



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **55 MOUNT STUART ROAD - OVERLOOKING**

**Meeting:** City Planning Committee

**Meeting date:** 16 November  
2020

**Raised by:** Alderman Briscoe

#### **Question:**

Can the Director advise if officers will visit the neighbouring property at 53 Mount Stuart Road to compare the overlooking into the neighbour's house and garden that is happening when the officers report for approval said there would be little or no effect. What steps could be taken to avoid such a situation in the future?

#### **Response:**

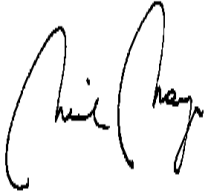
The assessment report for the planning application stated (at paragraph 7.14) as follows:

*The proposal complies with the relevant planning scheme standards for overlooking of adjoining properties, as elements such as elevated decks and habitable room windows would either have the required setback or have obscure glass or screening. Any overshadowing impact caused by the development upon an adjoining lot would be limited to afternoon periods and is not considered to be unreasonable.*

The proposal met the requirements of the Scheme and was recommended for approval on that basis. There was a privacy discretion, however this related to the separation between a bedroom window and a driveway, rather than potential overlooking of an adjoining property.

A Council Officer has visited the property at 53 Mount Stuart Road and met with the owners to discuss their concerns. That site visit confirmed that the development at 55 Mount Stuart Road is being constructed in accordance with the approved planning and building plans.

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

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

Neil Noye

**DIRECTOR CITY PLANNING**

Date: 12 January 2021  
File Reference: F20/124661; 13-1-10