



City of **HOBART**

## APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report: Committee  
Council: 8 October 2018  
Expiry Date: 10 October 2018  
Application No: PLN-18-419  
Address: 128 STRICKLAND AVENUE , SOUTH HOBART  
126 A STRICKLAND AVENUE , SOUTH HOBART  
126 STRICKLAND AVENUE , SOUTH HOBART  
124 STRICKLAND AVENUE , SOUTH HOBART  
ADJACENT ROAD RESERVE  
Applicant: Rohan Pace (HBV Architects)  
22 Salamanca Square  
Proposal: Demolition, Five Multiple Dwellings, and Associated Works  
Representations: One  
Performance criteria: Parking and Access Code and Stormwater Management Code

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### 1. Executive Summary

- 1.1 Planning approval is sought for demolition, five multiple dwellings, and associated works at 128 Strickland Avenue, 124, 126, 126A Strickland Avenue and adjacent road reserve, South Hobart.
- 1.2 More specifically the proposal includes:
- Demolition of the remains of an existing dwelling on the site. It is understood that the dwelling was previously damaged by wind.
  - Construction of five multiple dwellings. The proposed dwellings would be partly two storey, although only garages and entry stairs are proposed on the lower levels. The proposed dwellings would have similar (although not identical) designs featuring flat roofs, blockwork walls on the lower levels, and Colorbond sheet cladding on the upper levels. The dwellings would have habitable floor areas ranging between 132m<sup>2</sup> and 149m<sup>2</sup>.
  - Associated works including an upgrade of the existing vehicular access to the site from Strickland Avenue and hydraulic services are also proposed.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:

- 1.3.1 E6.0 Parking and Access Code - E6.6 Use Standards and E6.7 Development Standards
- 1.3.2 E7.0 Stormwater Management Code - E7.7 Development Standards
- 1.4 One (1) representation objecting to the proposal was received within the statutory advertising period between 30 August and 13 September 2018.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to Council.

## 2. Site Detail

- 2.1 The proposed development site is a larger residential property within South Hobart. The property has an area slightly greater than 2300m<sup>2</sup> and an irregular shape. The majority of the area of the lot is contained within a relatively long and narrow rectangle. However, an area of approximately 360m<sup>2</sup> protrudes from the middle of the property on its eastern side. Vehicular access is provided to this part of the property via a right of way over adjoining properties which are also accessed via the driveway within this right of way. Vehicular access to the remaining majority of the lot is provided via a different right of way that runs close to and parallel with Strickland Avenue.
- 2.2 The land is relatively steep with an average of nearly 15° and has a north-westerly aspect. The remains of the existing dwelling on the site are within the northern part of the property, closer to its frontage with Strickland Avenue. There is an area of garden to the rear of the dwelling but the large area of bushland to the south encroaches onto southernmost part of the lot. There are houses on the adjoining lots to the east and west of the site. The houses on the nearby properties to the west are generally a similar distance from Strickland Avenue. The rear parts of these properties are undeveloped. In contrast, the nearby land to the east has been developed to the edge of the area of bushland to the south. Further residential development is found to the north and north-west of the site, on the opposite side of Strickland Avenue.



*Figure 1: aerial view of proposed development site (outlined in blue) and surrounding land (source: HCC GIS, accessed 17/9/18)*

### **3. Proposal**

3.1 Planning approval is sought for demolition, five multiple dwellings, and associated works at 128 Strickland Avenue, 124, 126, 126A Strickland Avenue and adjacent road reserve, South Hobart.

3.2 More specifically the proposal is for:

- Demolition of the remains of an existing dwelling on the site. It is understood that the dwelling was previously damaged by wind.
- Construction of five multiple dwellings. The proposed dwellings would be partly two storey although only garages and entry stairs are proposed on the lower levels. The proposed dwellings would have similar (although not identical) designs featuring flat roofs, blockwork walls on the lower levels, and Colorbond sheet cladding on the upper levels. The dwellings would have habitable floor areas ranging between 132m<sup>2</sup> and 149m<sup>2</sup>.
- Associated works including an upgrade of the existing vehicular access to the site from Strickland Avenue and hydraulic services are also proposed.

### **4. Background**

4.1 Council received the application on 28 June 2018, although it was not considered valid until 12 July 2018 when title documents for the adjoining properties that are included in the application were received. Council requested additional information regarding the proposal on 26 July. This request was answered to Council's satisfaction on 7 August.

### **5. Concerns raised by representors**

5.1 One (1) representation objecting to the proposal was received within the statutory advertising period between 30 August and 13 September 2018.

5.2 The following table outlines the concerns raised in the representation received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

"The degradation of our driveway both during the construction phase and subsequently after houses are built".
"The proposed high-density development increases fire risk to our property"
"The significant additional traffic associated with the development will increase the danger of accidents at the road junction with Strickland Avenue and the difficulty of evacuation".
"The proposed positioning of the dwelling No.4 (at the top of the proposed development) has potential to both obstruct the primary view of the mountain, and shade our dwelling".
"The proposed development poses significant risk of flying materials hitting occupants or our house particularly during the building process".
"Restricted access to our property via our only access route during the construction phase if contractors and suppliers obstruct our right of way".

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 There is no existing use on the site. As noted earlier in the report, the existing dwelling on the site has been damaged and is uninhabitable. The previous use of the site for a single dwelling was a permitted use in the above zone. The proposed use is for multiple dwellings which is also a permitted use in the zone.
- 6.4 The proposal has been assessed against:

- 6.4.1 Part D - 10.0 General Residential Zone
  - 6.4.2 Part E Codes - E5.0 Road and Railway Assets Code
  - 6.4.3 Part E Codes - E6.0 Parking and Access Code
  - 6.4.4 Part E Codes - E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 E6.0 Parking and Access Code:
    - E6.6.1 Number of Car Parking Spaces,*
    - E6.7.2 Design of Vehicular Accesses,*
    - E6.7.3 Vehicular Passing Areas Along an Access,*
    - E6.7.5 Layout of Parking Areas,*
    - E6.7.7 Lighting of Parking Areas, and*
    - E6.7.8 Landscaping of Parking Areas.*
  - 6.5.2 E7.0 Stormwater Management Code:
    - E7.7.1 Stormwater Drainage and Disposal*
- 6.6 Each relevant performance criterion is assessed below.
- 6.7 E6.0 Parking and Access Code - *E6.6.1 Number of Car Parking Spaces*
- 6.7.1 The acceptable solution at clause *E6.6.1* requires the number of on-site car parking spaces to be no less than and no greater than the number specified in Table E6.1.
  - 6.7.2 The proposal includes a greater number of on-site car parking spaces than the number specified in Table E6.1. Twenty car parking spaces are proposed on the site but only twelve spaces are required.
  - 6.7.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.
  - 6.7.4 The performance criterion at clause *E6.6.1* provides as follows:

The number of on-site car parking spaces must be sufficient to meet the

reasonable needs of users, having regard to all of the following:

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

6.7.5 Council's Senior Development Engineer has assessed the proposed car parking and vehicular access arrangements for the development. As discussed below, The officer's assessment is that a number of the proposed car parking spaces should not be approved on the basis that they do not comply with the planning scheme's relevant standards. On this basis, the number of car parking spaces that would be approved would be thirteen, which is only one more space than required by the planning scheme. The Senior Development Engineer notes that there would therefore be only a minor car parking surplus over and above the planning scheme's acceptable solution. The Senior Development Engineer suggests that approving this surplus is reasonable given the steepness of the site and the challenges this will pose to future occupants

for access to public transport and other forms of transport. A condition of approval is recommended to restrict the approved number of car parking spaces to 13 spaces.

6.7.6 The proposal complies with the above performance criterion.

6.8 E6.0 Parking and Access Code - *E6.7.2 Design of Vehicular Accesses*

6.8.1 The acceptable solution at clause *E6.7.2* requires the design of non-commercial vehicle access points to comply with the relevant section of the Australian Standard *AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking*.

6.8.2 The proposal includes a vehicle access point that would not comply with the above section of the Australian Standard. The proposed vehicle access point, which includes the section of existing driveway that is proposed to be upgraded, would be wider than required by the Australian Standard. The gradient of the access point would also be higher than allowed for by this standard.

6.8.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.8.4 The performance criterion at clause *E6.7.2* provides as follows:

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

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

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

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

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

6.8.5 Council's Senior Development Engineer has assessed the proposed vehicle access point against the above performance criterion. The officer suggests that the proposed access may be supported on the basis that "the additional width will assist with reducing conflicts between vehicles, assist with flow of traffic, is suitable for the site and provides easy accessibility". The officer also notes that the existing shared access



to the site from Strickland Avenue has been used by several properties for many years without any apparent issues.

6.8.6 The proposal complies with the above performance criterion.

6.9 E6.0 Parking and Access Code - *E6.7.3 Vehicular Passing Areas Along an Access*

6.9.1 The acceptable solution at clause *E6.7.3* requires vehicular passing areas to be provided if an access serves more than five car parking spaces and/or it is more than 30m long. If required, passing areas must be provided at intervals of no more than 30m along the access.

6.9.2 The proposal includes more than five car parking spaces and an access that would be longer than 30m. While passing areas would be provided along the access, they would be provided at intervals greater than 30m.

6.9.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.9.4 The performance criterion at clause *E6.7.3* provides as follows:

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

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

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

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

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

6.9.5 Council's Senior Development Engineer has assessed the proposed vehicle passing areas against the above performance criterion and advises that:

"The first passing bay at the kerb with second passing bay slightly greater than 30m after the first is supported under Performance Criteria as being longer than 30m gap as the low speeds, low gradients, easy visibility and ability for vehicles meeting each other to stop and reversing to near by

passing points is safe".

- 6.9.6 However, the Senior Development Engineer highlights that the the vehicular roadway servicing dwellings 2-4 after the second passing bay is steeper than the maximum gradient of 25% for a ramp (27.58%), and greater than 25% in three separate locations. This section of roadway is also steeper than the maximum gradient for a pedestrian ramp in the National Construction Code (12.5%) and is the sole pedestrian access for dwellings 2-4. However, it is noted that there will be clear visibility from one end of this section of roadway to the other.
- 6.9.7 Given the above issues, the Senior Development Engineer is concerned that the drivers of vehicles which meet each other along this section will be reluctant to reverse to nearby passing points, and suggests that a design where passing bays are provided every 30m would be beneficial. Therefore, if visitor parking spaces are not approved in front of dwellings 2 and 3, then the passing areas in front of these dwellings do not need to be "informal" as the applicant's traffic engineer states. By not approving these car parking spaces the passing areas may be formalised to provide safe passing areas at adequate intervals to improve the driveway servicing dwellings 2-4.
- 6.9.8 The Senior Development Engineer also notes that the informal passing area proposed in front of dwelling 5 cannot be approved. This passing area would be within the right of way which currently services the properties at 126, 126A Strickland Avenue, and the rear of 124 Strickland Avenue. The right of way would also provide access to proposed dwelling 5. The Senior Development Engineer advises that it is appropriate to approve the proposal without a passing area in this position given that there would be only a small increase in use of the right of way.
- 6.9.9 The proposal complies with the above performance criterion.
- 6.11 E6.0 Parking and Access Code - *E6.7.5 Layout of Parking Areas*
- 6.11.1 The acceptable solution at clause *E6.7.5* requires the layout of car parking spaces, access aisles, and circulation roadways to comply with the relevant section 2 of *AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking*.
- 6.11.2 The proposal includes car parking spaces, access aisles, and circulation roadways that would not comply with the above section of the Australian Standard. The proposal includes several tandem car parking spaces

which are not allowed for in the Australian Standard. The gradient of several visitor car parking spaces also exceeds 5% which is beyond the Australian Standard's requirements. The aisle widths proposed in several locations and the gradient of sections of the proposed circulation roadway also do not comply with the Standard.

6.11.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.11.4 The performance criterion at clause E6.7.5 provides as follows:

*The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.*

6.11.5 Council's Senior Development Engineer has assessed the proposed layout of parking areas against the above performance criterion. The officer concludes that the proposed tandem car parking spaces would be safe and ensure ease of use provided that they are reserved for the exclusive use of the respective adjacent dwelling. The officer has recommended a condition of approval requiring the car parking spaces to be allocated in this manner. A condition requiring the gradient of the relevant car parking spaces to be reduced to an acceptable maximum is also recommended.

6.11.6 The Senior Development Engineer states that reduced aisle widths may be supported provided that several proposed visitor car parking spaces are not approved - i.e. only one visitor car parking space is approved adjacent to dwellings 4 and 5 respectively as opposed to the two spaces proposed. All of the visitor car parking spaces proposed adjacent to dwellings 2 and 3 respectively would not be approved.

6.11.7 The application is supported by a Traffic Impact Statement which indicates that the gradient of turning areas and circulation roadway gradients should be approved as it is only slightly over the permitted standard and for only short lengths. The TIA also highlights that the driveway would have a low traffic volume and is generally of straight geometry. Council's Senior Development Engineer states that "the gradients of the turning area and circulation roadway to dwellings 2, 3 and 4 can be supported" provided that the relevant recommendations made in the TIA are implemented.

6.11.8 The proposal complies with the above performance criterion.

6.12 E6.0 Parking and Access Code - *E6.7.7 Lighting of Parking Areas*

6.12.1 The acceptable solution at clause *E6.7.7* requires lighting to be provided in accordance with the relevant clauses of the Australian Standard, *AS/NZS 1158.3.1:2005 Lighting for roads and public spaces*, for circulation roadways that serve five or more car parking spaces.

6.12.2 The proposal includes a circulation roadway that would serve more than five car parking spaces. Lighting is not proposed for this roadway.

6.12.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.12.4 The performance criterion at clause *E6.7.7* provides as follows:

*Parking and vehicle circulation roadways and pedestrian paths used outside daylight hours must be provided with lighting to a standard which satisfies all of the following:*

- (a) enables easy and efficient use of the area;*
- (b) minimises potential for conflicts involving pedestrians, cyclists and vehicles;*
- (c) reduces opportunities for crime or anti-social behaviour by supporting passive surveillance and clear sight lines and treating the risk from concealment or entrapment points;*
- (d) prevents unreasonable impact on the amenity of adjoining users through light overspill;*
- (e) is appropriate to the hours of operation of the use.*

6.12.5 A condition of approval should be included upon any Planning Permit issued for the proposal requiring lighting to be provided for the proposed circulation roadway in accordance with the above performance criterion.

6.12.6 The proposal complies with the above performance criterion.

6.13 E6.0 Parking and Access Code - *E6.7.8 Landscaping of Parking Areas*

6.13.1 The acceptable solution at clause *E6.7.8* requires landscaping of parking and circulation areas to be provided where more than 5 car parking spaces are proposed.

- 6.13.2 The proposal includes more than 5 car parking spaces but does not include landscaping of parking and circulation areas.
- 6.13.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion is relied on.
- 6.13.4 The performance criterion at clause *E6.7.8* provides as follows:

*Landscaping of parking and circulation areas accommodating more than 5 cars must satisfy all of the following:*

- (a) relieve the visual impact on the streetscape of large expanses of hard surfaces;*
- (b) soften the boundary of car parking areas to reduce the amenity impact on neighbouring properties and the streetscape;*
- (c) reduce opportunities for crime or anti-social behaviour by maintaining passive surveillance opportunities from nearby public spaces and buildings.*

- 6.13.5 Given that the existing vegetation at the front of the property, between the existing access and Strickland Avenue, would be retained, additional landscaping is not required in this location. This existing vegetation would reduce the visual impact of the proposed external car parking spaces and circulation areas upon the streetscape of Strickland Avenue. Given the extent of the hard surfaces proposed, additional landscaping is considered necessary to soften the boundary of the proposed car parking areas, in order to reduce the amenity impact of these surfaces on neighbouring properties. A condition of approval to this effect is recommended.

- 6.13.6 The proposal complies with the above performance criterion.

6.14 E7.0 Stormwater Management Code - *E7.7.1 Stormwater Drainage and Disposal*

- 6.14.1 The acceptable solution A2 at clause *E7.7.1* requires a stormwater system for a new development to incorporate water sensitive urban design principles if an impervious area greater than 600m<sup>2</sup> is proposed and/or if car parking would be provided for more than six cars.
- 6.14.2 The proposal includes an impervious area greater than 600m<sup>2</sup> and car parking for more than six cars. An impervious area of approximately

1350m<sup>2</sup> is proposed and car parking would be provided for 13 cars. The proposed stormwater system would not incorporate water sensitive urban design principles.

6.14.3 The proposal does not comply with the above acceptable solution and therefore relies upon assessment against the below performance criterion.

6.14.4 The performance criterion at clause *E7.7.1* provides as follows:

*A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.*

6.14.5 The proposed stormwater management arrangements for the development have been considered by Council's Environmental Engineering Unit. The Unit states that the proposed stormwater system would include mechanical treatment features that in combination would exceed the above targets.

6.14.6 The proposal complies with the above performance criterion.

## **7. Discussion**

7.1 Planning approval is sought for demolition, five multiple dwellings, and associated works at 128 Strickland Avenue, 124, 126, 126A Strickland Avenue and adjacent road reserve, South Hobart.

7.2 The application was advertised and received one representation. The representation raised concerns including construction impacts, fire risk increase, traffic impacts, impacts on views and overshadowing, and access impacts. Impacts upon nearby properties caused during construction of a development are not a matter considered in the planning scheme, although it is noted that the developer would be responsible for maintaining a safe and secure building site under other legislation.

- 7.3 The proposal is accompanied by a bushfire hazard assessment and management plan which include measures to mitigate the fire risk posed to the development. This assessment also certifies that the development would not increase the risk posed to other properties. The proposal is also accompanied by a Traffic Impact Assessment prepared by a suitably qualified traffic engineer which states that any traffic impacts caused by the increase in traffic associated with the development may be adequately managed.
- 7.4 While the proposed development may have some impact upon views and cause some overshadowing, it complies with the planning scheme's relevant development standards for residential buildings. All of the proposed dwellings would be contained within the prescribed building envelope and would meet the relevant boundary setbacks. Therefore, Council has no grounds to refuse or condition the proposal on the basis of any visual and overshadowing impact.
- 7.5 Issues regarding the use of a right of way are generally between the respective property owners, although it is noted that any planning approval issued for the proposal would not give the developer the right to obstruct a right of way.
- 7.6 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to comply.
- 7.7 The proposal has been assessed by other Council officers, including the Council's Senior Development Engineer, and its Environmental Engineering Unit and Open Space and Recreation Unit. The officers have raised no objection to the proposal, subject to conditions.
- 7.8 The proposal is recommended for approval.

## **8. Conclusion**

- 8.1 The proposed demolition, five multiple dwellings, and associated works at 124, 126, 126A, and 128 Strickland Avenue, South Hobart and the adjacent road reserve satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015* and is recommended for approval.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition, five multiple dwellings, and associated works at 124, 126, 126A, and 128 Strickland Avenue, South Hobart and the adjacent road reserve for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### **GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-18-419 128 STRICKLAND AVENUE SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### **TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01111-HCC dated 13/7/2018 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

### **PLN 4**

**Prior to the first use of the dwellings, landscaping must be provided to soften the boundary of car parking areas to reduce the amenity impact on neighbouring properties. The landscaping must be maintained, and replacement vegetation must be planted if any is lost.**

Reason for condition

To ensure that parking and circulation areas are landscaped to screen the boundary of car parking areas to soften the amenity impact on neighbouring properties.

### **PLN 17**



**Parking and vehicle circulation roadways and pedestrian paths must be provided with lighting to a standard which satisfies all of the following:**

- (a) Enables easy and efficient use of the area;**
- (b) Minimises potential for conflicts involving pedestrians, cyclists and vehicles;**
- (c) Prevents unreasonable impact on the amenity of adjoining users through light overspill; and**
- (d) Is appropriate to the hours of operation of the use.**

Reason for condition

To ensure parking and vehicle circulation roadways and pedestrian paths are provided with lighting to a standard which:

- (a) Enables easy and efficient use;
- (b) Promotes the safety of users;
- (c) Minimises opportunities for crime or anti-social behaviour; and
- (d) Prevents unreasonable light overspill impacts.

#### **ENG sw1**

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

**An adequate overland flow path must be maintained through the site (ie between Unit 4 and the western boundary), such that any flows in the event of failure or removal of the third-party cut-of drain are excluded from the dwelling and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event.**

**Plans certified by a suitably qualified and experienced engineer as meeting the above requirement must be submitted prior to issue of any approval under the *Building Act 2016* or commencement of works (whichever occurs first).**

**All work required by this condition must be undertaken and maintained in accordance with the certified design drawings.**

Reason for condition

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

approved outlet and that the property is not reliant on third-party infrastructure.

## **ENG sw5**

**The new Council stormwater main must be constructed prior to issue of first occupation, completion or commencement of use (whichever occurs first).**

**Engineering design drawings must be submitted and approved, prior to commencement of work or issue of any approval under the *Building Act 2016* (whichever occurs first).**

**The engineering drawings must:**

- 1. Be certified by a qualified and experienced Engineer.**
- 2. Show in both plan and long-section the proposed stormwater main, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings.**
- 3. Show that the main will terminate inside the property boundary with a standard manhole, and at such a level as to allow future extension along the RoW to third-party land.**
- 4. Show that the main will be sized to accommodate at least the 5% AEP flows from a future fully-developed catchment (ie extended along the RoW). Any cost-contribution from Council for a larger pipe size must be agreed upon in writing prior to issue of the approved drawings.**
- 5. Clearly distinguish between public and private infrastructure**
- 6. Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines**

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

*Advice:*

- The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*
- Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*
- Please note that once the condition endorsement has been issued, you will need to contact Council's City Infrastructure Division to obtain a Permit to*

*Construct Public Infrastructure. A maintenance period of 12 months, 5% maintenance bond and CCTV will apply.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

#### **ENG sw7**

**Stormwater pre-treatment and detention for stormwater discharges from the development must be installed prior to first occupation or the commencement of use (whichever occurs first).**

**A stormwater management report and design must be submitted and approved, prior to commencement of work or issue of any approval under the *Building Act 2016* (whichever occurs first).**

**The stormwater management report and design must:**

- 1. Be prepared by a suitably qualified engineer.**
- 2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal.**
- 3. Include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site for the worst-case 5% AEP storm event. All assumptions must be clearly stated. The design drawings must include the layout, the inlet and outlet (including long section), outlet size, overflow, discharge rate and emptying time.**
- 4. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.**

**All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.**

*Advice:*

- The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering*

*drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*

- *Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, to comply with relevant State legislation, and to ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

**ENG tr2**

**A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).**

**The construction traffic (including cars, public transport vehicles, service vehicles, delivery vehicles, construction vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to the issue of any approval under the *Building Act 2016*.**

**The construction traffic and parking management plan must:**

1. **Be prepared by a suitably qualified person.**
2. **Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.**
3. **Include a start date and finish dates of various stages of works.**
4. **Include times that trucks and other traffic associated with the works will be allowed to operate.**
5. **Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.**

**All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.**

*Advice:*

- *Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting*

*documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

### **ENG 2a**

**Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.**

*Advice:*

- *The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*
- *Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

### **ENG 2b**

**Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to and approved by Council.**

*Advice:*

- *If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.*

*If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

### **ENG 2c**

**Prior to the first occupation or commencement of use (whichever occurs first), vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.**

*Advice: Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement)*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

### **ENG 3a**

**The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed generally in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required). The following deviations from the standard are permitted:**

1. **Maximum gradient of circulation roadways / ramps to be 28%, with a maximum length of 15m above 25%.**
2. **Maximum gradient of turning area vehicle path centreline to be 15%.**
3. **Maximum gradient of visitor parking spaces for Dwelling 4 and 5 to be**

10%.

4. **Minimum width of aisle for visitor parking spaces to ensure B85 vehicles can exit parking spaces via maximum 5 point turn.**

*Advice:*

- *It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*
- *It is noted that in accordance with the definition of domestic driveway, there are no domestic driveways on the property. All vehicular paths are either circulation roadways, ramps or parking module.*

Reason for condition

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

### **ENG 3b**

**The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.**

**The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:**

1. **Be prepared and certified by a suitably qualified engineer.**
2. **Be generally in accordance with the Australian Standard AS/NZS2890.1:2004.**
3. **Where the design deviates from AS/NZS2890.1:2004, demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use.**
4. **Be consistent with the requirements of condition ENG 5.**
5. **Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.**

*Advice:*

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

*condition.*

- *Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement)*
- *Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*
- *The Hobart Interim Planning Scheme 2015 does not take into consideration what defines a safe gradient for a walking surface or the maximum external pedestrian ramp gradient permitted, this is covered under the Building Act 2016. It is advised that the applicant consider providing separate pedestrian access to the circulation roadway (including steps where necessary) as the driveway does not comply with the maximum gradient of 12.5% (1 in 8) required for external ramps in the National Construction Code (NCC) and may not be considered a safe gradient for a walking surface under Part 2.5 of the NCC. It should be noted that compliance with the NCC is referred to in the Building Act 2016.*

Reason for condition

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

### **ENG 3c**

**The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.**

**Prior to the first occupation, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with Council.**

*Advice:*

- *Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement)*

Reason for condition

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



## **ENG 4**

**The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation.**

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

## **ENG 5**

**The number of car parking spaces approved on the site, is thirteen (13) and is made up of:**

- **Ten (10) user class 1A residence car parking spaces (within garages).**
- **Three (3) user class 1A visitor car parking spaces consisting of the following:**
  - **One visitor parking space in the turning area for dwelling 1 for use by visitors to dwelling 1, 2 and 3.**
  - **One visitor parking space in the garage apron for dwelling 4 for exclusive use of dwelling 4.**
  - **One visitor parking space in the garage apron for dwelling 5 for exclusive use of dwelling 5.**

**Prior to first occupation, the visitor parking spaces near dwelling 1 must:**

- **be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004.**
- **include pavement messaging indicating VISITOR PARKING in accordance with AS1742.11 Section 7.3, or equivalent Council approved alternative.**

*Advice:*

- *Please note that the 'informal' visitor parking spaces proposed in front of dwelling 2 and 3 are not approved as these do not comply with AS2890.1 with respect to gradient and dimensions, and prevent formal passing bays at a maximum 30m interval along the circulation roadway servicing dwelling 2 - 4.*

- *Please note that the two (2) 'informal' visitor parking spaces proposed in front of dwelling 4 are approved as one parking space only.*
- *Please note that the two (2) 'informal' visitor parking spaces proposed in front of dwelling 5 are approved as one parking space only.*
- *Please note that the two (2) 'informal' visitor parking spaces proposed in front of dwelling 1 are approved as one parking space only and that this must be located in the turning area perpendicular to the garage parking spaces for dwelling 1 in order to enable the garaged parking spaces and the visitor parking to operate independently.*
- *Parking of cars is only permitted in approved car parking spaces.*

Reason for condition

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

### **ENG 1**

**The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council. Any damage must be reported immediately to Council.**

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

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

Reason for condition

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

### **ENG 13**

**Prior to first occupation or the commencement of use (whichever occurs first),**

**the shared vehicular access from Strickland Avenue must allow adequate sight distance between vehicles, cyclists and pedestrians.**

*Advice: The applicant's Traffic Engineer advised that vegetation within the highway reservation must be removed and maintained as low height vegetation in order to provide adequate sight distances. Council's Development Engineering staff endorse this requirement.*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

### **ENGR 3**

**Prior to the first occupation or commencement of use (whichever occurs first), the proposed driveway crossover Strickland Avenue highway reservation must be designed and constructed in accordance with:**

1. **Rural – TSD-R04-v1 – Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access; or**
2. **A Council City Infrastructure Division approved alternate design.**

**Design drawings must be submitted and approved prior to the commencement of work. The design drawing must:**

1. **Show the cross and long section of the driveway crossover within the highway reservation and onto the property.**
2. **Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover.**
3. **Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.**
4. **Show swept path templates in accordance with AS/NZS 2890.1 2004 (B85 or B99 depending on use, design template) if required by Council.**
5. **If the design deviates from the requirements of the TSD, then demonstrate that a B99 vehicle (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the car's underside.**
6. **Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004 or as shown in the Traffic Impact Assessment.**
7. **Be prepared and certified by a suitable qualified person, to satisfy the above requirement.**

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

*Advice:*

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

Reason for condition

To ensure that works will comply with the Council's standard requirements.

## **ENV 2**

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

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

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

*Advice: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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

Reason for Condition

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

## **OPS s1**

**Prior to the commencement of use, the vegetation in the road reserve must be modified to achieve the required sight distances as per the Traffic Impact Assessment by Midson Traffic dated May 2018.**

**The works will be undertaken by the City of Hobart at full cost to the developer.**

*Advice: Please contact the Council's Open Space Group on 6238 2711 to arrange for the works to be done.*

## Reason for condition

To ensure that access provides sufficient sight distance between vehicles to enable safe movement of traffic.

## **ADVICE**

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

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

## **CONDITION ENDORSEMENT ENGINEERING**

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

### **Value of Building Works Approved by Planning Permit Fee:**

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

## **BUILDING PERMIT**

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

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

## **PLUMBING PERMIT**

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

## **OCCUPATION OF THE PUBLIC HIGHWAY**

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

## **PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE**

You will require a permit to construct public infrastructure, with a 12 month maintenance period, CCTV and bond (please contact the Hobart City Council's City Infrastructure Division to initiate the permit process).

## **NEW SERVICE CONNECTION**

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your [new stormwater connection](#).

## **STORM WATER**

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

## **WORK WITHIN THE HIGHWAY RESERVATION**

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

## **ACCESS**

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

## **CROSS OVER CONSTRUCTION**

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

## **WEED CONTROL**

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

## **FEES AND CHARGES**

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

## **DIAL BEFORE YOU DIG**

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



(Adam Smee)

**Development Appraisal Planner**

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



(Ben Ikin)

**Senior Statutory Planner**

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

Date of Report: 19 September 2018

**Attachment(s):**

Attachment B - CPC Agenda Documents