of the sensitive use on land in an adjoining zone. It is felt that it is unlikely that the neighbouring residential use would negatively impact on the visitor accommodation and therefore the proposal is deemed to comply with section 32.4.2 P1 (a). In regard to P1 (b) it is more likely that the proposal could impact the amenity of the neighbouring units. Having said that, the General Residential zone allows for windows to be built on the same plane provided they are 6m apart. The proposal would see windows a minimum of 17m apart which do not face each other directly. However, in the General Residential zone it is unlikely that there would be a block of flats with 16 separate occupants potentially overlooking another dwelling on neighbouring land, although there are several instances of large blocks of flats in Devonport where this has the potential to occur.

Given the motel will house visitors to the city it is more probable that they would be interested in the river and associated view, rather than the activities occurring on neighbouring land. It is felt that the separation provided, along with the orientation of the windows, is sufficient to minimise any impact on neighbouring residential amenity and therefore section 32.4.2 P1 (b) is also deemed to be satisfied.

E5 – Local Heritage Code

The site is located in the Victoria Parade Conservation Area (see Figure 25) and as such must be assessed against requirements of the Local Heritage Code. The Table to the Code states that, *'the good design, use of materials, time settings and overall harmony of the area distinguish the heritage area [and] the area behind Victoria Parade also includes good quality housing stock but not as distinguished as the houses fronting the water.'* Along with quality heritage housing the area near the Elimatta Hotel also includes a block of flats, built in the 1960s, the Senior Citizens Club, a site recently approved to house a modern dentist and above ground apartments and the subject site itself.

As the proposal includes the demolition of the existing motel rooms and the house and shed located on 13 Victoria Parade, as shown in Figure 1, the demolition must comply with clause E5.6.2 of the planning scheme. In addition clause E5.6.4 in regard to design and location of development must also be considered as the proposal is visible from the street.

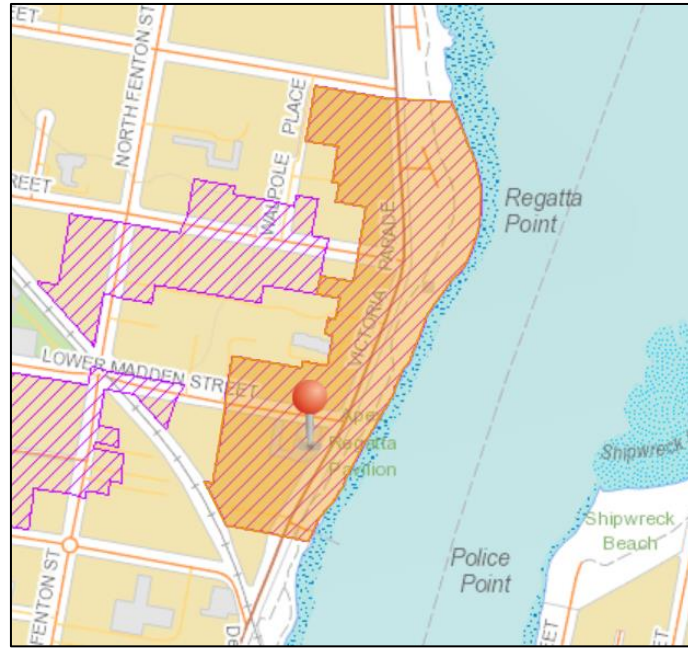


Figure 25 – Victoria Parade Conservation Area shown in orange with the location of the Elimatta marked by the pin (Courtesy of LIST)

E5.6.2 Demolition

Objective:	
Demolition of a building, area or other place is to occur only if there is no feasible and prudent alternative	
Acceptable Solutions	Performance Criteria
A1	P1
Demolition achieves the conservation outcomes for a building, place or conservation area shown in Column 4 of the table to this Code	Demolition in whole or in part of a building or place may be permitted, having regard to - (a) the heritage significance of the affected parts of the building or place; (b) the likely benefits of renovating, rehabilitating, reconstructing or modifying the building for an approved use; and (c) the impracticability and cost of retaining and conserving the building or place; or (d) overriding environmental, public health or economic considerations.

The clause above refers to Column 4, however, Column 4 has not been populated and therefore it is not possible to assess any proposal against this. As a result the demolition must be assessed against the performance criteria above. The costs of renovation are prohibitive as the application states that it would cost approximately \$700,000 to renovate the house, although this price does seem excessive. In any case the Tasmanian Planning Commission would not have rezoned the site to the Elimatta Particular Purpose Zone if it did not intend for the building to be demolished. Figures 26 – 28 show the house and Figures 29 – 30 show the existing motel. The proposal is deemed to comply with the performance criteria due to the overriding economic considerations as the existing motel, house and shed could not achieve the same revenue as the proposed motel.



Figure 26 – 13 Victoria Parade – to be demolished



Figure 27 – 13 Victoria Parade – to be demolished



Figure 28 – 13 Victoria Parade – to be demolished



Figure 29 – existing motel accommodation – to be demolished



Figure 30 – existing motel accommodation (viewed from Lower Madden Street) – to be demolished

E5.6.4 Design and location of development

Objective:	
Design and location of new development is to be consistent with the attributes and features specified for conservation	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development must comply with the conservation outcomes specified in Column 4 of the Table to this Code for the building, area, or other place</p>	<p>P1</p> <p>The design and location of buildings and development areas must maintain the architectural or historic interest or special cultural value specified in the Table to this Code for a building, area or other place having regard for –</p> <ul style="list-style-type: none"> (a) integrity of the fabric and structure of the building, area, or other place; (b) setback, scale, and height of building elements relative to existing development on the site; (c) vegetation and other improvement on the site or on adjacent land; (d) separation of buildings and activity areas from a frontage; (e) separation of buildings and activity areas across a boundary; and (f) architectural style and features of the building, area, or other place including - <ul style="list-style-type: none"> (i) roof form and pitch; (ii) fenestration; (iii) methods and techniques of construction; (iv) external fabric, materials and finish; (v) colour scheme; (vi) alteration and addition; (vii) outbuildings; (viii) garden design, planting and structures; (ix) fencing; and (x) signage

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Once again, it is not possible to comply with the acceptable solution and so the performance criteria must be satisfied. The proposal must maintain the architectural or historic interest or special cultural value specified in the Table to the code.

The Burra Charter, which provides guidance in regard to Australian heritage, states that 'new work should be readily identifiable as such.' The practice notes to the Burra Charter state that:

an important factor in the success of new work is the quality and sensitivity of the design response. Imitative solutions should generally be avoided: they can mislead the onlooker and may diminish the strength and visual integrity of the original. Well-designed new work can have a positive role in the interpretation of a place.

The proposal is of good architectural design and will greatly improve the aesthetics of the site. It does not attempt to imitate the style of the nearby buildings. It is deemed that the proposal complies with the performance criteria.

Signage for the site is minimal and less than 10m² in total. This is exempt under the Sign Code however signage becomes discretionary because the site is located with a Conservation Area. The signage can be seen in Figures 21 & 23. It is understated and deemed to be in keeping with the requirements of the code.

E9 – Traffic Generating Use and Parking Code

E9.5 Use Standards

E9.5.1 Provision for parking

Objective:	
Provision is to be made for convenient, accessible, and usable vehicle parking to satisfy requirements for use or development without impact for use or development of other land or for the safety and operation of any road	
Acceptable Solutions	Performance Criteria
A1 Provision for parking must be – (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;	P1 (a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or (b) Adequate and appropriate provision must be made for vehicle parking to meet – (i) anticipated requirement for the type, scale, and intensity of the use; (ii) likely needs and requirements of site users; and (iii) likely type, number, frequency, and duration of vehicle parking demand

Extract from Table to the Code

Visitor accommodation	Caravan park and camping grounds 1 x space / caravan or tent site	(a) 1 x small rigid truck (b) 1 x passenger bus for motel and residential hotel
	Bed and breakfast, motel, and residential hotel (a) 1 x space / bedroom; and (b) 1 x additional space / 5 bedrooms; and (c) if restaurant is included – (i) 15 x spaces / 100m ² gross floor area of restaurant; or (ii) 1 x space / 3 seats whichever is the greater	

The site currently provides formalised parking for the motel guests only. Hotel patrons generally park on the street in both Victoria Parade and Lower Madden Street. An extensive search of previous planning permits found a requirement only for twelve parking spaces in relation to the existing motel. This motel use will disappear with the removal of the existing building, therefore the only parking required for the site is that needed for the proposal.

The scheme states that motel accommodation requires one space per bedroom and one additional space per five bedrooms. Forty-eight rooms are proposed. This equates to fifty-eight parking spaces. The proposal also includes a manager's residence. A total of sixty parking spaces are proposed which means there are two additional spaces for the manager.

Parking for deliveries is shown on the eastern side of the car park. No bus parking is provided and therefore the proposal is discretionary. The likely demand for bus parking is low as groups are unlikely to stay at the motel on a daily basis. The majority of guests will book one room only and therefore it is deemed that the car park will provide sufficient parking for the motel operations. The applicant has stated verbally that the majority of guests will likely be those travelling on the Spirit of Tasmania with cars.

COMMUNITY ENGAGEMENT

On 21/08/2018, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 25/08/2018;
- (b) Making a copy of the proposal available in Council Offices from the 25/08/2018;
- (c) Notifying adjoining property owners by mail on 22/08/2018; and
- (d) Erecting a Site Notice for display from the 24/08/2018.

The period for representations to be received by Council closed on 10/09/2018.

REPRESENTATIONS

Four representations were received within the prescribed fourteen day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representations were received from nearby residents and are reproduced below, followed by comments following each point.

When determining an application the planning scheme provides guidance in the form of section 8.10 which is reproduced below. This states that representations must be taken into consideration but only insofar as each matter is relevant to the particular discretion being exercised.

8.10 Determining Applications

8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

The first representation was received from Ms H Cahalin of 9 Lower Madden Street.

The General Manager,

Devonport City Council

9/9/18

council@devonport.tas.gov.au

Dear Sir,

re Planning Application No. PA2018.0133

As a rate payer and resident/owner of the property at 9, Lower Madden Street, Devonport 7310, I would like to lodge my formal objection to the proposed redevelopment of the Elimatta Hotel.

I believe that this redevelopment will impact negatively upon my privacy, personal wellbeing and the quiet enjoyment of my property as well as adversely affecting the aesthetic and ambience of the local area as follows

AESTHETIC/AMBIENCE

This redevelopment will not meet 32.1.1.3 "To ensure that use and development of the land does not **impact adversely on the residential amenity or heritage values** of the locality"; 32.1.2 Local Area Objectives (a) "... to minimise impact on the amenity of neighbouring or **nearby properties**" (b) "the appearance of development must be **sympathetic to the character** of the adjoining zones, the river front location and the streetscape of Victoria Parade and Lower Madden Street" & 32.1.3 Desired future character statements (b)"the appearance of buildings should respect the property's history and **harmonise with the architectural styles and heritage values** of nearby buildings that face Victoria Parade" 32.4.1 (a) "ensure the development does not dominate the **streetscape** when viewed from the Victoria Parade parklands" and (c) ensure the impact of **vehicle ingress and egress on Lower Madden Street is minimised**" and A/P5 "(a) whether **building materials, form and proportion complements the streetscape**"

If the proposal satisfies the acceptable solutions and performance criteria it is deemed to meet the requirements of the scheme.

The representation states that the proposal does not comply with 32.4.1 A/P5 however there are no continuous walls proposed within 1.5m of a boundary and the proposal meets the acceptable solution for this clause.

The Lower Madden Street/Victoria Parade area is a desirable place to live and we pay rates that reflect this. It allows for ease of access to Devonport's amenities including shops, restaurants and cafes and the walking track. One of the advantages is its proximity to Town but it is quiet and secluded. The Elimatta redevelopment will change this. The proposal is for two three-storey buildings of 8.5 metres in height (*more in some areas with the justification of the incline of the street being a contentious one*). How can these not dominate the streetscape?

The redevelopment does not reflect the aesthetic of the rest of the area and does not marry with its heritage status. The proposal is for a large, contemporary building with dark colours and modern materials that are not at all in keeping with the rest of the area

As discussed previously the fact that the proposal does not attempt to imitate the heritage designs in the area is beneficial as it will not diminish the heritage values of the existing residential buildings. The proposal is deemed to comply with the relevant performance criteria.

I am deeply concerned about the proposed demolition of the heritage property at 13 Victoria Parade. Having recently renovated the interior of my home and being currently engaged in obtaining quotes for painting of its exterior, I believe the projected costs for renovation provided in the application represent an overestimate and query why, if the property is only worthy of demolition, was it tenanted until earlier this year (2018)

As also discussed previously the TPC made the decision to include 13 Victoria Parade in the Particular Purpose Zone and would not have done so had it not intended the building be demolished.

This redevelopment will not meet 32.1.3 (f) “ **traffic movements in Lower Madden Street should be minimised** to protect residential amenity in the immediate locality” and 32.4.1 A2 (a) ingress

only from **not more than one existing access point in Lower Madden Street**” and P2 (b) “**minimising the number of vehicle ingress and egress points**”; (d) “**impact on pedestrian safety and amenity**”

The redevelopment has two separate entrances on Lower Madden Street. There is ingress to the carpark and a separate ingress to the location of the current bottle shop, driving through to Victoria Parade. This will mean increased noise and traffic. The limited parking available for non-resident hotel patrons and staff must result in increased parking along Victoria Parade and on Lower Madden Street. In addition there will be increased foot traffic as people move to and from their cars with an increase in noise to be suffered by local residents (car doors banging late at night for example)

Currently Lower Madden Street provides access to the Victoria Parade walking track. There is a reduced footpath on the opposite side of the street which results in the bulk of foot traffic being on the same side as the redevelopment. Given the increased parking along the street due to reduction in parking for non-resident patrons and hotel employees, there will be a reduced line of sight for pedestrians as they pass by the carpark entrances which is a safety concern. I also note that the carpark extends up to the footpath in some areas which does not comply with 32.4.1 P4 “Adequate landscaping must be provided or retained to (a) **soften the view of unscreened car parking areas especially from the street**”

An additional traffic concern is that of lack of apparent parking/access for coaches/buses. The hotel is already a venue for social events such as bucks parties and end of year sporting celebrations. The addition of extra units will undoubtedly make it appealing to visiting sports teams who may well arrive as a group. In fact, the hotel description on Trip Advisor states parking for “RV, bus, truck parking, Parking (limited spaces), Free parking nearby”. With the loss of the current open parking area, I am concerned about where these large vehicles will pick up and set down passengers. In all likelihood this will be on Lower Madden Street as the new traffic arrangements along Victoria Parade would make it extremely difficult for a large vehicle to stop safely.

Had the TPC felt that only one entry from Lower Madden Street should be permitted it would not have provided performance criteria to allow for discretion. There are already two entrances from Lower Madden Street therefore the number is not proposed to increase. There should be no greater impact on pedestrian safety than the current situation.

The line of sight for pedestrians using the footpath should not be impacted by having two entrances. Cars will have to obey the road rules and cannot park on the footpath.

Clause 32.4.1 P4 cannot be considered as the proposal complies with the corresponding acceptable solution in regard to landscaping.

The proposal shows an area for picking up and dropping off passengers on the eastern side of the carpark.

PRIVACY

This redevelopment will not meet 32.3.1 "To ensure that uses **do not unreasonably impact on residential amenity**" 32.4.2 (d) "the elevation of a building to a zone boundary **must not contain an external opening other than an emergency exit**, including a door, window to a habitable room, loading bay or vehicle entry"

The size and positioning of the phase one development will impact upon my privacy. The building is three storeys high with entrances that will overlook my property. The walkway to the entry door of every room on every level is facing my property. People will be able to look directly down into my glass conservatory, my outdoor living space and potentially into three of the bedrooms that have windows facing them. This is both a privacy and a noise issue. Rooms will be non-smoking due to current legislation and therefore customary practice suggests that guests will stand and smoke on the walkway overlooking my property.

As discussed previously the proposal meets the acceptable solutions of clause 32.3.1.

In regard to external openings within the elevation of a building to a zone boundary there are no external doorways proposed for the first and second floors. A solid wall is proposed with very high windows which guests will not be able to see out of. A condition will be placed on the permit requiring the ground level doors be removed or a wall be constructed to ensure there are no entrances facing the western boundary. There is no walkway overlooking the western boundary.

PERSONAL WELLBEING/QUIET ENJOYMENT

Overshadowing

This redevelopment will not meet 32.4.1 P1 (a-ii) "**minimise likelihood for overshadowing** of the minimum area of private open space appurtenant to an existing dwelling" 32.4.2 P1 (b) "minimise likely **impact on the amenity** of the sensitive use on land in an adjoining zone"

There will be shadow over my entire garden at certain times of the day (*see photograph presented in plans. This photograph refers only to 7 Lower Madden Street however it clearly demonstrates the impact upon 9 Lower Madden Street also.*) Some parts of my garden currently access morning sun only and so will be in shade for the majority of the day.

The shade will also mean that my washing line, adjacent to the side fence, will be in shade for the majority of the day. This will make it difficult to dry clothes outside and result in increased use of the dryer throughout the year which will incur cost and unnecessary noise/moisture in my home

The proposal does comply with the requirements of the scheme in regard to overshadowing to the west. The general rule of thumb is that if a proposal does not stop a property from receiving at least three hours of sunlight it does not negatively impact amenity. In the case of 9 Lower Madden Street the proposal will only cast a shadow until approximately 10am. This is deemed to comply with the requirements of the scheme.

Noise

This redevelopment will not meet 32.3.1 A5 "air conditioning, air extraction, heating or refrigeration systems or compressors must be designed located, baffled or insulated to **prevent noise, odours, fumes, or vibration** from being received by sensitive uses in adjoining or immediately opposite properties".

Current practice is to position air conditioning units on the external wall of a property to reduce noise impact upon those inside. Given that the frontage of the units is largely glass, it is probable that these units will be located in the walkway overlooking my property with the resulting noise from 20+ systems further impacting my enjoyment of my outdoor areas. This will also impact upon other neighbouring properties, and will increase as the phase two units are completed. Noise will be added to by plumbing, cars, patrons and possibly the noise from the building's lift

It is unlikely that air conditioning units will be placed on the external walls of the building, especially given the batons to be placed on the wall. It is more likely that such equipment will be placed on the roof. Even so, should there be any noise nuisance it can be dealt with through the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

This redevelopment will not meet 32.3.1 "To ensure that uses **do not unreasonably impact on residential amenity**" Currently my outdoor living space accesses morning sun and the outlook is open and airy. It looks beyond my fence at the trees in the neighbouring garden and over to East Devonport beyond. I am able to see the Spirit of Tasmania as it passes from both my outdoor living space and my conservatory. The redevelopment will block this view, impact upon my enjoyment of the outdoor area and conservatory. I use this area throughout the day, every day of the week, in all weather and in all seasons. I am generally out there by 7.00 a.m. in winter and earlier in summer. It affords me a comforting and comfortable space in which to enjoy my garden and to train and exercise my dogs.

View is not a consideration of the planning scheme. Unfortunately it is likely that Ms Cahalin's garden will be overshadowed in the early morning however, the sun does not rise until 7.40am on 21 June, therefore any overshadowing caused by the proposal should not last more than a couple of hours.

There will be an increase in traffic and noise as people access the hotel, most particularly in the evenings due to the reduced availability of car parking for non-resident patrons. Given the lack of available parking for buses and coaches, it is likely that, at times, large groups of people will be moving back to their transportation.

The parking currently provided onsite is minimal with many people already parking on the street. As mentioned earlier a drop off/pick up point is identified on the plans.

The building does not meet 32.3.1 P4 "External lighting **must not cause an unreasonable loss of amenity to sensitive uses**"

According to the plans, access to the rooms will be via a walkway overlooking the neighbouring houses. These walkways will be lit at night for safety purposes. I am concerned about the impact this will have with the potential for light spilling into rooms facing the property, notably three bedrooms.


There is no walkway on the western side of the building. The proposal complies with the scheme in regard to external lighting.

The current plans do not meet the criteria set by council to protect local residents and the heritage values of the area. Indeed, the architects themselves have acknowledged that in some cases they are not complying (e.g. re building height). In view of the failure to meet many of the requirements stated in 32.0 Particular Purpose Zone 1- Elimatta Hotel and the negative impact that this

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redevelopment will have upon local residents and this established area, I strongly urge you to reject the current planning proposal and protect the local residents and the area as per the initial intentions of the regulations.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Helen Cahalin', written in a cursive style.

Helen Cahalin
9, Lower Madden St.

Although the proposal does not meet a number of acceptable solutions there are corresponding performance criteria against which the proposal can be assessed. The assessment demonstrates that the proposal does meet the requirements of the planning scheme.

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The second representation received was from Ms J Richmond of 7 Lower Madden Street.

7 Lower Madden Street

Devonport. 7310

10th Sept 2018

General Manager
Devonport City Council
PO Box 604
Devonport TAS 7310

Dear Sir,

RE: PA2018.0133 – APPLICATION FOR PLANNING PERMIT

13 & 14 – 15 VICTORIA PARADE AND 5 LOWER MADDEN STREET,

DEVONPORT

(File No: 35547)

I wish to make a representation pertaining to the above application.

I am the owner of the residential property at **7 Lower Madden Street, Devonport.**

This Federation style house which was built in 1920 has been owned and occupied by the Richmond family since 1924. The long rectangular block measuring 1,000 square metres, has been cultivated into a large, well established garden.



Overshadowing.

The building is outside the building envelope as set out in Diagram 32.4.1 and described in 32.4.2. A1 (c) (ii). (Refer also to Page 10 of development application)

This encroachment outside the building envelope is contributing to the overshadowing of a number of habitable rooms in the house namely the kitchen and dining room.

Both these rooms have windows on the eastern side of the house and are based towards the rear as evident in the picture below. Currently the sun only reaches these windows from sunrise to approx. midday. Therefore, these two rooms would receive less than 3 hours of sunlight.



Kitchen windows

The overshadowing of the house and garden as depicted on Page 13 of the development application on the 21st June 2018 at 0900 hrs. is profound and extensive, shading the majority of the property (This overshadowing would commence at sunrise.)

The overshadowing also limits the future development potential of my property.

Other examples would include the impact on the performance of solar panels which are planned for future installation.

While it is acknowledged that the proposal will cause overshadowing to Ms Richmond's property this side of the development complies with the required height limits and therefore the overshadowing is within the limits deemed acceptable by the TPC. Assessment of the performance criteria show these are also satisfied.

Traffic Movement

32.4.1 (c) *ensure the impact of vehicle ingress and egress on Lower Madden Street is minimised.*

and

A2 (a) *ingress only from not more than one existing access point in Lower Madden Street*

The desired future character statements for the ‘Particular Purpose Zone 1 – Elimatta Hotel’ clearly state that traffic is to be minimized in Lower Madden Street and that Victoria Parade is to continue to present as the main entrance for the complex.

Allowing a second driveway for the motel component of the development does not comply with A2 above.

There is the opportunity for a change to the application which would allow an entry and exit driveway from Victoria Parade thus limiting the number of additional traffic movements in Madden Street. (See last page.)

Housing the motel reception/lobby area on Madden Street will require all guests to enter the site from Madden Street.

It is unclear why it is to be accessed off the land adjacent to 7 Lower Madden Street rather than ‘flipping’ the building so that the reception/lobby can be accessed from the car park.

Although 32.4.1 A4 is satisfied, having the reception off the car park would be more consistent with the desire of 32.4.1 P3 to ‘minimise likely adverse impacts on the streetscape or the amenity of sensitive uses’ in Lower Madden Street and allow passive surveillance of the car park.

Ms Richmond’s observation in regard to the location of the reception for the motel is a good one and as discussed previously the permit will be conditioned to ensure the building is reversed to enable reception to be accessed via the car park.

The additional access off Lower Madden Street was discussed earlier as part of the assessment of the proposal.

Traffic Generating Use and Parking Code.

The requirements for off-street parking as set out in 'Code Eg – Traffic Generating Use and Parking Code' have not been met, nor have the relevant performance criteria been addressed.

The development proposes off-street car parking to satisfy the requirements of the new motel but makes no attempt to address the parking requirements of the existing hotel.

Table Eg.1 also requires a motel to provide access and loading for both a small rigid truck and a passenger bus.

It is not clear that either of these vehicles, but particularly a passenger bus or coach, would be able to safely access and maneuver through the proposed car park.

The proposal complies with parking except in regard to buses. As discussed the proposal is able to comply with the relevant performance criteria.

Boundary Fence.

There is no description in the development application of the shared boundary fence that will be required between my property and the new development eg height, material etc.

(The current lattice construction which marks most of the boundary was put up at my Aunt's expense and is now in a state of disrepair.)

I trust that you will consider my letter and the points raised within when reaching a decision on this application.

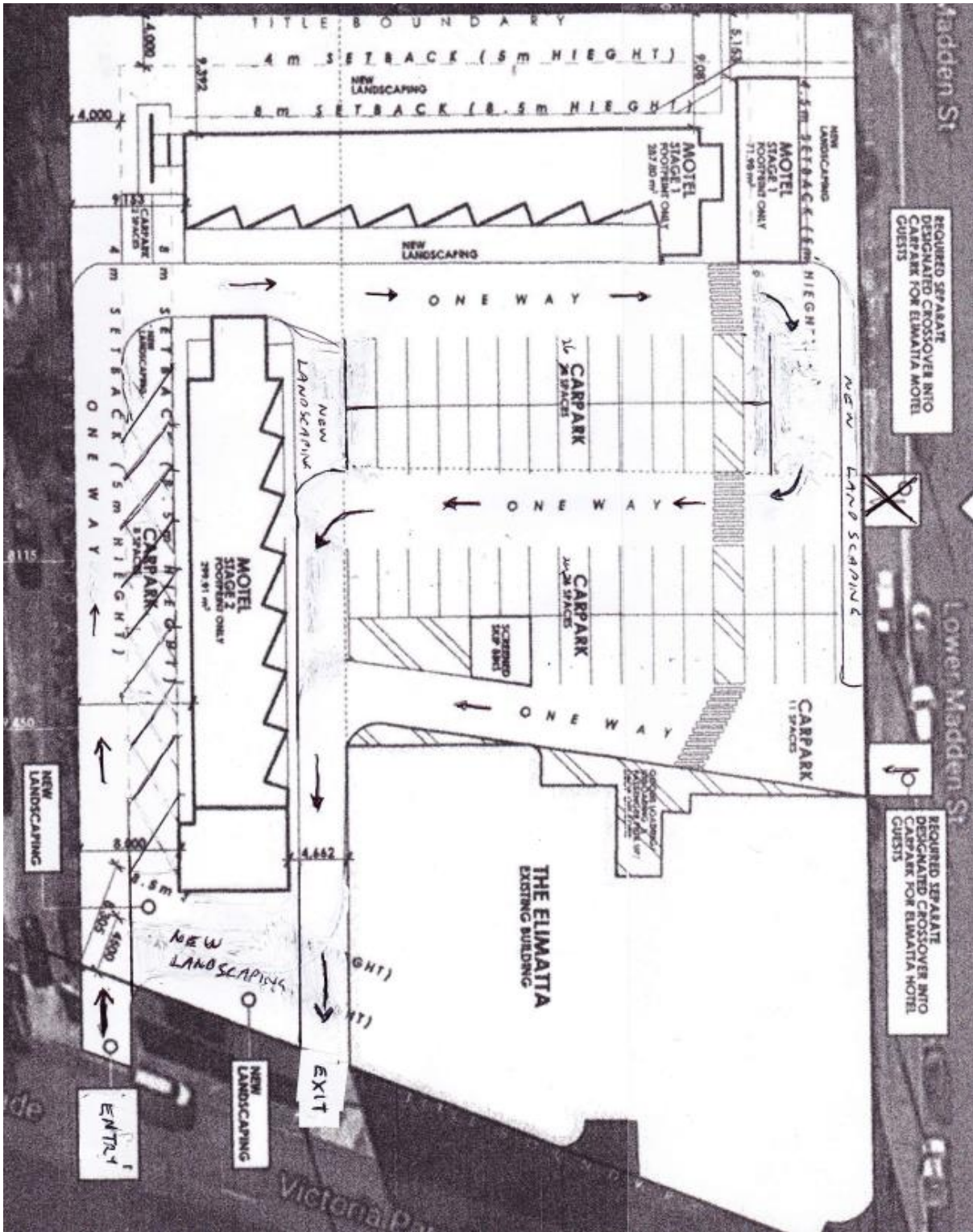
Yours sincerely,



Judy Richmond.

As Ms Richmond says there is no description of a new boundary fence. Reference is made to fencing for the southern building and it is likely the applicant will replace all fencing to provide consistency for the development. A condition will be placed on the permit in regard to this.

Report to special Council meeting on 19 November 2018



The third representation received was submitted by Ms C Evans of 11 Lower Madden Street.

Mr Paul West
General Manager,
Devonport City Council
Email: council@devonport.tas.gov.au

Dear Paul,

Application No. PA2018.0133

Visitor Accommodation – assessment against performance criteria for variation to the building envelope, vehicular ingress, setback from zone boundaries and Local Heritage Code

As a long term resident of Devonport and owner of 11 Lower Madden Street, I wish to submit my representation regarding this application.

32.1.1.3 Zone purpose statements – To ensure that use and development of the land does not impact adversely on the residential amenity or heritage values of the locality

The intention of the new zoning was to consider the adjoining General Residential Zone and Victoria Parade Heritage Area commences at number 10 Victoria Parade going through to number 29 as well as allow for the development and continue use of the Hotel. The intention of the new Zoning is being tested by the Applicant without consideration to surrounding amenities.

32.1.2 Local area objectives (a) the land must be used and developed as an integrated complex of buildings, vehicle parking areas, vehicle lanes and landscaped open spaced in a manner that provides for the management of on-site activities, parking movements of vehicles and patrons, so as to minimise impact on the amenity of neighbouring or nearby properties. (b) The appearance of the development must be sympathetic to the character of the adjoining zones, the river front location and the streetscape of Victoria Parade and Lower Madden Street.

NOTE: in the application there is no mention of patrons and as the plan currently stands it is not sympathetic to the character of the adjoining zones, namely Lower Madden Street.

32.1.3 Desired future character statements (a-g)

As a neighbour to the site of the proposed development, I am of the view that the proposed development will have a serious impact on my standard of living and the bulk and design is inappropriate and unsympathetic to the appearance and character of the area.

My specific objections are as follows:

1. Detrimental impact upon residential amenities/overshading/loss of light

32.4.1 Location and configuration of development.

A1 Building Height & P1 (a) minimise the likelihood for overshadowing of (i) a habitable room in a dwelling: (ii) the minimum area of private open space appurtenant to an existing dwelling and (b) minimise the apparent scale, bulk and proportion of buildings on the site when viewed from Victoria Parade and Lower Madden Street.

Motel Stage One:

The proposal as it stands is moving the current motel closer to another zone, General Residential.

The proposed Motel Stage One is adjacent to a General Residential Zone and will not meet the above by reason of its size, depth, width, height and massing. It will have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overshadowing, overlooking, loss of privacy, impact of noise and visually overbearing impact. The design and bulk is out of keeping with the design and character of the existing dwellings and the Heritage status of the area.

The proximity of three storeys, will present an overbearing and intrusive element to those neighbours at the rear of the property.

P1 Overshadowing - Adjoining properties - Lower Madden Street, 7 and 9 will have over shadowing of not just their habitable rooms but also the private open space. It is noted in the plans A02 & A13, the overshadowing reference to the private open space has not been addressed - (a) (ii) the minimum area of private open space appurtenant to an existing dwelling. To this writer the wellbeing of the residents will be affected.

As the sun rises from the East and the proposed Motel will be on the east side and sets in the west the eastern side of number 7 and 9 **will not receive any sun** in parts of their dwellings and private open space. If the motel is built in the proposed location these properties will be afforded less natural light and, in some instances none.

Lack of natural light is as detrimental as overshadowing and so should be considered in the same way.

As discussed previously the proposal complies with the height and setback requirements for the western side of the building. The minimum area of private open space required is an area of 4m x 6m and given the size of the lots in question finding an area of this size that receives at least 3 hours sunlight per day can be achieved.

Overshadowing of the windows on the flats on the southern side of the site will not occur until after approximately 2pm, thus allowing access to sunlight for well over 3 hours.

A2/P2 Ingress – The site access proposals are not in accordance with only one ingress point for Lower Madden Street. This will lead to potential safety hazards and the opportunity to operate a drive through bottle shop, as this ingress passes by the current bottle shop. On Plan A02 it shows an area that is for loading and also there is parking that is close by.

32.4.1 A2 (a) states “ingress from not more than one existing access point in Lower Madden Street.” The current proposal has two ingress points in Lower Madden Street. **This increased ingress** will create conflicts/risks to the users of the footpath and vehicular movements, thereby creating a safety hazard. In addition to allowing the option of a drive through bottle shop. (*see below Bottle Shop*).

The ingresses will cross the only suitable path for foot traffic and is used by pedestrians, bikes to access the walking/bike tracks and CBD. The pedestrians consist of young families through to the frail and elderly. The location has numerous units, including disability and aged units and is a well populated location. The footpath with the proposed 2 ingresses is the only footpath suitable for people with a disability using goffers and walking aids and for parents with young children as the other side of the road does not have a full footpath.

The ingress shown in Plan A02 closest to the Hotel is in the same location currently used for the motel guests, patrons accessing the sports bar/gaming room/dining/disability access and the bottle shop. Please refer to *Attachment A – Photo of current bottle shop signage and ingress plan*.

Traffic and Pedestrians currently have safety issues with this ingress as it is close to the Victoria Parade intersection. History has shown vehicles turning into the hotel do not always see pedestrians due to traffic parked close to intersection, driveways, on nature strips and at times double parked. I for one have experienced this on a number of occasions both as a pedestrian and motorist.

The two proposed ingress points have been discussed previously and satisfy the performance criteria.

Bottle Shop – is covered in 32.2 Use Table, Hotel industry – “... not including a drive through bottle shop or nightclub”. The location of the second ingress gives the opportunity for the Licensee to use this as a drive through bottle shop. It is interesting that there is reference to passenger pick up/ drop off zone at the back entrance of the Hotel. This will also be used as the goods loading/unloading zone. This entrance provides motel guests and patrons access to the sports bar, dining, gaming, lounge area and Victoria Parade. Its noteworthy there is no disability access from the front of the hotel and disabled patrons will also be required to use this Loading Zone entrance. Having an ingress so close to a main entrance is a safety issue.

I believe the way this ingress is situated will not meet the intention of the Zone 1- “.. not including a drive through bottle shop or nightclub.”

The existing signage on the site (as shown as an appendix to Ms Evan's representation) indicates there is a drive through bottle shop currently onsite. There is a bottle shop however it does not provide an area for customers to drive through. The proposed parking layout will give customers the ability to drive in one access and exit through another but it will not result in a drive through bottle shop as there is insufficient room to allow for this. As is the case now customers will need to park in a parking space and enter the bottleshop. On speaking with the applicant he indicated that the bottle shop is manned by the bar staff and it is not feasible to operate with a dedicated staff member. Both the parking and staffing aspects of the bottle shop mean that a drive through option will not work. In any case, the planning scheme prohibits a drive through bottle shop for the site.

This Application ***will not*** meet **32.4.2 Setback from zone boundaries.**

Development of land with a boundary to a zone must – not include within the setback ... (ii) vehicular or pedestrian access from a road if the boundary is not a frontage.

The setback area behind the stage one motel contains a pedestrian footpath.

(iii) vehicle loading or parking area – The set back behind the stage 2 development contains 8 car parking spaces and an egress drive adjacent to a General Residential zone.

This Application ***will not*** meet “Traffic movements in Lower Madden Street should be minimised to protect residential amenity in the immediate locality.”

The Hotel already generates significant on-street parking demands from patrons. Although the Application provides for motel parking it does not address the on-street parking demands. It actually will increase the demand for on-street parking with the removal of the current hotel carpark situated behind the motel.

There has been no consideration of parking for Patrons frequenting the hotel or the hotel staff (time limits on Victoria Parade preclude staff from parking long term). Staff and Patrons will no longer have access to the known “Elimatta Hotel Carpark”. The land originally known as 3 Lower Madden Street has been historically (over 40 years) used as the only patron carpark and signed for many years as such. Any loss of off-road parking will mean the loss of a valuable residential amenity. (*see attachment B & C evidence and photos*)

Research shows the Elimatta Hotel advertises on its internet site as well as booking websites (*see attachment*) the following parking for house guests:

- RV,
- Bus,
- Truck Parking,
- Parking (limited spaces),
- Free parking nearby.

Interestingly the Hotel refers to the above carpark on their own internet site as "... a large overflow carpark is available adjacent to motel..." (*Attachment B – Parking of large vehicles*)

The removal of the only off-street parking available for the above will further impact on the General Residential adjoining Zone. There is already overflow parking in Lower Madden Street and this can only increase as off street parking is reduced. The proposed development shows no designated parking for large vehicles such as RVs, Buses and trucks and it is anticipated that this will spill over into Victoria Parade and Lower Madden Street.

I note that Plan A02 states there are 71 allocated parking spaces when in actual fact there are only 60 parking spaces showing. Eleven of the spaces noted on the plan are over the ingress to the driveway past the current bottle shop.

Sixty parking spaces are provided, as discussed previously. The proposal is deemed to comply with the requirements of the scheme in regard to parking.

32.4.2 P1 states the location of development must – (a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and (b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone.

(d) The elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay or vehicle entry.

The proposed will not meet the above requirements.

The above is not meet as there are 34 doors and windows facing the adjoining General Residential Zone.

If my calculations are correct the proposed 1st stage motel will have 30 units, managers quarters, laundry and entrances to the lift/stairwell, and fire exit at the southern end. This will mean at least 44 entry/exit doors with 34 facing the general residential zone. The 34 doors will impact on neighbours not only with noise but privacy affecting their quiet and private enjoyment of open space and amenity. The access to rooms on Level 2 and 3 only have screening and the fire exit stairwell is open and is on the west side of the building – this will provide the opportunity to look over neighbouring fences into windows and private open space. All the bathrooms are also facing west, that means there are at least 30 windows facing neighbouring properties. Even though there is an aluminium batten screening in the walkway to each room, it will not provide sound proofing/privacy.

There is no allocated smoking area for the motels and it would be fair to think smoking will occur in external walkways or at the back of the ground floor along the neighbouring fence line as this is open with no screening or security.

There will not be any doors or windows facing west that will cause overlooking issues as there is a solid wall proposed for the first and second floors with only highlight windows. The doors on the ground floor are to be removed or enclosed within the building. Twenty four rooms are proposed for each building.

2. Loss of privacy and overlooking

The proposed 3 storeys, by reason of its siting, will result in loss of privacy, adversely affecting the amenities enjoyed by the occupiers of the adjacent dwelling houses, 7, 9 and 11 Lower Madden Street and possibly more.

The Applicant has not addressed issues with overlooking by placing stairs/walkways along the eastern boundary with only batten screening.

The plans do not meet the criteria set by the council and the Architects acknowledge that in some cases they are not complying. I urged council to reject on the grounds that it does not meet the regulations that were intended to protect the "Jewel in the Crown" (Victoria Parade), locality and its residents.

Yours faithfully



Cheryl M Evans

11 Lower Madden Street Devonport

A condition will be placed on the permit requiring more substantial screening or a solid wall on the western side of the stairwell of the western building.

Report to special Council meeting on 19 November 2018

Attachment A- Photo of current bottle shop signage and ingress plan

Photo below of current bottle shop entrance – Please Note Signage stating “**Drive Thru Bottle Shop**”

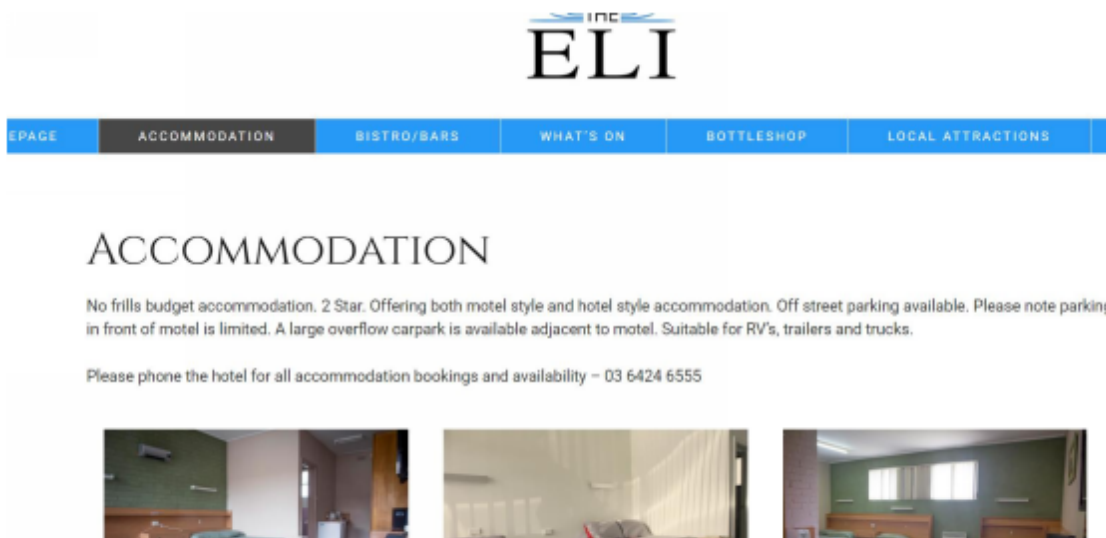
Below is a copy of the Applicants request for 2 ingresses – Please note the first ingress (closest to the existing building) runs beside the current bottle shop with a drop off zone and parking opposite which then flows onto Victoria Parade.



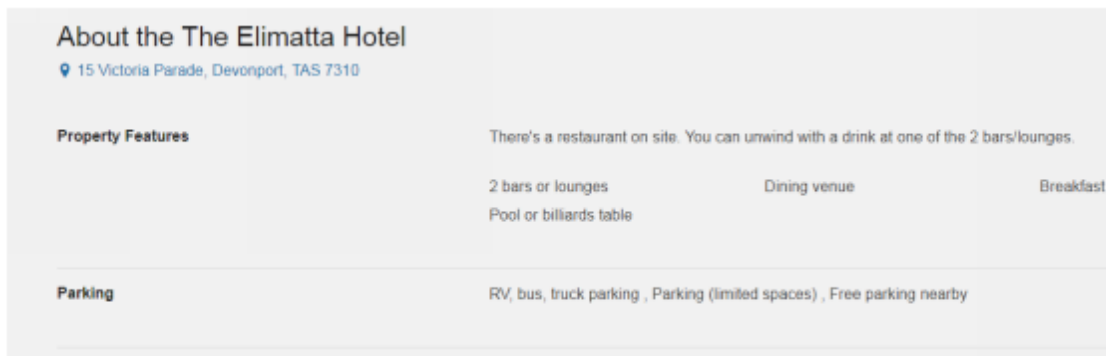
Attachment B –Parking for Large vehicles

Internet search shows the Elimatta Hotel advertises RV, Bus, Truck parking and **free parking nearby** – Evidence below

Below has been cut from the Elimatta Hotel's own internet page (theeli.com.au). Interesting the hotel refers to a large overflow carpark adjacent to the motel and parking is limited in front of motel.



Below has been copied from Wotif.com. Once again advising parking as RV, bus, truck parking etc.



Attachment C – Demand for off-street parking

The area directly behind the motel has been used for parking since the original dwelling was demolished, over 40 years ago. It was signed as the “Elimatta Hotel Carpark” for many years and lighting added behind the motel (*can be seen in the 1st photo below*) for the carpark. This parking area is also used by hotel guests as the rooms upstairs do not have any designated parking.

With the demolish of 5 Lower Madden Street, this land has been used for patrons, also.

Users of this off-street carpark:

- **Patrons**
- **Hotel and motel guests – as there is no parking available for Hotel guests and the allocation of one vehicle per room for the motel does not always meet the demand**
- **Trucks/RV/Caravans/ Buses – frequently use this “Carpark” in recent years – destroying the foot path while entering and exiting – since repaired**

Below are photos to show evidence the off-street parking of the known “Elimatta Carpark” usage. Please note cars still required to park on the nature strip on a busy night.



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I do not have photos of the semi-trailers that frequently parked in the 'Elimatta over flow carpark' or outside residents in Lower Madden Street. I can offer the following as evidence of trucks parking in this area, street and advertised carpark by the Eli suited for truck parking.

The Elimatta Carpark only has capacity for 2 semi-trailers as it has been seen on a number of occasions.

Example of trucks parking on the footpath over night



The following night the same truck and trailer was able to park on 5 Lower Madden Street



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•

Mobile: 0418 140 186
Home: (03) 6423 5177
Address: PO Box 826,
Devonport, 7310
Email: macrussell@bigpond.com

from *Mac & Marje Russell*

7th September 2018

General Manager
Devonport City Council
PO Box 604
Devonport, Tasmania, 7310

Re: Elimatta Hotel, Application for Planning Permit number PA2018.0133

Dear Sir,

With reference to your recent notice of the Application for a Planning Permit at 13,14-15 Victoria Parade and 5 Lower Madden Street, Devonport, we submit the following. We note that part of our residence fronts onto Lower Madden Street, directly opposite the existing rear entrance to the Ellimatta Hotel.

1. Ingress from Lower Madden Street,

- a. The application shows two ingress points.
- b. Amendment DISP 2014.03, Development Standards 32.4.03 acceptable solution states, "A2... Vehicular ingress and egress from car parking area must be only from - (i) ingress only from not more than one existing access point in Lower Madden Street; (ii) Victoria Parade"
- c. The application states that a reason for two ingress points from Lower Madden Street is to "provide greater carpark capacity". Carpark capacity must be managed, or the need reduced, in another way, not to the detriment of adjacent residents or in conflict with DISP 2014.03.
- d. We object to having two ingress points and request this be reduced to one.
- e. It may be a solution, as permitted intentionally to reduce the activity in Lower Madden Street, to provide an ingress, along with the egress onto Victoria Parade.
- f. We also request that steps are taken to ensure that the ingress, from Lower Madden Street, cannot be used as an egress point at any time in the future.
- g. The Eastern ingress shown in the Application has and would be primarily used by the bottle shop as "a drive through". With the Bottle Shop no longer being a permitted usage, this again supports the "Amendments" stated intent that only one ingress is permitted from Lower Madden Street.
- h. The Application states that the Eastern ingress from Lower Madden Street shown is also for "Passenger/drop off and pickup". The Amendment DISP 2014.03 states in 32.1.3 (g) "The integrated complex is to provide a presence on Victoria Parade as the main entrance/façade." This ingress therefore should not be the pick up and drop off point.

Ingress and egress from the site has been discussed previously. A bottle shop is a permitted use, however a drive through bottle shop is prohibited. Victoria Parade remains the main entrance/façade for the complex for patrons.

2. Development of land with a boundary to a zone,

- a. Amendment DISP 2014.03, Development Standards 32.4.03 acceptable solution states that within the 4-meter set back from Lower Madden Street, under item 32.4.2 biii) "not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause - (iii) vehicle loading or parking area". This Application for Planning Permit shows vehicle parking spots and movement lanes within this setback. This does not comply and needs to be changed.

Although the proposed vehicle laneway on the southern side of the site does not comply with the acceptable solutions it has been deemed to satisfy the performance criteria.

3. Development staging,

- a. The Application for Planning Permit refers to Stage One (Western Block) and Stage Two (Eastern Block). Stage One could be developed and Stage Two could be many years later, if ever. The Application does not address to what extent the ingress, egress, parking and general infrastructure will be developed in stage one. It is important that this information is available to ensure suitability and compliance.
- b. We note that it is critical that the egress (and ingress) at Victoria Parade be part of the Stage One development and the usage of these not be interrupted, with egress onto Lower Madden Street, during the construction of Stage Two.

The entries and exit from the site will need to be developed as part of stage one as egress is not permitted from Lower Madden Street. The developer will need to manage the site in such a way as to ensure this is not compromised during the development of stage 2.

While it is not known what the length of time between stages might be, the applicant intends to have the development completed for the arrival of the new Bass Strait ferries. Also, it would be detrimental to the business to have a modern motel building alongside an unfinished area for an extended period.

4. Carpark appearance from Lower Madden Street,

- a. The lack of screening of the carpark on the Lower Madden Street boundary is of extreme concern. This view as shown in the Application is considered inappropriate from the street and properties opposite. Given the 4-meter setback, provided to manage this matter, there is a need to provide material screening as well as landscaping to minimise the view into the carpark. May we suggest that without screening it is not a good look for the Hotel business either.
- b. Without appropriate screening the lights from cars moving within the carpark will be offensive to the properties opposite, as will the lack of privacy caused by having people within the carpark being able to view the properties opposite.

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- c. Amendment DISP 2014.03, Development Standards 32.4.1 states "Adequate landscaping must be provided or retained to - (a) soften the view of unscreened car parking areas, especially from the street"
- d. We ask that, as the existing is, suitable screening, softened by landscaping, be provided to an appropriate height along the Lower Madden boundary with the carpark.

There is no requirement that landscaping be provided between the car parking and the street and the properties opposite the car park predominantly contain garages at this point. The standard referred to above is in relation to landscaping which the developer complies with therefore while it may be desirable to require landscaping between the car park and road frontage the scheme does not require this.

We note that the rezoning of the Ellimatta area was an extremely sensitive matter and caused a lot of work and emotion to Devonport residents when the process occurred in recent years. It is extremely important that the intended outcomes of "Amendment DISP 2014.03", all be it not all that the residents of the area wanted, be respected and enforced. The critical matter is the impact on properties in Lower Madden Street and adjacent and traffic flow.

Yours faithfully



Mac Russell

DISCUSSION

The proposal satisfies the requirements of the scheme and were it the zone General Residential rather than Particular Purpose visitor accommodation would be permitted at height of 8.5m within 5.5m of the boundary, rather than requiring an 8m setback.

Although the proposal requires some discretion it complies with the acceptable solutions in most instances.

There is opportunity to alter some aspects of the proposal including the doorways on the western boundary and also the proposed access points to provide for greater conformity with the acceptable solutions.

The proposal has been assessed by TasWater and will include the conditions provided.

FINANCIAL IMPLICATIONS

No financial implications are predicted.

CONCLUSION

The proposal has been assessed by all relevant Council staff and can be approved with conditions. While some conditions will require changes to the proposal these are limited and generally the proposal is in keeping with the intent of the zone to allow for the further development of the site without conflicting with the existing use and without adverse impact on the residential amenity or heritage values of the area.

ATTACHMENTS

- [1.](#) Application detail - PA2018.0133 - 13 Victoria Parade, 14-15 Victoria Parade, 5 Lower Madden Street
- [2.](#) TasWater Conditions - PA2018.0133

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0133 and grant a Permit to use and develop land identified as 13 & 14-15 Victoria Parade and 5 Lower Madden Street, Devonport for the following purposes:

- Visitor Accommodation – assessment against performance criteria for variation to the building envelope, vehicular ingress, setback from zone boundaries and Local Heritage Code

Subject to the following conditions:

1. Unless altered by subsequent conditions the Use and Development is to proceed generally in accordance with the submitted plans referenced as The Elimatta Motel, 180404, sheets A00-A14, dated 17 August, 2018 by Starbox Architecture, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The five separate titles are to be adhered to.
3. The building containing the manager's residence and reception is to be reversed to place reception on the eastern side and the manager's residence on the western side.
4. Doors on the ground floor of the western side of the western building are to be removed or contained within the building.
5. Appropriate fencing or screening plants are to be placed on the boundaries with the General Residential zone.
6. A solid wall or less transparent screening is to be placed on the western side of the stairwell of the western building.
7. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit discharge from the development site to that equivalent to only 50% of the existing lot being impervious. Peak discharge is to be limited by utilising suitably designed on-site stormwater detention systems. All design calculations are to be submitted as part of the building and plumbing permit application.
8. Subject to the above, the proposed development is to connect to Council's existing stormwater infrastructure located in either Victoria Parade and/or Lower Madden Street and generally in accordance with the relevant Tasmanian Standard Drawings. The developer is to engage a suitably qualified civil works contractor to undertake the stormwater works. Council must be contacted for an inspection prior to backfilling the works. All costs associated with establishing a stormwater

connection, associated reticulation and reinstatement work, is to be at the developer's expense.

9. The proposed accesses from Lower Madden Street, are to be designed and constructed generally in accordance with Tasmanian Standard Drawings TSD-R09. The developer is to demonstrate that the proposed driveways can accommodate a class "B99" vehicle for horizontal swept paths and vertical clearances. Reinstatement footpaths, barrier kerb and/or nature strip to match the adjoining infrastructure and otherwise in accordance with the relevant Tasmanian Standard Drawings.
10. The proposed access onto Victoria Parade is to be designed and constructed generally in accordance with Tasmanian Standard Drawings TSD-R09. The developer is to demonstrate that the proposed driveways can accommodate a class "B99" vehicle for horizontal swept paths and vertical clearances. Reinstatement footpaths, barrier kerb and/or nature strip to match the adjoining infrastructure and otherwise in accordance with the relevant Tasmanian Standard Drawings.
11. Full design drawings including vertical and horizontal swept paths for the proposed driveways and any reinstatement works for the adjoining infrastructure, are to be submitted for approval by the City Engineer prior to lodging subsequent building permit applications.
12. Internal driveway and parking is to be designed in accordance with the relevant off street parking standard AS2890. Vehicular turning movements must meet the requirements of this standard, and clearly shown on the drawings submitted in subsequent building permit applications.
13. Existing redundant driveways are to be demolished and the area reinstated to match the adjoining infrastructure and otherwise in accordance with the Tasmanian Standard Drawings.
14. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P (1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

THIS IS NOT A BUILDING OR PLUMBING PERMIT.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the Building Act 2016 prior to commencing building or plumbing work.

Hours of Construction shall be: Monday to Friday Between 7am-6pm, Saturday between 9am-6pm and Sunday and statutory holidays 10am-6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

Report to special Council meeting on 19 November 2018

In regard to condition 14 the applicant/developer should contact TasWater – Ph 136 992 with any enquiries.

In regard to conditions 7-13 the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

Author:	Carolyn Milnes	Endorsed By:	Kylie Lunson
Position:	Senior Town Planner	Position:	Development Services Manager



Approved 17/07/2018

PA2018.0133 - 13, 14-15 Victoria Parade & 5 Lower Madden Street Devonport

This map is made available for the purpose of providing access to Devonport City Council information and not as professional advice. The information contained on the map is diagrammatic only. All information should be verified on site, or with the appropriate State Government Department or Council Office, prior to being used for any purpose.

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Date Printed: 21/08/2018



DEVELOPMENT APPROVAL



FRIDAY, 17 AUGUST 2018

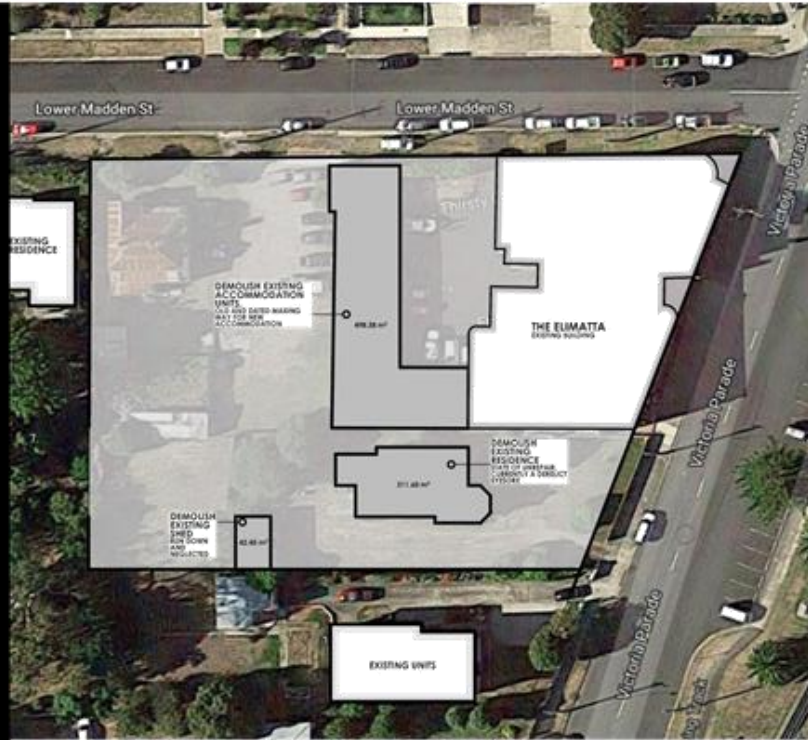
THE ELIMATTA MOTEL
FOR ELIMATTA PTY LTD

DEVELOPMENT APPROVAL
180404 A00/DA2



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DEMOLITION PLAN

SCALE 1:1000

0m 10000 20000 30000 40000 50000

CODE REQUIREMENTS
ES LOCAL HERITAGE CODE
ES.4 DEVELOPMENT STANDARDS
ES.4.1 N/A
ES.4.2
P1 THIS BUILDING IS PROPOSED TO BE DEMOLISHED DUE TO ITS SUBSTANDARD CONDITION WITH MANY AREAS NEEDING REPLACEMENT OR UNNECESSARY ONGOING MAINTENANCE. THE EXISTING BUILDING LOCATED AT 13 VICTORIA PARADE DEVONPORT IS NOT A SPECIFIED HERITAGE SITE BUT SITS UNDER THE LOCAL HERITAGE OVERLAY AREA, HOWEVER IT IS ALSO NOW ZONED IN THE PARTICULAR PURPOSE ZONE OF THE ELIMATTA HOTEL INSTEAD OF GENERAL RESIDENTIAL ZONE. DUE TO THE ZONING IN WHICH A COMMERCIAL DEVELOPMENT IS PERMITTED AND THE FACT THAT ITS CLASSIFICATION, BEING A RESIDENCE, AND FEASIBILITY TO ALTER, MODIFY OR DEVELOP IS THEREFORE COMPROMISED, THIS ENABLES THE LAND TO BE DEVELOPED WITH A NEW BUILDING/ LANDSCAPING TO PROVIDE VALUE AND BEAUTIFICATION TO THE AREA. REFER BELOW TO ESTIMATED COSTINGS FOR RENOVATION.

ES.4.3 N/A
ES.4.4
P1 GIVEN ITS CURRENT CONDITION AND THE FACT THAT THE ZONING IS NOW OF A COMMERCIAL NATURE, MEETING THE ARCHITECTURAL STYLE AND FEATURES OR A RESIDENCE IS NOT VIABLE OR ACHIEVABLE
 NOTE: ACCORDING TO TABLE ES.1 NO ARCHITECTURAL, HISTORIC INTEREST OR SPECIAL CULTURAL VALUE IS SPECIFIED FOR THIS PARTICULAR SITE.

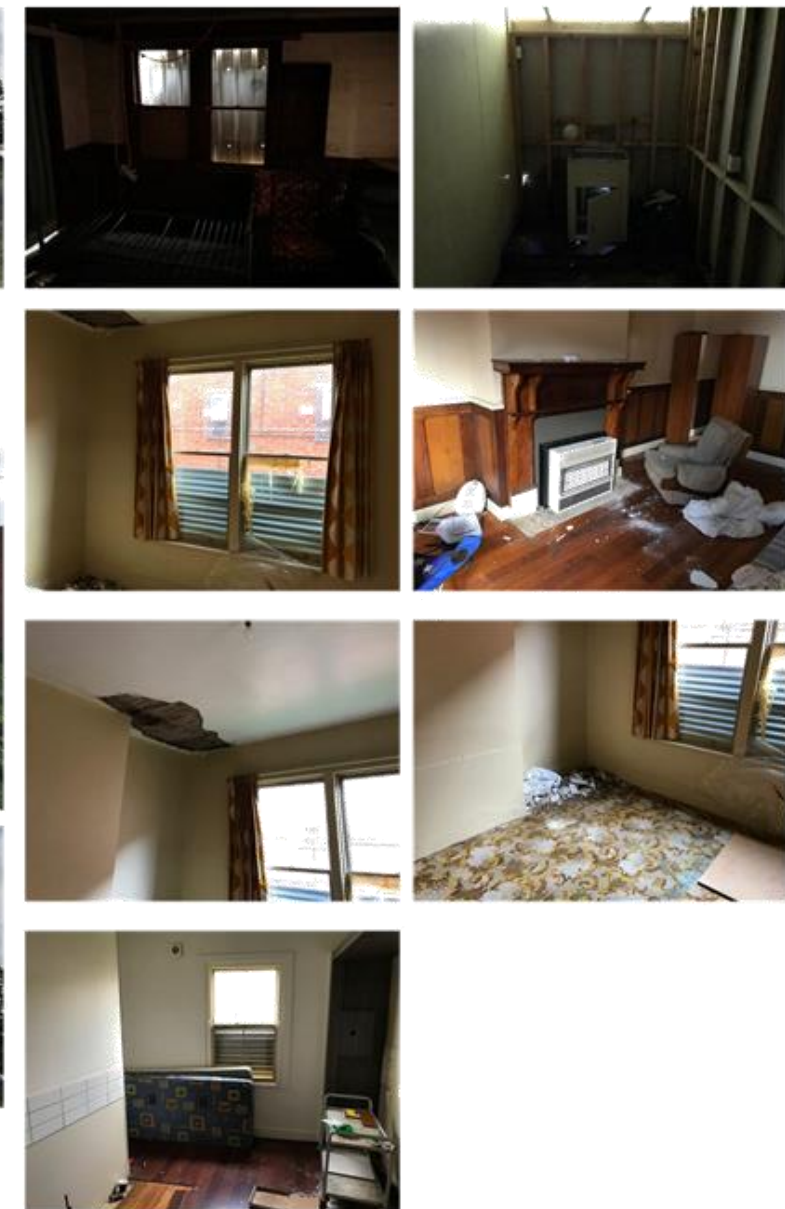
PROBABLE COSTINGS FOR RENOVATION AT CURRENT STATE

• Replace all internal plumbing	\$26,000.00 plus gst
• New Plumbing fittings and Fixtures	\$15,000.00 plus gst
• New Roof/ Fascia and Gutter	\$55,000.00 plus gst
• New Kitchen, Vanity's, Built-ins, Laundry	\$55,000.00 plus gst
• New Timber Windows to match existing	\$65,000.00 plus gst
• Re clad all external walls to match existing inc mouldings	\$175,000.00 plus gst
• New wall framing to external walls to replace rotten studs and plates	\$25,000.00 plus gst
• Remove asbestos and laden plaster from internal walls and ceilings	\$45,000.00 plus gst
• Re wire entire house inc sub mains and switch board	\$40,000.00 plus gst
• Re plaster and insulate all internal walls and ceiling	\$65,000.00 plus gst
• Point exterior	\$50,000.00 plus gst
• Point interior	\$35,000.00 plus gst
• New storm and Sewer drains	\$20,000.00 plus gst
• New floor coverings	\$40,000.00 plus gst
Approx Total \$711,000.00	

CURRENT CONDITION PHOTOS EXTERIOR



CURRENT CONDITION PHOTOS INTERIOR



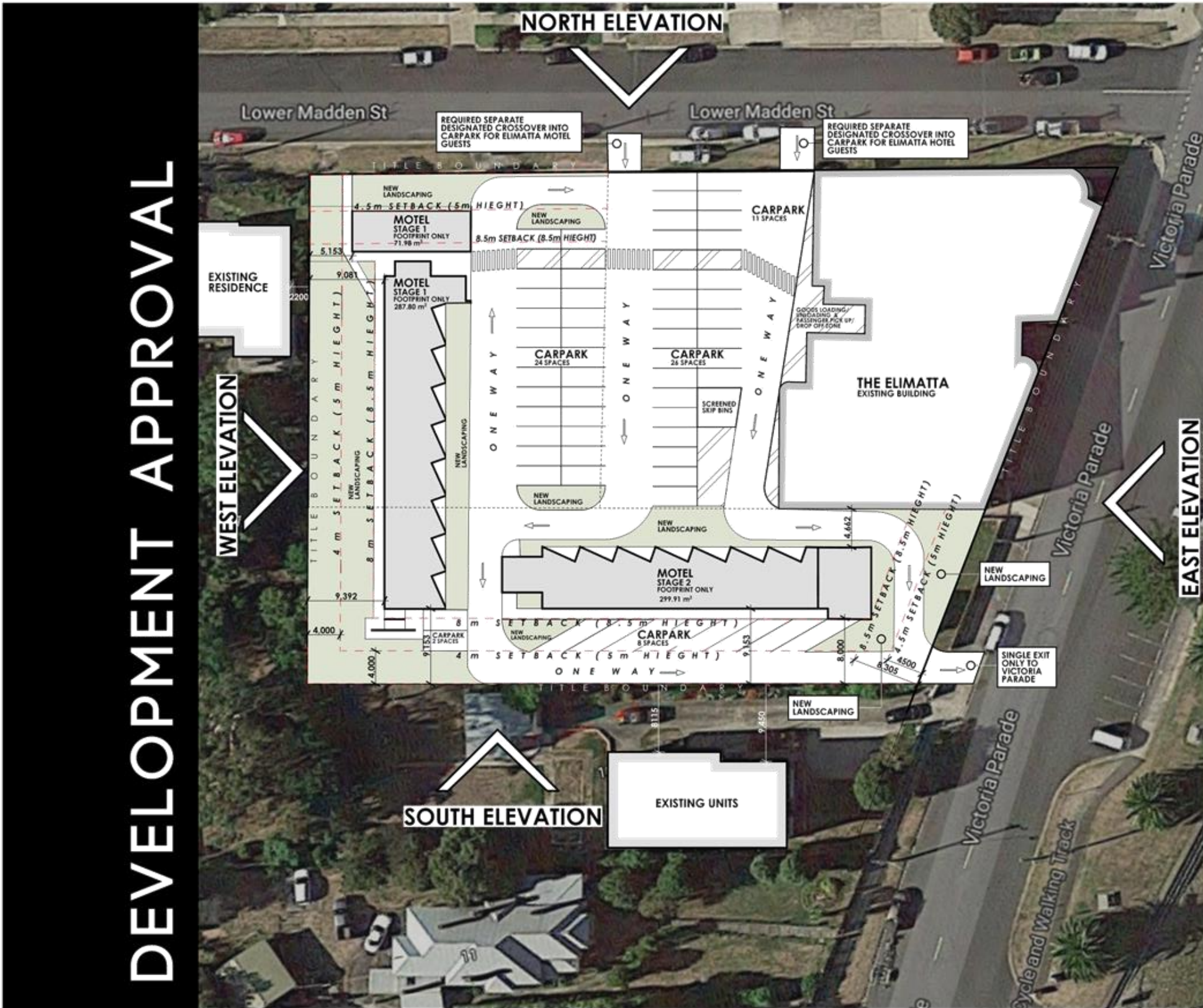
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DEVELOPMENT STANDARDS:
DEVONPORT INTERIM PLANNING SCHEME 2013

ZONE:	PARTICULAR PROPOSED ZONE - THE ELIMATTA HOTEL
CLASS:	CLASS 3 - MOTEL
32.2 USE CLASS:	USE TABLE VISITOR ACCOMMODATION
32.3 USE STANDARDS:	
32.3.1 AMENITY:	N/A
A1:	COMMERCIAL VEHICLES TO OR FROM THE SITE AND WASTE REMOVAL WILL BE LIMITED TO WITH THE HOURS OF 8AM - 6PM MONDAY TO SATURDAY AND 9AM TO 4PM ON SUNDAYS AND PUBLIC HOLIDAYS.
A2:	N/A
A3:	EXTERNAL LIGHTING TO BE TURNED OFF BETWEEN MIDNIGHT AND 7AM EXCEPT FOR SECURITY LIGHTING AND BE BAFLED TO MINIMISE LIGHT SPILLAGE INTO ADJOINING LAND CONTAINING SENSITIVE USE.
A4:	AIR CONDITIONING, AIR EXTRACTION, HEATING, OR REFRIGERATION SYSTEMS OR COMPRESSORS ARE TO BE DESIGNED TO PREVENT NOISE, ODOURS, FUMES OR VIBRATION FROM BEING RECEIVED BY SENSITIVE USES IN ADJOINING OR IMMEDIATELY OPPOSITE PROPERTIES.
A5:	STORAGE OF GOODS AND MATERIALS, OTHER THAN FOR SALE OR CONSUMPTION ON THE SITE OR WASTE IS LOCATED IN THE CENTRE OF THE CARPARK, IT WILL BE SCREENED AND GATED FOR TRUCK ACCESS ONLY.
A6:	
32.4 DEVELOPMENT STANDARDS:	
32.4.1 LOCATION AND CONFIGURATION OF DEVELOPMENT:	
F1a:	THE NEW MOTEL BUILDINGS HAVE BEEN DESIGNED TO SIT AS FAR BACK FROM THE BOUNDARIES TO BE WITHIN THE HORIZONTAL SITE SETBACKS. DUE TO THE SLOPE OF THE LAND THE BUILDING HEIGHT OF THE VICTORIA PARADE SECTION SITS MARGINALLY ABOVE THE REQUIREMENT. REFER TO SHADOW DIAGRAMS TO UNDERSTAND THAT NO RESIDENTIAL BUILDING WILL BE COMPROMISED OUTSIDE THE REQUIREMENTS OF THE PLANNING SCHEME.
F1b:	THE NEW MOTEL BUILDINGS HAVE BEEN DESIGNED TO: FROM LOWER MADDEN STREET: BE SLENDER IN FORM WITH A LOWER SPREAD OUT SECTION THAT IS LAYERED TO MINIMISE THE SCALE, BULK AND PROPORTION OF BUILDINGS FROM VICTORIA PARADE: BE SLENDER AND SETBACK FROM THE EXISTING ELIMATTA HOTEL WHILE HAVING A SAW TOOTH FACADE TO MINIMISE THE SCALE, BULK AND PROPORTION OF BUILDINGS
F2:	THERE ARE TO BE 2 SEPARATE INGRESS ONLY CROSSOVERS ON LOWER MADDEN STREET: TO PROVIDE GREATER CARPARK CAPACITY AND FLOW THROUGH THE SITE BOTH INGRESS CROSSOVERS WOULD LEAD THROUGH THE SITE IN A ONE WAY DIRECTION AND BE CONNECTED TO ONE ONLY EXIT ONTO VICTORIA PARADE. THE ONE WAY DRIVE THROUGH PROPOSAL IS TO PROVIDE FUNCTION FOR THE NEW AND EXISTING BUILDINGS, MINIMISE THE IMPACT ON RESIDENTIAL, AMENITY AND PEDESTRIAN SAFETY AND MAINTAIN TRAFFIC SAFETY.
A3:	THE LOWER MADDEN STREET FACADE OF THE NEW BUILDING IS TO NOT HAVE ANY DOORWAYS. DOORWAYS ARE NOT PROVIDED ON LOWER MADDEN STREET.
A4:	SITE PLAN INDICATES THAT THE SITE HAS MORE THAN 10% OF LANDSCAPED SPACE
A5:	NO WALLS WILL BE BUILT ON OR NEAR THE BOUNDARY
A6:	SITE COVERAGE IS 34.81%.
32.4.2 SETBACK FROM ZONE BOUNDARIES:	
A1a:	THE NEW DEVELOPMENT IS SETBACK MORE THAN THE REQUIRED 4m SETBACK TO A GENERAL RESIDENTIAL ZONE
bi:	NO BUILDING IS INCLUDED WITHIN THE REQUIRED SETBACK AREA
bi):	NO PEDESTRIAN ACCESS IS PROVIDED. VEHICULAR ACCESS DOES NOT CAUSE ANY CONFLICT, CONSTRAINT OR IMPACT TO ADJOINING ZONE ON SOUTHERN SIDE ONLY DUE TO THE HEIGHT OF THE BOUNDARY FENCE. VERTICAL LANDSCAPING WILL BE PROVIDED TO MAINTAIN PRIVACY.
bi):	NO VEHICLE LOADING OR PARKING WITHIN REQUIRED SETBACK AREA
biv):	N/A
bv):	NO AREA FOR GATHERING OF PEOPLE FOR ENTERTAINMENT, COMMUNITY, SPORT OR SPECTATOR FACILITY IS PROVIDED WITHIN REQUIRED SETBACK AREA
bvi):	NO SIGNAGE WILL BE ORIENTATED TO ADJOINING ZONES
bvi):	NO EXTERNAL LIGHTING FOR OPERATIONAL OR SECURITY PURPOSES WILL BE WITHIN THE REQUIRED SETBACK AREA
ci):	THE NEW DEVELOPMENT IS SETBACK MORE THAN THE REQUIRED 4m SETBACK TO A GENERAL RESIDENTIAL ZONE
ci):	THE NEW MOTEL BUILDINGS HAVE BEEN DESIGNED TO SIT AS FAR BACK FROM THE BOUNDARIES TO BE WITHIN THE HORIZONTAL SITE SETBACKS. DUE TO THE SLOPE OF THE LAND THE BUILDING HEIGHT OF THE VICTORIA PARADE SECTION SITS MARGINALLY ABOVE THE REQUIREMENT. REFER TO SHADOW DIAGRAMS TO UNDERSTAND THAT NO RESIDENTIAL BUILDING WILL BE COMPROMISED OUTSIDE THE REQUIREMENTS OF THE PLANNING SCHEME.
d):	EXTERNAL OPENINGS SUCH AS DOORS ARE 9m AWAY FROM THE ADJOINING BOUNDARIES, THESE DOORS HAVE PRIVACY SCREENS. NO DOOR OR OPENING ARE WITHIN THE REQUIRED SETBACK AREA.

SITE PLAN LEGEND & NOTES

	EXTENT OF NEW BUILDINGS SHOWN SHADED.
	EXTENT OF EXISTING BUILDINGS SHOWN SHADED.
	LANDSCAPING

FLOOR AREAS:	
MOTEL STAGE 01:	1086.30m ²
MOTEL STAGE 02:	1008.53m ²
TYPICAL DIS ACCESS ROOM:	30.50m ²
TYPICAL STANDARD ROOM:	27.00m ²
TYPICAL EXECUTIVE ROOM:	36.00m ²
REQUIREMENTS	
CARPARKS	
REQUIRED:	60 INCLUDING 3 X DISABLED
PROVIDED:	60 INCLUDING 3 X DISABLED
ACCESSIBLE ROOMS:	3

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MATERIALS



AUSTRAL BRICKS BRICK FACING
LA PALOMA GAUDI
230 X 76



AUSTRAL BRICKS BRICK FACING
LA PALOMA MIRO
230 X 76



100 X 50 POWDERCOATED ALUMINIUM BATTENS

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LOWER MADDEN STREET VIEW



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LOWER MADDEN STREET VIEW

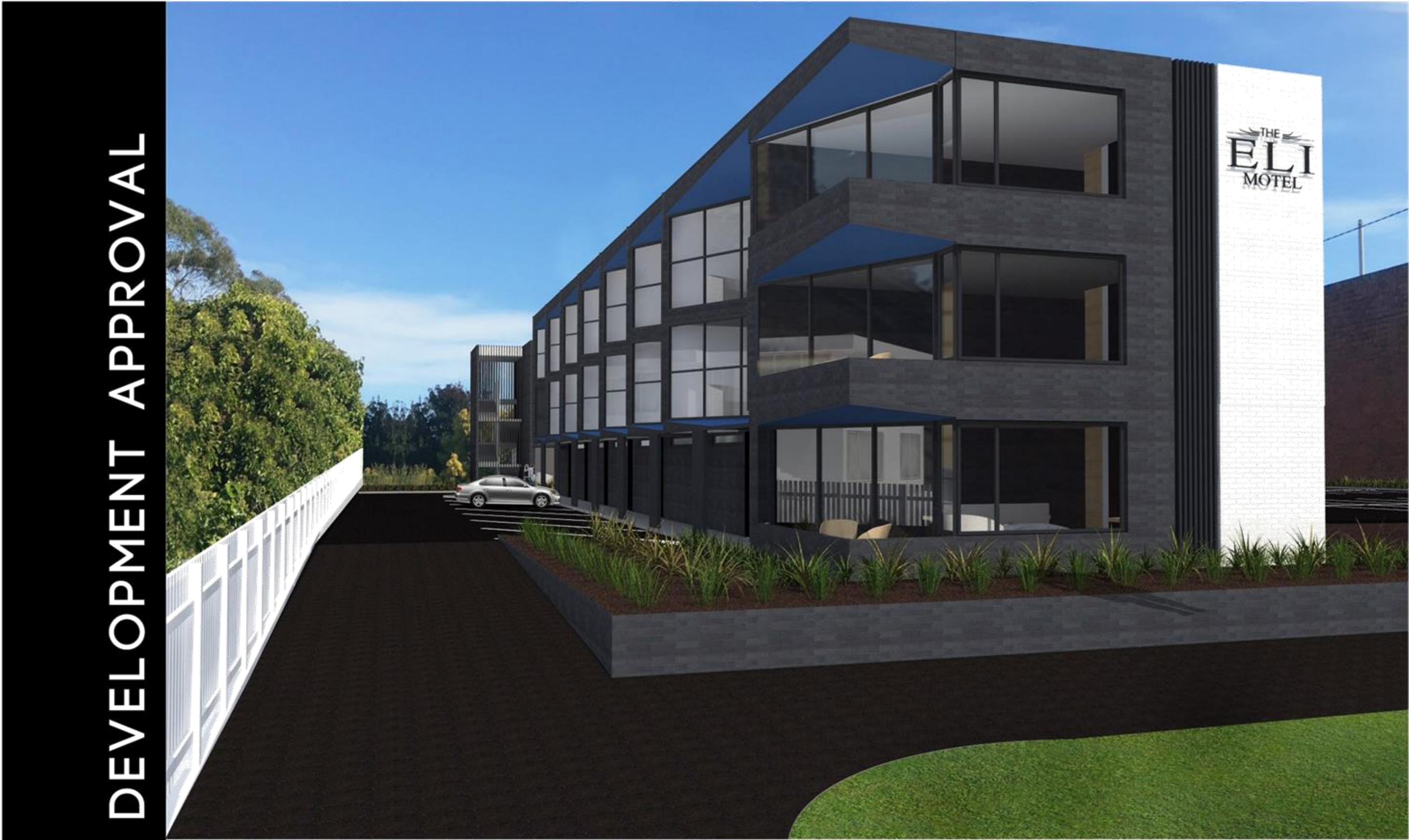


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VICTORIA PARADE VIEW



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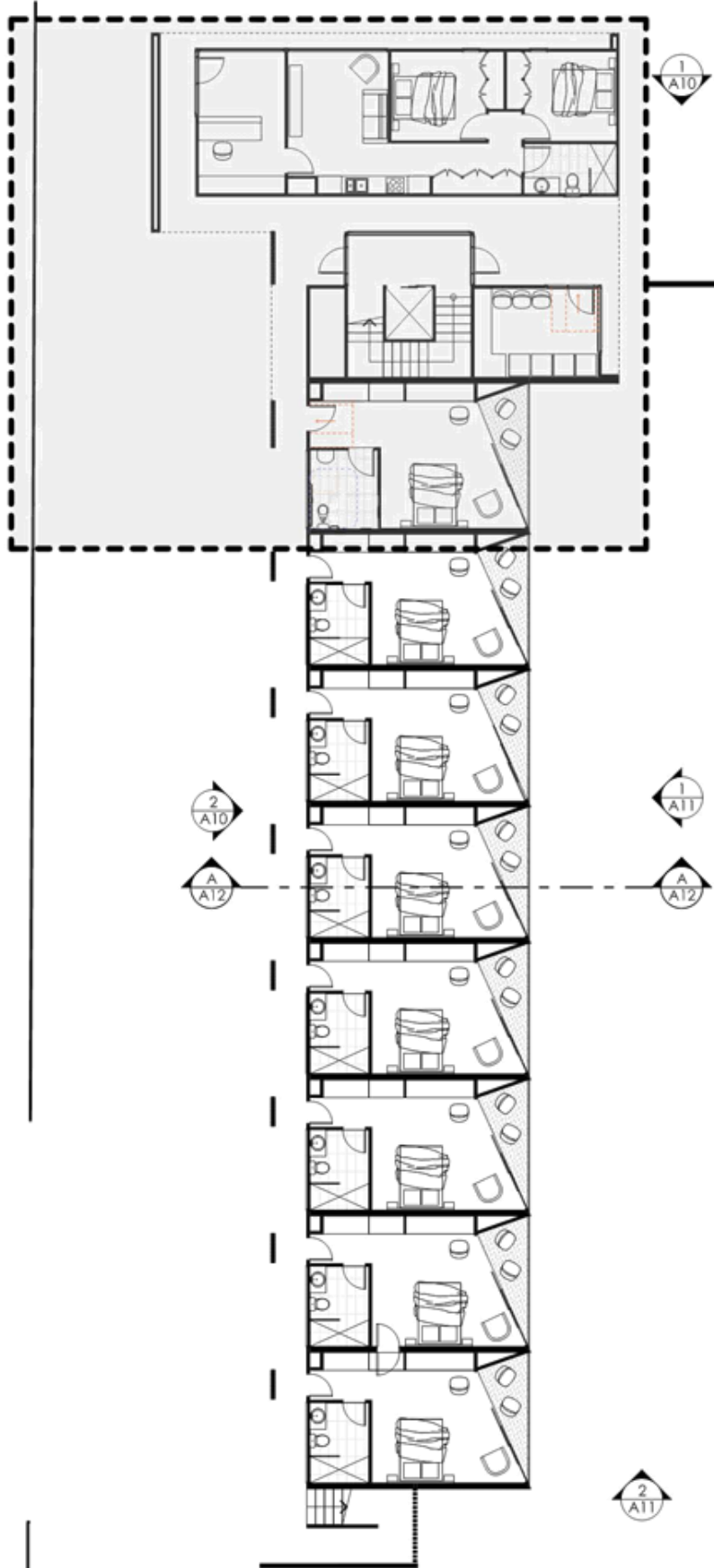
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CONCEPT



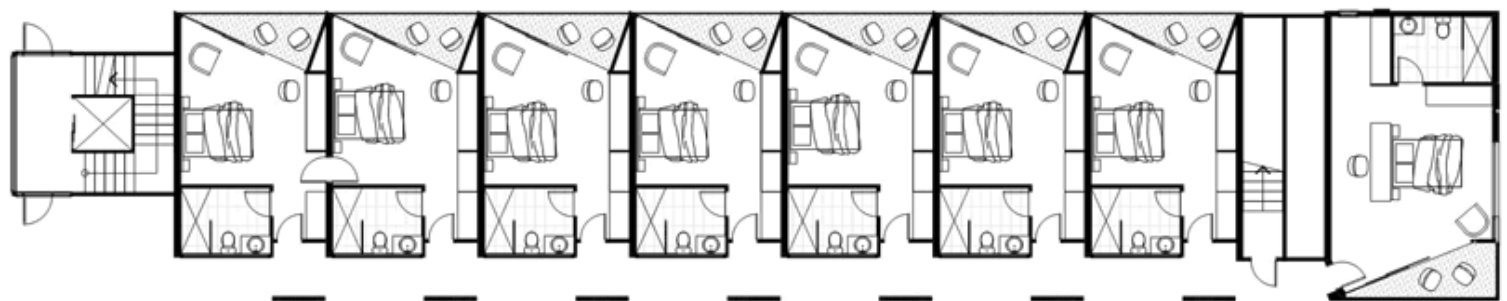
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GROUND FLOOR PLAN
 SCALE 1:200
 Project North 0mm 2000 4000 6000 8000 10000



GROUND FLOOR PART PLAN
 SCALE 1:100
 Project North 0mm 1000 2000 3000 4000 5000



FOR ELIMATTA PTY LTD
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CONCEPT

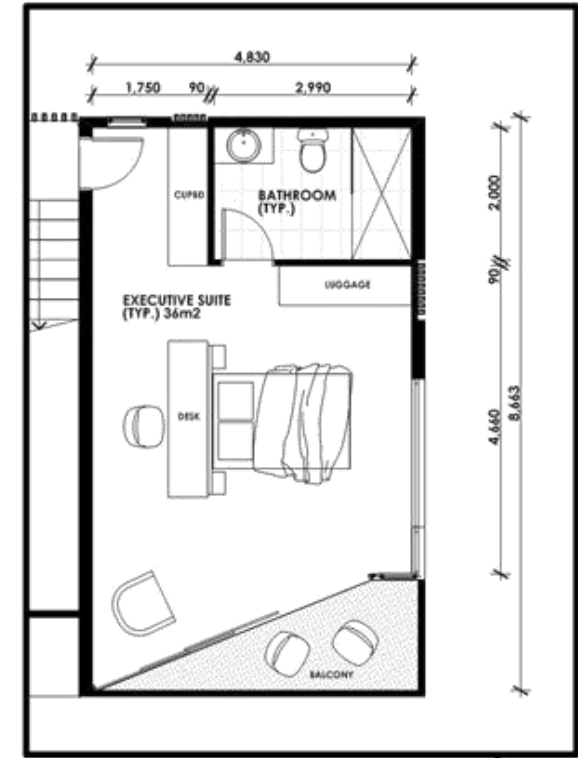


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FIRST FLOOR PART PLAN
SCALE 1:100
Project North
0mm 1000 2000 3000 4000 5000

FIRST FLOOR PLAN
SCALE 1:200
Project North
0mm 2000 4000 6000 8000 10000



FIRST FLOOR PART PLAN
SCALE 1:100
Project North
0mm 1000 2000 3000 4000 5000

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CONCEPT



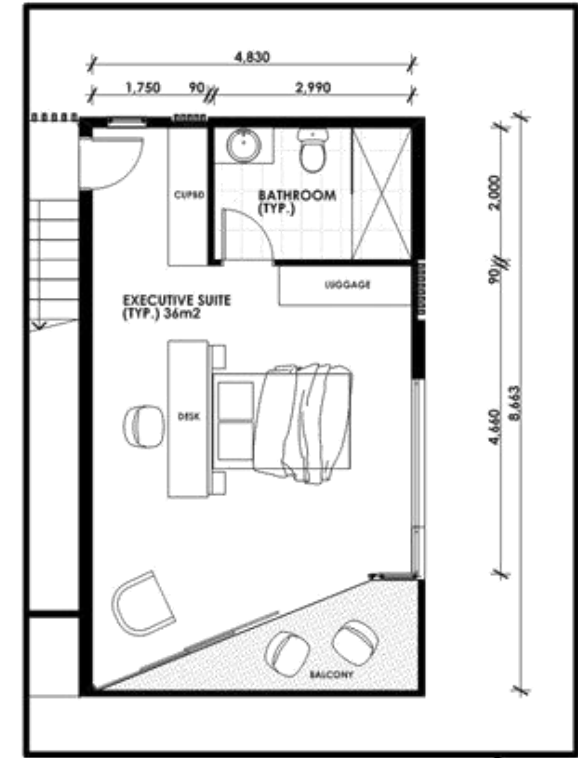
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SECOND FLOOR PLAN
 SCALE 1:200

Project North

0mm 2000 4000 6000 8000 10000



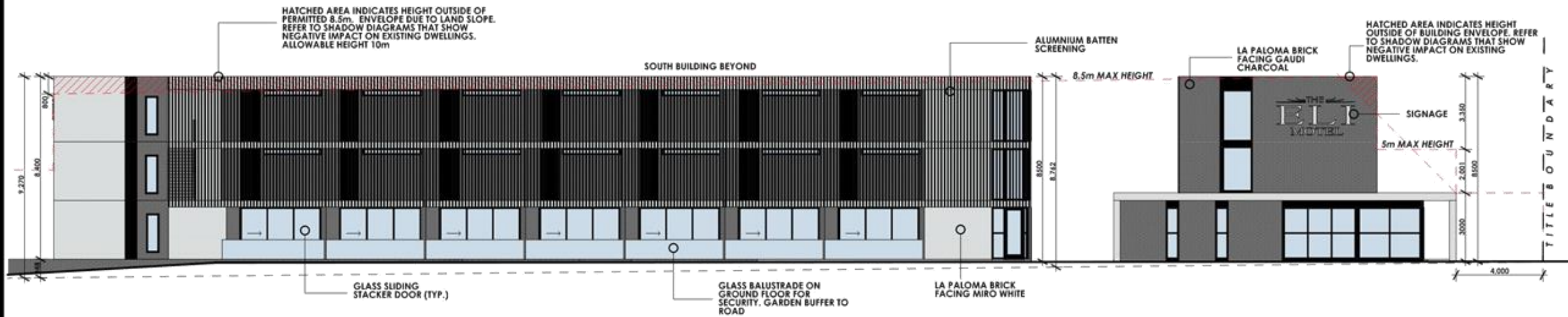
SECOND FLOOR PART PLAN
 SCALE 1:100

Project North

0mm 1000 2000 3000 4000 5000

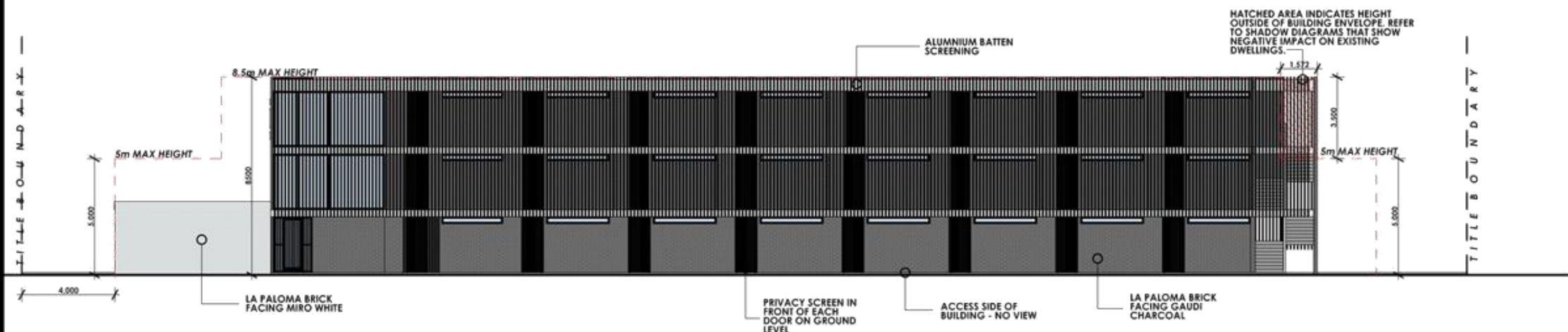
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1 LOWER MADDEN STREET ELEVATION (LOOKING THROUGH CARPARK TO SOUTH BUILDING BEYOND)

SCALE 1:200
0mm 2000 4000 6000 8000 10000



2 WEST ELEVATION

SCALE 1:200
0mm 2000 4000 6000 8000 10000

ITEM 4.1

PAGE 67

Application detail - PA2018.0133 - 13 Victoria Parade, 14-15 Victoria Parade, 5 Lower Madden Street

ATTACHMENT (1)

FRIDAY, 17 AUGUST 2018

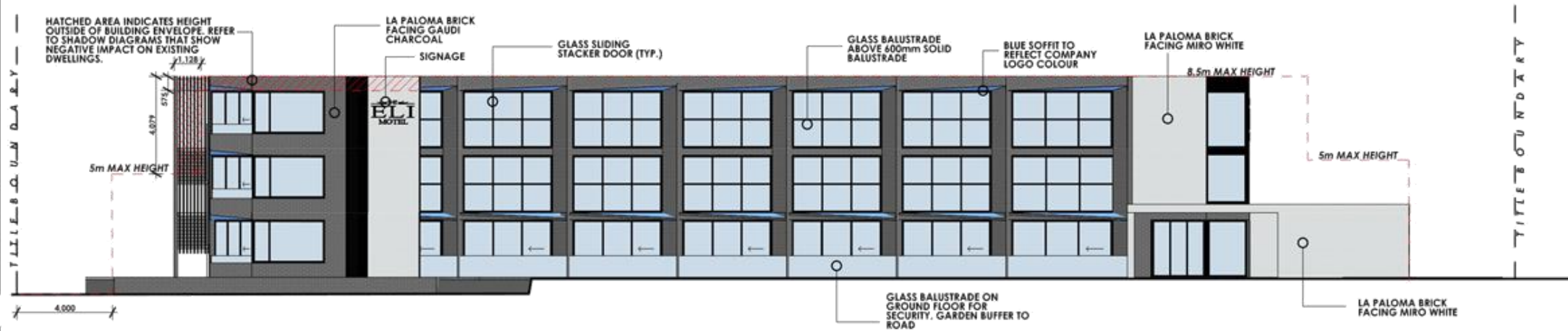
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1 VICTORIA PARADE ELEVATION
 SCALE 1:200
 (LOOKING BEHIND THE ELI HOTEL & THROUGH CARPARK TO BUILDING BEYOND)



2 SOUTH ELEVATION
 SCALE 1:200

ITEM 4.1

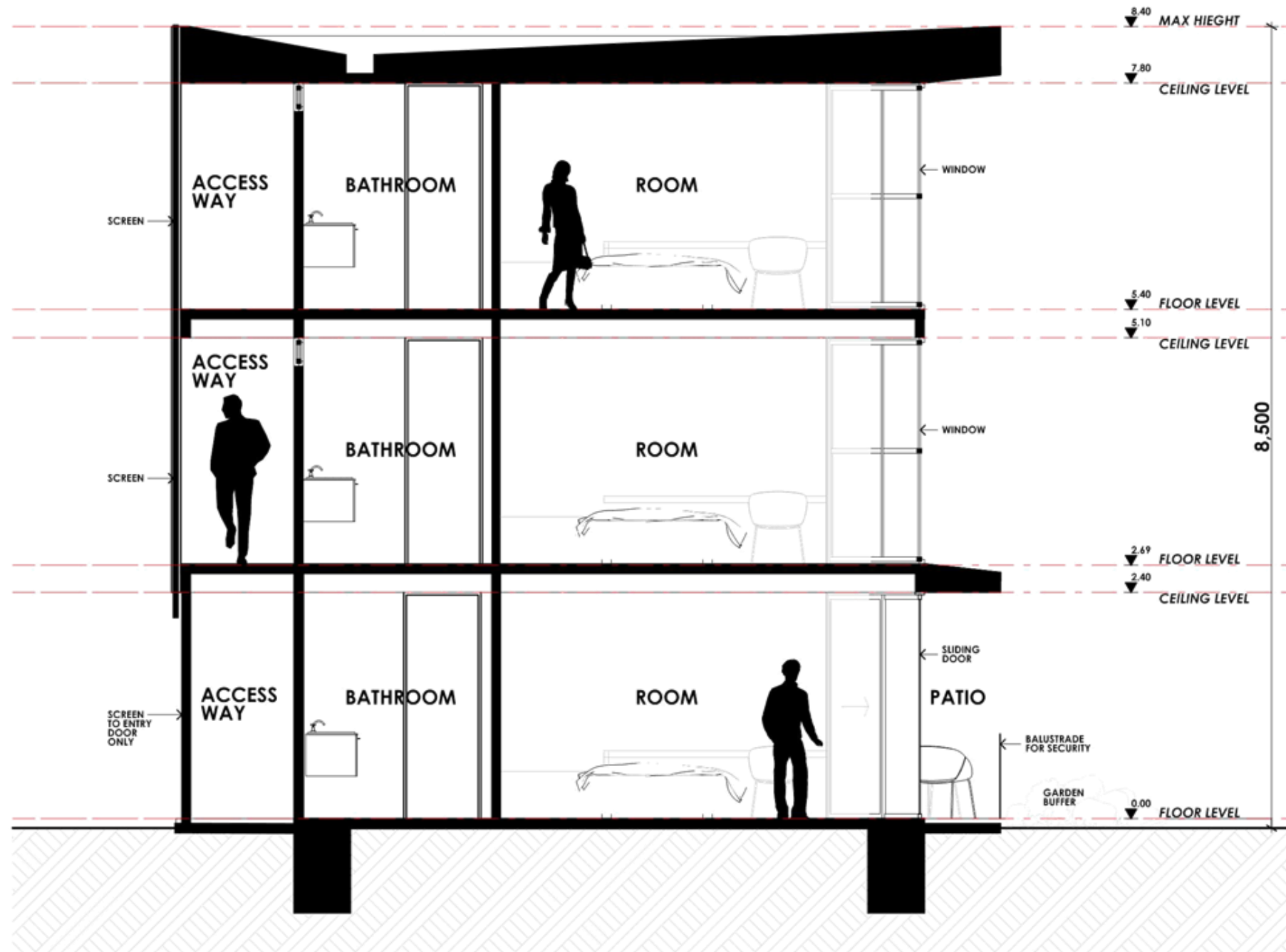
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1 TYPICAL SECTION
 SCALE 1:50
 0mm 500 1000 1500 2000 2500

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7 LOWER MADDEN STREET
RESIDENCE PARTIALLY AFFECTED
BY SHADE. LOWER PART OF
DEVELOPMENT ONLY CAUSING
SHADOW

13 VICTORIA PARADE
NOT AFFECTED BY SHADE.



9AM_21ST JUNE 2018
SCALE 1:2000
Project North 0mm 20000 40000 60000 80000 100000

7 LOWER MADDEN STREET
NOT AFFECTED BY SHADE

13 VICTORIA PARADE
NOT AFFECTED BY SHADE.



11AM_21ST JUNE 2018
SCALE 1:2000
Project North 0mm 20000 40000 60000 80000 100000

7 LOWER MADDEN STREET
NOT AFFECTED BY SHADE

13 VICTORIA PARADE
UNAFFECTED BY SHADE



1PM_21ST JUNE 2018
SCALE 1:2000
Project North 0mm 20000 40000 60000 80000 100000

7 LOWER MADDEN STREET
NOT AFFECTED BY SHADE

13 VICTORIA PARADE
GROUND FLOOR UNITS ONLY
AFFECTED BY SHADE.
REFER TO SHADOW DIAGRAM
ELEVATIONS A13



3PM_21ST JUNE 2018
SCALE 1:2000
Project North 0mm 20000 40000 60000 80000 100000

LEGEND

	SHADOWS
--	---------

SHADOW DIAGRAMS DEVONPORT 41.1771° S, 146.3452° E

THE PROPOSED MOTEL DOES NOT CAUSE THE HABITABLE ROOMS OF THE NEIGHBOURING RESIDENCES TO RECEIVE LESS THAN 3 HOURS OF SUNLIGHT BETWEEN 9AM AND 3PM ON 21st JUNE 2018

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DEVELOPMENT APPROVAL



SHADOW DIAGRAMS
DEVONPORT 41.1771° S, 146.3452° E
13 VICTORIA PARADE

THE PROPOSED MOTEL DOES NOT CAUSE THE HABITABLE ROOMS OF THE NEIGHBOURING RESIDENCES TO RECEIVE LESS THAN 3 HOURS OF SUNLIGHT BETWEEN 9AM AND 3PM ON 21st JUNE 2018

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Submission to Planning Authority Notice

Council Planning Permit No.	PA2018.0133	Council notice date	21/08/2018
TasWater details			
TasWater Reference No.	TWDA 2018/01372-DCC	Date of response	20/10/2018
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	DEVONPORT COUNCIL		
Contact details	council@devonport.tas.gov.au		
Development details			
Address	14 - 15 VICTORIA PARADE, DEVONPORT	Property ID (PID)	6317295
Description of development	New motel accomodation		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Rare	19012 DA01	A	20/09/2018
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection / sewerage system and connection for this hotel development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to use of the development, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee of \$1,139.79 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater. 			
Advice			
General			
For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards			
For application forms please visit http://www.taswater.com.au/Development/Forms			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning			



Authority Notice.

Authorised by

A handwritten signature in black ink, appearing to read "Jason Taylor".

Jason Taylor

Development Assessment Manager

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

4.2 PA2018.0153 RESIDENTIAL (ADDITIONAL UNIT) - 14 HENRY STREET DEVONPORT

File: 35663 D553326

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

SUMMARY

The purpose of this report is to enable the Planning Authority to make a decision regarding planning application PA2018.0153.

BACKGROUND

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	John Wayne Farrell
Owner:	Mr JW Farrell
Proposal:	Residential (additional unit)
Existing Use:	Residential
Zoning:	General Residential
Decision Due:	16/11/2018

SITE DESCRIPTION

The site is identified by certificate of title 145389/1 with the property address of 14 Henry Street, Devonport. Located on the property is an existing weatherboard dwelling constructed in the 1920s. The property has an area of 637m² and is relatively flat with a cross fall of approximately 1m from west to east. The property is located within the Wenvoe/Hiller Street Conservation Area prescribed under the Local Heritage Code of the *Devonport Interim Planning Scheme 2013* (DIPS).

A copy of the property title and a photo of the site are reproduced respectively as Figures 1 and 2 on the next page.

SITE HISTORY

Council approved a planning permit in 2003 (PA2003.0140) for a garage on the western side of the property. Upon site inspection, it appears the garage has recently been demolished.

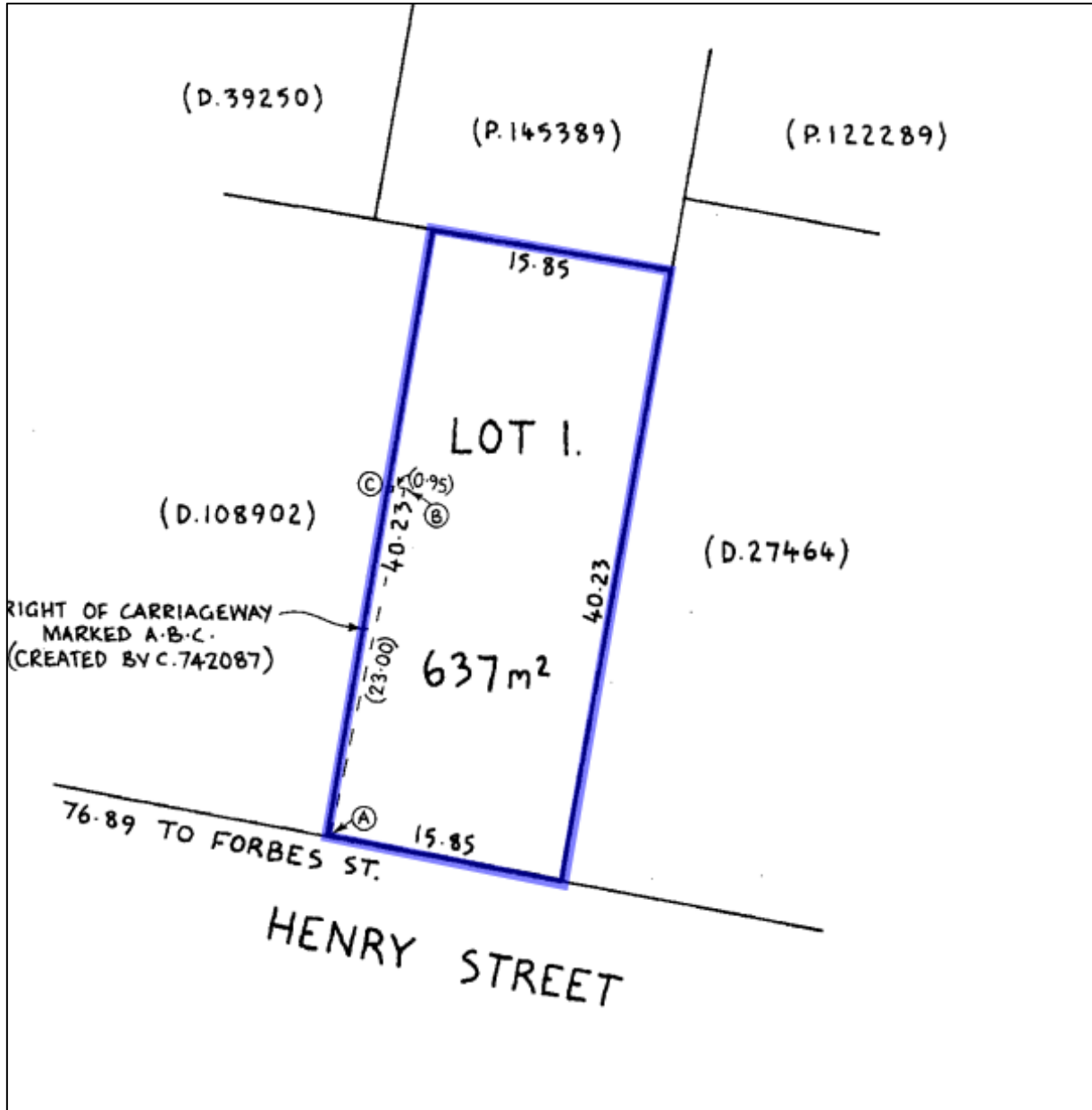


Figure 1 - Title Plan of 14 Henry Street (The List, 2005)

APPLICATION DETAILS

The application is seeking approval for a multiple dwelling development by way of construction of an additional dwelling at the rear of the property.

The 2-bedroom unit is proposed to be clad with weatherboard and have a colorbond roof. The unit will be conjoined to the existing dwelling as the garage of the unit will be constructed against the existing dwelling's garage.

A copy of the site plan, floor plan and north elevation submitted by the applicant's draftsman are identified as Figures 3, 4 and 5. Figure 6 is a photo of the unit's location.

A full copy of the development application is appended as Attachment 1.



figure 2 - Image of 14 Henry Street (Devonport City Council, 2018)

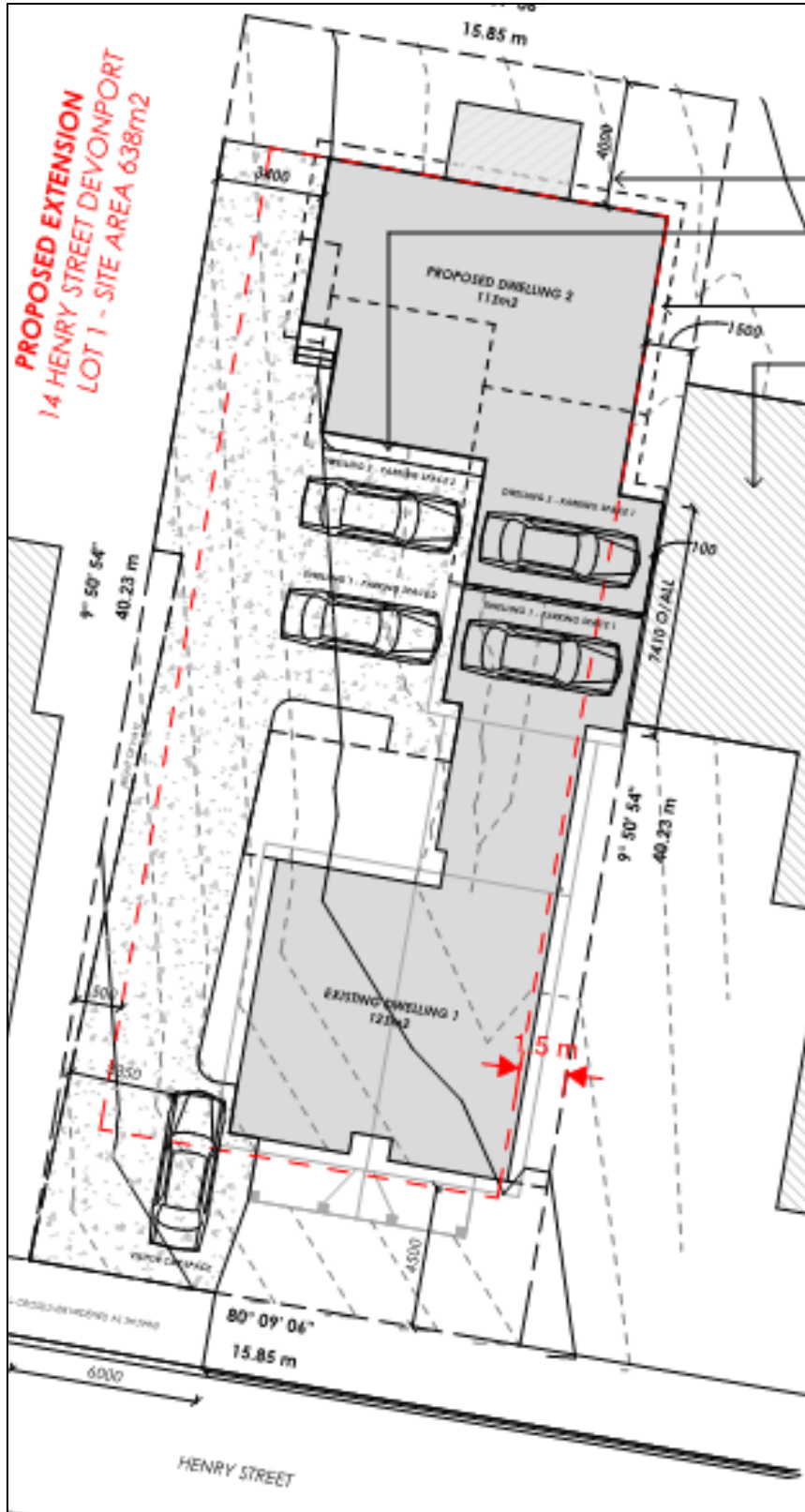


Figure 3 - Site plan of proposed development (n+b, 2018)

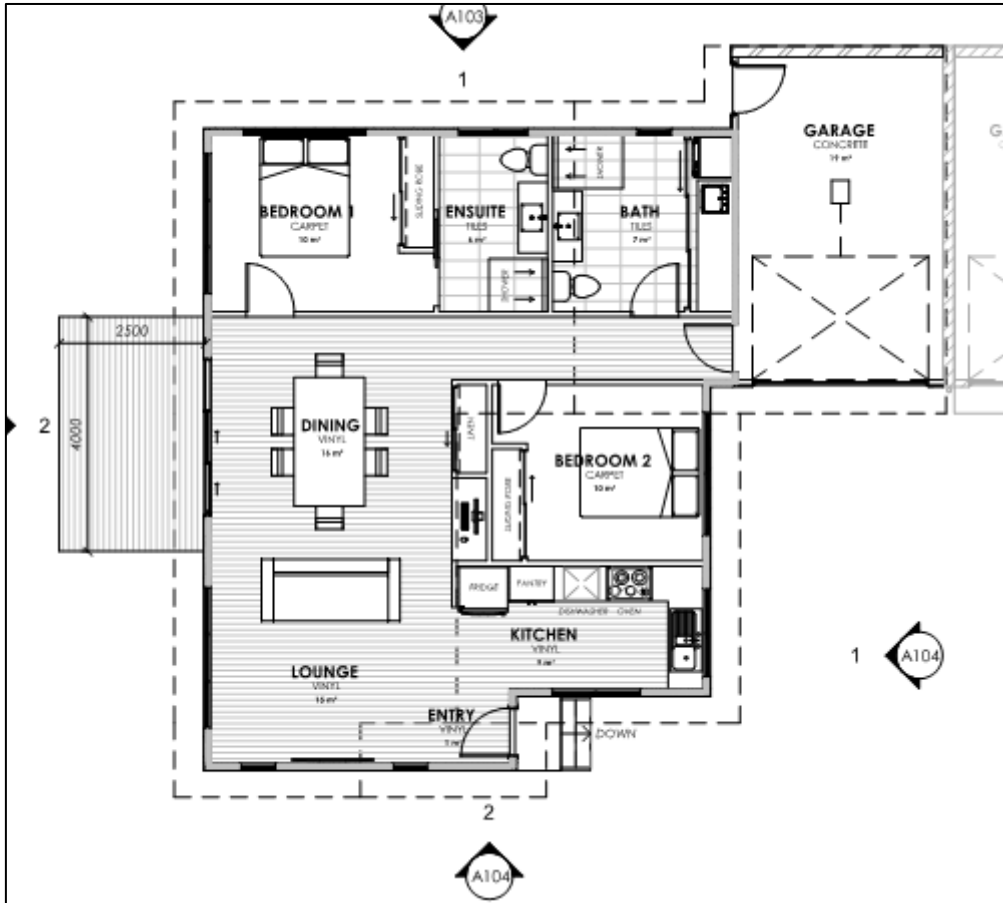


Figure 4 – Floor plan of proposed unit (n+b, 2018)



Figure 5 - North elevation of proposed unit (n+b, 2018)



Figure 6 - Photo of the proposed unit's location (Devonport City Council, 2018)

PLANNING ISSUES

The land is zoned General Residential under the DIPS. The intent of the General Residential zone is to provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided and to provide for compatible non-residential uses that primarily serve the local community.

The proposed unit falls under the use class Residential which is defined under the DIPS as:

"use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, homebased business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings."

Within the General Residential zone, a Residential use is classified as No Permit Required if the proposal is for a single dwelling or home-based business. All other residential development is Permitted without qualification. In this case, the development is for multiple dwellings as two dwellings are proposed on the site, therefore the use is Permitted.

To determine if the application can be assessed as Permitted, the development is required to satisfy the acceptable solutions within the General Residential zone and any applicable

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development Code (including exemptions). Council must approve a Permitted development, however conditions on the permit can be applied as necessary.

If a development is Permitted but cannot satisfy the acceptable solutions of a development standard prescribed within the DIPS the Discretionary approval process is invoked. A Discretionary planning application is required to be publicly advertised and Council can approve or refuse a Discretionary application. Reliance is placed on the performance criteria of the particular development standard where the acceptable solution is not satisfied to determine if a permit pathway is achievable.

The multiple dwelling development has been subject to a thorough assessment against the applicable development standards prescribed within the DIPS. A number of discretionary components have been identified as part of this development proposal. Table 1 below provides an overview of the discretions sought where a development standard cannot meet the acceptable solutions. Where the acceptable solutions have been satisfied no further commentary has been provided.

Development standard that cannot satisfy the acceptable solutions	Reason why acceptable solutions cannot be satisfied
<ul style="list-style-type: none"> 10.4.1 A1 - <i>Residential density for multiple dwellings</i> (General Residential zone) 	<ul style="list-style-type: none"> The acceptable solutions require a unit density of 1 unit per 325m². The site has an area of 637m² and therefore a unit density of 1 unit per 318.5m².
<ul style="list-style-type: none"> 10.4.6 A3 - <i>Privacy for all dwellings</i> (General Residential zone) 	<ul style="list-style-type: none"> The acceptable solutions are not met as a section of the shared driveway and visitor parking space is located within 2.5m of the bedroom window at the front of the dwelling. Figure 2 shown earlier within the report shows the location of the bedroom window (window on the left-hand side). For information purposes, windows of habitable rooms on the western side of the existing dwelling will have a window sill height greater than 1.7m and a 1m separation between the dwelling and shared driveway. As a result, the acceptable solutions are satisfied in relation to habitable windows on the western side of the existing dwelling.
<ul style="list-style-type: none"> E5.6.4 A1 - <i>Design and location of development</i> (Local Heritage Code) 	<ul style="list-style-type: none"> The site is located within the Wenvoe/Hiller Street Conservation Area (Area 2). As the development can be seen from the Henry Street frontage the code is applicable and the DIPS contains no conservation outcomes to satisfy the acceptable solutions of this development standard.
<ul style="list-style-type: none"> E9.6.1 - <i>Design of vehicle parking and loading areas</i> (Traffic Generating Use and Parking Code) 	<ul style="list-style-type: none"> The configuration of vehicle parking provided for the multiple dwelling development allows provision for jockey

	parking which is not permitted under the acceptable solutions. Furthermore, the visitor parking space can be entered in a forward direction but not exited in a forward direction (or vice versa) which is a requirement under the acceptable solutions.
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Table 1 - List of development standards that cannot meet the acceptable solutions

A copy of the development standards where the acceptable solutions are not met is reproduced below, along with an evaluation of whether the proposal has merit against the corresponding performance criteria.

10.4.1 Residential density for multiple dwellings

Objective:	
To provide for suburban densities for multiple dwellings that:	
(a) make efficient use of suburban land for housing; and	
(b) optimise the use of infrastructure and community services.	
Acceptable Solutions	Performance Criteria
A1	P1
Multiple dwellings must have a site area per dwelling of not less than:	Multiple dwellings must only have a site area per dwelling that is less than 325 m ² , or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:
(a) 325m ² ; or	(a) is compatible with the density of the surrounding area; or
(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:
	(i) the site is wholly or partially within 400 m walking distance of a public transport stop;
	(ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.

The multiple dwelling development is required to satisfy either P1 (a) or (b) of the performance criteria. In regard to P1 (a), there are no other multiple dwellings developments along Henry Street save for a unit development comprising 10 units located at 44-46 Hiller Street. This property is located on the south-western corner of the Hiller Street and Henry Street intersection and is approximately 100m from the development site. Constructed in the 1980s the density of 44-46 Hiller Street is approximately 1 unit per 165m². As discussed, this development has a proposed density of 1 unit per 318.5m² which is compatible with the density of the surrounding area and compliance with P1 (a) is achieved. No commentary is required against P1 (b).

10.4.6 Privacy for all dwellings

<p>Objective:</p> <p>To provide reasonable opportunity for privacy for dwellings.</p>	
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level. 	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

No details of screening have been provided by the applicant for the bedroom window located adjacent to the visitor car parking space. Figure 7 highlights the approximate location of the visitor parking space adjacent to the bedroom window. It is noted the bedroom window is located approximately 1.5m above ground level.



Figure 7 – Location of bedroom window adjacent to visitor carparking space (n + b, 2018)

The bedroom window retains the original timber frame and if it is removed or modified the heritage value of the property and surrounding area will be negatively impacted, noting the site is located within the Wenvoe/Hiller Street Heritage Area. Due to the window's elevated position some separation is achieved. Curtains will also reduce impacts of light intrusion. The performance criteria are considered met for this standard.

E5.6.4 Design and location of development

Objective:	
Design and location of new development is to be consistent with the attributes and features specified for conservation	
Acceptable Solutions	Performance Criteria
A1 Development must comply with the conservation outcomes specified in Column 4 of the Table to this Code for the building, area, or other place	P1 The design and location of buildings and development areas must maintain the architectural or historic interest or special cultural value specified in the Table to this Code for a building, area or other place having regard for - (a) integrity of the fabric and structure of the building, area, or other place; (b) setback, scale, and height of building elements relative to existing development on the site; (c) vegetation and other improvement on the site or on adjacent land; (d) separation of buildings and activity areas from a frontage; (e) separation of buildings and activity areas across a boundary; and (f) architectural style and features of the building, area, or other place including - (i) roof form and pitch; (ii) fenestration; (iii) methods and techniques of construction; (iv) external fabric, materials and finish; (v) colour scheme; (vi) alteration and addition; (vii) outbuildings; (viii) garden design, planting and structures; (ix) fencing; and (x) signage

As discussed, the site is situated within the Wenvoe/Heritage Conservation Area. Figure 8 reproduced on the next page illustrates the site's location within the heritage area. Furthermore, a description of the Wenvoe/Hill Street Conservation Area from the DIPS is shown as Figure 9.

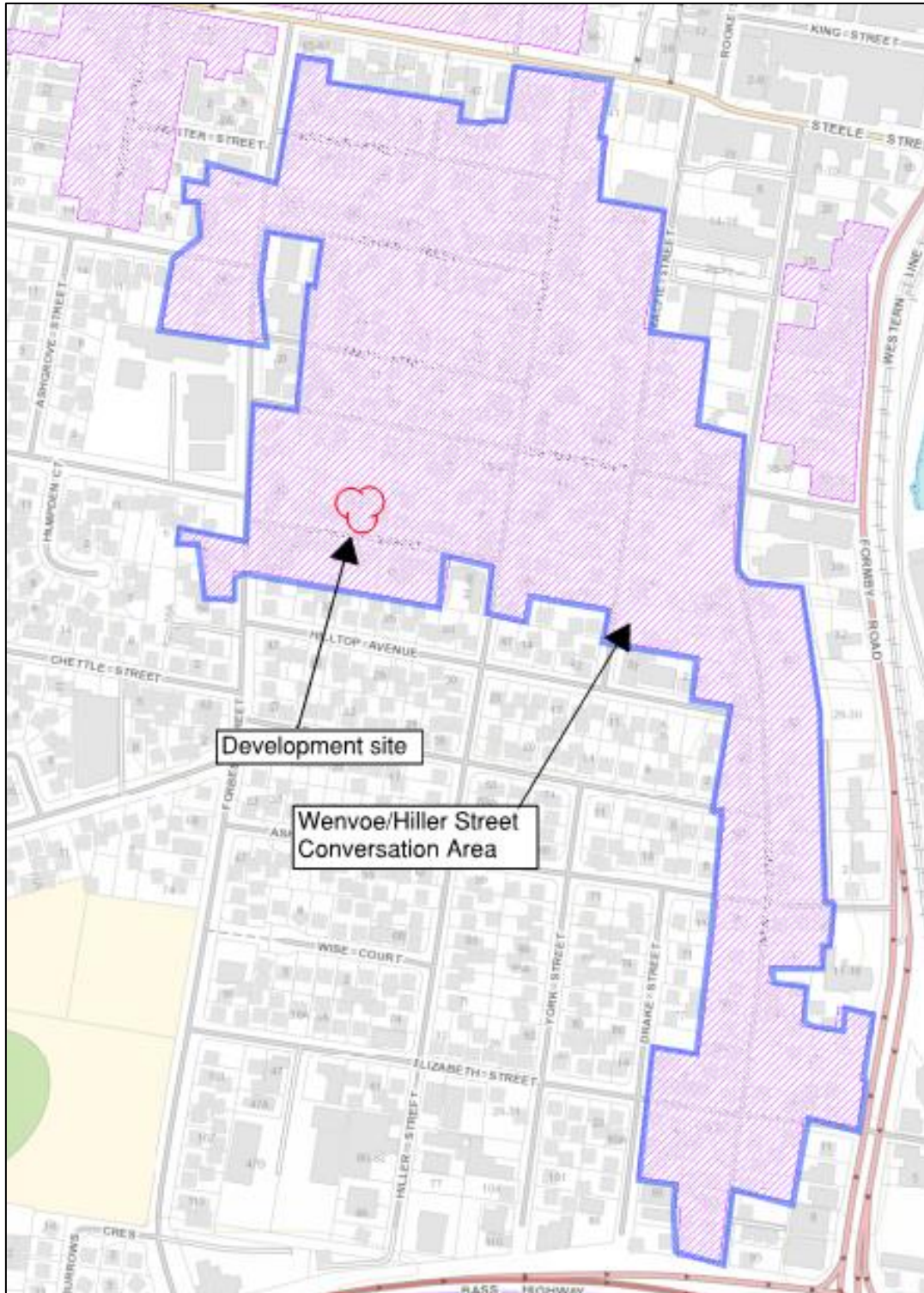


Figure 8 - Map of Wenvoe/Hiller Street Conversation Area with development site shown (The List 2013)

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<p>Wenvoe and Hiller Street Conservation Area (Area 2)</p>	<p>The area contains a mixture of residential homes, schools and a church</p>	<p>The area is the major surviving heritage housing area of Devonport and is of very high heritage significance. Wenvoe Street is the main street through the area. The street rises to the west from Steele Street through an industrial area with the first residential buildings near Turton Street. As the street steeply rises a group of very fine houses are located on the slopes with good views and aspect to the northeast. At the southern end of the street are a group of houses and cottages extending into Elizabeth Street, a number of which were relocated from Zeehan. The street contains a wide range of buildings of value and a number of major properties.</p> <p>Macfie Street has also been impacted by industrial development at its northern end. As the street rises steeply heading west to Turton Street a group of two storey timber buildings are located on the high side with an early house at No 27. The hill is topped by No 44, a substantial two storey brick house. It is distinctive, as it is the most imposing building in the area with extensive views to the river and Bass Strait. Another significant house is at No 47 again taking advantage of the extensive views.</p> <p>Hiller Street is located on the ridge and is comparatively level. However houses on the eastern side are set down with the western houses set slightly above street level. The block between Steele and Turton Streets contains the finest group of buildings in the Heritage Area with examples of various styles and fine decorative treatments. This area forms the core of the Wenvoe and Hiller Street Conservation Area.</p> <p>As noted the streets oriented east-west generally have smaller scale buildings. Harold Street was a late subdivision from the lands around Pebble Lodge and contains a high consistency of buildings, a number of which are now altered and have non-characteristic fencing styles. While the street is wider than the other cross streets, the buildings are modest and representative of the wider development of early Devonport.</p> <p>Archer Street contains several unusual and fine buildings from several periods and a good collection of contributory buildings. It is a narrower street that typifies the pattern of early sub-division and development of the ridge area.</p> <p>Turton Street has a very high consistency of contributory buildings that make up the basic housing stock of the area.</p> <p>Henry Street is an example of a more modest sub-division with small lot sizes and good consistent housing stock.</p> <p>Smith Street is the least coherent street containing a small number of contributory buildings. The other houses are however good examples of later development and provide a good setting for the more significant buildings.</p> <p>The key characteristics of the Conservation Area are -</p> <ul style="list-style-type: none"> (a) Its consistent building form and scale; (b) The contrasts between larger properties in the north-south streets and the more regular rows of smaller houses in the east-west cross streets; (c) The regular relationship of most houses to the street frontage; and (d) The predominant late 19th C and early 20th C style of the buildings.] 	
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Figure 9 - Description of Wenvoe/Hiller Street Conversation Area from the DIPS (2013)

The Local Heritage Code describes Henry Street as, “an example of a more modest subdivision with small lot sizes and good consistent housing stock.” The additional unit will be mostly obscured behind the existing dwelling, noting it will be visible when looking at the site from the western side of Henry Street when near the property. A key characteristic of the conservation area is its consistent building form and scale. The unit is single storey and consistent with other residential development in the area. The applicant has undertaken maintenance work on the existing dwelling without interrupting its heritage value and the performance criteria for E5.6.4 P1 is satisfied.

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E9.6.1 Design of vehicle parking and loading areas

<p>Objective:</p> <p>Vehicle circulation, loading, and parking areas-</p> <p>(a) protect the efficient operation and safety of the road from which access is provided;</p> <p>(b) promote efficiency, convenience, safety, and security for vehicles and users; and</p> <p>(c) provide an appropriate layout and adequate dimension to accommodate passenger or freight vehicle associated with use of the site</p>	
<p>Acceptable Solutions</p> <p>A1.1</p> <p>All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>A1.2</p> <p>Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must -</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) - Parking Facilities - Off Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities - Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>Performance Criteria</p> <p>P1</p> <p>The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for -</p> <p>(a) the nature and intensity of the use;</p> <p>(b) effect of size, slope and other physical characteristics and conditions of the site;</p> <p>(c) likely volume, type, and frequency of vehicles accessing the site;</p> <p>(d) likely demand and turnover for parking;</p> <p>(e) delivery and collection vehicles;</p> <p>(f) familiarity of users with the vehicle loading and vehicle parking area;</p> <p>(g) convenience and safety of access to the site from a road;</p> <p>(h) safety and convenience of internal vehicle and pedestrian movement;</p> <p>(i) safety and security of site users; and</p> <p>(j) the collection, drainage, and disposal of stormwater</p>

A total of 5 car parking spaces are required to satisfy the car parking requirements for the application (two spaces per dwelling plus one visitor parking space). This is provided and is in accordance with the acceptable solutions for E9.5.1 A1- Provision of parking. However, the parking layout cannot satisfy the above development standard due to the allocation of jockey parking and as the visitor parking space cannot be entered or exited in a forward direction (refer to Table 1 for further explanation). Given the residential nature of the development, the occupiers will be familiar with the parking area and there will be limited demand for turnover of parking and the frequency of people accessing the site will be limited. The visitor parking space will not obscure the access to the parking area for the units and the crossover to the property will be extended to 6m to allow for improved vehicle movements. Lastly, it is acknowledged that Henry Street is a narrow carriageway and parking on the street is not prohibited but is generally not encouraged. The proposal provides enough parking in accordance with this Code and the layout is considered satisfactory due to the nature of the development. The performance criteria are met.

COMMUNITY ENGAGEMENT

On 05/10/2018, Council received an application for the above development. Under Section 57(3) of the Land Use Planning and Approvals Act 1993, the Planning Authority must

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give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 20/10/2018;
- (b) Making a copy of the proposal available in Council Offices from the 20/10/2018;
- (c) Notifying adjoining property owners by mail on 18/10/2018; and
- (d) Erecting a Site Notice for display from the 19/10/2018.

The period for representations to be received by Council closed on 06/11/2018.

REPRESENTATIONS

Four representations were received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*.

Each representation is reproduced below along comment.

Representation 1 – Ann Byrne of 7 Henry Street, Devonport

23/10/18

To whom it may concern,

as a home owner in Henry street, I would like to oppose the building of a unit at the back of 14 Henry street for the following reasons:

1. Henry street is one of the few streets in Devonport that has predominantly heritage listed houses and the original, historical characteristics of the street and it's buildings and gardens should be maintained in a way that enhances the traditional values of the area.
2. Henry street is very narrow, parking issues are already impacting on the residents and building units on the blocks will only create more congestion.
3. Modern units are totally out of character in the street.
4. The owners of 14 Henry street have already done renovations to other properties in Henry street and are using them as Air B+B's.

5. The house next door to mine is also owned by the same people who plan to renovate that and make it "Air B+B". While I'm in favour of it being restored as it's currently rented and in terrible disrepair I am cautious of the motives as I do not want a unit built on the back of that.

6. From a public perspective the conversion of property into short term accommodation in the economic climate of housing shortages reflects an uncitizenship philosophy to the greater community. It appears the primary objective of all this project is money making without any regard for other rate payers and residents in the area.

7. The work that has been done on 14 Henry Street

7. has created difficulties for everyone who has wanted to access the street. Trucks blocked the way, utes and trailers making it difficult to navigate and on rubbish days the council truck could barely get past.

8. There was also the noise associated with the renovation and as most of the residents in the street are elderly and spend a lot of time in their gardens it was extremely unpleasant.

9. The front of 14 Henry street has been stripped of any character by the removal of the garden and fake lawn used, modern layout of grasses and a door paint that looks like it is undercoat due to it's pale pink finish.

10. If the owners are hoping for my co-operation when they do start work on the house next door, (due to the fact that they'll need to access my driveway) they will have to be extremely mindful of my property, pets and privacy. Generally I don't allow anyone in my garden unless they have pre-arranged it with me, and there are locks and alarms on all access points.

Yours Faithfully Ann Byrne
Number 7 Henry street.
Devonport.

Each of Ms Byrne's points are evaluated below.

1. Henry Street forms part of the Wenvoe/Hiller Street Conservation Area prescribed under the Local Heritage Code of the DIPS. A permit pathway exists for multiple dwelling development under the Local Heritage Code and the heritage considerations have been discussed within the *Planning Issues* section of the report. If the proposal was not visible from Henry Street (noting it is mostly obscured) the development would have satisfied the exemptions of this Code and the heritage considerations would not have been required to be assessed as a discretionary component of the application.
2. The matter of parking has been discussed within the *Planning Issues* section of the report. The proposal provides a total of 5 parking spaces which complies with the acceptable solutions. The configuration of the parking is discretionary, and merit has been demonstrated.
3. The application is for an additional dwelling located behind the existing dwelling. The development has been assessed to comply with the performance criteria of E5.6.4 P1 - *Design and location of development* of the Local Heritage Code.
4. Not relevant to the determination of this planning application.
5. Not relevant to the determination of this planning application.
6. The application is seeking approval for a multiple dwelling development. There is nothing in the application documentation regarding a short-term accommodation proposal. Further examination will be required against the DIPS if the developer/owner intends to utilise the property for short stay accommodation purposes.
7. Not relevant to the determination of this planning application.
8. A condition will be included on the permit ensuring the development is undertaken within the prescribed noise regulations under the *Environment Pollution and Control Act 1993*.
9. Maintenance works (including minor landscape work and repainting of an exterior surface) meets the exemptions of the Local Heritage Code.
10. Not relevant to the determination of this planning application.

Representation 2 – Irene Nissen of 8 Henry Street, Devonport

Irene Nissen
8 Henry Street
Devonport, TAS 7310
irenenissen@bigpond.com
0427 812 845

The General Manager
Devonport City Council
P.O. Box 604
Devonport! TS 7310

Dear Madam/Sir,

Re.: Application for planning permit PA2018.0153 - 14 Henry Street, Devonport

I, Irene Nissen, would like to express my objections for granting permission for the additional residential unit proposed for 14 Henry Street for the following reasons.

1. Henry Street and surrounding streets consist of charming old homes with cottage gardens. The proposed unit does not fit within the atmosphere or style of this area also known as the Battery Point of Devonport.
2. The proposal means that the majority of the block would be covered by housing or concrete which is ugly and does not fit into the environment, significantly lowering the ambience of the street.
3. The proposed unit is of a modern style, which does not fit in with the style of most houses here.
4. Preservation of history is important for current and future residents of this area as well as for the outward image of Council. The proposed development does not contribute to protection of the historical value of this area.
5. Traffic is already an issue in Henry Street as many of the dwellings are not built at a time with multiple cars to a household. I acknowledge the room for cars and turning space allocated, but this only allows for one car per unit, which is unrealistic as most households have two or three cars. This would necessitate parking in the part of the street that already has to
6. Allowing for units to be built in one backyard would open up for similar developments in the neighbourhood. This would totally destroy the feeling of old worldliness that currently exists.

I trust that council will take my objections into account in this matter.

Irene Nissen

Each of Ms Nissen's points are evaluated below.

1. Henry Street forms part of the Wenvoe/Hiller Street Conservation Area stipulated under the Local Heritage Code of the DIPS. A permit pathway exists for multiple dwelling

development under the Local Heritage Code and the heritage considerations have been discussed within the *Planning Issues* section of the report.

2. Development standard 10.4.3 A1 - *Site coverage and private open space* contains provisions regarding site coverage for a development. To satisfy the acceptable solutions, a site is required to have a site coverage of less than 50% (roofed area) and 25% of the site is required to be free from impervious surfaces. This proposal has a site coverage of 37% and 25% of the site will be free from impervious surfaces.
3. Refer to point 1.
4. This is agreed. A key purpose of the Local Heritage Code is to conserve heritage buildings and conservation areas. The development will retain the existing dwelling along the Henry Street frontage and the bulk and scale of the additional unit is consistent with development in the site's vicinity. The historical value of the area will be negligibly impacted by this development.
5. The applicant has proposed jockey parking which will accommodate two parking spaces per unit plus a visitor space at the front of the property. Due to the nature of the development, the impacts to the Henry Street carriageway are considered minimal.
6. Not necessarily. The zoning of Henry Street (General Residential) provides a permit pathway for multiple dwelling development to occur, however, the development standards still need to be assessed to determine if a planning permit can be approved.

Representation 3 – Mr & Mrs Howell of 37 Turton Street, Devonport

26/10/2018

Rex and Rozlyn Howell

File:35663

To the General Manager,

Regarding the planning Permit for 14 Henry St Devonport.

We, Rex and Rozlyn Howell living at 37 Turton St raise an objection to John & Lyndall Farrell erecting another building in Henry Street with THREE LARGE Windows in main living areas facing our back property leaving us with absolutely no privacy. These large windows will only be 4 metres off the back fence.

Mr and Mrs Farrell could have placed high Horizontal Strip windows, as they already have one in the front of the plans, instead of the three large windows, giving consideration to privacy to the neighbours.

As this property will probability be used as a business, (short term accommodation, the same as the existing house), people will be coming and going constantly, leaving us fearful of robbery as they can see directly into our house beyond the back door.

We use our backyard for family recreation and if they go ahead with this with the THREE LARGE WINDOWS facing us this will render our back yard useless.

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Everyone needs to use their backyard for “Mental Health” as we are lucky enough to have a yard to be able to do this without the fear at present of strangers looking at us through windows.

If they go ahead with the THREE LARGE WINDOWS they will absolutely need to erect a fence high enough to give us our privacy which they are robbing us off and pay for this at their own expense because they have created the problem and our present fence is in good condition.

There could be a need with the elevation of the foundation for the fence to be quite high to cover the windows to afford us our privacy.

We cannot grow large flora there as the sewage line runs close.

Please consider the objection when approving the property plan as we would consider our neighbours if we were building the same.

Sincerely,

Rex and Rozlyn Howell



R Howell

The primary point of objection within the representation is the perceived privacy impacts occurring from the additional unit. Figure 5, shown earlier in the report, highlights the northern elevation which will face the Howell's property at 37 Turton Street. The unit is setback 4m from the rear boundary which meets the acceptable rear setback requirement. As the rear setback is satisfied, Council is not required to consider the privacy impacts from the development and no further commentary in relation to this objection is warranted.

Representation 4 – Ms Janette Waltran of 10 Henry Street, Devonport

Attention General Manager, Devonport City Council

I am writing to council regarding the above Application Planning Permit - 14 Henry Street, Devonport.

A concern I have is the likelihood of more cars parking on the street. Henry Street is a very narrow street and there are already issues with increased traffic and parking. Even when there is off street parking made available, reality is, that there are those residents with multiple cars, who still tend to park on the street. The information provided shows that parking for up to 4 cars has been allowed. It is a very tight parking area which indicates that the car owner will more likely resort to parking on the street for ease.

Henry Street was designated as part of the heritage precinct of Devonport. Is this still the case and if so, does this building fit with the regulations?

Another concern is the potential for number 14 being used as an Airbnb business as is the property across the road. Henry Street is a small street with many home owners who have resided here for many years. Transient use of the property will fragment the street and neighbourhood.

I hope council takes into consideration my concerns.

Sincerely
Janette Waltran

11 Henry Street
Devonport
Mobile: 0407 506 188

Concerns in relation to vehicle parking, heritage and short-term accommodation are raised within Representation 4. All these matters have been discussed earlier within the report and no further commentary is required.

DISCUSSION

The application was referred to TasWater for comment as required by the *Water and Sewerage Industry Act 2008* and conditions from this authority will be included in the final recommendation (refer to attachment 2).

The application has also been referred internally to other Council departments with an interest in development applications. Comments received have been included in the final recommendation.

FINANCIAL IMPLICATIONS

No financial implications are predicted unless legal costs are incurred due to an Appeal to the Resource Management and Planning Appeal Tribunal.

RISK IMPLICATIONS

Due diligence has been exercised in the preparation of this report and no associated risks are predicted.

CONCLUSION

The multiple dwelling development is located along Henry Street upon land appropriately zoned for such purpose. The application has been assessed as appropriately complying with the requirements of the DIPS and the discretions sought thereunder are deemed to have merit and can be supported. The application is therefore recommended for approval.

ATTACHMENTS

- 1. Application detail - PA2018.0153 - 14 Henry Street
- 2. TasWater conditions - PA2018.0153

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0153 and grant a Permit to use and develop land identified as 14 Henry Street, Devonport for the following purposes:

- Residential (additional unit)

Subject to the following conditions:

Conditions

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Project No. P18051 (Revision A) by n + b, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The existing household sewer drainage located within the western boundary is to be renewed in PVC pipe from the dwelling to the boundary connection point.
3. Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am - 6pm and Sunday and statutory holidays 10am - 6pm.

4. The proposed vehicular access crossover and driveway are to be generally constructed in accordance with the submitted drawings and IPWEA Tasmanian Standard Drawings.
5. Any existing redundant driveway and associated infrastructure is to be demolished and reinstated to concrete footpaths, barrier kerb and/or nature strip to match the adjoining infrastructure and otherwise in accordance with the relevant Tasmanian Standard Drawings.
6. A new stormwater connection to kerb, in accordance with the Tasmanian Standard Drawings, is to be provided by the developer at their expense.
7. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit discharge from the proposed development to that equivalent to only 50% of the existing lot being impervious. Peak discharge is to be limited by utilising suitably designed on-site stormwater detention systems. In addition, there is to be no overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted as part of the building and plumbing permit application.
8. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008* (attached).

Note: The following is provided for information purposes.

THIS IS NOT A BUILDING OR PLUMBING PERMIT.

With respect to street numbering, Council suggests the following:

- The existing dwelling is to have the street address: 2/14 Henry Street; and
- The proposed unit is to have the street address: 1/14 Henry Street.

The above street numbering complies with AS/NZS 4819.0211 *Rural and Urban Addressing*.

Prior to commencing any building or plumbing work you are required to:

Contact a Tasmanian registered Building Surveyor to determine the category of building approval required, and

Contact the Council Permit Authority to determine the category of plumbing approval required.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

In regard to condition 8 the applicant/developer should contact TasWater – Ph 136 992 with any enquiries.

Report to special Council meeting on 19 November 2018

In regard to conditions 4-7 the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

Author:	Alex Mountney	Endorsed By:	Kylie Lunson
Position:	Planning Officer	Position:	Development Services Manager

Office use
Application no. _____
Date received: _____
Fee: _____
Permitted/Discretionary

Devonport City Council

Land Use Planning and Approvals Act 1993
Devonport Interim Planning Scheme 2013

Application for Planning Permit

Use or Development Site

Street Address: 14 HENRY STREET
DEVONPORT

Certificate of Title Reference No.: PID 6334431 VOL 145389
FOLIO 1

Applicant's Details

Full Name/Company Name: JOHN FARRELL

Postal Address: 16 DARLING STREET
PORT SORELL 7307

Telephone: 0407 013 137

Email: john@stib.com.au


Owner's Details (if more than one owner, all names must be provided)

Full Name/Company Name: JOHN FARRELL

Postal Address: 16 DARLING STREET
PORT SORELL 7307

Telephone: 0407 013 137

Email: john@stib.com.au



ABN: 47 611 446 016
PO Box 604
17 Fenton Way
Devonport TAS 7310
Telephone 03 6424 0511
Email
council@devonport.tas.gov.au
Web
www.devonport.tas.gov.au

Value of use and/or development .

\$180 000

Notification of Landowner/s (s.52 Land Use Planning and Approvals Act, 1993)

If land is not in applicant's ownership

I, _____ declare that the owner /each of the owners of the land has been notified/will be notified within 7 days from date of making this permit application.

Applicant's signature: _____ Date: _____

If the application involves land owned or administered by the Devonport City Council

Devonport City Council consents to the making this permit application.

General Manager's signature: _____ Date: _____

If the application involves land owned or administered by the Crown

Consent must be included with the application.

Signature

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

- if incomplete, the application may be delayed or rejected;
- more information may be requested within 21 days of lodgement; and
- The application may take 42 days to determine.

PUBLIC ACCESS TO PLANNING DOCUMENTS

I, the undersigned understand that all documentation included with this application will be made available for inspection by the public. Copies of submitted documentation, with the exception of plans which will be made available for display only, may be provided to members of the public, if requested.

Applicant's signature:  Date: 03/10/2018

PRIVACY ACT

The personal information requested on this form is being collected by Council for processing applications under the Land Use and Planning Approvals Act 1993 and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options – Please pay fee when lodging your completed application form

	<p>Payment in Person Customer Service hours are between 8.30am and 5.00pm, Mon-Fri. Payment may be made by cash, credit card, cheque or EFTPOS.</p>
	<p>Payment by Mail Cheques should be made payable to Devonport City Council and posted to The General Manager, Devonport City Council, PO Box 604, Devonport, TAS, 7310.</p>
	<p>Credit Card Payment by Phone Please contact the Devonport City Council offices on 6424 0511. Customer Service hours are between 8.30am and 5.00pm, Monday to Friday.</p>

Applications may be lodged by email to Council - council@devonport.tas.gov.au The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee	
Completed Council application form	
Copy of certificate of title, including title plan and schedule of easements	
Demonstration of compliance with performance criteria and relevant codes	
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	
<ul style="list-style-type: none"> • The existing and proposed use(s) on the site 	
<ul style="list-style-type: none"> • The boundaries and dimensions of the site 	
<ul style="list-style-type: none"> • Typography including contours showing AHD levels and major site features 	
<ul style="list-style-type: none"> • Natural drainage lines, watercourses and wetlands on or adjacent to the site 	
<ul style="list-style-type: none"> • Soil type 	
<ul style="list-style-type: none"> • Vegetation types and distribution, and trees and vegetation to be removed 	
<ul style="list-style-type: none"> • The location and capacity of any existing services or easements on the site or connected to the site 	
<ul style="list-style-type: none"> • Existing pedestrian and vehicle access to the site 	
<ul style="list-style-type: none"> • The location of existing adjoining properties, adjacent buildings and their uses 	
<ul style="list-style-type: none"> • Any natural hazards that may affect use or development on the site 	
<ul style="list-style-type: none"> • Proposed roads, driveways, car parking areas and footpaths within the site 	
<ul style="list-style-type: none"> • Any proposed open space, communal space, or facilities on the site 	
<ul style="list-style-type: none"> • Main utility service connection points and easements 	
<ul style="list-style-type: none"> • Proposed subdivision lot boundaries, where applicable 	
<ul style="list-style-type: none"> • Details of any proposed fencing 	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
<ul style="list-style-type: none"> • The internal layout of each building on the site 	
<ul style="list-style-type: none"> • The private open space for each dwelling 	
<ul style="list-style-type: none"> • External storage spaces 	
<ul style="list-style-type: none"> • Car parking space location and layout 	
<ul style="list-style-type: none"> • Major elevations of every building to be erected 	
<ul style="list-style-type: none"> • The relationship of the elevations to natural ground level, showing any proposed cut or fill 	
<ul style="list-style-type: none"> • Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites 	
<ul style="list-style-type: none"> • Materials and colours to be used on roofs and external walls 	
A plan of the proposed landscaping including:	
<ul style="list-style-type: none"> • Planting concept 	
<ul style="list-style-type: none"> • Paving materials and drainage treatments and lighting for vehicle areas and footpaths 	
<ul style="list-style-type: none"> • Plantings proposed for screening from adjacent sites or public spaces 	
Details of any signage proposed	

If all of the above information is not provided to Council at the time of lodgement the application will not be accepted.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 145389	FOLIO 1
EDITION 4	DATE OF ISSUE 28-Oct-2010

SEARCH DATE : 03-Oct-2018

SEARCH TIME : 02.51 PM

DESCRIPTION OF LAND

City of DEVONPORT
 Lot 1 on Plan 145389
 Being the land described in Conveyance No.32/1662
 Derivation : Part of Lot 282 (500 Acres) granted to Charles Stanhope Thomas
 Derived from Y20528

SCHEDULE 1

M304889 TRANSFER to JOHN WAYNE FARRELL Registered
 28-Oct-2010 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 C742087 BURDENING EASEMENT: A Right of Carriageway
 (appurtenant to Lot 1 on D.108902) over the Right of
 Way marked A.B.C. shown passing through the said land
 within described Registered 17-Jan-2007 at 12.01 PM
 C988310 MORTGAGE to Commonwealth Bank of Australia
 Registered 28-Oct-2010 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



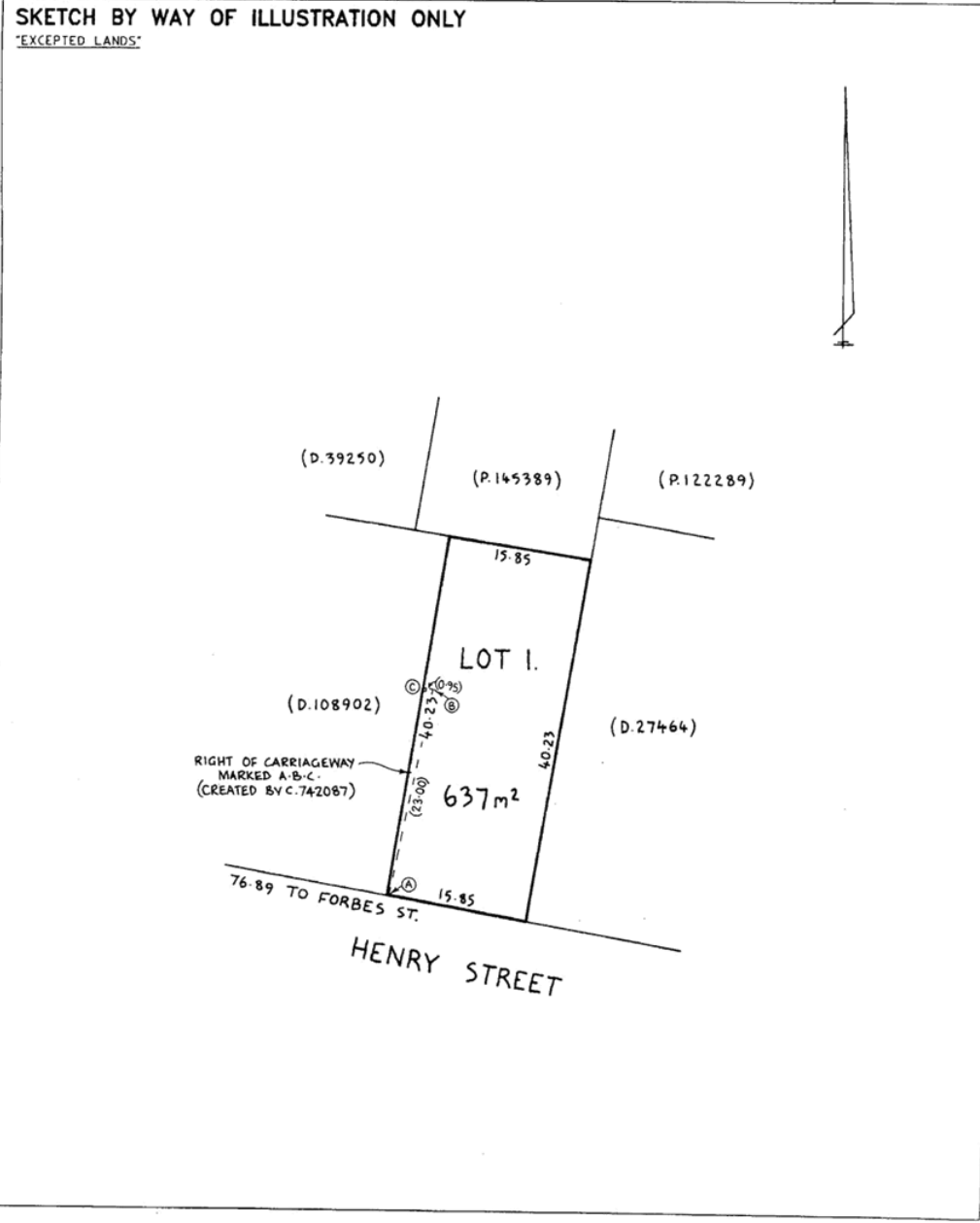
FOLIO PLAN

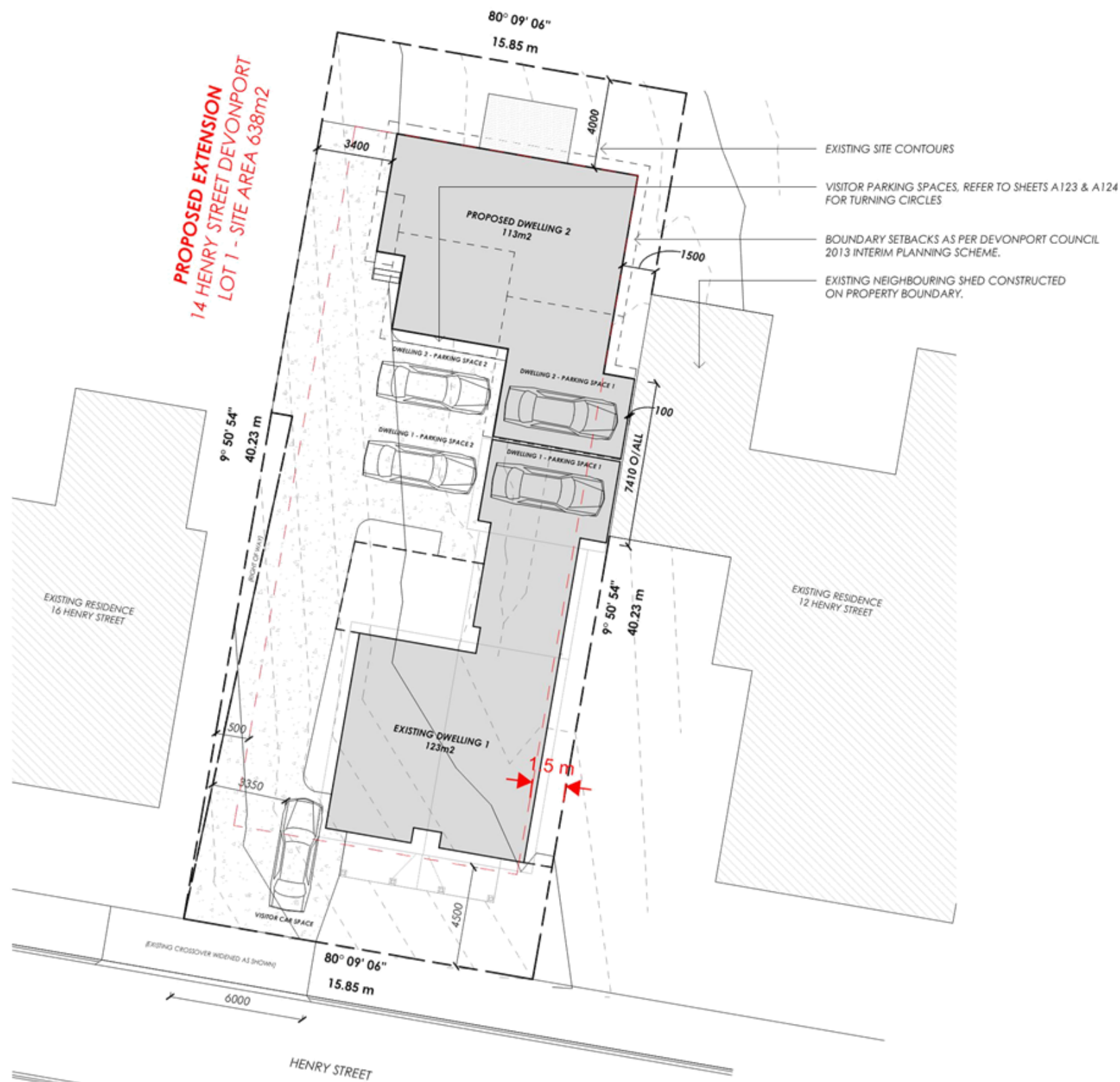
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FILE NUMBER Y.20528 GRANTEE PART OF LOT 282 (500 ⁺) GRANTED TO CHARLES STANHOPE THOMAS		CONVERSION PLAN LOCATION CITY OF DEVONPORT CONVERTED FROM 32/1662 NOT TO SCALE LENGTHS IN METRES		REGISTERED NUMBER P145389 APPROVED21.NOV.2005..... <i>Alicia Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No.108(4444-52)	LAST UPI No. 4605367	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN V.B.





SITE PLAN LEGEND & NOTES

- ⊕ NEW LEVELS
- △ ONSITE DATUM POINT
- EXISTING PRIMARY SITE CONTOUR
- - - EXISTING SECONDARY SITE CONTOUR
- BOUNDARY LINE

RL - REDUCED LEVEL
 PRIMARY CONTOUR LINES SHOWN AT 500mm INTERVALS
 SECONDARY CONTOURS SHOWN AT 100mm INTERVALS
 ALL RL LEVELS REFER TO AHD (AUSTRALIAN HEIGHT DATUM)

DRIVEWAY
 EXPOSED AGGREGATE 120mm THICK 25MPa CONCRETE WITH SAW CUTS AT 4000mm CRS, 24 HOURS AFTER POURING. AGGREGATE STYLE AND FINISH TO BE CONFIRMED BY OWNER.

GENERAL NOTES:
 DURING CONSTRUCTION SOIL AND WATER IS TO BE APPROPRIATELY MANAGED. THIS INCLUDES THE PROVISION OF SILT FENCING, FILTER SCREENS OR DEDICATED SILT TRAPS TO PREVENT THE DISCHARGE OF GRAVEL, SOIL OR OTHER DEBRIS TO ANY EXISTING WATER COURSE OR ADJOINING PROPERTY DURING THE COSTRUCTION PROCESS.

EXCAVATION:
 ALLOW FOR BULK EXCAVATION WHERE REQUIRED AND ALL EXCAVATION, FILLING, BACK FILLING AND CONSOLIDATION REQUIRED FOR THE FOOTINGS AND SLAB. RETAIN ALL ACCESSES AND SERVICES AS INDICATED. MAKE GOOD.

SETTING OUT:
 THE BUILDER SHALL ACCURATELY SET-OUT THE WORKS AND VERIFY ALL DIMENSIONS AND LEVELS BEFORE COMENCING ANY WORKS, AND SHALL MAKE GOOD AT HIS OWN EXPENSE ANY ERRORS ARISING FROM INACCURACIES OF THE SETOUT.

ALL SETOUT DIMENSIONS SHOWN ARE TO THE OUTSIDE FACE OF THE EXTERNAL THE CLADDING OR VENEER.

PROTECTION WORK (SECTION 121 OF THE BUILDING ACT)
 IF EXCAVATION IS TO A LEVEL BELOW THAT OF THE ADJOINING OWNER'S FOOTINGS, ALONG THE TITLE BOUNDARY OR WITHIN 3 METRES OF A BUILDING BELONGING TO AN ADJOINING OWNER, THE BUILDER MUST (AS A MINIMUM) PROVIDE AND MAINTAIN A GUARD TO SUPERVISE THE EXCAVATION. ADJOINING OWNER TO BE NOTIFIED USING FORM 6 (BUILDING AND PROTECTION WORK NOTICE) BY THE BUILDING SURVEYOR.



ITEM 3.2

<p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	<p>Issued As PLANNING</p>	<p>Scale A3 1 : 200</p>	<p>Revision No. Date Description A 20/08/18 Issued as PLANNING</p>	<p>Project PROPOSED RESIDENCE Location 14 HENRY STREET DEVONPORT Client JOHN & LYNDALL FARRELL</p>	<p>Sheet Title SITE PLAN</p>	<p>Sheet Number A101 / A122</p>
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LANDSCAPE PLAN LEGEND & NOTES

- HIGH HEIGHT PLANTS 2-3m MAX HEIGHT
- MEDIUM HEIGHT PLANTS 0.5 - 2m HEIGHT
- SMALL LOW LYING SHRUBS/BUSHES

ALL NEW FENCES TO BE 1.8m HEIGHT COLORBOND FENCING.
 ALL SURFACES SHOWN AS PERVIOUS TO BE GRASS, UNLESS NOTED OTHERWISE.
 ALL HATCHED AREAS REPRESENT DEDICATED P.O.S (PRIVATE OPEN SPACE.)

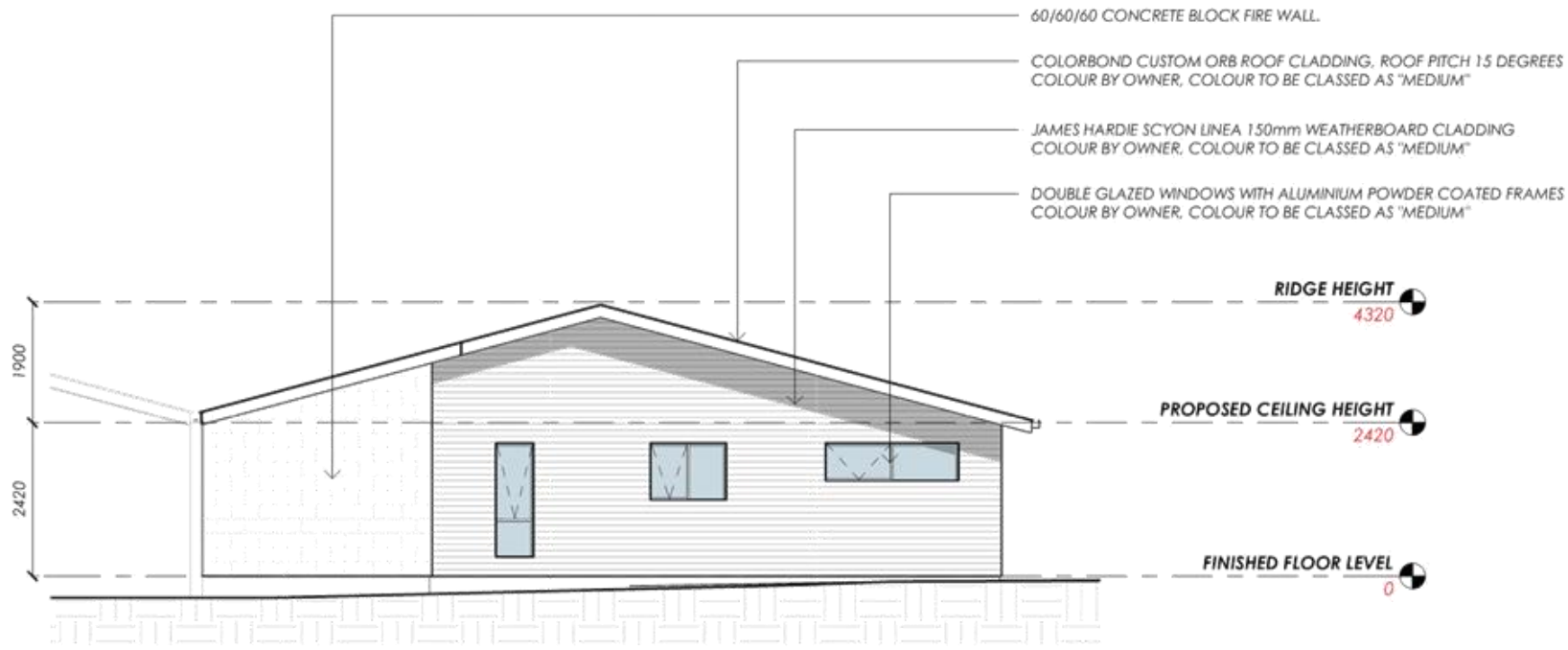
PERVIOUS SURFACES SHOWN IN GREEN, TOTAL AREA 160m²
 TOTAL SITE ARE 638m², SITE AREA FREE FROM IMPERVIOUS SURFACES 25%

EXISTING BEDROOMS FACING SHARED DRIVEWAY
 TO HAVE SILL HEIGHT >1700mm ABOVE FINISHED GROUND LEVEL.
 MINIMUM 1m SEPERATION BETWEEN WINDOWS & DRIVEWAY.

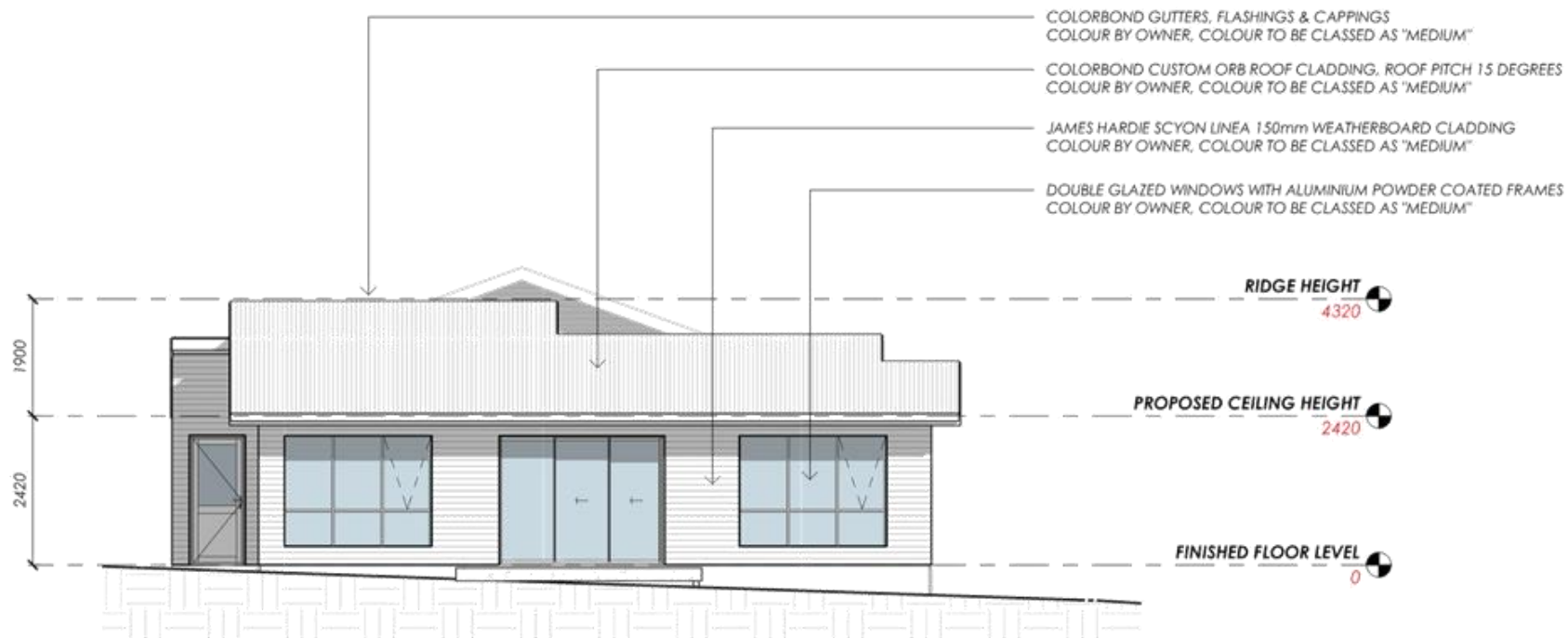
EXISTING FRONT FENCE TO REMAIN IN PLACE

LANDSCAPE PLAN
 Scale 1 : 200

<p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	Issued As PLANNING	Scale A3 1 : 200	Revision No. A Date 20/08/18 Description Issued as PLANNING	Project PROPOSED RESIDENCE Location 14 HENRY STREET DEVONPORT Client JOHN & LINDALL FARRELL	Sheet Title LANDSCAPE PLAN	Sheet Number A102 / A122
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EAST ELEVATION
Scale 1 : 100

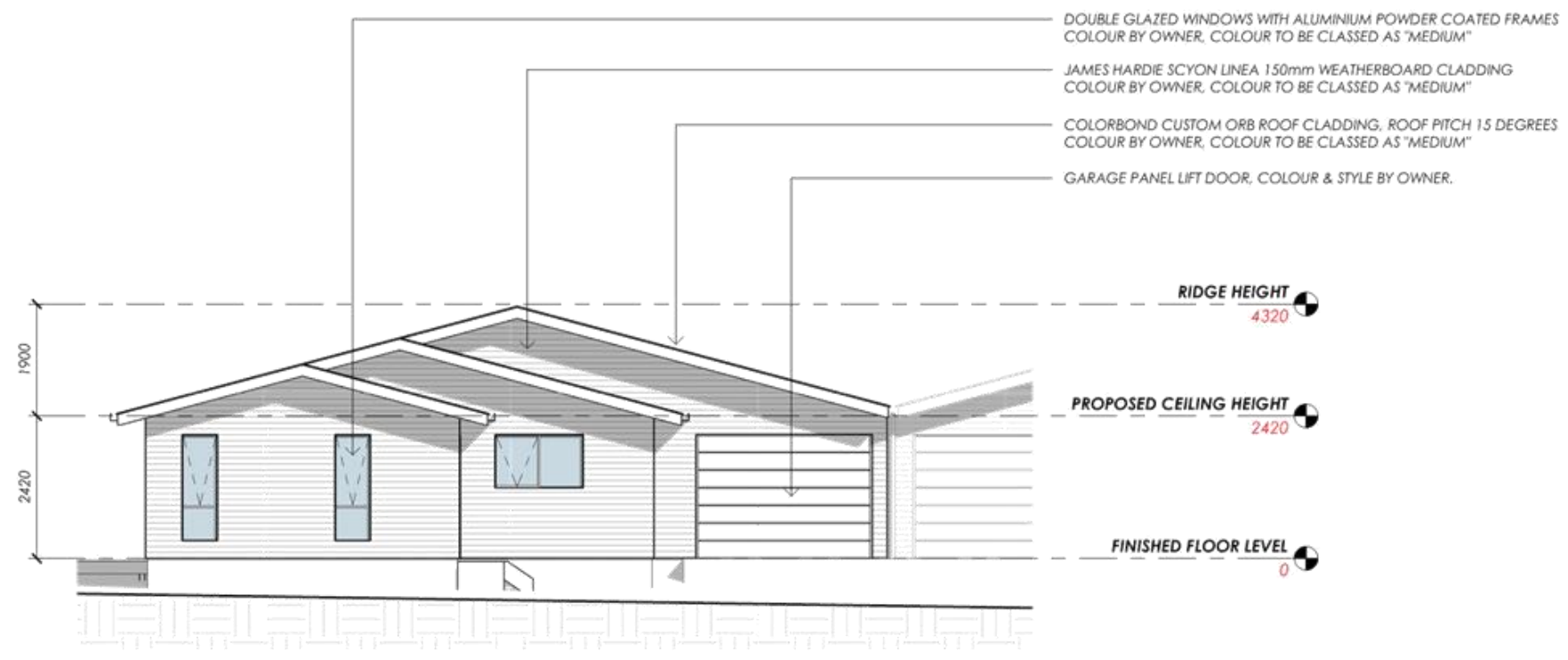


NORTH ELEVATION
Scale 1 : 100

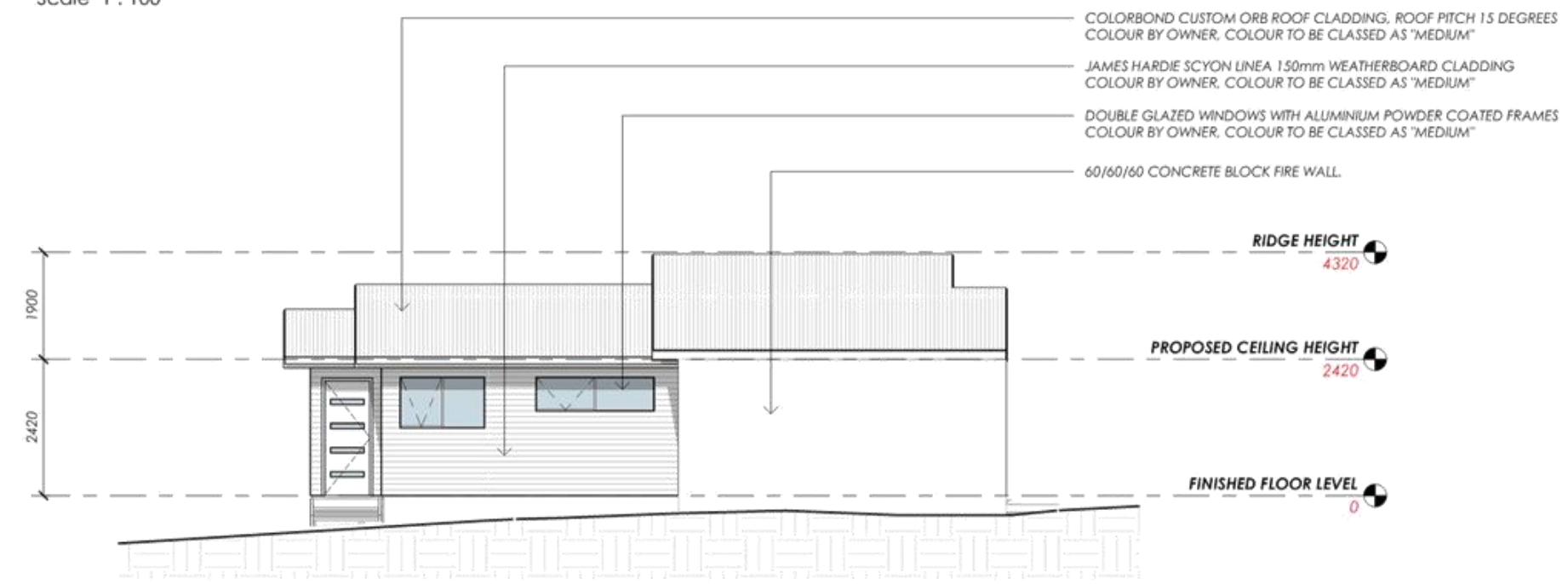
ELEVATION LEGEND

- SECTION MARKER. REFER TO CORRESPONDING SHEET FOR MORE DETAIL.
- WINDOW MARKER. REFER TO WINDOW SCHEDULE FOR MORE INFORMATION.
- DOOR MARKER. REFER TO DOOR SCHEDULE FOR MORE INFORMATION.
- WALL TYPE MARKER. REFER TO WALL DETAILS DRAWING FOR MORE INFORMATION.

<p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	<p>Issued As PLANNING</p>	<p>Scale A3 1 : 100</p>	<p>Revision</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>20/08/18</td> <td>Issued as PLANNING</td> </tr> </tbody> </table> <p>do not scale off plans all dimensions are in millimeters confirm all dimensions on site at work relevant NCC & AS</p>	No.	Date	Description	A	20/08/18	Issued as PLANNING	<p>Project PROPOSED RESIDENCE</p> <p>Location 14 HENRY STREET DEVONPORT</p> <p>Client JOHN & LYNDALE FARRELL</p>	<p>Sheet Title ELEVATIONS 1 OF 2</p> <table border="1"> <thead> <tr> <th>Drawn</th> <th>Issue Date</th> <th>Project No.</th> <th>Revision</th> </tr> </thead> <tbody> <tr> <td>NJB</td> <td>20/08/18</td> <td>P18051</td> <td>A</td> </tr> </tbody> </table>	Drawn	Issue Date	Project No.	Revision	NJB	20/08/18	P18051	A	<p>Sheet Number A103 /A122</p>
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WEST ELEVATION
Scale 1 : 100



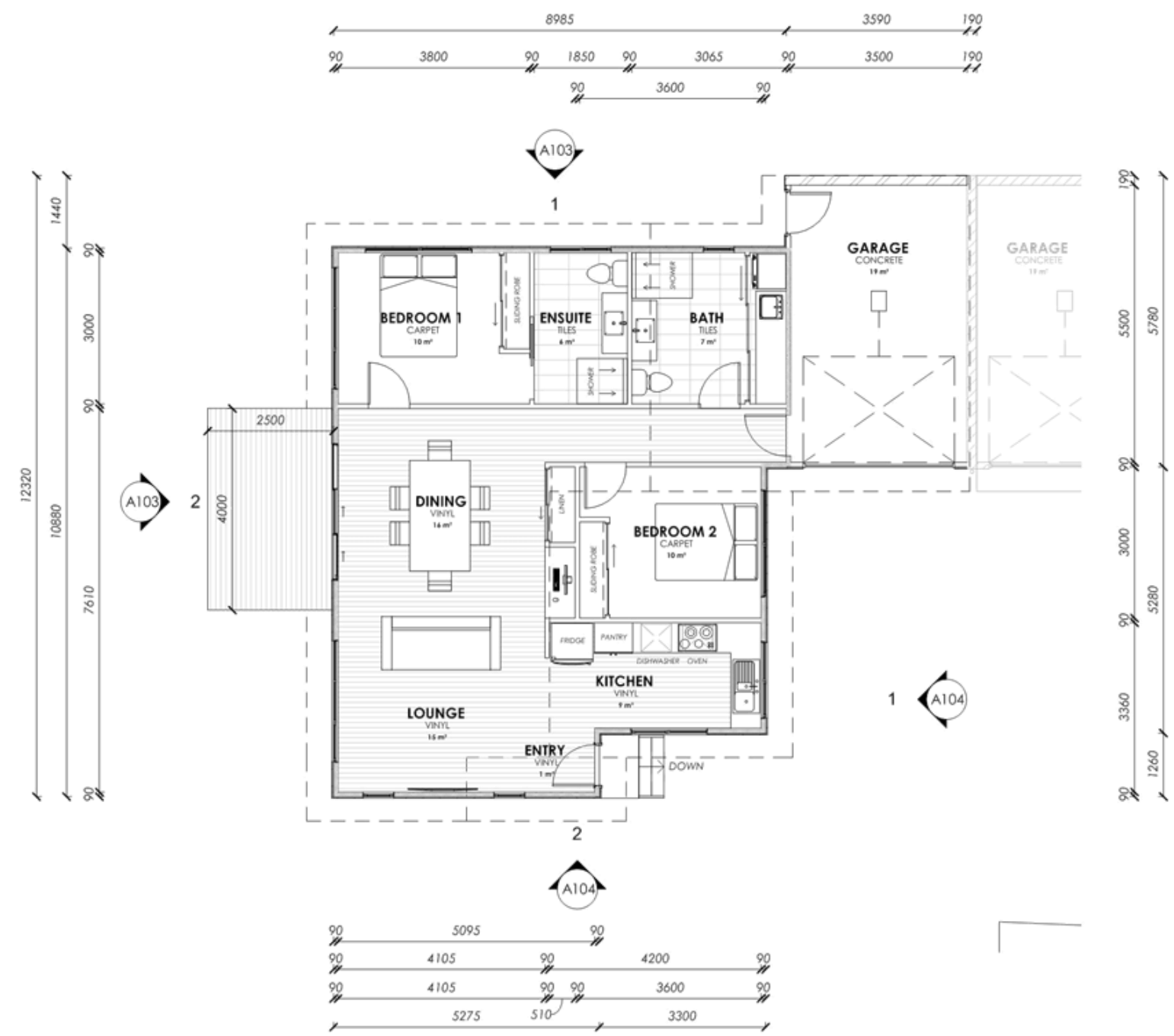
SOUTH ELEVATION
Scale 1 : 100

ELEVATION LEGEND

- SECTION MARKER. REFER TO CORRESPONDING SHEET FOR MORE DETAIL
- WINDOW MARKER. REFER TO WINDOW SCHEDULE FOR MORE INFORMATION.
- DOOR MARKER. REFER TO DOOR SCHEDULE FOR MORE INFORMATION.
- WALL TYPE MARKER. REFER TO WALL DETAILS DRAWING FOR MORE INFORMATION.

ITEM 3.2

<p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	<p>Issued As PLANNING</p>	<p>Scale A3 1 : 100</p>	<p>Revision</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>20/08/18</td> <td>Issued as PLANNING</td> </tr> </tbody> </table> <p>do not scale off plans all dimensions are in millimeters confirm all dimensions on site at work relevant NCC & AS</p>	No.	Date	Description	A	20/08/18	Issued as PLANNING	<p>Project PROPOSED RESIDENCE</p> <p>Location 14 HENRY STREET DEVONPORT</p> <p>Client JOHN & LYNDALL FARRELL</p>	<p>Sheet Title ELEVATIONS 2 OF 2</p> <table border="1"> <thead> <tr> <th>Drawn</th> <th>Issue Date</th> <th>Project No.</th> <th>Revision</th> </tr> </thead> <tbody> <tr> <td>NJB</td> <td>20/08/18</td> <td>P18051</td> <td>A</td> </tr> </tbody> </table>	Drawn	Issue Date	Project No.	Revision	NJB	20/08/18	P18051	A	<p>Sheet Number A104 / A122</p>
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FLOOR PLAN & FINISH LEGEND

- SECTION MARKER. REFER TO CORRESPONDING SHEET FOR MORE DETAIL
- ELEVATION MARKER. REFER TO CORRESPONDING SHEET FOR MORE DETAIL
- WINDOW MARKER. REFER TO WINDOW SCHEDULE FOR MORE INFORMATION.
- DOOR MARKER. REFER TO DOOR SCHEDULE FOR MORE INFORMATION.
- WALL TYPE MARKER. REFER TO WALL DETAILS DRAWING FOR MORE INFORMATION.
- D.P.** 90mm UPVC STORMWATER DOWN PIPE

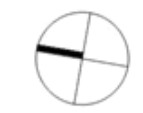
TILES
 FLOOR AREA APPROX - 13m²
 SELECTED TILES, GROUT, SEALANT, TRIMS SEALED PRIOR WITH A WATERPROOF MEMBRANE SYSTEM

VINYL
 FLOOR AREA APPROX - 46m²
 5mm SELECTED VINYL PLANK FLOORING

CARPET
 FLOOR AREA APPROX - 20m²
 SELECTED CARPET AND UNDERLAY

CONCRETE
 FLOOR AREA APPROX - 19m²
 NO SURFACE FINISH REQUIRED

SKIRTING 66x18 PRE PRIMED BEVELLED SKIRTINGBOARD, PAINT TO FINISH.



FLOOR PLAN
 Scale 1 : 100

<p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	Issued As PLANNING	Scale A3 1 : 100	Revision No. Date Description A 20/08/18 Issued as PLANNING	Project PROPOSED RESIDENCE Location 14 HENRY STREET DEVONPORT Client JOHN & LINDALL FARRELL	Sheet Title FLOOR PLAN Drawn Issue Date Project No. Revision NJB 20/08/18 P18051 A	Sheet Number A107 / A122
	©COPYRIGHT These drawings and designs and the copyright there of are the property of nplusb and must not be used, retained or copied without the written permission of nplusb. ABN 946 222 219 16			do not scale off plans all dimensions are in millimeters confirm all dimensions on site all work relevant NCC & AS		

GENERAL NOTES:

- 1) ALL DIMENSIONS AND LEVELS TO BE CHECKED AND CONFIRMED ONSITE BY THE BUILDER BEFORE COMMENCING CONSTRUCTION.
- 2) ALL STORMWATER, SEWAGE AND WATER TO BE INSTALLED TO THE REQUIREMENTS AND BY-LAWS OF THE LOCAL CITY OF MUNICIPAL COUNCIL AND/OR AS DIRECTED BY AN AUTHORIZED REPRESENTATIVE OF THE LOCAL CITY OR MUNICIPAL COUNCIL.
- 3) ALL ELECTRICAL FIXTURES AND COMPONENTS TO BE DETERMINED ONSITE, OR WITH REFERENCE TO THE DRAWINGS, BY THE OWNER AND ELECTRICAL CONTRACTOR.
- 4) ALL MATERIALS SUPPLIED AND INSTALLED ARE TO BE USED FOR THE PURPOSE FOR WHICH THEY WERE DESIGNED AND MANUFACTURED. ALL MATERIAL & PRODUCTS USED TO BE IN NEW AND IN GOOD CONDITION.
- 5) ANY PARTICULAR WORK NOT SPECIFICALLY MENTIONED ON THE DRAWINGS BUT REQUIRED TO PERFORM AND ACHIEVE THE COMPLETION OF THE RESIDENCE AND ASSOCIATED WORKS IN A PROFESSIONAL MANNER, SHALL BE ALLOWED FOR AND CARRIED OUT.
- 6) ALL WORKMANSHIP AND MATERIALS ARE TO COMPLY WITH THE RELEVANT SAA CODES, THE LOCAL COUNCIL BY-LAWS AND REGULATIONS, AND WITH THE BUILDING CODE OF AUSTRALIA (BCA)

THERMAL SPECIFICATION NOTES:

- 1) CONCRETE SLAB ON GROUND
- 2) EXTERNAL WALLS - TIMBER CLADDING AS PER DRAWINGS.
- 3) INTERNAL WALLS - TIMBER STUD WITH PLASTERBOARD LINING
- 4) TRUSSED ROOF.
- 5) ALL WINDOWS TO BE DOUBLE GLAZED (UNLESS NOTED OTHERWISE) AS PER WINDOW SCHEDULE.
- 6) ALL WINDOWS TO BE SUPPLIED BY AWS WINDOW SYSTEMS, OR EQUIVALENT R & U VALUE.
- 7) COLORBOND CUSTOM ORB ROOF
- 8) CSR BRADFORD ENVIROSEAL PROTECTOR WRAP HT-R OR EQUIVALENT TO ROOF.
- 9) CSR BRADFORD ENVIROSEAL PROTECTOR WRAP RW OR EQUIVALENT TO WALLS.
- 10) R5.0 FIBERGLASS BATTS TO CEILINGS THROUGHOUT.
- 11) R2.5 FIBERGLASS BATTS TO ALL EXTERNAL WALLS AND TO INTERNAL GARAGE WALLS.
- 12) WEATHERPROOF/DRAUGHT SEAL TO ALL WINDOWS, EXTERNAL DOORS.

PROJECT NOTES:FLOOR AREA - 113m²**GENERAL TIMBER SIZES:**

PLATES: 90x35 MGP10
 STUDS: 90x35 MGP10
 LINTELS: AS PER ENGINEERING DOCUMENTATION
 BATTENS: 70x35 MGP12.

WIND LOADING TO AS-4055, DESIGN WIND SPEED = TBA

SOIL CLASSIFICATION CLASS - TBA

SITE IS CLASSIFIED AS A BUSHFIRE PRONE AREA. BUSHFIRE ATTACK LEVEL - BAL LOW

ALL CONSTRUCTION TO COMPLY WITH AS-3959 SECTIONS 3 & 5. FROM THESE SECTIONS NOTE PARTICULARLY THE FOLLOWING:

- 1) ALL EXTERNAL WALLS AND TRIMMINGS SUCH AS EAVE LININGS, QUADS, AND OTHER TRIMMINGS TO BE OF NON COMBUSTIBLE MATERIAL. REFER AS-3959 5.4.1
- 2) ALL JOINTS TO BE COVERED, SEALED ETC., TO CREATE JOINTS NO LARGER THAN 3mm IN WIDTH. REFER AS3959 5.4.2.
- 3) VENTS AND WEEPHOLES TO HAVE A CORROSION RESISTANT STEEL MESH COVERING WITH AN APERTURE SIZE OF NO GREATER THAN 2mm. REFER AS3959 5.4.3.
- 4) EXTERNAL WINDOWS AND SCREENS TO COMPLY WITH AS3959 5.5.1A AND 5.5.2.

WET AREAS - REFERENCE BCA VOL.2 PART 3.8.1 & AS3740

WET AREAS INCLUDE:- BATHROOM, ENSUITE, LAUNDRY, & W.C., AND ARE TO BE WATERPROOFED OR WATER RESISTANT IN ACCORDANCE WITH BCA TABLE 3.8.1.1.

WALLS AND CEILINGS ARE TO BE LINED WITH 10mm THICK 'AQUACHEK' PASTERBOARD.

SHOWER COMPONENTS: GROUTED FLUSH FLOOR WITH FIXED GLASS PANEL
WALL MOUNTED SHOWER HEADS AND TAPS.

FLOOR TYPE LOWER: CONCRETE

FLOOR TYPE MAIN: TIMBER FRAMED WITH 20mm thick SCION SECURA FLOORING,
OR SIMILAR.FLOOR GRADES: SHOWER CUBICLE - 1:80 TO CENTRAL WASTE. OTHER FLOOR AREAS - NO
FALL.FINISHED LININGS: WALLS - TILES.
FLOORS - TILES.FINISHED LININGS: WALLS - TILES FLOOR TO CEILING THROUGHOUT.
FLOORS - TILES THROUGHOUT.**PREPARATION BEFORE INSTALLATION OF FINISHED LININGS:**

FLOORS & WALLS ARE TO BE SEALED WITH WATERPROOF MEMBRANE ARDEX WPM 155 RAPID OR SIMILAR.

WALL AND FLOOR JUNCTIONS TO BE SEALED WITH ARDEX STB TAPE OR SIMILAR.

ALL CUT EDGES OF PLASTERBOARD ARE TO BE WATERPROOFED INCLUDING THE BOTTOM EDGE AT MOLDED SHOWER BASE IF USED.

DOORWAY TO HAVE ALUMINIUM ANGLE WATER STOP BETWEEN JAMBS WITH THE VERTICAL LEG NO HIGHER THAN THE ADJACENT CARPET, IF VINYL IS USED IN THE WET AREA, OR LEVEL WITH TILES, IF TILES USED IN THE WET AREA. IF VINYL IS USED IN THE WET AREA, THE ANGLE WATER STOP IS TO BE FITTED WITH A PROPRIETARY TRANSITION EDGE TO REDUCE THE POTENTIAL TRIP HAZARD. HORIZONTAL LEG OF ANGLE WATER STOP FIXED TO FLOOR IS TO BE COVERED BY THE WATER PROOF MEMBRANE. RECESS HORIZONTAL LEG OF WATERSTOP SO THAT UPPER SURFACE OF ANGLE IS FLUSH WITH THE SUCURA FLOOR OR SIMILAR.

ALL PLUMBING PENETRATIONS THROUGH WALLS AND FLOOR ARE TO BE SEALED WITH PROPRIETARY FLANGE OR SEALANT. THESE PENETRATIONS INCLUDE SHOWER TAPS AND SHOWER HEAD, BATH AND VANITY TAPS AND SPOUTS.

THE WATERPROOFING MEMBRANE SYSTEM AND THE APPLICATION OF THE SYSTEM IS TO BE DONE STRICTLY IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS AND RECOMMENDATIONS. IT IS ALSO TO COMPLY WITH THE BCA VOL.2 PART 3.8.1 AND AS3870.

SANITARY COMPARTMENT (W.C.) - REFERENCE BCA VOL.2 PART 3.8.3.3

THE TOILET CUBICLE IS TO BE CONSTRUCTED SO THAT THERE IS 1.2m CLEARANCE BETWEEN THE NEAREST PART OF THE PAN AND THE NEAREST PART OF THE DOOR WHEN OPEN INWARDS. ALTERNATIVELY THE DOOR IS TO BE INSTALLED SWINGING OUT OR IS TO BE FITTED WITH 'ESCAPE HINGES' ASSESSABLE OUTSIDE THE COMPARTMENT.

CONTACT REFERENCES:**BUILDING DESIGNER:**

N+B DESIGN PTY LTD
 NICK BRANDSEMA
 22 FIELDINGS WAY
 ULVERSTONE, TASMANIA
 7315
 PHONE: 0417 134 369

STRUCTURAL ENGINEER:

TBC

CITY/MUNICIPAL COUNCIL:

DEVONPORT CITY COUNCIL
 17 FENTON WAY
 DEVONPORT, TASMANIA
 7310
 PHONE: 6424 0511

N.W. CABLE LOCATION SERVICES


PHONE: 0417 551 851
 PHONE: 0419 512 796

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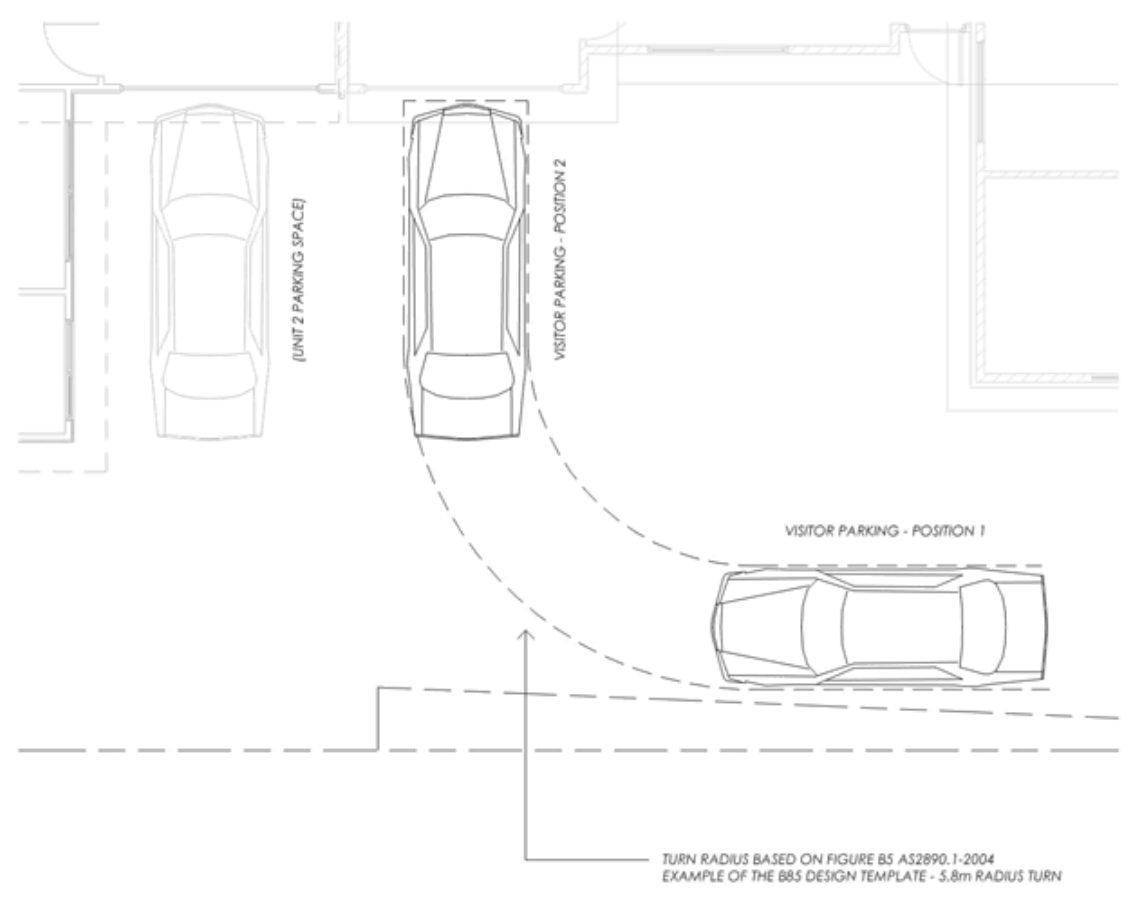
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PHONELINK - FOR TELSTRA PRE-WIRE

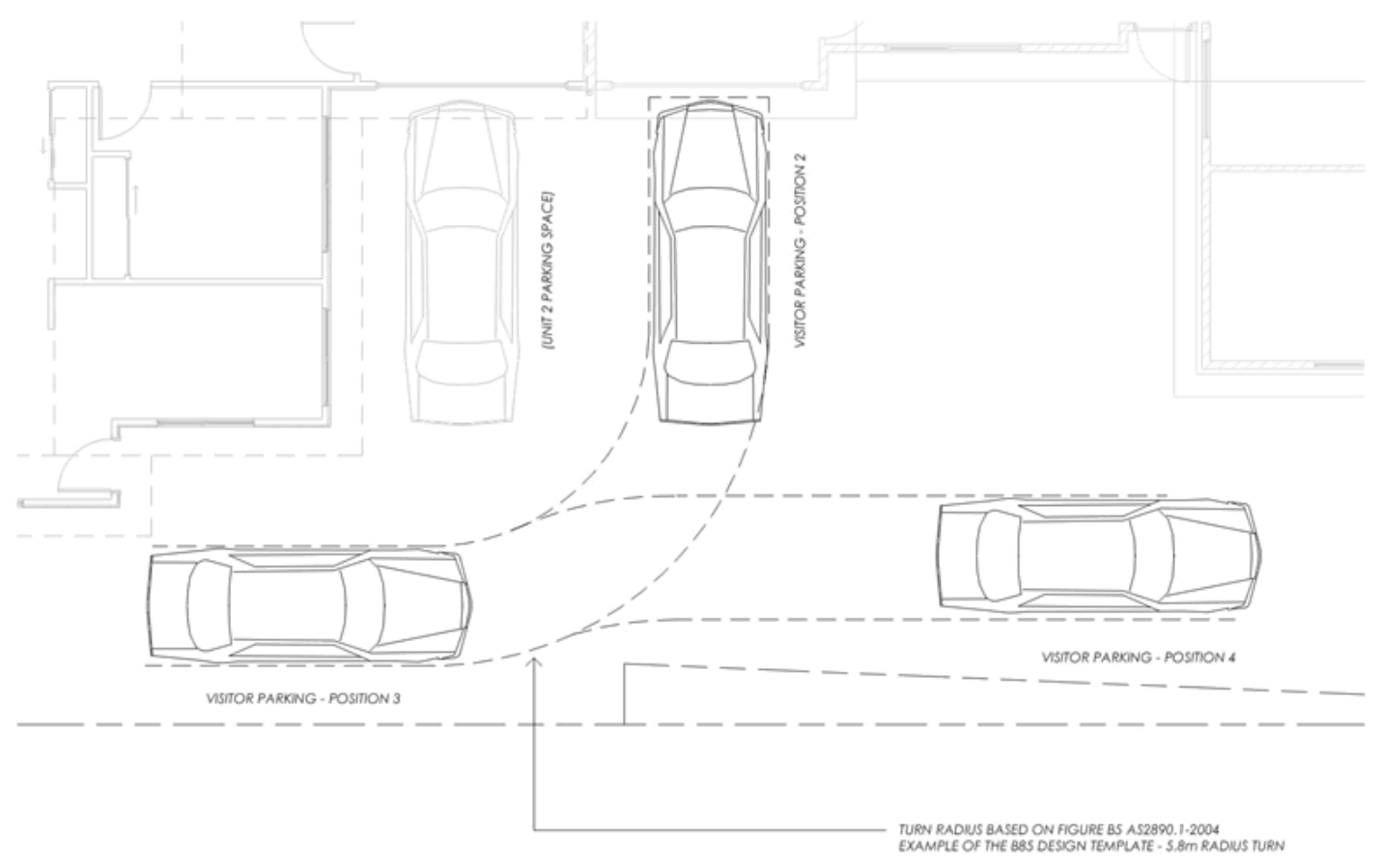
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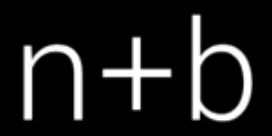
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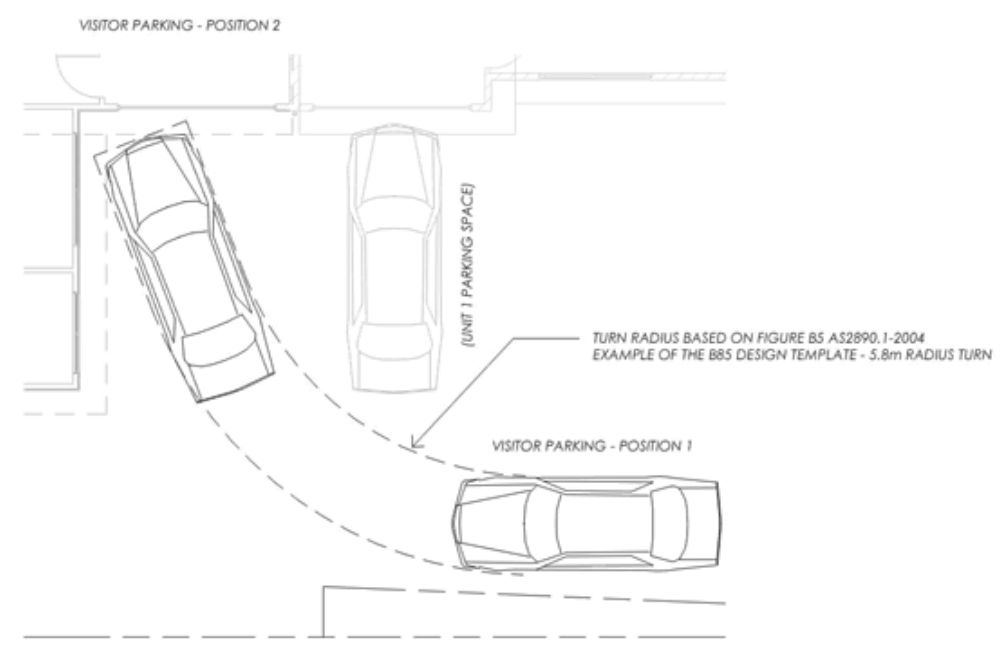


UNIT 1 - PARKING POSITION 1
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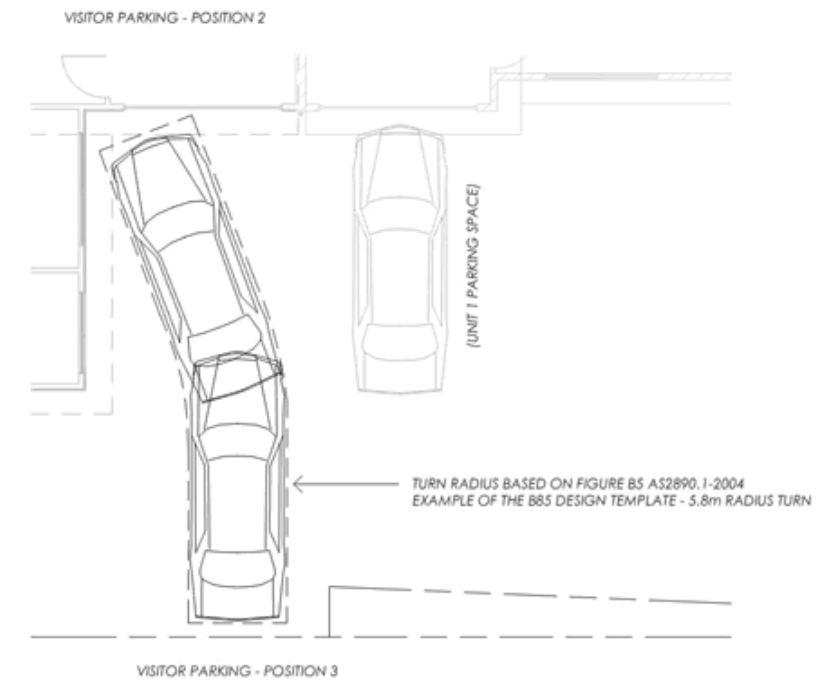


UNIT 1 - PARKING POSITION 2
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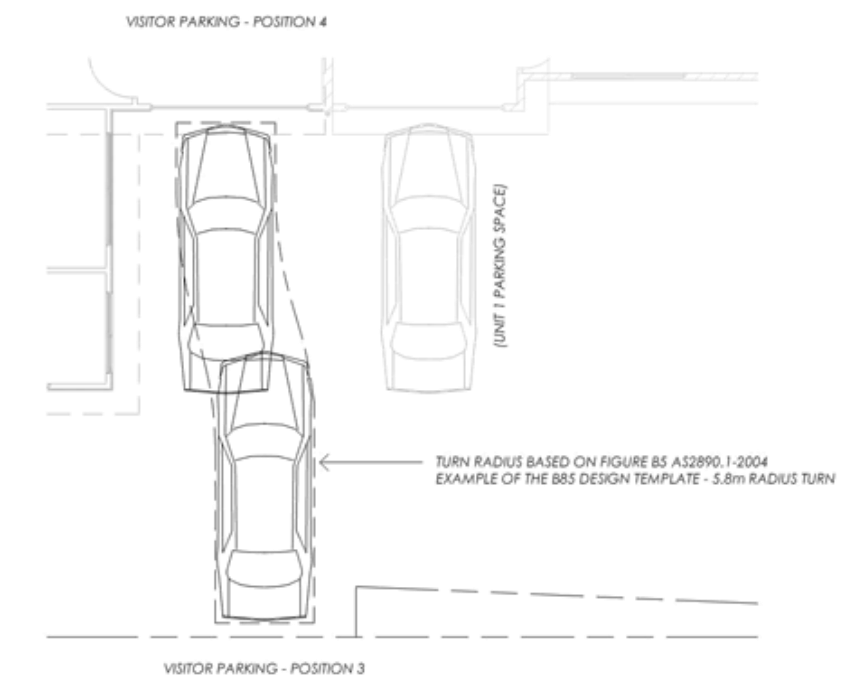
 <p>22 Fieldings Way Ulverstone, Tasmania Australia 7315</p> <p>m 0417 134 369 e nick@nplusb.com.au License No. 047538582 ABN 946 222 219 16</p>	<p>Issued As PLANNING</p>	<p>Scale A3 1 : 100</p>	<p>Revision</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>20/08/18</td> <td>Issued as PLANNING</td> </tr> </tbody> </table> <p>do not scale off plans all dimensions are in millimeters confirm all dimensions on site at work refer to NCC & AS</p>	No.	Date	Description	A	20/08/18	Issued as PLANNING	<p>Project PROPOSED RESIDENCE</p> <p>Location 14 HENRY STREET DEVONPORT</p> <p>Client JOHN & LYNDALL FARRELL</p>	<p>Sheet Title UNIT 1 - PARKING TEMPLATE</p> <table border="1"> <thead> <tr> <th>Drawn</th> <th>Issue Date</th> <th>Project No.</th> <th>Revision</th> </tr> </thead> <tbody> <tr> <td>NJB</td> <td>29/08/18</td> <td>P18051</td> <td>A</td> </tr> </tbody> </table>	Drawn	Issue Date	Project No.	Revision	NJB	29/08/18	P18051	A	<p>Sheet Number A123 / A122</p>
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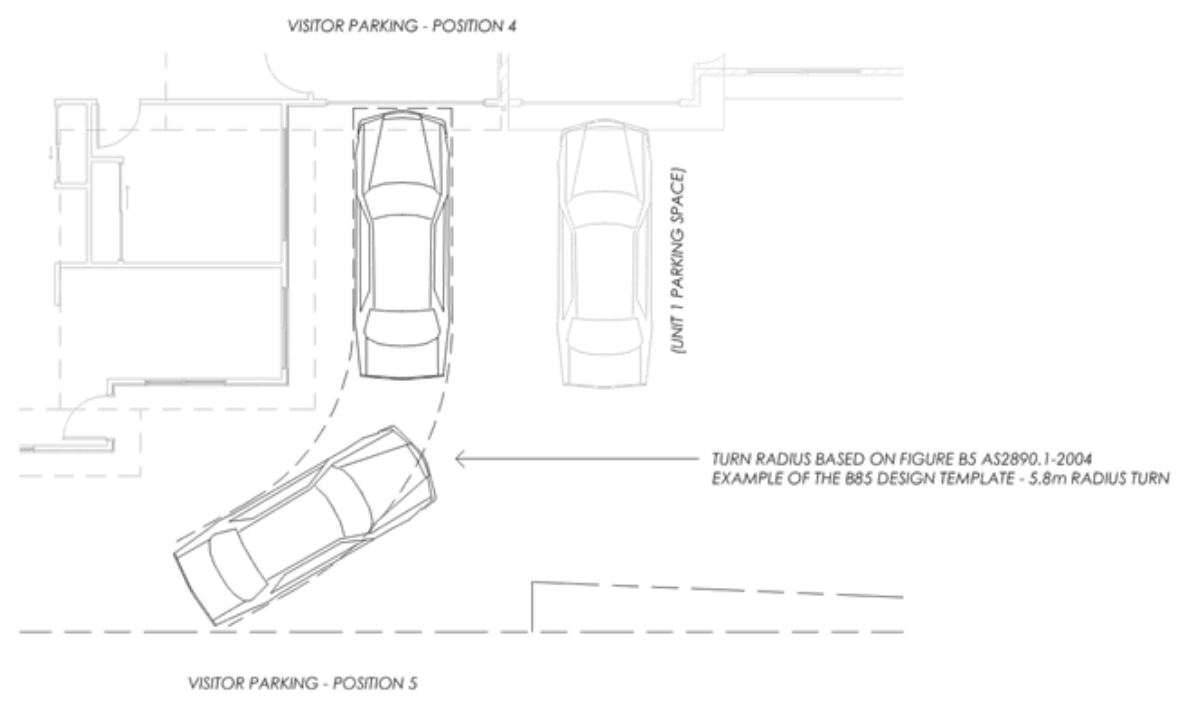
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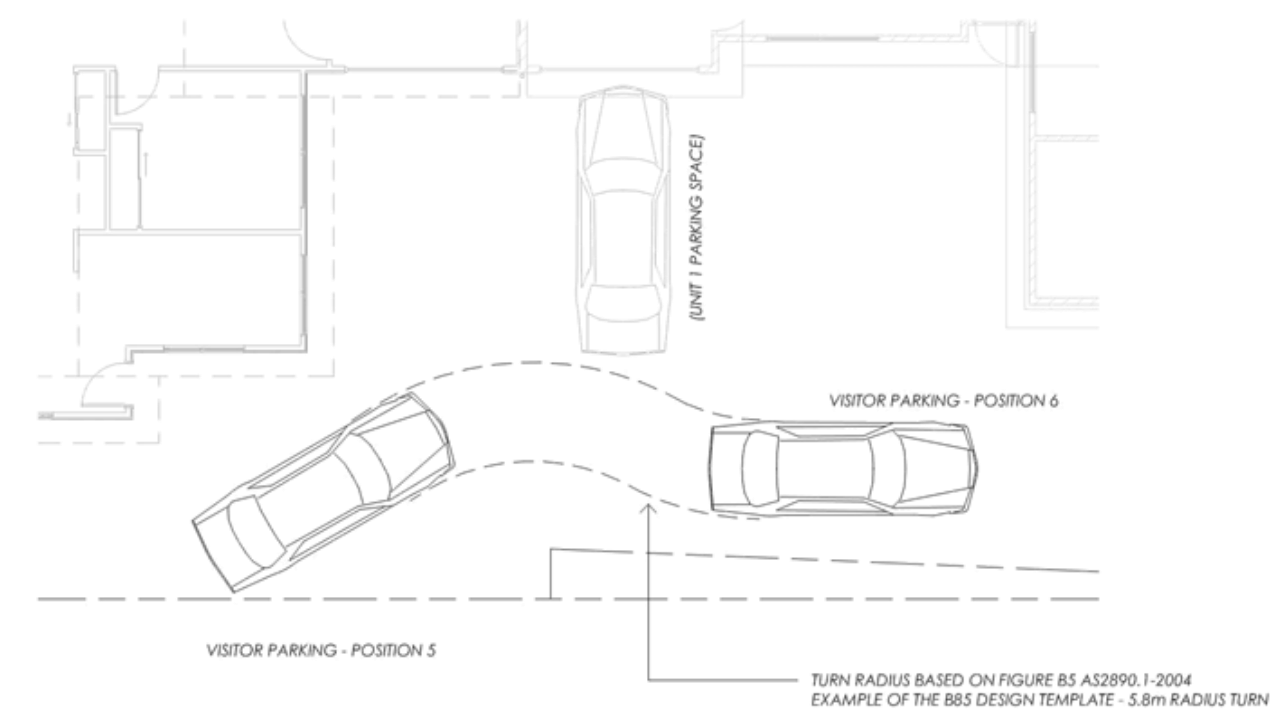
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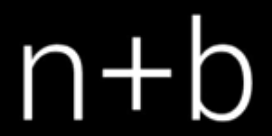
UNIT 2 - PARKING POSITION 3
Scale 1 : 125



UNIT 2 - PARKING POSITION 4
Scale 1 : 125



UNIT 2 - PARKING POSITION 5
Scale 1 : 125

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Submission to Planning Authority Notice

Council Planning Permit No.	PA2018.0153	Council notice date	5/10/2018
TasWater details			
TasWater Reference No.	TWDA 2018/01639-DCC	Date of response	12/10/2018
TasWater Contact	Phil Papps	Phone No.	6237 8246
Response issued to			
Council name	DEVONPORT COUNCIL		
Contact details	council@devonport.tas.gov.au		
Development details			
Address	14 HENRY ST, DEVONPORT	Property ID (PID)	6334431
Description of development	Multiple dwellings x 2 (one existing)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
n+b	Site Plan / A101	A	20/08/2018
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connection(s) / sewerage system and connections to each dwelling unit of the development must be provided to TasWater's standards and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
DEVELOPMENT ASSESSMENT FEES			
3. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.			
Advice			
General			
For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards			
For application forms please visit http://www.taswater.com.au/Development/Forms			
Service Locations			
Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of TasWater infrastructure as shown on the GIS is indicative only.			
<ul style="list-style-type: none"> A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater 			



- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Declaration

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

Authorised by

A handwritten signature in black ink, appearing to read "Jason Taylor".

Jason Taylor
Development Assessment Manager

TasWater Contact Details

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

5.0 CLOSURE

There being no further business the Mayor declared the meeting closed at pm.