

# AGENDA Special City Planning Committee Meeting Open Portion

Monday, 26 April 2021

at 4:45 pm Council Chamber, Town Hall

### THE MISSION

### Working together to make Hobart a better place for the community.

### THE VALUES

The Council is:

**People** We care about people – our community, our customers

and colleagues.

**Teamwork** We collaborate both within the organisation and with

external stakeholders drawing on skills and expertise for

the benefit of our community.

**Focus and Direction** We have clear goals and plans to achieve sustainable

social, environmental and economic outcomes for the

Hobart community.

**Creativity and** 

**Innovation** achieve better outco

We embrace new approaches and continuously improve to

achieve better outcomes for our community.

**Accountability** We are transparent, work to high ethical and professional

standards and are accountable for delivering outcomes for

our community.

### **ORDER OF BUSINESS**

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

### APOLOGIES AND LEAVE OF ABSENCE

1.			N OF A COMMITTEE MEMBER IN THE EVENT OF A	4
2.	IND	ICATIO	ONS OF PECUNIARY AND CONFLICTS OF INTEREST	4
3.	СО	COMMITTEE ACTING AS PLANNING AUTHORITY		
	3.1	APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015		
		3.1.1	19 Ridgeway Road, Ridgeway - Partial Demolition, Alterations, Extension, Carport and Front Fencing PLN-20-	6

Special City Planning Committee Meeting (Open Portion) held Monday, 26 April 2021 at 4:45 pm in the Council Chamber, Town Hall.

This special meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.

COMMITTEE MEMBERS Apologies:

Deputy Lord Mayor Burnet (Chairman)

**Briscoe** 

Harvey Leave of Absence: Nil.

Behrakis Dutta Coats

Sherlock

### **NON-MEMBERS**

Lord Mayor Reynolds Zucco Sexton Thomas Ewin

### 1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

### 2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the Local Government (Meeting Procedures) Regulations 2015.

Members of the committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

### 3. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Committee to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

### 3.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

3.1.119 Ridgeway Road, Ridgeway - Partial Demolition, Alterations, Extension, Carport and Front Fencing PLN-20-574

File Ref: F21/33893

Memorandum of the Manager Development Appraisal of 21 April 2021 and attachments.

Delegation: Council



### **MEMORANDUM: CITY PLANNING COMMITTEE**

## 19 Ridgeway Road, Ridgeway - Partial Demolition, Alterations, Extension, Carport and Front Fencing PLN-20-574

This item was considered by the City Planning Committee at its meeting on 19 April 2021. The item was recommended for approval, subject to conditions. A copy of the original planning report is **attached**.

The Committee resolved to defer the item to allow for discussions to take place between the applicant and the representors (who are neighbours to the proposed development site). The two particular issues which the Committee hoped could be considered further were the setback off the boundary with 56 Hall Street and the colours and materials of the development along the boundary with that property.

The applicant was not represented at the Committee meeting and it was acknowledged by Elected Members that the conciliation process was voluntary.

Representatives of the applicant have contacted by the Manager Development Appraisal. The applicant's preference is not to attend a meeting with representors. A change to the setbacks would require a substantial change to the design of the proposal and the applicant does not wish to pursue this option. Further, the applicant feels that he has made concessions regarding the development to ensure that the trees on the neighbouring lot are protected.

The applicant is prepared to agree to a condition as follows:

### **PLN 11**

A plan showing the palette of exterior colours and materials must be prepared.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), the plan showing exterior colours and materials must be submitted and approved. Samples and revised montages may be required to be submitted in support of the proposed plan.

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

Advice

The applicant is encouraged to consider options other than black.

### RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, carport and front fencing at 19 Ridgeway Road, Ridgeway TAS 7054 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-20-574 - 19 RIDGEWAY ROAD RIDGEWAY TAS 7054 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN<sub>9</sub>

The front fence along the front boundary must be no more than 1.5 metres in height above natural ground level and of muted colour scheme in order to avoid adverse impact on the visual amenity of the site and surroundings.

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

Advice:

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

Reason for condition

To provide reasonable opportunity for privacy for dwellings and to maintain the streetscape and landscape setting.

### **PLN 11**

A plan showing the palette of exterior colours and materials must be prepared.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), the plan showing exterior colours and materials must be submitted and approved. Samples and revised montages may be required to be submitted in support of the proposed plan.

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

### Advice

The applicant is encouraged to consider options other than black for that part of the development which faces 56 Hall Street, Ridgeway.

### ENG sw1

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

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

### Advice:

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

### Reason for condition

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

### **SW 9**

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act* 2016 or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

- 1. include detailed design and supporting calculations of the detention tank showing:
  - 1. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
  - 2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  - 3. the discharge rates and emptying times; and
  - 4. all assumptions must be clearly stated;
- include a supporting maintenance plan, which specifies the required
  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:

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

### ENG 3a

The access driveway, and parking module (parking spaces, and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (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 enables safe, easy and efficient use.

### 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 design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, or issuing of any approval under the *Building Act 2016*, whichever occurs first.

The access driveway 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 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
- 4. Show other details as Council deem necessary to satisfy the above requirement.

### Advice:

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

### Reason for condition

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

### ENG 4

The access driveway approved by this permit must be in part (see Advice) 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, or commencement of use, whichever occurs first.

### Advice:

This condition will be considered satisfied if the following is undertaken:

A sealed driveway from the edge of the road pavement of Ridgeway Road to the property boundary (approximately 8 metres) extending a further five metres into the property is to be constructed and the remainder of the driveway access and carparking areas are to be gravel.

#### 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<sub>1</sub>

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 r3

Prior to the commencement of use, the proposed driveway crossover, between 19 Ridgeway Road and the Council highway reservation, must be designed and constructed in accordance with:

- Rural TSD-R04-v1 Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access
- Or a Council City Infrastructure Division approved alternate design.

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. 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 (i.e. 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. If the design deviates from the requirements of the TSD then the drawings must 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.
- 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:

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

#### Reason for condition

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

### ENV 9

No development is to occur south of the southern edge of the car port, extension and shed (including the concrete driveway), apart from the hinged access gate shown on Strategy Diagram revision H.

### Reason for condition

To ensure the development does not result in unnecessary or unacceptable loss of priority biodiversity values

### **ENV 10**

An approved Tree Protection Plan must be implemented and complied with.

Prior to the commencement of work and prior to the granting of building consent, a Tree Protection Plan must be submitted and approved.

### The Tree Protection Plan must:

- be prepared by a suitably qualified person (e.g. an experienced and qualified arboriculturalist or arborist);
- specify measures to be implemented during construction works to minimise the risk of damage to the trees adjacent the southern boundary, including impacts to tree protection zones as determined using AS4970: Protection of trees on construction sites;
- include areas to be excluded from all works, traffic, storage etc.; and
- include specifications for fencing or suitable barriers to delineate exclusion areas and appropriate signage.

### Reason for condition

To ensure the development does not result in unnecessary or unacceptable loss of priority biodiversity values

#### ENV<sub>2</sub>

Sediment and erosion control measures, 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.

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

#### Advice:

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

### Reason for condition

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

#### ADVICE

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

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

### **CONDITION ENDORSEMENT**

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's <u>online services e-planning portal</u>. Detailed instructions can be found here.

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

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

### **BUILDING PERMIT**

You may need building approval in accordance with the *Building Act 2016.* Click <u>here</u> 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 <a href="here">here</a> 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.

### **STORMWATER**

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click <a href="here">here</a> for more information.

### **WORK WITHIN THE HIGHWAY RESERVATION**

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click <u>here</u> 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.

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.

Karen Abey

luy

MANAGER DEVELOPMENT APPRAISAL

Date: 21 April 2021 File Reference: F21/33893

Attachment A: PLN-20-574 - 19 RIDGEWAY ROAD RIDGEWAY TAS 7054 -

Planning Committee or Delegated Report !

Attachment B: PLN-20-574 - 19 RIDGEWAY ROAD RIDGEWAY TAS 7054 -

CPC Agenda Documents I

Attachment C: PLN-20-574 - 19 RIDGEWAY ROAD RIDGEWAY TAS 7054 -

Planning Referral Officer Environmental Development Planner

Report  $\mathbb{I}$ 



### **APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee

Council: 26 April 2021
Expiry Date: 20 June 2021
Application No: PLN-20-574

Address: 19 RIDGEWAY ROAD, RIDGEWAY

Applicant: Kate Phillips (Room 11 Architects)

358b Macquarie Street

Proposal: Partial Demolition, Alterations, Extension, Carport, and Front Fencing

Representations: Six (6)

Performance criteria: Rural Living Zone Development Standards, Parking and Access Code,

**Biodiversity Code** 

### 1. Executive Summary

- 1.1 Planning approval is sought for a partial demolition, alterations, extension, carport and front fencing, at 19 Rdigeway Road.
- 1.2 More specifically the proposal includes:
  - single storey extensions and alterations to existing dwelling;
  - front carport;
  - front fence 1.8 metres in height.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Zone Development Standards Front Setback, Side Setback
  - 1.3.2 Parking and Access Code Design of Vehicle Access, Vehicle Access Surface Treatment
  - 1.3.3 Biodiversity Code Building and Works
- 1.4 Six (6) representation/s objecting to the proposal were received within the statutory advertising period between 5th and 22nd March 2021.
- 1.5 The proposal is recommended for approval subject to conditions.

Item No. 3.1.1

### Agenda (Open Portion) Special City Planning Committee Meeting - 26/4/2021

Page 18
ATTACHMENT A

1.6 The final decision is delegated to the Council because more than five objections have been received.

### 2. Site Detail

- 2.1 The site is within the Rural Living Zone.
- 2.2 The site was visited dated the 26th March 2021.



Figure 1 above: location plan.



Figure 2 above: aerial photograph with 2 metre contour.



Figure 3 above: view from south across No.56 Hall Street to right, with subject site to far right (beyond No.56 Hall Street).



Figure 4 above: view from Ridgeway Road. No. 19 Ridgeway Road frontage is to left, and No.56 Hall Street frontage is in foreground showing trees.



Figure 5 above: No.56 Hall Street from Ridgeway Road showing trees. No. 19 Ridgeway Road is on other side of paling fence.



Figure 6 above: aerial photograph of neighbourhood, with approximate area of proposed extension (main building excluding roofed structure and carport) highlighted.



Figure 7 above: aerial photograph of wider area, showing property sizes and location of buildings. Applicant site is in centre of image, marked by the red 'x'.

### 3. Proposal

- 3.1 Planning approval is sought for a partial demolition, alterations, extension, carport and front fencing.
- 3.2 More specifically the proposal is for:
  - · single storey extensions and alterations to existing dwelling;
  - · front carport;
  - front fence 1.8 metres in height.

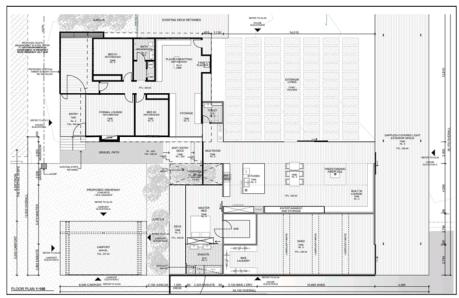


Figure 8: Floor plan of the proposed development.

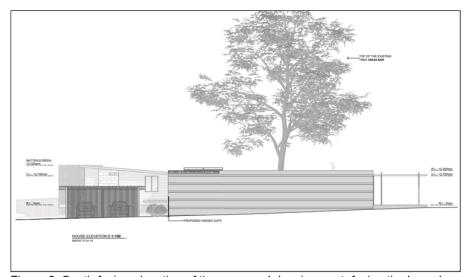


Figure 9: South facing elevation of the proposed development, facing the boundary with 56 Hall Street.

### 4. Background

- 4.1 There has been on discussions with the applicant and Council's Environmental Development Planner and Development Engineer with respect to the potential impact of the proposal on the trees located on the neighbouring property to the south, 56 Hall Street. The applicant has agreed to the following in order to protect the viability of these trees:
  - A sealed driveway from the edge of the road pavement of Ridgeway Road to the property boundary (approximately 8 metres) extending a further five metres into the property is to be constructed and the remainder of the driveway access and carparking areas are to be gravel.
  - A cut off drain is to be constructed at the end of the sealed driveway where it
    meets the unsealed driveway to direct any water runoff such that it is retained
    on the property.
  - All footings within 15 metres of the southern property boundary are to be pier footings
  - No works are to be undertaken within the area between the proposed extension and carport and the southern property boundary
- 4.2 This approach is acceptable to Council officers and conditions reflecting the above have been recommended.

#### 5. Concerns raised by representors

- 5.1 Six (6) representation/s objecting to the proposal were received within the statutory advertising period between the 5th and 22nd March 2021.
- 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.
  - Please see the applicant response dated 30th March 2021 which follows the representations.

Loss of rural amenity and tree dominated landscape

-My concern with this particular development is that the scale of the proposed extension will considerably alter the rural amenity. In particular, the development will virtually fill the width of the allotment from one boundary to the other. The scale and spread of this proposed development also brings houses in this part of Ridgeway substantially closer together. This is not in accordance with the stated objective of "low density residential development" or "a tree dominated landscape with houses set in large gardens" or buildings being "unobtrusively sited and not detracting from the landscape values of the area." It also places the extension in close proximity to a row of trees in the next properties boundary. This could cause a situation of falling limbs or fire risk in future years, with a potential dispute over tree removal. It again further risks a decline in "a tree dominated landscape";

-As a Ridgeway resident I am concerned that this development will negatively impact the character of the area because the development does not conform to the objectives of the "Rural Living Zone". Some recently constructed dwellings in Ridgeway have not, in my view, been in accordance with these objectives (of the planning scheme) and this has the effect of increasingly detracting from the rural amenity and creating an "urbanising" effect within Ridgeway. I was a signatory to a petition to Council on this issue in October 2020.

Inadequate boundary setbacks

-I'm also concerned that the proposed development appears to make little attempt to achieve the required boundary setback on the southern boundary. The existing house is a long way from the southern boundary, but the proposed extension is only 3 metres from this boundary;

The continued erosion of boundary setbacks in Ridgeway is resulting in the loss of the planning scheme's stated objectives to maintain a "semi-rural environment" and this is a concern to me as a Ridgeway resident:

-The continued erosion of boundary setbacks in Ridgeway is resulting in the loss of the planning scheme's stated objectives to maintain a "semi-rural environment" and this is a concern to me as a Ridgeway resident;

-concern at bulk and massing;

-inadequate boundary setbacks;

-A desirable characteristic of the Ridgeway area is the dispersed pattern of residential development with dwellings situated on lots that maintain larger setbacks between lot boundaries and adjacent dwellings. This feature contributes to the amenity of the area by providing increased privacy and sense of rural locality.

The proposal does not demonstrate the maintenance of this desirable

rural characteristic of the area by exceeding the minimum building setback requirements from the north and south side boundaries. The setback discretions have the potential to negatively impact the existing character of the area by being of a setback from adjoining lots that is not consistent with the pattern of development. The proposal is considered to be at odds with the character of the area, particularly where setback is considered a contributor to the amenity of residents. The proposal is not considered to be in accordance with P2 (c) and (g)(ii). It is also not considered to be in accordance with the Objective of the provision "To maintain desirable characteristics of the landscape, protect amenity of

adjoining lots…".

Of concern to our client is the significant reduction in setback to the southern boundary of approximately 11m, with this building façade

extending for a horizontal length of 23m (east-west) which presents a considerable mass within the permitted setback.

-This representation advocates for the maintenance of at least a 7m side setback from the southern boundary to ensure the character of the area is maintained and adequate separation is provided to the residence to the south of the site.

Item No. 3.1.1

### Agenda (Open Portion) Special City Planning Committee Meeting - 26/4/2021

Page 30
ATTACHMENT A

Visual impact

-concern at visual impact on amenity of neighbouring lots; -concern at other inappropriate development approved in the vicinity with minimal boundary setback. Overdevelopment

-concern at bulk and massing;

-viewed from road development will present as a block fully built up from one side to the other;

-reduced separation between houses:

reduction of non built up area;

-not in keeping with rural setting;

-The main problem with this development is the increase in the size of the proposed building right across the allotment, and the increased visual impact this will have - especially from Ridgeway Road - and the reduction in boundary setback on the southern side. The proposed southern boundary setback of this development to only a little over 3 metres means that the proposed dwelling will effectively fill the whole of the allotment, and this is not in keeping with the objectives of the planning scheme. The existing dwelling is set back a long way from the southern boundary, so there will be a loss of the openness that the planning scheme states is characteristic of a rural area like Ridgeway;

I write because I am concerned about the continued erosion of the Rural Living Area characteristics that distinguish Ridgeway as a semi-rural area, and not a city suburb. I believe that the spread of the built area of this proposed development, bringing it so close to both northern and southern boundaries, and increasing building bulk and massing, is not in accordance with the provisions of the scheme for this area, and will contribute to the "suburbanisation" of Ridgeway; The proposed partial demolition, alterations, extension, carport and front fencing on this property will result in the built area of this block increasing to cover most of the block as viewed from the west. The proposal to extend the house to the south, leaving just over 3 metres to the block's southern boundary, spreads the built area right across the block. The size and dimensions of the block do not necessitate that a house extension be built so close to the boundary. An extension could easily be built more in alignment with the current house footprint on the block, maintaining the 10m setback;

The other aspect of the proposed development that is very worrying is the scale of development, the increase in visual "mass" of the dwelling across the allotment, the increased visual impact from Ridgeway Road and the reduction in boundary setback on the southern side.

Impact on native vegetation

-concern at impact on 12 large mature native trees on 56 Hall Street, just beyond the southern boundary of the site;

-a submitted arborist report indicates the proposed works would encroach within the tree protection zones of the trees beyond the southern side boundary, with potential root damage leading to adverse impact on the health of the trees;

-the submission of an Arboricultural Impact Statement would be required would be required to assess potential impact on the trees; -concern that the works within the subject land, in proximity to the shared side boundary of 56 Hall Street will impact on 12 existing established trees which are situated

very close to the boundary. The reduced setback of the proposed development at 19 Ridgeway Road from the southern boundary raises concerns regarding the impact of the development on the Tree Protection Zone of these trees. No arborist's report has been sought by Council. It is requested that the proposal clarify the impacts of the proposed development on these trees, which currently provide amenity, screening and

biodiversity habitat in the Rural Living Zone. Our client requests that an arborist be engaged to undertake an impact assessment on the trees to understand how the proposed development may impact on the safety and long term viability of the trees.

#### Tree danger

-It also places the extension in close proximity to a row of trees in the next properties boundary. This could cause a situation of falling limbs or fire risk in future years, with a potential dispute over tree removal;
-I note that, given the possible impact on the structural roots of these trees from these

proposed works, there is potential for these trees to fall onto the proposed new house,

around 4m away from some of these trees, in the very strong southerly or southwesterly

winds we frequently receive in Ridgeway. If these trees' structural roots are damaged, in a

strong northerly wind, they would have the potential to fall onto our house at 56 Hall St, or

into the garden where our children frequently play. Potential impact on these trees from this proposal, ignored in the application submission, therefore presents a very real safety issue that must be addressed. In addition these trees - several of them large and healthy examples of Eucalyptus globulus - are habitat trees. I spoke with the Council's Environmental Planner Mark O'Brien in 18/03/21 and he mentioned that the Biodiversity Code may need to be considered in relation to these trees. If the trees are damaged or killed by a building development, this represents naddition these trees - several of them large and healthy examples of Eucalyptus globulus - are habitat trees. I spoke with the Council's Environmental Planner Mark O'Brien in 18/03/21 and he mentioned that the Biodiversity Code may need to be considered in relation to these trees. If the trees are damaged or killed by a building development, this represents a loss of habitat. a loss of habitat.

Given that impact on these trees has not been considered in the application for this proposal, I therefore propose that the development proponents be required to engage an independent arborist to undertake an impact assessment on the trees, and report back to Council, and to myself, once this has been acquired.

### Loss of habitat

-In addition these trees - several of them large and healthy examples of Eucalyptus globulus - are habitat trees. I spoke with the Council's Environmental Planner in 18/03/21 and he mentioned that the Biodiversity Code may need to be considered in relation to these trees. If the trees are damaged or killed by a building development, this represents a loss of habitat.

Loss of rural character and inconsistent with Planning Scheme -inconsistent with the Desired Future Character which states building must maintain the desirable characteristics of the surrounding landscape by having regard to factors that include the location of existing buildings on the site;

-I am a long term resident of Ridgeway and I am concerned that this particular development will change the character of the area because the development does not conform to the objectives of the "Rural Living Zone". I have noticed that recently constructed dwellings in Ridgeway have increasingly not been in accordance with the objectives of the planning scheme and this has the cumulative effect of detracting from the rural amenity and "suburbanising" the area; -The proposed development includes a very tall front fence across the full width of the allotment, this is not in keeping with the objectives of the rural living zone and it is very different to other properties in the area. It is more in keeping with a suburban or inner city setting than Ridgeway;

-The proposal is not considered to be fully in accordance with the Character and Purpose Statements of the Rural Living Zone. A review of the plans for the development indicates that the proposal does not comply with several of the applicable clauses of the Hobart Interim Planning Scheme 2015 including building setback and outbuildings.

Front fence concern

-The fence and a portion of the carport are located in the front setback.

The proposal includes a new 1800mm high fence along the site's Ridgeway Road frontage, to be painted white and a carport within the frontage setback zone. These developments are considered incongruent with the surrounding characteristics of the area and not in accordance with the desired character of the Zone.

In particular, the proposed colour, height and location of the fence will create a disruption in the distinct Rural Living Zone streetscape and alter the existing character of Ridgeway Road which is noted for its 'tree dominated landscape with houses set in relatively large gardens';

-The fence size and location directly on the frontage boundary is considered out of character with the surrounding area which consists of open front yards with a high visual permeability. The fence will dominate the streetscape when viewed from Ridgeway Road, preventing view of the dwelling from the street, and imparting a suburban character to the street that is more characteristic of a higher density residential area.

It is therefore not considered in accordance with the Zone Objective, the Performance Criteria P1 (b), (d), (e) and (f) or the Zone Future Character Statement (a).

#### Concern at outbuildings

-A characteristic of the Ridgeway area is the dispersed pattern of lowdensity residential development and prominence of the bushland and vegetated landscape. The proposed outbuilding currently relies on discretion in regard to the setback requirements which raises concern that the proposal does not demonstrate compliance with the performance criteria P1 (c);

Objective: To ensure that the size and number of outbuildings does not detract from the amenity of the area and does not visually dominate an associated dwelling

P1 Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:...

(c) be consistent with any Desired Future Character Statements provided for the area or, if

no such statements are provided, have regard to the landscape. The amenity of the area is described above as being contributed to by a high amount of separation between buildings on lots and the prominence of the landscape features. As identified in the Zone Character Statement (a), the area should continue to be characterised by a tree dominated landscape with houses set in large gardens. The scale of outbuilding in the context of the proposed development has the potential to alter the character of the area towards a landscape dominated by built form rather than tree and garden.

The proposed outbuilding is also not considered in accordance with Zone Character Statement (b) regarding siting. The reduced setbacks of the development are not considered to respect the landscape values of the

area. By reducing the setbacks of the development there is potential for the proposal to detract from the landscape values of the area which are characterised by a prevalence of well separated residential dwellings set in bushland, and amongst paddocks which provides a distinct rural character and amenity.

It is therefore considered that the proposal does not adequately demonstrate how the development considers the surrounding context to ensure the amenity and character of the area is maintained. Planners note: Clause 13.4.4 refers to outbuildings not incorporated into the dwelling. The proposed carport at 40 square metres in area would be the sole structure detached from the dwelling itself. The 'shed' would be integral to the dwelling according to the submitted plans.

### Suggestions

Proposed conditions for approval:

Considering the points made above, conditions for approval of the above application should include:

- Requirement that the extension be sited more in line with existing house.
- Requirement that the proposal make an effort to meet the required setback. Instead of a 3.115m-3.88m setback on the southern boundary, that at least a 7-8m setback be required.
- To reduce the "black box" impression and reduce visual impact, and
  to be in keeping with the rural living zone, requirement for an exterior
  treatment on the extension's southern wall that is more muted, eg:
  grey colour or vertical wooden board cladding, as currently on the
  western side of the existing dwelling.
- Requirement that a comprehensive, independent arborist's
  assessment be conducted to ascertain impacts on the trees adjacent
  to the proposed development site.
- Requirement that building development at 19 Ridgeway Road be cognisant of, and accountable for, damage to trees. Requiring that any building work make meaningful consideration of not damaging trees, given the possible safety implications both to residents and property at both 19 Ridgeway Rd and 56 Hall St. (Pushing back the proposed extension from the southern boundary would clearly ameliorate impact on these trees.)

Finally, I would like to note that I helped conduct and was a signatory of a petition to Council submitted in October 2020 which called for Council to make decisions that better uphold the planning provisions in the Rural Living Zone in which Ridgeway is situated. This petition received 40 signatures from local residents. Essentially, many residents do not want to see repeated incursions on the rural character of Ridgeway that derive from planning decisions not strictly in accordance with the scheme. I made a representation to the Council's Planning Committee on this subject on 14/12/2020, and members of the committee present at that meeting assured me that the community's feelings on this issue had been "heard". We hope that they will also be acted upon.

Given that impact on these trees has not been considered in the application for this proposal, I therefore propose that the development proponents be required to engage an independent arborist to undertake an impact assessment on the trees, and report back to Council, and to myself, once this has been acquired.

I support the principle of Ridgeway residents to renovate/extend their homes, but note that extensions are usually best made on the existing line of the house. There is no reason related to the size/dimensions of the block that dictates that the house needs to spread almost from one side of the block to the other. The extension could equally be made behind the existing house without impacting on the character of Ridgeway itself. I also note the location of the proposed development is close to the entrance of the Ridgeway hamlet itself. Such an extension impacts Ridgeways amenity for the majority of residents whose only point of access and egress is past this location.

I represent that the proposed development should be changed to increase the amount of the boundary setback on the southern side, thereby also reducing the visual impact from Ridgeway Road and reducing the impact such an extension will have if it is approved.

I feel that the proposed development should be amended to increase the amount of the boundary setback on the southern side and to reduce the visual impact from Ridgeway Road.

This representation advocates for the maintenance of at least a 7m side setback from the southern boundary to ensure the character of the area is maintained and adequate separation is provided to the residence to the south of the site;

### Other comment

As a long-term resident of this area, I note that Council decision-making has increasingly eroded its own planning provisions, including setbacks, which can then be used as precedence for further erosion of this requirement. Such a trend has, and will continue to, diminish the rural character of Ridgeway, which relies on substantial separation between houses and houses being set in large gardens.

Applicant response dated 30th March 2021.

As you are aware and with regard to setbacks, the proposed development is within 10 metres of the side boundary thus requiring assessment under the relevant performance criteria (Hobart Interim Planning Scheme 2015, 3.4.2 - P2).

I have documented my thoughts and how I believe it performs against these criteria. (My comments are italicised)

## P2

Building setback from side and rear boundaries must maintain the

desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

## (a) the topography of the site;

The proposed development has been designed in response to the topography of the site. The roof height has been kept to a minimum of 3.2 m from the existing cottages floor level. Given the block slopes gently to the front, it is slightly higher at the western end of the extension to maintain the existing floor level and to minimise the amount of excavation on site.

## (b) the size and shape of the site;

The lot is narrow in its frontage and deep, making it impractical to maintain the side setback. The orientation of the site lends itself to locating the extension on the southern side of the block to allow for a northern exposure to the living area and therefore a more thermally efficient extension.

- (c) the location of existing buildings on the site;
  The existing dwelling sits on the Northern side of the block leaving usable space to the South.
- (d) the proposed colours and external materials of the building;
  The proposed development is largely timber, glass and the
  southern elevation is painted black to blend in with the surrounding
  environment.
- (e) visual impact on skylines and prominent ridgelines;
  The proposed development does not impact on skylines or
  prominent ridgelines. The Building is 3.2 M high at the Eastern end
  and is lower than the existing cottage maximum roof height.
- (f) impact on native vegetation; There is no native vegetation on site.
- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
- overlooking and loss of privacy

The proposed development does not overlook adjoining lots and does not impact on privacy. There are no windows facing the adjoining property to the south (56 Hall Street). The house to the

south is located to the South East of the extension and its view is shielded by a large tree on the boundary ( see attached photo which looks from the southeast corner of the extension to the living area of the house next door)

 visual impact, when viewed from adjoining lots, through building bulk and massing.

There is negligible visual impact on adjoining lots. The extension is out of the view of the adjoining house and can only be seen from western portion of the neighbours front yard. Height has been kept to a minimum to limit the visual impact from the adjoining lots.

We have gone to great lengths to design a sympathetic, low impact extension that is responsive to the site and context, while minimising the visual impact from the street and to the adjoining lots. I believe the proposed develop meets the relevant performance criteria.

### 6. Assessment

- 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 Rural Living Zone of the *Hobart Interim Planning Scheme 2015.*
- 6.3 The existing and proposed use is a dwelling. The existing use is a permitted use in the zone. The proposed use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
  - 6.4.1 Part D 13 Rural Living Zone
  - 6.4.2 E6.0 Parking and Access Code
  - 6.4.3 E7.0 Stormwater Management Code

- 6.4.4 E1.0 Bushfire prone Areas Code
- 6.4.5 E10.0 Biodiversity Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
  - 6.5.1 Rural Living Development Standards:-

Setbacks and Building Envelope – Part D 13.4.1 P1; P2 Setbacks and Building Envelope - Part D 13.4.4 P1

6.5.2 Parking and Access Code:-

Design of Vehicle Access - E6.7.2 P1 Surface Treatment - E6.7.6 P1

6.5.3 Biodiversity Code:-

Building and Works - E10.7.1 P1

- 6.6 Each performance criterion is assessed below.
- 6.7 Setback and Building Envelope Part D 13.4.2 P1, P2
  - 6.7.1 The acceptable solution at clause 13.4.2 A1 and A2 require respectively as follows.

A1: a frontage setback of 10 metres;

A2: a building setback from side and rear boundaries of 10 metres.

- 6.7.2 The proposal includes:
  - A front setback of 7.425 metres (carport).
  - A front fence, positioned on the frontage.
  - A side setback of 3.115 metres (carport) and 3.38 metres (dwelling).
- 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 setback Objective under Clause 13.4.2 states as follows.

To maintain desirable characteristics of the landscape, protect amenity

of adjoining lots, avoid land use conflict and fettering of use on adjoining rural land and protect environmental values on adjoining land zoned Environmental Management.

The performance criterion at clause (insert clause number) provides as follows:

13.4.2 P1

Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (a) the topography of the site;
- (b) the prevailing setbacks of existing buildings on nearby lots;
- (c) the size and shape of the site;
- (d) the location of existing buildings on the site;
- (e) the proposed colours and external materials of the building;
- (f) the visual impact of the building when viewed from an adjoining road;
- (g) retention of vegetation.

13.4.2 P2

Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (a) the topography of the site;
- (b) the size and shape of the site;
- (c) the location of existing buildings on the site;
- (d) the proposed colours and external materials of the building;
- (e) visual impact on skylines and prominent ridgelines;
- (f) impact on native vegetation;
- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
- (i) overlooking and loss of privacy;
- (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.
- 6.7.5 Assessment of the performance criteria follows.

The Zone Purpose Statement provide as follows.

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.5 To retain areas of bushland, managed for the conservation of

critical, urgent and important priority forest communities and threatened species, along the fringe of urban development while allowing for development of single houses at a low average density.

Desired Future Character Statements within the Rural Living Zone state as follows.

- (a) The areas covered by this zone should continue to provide for low density residential development set within the natural bushland or semi-rural environment. They should continue to be characterized by a tree dominated landscape with houses set in relatively large gardens.
  (b) Development should respect the vegetated character and the use of muted subdued colours in building finishes will be required. Buildings should be unobtrusively sited and not detract from the landscape values
- (c) Vegetation clearance for new development should be kept to the minimum area required to allow the development to proceed.

In terms of the **Desired Future Character Statements**, is the following consideration.

The lot size measures 2,026 square metres in area.

This compares with a 2 hectare (20,000 square metre) lot size minimum for subdivision within the Rural Living Zone under Clause 13.5.1 A1 under the Scheme. In this case, no subdivision is proposed and the lot is longstanding. It is noted that a large number of other lots particularly along Hall Street and the end of Ridgeway Road in the vicinity of the site are of similar comparatively small but long established sizes.

Within the Rural Living Zone, there is no site coverage requirement. Rather, under Clause 13.4.3 A3 is a size limitation based on a maximum floor area of 375 square metres. The proposed floor area in this case would be 311 square metres and would therefore comply.

It is further noted that the proposal would incorporate a large courtyard, which is likely to increase the perceived size of the proposal. The main resulting open areas on the site would remain at the frontage and to the rear, as well as the large central courtyard.

Lastly, the applicant states the 'light reflectance value' of the proposed works would be well within that required under Clause 13.4.3 A2 of the Scheme within the Rural Living Zone.

## Front Boundary Setback

of the area.

With regard to front boundary setback, setbacks of buildings in the vicinity along Ridgeway Road and Hall Street are variable. They range from around 11 metres adjacent at No.17 Ridgeway Road, to around 4 metres

being the setback of No.56 Hall Street from that frontage. The building frontage as proposed would adopt a reasonably low profile being of single storey in this reasonably level location. Impact on the surrounding streetscape and landscape setting is not considered likely to be excessive.

The proposed building is considered reasonably acceptable in terms of front setback

In terms of the proposed front fence, it would be sited on the frontage with a height of 1.8 metres, of timber battens painted white.

There is an existing front fence at the site, of timber with a height of around half of a metre. Other front fence arrangements in the vicinity are variable. At No.17 Ridgeway Road is a front gabion again of around half a metre in height. To the Hall Street frontage of No.56 Hall Street, is a length of front fence of around 1.6 metres in height. There is a 1.2 metres high paling fence to the Hall Street frontage of No.54 Hall Street. Lastly, a number of properties have wire (chicken wire or similar) front fence arrangements, and a number of properties have no front fences.

In terms of the Zone Future Character Statements, the concern is the potential visual domination of the site and surroundings at odds with a 'tree dominated landscape with houses set in relatively large gardens'. In terms of the Performance Criteria P1 (b), (d), (e) and (f), the concern with (b) and (d) is that the front fence would present a large and visually dominating feature at odds with the prevailing setbacks of buildings on adjoining lots. There is concern with regard to (e) and (f) at the white colour scheme and its likely visual obtrusiveness within a rural and semi bushland zone. It is considered that a lower front fence of muted colours would have a greater degree of suitability given the character and amenity of the surrounding area.

A condition of any planning approval issued is considered warranted, in terms of a maximum front fence height of 1.5 metres and of muted colour scheme.

## Side Boundary Setback

With regard to side boundary setback, the proposed side wall of the dwelling extension would be up to 4 metres in height, while the carport would be a maximum height of 2.7 metres. The side neighbouring property to the south at No.56 Hall Street is of a similar size and on a similar contour to that of the proposal site.

The site is on a saddle between higher hilltops, at the entrance to Ridgeway. A wider visual impact on broader surroundings is therefore unlikely, particularly given the proximity of other existing buildings in this location.

With respect to side setback, Clause 13.4.2 P1 again states (in part) as follows.

Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
- (i) overlooking and loss of privacy;
- (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.

The combined length of the proposed structures facing the southern side boundary would be substantial at 34.1 metres. The side setbacks would range from 3.115 metres for the carport, from 3.380 to 3.880 metres for the main building component, and up to 4.015 metres for the rear roofed component. The carport would have a side wall. The rear roofed component would not have walls. Further, within the 34.1 metre measurement, would be a 2.1 metre 'gap' between the main building and the carport. Building heights would range from up to 4 metres for the main building, around 3 metres for the rear roofed structure, and 2.7 metres for the carport. The main building would have a side wall length of 19.015 metres with, as stated, a maximum wall height of up to 4 metres.

There is some concern at the combined length of walls and structures and the setback from the southern side boundary, and in particular there is concern at the setback of the main building given its height and bulk. The concern is potential visual impact when viewed from the neighbouring property at No.56 Hall Street, in terms of bulk and massing. The concern is as to whether or not a greater side boundary setback of all walls and structures is warranted.

Consideration under the Performance Criteria 13.4.2 P2, as well as the Zone Purpose Statement and the Desired Future Character Statement is as follows.

The proposal is not considered to conflict with the Zone Purpose Statements or the Desired Future Character Statements on the basis that it would continue as a single dwelling on an established cleared residential site.

There is concern with regard to compliance with the Objective under Clause 13.4.2, which states 'to maintain desirable characteristics of the landscape, protect amenity of adjoining lots'. The concern is with regard to the side setback of the main building.

In terms of the Performance Criteria Clause 13.4.2 P2, the applicant site is a reasonably level rectangular lot of similar size to those in its vicinity. As stated, given its position in a 'saddle' the proposal is unlikely to result in any skyline impact. As stated, the site is cleared. Any unreasonable overlooking or loss of privacy to any adjacent lot is considered unlikely, particularly considering the lack of windows facing the side boundary towards the neighbouring property at No.56 Hall Street.

Lastly, is the following requirement (as previously stated).
Building setback from side and rear boundaries must maintain the
desirable characteristics of the surrounding landscape and protect the
amenity of adjoining lots, having regard to all of the following:
(g) be sufficient to prevent unreasonable adverse impacts on residential
amenity on adjoining lots by:
(ii) visual impact, when viewed from adjoining lots, through building bulk

As stated, the main building would be of single storey and would have a side wall length of 19.015 metres with a maximum wall height of up to 4 metres. Its side boundary setback would range from 3.380 to 3.880 metres.

and massing.

The proposed main building would be to the north of the western part of the garden area of No.56 Hall Street, characterised by grass and a number of large eucalypts positioned near the side boundary, which is marked by a paling fence of around 1.8 metres in height. The main building would be northwest of the neighbouring dwelling at No.56 Hall Street, which is set back over 10 metres from the side boundary.

There would be no impact to the northerly aspect of the neighbouring dwelling, while its northwesterly aspect would be in the direction of the proposed main building. There is considered unlikely to be any excessive visual impact of the proposal on the neighbour's dwelling itself due to the relative largely diagonal positioning between it and that proposed, and the compliant setback of neighbouring dwelling.

It is accepted that the maximum 4 metre height of the proposal would remain well within the maximum 8.5 metre height permitted in the Zone

under Clause 13.4.1 Acceptable Solutions A1. Further, that the main building would itself be visually dominated by the scattering of large eucalyptus trees on the neighbouring site.

The concern remains the height and length and setback of the side boundary wall of the main building with respect to the Acceptable Solution. Given the Rural Living zoning and character, there is an argument that a side setback of greater than that proposed is considered warranted.

On the other hand, there are a number of buildings in the neighbourhood that are sited close to property boundaries. At No.17 Ridgeway Road to the northern side of the applicant site, is a dwelling with an estimated side setback at its closest point of under four metres with a wall length of around 16 metres. This example is comparable to that proposed (again, generally being a 19 metre long wall setback from 3.38 to 3.88 metres). Further, the outbuilding at No.56 Hall Street has an estimated one metre side setback from the neighbouring property at No.58 Hall Street. Lastly, the dwelling at No.60 Hall Street has a side boundary setback with No.58 Hall Street of around two metres, and a side wall length of around 11 metres. Given these examples, it is not considered demonstrated that the proposed side setback is out of character with those side setbacks existing on a number of neighbouring properties, all of which are generally of small size given the Rural Living Zone lot size standards.

## In summary, as follows.

- With regard to the side setback of the roofed structure and carport, the proposal is considered reasonably acceptable.
- With regard to the front setback of the carport, the proposal is considered acceptable.
- With regard to the proposed front fence, the proposal is considered acceptable subject to a condition limiting its height to 1.5m and its finish to muted tones.
- With regard to the side setback of the main building, it is not
  considered demonstrated that the proposed side setback is out of
  character with those side setbacks existing on a number of
  neighbouring properties, all of which are generally of small size given
  the Rural Living Zone lot size standards. The discretion with regard to
  side boundary setback in this case is not considered sufficient to
  warrant any recommendation of refusal.

Therefore on balance, the proposal is considered acceptable.

- 6.7.6 The proposal complies with the performance criterion.
- 6.8 Setback and Building Envelope Part D 13.4.4 P1
  - 6.8.1 The acceptable solution at clause 13.4.4 A1 requires as follows.

Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:

- (a) have a combined gross floor area no more than 100 m2;
- (b) have a wall height no more than 6.5 m and a building height not more than 7.5 m;
- (c) have setback from frontage no less than that of the existing or proposed dwelling on the site.
- 6.8.2 The proposal includes a carport with a front setback of 7.425 metres, which does not meet Clause A1(c) as the dwelling would be setback 13 metres.
- 6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.8.4 The performance criterion at clause D13.4.4 P1 provides as follows:

Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:

(a) be less visually prominent than the existing or proposed dwelling on the site:

- (b) be consistent with the scale of outbuildings on the site or in close visual proximity
- (c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.
- 6.8.5 Assessment of the performance criterion follows.

The proposed carport would have dimensions of 4 metres width by 8 metres in length. Its height would be 2.7 metres.

The carport would be setback 7.425 metres from the Ridgeway Road frontage. The front setback of the carport would compare with that of the dwelling of approximately 13 metres.

The carport is likely to remain reasonably consistent with the scale of other outbuildings scattered in the vicinity.

The carport is not considered likely to conflict with the statement of Desired Future Character, in particular due to its relatively minor scale.

On balance, given that the carport would be a simple utilitarian structure, it is likely to be less visually prominent than the dwelling as either existing or proposed.

As stated, with regard to front boundary setback, setbacks of buildings in the vicinity along Ridgeway Road and Hall Street are variable. They range from around 11 metres adjacent at No.17 Ridgeway Road, to around 4 metres being the setback of No.56 Hall Street from that frontage. The frontage as proposed would adopt a reasonably low profile being of single storey in this reasonably level location. Impact on the surrounding streetscape and landscape setting is not considered likely to be excessive.

This aspect of the proposal is considered reasonably acceptable.

- 6.8.6 The proposal complies with the performance criterion.
- 6.9 Design of Vehicle Access E6.7.2 P1 and Surface Treatment E6.7.6 P1
  - 6.9.1 The acceptable solution at clause EE6.7.2 A1 requires the design of vehicular accesses to comply with the relevant Australian Standard, and the acceptable solution at clause E6.7.6 A1 requires accesses to be finished to a sealed standard. (insert clause number) requires (insert what clause requires, so far as relevant to what is proposed).
  - 6.9.2 The proposal includes a new access that doesn't comply with the relevant Australian Standard with respect to sight distances, and which is in part un-sealed.
  - 6.9.3 The proposal does not comply with the acceptable solutions; therefore assessment against the performance criterion is relied on.
  - 6.9.4 The performance criterion at clause E6.7.2 P1 and E6.7.6 P1 provide as follows:

## E6.7.2 P1

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. -

#### E6.7.6 P1

Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:

- (a) the suitability of the surface treatment; -
- (b) the characteristics of the use or development; -
- (c) measures to mitigate mud or dust generation or sediment transport. -
- 6.9.5 The Council's Development Engineer has advised as follows:

Based on the above assessment and given the submitted documentation, sight lines that may be accepted under Performance Criteria P1:E6.7.2 of the Planning Scheme. Given the location of the access and driveway, and the low volume of traffic on the road from which the property gains access.

Surrounding properties exhibit similar access provisions.

Based on the above assessment and given the submitted documentation, the surface treatment may be accepted under Performance Criteria P1:E6.7.6 of the Planning Scheme.

- 6.9.6 It is further noted that the partial non-sealing of the access is to protect the viability of trees on the neighbouring property.
- 6.9.7 The proposal complies with the performance criterion.
- 6.10 Building and Works E10.7.1 P1
  - 6.10.1 The acceptable solution at clause E10.7.1 A1 requires that clearance, conversion of disturbance of native vegetation for an extension to an existing dwelling must be confined to Low Priority Biodiversity Values.
  - 6.10.2 The proposal includes development adjacent to trees on the neighbouring property at 56 Hall Street that are considered to be moderate priority biodiversity values, and due to the proximity of the development to them,

they may be irrevocably impacted on.

- 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 E10.7.1 P1 provides as follows:

Clearance and conversion or disturbance must satisfy the following:

- (a) if low priority biodiversity values:
- (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
- (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fireresistant design of habitable buildings;
- (b) if moderate priority biodiversity values:
- (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
- (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fireresistant design of habitable buildings;
- (iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values...
- 6.10.5 The Council's Environmental Planner has assessed the proposal and his report is provided in full as an attachment to this report. The officer is of the view that:

A further AS4970 assessment was carried out to determine the likely impact to the trees in the absence of the proposed concrete driveway south of the proposed car port. The results are presented in Table 2 below and show that this small change would result in:

- no impact to structural root zones;
- tree protection zone encroachment of 10% or more for only two trees; and
- relatively small TPZ encroachment of 11.7% and 14% for the trees where encroachment would exceed 10%

Given that it is quite likely that the two trees with encroachment above 10% would survive the development, and given these trees are only considered to be of 'low priority biodiversity value', in my opinion if this part of the concrete driveway was not approved, the development would satisfy the performance criterion (subject to appropriate tree protection measures being implemented during construction).

The owner's planning consultant was contacted to discuss this potential condition and indicated that the condition would be accepted.

It is therefore recommended that discretion be exercised with regard to E10.7.1 P1 subject to conditions requiring:

- no development between the southern edge of the car port and extension to the southern boundary (other than the access gate); and
- the implementation of appropriate tree protection measures during construction based on the advice of a suitably qualified person.
- 6.10.6 The proposal complies with the performance criterion subject to the above mentioned conditions.

### 7. Discussion

- 7.1 Planning approval is sought for a partial demolition, alterations, extension, carport and front fencing, at 19 Ridgeway Road.
- 7.2 The application was advertised and received six (6) representations. The representations raised concerns including concern at building boundary setbacks and loss of rural amenity and character, overdevelopment, a decline in the tree dominated landscape, danger to residents from existing trees if roots are damaged by the proposal, and concern over the front fence.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Environmental Development Planner. The officers have raised no objection to the proposal, subject to conditions.

7.5 There has been applicant, owner and neighbour consultation. The applicant was advised (dated 23rd March 2021) of the six representations received and of matters raised. The applicant stated that a response would be provided with regard to concerns raised over impact on the neighbouring trees at No.56 Hall Street.

The applicant was advised (dated 23rd March 2021) of some Development Appraisal Planner concern with regard to the proposed southern side boundary setback of the proposal and potential impact on the amenity of the neighbouring property at No.56 Hall Street, as well as potential impact on trees on that neighbouring property. The applicant has granted an extension of time to allow Council consideration of the proposal.

Discussion was held with the owner dated the 29th March 2021.

The owner is aware of the representations received and matters raised.

The owner advises that, with regard to the trees, there is an existing excavated septic drainage area, between the applicant house extending south to around 1.5 metres from the side boundary with No.56 Hall Street. The point raised by the applicant is that the area of the proposed extension near the side boundary, is an existing excavated area for drainage. The owner argues that the impact of proposed works on the health of the trees on the neighbouring property would therefore by minimal.

The owner also stated a strong desire to pursue the plan as proposed. The owner argues the lot is of limited size, and the required 10 metre side setback would not be feasible. The owner questions the benefit to neighbouring parties, of any redesign to provide for an increased side setback of up to 5 or 6 metres.

7.6 The proposal is recommended for approval.

## 8. Conclusion

8.1 The proposed partial demolition, alterations, extension, carport and front fencing at 19 Ridgeway Road, Ridgeway TAS 7054 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, extension, carport and front fencing at 19 Ridgeway Road, Ridgeway TAS 7054 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-20-574 - 19 RIDGEWAY ROAD RIDGEWAY TAS 7054 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

### PLN 9

The front fence along the front boundary must be no more than 1.5 metres in height above natural ground level and of muted colour scheme in order to avoid adverse impact on the visual amenity of the site and surroundings.

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

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

Reason for condition

To provide reasonable opportunity for privacy for dwellings and to maintain the streetscape and landscape setting.

## ENG sw1

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

occurs first).

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

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

Reason for condition

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

### **SW** 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

- include detailed design and supporting calculations of the detention tank showing:
  - detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
  - 2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  - 3. the discharge rates and emptying times; and
  - 4. all assumptions must be clearly stated;
- include a supporting maintenance plan, which specifies the required 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: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

### ENG 3a

The access driveway, and parking module (parking spaces, 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 enables safe, easy and efficient use.

#### 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 design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, or issuing of any approval under the *Building Act 2016*, whichever occurs first.

The access driveway 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,
- Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
- 4. Show other details as Council deem necessary to satisfy the above requirement.

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

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

## ENG 4

The access driveway approved by this permit must be in part (see Advice) 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, or commencement of use, whichever occurs first.

Advice: This condition will be considered satisfied if the following is undertaken:

A sealed driveway from the edge of the road pavement of Ridgeway Road to the property boundary (approximately 8 metres) extending a further five metres into the property is to be constructed and the remainder of the driveway access and carparking areas are to be gravel.

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<sub>1</sub>

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

- 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 r3

Prior to the commencement of use, the proposed driveway crossover, between 19 Ridgeway Road and the Council highway reservation, must be designed and constructed in accordance with:

- Rural TSD-R04-v1 Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access
- Or a Council City Infrastructure Division approved alternate design.

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. The design drawing must:

- Show the cross and long section of the driveway crossover within the highway reservation and onto the property.
- Detail any services or infrastructure (i.e. 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. If the design deviates from the requirements of the TSD then the drawings must 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.
- 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: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

ENV 9

No development is to occur south of the southern edge of the car port, extension and shed (including the concrete driveway), apart from the hinged access gate shown on Strategy Diagram revision H.

Reason for condition

To ensure the development does not result in unnecessary or unacceptable loss of priority biodiversity values

### **ENV 10**

An approved Tree Protection Plan must be implemented and complied with.

Prior to the commencement of work and prior to the granting of building consent, a Tree Protection Plan must be submitted and approved.

### The Tree Protection Plan must:

- be prepared by a suitably qualified person (e.g. an experienced and qualified arboriculturalist or arborist);
- specify measures to be implemented during construction works to minimise the risk of damage to the trees adjacent the southern boundary, including impacts to tree protection zones as determined using AS4970: Protection of trees on construction sites;
- · include areas to be excluded from all works, traffic, storage etc.; and
- include specifications for fencing or suitable barriers to delineate exclusion areas and appropriate signage.

## Reason for condition

To ensure the development does not result in unnecessary or unacceptable loss of priority biodiversity values

## ENV 2

Sediment and erosion control measures, 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 as a Condition Endorsement 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: This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for Condition

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

### ADVICE

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

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

### CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's online services e-planning portal. Detailed instructions can be found here.

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

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

## **BUILDING PERMIT**

You may need building approval in accordance with the *Building Act 2016*. Click here for more information.

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

## **PLUMBING PERMIT**

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

### OCCUPATION OF THE PUBLIC HIGHWAY

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

### 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 Infrastructure 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 Infrastructure 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.



(Richard Bacon)

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: 15 April 2021

## Attachment(s):

Attachment B - CPC Agenda Document

Attachment C - Planning Referral Officer Environmental Development Planner Report





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DRAWING No.	DESCRIPTION	ISSUED	DRAWING No.	DESCRIPTION	ISSUED
AD.01	LOCATION.PLAN	0	A3.01	MAIN ENTRANCE VIEW 01	
A0.02	1:200 STRATEGY DIAGRAMS		A3.02	MAIN ENTRANCE VIEW 02	
A0.03	1:200 DEMOLITION PLAN		A3.03	COURTYARD VIEW 01	
A0.04	1:200 SITE PLAN		A304	COURTYARD VIEW 02	
			A3.05	COURTYARD VIEW 03	
A1.01	1:100 FLOOR PLAN		A3.06	DECK VIEW	
A1.02	1:100 ROOF PLAN		1		
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LOCATION PLAN

A0.01

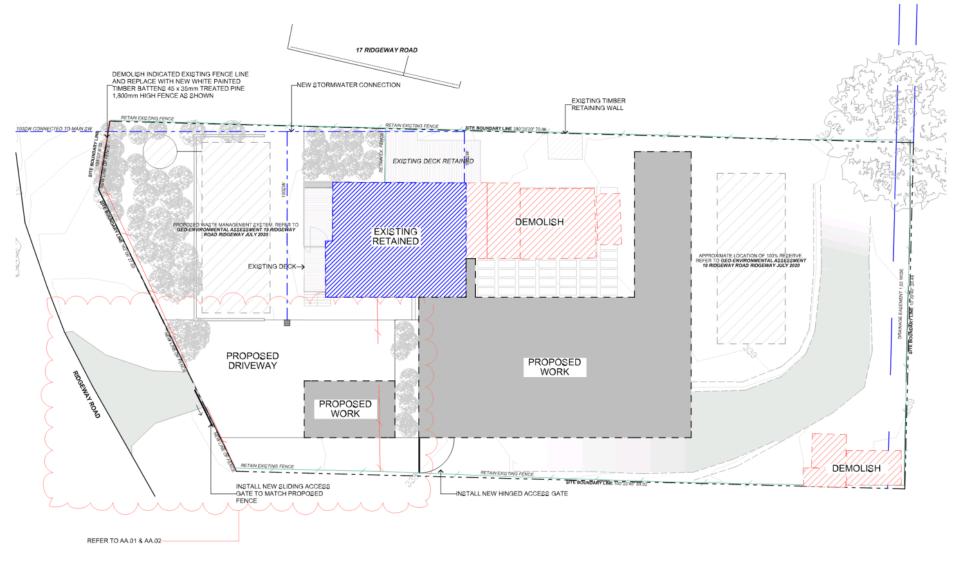


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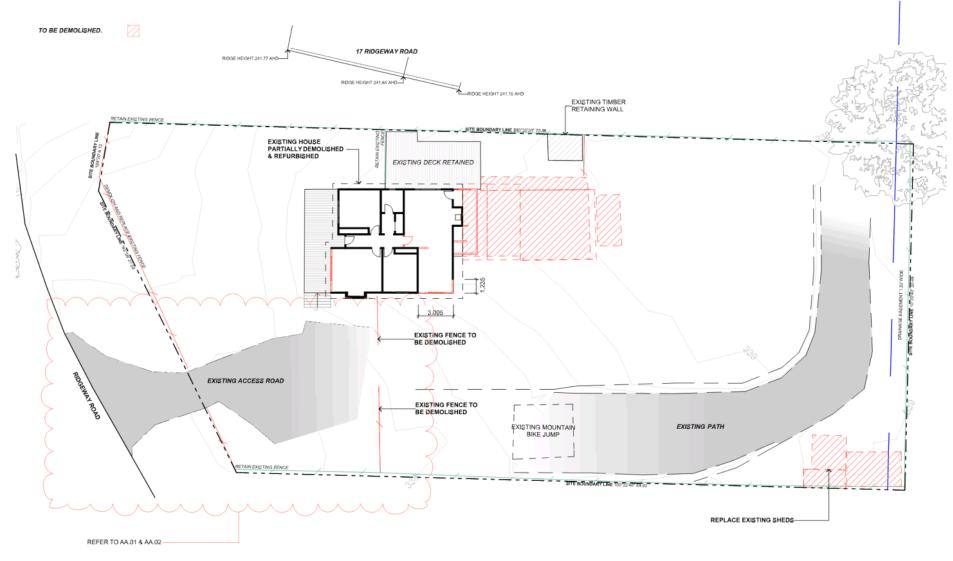
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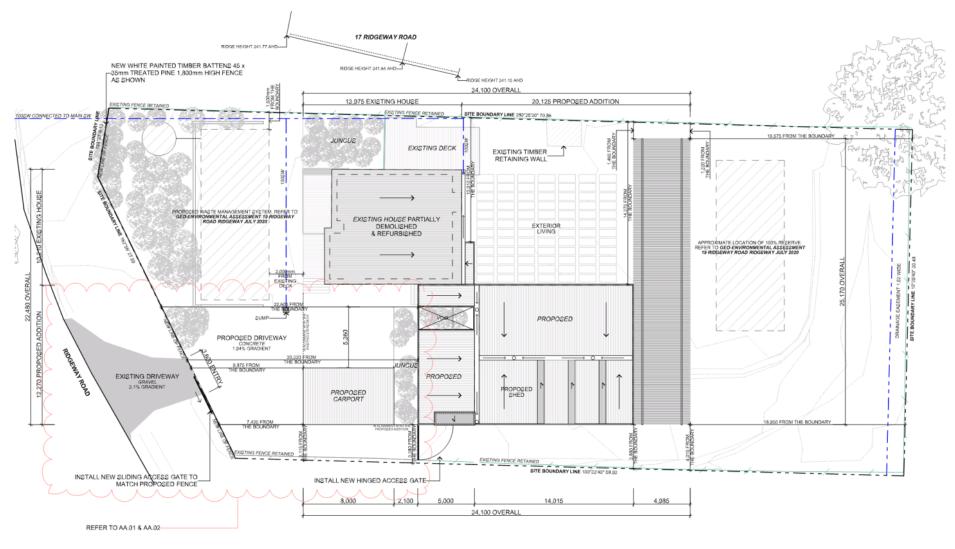
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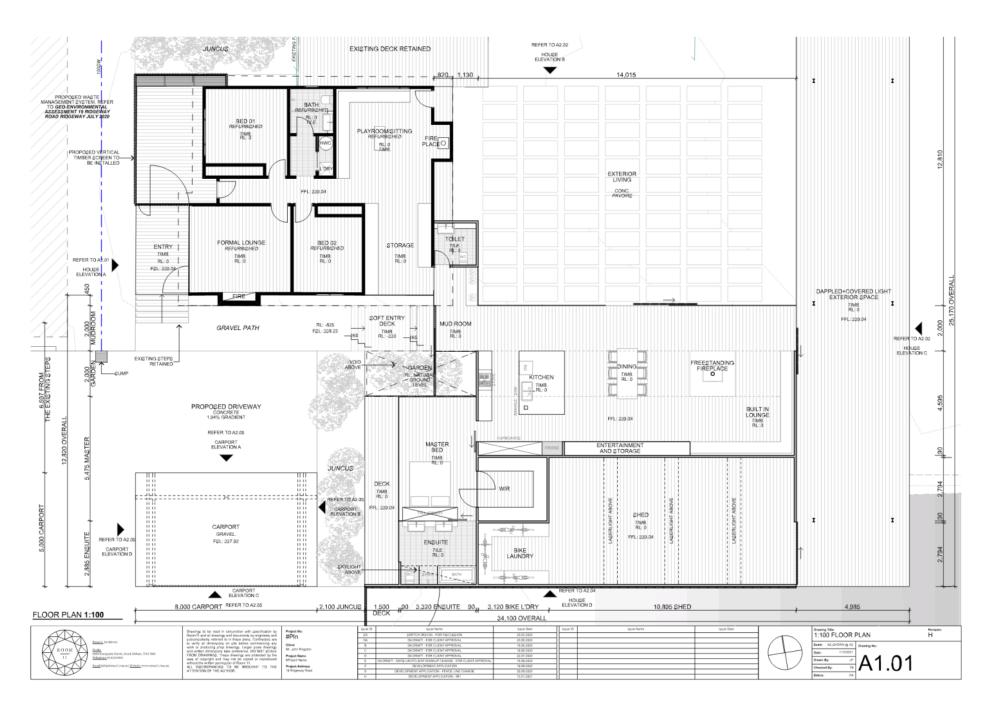
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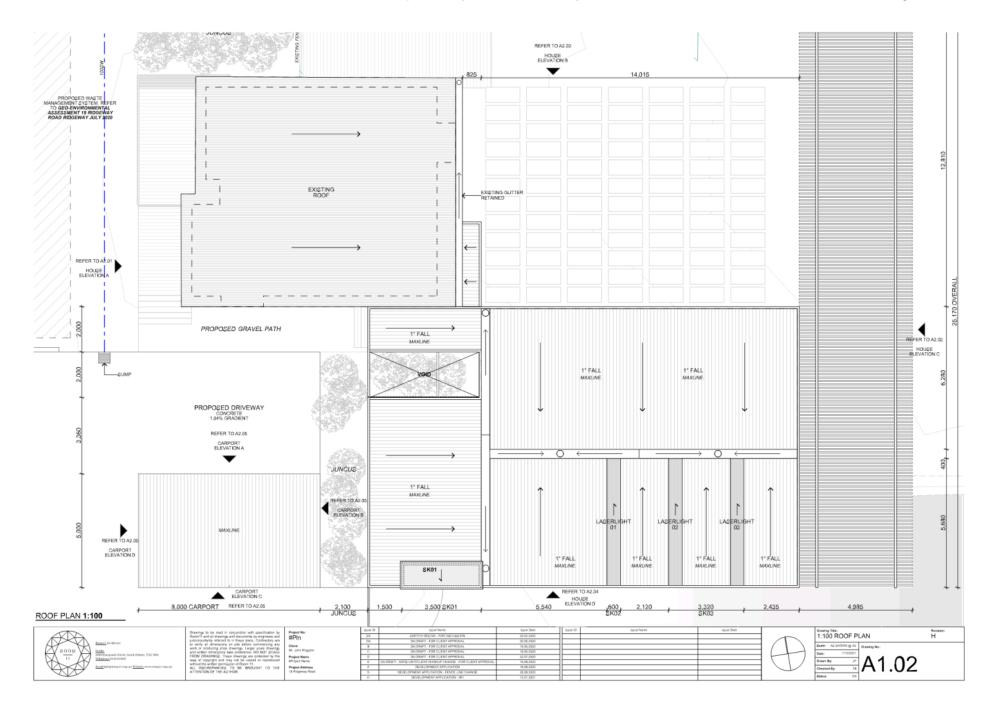




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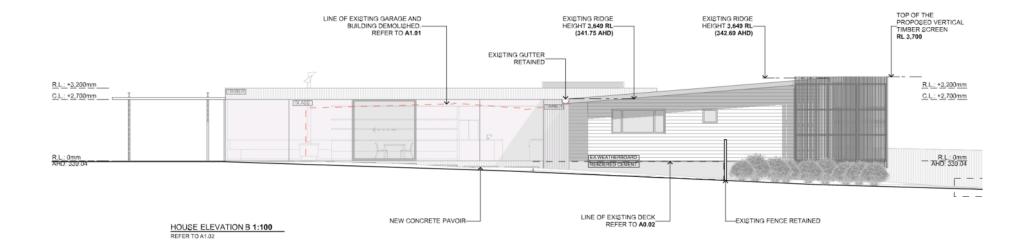
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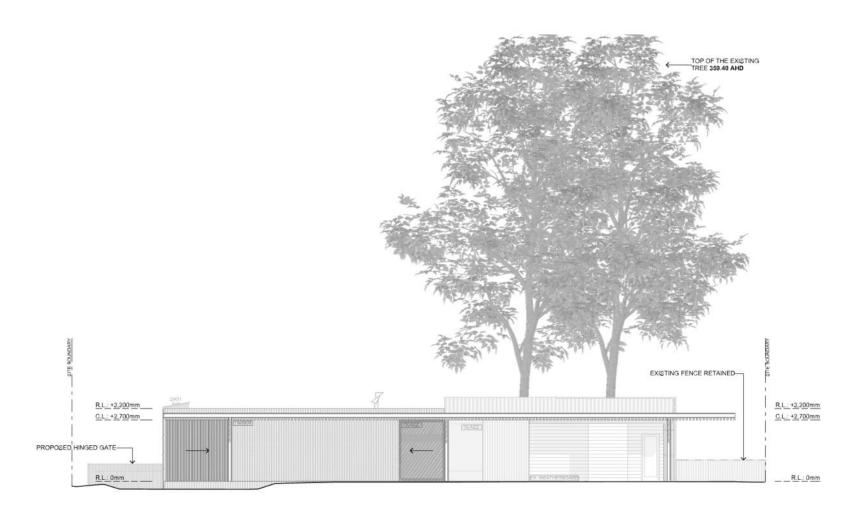




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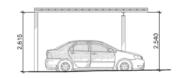
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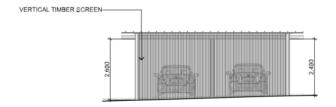
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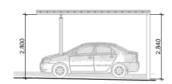
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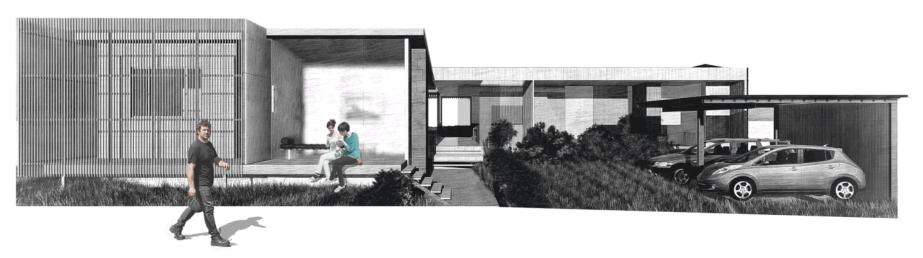
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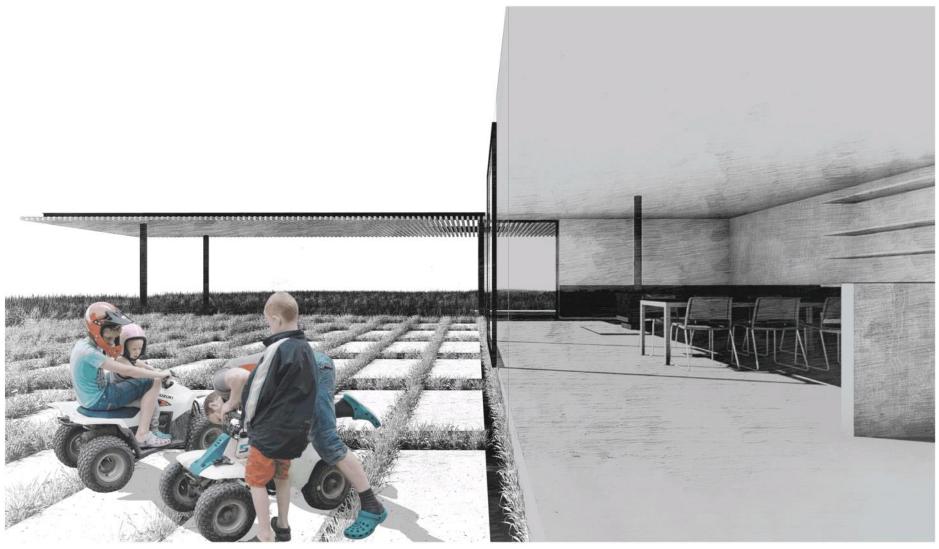
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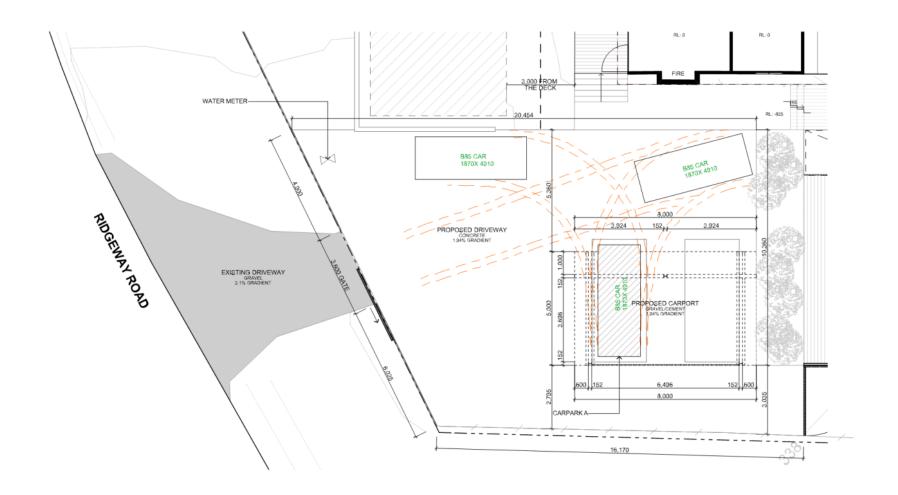


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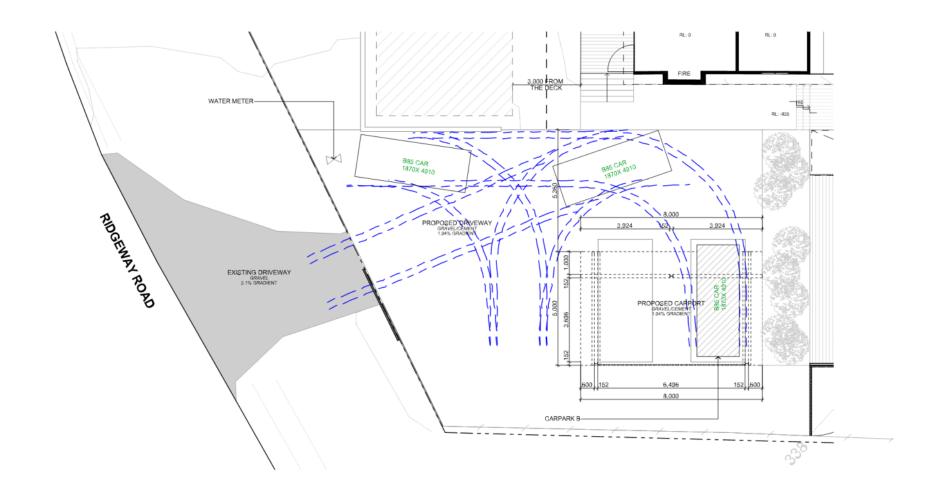


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Room11
Studio 358B Macquarie St, South Hobart 7004, Tasmania
Post PO Box 116, South Hobart 7004, Tasmania
Telephone 03-6224-8642
Email info@room11.com.au Website www.room11.com.au

To: HCC Planning Officer Re: PLN-20-574 19 Ridgeway Road, Ridgeway RESPONSE TO RFI

To Planning Officer,

The property subject to the above Development Application number, 19 Ridgeway Road, has an approved plumbing permit from HCC for the upgrade to on site wastewater management. The approved on site wastewater management plan was designed by Geoenvironmental Solutions with consideration to the proposed Addition and Alteration to the dwelling, under the current DA.

For your refrence the plumbing permit number is PMB-20-354.

I trust that this will be sufficient information to satisfy the outstanding RFI.

If you require anything else, please contact my colleague Kate Phillips directly at kate @room11.com.au.

Yours sincerely, Room 11 Architects

Thomas Bailey

Architects AIA Director Room11



#### Room11

<u>Studio</u> 358B Macquarie St, South Hobart 7004, Tasmania <u>Post</u> PO Box 116, South Hobart 7004, Tasmania <u>Telephone</u> 03-6224-8642 <u>Email</u> info@room11.com.au Website <u>www.room11.com.au</u>

### 19 Ridgeway Road, Ridgeway TAS

<u>Date:</u> 25.08.2020

Client: John and Jennifer Kingston

Project: 19 Ridgeway Road

Address: 19 Ridgeway Road, Ridgeway TAS

Dear Hobart City Council Planning,

Re: 19 Ridgeway Road, Alterations and Additions to Dwelling RFI PLN-20-574

In response to HCC Request for Further Information on the above application, see

Please state the light reflectance value of exterior surfaces

The addition to dwelling has external cladding of weatherboard and fibre cement sheet cladding, black paint finish. While the specific paint manufacturer has not yet been selected, we can safely assume that the light reflectance value will be between 5% and 10%

Part of the proposal has vertical timber cladding. This is not intended to have a finish, and rather will age in place. The light reflectance value of this natural material will change over time, however it is safe to assume it will be around 20%

The roof of the proposed addition is to be clad in a standing seam profile Colorbond Monument Matt. The light reflectance value of this finish is 9%. Please refer to Dulux powdercoating LRV table in the link below.

https://duluxpowders.com.au/wp-content/uploads/2016/02/Dulux-Powders-RGB-LRV-Values-Feb2016.pdf

If any further information is required regarding these responses, please feel free to contact us at the earliest convenience and we can provide as needed.

Yours sincerely, Room 11 Architects

Thomas Bailey

Architects AIA

Director

Room11



#### Room11

Studio 358B Macquarie St, South Hobart 7004, Tasmania Post PO Box 116, South Hobart 7004, Tasmania Telephone 03-6224-8642 Email info@room11.com.au Website www.room11.com.au

#### 19 Ridgeway Road, Ridgeway TAS

Date: 25.08.2020

Client: John and Jennifer Kingston

Project: 19 Ridgeway Road

Address: 19 Ridgeway Road, Ridgeway TAS

Dear Hobart City Council Planning,

#### Re: 19 Ridgeway Road, Alterations and Additions to Dwelling

In support of our application for alterations and additions to existing dwelling at 19 Ridgeway Road, Ridgeway, please see below our address of the Performance Criteria relating to the discretionary elements of our application

The site is located in the Rural Living Zone of Hobart Interim Planning Scheme 2015.

The site is currently the location of an existing 3 bedroom dwelling, with additions and sheds.

existing garage addition to the rear of the existing house, and to refurbish the existing house to contain two bedrooms, a formal lounge, and playroom. The existing sheds in the south eastern corner of the allotment, abutting the Southern boundary will be demolished and removed.

To the south eastern corner of the house the proposal is for an addition, comprising a master bedroom suite, with ensuite, open plan family kitchen/dining/living area, and to create a new entrance to the house. In addition to this, the proposal comprises a new storage shed and bike laundry. The site planning includes an outdoor living space to the north of the addition, behind the envelope of the existing house, and a covered outdoor space to allow for shaded outdoor recreation, and a carport in alignment with the existing house front deck.

The proposed carport is set back from the southern boundary of the property at the min 3.115m (see 1:200 Site Plan A0.04). The proposed additions are in alignment with the orientation of the existing house, which is not parallel to the southern boundary. As such, the proposed addition is setback from the southern boundary min 3.38m, and max 3.88m.

Hobart Interim Planning Scheme 2015 Clause 13.4.2 Setback A1 Building Setback from frontage must be no less than 10m

The proposed addition is set back from frontage 20.32m,. The proposal complies with  ${\rm A1}$ 

A2 Building setback from side and rear boundaries must be no less than 10m.

The proposed addition is setback from the Southern boundary 3.38m, there fore does not comply with the Acceptable Solution A2, as is the case with the existing building on site, and properties at no. 7-9 Ridgeway Road, no. 17 Ridgeway Road, 56 Hall Street, 54 Hall Street, 58-60 Hall Street, and many others in the area that are in the Rural Living Zone. See below our address Performance Criteria P2.

P2 Building Setback from side and rear boundaries must maintain the desirable characteristic of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

(a) the topography of the site;

The lot has a gentle cross slope from the north to the south (refer DRG A2.01) The proposed building addition height is below the ridge line of the existing house, and follows the fall of the land. The proposed carport is lower again, and is visually unobtrusive and thus compliant with the Performance Criteria above.

(b) the size and shape of the site;

The site is a rectilinear shape, with a front (EAST) boundary that is angled, and follows Ridgeway Road. The long boundaries are the north and south boundaries. The proposed building additions are located along the Southern Boundary, with a minimum setback from the Southern Boundary of 3380mm. The siting is intended to maximise the Northern Exposure to the new Living/ Kitchen/ and Dining areas, and create a connection with the protected courtyard that forms the new Exterior Living space (refer DRG A.04). The existing house on the site that is to remain and be refurbished is 4.67m from the Northern boundary. By mirroring the setback to the Southern boundary the proposal presents a balanced facade to the street.

(c) the location of existing buildings on the site;

The existing house on the site has a front (east) setback of 13.11m and a north boundary setback of 4.67m.

The proposed additions to the house have a setback from the front of 20.32m. The proposed additions is set further back on the site, to maintain the street presence of the existing house.

(d) the proposed colours and external materials of the building;

The addition has external finishes of timber, glass, and black painted FC sheet and weatherboards on the southern elevation.

The black painted FC sheet and weatherboard cladding to the Southern Elevation of the addition (shed wall) is to be in a satin finish, to present as visually unobtrusive as possible when viewed from neighbouring properties.

(e) visual impact on skylines and prominent ridgelines; There is no impact on skylines and prominent ridgelines from the proposal.

(f) impact on native vegetation:

The site is currently cleared, with minimal planting. There is no impact on native vegetation from the proposal.

(g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:

(i) overlooking and loss of privacy;

The proposed addition has no windows towards the southern boundary, so there is no ability for occupants to overlook to the southern neighbouring property. Refer to DRG A2.01.

(ii) visual impact, when viewed from adjoining lots, through building bulk and massing.

The proposed addition is setback 3.38m from the Southern Boundary and has a maximum height from natural ground level of xxx, and therefore its bulk is minimised. The proposed addition will have minimal visual impact from the adjoining lot on the Southern Boundary (no. 56 Hall Street) as it is screened by mature trees on the site.

If any further information is required regarding these responses, please feel free to contact us at the earliest convenience and we can provide as needed.

Yours sincerely, Room 11 Architects

Thomas Bailey

Architects AIA

Director

Room11

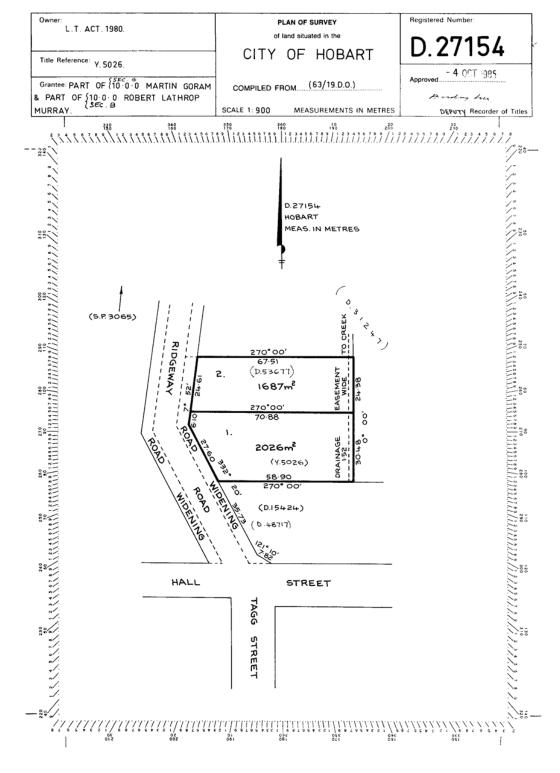


### **FOLIO PLAN**

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980



Search Date: 24 Aug 2020

Search Time: 07:48 AM

Volume Number: 27154

Revision Number: 01

Page 1 of 1



### **RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
27154	1
EDITION	DATE OF ISSUE
6	05-Feb-2020

SEARCH DATE : 20-Aug-2020 SEARCH TIME : 11.46 AM

#### DESCRIPTION OF LAND

City of HOBART Lot 1 on Diagram 27154 Derivation: Part of 10 Acres Gtd. to M. Goram and Part of 10 Acres Gtd. to R.L. Murray Prior CT 4210/13

#### SCHEDULE 1

M800513 TRANSFER to JOHN EDWARD KINGSTON and JENNIFER MARGARET KINGSTON Registered 05-Feb-2020 at 12.01 PM

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: the full free right and liberty for the
Purchasers their heirs and assigns and the owner or
owners occupier and occupiers for the time being of
the said land within described and their tenants
servants and workmen and all persons at any time
hereunto authorised by them from time to time and at
all times hereafter by day and by night with or
without carts carriages horses beasts or animals and
motor vehicles laden or unladen over and upon the
strip of land shewn in Diagram No. 27154 and marked
"Road Widening"

BENEFITING EASEMENT: the full and free right and liberty for the Purchasers their heirs and assigns of making and laying storm water drains and of using all drains now made or hereafter to be made under or over the strip of land 1.52 metres wide shewn as Drainage Easement passing through Lot 2 on Diagram No. 27154 and their tenants servants and workmen and all and every other person or persons hereunto authorised by them from time to time at all times hereafter with power at all times upon giving previous reasonable notice enter upon the said strip of land to make lay cleanse repair or maintain any pipes or drains the person or persons so entering to make good all drainage

# Page 91 ATTACHMENT B



### **RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



occasioned to the surface thereby

BURDENING EASEMENT: a like right of drainage for Lawrence John Phillip Crawford his heirs and assigns and the owner and owners for the time being of the balance of Ten acres of land over the strip of land 1.52 metres shewn as Drainage Easement passing through Lot 1 on Diagram No. 27154

33/3763 INDENTURE Made Subject to Boundary Fences Condition E200839 MORTGAGE to AMP Bank Limited Registered 05-Feb-2020 at 12.02 PM

### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Enquiries to: City Planning Phone: (03) 6238 2715

Email: coh@hobartcity.com.au

### PAYMENT SUMMARY

ABN: 39 055 343 428

**PLEASE NOTE:** Payments can **only** be made via Council's online development portal payment gateway or by calling Customer Services on (03) 6238 2190.

02/09/2020

YOUR REFERENCE ONLY: T2001

Kate Phillips

To: 358b Macquarie Street

SOUTH HOBART TAS 7004

Description	Amount
Planning Permit Advertising Fee*	\$ 300.00
Planning Permit Fee	\$ 600.00
Total <sup>*</sup> :	\$ 900.00
Includes GST of:	\$ 27.27

Tax Receipt will be issued on payment.

Hobart City Council 16 Elizabeth Street, Hobart 7000

### Tax Invoice Official Receipt

ABN: 39 055 343 428

21/08/2020

Receipt No: 198775

Kate Phillips

358b Macquarie Street SOUTH HOBART TAS 7004 To:

Description Reference Planning Permit Advertising Fee<sup>±</sup> Planning Permit Fee

\$ 300.00 \$ 600.00

 $\mathbf{Transaction} \; \mathbf{Total}^{\star} \mathbf{:}$ 

\$ 900.00

Includes GST of:

\$ 27.27

Cheque payments subject to bank clearance

Enquiries to: City Planning Phone: (03) 6238 2715

Email: coh@hobartcity.com.au

### PAYMENT SUMMARY

ABN: 39 055 343 428

**PLEASE NOTE:** Payments can **only** be made via Council's online development portal payment gateway or by calling Customer Services on (03) 6238 2190.

02/09/2020

YOUR REFERENCE ONLY: T2001

Kate Phillips

To: 358b Macquarie Street

SOUTH HOBART TAS 7004

Description	Amount
Planning Permit Advertising Fee*	\$ 300.00
Planning Permit Fee	\$ 600.00
	<b># 000 00</b>
Total <sup>*</sup> :	\$ 900.00
Includes GST of:	\$ 27.27

Tax Receipt will be issued on payment.

# Application Referral Environmental Development Planner - Response

From:	Rowan Moore br /> Environmental Development Planner br /> 14 April 2021
Recommendation:	Proposal is acceptable subject to conditions.
Date Completed:	
Address:	19 RIDGEWAY ROAD, RIDGEWAY
Proposal:	Partial Demolition, Alterations, Extension, Carport, and Front Fencing
Application No:	PLN-20-574
Assessment Officer:	Richard Bacon,

#### Referral Officer comments:

### Codes Applicable:

Code	Applicable	Exempt	Permitted	Discretionary
E1.0 Bushfire-	No			
Prone Areas				
E3.0 Landslide	No			
E9.0 Attenuation	No			
E10.0	Yes	No	No	Yes - E10.7.1 P1
Biodiversity				
E11.0 Waterway	No			
& Coastal				
E15.0 Inundation	No			
Prone Areas				
E16.0 Coastal	No			
Erosion				
E18.0 Wind &	No			
Solar Energy				
E20.0 Acid	No			
Sulfate Soils				

### Assessment:

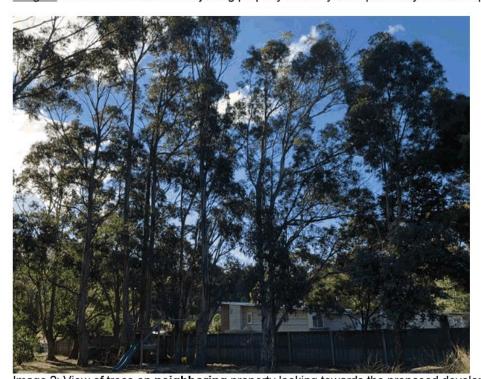
Approval is sought for extensions and alterations to an existing house at 19 Ridgeway Road, Ridgeway.

### **Biodiversity Code**

The Code applies because development is proposed that is likely to lead to the death of native vegetation within a Biodiversity Protection Area. There are twelve native trees on the adjacent property to the south that are close to the footprint of the proposed development (refer to Image 1 below).



Image 1: Aerial view of trees on adjoining property that may be impacted by the development



<u>Image 2:</u> View of trees on **neighboring** property looking towards the proposed development site (photo supplied in representation)

Based on the information provided in a representation about the tree's locations and tree protection zone (TPZ) sizes, the trees structural root zones (SRZs), as determined using Australian Standard *AS4970: Protection of Trees on Development Sites*, were calculated and plotted on the proposed site plan (refer to Figure 1 below). The TPZs were also plotted on the proposed site plan (refer to Figure 2 below).

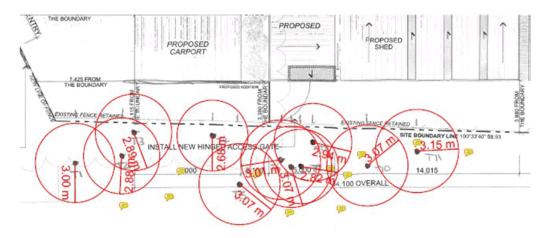


Figure 1: Structural root zones relative to the proposed development

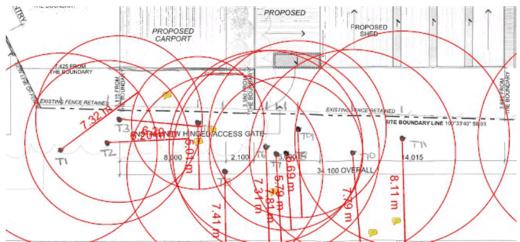


Figure 2: Tree protection zones relative to the proposed development

As can be seen in Figure 1, the proposed concrete driveway would encroach upon the SRZs of trees 3 and 4, and as can be seen in Figure 2, the development would encroach upon all of the tree's TPZs.

Under AS4970, any encroachment into a SRZ is considered fatal to the tree's structural stability. Encroachment of less than 10% into a tree's TPZ is considered generally acceptable under the standard and further impact assessment is not required.

The degree of encroachment into TPZs was calculated and all relevant values are presented in Table 1 below.

Ħ	Species¤	(m)¤	TPZ·radius·	SRZ-radius-	SRZ-Impact¤	TPZ·area· (m2)¤	Encroachment-• area-(m2)¤
1¤	E. globulous¤	0.60¤	7.3¤	3.0¤	No¤	168.1¤	27.4¤
2¤	E. obliqua¤	0.52¤	6.2¤	2.9¤	No¤	120.9¤	26.9¤
3¤	E. obliguo <mark>g</mark>	0.53¤	6.3¤	2.9¤	Yes¤	124.6¤	49.5¤
4¤	T. attiqued	0.42¤	5.0¤	2.7¤	Yes¤	79.1¤	28.0¤
5¤	E. globulous¤	0.62¤	7.4¤	3.1¤	No¤	173.1¤	21.6¤
6¤	E. globulous¤	0.60¤	7.3¤	3.0¤	No¤	168.2¤	22.2¤
7¤	E. globulous¤	0.65¤	7.8¤	3.1¤	No¤	191.6¤	21.5¤
8¤	E. alabulousa	0.48¤	5.8¤	2.8¤	No¤	105.1¤	2.54¤
9¤	E. globulous¤	0.56¤	6.7¤	2.9¤	No¤	140.4¤	22.0¤
10¤	E. alobulous	0.65¤	7.8¤	3.1¤	No¤	190.7¤	8.9¤
11¤	E. viminalis¤	0.68¤	8.1¤	3.1¤	No¤	206.7¤	24.2¤
12¤	A. melanoxylon	0.70¤	8.1¤	3.1¤	No¤	221.5¤	10.0¤

Table 1: Tree details including SRZ impact and TPZ encroachment

As can be seen in Table 1, two trees would have TRZ impact from the proposed development and an additional seven trees would have TPZ encroachment of 10% or greater. It is therefore reasonable to assume that 2 trees would definitely not survive the development due to SRZ encroachment and that an additional seven trees may not survive the development.

No code exemptions are applicable to the proposal.

The relevant standards are under clause E10.7.1 'Buildings and Works'. Acceptable solution A1 states the following:

Clearance and conversion or disturbance must comply with one of the following...

- (c) the development is other than for a single dwelling on an existing lot within the Low Density Residential Zone, Rural Living Zone or Environmental Living Zone and:
- (i) clearance and conversion or disturbance is confined to Low Priority Biodiversity Values;
- (ii) the area of clearance and conversion is no more than 1,000 m2;
- (iii) the area of disturbance is no more than 1,000 m2;

While the canopy area of the subject trees is less than 1000m<sup>2</sup>, in my opinion the *Eucalyptus globulous* trees meet the criteria for 'moderate priority biodiversity value' under Table E10.1 of the Code, being 'moderately significant actual or potential habitat' for a species listed as endangered under the *Threatened Species Protection Act 1995* and listed as threatened under the *Environment Protection and Biodiversity Conservation Act 1999*. Blue gums with a DBH greater than 40cm are considered potential foraging habitat for swift parrots.

The trees are not considered to be highly significant habitat as they would not produce large volumes of flowers having DBHs of no more than 70cm and because blue gums are common throughout the local landscape. They would also be very unlikely to contain significant nesting hollows being relatively young, with healthy canopies and minimal dead wood.

The other tree species are considered 'low priority biodiversity value' under Table E10.1.

Performance criterion P1 states the following:

Clearance and conversion or disturbance must satisfy the following:

- (a) if low priority biodiversity values:
- (i) development is designed and located to minimise impacts, having regard to constraints

such as topography or land hazard and the particular requirements of the development; (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;

#### (b) if moderate priority biodiversity values:

(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings; (iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values...

In my opinion the proposed development has not been adequately designed and sited to minimise impacts, as the development would irrevocably impact 2 *E. obliqua* trees and potentially seven other trees and no mitigation or management measures have been proposed. Only three of the twelve trees have been assessed as being likely to survive using the AS4970 methodology.

No vegetation removal has been proposed for bushfire mitigation purposes so (ii) is no relevant.

There are no blue gums or other vegetation of 'moderate priority biodiversity value' on the development site so (iii) is not applicable.

A further AS4970 assessment was carried out to determine the likely impact to the trees in the absence of the proposed concrete driveway south of the proposed car port. The results are presented in Table 2 below and show that this small change would result in:

- no impact to structural root zones;
- tree protection zone encroachment of 10% or more for only two trees; and
- relatively small TPZ encroachment of 11.7% and 14% for the trees where encroachment would exceed 10%.

Ħ	Species¤	(m)¤	TPZ-radius-	SRZ-radius-	SRZ-Impact¤	TPZ·area· (m2)¤	Encroachment-∙ area-(m2)¤
1¤	E. globulous	0.60¤	7.3¤	3.0¤	No¤	168.1¤	6.2¤
2¤	E. obliqua¤	0.52¤	6.2¤	2.9¤	No¤	120.9¤	2.4¤
3¤	E. obliqua¤	0.53¤	6.3¤	2.9¤	No¤	124.6¤	17.5¤
4¤	E. obliqua	0.42¤	5.0¤	2.7¤	No¤	79.1¤	3.9¤
5¤	Eglobulous¤	0.62¤	7.4¤	3.1¤	No¤	173.1¤	0.0¤
6¤	Ealobulous¤	0.60¤	7.3¤	3.0¤	No¤	168.2¤	8.4¤
7¤	E. globulous	0.65¤	7.8¤	3.1¤	No¤	191.6¤	8.5¤
8¤	E. globulous	0.48¤	5.8¤	2.8¤	No¤	105.1¤	0.0¤
9¤	E. globulous	0.56¤	6.7¤	2.9¤	No¤	140.4¤	13.9¤
10¤	E. globulous¤	0.65¤	7.8¤	3.1¤	No¤	190.7¤	8.9¤
11¤	E. viminalis¤	0.68¤	8.1¤	3.1¤	No¤	206.7¤	24.2¤
12¤	A. melanoxylon	0.70¤	8.1¤	3.1¤	No¤	221.5¤	10.0¤

<u>Table 2</u>: Tree details including SRZ impact and TPZ encroachment if proposed concrete driveway not constructed south of the car port

Given that it is quite likely that the two trees with encroachment above 10% would survive the development, and given these trees are only considered to be of 'low priority biodiversity value', in my opinion if this part of the concrete driveway was not approved, the development would satisfy the performance criterion (subject to appropriate tree protection measures being

implemented during construction).

The owner's planning consultant was contacted to discuss this potential condition and indicated that the condition would be accepted.

It is therefore recommended that discretion be exercised with regard to E10.7.1 P1 subject to conditions requiring:

- no development between the southern edge of the car port and extension to the southern boundary (other than the access gate); and
- the implementation of appropriate tree protection measures during construction based on the advice of a suitably qualified person.

### **Recommended Conditions:**

No development between the southern edge of the car port and extension to the southern boundary (other than the access gate).

Implement approved tree protection measures

ENV 1 - SWM

#### **Recommended Advice:**

N/A