

GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 4 DECEMBER 2023



GLENORCHY CITY COUNCIL

- * Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.
- * All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.

Chairperson: Alderman Bec Thomas

Hour: 3.30 p.m.

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1. PLANNING AUTHORITY DECLARATION

The Chairperson stated that the Glenorchy Planning Authority intended to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 6 November 2023 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - PARTIAL DEMOLITION, ADDITIONS AND ALTERATIONS TO DWELLING (RESIDENTIAL) - 7 STRATHAVEN DRIVE ROSETTA

Author: Planning Officer (Naman Kumawat)

Qualified Person: Planning Officer (Naman Kumawat)

Property ID: 3286234

REPORT SUMMARY

Application No.:	PLN-23-228
Applicant:	Design East
Owner:	G B Burrows
Zone:	General Residential Zone and Environmental Management Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 Setbacks and building envelope for all dwellings(P3); 23.4.2 Building height, setback and siting (P2); C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area (P1.1) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	N/A
42 Days Expires:	5 December 2023
Existing Land Use:	Single Dwelling
Representations:	4
Recommendation:	Approval subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes several changes to the existing dwelling, including alterations, additions, and partial demolitions. These modifications include the following:

- a) Demolition of the existing driveway, carport, utilities room, entry, living, dining, kitchen, bathroom, laundry and some external walls as shown in Figure.1.
- b) Removal of one (1) tree on the northern portion of the site. The tree is dead, and the roots are said to be impacting the building as shown in Figure.2
- c) Extension to the dwelling resulting in an overall floor area of 381sqm. The extension would result in the dwelling containing three (3) bedrooms, three (3) bathrooms, kitchen and dining, living, lounge room, study, studio and a double garage with a toilet as shown in Figure 3.
- d) A new driveway would be constructed from the proposed garage straight to Strathaven Drive.

The proposal would result in the dwelling having a setback from the frontage of approximately 43m, 6.055m and from the western boundary, 2.015m from the northeastern boundary and located on the southeastern boundary. The maximum height of the dwelling is 5.45m

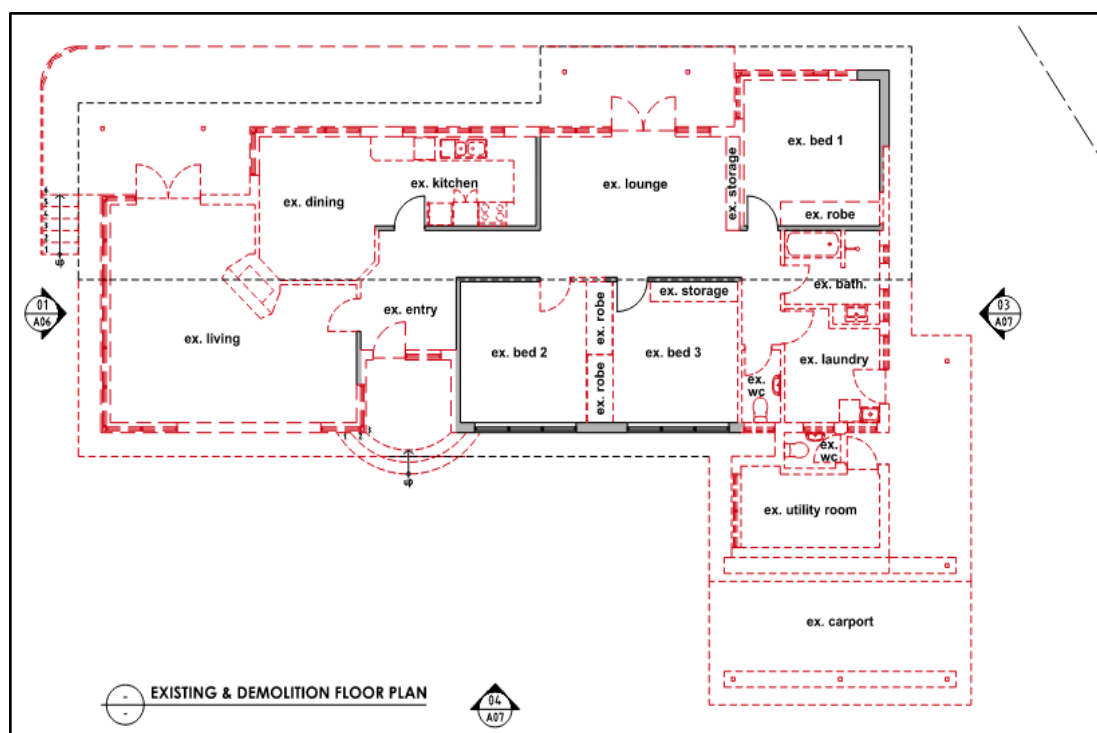


Figure.1: Renovation/Alterations/Demolition internal of existing house at 7 Strathaven Drive, Rosetta

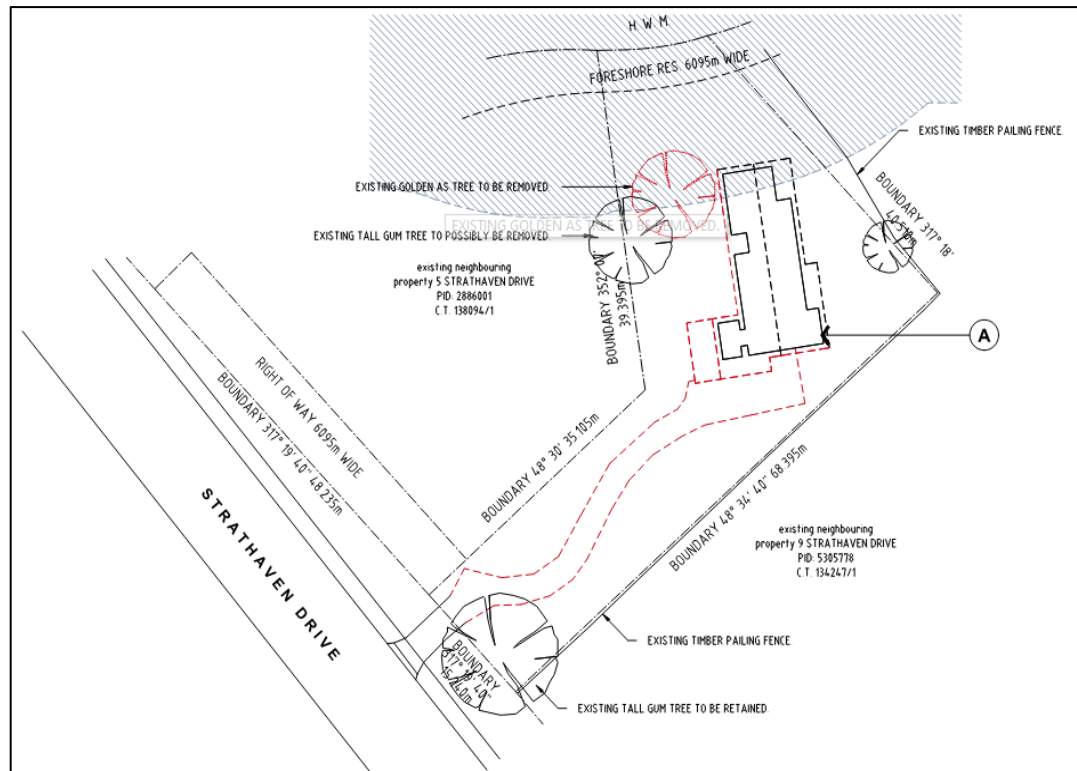


Figure.2: Demolition of driveway and removal of tree at 7 Strathaven Drive, Rosetta

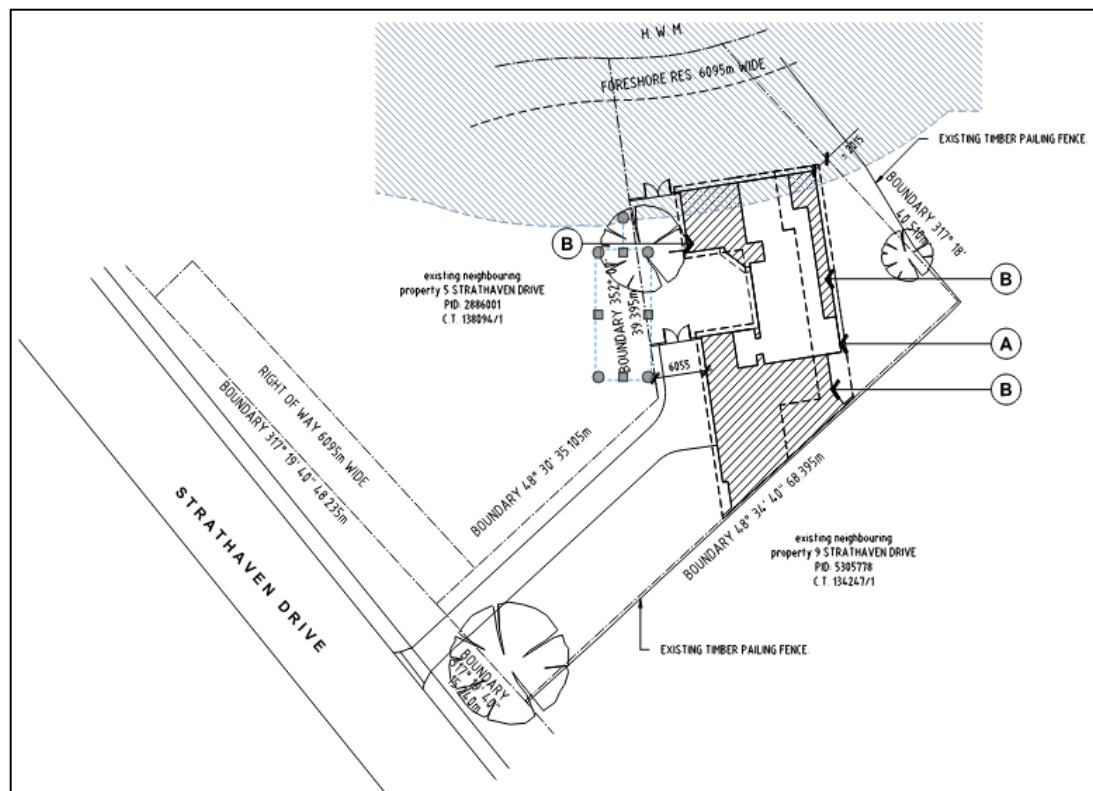


Figure.3: Site plan of proposal at 7 Strathaven Drive, Rosetta

SITE and LOCALITY

The site is located in Rosetta, to the northwest of Glenorchy, at a distance of approximately 3.1km from Glenorchy CBD.

The site features an approximate frontage of 15.24m and an average depth of 68.41m, resulting in a total area of 1724.46m². The site slopes towards the north approximately 4m from the frontage to the rear of the lot. On the property, there stands a single dwelling and carport, surrounded by scattered vegetation as depicted in Figure 4.

To the north the property is has a frontage to the River Derwent, to the east and south the property is adjoined by a nursing home which includes a large building located close to the property boundary and to the west the property adjoins a private residence. It is surrounded by a mix of motels, hotels, and residential areas. Within walking distance of the property, one can find various stores and restaurants for added convenience. Furthermore, Montrose Bay High School is situated approximately 900m southeast of the dwelling.



Figure.4: Aerial View at 7 Strathaven Drive, Rosetta

ZONE

The site is located within two zones: 77% of the property is designated as General Residential Zone, and the remaining 23% is classified as Environmental Management Zone according to the Tasmanian Planning Scheme – Glenorchy. Adjacent to the property's southern boundary is the Utilities Zone.



Figure.5: Zones nearby to 7 Strathaven Drive, Rosetta

BACKGROUND

No applicable background information on file.

Figure.6: Omitted.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the *Land Use Planning and Approvals Act 1993* (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

None applicable.

Use Class Description (Table 6.2):

The use class is **Residential**, which means use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based childcare, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

Applicable standard means as defined in subclause 5.6.2 of this planning scheme which is:

A standard is an applicable standard if:

- a) the proposed use or development will be on a site within:
 - (i) a zone;
 - (ii) an area to which a specific area plan relates; or
 - (iii) an area to which a site-specific qualification applies; or
- b) the proposed use or development is a use or development to which a relevant code applies; and

- c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Private open space means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.

Single dwelling means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.

Standard means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

General Provisions

7.1 Change to an Existing Non-conforming use

7.1.1 Notwithstanding clause 6.9.1 of this planning scheme, the planning authority may at its discretion, approve an application:

- a) to bring an existing use of land that does not conform to the planning scheme into conformity, or greater conformity, with the planning scheme;*
- b) to extend or transfer an existing non-conforming use and any associated development, from one part of a site to another part of that site; or*
- c) for a minor development to an existing non-conforming use.*

7.1.2 An application must only be approved under sub-clause 7.1.1 of this planning scheme where there is:

- a) no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area;*
- and*
- b) no substantial intensification of the use.*

7.1.3 In exercising its discretion under sub-clauses 7.1.1 and 7.1.2 of this planning scheme, the planning authority must have regard to the purpose and provisions of the zone, any relevant local area objectives and any applicable codes.

Comments:

Single dwellings are prohibited within the Environmental Management Zone; therefore, the existing dwelling is considered to be an existing non-conforming use within the portion of the site zoned Environmental Management. The proposed development falls into the category of minor development to an existing non-conforming use, involving only additions and alterations to the existing dwelling structure. The primary objective is to enhance and modify the existing dwelling without introducing substantial changes to the overall characteristics of the property.

It is important to note that the majority of the proposed alterations and additions are located within the General Residential Zone. The proposed development aligns with the designated land use policies for this zone.

To provide further clarity, although the General Residential Zone accommodates the bulk of the proposed extension, a smaller portion is situated within the Environmental Management Zone. This inclusion in the Environmental Management Zone is limited and has had due consideration to ensure the encroachment into the Environmental Management Zone is minimal. This ensure that the proposal is considered minor development, does not intensify the use and unreasonably impact on the amenity of the area.

The proposal has ensured that impacts on the environmental values of the site are minimised with only one (1) dead tree proposed to be removed.

The proposal is considered to comply with General Provision 7.1.

7.9 Demolition

7.9.1 Unless approved as part of another development or Prohibited by another provision in this planning scheme, or the Local Historic Heritage Code applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 6.11.2 of this planning scheme.

Comments:

The proposal involves the demolition as part of this application and therefore is discretionary.

Zones

The land is within the General Residential zone and Environmental Management Zone, the following zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

General Residential Zone:

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comments:

The proposal aligns with the intended purpose of the General Residential Zone as the proposal is associated with an existing residential use.

Environmental Management Zone:

The purpose of the Environmental Management Zone is:

23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.

23.1.2 To allow for compatible use or development where it is consistent with:

(a) the protection, conservation and management of the values of the land; and

(b) applicable reserved land management objectives and objectives of reserve management plans.

Comments:

The proposal aligns with the intended purpose of the Environmental Management Zone as the proposal is assessed with an existing residential use which is considered compatible with the protection, conservation and management of the land. As detailed in the report, the majority of the proposal is within the General Residential Zone, with only minor modifications to the existing building within this zone. It is important to highlight that no native trees have been removed from the Environmental Management Zone on the property.

Use Table

General Residential Zone:

Residential use for a single dwelling has 'no permit required' status in the zone.

Environmental Management Zone:

Residential use for single dwelling come under 'All other uses' which is 'prohibited' in the Environmental Management Zone. However according to 7.1 Changes to an Existing Non-confirming, the application to be considered as discretionary as it is minor development to an existing dwelling in the Environmental Management Zone.

Use Standards

There are no applicable use standards in the General Residential Zone and Environmental Management Zone.

Development Standards for dwellings

General Residential Zone:

8.4.2 Setbacks and building envelope for all dwellings (P3)

The proposal does not comply with the acceptable solution as the proposed dwelling would be located on the boundary, for a length longer than allowed under the acceptable solution. The proposal must be assessed against the performance criteria

(P3) which is:

The siting and scale of a dwelling must:

- a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
 - (ii) overshadowing the private open space of a dwelling on an adjoining property;*
 - (iii) overshadowing of an adjoining vacant property; and*
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;**
- b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and*
- c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
 - (i) an adjoining property; or*
 - (ii) another dwelling on the same site.**

Comments:

The proposal has undergone a thorough assessment, focusing on the siting and scale of the dwelling, as outlined below:

- a) Shadow diagrams for the June 21st, show that there is only a minor shading effect and a limited reduction in sunlight for neighbouring properties.



Figure.7: Shadow Diagrams 7 Strathaven Drive, Rosetta

Figure 7 displays shadow diagrams for the property located at 7 Strathaven Drive in Rosetta. These diagrams show how the shadows from the proposed building would impact adjoining properties throughout the day, including the morning, midday, and afternoon. The diagrams illustrate that the proposed structure will only have a minor impact on the neighbouring properties in terms of shading and reduced sunlight. The visuals clearly indicate that there will be a slight decrease in the amount of sunlight reaching the rooms on the joining 9 Strathaven Drive (Strathaven Nursing Home). However, it's important to emphasise that this reduction in sunlight will not have an unreasonable impact on the amenity of the neighbouring properties. There will still be an adequate amount of sunlight for these properties, with at least 3 hours of sunlight available per day.

- b) The proposed dwelling's location and size have been carefully chosen to ensure an appropriate distance from neighbouring properties. This approach is in line with the established properties in the surrounding area, ensuring that the proposed spacing adheres to residential design standards. The property is adjoined on both sides by large buildings. This coordination with the existing neighbourhood is crucial for preserving its visual and spatial characteristics, promoting a cohesive and integrated built environment. The proposed separation between dwellings and neighbouring properties is designed in accordance with established norms, making a positive contribution to the overall streetscape.

- c) The siting and scale of the proposed dwelling do not result in an unreasonable reduction in sunlight to existing solar energy installations. It is notable that, upon the assessment, there are no solar panels present on the neighbouring properties. Therefore, the potential impact on solar energy installations on adjoining properties is not applicable in this context. Furthermore, the shadow diagrams generated on June 21st indicate that while there is a minor shading effect or limited reduction in sunlight for neighbouring properties, the absence of solar panels ensures that this does not adversely affect any existing solar energy infrastructure.

Taking these observations into account, it's evident that the proposal aligns with the specified performance criteria (P3). The potential impact on neighbouring properties has been well-managed, and the proposed structure doesn't significantly impede their access to sunlight or overall living conditions.

Development Standards for Buildings or Works

Environmental Management Zone:

23.4.2 Building height, setback and siting (P2)

The proposal does not comply with the acceptable solution as the proposed dwelling does not have a setback more than 10m from all boundaries. Therefore, proposal is required assessed against the performance criteria (P2) which is:

Buildings must be sited to be compatible with the values of the site and surrounding area, having regard to:

- (a) the bulk and form of proposed buildings;*
- (b) the height, bulk and form of existing buildings;*
- (c) the topography of the site;*
- (d) the appearance when viewed from roads and public places;*
- (e) the retention of vegetation;*
- (f) the safety of road users; and*
- (g) the character of the surrounding area.*

Comments:

The proposed development is in close proximity to the boundaries but is not expected to have an adverse impact on the adjacent land. The proposed setback aligns with the distances observed in surrounding properties. It's important to note that the height of the existing dwelling remains unchanged, and as previously mentioned in the report, it does not cast unreasonable shadows on neighbouring properties.

Regarding the view from the roads and public spaces, the house is set back approximately 40 meters from the road, making it less visible, as depicted in Figure 8.



Figure.8: Street View of 7 Strathaven Drive, Rosetta

There is one tree on the property, as shown in Figure 9 the Golden Ash Tree, will be removed due to its poor condition and its impact on the property's structure. The tree is not native, and its removal is necessary to prevent damage to underground pipes and further structural issues.



Figure.9: Golden Ash Tree at 7 Strathaven Drive, Rosetta

To the east, there is the Strathaven Nursing Home, and to the west, there is a private residence. To the west, there are also dense bushes that obscure the direct view towards the residence. The building height of the aged care facility is higher than the existing dwelling, potentially overshadowing and directly looking towards the property. However, the proposed alterations and additions to the dwelling include measures such as removing windows facing that side and adding a wall to prevent any unwanted visibility.

Overall, it is believed that relying on the performance criteria for the building envelope is acceptable, as it aligns with the Performance Criteria outlined in Clause 23.4.2 (P2) of the planning scheme.

Codes

The following codes of the Scheme apply to this proposal:

C7.0 Natural Assets Code

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area (P1.1)

The proposed dwelling falls within the Waterway and Coastal Protection Area and the proposal does not comply with the acceptable solution (A1) as there is not a building area on a sealed plan approved under the planning scheme. So, the proposal must assess based on performance criteria (P1.1) which states that

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:

- (a) impacts caused by erosion, siltation, sedimentation and runoff;*
- (b) impacts on riparian or littoral vegetation;*
- (c) maintaining natural streambank and streambed condition, where it exists;*
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (e) the need to avoid significantly impeding natural flow and drainage;*
- (f) the need to maintain fish passage, where known to exist;*
- (g) the need to avoid land filling of wetlands;*
- (h) the need to group new facilities with existing facilities, where reasonably practical;*
- (i) minimising cut and fill;*
- (j) building design that responds to the particular size, shape, contours or slope of the land;*
- (k) minimising impacts on coastal processes, including sand movement and wave action;*
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;*
- (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*
- (n) the guidelines in the Tasmanian Coastal Works Manual.*

Comments:

The proposed development is expected to have no adverse impacts on natural assets. The disturbance to the land within the waterway and coastal protection overlay will be minimal, limited to a small area where an addition to the dwelling is proposed. There is minimal work within the waterway and coastal protection area and no native vegetation is proposed to be removed. The assessment confirms that the proposal will not give rise to any significant adverse effects on natural assets and is considered to be in compliance with the established standards.

C11.0 Coastal Inundation Hazard Code

The site is situated within a high coastal inundation hazard area. However, this hazard area does not affect the area proposed for development. Please refer to Figure 10 below, which illustrates the distance between the inundation layer and the proposed dwelling.



Figure.10: Coastal Inundation Zone at 7 Strathaven Drive, Rosetta

State Planning Provisions - Applied, Adopted or Incorporated Documents

None applicable

Glenorchy Local Provisions Schedule (GLPS)**Local Area objectives**

No local area objectives of the Scheme apply to this proposal.

Particular Purpose Zones

No particular purpose zones of the Scheme apply to this proposal.

Specific Area Plans

No specific area plans of the Scheme apply to this proposal.

GLE-Site Specific Qualifications

No site-specific qualifications of the Scheme apply to this proposal.

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

None applicable.

INTERNAL REFERRALS**Development Engineer**

The proposal has been referred to Council's Development Engineer who has provided the following comments:

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing vehicular access, onto the driveway and parking areas. The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling. The applicant proposes to comply with the requirements providing car parking area for two car spaces. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The layout of parking area complies with the standard AS2890.1:2004. The on-site turning area, although not required for a single dwelling, is provided to facilitate the turning. The surface treatment of the driveway is proposed to be paved surface. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

C3.0 Road and Railway Assets Code

The proposed development is not expected to increase vehicle movements over 20% or 40 vehicle trips per day. The site can be accessed off the existing vehicle crossing, and no new access is proposed. Therefore, the proposed development complies with the code requirements.

Other**C7.0 Natural Assets Code**

Part of the site is subject to the Natural Assets Code. The runoff from the development is proposed to be drained via an existing stormwater point of discharge and no new stormwater outlet to the waterway is proposed with this application. Therefore, the

development complies with the Code and is considered that the site is capable of being developed and the natural assets are not expected to be significantly affected.

C12.0 Flood-Prone Areas Hazard Code

There are no flooding issues identified through Council's records that affect the application.

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

EXTERNAL REFERRALS

No external referrals were required.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with four (4) representations being received.

Issue 1

8.4.2 Setbacks and Building Envelope for all dwellings(P1):

The representor states that the proposed dwelling does not have a frontage that is sympathetic to the streetscape. The existing dwelling is far more sympathetic to the streetscape as the majority of the building is low-lying and foregrounded by the prospect of verdant gardens. Sited obliquely, the existing house establishes a subtle approach, which the proposed 20m long garage elevation completely obliterates. The proposed elevation is monolithic, unarticulated, and devoid of any compatible predisposition to the streetscape.

Planner's Comment:

According to the assessment, the proposed dwelling aligns with the acceptable solution criteria, which are as follows:

- a. if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;*
- b. if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;*
- c. if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or*

- d. if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.*

Based on the above standards, it's important to note that the proposed dwelling is not a completely new construction it involves alterations, demolition, and additions to an existing structure. In summary, the proposal is in compliance with the acceptable solution criteria, and it does not depend on performance criteria, as it aligns with the specified standards of acceptable solution.

Issue 2

8.4.2 Setbacks and Building Envelope for all dwellings(P3):

P3(a) the siting and scale of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property.

- Extensive areas of established shared boundary hedging have been removed, to facilitate the widening of the proposed floor plate. This has significantly impacted the privacy of the neighbouring residence at 5 Strathaven Drive and has compromised the only private open space that this residence enjoys.
- A 20.5m long masonry boundary wall is proposed upon the boundary line with 9 Strathaven Drive, which presents an unprecedented bulk to the neighbour on a northerly aspect to their boundary. This will impact the capacity of this neighbour to access private open space, and sunlight. This elevational treatment is also an extremely belligerent treatment to propose along a neighbouring boundary, particularly given that the primary approach to siting is to locate buildings centrally, with generous garden margins.

P3(b) The siting and scale of a dwelling must provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.

- The siting of the proposed new dwelling does not provide adequate separation between dwellings that is consistent on established properties in the area. The proposed dwelling is sited to abut the southern boundary that is adjacent to 9 Strathaven Drive, for a length of more than 20m. No other property along Strathaven Drive presents this relationship. It is a result of encumbered and bloated planning, which offers no spatial rationale for the necessity to present an elevation of this length along this boundary with the neighbour.

Planner's Comment:

The assessment reveals that the proposal does not meet the acceptable solution (A3) because the proposed dwelling lacks the required setback from the southern boundary. Consequently, the proposal has been assessed against the performance criteria (P3). As mentioned above in the report, the proposed dwelling does cast some shadows however has been assessed as complying with the performance criteria. Furthermore, the proposal does not result in any significant visual impacts because there are trees and bushes between the two properties, which act as a visual barrier. Although the neighbouring property currently overlooks the proposed dwelling due to its double-storey nature, the applicant has taken steps to address this issue. Specifically, they have modified the design to eliminate windows facing the side of the proposed dwelling, as illustrated in Figure 11.



Figure.11: Showing the adjacent property overlooking towards the proposed dwelling

In addition, according to (b) there is a setback between both buildings, as shown in Figure 12 with regards to the property at 9 Strathaven Drive, Rosetta. Even if the proposed dwelling were to be built up to the boundary, there would still be an adequate setback on the adjacent property.



Figure.12: Setback at the property 9 Strathaven Drive, Rosetta

In summary, the proposed dwelling complies with all the performance criteria standards. For more detailed information, please refer to the report above.

Issue 3

8.4.3 Site Coverage and Private Open Space for all dwellings(P2):

- The proposed dwelling does not establish any relationships to private open space that serves as a convenient extension of the dwelling, connecting with the dining and living areas. The current original house facilitates this superbly, but the proposed new house only provides a single access from the kitchen, with no prospect of other areas easily accessing the open space of the dwelling.
- The widening of the floor plate of the proposal also mitigates the possibility for the provision of private open space and associated amenity to the margins of the dwelling. The proposed enclosed courtyard area, abutting 5 Strathaven Drive, is located on the southward side of the mass of the house, which will overshadow this area, if it is intended to facilitate provision of the amenity of a 'private open space'.

Planner's Comment:

As per assessment it has checked the proposal does not rely on performance criteria as it is complied with the acceptable solution (A2) which states that:

A dwelling must have private open space that:

a) is in one location and is not less than:

(i) 24m²; or

- (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- b) has a minimum horizontal dimension of not less than:
 - (i) 4m; or
 - (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and
- d) has a gradient not steeper than 1 in 10.

The proposed dwelling already possesses an area of private open space, as indicated in Figure 13 below. The nature of this proposal involves alterations, additions, and the demolition of the existing dwelling, and this does not have any adverse effects on the open space associated with the existing dwelling. Consequently, the proposal adheres to all the standards outlined in the acceptable solution (A1) and does not necessitate an assessment against performance criteria (P1).



Figure.13: Showing the private open space at rear of the property 7 Strathaven Drive, Rosetta

Issue 4

8.4.5 Width of opening for garages and carports for all dwellings(P1):

The proposed dwelling's garage elevation completely dominates the primary frontage. From the street, the garage door is directly visible, forming part of a 20m long unarticulated elevation to the frontage. There is no subtlety to the proposed frontage. It offers no civic dignity to the streetscape and does not meet the performance provisions of this clause.

Planner's Comment:

As per assessment it has confirmed that the proposal aligns with the acceptable solution criteria, and therefore, it does not require consideration of the performance criteria. The acceptable solution (A1) states that:

A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).

The proposed garage for the dwelling is situated more than 12 meters away from the primary frontage. Therefore, the standard does not apply to this proposal as shown in the below Figure.14

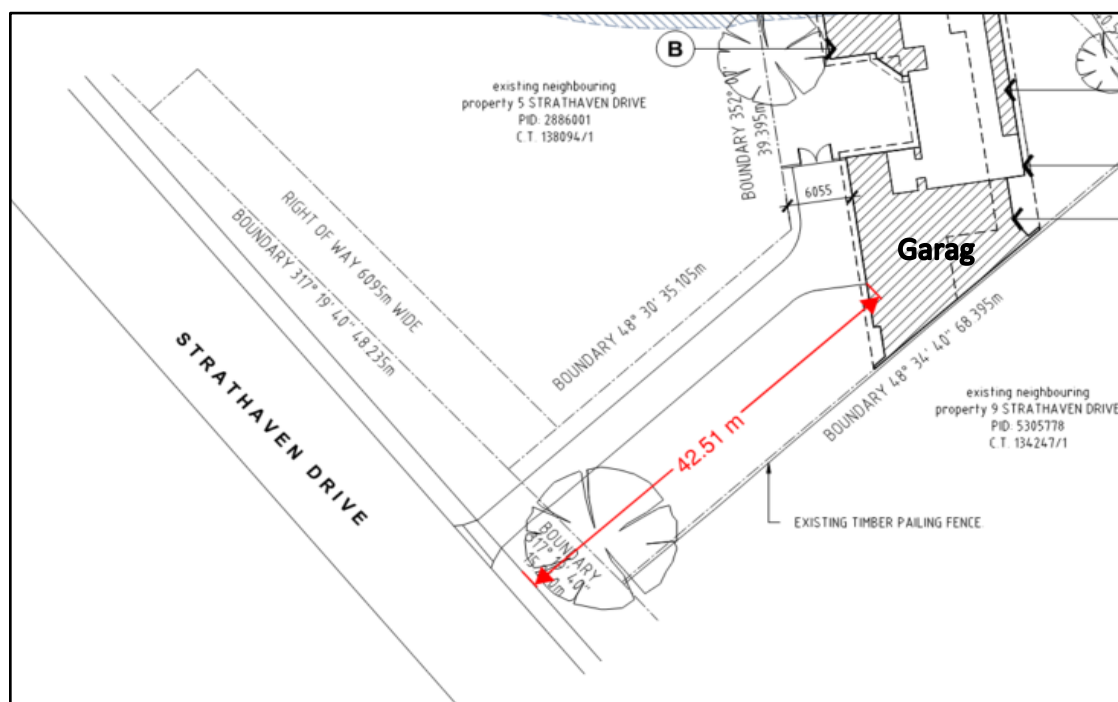


Figure.14: Showing the setback from the primary frontage of garage at 7 Strathaven Drive, Rosetta

Issue 5**23.4.2 Building Height, setback and siting (P2):**

- The original house was designed specifically to prioritise the sense of a 'house within a garden'. This is indicated in the original planning, and siting of the original home. The house plan facilitates gardens on all margins, which also simultaneously facilitates the natural hydrology of the dwelling. In managing the topography, and internal planning in this way, the original house creates purposeful planning relationships and prioritises liveability. The proposed new dwelling's siting is not compatible with the topographic circumstances, because it seeks to spread the bulk across the entire girth of the dwelling. This increases the elevational 'bulk', but also results in several undesirable relationships at boundaries, including an extensive blank elevation, and zone of excavation on the boundary with 9 Strathaven Drive. This alignment makes no provision for overland flows, or site hydrology, and does not sufficiently anticipate necessary retention and waterproofing along this boundary alignment. While it abstractly meets the setback diagram for an internal lot, it pays no regard to other factors of siting, or adjacency and results in undesirable impacts to neighbouring amenity.
- The proposed dwelling is sited on a property that gently slopes toward a sensitive riparian frontage, and an environmental management zone. The proposal significantly widens the built footprint across the site, thus taking up valuable and crucial land for hydrology, external amenity and garden aspect.

Planner's Comment:

Based on the assessment conducted, it has been determined that the current proposal does not comply with the acceptable solution (A2). Instead, the assessment has been based on the performance criteria, as detailed in the report above. The house's garden contains trees with roots that are damaging the existing structure, necessitating their removal. Notably, these trees are identified as non-native species, and from a planning perspective, there are no specific standards for the removal of non-native trees. Regarding the site's topography, it is predominantly flat, with a gradual slope towards the south. However, the setback from the side boundary of the proposed house aligns with the neighbouring residential properties, making it acceptable within this context. Additionally, it is important to highlight that only a small portion of the proposed development falls under the Environmental Management Zone.

Issue 6**Building's Heritage Significance and Preservation**

The house was designed by architect Edith Emery in c. 1960 and stands as an original example of her work at the time. The demolition removes the majority of the existing external walls and significantly alters internal spaces such as the entry foyer, fireplace, kitchen and bathroom. It does not appear that the original fabric of the building is acknowledged, and the changes will have a deleterious effect on the inherent character of the house

Planner's Comment:

All the representations have raised similar concerns regarding the heritage significance of the property. This is because the property was designed by architect Edith Emery in 1960, and it holds historical value as one of her creations and a place where she lived and worked. Due to its heritage value, the matter has been referred to the Heritage Officer, which has commented on the issue:

Four representations objecting to aspects of the Development Application were received from a variety of professional architectural entities and associations. Each referenced – some in eloquent detail - the adverse impact of the extent of demolition proposed upon the architectural qualities inherent in the fabric and form of what is a substantially intact 1960s dwelling designed by notable architect (and reputedly Tasmania's first female registered sole architectural practitioner), Edith Emery (whose broader life and diverse professional competencies are increasingly being recognised in international research circles).

In the opinion of Council's Heritage Officer:

1. The attributes of the place, its surviving integrity, and demonstrated association with architect, Edith Emery are evident at a level that would potentially satisfy the thresholds for listing as a Heritage Place at the local level (that is, in GLE-Table C6.1 [Heritage]), and comfortably so,
and;
2. There is no disputing that the existing form of the dwelling designed by Edith Emery, and as constructed (with only relatively minor alterations over time) will be irrevocably altered/erased by the current proposal.

It is, however, the case that the No. 7 Strathaven Drive, Rosetta does not currently hold the status of a listed Heritage Place. There is, therefore, no statutory trigger for assessment or consideration of the application under the Local Historic Heritage Code (C6.0) in the Tasmanian Planning Scheme – Glenorchy nor under the overarching Land Use Planning & Approvals Act 1993. It is also the case that the State has not endowed local government planning authorities with any emergency listing or interim listing powers for use in such circumstances.

In the course of routine enquiries carried out during the application assessment phase, Council's Heritage Officer sought to clarify with the State heritage agency, that is,

Heritage Tasmania, whether there was any pending registration of the place that would require action or referral to the Tasmanian Heritage Council. There was not and, therefore, there are no considerations to be made in terms of the Historic Cultural Heritage Act 1995.

There being no statutory matters for consideration on heritage grounds at either State or local level, Council's Heritage Officer initiated contact with Dr Stuart King (Senior Lecturer in Architectural Design & History, University of Melbourne) who has a demonstrated and ongoing research interest in Edith Emery, her influences and architecture. Dr King expressed interest in preparing an extant record of the place prior to works. Contact was then made with the owner of the property who saw the merit in creating such a record prior to undertaking works. Council's Heritage Officer has since put both the aforementioned parties in touch with each other in the hope that securing a professionally prepared extant record of the place prior to development would make a worthy contribution to the growing body of knowledge on the architect, and her work.

According to the Heritage Officer's comments, it has been clarified that the proposed dwelling is not currently listed as a Heritage Property. Therefore, there is no need to consider the standards typically associated with Heritage Properties in this case.

CONCLUSION

The proposal relies on adhering to the performance criteria for General Residential areas, particularly regarding setbacks and building dimensions (P3), to meet the applicable standards. It also depends on meeting the criteria established for Environmental Management areas, particularly concerning building height, setback, and placement (P2) to ensure compliance with the relevant standards. Furthermore, the assessment is conducted based on the performance criteria of the Natural Asset Code, specifically related to Buildings and works within a waterway and coastal protection area or a future coastal refugia area (P1). The assessment confirms that the proposal successfully satisfies the performance criteria for both zones and is in accordance with the standards. Additionally, the proposal complies with all other development standards within the General Residential zone and Environmental Management Zone, including those outlined in the Parking and Sustainable Transport code, the Road and Railway Assets code and Natural Assets Code.

The application underwent a public advertisement period of 14 days as required, during which 4 representations were received. These have been addressed in the report. It can be concluded that the proposal aligns with the stated purpose of the zoning regulations and is satisfactory.

Recommendation:

That a permit be granted for the partial demolition, additions and alterations to dwelling (Residential) of 7 Strathaven Drive Rosetta subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-228 and Drawings submitted on 29 Sept 2023, 11 pages, and except as otherwise required by this permit.
2. Prior to the issue of Building Approval and/or commencement of works (whichever occurs first), a schedule of external colours and materials must be submitted and approved, to the satisfaction of the Council's Senior Statutory Planner. The schedule must include the following:
 - a) The colours proposed within the Environmental Management Zone adhere to a light reflectance value not exceeding 40%.
 - b) The selected colours within the Environmental Management Zone must be in dark natural tones, specifically in shades of grey, green, or brown

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit an Erosion and Sediment Control (ESC) plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the council. The approved Erosion and Sediment Control plan (ESC) forms part of this permit and must be complied with.

Advice: For further information please refer to Erosion and Sediment Control (ESC) Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au/stormwater/.

4. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.

5. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
6. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish;
 - (b) All runoff from driveway areas must be discharged into Council's stormwater system;
 - (c) The gradient of any parking areas must not exceed 5%; and
 - (d) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the dwelling.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-23-228 dated 20 November 2023, is associated with this permit.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

Attachments/Annexures

- 1** GPA Attachment - 7 Strathaven Drive, Rosetta



APPENDIX A**8.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm	Not Applicable	N/A
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.	Not Applicable	N/A
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday;	Not Applicable	N/A

	(b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		
	A4 No acceptable solution.	Not Applicable	N/A
8.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.	Not Applicable	N/A
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.	Not Applicable	N/A
8.4 Development Standards for Dwellings			
8.4.1	A1	Not Applicable	N/A

Residential density for multiple dwellings	Multiple dwellings must have a site area per dwelling of not less than 325m ² .		
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;	The proposal involves alterations and additions to an existing dwelling. The dwelling has a setback from the frontage, which is 35.10 meters.	Yes

	(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	The proposed garage has setback of greater than 10m.	Yes

	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or	The proposal does not comply with the acceptable solution because of the construction on the boundary and there will not be any setback from the side boundary. So, the proposal has been assessed against the performance criteria	No (See the report)
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	(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).		
8.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	The total site coverage after addition and extension of the dwelling is 24% which is less than 50%.	Yes
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground	Existing	Yes

	level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.		
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8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or	Not Applicable	N/A
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	(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.		
8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	The proposed garage would have a width of 5.4m which is less than 6m.	Yes

8.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:	Not Applicable	N/A
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	(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.		
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a	Not Applicable	N/A

	habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or		
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	(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing	Not Applicable	N/A

	extending to a height of not less than 1.7m above the floor level.		
8.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution ¹ . <i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>	Not Applicable	N/A
8.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m ² per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage;	Not Applicable	N/A

	(ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.		
8.5 Development Standards for Non-dwellings			
8.5.1 Non-dwelling development	A1 A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;	Not Applicable	N/A

	(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.		
	A2 A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from	Not Applicable	N/A

	the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback less than 1.5m from a side or rear boundary if the building: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).		
	A3 A building that is not a dwelling, must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and a site area of which not less than 35% is free from impervious surfaces.	Not Applicable	N/A

	A4 No Acceptable Solution ² . <i>(² An exemption applies for fences in this zone – see Table 4.6)</i>	Not Applicable	N/A
	A5 Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not: (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas.	Not Applicable	N/A
	A6 Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m. ³ <i>(³ An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6)</i>	Not Applicable	N/A

8.5.2 Non-residential Garages and Carports	A1 A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Not Applicable	N/A
	A2 A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		

APPENDIX B**23.0 Environmental Management**

Standard	Acceptable Solution	Proposed	Complies?
29.3 Use Standards			
23.3.1 Discretionary Uses	A1 No Acceptable Solution.	Not Applicable	N/A
23.4 Development Standards for Buildings and Works			
23.4.1 Development Area	A1 The development area must: (a) be not more than 500m ² ; (b) be in accordance with an authority under the National Parks and Reserve Management Regulations 2019 granted by the Managing Authority or the Nature Conservation Act 2002; or (c) be in accordance with an approval of the Director General of Lands under the Crown Lands Act 1976.	The total development area is 416sqm which is less than 500sqm.	Yes
23.4.2 Building height, setback and siting	A1 Building height must:		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) be not more than 6m; (b) be in accordance with an authority under the National Parks and Reserve Management Regulations 2019 granted by the Managing Authority or Nature Conservation Act 2002; or (c) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976.	The building have a height of 5.5m which is not more than 6m.	
	A2 Buildings must have a setback from all boundaries: (a) not less than 10m; (b) not less than the existing building for an extension; (c) in accordance with an authority under the National Parks and Reserve Management Regulations 2019 granted by the Managing Authority and/or Nature Conservation Act 2002; or (d) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976.	The proposed building does not have setbacks from any boundaries more than 10m. It does not comply see the report.	No

Standard	Acceptable Solution	Proposed	Complies?
	A3 Buildings for a sensitive use must be separated from an adjoining Rural Zone or Agriculture Zone: (a) not less than 200m; or (b) where an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.	There is no Rural Zone or Agricultural zone within 200m of the proposed site.	Yes
23.4.3 Exterior finish	A1 Exterior building finishes must: (a) be coloured using colours with a light reflectance value not more than 40% in dark natural tones of grey, green or brown; (b) be in accordance with an authority under National Parks and Reserve Management Regulations 2019 granted by the Managing Authority or the Nature Conservation Act 2002; or (c) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976.	The exterior building finishes complies with these standards.	Yes

Standard	Acceptable Solution	Proposed	Complies?
23.4.4 Vegetation management	A1 Building and works must: (a) be located on land where the native vegetation cover has been lawfully removed; or (b) be in accordance with an authority under National Parks and Reserve Management Regulations 2019 granted by the Managing Authority or the Nature Conservation Act 2002.	No native vegetation proposed to be removed.	Yes

APPENDIX C**C2.0 Parking and Sustainable Transport Code**

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	Two spaces proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$		

Standard	Acceptable Solution	Proposed	Complies?
	N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	Not required	NA
C2.5.3 Motorcycle parking numbers <i>This applies to:</i>	A1	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Business and Professional Services; Community Meeting and Entertainment; Custodial Facility; Crematoria and Cemeteries; Educational and Occasional Care; Food Services; General Retail and Hire; Hospital Services; Hotel Industry; Pleasure Boat Facility; Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>	The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.		
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire;</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Manufacturing and Processing; and Storage.</i>			
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation;</i> <i>and</i> <i>Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			

Standard	Acceptable Solution	Proposed	Complies?
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following:	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and		

Standard	Acceptable Solution	Proposed	Complies?
	(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890-Parking facilities, Parts 1-6</i>. A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3	A1		Yes

Standard	Acceptable Solution	Proposed	Complies?
Number of accesses for vehicles	The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.		
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .		NA
C2.6.5	A1.1		NA

Standard	Acceptable Solution	Proposed	Complies?
Pedestrian access	Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a		

Standard	Acceptable Solution	Proposed	Complies?
	gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		NA
	A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Off-street commercial vehicle facilities</i> .		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and		NA

Standard	Acceptable Solution	Proposed	Complies?
	public spaces Part 3.1: Pedestrian area (Category P) lighting.		
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.		NA
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or		NA

Standard	Acceptable Solution	Proposed	Complies?
	covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		NA
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

APPENDIX D

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to	Vehicular traffic is not increased by 40 vpd.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5		

Standard	Acceptable Solution	Proposed	Complies?
	Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or		NA

Standard	Acceptable Solution	Proposed	Complies?
	(ii) an adjoining habitable building for a sensitive use; or (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

APPENDIX E**C7.0 Natural Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
C7.6 Development Standards for Buildings and Works			
C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area	A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.	The proposal does not comply with the acceptable solution because there is no sealed plan approved under the planning scheme for the property.	No (See the report)
	A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.	Not Applicable	N/A
	A3	Not Applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.		
	A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.	Not Applicable	N/A
	A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.	Not Applicable	N/A
C7.6.2 Clearance within a priority vegetation area	A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.	Not Applicable	N/A

APPENDIX F**C7.0 Natural Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
C7.6 Development Standards for Buildings and Works			
C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area	A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.	The proposal does not comply with the acceptable solution because there is no sealed plan approved under the planning scheme for the property.	No (See the report)
	A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.	Not Applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
	A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.	There is no new stormwater discharge point into a watercourse, wetland or lake.	Yes
	A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.	Not Applicable	N/A
	A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.	Not Applicable	N/A
C7.6.2 Clearance within a priority vegetation area	A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.	Not Applicable	N/A

6. PROPOSED USE AND DEVELOPMENT - DEMOLITION, AND TWENTY-THREE MULTIPLE DWELLINGS, INCLUSIVE OF WORKS AND INFRASTRUCTURE (RESIDENTIAL) - 5A TAREE STREET CHIGWELL, 17 CORAKI STREET CHIGWELL, 15 CORAKI STREET CHIGWELL, 5 TAREE STREET CHIGWELL, AND 4 TOOTONGA STREET CHIGWELL

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 3261446

REPORT SUMMARY

Application No.:	PLN-23-165
Applicant:	JMG Engineers and Planners
Owner:	Homes Tasmania
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.1 (P1) Residential density for multiple dwellings; 8.4.2 (P1) Setbacks and building envelope for all dwellings; 8.4.2 (P3) Setbacks and building envelope for all dwellings; 8.4.3 (P1) Site coverage and private open space for all dwellings; C2.5.1 (P1) Car parking numbers; C2.6.5 (P1) Pedestrian Access for the underground car park; C3.5.1 (P1) Traffic generation at a vehicle crossing, level crossing or new junction (The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	05 December 2023
Existing Land Use:	Public Reserve (Passive Recreation)
Representations:	2
Recommendation:	Approval subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal is for the development of twenty three dwellings, to be sited at 5A Taree Street, and 15 to 17 Coraki Street, Chigwell (Figure 1). The development includes works at 5 Taree Street and 4 Tootonga Street for the provision of services only.



Figure 1. Graphic denoting the layout of dwelling development across the site.

Broadly, the development consists of four blocks of dwellings arranged around common garden areas, pathways, and an internal driveway to an underground carpark. Within each block there are varied number of dwellings as outlined in Table 1 below. The bulk of the parking for the site is under the South Block.

Corollary to the development proposed, the planning report indicates the lots (being 5A Taree, 15 and 17 Coraki), are to be amalgamated; it is confirmed the mechanism to achieve this is intended to be by an order to adhere, requested under section 110 of the *Local Government Building and Miscellaneous Provisions Act 1993*. This can be executed subsequent to any approval issued, and is not of itself development.

Block	Number of dwellings	Number of bedrooms	Number of carparking spaces
North	3	2 per dwelling	4
East	11	2 per dwelling	None allocated within building
South east	2	2 per dwelling	None allocated within building
South	7	2 per dwelling, except for TH14 (1 bed)	28 individual and 8 visitor 1 accessible and two motorbike
Total	23	45	32 + 8 visitor 1 accessible 2 motorbike

Table 1. Outline of dwelling qualities.

SITE and LOCALITY

The site of dwelling development is made of three parcels at 5A Taree Street and 15-17 Coraki Street. Two additional parcels at 5 Taree Street and 4 Tootonga Street are also included, owing to the provision of infrastructure and services across these lots (See Figures 3 and 4). The site area where dwelling development is to occur is 5730m².

The site is located within a block bound by Tootonga Street, Taree Street and Coraki Street, it is moderately prominent from Marys Hope Road and to a lesser extent visible from the Brooker Highway.

The locality is predominantly single dwellings on modest sized blocks.



Figure 3. Site area with area of development shown blue, and area of works for services shown yellow.

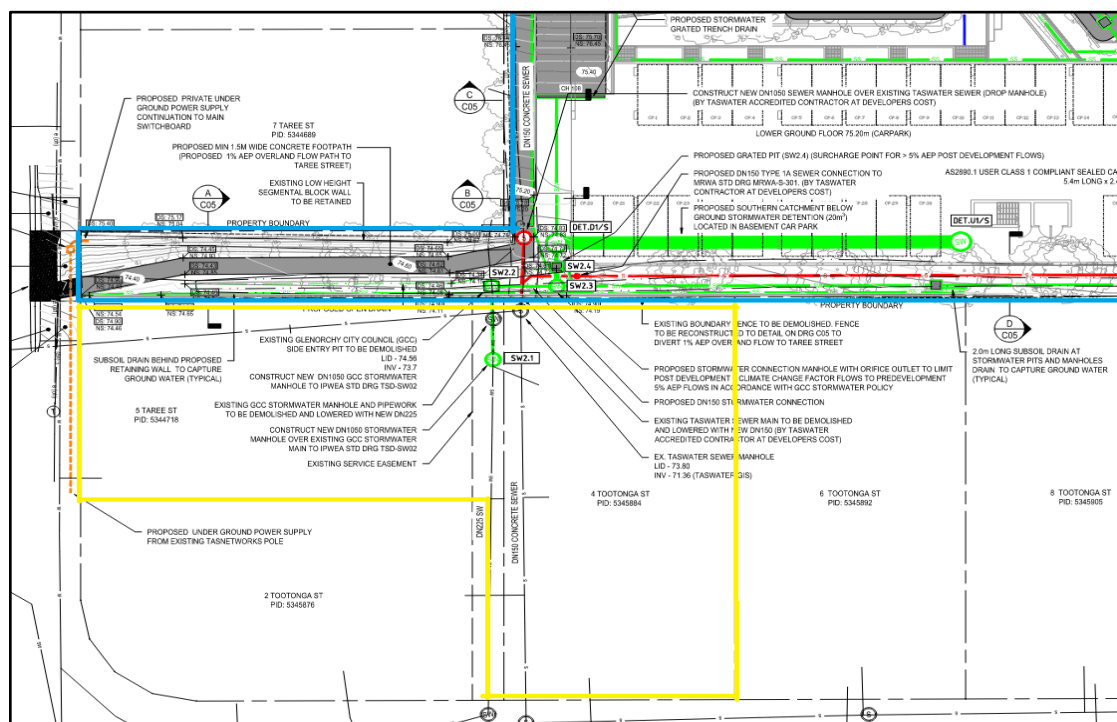


Figure 4. Markup showing services located within 5 Taree and 4 Tootonga Street.



Figure 5. View of the site taken from Marys Hope Road, Rosetta.



Figure 5. View of site from the Brooker Highway.



Figure 6. View of development area within the site.

ZONE

The site is within the General Residential Zone, which has been applied to the majority of land in the immediate vicinity. There is also an expansive area of public land within the Open Space Zone to the north east, managed as bushland (Figure 7).

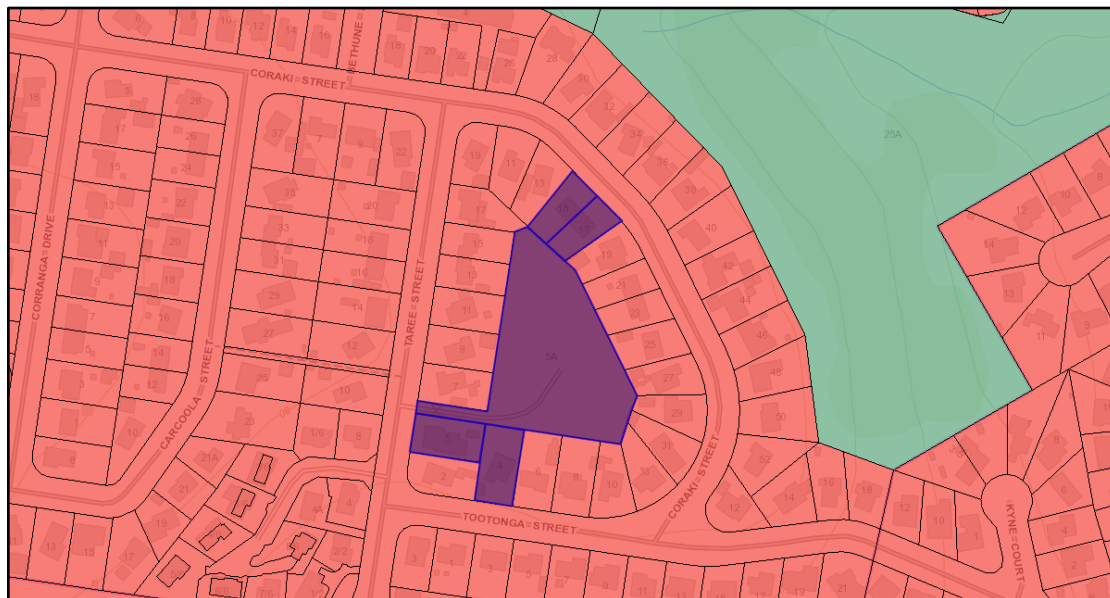


Figure 7. Application of zones within the locality.

BACKGROUND

The applicant has agreed to an extension of the assessment period under Section 57(6A) of the *Land Use Planning and Approvals Act 1993*, to allow for the decision to be made at the committee meeting of 5 December 2023.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the *Land Use Planning and Approvals Act 1993* (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

There are no exemptions applicable to the assessment of this application.

Relevant to consideration of representations received, if at any time boundary fencing were proposed to be replaced, such replacement would be able to be exempt pursuant to clause 4.0.1, if consistent with the qualification listed within the Table at 4.6.4.

Planning Scheme Operation (Does a General Provision, SAP or Code override Zone provisions?)

No General Provision or Specific Area Plan applies. The Parking and Sustainable Transport Code, Road and Railway Assets Code, Attenuation Code and Flood-Prone Areas Hazard Code's apply, though there are no specific instances where a standard of any of these codes overrides a zone standard.

Use Class Description (Table 6.2):

Residential: means use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

Adjoining: means next to, or having a common boundary with.

Amenity: means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant, or enjoyable.

Applicable standard: A standard is an applicable standard if:

(a) the proposed use or development will be on a site within:

- (i) a zone;
- (ii) an area to which a specific area plan relates; or
- (iii) an area to which a site-specific qualification applies; or

(b) the proposed use or development is a use or development to which a relevant code applies; and

(c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Building height: means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding.

Frontage: means a boundary of a lot which abuts a road.

Internal lot: means a lot: (a) lying predominantly behind another lot; and (b) having access to a road by an access strip, private road or right of way.

Setback: means the distance from any lot boundary to a building on the lot.

Site area per dwelling: means the area of a site, excluding any access strip, divided by the number of dwellings on that site.

Site coverage: means the proportion of a site, excluding any access strip, covered by roofed buildings.

Standard: means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

The land is within the General Residential Zone and the following zone purpose statements, use table, use standards and/or development standards apply to this proposal.

Zone Purpose Statements

8.1 Zone Purpose

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comment

The proposal is for a residential use which is permitted in the zone. The proposal is in keeping with the purpose statements in that the proposal would add to the range of dwelling types within the area on a site where full infrastructure services can be provided.

Use Table

Residential use for multiple dwellings has a permitted status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with applicable development standards, as outlined in this report.

Use Standards

There are no applicable use standards for a residential use in the General Residential Zone.

Development Standards for dwellings

The proposal complies with each of the Acceptable Solutions of the applicable development standards of the zone, except where reliant on the Performance Criteria for 8.4.1 (P1) Residential density for multiple dwellings, 8.4.2 (P1) (P3) Setbacks and building envelope for all dwellings and 8.4.3 (P1) Site coverage and private open space for all dwellings.

8.4.1 (P1) Residential density for multiple dwellings

The proposal is for twenty three dwellings over a site area of 5741m². This equates to a site to dwelling ratio of 1/249m² which is higher than the 1/325m² required by the Acceptable Solution. The proposal is therefore reliant on the Performance Criteria which requires:

Multiple dwellings must only have a site area per dwelling that is less than 325m², if the development will not exceed the capacity of infrastructure services and:

(a) is compatible with the density of existing development on established properties in the area; or

(b) provides for a significant social or community benefit and is:

*(i) wholly or partly within 400m walking distance of a public transport stop;
or*

(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.

Comment

The proposal has demonstrated that the capacity of infrastructure services within the vicinity will not be exceeded. TasWater and Council Engineers each have provided recommended conditions of approval in relation to the provision of services.

With respect to (a) or (b), though it is quite possible the proposal could comply with (a), it is immediately evident that in being for social housing owned and managed by Homes Tasmania, the proposal will provide a significant social and community benefit in accordance with (b), and so an assessment under (a) is not required.

It is noted that 23 additional dwellings (22 of which are 2 bedroom) will account for nearly 10% of the demand, as calculable from applications for social housing for two bedroom properties within the Glenorchy City area (Figure 8). The significance of benefit to the community by this contribution to social housing should not be understated. The site is also within 400m walking distance of a public bus stop on Berriedale Road.

The proposal is assessed as complying with (b) and so complies with the standard.

Property register applications by bedroom, by council area:

	1 Bedroom	2 bedroom	3 bedroom	4+bedroom
Hobart	326	89	35	13
Glenorchy	302	233	84	50
Clarence	222	122	54	26
Brighton	94	88	35	13
Kingborough	92	55	25	16
Huon Valley	43	12	11	Less than 10
Derwent Valley	41	29	19	Less than 10
Sorell	40	33	13	Less than 10

Source: Housing Connect

Figure 8. Extract of table used in Australian Broadcasting Corporation article relating to property applications in southern Tasmania – published 11 October 2023.

8.4.2 (P1) Setbacks and building envelopes for all dwellings

The proposed North Block is setback less than 4.5m from Coraki Street. The proposal is therefore reliant on the performance criteria which require:

A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

Comment

With reference to the below Figure 9, it is clear the extent of the protrusion of the bulk of the dwelling at North Block is quite minor, and the protrusion is owed more to the stair and balustrade than dwelling bulk.

The effect of the protrusion of the stair is negligible to the harmony of the streetscape, being low set and somewhat transparent (by virtue of balustrade design).

For the protrusion owed to walls, by and large the northernmost dwelling of the North Block will present as a modest sized dwelling of congruent qualities to an ordinary single dwelling. When regard is had for the qualities of the street being curved, and totality of dwelling design being modest, the minor incursion of the bulk of the dwelling does not unreasonably offend the streetscape and is considered to be compatible.

The proposal is considered to comply with the performance criteria.

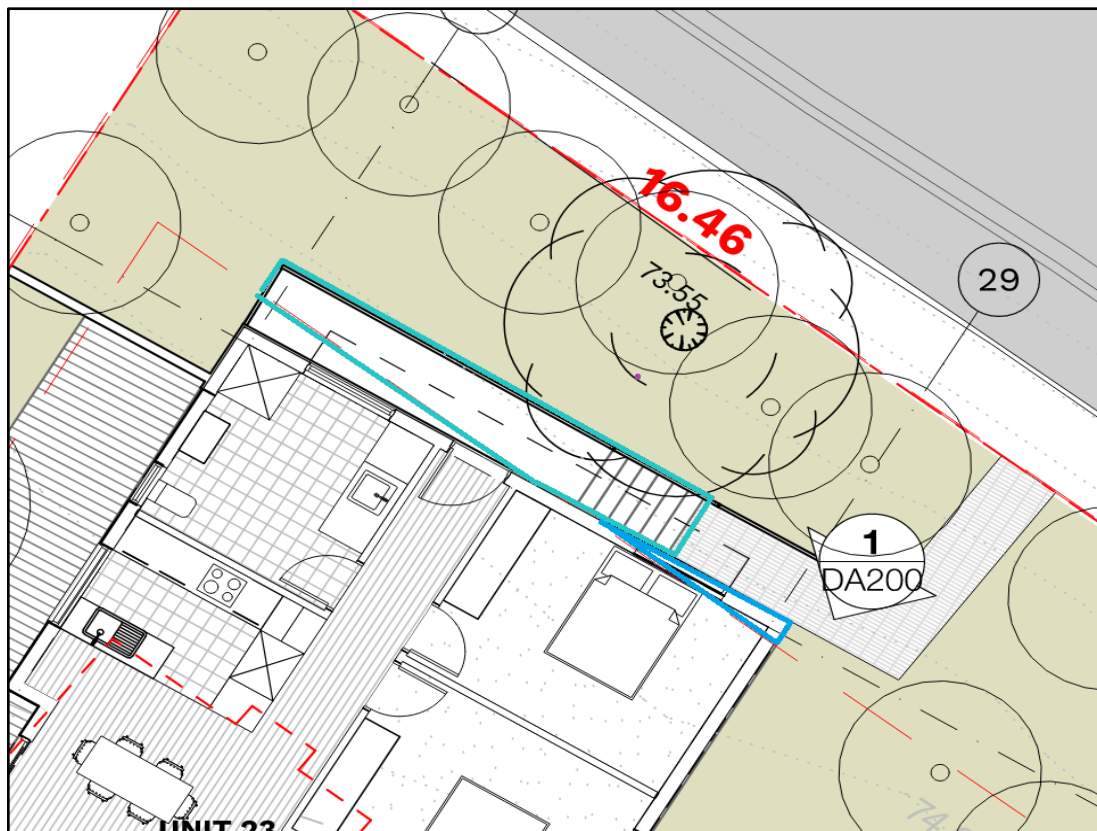


Figure 9. Extent of protrusion into the frontage setback where blue is the façade of the building and teal is the stair and balustrade.



Figure 10. Composite image of the proposed foremost dwelling within the North Block, relative to the surrounds.

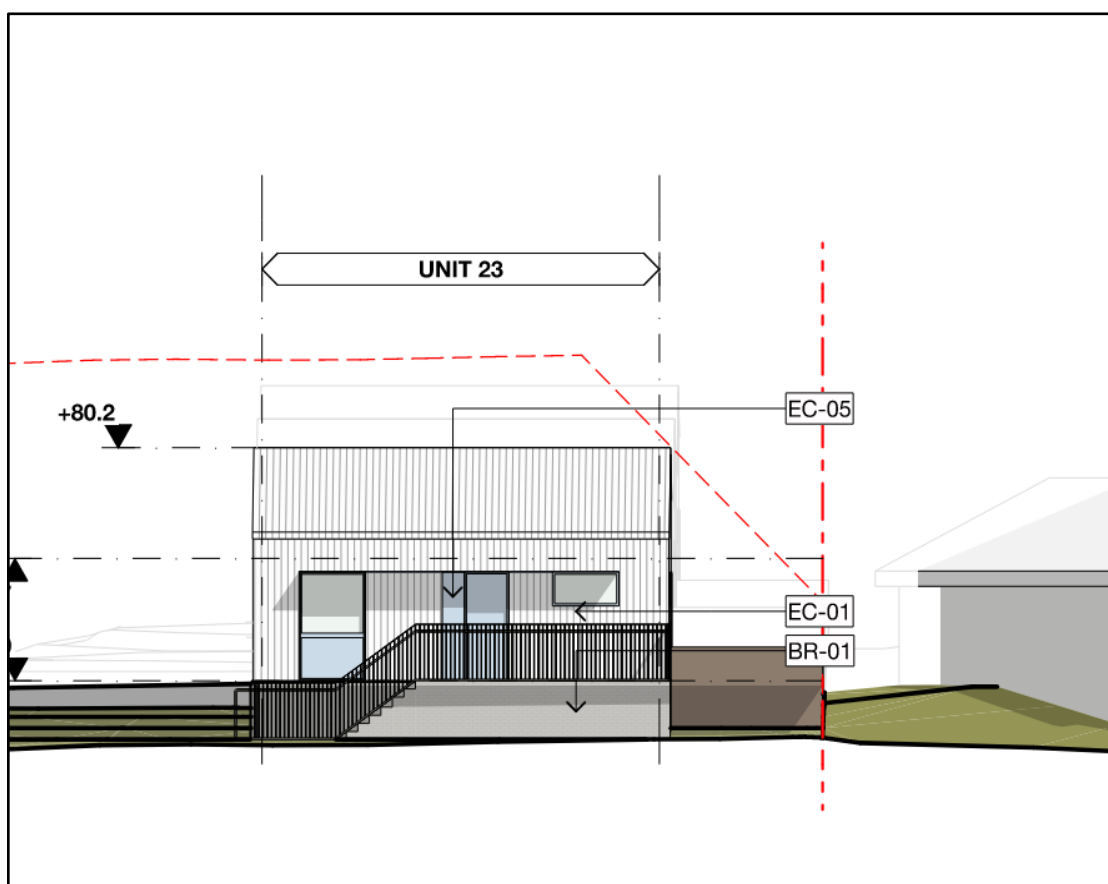


Figure 11. Presentation of the foremost dwelling within the North Block.

8.4.2 (P3) Setbacks and building envelopes for all dwellings

Across the site, each block protrudes from the building envelope differently, and to varying degrees.

- **North Block:** is setback less than 4.5m from the frontage though is contained within the vertical envelope.
- **East Block:** protrudes negligibly, owed to the apex height (Figure 12), though otherwise fits within the envelope.
- **South east Block:** complies with the Acceptable Solution.
- **South Block:** protrudes to varying degrees owed to both the apex height and upper floor of the dwellings as listed below (Figure 13).



Figure 12. East block east elevation demonstrating a negligible protrusion.

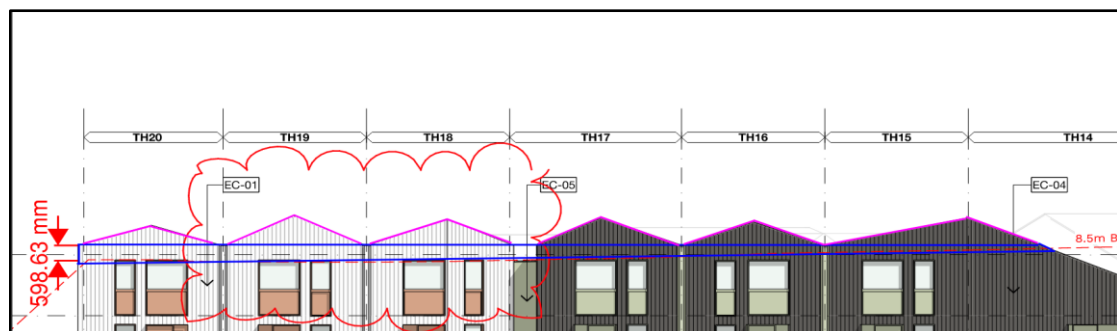


Figure 13. Elevation of South Block, demonstrating the degree of protrusion from the envelope, listed in Table 2 in metres as read from left to right.

Dwelling	Vertical protrusion in metres
TH20	1.3m
TH19	1.7m
TH18	1.6m (though has a section of the facade return to the north)
TH17	1.6m
TH16	1.2m
TH15	1.2m
TH14	1.2m

Table 2. Extent of the protrusion of dwellings within South Block.

For reasons outlined above, the proposal is reliant on the performance criteria which require:

The siting and scale of a dwelling must:

(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:

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

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

(iii) overshadowing of an adjoining vacant property; and

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

(i) an adjoining property; or

(ii) another dwelling on the same site.

Comment

Though the standard applies to the whole development, it is useful to separate the assessment under (a) into discrete parts (as blocks) so that compliance can be determined by reference to the varied degree to which each block relies on the performance criteria. Initially though, and applicable to the whole site, what can be determined is that:

for (b) the prevailing dwelling separation for those dwellings which are not conjoined in the area ranges between 5m and 7m, and the proposal maintains dwelling separation approximate, if not greater to this distance; and

for (c) there are no solar arrays in the vicinity which are affected by overshadowing.

The assessment of the development under (a) is as follows:

North Block:

The protrusion toward the frontage is modest and has been determined to comply with (P1), in that it is compatible with the streetscape. For the criteria of (P3), it is considered that as the North Block does not protrude from the vertical envelope, the degree of overshadowing, or visual bulk caused by virtue of a forward protrusion is of no consequence. There are no other overshadowing concerns as may be had where a proposal extends above the vertical envelope.

The North Block is considered to comply.

East Block:

The protrusion is negligible (240mm) and will on balance have no discernible impact on properties to the east beyond that permitted by the Acceptable Solution. There are no other overshadowing concerns as may be had where a proposal extends above the vertical envelope.

With regard for those criteria under (a), the East Block is considered to comply.

South East Block:

The South East Block is shown as being sited within a 4.5m setback from the rear boundary of 33 Coraki Street. In assessing the proposal and with regard for the specific definitions of Internal Lot, Lot and Site, the setback is not required to be 4.5m, and so there is no protrusion despite being shown on the drawings. This is because 5A Taree Street, albeit an internal lot (which together with 15 and 17 Coraki Street, forms the site), does not have an adjoining frontage with any properties in Coraki Street, and so a 4.5m setback is not a determining factor in forming the applicable building envelope for the purposes of the Acceptable Solution of the standard. Instead, the South East Block need only be setback 1.5m should a portion exceed 9m (which it does not), and must not exceed the vertical building envelope measurable as projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level

at the side and rear boundaries, to a height of not more than 8.5m above existing ground level, (which it does not).

The South East Block alone would comply with the Acceptable Solution of the standard (Figure 14), therefore with regard to those criteria under (a) the South East block is considered to comply.

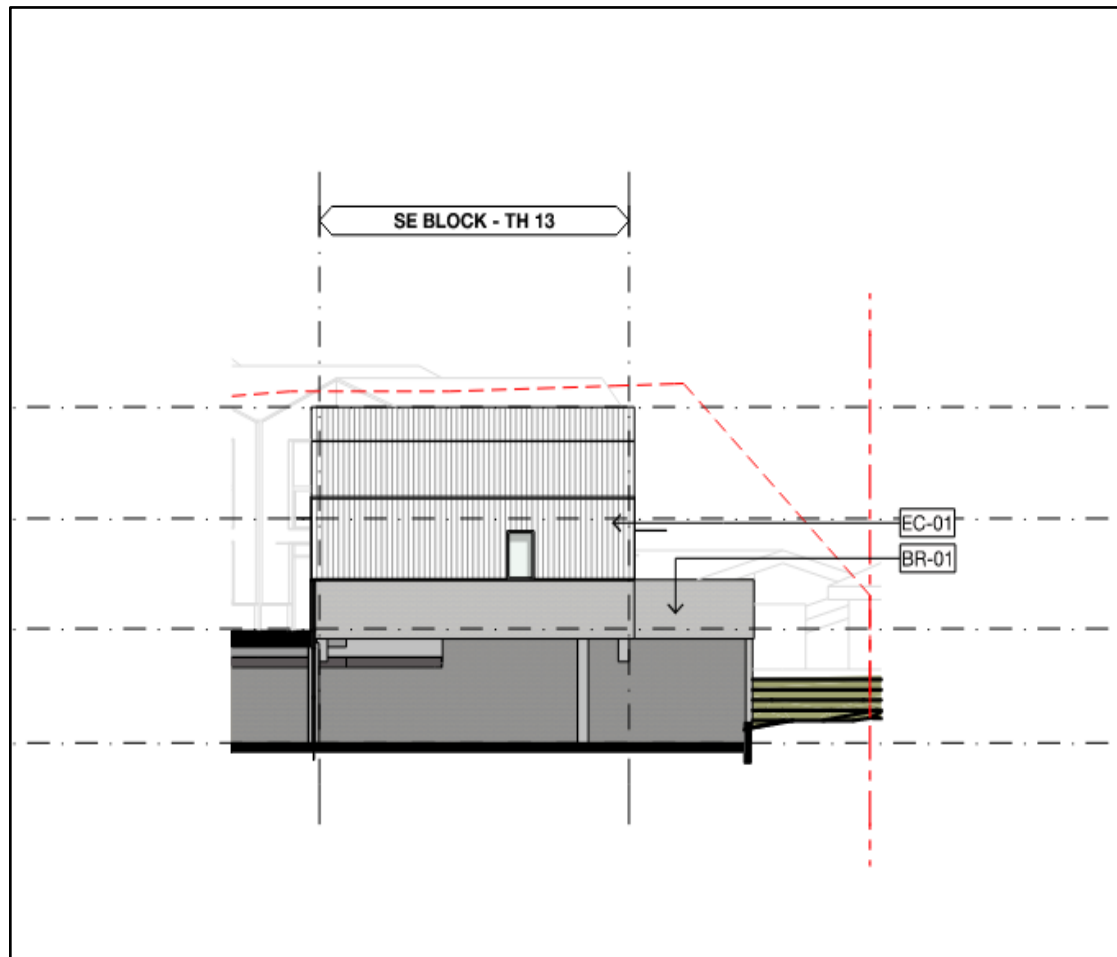


Figure 14. South East Block as compliant with the building envelope determined in accordance with the Acceptable Solution of clause 8.4.2 Setbacks and building envelope for all dwellings.

South Block:

The protrusion of the South Block from the building envelope presents at the northern elevation across the entirety of the block (Figure 12). The protrusion is consistently 600mm above the uppermost vertical building envelope, and then dependant on roof pitch, there are varied extensions of the protrusion (refer Table 2).

With respect to overshadowing, as relevant for the criteria at (a) (i) and (ii), it is considered there is a high degree of overshadowing of the properties to the South during winter only. The degree of overshadowing at the summer solstice and equinoxes is otherwise entirely reasonable, affording full solar access between 10am and 3pm to habitable rooms of those dwellings at adjoining properties to the South.

For the winter solstice, it is acknowledged the access to sunlight will be reduced to below 3 hours per day for 6 and 8 Tootonga Street, but in finding whether there is an unreasonable impact on amenity, a balanced approach should be taken, and this balance is found in considering the reasonableness of overshadowing on any given day. It is also important to bear in mind that dwellings to the south have heretofore enjoyed being to the south of a vacant reserve which somewhat amplifies the *loss*, but is a unique starting point in an urban area.

Largely, it is considered that development to the north of the habitable rooms or private open space of dwellings will cause for pronounced overshadowing at the winter solstice. It is not considered an unreasonable impact on amenity that on the shortest day, where the shadows are at their greatest, a high degree of overshadowing will be experienced despite otherwise at the summer solstice and the equinoxes good solar access is afforded. To focus solely on the winter solstice when considering loss of amenity will unfairly lead to a conclusion that a proposal is unreasonable, but the amenity of a place is not limited to the experience of that place at the winter solstice.

For these reasons, despite there being a high amount of overshadowing at the winter solstice, on balance of a year, and as evident by reference to the shadow diagrams provided, it is considered that this overshadowing does not contribute to an unreasonable loss of amenity.

Visually, being relevant for criterion (a) (iv), the design of the South block has characteristics which despite the height, create interest and variation of form and material. The proposal as infill development introduces this variation deliberately, to fit in better with the locality, equally made of varied roof shapes and pitches. A uniform apex height across the block would irrespective of height give a more massive and non-residential appearance. It is accepted the variation of roof shapes, which contribute to the degree of protrusion in fact contributes to a village feel, which is the intention of the design of the project and has a better outcome.

In short, the introduction of variation of forms is an accepted way to reduce the impacts height which may otherwise cause for unreasonable impacts by virtue of visual bulk and massing.

With regard to those criteria under (a), the South Block is considered to comply.

In summary, the development as a whole is considered to comply with the relevant performance criteria of clause 8.4.2 (P3) Setbacks and building envelope for all dwellings.

8.4.3 (P1) Site coverage and private open space for all dwellings.

Units 1-20, 22 and 23 each have areas of private open space which are below the Acceptable Solution, ranging between 24m² to 38m². The proposal is therefore reliant on the Performance Criteria which require:

Dwellings must have:

(a) site coverage consistent with that existing on established properties in the area;

(b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:

(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and

(ii) operational needs, such as clothes drying and storage; and

(c) reasonable space for the planting of gardens and landscaping.

Comment

For (a), it is important to note that the site coverage otherwise complies with the Acceptable Solution, being at 30%. For this reason, the extent to which discretionary consideration is given to the consistency of site coverage should be limited; the discretion is invoked because of private open space, and this is addressed under (b).

Therefore, it is considered the proposal complies with (a), in that the site coverage is consistent with the areas required within the Acceptable Solution, and so must be consistent with the objective of the standard to which the performance criteria similarly strive to achieve.

For (b), generally, as two bedroom units (and one single bedroom), it is considered the reasonable needs of private open space for users will be less than the typical three bedroom house which the Acceptable Solution largely anticipates. Specifically, as the dwellings vary in orientation a block-by-block analysis is therefore useful in determining how the proposal complies.

North Block:

Of these dwellings, Units 22 and 23 have an area less than the 60m² required by the Acceptable Solution. The orientation of private open space is such that the dwellings will receive moderate afternoon sun. On balance of the smaller dwelling size, good orientation for afternoon sun, and linkages with common spaces of a high quality, designed for amenity and outdoor enjoyment, the arrangement is considered to comply with the Performance Criteria.

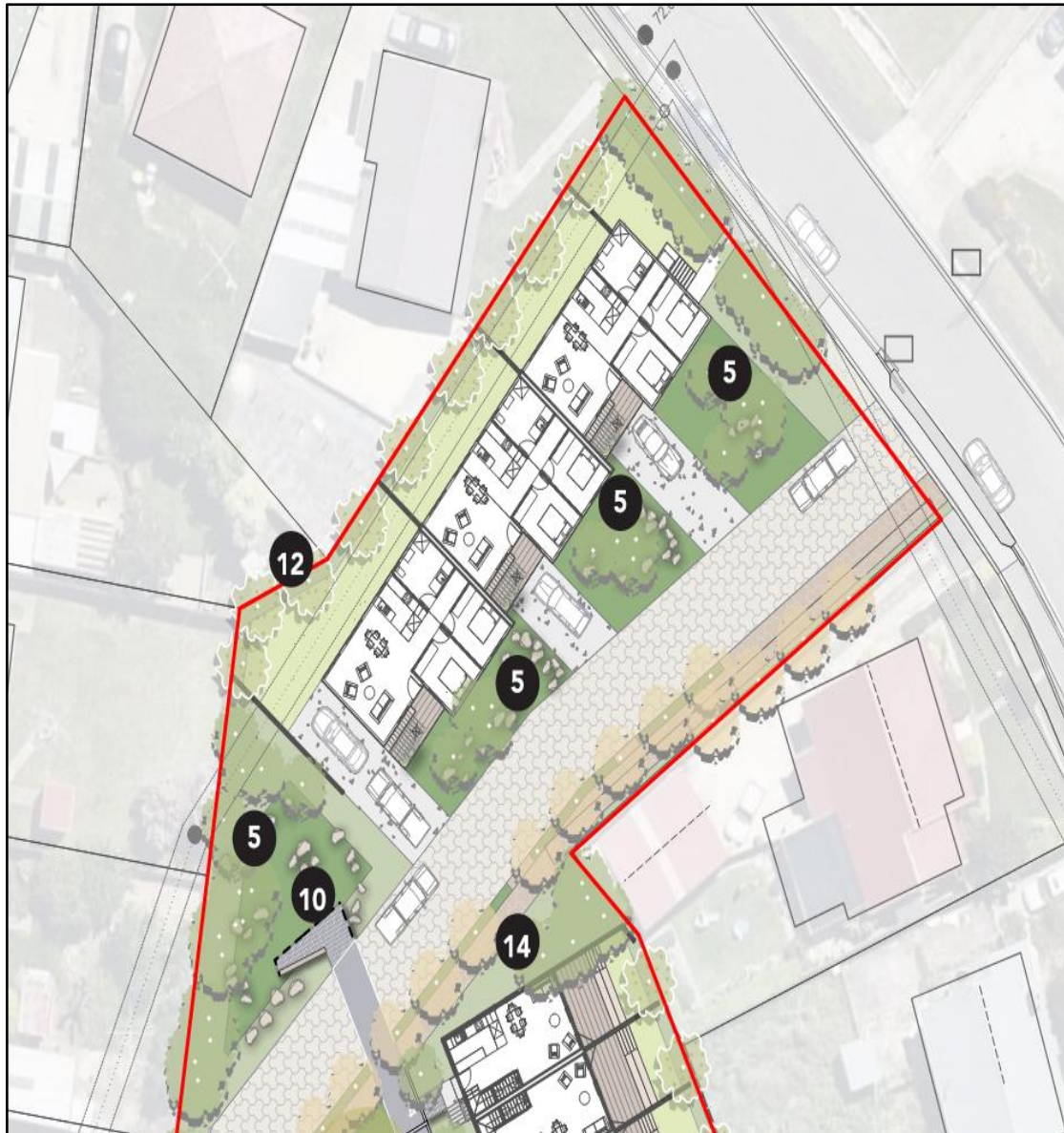


Figure 15. Extract of landscaping plan relative to the North Block. Note the area marked 10 is a raised deck over water treatment retention and swale.

East Block:

Of these dwellings, each are below the 60m² required by the Acceptable Solution. The orientation of the private open space is to the north east, considered optimal for solar access for a large portion of the day. The dwellings each have a raised deck, and linkages to common spaces of a high quality, designed for amenity and outdoor enjoyment. The arrangement for the East Block is considered to comply with the Performance Criteria.

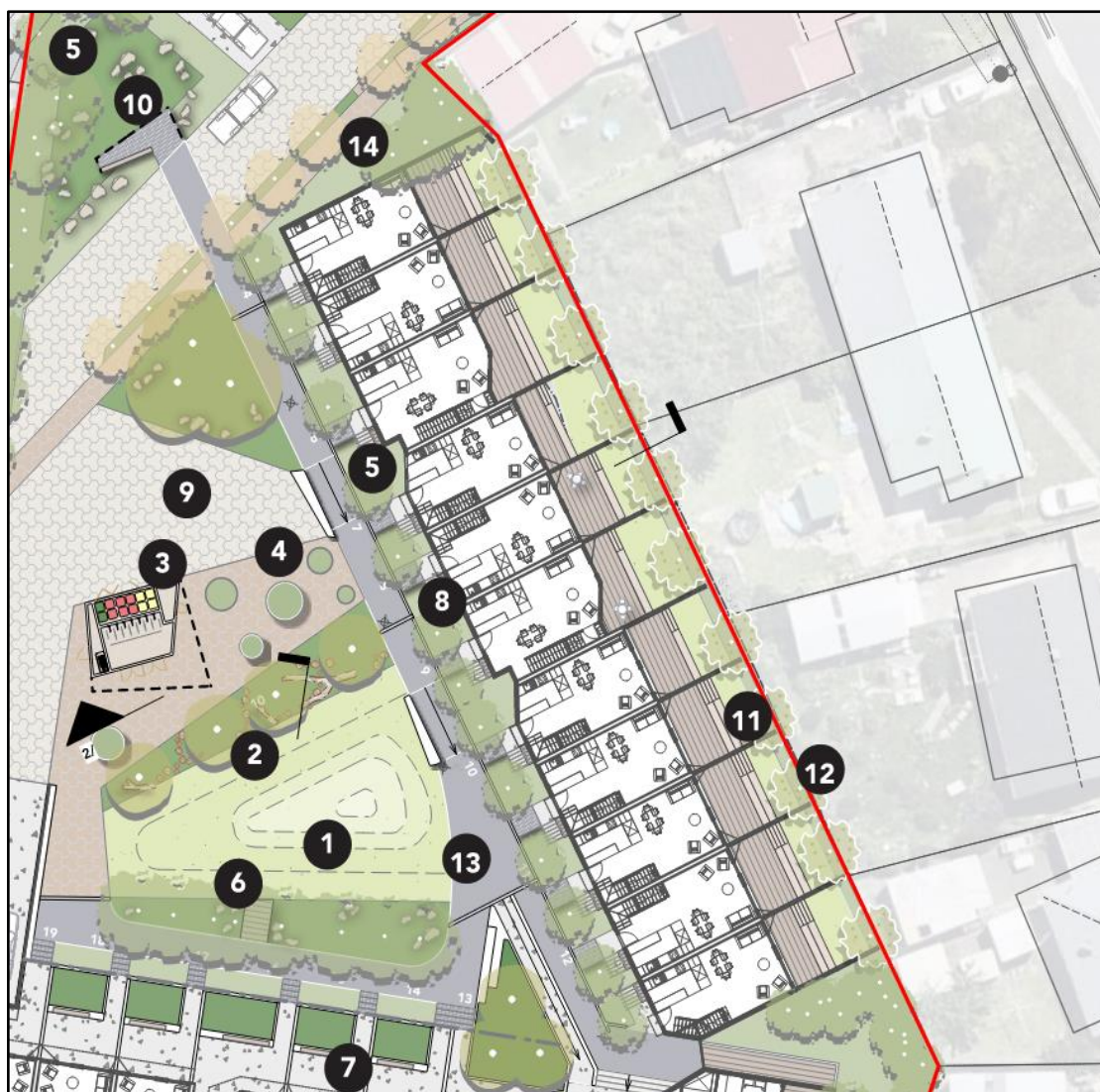


Figure 16. Extract of landscaping plan relative to East Block. Close proximity to central lawn marked as 1.

South east Block:

There are only two dwellings in the South East Block. The private open space allocated to each is 24m² each, provided by way of a deck facing east. The siting of this block is in close proximity to a somewhat secluded landscaped area to the east, which will be managed for the amenity of residents. Though this eastern area is not for the exclusive use of the occupants of the South East Block, in all likelihood it will function for their amenity the most.

There is in proximity also the main central garden which will function as a common space for the site. The arrangement for the South East Block, with particular regard for the south east corner landscaping and linkages to the common green space is considered to comply with the Performance Criteria.



Figure 17. Extract of landscaping plan relative to South east Block.

South Block:

Each of the dwellings in the South Block has access to a north facing courtyard with green space and other common areas of a high quality in close proximity. These spaces have been designed for amenity and the outdoor enjoyment of all occupants of the site. The arrangement for the East Block is considered to comply with the Performance Criteria.

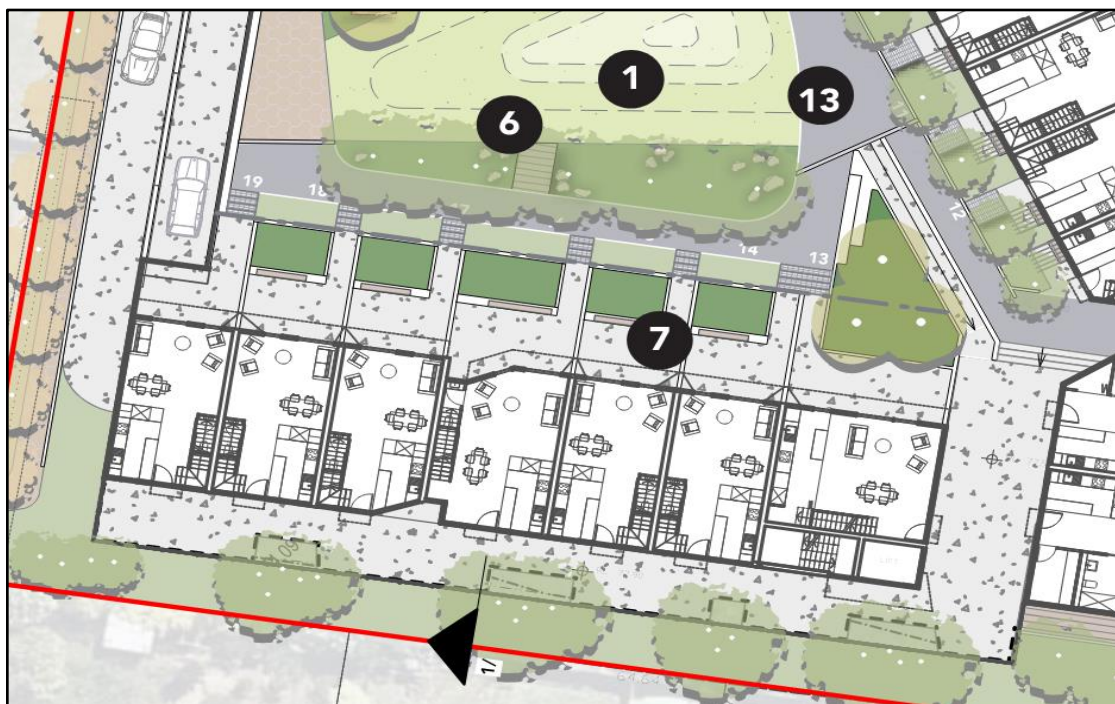


Figure 18. Extract of landscaping plan relative to South block.

In summary, the dwellings are not greater than two bedrooms, have private open space orientated to maximise their usefulness with respect to solar access, and the dwellings each have varied linkages to common open spaces designed to a high quality. When regard is had for these principal elements consistent across the site, the proposal is considered to comply with the Performance Criteria.

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

The proposal has been referred to Council's Development Engineer who has made comment in the Internal referrals section of this report. The proposal is considered to comply with each of the Acceptable Solutions of the applicable standards of this code, except where reliant on the performance criteria for C2.5.1 Car parking numbers and C2.6.5 (P1) Pedestrian Access for the underground car park.

C2.5.1 Car parking numbers

The performance criteria of this standard requires:

P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

- (a) the nature and intensity of the use and car parking required;*
- (b) the size of the dwelling and the number of bedrooms; and*
- (c) the pattern of parking in the surrounding area.*

Comment

Council's Development Engineer and Traffic Engineer each have provided detailed comments, finding that the proposal complies with these relevant criteria. Please refer to the Internal referrals section of this report for further comments.

C2.6.5 (P1) Pedestrian Access for the underground car park.

The performance criteria of this standard requires:

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (a) the characteristics of the site;*
- (b) the nature of the use;*
- (c) the number of parking spaces;*
- (d) the frequency of vehicle movements;*
- (e) the needs of persons with a disability;*
- (f) the location and number of footpath crossings;*

- (g) vehicle and pedestrian traffic safety;*
- (h) the location of any access ways or parking aisles; and*
- (i) any protective devices proposed for pedestrian safety.*

Comment

Councils Development Engineer and Traffic Engineer each have provided detailed comments, finding that the proposal complies with these relevant criteria. Please refer to the Internal referrals section of this report for further comments.

C3.0 Road and Railway Assets Code

The proposal has been referred to Council's Development Engineer who has made comment in the Internal referrals section of this report.

The proposal is considered to comply with each of the Acceptable Solutions of the applicable standards of this code as outlined in the appendices to this report, except where reliant on the performance criteria for C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction, which require:

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority*

Comment

Council's Development Engineer and Traffic Engineer each have provided detailed comments, finding that the proposal complies with these relevant criteria. Please refer to the Internal referrals section of this report for further comments.

State Planning Provisions - Applied, Adopted or Incorporated Documents

None applicable.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No local area objectives of the Scheme apply to this proposal.

Particular Purpose Zones

No Particular purpose zones of the Scheme apply to this proposal.

Specific Area Plans

No specific area plans of the Scheme apply to this proposal.

GLE-Site Specific Qualifications

No site-specific qualifications of the Scheme apply to this proposal (refer to the Site Specific Qualifications table).

GLE-Code lists

No code lists of the Scheme apply to this proposal.

INTERNAL REFERRALS

Development Engineer

The proposal has been referred to Councils Development Engineer who has provided the following comments:

The development application seeks an approval to demolish the existing dwellings at 15 and 17 Coraki Street and construct 23 new residential dwellings over the three titles (15 and 17 Coraki Street and 5A Taree Street) which are proposed to be amalgamated to form one new lot.

The works include a new access off Coraki Street, removing the existing crossover via Taree Street, works associated with the driveway and parking areas for 40 car spaces and associated stormwater infrastructure works including on-site detention (OSD) and water sensitive urban design (WSUD) element.

The Traffic Impact Assessment (TIA) by Hubble Traffic dated June 2023, Taree Civil combined drawings by JMG Engineers and Planners Rev DA1 Dated 13 September 2023, and Civil Concept Services Report by JMG Engineers & Planners Rev2A dated 23 June 2023 were submitted as part of the application. The application and the TIA have been referred to Council's Transport Engineer to review, provide comments and recommend conditions as required. The application and the Stormwater report have been referred to Council's Senior Civil Engineer to review, provide comments and recommend conditions as required.

The size and scope of works can be seen in the extract below. The proposed dwellings are split into 3 building blocks as follows:

- The north block – 3 units with 4 car parking spaces
- The east block – 11 units
- The south block – 9 units with vehicle access and parking area for 36 car parking spaces.

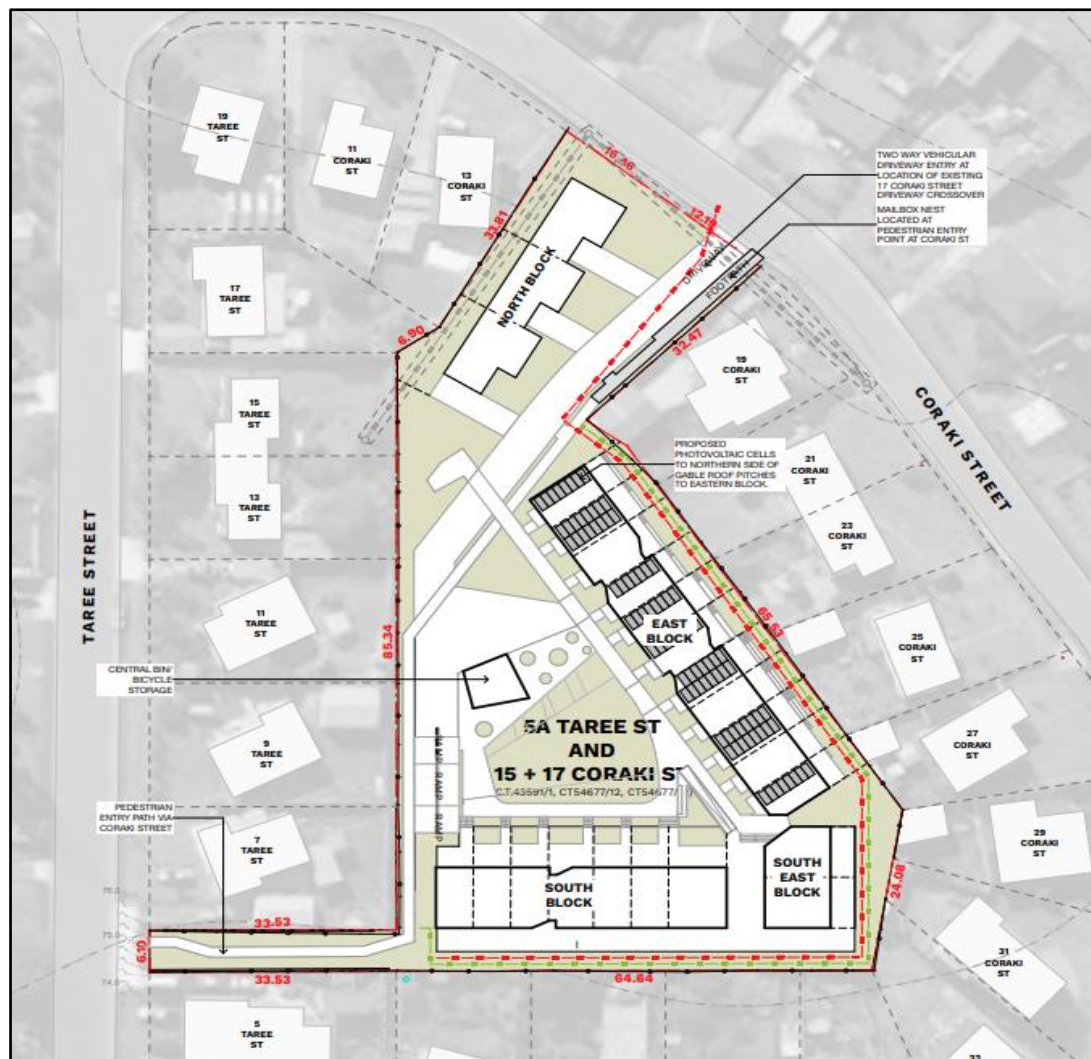


Figure 19. Extract of site plan.

A communal courtyard area over the space between the east and the south blocks is also proposed. A pedestrian path connecting the development site to both street frontages are part of the proposal.

Stormwater runoff is proposed to be drained via an OSD system and WSUD element to the existing stormwater system via gravity. On site detention in form of oversized stormwater pipes and open swale for a 5% AEP are proposed and accepted by Council's Senior Civil Engineer. For major storm event, it is proposed the pit will

surcharge and the flow will be safely conveyed as overland flow directly into the roadway.

Therefore, the General Manager's consent to interfere with stormwater infrastructure can be granted. The document is available in ECM.

C2.0 Parking and Sustainable Transport Code

The development complies with the code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The requirement under the C2.5.1 and table C2.1, A1 requires the 2 car parking spaces for each dwelling, plus 8 visitor parking spaces. The applicant proposes to provide a total of 40 car parking spaces for the entire site which results in a car parking shortfall of 14 spaces. Therefore, an assessment against the performance criteria is required. The TIA has addressed the shortfall and justified that this based on various social unit developments; and concluded that the reduction is acceptable based on the nature of the developments where the residents generally have lower car ownership. Additionally, the availability of public transport, the consideration of on-street parking, the frequency of public transport and other mode of transport are taken into consideration. To conclude the numbers of parking shortfall can be accepted, and the local road network are not expected to be significantly affected. Council's Transport Engineer has accepted this justification. Therefore, based on the TIA, it is considered the performance criteria is satisfied.

There are no requirements for accessible car parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. One (1) motorcycle parking space is required to comply with the scheme; and it is proposed to provide an area for that. The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to Council's stormwater system.

According to the Planning Scheme, to comply with the acceptable solution of C2.6.5 A1, a 1-metre-wide pedestrian footpath is required where the use requires more than 10 car parking spaces. The proposed development does include dedicated pedestrian pathways from parking areas connecting with both street frontages to public footpath. The internal pathways will be a hard-wearing concrete surface, 1.5 metres wide, separated from the roadway with kerbing and painted markings. These pedestrian pathways comply with the Acceptable Solution, as they will provide safe and convenient pedestrian access to the site, and units. However, within the underground car parking area, the pedestrian path is shared path with no separation able to be provided, hence the Acceptable Solution is not met. It is however considered the

proposal is acceptable as it is not uncommon for the residential use in low-speed environment that driveway and pedestrian path is a shared arrangement.

C3.0 Road and Railway Assets Code

The development is considered to comply with the code requirements and local traffic conditions are not expected to be significantly affected. However, for a more comprehensive assessment relates to traffic generation, and traffic safety, please refer to the Traffic Engineer Referral.

The site can be accessed off the existing vehicle crossings to the subject site. Based on the TIA, the traffic generation of the development is likely to be 105 vehicles per day with the two peak period generations of 11 vehicles per hour. The increase vehicle movements are over 40 vehicle trips per day; therefore, the assessment against the performance criteria is triggered. The TIA has undertaken the traffic and parking assessment, site survey, traffic modelling and investigated crashes history to assess the development against the performance criteria.

The TIA then concluded that the amount of traffic expected to be generated during the peak hour periods is reasonably low, and there is sufficient capacity within the surrounding street network to absorb the extra vehicle movements, without adversely impacting other users or residential amenity. Council's Transport Engineer is supporting the TIA findings; and therefore, it is considered that, the performance criteria for C3.5.1 P1 is satisfied with.

Other

C7.0 Natural Assets Code

There are no natural assets issues identified through Council's records that affect the application.

C12.0 Flood-Prone Areas Hazard Code

There are no flooding issues identified through Council's records that affect the application.

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

Waste Management Officer

Waste management services to the proposed multiple dwelling development at 5A Taree St Chigwell would be Councils **shared** bin service, **collected weekly**. There will be a total number of twenty three (23) x 240L Shared Bins. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the kerbside for collection.

Senior Civil Engineer

The proposal has been referred to Council's Senior Civil Engineer, and the following comments have been provided in relation to both the assessment of the proposal against the applicable standards of the Scheme, and with respect to Council's Stormwater Management Policy. Council's Senior Civil Engineer has also recommended conditions of approval to be appended to any consent issued.

Comments

The development works at 5A Taree Street includes 23 residential units.

1. Referenced Documents

- a. Development Application_Landscape Report by REALM studios, Rev A, dated 23/06/2023
- b. Taree St_Development Application by Peter Walker, Rev DA02, dated 27/09/2023
- c. Civil Concept Services Report by JMG Engineers & Planners, Rev 2A, dated 23/06/2023
- d. Taree Civil Combined Drawings by JMG Engineers & Planners, Rev Da1, dated 13/09/2023
- e. RFI Response by JMG Engineers & Planners, dated 28/09/2023

2. Stormwater Management Policy

a. Stormwater Disposal Method Requirements:

Stormwater generated from new development areas will drain to existing stormwater systems by gravity. Therefore, 4 (a) is met.

b. Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment and disposal of stormwater given the new impervious area is greater than 500m². A combination of proprietary water treatment devices and bio retention swales have been proposed to the stormwater system. Therefore, 5 (b) is met.

c. Stormwater Quantity Management Requirements:

On site detention in form of oversized stormwater pipes and open swale has been proposed to ensure pre-developed discharge rates are achieved post construction for a 5% AEP or 1 in 20-year rain event. For flow greater than the 5%AEP event,

excess flow will exit the designated surcharge pit and continue as overland flow directly into the roadway. Therefore, 6(b) is met.

d. Stormwater System Design Requirements:

The major stormwater system and the minor stormwater system have been demonstrated in Civil Concept Service report and civil drawings by JMG Engineers & Planners. Therefore 3 (a) and (b) are met.

Conclusion

In summary, I have no objection with the proposal from a hydraulics perspective.

Traffic Engineer

The proposal has been referred to Council's Traffic Engineer who has provided the following comments.

Comments

The developer proposes to construct 23 units at 5A Taree Street, comprising of three one-bedroom and 20 two-bedroom units with 40 car parking spaces in the General Residential Zone.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated June 2023. The TIA addresses the performance criteria C3.5.1 P1 traffic generation at a vehicle crossing, level crossing or new junction; C2.5.1 P1.2 (dwellings) car parking numbers and C2.6.5 P1 Pedestrian Access for the underground car park.

Driveway and Pedestrian Access

The development is proposing to demolish two existing dwellings at property 15 and 17 Corki Street in which driveway access to the site will be on the southern side of the properties and on the northern side there will be the three one-bed room units. The 5.5m wide driveway heads south with a turnaround area for vehicles including for waste collection.

The waste bin storage will be alongside the turning area and the bins placed for collection in front of the storage area. It is proposed by Council that No Stopping signs be placed in the turning area, so cars do not park there, and the collection point is line marked via a yellow hatched area, so people know where to place the bins.

The driveway access continuous from the turn around area, to underground parking for 36 vehicles. The other four parking spaces are located outside the one-bedroom units. Within the underground car park vehicles can enter and exit in a forward-facing direction.

However, there is insufficient width to accommodate a separate pedestrian pathway within the underground car park, thus the performance criteria C2.6.5 P1 Pedestrian Access is addressed in the TIA. In summary, as the underground car park will generate low turnover with low operating speeds, it is viewed that pedestrians sharing this area is appropriate.

There are pedestrian paths from the underground car parking spaces to the units, of which 9 units are above the underground car park, 11 units to the north in a sperate block and 3 units near Corki Street. The pedestrian paths also link to Coraki Street and Taree Street. A pedestrian path will be constructed from Taree Street to the units along the current access to the lot.

The current driveway access off Taree Street was not used as sight distances were not met for a unit development. The driveway access from 17 Coraki Street will be widened to accommodate two-way traffic. Sight distances from the proposed driveway were assessed in the TIA in which there is 70m to the north and 72m to the south.

Under AS2890.1 sight distance at a commercial driveway (being more than 3 units) is required to be between 45m to 69m, thus sight distances are met. Some trimming of overhanging vegetation onto the nature strip from properties would improve the current sight lines.

Based on the TIA it is accepted that the proposed driveway access, internal driveway layout and footpath connections are safe and adequate.

Parking Supply

The 23-unit development is proposing 40 car parking spaces of which 8 will be for visitor parking. The planning scheme requires 51 car parking spaces, of which one space is required per 1 bedroom unit (3 spaces), 2 spaces required per 2-bedroom unit (40 spaces) and 1 visitor parking space per 3 units for an internal lot (8 spaces).

Under the planning scheme the car parking numbers are based on private housing. A reduction in car parking numbers is considered appropriate for social housing and evidence is provided in the TIA to justify this based on social unit developments in Metro Melbourne, local Tasmanian experience on social housing demand from Centacare Evolve Housing and parking demand data from Queens Walk social housing complex.

The findings shows that tenants of social units have a lower car ownership than private housing, along with parking demand related to the locality of the site to public transport and activity centres that provide commercial and retail services. In this case, the units are located near public transport and close to local shops, reserves, and playgrounds. The closest major shopping centre is at Claremont.

Based on the evaluation, the TIA assessed this unit development as outer metro with an estimated 1.35 car parking spaces per unit. With 23 units being proposed, this means a parking demand of 31 spaces. The planning scheme requires 8 visitor parking spaces. The developer is proposing 40 car parking spaces. There are also an additional two motor bike parking spaces being proposed. This is expected to meet the reasonable demand of the units and minimise the risk of parking overflow.

For reference, the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development for a medium density residual unit, estimates that 33 parking spaces are required of which 5 are for visitor parking.

It is also likely that as the internal driveway access is 5.5m wide, that any overflow parking may occur within the site. There is also on street parking on Coraki Street and Taree Street which is available for all properties to use. Coraki Street is 7.5m wide and Taree Street is 8.5m wide. This is sufficient width for a local residential street to have parking on both sides of the road and one lane of traffic, were drivers give way to oncoming vehicles as required.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for C2.5.1 P1.2 is met.

Traffic Generation

The traffic generated by the development is expected to be 105 daily trips with 11 trips in am and pm peak hour based on 5 daily trips per unit for a medium density residential unit as per the RTA Guide and subtracting the traffic generated from the two dwellings being demolished.

The TIA undertook a traffic survey at the junction of Coraki Street / Taree Street; Taree Street / Berriedale Road, and Coraki Street / Allunga Road during the am and pm peak hours. The surveys showed that Taree Street and Coraki Street carry less than 100 vehicles during peak hours, while Berriedale Road carries 350 vehicles per peak hour and Allunga Road 450 vehicles per peak hour.

The extra vehicle trips from the development were added to existing trips and assessed in the TIA using SIDRA modelling. SIDRA modelling looks at Level of Service at intersections based on delays, queues, and degree of saturation. The traffic modelling showed that the development will not have any adverse traffic impacts to the road network with the Level of Service staying the same in which traffic flow is stable with minimal delays or queues and there should be sufficient gaps in traffic to be able to turn.

The RTA Guide provides advise on acceptable levels of traffic for streets to evaluate the likely impact on residential amenity. Local residential streets have an environmental goal of 200 vehicles in peak hour to a maximum of 300 vehicles in peak

hour. Both Taree Street and Coraki Street have less than 100 vehicles in peak hour so meet the environmental goal for a local residential street

The TIA assessed the crash data reported to Police over the last 5 years. This showed that there has been one crash in Taree Street and one in Coraki Street, both being a single vehicle losing control resulting in property damage. The crash data does not indicate any road safety deficiencies.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking or road safety. I have no objection to the development on traffic engineering or road safety grounds subject to conditions.

EXTERNAL REFERRALS

TasWater

The proposal has been referred to TasWater which has provided a submission to be appended to any permit issued.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 2 representations being received. The issues raised are as follows:

The initial consultation was for 14 dwellings.

Comment

The extent or quality of consultation by the proponent (however encouraged) is not a matter to consider in determining the application. This application was publicly advertised in accordance with statutory requirements.

The dwellings are two storeys high.

Comment

With regard for the performance criteria of the applicable development standards, the height of the proposal is considered to comply, albeit a two storey construction. This has been addressed earlier in the report.

The glazing is not frosted, and this presents a privacy concern.*Comment*

The dwelling setback relative to side and rear boundaries exceeds 3m, and as such comply with the acceptable solution of the applicable development standard relating to privacy, 8.4.6 Privacy for all dwellings.

A new fence is required.*Comment*

The proposal does not seek to erect fencing, though in the event a fence were proposed, there are applicable exemptions which will obviate the need for any further permits.

The degree of overshadowing is unfair*Comment*

The extent of overshadowing at the winter solstice is considered high, though on balance, over a given year, the degree of overshadowing is not considered to cause an unreasonable loss of amenity to adjoining properties. This is addressed earlier in the report.

Proposal presents a removal of open space which there is a lack of in the Chigwell area*Comment*

The land is zoned General Residential. The use of land in the General Residential Zone for residential purposes is permitted, and is considered to fulfill the purpose of the zone.

The owner of 4 Tootonga was not consulted.*Comment*

The extent or quality of consultation by the proponent (however encouraged) is not a matter to consider in determining the application. It is understood that the applicant has subsequent to the receipt of the representation continued to work with the owner of the property, and a copy of the notification to them prior to the making of the application has been supplied to the Council (of relevance for s 52(1) of the Act).

CONCLUSION

The proposal is for twenty three dwellings to be constructed at 5A Taree Street, and 15 to 17 Coraki Street, Chigwell. The development includes works at 5 Taree Street and 4 Tootonga Street for the provision of services only. The proposal complies with the acceptable solution of each of the applicable standards as outlined in the

appendices to this report, except where reliant on the performance criteria for 8.4.1 (P1) Residential density for multiple dwellings, 8.4.2 (P1) and (P3) Setbacks and building envelopes for all dwellings, 8.4.3 (P1) Site coverage and private open space, C2.5.1 Car parking numbers and C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.

As outlined in the body of this report, the proposal demonstrates compliance with the relevant performance criteria of the above listed standards.

Recommendation:

That a permit be granted for the Demolition, and twenty-three Multiple Dwellings, inclusive of works and infrastructure (Residential) of 5A Taree Street Chigwell subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-165 and Drawings submitted on 29 September 2023, 47 pages, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2023/00847-GCC dated 13 July 2023, form part of this permit.
3. Prior to the commencement of works, a landscaping plan which identifies the distribution of species across the site must be submitted and approved to the satisfaction of Council's Senior Statutory Planner. The landscaping plan must consider the suitability of plantings with respect to in ground infrastructure, maintenance, and the potential for dropping of limbs or other nuisances offsite. Once endorsed this landscaping plan will form part of the permit.
4. Landscaped areas and common facilities shown on the approved plans, and subject to condition 3 of this permit, must be provided and be able to be used prior to the occupancy of any dwelling.

Engineering

5. The developer must show on a plan 'No Stopping' signage in the turning area so that the waste vehicle is able to turn without parked cars and place a yellow hatched area alongside the waste storage area where the bins are to be collected. The plan must be to the satisfaction of Council's Development Engineer and must be installed as per the plan, by the developer prior to the commencement of use.

6. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit an Erosion and Sediment Control (ESC) plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Erosion and Sediment Control plan (ESC) forms part of this permit and must be complied with.

Advice: For further information please refer to Erosion and Sediment Control (ESC) Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au/stormwater/.

7. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
8. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
9. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
10. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost. It must be the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the

footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record may be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works may be deemed to be the responsibility of the developer and shall be repaired at the developer's cost.

11. A detailed estimate for the works must be provided and payment of the engineering drawing approval fee must be made prior to the issue of approved engineering drawings or the issuing of the building approval. Under Council Schedule of fees and charges 2023/2024, the engineering drawings approval fee is 2.1% of the value of the civil works. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
12. A new 5.5m wide vehicle crossing via Coraki Street must be constructed and the existing vehicle crossing via Taree Street must be removed. The crossover must in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. A detail design must be submitted and approved prior to the issuing of a Building Permit Approval.

Advice: Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2022/08/Road-Opening-Permit-Application-Form-1.pdf>

13. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Engineering Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25% or 1 in4.

- (b) Vertical alignment shall include transition curves (or straight sections) at all grade changes greater than 12.5%.
- (c) A 'No Stopping' sign or line-marking in the turning area must be installed so that the waste vehicle is able to turn, along with a yellow hatched area alongside the waste storage area where the bins to the satisfaction of Council.
- (d) Total of 40 clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
- (e) A motorcycle parking spaces to Australian Standard must be provided.
- (f) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (g) Footpath with minimum width of 1.5m with appropriate separation must be provided.
- (h) The crossfall along the footpath must not exceed 2%.
 - (i) The gradient of any parking areas must not exceed 5% and
 - (j) Minimum carriageway width is to be no less than 5.5 metres.

All works required by this condition must be installed prior to the occupancy of the dwellings.

14. Prior to the issuing of the building approval or the commencement of any works (whichever occurs first) submit detailed Engineering design drawings to the satisfaction of Council's Senior Civil Engineer for approval. The engineering drawings must:
- (a) be certified by a qualified and experienced Engineer.
 - (b) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (c) Include the associated calculations and plans. The stormwater main must be sized to accommodate at least the 5% AEP flows from a fully developed catchment.
 - (d) Clearly distinguish between public and private infrastructure.
 - (e) Stormwater Manhole must be provided wherever there is a change in alignment.
 - (f) Be substantially in accordance with the LGAT Standard Drawings
 - (g) Provide an adequate overland flow path must be maintained through the site, such that flows are excluded from the buildings and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event.

All work required by this condition must be undertaken in accordance with the approved engineered drawings. A landowner consent from 5 Taree St must be submitted to conduct stormwater modifications prior to building permit.

15. The development must incorporate the On-Site Detention (OSD) and Water Sensitive Urban Design (WSUD) as part of the development as presented in the Concept Services Report dated 23.06.2023 prepared by JMG Engineers and Planners. The onsite piped detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to the issue of a Completion Certificate.
16. Digital copies of a post construction work CCTV video and associated report(s) of any proposed Council stormwater main must be submitted to Council after completion of all work but prior to the issue of any Certificate of Completion. CCTV records must clearly label the upstream and downstream nodes, direction of travel, locate all connections and nodes, capture defects.
17. The new stormwater connection must be constructed and installed to Council's satisfaction prior to the sealing of the final plan or the issuing of the completion certificate; and any existing abandoned connections must be capped and sealed at the owner's expense. Please note once plans are approved, a formal Application for New Stormwater Connection and inspection by Council's Senior Civil Engineer is required. The form is available from <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>
 - (a) A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.
 - (b) Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.
 - (c) If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.
18. The landowner must maintain the on-site stormwater detention and water sensitive urban design infrastructure in accordance with the approved maintenance schedule.

19. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Senior Civil Engineer for approval prior to the commencement of the use and/or the issuing of the plumbing approval. When approved, the maintenance schedule forms part of this permit.

Waste

20. Prior to occupancy of the dwellings, the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator and be in accordance with the following:
- (a) it must be built on a flat surface with a concrete base and surround of a brick or painted block enclosure or other suitable material.
 - (b) it must have concrete at the entrance to the bin enclosure.
 - (c) it must suit twenty four x 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) have a minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) the front of the bin enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure, it may be fenced and/or gated, but must enable wheelie bins to be removed, and returned in a safe and efficient manner;
 - (f) there must be no lip on the concrete slab of the bin enclosure.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

General

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Waste Services coordinator advice

The proposed multiple dwellings would be eligible for a maximum of twenty three x 240L wheelie bins.

Eight (8) x 240L Waste Bins (Red lids), Eight (8) x 240L Recycling Bins, Eight (8) x 240L FOGO bins, collected weekly to be shared by all twenty three (23) dwellings.

PLEASE NOTE: A Deed of Release between the developer and Council must be signed prior to the collection vehicles entering the site.

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-23-165 dated 23 November 2023, is associated with this permit.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

Attachments/Annexures

- 1 GPA Attachment - 5A Taree Street, 17 Coraki Street, 15 Coraki Street,
[🔗](#) 5 Taree Street and 4 Tootonga Street, Chigwell

APPENDIX 1

8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm	Residential use is permitted within the General residential Zone	N.A
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.	Residential use is permitted within the General residential Zone	N.A
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.	No commercial vehicle movements proposed	N.A

	A4 No acceptable solution.	Residential use is permitted within the General residential Zone	N.A
8.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.	The proposal is for a Residential Use	N.A
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.	The proposal is for a Residential Use	N.A
8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	The site area per dwelling for lots which accommodate multiple dwellings equates to 1 per 249m ² (23/5737m ²)	No, see report
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than	The proposed dwellings protrude into the frontage setback at Coraki Street.	No, see report

	4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Not applicable	N.A

	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	The proposed dwellings protrude from the building envelope at the southern elevation, and from the frontage setback at Coraki Street.	No, see report
8.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level	Dwellings predominately have an area of private open space between 24 and 38m ² . Unit 21 is the only dwelling which has an area in accordance with the acceptable solution	No, see report

	that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).		
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	Each dwelling has an area in accordance with the acceptable solution.	Yes

8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	Though some dwellings in the east block are to the north of the dwellings in the south block, the distance exceeds 10m.	Yes
8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	Not applicable	N.A

8.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	Raised terrace from southern boundary shown as 3023mm setback obviating need for privacy screen. East block patio setback greater than 3m where higher than 1m from natural ground level.	Yes
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) the window or glazed door:	There are windows which are within 6m of the private open space, though are unlikely to afford direct overlooking. the windows in any event comply per criterion (b), despite these criteria offering no response to windows which overlook the private open space.	Yes

	(i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above		
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	floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	Shared driveways are setback greater than 2.5m from windows to habitable rooms of the proposed dwellings.	Yes
8.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution¹. <i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>	Not applicable	N.A
8.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:	The proposal is for a combined waste storage area in accordance with (b)	Yes

	(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.		
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C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7;	Parking shortfall justified via TIA.	See report

Standard	Acceptable Solution	Proposed	Complies?
	(c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.		
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use; <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	1 space required and provided.	Yes
C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i> <i>Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
C2.6.2	A1.1	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
Design and layout of parking areas	Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>. A1.2		

Standard	Acceptable Solution	Proposed	Complies?
	Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.		Yes
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and</i>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<i>public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i>		
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.	Councils Traffic Engineer has reviewed the proposal and found the pedestrian paths within the underground carpark do not comply with the Acceptable Solution.	No, See Report
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.		NA
	A2		

Standard	Acceptable Solution	Proposed	Complies?
	The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i> .		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i> .		NA
C2.6.8	A1		NA

Standard	Acceptable Solution	Proposed	Complies?
Siting of parking and turning areas	Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		NA
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C3.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4 Vehicular traffic to and from the site, using an existing	Vehicular traffic exceed 40 vpd. TIA addressed the performance criteria to satisfaction.	See report

Standard	Acceptable Solution	Proposed	Complies?
	vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;		NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i> .		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

**7. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(56) WITH ASSOCIATED WORKS AND INFRASTRUCTURE - 17A-
33A CLYDESDALE AVENUE GLENORCHY**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 3292161

REPORT SUMMARY

Application No.:	PLN-23-217
Applicant:	JMG Engineers and Planners
Owner:	OneCare Limited
Zone:	Inner Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	9.4.2 (P1) Setbacks and building envelope for all dwellings; 9.4.2 (P3) Setbacks and building envelope for all dwellings; 9.4.3 (P1) Site coverage and private open space for all dwellings; 9.4.3 (P2) Site coverage and private open space for all dwellings; C2.5.1 (P1) Car parking numbers; C3.5.1 (P1) Traffic generation at a vehicle crossing, level crossing or new junction; C12.6.1 (P1) and (P4) Critical use, hazardous use, or vulnerable use (The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	05 December 2023
Existing Land Use:	Aged Care (Residential)
Representations:	One (non-statutory)
Recommendation:	Approval subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal is for the development of fifty six dwellings associated with the OneCare site at 17A-33 Clydesdale Avenue, Glenorchy (Figure 1).



Figure 1. Extract of proposal plan.

The dwellings are arranged in eleven blocks, separated by internal roads. There is in addition to the dwellings a detention basin and landscaping to be provided. Predominately, the parking areas are either within the dwellings, or in collocated visitor parking areas.

The fifty six dwellings are arranged into eleven blocks, sited uniformly in three rows. Within these blocks, the number of dwellings is different, though each dwelling has two bedrooms, a single garage car space and an area of private open space ranging between 10m² and 14m² (see Table 1).

Row	Block	Number of Dwellings	Number of bedrooms	Number of carparking spaces	Private open space for each dwelling	Dwellings with FFL entirely more than 1.8m above finished ground level
Row 1	B01	2 (AP01 and AP02)	2 per dwelling	2	12m ²	0
Row 1	B02	2 (AP03 and AP04)	2 per dwelling	2	12m ²	0
Row 1	B03	2 (AP05 and AP06)	2 per dwelling	2	12m ²	0
Row 2	B04	4 (AP07 AP08 AP17 AP18)	2 per dwelling	4	10m ²	0
Row 2	B05	4 (AP09 AP10 AP19 AP20)	2 per dwelling	4	10m ²	0
Row 2	B06	4 (AP11 AP12 AP21 AP22)	2 per dwelling	4	10m ²	0
Row 2	B07	4 (AP13 AP14 AP23 AP24)	2 per dwelling	4	10m ²	0
Row 2	B08	4 (AP15 AP16 AP25 AP26)	2 per dwelling	4	10m ²	0

Row 3	B09	10 (AP27 AP28 AP33 AP34 AP35 AP36 AP45 AP46 AP47 AP48)	2 per dwelling	10	12m ² - 14m ²	AP33 AP45 AP46 AP47 AP48
Row 3	B10	10 (AP29 AP30 AP37 AP38 AP39 AP40 AP49 AP50 AP51 AP52)	2 per dwelling	10	12m ² - 14m ²	AP49 AP50 AP51 AP52
Row 3	B11	10 (AP31 AP32 AP41 AP42 AP43 AP44 AP53 AP54 AP55 AP56)	2 per dwelling	10	12m ² - 14m ²	AP53 AP54 AP55 AP56
Total		56	112	56	-	13

Table 1. Outline of dwelling qualities.

SITE and LOCALITY

The OneCare site is a mixed use residential aged care, retirement village with associated communal spaces and facilities. The entirety of the site is made of three parcels (see Figure 2), with internal roads and services traversing the site. The multiple dwelling development however is only to be undertaken on the eastern most lot (CT 158317/2), as shown in Figure 3.

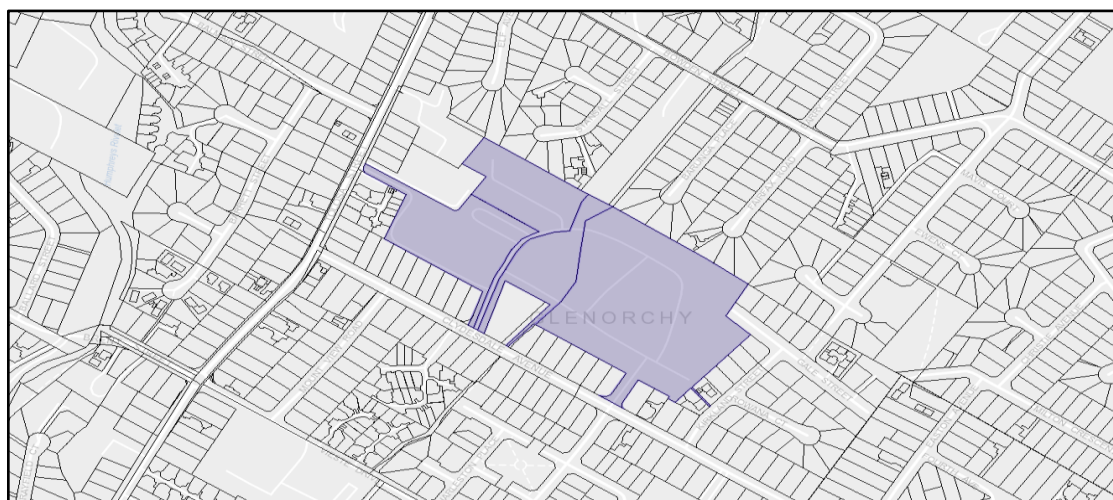


Figure 2. Site in its entirety.



Figure 3. *Specific area of bulk of the multiple dwelling development.*

With reference to the above figures, it can be seen that the site has an unusual layout with respect to boundaries. The lot boundaries somewhat align to the topography of the locality, and are somewhat a legacy of the pattern and chronology of subdivision in the area. The eastern boundary of 158317/2 aligns to the edge of the Barossa Creek before it was piped.

Of relevance to the assessment of the application, the unusual layout and relationship of the site to its surroundings presents challenges when determining the building envelope required by clause 9.4.2 Setbacks and building envelope for all dwellings.

Generally, the lot is an internal lot as it lay predominately behind those lots fronting Clydesdale Avenue with an adjoining frontage. The lot also lays predominately behind those lots on Kirkland Street, noting an access strip exists between 1 and 3 Kirkland Street. The lot also, (unlike most internal lots) has multiple other frontages, which require a frontage setback. These frontages are at both Clydesdale Avenue and Gale Street.

Importantly, the presence of a frontage does not invalidate the designation of the lot as being an internal lot, and does not obviate the need for the development to also be setback from the rear boundary of any lot with an adjoining frontage, as an internal lot must.

ZONE

The land is within the Inner Residential Zone, which has been applied to much of the land at lower elevations of the area, bound to the south by Clydesdale Avenue.

The site adjoins the General Residential Zone to the east which has been applied to lots at Kirkland Street and Gale Street.

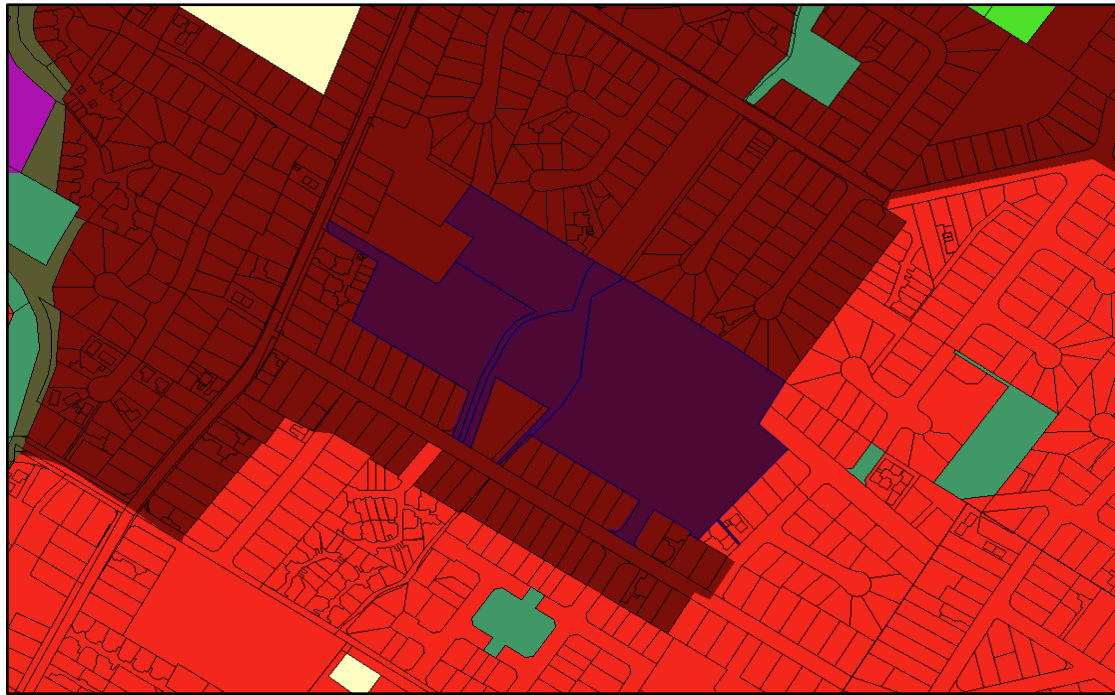


Figure 4. Application of zones within the locality relative to the entirety of the Onecare site.

BACKGROUND

Relative to the entire site's history.

PLN-14-139 Piping of Barossa Creek in association to Retirement Village

PLN-14-089 Staged Retirement Village (80 Units) with setback between building and height variations on flood prone land

PLN-14-037 – Retirement Village – Physical Therapy facility with height variation on flood-prone land.

PLN-13-165 Addition of BBQ shelter, shed, carport and 2 shade structures

PLN-06-04393.01 Retirement Village (100 independent living units, 14 apartments above activity centre, 96 bed aged care facility, 32 bed step down unit & dementia care hostel, activity centre & recreation facilities), access via Clydesdale Avenue (2 places), Tolosa Street & Gale Street, variations to setback and height standards.

For the application.

The applicant has agreed to an extension of the assessment period under Section 57(6A) of the Act, to allow for the decision to be made at the committee meeting of 05 December 2023.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the *Land Use Planning and Approvals Act 1993* (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

TASMANIAN PLANNING SCHEME – GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

There are no exemptions applicable to this proposal, though the following is important to note: If at any time boundary or frontage fencing were proposed to be replaced, such replacement may be able to be exempt pursuant to clause 4.0.1 only where consistent with the qualification listed within the Table at 4.6.4; alternatively, an application must be lodged for fencing.

Planning Scheme Operation (Does a General Provision, SAP or Code override Zone provisions?)

No General Provision or Specific Area Plan applies. The Parking and Sustainable Transport Code, Road and Railway Assets Code, Attenuation Code and Flood-Prone Areas Hazard Code's apply, though there are no specific instances where a standard of any of these codes overrides a zone standard.

Use Class Description (Table 6.2):

Residential: use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

Adjoining: means next to, or having a common boundary with.

Amenity: means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

Applicable standard: A standard is an applicable standard if:

(a) the proposed use or development will be on a site within:

- (i) a zone;
- (ii) an area to which a specific area plan relates; or
- (iii) an area to which a site-specific qualification applies; or

(b) the proposed use or development is a use or development to which a relevant code applies; and

I the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Building height: means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding.

Dwelling: dwelling means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

Frontage: means a boundary of a lot which abuts a road.

Internal lot: means a lot (a) lying predominantly behind another lot; and (b) having access to a road by an access strip, private road or right of way.

Multiple dwellings: means 2 or more dwellings on a site.

Primary Frontage: Means

- (a) if there is only a single frontage, the frontage; or
- (b) if there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.

Setback: means the distance from any lot boundary to a building on the lot.

Site area per dwelling: means the area of a site, excluding any access strip, divided by the number of dwellings on that site.

Site coverage: means the proportion of a site, excluding any access strip, covered by roofed buildings.

Standard: means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Streetscape: means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site, unless for a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule, where the extent of the streetscape may be determined by the relevant precinct provisions.

Tolerable Risk: means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.

For the purposes of C12.0 Flood-Prone Hazard Area code:

Vulnerable use: means a use that is within one of the following Use Classes:

- (a) Custodial Facility;
- (b) Educational and Occasional Care;
- (c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or
- (d) Visitor Accommodation if the use accommodates more than 12 guests.

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

The land is within the Inner Residential zone and the following zone purpose statements, use table, use standards and/or development standards apply to this proposal

Zone Purpose Statements

8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.*

8.1.3 To provide for non-residential use that:

- (a) primarily serves the local community; and*
- (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comment

The proposal is for a residential use which is permitted in the zone. The proposal is in keeping with the purpose statements in that the proposal would add to the range of dwelling types within the area on a site where full infrastructure services can be provided.

Use Table

Residential where not for a single dwelling has permitted status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with applicable development standards, as outlined in this report.

Use Standards

There are no applicable use standards for a residential use in the Inner Residential Zone.

Development Standards for dwellings

The proposal complies with each of the Acceptable Solutions of the applicable development standards of the zone, except where reliant on the Performance Criteria for 9.4.2 (P1) (P3) Setbacks and building envelope for all dwellings, and 9.4.3 (P1) (P2) Site coverage and private open space for all dwellings.

9.4.2 (P1) Setbacks and building envelope for all dwellings

The proposal is setback within 2.9m of the boundary which abuts Gale Street, thereby intruding upon the frontage setback (Figure 5). Despite not functioning in the typical sense of a primary frontage, by definition, this boundary is the primary frontage and in order to comply with the Acceptable Solution, the proposal would ordinarily require a 3m setback from this boundary.

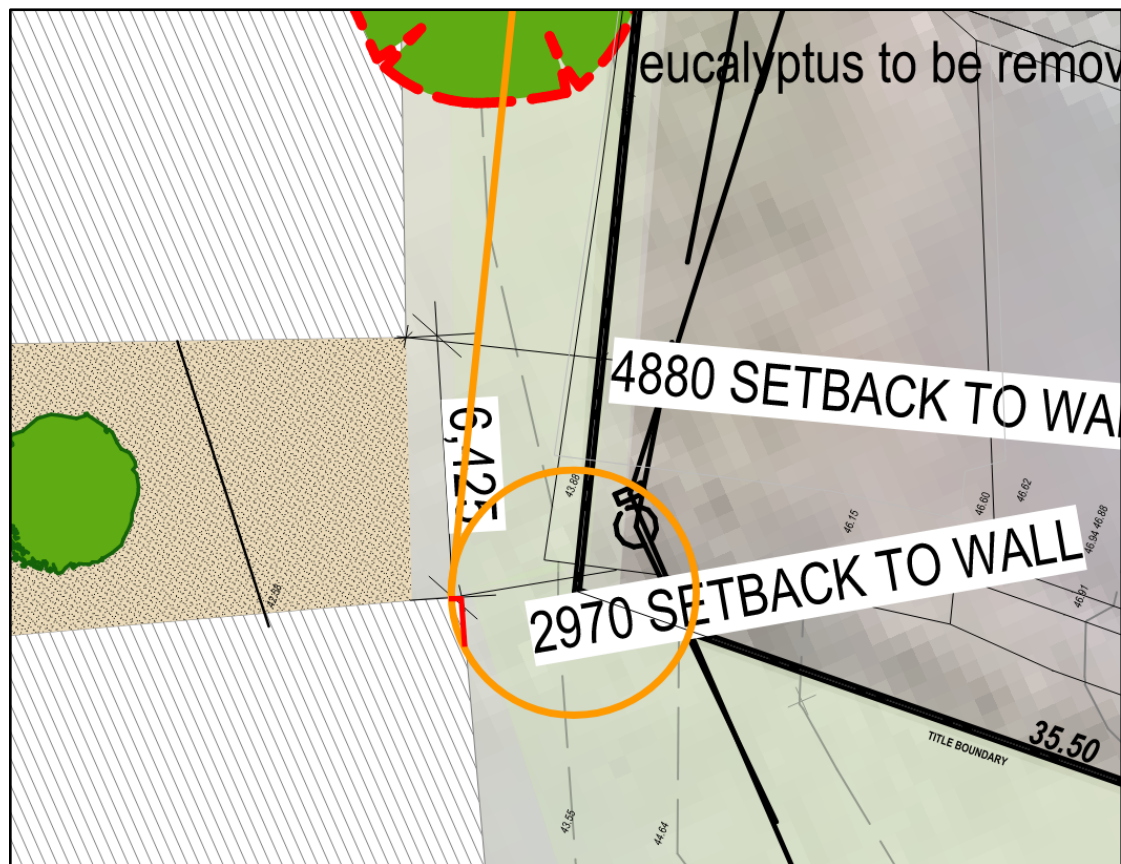


Figure 5. Graphic showing the primary frontage setback required by the Acceptable Solution (orange) and the degree of protrusion (Red).

It is important to note here that though the formation of a building envelope for an internal lot is primarily defined by the rear boundary of lots with adjoining frontages, this does not mean an internal lot which has multiple frontages is not required to be setback from that frontage as well.

The proposal is therefore reliant on the Performance Criteria which require:

A dwelling must have a setback from a frontage that is compatible with the streetscape having regard to any topographical constraints.

Comment

The frontage to which the protrusion of the dwelling (Block 10) relates is the western end of Gale Street. There is no streetscape as defined either side of the side boundaries of the lot which abut this boundary. This is because the road simply terminates perpendicularly to the lot. This makes the application of the Performance Criteria to the qualities of the lot somewhat difficult in that the definition of streetscape doesn't anticipate frontages of this sort, requiring:

For the purposes of determining streetscape for a particular site... matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site.

In a general sense, the definition anticipates an ordinary lot layout (see example in Figure 6), making the 'streetscape' to be regarded when unordinary somewhat difficult. But generally, consideration is given to the degree to which the setback is compatible or not with Gale Street and the immediate vicinity to the east, albeit not strictly as defined (see Figure 7).



On this, it is considered that owed to the topography dropping fairly sharply within the property (Figure 8), and the formation of the road simply ending without a turning head or other feature which typical streets possess (which are conducive to providing streetscape qualities); what consistent qualities of streetscape exist within Gale Street could not reasonably be replicated by the proposal.

Therefore, a 2.9m setback nominally 100mm less than the acceptable solution otherwise provides, is considered to be compatible. It is important to note that to be compatible does not mean to be the same as, but rather broadly consistent or harmonious, and to this end, as the limiting effect of topography on consistency is somewhat anticipated by the performance criteria, to give weight to this limitation in finding broad consistency is considered reasonable. It is considered the proposal complies with the performance criteria.

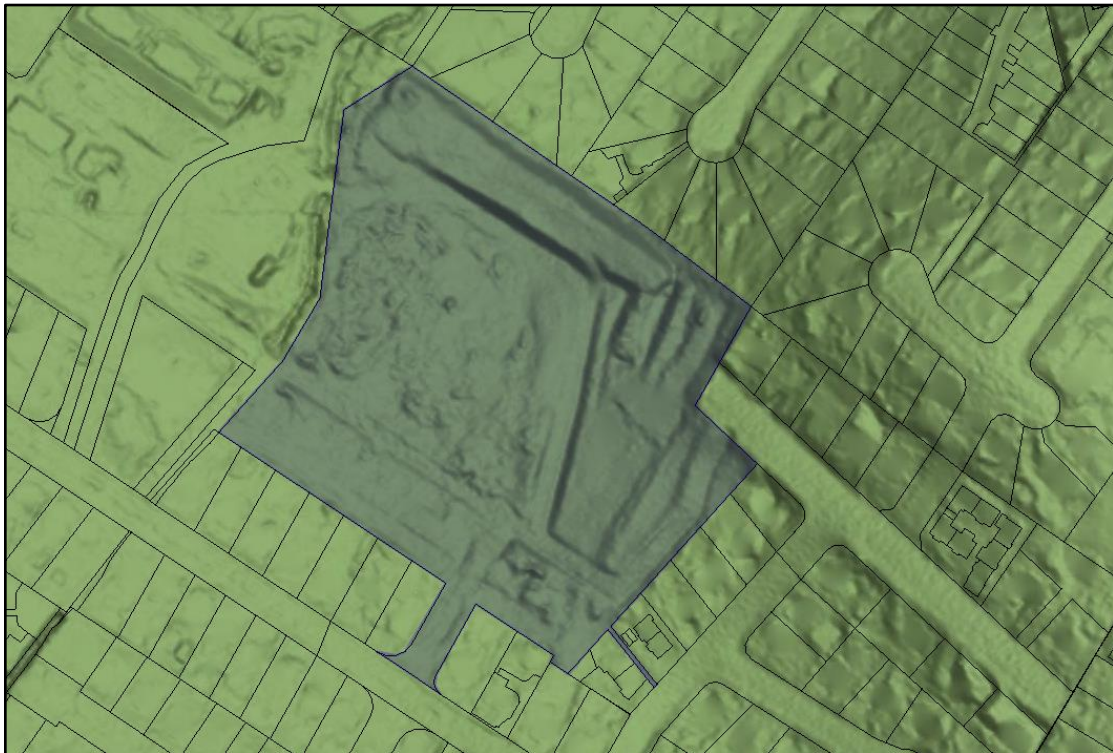


Figure 8. LiDAR image of the site and surrounds demonstrating stark topographical difference between the site and Gale Street.

9.4.2 (P3) Setbacks and building envelope for all dwellings

The proposal by virtue of its height protrudes from the building envelope, which has a maximum vertical height of 9.5m. The protrusions are predominately owed to each blocks' lift overrun and roof terraces. There is in addition, some protrusion owing to the height of the buildings most visibly from within the site.

The proposal is therefore reliant on the performance criteria which require:

The siting and scale of a dwelling must:

- (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:*

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
 - (ii) overshadowing the private open space of a dwelling on an adjoining property;*
 - (iii) overshadowing of an adjoining vacant property; and*
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and*
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.*

Comment

In assessing the proposal, as each row has blocks of a relatively consistent form, it is useful to compartmentalise the assessment as such.

Row 1:

Row 1 is made of buildings B01 B02 and B03. The blocks are single storey, though with extensive subfloors to facilitate a level building area. These blocks are wholly contained within the building envelope and so are considered to comply with the performance criteria.

Row 2:

Row 2 is made of buildings B04, B05, B06, B07, and B08. The blocks are double storey, sited upon cut and fill to facilitate a level building area meeting the internal road (Street 1). These blocks average 6.3m in height, and are sited upon increasing depths of fill, up to 1.5m. Within this row, B08 has the highest building height at 7.8m, and this is wholly contained within the building envelope. the dwellings within Row 2 are considered to comply with the performance criteria.

Row 3:

Row three is made of buildings B09, B10, and B11. The blocks each have four storeys, where the fourth is a roof terrace inclusive of lift overrun. These blocks average 12.3m metres in height, though are sited on an extensive cut. The cut causes for the front of the building to have the greatest building height above existing ground level. This building height reduces moving toward the East of the site, as the existing ground level rises.

Importantly, although the roof terrace has the highest numerical point as a measured level against the Australian Height Datum (AHD). It does not necessarily have the greatest height above existing ground level. Insofar as the building envelope is concerned with building height being above existing ground level, a block by block analysis of Row 3 is required to see the full extent of building height relative the building envelope.

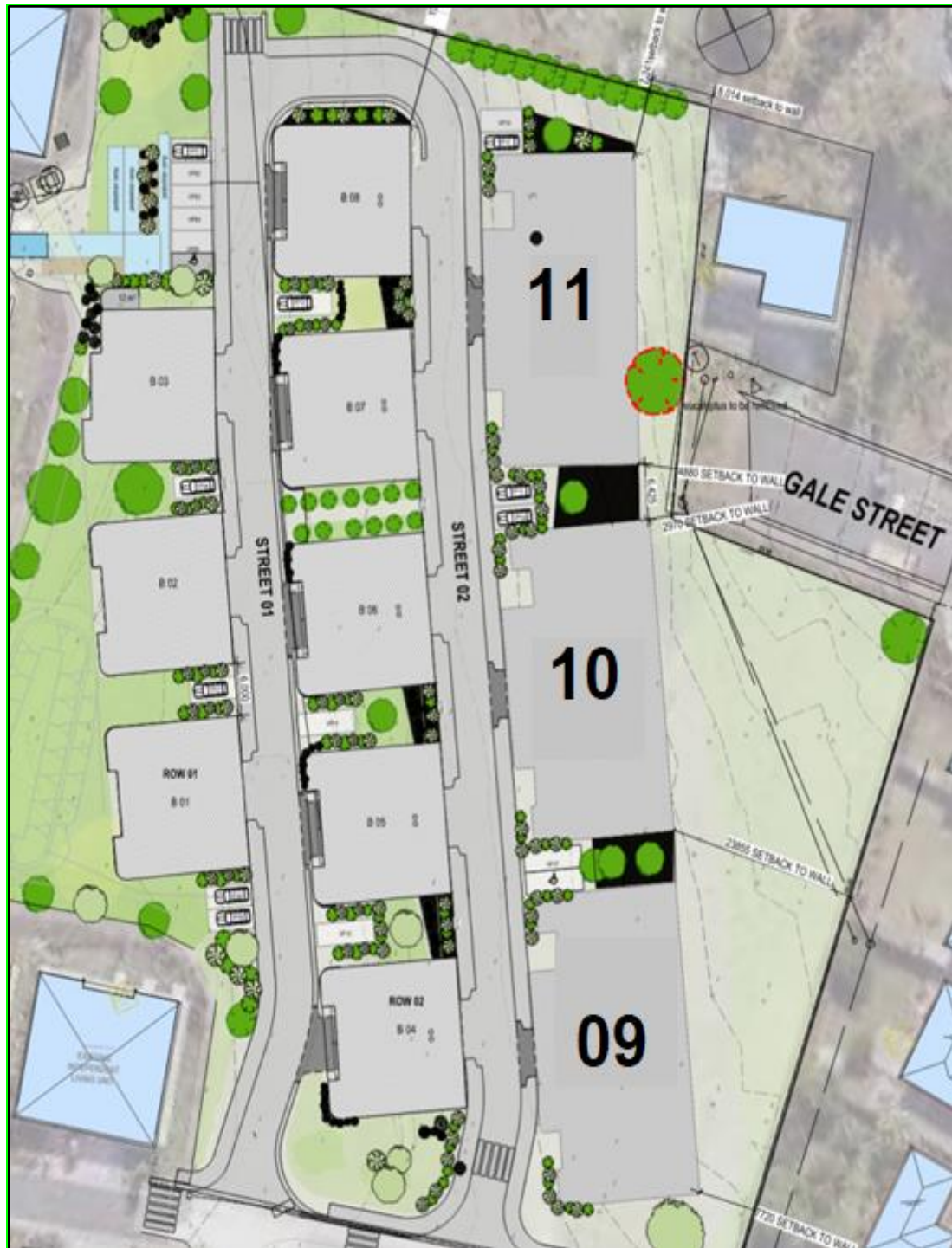


Figure 9. Graphic denoting Block numbers within Row 3 for reference.

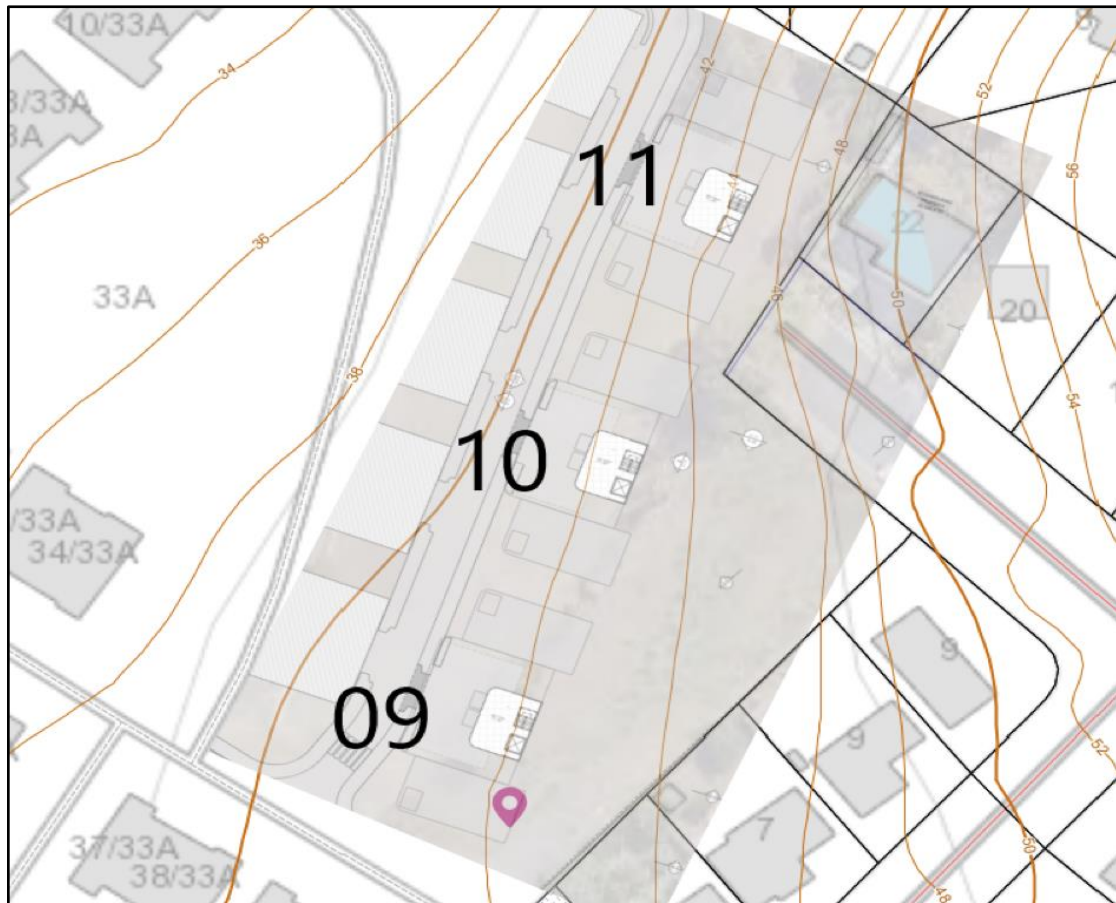


Figure 10. Graphic denoting roof terraces per block, with 2m contours shown (AHD). Note the rear of Terrace 09 and the front of Terrace 10 are at 42m AHD, whereas Terrace 11 is at 44m AHD.

Block 09:

Block 09 is the southernmost block. The building envelope is determined by the rear boundaries of those lots with an adjoining frontage at Kirkland Street.

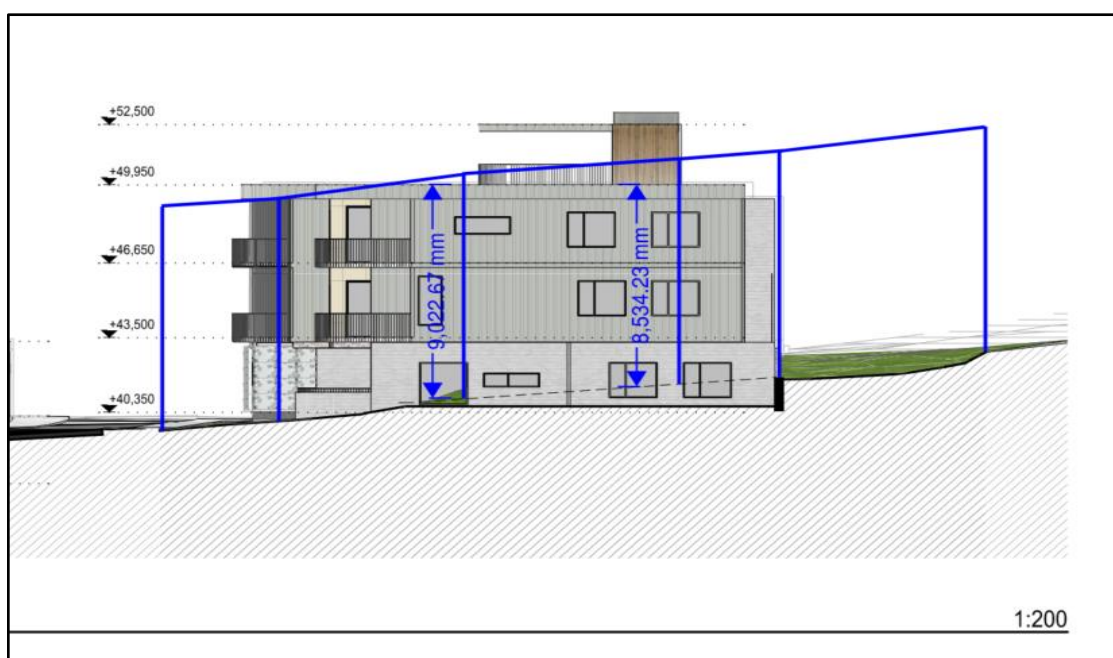


Figure 11. Building envelope determined by the Eastern boundary as viewable from within the site at Southern Elevation 01. Note lift overrun is set further to the north of this elevation.

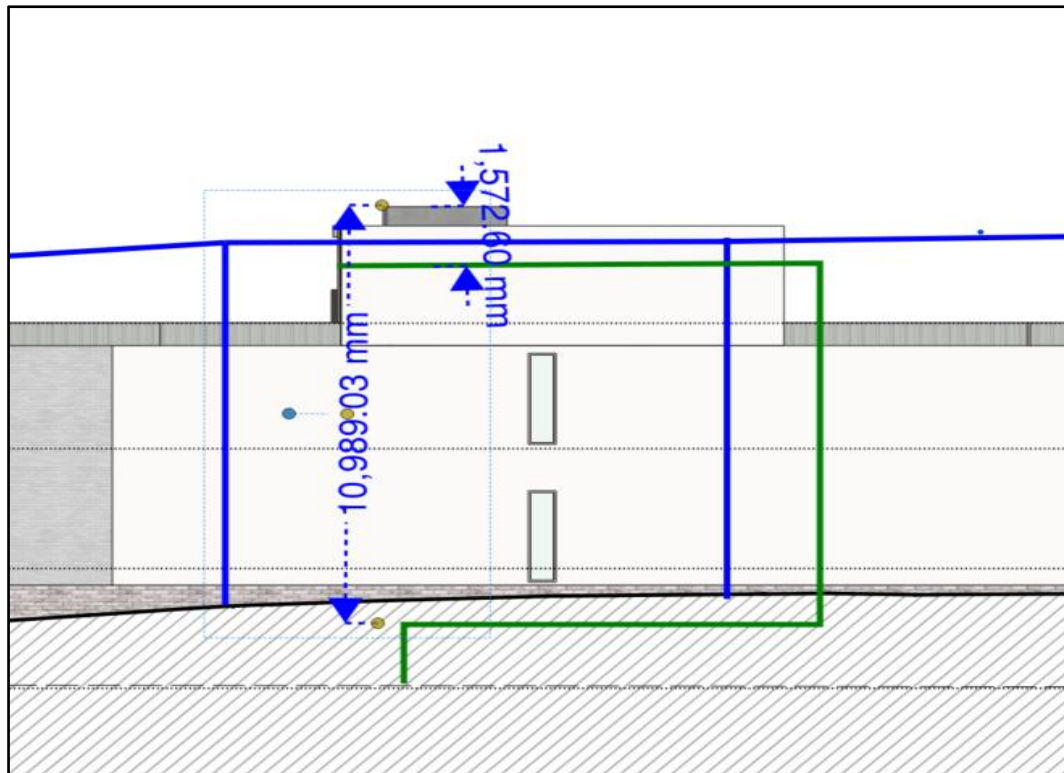


Figure 12. Graphic indicating the building envelope measurable from 42m AHD (Green), being relevant for lift overrun and roof terrace.

Block 09 protrudes from the building envelope by a maximum of approximately 1.6m at the lift overrun and roof terrace, and 600mm at the façade. Importantly, as the land rises to the north, the building height of the roof terrace is measurable not at the Southern elevation as shown in Figure 11, but at ground level beneath the roof terrace, taken to be approximately 42m AHD (Figure 12).

The degree of protrusion is moderate, though with specific regard for the Performance Criteria, it is not considered to cause an unreasonable loss of amenity through any overshadowing by virtue of the setbacks to adjoining properties to the East in excess of 15m.

With respect to visual impacts, as viewable from adjoining properties, the protrusion at the building façade is largely imperceptible external to the site. For the lift overrun and roof terrace, the wall supporting this roof will be somewhat apparent to those properties along Kirkland Street, but as a cantilevered roof, the apparentness of the protrusion is moderate, being only one wall.

On balance of the setbacks and the moderate nature of the protrusion with respect to the width of the boundary; it is considered the apparentness of the bulk of Block 09 will not have an unreasonable impact on adjoining properties.

The proposal is considered to comply with the performance criteria.

Block 10:

Block 10 is the 'middle' block of Row 3. The building envelope is determined by the rear boundaries of those lots with an adjoining frontage at Kirkland Street as well as 4.5m setback from the boundaries of Gale Street determining the primary and secondary frontage.

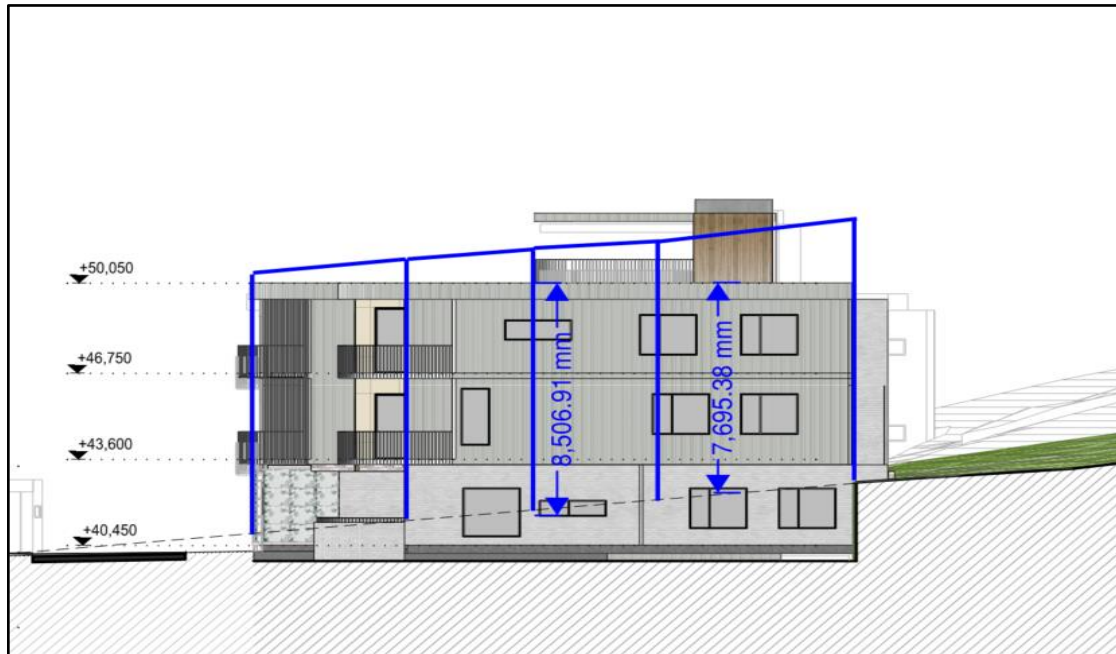


Figure 13. Building envelope determined by the Eastern boundary as viewable from within the site at Southern Elevation 02. Note lift overrun is set further to the north of this elevation.

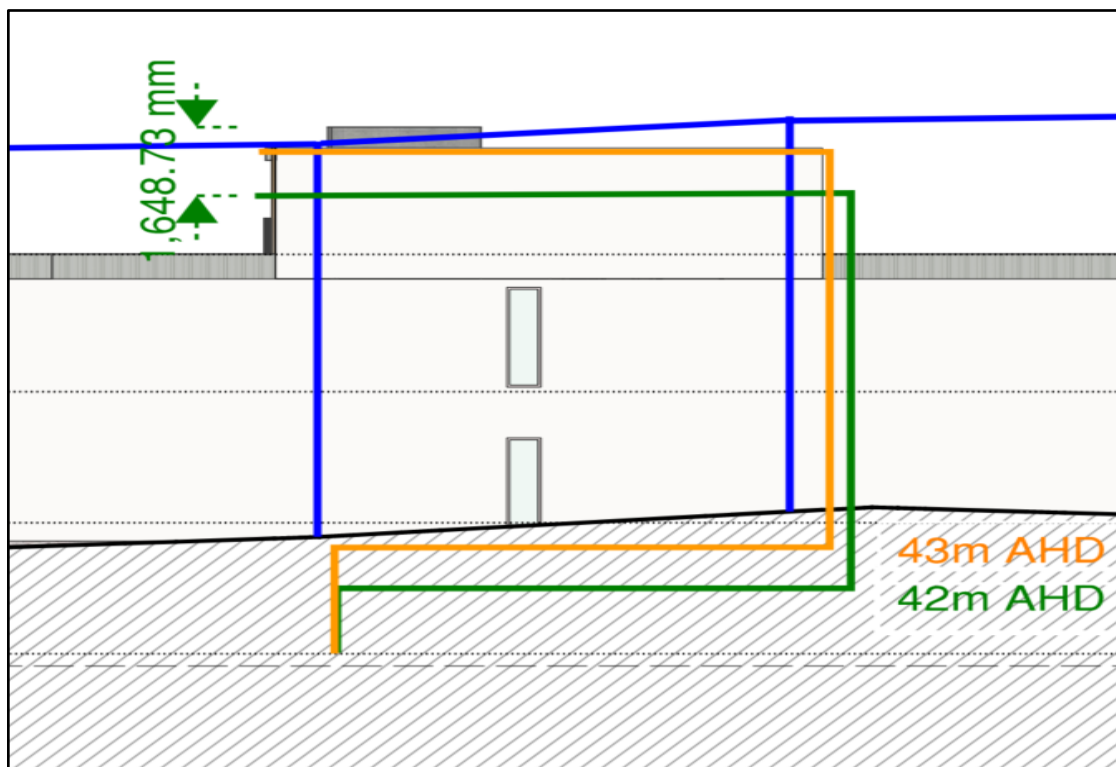


Figure 14. Graphic indicating the building envelope measurable from 42m AHD (Green), and 43m AHD (Orange) being relevant for lift overrun and roof terrace, front and rear respectively.

Block 10 protrudes from the building envelope by a maximum of approximately 1.6m at the fore of the lift overrun and roof terrace, approximately 0.6m at the rear of the roof terrace, and nil at the façade. Importantly, the land rises to the north and significantly to the east, and so, though a conservative assessment can be made with an existing ground level of 42m AHD; again, by reference to Figure 10, it is clear that the existing ground level is somewhat higher for the rear of the footprint of the roof terrace, being closer to 43m AHD.

The degree of protrusion is moderate, though with specific regard for the Performance Criteria, it is not considered to cause an unreasonable loss of amenity in any overshadowing by virtue of the setbacks to adjoining properties to the East in excess of 30m from the rear boundary of properties in Kirkland Avenue, and 15m from Gale Street. This separation contributes to a negligible effect of the overshadowing of properties to the East.

With respect to visual impacts, similar to Block 09, and noting the protrusion of Block 10 is less than Block 09, the wall supporting the roof of the terrace and lift overrun will be somewhat apparent to those properties along Kirkland Street, and viewable from Gale Street, but on the whole, as a cantilevered roof, the apparentness of the building is lessened.

On balance of the setbacks and the moderate nature of the protrusion with respect to the width of the boundary; it is considered the apparentness of the bulk of Block 10 will not have an unreasonable impact on adjoining properties including as viewable from Gale Street.

The proposal is considered to comply with the performance criteria.

Block 11:

Block 11 is the northern most block of Row 3. The building envelope is determined by the northern boundaries of those lots at 19 and 20 Fairfax Road, and the side boundary adjoining 22 Gale Street. Block 11 must also be setback 4.5m from the boundary of Gale Street (which it is).

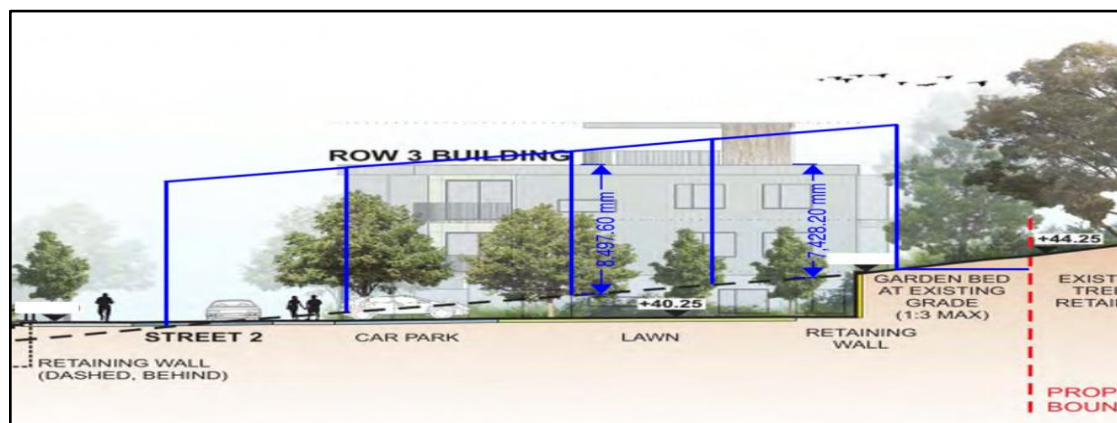


Figure 15. Building envelope determined by the Eastern boundary at Gale Street (primary frontage) as viewable from within the site at Southern Elevation 02. Note lift overrun is set further to the north of this elevation.

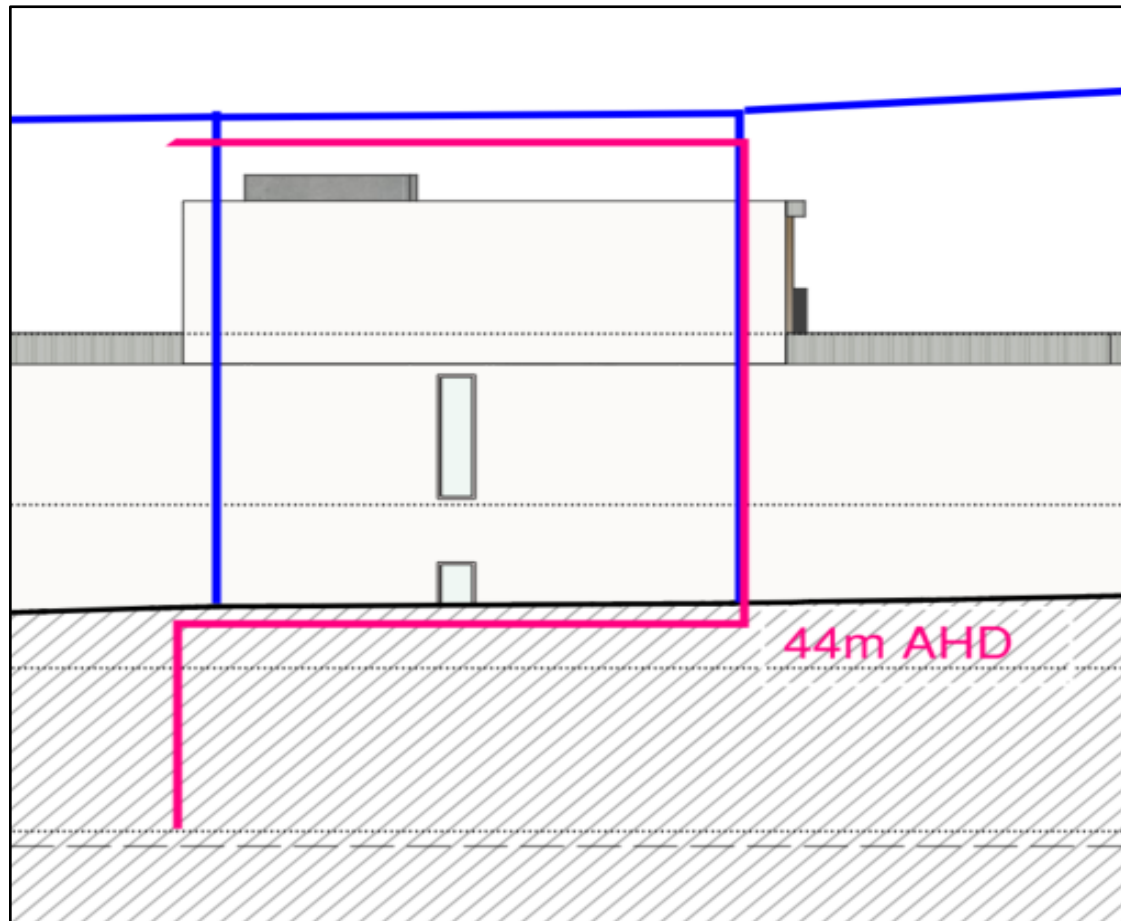


Figure 16. Building envelope as measured from 44m AHD, showing lift overrun and roof terrace to be within the building envelope as viewable from the East.

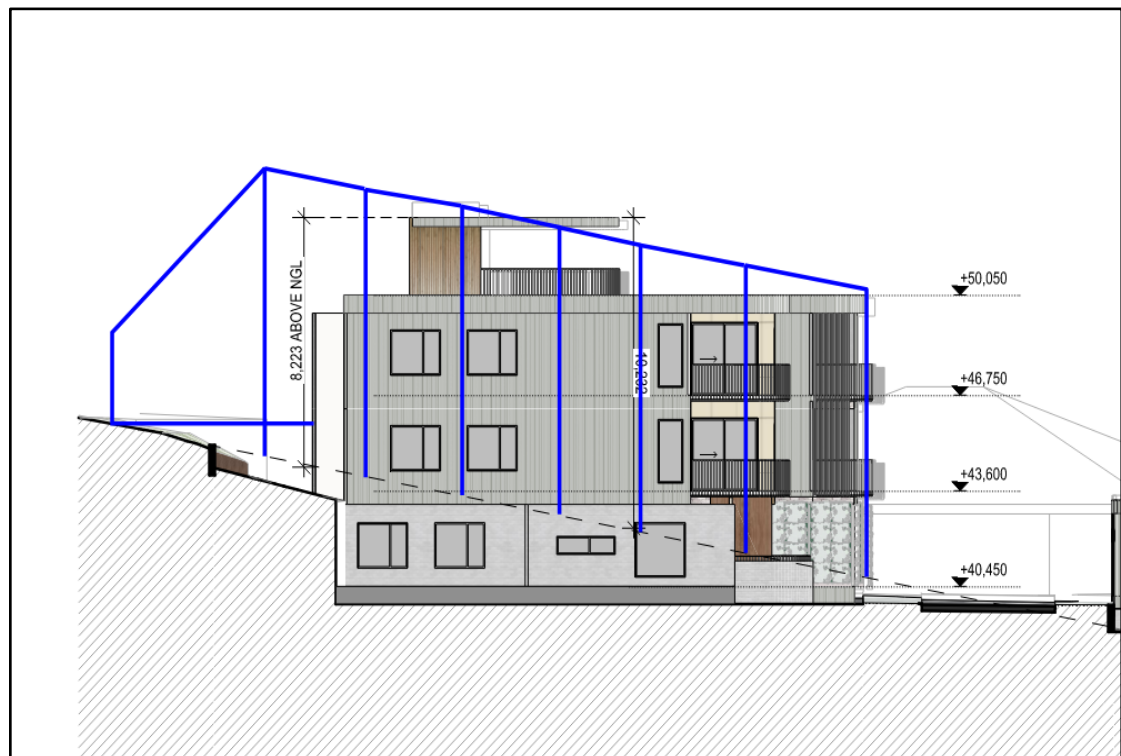


Figure 17. North elevation relative to building envelope determined by Eastern side boundary adjoining 22 Gale Street.

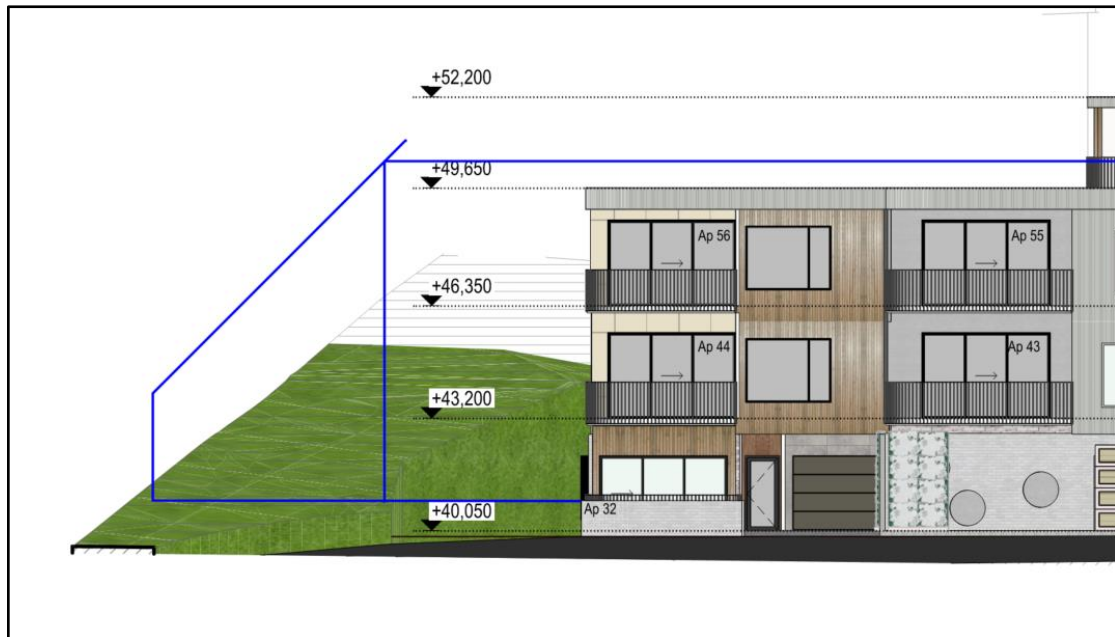


Figure 18. West elevation relative to building envelope determined by the Northern side boundary adjoining 19 and 20 Fairfax Street. Note this section is at a lower AHD than the roof terrace shown behind the façade.

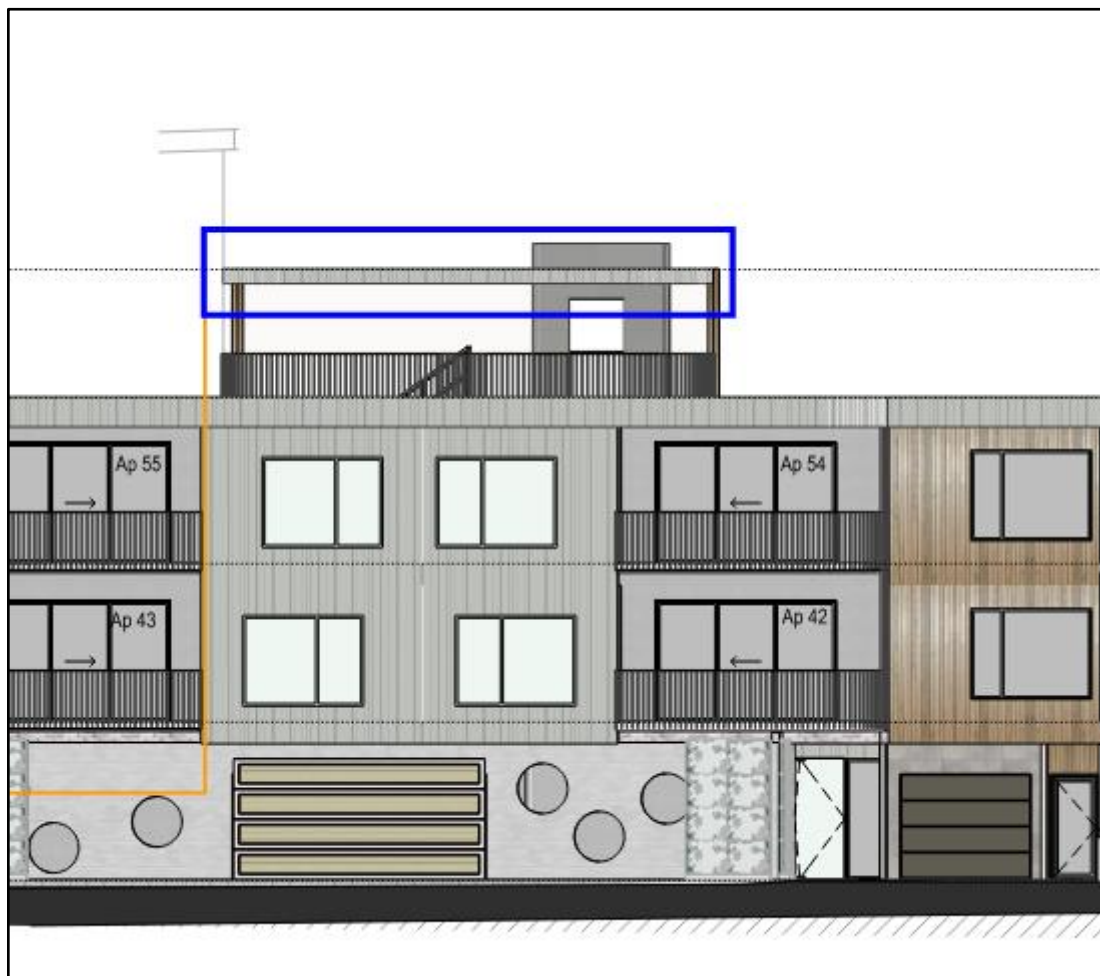


Figure 19. Area which exceeds the building envelope, being above 51.55m AHD

Block 11 does not protrude from the building envelope at the east elevation (determined by eastern boundaries), though owing to the fall in the topography of the land, does protrude at the face of the roof to the roof terrace (Figures 17 and 18) at the west elevation.

The degree of protrusion is minor and not considered to cause an unreasonable loss of amenity by virtue of the setbacks to adjoining properties being in excess of 7m from both the northern boundary, and the boundary adjoining 22 Gale Street. The protrusion being to the fore of the building with a consistent floor level has a negligible effect on overshadowing of properties to the east (namely 22 Gale Street).

Shadow diagrams provided show only afternoon shade to the frontage of 22 Gale Street. The extent to which overshadowing is attributable to the protrusion on balance of the building being within the envelope at that Eastern most elevation is relevant, and considered to be minimal.

Broadly the bulk of the roof terrace is a lift overrun and suspended roof. The wall supporting this roof however will be somewhat apparent to those properties along Kirkland Street and Gale Street. The extent of the protrusion will also be somewhat visible from properties in Panorama Court, though it is noted the AHD for the existing ground level of the dwelling at 8 Panorama Court is approximately 53m AHD, being above the upper most part of Block 11. This measurement also does not take into account the finished floor level of that dwelling being higher than the existing ground level of the site. It is not considered reasonable to find that a dwelling looking down on a development, irrespective of the protrusion from the building envelope could experience an unreasonable loss of amenity by virtue of the apparent bulk and massing of that development when it is below.

Further, the protrusion of the cantilevered roof is minor and will not have an unreasonable impact on amenity to adjoining properties by virtue of overshadowing or the apparentness of bulk.

On balance of the setbacks and the moderate nature of the protrusion with respect to the width of the boundary; it is considered the apparentness of the bulk is not unreasonable.

Block 11 is considered to comply with the performance criteria.

In Summary, with respect to the performance criteria of clause 9.4.2 Setbacks and building envelope for all dwellings, it is considered that the protrusion of the block facades being apparent from within the site will have a negligible impact on the overshadowing of the private open space or habitable rooms of dwellings on adjoining properties, and so comply with those criteria at (a) (i) and (ii), noting (iii is irrelevant). For (iv), the visual impact of the proposal will be moderate, but owing to the topography of the site and the protrusion being for a roof terrace and lift overrun only; relative to the size of the site, the dimensions of boundaries and the topography, the

net effect of the apparentness of the protrusion is not considered to cause an unreasonable impact on the amenity of adjoining properties.

For (b) the dwelling separation is broadly consistent, at a minimum of 7m, whereas in the immediate vicinity, the prevailing dwelling separation is for dwellings in the same street 6m (examples in Gale Street), and for dwellings generally may range between 12m-23m (dwellings in Fairfax Road relative to Panorama Court).

The proposal is considered to comply with the Performance Criteria.

9.4.3 (P1) Site coverage and private open space for all dwellings

The private open space available to each of the dwellings is outlined in Table 1 of this report. Of the fifty six dwellings, thirteen have a finished floor level entirely 1.8m above existing ground level. The proposal is therefore reliant on the performance criteria which require:

Dwellings must have:

(a) site coverage consistent with that existing on established properties in the area;

(b) private open space that is of a size and with dimensions appropriate for the size of the dwelling and is able to accommodate:

(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and

(ii) operational needs, such as clothes drying and storage; and

(c) reasonable space for the planting of gardens and landscaping.

Comment

For (a), it is important to note that the site coverage otherwise complies with the Acceptable Solution, being at 34%. For this reason, the extent to which discretionary consideration is given to the consistency of site coverage should be limited; the discretion is invoked because of private open space, and this is addressed under (b).

Therefore, it is considered the proposal complies with (a), in that the site coverage is consistent with the areas required within the Acceptable Solution, and so must be consistent with the objective of the standard to which the Performance Criteria similarly strive to achieve.

For (b), generally, as two bedroom units, it is considered the reasonable needs of private open space for users will be less than the typical three bedroom house which the Acceptable Solution largely anticipates. Further, as the multiple dwellings occupants will have a degree of access with the rest of the OneCare site, quite exclusively; it is relevant to consider these common facilities as serving the recreational and operational needs of the users in lieu of individual area of private open space, and this is entirely reasonable.

The proposal is considered to comply with the Performance Criteria.

9.4.3 (P2) Site coverage and private open space for all dwellings

The private open space available to each of the dwellings is outlined in Table 1 of this report. Of the fifty six dwellings, thirteen have a finished floor level entirely 1.8m above existing ground level, and have private decks in accordance with the acceptable solution. For the remaining forty three dwellings, the 12m-14m deck area does not accord with the acceptable solution and the proposal is therefore reliant on the performance criteria which require:

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

(a) conveniently located in relation to a living area of the dwelling; and

(b) orientated to take advantage of sunlight.

Comment

The dwelling floor plans demonstrate that the decks are seamlessly accessible from the living areas of the dwelling by sliding doors, thereby conveniently located and able to serving as an extension of the dwelling. In facing west, it is considered these decks are orientated to take advantage of the afternoon light.

Finally, with regard for the objective of the standard, it is considered that on balance of the deck size and the projected operational needs of the users of a two bedroom dwelling as part of a broader 'retirement village', the decks despite their modest size will function suitably for the users.

The proposal is considered to comply with the Performance Criteria.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

The proposal has been referred to Council's Development Engineer who has made comment in the internal referrals section of this report. The proposal is considered to comply with each of the Acceptable Solutions of the applicable standards of this code, except where reliant on the performance criteria for C2.5.1 Car parking numbers, which require:

P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

(a) the nature and intensity of the use and car parking required;

(b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.

Comment

Council's Development Engineer and Traffic Engineer each have provided detailed comments, finding that the proposal complies with these relevant criteria. Please refer to the Internal referrals section of this report for further comments.

C3.0 Road and Railway Assets Code

The proposal has been referred to Council's Development Engineer who has made comment in the Internal referrals section of this report.

The proposal is considered to comply with each of the Acceptable Solutions of the applicable standards of this code as outlined in the appendices to this report, except where reliant on the performance criteria for C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction, which require:

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority*

Comment

Council's Development Engineer and Traffic Engineer each have provided detailed comments, finding that the proposal complies with these relevant criteria. Please refer to the Internal referrals section of this report for further comments.

C12.0 Flood-Prone Areas Hazard Code

The proposal is for the development of multiple dwellings, associated with a retirement village, and the development is within a Flood-Prone Hazard Area. As such, both the use standards for a vulnerable use, and the development standards for buildings and works in a flood-prone hazard area are applicable.

C12.5.2 (P1) Critical use, hazardous use or vulnerable use

The proposal is for a vulnerable use. There is no acceptable solution at A1, and so the proposal is reliant on the performance criteria which require:

A critical, hazardous, or vulnerable use within a flood prone hazard area must achieve a tolerable level of risk from flood, having regard to:

(a) the type form and duration of the use; and

(b) a flood hazard report that demonstrates that:

(i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or

(ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

Comment

The proposal has been referred to Council's Development Engineer and Senior Civil Engineer who have made comment in the referrals section of this report. Specifically, for (a), it is considered that though the use is able to be defined as 'retirement village', the self-contained and independent nature of the dwellings lend themselves to residents with greater agency than other residents of equally vulnerable uses such as assisted housing, or aged care. As such, the tolerance for risk in 1% AEP events which can achieve an H1 rating is higher.

Further, and for (b) the proposal is supported by a flood hazard report which demonstrates that, per (ii), a post development scenario can achieve an H1 rating during a 1% AEP event, and this is considered a tolerable risk.

The proposal is considered to comply with the performance criteria.

C12.5.2 (P4) Critical use, hazardous use or vulnerable use

The proposal is for a vulnerable use. There is no acceptable solution at A4, and so the proposal is reliant on the performance criteria which require:

In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:

(a) any protection measures, existing or proposed;

(b) the ability and capability of people in a flood event who may live, work or visit the site, to:

(i) protect themselves;

(ii) evacuate in an emergency; and

(iii) understand and respond to instructions in the event of an emergency;

(c) any emergency evacuation plan;

(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;

(e) the advice contained in a flood hazard report; and

(f) any advice from a State authority, regulated entity or a council.

Comment

The proposal has been referred to Council's Development Engineer and Senior Civil Engineer who have made comment in the referrals section of this report.

Specifically, for (a) no protection measures are proposed or considered to be required.

For (b) a flood hazard report has been provided which indicates that in a 1%AEP event, flooding will be localised to an overland flow path with an H1 rating, and this hazard is generally safe for people, vehicles and buildings.

For (c), no emergency evacuation plan is proposed or considered necessary.

For (d) an H1 rating is noted as generally safe for people, vehicles and buildings.

For (e) the proposal is supported by a flood hazard report which demonstrates that, a post development scenario can achieve an H1 rating during a 1% AEP event, and this is considered a tolerable risk.

For (f) the proposal has been referred to Council's Senior Civil Engineer who has indicated support for the proposal subject to conditions.

The proposal is considered to comply with the performance criteria.

C12.6.1 (P1) Buildings and works within a flood-prone hazard area

The proposal is for the development of multiple dwellings within a flood-prone hazard area. As such the development standards of the code are applicable. For A1 there is no Acceptable Solution. The proposal is therefore reliant on the Performance Criteria which require:

P1.1 Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:

(a) the type, form, scale and intended duration of the development;

(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;

(c) any advice from a State authority, regulated entity or a council; and

(d) the advice contained in a flood hazard report.

P1.2 A flood hazard report also demonstrates that the building and works:

(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and

(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

Comment

The proposal has been referred to Council's Development Engineer and Senior Civil Engineer who have made comment in the referrals section of this report.

For both P1.1 and P1.2 the flood hazard report supplied by the applicant demonstrates a tolerable level of risk during a 1% AEP event, achieving a rating of H1 without the need for specific hazard reduction or protections measures. This is considered to be a tolerable risk.

Specific to P1.2 the flood hazard report also demonstrates there is no contribution to offsite flooding.

The proposal is considered to comply with the Performance Criteria.

State Planning Provisions - Applied, Adopted or Incorporated Documents

None applicable.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No local area objectives of the Scheme apply to this proposal.

Particular Purpose Zones

No particular purpose zones of the Scheme apply to this proposal.

Specific Area Plans

No specific area plans of the Scheme apply to this proposal.

GLE-Site Specific Qualifications

No site-specific qualifications of the Scheme apply to this proposal (refer to the Site Specific Qualifications table).

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

None applicable.

INTERNAL REFERRALS

Development Engineer

The proposal has been referred to Council's Development Engineer who has provided the following comments:

Comments

The development application seeks an approval to construct 56 residential dwellings across 11 new buildings for which construction work is proposed to be undertaken in 3 stages. The works include bulk excavation and earthworks, associated internal driveway, internal footpath and parking areas for 73 car spaces (56 resident car parking spaces and 17 visitor car parking spaces), internal drainage plumbing works, retaining walls, on-site stormwater detention basin and water sensitive urban design (WSUD) element.

Landscaping is proposed between buildings and of the stormwater detention area. Waste is to be collected via a private waste contractor. Runoff is proposed to be drained via a proposed bioretention basin which acts as an on-site detention (OSD) and water sensitive urban design (WSUD) element to the existing stormwater system via gravity. A new stormwater connection is proposed to facilitate all runoff from the site to the Humphreys Rivulet outlet. The General Manager's consent to interfere with stormwater infrastructure can be granted.

The proposal will be undertaken in 3 stages from south to north, with the bulk earthworks and stormwater detention infrastructure in Stage 1.



Figure 20. Extract of staging plan.

The Traffic Impact Assessment (TIA) by Hubble Traffic October 2023, JMG letter dated 24 October 2023, Concept Services Report by JMG Engineers & Planners Rev 2 dated 8 August 2023, Geotechnical Report - 17A-33A Clydesdale Avenue Glenorchy, by Scherzic Ground Investigations, Rev 1, dated 10 August 2023, Flood-prone Area Hazard Report - Barossa Park by JMG Engineers & Planners, dated 19 October 2023 have been submitted as part of the application. The application and the TIA have been referred to Council's Transport Engineer to review, provide comments and recommend conditions as required. The application and the Stormwater report have been referred to Council's Senior Civil Engineer to review, provide comments and recommend conditions as required.

C3.0 Road and Railway Assets Code

The development is considered to comply with the code requirements and local traffic conditions are not expected to be significantly affected. However, for a more comprehensive assessment relating to traffic generation, and traffic safety, please refer to the Traffic Engineer Referral.

The site can be accessed off the existing vehicle crossings to the subject site. Based on the TIA, the traffic generation of the development is likely to be 196 vehicles per day with the two peak period generations of 11 vehicles per hour. The increase vehicle movements are over 40 vehicle trips per day; therefore, the assessment against the performance criteria is triggered. The TIA has undertaken the traffic and parking assessment, site survey, traffic modelling and investigated crashes history to assess the development against the performance criteria.

The TIA then concluded that the amount of traffic expected to be generated during the peak hour periods is reasonably low, and there is sufficient capacity within the surrounding street network to absorb the extra vehicle movements, without adversely impacting other users or residential amenity. Council's Transport Engineer is supportive of the TIA findings; and therefore, it is considered that, the performance criteria for C3.5.1 P1 is satisfied.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing access via Clydesdale Avenue with new internal roadways connecting the proposed unit dwellings. The requirement under the C2.5.1 and table C2.1, A1 requires over 80 parking spaces for residents and plus 12 visitor parking spaces. The applicant proposes to provide the total of 73 car parking spaces which does not comply with the acceptable solution. Therefore, an assessment against the performance criteria by a TIA is required. The TIA stated that most of the units will be two-bedrooms with a separate study room, these units are expected to have two occupants who are likely to own a single vehicle.

Furthermore, the TIA has addressed the shortfall and justified that this based a survey

undertook at the existing 40 independent living units on the site; and concluded that the shortfall is acceptable as according to the nature of the development the residents will have a lower level of car ownership. Additionally, the availability of public transport, the consideration of on-street parking, the frequency of public transport and other mode of transport are taken into consideration; and to conclude that the numbers of parking shortfall can be accepted, and the local road network are not expected to be significantly affected. Council's Transport Engineer has accepted this justification. Therefore, based on the TIA, it is considered the performance criteria is satisfied.

There are no requirements for bicycle parking spaces, loading area and commercial vehicle applicable to the development application.

An accessible parking space is provided and comply with the requirement of the BCA standard.

There is no motorcycle parking space proposed as part of the development. Motorcycle parking spaces are required to comply with the scheme; although it is considered not necessary for the nature of the residential dwellings and that there should be sufficient space within each dwelling for the motorcycle parking as required. The TIA also stated that there will be sufficient parking within the development site to meet the reasonable demand, and a motorcycle can occupy a standard parking space. Dedicated motorcycle parking spaces are not considered necessary for this type of residential unit development.

The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

According to the Planning Scheme, to comply with the acceptable solution of C2.6.5 A1, a 1-metre-wide pedestrian footpath is required where the use requires more than 10 car parking spaces. The proposed development does include dedicated pedestrian pathways connecting within the unit complex to the public footpath with road markings to designate pedestrian crossings. These pedestrian pathways comply with the acceptable solution, as they will provide safe and convenient pedestrian access to the site, and units. Therefore, the acceptable solution is met.

Other

C7.0 Natural Assets Code

There are no natural assets issues identified through Council's records that affect the application.

C12.0 Flood-Prone Areas Hazard Code

Situated in close proximity to the Barossa Creek the site is subject to the flood hazard overlay. The Concept Services Report by JMG Engineers & Planners demonstrates that the development could satisfy the performance criteria and that the risk to flooding is not expected to be significantly increased. Therefore, it is considered the development

satisfies the Code requirements. For a more comprehensive assessment relates to flooding, please refer to the Senior Civil Engineer Referral. Flood-prone Area Hazard Report prepared by JMG Engineers & Planners was submitted addressed the performance criteria under C12.5.1 and C12.6.1 to the satisfaction of Council's Senior Civil Engineer. The report has conducted a detailed analysis to assess the impacts on the new development from a 1% AEP flood event plus a provision for the climate change scenario. The report's findings and concluded that the post-development presents no impact on any of the proposed buildings or increased risks to the adjacent units in the western part of the site. The report stated that no solid structures will be places within the overland flow path and that the flood water will be contained within the proposed channel in accordance with the design provided. Therefore, the plans and report submitted demonstrate safely conveyed to the public stormwater network which have been accepted by Council's Engineers.

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

Representations

During the advertisement period, Council received a representation raising several concerns with additional traffic generated by the development, traffic safety and traffic during construction being the main concerns. Additionally, the representor is also concerning with noise and other impacts during construction should the proposal is approved. Council's officers have reviewed the representations and addressed the concerns as follows.

Council's response

According to the Scheme, the TIA have satisfactorily addressed the performance criteria under C3.5.1 to Council's Transport Engineer satisfaction. With regards to the traffic during construction, although this is dealt with under the Building Application process, if approved, a permit condition will include construction management plan and erosion and sediment control plan. This is to ensure that the work will be done with minimal impacts to the local road networks.

Senior Civil Engineer

The proposal has been referred to Council's Senior Civil Engineer, and the following comments have been provided in relation to both the assessment of the proposal against the applicable standards of the Scheme, and with respect to Councils Stormwater management policy. Council's Senior Civil Engineer has also recommended conditions of approval to be appended to any consent issued.

Comments

The development works at 17A-33A Clydesdale Avenue, Glenorchy includes 56 dwellings. The site is within the 1% AEP flood zone and therefore triggers Flood-Prone Areas Hazard Code.

1. Referenced Documents

- a. PLN-23-217 - Concept Servicing Report - 17A-33A Clydesdale Avenue Glenorchy, by JMG Engineers & Planners, Rev Da2, dated 08/08/2023
- b. PLN-23-217 - Geotechnical Report - 17A-33A Clydesdale Avenue Glenorchy, by Scherzic Ground Investigations, Rev 1, dated 10/08/2023
- c. PLN-23-217 - Planning Report - 17a-33a Clydesdale Avenue Glenorchy, by JMG Engineers & Planners, Rev 3, dated 08/08/2023
- d. Architectural drawings by CYKEL ARCHITECTURE, Rev Da-0b, dated 23/10/2023
- e. Attachment 3 - Flood-prone Area Hazard Report - Barossa Park by JMG Engineers & Planners, dated 19/10/2023
- f. RFI Response by JMG Engineers & Planners, dated 24/10/2023
- g. Civil Combined Drawings by JMG Engineers & Planners, Rev Da2, dated 19/10/2023

2. C12.0 Flood Prone Areas Hazard Code

Concept Servicing Report and Flood-Prone Area Hazard Report prepared by JMG Engineers & Planners addresses the performance criteria under C12.6.1. Building and works within a flood prone area. The report has conducted a detailed analysis to assess the impacts on the new development from a 1% AEP flood event plus a provision for the climate change scenario. This assessment was based on Council's 1% AEP flood modelling data.

The site is classified as Hazard Vulnerability Classification H1 – generally safe for vehicles, people and buildings, as per the criteria outlined in Australian Disaster and Resilience Handbook.

The post-development condition demonstrates that there is no impact on increasing the risks on the adjacent existing units and flood water will be contained within the proposed channel.



Figure 21. depth*velocity results for the 1% AEP + Climate Change.

3. Stormwater Management Policy

a. Stormwater Disposal Method Requirements:

Stormwater generated from new development areas will drain to existing stormwater systems by gravity. Therefore, 4 (a) is met.

b. Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment given the new impervious area greater than 500m². A 90m² bioretention basin is proposed for the development. Therefore, 5 (b) is met.

c. Stormwater Quantity Management Requirements:

Above ground stormwater detention basin has shown in the design. Therefore, 6(b) is met.

d. Stormwater System Design Requirements:

The major stormwater system and the minor stormwater system have been demonstrated in Stormwater report and civil drawings by JMG Engineers & Planners. Therefore 3 (a) and (b) are met.

Conclusion

In summary I have no objections with the proposal.

Waste Management Officer

Waste Services advises that Barossa Park Independent Living Units are deemed under WS Policy as a large commercial business and therefore does not require Councils fortnightly or weekly waste services. Council does not service the existing property.

However, Waste Services has reviewed the Waste Management Plan and as Barossa Park is in the Glenorchy City Council precinct, we offer the following advice:

Glenorchy City Council has a three bin system and the use of FOGO bins (Food Organic and Garden Organic) would assist in the reduction of waste to landfill and should be considered as part of the Waste Management Plan.

Traffic Engineer

The proposal has been referred to Council's Traffic Engineer who has provided the following comments.

Comments

The developer proposes to construct 56 residential units in three stages at 17A-33A Clydesdale Avenue, continuing the existing 40 independent living units at OneCare Barossa Park Lodge. The new development comprises 12 three-bedroom units and 44 two-bedroom units, with one dedicated parking space per unit and 17 visitor parking spaces, in the Inner Residential Zone.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated October 2023 and JMG letter dated 24 October 2024. The TIA addresses the performance criteria C3.5.1 P1 traffic generation at a vehicle crossing, level crossing or new junction; and C2.5.1 P1.2 (dwellings) car parking numbers.

Driveway and Pedestrian Access

The OneCare facility has two existing two-way vehicular accesses onto Clydesdale Avenue and a minor access onto Tolosa Street. The main access to the facility is in the centre of the site on Clydesdale Avenue and connects through internal driveways, to the proposed units to the east and the minor access onto Tolosa Street.

The other driveway access onto Clydesdale Avenue is to the east of the site and aligns with the new unit development. This two-way driveway access will be for the proposed development, and it extends into the site and then has two new internal driveways junctions that are linked via a circular two-way driveway road.

The units are off this circular driveway road, as shown below in the figure along with staging of the units. At the end of each stage a temporary turning area is to be undertaken until the road connects to facilitate the turning of the waste vehicle. Waste will be collected outside the units on the internal footpaths.

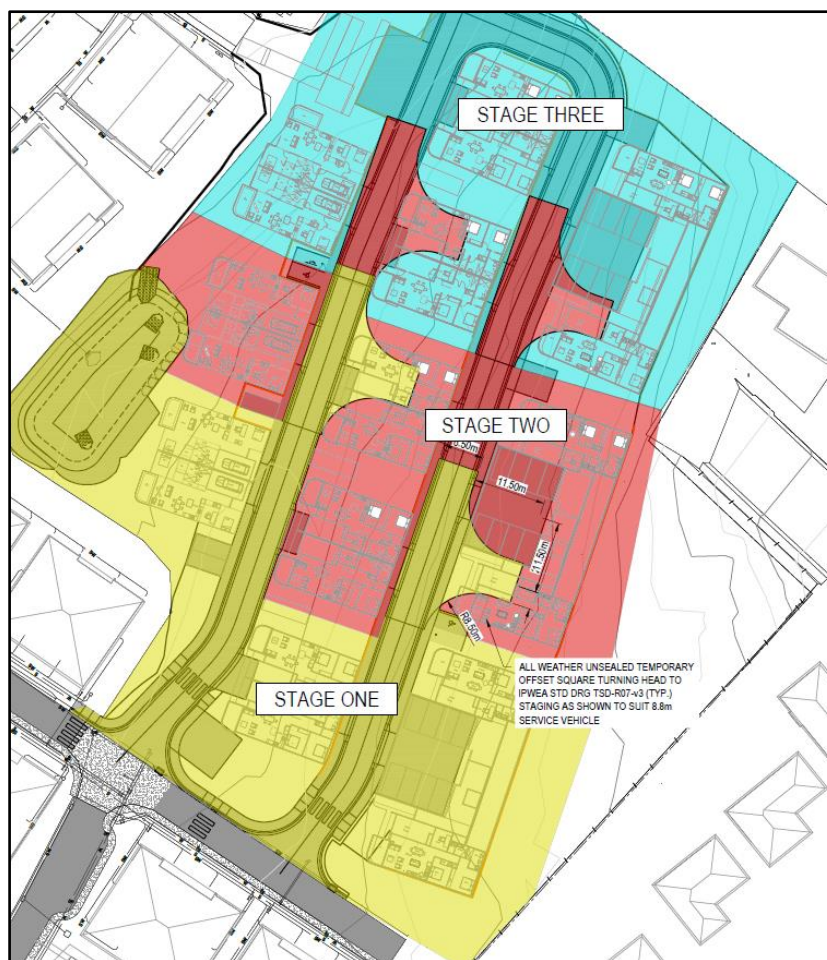


Figure 22. layout of circular driveway and staging.

The development will have 5.5m wide two-way roads with a 1.5m wide concrete footpath on the new circular driveway roads with crossing points. On the existing 5.5m wide two-way driveway road from Clydesdale Avenue to the new driveway roads, there is an existing 1.2m wide concrete footpath.

Sight distances from the current driveway access off Clydesdale Avenue was assessed in the TIA in which there is more than 100m in both directions. Under AS2890.1 sight distance at a commercial driveway (being more than 3 units) is required to be between 45m to 69m, thus sight distances are met.

The driveway access onto Clydesdale Avenue that will be used by this development is opposite Flamenco Court which is a local street. The traffic volume on Flamenco Court was counted in the TIA on Tuesday 18 July 2023 between 7.30am and 9am, to be 20 vehicle movements within the 90-minute morning peak period. The road and driveway access would operate as an intersection in which it is not predicted to cause any adverse traffic impacts due to the low volume of vehicles from the development and road.

Based on the TIA it is accepted that the proposed driveway access, internal driveway layout and footpath connections are safe and adequate.

Parking Supply

The 56 units comprising of 12 three-bedroom units and 44 two-bedroom units, is proposed to have one dedicated parking space per unit and 17 visitor parking spaces. The planning scheme for inner residential zone requires one parking space per bedroom or two spaces per 3 bedrooms, plus one visitor space for every five multiple dwellings or every ten bedrooms for a non-dwelling residential use.

Under the planning scheme between 83 to 124 parking spaces are required and 12 visitor parking spaces. The TIA does not meet the acceptable solution for C2.5.1 and the performance criteria is addressed.

The TIA undertook a survey of the existing 40 independent living units on the site on Tuesday 18 July 2023 at 9.30am. The site consisted of single enclosed garages and tandem parking to each unit. Four of the garages had been converted to enclosed rooms and there was only one vehicle parked in the tandem parking space. There were 23 visitor parking spaces provided, of which four of these were occupied.

The site inspection showed that the independent living units, which are occupied by over 55 years olds (mainly retirees) generate a significantly lower parking demand than the planning scheme requires. It is expected that occupants of each unit would own a single vehicle and one parking space would meet their needs. There are 17 visitor parking spaces being provided which is above that recommended in the planning scheme.

The development under the National Construction Code is required to have one accessible parking spaces. The development is proposed two, with one space being located on the eastern new driveway road and the other on the western new driveway road.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for C2.5.1 P1.2 is met.

Traffic Generation

The traffic generated by the 56-unit development is expected to be 196 daily trips with 11 trips in the peak hour. This is based on the RTA Guide for each dwelling for housing for aged and disable person, being 1 to 2 daily trips and 0.1 to 0.2 in the peak; and for medium density residential units being 4 to 5 daily trips and 0.4 to 0.5 in the peak.

The TIA estimates that as the units are for independent living for over 55-year-olds, a medium range of daily trips is assumed being 3.5 per unit and a lower range for peak hour being 0.2 per unit as retirees are not expected to generate peak hour trips. The peak hour trips were confirmed by a manual survey undertaken on Tuesday 18 July 2023 between 7.30am and 9am for the site.

At the access to this development there were 4 vehicle movements over 90 minutes and only 1 vehicle movement during the peak hour. The traffic generated at the main access into the site during the peak hour was 26 vehicles of which 18 were arriving likely to be staff and 8 departing. An evening manual survey was not considered necessary, as similar traffic trips would be expected.

The survey also recorded the traffic volume on Clydesdale Avenue which is a minor collector road. It showed that the current two-way traffic flow on Clydesdale Avenue is 285 vehicles in the morning peak hour. The low volume of vehicles movements onto Clydesdale Avenue during peak hour from this development being 11 trips of which 9 of these would head towards Tolosa Street, is not expected to cause any adverse safety or traffic impacts on the road network.

The RTA Guide provides advise on acceptable levels of traffic for streets to evaluate the likely impact on residential amenity. Local residential streets have an environmental goal of 200 vehicles in peak hour to a maximum of 300 vehicles in peak hour. On collector roads this is 300 to 500 vehicles in peak hour. With the addition traffic from the development, Clydesdale Avenue still meets the requirement assessing it as a local street.

The TIA assessed the crash data reported to Police over the last 5 years. This showed that there have been six crashes on Clydesdale Avenue between Tolosa Street and Kirkland Street. All crashes were single vehicles losing control whilst negotiating the traffic chicanes resulting in property damage. The road environment and crashes at the junction of Tolosa Street and Clydesdale Avenue was also assessed in the TIA that concluded there were no deficiencies at the junction and the crash data does not indicate any road safety deficiencies that would be exacerbated by the development.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Conclusion

Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking, or road safety. I have no objection to the development on traffic engineering or road safety grounds.

EXTERNAL REFERRALS

TasWater

The proposal has been referred to TasWater which has provided a submission to be appended to any permit issued.

TasNetworks

The proposal has been referred to TasNetworks which has advised the development is not likely to adversely affect TasNetworks' operations and no conditions of approval are recommended.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representations being received within that period. A representation was however received one day after this period, and it is reasonable to still consider the matters raised where relevant to the application to be determined; This is because public involvement in planning decisions is, with respect to the objectives of the Act something to be encouraged. Matters relevant to the assessment of the application are as follows:

The built form of the proposal will result in an unreasonable loss of amenity to adjoining properties due to overshadowing, visual impacts, reduction in privacy.

Comment

The proposal protrudes to varying degrees owed primarily to the roof terrace and lift overrun. As outlined in the body of this report, the development is sufficiently setback that its visual appearance will not cause for unreasonable impacts to adjoining properties. The design is well articulated and the proposal complies with the Acceptable Solution of the applicable privacy standards.

Subminimal private open space for dwellings*Comment*

Having regard to the operational needs of users, being two bedroom dwellings with linkages to the broader OneCare site, the private open space has been assessed to comply with the relevant Performance Criteria.

Absence of landscaping plan*Comment*

It is understood the proposal includes and is reliant on an undertaking to significantly landscape for internal amenity and as well to soften the appearance of the development as viewable from adjoining properties. It is a recommended condition of approval that prior to the commencement of works, a landscaping plan be provided which specifies the species height and the like of landscaping which is to be included

for both the amenity of residents, and which may screen the proposal as viewable from adjoining properties.

Traffic impact assessment is not consistent with the lived experience of residents; nor does it give weight to construction traffic.

Comment

The traffic impact assessment has been accepted by Council's Traffic Engineer who has made comments in the referrals section of this report. With respect to construction traffic, a condition is recommended which requires the provision of a construction management plan prior to the commencement of works.

The staging may not be completed.

Comment

Where an approval is issued, the extent to which a developer is compelled to complete the development, so as to be in accordance with conditions of approval is a matter of compliance. The staging plan sufficiently allows for safe onsite turning and the provision of services at each stage.

Deficiencies in the Geotechnical report

Comment

The site is not shown, or considered to be prone to landslip. To that end geotechnical considerations are not relevant to the assessment of the application, though may be relevant for any authorisation under the *Building Act 2016*.

The lived experience of localised flooding is relevant.

Comment

The proposal has been referred to Council's Development Engineer and Senior Civil Engineer who have made comment in the referrals section of this report.

The proposal involves removal of a large significant eucalypt

Comment

The tree as shown to be removed is not a significant tree for the purposes clause C6.0 Local Historic Heritage Code; nor is it considered as priority vegetation which would require an assessment against C7.0 of the Natural Assets Code. Notwithstanding this, the loss of trees which provide both amenity and ecological value in urban areas is to be discouraged and an appropriate advice is recommended for the permit to retain or

replace the tree with the same species as part of the landscaping which is required by condition of a permit.

Light pollution*Comment*

There are no controls for the emission of light for a residential use. Any light nuisance otherwise is a matter to be investigated with respect to the *Environmental Management and Pollution Control Act 1994*

The proponent should be made to provide a construction management plan*Comment*

The planning scheme at clause 6.11.2 provides that a planning authority may include conditions for *Construction or traffic management* and to that end a condition is recommended to require a construction management plan which will sufficiently address the impacts of the undertaking of development.

The fencing is broken and in disrepair*Comment*

The proposal does not include fencing. It is appreciated that fencing may be required during or after construction, and an advice note is included on the permit that regard should be had for the exemption of fencing within the Scheme, and where not exempt, further approval may be required.

Noise of the proposal as received by residential uses in the vicinity*Comment*

The proposal is for a permitted residential use, which is not an attenuating activity. There are no use standards relating to noise for a residential use. Development standards in the Inner Residential Zone relating to air extraction, pumping and refrigeration systems are not applicable when the proposal is for a dwelling.

Similar to light pollution, any noise nuisance otherwise is a matter to be investigated with respect to the *Environmental Management and Pollution Control Act 1994*.

CONCLUSION

The proposal is for fifty six dwellings to be constructed at 17A-33 Clydesdale Avenue, Glenorchy. The proposal complies with each of the applicable standards as outlined in the appendices to this report, except where reliant on the performance criteria for 9.4.2 (P1) and (P3) Setbacks and building envelopes for all dwellings, 9.4.3 (P1) (P2) Site coverage and private open space, C2.5.1 Car parking numbers and C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.

As outlined in the body of this report, the proposal demonstrates compliance with the relevant performance criteria of the above listed standards.

Recommendation:

That a permit be granted for the Multiple dwellings (56) with associated works and infrastructure. of 17A-33A Clydesdale Avenue Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-217 and Drawings submitted on 24 October 2023, 28 pages, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2023/01133-GCC dated 04 September 2023 form part of this permit.
3. The development must be undertaken in the manner of stages shown on the approved plans except where otherwise specified within this permit. Those works for the management of the overland flow path must form part of stage 1.
4. Prior to the commencement of works a detailed landscaping plan must be provided to Council's Senior Statutory Planner which demonstrates the location, species and relative height at planting of the proposed landscaping. This landscaping must, relative to the staging of the development, be in place prior to the occupancy of dwellings.

Advice: the applicant is encouraged to consider the merits of retaining existing vegetation to include in the landscaping of the site.

5. Prior to the issue of building approval and/or commencement of works (whichever occurs first), including demolition and excavation, a Construction Management Plan, must be submitted and approved to the satisfaction of the Council's Senior Statutory Planner. The plan must provide details of the following:
 - (a) Hours for construction activity in accordance with any other condition of this permit;

- (b) Measures to control noise, dust, water and sediment laden runoff;
- (c) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
- (d) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
- (e) A Traffic Management Plan showing truck routes to and from the site;
- (f) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- (g) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- (h) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the construction management plan;
- (i) Contact details of key construction site staff;
- (j) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- (k) Any other relevant matters

Engineering

6. Prior to the issuing of the building approval or the commencement of any works (whichever occurs first) submit detailed Engineering design drawings to the satisfaction of Council's Senior Civil Engineer for approval. The engineering drawings must:
 - (a) be certified by a qualified and experienced Engineer.
 - (b) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances to other utility services, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (c) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013

7. The development must incorporate the On-Site Detention (OSD) and Water Sensitive Urban Design (WSUD) as part of the development as presented in the Concept Services Report dated 08.08.2023 prepared by JMG Engineers and Planners. The onsite detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to the issuance of a Completion Certificate.
8. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Development Engineer for approval prior to the commencement of the use. When approved, the maintenance schedule forms part of this permit.
9. The landowner must maintain the on-site stormwater detention and water sensitive urban design infrastructure in accordance with the approved maintenance schedule.
10. Engineering design drawings must be submitted prior to the issue of a Building Permit that include certification from an accredited and qualified structural engineer, that all proposed structures within the flood zone are designed to resist erosion, undermining and likely forces from a flood event based on recommendations provided in the Concept Servicing Report by JMG Engineers and Planners dated 8 August 2023.
11. All new structures constructed within the flood zone must be inspected by a registered surveyor.
12. The new stormwater infrastructure must be constructed prior to the issue of a completion certificate.
13. The new stormwater connection must be constructed, and any existing abandoned connections must be sealed by owner's expense. Please note once plans are approved, a formal Application for New Stormwater Connection and inspection by Council's Senior Civil Engineer is required. The form is available from <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>
 - (a) A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.
 - (b) Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.
 - (c) If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not

rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.

14. An adequate overland flow path must be maintained through the site, such that flows are excluded from the dwelling and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event.
15. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit an Erosion and Sediment Control (ESC) plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Erosion and Sediment Control plan (ESC) forms part of this permit and must be complied with.

Advice: For further information please refer to Erosion and Sediment Control (ESC) Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au/stormwater/

16. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
17. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

18. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost. It must be the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works may be deemed to be the responsibility of the developer and may be repaired at the developer's cost.
19. A detailed estimate for the works must be provided and payment of the engineering drawing approval fee must be made prior to the issue of approved engineering drawings or the issuing of the building approval. Under Council Schedule of fees and charges 2023/2024, the engineering drawings approval fee is 2.1% of the value of the civil works. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.

Traffic and Parking

20. The developer must construct temporary turning areas as part of each stage of an all-weather gravel pavement, designed for a medium rigid vehicle swept path. These temporary turning areas shall be upgraded to permanent turning areas or driveway should subsequent stages not commence within a year of the previous stage finishing, to the satisfaction of Council's Development Engineer.
21. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Engineering Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25% or 1 in 4.
 - (b) Vertical alignment shall include transition curves (or straight sections) at all grade changes greater than 12.5%.

- (c) Total of 73 clearly marked car parking spaces (1 space per each dwelling clearly allocated on the plan and 17 spaces for visitor parking spaces) must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
- (d) Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times.
- (e) All car parking spaces must be provided with adequate on-site turning area.
- (f) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (g) Footpath with minimum width of 1.5m with appropriate separation must be provided.
- (h) The gradient of any parking areas must not exceed 5% and
- (i) Minimum carriageway width is to be no less than 5.5 metres.

All works required by this condition must be installed prior to the occupancy of the dwellings.

- 22. Barrier compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit. All works required by this condition must be installed prior to the occupancy of the dwelling.
- 23. Parking and driveway areas and associated services must be installed and completed in the following order:
 - (a) Stage 1: provide one (1) car parking space for each proposed unit dwellings and associated driveway to the lot proper and parking within the staging with temporary turning area for service vehicles.
 - (b) Stage 2: provide one (1) car parking space for each proposed unit dwellings and associated driveway to the lot proper and parking within the staging with temporary turning area for service vehicles.
 - (c) Stage 3: provide one (1) car parking space for each proposed unit dwellings and associated driveway to the lot proper and parking within the staging.
- 24. Prior to the occupancy of the dwellings in each stage, parking spaces must be provided and approved by Council's Development engineer.

Hydraulics and engineering

25. Prior to the issuing of the Building approval for each stage or the commencement of any works (whichever occurs first) submit detailed Engineering design drawings to the satisfaction of Council's Senior Civil Engineer for approval. The engineering drawings must:
- (a) be consistent with the consent issued under Section 14 of the *Urban Drainage Act 2013*.
 - (b) be certified by a qualified and experienced Engineer.
 - (c) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (d) clearly distinguish between public and private infrastructure.
 - (e) be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013.
 - (f) include a minor stormwater drainage system including On Site Detention designed to accommodate a 5% AEP storm event, details of which including model data must be submitted in with the engineering drawing and
 - (g) demonstrate adequate overland flow path must be maintained through the site, such that flows are excluded from the dwelling and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

General

Prior to commencing any replacement of boundary fencing, the proponent is encouraged to either confirm with Council's planning officers that the fencing is exempt, or alternatively a permit application should be lodged.

Waste Services

Glenorchy City Council has a three bin system and the use of FOGO bins (Food Organic and Garden Organic) would assist in the reduction of waste to landfill and should be considered as part of the Waste Management Plan.

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-23-217 dated 24 November 2023, is associated with this permit.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800

Attachments/Annexures

- 1 GPA Attachment - 17A-33A Clydesdale Avenue, Glenorchy



APPENDIX 1

9.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
9.4 Development Standards for Buildings and Works			
9.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² .	1/337m ²	Yes
9.4.2 Setbacks and building envelope for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the	The lot shape is highly unusual, being an internal lot, with frontage at Clydesdale Avenue (boundary abutting the road measures 16m), and Gale Street (boundaries abutting the road measure 10m and 35m). Taking the 10m boundary at Gale Street to be the primary frontage, as the boundary abutting a road with the shortest dimension, the 2.97m setback fails to accord with the Acceptable Solution.	No, see report

Standard	Acceptable Solution	Proposed	Complies?
	equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Garage setbacks exceed 4m.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:	The proposal is outside the building envelope for reason of the vertical envelope. Though by virtue of the peculiar arrangement of the lot, does as an internal lot accord with (a)(ii) of the acceptable solution relating to frontage.	No, see report

Standard	Acceptable Solution	Proposed	Complies?
	(i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).		
9.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 40m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more	Site coverage equals approximately 11000m ² /3.2ha = 34% A number of dwellings within blocks 09 10 and 11 have finished floor levels entirely above 1.8m. With the exception of these, the majority of dwellings have access to ground level though do not have an area of 40m ² available.	No, see Report

Standard	Acceptable Solution	Proposed	Complies?
	than 1.8m above the ground level (excluding a garage, carport or entry foyer).		
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	A number of dwellings within blocks 09, 10 and 11 have finished floor levels entirely above 1.8m. With the exception of these, the majority of dwellings have access to ground level though do not have an area of 24m²	No, see report

Standard	Acceptable Solution	Proposed	Complies?
9.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 9.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 9.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal. (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June. (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	Dwellings are aligned in rows on a predominately North-South axis, though as being in rows, blocks also have dwellings on a perpendicular axis either east or west, or for Row 2, at both cardinal points. Dwellings within the same block are as conjoined, incapable of complying with (a), though this does not preclude the proposal from complying with (b). Shadow diagrams provided demonstrate that notwithstanding the blocks to the east or west providing some overshadowing in the afternoon, dwellings on a north south axis do not preclude solar access to the north west, and the duration of this access is for a period of 3 hours between 12pm and 3pm at the Winter Solstice.	Yes

Standard	Acceptable Solution	Proposed	Complies?
9.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	No garage within 12m of the frontage.	Yes
9.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Decks within the site are neither within 3m of a boundary or within 6m of dwellings on the same site. Roof terrace exceeds 12m from western boundary.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) The window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor	No window is within 6m of another window or the private open space of another dwelling on the same site. Windows to upper storey dwellings within 3m of the western boundary have sill heights greater than 1.7m	Yes

Standard	Acceptable Solution	Proposed	Complies?
	level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	Streets are laid out such that bedroom windows to the east of that road have sill heights greater than 1.7m whereas to the west, those dwellings have decks and windows setback 2.5m (see ROW2 ground floor plan).	Yes
9.4.7 Frontage fences for all dwellings	A1 No Acceptable Solution. [S8]	Not applicable	N/A
9.4.8 Waste storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within one of the following locations:	Each dwelling has an area in accordance with the acceptable solution within the garage area.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.		

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or	Parking shortfall is addressed in the TIA to the satisfaction of Council's Engineers	No

Standard	Acceptable Solution	Proposed	Complies?
	(d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must:	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.		
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> <i>Residential if for a communal residence, multiple dwellings or hostel use;</i> <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	Not providing any	No
C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not required	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.		
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following:	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>. A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:		

Standard	Acceptable Solution	Proposed	Complies?
	(a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.		Yes
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.		NA
C2.6.5 Pedestrian access	A1.1		Yes

Standard	Acceptable Solution	Proposed	Complies?
	Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.		NA
	A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i>.		

Standard	Acceptable Solution	Proposed	Complies?
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i> .		NA
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		NA
	A2		NA

Standard	Acceptable Solution	Proposed	Complies?
	Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

APPENDIX

C3.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	Vehicular traffic expected to increase over 40 vpd. The TIA addressed the traffic impact to Council's satisfaction.	No

Standard	Acceptable Solution	Proposed	Complies?
	A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than:		NA

Standard	Acceptable Solution	Proposed	Complies?
	(i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; or (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i> .		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

C12.0 Flood-Prone Areas Hazard Code

Standard	Acceptable Solution	Proposed	Complies?
C12.5 Use Standards			
C12.5.1 Uses within a flood-prone hazard area	A1 No Acceptable Solution.	Not applicable	n.a
C12.5.2 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.	The proposal is for a vulnerable use	No, see report
	A2 No Acceptable Solution.	The proposal is not for a critical use	n.a
	A3 No Acceptable Solution.	The proposal is not for a hazardous use	n.a
	A4 No Acceptable Solution.	The proposal is for a vulnerable use	No, see report

Standard	Acceptable Solution	Proposed	Complies?
C12.6 Development Standards for Buildings and Works			
C12.6.1 Buildings and works within a flood-prone hazard area	A1 No Acceptable Solution.	The proposal is within a flood prone area	No, see report
C12.7 Development Standards for Subdivision			
C12.7.1 Subdivision within a flood-prone hazard area	A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must: (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities.	Not applicable	N.A

8. PROPOSED USE AND DEVELOPMENT – DEMOLITION, MULTIPLE DWELLINGS (35 NEW & 1 EXISTING), AND CONSOLIDATION OF TWO LOTS - 14 AND 24A BRENT STREET GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3258889

REPORT SUMMARY

Application No.:	PLN-23-114
Applicant:	Philp Lighton Architects Pty Ltd
Owner:	Malunna Glenorchy Pty Ltd
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 P3 Setbacks and building envelope for all dwellings 8.4.3 P1 Site coverage and private open space for all dwellings 8.4.6 P2 Privacy for all dwellings 8.4.6 P3 Privacy for all dwellings C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction C12.6.1 P1 Buildings and works within a flood-prone hazard area (The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	8 December 2023
Existing Land Use:	Residential – Single Dwellings
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for demolition, construction of thirty-five new dwellings, retention of one existing dwelling and consolidation of two lots.

The proposed dwellings would be double storey, three bedroom, conjoined residences, constructed from concrete, masonry, and timber-framed cement sheeting with flat roofs. All of the dwellings would have an area of private outdoor space on the ground, and some would also have a balcony. The dwellings would be arranged in six rows and would be conjoined in clusters between two and five dwellings.

The site would utilise two existing accesses that would be upgraded. There would be an internal road from one of the accesses, that winds along the eastern side of the larger lot. The internal road has a branch on an east west axis that services two of the rows of dwellings on the southern side. Three of the dwellings would be accessed from a separate road that traverses over the existing driveway at 14 Brent Street. There would be a total of 85 parking spaces. The layout is shown in Figure 1.



Figure 1: Proposal - Philp Lighton Architects

The site would be created by joining two rear lots that would result in a site area of 3776m². Each lot is currently occupied by a single dwelling. It is proposed to demolish the dwelling and several outbuildings on 24A Brent Street. The dwelling and a garage on 14 Brent Street would be retained. Several trees would also be removed.

The application is discretionary for the building envelope, total amount of private outdoor space, window separation from private outdoor space and parking spaces, traffic generation and flood prone areas.

SITE and LOCALITY

The subject site is made up of two properties at 14 and 24A Brent Street Glenorchy, contained in titles CT 65724/4 and CT 148642/1. There are also works proposed on Council owned land for the upgrading of the accesses.

The two lots that make up the site are rear lots with irregular shapes, occupied by a dwelling each and some outbuildings. The larger lot has an area of 8724m² and the smaller lot of 3776m².

The larger lot is burdened by a 'right of way' over the access strip. The smaller lot has two drainage easements.

The site has a moderate east to northeast sloping hillside and adjoins Humphreys Rivulet on the east. The vegetation is mainly grass with a few scattered trees. There is residential development surrounding the site, except for an area of parkland south of 14 Brent Street along Humphreys Rivulet and the actual riverbed. The site is shown in Figure 2.



Figure 2: Subject Site - theList

ZONE

The site is within the General Residential Zone, which also applies to the surrounding area as shown in Figure 3.



Figure 3: Zoning Map - theList

BACKGROUND

The application became valid on 09/06/2023 after the General Manager's consent to the making of a planning application was given. The application proposes works on Council-owned land for the two accesses.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the *Land Use Planning and Approvals Act 1993* (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

Use Class Description (Table 6.2):

The application is for Multiple Dwellings which fits under the use class Residential. The use is defined in Table 6.2 Use Classes as follows:

Residential

use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are of particular relevance:

applicable standard

means as defined in subclause 5.6.2 of this planning scheme.

5.6.2 A standard is an applicable standard if: (a) the proposed use or development will be on a site within: (i) a zone; (ii) an area to which a specific area plan relates; or (iii) an area to which a site-specific qualification applies; or (b) the proposed use or development is a use or development to which a relevant code applies; and (c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

demolition

means the destruction or removal of any building or works in whole or in part other than by accident.

dwelling

means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

multiple dwellings

means 2 or more dwellings on a site.

private open space

means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.

standard

means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

The planning authority has discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*

The proposal is discretionary under (b) above as it relies on Performance Criteria as follows:

- 8.4.2 P3 Setbacks and building envelope for all dwellings
- 8.4.3 P1 Site coverage and private open space for all dwellings
- 8.4.6 P2 Privacy for all dwellings
- 8.4.6 P3 Privacy for all dwellings
- C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction
- C12.6.1 P1 Buildings and works within a flood-prone hazard area

General Provisions

The following General Provisions of the Scheme apply to this proposal:

7.3 Adjustment of a Boundary

The proposal is not considered to include a boundary adjustment because there would be more than a minor change in the size of the lots, contrary to clause 7.3.1 (b). Therefore, Clause 7.3 is not applicable to this application.

7.9 Demolition

The application proposes the demolition of a dwelling and several outbuilding. Demolition is permitted under clause 7.9.1 unless part of another development. The demolition is part of the overall development.

Zones

The land is within the General Residential Zone and the following zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

- (a) primarily serves the local community; and*
- (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comment

The proposal accords with the zone purpose statements as it is for a residential use in an area where full infrastructure services are provided. In particular, the proposal would provide for an alternative dwelling type to the predominant single dwellings in the area. Moreover, the location is serviced by public transport to the commercial area of Glenorchy.

Use Table

The use class Residential (Multiple Dwellings) is permitted within the General Residential Zone in 8.2 Use Table.

Use Standards

The standards in clause 8.3 Use Standards specifically relate to discretionary uses and visitor accommodation and are therefore not applicable to this proposal.

Development Standards for dwellings

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix, except as follows:

8.4.2 P3 Setbacks and building envelopes for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.2 A3 with respect to the building envelope. Therefore, the proposal relies on the related performance criteria as follows:

8.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

- (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:*
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
 - (ii) overshadowing the private open space of a dwelling on an adjoining property;*
 - (iii) overshadowing of an adjoining vacant property; or*
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;*
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and*
- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:*
 - (i) an adjoining property; or*
 - (ii) another dwelling on the same site.*

Comment

The acceptable solution requires that a dwelling is contained within a building envelope and has a setback from the internal front boundary of 4.5m, side and rear setbacks of at least 1.5m (but more depending on height) and a maximum height of 8.5m. Please refer to Figure 4 that shows the building envelope.

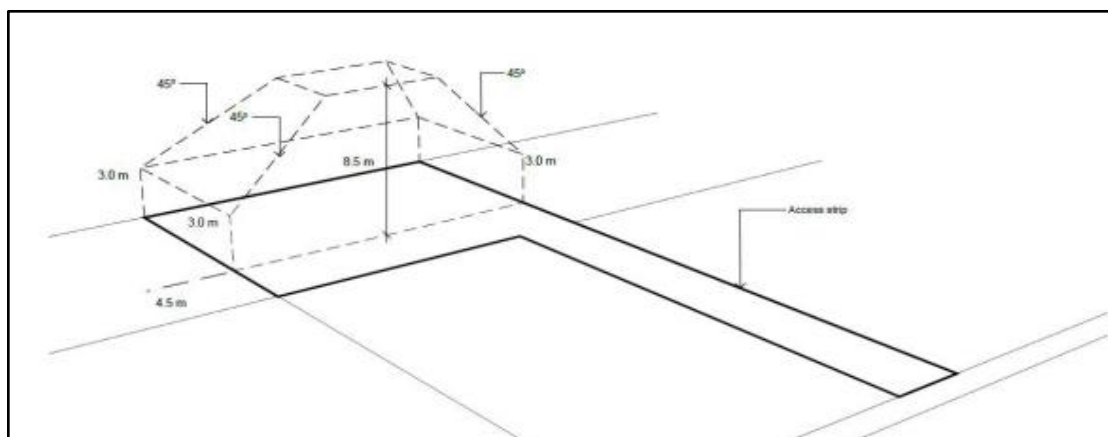


Figure 4: Building envelope for internal lot-Tasmanian Planning Scheme

The dwellings invoke the following discretions:

Units 1 and Unit 2

Units 1 and Unit 2 are less than 4.5m from the internal front boundary (north), with a setback of 3m for both. These dwellings are between 7m and 8.8m high. There are single dwellings on the adjoining land in front at 20 and 22 Brent Street., approximately 26m from the common boundary. The neighbouring properties both have sheds along the rear boundary. It is considered that there would be no unreasonable impact. Any shadows would fall away from the neighbouring properties to the south and any visual impact is considered minimised by the large separation from the neighbouring dwellings.

Unit 29

Unit 29 is less than 4.5m from the internal front boundary (north), with a setback of 3.7m. The unit has a maximum height of 7.86m. The neighbouring property to the north has a long narrow building with six flats, approximately 6m from the common boundary. The narrow side is facing the common boundary. Any shadows would fall away from the neighbouring property as it is to the north of Unit 29. Visual impact would also be minimised as the main elevation of the narrow building is facing east.

Units 33 and 36

Units 33 and Unit 36 are outside the building envelope with respect to the rear boundary (south) with setbacks of 2.1m and 2.4m respectively. The maximum height of the south elevation of both Units is 6m, which would require a 3m setback. The adjacent property to the south is vacant Council land along Humphreys Rivulet.

Units 19-28

Units 19-28 are dug in so that part will be below natural ground level. These units are 4m from the rear boundary and all comply as they are within the building envelope. It is considered that these dwellings would not adversely impact on the neighbouring properties due to the separation and height that is considered reasonable.

Unit 18

Unit 18 has a very small corner outside of the building envelope, which is not considered material.

Units 11 and 12

Units 11 and 12 are outside the building envelope and both have a 3m side setback from the western boundary. Unit 11 has a maximum height of 6.5m on the western elevation and would require a setback of 3.5m, whilst Unit 12 would have a maximum height on the western elevation of 7.1m which would require a setback of 4.1m. The adjacent property contains forty flats in several long buildings. Two of these buildings

would be at an angle to the common boundary, offset from Units 11 and 12 at a distance of 4m and 9.7m from the boundary. It is not considered that there would be any unreasonable impacts on the neighbouring buildings given the total separation of the buildings and the orientation. The neighbouring property is orientated to the northwest and would therefore not be significantly affected by shadows. The view from the adjacent property to Units 11 and 12 would not be direct as it is the side wall that is opposite. In addition, the bulk of the proposed units would not be significant as they are still below the maximum height.

Maximum Height

All units are less than 8.5m except for Units 2, 3 and 4. These units are along the northern boundary, behind a row of dwellings in Brent Street and are 8.8m, 9m and 9.5m in height respectively due to the slope. There would be no overshadowing issues as any shadows would fall away from the neighbouring properties and to the south. The dwellings would have significant separation from all the neighbouring dwellings in front and are not considered visually imposing due to the design. The dwellings would be in a block of two with each dwelling being stepped back.

Overall

The discretions outlined above in relation to setbacks and building envelopes satisfy the performance criteria. Therefore, the proposal complies with the standard through the performance criteria.

8.4.3 P1 Site coverage and private open space for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.3 A1 with respect to total area of private outdoor space. Therefore, the proposal relies on the related performance criteria as follows:

8.4.3 P1 Site coverage and private open space for all dwellings

Dwellings must have:

- (a) site coverage consistent with that existing on established properties in the area;*
- (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:*
 - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into*

account any common open space provided for this purpose within the development; and

(ii) operational needs, such as clothes drying and storage; and

(c) reasonable space for the planting of gardens and landscaping.

Comment

The acceptable solution has two requirements, of which one complies. The site coverage must be no more than 50%. The proposal has a site coverage of 23% which accords with the acceptable solution. However, not every dwelling unit has a total private outdoor space area of 60m², which is also required by the acceptable solution.

The total private outdoor space of twenty dwellings complies, but sixteen dwellings have less than 60m² in total. Eight dwellings have an area between 52m² and 59m², whilst eight have an area of only 47m². These dwellings are generally in the middle and have less surrounding land. Nevertheless, it is considered that the proposed development overall has enough area for landscaping. There is also a storage space next to the carport for most dwellings, which reduces the need for space to accommodate a shed. In terms of outdoor recreational space, the proposal provides for a small playground within the development on common ground. The most important factor is that each dwelling has enough private outdoor space for recreation. All dwellings comply with the required amount and dimensions of private outdoor space in one location of 24m², although this is in a separate standard (8.4.3 A2). Overall, it is considered that the provision of total private outdoor space is sufficient for recreation, storage and landscaping.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.6 P2 Privacy for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.6 A2 with respect to window separation from private outdoor space of another dwelling. Therefore, the proposal relies on the related performance criteria as follows:

8.4.6 P2 Privacy for all dwellings

A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- (a) a window or glazed door, to a habitable room of another dwelling; and*
- (b) the private open space of another dwelling.*

Comment

The acceptable solution requires that a window to a habitable room with a floor level more than 1m above the existing ground has a specified separation. The separation is

3m from side boundary, 4m from a rear boundary, 6m from a window of another dwelling on site and 6m from the private outdoor space of another dwelling on site. These separations apply unless the window is offset by 1.5m, is 1.7m above floor level or has a permanent screen.

All windows comply except as follows:

Unit 29 and Unit 33

Unit 29 is in line, behind and uphill from Unit 34 which has a large deck at the rear for private outdoor space. The rear elevation (east) of Unit 29 is between 2.2m and 3.1m from the edge of the deck. There is a kitchen window and a bathroom window on the first floor and a study window on the ground floor. The kitchen window is approximately 1.25m off the floor level and over a bench. It is a similar situation for Unit 33 that is behind Unit 36 away from the rear deck by 1.5m. Figure 5 is showing the window arrangement.

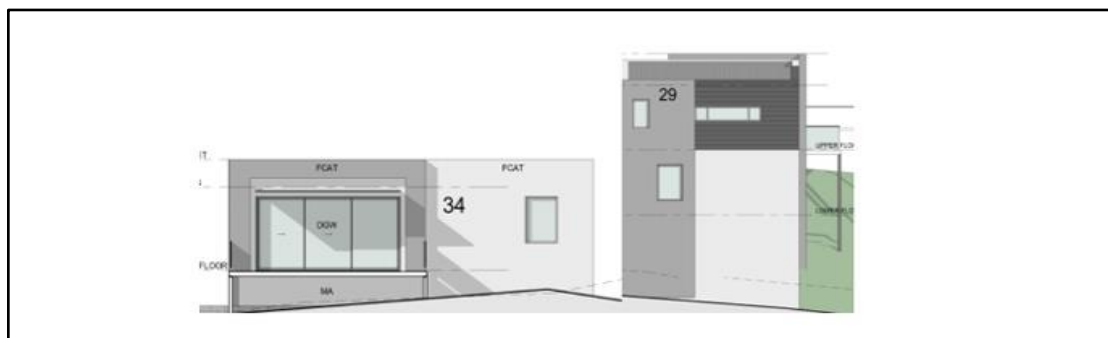


Figure 5: Windows of Unit 29 opposite private outdoor space of Unit 34 - Based on plans from Philp Lighton

It is considered that a fence to a height of 2.1m could provide for sufficient privacy to the private outdoor space areas. A condition is recommended for a fence to be placed on the boundary of the private outdoor space areas between Units 34-36 and Units 29-33 to a height of 2.1m.

Units 12 to 17

Units 12 to 17 are located in a row, behind and uphill from Units 5 to 11 that are also in a row. Private outdoor space is arranged between the two rows so that private outdoor space of the lower row is adjacent to private outdoor space of the higher row. Private outdoor spaces have the minimum width of 4m, so that the windows of the higher row are not 6m from the edge of the private outdoor space of the lower row. These windows do not have a permanently fixed external screen or obscure glazing. The proposal complies the other way around, as the windows of the lower row are 1.7m above floor level. The arrangement of the private outdoor space areas is shown

in Figure 6.



Figure 6: Windows of Units 12-17 opposite private outdoor space of Units 5-11 - Based on plans from Philp Lighton

The arrangement of private outdoor space also includes a balcony for the units in the lower level, Units 5 to 11, on the front elevation that is accessed off the living room, whereas the private outdoor space at the rear is through a back door. For the units on the upper level, Units 12 to 15, the private outdoor space is the main area for recreation and is adjacent to the living room. The private outdoor space of the lower row is significantly lower than the private outdoor space of the upper row and is stepped down with retaining walls. There would be a fence or a balustrade on top of the retaining wall for Units 12-17.

In terms of the performance criteria, the design of Units 12-17 features two aspects that would limit the direct view downwards. The units are further up the slope so that the main view would be over the roof of the lower units. The higher windows also have an external frame that restricts the view downwards. Moreover, any fencing or balustrade and vegetation on the edge of the private outdoor space would provide for screening. A condition to this effect is recommended.

Overall

It is considered that reasonable privacy can be provided to the private outdoor spaces as outlined above, subject to recommended conditions.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.6 P3 Privacy for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.6 A3 with respect to window separation from a parking space. Therefore, the proposal relies on the related performance criteria as follows:

8.4.6 P3 Privacy for all dwellings

A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Comment

The acceptable solution requires that a driveway or parking space is separated by 2.5m from a window of a habitable room if there is no screen or the window sill has not a height of 1.7m.

All windows of the proposal comply with the acceptable solution, except for one. Windows in close proximity to the separation requirements are outlined within the attached appendix. The other windows clearly comply. It is considered that the windows that are in accordance with the acceptable solution, satisfy the performance criteria.

The window that does not satisfy the acceptable solution is a dining room window on the east elevation of Unit 17. The window is approximately 1.7m from the visitor space No.16, which is one of four parking spaces in that location. The other windows on the same elevation are not opposite the parking area. The window is shown in Figure 7.



Figure 7: Window separation of Unit 17 – Based on plans from Philp Lighton

It is considered that there would be no unreasonable impact to the occupants from vehicle noise and light intrusion because the window separation is only 1.7m instead of 2.5m for several reasons. The carparking space is not perpendicular to the window so that light intrusion would be minimal. The window is also a dining room window rather than a bedroom window so that noise would be less intrusive. Furthermore, the window that is at a reasonable distance from the parking space is also the second window to the dining room that has the main dining room window at the front. Therefore, it is considered that there would be no unreasonable impacts and that window treatments such as drapery or blinds would be sufficient.

Therefore, the proposal complies with the standard through the performance criteria.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C3.0 Road and Railway Assets Code

C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction

The proposal does not accord with the acceptable solution in clause C3.5.1 A1 with respect to traffic generation. Therefore, the proposal relies on the related performance criteria as follows:

C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority.*

Comment

The acceptable solution requires that vehicular traffic to and from a site using an existing vehicle crossing will not increase by more than 40 vehicle movements a day. The applicant submitted a Traffic Impact Assessment that found that the road is able to take additional traffic and no adverse effects are expected. As such, it is considered that the proposal complies with the standard through the performance criteria.

For further comments please refer to the assessment by the Traffic Engineer later in this report.

C12.0 Flood-Prone Areas Hazard Code

The site is affected by the Flood Prone Hazard overlay as shown in Figure 9 below:

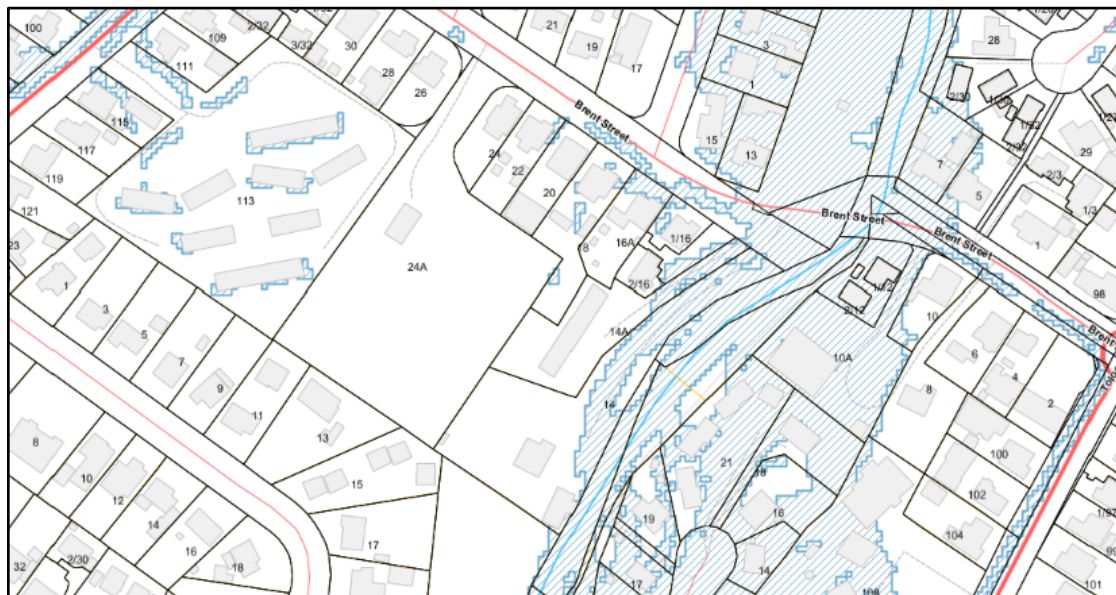


Figure 8: Flood-prone Hazard Area

C12.6.1 P1 Buildings and works within a flood-prone hazard area

There is no acceptable solution for this standard so the proposal relies on the performance criteria as follows:

C12.6.1 P1 Buildings and works within a flood-prone hazard area

P1.1

Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:

- (a) the type, form, scale and intended duration of the development;*
- (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;*

- (c) any advice from a State authority, regulated entity or a council; and*
- (d) the advice contained in a flood hazard report.*

P1.2

A flood hazard report also demonstrates that the building and works:

- (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and*
- (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

Comment

The flood-prone hazard area overlay extends mainly over the access road of 14 Brent Street to Units 34, 35 and 36 to a minor extent. The proposal was referred to Council's Hydraulics Engineer for assessment and was found to be acceptable. For further comments please refer to the assessment by Council's Senior Civil Engineer later in this report.

Therefore, the proposal complies with the standard through the performance criteria.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No local area objectives of the Scheme apply to this proposal.

Particular Purpose Zones

No particular purpose zones of the Scheme apply to this proposal.

Specific Area Plans

No specific area plans of the Scheme apply to this proposal.

GLE-Site Specific Qualifications

No site-specific qualifications of the Scheme apply to this proposal.

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval to construct 36 residential dwellings at 14 and 24A Brent Street. The development is proposed to utilise and maintain the two existing accesses to the site. The works include widening to the access off 24A Brent Street, works associated with the driveway and parking areas for 85 car spaces (two for each dwelling and 13 visitor spaces throughout the site) and associated stormwater infrastructure works including on-site detention (OSD) and water sensitive urban design (WSUD) element.

The Traffic Impact Assessment (TIA) by Hubble Traffic June 2023, Philp Lighton Architects letter dated 11 October 2023, and Concept Services Report by JMG Engineers & Planners Rev3 dated 28 September 2023 were submitted as part of the application. The application and the TIA were referred to Council's Transport Engineer to review, provide comments and recommend conditions as required. The application and the Stormwater Report were referred to Council's Senior Civil Engineer to review, provide comments and recommend conditions as required.

Runoff is proposed to be drained via an OSD system and WSUD element to the existing stormwater system via gravity. A new stormwater connection and main along Brent Street are proposed to facilitate the majority of runoff from the main site and drains to the Humphreys outlet. The General Manager's consent to interfere with stormwater infrastructure can be granted. The document is available in ECM.

C2.0 Parking and Sustainable Transport Code

The development complies with the code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The requirement under the C2.5.1 and table C2.1, A1 requires 2 car parking spaces for each dwelling, plus 12 visitor parking spaces. The applicant proposes to comply with the requirements providing a total of 85 car parking spaces for the entire site with 1 space surplus.

There are no requirements for accessible car parking spaces, bicycle parking spaces or commercial vehicle applicable to the development application. Three (3) motorcycle parking spaces are required to comply; and it is proposed to provide an area for that. The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

According to the Planning Scheme, to comply with the acceptable solution of C2.6.5 A1, a 1-metre-wide pedestrian footpath is required where the use requires more than 10 car parking spaces. The proposed development does include dedicated pedestrian pathways connecting with the Brent Street public footpath. The internal pathways will be a hard-wearing concrete surface, 1.5 metres wide, separated from the roadway by a barrier kerb. These pedestrian pathways comply with the acceptable solution, as they will provide safe and convenient pedestrian access to the site, and units. Therefore, the acceptable solution is met.

C3.0 Road and Railway Assets Code

The development is considered to comply with the code requirements and local traffic conditions are not expected to be significantly affected. However, for a more comprehensive assessment relating to traffic generation, and traffic safety, please refer to the Traffic Engineer Referral.

The site can be accessed off the existing vehicle crossings to the subject site. Based on the TIA, the traffic generation of the development is likely to be 234 vehicles per day with the two peak period generations of 23 vehicles per hour. The increase vehicle movements are over 40 vehicle trips per day; therefore, an assessment against the performance criteria is triggered. The TIA has undertaken a traffic and parking assessment, site survey, traffic modelling and investigated crash history to assess the development against the performance criteria.

The TIA then concluded that the amount of traffic expected to be generated during the peak hour periods is reasonably low, and there is sufficient capacity within the surrounding street network to absorb the extra vehicle movements, without adversely impacting other users or residential amenity. Council's Transport Engineer is supportive of the TIA findings; and therefore, it is considered that, the performance criteria for C3.5.1 P1 is satisfied with.

Other

C7.0 Natural Assets Code

There are no natural assets issues identified through Council's records that affect the application.

C12.0 Flood-Prone Areas Hazard Code

Situated in close proximity to the Rivulet, the site at 14 Brent Street is subject to the flood hazard overlay. The Concept Services Report by JMG Engineers & Planners demonstrated that the development can satisfy the performance criteria and that the risk to flooding is not expected to be significantly increased. Therefore, it is considered the development satisfies the code requirements. For a more comprehensive assessment relates to flooding, please refer to the Senior Civil Engineer Referral.

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

Representations

During the advertisement period, Council received a representation raising several concerns with additional traffic generated by the development and traffic safety being the main concern. Additionally, the representor is also concerned with the number of traffic movements and construction vehicles during construction should the proposal be approved. Council's officers have reviewed the representations and addressed the concerns as follows.

Council's response:

According to the Scheme, the TIA has satisfactorily addressed the performance criteria under C3.5.1 to Council's satisfaction. With regards to the traffic during construction, although this would be dealt with under the Building Application process, if approved, a permit condition has been recommended to require a construction management plan and erosion and sediment control plan to be submitted for approval. This is to ensure that the work will be done with minimal impacts to the local road networks.

Additionally, Council's Transport Engineer commented on the traffic increased and traffic safety are as follows:

"The traffic modelling undertaken in the TIA showed that the increase in traffic due to this development will not have a detrimental impact on Brent Street and the road network. There are also adequate sight lines out of the driveways, for drivers to be able to safely turn into and out of the sites.

The driveway to the three dwellings is opposite the new park alongside the rivulet with the curve in the road at the rivulet. Council is aware of parking issues on Brent Street when the park first opened and will continue to monitor to determine if parking needs to be banned. It is not expected that this development will contribute to on-street parking.

Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking, or road safety. I have no objection to the development on traffic engineering or road safety grounds."

Traffic Engineer

Introduction

The developer proposes to construct 36 units at 14 and 24A Brent Street in the General Residential Zone. There will be 2 units and the existing property to the east of the site, coming off an existing driveway crossover alongside the rivulet. The remaining 33 units

will come off a two-way driveway crossover with a pedestrian path to the west of the site between properties 24 and 26 Brent Street.

Within the whole site there will be a total of two parking spaces per unit. There will be 11 visitor parking spaces to the western site and 2 visitor parking spaces to the eastern site. The parking numbers for the development meet the acceptable solution C2.5.1.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated June 2023 and Philp Lighton Architects letter dated 11 October 2023. The TIA addresses the performance criteria C3.5.1 P1 traffic generation at a vehicle crossing, level crossing or new junction and the acceptable solutions under C2.0 Parking and Sustainable Transport Code for car parking requirements.

Driveways and Pedestrian Access

The driveway access to the internal lot of 24A Brent Street is located east of the Chapel Street roundabout, where the road alignment is straight and on top of a slight vertical rise. Sight distance at the driveway access is met, exceeding 100m in both directions. Under AS2890.1 sight distance at a commercial driveway (being more than 3 units) is required to be between 45m to 69m.

The access has a main internal driveway and one spur driveway, which creates a ninety-degree internal junction. The driveways are 6m wide, allowing two-way flow. Vehicles including the waste truck, can travel down the driveways and either turn around at the junction or at the end of the spur driveway.

As the number of parking spaces at 24A Brent Street is over 10, pedestrian paths are required under the planning scheme. The site will have a 1.5m wide footpath with kerb one side of the internal driveways, from Brent Street to the parking spaces and units. The paths provide pedestrians with a safe and convenient site access, promoting walking as a viable alternative transport mode.

At 14 Brent Street, the development is proposing to use the existing driveway access alongside the rivulet to access three units. The existing driveway access to the internal lot is located between Chapel Street and Tolosa Street alongside the rivulet. To the east of the access there is a slight reverse curve in the road alignment.

Sight distance at the driveway access is met being 75m to the east and exceeding 100m to the west. The TIA did note that some trimming of overhanging vegetation onto the nature strip from properties would improve the current sight lines to the east.

The internal driveway access to the three units from Brent Street is a relatively straight single carriageway with a flat area either side to pull over or for a pedestrian to use. The driveway would be a shared area for pedestrians and cars. At the end of the driveway there is room for a car to turn. Waste will be collected via the footpath kerb on Brent Street, so larger vehicles are not required to turn within the site.

Based on the TIA it is accepted that the proposed driveway access, internal driveway layout and footpath connections are safe and adequate.

Parking Supply

At 24A Brent Street with the 33 units, the developer is proposing 77 car parking spaces of which 11 will be for visitors. At 14 Brent Street with the 3 units, the developer is proposing 8 car parking spaces of which 2 will be for visitors. This is a total of 85 car parking spaces in which each unit will have two dedicated spaces.

The planning scheme requires 84 car parking spaces, of which 2 spaces are required per 2-bedroom or more unit and 1 visitor parking space per 3 units for an internal lot. The development therefore meets the acceptable solution of the planning scheme and there is unlikely to be overflow parking onto the road network due to the parking provided and proximity of the site to public transport and the Glenorchy CBD.

Traffic Generation

The traffic generated by the development is expected to be 234 daily trips with 23 trips in am and pm peak hour based on 6.5 daily trips per unit, for a medium density residential unit as per the RTA Guide using the upper limit due to no reduction in parking.

The TIA undertook a traffic survey at the junction of Brent St/Tolosa St and Brent St/Chaple St during the am and pm peak hours. The surveys showed that Brent Street carries 1,270 vehicles in the am peak and 966 vehicles in the pm peak. Tolosa Street carries 1,515 vehicles in the am morning peak and 1,308 vehicles in the pm peak. Chapel Street carries 880 vehicles in the am morning peak and 848 vehicles in the pm peak.

The extra vehicle trips from the development were added to existing trips and assessed in the TIA using SIDRA modelling. SIDRA modelling looks at Level of Service at intersections based on delays, queues, and degree of saturation. The traffic modelling showed that the development will not have any adverse traffic impacts to the road network with the Level of Service staying the same.

Brent Street is a collector road in which its primary function is to distribute traffic from the major arterial roads or other collector road to the local streets. Brent Street is 9m wide which can accommodate two 3m travel lanes and parking on one side of the road. The traffic volumes on Brent Street are in-line with a collector road and as shown by the modelling, the roundabouts function with minimum delays or queue on Brent Street to distribute traffic to the network.

The TIA assessed the crash data reported to Police over the last 5 years on Brent Street between Tolosa Street and Chapel Street. This showed that there have been four crashes of which two were rear ends resulting in property damage and first aid: an unknown crash type resulting in property damage and a head-on crash resulting in

minor injury. The crash history does indicate an overrepresentation of crashes for this stretch of collector road.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Representations

One representation was made concerning the increase in traffic on Brent Street and the accidents occurring along this stretch of road, particularly with the new park and people parking on the street to access it.

The traffic modelling undertaken in the TIA showed that the increase in traffic due to this development will not have a detrimental impact on Brent Street and the road network. There are also adequate sight lines out of the driveways, for drivers to be able to safely turn into and out of the sites.

The driveway to the three dwellings is opposite the new park alongside the rivulet with the curve in the road at the rivulet. Council is aware of parking issues on Brent Street when the park first opened and will continue to monitor to determine if parking needs to be banned. It is not expected that this development will contribute to on-street parking.

CONCLUSION

Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking, or road safety. I have no objection to the development on traffic engineering or road safety grounds.

Senior Civil Engineer

Comments

The development works at 14 and 24A Brent Street Glenorchy includes 36 residential units. The site is within the 1% AEP flood zone and therefore triggers Flood-Prone Areas Hazard Code

1. Referenced Documents

- (a) Architectural Drawings by PhilpLighton Architects RevC Date: 11/10/2023
- (b) Concept Services Report by JMG Engineers & Planners Rev3 Date: 28/09/2023
- (c) Supplementary report for Proposed Development Demolition of an Existing Building and 36 Multiple Dwellings (one existing) dated October 2023

2. C12.0 Flood Prone Areas Hazard Code

Concept Services Report prepared by JMG Engineers & Planners dated 28th September 2023 addresses the performance criteria under C12.6.1. Building and works within a flood prone area. The report has conducted a detailed analysis to assess the impacts on the new development from a 1% AEP (Annual Exceedance of Probability) flood event plus a provision for the climate change scenario. This assessment was based on Council's 1% AEP flood modelling data.

The affected area in 14 Brent Street - mostly the access road to units 34, 35 and 36 - is classified 'H1 category- Relatively benign flow conditions' as defined in Australian Disaster and Resilience Handbook. It has been shown that post flood depth, velocity and the combination on the post development does not adversely impact to the accessibility by a 1% AEP flood with a climate change loading, and the area with inundation will be minimally affected with no vulnerabilities to the occupants.

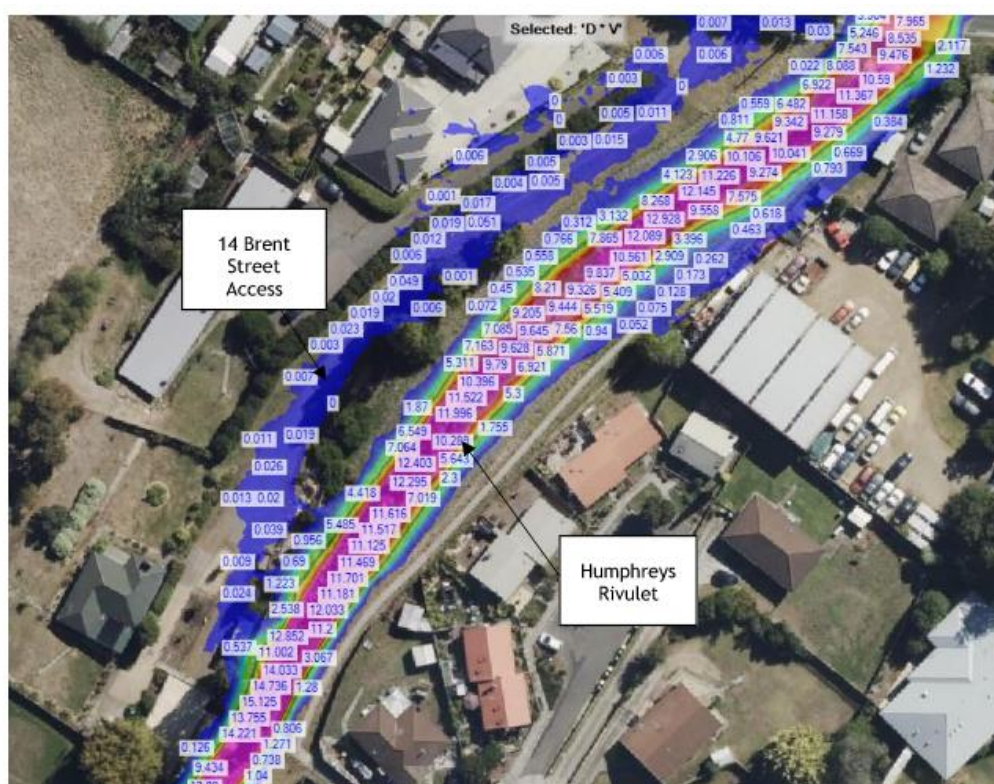


Figure 1: depth*velocity results for the 1% AEP + Climate Change

3. Stormwater Management Policy

(a) Stormwater Disposal Method Requirements:

Stormwater generated from new development areas will drain to existing stormwater systems by gravity. A new stormwater main along Brent Street has been proposed to discharge the controlled discharge from the units into Humphreys Rivulet and thereby not overloading the existing main. Therefore, 4 (a) is met.

(b) Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment and disposal of stormwater given the new impervious area for both catchment A and catchment B is greater than 500m². A combination of proprietary water treatment devices and natural vegetated swale drain have been proposed to the stormwater system. Therefore, 5 (b) is met.

(c) Stormwater Quantity Management Requirements:

On site detention in form of underground tank and open swale has been proposed to ensure pre-developed discharge rates are achieved post construction for a 5% AEP or 1 in 20 year rain event. Therefore, 6(b) is met.

(d) Stormwater System Design Requirements:

The major stormwater system and the minor stormwater system have been demonstrated in Stormwater report and civil drawings by JMG Engineers & Planners dated 28th September 2023.

Therefore 3 (c) and (d) are met.

Conclusion

In summary I have no objections with the proposal from a hydraulics perspective, provided the recommended conditions are included.

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 14 & 24A Brent St Glenorchy would be Council's standard bin service, individual wheelie bins collected fortnightly.

- (a) The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwellings, collected fortnightly.
- (b) Please note that this property would have a total of 105 (105) bins, thirty five (35) Waste bins and thirty five (35) Recycling Bins, and thirty five (35) FOGO bins.
- (c) This property would have an internal kerbside for placement of the bins therefore the dwellings would have their own individual bins.
- (d) All bins are to be placed on the internal kerbside for collection. Please note there will be seventy (70) waste and seventy (70) recycling bins out for collection one week and thirty five (35) FOGO bins out for collection the following week.
- (e) Council's Waste Management Contractor collection trucks **will** enter the property to collect and empty the wheelie bins.
- (f) A Deed of Release between the developer and Council must be signed prior to the collection vehicles entering the site.

- (g) The bin collection area as shown on the plans opposite the zebra crossing must be constructed to house maximum of ten (10) wheelie bins on Waste and Recycling collection days, and FOGO bins.
- (h) The design for the bin collection area must comply with the following:
 - it must be built on a flat surface with a concrete base/pad and or other suitable material to Councils approval,
 - it must have concrete at the entrance to the bin enclosure.
 - it must suit maximum of 10 wheelie bins X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - the front of the bin enclosure should face the internal access driveway, and be left open throughout the length of the bin enclosure,
 - there must be no lip on the concrete slab of the bin enclosure.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater, which has nominated a number of conditions should the application be approved. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater if a permit is granted.

TasNetworks

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

The standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks' website: [New electricity connections - TasNetworks](#).

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one (1) representation being received. The issues raised are as follows:

Traffic

The representor states that the additional traffic would make traffic flow worse, especially during peak times and would increase the potential for accidents as well as create a shortage of on-street parking.

Planner's Comment:

This issue has been previously addressed under the heading Traffic Generation and it was concluded that the additional traffic should not have a significant impact on the safety or efficiency of the road network. In terms of off-street parking, it is also noted that the application provides in excess of the required carparking spaces. Therefore, the issue has been addressed satisfactorily.

Infrastructure

The representor states that water pressure in Brent Street is low and is worried that the proposed development would make things worse.

Planner's Comment:

This issue has been previously addressed under the heading TasWater, which refers to the nominated conditions from TasWater that will form part of any permit granted. The applicant will need to provide services adequate for this development and to the satisfaction of TasWater.

Building Works

The representor states that construction traffic and construction noise will significantly impact on the surrounding residents.

Planner's Comment:

This issue will be addressed through a construction management plan that will be required after a Planning Permit is granted. The construction management plan will include control of construction traffic and will limit operating hours, which should reduce any adverse impacts on residences.

CONCLUSION

The application is for demolition, construction of thirty-five new dwellings, retention of one existing dwelling and the consolidation of two lots. The application is discretionary for the building envelope, total amount of private outdoor space, window separation from private outdoor space and parking spaces, traffic generation and flood prone areas. The proposal accords with the relevant performance criteria and does not raise any other issues.

There was one representation received during the advertising period. Concerns were raised about traffic volume, water pressure and construction traffic and noise. These issues were considered and are addressed.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Glenorchy 2021*, subject to the recommended conditions.

Recommendation:

That a permit be granted for the Demolition and Multiple Dwellings (35 proposed and 1 existing) and consolidation of two lots of 14 Brent Street Glenorchy and 24A Brent Street Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-114 and Drawings submitted on 09/05/2023 (4 pages), 12/07/2023(21 pages); 11/10/2023 (7 pages); and 02/11/2023 (10 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2023/00603-GCC, dated 22/08/2023, form part of this permit.
3. The consolidation of the two lots in title references CT 65724/4 and CT 148642/1 must occur (new title issued) prior to the approval of any Building Permit application for the multiple dwelling development approved herewith.
4. The provision of private open space must be provided for all dwelling. The private open space must comply with the following:
 - (a) Be located in one location.
 - (b) No less than 24m² with a minimum width of 4m.
 - (c) Gradient no steeper than 1:10.Retaining walls must be placed accordingly and must ensure that the level area is at least 4m wide.
5. Overlooking of private space must be minimised by placing a fence that is 2.1m in height on the boundary of the private open space areas between Units 34-36 and Units 29-33. The fence must be constructed prior to a Certificate of Occupancy being issued for the units and must be maintained for the duration of the use.
6. Overlooking of private open space must be minimised by placing a fence that is 1.8m in height or a balustrade together with advanced hedge plants on the edge of the private open space areas of Units 12 to 17. The screening must be constructed/planted prior to a Certificate of Occupancy being issued for the units and must be maintained for the duration of the use.

Engineering

7. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit an Erosion and Sediment Control (ESC) plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Erosion and Sediment Control plan (ESC) forms part of this permit and must be complied with.

Advice: For further information please refer to Erosion and Sediment Control (ESC) Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au/stormwater/

8. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
9. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
10. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

11. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost. It is the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works may be deemed to be the responsibility of the developer and must be repaired at the developer's cost.
12. A detailed estimate for the works must be provided and payment of the engineering drawing approval fee must be made prior to the issue of approved engineering drawings or the issuing of the building approval. Under Council Schedule of fees and charges 2023/2024, the engineering drawings approval fee is 2.1% of the value of the civil works. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
13. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Engineering Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish with finished gradient not exceeding a maximum gradient of 25% or 1 in 4.
 - (b) Vertical alignment must include transition curves (or straight sections) at all grade changes greater than 12.5%.
 - (c) Total of 85 clearly marked car parking spaces (2 spaces per each dwelling clearly allocated on the plan and 13 spaces for visitor parking spaces) must be provided in accordance with the approved plan and always kept available for these purposes.
 - (d) All car parking spaces must be provided with adequate on-site turning area.
 - (e) 3 motorcycle parking spaces to Australian Standard must be provided.

- (f) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (g) Footpath with minimum width of 1m with appropriate separation must be provided.
- (h) The crossfall along the footpath must not exceed 2%.
- (i) The gradient of any parking areas must not exceed 5% and
- (j) Minimum carriageway width is to be no less than 5.5 metres.

All works required by this condition must be installed prior to the occupancy of the dwellings.

14. Barrier compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit. All works required by this condition must be installed prior to the occupancy of the dwellings.
15. Widening and/or upgrading to the existing vehicle crossing(s) to provide a passing bay at the access point must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Building Approval or commencement of works (whichever occurs first).

Advice: Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2022/08/Road-Opening-Permit-Application-Form-1.pdf>

16. Prior to the issuing of the Building Approval or the commencement of any works (whichever occurs first) detailed Engineering design drawings must be submitted and approved to the satisfaction of Council's Senior Civil Engineer. The engineering drawings must:
 - (a) be certified by a qualified and experienced Engineer.

- (b) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances to other utility services, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (c) Clearly distinguish between public and private infrastructure.
 - (d) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013.
 - (e) The minor stormwater drainage system including On Site Detention must be designed to accommodate a 5% AEP storm event, details of which including model data must be submitted in with the engineering drawing.
 - (f) Major stormwater drainage system including an adequate overland flow path(s) must be designed considering full development and individual stages, such that flows are not impacting new dwellings nor redirected onto third-party land during the 1% AEP as at 2100 (including climate change loading) storm event. Details of overland flow paths including supporting cross sections and flow calculations are required. Also, provide associated stormwater model (Drains or similar) and output data in a readable format.
17. Digital copies of a post construction work CCTV video and associated report(s) of any proposed Council stormwater main must be submitted to Council after completion of all work but prior to the issue of any Certificate of Completion. CCTV records must clearly label the upstream and downstream nodes, direction of travel, locate all connections and nodes, capture defects.
18. The new stormwater connection must be constructed and installed to Council's satisfaction prior to the occupancy; and any existing abandoned connections must be capped and sealed at the owner's expense. Please note once plans are approved, a formal Application for New Stormwater Connection and inspection by Council's Senior Civil Engineer is required. The form is available from <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>
- (a) A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.
 - (b) Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.

- (c) If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.
19. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Senior Civil Engineer for approval prior to the commencement of the use and/or the issuing of the plumbing approval. When approved, the maintenance schedule forms part of this permit.
20. The landowner must maintain the on-site stormwater detention and water sensitive urban design infrastructure in accordance with the approved maintenance schedule. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Senior Civil Engineer for approval prior to the commencement of the use and/or the issuing of the plumbing approval. When approved, the maintenance schedule forms part of this permit.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-23-114, dated 21 November 2023, form part of this permit.

Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

Waste Management

Waste Services to the proposed multiple dwelling development at 14 & 24A Brent St Glenorchy would be Council's standard bin service, individual wheelie bins collected fortnightly.

- (a) The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwellings, collected fortnightly.
- (b) Please note that this property would have a total of 105 (105) bins, thirty five (35) Waste bins and thirty five (35) Recycling Bins, and thirty five (35) FOGO bins.
- (c) This property would have an internal kerbside for placement of the bins therefore the dwellings would have their own individual bins.
- (d) All bins are to be placed on the internal kerbside for collection. Please note there will be seventy (70) waste and seventy (70) recycling bins out for collection one week and thirty five (35) FOGO bins out for collection the following week.
- (e) Council's Waste Management Contractor collection trucks will enter the property to collect and empty the wheelie bins.
- (f) A Deed of Release between the developer and Council must be signed prior to the collection vehicles entering the site.
- (g) The bin collection area as shown on the plans opposite the zebra crossing must be constructed to house maximum of ten (10) wheelie bins on Waste and Recycling collection days, and FOGO bins.
- (h) The design for the bin collection area must comply with the following:
 - (i) it must be built on a flat surface with a concrete base/pad and or other suitable material to Councils approval,
 - (ii) it must have concrete at the entrance to the bin enclosure.
 - (iii) it must suit maximum of 10 wheelie bins X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (iv) the front of the bin enclosure should face the internal access driveway, and be left open throughout the length of the bin enclosure,
 - (v) there must be no lip on the concrete slab of the bin enclosure.

TasNetworks

The standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks' website: [new electricity connections – TasNetworks](#).

Attachments/Annexures

- 1** GPA Attachment - 14 Brent Street and 24A Brent Street, Glenorchy



APPENDIX**8.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm		NA
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		NA
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		NA
	A4 No acceptable solution.		NA
8.3.2 Visitor Accommodation	A1 Visitor Accommodation must:		NA

	(a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.		
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA
8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	Site area per dwelling 337m ² $8724\text{m}^2 + 3776\text{m}^2 = 12500\text{m}^2 / 36 = 337\text{m}^2$	Yes
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;	The lots are internal lots so that there is no front setback.	N/A

	if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: 5.5m, or alternatively 1m behind the building line; the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	The lots are internal lots.	N/A
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that	Please see report	No - discretion

	extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).		
8.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	(a) Site coverage is 23% 14 Brent St – Site Area 3776m² 24A Brent St – Site Area 8724m² Total Site Area - 12500m² Site coverage - 2972m². (b) Of the proposed dwellings, 21 comply and 15 have less than 60m² of total POS, which relies on the performance criteria.	No – Discretion

	A2 A dwelling must have private open space that: (a) is in one location and is not less than: 24m²; or 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: 4m; or 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	The plans show that all dwellings would have a private outdoor area of 24m² in one location with a minimum width of 4m. In terms of gradient, a POS schedule provided by the applicant on 11/10/23 provides for the following: “POS to units 1 – 4 and 29 – 33 will be terraced to provide outdoor spaces that comply with gradients of less than 1:10 as per 8.4.3. To all other units all outdoor areas have been terraced to comply with gradients of less than 1:10”. Therefore, the POS areas comply. However, a condition is recommended for the dimensions and grades of the POS areas. It is also noted that there will be stairs to the POS areas of Units 2, 3 and 4 as the only POS access is from the front elevation. A condition for the stairs is also recommended.	Yes
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8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): at a distance of 3m from the northern edge of the private open space; and vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: an outbuilding with a building height not more than 2.4m; or protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	The only dwellings that are to the north of private outdoor space are Units 5-11, which are opposite private outdoor space of Units 12-17. Units 6-11 are at least 4m away from the edge of the private outdoor space opposite and comply with A1 (ii) as they sit significantly lower than the private outdoor space of Units 12-16. Unit 5 has separation of less than 3m from the edge of private outdoor space of Unit 17. The separation would be a minimum of 2m. Again, the dwelling would sit significantly lower than the private outdoor space of Unit 17. As a result, it can satisfy the acceptable solution (b). The applicant provided a plan demonstrating that Unit 17 would receive sunlight to 72% of the POS between 12 noon and 3pm.	Yes
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8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	No garages within 12m of the frontage.	Yes
8.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or	All balconies have screens at least 1.7m in height on one of the sides that prevents overlooking of a neighbouring balcony. There are no balconies on the south elevations of Units 18 to 28, which are within 3m of the rear boundary. The terrace of Unit 36 is 1.9m from the rear boundary (south) but is a ground level. The terrace of Unit 33 extends to the rear boundary (south) and has a screen for the part of the terrace more than 1m above ground level. Balconies of Units 1 and 2 are 3m from the boundary. All elevated private parking areas have walls.	Yes

	(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.		
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. the window or glazed door:	Plans have been amended so that windows of Units 18 to 24 are now 4m from the rear boundary. Units 34 and 36 do not have windows on the first floor of the south elevation. Units 1 and 2 have the first floor windows more than 3m from the boundary. Units 29 and 34 have the first floor windows of the north elevation more than 3m from the boundary. Unit 11 and 12 have the first floor windows of the west elevation 3m from the side boundary. Unit 18 has the first floor windows 3m from the western side boundary. Unit 34 does not have first floor windows on the south elevation facing Unit 35. Unit 36 has the first floor windows on the north elevation 4m from the south wall of Unit 35, which is less than 6m. However, the window would be above the roof of the existing dwelling that sits	No-Discretion

	(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.	lower so that it is offset, which complies. A window on the lower floor which was directly opposite a window of the existing dwelling was removed. Unit 34 is more than 3m from the side boundary and does not have any windows on the first floor of the south elevation facing Unit 35. The windows of the east elevation of Units 29 and 33 are not 6m from the private outdoor space of Units 34 to 36 or have a sill height of 1.7m and there is no screening landscaping, which causes a discretion. Units 12 to 17 are not 6m from the private outdoor space of Units 5-11. However, there is to be a fence or balustrade between the adject POS areas. A condition to this effect is recommended. For more comments, please see report.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if:	Unit 1 is 2m from the shared driveway but has only a window to a stairway within 2.5m, which complies. Unit 5 has the nearest window approximately 3m away, which complies.	No – Discretion

	it is separated by a screen of not less than 1.7m in height; or the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	Unit 28 has one bedroom window on the lower floor of the east elevation within approximately 0.8m of the shared driveway, but the window sill is 1.7m above ground, which complies. Units 14-17 are more than 2.5m from the internal driveway, which complies. Unit 17 has one dining room window on the east elevation, approximately 1.7m from the visitor carpark, which is the only discretionary window. Please see report for assessment.	
8.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution¹. <i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>	No front fence is proposed.	NA
8.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations: an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage;	The plans show room for two bins and separate storage for each dwelling, which complies. However, waste management advised that three bins will be provided per dwelling. It is considered that there is enough space to store three bins. There will be also a bin collection area for ten bins along the internal road and a vehicle turning area.	Yes

	(ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	An advice clause is recommended for waste management.	
8.6 Development Standards for Subdivision			
8.6.1 Lot Design	A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 450m² and: (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;	It is proposed to consolidate two existing lots. The combined lot area would be 3776m², which well exceeds the minimum lot size and easily can contain the minimum area.	Yes

	(b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.		
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	Internal lots with frontage as existing.	N/A
	A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	The existing crossovers will be upgraded to comply with the requirements.	Yes
	A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.	No new road is proposed.	N/A

8.6.2 Roads	A1 The subdivision includes no new roads.	No new road is proposed.	N/A
8.6.3 Services	A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		Yes
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		Yes
	A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		Yes

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which	Two spaces per dwelling and 13 visitor spaces are proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.		
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> <i>Residential if for a communal residence, multiple dwellings or hostel use;</i>	A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	3 required and provided	Yes

Standard	Acceptable Solution	Proposed	Complies?
<i>Sports and Recreation; and Tourist Operation.</i>			
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not required	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to: Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			

Standard	Acceptable Solution	Proposed	Complies?
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following:	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.		

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.		Yes
	A2		NA

Standard	Acceptable Solution	Proposed	Complies?
	Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .		Yes
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.		NA
	A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2:</i>		

Standard	Acceptable Solution	Proposed	Complies?
	<i>Parking facilities Offstreet commercial vehicle facilities.</i>		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5%		NA

Standard	Acceptable Solution	Proposed	Complies?
	from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.		
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		NA
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		NA
C2.7 Parking Precinct Plan			
C2.7.1	A1		NA

Standard	Acceptable Solution	Proposed	Complies?
Parking Precinct Plan	Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

APPENDIX**C3.0 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or	Vehicular traffic is expected to increase over 40 vpd.; the TIA then addressed the performance criteria and impact to the local road network. The findings are the road is able to take additional traffic and no adverse affected is expected.	No

Standard	Acceptable Solution	Proposed	Complies?
	(c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or		

Standard	Acceptable Solution	Proposed	Complies?
	(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;		NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

APPENDIX**C12.0 Flood-Prone Areas Hazard Code**

Standard	Acceptable Solution	Proposed	Complies?
C12.5 Use Standards			
C12.5.1 Uses within a flood-prone hazard area	A1 No Acceptable Solution.	Please refer to assessment by the Senior Civil Engineer who found the proposal acceptable	No – Discretion
C12.5.2 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.		N/A
	A2 No Acceptable Solution.		N/A
	A3 No Acceptable Solution.		N/A
	A4 No Acceptable Solution.		N/A

Standard	Acceptable Solution	Proposed	Complies?
C12.6 Development Standards for Buildings and Works			
C12.6.1 Buildings and works within a flood-prone hazard area	A1 No Acceptable Solution.	Please refer to assessment by the Senior Civil Engineer who found the proposal acceptable.	No – Discretion
C12.7 Development Standards for Subdivision			
C12.7.1 Subdivision within a flood-prone hazard area	A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must: (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities.	Two existing lots will be consolidated, which is exempt	N/A