

Type of Report: Committee
Council: 3 June 2019
Expiry Date: 20 June 2019
Application No: PLN-19-120
Address: 4 DANVAL PLACE , WEST HOBART
ADJACENT ROAD RESERVE
Applicant: PETER LIDDINGTON
23 SPINNAKER CRESCENT
Proposal: Partial Demolition, Alterations, Extensions and Carport
Representations: Two (2)
Performance criteria: General Residential Zone Development Standards, Parking and Access Code

1. Executive Summary

- 1.1 Planning approval is sought for partial demolition, alterations, extensions and carport at 4 Danval Place, and adjacent Highway Reservation, West Hobart.
- 1.2 More specifically the proposal includes:
- Carport and car parking deck (with footings and structures in road reserve) with storage below;
 - New lower level deck, existing upper deck partially enclosed and roofed;
 - Slight increase in floor areas on both levels, additional approximately 9sqm in total; and
 - Rearrangement of rooms on both levels, new front door on upper level accessed via covered pedestrian walkway from car deck to dwelling.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 General Residential Zone Development Standards - Setbacks and Building Envelope, Site Coverage and Private Open Space, Privacy
- 1.3.5 Parking and Access Code - Number of Car Parking Spaces

- 1.4 Two statutory representations objecting to the proposal were received in relation to the application.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council because the proposal includes works in Council's road reserve.

2. Site Detail

2.1



Figure 1. 4 Danval Place site Geocortex 2016.

2.2



Figure 2. 4 Danval Place is in the general residential zone of the planning scheme.



Figure 3. Numbers 1, 3, 5 and 7 (right to left) Danval Place, streetscape top side, opposite 4 Danval Place, on the downhill side (Image taken 13/5/19).

2.4



Figure 4. 4 Danval Place on right, first cross over in image, looking down streetscape to the north (Image taken 13/5/19).

2.5



Figure 5. 4 Danval Place noting services in relation to works in the highway reservation.

3. Proposal

3.1 Planning approval is sought for partial demolition, alterations, extensions and carport at 4 Danval Place, with part of the proposed suspended car parking deck access in the adjacent Highway Reservation, West Hobart.

3.2 More specifically the proposal includes:

- Carport/car parking deck (with some footings and structures in road reserve) with storage below;
- Proposed 20 sqm lower level deck, existing 17 sqm upper deck to be roofed and partially enclosed;
- Covered pedestrian walkway from car deck to dwelling;
- Lower level existing floor area 84 sqm (garage, rumpus, toilet, subfloor area), proposed increase to 91 sqm (two bedrooms, bathroom, gym, laundry, living room); and
- Upper level existing floor area 120.5 sqm (three bedrooms, bathroom, kitchen, lounge, dining), proposed increase to 122 sqm (additional bathroom, one less bedroom, rearranged living areas, new access).

3.3



Figure 6. Proposal 3D north east view (extract from submitted plan Project 1819-12 Drwg 802).

4. Background

4.1 The Council's General Manager provided consent to lodge the planning application on 27 March 2019, which was submitted in support of the application on 28 March 2019. The application became valid on that latter date.

5. Concerns raised by representors

- 5.1 Two statutory representations objecting to the proposal were received in relation to the application.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

<p>Objection against the height, size and design features of the proposed elevated driveway and car port. This is a significant addition and creates an imposing residence.</p> <p>Car port would impact adversely on the views normally obtained from the ground and upper levels of dwellings directly across the street from this site.</p> <p>The carport would add significantly to the bulk of the current residence to an extent which is not in keeping with the surrounding residences. The use of the full length vertical timber slats on the car port create a large physical and visual barrier.</p> <p>The driveway and carport addition effectively extends the dwelling by around 7 metres.</p> <p>The timber screening proposed makes this addition a solid physical and visual barrier. In particular the top of the carport roof, at 3.152 metres above the proposed deck level is too high. The roof itself should be either flat or of a much flatter pitch.</p> <p>The additions would be less imposing if (1) the roof to the carport was flat, (2) the carport driveway was shortened by the elimination or reduction of the walkway into the house so it is much shorter than 7 metres, and (3) the vertical full length timber slats were shortened so they only reached to the height of the 1 metre balustrade on the other side of the carport.</p>
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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 The existing use is single dwelling, which has 'no permit required' status in the zone, and no change of use is proposed. It is noted that duplicate living areas and kitchen facilities have been proposed. Advice confirming that this approval is not for a change of use to multiple dwellings has been included for clarity.
- 6.4 The proposal has been assessed against:
 - 6.4.1 D10.0 General Residential Zone
 - 6.4.2 E6.0 Parking and Access Code
 - 6.4.3 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
 - 6.5.1 General Residential Zone Development Standards:
 - Setbacks and building envelope for all dwellings - clause D10.4.2 P1; P2 and P3.*
 - Site coverage and private open space for all dwellings - D10.4.3 P2*
 - Privacy for all dwellings - clause D10.4.6 P1*
 - 6.5.2 Parking and Access Code:
 - Number of Car Parking Spaces - clause E6.6.1 P1 and Table E6.1*
- 6.6 Each performance criterion is assessed below.
- 6.7 D10.4.2 Setbacks and building envelope for all dwellings P1
 - 6.7.1 The acceptable solution at clause D10.4.2 A1 requires that a dwelling must have a setback from a primary frontage that is at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the

setback, from the primary frontage, of any existing dwelling on the site.

- 6.7.2 The proposal includes a car parking deck and car port with slatted sides - the most forward post of the car port would be on the front boundary, with the building angling away from the frontage. The other post would be 2.5m from the frontage.

The existing dwelling is set on the lot at an angle from the front boundary - the closest distance between a building corner and the frontage is 2.9m.

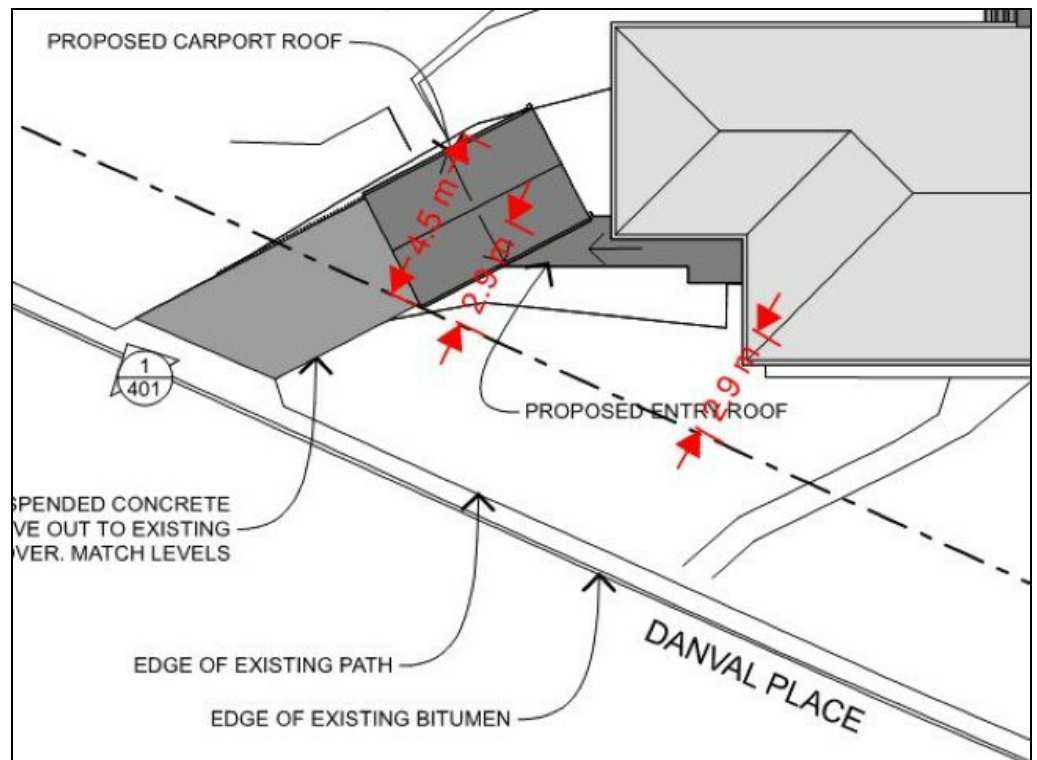


Figure 7. Excerpt from submitted plan Drwg No 201 project 1819-12 date 4/3/2019. Red annotations show the A1 standard setback of 4.5m and the 2.9m setback of the existing building.



Figure 8. Driveway and northern elevation of 4 Danval Place (Image taken 13/5/19).

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

6.7.4 The performance criterion at clause D10.4.2 P1 provides as follows (relevant portion):

A dwelling must:

(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; ...

The relevant objectives of this standard are:

To control the siting and scale of dwellings to:

(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and ...

(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; ...

6.7.5 The car port would introduce a new element to the streetscape not necessarily compatible with the current arrangement - no other car ports are evident in Danval Place. However, it could be argued this is a case of topographical constraint preventing effective use of the existing very steep driveway. As suggested by the representors, this new structure would not

have a compatible setback from the frontage with existing dwellings in the street.

Whilst the design solution offered here is understood - to overcome the driveway gradient issue, the use of the existing cross over, and the limited space between the frontage and the dwelling building, it is considered reasonable to keep the building bulk to a minimum because the car port building is proposed closer than any other building in the street.

Therefore a condition is recommended for the roof design to be made a single plane / skillion, and the timber slats proposed on the north eastern elevation of the car port are to be reduced to be only below the standard balustrade.

- 6.7.6 The proposal would comply with the performance criterion and objectives on satisfaction of the condition.

6.8 D10.4.2 Setbacks and building envelope for all dwellings P2

- 6.8.1 The acceptable solution at clause D10.4.2 A2 requires:
A garage or carport must have a setback from a primary frontage of at least:
(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or ...
(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.
- 6.8.2 The proposal includes a carport on the primary frontage, and the gradient is 1 in 5 for a distance of 10m from the frontage (exactly).
- 6.8.3 The proposal does not comply with the acceptable solution A2 (c); therefore assessment against the performance criterion is relied on.
- 6.8.4 The performance criterion at clause D10.4.2 P2 provides as follows:

A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

The relevant objectives of this standard are:

To control the siting and scale of dwellings to:

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and ...*
(c) provide consistency in the apparent scale, bulk, massing and

proportion of dwellings; ...

- 6.8.5 All of the dwellings in this street have internal garages. This dwelling has an internal garage that is proposed to be converted to habitable rooms with this proposal. In conjunction with clause D10.4.2 P1 above, it is considered reasonable to require the applicant to reduce the bulk of the proposed car port as it would be an anomalous building in the streetscape and representors have raised objections.

Therefore a condition is recommended for the roof design to be made a single plane / skillion, and the timber slats proposed on the north eastern elevation of the car port are to be reduced to be only below the standard balustrade.

- 6.8.6 The proposal would comply with the performance criterion and objective on satisfaction of the condition.

6.9 D10.4.2 Setbacks and building envelope for all dwellings P3

- 6.9.1 The acceptable solution at clause D10.4.2 A3 requires development to be within a prescribed building envelope including frontage setback of 2.9m (which is the existing building's setback as allowed for in clause D10.4.2 A1) and rear setback of 4m.
- 6.9.2 The proposal includes part of the car port within 2.9m of the primary frontage (as assessed above in sections 6.7 and 6.8) and the proposed roofed and partially enclosed upper deck (enlarged), and new lower deck at the rear of the dwelling within 4m of the rear boundary.
- 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.9.4 The performance criterion at clause D10.4.2 P3 provides as follows:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

(ii) overshadowing the private open space of a dwelling on an adjoining lot; or

(iii) overshadowing of an adjoining vacant lot; or

(iv) visual impacts caused by the apparent scale, bulk or proportions of

the dwelling when viewed from an adjoining lot; and

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The relevant objectives of this standard are:

To control the siting and scale of dwellings to:

(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and ...

(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; ...

- 6.9.5 The changes to the decks at the rear of the dwelling are considered reasonable when considered against the above criteria. The proposed car port (as also assessed above) is unlikely to cause unreasonable loss of amenity to adjoining lots (although it is likely to cause such to occupants of the adjacent / across the street lots as assessed above).

The objective of the standard is achieved.

- 6.9.6 The proposal complies with the performance criterion.

6.10 D10.4.3 Site coverage and private open space for all dwellings P2

- 6.10.1 The acceptable solution at clause D10.4.3 A2 requires that a dwelling must have 24 sqm of private open space with a minimum horizontal dimension of 4m, in one location, and is directly adjacent to and accessed from a habitable room other than a bedroom.

- 6.10.2 The proposal includes two deck areas, one above the other, although accessible from habitable rooms (kitchen for first floor and rumpus room for lower floor), both less than 24 sqm in area.
The gym / store room shown in place of the existing garage is not considered to be a 'habitable room'.

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

- 6.10.4 The performance criterion at clause D10.4.3 P2 provides as follows:

A dwelling must have private open space that:

(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play

and that is:

- (i) conveniently located in relation to a living area of the dwelling; and*
- (ii) orientated to take advantage of sunlight.*

The objective of this standard is:

To provide:

- (a) for outdoor recreation and the operational needs of the residents; and*
- (b) opportunities for the planting of gardens and landscaping; and*
- (c) private open space that is integrated with the living areas of the dwelling; and*
- (d) private open space that has access to sunlight.*

- 6.10.5 The two areas of private open space would satisfy (a) above and would be conveniently located and receive morning sun. The partial enclosing of the upper deck would protect this area from the exposure that this deck would have to wind. The lower deck would have a small set of steps leading to the outdoor / garden area on to the northern side of the lot.

The objective of the standard is achieved.

- 6.10.6 The proposal complies with the performance criterion.

6.11 D10.4.6 Privacy for all dwellings P1

- 6.11.1 The acceptable solution at clause D10.4.6 A1 requires that a deck within 4m of the rear boundary of a lot must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%
- 6.11.2 The proposal includes a lower level deck within 4m of the rear boundary with no screening. See figure 6 above.



Figure 9. Back of existing dwelling at 4 Danval Place, image taken 13/5/19 looking south. Proposed lower level deck would be below existing deck as pictured. Submitted drawings show deck floor level as more than 1m above natural ground level.

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

6.11.4 The performance criterion at clause D10.4.6 P1 provides as follows (relevant portions):

A ...deck, ... that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:

(a) a dwelling on an adjoining lot or its private open space; or ...

The objective of this standard is:

To provide reasonable opportunity for privacy for dwellings.

6.11.5 The existing upper level deck would already present some overlooking impact to the property to the east at 9 Rennie Street, however that deck is

not being assessed here. It is noted however as the proposed lower level deck has not been designed to minimise overlooking - it would be above the level of the rear boundary fence and close to the private open space of the dwelling to the east at 9 Rennie Street (see Figure 1). The design of the deck would be for sunlight and flat space on the subject lot with variable ground steepness. A representation was not received from the owners or occupiers of 9 Rennie Street. Advice is recommended that the subject lot developers plant and maintain some screening vegetation along this boundary.

6.11.6 The proposal complies with the performance criterion.

6.12 E6.6.1 Number of Car Parking Spaces P1 and Table E6.1

6.12.1 The acceptable solution at clause E6.6.1 A1 requires two car parking spaces for a dwelling of this size.

6.12.2 The proposal includes one (1) car parking space, in a different location to the previous one parking space in the internal single garage, to be converted to gym / storage space.

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

6.12.4 The performance criterion at clause E6.6.1 P1 provides as follows (relevant portions):

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; ...

6.12.5 This is a cul-de-sac street with some on street parking availability. The site has significant gradient constraints; the parking deck and pedestrian access directly from it are considered an improvement to the current arrangement. A double car port would have unacceptable impacts on streetscape. The representors did not raise an issue with increased on

site parking potential.

- 6.12.6 The Council's Development Engineer has provided the following comment:

Development Engineering expressed concerns sufficient car parking was not provided on-site. The proposal appears not to minimise on-street parking and would not maximise the efficiency of the road network however, after discussions with Council's Manager Traffic Engineering, Development Engineering was advised the development may be accepted under performance criteria.

- 6.12.7 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for partial demolition, alterations, extensions and carport at 4 Danval Place, and adjacent Highway Reservation, West Hobart.
- 7.2 The application was advertised and received two (2) representations. The representations raised concerns including the building bulk of the proposed car port, out of character with the streetscape.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform reasonably well. It is agreed with the representors that the design of the car port is too high and solid - a condition is recommended to reduce the size and bulk of this structure. Advice regarding screening vegetation between the new deck close the rear boundary is also recommended, although it is acknowledged that to screen this deck would reduce sunlight to it and rumpus room.

The developer will need to arrange an occupation licence for development in the road reserve separately from the planning process.

- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer. The officer has raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed partial demolition, alterations, extensions and carport at 4 Danval Place, and adjacent Highway Reservation, West Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extensions and carport at 4 Danval Place, and adjacent Highway Reservation, West Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-120 - 4 DANVAL PLACE WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s4

The car port must be reduced in height and bulk.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved to the satisfaction of the Director City Planning, in accordance with the above requirements. The revised plans must show the following:

1. **The car port roof design must be a single plane/skillion design with a maximum height of no more than 2.7m from the car parking deck level (RL+163 050); and**
2. **The timber slats on the north eastern elevation of the car port must be only below the standard balustrade.**

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

Reason for condition

To provide relative consistency in the apparent scale, bulk, massing and proportion of dwellings (and outbuildings) in the area.

ENG sw1

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

Reason for condition

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

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 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 commencement of use, 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 access driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

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.

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 access driveway 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 and parking module (parking spaces, aisles and manoeuvring area) design must:

- 1. Be prepared and certified by a suitably qualified engineer.**
- 2. Be 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 including endorsement from Council's City Amenity Division.**
- 4. 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.*

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 access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b and ENG r1.

Prior to the commencement of use, 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 commencement of use.

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 for use is one (1).

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENG r1

The footings (driveway deck) within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the driveway deck footings within the Danval Place highway reservation must be submitted and approved, prior to the commencement of work and must:

- 1. Be prepared and certified by a suitable qualified person and experienced engineer;**

2. **Not undermine the stability of the highway reservation;**
3. **Take into account any additional surcharge loadings as required by relevant Australian Standards;**
4. **Take into account and reference accordingly any Geotechnical findings;**
5. **Detail the design and location of the footing adjacent to Danval Place highway reservation; and**
6. **Include a structure certificate which notes that the driveway deck footings will not undermine the highway reservation.**

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

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 ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGR 3

Prior to the commencement of use, the proposed driveway apron within the Danval Place highway reservation must be designed and constructed in accordance with:

- **Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.**
- **Rural – TSD-R04-v1 – Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access.**
- **Footpath - Urban Roads Footpaths TSD-R11-v1.**

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. **Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.**
 3. **Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD.**
 4. **Be approved by Council's City Amenity Division should the design deviate from the previously submitted documentation. Note: that the agreement of the Council's is required to adjust footpath levels.**
 5. **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 building approval under the Building Act 2016.*
- *Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*
- *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 1

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

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

Reason for condition

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

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 for the occupation of the public highway for construction. Click [here](#) for more information.

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

PLANNING

This planning permit is for a single dwelling. It is noted that duplicate living areas, and kitchen facilities have been proposed and approved. This permit does not approve the use of the site as multiple dwellings.

You are encouraged to plant and maintain screening vegetation between the new lower level deck close the rear boundary. To screen this deck would improve privacy between this deck and the neighbouring private outdoor space however it would reduce sunlight to the proposed deck and rumpus room.

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.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

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.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with

demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's [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.



(Michelle Foale)

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: 17 May 2019

Attachment(s):

Attachment B - CPC Agenda Documents