

**GLENORCHY PLANNING AUTHORITY  
AGENDA  
MONDAY, 5 JUNE 2017**



**GLENORCHY CITY COUNCIL**

- \* *The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under Section 65 of the Local Government Act 1993.*
- \* 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:** Commissioner Sue Smith

**Hour:** 3.00 p.m.

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| <b>1. PLANNING AUTHORITY DECLARATION</b> |
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The Chairperson stated that the Glenorchy Planning Authority intended to act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

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| <b>2. APOLOGIES/LEAVE OF ABSENCE</b> |
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| <b>3. PECUNIARY INTERESTS</b> |
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| <b>4. CONFIRMATION OF MINUTES</b> |
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That the minutes of the Glenorchy Planning Authority Meeting held on 22 May 2017 be confirmed.

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| <p><b>5. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO PRIMARY SCHOOL (EDUCATIONAL ESTABLISHMENT) RELYING ON PERFORMANCE CRITERIA - 13 BRODIE STREET, CLAREMONT</b></p> |
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Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5306519

**REPORT SUMMARY:**

|                                   |                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-038</b>                                                                                                                                                                                                                                                                                                                     |
| <b><i>Applicant:</i></b>          | <b>Xsquared Architects Pty Ltd</b>                                                                                                                                                                                                                                                                                                    |
| <b><i>Owner:</i></b>              | <b>Department Of Education (Doe)</b>                                                                                                                                                                                                                                                                                                  |
| <b><i>Zone:</i></b>               | <b>Community Purpose</b>                                                                                                                                                                                                                                                                                                              |
| <b><i>Use Class</i></b>           | <b>Educational and Occasional Care</b>                                                                                                                                                                                                                                                                                                |
| <b><i>Application Status:</i></b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                                  |
| <b><i>Discretions:</i></b>        | <p><b>Clause 17.4.3 Design, Clause 17.4.4 Passive Surveillance, Clause E1.5.1 Vulnerable Uses, E6.6.1 Number of Car Parking Spaces, E6.6.3 Number of Motorcycle Parking Spaces, E6.6.4 Number of Bicycle Parking Spaces</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b><i>Level 2 Activity?</i></b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                             |
| <b><i>42 Days Expires:</i></b>    | <b>23 Jun 2017</b>                                                                                                                                                                                                                                                                                                                    |
| <b><i>Existing Land Use:</i></b>  | <b>Primary School (Educational Establishment)</b>                                                                                                                                                                                                                                                                                     |
| <b><i>Proposal In Brief:</i></b>  | <b>Additions to Primary School (Educational Establishment) relying on performance criteria</b>                                                                                                                                                                                                                                        |



An additional nine car parking spaces for staff and eight car parking spaces are proposed for pick up and set down areas for students, for the proposal. An additional fifteen bicycle parking spaces would be provided on site.

### *Staff and students*

The proposal would increase the number of staff from 50 up to a maximum of 80. In addition, the student numbers would increase from 450 up to a maximum of 600.

### *Hours of Operation*

The proposed use would have the following hours of operation:

Monday-Friday          8:30am to 5:00pm

### *Reports*

Bushfire Report for Department of Education: Austins Ferry Primary School New Classrooms by JMG Engineers & Planners dated March 2017 and submitted on 3 April 2017.

## **SITE and LOCALITY**

The subject site is located on the northern side of Brodie Street and the eastern side of Cammeray Road, Claremont.

The property has five main buildings for the primary school, located on the eastern portion adjacent the Brooker Highway. A kitchen garden is located along the northern boundary near the middle of the site. There are three parking areas, one with access via Brodie Street and the remaining two share a single access via Cammeray Road.

The vacant area to the west was the site of the former primary school, which has since been demolished.

The land has no significant vegetation and an average slope of 1 in 13.5, falling toward the north-east.

The site adjoins the Brooker Highway to the east, a large undeveloped residential area used for grazing to the north, and a built up residential area to the west and south (Fig. 2).



**Figure 2: Aerial photograph of 13 Brodie Street, Claremont.**

## ZONE

The subject property is within the Community Purpose Zone under the Glenorchy Interim Planning Scheme 2015 (Fig. 3).

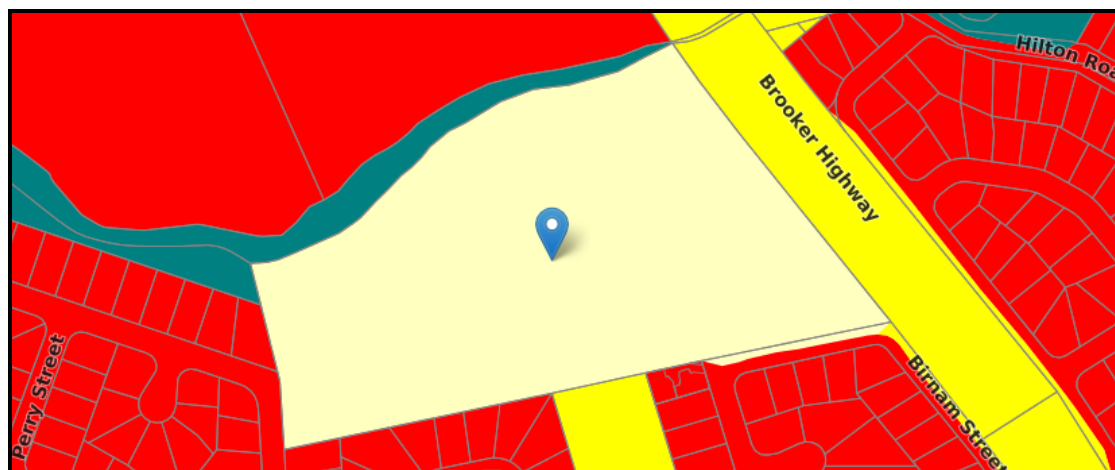


Figure 3: Zone over 13 Brodie Street, Claremont.

## BACKGROUND

There is one permit relevant to this application, PLN-09-0228.01 approved on 1 January 2012 and amended on 1 February 2012.

The permit approved a relaxation to the parking standards on the basis of a TIA that was conditional upon a maximum number of students and staff. The permit required a total of 132 car parking spaces and 45 bicycle spaces to be constructed on site.

The following conditions placed on the permit are relevant to the current application:

3. *Approval is for a primary school catering for up to four hundred and fifty (450) students and fifty (50) staff. Any increase in staff and/or student numbers on the site requires separate planning approval.*
4. *The primary school use of the site must operate only between the hours of 7:30am to 6:00pm, Monday to Friday. Extra curricular activities (including parent teacher evenings, fairs etc.) shall not occur more than twice per month and operating hours of any such use shall be restricted to 7.00am to 10.00pm Monday to Friday inclusive, 7.00am to 7.00pm Saturday and 10.00am to 6.00pm Sunday.*
14. *Plans submitted with the Building Permit Application must demonstrate provision for an additional 62 car parking spaces (refer to Note 1 below). This would bring the total parking requirement to 132 parking spaces, to be provided in accordance with AS 2890.1:2004 to the satisfaction of Council's Traffic Engineer.*
15. *Plans submitted with the Building Permit Application must demonstrate provision of 45 bicycle parking spaces in accordance with AS 2890.3-1993 and to the satisfaction of Council's Traffic Engineer.*

## 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.

### GLENORCHY INTERIM PLANNING SCHEME 2015

#### Part B: Administration

##### General Exemptions

Nil

##### Limited Exemptions

Nil

##### Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No.

##### Use Class Description (Table 8.2):

The use of a Primary School is located within the Education and Occasional Care use class description of the Glenorchy Interim Planning Scheme 2015.

The definition of Education and Occasional Care use class states:

*use of land for educational or short-term care purposes. Examples include a childcare centre, day respite facility, employment training centre, kindergarten, primary school, secondary school and tertiary institution.*

##### Other relevant definitions (Clause 4.1):

Not applicable.

#### Part C: Special Provisions

Not applicable.

#### Part D: Zones

The land is within the Community Purpose zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal.

##### Zone Purpose Statements

*The Community Purpose zone purpose statements in Clause 17.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:*

**17.1.1.1**

*To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.*

**17.1.1.2**

*To ensure land required for future public use is protected from inappropriate use or development.*

**17.1.1.3**

*To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.*

The proposed buildings for the use of Primary School would provide community facilities and services in a central location to serve the education of primary school aged children in the local area. The buildings would provide a flexible multi-purpose space for the changing needs of learning for staff and students. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 17.1.1 of the Scheme.

**Use Table**

The proposed use of 'Primary School' is a permitted use in accordance with the use table in Clause 17.2 of the Glenorchy Interim Planning Scheme 2015.

**Use Standards**

The proposal complies with the use standards set out in Clause 17.3. Please see Appendix 1.

**Development Standards for Buildings or Works***Clause 17.4.3 – Standard 1, Design*

The main building for six classrooms would have a front facade with approximately 25% windows and door openings at the ground floor level. The proposal (all buildings) would require windows and door openings at the ground floor level in the front façade be no less than 40% of the surface area of the ground floor level façade, to be in accordance with the acceptable solution Clause 17.4.3 – Standard A1(b).

The small building for one classroom would have a front facade with approximately 10% windows and door openings at the ground floor level. The proposal (small building only) would require any single expanse of blank wall in the ground level front façade and facades facing other public spaces to be not greater than 50% of the length of the façade to be in accordance with the acceptable solution Clause 17.4.3 – Standard A1(c).

The proposal does not meet the acceptable solution and is therefore reliant on performance criteria.

*Building design must enhance the streetscape by satisfying all of the following:*

- (a) provide the main access to the building in a way that addresses the street or other public space boundary;*
- (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;*

- (c) *treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;*
- (d) *ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;*
- (e) *ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;*
- (f) *not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;*
- (g) *only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;*
- (h) *be consistent with any Desired Future Character Statements provided for the area.*

The main building has been designed with windows facing the north toward the new playground area. The front façade is more than 40m from the street and set at an angle. The design has incorporated breaks in the wall to reduce single expanses of blank walls and has been designed to increase lines of sight and visibility around the building, with clear open pathways. The building is set back a considerable distance from the street and has been designed to keep the areas around the building visible for passive surveillance.

The small building incorporates walls of a single expanse exceeding fifty percent of the wall area. However, the building has been designed with articulated facades and a range of angles to minimise the visual impact of the walls.

Therefore, in this instance the proposal is considered to provide reasonable visual detail when viewed from a public space. On this basis, the proposal is considered to comply with the performance criteria in Clause 17.4.3 of the Scheme.

#### *Clause 17.4.3 – Standard 2, Design*

The western facades of the main building would be facing a residential zone. A condition has been recommended for the main building to be coloured using colours with a light reflectance value not greater than 40 percent. Therefore the proposal would be in accordance with Clause 17.4.3 – Standard A2 in the Scheme.

#### *Clause 17.4.4 – Passive Surveillance*

The proposal would require windows and door openings at the ground floor level in the front façade be no less than 40% of the surface area of the ground floor level façade to be in accordance with the acceptable solution Clause 17.4.4 – Standard A1(b).

The proposal would require windows and door openings at ground floor level in the façade of any wall, which faces a public space or a car park to amount to no less than 30% of the surface area of the ground floor level façade to be in accordance with the acceptable solution Clause 17.4.4 – Standard A1(c).

The proposal does not meet the acceptable solution and is therefore reliant on performance criteria.

Buildings design must provide for passive surveillance of public spaces by satisfying all of the following:

- (a) *provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;*
- (b) *locate windows to adequately overlook the street and adjoining public spaces;*
- (c) *incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;*
- (d) *locate external lighting to illuminate any entrapment spaces around the building site;*
- (e) *provide external lighting to illuminate car parking areas and pathways;*
- (f) *design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;*
- (g) *provide for sight lines to other buildings and public spaces.*

The proposed buildings have been designed to maximise passive surveillance over the playground area between the two buildings. The entrances have been designed to maximise visibility from nearby buildings and the public space surrounding the buildings. The site would not be used outside daylight hours and has incorporated clear sight lines around the buildings. Conditions have been recommended to provide external lighting for pathway and parking areas. On this basis, the proposal is considered to comply with the performance criteria in Clause 17.4.4 of the Scheme.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### **E1.0 Bushfire-Prone Areas Code**

#### *Clause E1.5.1 – Standard A1*

There is no acceptable solution for Clause E1.5.1 – Standard A1, therefore the proposal is reliant on performance criteria.

*A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:*

- (a) *the location, characteristics, nature and scale of the use;*
- (b) *whether there is an overriding benefit to the community;*
- (c) *whether there is no suitable alternative lower-risk site;*
- (d) *the ability of occupants of the vulnerable use to:*
  - (i) *protect themselves and defend property from bushfire attack;*
  - (ii) *evacuate in an emergency; and*
  - (iii) *understand and respond to instructions in the event of a bushfire;*

- (e) *any bushfire protection measures available to reduce risk to emergency service personnel; and*
- (f) *any advice from the TFS.*

An amended Bushfire Report was submitted on 3 April 2017 in accordance with the recommendations from Tas Fire Service. The report states that the bushfire hazard risk is low and can be managed by a Bushfire Hazard Management Plan. An emergency plan and Bushfire Hazard Management Plan have been provided and approved by the Tas Fire Service. The proposal is for additional buildings to serve the existing primary school and would be located in a vacant area between the existing builtup residential area to the east, west and south. On this basis, the proposal is considered to comply with the performance criteria in Clause E1.5.1 of the Scheme.

#### *Clauses E1.5.1 – Standard A2 and A3*

The proposal complies with the acceptable solutions in accordance with Clause E1.5.1 – Standards A2 and 3 of the Scheme.

### **E6.0 Parking and Access Code**

#### *Clause E6.6.1 – Standard A1*

The proposal would require an additional twenty-one car parking spaces for an increase of 30 staff, and an additional five pick up and set down areas for an increase of 150 students in accordance with Clause E6.6.1 – standard A1 of the Scheme. The proposal provides an additional nine car parking spaces for staff and eight pick up and set down areas. The proposal is assessed against the performance criteria in Clause E6.6.1 – P1 as follows:

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) *any car parking deficiency or surplus associated with the existing use of the land;*
- (h) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*

- (i) *the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) *any relevant parking plan for the area adopted by Council;*
- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) *whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

A traffic impact assessment was provided to assess the additional parking needs of the primary school. The report noted that staff for the school worked a combination of full-time and part-time hours, and for this reason parking would be shared and the actual requirement for staff parking would be reduced.

The traffic impact assessment also noted that it was difficult to determine the exact requirements for the needs of pick up and drop down areas. However, the existing demand created issues with double parking and conflict with student safety. In this respect it would be reasonable to expect that the demand for pick up and drop down areas would exceed the requirements of the Scheme.

Council's Transport Engineer and Development Engineer are supportive of the proposal based on the recommendations of the traffic impact assessment and existing issues with parking at the school. Therefore, the proposal would comply with the performance criteria in clause E6.6.1 – P1 in accordance with the Scheme.

#### *Clause E6.6.3 – Standard A1*

The proposal would require two additional motorcycle parking spaces to be in accordance with the acceptable solution. The proposal does not provide motorcycle parking spaces. The proposal is considered against the performance criteria in clause E6.6.3 – P1 as follows:

*The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:*

- (a) *motorcycle parking demand;*
- (b) *the availability of on-street and public motorcycle parking in the locality;*
- (c) *the availability and likely use of other modes of transport;*
- (d) *the availability and suitability of alternative arrangements for motorcycle parking provision.*

As discussed previously, the traffic impact assessment assessed the parking needs of staff and recommended that the nine car parking spaces to be provided would be sufficient to accommodate shared arrangement with full-time and part-time staff. Given the use is for a primary school, a car would be more suitable for transport of equipment or files for work. Therefore, the proposal is not considered to create a demand for motor cycle parking.

Therefore, the proposal would comply with the performance criteria in clause E6.6.3 – P1 in accordance with the Scheme. Please refer to the report by Council's Transport Engineer below.

*Clause E6.6.4 – Standard A1*

The proposal would require a total of seventeen bicycle parking spaces (two for staff and fifteen for students) to be in accordance with the Scheme. The proposal provides an additional fifteen bicycle parking spaces. Therefore, the proposal is considered against the performance criteria in clause E6.6.4 – P1 as follows:

*The number of on-site bicycle parking spaces provided must have regard to all of the following:*

- (a) the nature of the use and its operations;*
- (b) the location of the use and its accessibility by cyclists;*
- (c) the balance of the potential need of both those working on a site and clients or other visitors coming to the site.*

The TIS provided by the applicant recognised the need to provide bicycle parking for students and recommended that fifteen bicycle parking spaces would meet the needs of the use and its operation for the primary school. The Transport Engineer and Development Engineer are supportive of the recommendation. Therefore, the proposal would comply with the performance criteria in clause E6.6.4 – P1 in accordance with the Scheme.

**E7.0 Stormwater Management Code**

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015. However the proposal complies with the acceptable solutions in the standards in Section E7.0 of the Scheme. Please see Appendix 2 below.

**PART F: Specific Area Plans**

Not applicable.

**INTERNAL REFERRALS****Development Engineer**

The proposal was referred to Council's Development Engineer who provided the following:

***Traffic, Access & Parking***

*Parking arrangements comply with AS2890.1:2004. Please refer to Transport Engineer Referral for Traffic Impact and Road Network matters. It is, in general, considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.*

***GCC Services (Stormwater)***

*There are no GCC stormwater mains affected by this application; and the stormwater connection is available within the property boundary.*

***Other***

*Geoscience issues*

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

### *Flooding/Inundation issues*

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

### **Transport Engineer**

The proposal was referred to Council's Transport Engineer who provided the following:

*I have reviewed the proposed additions to Primary School (Educational Establishment) relying on performance criteria at 13 Brodie Street, Claremont. The application documentation included a Traffic Impact Assessment prepared by Howarth Fisher and Associates (dated April 2017).*

### **Proposed Development**

*The proposed development comprises an extension to the Austins Ferry Primary School and comprises six new learning pods (GLAs) and one discovery room. The proposed development will provide extra facilities to cater for an increased number of students (from 450 to 600 students) including additional 8 pick-up and drop-off and 9 car parking spaces. The number of staff is also set to increase from 50 to 80 as a result of the proposed extension.*

### **Traffic Generation**

*The TIA states that a traffic count was undertaken on Wednesday, 29<sup>th</sup> March 2017 to identify the existing traffic generation by the school. The results of the traffic counts show that 304 vehicle trips are generated by the school during the morning peak period (based on 450 students and 50 staff).*

*The TIA, then, states that the development will generate an estimated additional 121 trips per hour during the peak periods based on pro rata trip rates to the school (i.e. considering 33.3% increase in student numbers – from 450 to 600 students).*

*I concur that this traffic generation estimation is appropriate for the case of the proposed development and the proposed development will not adversely impact upon the surrounding road network in terms of traffic efficiency or road safety.*

### **Access**

*The TIA states that according to the section E5.6.4 of the Glenorchy City Council Interim Planning Scheme 2015 and the Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections, the Safe Intersection Sight Distance for a road with a posted speed limit of 50km/hr is 80 metres.*

*The report also indicates that the sight distance at Cammeray Road access point was measured to be greater than 100 metres in either direction. As a result, the report concludes that the sight distance availability at Cammeray Road access point exceeds the requirements of the Austroads Guide, as required by the Glenorchy Interim Planning Scheme 2015.*

*In addition, the TIA states that sight distance from the Brodie Street access point was measured to be 101 metres towards the Brooker Highway and 46 metres towards Colston Street. The report, then, indicates that this access does not fully comply with the requirements of the Glenorchy Interim Planning Scheme 2015 towards the west but does comply with the requirements towards the east. The report also notes that the sight distances to the east do comply with the requirements of the Australian Standard 2890.1 (2004), Parking Facilities – Part 1: Off-street Car Parking which requires 69 metres sight lines for a road with a posted speed limit of 50km/hr.*

*I agree that adequate sight distances are available at the access driveways of the proposed development.*

### **Parking**

*Based on the requirements of the Glenorchy Interim Planning Scheme 2015 – Parking and Access Code, the parking requirement for Educational and Occasional Care use class (Primary School) is 0.67 car parking space for each employee and a pick-up and set-down area with 1 space for each 30 students. As a result, based on 150 additional students and 30 extra staff, the total parking requirement for the proposed development would be in the order of 21 car parking spaces and 5 pick-up and set-down spaces. Therefore, with the provision of 9 parking spaces and 8 pick-up and set-down spaces, the proposed development has a shortfall of 12 car parking spaces.*

*In this regard, the TIA states that based on advice from the school, 16% of the staff are part time, comprising teachers' aids, canteen staff and a speech therapist. The report also indicates that on a prorated basis, the part time staff are equated to  $30 \times 0.16 = 5$  staff. The report then states that required parking for this part time support staff would be  $5 \times 0.67 = 4$  spaces which can be accommodated in the pick-up and set-down spaces outside the morning and afternoon pick up and drop off periods. Therefore, the TIA concludes that the total required spaces would be  $21 - 4 = 17$  spaces and, consequently, there will be an 8 space shortfall.*

*In addition, the TIA argues that there is a significant increase in the number of available pick-up and set-down spaces, all of which will be available during both the morning and afternoon pick-up and drop-off periods for parents and guardians. The report then concludes that there will be a significantly reduced demand for on street parking by this user group and, consequently, in the event of parking shortfall for staff, staff can park on street.*

*I agree with the conclusion that the car parking shortfall can be accommodated on the surrounding road network.*

*In addition, the TIA notes that the existing drop-off and pick-up zone within the school (accessible from Brodie Street) is not typically available in the afternoon peak period. This area has a higher propensity to be congested in the pick-up period in the afternoon as parents have a tendency to wait for longer periods of time.*

*The report indicates that there have been operational issues relating to parents utilising the staff parking spaces, despite it being signed for staff parking, and then parking in the drop-off and pick-up bays and waiting for long periods of time. This has led to double parking and congestion which have had subsequent road safety implications for children.*

*The TIA emphasises that staff at the school is concerned about the safety of students, since some parents park in the staff parking area and / or Double Park (when the drop-off spaces are full) and then call their children. Hence children are required to step out into vehicle manoeuvring paths. As a consequence of this the school keeps the boom gate down to prevent long stay parking in the pick-up and drop-off area during the afternoon pick-up period when long stay parking is more of an issue. This leads to some congestion and a high demand for on street parking on Brodie Street whilst parents are waiting to pick-up children. The on-site drop off and pick-up area is therefore typically only available for the short stay high turnover morning drop off.*

*It is acknowledged that there might be a road safety issue within the school's parking area. However, closure of the boom gate during afternoon pick-up period (to prevent parents to access to the pick-up and drop-off area) is considered not appropriate as it not only solves the issue but also creates other problems (e.g. congestion on Brodie Street).*

*As a result, it is recommended that the existing drop-off and pick-up area off Brodie Street should be available for use by parents during school's business hours. Options for resolving the road safety issues within the school's parking area should also be investigated by school through engaging an independent traffic engineer.*

### **Conclusion**

*Overall, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety. As a result, I have no objection to the development of the proposed additions to Primary School (Educational Establishment) relying on performance criteria at 13 Brodie Street, Claremont on traffic engineering or road safety grounds, subject to the following condition being met:*

- The existing drop-off and pick-up area off Brodie Street must be available for use by parents during school's business hours.*

## **EXTERNAL REFERRALS**

### **TasWater**

The application was referred to Tas Water which was supportive of the proposal with recommended conditions. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater if a permit is approved.

### **Tasmania Fire Service**

The application was referred to Tasmania Fire Service which was supportive of the proposal with the amended emergency plan approved by the Tasmania Fire Service. The following comments were provided:

*'Further to our initial advice provided to the applicant (24<sup>th</sup> February 2017) and advice provided in response to Council's initial referral (21<sup>st</sup> March 2017) I have reviewed this latest report.*

*The latest report resolves the concerns relating to access and hazard management areas raised previously and is therefore considered acceptable.'*

## **REPRESENTATIONS**

The application was advertised for the statutory 14-day period and no representations were received.

## **CONCLUSION**

The proposal is relying on the performance criteria to comply with the Clause 17.4.3 – Standard A1(b) and (c), Clause 17.4.4 – Standard A1 (b) and (c), Clause E1.5.1 – Standard A1, Clause E6.6.1 – Standard A1, Clause E6.6.3 0 Standard A1 and Clause 6.6.4 – Standard A1. The proposal is assessed as satisfying the performance criteria and complies with the applicable standard(s).

The proposal is assessed as complying with all other use and development standards in the Community Purpose zone, as well as the relevant standards of the Bushfire-Prone Areas Code, the Parking and Access Code and Stormwater Management Code.

The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone and code purpose statements and is satisfactory.

**Recommendation:**

That a permit be granted for the proposed use and development of Additions to Primary School (Educational Establishment) relying on performance criteria at 13 Brodie Street, Claremont subject to the following conditions:

**Planning**

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-038 and Drawing No. P2 submitted on 3 April 2017, and Drawing No. P4 submitted on 26 April 2017, and Drawing No. P4 (Bushfire Hazard Management Plan) submitted on 3 April 2017, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. All external surfaces for facade wall of a building facing a residential zone (New Learning Pod) must be coloured using colours with a light reflectance value not greater than 40 percent. Details are to be submitted with the building permit application and approved by Council's Senior Statutory Planner.
4. Approval is for a primary school catering for up to six hundred (600) students and eighty (80) staff. Any increase in staff and/or student numbers on the site requires separate planning approval.
5. The primary school use of the site must operate only between the hours of 8:30am to 5:00pm, Monday to Friday inclusive, except for administrative tasks.
6. Lighting for the walkways must be designed, baffled and located to prevent any adverse effect on adjoining land. Details of lighting are to be submitted with the building permit application and approved by Council's Senior Statutory Planner. The lighting must accord to AS/NZS 1158.3.1:1999 (Category P) *Lighting-Performance and Installation Design Requirements* & AS 4282:1997 - *Control of the Obtrusive Effects of Outdoor lighting*.

**Tas Fire Service**

7. The use and development must operate in accordance with the emergency plan approved by Tas Fire Service.

**Traffic**

8. The existing drop-off and pick-up area off Brodie Street must be available for use by parents during school's business hours.
9. Plans submitted with the Building Permit Application must demonstrate provision for an additional nine car parking spaces and eight pickup and set down areas. This would bring the total parking requirement to 149 parking spaces (including eight pick and set down areas), to be provided in accordance with AS 2890.1:2004 to the satisfaction of Council's Traffic Engineer.

## **Engineering**

10. Prior to the issuing of a Building Permit Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of and to be approved by the 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 Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

*Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at [www.derwentestuary.org.au](http://www.derwentestuary.org.au).*

11. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
12. The design and construction of the driveway, parking, access and turning areas must generally 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. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway, access and parking must comply with the following:-
  - a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20%;
  - b) The total of 149 clearly marked car parking spaces must be provided in accordance with the TIA received by Council dated 01/05/2017 and kept available for these purposes at all times;
  - c) of the total number of required parking spaces above, eight (8) car spaces shall be provided as drop-off and pick-up uses only;
  - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
  - e) The gradient of any parking areas must not exceed 5%;

- f) Wheel stops must be installed for drops between 150mm and 600mm to prevent vehicles running off the edge of a carriageway;
- g) Car parking lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved; and
- h) Appropriate signage and driveway line-markings must be installed to ensure the safe, efficient and convenient traffic for all users.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit and/or the commencement of works (whichever occurs first). All works required by this condition must be installed prior to the occupancy of the building.

13. The bicycle parking area for a total 60 bicycle spaces must generally comply with the Australian Standard, Part 3: AS 2890.3 – 2015, to the satisfaction of the Council's Development Engineer. Detailed drawings demonstrating compliance to the Standard must be submitted prior to the issuing of the Building Permit and be approved by Council's Development Engineer. Relevant Bicycle End of Trip Facilities must be provided in accordance with Code E6.7.11, Glenorchy Interim Planning Scheme.
14. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost. *Advice:* Council does not have any record of the stormwater connection to the site. The applicant is required to accurately locate, size and accurately plot the location on the submitted site plans if a connection does exist. The applicant can contact Council and complete a Storm Water Line Location Request form at the developer's cost, if required to enable Council's Asset Survey Officer to assist with locating and determining the size of the drainage line on site. If no stormwater connection exists the developer is required to contact Council's Development Engineer on (03) 62166439 to organise for Council to provide a quote to perform the stormwater connection works.
15. Run-off from the car parking areas must be discharged and directed to Council's existing stormwater connection. Stormwater pre-treatment is also required. A Water Sensitive Urban Design element for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code 7 and be approved by Council's Development Engineer prior to the issuing of a Building Permit Approval. The stormwater treatment system shall be in accordance with the approved plans submitted to Council. Prior to the issue of a Building Permit Approval, the stormwater treatment detail designed certified by a suitably qualified Engineer must be submitted to and approved by Council.

16. Prior to the occupancy of the new building, new stormwater assets to service the development must be provided by Council at full cost to the applicant. The developer is required to contact Council's Development Technical Engineer on (03) 62166439 to organise for Council to provide a quote to perform the stormwater connection works. The developer must contact Council requesting a quotation for the new Stormwater connection.

### ***Advice to Applicant***

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

#### ***Underground 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](http://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 Glenorchy Interim Planning Scheme 2015. 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 62166800.

**APPENDIX 1****17.0 Community Purpose Zone**

| Standard                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                 | Complies? |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------|
| <b>17.3 Use Standards</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                          |           |
| <b>17.3.1<br/>Hours of Operation</b> | <b>A1</b><br>Hours of operation must be within: <ul style="list-style-type: none"> <li>(a) 8.00 am to 8.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 6.00 Saturdays;</li> <li>(c) 10.00am to 5.00pm Sundays and Public Holidays;</li> </ul> except for office and administrative tasks.                                                                                                                                                                                                                                                                                                                                                                                                                                        | Complies. The proposed hours of operation are 8:30am to 5:00pm weekdays. | Yes       |
| <b>17.3.2<br/>Noise</b>              | <b>A1</b><br>Noise emissions measured at the boundary of a residential zone must not exceed the following: <ul style="list-style-type: none"> <li>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</li> <li>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am;</li> <li>(c) 65dB(A) (LAm<sub>ax</sub>) at any time.</li> </ul> Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.<br>Noise levels are to be averaged over a 15 minute time interval. | Complies.                                                                | Yes       |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                             | Proposed                                                               | Complies? |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------|
|                                                           | <b>A2</b><br>External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.                                                                                                                                                                                             | Complies.                                                              | Yes       |
| <b>17.3.3</b><br><b>External Lighting</b>                 | <b>A1</b><br>External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following:<br>(a) be turned off between 9:00 pm and 6:00 am, except for security lighting;<br>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. | Not applicable.                                                        | N/A       |
|                                                           | <b>A2</b><br>Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.                                                                                                                                                                | Not applicable.                                                        | N/A       |
| <b>17.3.4</b><br><b>Commercial Vehicle Movements</b>      | <b>A1</b><br>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:<br>(a) 7.00 am to 6.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 5 pm Saturdays<br>(c) 10.00 am to 12 noon Sundays and Public Holidays.                              | Complies.                                                              | Yes       |
| <b>17.3.5</b><br><b>Discretionary Use</b>                 | <b>A1</b><br>No Acceptable Solution                                                                                                                                                                                                                                                                                                                             | Not applicable.                                                        | N/A       |
| <b>17.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                 |                                                                        |           |
| <b>17.4.1</b><br><b>Building Height</b>                   | <b>A1</b><br>Building height must not be more than:<br>10m.                                                                                                                                                                                                                                                                                                     | Complies. The maximum height above natural ground level would be 6.8m. | Yes       |

| Standard                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Complies?                                                  |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
|                           | <b>A2</b><br>Building height within 10 m of a residential zone must be no more than 8.5 m.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | N/A                                                        |
| <b>17.4.2<br/>Setback</b> | <b>A1</b><br>Building setback from frontage must be must be no less than:<br>(a) 5m; or<br>(b) the alignment of adjoining buildings; whichever is the lesser.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Complies. The proposal would be approximately 40m from the Cammeray Road frontage.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Yes                                                        |
|                           | <b>A2</b><br>Building setback from a residential zone must be no less than:<br>(a) 3 m;<br>(b) half the height of the wall, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Complies. The proposal would be setback 15.5m from a residential zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Yes                                                        |
|                           | <b>A3</b><br>Building setback for buildings for sensitive use must comply with all of the following:<br>(a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;<br>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.                                                                                                                                                                                                                                                                                                                                         | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | N/A                                                        |
| <b>17.4.3<br/>Design</b>  | <b>A1</b><br>Building design must comply with all of the following:<br>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;<br>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade;<br>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade; | The proposal would not comply with Standards A1(b) and (c).<br>The facade would provide windows and door openings at ground floor level in the front façade of approximately 25% of the surface area of the ground floor level façade for the main building.<br>The facade would provide windows and door openings at ground floor level in the front façade of approximately 10% of the surface area of the ground floor level façade for the small building.<br>The facade would include a single expanse of blank wall in the ground level | Performance criteria<br>Refer to discussion in the report. |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Complies?                                                  |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
|                                              | <ul style="list-style-type: none"> <li>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</li> <li>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</li> <li>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</li> <li>(g) not include security shutters over windows or doors with a frontage to a street or public place.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        | front façade (south elevation) facing other public spaces of approximately 90% of the length of the façade for the small building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |
|                                              | <b>A2</b><br>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Complies. A condition has been recommended.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Yes                                                        |
| <b>17.4.4</b><br><b>Passive Surveillance</b> | <b>A1</b><br>Buildings design must complying with all of the following: <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</li> <li>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade;</li> <li>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level facade;</li> <li>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</li> <li>(e) provide external lighting to illuminate car parking areas and pathways;</li> </ul> | The proposal would not comply with Standards A1(b) and (c).<br>The proposal would provide windows and door openings at ground floor level in the front façade which amount to approximately 25% for the main building and 10% for the small building of the surface area of the ground floor level façade.<br>The proposal would provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park would amount to a minimum of approximately 25% for the main building and 10% for the small building of the surface area of the ground floor level façade. | Performance criteria<br>Refer to discussion in the report. |

| Standard                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                               | Complies? |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------|
|                                               | (f) provide well-lit public access at the ground floor level from any external car park.                                                                                                                                                                                                                                                                                                                        |                                        |           |
| <b>17.4.5</b><br><b>Landscaping</b>           | <b>A1</b><br>Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.                                                                                                                                                                                                                                                       | Complies. The landscaping is existing. | Yes       |
|                                               | <b>A2</b><br>Along a boundary with a residential zone landscaping must be provided for a depth no less than:<br>2 m.                                                                                                                                                                                                                                                                                            | Complies. The landscaping is existing. | Yes       |
| <b>17.4.6</b><br><b>Outdoor Storage Areas</b> | <b>A1</b><br>Outdoor storage areas for non-residential uses must comply with all of the following:<br>(a) be located behind the building line;<br>(b) all goods and materials stored must be screened from public view;<br>(c) not encroach upon car parking areas, driveways or landscaped areas.                                                                                                              | Complies.                              | Yes       |
| <b>17.4.7</b><br><b>Fencing</b>               | <b>A1</b><br>Fencing must comply with all of the following:<br>(a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;<br>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;<br>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire. | Complies.                              | Yes       |

**APPENDIX 2****E1.0 Bushfire-Prone Areas Code**

| Standard                                            | Acceptable Solution                                                                                                                                         | Proposed                              | Complies?                                                      |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------|
| <b>1.5 Use Standards</b>                            |                                                                                                                                                             |                                       |                                                                |
| <b>E1.5.1<br/>Standards for vulnerable<br/>uses</b> | <b>A1</b><br>No Acceptable Solution                                                                                                                         | The proposal is for a vulnerable use. | Performance criteria<br><br>Refer to discussion in the report. |
|                                                     | <b>A2</b><br>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person. | Complies.                             | Yes                                                            |
|                                                     | <b>A3</b><br>An emergency plan that is approved by the TFS.                                                                                                 | Complies.                             | Yes                                                            |
| <b>E1.5.2<br/>Standards for hazardous<br/>uses</b>  | <b>A1</b><br>No Acceptable Solution.                                                                                                                        | Not Applicable.                       | N/A                                                            |
|                                                     | <b>A2</b><br>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person. | Not Applicable.                       | N/A                                                            |
|                                                     | <b>A3</b><br>An emergency plan that is approved by the TFS.                                                                                                 | Not Applicable.                       | N/A                                                            |

**APPENDIX 3****E6.0 Parking and Access Code**

| Standard                                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed                                                                                                                                                                                                                                                                       | Complies?                                                  |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <b>E6.6 Use Standards</b>                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                |                                                            |
| <b>E6.6.1<br/>Number of Car Parking Spaces</b>                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme.                                                                                        | The proposal would require an additional 21 car parking spaces and 5 pickup and set down areas. The proposal provides 9 car parking spaces and 8 pickup and set down areas. There would be a shortfall of 12 car parking spaces and an additional 3 pickup and set down areas. | Performance criteria<br>Refer to discussion in the report. |
| <b>E6.6.2<br/>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                                  | Complies.                                                                                                                                                                                                                                                                      | Yes                                                        |
| <b>E6.6.3<br/>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. | The proposal does not provide for motorcycle parking and the Scheme would require two to be provided. Therefore there would be a shortfall of two motorcycle parking spaces.                                                                                                   | Performance criteria<br>Refer to discussion in the report. |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                                                                                                                                             | Complies?                                                  |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <b>E6.6.4<br/>Number of Bicycle Parking Spaces</b>        | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The proposal would require seventeen bicycle parking spaces and provides fifteen spaces. Therefore there would be a shortfall of two bicycle spaces. | Performance criteria<br>Refer to discussion in the report. |
| <b>E 6.7 Development Standards</b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                      |                                                            |
| <b>E6.7.1<br/>Number of Vehicle Accesses</b>              | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Complies.                                                                                                                                            | Yes                                                        |
| <b>E6.7.2<br/>Design of Vehicular Accesses</b>            | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | Complies.                                                                                                                                            | Yes                                                        |
| <b>E6.7.3<br/>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;                                                                                                                                                                                                                                                                                                                                                                                                                          | Not applicable.                                                                                                                                      | N/A                                                        |

| Standard                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                     | Proposed  | Complies? |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
|                                                      | (c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access.                                                                                                                                                                                                                                                                  |           |           |
| <b>E6.7.4<br/>On-Site Turning</b>                    | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br><br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                              | Complies. | Yes       |
| <b>E6.7.5<br/>Layout of Parking Areas</b>            | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard. | Complies. | Yes       |
| <b>E6.7.6<br/>Surface Treatment of Parking Areas</b> | <b>A1</b><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed.               | Complies. | Yes       |
| <b>E6.7.7<br/>Lighting of Parking Areas</b>          | <b>A1</b><br>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.                   | Complies. | Yes       |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                  | Proposed                                    | Complies? |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------|
| <b>E6.7.8<br/>Landscaping of Parking Areas</b>          | <b>A1</b><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                     | Complies.                                   | Yes       |
| <b>E6.7.9<br/>Design of Motorcycle Parking Areas</b>    | <b>A1</b><br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) be located within 30 m of the main entrance to the building. | Not applicable.                             | N/A       |
| <b>E6.7.10<br/>Design of Bicycle Parking Facilities</b> | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                  | Complies. A condition has been recommended. | Yes       |
|                                                         | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                              | Complies.                                   | Yes       |
| <b>E6.7.11<br/>Bicycle End of Trip Facilities</b>       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                | Complies.                                   | Yes       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed        | Complies? |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                        | Complies.       | Yes       |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable. | N/A       |
| <b>E6.7.14</b><br><b>Access to a Road</b>                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                               | Complies.       | Yes       |

**APPENDIX 4****E7.0 Stormwater Management Code**

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed  | Complies? |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                      | Complies. | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br><br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                            | Complies. | Yes       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br><br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Complies. | Yes       |
|                                                    | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                             | Complies. | Yes       |

**Attachments/Annexures**

- 1  Attachment - 13 Brodie Street, Claremont

**6. PROPOSED USE AND DEVELOPMENT - WAREHOUSE (STORAGE) AND SIGNAGE RELYING ON PERFORMANCE CRITERIA - 100 SUNDERLAND STREET, DERWENT PARK**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3311234

**REPORT SUMMARY:**

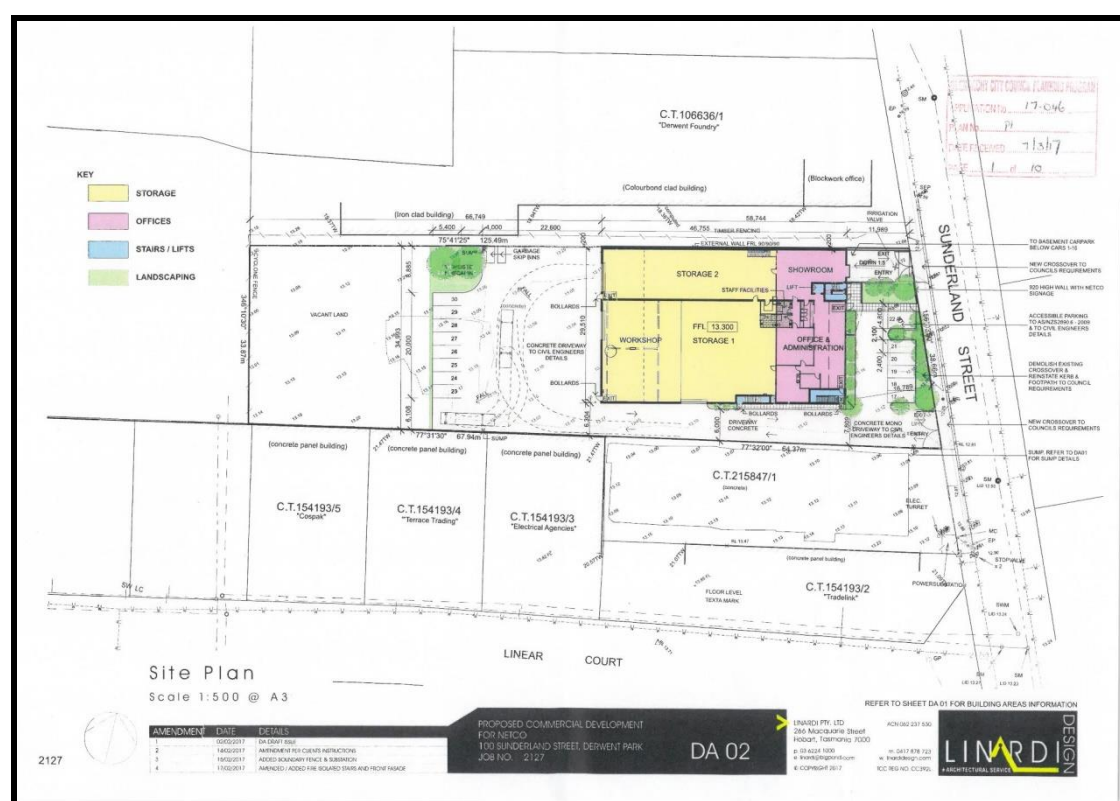
|                                   |                                                                                                                                                                                                                                                       |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-046</b>                                                                                                                                                                                                                                     |
| <b><i>Applicant:</i></b>          | <b>Netco Pumps &amp; Equipment</b>                                                                                                                                                                                                                    |
| <b><i>Owner:</i></b>              | <b>Edgeworth Industries Pty Ltd and Parkwood Investments Pty Ltd</b>                                                                                                                                                                                  |
| <b><i>Zone:</i></b>               | <b>General Industrial</b>                                                                                                                                                                                                                             |
| <b><i>Use Class</i></b>           | <b>Storage (Warehouse)</b>                                                                                                                                                                                                                            |
| <b><i>Application Status:</i></b> | <b>Discretionary</b>                                                                                                                                                                                                                                  |
| <b><i>Discretions:</i></b>        | <p><b>Clause E6.6.3 Number of Motorcycle Parking Spaces, Clause E6.7.1 Number of Vehicular Accesses, Clause E17.7.1 Standards for Signs</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b><i>Level 2 Activity?</i></b>   | <b>No</b>                                                                                                                                                                                                                                             |
| <b><i>42 Days Expires:</i></b>    | <b>12 Jun 2017</b>                                                                                                                                                                                                                                    |
| <b><i>Existing Land Use:</i></b>  | <b>Vacant land</b>                                                                                                                                                                                                                                    |
| <b><i>Proposal In Brief:</i></b>  | <b>Warehouse (Storage) and signage relying on performance criteria</b>                                                                                                                                                                                |
| <b><i>Representations:</i></b>    | <b>0</b>                                                                                                                                                                                                                                              |
| <b><i>Recommendation:</i></b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                |

**REPORT IN DETAIL:****PROPOSAL**

The proposal includes construction of a building for pumps and pump related sales and services providing storage with an ancillary showroom, workshop and administration.

The proposal would include landscaping along the frontage of the building. The building would be located on the front portion of the site with parking at the front and rear. In addition a lower level would provide secure parking via a separate vehicular access. The ground floor would consist of administration and showroom at the front, a workshop at the rear, and the remainder for storage (Fig. 1).

The first floor would be storage, and the second floor would be for administration. The proposal would include signage and fencing along the frontage.



**Figure 1: Site plan for 100 Sunderland Street, Derwent Park.**

The proposed building would be located 11.6m from the north-east front boundary, 6.304m from the south-east side boundary, on the north-west side boundary and 66.749m from the south-west rear boundary. The proposed building would have a maximum height of 13.074m above natural ground level.

A total of 30 car parking spaces are proposed with 16 spaces in the lower floor of the building via a second vehicular access. Six spaces will be provided near the front boundary, and eight spaces to the rear. The proposal would provide suitable turning areas on site for vehicles to enter and leave in a forward direction.

### *Signage*

The proposal would include three signs which are a wall sign 1.845m x 0.62m on the frontage fence, an awning fascia sign 1.845m x 0.62m on the awning, and a wall sign 5m by 1.68m on the front façade of the building.

### *Staff*

The proposal would have a total of sixteen staff on site.

### *Hours of Operation*

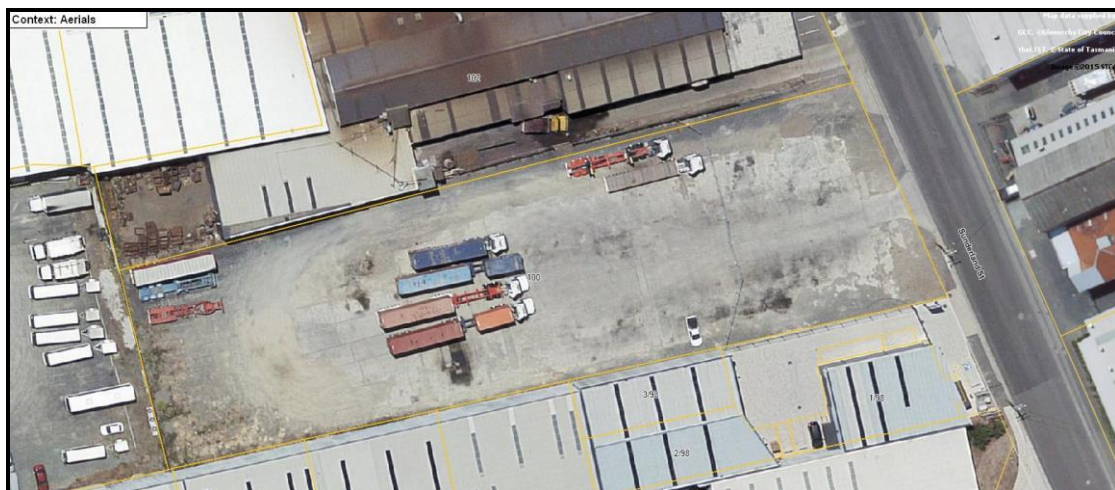
The proposed use would have the following hours of operation:

Monday-Friday                      6:00am to 6:00pm

## **SITE and LOCALITY**

The subject site is located on the south-west side of Sunderland Street, approximately 37m to the north-west of the T-section of Linear Court, Derwent Park.

The property is vacant, with no vegetation and is generally flat. There are two existing vehicular crossovers, one to the north and one near the middle of the front boundary. The site is surrounded by the General Industrial zone (Fig. 2).



**Figure 2: Aerial photograph of 100 Sunderland Street, Derwent Park.**

## **ZONE**

The subject property is within the General Industrial zone under the Glenorchy Interim Planning Scheme 2015 (Fig. 3).



Figure 3: Zone over 100 Sunderland Street, Derwent Park.

## BACKGROUND

There is no background information relevant to this application.

## 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.

### GLENORCHY INTERIM PLANNING SCHEME 2015

#### Part B: Administration

##### General Exemptions

Nil

##### Limited Exemptions

Nil

##### Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No.

##### Use Class Description (Table 8.2):

The use of a Warehouse is located within the Storage use class description of the Glenorchy Interim Planning Scheme 2015.

The definition of Storage use class states:

*use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.*

The type of business would be for the storage and sale of pumps in addition to ancillary repairs.

**Other relevant definitions (Clause 4.1):**

Not applicable.

**Part C: Special Provisions**

Not applicable.

**Part D: Zones**

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

**Zone Purpose Statements**

The General Industrial purpose statements in Clause 25.1.1 is as follows:

*25.1.1.1*

*To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.*

*25.1.1.2*

*To provide industrial activity with good access to strategic transport networks.*

*25.1.1.3*

*To promote efficient use of existing industrial land stock.*

*25.1.1.4*

*To restrict intensification of existing non-conforming uses.*

*25.1.1.5*

*To provide industrial activity with good access to strategic transport networks.*

The proposed Warehouse for the pump and pump related sales and service would provide for the storage, distribution of goods and materials, and repair of pumps. The site location has good access to existing transport networks. The proposed use and development for storage would make use of existing industrial land stock.

**Use Table**

The proposed use of 'Warehouse' is a permitted use without qualifications in accordance with the use table in Clause 25.2.

**Use Standards**

There are no use standards for this zone.

**Development Standards for Buildings or Works**

The proposal complies with the acceptable solutions of the applicable standards set out in Clause 25.3. Please see Appendix 1.

## Part E: Codes

The following codes of the Scheme apply to this proposal:

### E6.0 Parking and Access Code

#### *Clause E6.6.1 – Standard A1*

The proposed Warehouse would require a total of 28 car parking spaces for a floor area of 1,922m<sup>2</sup> (1,374m<sup>2</sup> for warehouse and 538m<sup>2</sup> for office) in accordance with Clause E6.6.1 – standard A1 of the Scheme. The proposal would provide for a total of 30 car parking spaces on site, which is no more than 10% greater than the required number. Therefore, the proposal would be in accordance with the Scheme. Please see Appendix 2.

#### *Clause E6.6.3 – Standard A1*

The proposal would require two additional motorcycle parking spaces in accordance with the Scheme. The proposal does not provide motorcycle parking spaces. The proposal is considered against the performance criteria in clause E6.6.3 – P1 as follows:

*The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:*

- (a) motorcycle parking demand;*
- (b) the availability of on-street and public motorcycle parking in the locality;*
- (c) the availability and likely use of other modes of transport;*
- (d) the availability and suitability of alternative arrangements for motorcycle parking provision.*

The type of business would be for the storage and sale of pumps in addition to ancillary repairs. The transporting of pumps and associated equipment by staff and clients is more likely to be done by larger vehicles. The proposal would also be providing two additional car parking spaces, in addition to the minimum requirement and these can also be utilised by motorcycles. Therefore, the proposal is not considered to create a demand for motor cycle parking.

Therefore, the proposal would comply with the performance criteria in clause E6.6.3 – P1 in accordance with the Scheme.

#### *Clause E6.7.1 – Standard A1*

The proposal would provide two vehicular accesses via Sunderland Street, one existing and one new. However, the land has two existing crossovers, one will be removed and reinstated. A new crossover would be located at the southern point of the street frontage. A condition has been recommended to reinstate the redundant crossover. Therefore, the proposal complies with the acceptable solutions in the standards in Section E6.7.1 of the Scheme.

#### *Clause E6.7.7 – Standard A1*

The car parking area would be used outside daylight hours and lighting would be required for the whole parking area.

The lighting has only been proposed for the underground parking area on the lower ground floor. The proposal is considered against the performance criteria in clause E6.7.7 – P1 as follows:

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

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

The proposed use is for pumps and pump related sales and service and would provide a range of services with differing needs for parking. This range has been reflected in the design of the parking with three separate areas provided. The proposal would have a dedicated secure and well-lit parking area at the lower ground floor to cater for the early arrival of staff. In this instance the proposed lighting for parking is considered suitable for the operation of the business. A condition has been recommended to reduce the potential for conflict involving pedestrians, cyclists and vehicles. Therefore, the proposal is assessed as complying with the performance criteria in clause E6.7.7 – P1 in accordance with the Scheme.

## **E7.0 Stormwater Management Code**

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015. However, the proposal complies with the acceptable solutions in the standards in Section E7.0 of the Scheme. Please see Appendix 2 below.

### **E17.0 Signs Code**

#### *Clause E17.7.1 – Standard A1*

The proposal would include an awning fascia sign and wall sign on the front façade of the building that would exceed the standard measurements in Table 17.2. Clause E17.7.1 – standard A1 requires the awning sign and wall sign to comply with the standard measurements. As a result, the proposal relies on performance criteria. The performance criteria state the following:

*A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:*

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;*
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*
- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*

- (d) *not result in loss of amenity to neighbouring properties;*
- (e) *not involve the repetition of messages or information on the same street frontage;*
- (f) *not contribute to or exacerbate visual clutter;*
- (g) *not cause a safety hazard.*

The proposed awning fascia sign and wall sign would both be incorporated in to the design of the building. The sign would be appropriate given the size and scale of the building and would not dominate the streetscape or premises. The proposed signs are assessed as not creating visual clutter. The signage would be similar and in keeping with the existing streetscape. Therefore, the proposed signage is considered to accord with clause E17.7.1 – P1 of the Scheme.

#### *Clause E17.7.1 – Standard A2*

The proposal includes three signs on the front facade, two wall signs, and an awning fascia sign along the front façade. Whereas clause E17.7.1 – standard A2 requires a maximum of six signs for a frontage of 20m or greater, with a maximum of 1 of each sign type, and a maximum of 1 window sign for each window. The performance criteria state the following:

*The number of signs per business per street frontage must:*

- (a) *minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;*
- (b) *reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;*
- (c) *not involve the repetition of messages or information.*

The proposal would include a total of three signs, two of which would be wall signs. The frontage to the property is greater than 20m. Given that up to six signs would be permitted for differing types of signage, the proposal would not unreasonably impact on the level of visual clutter. The signage would be similar and in keeping with the existing streetscape. Therefore, the proposed signage is considered to accord with clause E17.7.1 – P2 of the Scheme.

## **PART F: Specific Area Plans**

Not applicable.

## **INTERNAL REFERRALS**

### **Development Engineer**

The proposal was referred to Council's Development Engineer who provided the following:

#### ***Traffic, Access & Parking***

*The site is vacant at the moment. The total numbers of 30 car parking spaces complies with the Code E6.6.1 under GIPS.*

*The parking and driveway arrangements are in accordance with the GIPS' acceptable solutions and AS 2890.1:2004 in general. The number of vehicular accesses will not change because there are two existing vehicular accesses. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.*

**GCC Services (Stormwater)**

*There are no GCC stormwater mains affected by this application; and the stormwater connection is available off the Sunderland Street frontage.*

**Other**

*Geoscience issues*

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

*Flooding/Inundation issues*

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

**Environmental Health Officer**

The proposal was referred to Council's Environmental Health Officer who provided the following:

*Environmental Health have assessed this application and do not have any recommended conditions to apply to this permit.*

**EXTERNAL REFERRALS****TasWater**

The application was referred to TasWater which was supportive of the proposal with recommended conditions. The Water and Sewerage Industry Act 2008 requires the Planning Authority to include conditions from TasWater if a permit is approved.

**REPRESENTATIONS**

The application was advertised for the statutory 14-day period and no representations were received.

**CONCLUSION**

The application is for the construction of a Warehouse (Storage), which relies on performance criteria, at the 100 Sunderland Street, Derwent Park. As stated in the report, the Warehouse is a permitted use in the General Industrial zone. The reliance on performance criteria for signage, and parking and access are discretionary. The proposal is considered to accord with the standards of the General Industrial Zone of the Scheme.

The reliance on performance criteria for motorcycle parking and lighting is reflective of the proposed use and development relative to the operation of the business and clientele. The proposed reliance on performance criteria are considered to accord with the parking standards of E6.0 Access and Parking Code in the Scheme.

The signs relying on performance criteria are reflective of the proposal's design relative to the size of the site, the location, and visual appearance from the streetscape. The proposed reliance on performance criteria is considered to accord with the sign standards of E17.0 Signs Code in the Scheme.

The application was advertised for the statutory 14-day notification period and no representations were received.

Council's Development Engineer and Environmental Health Officer are supportive of the proposal subject to recommended conditions.

### **Recommendation:**

That a permit be granted for the proposed use and development of Warehouse (storage) and signage relying on performance criteria at 100 Sunderland Street, Derwent Park subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-046 and Drawing No. P1 submitted on 7 March 2017, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The sign must only identify or advertise a business located within the property or products sold on the premises.
4. Landscaping works as shown on the endorsed plans must be completed within six months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.

#### ***Engineering***

5. Prior to the issuing of a Building Permit Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of to be approved by the 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 Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

*Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at [www.derwentestuary.org.au](http://www.derwentestuary.org.au).*

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. The redundant vehicular crossing must be reinstated to footpath/nature strip and kerbing to the satisfaction of Council's Development Engineer at the developer's cost prior to the occupancy of the building. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work, including redundant vehicular access points must be reinstated to match the existing adjacent footpath/nature strip profile. Any driveway crossover work within Council's road reservation must be carried out by a Council-registered contractor. A road-opening permit from Council's Planning Services Program is required. An inspection fee is payable upon application. Any modifications to vehicular kerb crossing must include reinstatement of the footpath/nature strip and kerbing to match the existing environment.
8. A vehicular access to the property boundary must be constructed and completed at developer's cost prior to the occupancy of the building. Vehicular access shall be 6.6 metre wide tapering to 6 meter at the property boundary and constructed in accordance with standard drawing SD-1003. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work, including redundant vehicular access points must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>
9. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost. *Advice:* Council does not have any record of the stormwater connection to the site. The applicant is required to accurately locate, size and accurately plot the location on the submitted site plans if a connection does exist. The applicant can contact Council and complete a Storm Water Line Location Request form at a cost the developer's cost, if required to enable Council's Asset Survey Officer to assist with locating and determining the size of the drainage line on site. If no stormwater connection exists the developer is required to contact Council's Development Engineer on (03) 62166439 to organise for Council to provide a quote to perform the stormwater connection works.

10. The proposed parking area must be constructed to a sealed finish and must generally 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. Detailed drawings showing the driveway areas mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted prior to the issuing of the Building Permit and be approved by Council's Development Engineer.

The proposed driveway, access and parking must comply with the following:-

- a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20%;
- b) Thirty (30) clearly marked car parking spaces must be provided in accordance with the approved plan P1 received by Council dated 07/03/2016 and kept available for these purposes at all times;
- c) Of the required number of car parking spaces, two (2) car parking spaces shall be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
- d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- e) The gradient of any parking areas must not exceed 5%;
- f) Minimum carriageway width is to be no less than 6.0 metres combined access;
- g) Car parking lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved; and
- h) Appropriate signage and driveway line-markings must be installed to ensure the safe, efficient and convenient traffic for all users.

To comply with the above requirements, the developer must submit drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit and/or the commencement of works (whichever occurs first). All works required by this condition must be installed prior to the occupancy of the building.

11. The development must comply with Council's Stormwater Runoff Management Policy, the Stormwater detention for a 1 in 20 year ARI storm event must be provided on site. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.

12. Run-off from the car parking areas must be discharged and directed to Council's existing stormwater connection. Stormwater pre-treatment is required. A Water Sensitive Urban Design element for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code 7 and be approved by Council's Development Engineer prior to the issuing of a Building Permit Approval. The stormwater treatment system must be constructed in accordance with the approved plans P1 received by Council dated 07/03/2016. Prior to the issue of a Building Permit Approval, the stormwater treatment detail designed certified by a suitably qualified Engineer must be submitted to and approved by Council.

***Advice to Applicant***

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

***Underground 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](http://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.

***Water Sensitive Urban Design***

All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate must incorporate an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD proposal must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for assessment and approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing On-site detention, they should contact Council's Plumbing Surveyor on (03) 6216 6800.

***Other Permits***

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. 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 62166800.

**APPENDIX 1****25.0 General Industrial**

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                          | Proposed  | Complies |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|
| <b>25.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                              |           |          |
| <b>25.4.1<br/>Building Height</b>                         | <b>A1</b><br>Building height must be no more than:<br>20m.                                                                                                                                                                                                                                                                                                                                   | Complies. | Yes      |
| <b>25.4.2<br/>Setback</b>                                 | <b>A1</b><br>Building setback from frontage must be no less than:<br>10m.                                                                                                                                                                                                                                                                                                                    | Complies. | Yes      |
| <b>25.4.3<br/>Design</b>                                  | <b>A1</b><br>Building design must address the street by complying with all of the following:<br>(a) provide the main pedestrian entrance to the building at the frontage;<br>(b) screen mechanical plant from view from the street and other public spaces;<br>(c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof. | Complies. | Yes      |
| <b>24.4.4<br/>Fencing</b>                                 | <b>A1</b><br>Fencing must comply with all of the following:<br>(a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage;<br>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.                                                                                                                            | Complies. | Yes      |

**APPENDIX 2****E6.0 Parking and Access Code**

| Standard                                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed                                                                                                                                                                                        | Complies?                                                  |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <b>E6.6 Use Standards</b>                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                 |                                                            |
| <b>E6.6.1<br/>Number of Car Parking Spaces</b>                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br><br>(c) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br><br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme.                                                                                       | Complies.                                                                                                                                                                                       | Yes                                                        |
| <b>E6.6.2<br/>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                                         | Complies.                                                                                                                                                                                       | Yes                                                        |
| <b>E6.6.3<br/>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).<br><br>Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. | The proposal does not include motorcycle parking spaces on site. Compliance would require two motorcycle parking spaces, and this would result in a shortfall of two motorcycle parking spaces. | Performance criteria<br>Refer to discussion in the report. |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                                    | Complies? |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------|
| <b>E6.6.4<br/>Number of Bicycle Parking Spaces</b>        | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Not applicable.                             | N/A       |
| <b>E 6.7 Development Standards</b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                             |           |
| <b>E6.7.1<br/>Number of Vehicle Accesses</b>              | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Complies. A condition has been recommended. | Yes       |
| <b>E6.7.2<br/>Design of Vehicular Accesses</b>            | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(d) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | Complies.                                   | Yes       |
| <b>E6.7.3<br/>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must:<br>(b) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Complies.                                   | Yes       |

| Standard                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                                                                                                                                                                              | Complies?                                                  |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
|                                                      | (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access.                                                                                                                                                                                          |                                                                                                                                                                                                                                                       |                                                            |
| <b>E6.7.4<br/>On-Site Turning</b>                    | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                  | Complies.                                                                                                                                                                                                                                             | Yes                                                        |
| <b>E6.7.5<br/>Layout of Parking Areas</b>            | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard. | Complies.                                                                                                                                                                                                                                             | Yes                                                        |
| <b>E6.7.6<br/>Surface Treatment of Parking Areas</b> | <b>A1</b><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following:<br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.                      | Complies.                                                                                                                                                                                                                                             | Yes                                                        |
| <b>E6.7.7<br/>Lighting of Parking Areas</b>          | <b>A1</b><br>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.                   | The proposal provides lighting for 16 parking spaces on the lower ground floor. Compliance would require lighting to be provided for all car parking areas. The proposal would have a discretion of lighting for the remaining 14 car parking spaces. | Performance criteria<br>Refer to discussion in the report. |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                              | Proposed        | Complies? |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E6.7.8<br/>Landscaping of Parking Areas</b>          | <b>A1</b><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                 | Complies.       | Yes       |
| <b>E6.7.9<br/>Design of Motorcycle Parking Areas</b>    | <b>A1</b><br>The design of motorcycle parking areas must comply with all of the following:<br><br>(b) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building. | Not applicable. | N/A       |
| <b>E6.7.10<br/>Design of Bicycle Parking Facilities</b> | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                              | Not applicable. | N/A       |
|                                                         | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                          | Not applicable. | N/A       |
| <b>E6.7.11<br/>Bicycle End of Trip Facilities</b>       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                            | Not applicable. | N/A       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed        | Complies? |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                        | Not applicable. | N/A       |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Complies.       | Yes       |
| <b>E6.7.14</b><br><b>Access to a Road</b>                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                               | Complies.       | Yes       |

**APPENDIX 3****E7.0 Stormwater Management Code**

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed        | Complies? |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                 |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                      | Complies.       | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br><br>(d) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(e) new car parking is provided for more than 6 cars;<br>(f) a subdivision is for more than 5 lots.                                                                                                                            | Complies.       | Yes       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br><br>(b) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Complies.       | Yes       |
|                                                    | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable. | N/A       |

**APPENDIX 4****E17.0 Signs Code**

| Standard                               | Acceptable Solution                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Complies?                                                      |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>E17.6 Use Standards</b>             |                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| <b>E17.6.1<br/>Use of Signs</b>        | <b>A1</b><br>A sign must be a permitted sign in Table E17.3                                                                                                                                                                                                                                               | Complies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                                                            |
|                                        | <b>A2</b><br>A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.                                                                                                                                                         | Complies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                                                            |
|                                        | <b>A3</b><br>A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign                                                                                                                                                                           | Complies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                                                            |
|                                        | <b>A4</b><br>An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.                                                                                                                                                                                   | Complies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                                                            |
| <b>E17.7 Development Standards</b>     |                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| <b>E17.7.1<br/>Standards for Signs</b> | <b>A1</b><br>A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.                                                                                                                                                                                         | The proposal would include 1 wall sign along the front façade exceeding 2m <sup>2</sup> , and an awning fascia sign with a height of lettering or other graphics more than 0.45m. Compliance would require the wall sign to be a maximum area of 2m <sup>2</sup> , and the awning fascia sign would require the height of lettering or graphics to be no more than 0.45m. This would result in discretions of 6.4m for area of the wall sign and 0.17m for the height of the lettering or graphics on the awning fascia sign. | Performance criteria<br><br>Refer to discussion in the report. |
|                                        | <b>A2</b><br>The number of signs per business per street frontage must comply with all of the following:<br>(a) maximum of 1 of each sign type;<br>(b) maximum of 1 window sign per window;<br>(c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; | The proposal would include 2 wall signs facing the frontage. Compliance would require a maximum of 1 with a frontage of 20m or greater, and this would result in a discretion for 1 wall sign.                                                                                                                                                                                                                                                                                                                                | Performance criteria<br><br>Refer to discussion in the report. |

| Standard                                                                                                                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed        | Complies? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                                                                                                          | (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.<br>except for the following sign types, for which there is no limit; <ul style="list-style-type: none"> <li>(i) Building Site,</li> <li>(ii) Name Plate,</li> <li>(iii) Newspaper Day Bill,</li> <li>(iv) Open/Closed,</li> <li>(v) Real Estate,</li> <li>(vi) Street Number,</li> <li>(vii) Temporary Sign.</li> </ul> |                 |           |
|                                                                                                                                                          | <b>A3</b><br>Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.                                                                                                                                                                                                                                                                                                        | Complies.       | Yes       |
|                                                                                                                                                          | <b>A4</b><br>Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.                                                                                                                                                                                                                                                                                           | Complies.       | Yes       |
|                                                                                                                                                          | <b>A5</b><br>For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.                                                                                                                                                                                                                                                                                   | Not applicable. | N/A       |
| <b>E17.7.2</b><br><b>Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts</b> | <b>A1</b><br>No acceptable solution                                                                                                                                                                                                                                                                                                                                                                                                 | Not applicable. | N/A       |

**Attachments/Annexures**

- 1 [Attachment - 100 Sunderland Street, Derwent Park](#)

**7. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA -  
31 WINDERMERE BEACH ROAD, CLAREMONT**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 5349148

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-17-080</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Applicant:</b>          | <b>Johnstone McGee &amp; Gandy Pty Ltd (JMG)</b>                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Owner:</b>              | <b>Big Blue Co Pty Ltd</b>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Use Class</b>           | <b>Residential (Multiple Dwellings)</b>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Discretions:</b>        | <b>10.4.1 Residential Density for Multiple Dwellings (P1)</b><br><br><b>10.4.3 (P1) and (P2) Site coverage and Private open space for all dwellings.</b><br><br><b>10.4.4 (P1) Sunlight and overshadowing for all dwellings</b><br><br><b>10.4.8 (P1) Waste storage for multiple dwellings</b><br><br><b>E6.6.1 (P1) Number of Car parking spaces</b><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>42 Days Expires:</b>    | <b>7th June 2017</b>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Existing Land Use:</b>  | <b>Residential (Single Dwelling)</b>                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Proposal In Brief:</b>  | <b>Multiple Dwellings (Residential) relying on performance criteria.</b>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Representations:</b>    | <b>0</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                                        |
|----------------------------------------|
| <b>Recommendation:</b> <b>Approval</b> |
|----------------------------------------|

**REPORT IN DETAIL:****PROPOSAL**

The proposal is for the conversion of an existing building into three multiple dwellings. The existing building is over two titles (CT24200/8 and CT24200/9).

The front portion of the site is proposed to form 'Unit 1' and 'Unit 2', where the floor area of these units is 54m<sup>2</sup> and 53m<sup>2</sup> respectively. That portion of the building which forms the original single dwelling is proposed to become 'Unit 3' and the floor area of this dwelling is 79m<sup>2</sup> (see Figure 1).

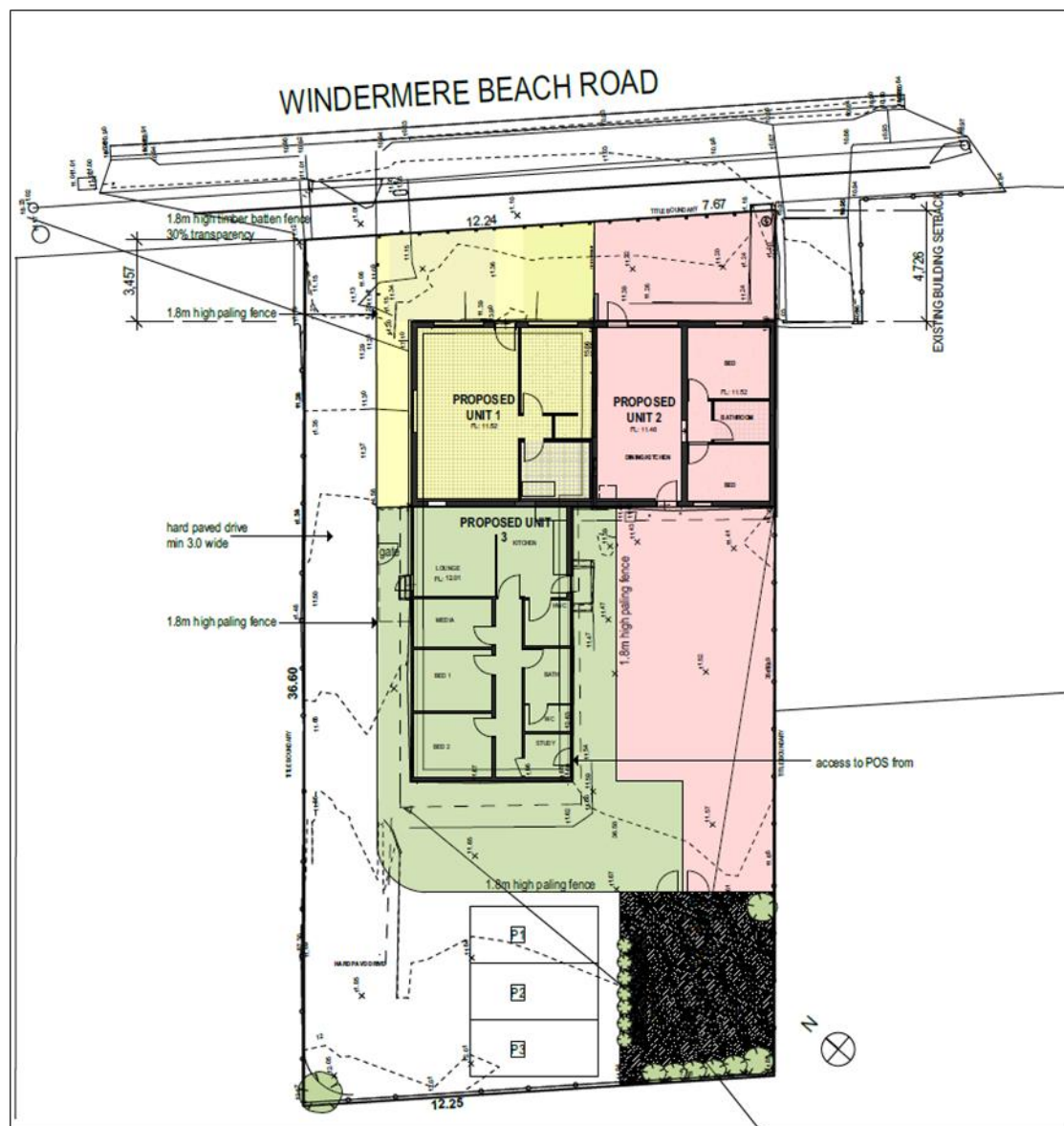
'Unit 1' is proposed to have one bedroom, an open plan kitchen-living-dining area and an area of private open space attributed to that dwelling of approximately 36m<sup>2</sup>.

'Unit 2' is proposed to have two bedrooms and an open plan kitchen-living-dining area with a total area of private open space approximately 111m<sup>2</sup> (in two locations). The principal private open space between the dwelling and the frontage is approximately 32m<sup>2</sup>.

'Unit 3' is proposed to have two bedrooms with separate kitchen and lounge, and an area of private open space of approximately 60m<sup>2</sup>.

The proposal is for one car parking space for each dwelling, as well as a communal waste area and service yard for the drying of clothes.

The proposal is reliant on the performance criteria for the standards 10.4.1 Residential Density for Multiple Dwellings (P1), 10.4.3 (P1) and (P2) Site coverage and Private open space for all dwellings, 10.4.4 (P1) Sunlight and overshadowing for all dwellings, 10.4.8 (P1) Waste storage for multiple dwellings, and E6.6.1 (P1) Number of Car parking spaces. How the proposal satisfies the objectives of these applicable standards through the performance criteria is outlined in the body of this report.



**Figure 1.** *Layout of proposed multiple dwellings.*

## **SITE and LOCALITY**

The site is on the southern side of Windermere Beach Road, opposite the intersection with Curlew Parade. Presently the site has on it a single dwelling, which is across two titles (CT24200/8 and CT24200/9). The site is relatively flat.

The locality is characterised by residential uses, the majority of which are single detached dwellings. Within the immediate area and adjoining the subject site, there is a ten dwelling development owned by the Department of Housing. This development is managed to provide self-contained independent living arrangements for the aged.

Within approximately 40m is the Oakwood School.



**Figure 2.** Aerial view of the subject site and locality.

## ZONE

The proposed development is located in the General Residential zone. The site shares boundaries with other similarly zoned parcels of land and is within 50m of the Environmental Management zone.



**Figure 2.** View of the zoning for the site and surrounding area indicating the General Residential zone (red) and the Environmental Management zone (Teal) Glenorchy Interim Planning Scheme 2015.

## **BACKGROUND**

**PLN-07-04736 Four (4) multiple dwelling units with variation to density requirement, rear setback and private outdoor space requirement for units 1, 2, 3 & 4 -**

This application sought approval for the demolition of the present building and construction of four multiple dwellings. This application was refused primarily for failing to accord with the Dwelling Density Standard, pursuant to Clause 2.8.2 of the Glenorchy Planning Scheme 1992.

**PLN-16-272 Multiple dwellings (Residential) relying on performance criteria –**

This application sought the approval of two dwellings on a portion of the site at 31 Windermere Beach Road (CT24200/8). This application was recommended for refusal for reasons that the proposal did not comply with 10.4.1 Residential density for multiple dwellings and E6.6.1 (P1) Number of Car Parking Spaces.

**PLN-17-024 Change of use to Single Dwelling relying on performance criteria**

This application sought the approval of a single dwelling on a portion of the site at 31 Windermere Beach Road (CT24200/9). This application was withdrawn by the applicant.

## **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.

### **GLENORCHY INTERIM PLANNING SCHEME 2015**

#### **Part B: Administration**

##### **General Exemptions**

Nil

##### **Limited Exemptions**

Nil

##### **Planning Scheme Operation (Does a SAP or Code override Zone provisions?)**

There are no SAP or Code provisions that override the Zone provisions in the assessment of this application.

**Use Class Description (Table 8.2):**

The use class is Residential (multiple dwellings). The use class description of Residential means the use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

**Other relevant definitions (Clause 4.1):**

**Access strip:** means land, the purpose of which is to provide access to a road.

**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:** means as defined in subclause 7.5.2, which states, a standard in a zone, specific area plan or code, is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

**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.

**Site area per dwelling:** means the area of the site (excluding any access strip) divided by the number of dwellings.

**Part C: Special Provisions**

No special provisions of the Scheme apply to this proposal:

**Part D: Zones**

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

**10.1 Zone Purpose Statements**

The purpose of the zone is to provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided; to provide for compatible non-residential uses that primarily serve the local community; and to provide for the efficient utilisation of services.

*Comment*

The proposal is for multiple dwellings (residential), which are permitted within the General Residential zone. The proposal is considered consistent with the purpose of the General Residential zone.

## 10.2 Use Table

Residential (multiple dwellings) is a permitted use class in Table 10.2. However, the proposal involves discretionary consideration owing to reliance on the performance criteria for applicable development standards.

## 10.3 Use Standards

The use standards of this zone relate to non-residential use, visitor accommodation and local shop. These standards are not applicable to the assessment of the proposal.

## 10.4 Development Standards for Residential Buildings & Works

The proposed development complies with all relevant development standards for buildings and works as demonstrated in Appendix 1, except where it relies on the performance criteria for 10.4.1 (P1) Residential density for multiple dwellings, 10.4.3 (P1) and (P2) Site coverage and private open space for all dwellings, 10.4.4 (P3) Sunlight and overshadowing for all dwellings and 10.4.8 (P1) Waste storage for multiple dwellings.

### 10.4.1 (P1) Residential Density for Multiple Dwellings.

This standard is an applicable standard owing to the proposal being for multiple dwellings. The objective of the standard is,

*to provide for suburban densities for multiple dwellings that:*

- (a) make efficient use of suburban land for housing; and*
- (b) Optimise the use of infrastructure and community services.*

The acceptable solution of the standard is that a multiple dwelling must have a site area per dwelling of not less than

- (a) 325m<sup>2</sup>; or*
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps that specified for the density area.*

### Comment

The proposal does not comply with the acceptable solution, owing to not meeting (a), as the proposed site area per dwelling is 243m<sup>2</sup>. Part (b) of the acceptable solution is not applicable. The proposal therefore is reliant on the performance criteria which require,

*Multiple dwellings must only have a site area per dwelling that is less than 325 m<sup>2</sup>, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:*

- (a) is compatible with the density of the surrounding area; or*
- (b) Provides for a significant social or community housing benefit and is in accordance with at least one of the following:*
  - (i) the site is wholly or partially within 400 m walking distance of a public transport stop;*
  - (ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.*

*Comment*

The proposal is reliant on (a) as it cannot meet (b). This is because there is no demonstrated significant community housing benefit. As well, the site is in excess of 400m from a public transport stop (450m), and is in excess of a 400m walking distance from a Local Business zone (500m).

In assessing the compatibility of the proposal with the density of the surrounding area, a survey of properties within a 200m radius of the site, as well as 500m radius of the site has been prepared (see Table 1). It is determined that with regard to the information in this table, though the proposed density is not the same as the average density of the surrounding area, the proposal may still be considered compatible. This is because the site is not anticipated to become developed to such effect that there is a conflict with the surrounding area, or exceedance of the capacity of infrastructure, in which case the proposal would be demonstrably incompatible with the density of the surrounding area and so, inconsistent.

It is considered that the compatibility of the development to the surrounding area is primarily owed to the design of the development making efficient use of suburban land for housing. This efficiency, as an objective of the standard, is particularly evident through compliance with other applicable standards.

The proposal is assessed as complying with the standard.

**Table 1.** *Indicating the number of multiple dwellings developments within a specified area, and the respective density.*

| <b>Radius from subject site</b>                            | 200m              | 500m                                                                                      |
|------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------|
| <b>Number of Multiple Dwellings developments*</b>          | 1                 | 8                                                                                         |
| <b>Average site area per dwelling (multiple dwellings)</b> | 183m <sup>2</sup> | 364m <sup>2</sup><br>(range 183m <sup>2</sup> - 556m <sup>2</sup> site area per dwelling) |

#### 10.4.3 (P1) Site coverage and Private open space for all dwellings.

'Unit 1' is proposed to have a total area of private open space of 34m<sup>2</sup>, this is less than the area specified in (b) of the acceptable solution, which is for 60m<sup>2</sup> per dwelling. The proposal therefore is reliant on the performance criteria which require,

*Dwellings must have:*

- (a) *private open space that is of a size and 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 communal open space provided for this purpose within the development; and*
  - (ii) *operational needs, such as clothes drying and storage; and*
- (b) *reasonable space for the planting of gardens and landscaping.*

*Comment*

The proposal is assessed to satisfy the performance criteria, owing to being of an appropriate dimension relative to the dwelling, which will allow for the outdoor recreational space satisfying (i) and operational needs satisfying (ii). Furthermore, there is proposed to be a communal service yard, which provides an additional area for operational needs beyond what may be immediately satisfied by the private open space. As well, the proposal satisfies (b), by demonstrating the development will involve the provision of raised garden beds, which reasonably allow for the planting of gardens.

The proposal is assessed as complying with the standard.

*10.4.3 (P2) Site coverage and Private open space for all dwellings.*

The proposal is for each dwelling to have an area of private open space in excess of 24m<sup>2</sup> satisfying (a)(i). However, owing to the private open space of 'Unit 1' being located between the dwelling and the frontage, and having a horizontal dimension below 4m, the proposal does not comply with the acceptable solution.

For Unit 2', where the primary private open space is between the dwelling and the frontage, the proposal does not comply with the acceptable solution.

For 'Unit 3' the private open space is located to the south-west of that dwelling which does not meet (d).

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

*A dwelling must have private open space that:*

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

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

*Comment*

For the private open space proposed for 'Unit 1' and 'Unit 2', it is considered that the performance criteria are satisfied, as an area reasonably capable of satisfying (a) is provided, where for (i), the areas are both conveniently located by way of the respective front doors which have direct access to the living rooms, and for (ii), both having an orientation which is broadly to the north-east.

For the private open space proposed for 'Unit 3', it is considered that the performance criteria are satisfied. This is because an area reasonably capable of satisfying (a) is provided, which more specifically for (i) is, conveniently located, owing to being directly accessible from a habitable room other than a bedroom. For (ii), as identified in a supplied shadow diagram, the private open space for 'Unit 3' is considered to be of a large enough dimension that an area greater than 24m<sup>2</sup> will have access to sunlight for a period of more than 4 hours, measurable at the winter solstice.

The proposal is assessed as complying with the standard.

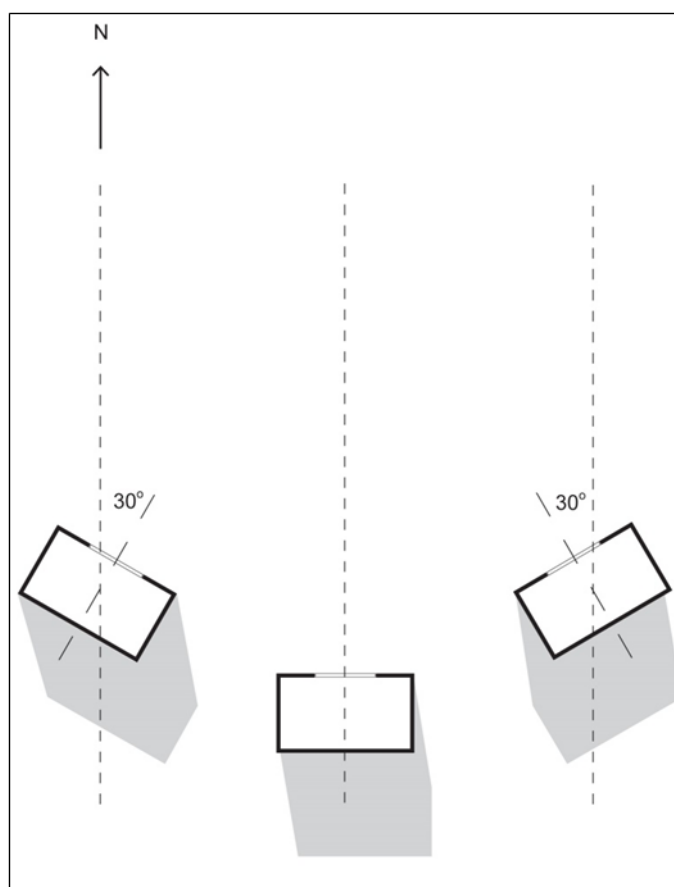
*10.4.4 Sunlight and overshadowing for all dwellings.*

In assessing the application for a residential use, as there are internal alterations proposed for 'Unit 1 and Unit 2', it is considered that 10.4.4 Sunlight and overshadowing for all dwellings, is an applicable standard.

This is because the alterations will have an effect on the distribution of light within each proposed dwelling and, for the proposed 'Unit 1' and 'Unit 2', these buildings were not constructed or approved for habitation under the original building permit.

The larger existing window for the proposed 'Unit 1' is orientated approximately 40° east of north. As well, the window for the proposed living area of 'Unit 2' is orientated approximately 40° east of north. The acceptable solution of the standard requires:

*A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).*



**Diagram 10.4.4A** *Graphic indicating the acceptable solution for orientation of windows with respect to north.*

The proposal therefore does not comply with the acceptable solution, and so is reliant upon the performance criteria which require,

*A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).*

*Comment*

The existing larger front window to 'Unit 1' is in conjunction with the smaller side window considered to collectively provide adequate light to the open plan living kitchen and dining area.

For 'Unit 2', the existing front window faces predominately to the north east. It is considered that similarly to 'Unit 1', owing to the living area being open plan, there is sufficient light able to enter this space.

The proposal is assessed as complying with the standard.

#### *10.4.8 (P1) Waste storage for multiple dwellings*

The proposal includes a communal storage area for the provision of waste and recycling bins. Though this area satisfies parts (i) (ii) and (iii) of 10.4.8 (b), this area is not indicated on the plans as being impervious, but is rather of a pebble finish. The proposal therefore does not immediately comply with part (b), which requires an impervious surface. The proposal therefore is reliant on the performance criteria which require,

*A multiple dwelling development must provide storage, for waste and recycling bins, that is:*

- (a) capable of storing the number of bins required for the site; and*
- (b) screened from the frontage and dwellings; and*
- (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.*

#### *Comment*

The proposal indicates an area to the rear of the lot for the communal storage of waste and recycling bins. This area is considered capable of storing the number of bins which the use will require, and is screened from the frontage. Furthermore, this area is approximately 6m from the nearest dwelling, and so is considered to comply with the performance criteria, by providing a greater separation of distance than the acceptable solution.

The proposal is assessed as complying with the standard.

### **Part E: Codes**

The following codes of the Scheme apply to this proposal:

#### **E5.0 Road and Rail Asset Code**

The proposal does not involve a new access, though will intensify the existing crossing. Because this intensification is not considered to generate more than 40 vehicle movements per day on to Windermere Beach Road, the proposal complies with the acceptable solution for E5.5.1 (A3).

#### **E6.0 Parking and Access Code**

##### *E6.6.1 Number of Car Parking Spaces*

The objective of the standard is to ensure that,

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.*

- (b) *a use or development does not detract from the amenity of users or the locality by:*
  - (i) *preventing regular parking overspill;*
  - (ii) *minimising the impact of car parking on heritage and local character.*

Pursuant to Table E6.1 *Number of car parking spaces required*, a total of five car parking spaces are required. The proposal has provision for three (one per dwelling) parking spaces. There is a shortfall of two spaces for the site collectively. The acceptable solution of the standard requires that,

*The number of on-site car parking spaces must be:*

- (a) *no less than the number specified in Table E6.1 and no more than 10% greater than that number;*

*except if:*

- (i) *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;*
- (ii) *this provision was not used in this planning scheme.*

The proposal is reliant on the performance criteria which require,

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) *any car parking deficiency or surplus associated with the existing use of the land;*
- (h) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*

- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

#### *Comment*

It is anticipated that the use of each of the proposed dwellings will generate a requirement of a minimum one car parking space each day. This is because of the high likelihood of any future occupant having at least one vehicle. The applicant has provided one space per dwelling, and so it is considered the proposal satisfies (a), as this is a number which meets the minimum demand anticipated by the development. With regard to (b), there is an availability of on-street parking for irregular parking overspill, which may be safely accommodated (see Transport Engineer referral).

With regard to (c) there is no availability of public transport within 400m of the site. With regard to (d) there is opportunity for a person to use a bicycle. With regard to (e) the applicant has proposed to partially rely on on-street parking. Council's Traffic Engineer has reviewed the proposal and is satisfied that the parking can be suitably and safely accommodated on Windermere Beach Road.

With regard to (g), there is not any surplus associated with the former use of the land as a shop, as this is not an existing use. Furthermore, any parking for the shop would have been provided within the asphalted frontage. This area now is proposed to be landscaped and fenced.

Criteria (h) through to (m) are considered to be not applicable to the proposal.

The proposal is assessed as compliant with the standard through the performance criteria, owing to providing a number of on-site car parking spaces which is considered sufficient to meet demand.

#### **E7.0 Stormwater Management Code**

The proposal has been referred to Council's Development Engineer who is satisfied that the stormwater arrangement for the site is compliant with the acceptable solutions of the Stormwater Management code (see Appendix 3).

#### **INTERNAL REFERRALS**

##### **Development Engineer**

The proposal has been referred to Council's Development Engineer who has made the following comments.

*Comments*

The development application seeks an approval for multiple dwellings to the existing structure and new car parking and driveway areas at the subject site.

*Traffic, Access & Parking*

There is no change in the current access arrangement. However, due to the limitations of parking and turning areas, there is a total of two parking spaces shortfall according to the Acceptable Solution (A1) under Code E6.6.1 GIPS. The TIS prepared by Milan Prodanovic was received by Council. Council's Transport Engineer has reviewed and agreed with the conclusion that the parking shortfall can be accommodated in the available on-street parking supply adjacent to the site without any serious impact on the road network.

It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

*GCC Services (Stormwater)*

There are no GCC stormwater mains affected by this application. The stormwater connection is available off the Windermere frontage.

*Other**Geoscience issues*

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

*Flooding/Inundation issues*

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

**Waste Management Officer**

The proposal has been referred to Council's Waste Management section, which has provided the following comments

*Comments*

Waste Services to the proposed multiple dwelling development at 31 Windermere Beach Rd Claremont would be Council's standard bin service collected fortnightly.

The Council's standard bin service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling, collected fortnightly.

Please note that this property would have a total of six (6) bins, three (3) waste bins and three (3) Recycling Bins.

This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.

All bins are to be placed on the kerbside for collection.

Council's waste management contractor collection trucks will not enter the property to collect and empty the wheelie bins.

**Transport Engineer**

The proposal has been referred to Council's Transport Engineer who has made the following comments.

I have reviewed the proposed multiple dwellings (Residential) relying on performance criteria at 31 Windermere Beach Road, Claremont. The application documentation included a Traffic Impact Statement (TIS) prepared by Milan Prodanovic (dated 3 April 2017).

The site is located at 31 Windermere Beach Road, Claremont on the southern side of the street. The existing building on the property at 31 Windermere Beach Road is to be converted into three dwellings. Two of the dwellings will have two-bedrooms and one will have one bed-room. The site has an existing driveway along the western boundary which will provide access to three car parking spaces located at the rear of the site.

Based on the Glenorchy Interim Planning Scheme 2015, the parking requirement for Residential use is one parking space for each one-bedroom dwelling and two parking spaces for dwellings with two or more bedrooms. With the consideration that two of the dwellings will have two-bedrooms and one will have one bed-room, the proposed development requires a total of five car parking spaces. Therefore, with the provision of 3 spaces on-site, the proposed use has a shortfall of two car parking spaces.

However, the TIS argues that based on recent investigations by this consultant into residential ownership of vehicles, car ownership is generally lower than required by the Planning Scheme for multiple dwelling developments. The report also indicates that in the census data from 2011 for Claremont, there were 366 dwellings (11.7%) that had no cars and 51% of dwellings had either one car or no cars, while two thirds of the dwellings in Claremont have more than two bedrooms. The report then concludes that the car ownership by the residents in the proposed dwellings on the development site is not expected to be more than one car per dwelling.

The TIS also states that an inspection was made of on-street parking in the area of the development site during the early evening of 6 February 2017. The results of the surveys show that the on-street parking demand in the immediate surrounding area was quite low as there were two parked cars to the west of the site. The report also indicates that there were no other vehicles parked on the street within 50m of the site, a distance within which there are approximately 20 car parking spaces. The report then concludes that there are many on-street parking spaces that would be available within the immediate area, should there be a need for a car to park on-street.

In addition, the TIS states that along the frontage of the development site, there is a distance between driveways of around 15m, which can accommodate two cars. The report also indicates that the presence of any cars parked on-street in this area would not create any amenity or safety issues for surrounding residents.

I agree with the conclusion that the parking shortfall can be accommodated in the available on-street parking supply adjacent to the site without any serious impact on the road network.

Based on the above discussions, as the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, I have no objection to the development of the proposed multiple dwellings (Residential) relying on performance criteria at 31 Windermere Beach Road, Claremont on traffic engineering or road safety grounds.

## EXTERNAL REFERRALS

### TasWater

The proposal has been referred to TasWater. TasWater is in support of the proposal subject to the inclusion of conditions (Appendix A).

## REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representation(s) being received.

## CONCLUSION

The proposal for a change of use from a single dwelling to multiple dwellings for the land at CT 24200/8 and as well for the use of the land as a multiple dwelling for the portion of the building which encompasses CT24200/9, collectively known as 31 Windermere Beach Road.

The proposal is assessed to comply with the acceptable solutions of the applicable standards of the General Residential zone, except for reliant on the performance criteria for 10.4.1 (P1) Residential density for multiple dwellings, 10.4.3 (P1) & (P2) Site coverage and Private open space for all dwellings, 10.4.4 (P1) Sunlight and overshadowing for all dwellings, 10.4.8 (P1) Waste storage for multiple dwellings and E6.6.1 Number of Car parking spaces. The proposal is assessed as satisfying the performance criteria of the applicable standards.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Glenorchy Interim Planning Scheme 2015, subject to recommended conditions.

### Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwellings (Residential) relying on performance criteria. at 31 Windermere Beach Road, Claremont subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-080 and Drawing No. P1 submitted on 05/04/2017 (sheets 1-7 only) and Drawing No. P2 submitted on 08/05/2017, except as otherwise required by this permit.
2. All proposed fencing as shown on approved plans must be constructed prior to the issue of a certificate of occupancy, and be maintained as approved for the life of the use.
3. All proposed landscaped areas, grassed areas, screening vegetation for the service yard and construction of the service yard, as shown on approved plans, must be completed prior to the issue of a certificate of occupancy and be maintained as approved for the life of the use.

4. Each of the proposed car parking spaces must be assigned to, and individually marked as being for the exclusive use of an individual dwelling. These car parking spaces must be constructed and marked as being for the exclusive use of a dwelling prior to the issue of a certificate of occupancy. No more than one car parking space may be assigned to any dwelling at any one time. Car parking spaces must remain available for the respective dwellings at all times.
5. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

### **Engineering**

6. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
9. The proposed parking area as shown on the plans submitted for approval must be constructed to a sealed finish, clearly line-marked and must generally 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. Detailed drawings showing the driveway areas mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted prior to the issuing of the Building Permit and be approved by Council's Development Engineer. All works required by this condition must be installed prior to the issue of a certificate of occupancy.

### **Advice to Applicant**

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

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](http://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 Glenorchy Interim Planning Scheme 2015. 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 62166800.

**APPENDIX 1****10.0 General Residential Zone**

| Standard                                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed                                                            | Complies?                |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------|
| <b>10.4 Development Standards for Residential Buildings and Works</b>      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                     |                          |
| <b>10.4.1</b><br><b>Residential density for multiple dwellings.</b>        | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The proposal is for a site area per dwelling of 1/243m <sup>2</sup> | <b>No – refer report</b> |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings:</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br>(c) if for a vacant site with existing dwellings on adjoining sites 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<br>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. | There is no proposed development of the existing building.          | Not applicable           |

|                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                            |                                            |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
|                                                                          | <p><b>A2</b><br/>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Not Applicable                                                                                                             | N/A                                        |
|                                                                          | <p><b>A3</b><br/>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> </li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> | The proposal is for an existing structure, there is no development to this building and so the standard is not applicable. | N/A                                        |
| <b>10.4.3<br/>Site coverage and private open space for all dwellings</b> | <p><b>A1</b><br/>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>(a) Site coverage equates to approximately 26%</li> </ul>                           | <p>Yes</p> <p><b>No – Refer report</b></p> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                  |
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|  | <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>(b) Proposed Unit 1 has a 34m<sup>2</sup> area of private open space attributed to that dwelling.</p> <p>(c) Approximately 32% of the site is free from impervious surfaces</p>                                                                                                                                                                                                                                                                                                                                                                                                              | Yes                                                              |
|  | <p><b>A2</b><br/>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> | <p>(a) Each of the proposed dwellings have an area of private open space greater than 24m<sup>2</sup></p> <p>(b) Proposed Unit 1 has a minimum horizontal dimension for the private open space of &lt;4m.</p> <p>(c) The proposed private open space for each dwelling is directly accessible from and adjacent to a habitable room other than a bedroom.</p> <p>(d) Though the private open space for the proposed 'Unit 3' is to the south west of that dwelling, it is considered that the area is located to receive at least 3hrs of sunlight to 50% of that area between 12pm and 3pm</p> | <p>Yes</p> <p><b>No – Refer report</b></p> <p>Yes</p> <p>Yes</p> |

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|                                                                       | <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                         |                          |
| <b>10.4.4<br/>Sunlight and<br/>overshadowing of all<br/>dwellings</b> | <p><b>A1</b><br/>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Living and lounge area windows of each proposed dwelling are orientated outside of 30°. | <b>No – Refer report</b> |
|                                                                       | <p><b>A2</b><br/>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p>(i) at a distance of 3 m from the window; and</p> <p>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4 m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</p> | Each of the proposed dwellings are joined. No one dwelling is to the north of another.  | N/A                      |
|                                                                       | <p><b>A3</b><br/>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No dwelling is to the north of the principle private open space of another.             | N/A                      |

|                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |     |
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|                                                                                        | <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                 |                |     |
| <b>10.4.5<br/>Width of openings for<br/>garages and carports for all<br/>dwellings</b> | <p><b>A1</b><br/>A garage or carport within 12 m 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 6 m or half the width of the frontage (whichever is the lesser).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable | N/A |
| <b>10.4.6<br/>Privacy for all dwellings</b>                                            | <p><b>A1</b><br/>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul> | Not applicable | N/A |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                   |     |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|  | <p><b>A2</b><br/>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</li> </ul> | Not applicable                                                                                                                                                                                    | N/A |
|  | <p><b>A3</b><br/>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 at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | The proposed shared driveway is separated by a distance of 1.2m from the windows of habitable rooms. As well, the proposal is for a 1.8m high fence to separate the access way and the dwellings. | Yes |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                          |                          |
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|                                                         | (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                          |                          |
| <b>10.4.7<br/>Frontage Fences for all dwellings</b>     | <b>A1</b><br>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:<br>(a) 1.2 m if the fence is solid; or<br>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).                                                                                                                                                                                                                                        | Proposed frontage fence complies with the acceptable solution, owing to being of a height not greater than 1.8m, and having a uniform transparency of not less than 30%.                                                 | Yes                      |
| <b>10.4.8<br/>Waste Storage for multiple dwellings.</b> | <b>A1</b><br>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m <sup>2</sup> per dwelling and is within one of the following locations:<br>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or<br>(b) in a communal storage area with an impervious surface that:<br>(i) has a setback of at least 4.5 m from a frontage; and<br>(ii) is at least 5.5 m from any dwelling; and<br>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area. | The proposal is for waste a recycling bins to be in a communal area, which is located to comply with (b). however, as the proposed pebble finish is not impervious, the proposal is reliant on the performance criteria. | <b>No – Refer report</b> |

## APPENDIX 2

## E6.0 Parking and Access Code

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                              | Complies?                |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------|
| <b>E6.6 Use Standards</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                       |                          |
| <b>E6.6.1</b><br><b>Number of Car Parking Spaces</b>                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(e) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme.              | The proposal is for three car parking spaces (one for each dwelling). | <b>No – Refer report</b> |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                                        | Not applicable                                                        | N/A                      |
| <b>E6.6.3</b><br><b>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, | Not applicable                                                        | N/A                      |

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                                   | Complies? |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------|
|                                                                 | provided the existing number of motorcycle parking spaces is not reduced.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                            |           |
| <b>E6.6.4</b><br><b>Number of Bicycle Parking Spaces</b>        | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable                                                                                             | N/A       |
| <b>E 6.7 Development Standards</b>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                            |           |
| <b>E6.7.1</b><br><b>Number of Vehicle Accesses</b>              | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | The proposal is reliant on the existing vehicle access                                                     | Yes       |
| <b>E6.7.2</b><br><b>Design of Vehicular Accesses</b>            | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(f) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | The proposal has been assessed by Council's development Engineer as complying with the Acceptable Solution | Yes       |
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must:<br><br>(a) be provided if any of the following applies to an access:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not applicable                                                                                             | N/A       |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed                                                                                                   | Complies? |
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|                                                            | <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> |                                                                                                            |           |
| <b>E6.7.4</b><br><b>On-Site Turning</b>                    | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                       | Windermere Beach Road carries less than 6000 vehicles per day                                              | N/A       |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>            | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.                                           | The proposal has been assessed by Council's development Engineer as complying with the Acceptable Solution | Yes       |
| <b>E6.7.6</b><br><b>Surface Treatment of Parking Areas</b> | <b>A1</b><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following: <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> </ul>                                                                                                                                             | Proposal is for hard paved driveway parking areas                                                          | Yes       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                   | Proposed       | Complies? |
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|                                                               | (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.                                                                                                                                                                                                                                              |                |           |
| <b>E6.7.7</b><br><b>Lighting of Parking Areas</b>             | <b>A1</b><br>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. | Not applicable | N/A       |
| <b>E6.7.8</b><br><b>Landscaping of Parking Areas</b>          | <b>A1</b><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      | Not applicable | N/A       |
| <b>E6.7.9</b><br><b>Design of Motorcycle Parking Areas</b>    | <b>A1</b><br>The design of motorcycle parking areas must comply with all of the following:<br><br>(c) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                      | Not applicable | N/A       |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following;<br><br>(a) be provided in accordance with the requirements of Table E6.2;                                                                                                                                                                                                   | Not applicable | N/A       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                     | Proposed       | Complies? |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
|                                                               | (b) be located within 30 m of the main entrance to the building.                                                                                                                                                                                                                                                                                                                                        |                |           |
|                                                               | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                 | Not applicable | N/A       |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   | Not applicable | N/A       |
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. | Not applicable | N/A       |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;            | Not applicable | N/A       |

| Standard                                  | Acceptable Solution                                                                              | Proposed                                                                                                   | Complies? |
|-------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------|
|                                           | (b) the use is not primarily dependent on outward delivery of goods from the site.               |                                                                                                            |           |
| <b>E6.7.14</b><br><b>Access to a Road</b> | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority. | The proposal has been assessed by Council's development Engineer as complying with the Acceptable Solution | Yes       |

**APPENDIX 3****E7.0 Stormwater Management Code**

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                   | Complies? |
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| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                            |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                      | The proposal has been assessed by Council's development Engineer as complying with the Acceptable Solution | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br><br>(g) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(h) new car parking is provided for more than 6 cars;<br>(i) a subdivision is for more than 5 lots.                                                                                                                            | Not applicable                                                                                             | N/A       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br><br>(c) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(d) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Not applicable                                                                                             | N/A       |
|                                                    | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable                                                                                             | N/A       |

**Attachments/Annexures**

- 1  Attachment - 31 Windermere Beach Road, Claremont

**8. PROPOSED USE AND DEVELOPMENT - SIX MAJOR EVENTS AND MINOR EVENTS ONGOING (COMMUNITY MEETING AND ENTERTAINMENT) RELYING ON PERFORMANCE CRITERIA - DERWENT ENTERTAINMENT CENTRE 601 BROOKER HIGHWAY, MONTROSE - 825 BROOKER HIGHWAY, MONTROSE - THE GROVE RESERVE BROOKER HIGHWAY, GLENORCHY - 601B BROOKER HIGHWAY, GLENORCHY AND 601A BROOKER HIGHWAY, GLENORCHY**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 7597188

**REPORT SUMMARY:**

|                            |                                                                                                                                                                   |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | PLN-17-092                                                                                                                                                        |
| <b>Applicant:</b>          | Glenorchy City Council                                                                                                                                            |
| <b>Owner:</b>              | Glenorchy City Council                                                                                                                                            |
| <b>Zone:</b>               | Open Space                                                                                                                                                        |
| <b>Use Class</b>           | Community Meeting and Entertainment                                                                                                                               |
| <b>Application Status:</b> | Discretionary                                                                                                                                                     |
| <b>Discretions:</b>        | E6.6.1 Number of Car Parking Spaces<br>F2.6.4.1 Public Use Only<br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | No                                                                                                                                                                |
| <b>42 Days Expires:</b>    | 05 Jun 2017                                                                                                                                                       |
| <b>Existing Land Use:</b>  | Passive Recreation                                                                                                                                                |
| <b>Proposal In Brief:</b>  | Six major events and minor events ongoing (Community meeting and entertainment) relying on performance criteria.                                                  |
| <b>Representations:</b>    | 0                                                                                                                                                                 |
| <b>Recommendation:</b>     | Approval subject to conditions                                                                                                                                    |

**REPORT IN DETAIL:****PROPOSAL**

The proposal is for the Glenorchy Art and Sculpture Park (GASP) to use the land at 601, 601A, 601B, 825 Brooker Highway Montrose, Brooker Highway Glenorchy and the Grove Reserve for six major events and minor events ongoing. These parcels of land all fall within the Wilkinsons Point and Elwick Bay Specific Area Plan. It is proposed that these events will rely on a regular layout of areas for temporary art installations and performances, as well as temporary marquees, which will house the necessary security, production facilities and food and beverage operators.

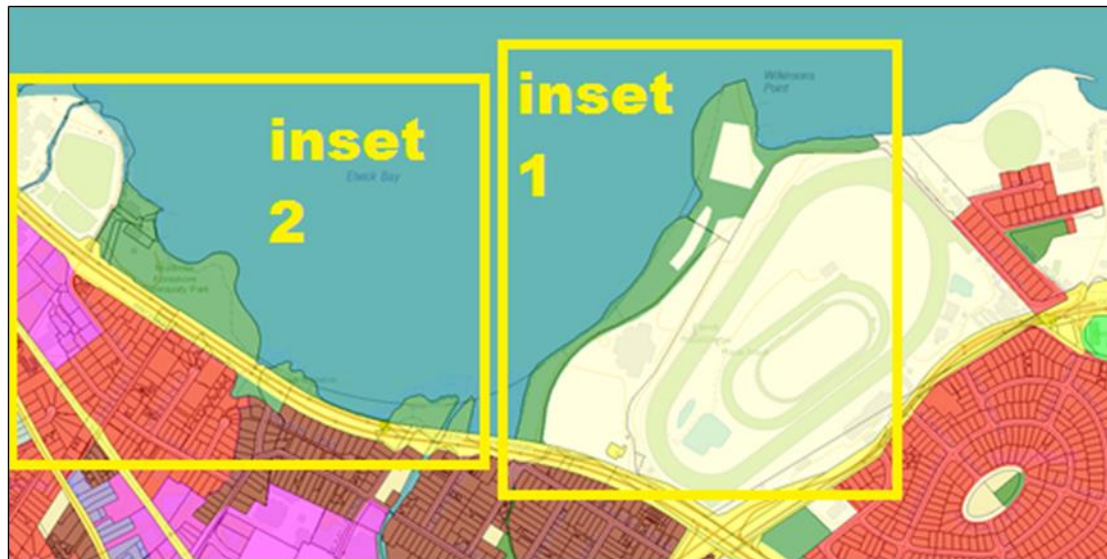
It is proposed that the arrangement of these temporary facilities will have a minimal disruption to public access, where for major events (six total in a calendar year), any disruption will be limited to a maximum of three days. As well, it is proposed that public access will be unrestricted during minor event set up.

The parking requirement generated by the proposed major event use of the land is to be wholly satisfied by a shared arrangement with the Derwent Entertainment Centre (DEC), as has been indicated as satisfactory to DEC management. The parking requirement for minor events is able to be accommodated within the existing car parking area at the Montrose Foreshore Community Park (825 Brooker Highway).

The proposal relies on the performance criteria for E6.6.1 Number of Car Parking spaces and F2.6.4.1 Public Use Only. How the proposal satisfies the performance criteria of these standards is outlined in the body of this report.

**SITE and LOCALITY**

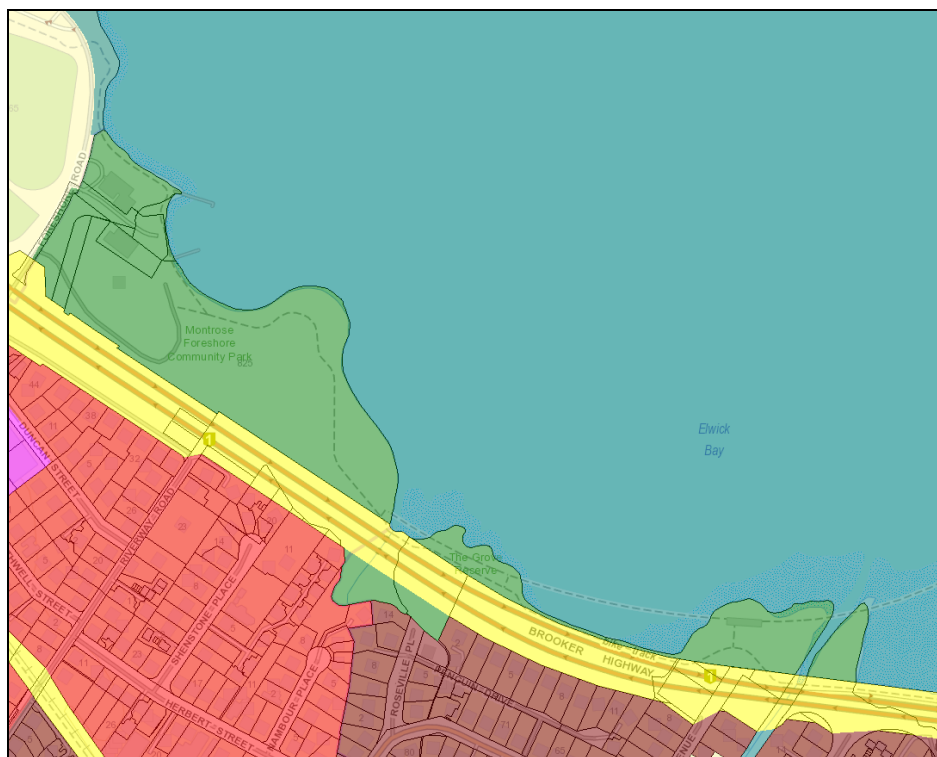
The subject site is a large area made up of a number of titles, which collectively are in Council ownership and subject to a lease agreement with the Glenorchy Art and Sculpture Park (GASP). The locality cannot be succinctly defined, owing to the mixed uses and scale. However, broadly the site can be defined by proximity to the River Derwent and the Brooker Highway, as well as more generally being an expansive area principally used for passive recreation. The Derwent Entertainment Complex is the single largest structure within the locality, though at Wilkinsons Point there is a modest pavilion for GASP activities. As well, along the foreshore boardwalk, there are a number of community facilities (see Figures 1, 2 and 3).



**Figure 1.** Locality map indicating the whole of the foreshore area (see insets for further detail) in respect to the surrounding area.



**Figure 2.** Inset 1, indicating a portion of the Elwick bay foreshore area including Wilkinson's Point (note, the use is proposed to be undertaken in the area shown green).



**Figure 3.** Inset 2, indicating a portion of the Elwick bay foreshore area and Montrose Foreshore Community Park Precinct (note, the use is proposed to be undertaken in the area shown green, though there are two separate precincts within the Specific Area Plan.)

## ZONE

The proposal is located within the Open Space zone (shown as green in Figure 1). The site is bound by the Brooker Highway to the south zoned Utilities (yellow), the River Derwent to the north zoned Environmental Management (teal), and the Community Purpose zone to the east and west, which overlay the Elwick Racecourse site and Montrose Bay High school, respectively (light yellow).

## BACKGROUND

**PLN-16-250** – Approval was sought for six major events within the Wilkinsons Point and Elwick Bay Foreshore Precinct. This application was withdrawn and the present application including minor events made in its place.

## 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.

**GLENORCHY INTERIM PLANNING SCHEME 2015****Part B: Administration****General Exemptions**

Nil

**Limited Exemptions**

Nil

**Planning Scheme Operation (Does a SAP or Code override Zone provisions?)**

Pursuant to Clause F2.2 (b) Application of Specific Area Plan, The Wilkinsons Point and Elwick Bay Specific Area Plan overrides the following provisions

- (i) *Community Purpose Zone:*
  - a. *clause 17.2 Use Table;*
  - b. *clause 17.3 Use Standards;*
  - c. *clause 17.4 Development Standards for Buildings and Works;*
  - d. *clause 17.5 Development Standards for Subdivision;*
- (ii) *Open Space Zone:*
  - a. *clause 19.2 Use Table;*
  - b. *clause 19.3 Use Standards;*
  - c. *clause 19.4 Development Standards for Buildings and Works;*
  - d. *clause 19.5 Development Standards for Subdivision.*

**Use Class Description (Table 8.2):**

**Community Meeting and Entertainment:** use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.

**Other relevant definitions (Clause 4.1):**

**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** means as defined in subclause 7.5.2, which states, a standard in a zone, specific area plan or code is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

**Building** means as defined in the Act.<sup>1</sup>

**Site coverage** means the proportion of a site (excluding any access strip) covered by roofed buildings.

### **Part C: Special Provisions**

No special provisions of the Scheme apply to this proposal.

### **Part D: Zones**

The land is within the Open Space Zone and the following Scheme zone purpose statements apply to this proposal. It should be noted that because the Wilkinsons Point and Elwick Bay Specific Area Plan override the zone provisions, there are no applicable zone standards for the proposal.

#### **19.1 Zone Purpose Statements**

19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

19.1.1.2 To encourage open space networks that are linked through the provision of walking and cycle trails.

#### *Comment*

The proposal is for a total of six major events within a calendar year and minor events ongoing. It is considered that the scale and frequency of these events will not unreasonably inhibit the lands availability for passive recreation, and so the proposal is in accordance with the zone purpose statements.

### **Part E: Codes**

The following codes of the Scheme apply to this proposal.

#### **E6.0 Parking and Access Code**

The Parking and Access Code is an applicable code to all use and development. Pursuant to Table E6.1 *Number of Car Parking Spaces Required*, the proposal is assessed as requiring one car parking space per 15m<sup>2</sup> gross floor area of each of the proposed marquees (excluding toilets). Therefore, for a minor event, where the combined floor area of marquees equals 532m<sup>2</sup>, the number of car parking spaces required is calculated as 35. This requirement of 35 on site car parking spaces is able to be accommodated within the existing car parking area at the Montrose Foreshore Community Park.

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<sup>1</sup> s3 (1) building includes –

- (a) a structure and part of a building or structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and
- (c) a boat or a pontoon which is permanently moored or fixed to land;

For a major event, where the combined floor area of the marquees equals 576m<sup>2</sup>, the number of car parking spaces required is calculated as 38. As the proposed major events are focused within the Wilkinsons Point and Elwick Bay Foreshore area (601A and 601B Brooker Highway), this area cannot rely on the Montrose Foreshore Community Park car park, but instead includes the DEC car parking area at 601 Brooker Highway. As the spaces within this car parking area are already attributed to the DEC use, the proposal is reliant on the performance criteria which require,

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following*

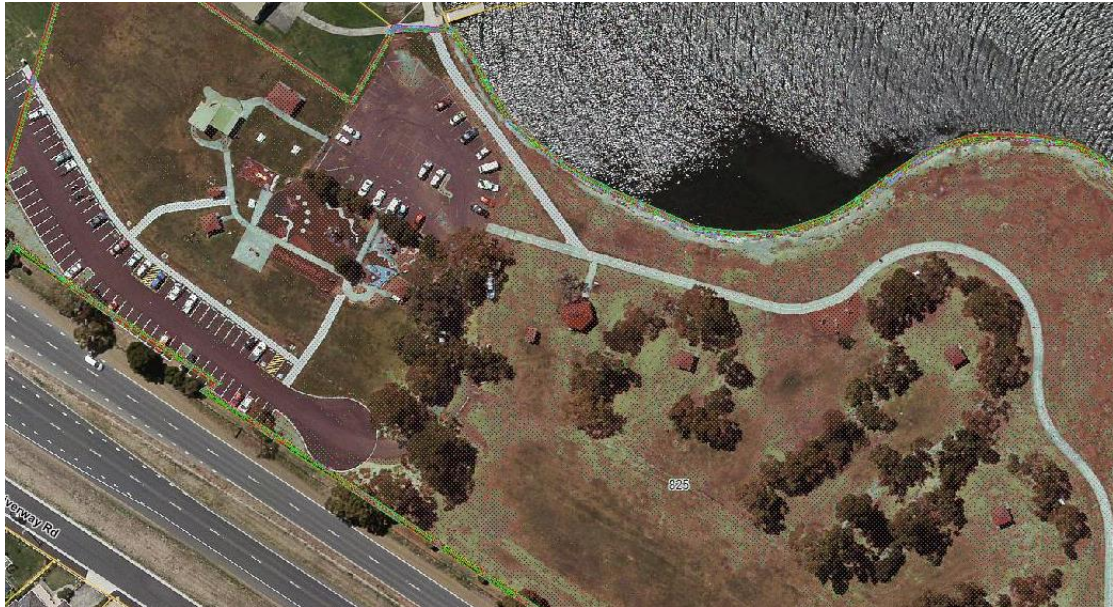
- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and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

#### *Comment*

The proposed major events are predominately reliant on a shared car parking arrangement with the DEC, where efficiencies are to be gained out of the existing spaces at that site. The area selected is considered to be of a sufficient number to satisfy the demand of GASP major events, provided that with ongoing management of potential clashes, the capacity is always made available.

With regard to (b) there is no immediately available public car parking, though there is in proximity to the site, bus stops which service both north and south moving passengers, satisfying (c). With regard to (d), there is a potential for cycling. Criteria (e) and (g) through to (m) are not considered relevant for the assessment of this application.

The proposal is assessed to comply with the standard through the performance criteria.



**Figure 4.** Aerial of Montrose Foreshore Community Park which shows the existing car parking area.



**Figure 5.** Extract of proposal plan indicating the extent of a major event (Green) and the area for shared arrangement with DEC (Pink).

### **E7.0 Stormwater Management Code**

The Stormwater Management Code applies to development requiring management of Stormwater. As the proposed temporary structures are, in accordance with the *Directors Determination - Categories of Plumbing Work (Section 2.0.13)*, able to manage stormwater runoff onsite without causing a nuisance, it is considered that there is no requirement for these structures to manage stormwater, and as such pursuant to clause E7.2.1, the code is not applicable.

### **E11.0 Waterway Coastal Protection Area**

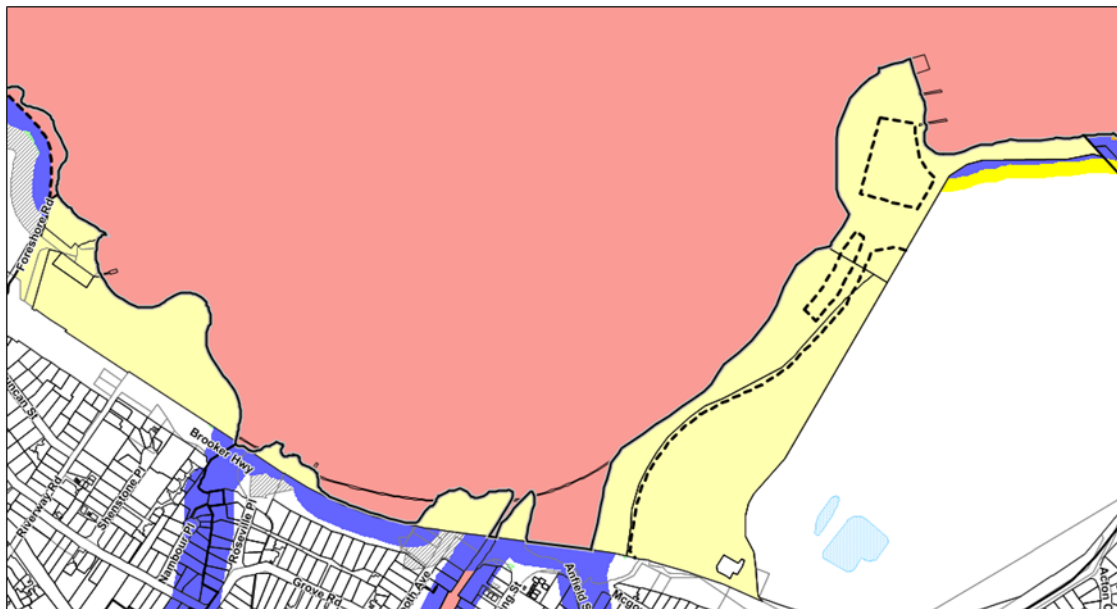
Though the waterway Coastal Protection Area applies to the land, including where temporary structures are proposed (see figure 4), Pursuant to E11.4 Development Exempt from this Code, the proposal is exempt, owing to there being no clearance of vegetation or soil disturbance proposed (see figure 6).



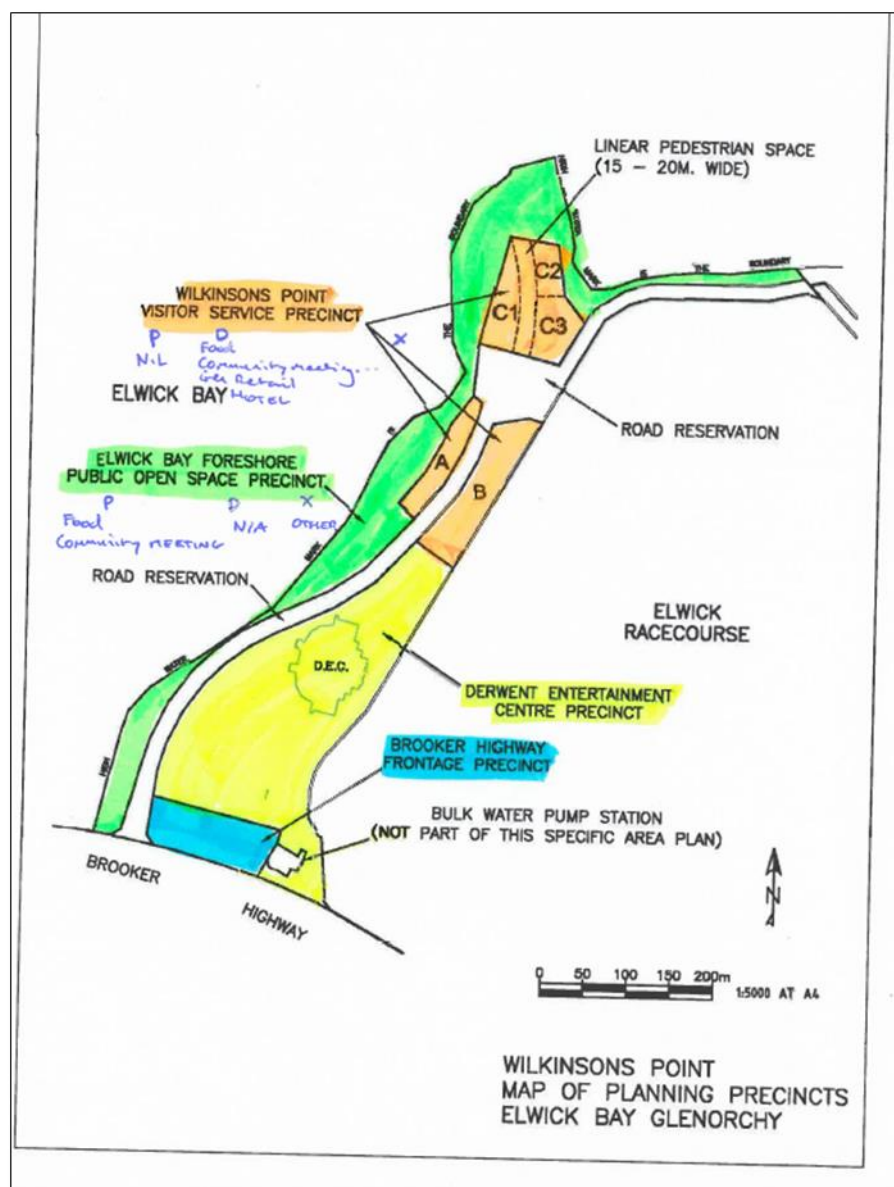
**Figure 6.** Graphic indicating the extent of the Waterway Coastal Protection Area

## **PART F: Specific Area Plans**

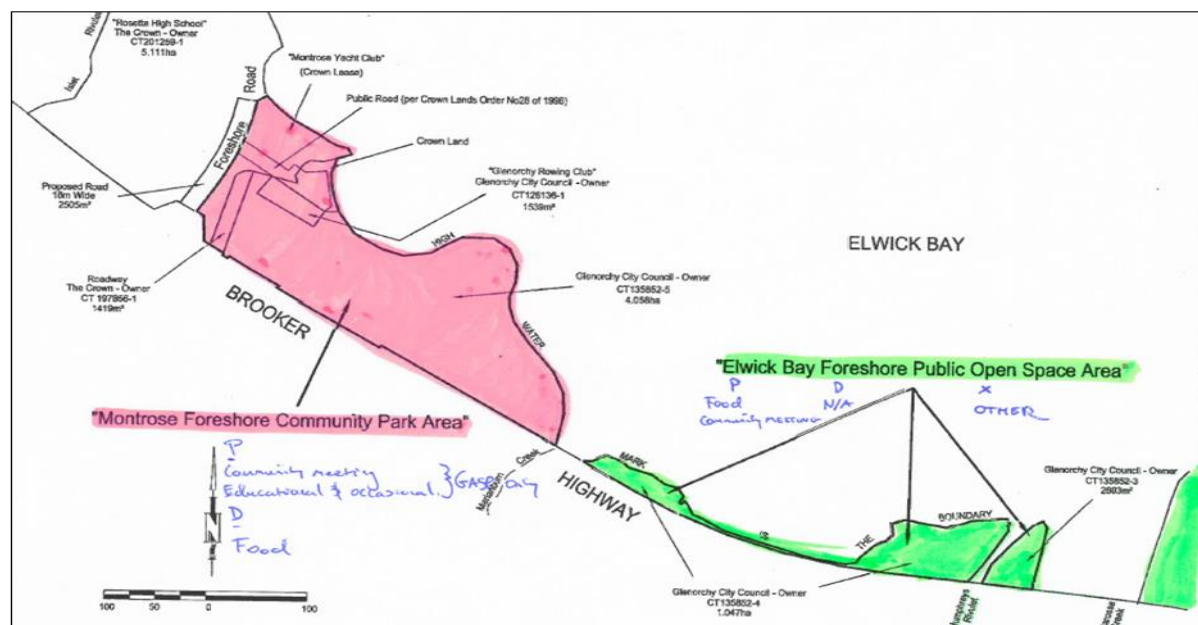
The land is subject to the Wilkinsons Point and Elwick Bay Specific Area Plan pursuant to Part F2 of the Glenorchy Interim Planning Scheme 2015. This plan overlays the entire subject site (see Figure 7), though is organised into precincts which each have their own respective provisions regarding use and development (see Figures 8 and 9).



**Figure 7.** Aerial of site indicating the extent of the Wilkinsons point and Elwick bay Specific Area Plan.



**Figure 8.** Graphic indicating precincts within the Wilkinsons Point and Elwick Bay Specific Area Plan, where the Elwick Bay Foreshore Public Open Space Precinct (green) is the where the use is proposed for both major and minor events.



**Figure 9.** Graphic indicating precincts within the Wilkinsons Point and Elwick Bay Specific Area Plan, where the Elwick Bay Foreshore Public Open Space Precinct (green) and the Montrose Foreshore Community Park Area is the where the use is proposed for minor events only.

Pursuant to Clause 7.4.2 Operation of Specific Area Plans of the Glenorchy Interim Planning Scheme 2015,

*Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.*

Part F2.2 Application of Specific Area Plan, sets out the particular zone provisions which are overridden by the Specific Area Plan. Those relevant to the assessment of this application are

- (ii) Open Space Zone:
  - a. clause 19.2 Use Table;
  - b. clause 19.3 Use Standards;
  - c. clause 19.4 Development Standards for Buildings and Works;
  - d. clause 19.5 Development Standards for Subdivision.

## **F2.5 Montrose Foreshore Community Park Precinct.**

Proposed minor events are partially within the Montrose Foreshore Community Park Precinct (see Figure 9). The following Local Area Objectives, Desired Future Character Statements, Use table and Use and Development standards apply to this proposal.

### **F2.5.1 Local Area Objective**

Of the local area objectives, (a) is considered most relevant to the proposal. This states that the objective of the area is,

- (a) To strengthen the Precinct as the major hub for the GASP! initiative including social enterprise, recreational facilities and activities, display of art, interpretation and training functions and education.*

#### *Comment*

The proposed use is permitted within the Montrose Foreshore Community Park Precinct. As such, the objective of the precinct is considered to be satisfied.

### **F2.5.2 Desired Future Character Statements**

The Desired Future Character statements for the Montrose Foreshore Community Park Precinct relate to development. However, as the use is permitted within the precinct, the proposal is considered to not be in conflict with the Desired Future Character Statements.

### **F2.5.3 Use Table**

The proposal includes the temporary use of the Montrose Foreshore Community Park Precinct for minor events (Community Meeting and Entertainment). This is a permitted use within the precinct if for GASP activities.

### **F2.5.4 Use Standards**

The proposal is considered to comply with the use standards for the precinct as outlined in Appendix 2 subject to conditions.

### **F2.5.5 Development Standards**

It is considered that there are no applicable development standards, as the proposal is for temporary structures, and the development standards do not deal with matters which can be affected by the proposal.

## **F2.6 Elwick Bay Foreshore Public Open Space Precinct.**

Proposed minor and major events are within the Elwick Bay Foreshore Public Open Space Precinct. (see Figure 8). The following Local area objectives, Desired Future Character Statements, Use table and Use and Development standards apply to this proposal.

### F2.6.1 Local Area Objective

Of the local area objectives, the following are considered most relevant to the proposal. These state that the objective of the area is,

- (a) *To maintain the natural values and enhance community, cultural and recreational use of the foreshore as a linear open space link between Montrose Community Park, Wilkinsons Point and beyond.*
- (b) *To ensure that the enhancement of the foreshore is in accordance with the GASP! Vision for a dynamic, inspirational and internationally resonant open space providing unique encounters with art and creating memorable experiences for all in the natural environment.*
- (c) *To build on Tasmania's cultural tourism offerings.*
- (d) *To increase liveability.*
- (e) *To enhance commercial opportunities by improving the sense of place, connectivity and vibrancy of the area.*
- (f) *The whole of the area is retained primarily for public open space uses and uses that support public open space use with provision for pop-up, mobile or temporary commercial use.*

#### *Comment*

The proposal is a permitted use within the Elwick Bay Foreshore Public Open Space Precinct, however involves discretionary consideration owing to the use not being considered wholly public. This is because of the potential disruption to the full and free public access within the precinct.

With regard to the local area objectives, the proposal is considered to satisfy those which are relevant to assessing the proposal, as the events (both major and minor), will have a limited impact on natural values, and allow for other recreational uses satisfying (a). As well, the proposed events will increase visitation and commercial ventures within the precinct satisfying (b) through to (e), and will be of an appropriate scale and temporary nature satisfying (f).

### F2.6.2 Desired Future Character Statements

The Desired Future Character statements for the Elwick Bay Foreshore Public Open Space Precinct predominately relate to development. However, with regard to (g), where it is desired that,

*Urban public space at the end of Wilkinsons Point provides a civic focus for the City's relationship with the River Derwent for public access and events.*

It is considered that the events will draw people to the area, and so this use will support the existing Wilkinsons Point pavilion in achieving the desired future character.

**F2.6.3 Use Table**

The proposal includes the temporary use of the Elwick Bay Foreshore Public Open Space Precinct for minor events (Community Meeting and Entertainment). This is a permitted use within the precinct if for GASP activities.

**F2.6.4 Use Standards***F2.6.4.1 Public Use Only*

Though the proposal predominately is to facilitate public access and enjoyment of the Elwick Bay Foreshore, it is because of the restriction to public access to the whole of the site through ticketed major events and required security measures through event set up, that the proposal does not meet the acceptable solution by strictly being an open public use. The proposal therefore is reliant on the performance criteria (P1) which require,

*Use for private events and displays must be:*

*(a) Temporary, and*

*(b) Appropriate to the scale and environmental sensitivities of the precinct*

*Comment*

The proposal is considered to satisfy the performance criteria, owing to being a demonstrated temporary use. Furthermore, as each major event will only cause a minor disruption to public access for a maximum of three days, and still will afford public access to the majority of the precinct, this is considered appropriate. Particularly, with regard to the environmental sensitivities of the precinct. There is no anticipated clearance of vegetation or soil disturbance. Furthermore and with regard to the built environment within the locality, as each event will be subject to further Council approvals dependant on patronage (see Environmental Health referral), the environmental sensitivities of the location and proximity to residences are not considered to be compromised by any approval of the use of the land for events.

**F2.6.5 Development Standards**

There are no development standards for buildings and works in this precinct. All private use, pursuant to the use standards must be temporary.

**INTERNAL REFERRALS****Environmental Health Officer**

The proposal has been referred to Council's Environment Health Officer who has made the following comments.

Environmental Health have assessed this application and have no conditions to recommend.

Noise has been identified as a possible issue depending on the use of the land during a major or minor event. However, due to the Wilkinsons Point and Elwick Bay specific area plans, noise cannot be considered at this time.

It is important for the applicant to understand that while no noise condition has been added to this development permit they must still comply with the Environmental Management and Pollution Control Act 1994 (EMPCA) and not cause a nuisance. Furthermore, as these major and minor events will be held on Council land, an event on Council land application (and depending on the size of the event a Place of Assembly application) will need to be made for each event. As part of these approval processes, noise will be considered.

## **EXTERNAL REFERRALS**

### **TasWater**

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS)* Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed

## **REPRESENTATIONS**

The application was advertised for the statutory 14-day period with no representations being received.

## **CONCLUSION**

The proposed use of the land for six major events and minor events ongoing (Community Meeting and Entertainment) is assessed to comply with all of the acceptable solutions for the relevant standards of the Wilkinsons Point and Elwick Bay Specific Area Plan and applicable codes as outlined in the appendices of this report, except where reliant on the performance criteria for E6.6.1 Number of Car Parking Spaces and F2.6.4.1 Public Use Only. The proposal is assessed as satisfying those performance criteria in order to meet the objectives of the applicable standards and so comply.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Glenorchy interim Planning Scheme 2015, subject to recommended conditions.

## **Recommendation:**

That a permit be granted for the proposed use and development of Six major events and minor events ongoing (Community meeting and entertainment) relying on performance criteria. at Derwent Entertainment Centre, 601 Brooker Highway, Glenorchy - 825 Brooker Highway, Montrose - Brooker Highway, Glenorchy - The Grove Reserve, Brooker Highway, Glenorchy - 601b Brooker Highway, Glenorchy and 601a Brooker Highway, Glenorchy subject to the following conditions:

### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-092 and Drawing No. P1 submitted on 13/04/2017 except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

3. Any area of land within the Montrose Foreshore Community Park Precinct (excluding the existing car parking areas), occupied by structures or separated from public areas by fences, barricades or other such measures, which may prevent public and free access to those sections of the precinct, must not in aggregate exceed 5000m<sup>2</sup>.
4. Car parking areas within the Montrose Foreshore Community Park Precinct must be made available for the sole purpose of vehicle parking at all times.
5. Car Parking within the Derwent Entertainment Centre, as shown on the approved plans, must be available for the use of staff and attendees of major and minor GASP events. The ongoing availability of car parking within the Derwent Entertainment Centre must be coordinated to avoid scheduling clashes. No other area within the Wilkinsons Point and Elwick Bay Specific Area Plan is to be used for staff and/or attendee vehicle parking.

***Advice to Applicant***

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

***Other Permits***

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. 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 62166800.

**APPENDIX 1****E6.0 Parking and Access Code**

| Standard                                                                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed                                                                          | Complies?         |
|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------|
| <b>E6.6 Use Standards</b>                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                   |                   |
| <b>E6.6.1</b><br><br><b>Number of Car Parking Spaces</b>                                         | <b>A1</b><br><br>The number of on-site car parking spaces must be:<br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme. | The Major event component of the proposal is reliant on the performance criteria, | No – Refer Report |
| <b>E6.6.2</b><br><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                           | Not applicable                                                                    | N/A               |
| <b>E6.6.3</b><br><br><b>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).                                                                                                                                                                                   | Not applicable                                                                    | N/A               |

| Standard                                                 | Acceptable Solution                                                                                                                                                                                                                                                      | Proposed       | Complies? |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
|                                                          | Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. |                |           |
| <b>E6.6.4</b><br><b>Number of Bicycle Parking Spaces</b> | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                              | Not applicable | N/A       |

**APPENDIX 2****2 Wilkinsons Point and Elwick Bay Specific Area Plan; F2.5 Montrose Foreshore Community Park Precinct**

| <b>Standard</b>                                             | <b>Acceptable Solution</b>                                                                                                                                                                                                                                                                                                                       | <b>Proposed</b>                                                                                           | <b>Complies?</b> |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|------------------|
| <b>F2.5.4 Use Standards</b>                                 |                                                                                                                                                                                                                                                                                                                                                  |                                                                                                           |                  |
| F2.5.4.1<br>Limit on Private Commercial Uses                | <b>A1</b><br>Private, commercial uses in the Precinct must not, in aggregate, occupy an area greater than 5000 m2.                                                                                                                                                                                                                               | The proposal is not anticipated to exceed a disruption in public access of more than 5000m <sup>2</sup> . | Yes- Conditioned |
| <b>F2.5.5 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                  |                                                                                                           |                  |
| F2.5.5.1<br>Limit on Buildings                              | <b>A1</b><br>There must be no buildings or extensions to buildings within the Precinct, except for one or more of the following:<br><br>(a) a food premises, training facility or recreational hire outlet only in the car free area;<br><br>(b) a social enterprise;<br><br>(c) BBQ facilities, picnic shelter, public amenities or public art. | Not applicable                                                                                            | N/A              |
| F2.5.5.2<br>Building Height                                 | <b>A1</b><br>Building height must not be more than 5m, or one storey, whichever is the higher.                                                                                                                                                                                                                                                   | Not applicable                                                                                            | N/A              |
| F2.5.5.3<br>Setback from High Water Mark                    | <b>A1</b><br>The setback of buildings, other than marine structures, from high water mark must not be less than 10m.                                                                                                                                                                                                                             | Not applicable                                                                                            | N/A              |

| Standard                         | Acceptable Solution                     | Proposed               | Complies?   |
|----------------------------------|-----------------------------------------|------------------------|-------------|
|                                  |                                         |                        |             |
| F2.5.5.4<br>Passive Surveillance | <b>A1</b><br><br>No acceptable solution | <br><br>Not applicable | <br><br>N/A |

**APPENDIX 3****F2 Wilkinsons Point and Elwick Bay Specific Area Plan; F2.6 Elwick Bay Foreshore Public Open Space Precinct**

| Standard                    | Acceptable Solution                                       | Proposed                                                                                    | Complies?         |
|-----------------------------|-----------------------------------------------------------|---------------------------------------------------------------------------------------------|-------------------|
| <b>F2.6.4 Use Standards</b> |                                                           |                                                                                             |                   |
| F2.6.4.1<br>Public Use Only | <b>A1</b><br>The use must be a public use or a mobile use | The proposed events will involve disruption to the full and free public access of the site. | No – Refer Report |

**Attachments/Annexures**

- 1  GASP Events

**9. PROPOSED USE AND DEVELOPMENT - TWELVE MULTIPLE DWELLINGS - STAGE 2: UNITS 9-12 (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 160A SPRINGFIELD AVENUE, WEST MOONAH**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7210625

**REPORT SUMMARY:**

|                                   |                                                                                                                                                                        |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-003</b>                                                                                                                                                      |
| <b><i>Applicant:</i></b>          | <b>Wilson Homes Tasmania Pty Ltd</b>                                                                                                                                   |
| <b><i>Owner:</i></b>              | <b>SYMIC Pty Ltd</b>                                                                                                                                                   |
| <b><i>Zone:</i></b>               | <b>General Residential</b>                                                                                                                                             |
| <b><i>Use Class</i></b>           | <b>Residential (Multiple Dwellings)</b>                                                                                                                                |
| <b><i>Application Status:</i></b> | <b>Discretionary</b>                                                                                                                                                   |
| <b><i>Discretions:</i></b>        | 10.4.3 Site Coverage and Private Outdoor Space for all Dwellings<br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b><i>Level 2 Activity?</i></b>   | <b>No</b>                                                                                                                                                              |
| <b><i>42 Days Expires:</i></b>    | <b>05 June 2017</b>                                                                                                                                                    |
| <b><i>Existing Land Use:</i></b>  | <b>Multiple Dwellings</b>                                                                                                                                              |
| <b><i>Proposal In Brief:</i></b>  | <b>Twelve multiple dwellings - Stage 2: Units 9-12 (Residential) relying on performance criteria</b>                                                                   |
| <b><i>Representations:</i></b>    | <b>0</b>                                                                                                                                                               |
| <b><i>Recommendation:</i></b>     | <b>Approval, subject to conditions</b>                                                                                                                                 |

## REPORT IN DETAIL:

### PROPOSAL

The application is for stage 2 of a twelve-dwelling development and is for the remaining four dwellings. The site has had various previous approvals and construction has started. Five of the dwellings are completed and a further three are under construction. The reason for this application is to gain approval for a layout that differs from previous plans. The application is for Units 9-12. The layout provides for a driveway along the southern boundary of the site, traversing uphill and branching off into two sections along the contours. Units 1-8 are arranged around the first section, whilst units 9-12 are arranged around the second section. The proposed site layout is shown in Figure 1 below.

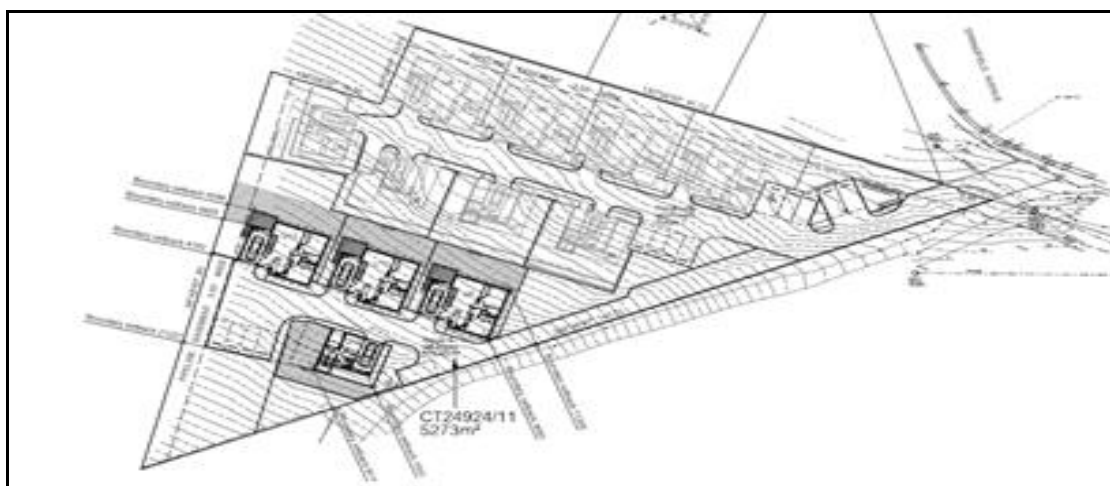


Figure 1: Proposed Site Plan - Wilson Homes

The proposed dwellings would be built into the slope so that they would be, in part, double storey. The walls would be constructed from bricks and would have cream weatherboard cladding above the openings of windows and doors. The roofs would be skillion with dark grey iron sheeting. The elevations are shown in Figure 2 below.

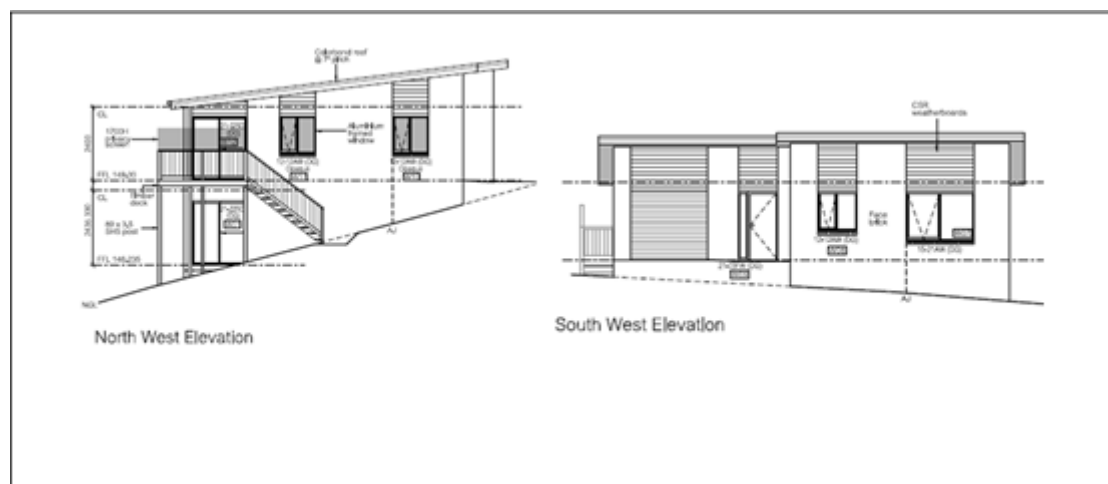


Figure 2: Elevations Unit 9 – Wilson Homes

The internal layout of all of the dwellings would provide for three bedrooms and integrated single garages. Units 9 -11 would have the entrance on the lower ground floor, as well as a hall and a bedroom. The remainder of the rooms, which include a further two bedrooms, open plan living areas and a garage are on the ground floor. Unit 12 would be on the high side of the driveway so that the entry, garage and a bedroom would be situated on the ground level and the living area and a further two bedrooms on the first floor.

Units 9-11 would have a deck each with an area of approximately 8.3m<sup>2</sup> with stairs that provide access to an area of private outdoor space. Unit 12 would have a larger deck of 35m<sup>2</sup>. All of the decks would be directly accessible from the living areas. Private outdoor space provisions range in area from 87m<sup>2</sup> to 96m<sup>2</sup>.

### **SITE and LOCALITY**

The subject site is known as 160A Springfield Avenue, Moonah and is described in title reference CT24924/11. The property is situated on the western side of Springfield Avenue, opposite Atherton Avenue. The land sits behind a row of properties which front the street. The lot is triangular in shape, has an area of 5269m<sup>2</sup> and a moderate to steep slope falling towards the road. The site is occupied by five dwellings with another three under construction. There is an existing access from the eastern corner of the lot, approximately 13m in length. The site is shown in Figure 4 below.

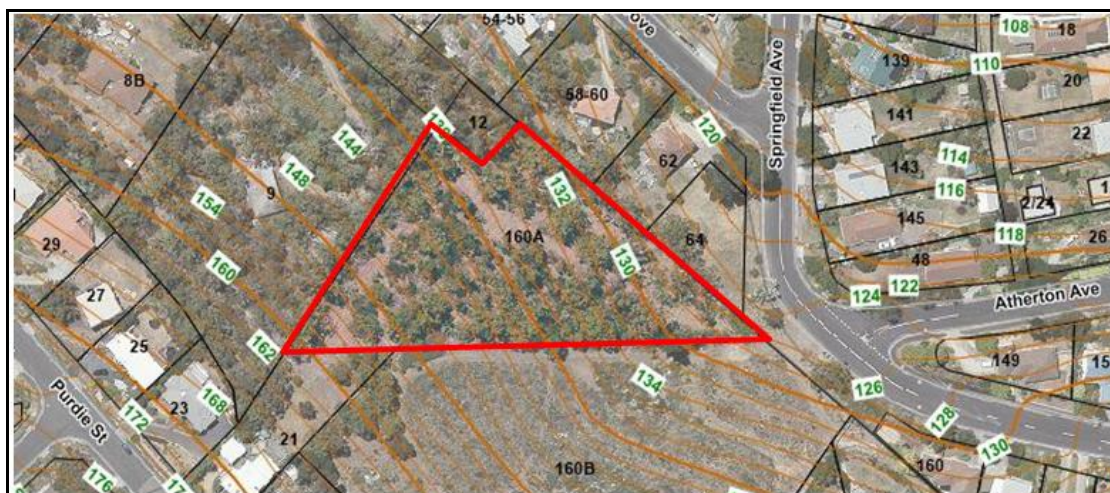


Figure 3: Subject Site - Council Database 2016

## ZONE

The subject property is located within the General Residential Zone, as is the surrounding land. The zoning map is shown in Figure 4 below.

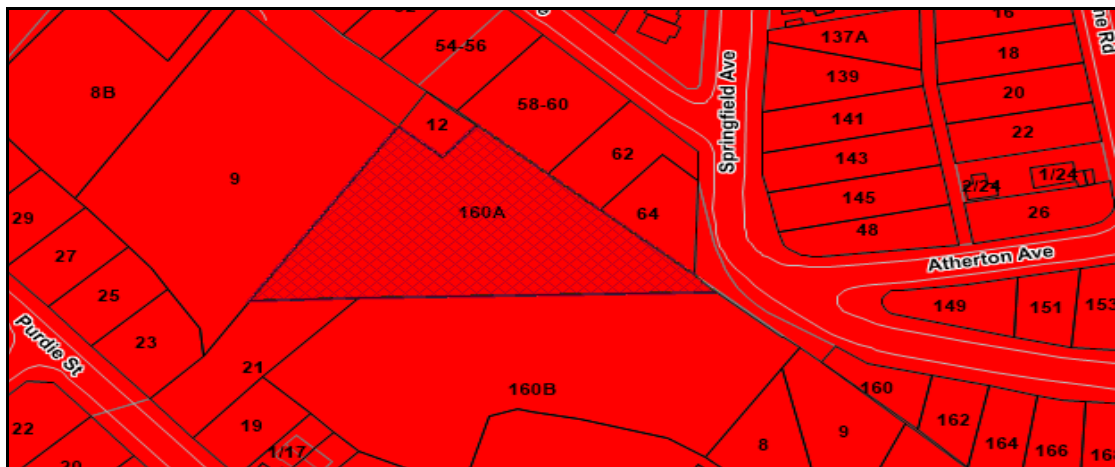


Figure 4: Zoning Map - GIPS 2015

## BACKGROUND

The following applications are on file:

- PLN-06-03799 Construct twelve (12) multiple dwelling units - Approved 11/04/07  
*This permit was never acted on*
- PLN-07-4841 Fourteen (14) multiple dwelling units - Refused 09/02/11  
*Reason for refusal was insufficient information to assess the application*
- PLN-11-341 Thirteen Dwellings - Approved 30/04/12  
*This permit was not acted on*
- PLN-15-115 and two amendments - Fourteen (14) multiple dwelling units – Approved 10/08/2015  
*This permit was partially acted on for Units 1-5*

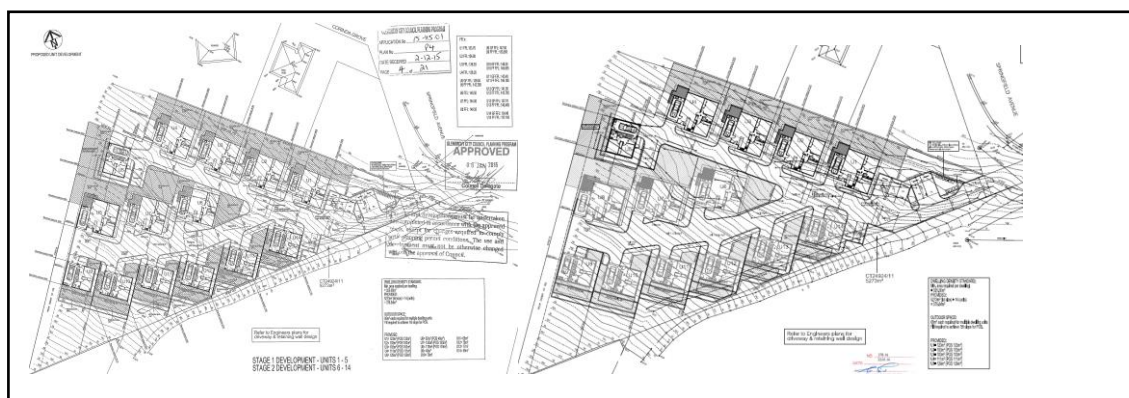
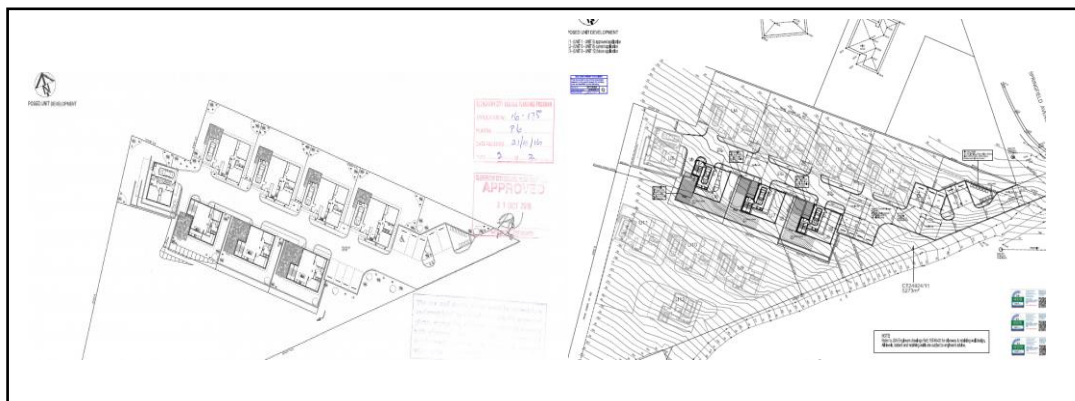


Figure 5: Approved Plan Planning PLN-15-115.01 and Building BP 16/0022 (5 Dwellings)

- PLN-16-175 - Eight multiple dwellings (Residential) relying on performance criteria  
- Approved 31/10/16

*This permit was partially acted on for Units 6-8*



**Figure 6: Approved Plan Planning PLN-16-175 and Building BP 17/0006 (3 Dwellings)**

### *Summary of Background*

Various permits have been granted for the site. There were two building permits granted. Building Permit BP16/0022 relates to Planning Permit PLN-15-115, which was for fourteen dwellings, of which five dwellings were constructed. Subsequently, it was proposed to reduce the number of dwellings to eleven. This change required a new permit rather than an amendment, which was PLN-16-175. The description of the proposal in PLN-16-175 was later changed to refer to eight units being Stage 1 only.

The current application is for four dwellings in addition to the previous eight so that there would be twelve dwellings on site altogether. The proposal plans show all twelve dwellings and relies on the whole site for some of the development standards so that the description refers to twelve dwellings. However, the assessment is for Stage 2 only which is Units 9 to 12.

## **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.

## **GLENORCHY INTERIM PLANNING SCHEME 2015**

### **Part B: Administration**

#### **General Exemptions**

Nil.

## Limited Exemptions

Nil.

## Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No Specific Area Plan applies. The following codes apply and prevail over the relevant Zone provisions if there is any conflict.

- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code

## 8.8 Discretionary Use or Development

The application is discretionary under Clause 8.8 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,*
- (d) *and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal relies on the Performance Criteria because it does not meet the following acceptable solutions:

- 10.4.3 Site Coverage and Private Outdoor Space for all Dwellings (grade steeper than 1:10)

## Use Class Description (Table 8.2):

The use is defined in Table 8.2 Use Classes as follows:

### *Residential*

*use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.*

## Other relevant definitions (Clause 4.1):

The following definitions in 4.1 are relevant:

### *Multiple Dwellings*

*means 2 or more dwellings on a site.*

### *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.*

## Part C: Special Provisions

Nil.

## Part D: Zones

The land is within the General Residential Zone and the following Scheme 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 in 10.1.1 is as follows:

- *To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*
- *To provide for compatible non-residential uses that primarily serve the local community.*
- *To provide for the efficient utilisation of services*

*Comment:*

It is considered that the proposal meets the above intent because the application is for a residential development which utilises existing serviced land. In addition, the proposal represents an alternative housing type to the predominant single dwellings of the locality.

### Use Table

The use class Residential – Multiple Dwellings is otherwise classified as *permitted*. However, the application is *discretionary* pursuant to subclause 8.8.1 (b), as the proposal relies on the performance criteria of an applicable standard.

### Use Standards

The standards in Clause 10.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

## Development Standards for Residential Buildings & Works

### 10.4.3 Site coverage and private open space for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.3 A2 (f) Site Coverage and Private Open Space for all Dwellings in regards to the grade of the private outdoor space. The standard requires a minimum area of 24m<sup>2</sup> with a minimum width of 4m that has a gradient of not steeper than 1 in 10.

The proposal provides for private outdoor space ranging in grades between 1:3 and 1:4. Therefore, the proposal relies on the related Performance Criteria as follows:

#### *10.4.3 P2 Site coverage and private open space for all dwellings*

*A dwelling must have private open space that:*

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

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

#### Comment

Units 9 to 11 each have a deck each of 8.3m<sup>2</sup> directly accessible from the living room with stairs to the private outdoor space on the northwest elevation. This area of private outdoor space is in addition to the proposed decks, but does not comply with the required grade as stated above. The areas of the decks do not meet the minimum dimensions of 4m in width and 24m<sup>2</sup> in area, so that the proposal is reliant on the private outdoor space at ground level. Nevertheless, since the deck is more likely to be used for outdoor relaxation, dining, entertaining the grade of the remaining area would not be so critical. Therefore, it is considered that the proposal would provide suitable spaces for outdoor recreation and opportunity for planting gardens, which meets the Performance Criteria above.

It is noted that the private outdoor space for Unit 12 accords with all requirements because the unit has a larger deck of 35.22m<sup>2</sup> with a minimum width of 4m, which exceeds the minimum width of 4m and area of 24m<sup>2</sup>.

### Part E: Codes

The following codes of the Scheme apply to this proposal:

#### E3.0 Landslide Code

The subject land lies within an area of a Low Landslide Hazard Area. The proposal is therefore not subject to the code because an exemption applies in E3.4 (c) Use and Development Exempt.

#### E6.0 Parking and Access Code

The proposal provides for nine parking spaces for Units 9 -12. The whole of the site would have twenty-six spaces for twelve dwellings. The requirement is set out in E6.6.1A1 Number of Car Parking Spaces which refers to Table E6.1 as follows:

**Use Class:** Residential

|                                                                                                          |   |                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Multiple dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom) | 2 | for each dwelling and:<br>1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number or<br>if on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number) |
|----------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The proposal accords with the above and therefore meets the Acceptable Solution in E6.6.1 A1. The proposal also accords with all other Acceptable Solutions of this code as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

**E7.0 Stormwater Management Code**

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

**PART F: Specific Area Plans**

Nil.

**INTERNAL REFERRALS****Development Engineer*****Comments***

The development application seeks an approval for the total of twelve (12) multiple dwellings or four (4) additional dwellings to the eight (8) existing dwellings at the subject site. The works include new extended communal driveway and additional of 9 parking spaces.

***Traffic, Access & Parking***

The existing vehicle access is off Springfield Avenue. The numbers of parking spaces required under the GIPS Code E6.6.1 for four additional dwellings is nine spaces. The applicant proposes nine parking spaces; this complies with the Acceptable Solution. On-site turning, passing bay areas and the driveway grades and long-section are provided and considered feasible. The maximum driveway grade is proposed to be 28% between chainage 30 to chainage 50. This steepest section is a straight section and not an on-site turning area; therefore where it may be steeper than generally allow under the AS2890.1:2004 it is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

***GCC Services (Stormwater)***

There are no GCC stormwater mains affected by this application; and the existing 450 mm stormwater main off the Springfield Avenue is available to be connected at the developer's cost.

***Other******Geoscience issues***

The land is identified on the Landslide hazard map series as having potential for deep-seated landslide primarily due to the steepness of the land and the soils involved. A Geotechnical Report was submitted with the application. This report was authored by Geo-Environmental Solutions Pty Ltd. The report is very detailed and the risk summary indicates the risk of deep seated landslide on the site is classified as moderate for damage to property and low for potential loss of life.

The report concludes the land is capable of supporting residential development providing that the identified landscape constraints are addressed with site specific management strategies.

The risk of landslip will not increase substantially as a result of residential development provided that current best practices for construction on hillside slopes are followed. However, the report recommends thought should be given to flexible and lighter weight timber construction rather than concrete/brick to minimise any building damage from potential instability in the underlying boulder deposits. A condition is recommended requiring that all development must proceed only in accordance with the recommendations contained in the Geotechnical Report.

#### *Flooding/Inundation issues*

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

#### **Waste Management**

The bin enclosure has already been built as specified and outlined in the previous applications PLN-15-115 and amendments and PLN-15-115.

Waste management services to the proposed unit development would be Council's shared bin service, collected weekly.

The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. The 12 units would be eligible for a maximum of 5 x 240L waste wheelie bins and 5x 240L recycling bins collected weekly to be shared by all the 12 units. Collection of bins would be from the kerbside (Councils Waste Management Contractor collection trucks will not enter the property).

#### **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.

#### **REPRESENTATIONS**

The application was advertised for the statutory 14-day period with no representation being received.

#### **CONCLUSION**

The application is for the last stage of a twelve dwelling development and comprises four dwellings. The use class Residential – Multiple Dwellings is *permitted* within the General Residential Zone. However, the application is *discretionary* because it relies on a Performance Criteria in regards to the grade of the private outdoor space. Units 9 to 11 are reliant on private outdoor space in addition to the proposed deck areas. These dwellings each have a nominated area along the northwest elevation for the purpose of private outdoor space.

However, the private outdoor space areas are steeper than 1 in 10, which invokes the discretion. Nevertheless, it is considered that there would be sufficient area for recreation and landscaping, with the deck as well as the outdoor space area, in this instance. The proposal therefore meets the relevant Performance Criteria.

The application was advertised for the statutory 14-days and there were no representations received.

Overall, the application is assessed as acceptable and does not raise any other issues.

### **Recommendation:**

That a permit be granted for the proposed use and development of 'Twelve multiple dwellings - Stage 2: Units 9-12 (Residential) relying on performance criteria' at 160a Springfield Avenue, West Moonah subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-003 and Drawing No. P3 submitted on 03/03/17 pages 1-19, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. A screen to a height of 1.7m above the floor level must be installed on the northwest side of the deck of Unit 9 and 10 with a uniform transparency of no more than 25%, as shown on the approved plan. The screens must be shown on the plans submitted in association with a Building Permit Application and must then be installed prior to a Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner. The screens must be retained for the life of the deck.

#### ***Engineering***

4. Prior to the issuing of a Building Permit Approval or the commencement of works on site, submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of to be approved by the 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 Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with. For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at [www.derwentestuary.com.au](http://www.derwentestuary.com.au)

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
7. The applicant shall implement the recommendations in the Geotechnical assessment prepared by Geo-Environmental Solutions submitted with the application. The appropriate retaining structure, if required, must be design and certified by a suitably qualified Engineer. The form and certification must be submitted to and approved by Council prior to the issue of a Building Permit.
8. Prior to the occupancy for each stage, the design and construction of the parking, access, driveway and turning areas must generally 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. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted with the Building Application for approval by Council's Development Engineer.

The proposed driveway, access and parking must comply with the following:

- (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 28% as provided in drawing no. C03A Rev B plan received by Council on 01/05/2017;
- (b) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- (c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Car Parking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
- (d) The gradient of any parking areas must not exceed 5%;
- (e) Minimum carriageway width is to be 3.6 metres;
- (f) Passing bays in accordance to GIPS, E6.7.3 must be provided for every 30metre interval;
- (g) 9 clearly marked car parking spaces must be provided for the development and of the total required spaces, 1 visitor parking space must be provided. Each space must be clearly line-marked and kept available for these purposes at all times;

- (h) Barriers 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 each parking spaces.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit.

9. The development must comply with Council's Stormwater Runoff Management Policy, the Stormwater detention for a 1 in 20 year ARI storm event must be provided on site. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.
10. Run-off from the car parking areas must be discharged and directed to Council's existing stormwater connection. Stormwater pre-treatment is also required. A Water Sensitive Urban Design element for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code 7 and be approved by Council's Development Engineer prior to the issuing of a Building Permit Approval. The stormwater treatment system has been constructed in accordance with the approved plans. Prior to the issue of a Building Permit Approval, the stormwater treatment detail designed certified by a suitably qualified Engineer must be submitted to and approved by Council.

### ***Advice to Applicant***

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

### ***Other 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](http://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.

*Stormwater On-site Detention*

All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate must incorporate an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD proposal must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for assessment and approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing

*Other Permits*

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. 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 62166800.

*Waste Management*

Waste management services to the proposed unit development would be Council's shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. The 12 units would be eligible for a maximum of 5 x 240L waste wheelie bins and 5x 240L recycling bins collected weekly to be shared by all the 12 units. Collection of bins would be from the kerbside (Council's Waste Management Contractor collection trucks will not enter the property).

**APPENDIX****10.0 General Residential Zone**

| Standard                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                    | Complies? |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                             |           |
| <b>10.4.1<br/>Residential density for multiple dwellings.</b>         | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 5269m <sup>2</sup> / 12 + 440m <sup>2</sup> | Yes       |
| <b>10.4.2<br/>Setbacks and building envelopes for all dwellings:</b>  | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br><br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br><br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br><br>(c) if for a vacant site with existing dwellings on adjoining sites 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 | Well in excess of 4.5m                      | Yes       |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                       |                                                                            |
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|  | (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                       |                                                                            |
|  | <p><b>A2</b><br/>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              | Well in excess of 5.5m                                                                                                                                                | Yes                                                                        |
|  | <p><b>A3</b><br/>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> | <p>Unit 9<br/>Side setback S– 3.68m<br/>Unit 10<br/>Not near boundary<br/>Unit 11<br/>Side setback E – 4.183<br/>Unit 12<br/>Side setback S – 1.5m (2m high wall)</p> | <p>Unit 9 – Yes<br/>Unit 10- Yes<br/>Unit 11 – Yes</p> <p>Unit 12 -Yes</p> |

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                       |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                | <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                       |
| <b>10.4.3</b><br><b>Site coverage and private open space for all dwellings</b> | <b>A1</b><br>Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>(a) Site coverage 24.39%</li> <li>(b) POS ranges from 86.65m<sup>2</sup> to 96.52m<sup>2</sup></li> <li>(c) Impervious free surface 51.05%</li> </ul>                                                                                                                                                        | <ul style="list-style-type: none"> <li>(a) Yes</li> <li>(b) Yes</li> <li>(c) Yes</li> </ul>                                                                           |
|                                                                                | <b>A2</b><br>A dwelling must have an area of private open space that: <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(iv) 24 m<sup>2</sup>; or</li> <li>(v) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>(a) POS ranges from 86.65m<sup>2</sup> to 96.52m<sup>2</sup></li> <li>(b) 5m</li> <li>(c) Directly accessible</li> <li>(d) Units 9-11 oriented towards northeast, Unit 11 orientated towards northwest</li> <li>(e) NA</li> <li>(f) Gradient ranges 1:3 to 1:4</li> <li>(g) Not used for vehicles</li> </ul> | <ul style="list-style-type: none"> <li>(a) Yes</li> <li>(b) Yes</li> <li>(c) Yes</li> <li>(d) Yes</li> <li>(e) NA</li> <li>(f) Discretion</li> <li>(g) Yes</li> </ul> |

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|                                                                                                        | <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> |                                                                      |     |
| <b>10.4.4</b><br><b>Sunlight</b><br><b>overshadowing</b><br><b>of</b><br><b>all</b><br><b>dwelling</b> | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                   | All Units would have a window facing within 30 degrees east of north | Yes |
|                                                                                                        | <b>A2</b><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p>(i) at a distance of 3 m from the window; and</p> <p>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</p>                                                         | Complies                                                             | Yes |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                      |     |
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|  | <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                      |     |
|  | <p><b>A3</b><br/>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> | Unit 11 is to the north of the POS of Unit 12 but is separated by 6m | Yes |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
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| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <b>A1</b><br>A garage or carport within 12 m 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 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | More than 12m                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Yes |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul> | Units 9 and 10 have each a deck within 0.9m from the wall of the neighbouring unit adjoining on the side. The decks are not facing a window of a habitable room as there would be only an opaque bathroom window on the opposite wall.<br>Units 9-12 are within 6m of the adjoining private outdoor space, but would have a screen on the NW side of the deck, which complies.<br>All other separation distances comply.<br>A condition is recommended for the screen is recommended. | Yes |
|                                                                                      | <b>A2</b><br>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): <ul style="list-style-type: none"> <li>(a) The window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Units 9, 10 and 11 are separated by a gap of 2.8m.<br>The northwest elevation of each dwelling would have garage windows that face a bathroom window on the opposite wall. These windows are not for habitable rooms so that the proposal complies.                                                                                                                                                                                                                                   | Yes |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                  |     |
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|  | <ul style="list-style-type: none"> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</li> </ul> | <p>The living room window on the same elevation is setback so that the separation would be 6m.</p> <p>All other separation distances comply.</p> |     |
|  | <p><b>A3</b></p> <p>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 at least:</p> <ul style="list-style-type: none"> <li>(a) 2.5 m; or</li> <li>(b) 1 m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1m with 1.8m high fence                                                                                                                          | Yes |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                              |     |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----|
|                                                         | (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                              |     |
| <b>10.4.7<br/>Frontage Fences for all dwellings</b>     | <p><b>A1</b><br/>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>                                                                                                                                                                                                                                                   | None proposed                                                | Yes |
| <b>10.4.8<br/>Waste Storage for multiple dwellings.</b> | <p><b>A1</b><br/>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</p> | There would be sufficient room within the area of each unit. | Yes |

## E6.0 Parking and Access Code

| Standard                                                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed | Complies? |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E6.6 Use Standards</b>                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |           |
| E6.6.1<br>Number of Car Parking Spaces                                         | A1<br>The number of on-site car parking spaces must be:<br><br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme.                                                                                    | 9        | Yes       |
| E6.6.2<br>Number of Accessible Car Parking Spaces for People with a Disability | A1<br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                                  |          | N/A       |
| E6.6.3<br>Number of Motorcycle Parking Spaces                                  | A1<br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. |          | N/A       |
| E6.6.4<br>Number of Bicycle Parking Spaces                                     | A1<br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                         |          | N/A       |
| <b>E 6.7 Development Standards</b>                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |           |
| E6.7.1<br>Number of Vehicle Accesses                                           | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                  |          | N/A       |

| Standard                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed | Complies? |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E6.7.2<br>Design of Vehicular<br>Accesses            | A1<br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. |          | N/A       |
| E6.7.3<br>Vehicular Passing Areas<br>Along an Access | A1<br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access.                                                                                                                                                                                                                                                                                                |          | Yes       |
| E6.7.4<br>On-Site Turning                            | A1<br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          | Yes       |
| E6.7.5<br>Layout of Parking Areas                    | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.                                                                                                                                                                                                                                                                                                                                                                         |          | Yes       |

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed | Complies? |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E6.7.6<br>Surface Treatment of<br>Parking Areas    | A1<br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.    |          | Yes       |
| E6.7.7<br>Lighting of Parking Areas                | A1<br>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. |          | N/A       |
| E6.7.8<br>Landscaping of Parking<br>Areas          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      |          | No        |
| E6.7.9<br>Design of Motorcycle<br>Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                          |          | N/A       |
| E6.7.10<br>Design of Bicycle Parking<br>Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                   |          | N/A       |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                 | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                                                                                            |          |           |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                                                                                              |          | N/A       |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                            |          | Yes       |
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | N/A      | N/A       |
| E6.7.14<br>Access to a Road                     | A1<br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                                   |          | N/A       |

## APPENDIX

### E7.0 Stormwater Management Code

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed | Complies? |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          |           |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                          |          | Yes       |
|                                            | A2<br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br><br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                                |          | Yes       |
|                                            | A3<br>A minor stormwater drainage system must be designed to comply with all of the following:<br><br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. |          | Yes       |
|                                            | A4<br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                                 |          | Yes       |

**Attachments/Annexures**

- 1  Attachment - 160A Springfield Avenue, West Moonah

**10. PROPOSED USE AND DEVELOPMENT - PARTIAL CHANGE OF USE TO MUSEUM (COMMUNITY MEETING AND ENTERTAINMENT) RELYING ON PERFORMANCE CRITERIA - 295-295A MAIN ROAD, GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

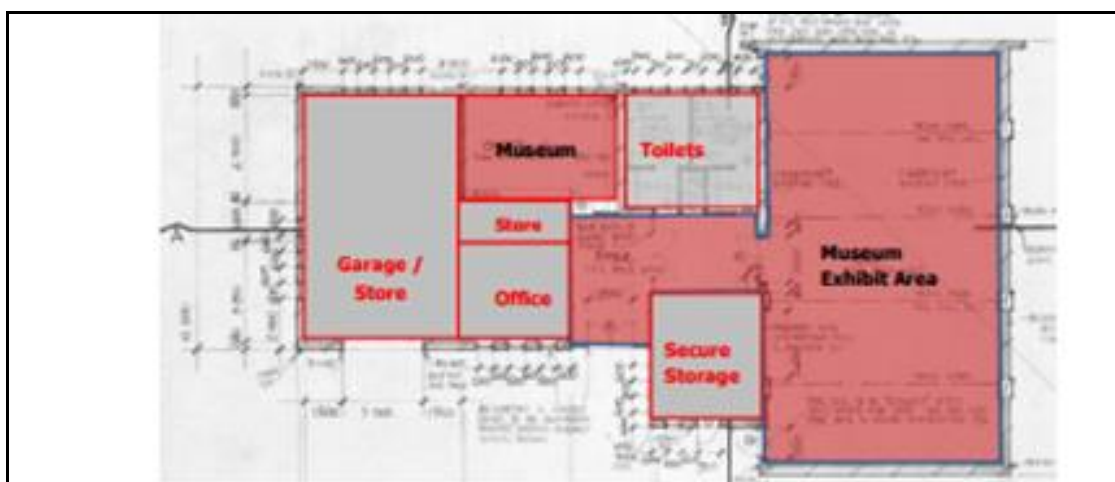
Property ID: 5383645

**REPORT SUMMARY:**

|                                   |                                                                                                                                                                                                   |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-006</b>                                                                                                                                                                                 |
| <b><i>Applicant:</i></b>          | <b>G J Lagerewskij</b>                                                                                                                                                                            |
| <b><i>Owner:</i></b>              | <b>G J Lagerewskij and P M Casey</b>                                                                                                                                                              |
| <b><i>Zone:</i></b>               | <b>Commercial</b>                                                                                                                                                                                 |
| <b><i>Use Class</i></b>           | <b>Community Meeting and Entertainment</b>                                                                                                                                                        |
| <b><i>Application Status:</i></b> | <b>Discretionary</b>                                                                                                                                                                              |
| <b><i>Discretions:</i></b>        | <b>23.2 Use Table</b><br><b>E6.6.1 Number of car parking spaces (shortfall of 3 spaces)</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b><i>Level 2 Activity?</i></b>   | <b>No</b>                                                                                                                                                                                         |
| <b><i>42 Days Expires:</i></b>    | <b>06 Jun 2017</b>                                                                                                                                                                                |
| <b><i>Existing Land Use:</i></b>  | <b>Single Dwelling (Residential) and Public Hall (Community Meeting and Entertainment)</b>                                                                                                        |
| <b><i>Proposal In Brief:</i></b>  | <b>Partial change of use to Museum (community meeting &amp; entertainment) relying on performance criteria</b>                                                                                    |
| <b><i>Representations:</i></b>    | <b>0</b>                                                                                                                                                                                          |
| <b><i>Recommendation:</i></b>     | <b>Approval, subject to conditions</b>                                                                                                                                                            |

**REPORT IN DETAIL:****PROPOSAL**

The proposal is for a military museum to be accommodated in an existing hall at the rear of a dwelling and is for a partial change of use for the museum, which is classed Community and Entertainment – Museum. The use includes ancillary office and storage space. The dwelling would remain for the use of Residential – Single Dwelling. The site has existing parking areas which will be utilised to provide for ten car parking spaces. It is intended to open the museum three days a week, Friday to Sunday 10.00am to 5.00pm. It is intended to refurbish an existing signage. The application is *discretionary* because of the use and a parking shortfall. The proposed layout is shown in Figure 1 below.



**Figure 1: Proposal Plan - Midson Traffic**

**SITE and LOCALITY**

The subject site is known as 295 and 295A Main Road, Glenorchy and comprises one title described in CT219986/55. The site is located on the northern side of Main Road, opposite Cosgrove High School in Figure 2 below.



**Figure 2: Locality - Council Database 2016**

The site is rectangular in shape, near level and comprises an area of 1353m<sup>2</sup>. A single dwelling and a commercial building occupy the site. There is an existing driveway along the western side of the property to the rear. The properties on either side contain a showroom on the west and a single dwelling on the east. The rear of the property is adjacent to the railway line. The site is shown in more detail in Figure 3.

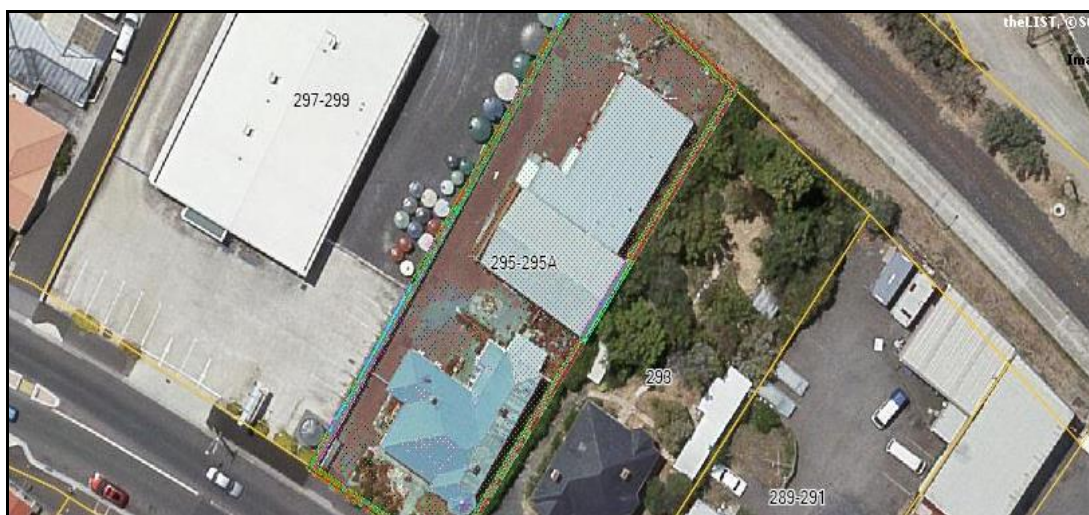


Figure 3: Subject Site - Council Database 2016

## ZONE

The property is situated within the Commercial Zone in 'medium slate blue'. The rail corridor and Main Road are within the Utilities Zone in yellow. The nearest residential zone is approximately 60m away on the southern side of Main Road, within the Inner Residential Zone in 'maroon'. The zoning is shown in Figure 4 below.

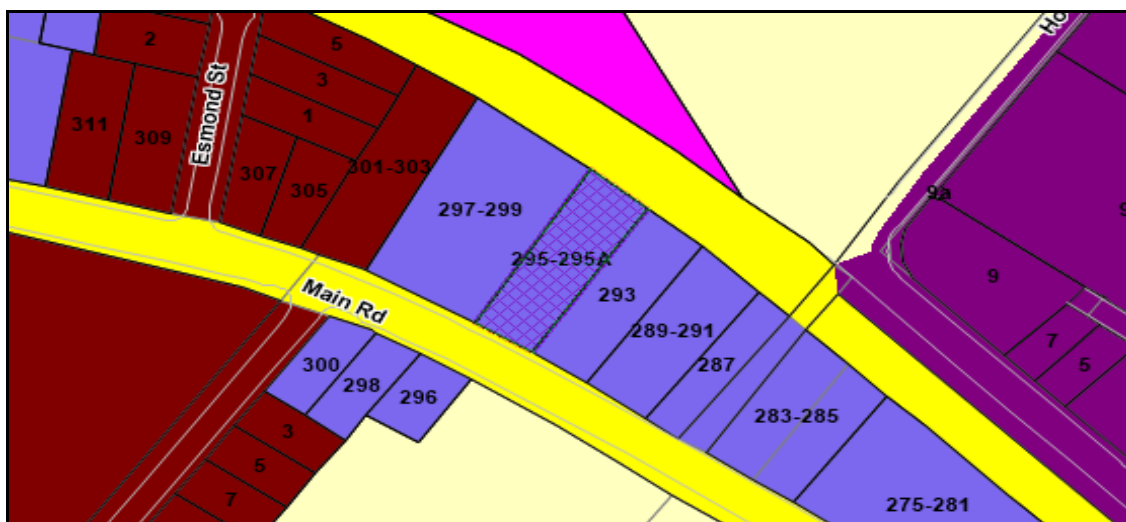


Figure 4: Zoning Map - GIPS 2015

## BACKGROUND

The hall on the site was previously used by St. Johns Ambulance to conduct training and community activities and to garage their ambulances, according to the file. The dwelling was rented for domestic purposes, which was confirmed by the ambulance service in 2012. The owner lived in the house since 2013.

No permit could be found, but the file contains a 337 Certificate that refers to a planning permit as follows:

- DA 53-74 Hall, training centre – approved

Given the above, it is considered that there are non-conforming use rights for the dwelling on site. The hall would have been classed a Place of Assembly under the Glenorchy Planning Scheme 1992.

## 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.

### GLENORCHY INTERIM PLANNING SCHEME 2015

#### Part B: Administration

##### General Exemptions

Nil.

##### Limited Exemptions

Nil.

#### Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No Specific Area Plan applies. The following codes apply and prevail over the relevant Zone provisions if there is any conflict.

- Access and Parking Code

#### Use Class Description (Table 8.2):

The previous use of the hall was likely to have been a Place of Assembly, which is equivalent to a public hall under the use class of Community Meeting and Entertainment. However, a new permit is required pursuant to 8.4 Requirement for a Permit where the relevant clause is as follows:

##### 8.4.2

*A change from an individual use to another individual use whether within the same use class or not requires a permit unless the planning scheme specifies otherwise.*

The proposal is for a museum and is categorised in Table 8.2 Use classes as follows:

*Community meeting and entertainment*

*use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.*

**Other relevant definitions (Clause 4.1):**

The following definition in 4.1 is relevant;

*museum*

*means use of land to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.*

**8.8 Discretionary Use or Development**

The proposal is *discretionary* as follows:

*8.8.1 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,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is *discretionary* under (a) and (b) above. The use class of Community Meeting and Entertainment is discretionary and the proposal relies on a Performance Criteria because it does not meet the following Acceptable Solutions:

- 23.2 Use Table
- E6.6.1 A1 Number of car parking spaces (shortfall of 3 spaces)

**Part C: Special Provisions**

The following special provisions of the Scheme apply to this proposal:

**Changes to an Existing Non-Conforming Use**

The site contains a dwelling with non-conforming use rights. However, the dwelling is not subject to this application so that the provisions in Clause 9.1 are not applicable.

**Part D: Zones**

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

## Zone Purpose Statements

The purpose of the Commercial Zone is set out in 23.1.1 and is as follows:

- *To provide for a mix of activities that cannot be accommodated in other Activity Centres and does not compromise the viability of those Centres.*
- *To provide for development that requires high levels of vehicle access and car parking for customers.*

### Comment

The use of Community Meeting and Entertainment – Museum is *discretionary*. Nevertheless, it is not considered that the use would represent a land use conflict with neighbouring properties. The proposal would use an existing hall that would be difficult to use for a *permitted* use such as a showroom, office or food service because of its location behind a dwelling. There would be no conflict in terms of noise as the activity is not noise generating. It is considered that the use for a museum would not compromise the viability of other activity centres and would require vehicle access and parking for customers. Therefore, the proposal meets the above objectives.

### Use Table

The use of Community Meeting and Entertainment – Museum is *discretionary* within the Commercial Zone in 23.2 Use Table.

### Use Standards

There are standards in regards to hours of operations, noise, external lighting and commercial vehicle movements in Clause 23.3 Use Standards.

These standards, with the exception of the noise standard, apply only to use within 50m of a residential zone. The site is approximately 60m away from the nearest residential zone so that these standards don't apply. In terms of the noise standard, it is considered that the proposed use is not noise generating.

However, hours of operation are nominated in the Traffic Impact Statement in Clause 3.1 for justifying a parking shortfall and are as follows:

- Friday to Sunday 10.00am to 5.00pm.

Therefore, a condition is recommended for to clarify the hours of operations applied for.

### Development Standards for Buildings or Works

The application does not propose any development so that these standards are not applicable.

## Part E: Codes

The following codes of the Scheme apply to this proposal:

### E6.0 Parking and Access Code

The proposal invokes a parking discretion but is in accordance with all other standards of the Parking and Access Code or can be conditioned to be compliant as demonstrated in attached appendix

The required rate is set out in E6.6.1 in Table E6.1 as follows:

**Use Class: Community meeting & entertainment**

|                                                          |   |                                         |
|----------------------------------------------------------|---|-----------------------------------------|
| Exhibition centre, library, museum or public art gallery | 1 | for each 20m <sup>2</sup> of floor area |
|----------------------------------------------------------|---|-----------------------------------------|

The proposal would provide for ten parking spaces for the museum and for two for the single dwelling. The floor area of the proposed museum is 256m<sup>2</sup>, which requires thirteen spaces for the museum and two to remain for the dwelling. The proposed parking layout is shown in Figure 5 below.

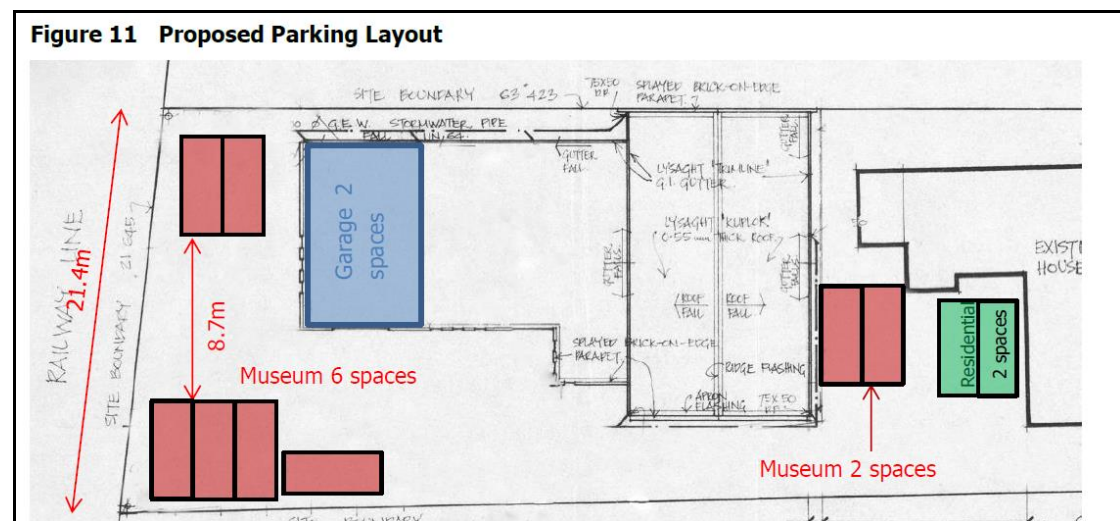


Figure 5: Parking layout as shown in Figure 11 of TIA by Midson Traffic

There would be shortfall of three spaces. The proposal does therefore not accord with the Acceptable Solution in E6.6.1 and relies on the related Performance Criteria as follows:

**E6.6.1 P1 Number of Car Parking Spaces**

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*

- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

#### *Comment*

The applicant provided a Traffic Impact Assessment (TIA). The TIA justifies the parking shortfall based on a comparison with parking provided for other small museums, which provide parking at a lesser rate. In addition, it is also argued that a lesser rate would be sufficient because the floor area also includes office and storage space, and does not include a café or retail associated with the museum. In addition, according to the TIA there is on-street parking available in the vicinity, as well as public transport.

There are no parking credits and it is not known what the previous parking requirement was.

It is considered that the proposal is satisfactory in regards to the above criteria and meets the Performance Criteria.

Overall, the TIA was found acceptable by the Transport Engineer and the Development Technical Officer. For further details please refer to the Engineering Assessment under the Referrals section of this report.

#### **E7 Stormwater Management Code**

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

#### **E17 Signs Code**

The application proposes to refurbish an existing sign. Changes to graphics of a legally existing sign are exempt under E17.4.3.

**PART F: Specific Area Plans**

Nil.

**INTERNAL REFERRALS****Transport Engineer**

The Transport Engineer provided the following comments:

*I reviewed the TIA and I am happy with the report and the proposed development subject to the conditions mentioned in the TIA including:*

- *Installation of Shared Zone signage at the entrance to the site from Main Road; and*
- *“Give Way to Entering Traffic” facing traffic exiting the car park at two locations – museum building and residential dwelling.*

**Development Engineer****Comments**

The application is for partial change of use to a Museum.

**E6.0 Parking and Access Code**

This code applies to all use and development.

The applicant provided a Traffic Impact Assessment (TIA) with the application. The findings and recommendations of the TIA are supported by Council's Transport Engineer with the recommendations proposed to be conditioned.

An accessible car parking space is located on Main Road, a short distance from the site. The TIA provided by the applicant proposed this parking space used to satisfy the requirements for the Glenorchy Interim Planning Scheme 2015. However due to there being no performance criteria for this, a car parking space for the exclusive use of people with disabilities is proposed to be conditioned to be provided on-site.

In accordance with the Glenorchy Interim Planning Scheme Clause E.6.7.8 Landscaping of Parking Areas is required at a rate no less than 5% of the car parking area. It is considered the existing landscaping at the front of the development satisfies this and it is proposed to be conditioned to ensure this remain while in use.

**E7.0 Stormwater Management Code**

This code applies to development requiring management of stormwater. This code does not apply to use.

Water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) are required to satisfy Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2. It is recommended a condition of approval that this be approved by Councils Development Engineer and to be provided within six months of the commencement of use.

**Other***E3.0 Landslide Code*

There are no geotechnical issues identified through Council records that affect this application.

*E11.0 Waterway and Coastal Protection Code (E11.7.1 A4 and P4)*

There is no waterway and coastal protection issues identified that affect this application

*E15.0 Inundation Prone Areas Code*

There are no flooding/inundation issues identified through Council records that affect this application.

**EXTERNAL REFERRALS****TasWater**

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS)* Section 56P(2)(a) TasWater does not object to the proposed development and no conditions are imposed.

**REPRESENTATIONS**

The application was advertised for the statutory 14-day period with no representation being received.

**CONCLUSION**

The application is for a military museum at an existing hall at the rear of a single dwelling. As such the application is for a partial change of use to Community Meeting and Entertainment – Museum. The use is discretionary within the Commercial Zone, but is considered acceptable at this location. The proposal is also discretionary because of a parking shortfall of three spaces. Nevertheless, the shortfall is considered acceptable for this proposal and this location. The applicant provided a TIA that argued that the demand generated by the use would be less than the generic requirement of the scheme, because small museums typically do not generate the same demand as larger ones. Also, there would be no coffee shop or retail facilities that might generate a higher demand. In addition, a portion of the floor space is occupied by office and storage so that the actual museum area is less than the floor area that is used for the calculations. Furthermore, there would be on-street parking available in the vicinity, as well as public transport. Council's engineers are in agreement with this assessment. Therefore, the proposal meets the Performance Criteria and is satisfactory in terms of parking.

The application was advertised for the statutory 14-days. There were no representations received.

Overall, the application is satisfactory and does not raise any other issues.

**Recommendation:**

That a permit be granted for the proposed use and development of Partial change of use to Museum (community meeting & entertainment) relying on performance criteria at 295-295A Main Road, Glenorchy subject to the following conditions:

***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-006 and Drawing No. P1 submitted on 05/01/17 pages 1 and 2; and Traffic Impact Assessment prepared by Midson Traffic dated April 2017; except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The use of the museum must only operate from Friday to Sunday 10.00am to 5.00pm.

***Engineering***

4. Ten (10) clearly marked car parking spaces must be provided prior to the approved use generally as shown in figure 11 of the Traffic Impact Assessment prepared by Midson Traffic dated April 2017. Car parking spaces must be kept available for these purposes at all times and manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
5. Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities. The space must be clearly marked and sealed with an impervious dust free surface in accordance with the standard for accessible car parking laid down in Australian Standard AS/NZS 2890.6:2009 - Off-street parking for people with disabilities.
6. Two (2) bicycle parking spaces shall be provided within fully enclosed individual lockers or locked compounds with communal access using duplicate keys and be located in close proximity to the main entrance/exit. The spaces shall be clearly marked (delineated) and be in accordance with Australian Standard AS/NZS 2890.3 - 2004 Off-Street Parking.
7. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment within three months of occupancy for the use of the museum. All runoff from paved and driveway areas must be retained within site boundaries and discharged into and approved stormwater system. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
8. A passing bay of minimum width 5.5m and minimum length 6m, excluding tapers, must be provided at the road frontage of the driveway with Main Road.

The minimum width of the internal driveway must be minimum 3.0m wide. The passing bay, driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted and vehicles can manoeuvre to exist the site in a forward direction.

9. The existing vehicle crossing must be widened to cater for the 5.5m wide passing bay. The vehicle crossing must be constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>.
10. Lighting must be provided for the carpark and operated during the hours of use in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved.
11. In accordance with the Glenorchy Interim Planning Scheme Clause E.6.7.8 Landscaping of Parking Areas, landscaping must be incorporated into the development at a rate no less than 5% of the car parking area. Existing landscaping at the front of the property must be retained accordingly.
12. It is considered the landscaping at the frontage of the development satisfies this and that this remains while operating the approved use.
13. To meet acceptable stormwater quality, water sensitive urban design principles for the treatment of stormwater discharging from the development must be incorporated into the development and be approved by Council's Development Engineer. Certification from a suitably qualified person must be provided within six months from the commencement of use, that the stormwater treatment system has been constructed in accordance with the approved plans.
14. Installation of shared zone signage at the entrance to the site from Main Road to the approval of Council's Traffic Engineer must be provided prior to the use of the museum commencing.
15. Signage for "Give Way to Entering Traffic" facing traffic exiting the car park must be provided at two locations; at the museum building and at the dwelling prior to use.

### ***Advice to Applicant***

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

*Other Permits*

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. 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 62166800.

**APPENDIX****23.0 Commercial Zone**

| Standard                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                                                                                                                                     | Complies? |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>23.3 Use Standards</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                              |           |
| <b>23.3.1<br/>Hours of Operation</b> | <b>A1</b><br>Hours of operation of a use within 50 m of a residential zone must be within:<br>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;<br>(b) 7.00 am to 9.00 pm Sundays and Public Holidays, except for office and administrative tasks.                                                                                                                                                                                                                                                                                                                                                                                                                      | More than 50m away. However, the TIA states the hours of operation are Friday to Sunday 10.00am to 5.00pm. These operating hours are used to justify the parking demand. A condition of approval is recommended accordingly. | NA        |
| <b>23.3.2<br/>Noise</b>              | <b>A1</b><br>Noise emissions measured at the boundary of a residential zone must not exceed the following:<br>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;<br>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;<br>(c) 65dB(A) (LAmix) at any time.<br><br>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.<br>Noise levels are to be averaged over a 15 minute time interval. | Not noise generating                                                                                                                                                                                                         | Yes       |
| <b>23.3.3 External Lighting</b>      | <b>A1</b><br>External lighting within 50 m of a residential zone must comply with all of the following:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | More than 50m away                                                                                                                                                                                                           | N/A       |

| Standard                                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                 | Proposed           | Complies? |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|
|                                                                                 | (a) be turned off between 11:00 pm and 6:00 am, except for security lighting;<br>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.                                                                                                              |                    |           |
| <b>23.3.4</b><br><b>Commercial Vehicle Movements</b>                            | <b>A1</b><br>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:<br>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;<br>(b) 7.00 am to 9.00 pm Sundays and public holidays. | More than 50m away | N/A       |
| <b>23.3.5</b><br><b>Outdoor Work Areas</b>                                      | <b>A1</b><br>Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.                                                                                                                  | More than 50m away | N/A       |
| <b>22.4 Development Standards for Buildings and Works</b><br><br>Not applicable |                                                                                                                                                                                                                                                                                                     |                    |           |

## E6.0 Parking and Access Code

| Standard                                                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed                                           | Complies?                              |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------|
| <b>E6.6 Use Standards</b>                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                    |                                        |
| E6.6.1<br>Number of Car Parking Spaces                                         | A1<br>The number of on-site car parking spaces must be:<br><br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) 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;<br>(ii) this provision was not used in this planning scheme.                                                                                    | 10 parking spaces                                  | Discretion see report and refer to TIA |
| E6.6.2<br>Number of Accessible Car Parking Spaces for People with a Disability | A1<br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                                  | 1 accessible parking space can be provided on site | Yes                                    |
| E6.6.3<br>Number of Motorcycle Parking Spaces                                  | A1<br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. | Not an applicable standard                         | N/A                                    |
| E6.6.4<br>Number of Bicycle Parking Spaces                                     | A1<br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                         | 2 spaces can be provided on site                   | Yes - conditioned                      |
| <b>E 6.7 Development Standards</b>                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                    |                                        |
| E6.7.1<br>Number of Vehicle Accesses                                           | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                  | Existing                                           | Yes                                    |

| Standard                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed                                               | Complies?         |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------|
| E6.7.2<br>Design of Vehicular<br>Accesses            | A1<br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | Existing                                               | Yes               |
| E6.7.3<br>Vehicular Passing Areas<br>Along an Access | A1<br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access.                                                                                                                                                                                                                                                                                                | A passing bay can be accommodated at the road frontage | Yes - conditioned |
| E6.7.4<br>On-Site Turning                            | A1<br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | On-site turning would be available                     | Yes               |
| E6.7.5<br>Layout of Parking Areas                    | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.                                                                                                                                                                                                                                                                                                                                                                         | The layout is in accordance                            | Yes - conditioned |

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed                     | Complies?         |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------|
| E6.7.6<br>Surface Treatment of<br>Parking Areas    | A1<br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.    | Required to be in accordance | Yes - conditioned |
| E6.7.7<br>Lighting of Parking Areas                | A1<br>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. | Required to be in accordance | Yes - conditioned |
| E6.7.8<br>Landscaping of Parking<br>Areas          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      | Required to be in accordance | Yes (existing)    |
| E6.7.9<br>Design of Motorcycle<br>Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                          | Not an applicable standard   |                   |
| E6.7.10<br>Design of Bicycle Parking<br>Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                   | Required to be in accordance | Yes - conditioned |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                   | Complies? |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------|
|                                                 | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                                                                                        |                            |           |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                                                                                          | Not an applicable standard | N/A       |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                        | Commercial Zone            | N/A       |
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not an applicable standard | N/A       |
| E6.7.14<br>Access to a Road                     | A1<br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                               | Existing                   | Yes       |

## APPENDIX

## E7.0 Stormwater Management Code

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                     | Complies?         |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |                   |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                      | Required to be in accordance | Yes - conditioned |
|                                            | A2<br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br><br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                            | Required to be in accordance | Yes - conditioned |
|                                            | A3<br>A minor stormwater drainage system must be designed to comply with all of the following:<br><br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Required to be in accordance | Yes               |
|                                            | A4<br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                             | Not an applicable standard   |                   |

**Attachments/Annexures**

- 1  Attachment - 295-295A Main Road, Glenorchy