

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 5 DECEMBER 2022



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 4.00 p.m.

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1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 7 November 2022 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - SEVEN LOT
SUBDIVISION AND ASSOCIATED WORKS - 3A AQUILA STREET
AND 6 MERTON STREET, GLENORCHY**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 3146916

REPORT SUMMARY

Application No.:	PLN-22-300
Applicant:	JMG Engineers and Planners
Owner:	Branscombe Property Pty Ltd
Zone:	General Residential
Application Status:	Discretionary
Discretions:	8.6.1 (P2) Lot Design. C3.5.1 (P1) Traffic generation at a vehicle crossing, level crossing or new junction C9.6.1 (P1) Lot Design (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	6 December 2022
Existing Land Use:	Vacant residential land
Representations:	5
Recommendation:	Approval subject to conditions.

REPORT IN DETAIL

PROPOSAL

The proposal is for the subdivision of 3a Aquila Street (folio of the Register 149435/2), and 6 Merton Street (folio of the Register 51350/1) into seven lots of varying sizes (see Table 1). The subdivision includes works for the provision of stormwater and sewer infrastructure at Unit 15 of 245 Tolosa Street, (153604/15) and works for vehicle access within Merton Street and Aquila Street.

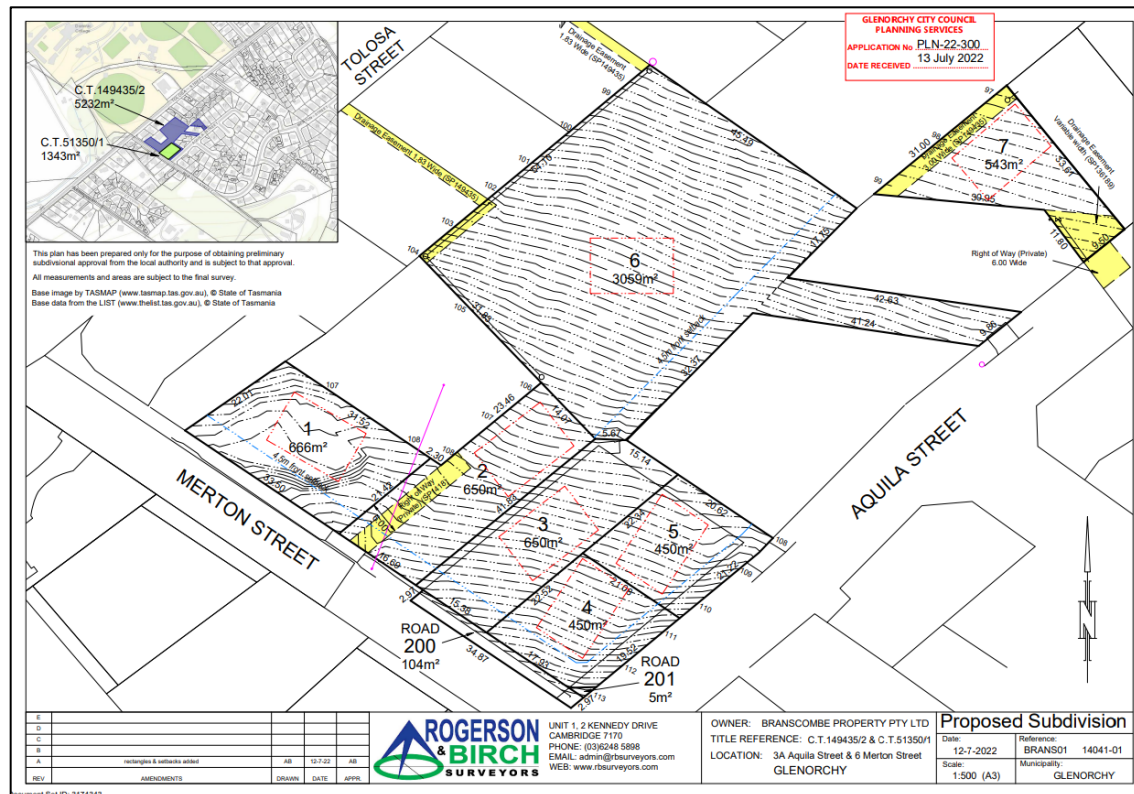


Figure 1. Proposed plan of subdivision.

Table 1. Proposed lot sizes and frontage lengths.

Lot number	Area (m ²)	Frontage (m)
1	666m ²	33.5m
2	650m ²	16.7
3	650m ²	15.4
4	450m ²	17.9
5	450m ²	21.2
6	3059m ²	9.8
7	543m ²	9.5

In addition to the subdivision, the proposal includes the provision of access and services. Each access is proposed to be constructed to Local Government Association of Tasmania (LGAT) standard drawings.

For Lot 1 and 2, access is to be provided from Merton Street, whereas Lot 3 is to have access via Aquila Street, benefiting from a proposed right of way over Lot 5. Lot 4 and 5 similarly have access to Aquila Street over this shared access. Lots 6 and 7 have individual access to Aquila Street (see Figure 2).

The subdivision is not proposed to be staged.



Figure 2. Denoting shared and single access arrangements.

SITE and LOCALITY

The site is of an irregular shape, spanning multiple lots. The total area to be subdivided is 6566m². The inclusion of the land at unit 15/245 Tolosa Street is owed to the requirement to provide stormwater and sewer infrastructure, though this land is not subject to subdivision. The site is vacant, with a gradual fall to the north of approximately 5%.



Figure 3. Site and locality.

ZONE

The Site is within the General Residential Zone.



Figure 3. View of the zoning pattern in the immediate vicinity, showing the subject site in blue. Note the portion of land within the Community Purpose Zone to the north east is Dominic College.

BACKGROUND

PLN-17-145 - 1-lot subdivision plus balance

A permit for a one lot subdivision (including balance) was granted in September of 2017. The permit has neither been extended nor acted on. The permit is therefore considered to have lapsed pursuant to paragraph 53(5)(a) of the *Land Use Planning and Approvals Act 1993* (LUPA). The parcel which was approved at the time is shown in the current plan of subdivision as Lot 7.

PLN-17-318 - Multiple dwellings (16 new)

A permit application for the development of 16 multiple dwellings was proposed circa 2017. The site comprised 3A Aquila Street and 6 Merton Avenue. No permit has been granted and the application is considered to have lapsed per sub-section 54(2AA) of LUPA.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any State Policies, or with the objectives of LUPA.

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

No exemptions apply to the assessment of this application.

Other relevant definitions and provisions:

3.0 Interpretation

Subdivide: means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by:

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;*
- (b) a lease of airspace around or above a building;*
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;*
- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or*
- (e) an order adhering existing parcels of land.*

Subdivision: means the act of subdividing or the lot subject to an act of subdividing.

6.2 Categorising Use or Development

6.2.1 Each proposed use or development must be categorised into one of the Use Classes in Table 6.2 of this planning scheme.

6.2.6 Notwithstanding subclause 6.2.1 of this planning scheme, development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.

The application is for development for a subdivision only and is not categorised into one of the Use Classes.

6.8 Discretionary Use or Development

6.8.1 The planning authority has a 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 relies on a Performance Criterion to demonstrate compliance with an applicable standard; or*
- (c) it is Discretionary under any other provision of this planning scheme.*

6.8.2 The planning authority has a discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under subclause 6.2.6 of this planning scheme if:

- (a) there are no applicable standards that apply to the development; or*
- (b) the use or development relies on any Performance Criteria to demonstrate compliance with an applicable standard; and*
- (c) the development is not Prohibited under any other provision of this planning scheme.*

Pursuant to clause 6.2.6 the proposal, as being for subdivision is not required to be categorised into a use class. Pursuant to clauses 6.8.1 and 6.8.2, the planning authority therefore has discretion to approve or refuse the application.

6.7 Permitted Use or Development

6.7.2 A development that is not required to be categorised under subclause 6.2.6 of this planning scheme (is permitted) and must be granted a permit if:

- (a) there are applicable standards that apply to the development;*
- (b) the development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard; and*
- (c) the development is not Discretionary or Prohibited under any other provision of this planning scheme.*

The proposal is discretionary by virtue of clause 7.10 being the reliance on performance criteria referred to in 6.7.2 (c).

General Provisions

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

7.10 Development not Required to be Categorised into a Use Class

7.10.1 An application for development that is not required to be categorised into one of the Use Classes under subclause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under subclause 7.3.1, may be approved at the discretion of the planning authority.

7.10.2 An application must only be approved under subclause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.

7.10.3 In exercising its discretion under subclauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:

- (a) the purpose of the applicable zone;*
- (b) the purpose of any applicable code;*
- (c) any relevant local area objectives; and*
- (d) the purpose of any applicable specific area plan*

For (a), the proposal is considered to be in accordance with the purpose of the General Residential zone, in that it facilitates the residential use and development of the land. The zone purpose statements of relevance are:

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

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

With specific regard for 8.1.1, the various lot sizes are considered conducive to either single or multiple dwellings, and the proposal demonstrates subject to conditions, that serviceability is achievable.

For 8.1.2, inherently infill of the kind proposed is an efficient means of utilising existing services, and should be supported.

For (b), with respect to the purpose of relevant codes, the proposal is required to comply with standards relating to:

C2.0 Parking and Sustainable Transport Code

C3.0 Road and Railway Assets Code

C9.0 Attenuation Code.

The proposal has been referred to Council's Environmental Health Officer and Development Engineer, who have provided an assessment of the proposal with respect to the relevant codes, and determined that the proposal will, subject to conditions, comply.

As outlined in the specific assessment against each of these applicable codes within the body of this report, it is considered that the proposal accords with the code purpose where relevant to subdivision, and the development of accesses.

Zones

The land is within the General Residential zone. In response to clause 7.10 *Development not required to be categorised into a use class*, it is considered the proposal accords with the purpose of the zone.

8.6 Development Standards for Subdivisions

8.6.1 (P2) Lot Design

Lots 6 and 7 are to have a frontage of 9.86m and 9.50 respectively. All other lots comply with the acceptable solution. The proposal is therefore reliant on the performance criteria which require:

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;*
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;*
- (c) the topography of the site;*
- (d) the functionality and useability of the frontage;*
- (e) the ability to manoeuvre vehicles on the site; and*
- (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.*

For lot 6, which is an internal lot, an access strip of sufficient dimension for vehicle access is to be retained. Notably, the layout of lot 6 is largely a result of preceding subdivisions, and the proposal presents the only feasible way to develop the site. The access strip is not of a sufficient width to form a road. It is however not less than 3.6m.

For lot 7, the lot layout is irregular, though presents what would be termed an ordinary lot. The sub-minimum frontage does not preclude vehicle access.

Similar to lot 6, the layout of the lot is largely predetermined by the arrangement of lots in the vicinity and preceding subdivision. The layout of Lot 7 presents the only feasible way to create that lot, appreciating it is presently isolated from the remainder of 3A Aquila Street (see Figure 4).

The proposal is considered to comply.

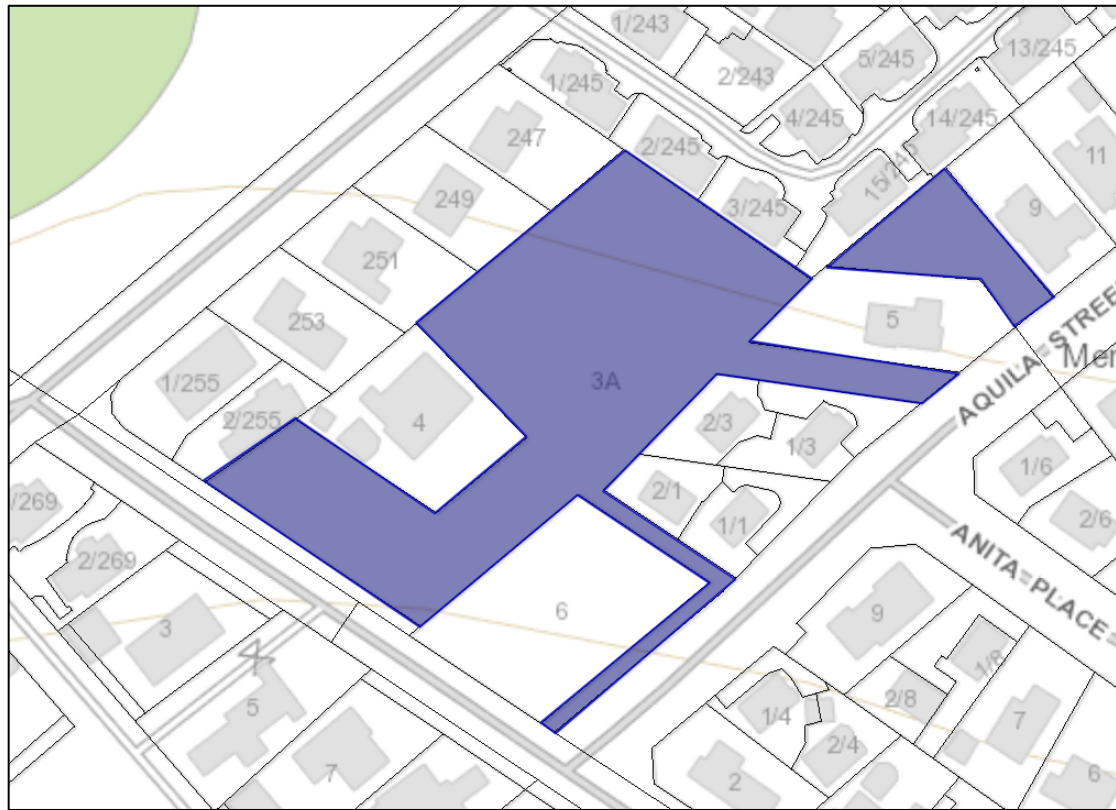


Figure 4. current layout of 3A Aquila, demonstrating the constraints to ordinary lot layout, with frontages which meet the acceptable solution.

Codes

The following codes of the Scheme apply to this proposal:

- C2.0 Parking and Sustainable Transport Code;
- C3.0 Road and Railway Assets Code; and
- C9.0 Attenuation Code

C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code relevant to the assessment of this proposal is:

- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.*
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.*

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

The proposal is considered to further the purpose of this code in that it provides adequate area for future residential development to be wholly contained within each lot inclusive of a feasible number of parks.

The proposal accords with all the relevant applicable standards, as demonstrated in the attached Appendix. For further comments refer to the Engineering Assessment under the Referrals section later in this report.

C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets Code relevant to the assessment of the proposal is:

C3.1.1 To protect the safety and efficiency of the road and railway networks.

The proposal accords with all the relevant applicable standards as demonstrated in the attached Appendix, except where reliant on the performance criteria for C3.5.1 *Traffic generation at a vehicle crossing, level crossing or new junction*, which require:

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

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

The proposal has been referred to Council's Development Engineer, who has provided comment that the number of vehicle movements per day is tolerable considering the location and design of vehicle crossovers complies with LGAT standards.

For further comments, refer to the Engineering Assessment under the Referrals section later in this report.

C9.0 Attenuation Code

The proposal is within 750m of a Level Two activity at 361 Tolosa Street, Glenorchy. The activity is a quarry and has an Environmental Protection notice with conditions which allow for crushing and screening. Therefore, the quarry is of a sub-category identified in the Table E9.1 Attenuation Distances, as crushing or grinding – emissions such as noise, dust, ground vibration and shock waves. This sub-category has likely environmental impacts of noise and dust and an attenuation distance of 750m.

C9.6 (P1) Development Standards for Subdivision

The proposal is unable to comply with the acceptable solution and is reliant on the performance criteria, which require:

each lot, or a lot proposed in a plan of subdivision, within an attenuation area to not result in the potential for a sensitive use to be impacted by emissions, having regard to:

- (a) the nature of the activity with the potential to cause emissions, including:*
 - (i) operational characteristics of the activity;*
 - (ii) scale and intensity of the activity; and*
 - (iii) degree of emissions from the activity; and*
- (b) the intended use of the lot.*

The proposal is separated from the mining lease area of the quarry by approximately 450m. Within this separation distance there is other residential use and development and vacant bushland.

The quarry is regulated by an Environmental Protection Notice (EPN), which outlining general conditions for atmospheric nuisance controls (A2 and A3), and noise emission limits for sensitive premises (N1 and N2). The current extraction activity is reported to be reasonably modest in quantities and some crushing and screening do take place at the quarry. However, blasting can only take place with further approval from the Director, EPA.

The proposal is assessed as satisfying the performance criteria, given the current operational conditions of the EPN and because the proposed garage is for a non-habitable use, in an established residential area.

The proposal has been referred to Council's Environmental Health Officer who has provided comment in the referrals section of this report. It is considered the proposal complies.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

Local Government (Building and Miscellaneous Provisions) Act 1993

Public open space.

The *Tasmanian Planning Scheme – Glenorchy 2021* no longer has provisions relating to public open space. However, the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP) empowers Council to acquire public open space as part of any new subdivision proposal, to require cash in lieu of open space, or to refuse a subdivision application because it should include or omit public open space.

Council's *Subdivisions- Public Open Space Acquisition and Contribution Policy* provides guidance on requirements for public open space provision or cash-in-lieu contributions.

Council's Co-ordinator of Recreation and Open Space has assessed the application against the policy requirements and the following comments and recommendations have been made:

We have assessed this proposal and deemed that it is not practical or desired that we have open space provided for on this lot. As per clause 9 of the Subdivision Public Open Space Acquisitions and Contributions Policy 2017, we will instead require a cash in lieu of open space contribution. Whilst there is a reserve nearby at Tolosa Park, the playspaces are of basic standard with opportunities for improvement. It is also noted that our recently endorsed Playspace Strategy – Planning for Play 2041 - identifies the Tolosa Park playspaces for replacement and a need to masterplan and develop into one regional play space. This further supports the requirement for cash in lieu of open space to be required for this subdivision.

It is therefore considered that subject to the above, the proposal satisfactorily accords with the relevant provisions of LGBMP, as supported by Council policy.

Refusal of a plan of subdivision.

Section 85 of the LGBMP Act provides for matters which a council may refuse a plan of subdivision. Of relevance to this assessment is paragraph (b), which relates to the drainage of the land. In assessing the proposal, council is of the opinion the land may be satisfactorily drained, and so there is no need to refuse the proposal on these grounds.

INTERNAL REFERRALS

Development Engineer

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

The development application seeks an approval for seven (7) new lots at the subject sites. The works include infrastructures such as stormwater infrastructures, lots' services connections, and accesses. No new road is proposed as part of the subdivision. Each new residential lot will be provided with a driveway vehicular access onto the lot proper and will be fully serviced with stormwater, water and sewer connections. These services must be entirely separated to each lot and contained wholly within each lot. The scope of work can be seen in the figure below.

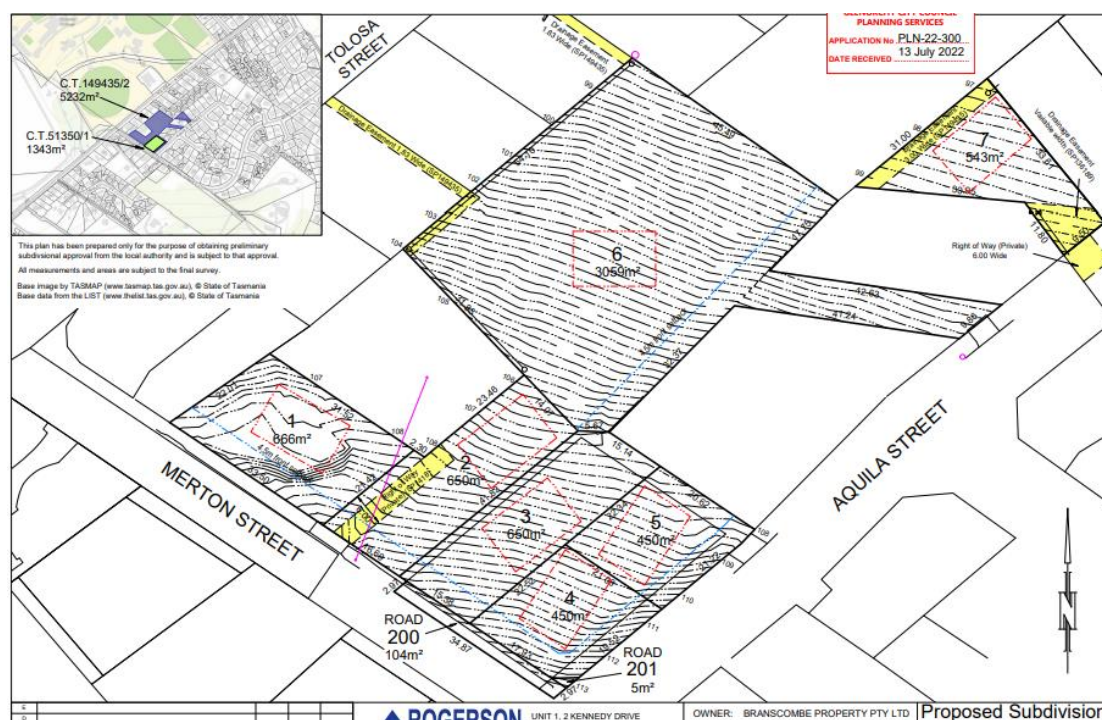


Figure 5. Extract of subdivision plan.

8.6 Development Standards for Subdivision

8.6.1 Lot design

Complies with acceptable solution A3 as the subdivision proposes access arrangement to provide an access to each lot proper. The access arrangement is proposed as follows: Lot 1 and lot 2 are proposed to use the existing access via Merton Street as a shared access with rights of ways. This access is proposed to be widened to provide sufficient vehicle passing areas.

Lot 3 and lot 4 are proposed to be accessed via a new access off Aquila Street as a shared access with rights of ways. This access is proposed to be a minimum of 3.6m wide. The right of way must be constructed and sealed to the lot proper prior to the sealing of a final plan.

Lot 5, lot 6 and lot 7 will have a single access to each lot. The access arrangements can be seen in the figure below.



Figure 6. Extract of engineering plan.

Based on the proposed access arrangements, each new lot will be provided with a vehicular access from the boundary of the lot to the road in accordance with the requirements of the road authority. Therefore, the acceptable solution A3, is met.

8.6.2 Road

The subdivision includes no new roads therefore the acceptable solution A1 is met.

8.6.3 Services

It is proposed that each lot will be fully serviced and connected to Council's stormwater system; however, as the lot connection of lot 6 is not located at the lowest point of the lot this results in small area on the Northern corner of the lot cannot be serviced via gravity to the proposed lot connection. The applicant advises that the proposed future development intended to fill the portion to allow for full servicing. The 1% AEP overland flow proposed and demonstrated to be directed towards the proposed detention system.

This has been referred to Council's Senior Civil Engineer to review, provide comments and recommend conditions, please refer to the Hydraulics Engineer referral for detailed discussion and stormwater assessment. The stormwater arrangement must comply with Council's stormwater management policy. It is recommended the conditions for stormwater design and installations to the requirements, on-site detention and maintenance scheme included in this Permit. The General Manager's consent to interfere with stormwater infrastructure can be granted.

Representations

During the advertisement period, Council received representations raising various concerns and objections against the proposed development including the Increased traffic that a potential seven lot subdivision will add and stormwater concerns such as flooding and underground detention in close vicinity to residential properties.

Council's Senior Civil Engineer has reviewed the representations, addressed the stormwater storage and flooding concerns and recommended conditions to ensure the future public stormwater network will be designed to Council's requirements and that all runoff from the future developments are able to be managed and drained to the proposed network. The on-site detention is recommended to be provided on the proposed lot 6 in within a drainage easement with accessibility for maintenance purposes.

It is considered the proposal to create 7 new lots from the existing 2 lots is not expected to create over 40 vpd. Any future developments will be assessed in its own merit.

C3.0 Road and Railway Assets Code

The proposed development is creating 7 new lots from the 2 existing lots and therefor is not expected to increase vehicle movements over 20% or 40 vehicle trips per day at this stage of the subdivision development. Each lot can be accessed off the vehicle crossings on to the lot proper. The new accesses proposed will be conditioned to meet with the LGAT requirements. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

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

The site can be accessed off the existing vehicular access, onto the future driveway and parking areas. There are no additional car parking requirements at the stage of the subdivision. The layout of existing driveway and parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is hardstand as existing. Surface runoff is proposed to be captured and managed to drain to the stormwater system. There is other applicable standard to the development application.

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

Council's Development Engineer has provided recommended conditions of approval.

Hydraulic Engineer

In demonstrating the proposal is both is capable of connecting to the public stormwater system as required by the Scheme, and in demonstrating that the drainage of land will be satisfactorily carried off (as relevant in finding the council should not refuse the application per para 85(b) of LGBMP Act) the proposal has been referred to council's hydraulic engineer who has made the following comments:

Proposed development is a seven-lot infill subdivision at Aquila Street with 6 residential lots and one lot with the potential for multiple dwellings or strata.

The assessment of hydraulics was done based on the concept drawings and Stormwater management report provided by the applicant and several additional information request responses received.

1. Referenced Documents

- a. ECM_3091935_v1_PLN-21-543 - Plans (Civil Drawings) by Rarein. dated 20.09.2022*
- b. Stormwater Management Report by Rarein. Dated 30/08/2022*

2. Stormwater Management Policy

- a. Stormwater Disposal Method Requirements:*

All stormwater generated will drain by gravity via a proposed extension of existing stormwater network. Therefore, 4 (a) is met.

- b. Stormwater Quality Management Requirements:*

The development does not create total new impervious area greater than 500m² and therefore exempt from Stormwater Quality Management requirements. Therefore, 5 (a) is met.

- c. Stormwater Quantity Management Requirements:*

It has not been demonstrated that the minor stormwater system has been designed to accommodate a 5% AEP for the fully developed future development, therefore stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage. In accordance with Stormwater Management Policy,

onsite detention volume of minimum 35m³ unless approved otherwise by Council, will be provided.

Therefore, 6(b) is met.

d. Stormwater System Design Requirements:

The minor stormwater drainage system has been designed to cater a 5% AEP storm event as demonstrated in the Stormwater Management Report by Rarein.

Therefore 3(a) is met.

Representations

Three representations were made that concerns stormwater and hydraulics. Responses to the concerns raised are detailed below.

- ***Drainage from lot 1 draining towards 4 Merton Street***

Stormwater Management Report and concept Drainage Service Plans by Rarein. demonstrates the extension of Council's stormwater main to provide a new connection point to service lot 1 directly to the public stormwater network. This connection will enable future development of lot 1 and associated internal stormwater drainage systems to function in a structured manner, reducing impacts to neighbouring properties.

- ***Potential increase of flooding/water issues to 245 and 249 Tolosa Street***

Existing public stormwater network does not service these lots at present and there are no controls to manage the stormwater flowing over the land to neighbouring properties. Proposed application includes an extension to the public stormwater main that will provide individual connection points to each lot. This extension has been designed to current Australian Standards and Council's policies to ensure the stormwater runoff from the new lots is collected and safely conveyed to the stormwater pipe network, which will greatly reduce any flooding issues currently experienced by the neighbouring properties.

- ***Underground stormwater storage in close vicinity to other properties and presents a risk when system fails***

Council's hydraulic engineer has reviewed the concept service plans and recommends imposing a condition to provide the on-site detention device at lot 6 prior to the approval of engineering drawings. The condition requires the developer to design the detention device in accordance with the relevant engineering standards considering appropriate and safe overflow measures when the device exceeds capacity during a major storm or malfunctioning. Also, the new stormwater pipeline is located within a

drainage easement, which is expected to be utilised to manage overland flow paths and ensure access is available for Council's crews for future maintenance purposes.

Conclusion

In summary I have no objections with the proposal from a hydraulics perspective, provided conditions are met.

The proposal is therefore considered to both comply, and be supportable with regard to council's obligations under the LGBMP Act. Council's hydraulic engineer has provided recommended conditions of approval.

Environmental Health Officer

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

The application triggers the Attenuation Code (C9.0) due to the proximity of the Tolosa Street Quarry. Further information was requested in relation to addressing the Code, specifically the Performance Criteria (C9.6.1 - P1). The proposal cannot meet the Acceptable Solution of the code as the proposed lots are for sensitive use.

Further information provided by the applicant, dated 01 September 2022, advised:

"The proposal is for the creation of lots intended for residential use (defined as a sensitive use), therefore the proposal cannot meet the Acceptable Solution, thus the Performance Criteria needs to be considered. The existing quarry has an approximate site area of 20 ha, is located approximately 620m from the subject site, and has an associated Environmental Protection Notice (No.9126/1). The main emissions of the quarry are likely to be noise and dust. The conditions under the EPA Notice indicate that dust emissions will be controlled to prevent environmental nuisance beyond the boundary of the quarry site. Blasting is also controlled under the Notice and is only allowable with the prior written consent of the EPA. In regard to noise, the Notice controls operating hours and sets noise emission limits. These measures will ensure that it is unlikely that the quarry will have significant noise and dust emission impact on the subject site (a). Given that the site is within an existing residential area, on land zoned for General Residential use, it is unlikely that the proposed lots would be impacted by emissions (b). As such, the proposal meets C9.6.1 P1"

Based on the information provided and the locality of the proposal, the application is deemed compliant with C9.6.1 – P1. No conditions recommended.

The proposal is therefore considered to comply, and Council's Environmental Health Officer has not provided recommended conditions of approval.

EXTERNAL REFERRALS

TasWater

The proposal has been referred to TasWater which has provided conditions of approval

TasNetworks

The proposal has been referred to TasNetworks which has provided the following comments.

Based on the information provided, the development is likely to adversely affect TasNetworks' operations. Consideration needs to be given to TasNetworks overhead infrastructure in this area and this will need to be relocated. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137008 or via Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience

In accordance with s 44M (2) of the *Electricity Supply Industry Act 1995*, this response has been provided to the applicant and it is anticipated the applicant will work with TasNetworks should any approval be required from the regulator.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 5 representations being received. The issues raised are as follows:

Access for Lot 2 is reliant on a right of way benefitting adjoining property.

Planner's Comment:

The reliance of access over land which has a burdening easement to provide access for an adjoining lot is no less compliant with the access provisions of the Planning Scheme.

The right of way as shown must be perpetuated on any final plan relating to the sealing of the plan of subdivision.

Insofar as a development may obstruct a right of way in the future, if at any time this were to occur, the benefiter of the right of way would have a legal mechanism available to them to maintain their access. Presently no obstruction is shown nor is it understood there is any intention of denying access to that lot.

Suitability of the site relating to waterlogging, water up-flow, and poor drainage, with specific regard for Lot 1.

Planner's Comment:

With respect to the suitability of the land to be developed owing to waterlogging, springs or the like, the precise nature of the development of the lot is not being assessed at this time. Rather, the lots' suitability is more of a conceptual minimum standard, relating to whether a 10mx15m area can be provided on any lot clear of ordinary setback provisions and title restrictions; which each lot does.

For Lot 1, appreciating dwelling development over any spring is highly problematic, the nature of the land would be investigated at the time of dwelling design, and an assessment of the suitability or cost effectiveness of the design can be undertaken at that time. Irrespective of this the lot complies with the acceptable solution of 8.6.1 (A1).

For lot 6, it is considered that the indication of future multiple dwellings is indicative only, and the minimum requirement of 8.6.1 (A1) is that the lot be capable of a residential use as specified, which at near 3000m², is undeniably so.

The proposal is not being assessed, nor is approval being recommended at this stage for multiple dwellings on Lot 6.

High density development on Lot 6, with limited access to Aquila Street.**Planner's Comment:**

The proposal is not being assessed, nor is approval being recommended at this stage for multiple dwellings on Lot 6.

Density in the area.**Planner's Comment:**

The land is within the General Residential zone, which has a minimum lot size of 450m². Such a lot yield is considered medium density. The Southern Tasmanian Regional Land Use Strategy proceeds on the basis of working toward a minimum net residential density of approximately 1 dwelling per 650m² outside of activity centres. This density is observable in Aquila Street.

The proposal presents a minimum net residential density of approximately 1 dwelling per 1,000m², which is less than that prevailing in the area, and less than the minimum outside of activity centres. Appreciating some lots may be conducive to multiple dwellings, until such time as multiple dwelling development is proposed, the current application presents a net residential density which is less than the minimum of the strategy, complies with the acceptable solution and is less than that prevailing in the area. It is not considered the proposal is of such a density that pursuant to the purpose of the General Residential zone, the proposal ought not to be approved.

Heritage impacts in loss of remnant farmland related to Merton.

Planners comment:

The proposal adjoins a place which is listed in the local historic heritage code. There is no ability to regulate development adjacent to a place which is entered into the code against those provisions. Further, the land has been included in the General Residential Zone which anticipates residential development of the type proposed, rather than agriculture.

The need for a Traffic Management Plan

Planners comment

Prior to the commencement of works a traffic management plan will be required to be provided to the Manager of Infrastructure and Engineering. This plan will relate to the undertaking of construction, which is not a use which is able to be regulated under the Act. This plan is required with regard to council's obligations as a manager of roads.

The degree to which future development will cause for traffic issues and congestion in the surrounding network.

Planners comment

The proposal has been referred to council's development engineer who has provided the following comments of relevance to this issue:

Safety of vehicles accessing Aquila Street at the Merton Street junction.

The proposal has been referred to council's development engineer who has provided the following comments of relevance to this issue:

Impact of development on neighbourhood amenity, rights of access and the like during construction relating to traffic, dust and vehicle parking.

The undertaking of development is not a use which can be regulated under the provisions of the Act. Prior to the commencement of works a traffic management plan will be required to be provided to the Manager of Infrastructure and Engineering. This plan will be required to demonstrate that the undertaking of development is safe and orderly with respect to the use of the road and existing accesses.

Impacts on privacy should a dwelling be built at the indicated modified ground level shown for Lot 6.

Planners comment

The proposal is not being assessed with respect to the fill, shown on the plans as 'future development'. If at any time in the future the placement of fill is proposed to facilitate residential development as shown indicatively for Lot 6, the degree to which that development as being above natural ground level impacts on the privacy of adjoining properties will be assessed.

The risk to surrounding properties by virtue of onsite detention.

This concern has been specifically referred to council's hydraulic engineer who has provided comment in their referral.

On Street parking.

Subdivision is not a type of development which generates a car parking requirement. In the event dwellings or multiple dwellings are designed without a provision of on-site car parking in accordance with the applicable standards, a review of the impact of on street parking will be undertaken at that time, and the application would be advertised affording the opportunity for persons to make a representation.

CONCLUSION

The proposal is for the subdivision of the land at 3A Aquila and 6 Merton Street into seven lots. The proposal includes works for the provision of vehicle access and services in the road reserve, and includes the provision of stormwater infrastructure at the rear of unit 15/245 Tolosa Street.

The proposal complies with each of the acceptable solutions of the applicable standards as outlined in the appendices to this report, except where reliant on the performance criteria for clause 8.6.1 (P2) Lot Design, clause C3.5.1 (P1) Traffic generation at a vehicle crossing, level crossing or new junction, and C9.6.1 (P1) Lot Design. As demonstrated in the body of this report. The proposal is considered to comply.

The application was advertised in accordance with statutory requirements of the LUPA regulations 2014 and five representations were received. The matters raised by the representations have merit with respect to planning considerations, and it is considered these concerns, where relevant to the act of subdividing, can be managed by the proposed conditions. Importantly, as the proposal is not for the development of multiple dwellings, or the placement of fill as shown as indicative on the plans, concerns regarding dwelling construction and the placement of fill will be relevant if a development of that type is proposed in the future. Representors should raise any concerns on dwelling development at that time.

In conclusion the proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme – Glenorchy 2021, subject to the recommended conditions.

Recommendation:

That a permit be granted for the proposed use and development of 3a Aquila Street and 6 Merton Street, Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-300 and Drawings submitted on 13 July 2022, 1 Page and 02 November 2022, 12 pages, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2022/01190-GCC dated 25 July 2022 form part of this permit.
3. Council having determined not to require the subdivider to include areas of open space before approving the plan of subdivision requires payment of an amount to Council in accordance with Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the equivalent of five per cent (5%) of the unimproved value of the whole area as shown on the plan of subdivision. Payment must be made to Council prior to the sealing of the Final Plan.

Engineering

4. Prior to the commencement of works on site, including demolition or the issuing of approved engineering drawing for subdivision (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved 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 Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au.

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

6. The cost of any alterations and/or reinstatement to existing services or private property incurred in proposed subdivisional works to be borne by the developer. Any work so required is to be specified and undertaken by the appropriate Authority concerned.
7. The developer must provide underground electrical reticulation for power. Underground TasNetwork cables must be used subject to any underground cables in joint use trenches complying with Council's Development Engineer and TasWater codes.
8. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
9. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served. Power and telephone connections must also be contained within their respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision/boundary adjustment.
10. A services plan clearly indicating the location and details of all relevant services in accordance with condition 10, (entirely contained within their respective lots) and also a covering letter must be provided, where the Council is advised in writing that all the relevant engineering work required in these planning permit conditions have been satisfactorily completed, prior to the sealing of the final plan. Any final plan submitted for sealing cannot be fully processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" shall be a professional engineer or professional surveyor or other persons acceptable to Council. Applicants or their agents should take notice that unless this condition is satisfactorily complied with, then documents submitted for sealing of the final plans will not be processed.

11. The final plan and schedule of easements is to include, to the satisfaction of the Council's Development Engineer, any existing or proposed right of ways, drainage and/or service easements in favour of the Glenorchy City Council over the public stormwater reticulation system that are or may be required to adequately provide access and services to, from or through the lots shown on the plan. The applicant is to submit to Council a copy of the surveyor's field notes prepared to accompany the final plan.
12. A detailed estimate for the works must be provided and payment of the engineering plan approval and audit inspection fee for civil work must be made prior to the issue of approved engineering drawings. Under Council Schedule of Fees and Charges 2022/23, the engineering assessment fee is 2% of the value of the works or minimum of \$900. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
13. Pay Council to the amount of \$248.50 per each lot to complete the measure up and record "as constructed" data for all services and connections prior to the works being placed on maintenance or the sealing of a final plan. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
14. Prior to sealing of the plan of subdivision, all approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.
15. New vehicular accesses to each new lot must be constructed and installed in accordance with the approved plans and the LGAT drawings TSD-R09-v3 – Urban Roads Driveways and TSD R14-v3 Type KC vehicular crossing drawings between the kerb and the property boundary to the body of the lot proper and completed to the satisfaction of Council's Development Engineer prior to the sealing of a final plan. The detail design must be submitted and approved prior to the issuing of a Council's approved drawing. All works required by this condition must be installed prior to the sealing of a final plan.

16. Any creation, diversion and augmentation of Council owned stormwater assets must be designed and constructed to the satisfaction of Council's Senior Civil Engineer. Prior to the issue of the Council's approved drawings, the developer is required to submit engineering drawings in both plan view and long section view of the proposed stormwater reticulation, as well as the associated calculation and catchment area plans, to the satisfaction of the Council's Senior Civil Engineer. These must include, but not be limited to, connections, velocities, clearances, cover, grade, sizing, material, erosion protection, manholes, easements and inspection openings. Once approved the design drawings will form part of this permit and must be complied with. The proposed public stormwater reticulation system must be designed and constructed to accommodate at least the estimated 5% Annual Exceedance Probability (AEP) storm events based on a possible future fully developed catchment. The proposed overall stormwater system, including the stormwater reticulation system and overland flow paths, must be designed and constructed to accommodate the estimated 1% Annual Exceedance Probability (AEP) storm events based on a possible future fully developed catchment.
17. Any creation, diversion and augmentation of Council owned stormwater assets must be designed and constructed to the satisfaction of Council's Development Engineer. A twelve (12) month maintenance period will be applied to any creation, diversion and augmentation of Council owned assets after the practical completion, during which time the works shall be maintained by the developer, prior to being handed over at the completion of the defects liability period. During the period all defects must be rectified at the developers cost. A further twelve (12) month maintenance period may be applied to defects after rectification. The Council may, at its discretion, undertake rectification of any defects at the developers cost. Before the end of the maintenance period, the developer must arrange CCTV inspections of any stormwater assets subject to this permit, taken no more than one month before the end of the maintenance period, and submit the inspection reports to the requirements of the Councils' Senior Civil Engineer and at full cost to the applicant. Any defect identified in the CCTV inspection must be rectified to the satisfaction of Council's Senior Civil Engineer before the Council takes over the stormwater assets. At the time of issue of the Certificate of Practical Completion the applicant must lodge security with Council to the value of 10% of the works.
18. The new stormwater infrastructure must be constructed prior to the sealing of the final plan. Engineering design drawings must be submitted and approved, prior to commencement of works. The engineering drawings must:

- (a) be certified by a suitably qualified and experienced Engineer.
 - (b) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
 - (c) Include the associated calculations and catchment area plans. The stormwater main must be sized to accommodate at least the 5% AEP flows from a fully developed catchment.
 - (d) Include provision for future development within the catchment to be adequately and efficiently serviced, i.e. via appropriate easements
 - (e) Clearly distinguish between public and private infrastructure
 - (f) Show the final Lot boundaries, with each Lot serviced separately by Council infrastructure and all private plumbing contained within each Lot;
 - (g) Specify lot connection sizes, depths and locations such that as much as practicable of the lots can be drained via gravity
 - (h) Show any existing connections. Any redundant connections must be sealed by the Council at the owner's expense prior to sealing of the final plan.
 - (i) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013
 - (j) All work required by this condition must be undertaken in accordance with the approved engineered drawings.
19. A design must be submitted demonstrating that the minor stormwater drainage system is designed to accommodate a 5% AEP storm event, details of which must be submitted in association with a Building Permit Application. The development must incorporate the On-Site Detention (OSD) as part of the development and generally in accordance with the submitted concept service drawings by Rarein. As onsite detention volume of minimum 35m³ at lot 6 unless approved otherwise by Council's Senior Civil Engineer will be required. All the elements and associated components of the proposed detention device must be designed and constructed with unrestricted access for maintenance purposes, to the satisfaction of the Council's Senior Civil Engineer and completed prior to the sealing of the Final Plan. A detailed design of on-site detention must be submitted to the satisfaction of Council's Senior Civil Engineer, prior to the issuing of the Council's approved drawing.

20. Prior to the issuing of the Council's approved drawing or the commencement of works, a stormwater management report and design considering OSD must be submitted and approved, to the satisfaction of Council's Senior Civil Engineer. The stormwater management report and design must:
- (a) be prepared by a suitably qualified engineer
 - (b) Show layout, of the inlet and outlet, overflow measures including long-section.
 - (c) Include supporting maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.
21. The new stormwater connections must be constructed, and any existing abandoned connections must be sealed by owner's expense.

Advice: Please note once plans are approved, a formal Application for New Stormwater Connection and inspection by Council's Senior Civil Engineer is required. The form is available from <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>

A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.

Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.

If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.

Advice to Applicant

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

Other Permits

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

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2021/03/Road-Opening-Permit-Application-Form-1.pdf>

Attachments/Annexures

- 1 GPA Attachment - 3A Aquila Street and 6 Merton Street, Glenorchy



APPENDIX 1.**8.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
8.6 Development Standards for Subdivision			
8.6.1 Lot Design	A1 Each lot, or a lot proposed in a plan of subdivision, must: have an area of not less than 450m ² and: be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and easements or other title restrictions that limit or restrict development; and existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; be required for public use by the Crown, a council or a State authority; be required for the provision of Utilities; or be for the consolidation of a lot with another lot provided each lot is within the same zone.	The proposal is required to comply with (a), (b), (c) or (d) All proposed lots are more than 450m ² ; and contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and easements or other title restrictions that limit or restrict development; and all lots are vacant.	Yes

	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	Lots 6 and 7 are to have a frontage of 9.86m and 9.50 respectively. All other lots comply with the acceptable solution.	See report
	A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	The proposal has been referred to Councils development Engineer who has reviewed the access arrangement for each lot. Each lot demonstrates an access from proposed boundaries to a road.	Yes
	A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.	No new road proposed.	NA
8.6.2 Roads	A1 The subdivision includes no new roads.	No new road proposed.	NA
8.6.3 Services	A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	TasWater are in support of the proposal.	Yes
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral	TasWater are in support of the proposal.	Yes

	reserve or Utilities, must have a connection to a reticulated sewerage system.		
	A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	The proposal has been referred to Council's development engineer, and Council's hydraulic engineer, who find that the proposal is, subject to recommended conditions of approval, capable of connecting to the public stormwater system.	Yes

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or	Not required	NA

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

Standard	Acceptable Solution	Proposed	Complies?
	required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	Not required	NA
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use; <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not required	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i> <i>Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement;	Access ways are proposed to be concrete, with surface water to be directed to the public stormwater system.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.		
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i> ; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>. A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	1 per lot	Yes
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	N.A	N.A

Standard	Acceptable Solution	Proposed	Complies?
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.	N.A	N.A

Standard	Acceptable Solution	Proposed	Complies?
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.	N.A	N.A
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.	N.A	N.A

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

Standard	Acceptable Solution	Proposed	Complies?
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.	N.A	N.A
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.	N.A	N.A
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.	NA	NA

Footnotes

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

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.	A1.1 N.A A1.2 The applicant has not sought the written consent of the road authority.	N.A See report
	A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.	A1.3 N.A	N.A
	A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	A1.4 Vehicular traffic is not increased by 40 vpd.	Yes
	A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or		

Standard	Acceptable Solution	Proposed	Complies?
	(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.	N.A	N.A

Standard	Acceptable Solution	Proposed	Complies?
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	The proposal is not within a road or railway attenuation area.	N.A

C9.0 Attenuation Code

Standard	Acceptable Solution	Proposed	Complies?
C9.6 Development Standards for Subdivision			
C9.6.1 Lot Design	A1 Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must: (a) be for the creation of separate lots for existing buildings; (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or (c) not be for the creation of a lot intended for a sensitive use.	The proposal is for a subdivision which is intended to provide for sensitive uses.	See report