

# GLENORCHY PLANNING AUTHORITY

## AGENDA

MONDAY, 8 MAY 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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## **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 24 April 2017 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - SEVEN (1 EXISTING AND 6 NEW) MULTIPLE DWELLINGS - 14 PARINGA ROAD AND 1 MOORE PARK DRIVE, GLENORCHY**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 5387865 and 2070336

**REPORT SUMMARY:**

|                                   |                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-020</b>                                                                                                                                                                                                                                                                                                                                 |
| <b><i>Applicant:</i></b>          | <b>Cunic Homes</b>                                                                                                                                                                                                                                                                                                                                |
| <b><i>Owner:</i></b>              | <b>Odette Tas 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>        | <b>10.4.2 (P1) Setbacks and building envelope for all dwellings</b><br><br><b>10.4.4 (P1) Sunlight and overshadowing for all dwellings</b><br><br><b>E5.6.2 Road accesses and junctions</b><br><br><b>E6.7.1 Number of vehicle accesses</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>17 May 2017</b>                                                                                                                                                                                                                                                                                                                                |
| <b><i>Existing Land Use:</i></b>  | <b>Single Dwelling (Residential)</b>                                                                                                                                                                                                                                                                                                              |
| <b><i>Proposal In Brief:</i></b>  | <b>Seven (1 existing and 6 new) Multiple Dwellings (Residential)</b>                                                                                                                                                                                                                                                                              |
| <b><i>Representations:</i></b>    | <b>1</b>                                                                                                                                                                                                                                                                                                                                          |
| <b><i>Recommendation:</i></b>     | <b>Approval subject to conditions</b>                                                                                                                                                                                                                                                                                                             |

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

The proposal is for the development of seven dwellings on the land at 1 Moore Park Drive (CT136390/1), which involves work to be undertaken on 14 Paringa Road (CT62467/31) for the servicing of the proposed development. One of the proposed dwellings is existing and the further six are to be constructed toward the rear of the site. Of the proposed dwellings, units 2, 3, 4 and 6 will have two bedrooms each, as well as an open plan kitchen-lounge-dining area. Proposed units 5 and 6 have three bedrooms each, with open plan kitchen-lounge-dining areas. The existing dwelling will be known as unit 1, is to have five bedrooms. The proposal is to be constructed over three stages, with the existing dwelling in stage 1, dwellings 2, 3, and 4 in stage 2 and dwellings 5, 6 and 7 in stage 3.

For each of the dwellings two (2) car parking spaces are required. As well, for a total of seven dwellings, there is a requirement for one (1) visitor car parking space. The proposal provides for two (2) visitor car parking spaces. This total number of car parking spaces complies with the acceptable solution.

The proposal complies with all of the acceptable solutions of applicable standards, as outlined in the appendices to this report, except where reliant on the performance criteria for 10.4.2 Setbacks and building envelope for all dwellings and 10.4.4 Sunlight and overshadowing. How the proposal satisfies the objective of the standard through the performance criteria is outlined in the body of this report.

**SITE and LOCALITY**

The subject site is located on the south-eastern side of Moore Park Drive, Glenorchy. The total site area for where the dwellings are proposed is 3563m<sup>2</sup>. The land at 14 Paringa Road, where works are proposed, has a total site area of 580m<sup>2</sup>, though the works will be restricted to the rear portion of that lot. The Moore Park Drive site is flat where there is an existing dwelling, though steep as the land falls to the east for the middle portion of the lot. The grade evens out toward the rear. The site adjoins the Chapel Street Reserve to the south and adjoins a number of dwellings on the northern side boundary.

The locality is characterised by residential uses, the majority of which are single detached dwellings. However, there are a number of multiple dwellings developments on O'Brien Street and on the northern side of Paringa Road, approximately 90m away (Fig. 1).



**Figure 1.** Aerial view of the site and immediate surrounds.

## ZONE

The proposed use and development is located in the General Residential zone. The site shares boundaries with other similarly zoned parcels of land, as well as sharing a portion of the southern boundary with land zoned Open Space. This land encompasses the Chapel Street Reserve (Fig. 2).



**Figure 2.** View of the zoning for the site and surrounding area indicating the general residential zone in red and the open space zone in green.

## BACKGROUND

**PLN-09-0297** - One (1) lot subdivision and six (6) multiple dwelling units requiring variation to setbacks between units on land with a gradient greater than one in four.

This application was approved, though the permit has lapsed.

**PLN-17-010** - 1 lot subdivision plus balance and 6 Multiple Dwellings (Residential) relying on performance criteria.

This application was withdrawn on the 23/01/2017 and the current application has been 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?)

No SAP or Code provisions override Zone provisions in this assessment.

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

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):

**Applicable standard** means as defined in subclause 7.5.2, which is 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.

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

**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.

**Finished ground level** when used in respect of a development means the level of a site at any point after the development has been completed.

**Natural ground level** means the natural level of a site at any point.

### **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 considered consistent with the purpose of the zone, owing to providing a residential use that is to be consistent with the prevailing suburban density and can otherwise be efficiently serviced.

#### **10.2 Use Table**

Residential (multiple dwellings) is a permitted use within the General Residential zone. However, the proposal is discretionary owing to reliance on performance criteria.

#### **10.3 Use Standards**

There are no applicable use standards for the proposal. Use standards relate to non-residential use, visitor accommodation and local shops.

## 10.4 Development Standards for Residential Buildings & Works

The proposal complies with all of the development standards for buildings and works as demonstrated in Appendix 1, except where it relies on the performance criteria for 10.4.2 (P3) Setbacks and building envelope for all dwellings and 10.4.4 (P1) Sunlight and overshadowing for all dwellings.

### 10.4.2 Setbacks and building envelope for all dwellings

#### *10.4.2 (P3) Setbacks and building envelope for all dwellings*

The rear wall or south-eastern elevation of proposed dwelling 7 is to be setback 4m from the rear boundary and is to be 3.5m in height at this point. Acceptable solution A3 requires a 4m rear boundary setback and a maximum height of 3m. For this reason, the proposal relies on performance criteria P3.

Performance criteria P3 calls for the siting and scale of a dwelling to:

- (a) *not cause unreasonable loss of amenity by:*
  - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
  - (ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*
  - (iii) *overshadowing of an adjoining vacant lot; or*
  - (iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*
- (b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

Proposed dwelling 7 is to have a maximum height of 5.2m, which is relatively low in scale. Proposed dwelling 7 is to be separated from the nearest dwelling on an adjoining lot by approximately 23m and by approximately 12m from the private outdoor space of the nearest dwelling on an adjoining site. The proposal is assessed as not unreasonably overshadowing or causing a reduction in sunlight to the habitable space of the adjoining dwelling or the associated private open space. The property to the south-east of the site is largely vacant and the proposal is not expected to unreasonably overshadow this area, given the relatively low scale of the proposed dwelling. In addition, proposed dwelling 7 is comparably separated from adjoining dwellings to that of dwellings in the surrounding area.

The proposal is assessed as satisfying the performance criteria and complies with the standard.

### 10.4.4 Sunlight and overshadowing for all dwellings

#### *10.4.4 (P1) Sunlight and overshadowing for all dwellings*

Each of the proposed dwellings has windows oriented in excess of 30° east of north. The proposal therefore is reliant on 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).*

It is considered that owing to the design of each of the proposed dwellings, where the internal layout is for a largely open plan kitchen-living and dining area, those windows which are provided on the north-eastern and north-western sides of the dwellings will collectively allow adequate sunlight to enter that open space.

The proposal is considered to satisfy the performance criteria and so complies.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

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

The proposal includes the provision of a second access to a road. Pursuant to Clause E5.6.2 Road Accesses and Junctions, the proposal does not comply with the acceptable solution, and is reliant on the performance criteria which require,

*For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:*

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

The proposal has been referred to Council's Development Technical Officer who is in support of the proposal and has made comments in the referrals section of this report. In brief, the applicant has submitted a Traffic Impact Assessment (TIA) and it is considered by Council's Engineer with regard to the contents within this TIA, that the provision of a second access is able to satisfy the performance criteria of the standard and complies with the standard.

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

The proposal has been referred to Council's Development Technical Officer, who is in support of the proposal and has made comments in the referrals section of this report. In summary, the proposal is for sixteen (16) car parking spaces to be provided on site. This is a number which is sufficient to meet the acceptable solution of the standard E6.6.1 Number of Car parking spaces required.

However, the proposal is reliant on the performance criteria for the standard E6.7.1 (P1) Number of Vehicle Accesses, owing to including two accesses which provide both entry and exit. The performance criteria require,

*The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:*

- (a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points;*
- (b) whether the additional access points can be provided without compromising any of the following:*
  - (i) pedestrian safety, amenity and convenience;*
  - (ii) traffic safety;*
  - (iii) residential amenity on adjoining land;*
  - (iv) streetscape;*
  - (v) cultural heritage values if the site is subject to the Local Historic Heritage Code;*
  - (vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.*

The proposal has been referred to Council's Development Technical Officer who is in support of the proposal and has made comment in the referrals section of this report. In brief, the applicant has submitted a Traffic Impact Assessment (TIA) and it is considered by Council's Engineer, with regard to this TIA, that the provision of a second access is able to satisfy the performance criteria of the standard and so complies.

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

The proposal has been referred to Council's Development Technical Officer, who is in support of the proposal, and has made comments in the referrals section of this report. In summary, the proposal is for new impervious surfaces to be drained by gravity to existing stormwater infrastructure and so the proposal complies with the acceptable solutions of the applicable standard.

## **INTERNAL REFERRALS**

### **Development Engineer**

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

#### *Comments*

The development application seeks an approval for six (6) dwellings at the rear of an existing dwelling on the subject site. The works proposed include an addition vehicle crossing and new driveway. This is a staged application with the maximum of three (3) stages in construction.

*Traffic, Access & Parking*

A new vehicle access is proposed to the south of the existing crossing, while the existing crossing is to remain and be kept available for the existing house. This does not comply with the acceptable solution A1 under Code E6.7.1. The developer has addressed the issue by providing a Traffic Impact Assessment, which concludes that the development complies with the Performance Criteria P1 (b) under Code E6.7.1. Passing bays and on-site turning areas are provided. A total of sixteen (16) parking spaces are proposed with two (2) spaces for each dwelling and two (2) visitor parking spaces to be conditioned.

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)*

The developer proposes to connect stormwater from the existing house and the new development to Council's asset, this will create the new connection to Council's satisfaction. No new Council main is proposed to be created, but instead is to be drained to the private pipe within the property boundary.

Stormwater on-site detention and management to acquire acceptable quality and quantity are required. These have been agreed with the developer and the conditions will form part of the permit.

*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 Officer who has made the following comments.

Waste Services to the proposed multiple dwelling development at 1 Moore Park Drive Glenorchy 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 fourteen bins (14) bins, seven (7) Waste bins and seven (7) 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.

## EXTERNAL REFERRALS

### TasWater

Pursuant to the *Water and Sewerage Industry Act 2008* (Tas Section 56P(1)) TasWater imposes conditions on the permit for this application.

As part of the conditions imposed by TasWater, the applicant is to complete a transfer for the provision of a Pipeline and Services Easement(s) over 14 PARINGA RD (C.T. 62467/31) to cover proposed TasWater infrastructure.

Such a condition would be beyond the power of the Planning Authority (LUPAA and GIPS), but is within the power of TasWater as a service provider, to acquire land by compulsory process for the purpose of water and sewerage infrastructure and subsequently transfer an easement over said infrastructure. Therefore, the TasWater submission to Planning Authority notice requesting the creation of a 'Pipeline easement' and installation of infrastructure on adjoining land can be included in the planning permit, with no further action required by the Planning Authority, in accordance with S56Q *Water and Sewerage Industry Act 2008*.

## REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation(s) being received. The issues raised are as follows:

### 1. Development affords views into the private open space of the dwelling at 14 Paringa Road.

#### *Planner's Comment:*

The proposed setbacks of all dwellings comply with the acceptable solution of the standard 10.4.2, in relation to side boundary setbacks. It is the rear boundary setback that necessitates the exercise of discretion and no windows are proposed on this elevation of dwelling 7. Furthermore, for dwelling 7, which the representation specifically addresses, the proposed side boundary setback is more than 11m from the boundary shared with 14 Paringa Road. There is no discretion for Council to consider in relation to this proposed setback of this dwelling, with regard to potential loss of amenity through overlooking.

### 2. Removal of trees along the rear boundary

The representor states that the removal of trees is "environmentally unacceptable".

#### *Planner's Comment:*

This issue cannot be considered as part of this application as the removal of trees has already occurred, and so does not form part the proposal. Ordinarily, the clearing of vegetation, unless subject to a code within the planning scheme or a threatened vegetation community, is exempt under Clause 6.3 *Vegetation planting, clearing or modification*.

### 3. Fence required to be demolished for works

The representor states that the fence along the shared boundary, shared between 1 Moore Park Drive and 14 Paringa Road will be required to be removed to facilitate proposed works at 14 Paringa Road.

*Planner's Comment:*

This issue is not a planning issue that can be considered as part of this application. The erection and cost sharing of fences along a boundary is controlled by the *Boundary Fences Act 1908*.

Pursuant to Clause 6.4 of the Glenorchy Interim Planning Scheme 2015, the construction or demolition of side and rear boundary fences not adjoining a road or public reserve or not within 4.5m of the site's primary frontage, and not more than a total height of 2.1m above natural ground level, are exempt.

Therefore, the demolition or replacement of this fence up to a height of 2.1m is not able to be considered as part of this application

### CONCLUSION

The proposal for seven multiple dwellings is assessed to comply with all of the acceptable solutions for the relevant standards of the General Residential zone, as well as the applicable codes, except where reliant on the performance criteria for 10.4.2 (P3) Setbacks and building envelope for all dwellings, 10.4.4 (P1) Sunlight and Overshadowing for all dwellings, E5.6.2 Road accesses and junctions and E6.7.1 Number of vehicle accesses. The proposal is assessed as satisfying those performance criteria in order to meet the objectives of the standard and as such complies.

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 the recommended conditions.

### Recommendation:

That a permit be granted for the proposed use and development of Seven (1 existing and 6 new) Multiple Dwelling units at 1 Moore Park Drive, Glenorchy subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-020 and Drawing No. P2 submitted on 27/03/2017, 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 length of each proposed sleeper retaining wall must not exceed 9m and must not exceed 3m in height above natural ground level. Plans submitted with application for building permit must show the dimensions, extent of fill to be retained, and be designed by a suitably qualified person.
4. Car parking spaces identified on the site plan as P9 and P11 are to be identified on plans submitted with the building permit application as visitor car parking spaces. These spaces must be set aside exclusively for the common use of any visitors to the site only and must be installed prior to the issue of certificate of occupancy of dwellings in stage 3. These spaces must be clearly marked 'Visitor' once constructed.
5. Plans submitted for the building permit application must demonstrate that any fence (including a free-standing wall) within 4.5 m of a frontage and above 1.2m in height above natural ground level must have openings which provide a uniform transparency of not less than 30% (excluding any posts or uprights) above 1.2m, and be no greater than 1.8m in height.

### ***Engineering***

6. Prior to the issuing of a Building Permit or the commencement of works on site for each stage, submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures 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)
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost. It shall be the developer's responsibility to obtain and submit with the Building Application or prior to the commencement of works, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction.

The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works shall be deemed to be the responsibility of the developer and shall be repaired at the developer's cost.

9. Construction of a new vehicle crossing must be constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy or the approval of Strata application. The detail design must be submitted and approved prior to the issuing of a Building Permit.
10. 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.
11. 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.
12. 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 25% or 1 in 4;
  - b) Fourteen (14) clearly marked car parking spaces for proposed Units 1 to 7 in addition to the two (2) spaces for the existing house must be provided in accordance with the approved plan received by Council dated 27/03/2017 and kept available for these purposes at all times;
  - c) Of the fourteen (14) parking spaces, two (2) spaces must be provided and nominated as visitor parking spaces 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 3.0 metres;

- g) Passing bays in accordance to GIPS, E6.7.3 must be provided. The passing bays must be 6 m long, 5.5 m wide, and taper to the width of the driveway; have the first passing area constructed at the kerb; and be at intervals of no more than 30 m along the access.
- h) Water sensitive urban design principle and landscaping for parking areas must be provided and incorporated in the design.

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 dwelling.

- 13. All internal hydraulic service works required for the development must 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. 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 Technical Officer on (03) 62166426 to organise for Council to provide a quote to perform the stormwater connection works.
- 14. 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.
- 15. The treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme E7.0 Stormwater Management Code and be approved by Council's Development Engineer prior to the issuing of a Building Permit or the commencement of Stormwater works.
- 16. The proposed 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 for each stage.
- 17. The staged development must be no more than 3 stages, and be in accordance with the plan submitted to Council dated 27/03/2014. All the works for each stage must be completed prior to the approval of each Strata stage.



***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.

***Engineering***

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.

***Waste***

Waste Services to the proposed multiple dwelling development at 1 Moore Park Drive Glenorchy 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 fourteen bins (14) bins, seven (7) Waste bins and seven (7) 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.

***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? |
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| <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 total area of the site is 3568m <sup>2</sup> . pursuant to the definition of site area, this area divided by the number of dwellings (7) is 509m <sup>2</sup> and so complies. | Yes       |
| <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 | Proposal is setback in excess of 4.5m                                                                                                                                              | Yes       |

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|  | <p>(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</p> <p>(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>                                                                                |                                                                                                                                                                                                                        |     |
|  | <p><b>A2</b></p> <p>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> | Proposed garages are setback in excess of 5.5m                                                                                                                                                                         | Yes |
|  | <p><b>A3</b></p> <p>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>                                                                               | Proposed dwellings comply with all setbacks pursuant to (a) and are not setback within 1.5m, (b). Except Dwelling 7 is to be setback 4m from the rear boundary and be 3.5m in height, where 3m is the required height. | No  |

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|                                                                                | <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> <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> |                                                                                                                                                                                                                                                           |                                  |
| <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) Proposed site coverage is 28%.</li> <li>(b) Proposed private open space per unit is in excess of 60m<sup>2</sup></li> <li>(c) Percentage of site free from impervious surfaces is greater than 25%.</li> </ul> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |

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|  | <p><b>A2</b></p> <p>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>All proposed dwellings have areas of private open space in excess of 24m<sup>2</sup></p> <p>All proposed dwellings' private open space have a horizontal dimension greater than 4m</p> <p>The private open space of each dwelling is directly accessible from the kitchen-living areas. For the existing dwelling, the private open space is accessible from the living area.</p> <p>The proposed private open space for Unit 1, is to the east of that dwelling.</p> <p>The proposed private open for Units 2 to 7 are to the North East</p> <p>The proposed private open space for each dwelling is located behind the building line.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The proposal is for each 24m<sup>2</sup> area of private open space to achieve a max gradient of 1:10. This gradient complies with the acceptable solution.</p> <p>The private open space for each dwelling is separated from any area used for vehicle parking.</p> | <p>Yes</p> <p>Yes</p>           |
| <p><b>10.4.4</b><br/><b>Sunlight and overshadowing of all dwellings</b></p> | <p><b>A1</b></p> <p>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>                                                                                                                                                                                                                                                                                                                                                                                           | <p>Proposed windows (units 2-7) face in excess of 30° east of North.</p>                                                                                                                                                                                                | <p><b>No – Refer Report</b></p> |
|                                                                             | <p><b>A2</b></p> <p>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>Proposed dwellings lie predominately on an east-west axis.</p>                                                                                                                                                                                                       | <p>N/A</p>                      |

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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></p> <p>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> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <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> </li> <li>(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.</li> <li>(c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> </ul> </li> </ul> | Proposed dwellings lie predominately on an east-west axis. | N/A |

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|                                                                                      | (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                        |     |
| <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).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed garages are setback in excess of 12m from the frontage.                                                                                                                                                                                                                                                                       | 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:<br><br>(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<br><br>(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<br><br>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:<br><br>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or | Though there is no proposed screening, the decks for each dwelling are setback in excess of 3m from the side boundary and so comply with (a).<br><br>It is noted that dwelling 7 has a landing within 4m of the rear boundary. However, the landing is a transitional space and not a 'deck'. The proposal complies with the standard. | Yes |



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|  | (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |
|  | <p><b>A2</b></p> <p>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> <p>(i) is to have a setback of at least 3 m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary; and</p> <p>(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</p> <p>(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.</p> <p>(b) The window or glazed door:</p> <p>(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</p> <p>(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</p> <p>(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%.</p> | <p>Though there are proposed windows within 6m of each of the dwellings. These windows are for the respective garages which are not habitable rooms.</p> <p>Those other windows to habitable rooms with a finished floor level above 1m natural ground level are,</p> <p>(i) in excess of 3m from the side boundary</p> <p>(ii) in excess of 4m from the rear boundary</p> <p>(iii) not within 6m of other windows to habitable rooms of dwellings on the same site</p> <p>(iv) not within 6m of private open space of a dwelling on the same site.</p> | Yes |

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|                                                                          | <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> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(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.</p> | <p>The proposal includes provision for two visitor car parking spaces. These spaces are not identified on the site plan, though in order to comply with the acceptable solution, they must be those spaces marked P9 and P11.</p> <p>It is because the spaces are in front of windows to non habitable rooms which ensures compliance.</p> <p>In consultation with the applicant, it has been agreed that conditioning these specific spaces for use as the visitor spaces is reasonable.</p> | Yes               |
| <p><b>10.4.7</b></p> <p><b>Frontage Fences for all dwellings</b></p>     | <p><b>A1</b></p> <p>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>                                                                                                                                                                             | <p>It is a condition of approval that all fencing within 4.5m of the frontage must be in accordance with the acceptable solution.</p>                                                                                                                                                                                                                                                                                                                                                         | Yes – Conditioned |
| <p><b>10.4.8</b></p> <p><b>Waste Storage for multiple dwellings.</b></p> | <p><b>A1</b></p> <p>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>Each dwelling has an area set aside for waste bins of an appropriate dimension.</p>                                                                                                                                                                                                                                                                                                                                                                                                        | Yes               |

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|  | <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> <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(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.</li> </ul> |  |  |
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**APPENDIX 2****E5 Road and Railway Assets Code**

| Standard                                               | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed                                                                                           | Complies? |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------|
| <b>5.5 Use Standards</b>                               |                                                                                                                                                                                                                                                                                              |                                                                                                    |           |
| <b>E5.5.1<br/>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not Applicable                                                                                     | N/A       |
|                                                        | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not Applicable                                                                                     | N/A       |
|                                                        | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | There is no anticipated intensification of the existing access beyond 20% or 40 vehicle movements. | Yes       |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                       | Proposed       | Complies? |
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| <b>E5.5.2</b><br><b>Exiting Level Crossings</b>                    | <b>A1</b><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                               | Not Applicable | N/A       |
| <b>5.6 Development Standards</b>                                   |                                                                                                                                                                                                                                                                                                                                           |                |           |
| <b>E5.6.1</b><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br><br>(b) other road or earth works; and<br><br>(c) building envelopes on new lots. | Not Applicable | N/A       |
|                                                                    | <b>A1.2</b><br>Buildings, may be:<br><br>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or<br><br>(b) an extension which extends no closer than:<br><br>(i) the existing building; or<br>(ii) an immediately adjacent building.                                             | Not Applicable | N/A       |

| Standard                                                                    | Acceptable Solution                                                                                                                                                                                                                                                                                           | Proposed                                            | Complies?                   |
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| <b>E5.6.2<br/>Road accesses and junctions</b>                               | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                       | Not Applicable                                      | N/A                         |
|                                                                             | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                        | Proposal is for an additional access to be provided | <b>No – refer to report</b> |
| <b>E5.6.3<br/>New Level Crossings</b>                                       | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                         | Not Applicable                                      | N/A                         |
| <b>E5.6.4<br/>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at:<br><br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br><br>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. | 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>                                         | <p>A1<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:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) this provision was not used in this planning scheme.</li> </ul>                                 | The proposal is for sixteen (16) car parking spaces, where each dwelling is provided two (2) for the exclusive use of that dwelling and two (2) Visitor spaces. This contributes to a surplus of 6%. | Yes       |
| <b>E6.6.2<br/>Number of Accessible Car Parking Spaces for People with a Disability</b> | <p>A1<br/>Car parking spaces provided for people with a disability must:</p> <ul style="list-style-type: none"> <li>(a) satisfy the relevant provisions of the Building Code of Australia;</li> <li>(b) be incorporated into the overall car park design;</li> <li>(c) be located as close as practicable to the building entrance</li> </ul>                                                                                                                                                                        | Not Applicable                                                                                                                                                                                       | N/A       |
| <b>E6.6.3<br/>Number of Motorcycle Parking Spaces</b>                                  | <p>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.</p> | Not Applicable                                                                                                                                                                                       | N/A       |

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                         |                          |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------|
| <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>E6.7 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposal is for an additional access                                                    | <b>No – Refer Report</b> |
| <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><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>(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. | The proposed widened vehicle access is proposed to comply with the Australian standard. | Yes                      |
| <b>E6.7.3</b>                                      | <b>A1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                         |                          |



|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                               |                  |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Vehicular Passing Areas Along an Access</b> | <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <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> </ul> </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> | Proposal requires a vehicle passing area owing to having more than 5 parking spaces. A vehicle passing area is provided at the kerb, as well as sufficient width of the access making the safe passing of vehicles within the site achievable | Yes              |
| <b>E6.7.4 On-Site Turning</b>                  | <p><b>A1</b></p> <p>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:</p> <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>                                                                                                                                                                                                                                  | Sufficient room for on site turning is provided for in the design of the development                                                                                                                                                          | Yes              |
| <b>E6.7.5 Layout of Parking Areas</b>          | <p><b>A1</b></p> <p>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.</p>                                                                                                                                                                                      | The proposal is for the design to comply with the Australian Standard. A condition ensuring this has been recommended                                                                                                                         | Yes- conditioned |
|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                               | 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> <li>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</li> </ul> | The proposal is for all areas to be sealed.                                                                                |     |
| <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.                                                   | N/A                                                                                                                        | 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.                                                                                                                                        | Proposed car parking areas are for the use of respective dwellings. None of these sections exceed five car parking spaces. | 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: <ul style="list-style-type: none"> <li>(a) be located, designed and constructed to comply with</li> </ul>                                                                                                                                                                                                                    | Not Applicable                                                                                                             | N/A |

|                                                               |                                                                                                                                                                                                                                                                                                                |                |     |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----|
|                                                               | <p>section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>                                                                                                              |                |     |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | <b>A1</b><br><p>The design of bicycle parking facilities must comply with all the following;</p> <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>                                                             | Not Applicable | N/A |
|                                                               | <b>A2</b><br><p>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.</p> | Not Applicable | N/A |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | <b>A1</b><br><p>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.</p>                   | Not Applicable | N/A |
| <b>E6.7.12</b>                                                | <b>A1</b>                                                                                                                                                                                                                                                                                                      |                |     |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |     |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----|
| <b>Siting of Car Parking</b>                            | 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<br/>Facilities for Commercial Vehicles</b> | <p><b>A1</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) the use is not primarily dependent on outward delivery of goods from the site</li> </ul> | Not Applicable                                                                      | N/A |
| <b>E6.7.14<br/>Access to a Road</b>                     | <p><b>A1</b></p> <p>Access to a road must be in accordance with the requirements of the road authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed access is assessed as being satisfactory by Councils Development Engineer. | 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.                                                                                                                                                                                                                                                       | Proposal is for stormwater to be disposed of to public stormwater infrastructure                                                                              | 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>(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. | The proposal has been referred to Councils Development Engineer who is satisfied with the stormwater system for the proposal                                  | Yes       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<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;                                             | The proposal has been referred to Councils Development Engineer who has conditioned On site water detention to ensure compliance with the acceptable solution | Yes       |

| Standard | Acceptable Solution                                                                                                                                                 | Proposed | Complies? |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. |          |           |
|          | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                   | N/A      | N/A       |

**Attachments/Annexures**

- 1  Attachment - 14 Paringa Road and 1 Moore Park Drive, Glenorchy

**6. PROPOSED USE AND DEVELOPMENT - THREE ADDITIONAL DWELLING UNITS (MULTIPLE DWELLINGS) - 32 O'BRIEN STREET, GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7712211

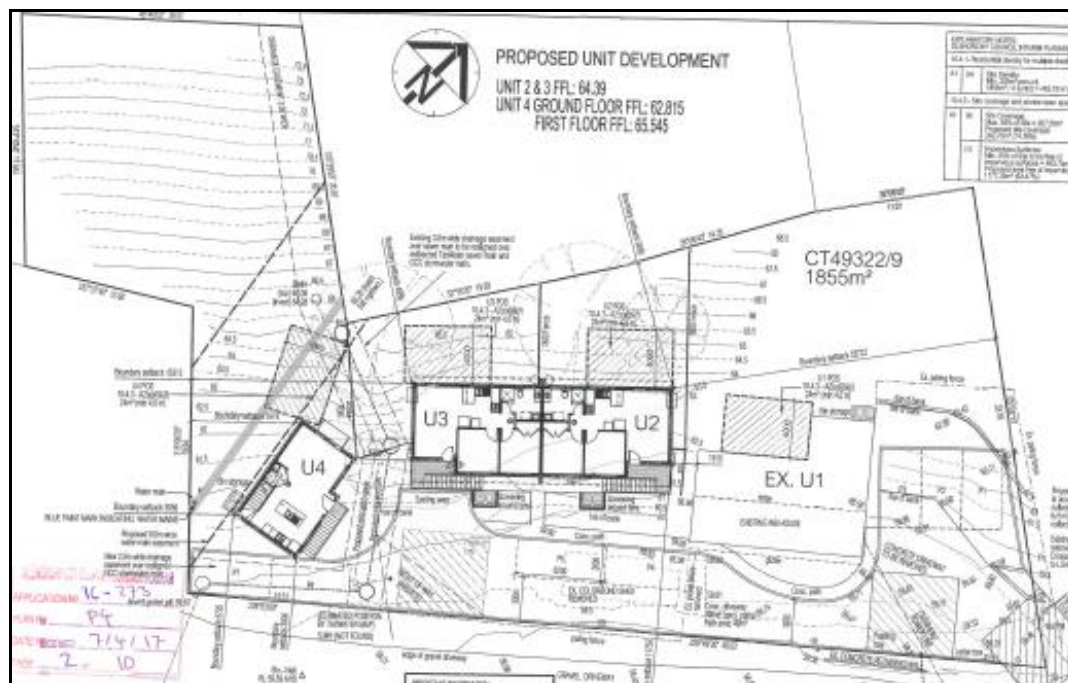
**REPORT SUMMARY:**

|                                   |                                                                                                                                                                                                   |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-16-273</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>        | <b>104.2 A3 Setbacks and Building Envelopes</b><br><b>E6.4 Number of car parking 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>23 May 2017</b>                                                                                                                                                                                |
| <b><i>Existing Land Use:</i></b>  | <b>Single Dwelling</b>                                                                                                                                                                            |
| <b><i>Proposal In Brief:</i></b>  | <b>Three additional dwellings (Multiple Dwellings)</b>                                                                                                                                            |
| <b><i>Representations:</i></b>    | <b>1</b>                                                                                                                                                                                          |
| <b><i>Recommendation:</i></b>     | <b>Approval, subject to conditions</b>                                                                                                                                                            |



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

The application proposes three additional dwelling at the rear of an existing dwelling. There would be a new driveway along the southern boundary, approximately 45m in length, and a new parking area in front of the existing dwelling. A total of seven parking spaces are proposed. The site layout is shown in Figure 1 below.



**Figure 1: Proposal Plans – Site Plan - Wilson Homes**

The proposed dwellings would be of double storey in height, although two of the units would only have a single storey with significant foundations. Of the three dwellings, Unit 2 and Unit 3 would be conjoined. These dwellings would provide for two bedrooms and open plan living areas on one floor. There would be private open space at the rear of each dwelling directly accessible from a sliding door. The rear elevation is only of single storey height.

Unit 4 would be free standing and double storey with living area on the ground floor and sleeping areas on the second floor. Private outdoor space would be located to the north directly accessible from the living areas.

To accommodate the dwellings on site, it would be necessary to relocate some services in the vicinity of Unit 4.

The application is *discretionary* because the south corner steps within the setback distance and because there is a shortfall of two parking spaces.

The elevations for Unit 2 and Unit 3 are shown in Figure 2 below.

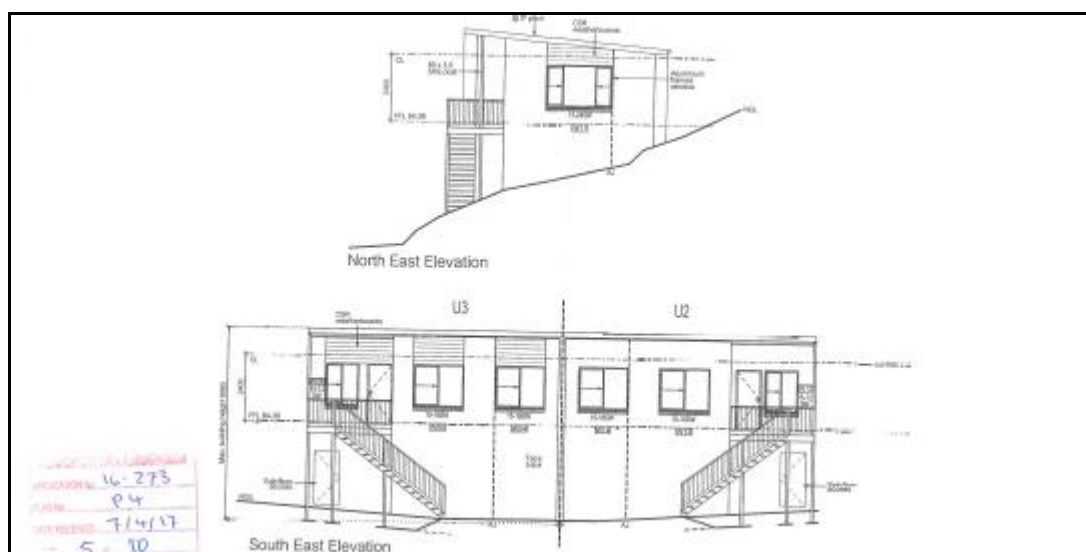


Figure 2: Proposal Plans - south and east elevation - Units 2 & 3 - Wilson Homes

## SITE and LOCALITY

The subject site is located at the head of the cul-de-sac at the northern end of O'Brien Street in Glenorchy. The property has an irregular shape with an area of 1856m<sup>2</sup>. The property is occupied by a single dwelling and a shed. The dwelling is situated towards the front of the property. There is an existing driveway from the southwest corner of the property to the front of the house. The property has a moderate to steep slope falling towards the southwest. The site is restricted by the location of various services. The adjoining land to the south contains a driveway within council-owned land. All other adjoining properties contain single dwellings. The subject site is shown in Figure 3.



Figure 3: Subject Site and Services - Council Database 2016

## ZONE

The subject property is located within the General Residential Zone (in red), as are all the other properties within the vicinity. The zoning is shown in Figure 4.

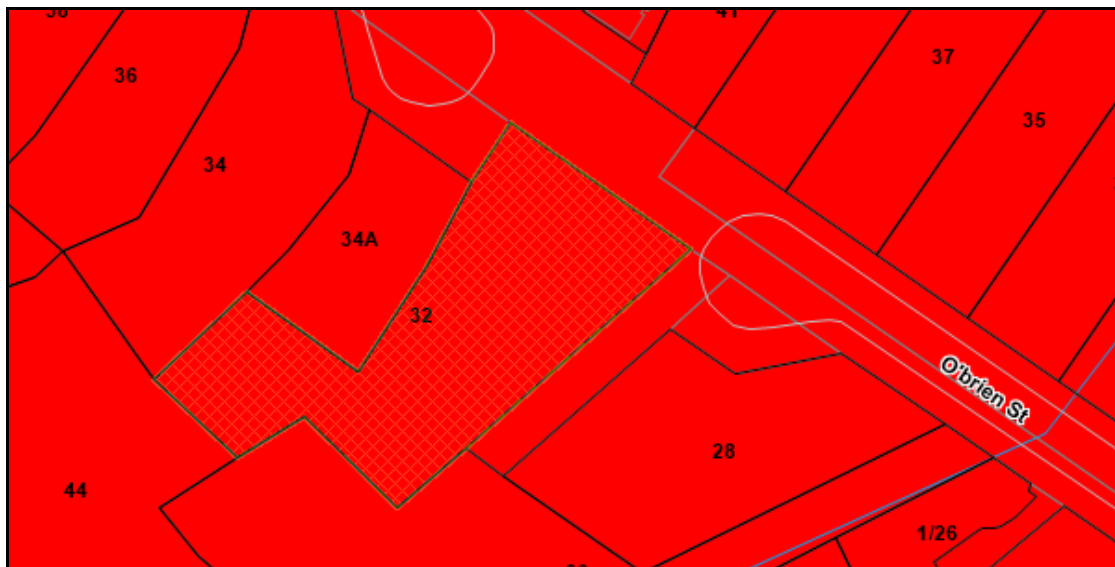


Figure 4: Zoning Map - GIPS 2016

## BACKGROUND

### 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
- E3.0 Landslide Code
- E11.0 Waterway and Coastal Protection Code

#### **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 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.*

##### *Outbuilding*

*Means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.*

**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 is discretionary under (b) above as it relies on the Performance Criteria because it does not meet the following acceptable solutions:

- 104.2 A3 Setbacks and Building Envelopes
- E6.4A1 Number of car parking spaces

**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*

**Comments**

It is considered that the proposal is in accordance with the above objectives as it would be for residential development utilising existing services.

**Use Table**

The use class Residential - Multiple Dwellings is *permitted* in 10.2 Use Table. However, the application is *discretionary* pursuant to subclause 8.8.1 (b), owing to the reliance of the proposal 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**

The application relies on Performance Criteria as it does not comply with the following Acceptable Solutions:

**10.4A3 Setbacks and Building Envelope for all Dwellings**

The application does not accord with the Acceptable Solution in Clause 10.4.2 A3 in regards to the setback of one of the units as follows:

*Unit 4 - Side Setback*

- Proposed 3m (8m high wall) – Acceptable Solution 8m

*Unit 4 - Rear Setback*

- Proposed 3.056 (3m long section) – Acceptable Solution 4m

Therefore, the proposal relies on the following Performance Criteria:

**10.4.2 P3 Setbacks and Building Envelopes**

*The siting and scale of a dwelling must:*

- (a) *not cause unreasonable loss of amenity by:*
  - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
  - (ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*
  - (iii) *overshadowing of an adjoining vacant lot; or*
  - (iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*
- (b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

*Comment*

The proposed dwelling unit, which is Unit 4, is double storey with high foundations, which results in an 8m high wall at the south corner of the dwelling, which is at an angle to the boundary. The setback from the southeast boundary varies between 3m and 5.725m. There would be a parking space between the boundary and Unit 4. The land adjacent to the south boundary contains a driveway and private outdoor space. The dwelling on the adjacent property is located so that it would be behind Unit 4 approximately 7.5m from the common boundary.

It is considered that the proposal satisfies the Performance Criteria above for the following reasons. Shadows of the proposed dwelling would fall mainly south over an adjoining driveway and a large open space area, so that no unreasonable loss of sunlight or overshadowing would occur. In addition, there would be a significant separation distance between the adjacent dwelling and the proposed dwelling, in particular to the rear setback. Moreover, the proposed dwelling would be at an angle of the dwelling behind so as to reduce any visual bulk. Therefore, it is considered that the proposal meets the above objectives.

#### **10.4.6 A1 Privacy for all Dwellings**

The application does not accord with the Acceptable Solution in 10.4.6 A1 (c) because there are no screens shown on the plan and because there are not the required separation distances as follows:

- Between the landings (deck) of Unit 3 and the northeast elevation of the second floor window of Unit 4 where separation is 5m instead of the required 6m.
- Between the landing (deck) of Unit2 and the southeast elevation of the existing dwelling, which is Unit 1 where the separation is 0.7m where 6m is required.

Therefore, the proposal relies on the following Performance Criteria:

#### **10.4.6 P1 Privacy for all Dwellings**

*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 be screened, or otherwise designed, to minimise overlooking of:*

- (a) *a dwelling on an adjoining lot or its private open space; or*
- (b) *another dwelling on the same site or its private open space; or*
- (c) *an adjoining vacant residential lot.*

#### **Comment**

A condition is recommended to install a screen on either end of the landings so that the proposal would accord with the a

#### **10.4.6 A2 Privacy for all Dwellings**

The proposal does not meet the Acceptable Solution in 10.4.6 A2 (a) (iii) as there would be a window on the northwest elevation of Unit2 that would be opposite the existing dwelling at a distance of less than 6m. Therefore, the proposal relies on the following Performance Criteria:

#### **10.4.6 P2 Privacy for all Dwellings**

*A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:*



- (a) window or glazed door, to a habitable room of another dwelling; and
- (b) the private open space of another dwelling; and
- (c) an adjoining vacant residential lot.

#### Comment

A condition is recommended to reduce the size of the window on the northeast elevation of Unit 2 so that it would be 1.7m above the floor level to prevent overlooking. Accordingly, the proposal complies with the standard.

### Part E: Codes

The following codes of the Scheme apply to this proposal:

#### E3.0 Landslide Code

The landslide overlay covers a portion of the subject property. However, the Landslide Code is not applicable as the proposed development lies outside the overlay. The Landslide Overlay is shown in Figure 5 below.

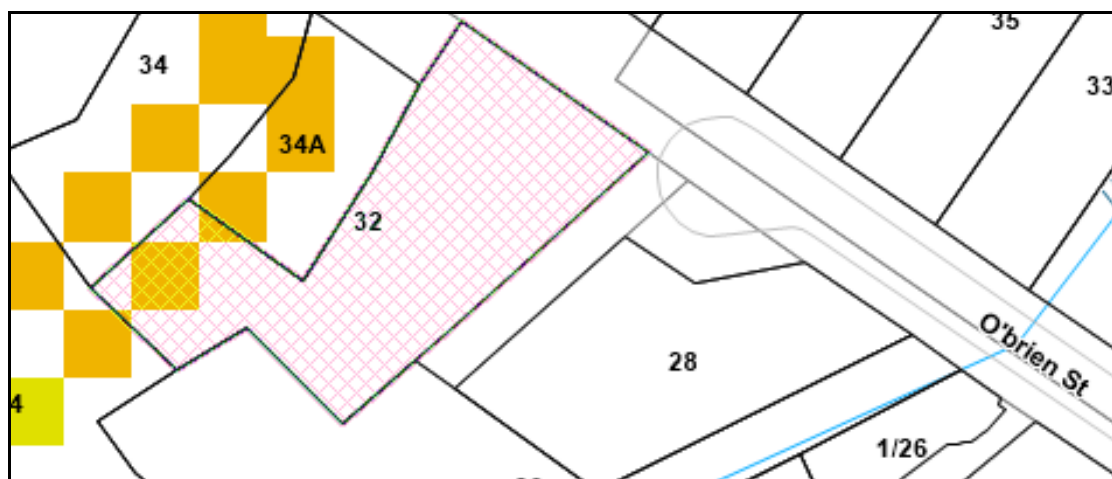


Figure 5: Landslide Overlay - GIPS 2015

#### E6.0 Parking and Access Code

The number of parking spaces required is set out in Clause E6.1 A1 Number of Car Parking Spaces Required and is 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 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 would require nine spaces in accordance with the above table. However, it is proposed to provide for seven spaces. The proposal therefore relies on the related Performance Criteria which is as follows:

*E6.6.1 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 application was referred to Council's Development Engineer who assessed the parking shortfall against the above Performance Criteria. The shortfall was considered acceptable in particular because of the site constraints and as on-street parking is available, as well as public transport within 400m of the site. For further comments, please refer to Engineering Assessment in the referrals section of this report.

### E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection Code covers a small portion of the site. It is proposed to have the driveway over this area. The area covered by the Waterway Protection Overlay is shown in Figure 6 below.

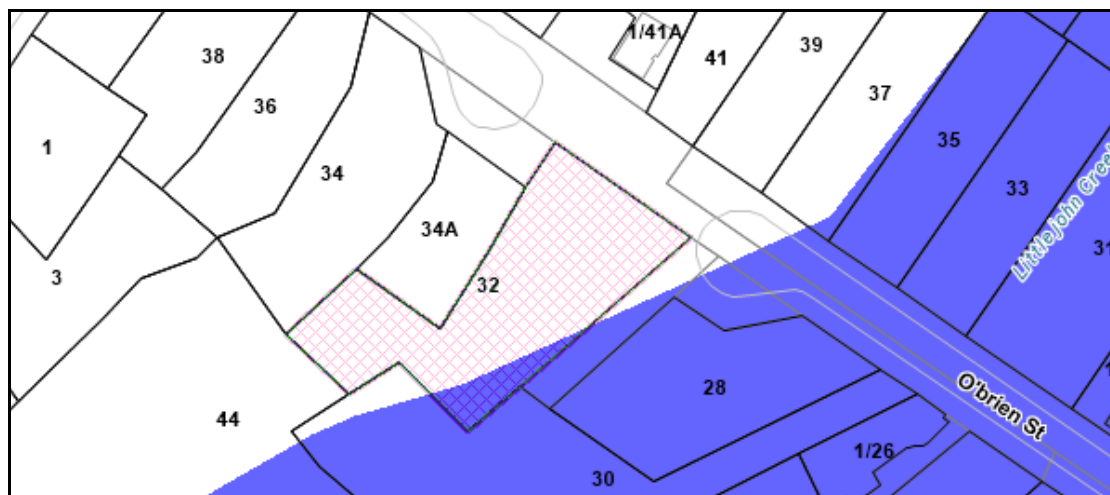


Figure 6: Waterway and Coastal Protection Overlay – GIPS 2015

The proposed works would require soil disturbance and therefore the code is normally applicable. However, the stream is piped, so that it is considered that the code is not applicable because a standard is only applicable if it deals with a matter that could be affected pursuant to Clause 7.5.2 (b). Since there is no watercourse present, it is reasonable to conclude that it is not a matter which is affected. The clause is as follows:

*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.*

### PART F: Specific Area Plans

Nil.

### INTERNAL REFERRALS

#### Development Engineer

#### Comments

The development application seeks an approval for three additional dwellings to the rear of the existing dwelling at the subject site. The works include new stormwater main extension to the existing pit HR219/DE, abandoning the existing drainage easement and stormwater and sewer mains diversion.

*Traffic, Access & Parking*

There is no change in the current existing access point. The new development triggers the numbers of parking space requirement of the total of nine parking spaces (two spaces per each dwelling plus one visitor parking space). The applicant proposes seven parking spaces, which means the two parking space shortfalls occur. This has to be assessed against the performance criteria under Code E 6.6.1. Given the limitations of the site, it is not possible to fit two more parking spaces in. However, the location of the subject site is within 400m walking distance to the nearest public transport and on-street parking in the locality is available. It is therefore considered that the development complies with the Performance Criteria P1 E6.6.1, the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

Passing bays and on-site turning areas are provided and comply with the acceptable solution under GIPS Code E6.

*GCC Services (Stormwater)*

The applicant proposes to relocate the GCC 150mm Stormwater main that runs across the block, creating new manholes to suit the new arrangement and also proposes a new 300mm Stormwater main to be connected to the existing stormwater pit located within the property boundary of number 28 O'Brien Street. The cost of the arrangements will be at developer's cost except that Council will contribute to the cost of the difference in upgrading the 225mm to 300mm stormwater main connecting to the pit outside the property's boundary. This agreement has been confirmed by Council's Hydraulic Engineer – Frank Chen.

*Other**Geoscience issues*

Part of the lot is identified as subject to a 'Medium Hazard' as per the Dept. of Premier & Cabinet / Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Medium Hazard' and the part identified as 'Medium Hazard' is not where the development will take place, a detailed Geotechnical Report was not required to be submitted with the application. However, the applicant may wish to seek advice from a suitably qualified Engineer that the proposed development will not cause any undue risk to land stability or the occupants as a result of the works.

Further information can also be found at the following website:  
[http://www.dpac.tas.gov.au/divisions/local\\_government/osem/mitigating\\_natural\\_hazards](http://www.dpac.tas.gov.au/divisions/local_government/osem/mitigating_natural_hazards)

*Flooding/Inundation issues*

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

**Waste Management Officer**

Waste Services to the proposed multiple dwelling development 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 eight (8) bins, four (4) Waste bins and four (4) 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 Services Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

## **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 1 representation received. The concerns raised were as follows:

### ***Building Height***

The representation states that the proposed Unit 4 exceeds maximum building height for no apparent reason and that a one metre reduction in height would be in keeping with the other units. This would also make the proposal more aesthetically pleasing and would not obstruct views. Lowering the height would also reduce the number of stairs to the entry of Unit 4.

### ***Comment***

The maximum building height would be 8.5m for any dwelling to be contained within a building envelope in Development Standard 10.4.2 A3 Setbacks and Building Envelopes. The maximum height of Unit 4 would be 8.244m. However, the maximum height is dependent on the location within the building envelope. The south corner of Unit 4 is outside the building envelope for a 2m- wide section. The remainder of the dwelling is compliant. If the dwelling was further north from the southern boundary, then it could have complied without lowering the height. This discretion has been assessed earlier in this report under the heading Setbacks and Building Envelopes and was found to be consistent with the Performance Criteria, in regards overshadowing, overlooking and visual bulk.

### ***Retaining Wall***

The representation also wanted to know that the boundary wall was going to be of sound construction.

*Comment*

Any retaining wall required will have to be designed and certified by a suitable qualified Engineer as per recommended Condition 15.

**CONCLUSION**

The application is for three two-bedroom dwelling at the rear of an existing dwelling on a steep site. The proposal includes a new driveway with on-site turning and seven car parking spaces.

The application is *discretionary* as it relies on Performance Criteria in relation to the building envelope and has a shortfall of two parking spaces. It is assessed that the proposal would not adversely affect any neighbouring property in terms of overshadowing, loss of sunlight or visual bulk. In regards to the parking shortfall, it is considered due to site constraints that it is not possible to provide more parking. The proposal meets the Performance Criteria as there would be on-site parking and public transport available.

The application was advertised for the statutory 14-day period (plus extra days over Easter and ANZAC day). There were no representations received.

In terms of conditions, special conditions are recommended to ensure private open space grades are as required, to preserve privacy and creation of easements for new infrastructure.

Overall, the application is considered acceptable.

**Recommendation:**

That a permit be granted for the proposed use and development of Three additional dwelling units (Multiple Dwellings) at 32 O'Brien Street Glenorchy subject to the following conditions:

***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-273 and Drawing No. P4 submitted on 07/04/17, 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. Each dwelling unit must have an area of Private Open Space of at least 24m<sup>2</sup> with a minimum width of 4m and a grade not steeper than 1:10. All earthworks must be shown on plans submitted as part of building permit application and must be completed prior to the Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner.
4. The window of the northeast elevation of Unit 2 must be reduced in size to have a sill height of at least 1.7 m above the floor level so as to prevent overlooking. The plans submitted in association of a Building Permit Application must show this requirement to the satisfaction of Council's Senior Statutory Planner.

5. 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% must be installed on the southwest side of the landing of Unit 3 and on the northeast side of the landing of Unit 2 to prevent overlooking. The screen must be installed prior to issue of a Certificate of Occupancy and must then be maintained for the life of the use. The screen must be shown on plans submitted in association with a Building Permit Application to the satisfaction of Council's Senior Statutory Planner.
6. A permanently fixed external screen must be installed on the eastern side of the first floor window on the northeast elevation of Unit 4. The screen must be perpendicular to the wall and extend the full height of the window. In addition, the screen must have transparency of not more than 25% and must be sufficient in depth to prevent overlooking from the window opposite at Unit 3. The screen must be shown on plans submitted in association with a Building Permit Application and must then be installed prior to a Certificate of Occupancy. The screen must be maintained for the life of the development to the satisfaction of Council's Senior Statutory Planner.
7. All dwellings must have a screened storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling as shown on the endorsed plans.
8. There must be no concrete bin collection pad constructed outside the boundaries of the property, without separate approval by Council's Waste Management Section. Plans submitted in association with a Building Permit Application must not show the bin collection area outside the boundaries. Please note: Garbage trucks are unable to reverse for bin collection.

### **Engineering**

9. Prior to the issuing of a Building Permit 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)
10. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
11. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.

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

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 Permit 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) Seven (7) clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times.
- (c) Of the total required number of car parking spaces of the completed development, one (1) car parking space must be provided for the use of visitor parking. The parking space to be provided must be marked, with clearly painted markings, as "Visitor Parking".
- (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 3.0 metres;
- (g) The turning bay(s) to be provided must be marked, with clearly painted markings, as "No Parking";
- (h) Passing bays in accordance to GIPS, E6.7.3 must be provided; and
- (i) Wheel stops must be installed for drops between 150mm and 600mm to prevent vehicles running off the edge of a carriageway.

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 dwelling.

13. Barrier compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit. All works required by this condition must be installed prior to the occupancy of the dwelling.
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.
15. 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.
16. 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. . Prior to the issue of a Building Permit, the stormwater treatment detail designed certified by a suitably qualified Engineer must be submitted to and approved by Council.
17. An existing 150mm stormwater main to be abandoned must be removed and backfilled to the satisfaction of Council's Development Engineer prior to the occupancy of the dwellings.
18. The proposed development requires the design and construction of a Council 150mm Stormwater main and manholes within the subject site. The applicant must submit as engineering design of the woks for approval in accordance with Council's standard and requirements. The 150mm stormwater main and new manholes are required to be constructed at the developer's cost and completed by the Developer, prior to the occupancy of the dwellings.
19. A proposed new 300 mm stormwater main must be provided to the satisfactory of Council at the cost to the applicant where Council will contribute to the cost difference in upgrading the 225mm to 300mm stormwater main.



Prior to the occupancy of the dwellings, a new stormwater main and connection via O'Brien Street to the property boundary must be completed. Prior to the issuing of Building Permit or the commencement of works, the developer must contact Council requesting a quotation for the new stormwater connection. Council will supply a quotation for the cost of the works.

20. 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 Assistant Stormwater Co-ordinator. This permit must include items such as hours of work, road safety, reinstatement, soil and water management. The Road Opening Permit Application Form is available on Council's website. Please contact Council's Assistant Stormwater Co-ordinator on (03) 62166363 to organise for Council to provide the Permit.
21. Easements must be created over all existing and proposed service lines, in accordance with Council's Development Engineer's requirements.
22. The Council required all infrastructure works that will be transferred to Council to be inspected and completed to the satisfaction of Council's Development Engineer.

### ***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***

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*

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****10.0 General Residential Zone**

| Standard                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed                                            | Complies? |
|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------|
| <b>10.3 Use Standards</b>                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                     |           |
| <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.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Land area 1856m <sup>2</sup> : 4 =464m <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>(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 | Existing unit front setback 9m                      | Yes       |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                             |                                                                                                           |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|  | <p>(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</p> <p>(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>                                                                                 |                                                                                                                                             |                                                                                                           |
|  | <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) (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> | No garages or carports proposed                                                                                                             | NA                                                                                                        |
|  | <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>1. Front – 9m</p> <p>2. Side NW – 4.95m for 3.4m wall</p> <p>3. Side SE – 3m for 8m wall (Unit 4)</p> <p>4. Rear – 3.056m for Unit 3</p> | <p>1. Yes</p> <p>2. Yes</p> <p>3. <b>Discretion</b> see report</p> <p>4. <b>Discretion</b> see report</p> |

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                          |                                                                                             |
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|                                                                                | <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> <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> |                                                                                                                          |                                                                                             |
| <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> </ul>                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>(a) 14.6%</li> <li>(b) More than 60m<sup>2</sup></li> <li>(c) 63% free</li> </ul> | <ul style="list-style-type: none"> <li>(a) Yes</li> <li>(b) Yes</li> <li>(c) Yes</li> </ul> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                  |                                    |
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|  | (c) a site area of which at least 25% of the site area is free from impervious surfaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                  |                                    |
|  | <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>(f) has a gradient not steeper than 1 in 10; and</p> | <p>(a) at least 24m<sup>2</sup></p> <p>(b) at least 4m</p> <p>(c) Yes sliding door from living areas</p> <p>(d) Orientated to north</p> <p>(e) Not within frontage</p> <p>(f) Grade less than 1:10 with earthworks condition</p> <p>(g) Not used by vehicles</p> | POS complies with all requirements |

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|                                                                                                        | (g) is not used for vehicle access or parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                    |     |
| <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 windows comply | 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):<br><br>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):<br>(i) at a distance of 3 m from the window; and<br>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.<br><br>(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.<br><br>(c) That part, of a multiple dwelling, consisting of:<br>(i) an outbuilding with a building height no more than 2.4 m; or<br>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. | No unit north      | Yes |

|                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                  |     |
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|                                                                                              | <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> | No unit north                    | Yes |
| <p><b>10.4.5</b><br/><b>Width of openings for garages and carports for all dwellings</b></p> | <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No garages or car ports proposed | NA  |



|                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                             |                          |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <p><b>10.4.6</b><br/><b>Privacy for all dwellings</b></p> | <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> | <p>There would be landings to the front door which are above 1m of NGL. The landings between Unit 3 and Unit 4 are only separated by 4m instead of 6m from a window and the two landings. Therefore a condition for screening is required so that the proposal complies with (c). The condition is for a 1.7m high screen on the western side of the landing of Unit 3.</p> | <p>Yes<br/>Condition</p> |
|                                                           | <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> <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>(a) (i) More than 3m from side</li> <li>(ii) More than 4m rear</li> <li>(iii) Less than 6m unit 3 and 4</li> <li>(iv) Nearest 6m</li> </ul>                                                                                                                                                                                          | <p>Yes<br/>Condition</p> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                           |      |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
|  | <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> | <ul style="list-style-type: none"> <li>(b) Not offset</li> <li>(c) Not 1.7m above floor level</li> <li>(d) Fixed Screen condition</li> </ul> <p>Condition for fixed screen on the eastern side of the second floor window on the northwest elevation.</p> |      |
|  | <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> <ul style="list-style-type: none"> <li>(a) 2.5 m; or</li> <li>(b) 1 m if:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Unit 3 has a turning area directly adjacent but the window sill is 3.8m above NGL<br/>Unit 4 has two parking spaces directly adjacent which belong to this unit. In addition all adjacent windows would be more than 1.7m above NGL.</p>               | Yes. |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                          |                  |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------|
|                                                         | <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> <li>(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.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                  |
| <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> <ul style="list-style-type: none"> <li>(a) 1.2 m if the fence is solid; or</li> <li>(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).</li> </ul>                                                                                                                                                                                                                                                                                                   | No fencing proposed                      | NA               |
| <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> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(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.</li> </ul> </li> </ul> | (a) Bin storage at each unit is provided | Yes<br>Condition |

**Attachments/Annexures**

- 1  Attachment - 32 O'Brien Street, Glenorchy

**7. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO BREWERY (RESOURCE PROCESSING) RELYING ON PERFORMANCE CRITERIA - 73-75 ALBERT ROAD, MOONAH**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 2895346

**REPORT SUMMARY:**

|                                   |                                                                                                                                                   |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Application No.:</i></b>    | <b>PLN-17-071</b>                                                                                                                                 |
| <b><i>Applicant:</i></b>          | <b>All Urban Planning</b>                                                                                                                         |
| <b><i>Owner:</i></b>              | <b>Marios Connector Property Developments Pty Ltd</b>                                                                                             |
| <b><i>Zone:</i></b>               | <b>Light Industrial</b>                                                                                                                           |
| <b><i>Use Class</i></b>           | <b>Resource Processing</b>                                                                                                                        |
| <b><i>Application Status:</i></b> | <b>Discretionary</b>                                                                                                                              |
| <b><i>Discretions:</i></b>        | <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><i>Level 2 Activity?</i></b>   | <b>No</b>                                                                                                                                         |
| <b><i>42 Days Expires:</i></b>    | <b>11 May 2017</b>                                                                                                                                |
| <b><i>Existing Land Use:</i></b>  | <b>Food Wholesaler (Storage)</b>                                                                                                                  |
| <b><i>Proposal In Brief:</i></b>  | <b>Change of use to Brewery (Resource Processing) 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 change of use of the site at 73-75 Albert Road Moonah from a Food Wholesaler (Storage) to a Brewery (Resource Processing).

The proposal involves no development of any buildings, though does provide line marking for an additional four (4) car parking spaces and one (1) accessible car parking space.

The proposal is assessed as complying with the acceptable solutions of all of the applicable development standards for the Light Industrial zone, as well as the Acceptable solutions of the applicable standards of relevant codes, except where reliant on the performance criteria for E6.6.1 (P1) Number of Car Parking Spaces.

The proposal includes the replacement of existing signage which, pursuant to clause 5.10.1 of the general exemptions, is exempt from requiring a planning permit if changing the graphics of legally existing signage, the existing signage was approved under BA 646-29, 2 December 1992. There is a pole sign adjacent to the frontage. This sign is to be re-badged and is not exempt from assessment.

### **SITE and LOCALITY**

The subject site is located on the southern side of Albert Road, approximately 65m from the intersection with Gormanston Road. The site is approximately 1605m<sup>2</sup>, of which approximately 940m<sup>2</sup> is buildings, and the remainder is car parking and vehicle turning areas.

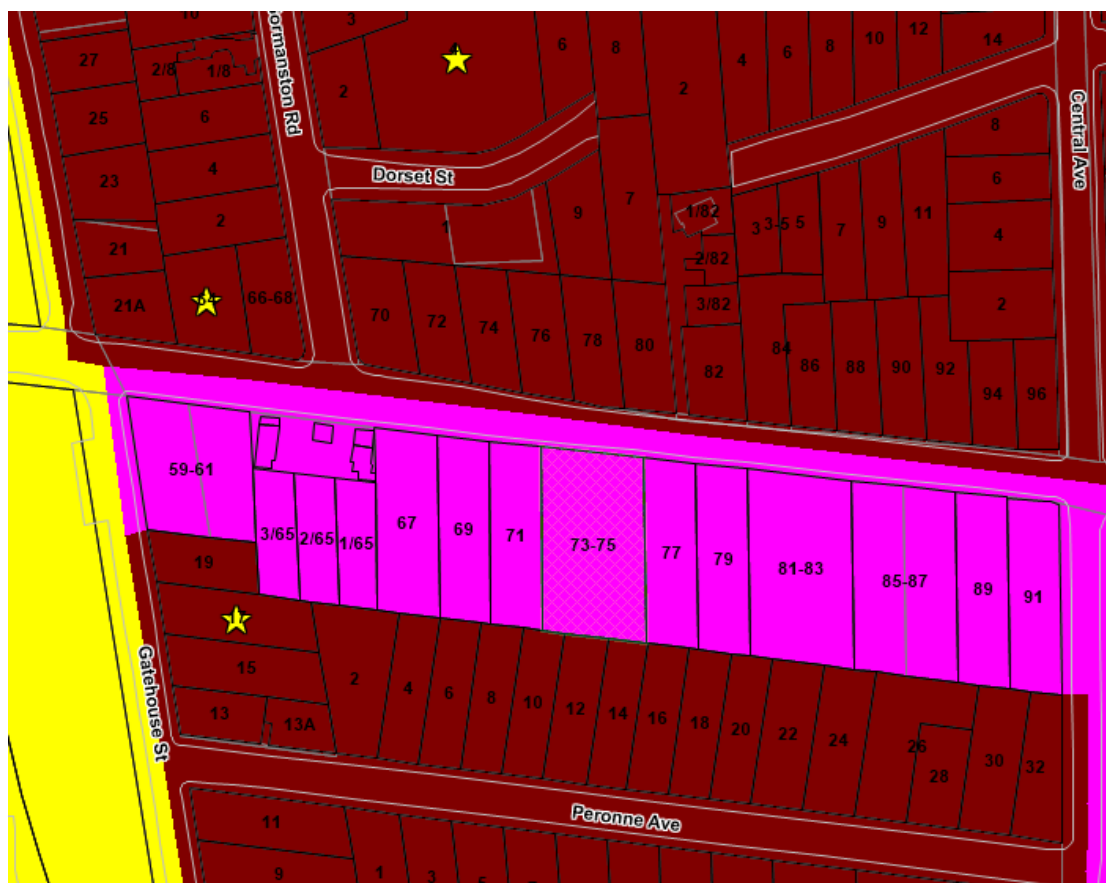
The locality is characterised by a mixture of zoning and uses where predominately residential properties abut Albert Road on the northern side and Commercial properties abut the Southern side.



**Figure 1.** Aerial view of the subject site and immediate surrounds.

## ZONE

The subject site is zoned Light Industrial. This zoning encompasses all properties on the southern side of Albert Road, beginning at Gatehouse Street. To the north and south of the subject site, large expanses of the Inner Residential zone encompass a number of dwellings. This proximity to residentially zoned land is important in assessing the proposal against the Use standards of the Light Industrial zone.



**Figure 2.** View indicating the extent of the Light Industrial (Fuchsia) and adjoining Inner Residential zone (Maroon)

## BACKGROUND

PLN-15-94 – Approval for partial demolition and additions to warehouse at 75 Albert Road. This application included signage.

## 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 SAP or Code provisions override zone provisions.

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

Resource processing : Use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.

#### **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 is 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.

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

No special provisions of the Scheme apply to this proposal:

### **Part D: Zones**

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

#### **24.1 Zone Purpose Statements**

1. To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.
2. To promote efficient use of existing industrial land stock.



3. To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.
4. To provide industrial activity with good access to strategic transport networks.

*Comment*

The proposal is considered consistent with the zone purpose statements, as it provides a processing use with minimal off-site impacts. As well, owing to the proximity to transport networks, it is considered an appropriate location with regard to the logistics of a processing use, which is reliant on inward bound delivery of raw materials and distribution of products.

#### **24.2 Use Table**

Resource Processing is a discretionary use within the Light Industrial zone. It is considered that as the proposal is consistent with the zone purpose, the use is appropriate.

#### **24.3 Use Standards**

The proposal complies with all of the Acceptable Solutions of the applicable Use Standards as outlined in Appendix 1.

#### **24.4 Development Standards for Buildings & Works**

As the proposal is for a change of use only, there are no applicable development standards.

### **Part E: Codes**

The following codes of the Scheme apply to this proposal.

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

Pursuant to the Table E6.6.1 Number of Car Parking Spaces, the change of use requires the provision of a total of nineteen (19) car parking spaces (1/50m<sup>2</sup>) in order to satisfy the acceptable solutions. The proposal has provision for fifteen (15) car parking spaces, where five (5) (including the accessible space) are additional. This number is short of the requirement of the table, and so the proposal must satisfy the performance criteria to meet the standard. The performance criteria 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 considered that the proposal satisfies the objective of the standard through the relevant performance criteria, owing to the applicant demonstrating that the number of on-site spaces is sufficient to meet the demand of the proposal.

In the application's accompanying planners report, it is stated that of the fifteen (15) car parking spaces, only three (3) spaces will be required for staff, leaving twelve spaces (12) available for visitors to the site. It is anticipated by the applicant that a total of four (4) vehicles visiting per hour can be easily accommodated onsite by the proposed number of visitor spaces.

In addition to this statement from the applicant, it is with regard to the existing alternate modes of transport available (largely afforded by proximity to the inter city bike path), and public transport along Main Road (within 400m), which visitors may also use, that the proposal is considered to satisfy criteria (c) and (d).

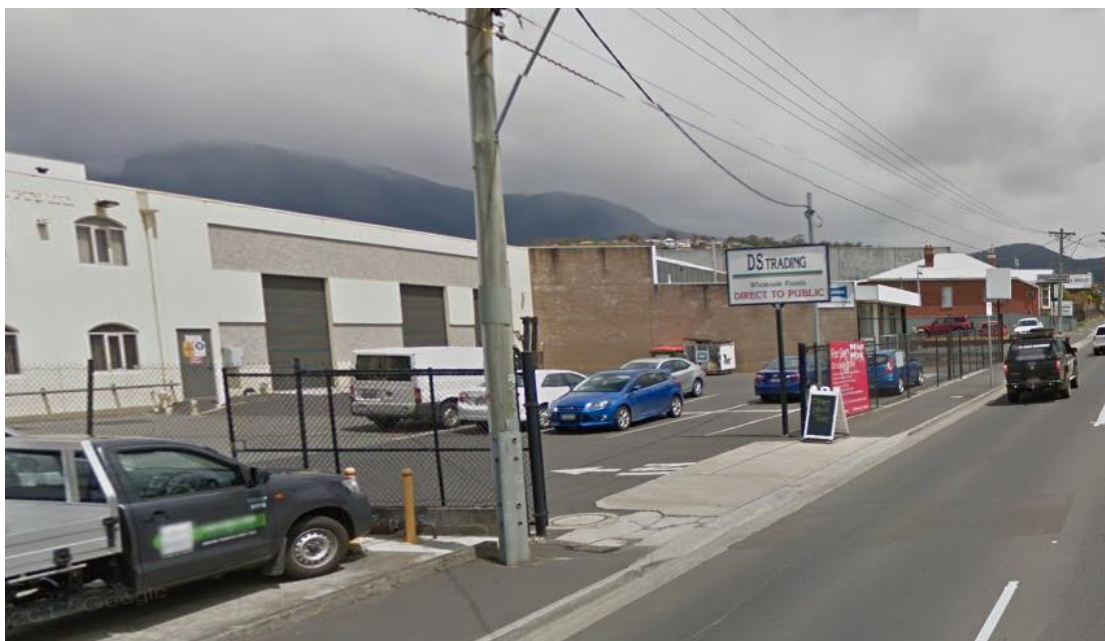
In the event that the number of onsite spaces is not sufficient during unforeseen peak events, there is availability for on street parking in the locality for irregular overspill satisfying (b), though it should be noted that this is not proposed to be a regular requirement of the use.

Those criteria (e) through to (m) are not considered applicable, largely because of the limited scale of the proposal and minor shortfall in the provision of onsite car parking spaces.

The proposal is assessed as satisfying the performance criteria and so complies with the standard.

### E17.0 Signs Code

A pole sign is located adjacent to the frontage. The sign is for the purpose of business identification and will be re-badged for this purpose.



**Figure 3.** A view of the proposed pole sign, adjacent to the frontage

#### E17.7.1 Standards for Signs P1

Performance criteria P1 require a sign to 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 pole sign is assessed as integrating into the streetscape with being of dimensions that would otherwise dominate the streetscape. The proposed sign is assessed as being constructed from easily maintained materials and the sign is not expected to cause a loss of amenity in the locality by way of repetition of message, visual clutter or causing a safety hazard.

The proposed sign is assessed as satisfying the performance criteria and complies with the standard. Conditions of approval are recommended to ensure that the sign remains no more than 5m in height, the clearance from the ground to the sign of no less than 2.4m is maintained and the sign does not project any more than 1.2m beyond the boundary.

## **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 a Change of Use to Brewery (Resource Processing) at the abovementioned address.

#### *Traffic, Access & Parking*

There is no change in the current Traffic and Access arrangements. It is proposed to provide fifteen (15) parking spaces including one (1) accessible parking space. The proposal has addressed the parking shortfall of four (4) spaces and it is agreed that proposal complies with the performance criteria P1 of Code E6.6.1.

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.

#### *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 has been referred to Council's Environmental Health Officer, who has made the following comments.

#### *Comments*

The proposed site is bordered by residential zoning on two sides. Due to this close proximity to residential premises within a residential zone, further information was requested of the applicant detailing all the processing and subsequent machinery that would be utilised throughout the brewing process that may generate a noise nuisance to surrounding residence.

The applicant advised that all processing will take place within buildings located on the proposed site and that the use will not involve any noise intensive activities, plant or processes. The applicant also advised that the processes utilised throughout the brewing process are effectively noiseless with only small electric motors/transfer pumps.

There will be a small bottling line housed internally in a cool store as shown on the plans. This room is insulated on all sides with foam cladding and will have the further buffer of a cool room at each end of the building to help mitigate noise. It is expected that the bottling activities will operate 1-2 days maximum and only during normal business hours.

Due to the above stated practices it is believed that the proposed use will comply with A1, 24.3.1 of The Glenorchy Interim Planning Scheme 2015 (The Scheme) and therefore this is recommended to be applied as condition of the permit.

Hours of operation requested by the applicant are within those outlined in A1 of Section 24.3.1 of the Glenorchy Interim Planning Scheme 2015. These hours are recommended to be applied as a condition of this permit.

The application complies with 24.3.2 (A2) as no external amplified loud speakers are requested as part of the new use.

The applicant has advised that all security lights on-site will be baffled as per requirement in 24.3.3 (b) of The Scheme. This is recommended to be applied as a condition of the permit.

The applicant has also advised that all commercial vehicle movements will take place within the acceptable time outlined in A1, 24.3.4 of The Scheme. This is recommended to be applied as a condition of permit.

There are no outdoor work areas and therefore the application complies with A1 24.3.5 of The Scheme.

Council's standard liquid management conditions are recommended to be applied as conditions of the permit to ensure all liquid waste is managed properly.

## **EXTERNAL REFERRALS**

### **TasWater**

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes conditions on the permit (see Appendix A)

## **REPRESENTATIONS**

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

## **CONCLUSION**

The proposed change of use to a Brewery (Resource Processing) is considered to comply with the Zone purpose statement for the Light Industrial zone, as well as the purpose statements of the relevant codes.

The proposal also meets all of the acceptable solutions of the Use Standards of the Light Industrial zone and the Parking and Access code as outlined in the appendices, except where reliant on the performance criteria for E6.6.1 Number of Car parking Spaces Required.

The proposal is assessed to substantially comply with the requirements of the Glenorchy Interim Planning Scheme 2015, subject to recommended conditions.

### **Recommendation:**

That a permit be granted for the proposed use and development of Change of use to Brewery (Resource Processing) relying on performance criteria at 73-75 Albert Road, Moonah subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-071 and Drawing No. P1 submitted on 27/03/2017, 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 pole sign must be no more than 5m in height and a clearance from the ground to the sign of no less than 2.4m is required.
4. The pole sign must not project more than 1.2m beyond the boundary of the site with the footpath or road reservation.

#### ***Engineering***

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. 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 prior to the occupancy of the new use. The proposed driveway area must comply with the following:-
  - a) Fifteen (15) clearly line-marked car parking spaces must be provided in accordance with the approved plan P1 received by Council dated 27/03/2017 and kept available for these purposes at all times; and
  - b) Lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces.

All works required by this condition must be installed and completed prior to the commencement of use as approved.

#### ***Environmental Health***

7. Hours of operation must be within:
  - (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive and
  - (b) 9.00 am to 5.00 pm Saturdays;except for office and administrative tasks.

8. External lighting which operates between 10:00pm and 6:00am must be baffled to ensure that it does not cause an overspill of light onto any adjoining Residentially zoned land
9. 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:
  - (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;
  - (b) 9am to 5.00 pm Sundays and Public Holidays.
10. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.
11. Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.

***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****24.0 Light Industrial Zone**

| Standard                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                     | Complies?         |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>24.3 Use of Standards</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |
| <b>24.3.1<br/>Hours of Operation</b> | <b>A1</b><br>Hours of operation of a use within 100 m of a residential zone must be within:<br>(a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 5.00 pm Saturdays;<br>(c) nil Sundays and Public Holidays.<br>except for office and administrative tasks.                                                                                                                                                                                                                                                                                                                                                                                          | (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive<br>(b) 9.00 am to 5.00 pm Saturdays<br>(c) nil Sundays and Public Holidays.                                                                                                                                                                                                                                                                                                              | Yes               |
| <b>24.3.2<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) (LAmx) at any time.<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. | Applicant has advised all processes will be conducted within the existing structures onsite. The applicants have provided information regarding the processes involved in the use. These processes have been described as low noise generating and due to the scale of the operation EH are in agreeance with this statement. The site also has existing cool rooms which are insulated and would provide some noise mitigation to the site. | Yes – Conditioned |
|                                      | <b>A2</b><br>External amplified loud speakers or music must not be used within 50 m of a residential zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | No external amplified music proposed                                                                                                                                                                                                                                                                                                                                                                                                         | Yes               |



| Standard                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                        | Complies?         |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------|
| <b>24.3.3<br/>External Lighting</b>            | <b>A1</b><br>External lighting within 50 m of a residential zone must comply with all of the following: <ul style="list-style-type: none"> <li>(a) be turned off between 10:00 pm and 6:00 am, except for security lighting;</li> <li>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.</li> </ul> | The proposal is for baffled security lighting                                                   | Yes – Conditioned |
| <b>24.3.4<br/>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: <ul style="list-style-type: none"> <li>(a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;</li> <li>(b) 9 am to 5.00 pm Sundays and public holidays.</li> </ul>   | Applicant advised commercial vehicle movement to only occur between approved hours under 24.3.4 | Yes- Conditioned  |
| <b>24.3.5<br/>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.                                                                                                                                                                     | Proposed does not include outdoor work areas or noise emitting services                         | N/A               |

**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>(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 is for a total of fifteen (15) car parking spaces, inclusive of the provision of one accessible parking space.                                                                             | No – Refer Report |
| <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.                                                                                                                                           | The proposal is for one Accessible parking spaces to be incorporated into the overall design of the car park. This spaces is considered to be located as close as practicable to the building entrance. | Yes               |

| Standard                                                    | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed                                                                                                                                                                                                    | Complies? |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <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, provided the existing number of motorcycle parking spaces is not reduced. | There is no requirement for the provision of a motorcycle space                                                                                                                                             | N/A       |
| <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.                                                                                                                                                                                                                                                                                                                                                                                         | The provision of a staff bicycle space is required for each 1000m <sup>2</sup> of floor area. as the floor area is calculated at less than 100m <sup>2</sup> , there is no requirement for a bicycle space. | N/A       |
| <b>E6.7 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 for the retention and use of the existing number of vehicle access points.                                                                                                                  | 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;                                                                                                   | The proposal does not involve any changes to the existing vehicle access.                                                                                                                                   | N/A       |

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                             | Complies? |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------|
|                                                                 | (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.                                                                                                                                                                                                                                                |                                                                                      |           |
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must: <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <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> </ul> </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> | The proposal is reliant on the existing width of crossovers and vehicle manoeuvring. | N/A       |
| <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>                                                                                                                                                                                                                                                   | The proposal allows for vehicles to exit the site in a forward direction             | Yes       |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                                                                                                                                                                                                                                                                                       | Complies?         |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <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. | Proposed layout is assessed as compliant with the relevant Australian Standard                                                                                                                                                                                                                                                                                 | 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;<br><br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br><br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed.       | There is no proposed change, the surface is existing.                                                                                                                                                                                                                                                                                                          | N/A               |
| <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.                   | The site has an existing lighting arrangement for the car parking area. it is proposed that the site be reliant on the existing lighting, though as the car parking area is proposed to be extended by five (5) spaces, it is a recommended condition that additional lighting be provided to ensure compliance with the standard for those additional spaces. | Yes – Conditioned |
| <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.                                                                                                        | The site is an existing hard stand area. Though collectively the site will have fifteen (15) car parking spaces, as the proposal is for an additional five car parking spaces the requirement for Landscaping is not applicable to this proposal.                                                                                                              | N/A               |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                          | Proposed                                | Complies? |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------|
| <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>(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. | There are no proposed motorcycle spaces | 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>(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.                                                                                                          | There are no proposed bicycle spaces    | 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.                                      | There are no proposed bicycle spaces    | 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.                                                        | There are no proposed bicycle spaces    | 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.                                                                                                                                   | Proposal is for the Light Industrial zone                                                                             | 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><ul style="list-style-type: none"> <li>(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;</li> <li>(b) the use is not primarily dependent on outward delivery of goods from the site.</li> </ul> | The proposal is assessed to provide commercial vehicle facilities in accordance with the relevant Australian Standard | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                          | The Access is existing.                                                                                               | N/A       |

**APPENDIX 3****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                                                                                       | Pole sign is permitted in the zone                                                                                                                                                                                                                                                                     | 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. | For the purpose of business identification                                                                                                                                                                                                                                                             | Yes       |
|                                        | <b>A3</b><br>A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign                   | Not to be illuminated. Condition recommended                                                                                                                                                                                                                                                           | Yes       |
|                                        | <b>A4</b><br>An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.                           | Not to be illuminated                                                                                                                                                                                                                                                                                  | 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 pole sign is not to be no higher than 5000mm from the ground; there is to be clearance from ground to sign no less than 2400mm; and is not to project no more than 1200mm beyond the boundary with the footpath or road reservation. However, the area of each face is more than 2m <sup>2</sup> . | No        |



| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                                       | Complies? |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------|
|          | <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;<br>(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;<br>(i) Building Site,<br>(ii) Name Plate,<br>(iii) Newspaper Day Bill,<br>(iv) Open/Closed,<br>(v) Real Estate,<br>(vi) Street Number,<br>(vii) Temporary Sign. | Only one pole sign proposed.                                                                                                   | Yes       |
|          | <b>A3</b><br>Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The sign does not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign              | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The sign does not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NA                                                                                                                             | NA        |

| Standard                                                                                                                                              | Acceptable Solution                 | Proposed | Complies? |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------|-----------|
| <b>E17.7.2</b><br><br>Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts | <b>A1</b><br>No acceptable solution | NA       | NA        |

**Attachments/Annexures**

- 1  Attachment - 73-75 Albert Road, Moonah