

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 8 NOVEMBER 2021



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 5.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 4 October 2021 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - FIFTY-FIVE MULTIPLE DWELLINGS AND DEMOLITION OF FORMER SCHOOL BUILDINGS - 115 ALLUNGA ROAD CHIGWELL

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3312245

REPORT SUMMARY

Application No.:	PLN-21-351
Applicant:	Prime Design (Invermay)
Owner:	Roman Catholic Church Trust Corporation Of The Archdiocese
Zone:	Community Purpose
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 Setbacks and building envelopes for all dwellings (P3); 8.4.3 Site coverage and private open space for all dwellings (P1); 8.4.4 Sunlight to private open space of multiple dwellings (P1); 8.4.6 Privacy for all dwellings (P2); 8.4.6 Privacy for all dwellings (P3); C2.5.1 Car parking numbers and C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	09 November 2021

SITE and LOCALITY

The site is located on the eastern side of Allunga Road and is irregular in shape with an overall area of 2.919ha. The site has a frontage of 50.63m onto Allunga Road. The site has a slight slope from the rear to the front of the site. The site is currently occupied by St Francis' Flexible Learning Centre and two (2) existing residential developments with a total of 13 dwellings. The three (3) dwelling development is located at the entry and consists of a Specialist Disability Accommodation group home and two linked independent living units. A 10 dwelling development is located on the south western portion of the site and is used for social housing (figure 2).

The site is adjoined by residential development to the north west, south and west. To the north east the site is adjoined by the North Chigwell Soccer Ground. To the south of the site is a church.



Figure 2: Aerial image of the subject site and surrounds

ZONE

The site is located within the General Residential Zone. The land to the north east is located within the Recreation Zone and the land to the south east is located within the Community Purpose Zone (figure 3).

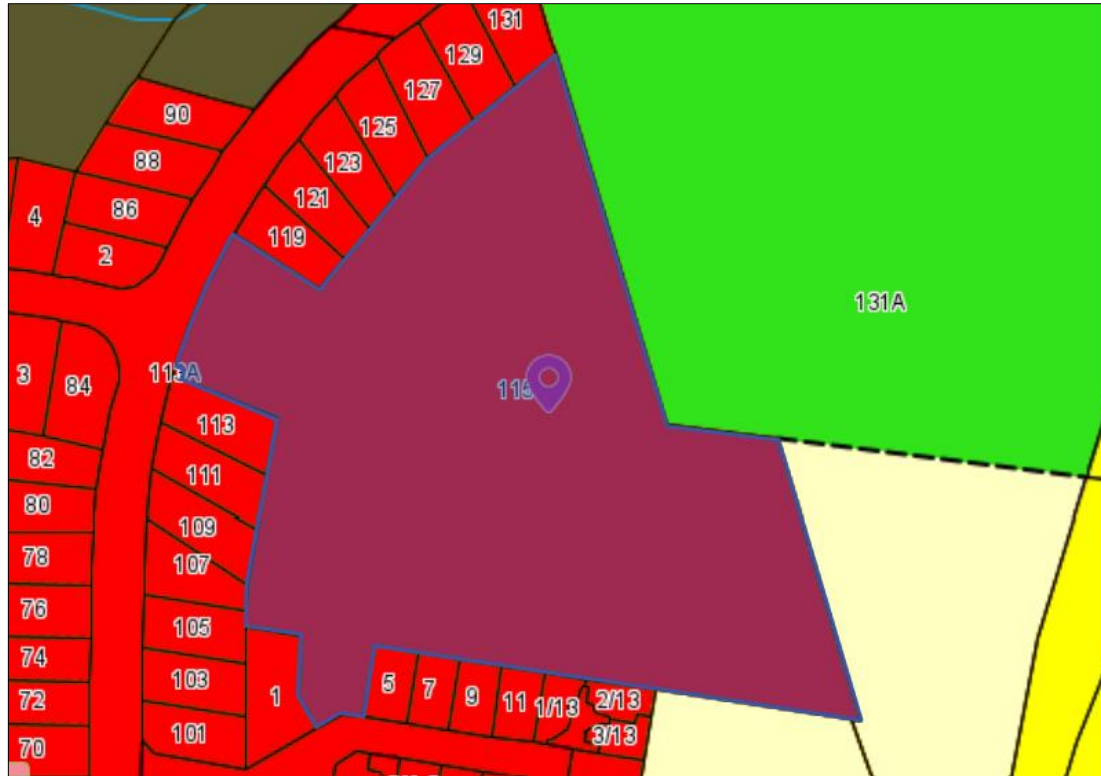


Figure 3: Zoning map of the subject site and surrounds

BACKGROUND

The subject site has been subject to a number of different applications including but not limited to:

PLN-19-274 - Multiple dwellings (10) - Approved May 2020

PLN-19-223 - Subdivision - Approved October 2019

PLS43A-18/01 - Rezone 115 Allunga Road, Chigwell to a General Residential Zone combined with a 3-lot subdivision at 115 Allunga Road and 131A Allunga Road, Chigwell – Approved 21/01/2019.

A Part 5 agreement is to be recommended by a condition on the permit for stormwater quality treatment measures. A Part 5 agreement is enabled by s58A and s70-80A of the *Land Use Planning and Approvals Act 1993*.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Clause 4.6.18 exempts strata division from assessment under the scheme. Strata division is the division by strata titles of lawfully constructed or approved buildings for a use that has been granted a permit under this planning scheme or previously lawfully approved. Strata division is regulated through the *Strata Titles Act 1998*.

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

No General Provisions, SAP or Code provisions override Zone provisions in this assessment.

Use Class Description (Table 6.2):

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

Other relevant definitions (Clause 3.0):

Applicable standard means as defined in subclause 5.5.2, 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.

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

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.

Road means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

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

Zone Purpose Statements

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
 - a. primarily serves the local community; and
 - b. does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The proposal for 55 multiple dwellings is in keeping with the purpose statements of the General Residential Zone as the proposal would provide for a range of dwelling types including cojoined and detached dwellings of various sizes. The dwellings would be located on a site where full infrastructure services can be provided.

Use Table

The residential use class for multiple dwellings is a 'permitted' use within the General Residential zone. However, the application requires discretionary consideration because it relies on performance criteria to comply with applicable standards.

Use Standards

The use standard in the General Residential zone relate to discretionary uses and visitor accommodation. These standards are not applicable to this assessment.

Development Standards for dwellings*8.4.2 Setbacks and building envelopes for all dwellings P3*

The site is taken to be an internal lot and figure 8.3 of the scheme is applicable. Proposed units 7C, 9, 11 and 13 are not setback 4.5m from the rear boundary of a property with an adjoining frontage and the performance criteria is relied on as a result.

The performance criteria require the siting and scale of a dwelling to:

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

Shadow diagrams were provided in support of the application. The shadow diagrams show at 9am on the winter solstice shadows cast from the proposed dwellings will largely fall across the site itself, with some minor shadowing of the lots to the south of the site.

By midday of the winter solstice no shadow would be cast onto adjoining lots, and by 3pm a small amount of shadow would be cast from the proposed dwellings on to the adjoining property to the east, the Metro Sports ground. Accordingly, there would be no unreasonable loss of amenity to adjoining properties caused by overshadowing from the proposal.

Of the proposed dwellings, 45 are to be single storey and 10 are to be double storey. All dwellings are to be less than 8.5m in height and are assessed as being modest in scale. The most sensitive interface for visual impact is along the western boundaries of the site, where the site adjoins existing residential development on adjoining lots.

The proposed dwellings on the southern side of the proposed access way (driveway) and adjacent to the adjoining lots are to be single storey dwellings and would not cause an unreasonable visual impact when viewed from those lots.

The proposed dwellings to the north of the proposed access way (driveway) and adjacent to the adjoining lots are to be both single and double storey, with a single storey dwelling (unit 11) to be setback a minimum distance of 2.4m.

The proposed double storey dwellings in this area of the site are to be setback 4m or more from the shared boundary. The proposal is assessed as being of a scale similar to that which prevails in the locality and does not unreasonably detract from the residential amenity of this location.

The prevailing separation distances in the area range from nil (co-joined dwellings) to approximately 30m. The separation pattern of the proposal is in harmony with the pattern of separation in the area, by having a nil separation for co-joined dwellings and up to approximately 10m between other dwellings on the site.

The shadow diagrams show that the adjoining lots would not be unreasonable overshadowed by the proposal. Therefore, any existing solar energy installations on adjoining properties would not be unreasonably affected.

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

8.4.3 Site coverage and private open space for all dwellings P1

The acceptable solution requires all multiple dwellings to have at least 60m² of private outdoor space. Proposed units 5A, 5B, 5C, 5D, 5E, 7A, 7B, 8A, 8B and 8C do not have a minimum of 60m² of private outdoor space. All units that will have less than 60m² of private outdoor space are two bedroom units.

The performance criteria require dwellings to have:

- a) site coverage consistent with that existing on established properties in the area;
- b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:

- i) *outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and*
- ii) *operational needs, such as clothes drying and storage; and*
- iii) *reasonable space for the planting of gardens and landscaping.*

The proposed dwellings are to be provided with a useable area of private outdoor space, ranging from 32m² to 191m², depending on the location of the dwelling within the site. The private outdoor space for each dwelling is provided in a mix of areas exclusively for the use of the occupants of that dwelling and in a semi private landscaped front gardens. The proposal is assessed as providing private outdoor space that is fit for purpose, where by operational and recreational needs of the occupants are met.

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

8.4.4 Sunlight to private open space of multiple dwellings A1/P1

All proposed dwellings comply with the acceptable solution except for proposed unit 7B. This means that all proposed dwellings are to be appropriately sited to provide at least 50% of the private outdoor space areas (a minimum of 24m²) with at least three hours of sunlight on the winter solstice, except for proposed unit 7B.

The performance criteria require a multiple dwelling to be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.

Shadow diagrams were provided in support of the proposal to show the extent of shadow cast onto the private outdoor space of all proposed dwellings, including proposed unit 7B. The shadow diagrams show that proposed unit 9 would cast some shadow over the private outdoor space of proposed unit 7B. Proposed unit 7B would receive sunlight to 47% of the private outdoor space at 12 noon, 50% of the area would receive sunlight at 1pm and 49% at 2pm, then retracting to 35% of the area by 3pm.

It is to be noted that the percentage measurement is limited to the designated 24m² of the private outdoor space for that dwelling. The private outdoor space for this dwelling is assessed as receiving a reasonable amount of sunlight on the winter solstice to facilitate useable areas of private outdoor space for recreation and operational purposes, given the amount of sunlight is marginally less than that mandated under the acceptable solution.

In summary, the proposed multiple dwellings are assessed as being designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space of another dwelling on the same site. The application is assessed as satisfying the performance criteria and complies with the standard.

8.4.6 Privacy for all dwellings A2/P2

The proposed co-joined double storey dwellings are unable to comply with the acceptable solution of this standard. The performance criteria require a window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- a) a window or glazed door, to a habitable room of another dwelling; and*
- b) the private open space of another dwelling.*

The window placement and sill heights of the co-joined double storey dwellings has been designed to minimise direct views of the private open space of another dwelling on the same site.

This is illustrated in the 3D drawings that form part of the plan set, where the line of site is limited to the front façade of the dwellings on the other side of the access strip (driveway) or roof tops, as opposed to looking down onto the ground level private outdoor space of the immediately adjoining dwelling.

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

8.4.6 Privacy for all dwellings A3/P3

The proposal relies on performance criteria that requires a shared driveway or parking space (excluding a parking space allocated to that dwelling), to be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

The application proposes to landscape the site post construction of the dwellings. The landscaping is to include 1.8m high fences between dwellings and along the shared boundaries with adjoining properties (other than the frontage), and privacy screening is to be located to minimise unreasonable impact from vehicle light intrusion to a habitable room of the multiple dwelling.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

C2.5.1 Car parking numbers P1.2

A shortfall of 13 parking spaces is proposed (124 required and 111 proposed) and the performance criteria is relied on. The performance criteria require the number of car parking spaces for dwellings to meet the reasonable needs of the use, having regard to:

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

Council's Development Engineer has assessed the proposal against the performance criteria found the proposed number of spaces proposed to be an appropriate level of parking for the 51 two-bedroom units and four three-bedroom units; and the availability of parking within the site along the proposed internal road network post development.

For detailed comments please see the 'internal referrals' section of this report.

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

C3.0 Road and Railway Assets Code

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1

The proposal relies on the performance criteria which requires vehicular traffic to and from the site to minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

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

Council's Development Engineer has assessed the proposal against this criterion and provide detailed comment in the 'internal referrals' section of this report. In summary, the proposal has been found to minimise any adverse effects to the safety and efficiency of the road network from vehicular traffic generated from the site at an existing vehicle crossing.

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

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

INTERNAL REFERRALS

Development Engineer

The proposal involves the demolition of the existing school building and construction of 55 dwelling units which comprise of 10 two storeys, two-bedroom dwellings, four single storeys, three-bedroom dwellings and 41 single storeys, two-bedroom dwellings and are proposed as social housing.

As a result of the requirement to provide stormwater quality treatment under Council's Stormwater Management Policy, a Part 5 agreement is required to be entered into to maintain stormwater quality treatment measures so as to achieve the objectives of the Resource Management and Planning System of Tasmania and to satisfy the objectives of the State Policy on Water Quality Management 1997.

C2.0 Parking and Sustainable Transport Code

Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme states that the number of on-site car parking spaces must be no less than the number specified in Table C2.1. For a 'multiple dwelling' development with two or more bedrooms, Table C2.1 requires 2 spaces for each dwelling, plus 1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number).

This is a requirement for 124 on-site parking spaces. The parking provision therefore does not meet the requirements of the Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme as only 111 spaces are proposed. The Performance Criteria P1.2 of Clause C2.5.1 of the Planning Scheme states: "The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

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

The following is relevant with respect to the proposed development:

- a) Nature and intensity of the use and car parking required. The car parking demands are likely to be 79 spaces based on empirical research. The provision of 111 spaces exceeds this parking demand.
- b) Size of dwellings and number of bedrooms. The development is medium density residential housing. Dwellings are units that are relatively small in size (consisting of 51 x 2-bedroom units and 4 x 3-bedroom units).
- c) Pattern of parking in surrounding area. On-street parking is available within the development site's internal road network. There is sufficient available space within the internal road network to cater for the Table C2.1 shortfall of 13 car spaces. Site observations also indicate that on-street parking demands in Allunga Road are relatively low, with reasonable spare capacity for overflow parking if required.

Based on the above assessment the proposed development meets the Performance Criteria, P1.2 of Clause C2.5.1 of the Planning Scheme. This is due to the fact that the empirical parking demand is lower than the Planning Scheme requirements and that there is sufficient available on-street parking within the development site.

C3.0 Road and Railway Assets Code

The development complies with Code C3.0 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development will increase vehicle movements, to and from the site, over 40 vehicle movements.

Based on the trip generation rates supplied in a Traffic Impact Assessment (TIA) from Midson Traffic Pty. Ltd. the new traffic generation from the proposed new units will be 275 vehicles per day with a peak of 28 vehicles per hour and therefore does not comply with the Acceptable solution C3.5.1 A1 Traffic generation at vehicular crossing, level crossing or new junction.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

“Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- d) the increase in traffic caused by the use;
- e) the nature of the traffic generated by the use;
- f) the nature and efficiency of the access or the junction;
- g) the nature and category of the road;
- h) the speed limit and traffic flow of the road;
- i) any alternative access to a road;
- j) the need for the use;
- k) any traffic impact assessment; and
- l) any written advice received from the road authority.”

The following is relevant with respect to the development proposal:

Traffic increase. The previous use of the site was Mt Faulkner Primary School. The traffic generation of the school is not known; however, it is estimated to have been in the order of 200 to 300 vehicles per day. This is similar in magnitude to the traffic generation of the proposed development (on this basis, it is possible that the proposed development meets the requirements of Acceptable Solution A1 of Clause C3.5.1 of the Planning Scheme).

- m) Nature of traffic. The traffic will be residential in nature, which is compatible with existing traffic in the surrounding road network.
- n) Nature and efficiency of access. The access will effectively be a T-junction with Allunga Road. The access design and layout is capable of absorbing the forecast traffic generation at its connection with Allunga Road at a high level of service.
- o) Nature and category of road. Allunga Road is a collector road that also provides residential property access along its length.
- p) Speed limit and traffic flow. The speed limit of Allunga Road is 50-km/h. The traffic volume is approximately 3,500 vehicles per day.
- q) Alternative access. No alternative access is considered possible or necessary.
- r) Need for use. The access is required to service the parking areas associated with the residential units.

- s) Traffic impact assessment. This report documents the findings of a traffic impact assessment.
- t) Road authority advice. Council (as road authority) required a TIA to be prepared for the development proposal.

Based on the above assessment, the development meets the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme. This is predominantly due to the fact that the previous use of the site as a primary school had similar daily traffic generation compared to the proposed development.

Other

C7.0 Natural Assets Code

Not applicable.

C12.0 Flood-Prone Areas Hazard Code

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

C15.0 Landslide Code

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

Waste Management Officer

Waste Services to the proposed 55 multiple dwelling development at 115 Allunga Rd Chigwell would be Council's standard bin service collected fortnightly to each unit.

Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for Recycling, and one (1) x 240L for FOGO wheelie bin to each of the dwellings, collected fortnightly.

The internal footpath must be designed and constructed to accommodate the placement of bins. Recommend footpath width to each lot to meet the minimum accessible footpath width (1.8 metre) and comply with Councils Footpath Policy.

For new properties and subdivisions to have a waste service all new road construction must ensure forward continuous movement for a heavy rigid waste service collection vehicle is available.

Turning heads of cul-de-sacs shall be a minimum of 17.5 metre diameter inside the kerb to allow for the continuous forward movement of a heavy rigid waste service collection vehicle.

Council's Waste Services Contractor collection trucks will not enter any of the multiple unit dwellings that are located within the smaller road areas to collect and empty the wheelie bins. All wheelie bins are to be placed on the kerbside of the internal main road for collection.

A Deed of Release between the developer and Council must be signed prior to the collection vehicles entering the site. This deed is dealt with under the Council policy and not the planning permit, if issued.

In an area with an overhead obstruction such as a tree canopy a minimum height of 5.0 metres needs to be allowed for contractor's collection vehicle including access to the lifting arm.

EXTERNAL REFERRALS

TasWater

TasWater are in support of the proposal and have recommended conditions and advice.

TasNetworks

TasNetworks have requested that the applicant liaises directly with TasNetworks about the energy infrastructure required for the proposed development. This advice has been forwarded to the applicant.

Metro Tas

No response received.

REPRESENTATIONS

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

Lack of facilities for social support and interaction, and recreation

The representor states that it is extremely disappointing that the design provides no infrastructure to promote or encourage social interaction within the development.

The representor notes the Planning Scheme does provide for "Community Meeting and Entertainment" as a discretionary use in the General Residential zone. The Planning Authority would probably approve the inclusion of a neighbourhood house in the development (possibly in a central location) if the proponent modified their design to include it.

Children living in the proposed development will find it a recreational desert, being left entirely to their own devices with no recreational facilities.

Planner's Comment:

The proposed development has been assessed as complying with the requirements of for private open space as demonstrated earlier in this report. The Planning Authority is not able to require an applicant to provide additional infrastructure and facilities such as those mentioned by the representor.

This issue is not a planning issue that can be considered as part of this application.

Traffic safety issues at entrance off Allunga Road

The representor states that if the development is built as designed, the 55 dwellings (plus the 10 previously approved units remaining to be constructed) will generate a significant amount of traffic incoming and outgoing; all of that traffic must use the single entrance off Allunga Road.

Some form of road equipment must be implemented to ensure safe entry and exit. At the very least, there should be a turning lane in Allunga Road for those turning right into the development.

Planner's Comment:

This issue has been previously addressed in the Development Engineer referral response.

The applicant submitted a Traffic Impact Assessment Report with the application. Council's Development Engineer has reviewed the report and is satisfied the proposal complies with the applicable standards of the Road and Railway Assets Code.

Lack of consideration for those without own transport

The representor states that it could be argued that the type of tenant likely to live there is more likely to be without personal means of transport. It is therefore imperative that they have adequate bus services every day. On Sundays only six services run along Allunga Road at 2-hour intervals. Metro Tasmania should be lobbied to increase the Sunday service to at least hourly, to match the Saturday pm service.

The representor also notes that there have been a number of approvals for infill development along Allunga Road and states Allunga Road will become a hotbed of urban infill development. The representor states this requires additional public transport.

Planner's Comment:

The application was referred to Metro Tas for comment. However, no response was received. Increasing bus service levels is not a planning issue that can be considered as part of this application.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards.

The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the applicable standards of the Road and Railway Assets code and Parking and Access code. The application was publicly advertised for the statutory 14-day period and one representation was received. This has been addressed earlier in this report. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

RECOMMENDATION

That a permit be granted for the proposed use and development of Fifty-Five Multiple Dwellings and Demolition of Former School Buildings subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-351 and Drawings submitted on 08 September 2021 (195 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01260, dated 10 August 2021, form part of this permit.
3. No balcony or deck is to have a finished floor level more than 1m above the finished surface level of the site.
4. Landscaping works as shown on the approved plans must be completed within three months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner for the duration of the use.

Engineering

5. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

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

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. The design and construction of the access 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. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer.

The proposed driveway and parking area must comply with the following:

- (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%;
- (b) The one hundred and eleven (111) proposed car parking spaces are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;
- (c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
- (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- (e) Minimum carriageway width is to be no less than 3.0 metres.
- (f) The driveway access to Allunga Road to be a standard intersection design with Give Way controls on the driveway at the junction.
- (g) The driveway access must have pedestrian kerb ramps either side of the Allunga Road footpath in accordance with TSD-R18-V3.

The approved design of the driveway, parking, access and turning areas must be installed prior to the occupancy of the dwellings in stage 1.

8. In conjunction with the above conditions and prior to the commencement of any works on site, the applicant must submit detailed engineering design plans of the proposed development for approval prepared by a qualified professional engineer of the internal access driveway, manoeuvring areas, parking spaces, any required retaining walls and vehicle barriers, floor levels of buildings, demonstrated compliance with the maximum grades, crossfalls and transitions as outlined in the Australian Standard AS/NZS 2890.1 - 2004 Off-Street Parking.

Engineering plans submitted to Council for approval must be certified by an approved engineer to the satisfaction of Council's Development Engineer.
9. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as set out in the approved Stormwater Management Plan.
10. In association with a Building Application, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD element incorporated in the development.
11. Upon approval of the WSUD Maintenance Scheme, and in association with a Building Application, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit.

The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:

- (a) All works outlined in the WSUD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD elements, must be implemented, and managed by the Owner and all successors in title at their sole expense.
- (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD element has been conducted in accordance with the WSUD Maintenance Scheme;
- (c) Repair and replace all the WSUD elements at the sole expense of the Owner and all successors in title so that the WSUD functions (stormwater quality and quantity control) in a safe and efficient manner;

- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement; and
 - (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.
- 12. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer.

Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
- 13. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
- 14. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner. Note that a minimum of five (5) business days' notice must be given to Council for a compliance inspection.
- 15. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed light standards is to be activated prior to the occupancy.
- 16. Landscaping of parking and circulation areas must be provided. This landscaping must be no less than 5 percent of the area of the car park. A landscape design is to be submitted for approval of the Senior Statutory Planner prior to commencement of any works on the site.
- 17. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated.

Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

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 Tasmanian Planning Scheme – Glenorchy 2021. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

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

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 for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site

Waste

Waste Services to the proposed 55 multiple dwelling development at 115 Allunga Road Chigwell would be Council's standard bin service collected fortnightly to each unit.

Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for Recycling, and one (1) x 240L for FOGO wheelie bin to each of the dwellings, collected fortnightly.

The internal footpath must be designed and constructed to accommodate the placement of bins. Recommend footpath width to each lot to meet the minimum accessible footpath width (1.8 metre) and comply with Councils Footpath Policy.

For new properties and subdivisions to have a waste service all new road construction must ensure forward continuous movement for a heavy rigid waste service collection vehicle is available.

Turning heads of cul-de-sacs shall be a minimum of 17.5 metre diameter inside the kerb to allow for the continuous forward movement of a heavy rigid waste service collection vehicle.

Council's Waste Services Contractor collection trucks will not enter any of the multiple unit dwellings that are located within the smaller road areas to collect and empty the wheelie bins. All wheelie bins are to be placed on the kerbside of the internal main road for collection.

A Deed of Release between the developer and Council must be signed prior to the collection vehicles entering the site, as per council's policy.

In an area with an overhead obstruction such as a tree canopy a minimum height of 5.0 metres needs to be allowed for contractor's collection vehicle including access to the lifting arm.

Attachments/Annexures

- 1 PLN-21-351 - GPA attachment - 115 Allunga Road Chigwell



APPENDIX

8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm	Residential is a permitted use in this zone.	NA
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		NA
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		NA
	A4 No acceptable solution.		NA
8.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.	Its for Residential not visitor accommodation.	NA
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA

8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	The site is 2.919ha and 55 dwellings are proposed. The site area per dwelling is 530.72m ² .	Yes
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.	The application proposes a driveway (access way) at a road standard. However, Council is not taking over the 'road' as a public asset. Therefore, the frontage is the 40.2m width of land fronting onto Allunga Road. There is no dwelling proposed within 4.5m of the primary frontage.	Yes
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	There is no garage or carport for a dwelling proposed within 5.5m of the primary frontage.	NA

	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	The site is taken to be an internal lot and figure 8.3 of the scheme is applicable. Units 7C, 9, 11 and 13 is not setback 4.5m from the rear boundary of a property with an adjoining frontage.	No
8.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	a) the site coverage is 20.83%; b) Not all dwellings have 60m² of POS. Ten dwellings have less than 60m² of POS: Units 5A (32m²), 5B (49m²), 5C (42m²), 5D (32m²), 5E (52m²), 7A (32m²), 7B (42m²), 8A (34m²), 8B (52m²), and 8C (51m²). All are two bedroom dwellings.	No
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or	a) A dwellings are to have 24m²; b) With 4m minimum horizontal width; c) No POS between the frontage and a dwelling; d) Gradients all less than 1 in 10.	Yes

	(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.		
8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	All dwellings comply with (a) or (b), as shown on the plans, except for proposed unit 7B.	No
8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	No garage or carport for a dwelling is proposed within 12m of a primary frontage.	NA
8.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:	The applicant has stated that the finished surface level of the land on which the units are to be constructed is to be raised above the existing surface level in places, due to regular earth works associated with the development. As a result, no proposed deck is to be more than 1m above the finished surface level.	Yes

	(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	A condition is recommended to ensure no balcony or deck has a finished floor level more than 1m above the finished surface level.	
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less	Bedroom 1 of dwelling 5E; relies on performance criteria. All dwellings with a floor level more than 1m above existing ground level are to be setback 3m from the side boundaries and 4m from the rear boundaries. Dwellings that are to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site are to have privacy screening or are to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling, with the exception of unit 5E.	No

	than 1.7m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	There are shared driveway areas and parking spaces that would not comply with acceptable solution throughout the site, due to the separation distances being less than 1m.	No
8.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution¹. <i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>	Not proposed.	NA
8.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	A 1.5m² area for the exclusive use of each dwelling is provided and is not to be the area in front of the dwelling. A condition is required to ensure the storage areas beside the dwelling and close to the front faced are screened and all storage areas must be within each dwelling lot and not located in the future common property unless it is for communal bins.,	Yes

APPENDIX**C3.0 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.		NA
	A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.		NA
	A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.		NA
	A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:		NO

Standard	Acceptable Solution	Proposed	Complies?
	(a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.	Refer to TIA, Performance Criteria met.	YES
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; or (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.		NA

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

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1	111 dedicated spaces proposed, shortfall of 13 can be accommodated within the complex by utilising internal on-street parking	NO

Standard	Acceptable Solution	Proposed	Complies?
	for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 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.		
	A2 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.		
	A3 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.		
E5.5.2 Exiting Level Crossings	A1 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.		

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 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: new buildings; other road or earth works; and building envelopes on new lots.		
	A1.2 Buildings, may be: located within a row of existing buildings and setback no closer than the immediately adjacent building; or an extension which extends no closer than: the existing building; or an immediately adjacent building.		
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		

Standard	Acceptable Solution	Proposed	Complies?
	A2 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.		
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		
	A3 A minor stormwater drainage system must be designed to comply with all of the following: 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; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		

**6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(ONE NEW AND ONE EXISTING) - 80 BRENT STREET
GLENORCHY**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5357519

REPORT SUMMARY

Application No.:	PLN-21-220
Applicant:	D K Tope
Owner:	S Pariyar
Zone:	General Residential zone
Use Class	Sports and Recreation
Application Status:	Discretionary
Discretions:	10.4.6 Privacy for all dwellings (P1) & (P3) and 10.4.8 Waste Storage for multiple dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	9 November 2021
Existing Land Use:	Residential (single dwelling)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes the construction of a second dwelling at 80 Brent Street, Glenorchy.

The dwelling would be located at the rear of the existing dwelling on the site. The dwelling would be setback 4.5m from the rear boundary and 3.7m from the north western boundary. The dwelling would have a floor area of 178sqm and would contain two levels. The lower level would contain a garage, two (2) bedrooms, bathroom and entry. The upper level would contain the master bedroom with ensuite, study and open plan kitchen, living and dining. The living area would open onto the deck. Both dwellings would be provided with two (2) car parking spaces.

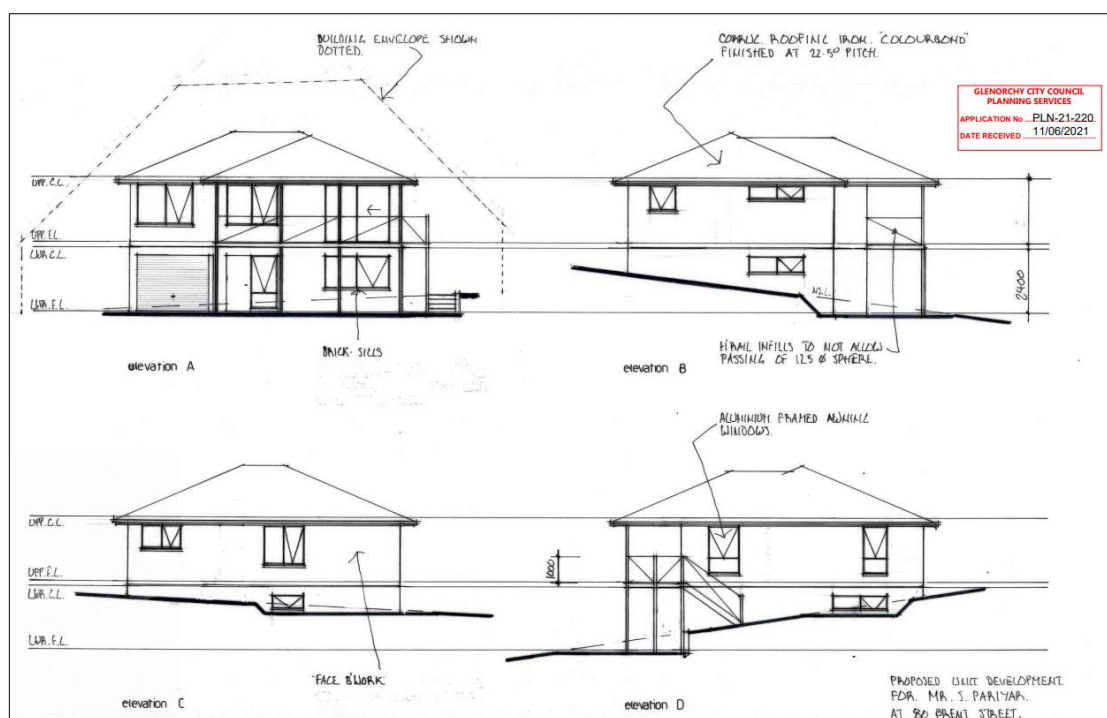


Figure 1: Proposed elevation plans

SITE and LOCALITY

The site is located on the south western side of Brent Street and is rectangular in shape with an overall area of 1004sqm. The site has a frontage of 18.29m onto Brent Street and a depth of 54.86m. The site slopes with a grade of 1:5 and falls towards the street. The site contains a single dwelling on the front portion of the site. The site is located within an established residential area with the site adjoined by residential development on all sides.



Figure 2: Aerial image of the subject site and surrounds

ZONE

The site is located in the General Residential Zone.



Figure 3: Zoning map of the subject site and surrounds

BACKGROUND

PLN-17-386 - Two Multiple Dwellings (1 new & 1 existing) and garage, approved on 06 March 2018. This permit lapsed.

This application was made valid for assessment under the Glenorchy Interim Planning Scheme 2015 and must be assessed and determined in accordance with that planning scheme.

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.

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

A SAP or Code provision does not override Zone provisions in this assessment.

Use Class Description (Table 8.2):

Residential means 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):

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.

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.

Existing ground level when used in respect of a development, means the level of a site at any point before the development occurs.

Multiple dwellings means 2 or more dwellings on a site.

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.

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:

Zone Purpose Statements

- 10.1.1.1 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.*
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.*
- 10.1.1.3 To provide for the efficient utilisation of services.*

Comment:

The proposal is considered to be in keeping with the purpose statements of the General Residential Zone as it is for residential use and development on a site where full infrastructure services are available.

Use Table

Residential for multiple dwellings is a 'permitted' use in the General Residential Zone. However, the application is discretionary as the proposal relies on performance criteria to comply with applicable standards.

Use Standards

The use standards relate to non-residential uses, visitor accommodation and a local shop. These standards are not applicable to the assessment.

Development Standards for Residential Buildings & Works

10.4.6 Privacy for all dwellings (P1)

The proposal does not comply with the performance criteria as the landing to the first floor deck for the proposed dwelling is within 3m of the side boundary (2.73m) and is not screened. The proposal must therefore be assessed against the performance criteria which states a balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining property or its private open space; or*

(b) another dwelling on the same site or its private open space.

Comment:

The proposal has been designed to minimise overlooking of adjoining properties with the proposed deck setback over 3m from the side boundary with only the landing for the deck located within 3m of the side boundary. The landing is not an area that would be used for long periods of time and would only be utilised to provide access to the deck from the private open space of the dwelling.

The proposal is assessed as complying with the performance criteria and meeting the standard.

10.4.6 Privacy for all dwellings (P3)

The existing kitchen/dining window shown in figure 4 below does not comply with the acceptable solution, therefore the proposal must be assessed against the performance criteria which states:

A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Comment:

The shared driveway is considered to be located to minimise unreasonable impact of light intrusion to the kitchen and dining room window facing of the existing dwelling which would face the driveway. The driveway has been designed so that it would be located parallel to the window. This would minimise light intrusion from vehicles using the driveway. It is also noted the window facing the driveway is small in size which would further reduce the amount of vehicle light intrusion into the habitable room through this window.

The proposal is assessed as complying with the performance criteria and meeting the standard.



Figure 4: Image showing the south eastern elevation of the existing dwelling

10.4.8 Waste Storage for multiple dwellings

The proposed waste storage area for the existing dwelling would be located between the dwelling and the frontage therefore the proposal does not comply with the acceptable solution. The performance criteria for this standard states a multiple dwelling must have storage for waste and recycling bins that is:

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

Comment:

Both dwellings would be provided with an area for waste storage which is capable of storing the number of bins required for the site. This would be three (3) bins per dwelling. The bins would be screened from the frontage and dwellings with a screen around the storage areas. This has been included as a condition on the permit.

The proposal is assessed as complying with the performance criteria and meeting the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

Council's Development Engineer has assessed the proposal against the applicable standards of the Road and Rail Asset Code and is satisfied the proposal complies with

the acceptable solutions of the applicable standards. More detailed comments are included in the Internal referrals section of this report.

Parking and Access Code

The Parking and Access Code requires a dwelling with two (2) or more bedrooms to be provided with two (2) car parking spaces. Both dwellings would be provided with two (2) car parking spaces.

Council's Development Engineer has assessed the proposal against the applicable standards of the Parking and Access Code and is satisfied the proposal complies with the acceptable solutions of the applicable standards. More detailed comments are included in the Internal referrals section of this report.

Stormwater Management Code

Council's Development Engineer has assessed the proposal against the applicable standards of the Stormwater Management Code and is satisfied the proposal complies with the acceptable solutions of the applicable standards. More detailed comments are included in the Internal referrals section of this report.

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Development Engineer

The development application seeks an approval for two multiple dwellings (one existing and one additional).

E5.0 Road and Railway Assets Code

The development complies with the Code. The proposed development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A2, E5.6.2. Sight distance also complies with the Acceptable solution, A1 E5.6.4.

E6.0 Parking and Access Code

The site can be accessed off the vehicular access which will be widened onto the driveway, parking spaces and garages. The requirement under the E6.6.1, A1 requires the total of two (2) car parking spaces for a residential dwelling. The applicant proposes to provide the total of four (4) spaces. The layout and gradients of parking and driveway areas complies with the standard AS2890.1:2004, see the figure below for driveway long-section.

There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The surface treatment of the driveway is proposed to be concrete. These comply with the acceptable solutions. There are no requirements for on-site turning, landscaping, and lighting applicable to the development application. Passing bay is proposed at the access point.

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

E7.0 Stormwater Management Code

The existing stormwater connection is a 100mm kerb connection located at the frontage of the property at the low point. There is no new connection proposed. Stormwater runoff is proposed to discharge to the connection. Therefore, the SW arrangement is considered comply with the acceptable solution, A1. The development also considered comply with the acceptable solution A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600 sq.m., there is no new car parking space proposed and the application is not for a subdivision. The driveway and drainage plan shows the development proposes 2 of 2,500 litre water detention tanks of to detain the runoff from the new impervious surface created from the development. Therefore, the acceptable solution, A3 is met. A4 also satisfactory given the size and scope of the development has no significant affect to the major storm event and is not altering the over land flow path. The overland flow from the site would travel through the site into the roadway, where the 100-year flows are generally conveyed.

Therefore, the development is considered meet the requirements in Stormwater Management Code.

Other

E3.0 Landslide Code

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

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

Not applicable.

E15.0 Inundation Prone Areas Code

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

Waste Management

Waste Services to the proposed multiple dwelling development at 80 Brent Street 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, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.

Please note that this property would have a total of six (6)) bins, two (2) Waste bins and two (2) Recycling Bins, and two (2) FOGO 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

No external referrals were deemed necessary.

REPRESENTATIONS

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

1. Impact on long-standing tenant

The representor states that the proposal would have an impact on the tenant of their dwelling due to the noise pollution and disruption during construction.

Planner's Comment:

Noise pollution and disruption during construction is not a planning issue that can be considered as part of this planning application. This issue would be dealt with separately under the Building regulations or the provisions of the *Environmental Management Pollution Control Act 1994*.

2. Views

The representor states that having a double storey dwelling on the property would impact the current valley views afforded to the homes directly behind the Brent Street property.

Planner's Comment:

Views is not a planning consideration under the controls that apply to this assessment. This issue is not a planning issue that can be considered as part of this application.

CONCLUSION

The proposal is relying on the performance criteria to comply with Clauses 10.4.6 Privacy for all dwellings (P1) and (P3), and 10.4.8 Waste Storage for multiple dwellings. The proposal is assessed as satisfying the performance criteria and complies with the standard. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and one representation was received. The representation has been addressed earlier in this report. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwellings (one new and one existing) at 80 Brent Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-220 and Plans submitted on 11/06/2021 (4 pages), Plan submitted on 16/08/2021 (1 page) and Plan submitted on 14/09/2021 (1 page), except as otherwise required by this permit.
2. The waste storage areas must be screened as shown on the approved plans. The screen must be 1.7m high and solid. The screen must be shown on plans submitted for building approval to the satisfaction of Council's Senior Statutory Planner.

Engineering

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

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

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. 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 must be approved by Council and undertaken at the developer's cost.
6. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%.
 - (b) Vertical alignment must include transition curves (or straight sections) at all grade changes greater than 12.5%.
 - (c) Total of four (4) clearly marked car parking spaces (two spaces per each dwelling) must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
 - (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%; and
 - (f) Minimum carriageway width is to be no less than 3.0 metres.

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

7. The on-site stormwater detention in accordance with the driveway and drainage plan submitted and dated 14 September 2021 must be provided so that stormwater discharged from the site does not exceed the pre-existing stormwater runoff for the critical duration of the 5% Annual Exceedance Probability events in the catchment. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the building and plumbing applications, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor and Development Engineer.
6. Widening to the existing vehicle crossing to provide a passing bay at the access point must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Building Permit Approval.

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 6216 6800.

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 for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Attachments/Annexures

- 1 PLN-21-220 - GPA Attachment - 80 Brent Street Glenorchy



APPENDIX

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	The site is 1004m ² and two dwellings are proposed. The site area per dwelling is 502m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The existing dwelling is setback more than 4.5m from the frontage. The proposed dwelling is to be to the rear of the existing dwelling.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	No garage or carport is to be within 5.5m of the primary frontage.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	The proposed dwelling fits within Figure 10.1. Max. height of northern elevation is 5.29m (front façade); southern elevation is 3.55m (rear), eastern elevation is 5.25m; and western elevation is 5.25m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	a) Site coverage is to be less than 50%; b) POS more than 60m² per dwelling.	Yes
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	Has access to private open space that is: a) in one place and is 24m² (at ground level); b) minimum horizontal dimension of 4m; c) b/w the dwelling and frontage for existing dwelling, but the frontage is b/w 30 degrees west of true north and 30 degrees east of true north; d) gradient not steeper than 1 in 10. It is noted that the POS is not directly accessible from a habitable room of the dwellings.	Yes

Standard	Acceptable Solution	Proposed	Complies?
10.4.4 Sunlight and overshadowing of all dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 10.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	Existing dwelling is north of the proposed dwelling. The proposal complies with (b).	Yes
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	No garage or carport for a dwelling within 12m of a primary frontage.	Yes
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;	The landing to the first floor deck for the proposed dwelling is within 3m of the side boundary (2.73m) and is not screened.	No

Standard	Acceptable Solution	Proposed	Complies?
	(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.		
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure	All first floor windows are more than 3m from the side boundaries and more than 4m from the rear boundary.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	The shared driveway would be located within 2.5m of the kitchen and dining room of the existing dwelling.	No
10.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution¹. <i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>	No frontage fence proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	The proposed waste storage area for the existing dwelling would be located in front of the dwelling.	No

APPENDIX

E5.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 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.		NA
	A2 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.		NA
	A3 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.		Yes
E5.5.2 Exiting Level Crossings	A1 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.		NA

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 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: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 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.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4	A1		Yes

Standard	Acceptable Solution	Proposed	Complies?
Sight distance at accesses, junctions and level crossings	Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		

APPENDIX

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	2 spaces for each dwelling.	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		N/A
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 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.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (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; (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		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		N/A
E6.7.8 Landscaping of Parking Areas	A1 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.		N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (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; (b) be located within 30 m of the main entrance to the building.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		N/A
	A2 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.		NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.1.13 Facilities for E7 s	A1 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: (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; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 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: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes – not required
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (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; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	2 water detention tanks provided.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes

**7. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(4) - 23 AND 23A BRENT STREET GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5358335

REPORT SUMMARY

Application No.:	PLN-21-410
Applicant:	Prime Design (Invermay)
Owner:	Housing Tasmania
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 P1 Setbacks and building envelopes for all dwellings 8.4.2 P2 Setbacks and building envelopes for all dwellings 8.4.2 P3 Setbacks and building envelopes for all dwellings 8.4.3 P2 Site coverage and private open space for all dwellings 8.4.6 P3 Privacy for all dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	15 Nov 2021
Existing Land Use:	Vacant
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes four dwellings on a corner site comprising of two lots. Demolition for two conjoined dwellings was approved separately and has occurred.

The dwellings would be single storey, constructed from brick with corrugated iron, hipped roofs. There would be three two-bedroom dwellings and one one-bedroom dwelling with open plan living.

Three of the dwellings would have a single attached carport. Private outdoor space of 4m x 6m would be generally provided adjacent and accessible from the living areas. A shared access would be constructed on the eastern side of the site from a small cul-de-sac (Bexley Place). There would be a total of eight car parking spaces.

The application is discretionary for the frontage setback, carport setback, building envelope, private outdoor space within the frontage and driveway separation.

There was one representation received, raising concerns about stormwater. The proposal is shown in Figure1.



Figure 1: Proposal - Prime Design

SITE and LOCALITY

The site comprises two lots on the southeast corner of Brent Street and Bexley Place. The properties are known as 23 and 23A Brent Street in folio references CT22420/34 and CT22420/35. The site is roughly square, near level and has an area of 1313m². The site adjoins five properties with a single dwelling on each. The properties are shown in Figure 2.



Figure 2: Subject Site - TheList

ZONE

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

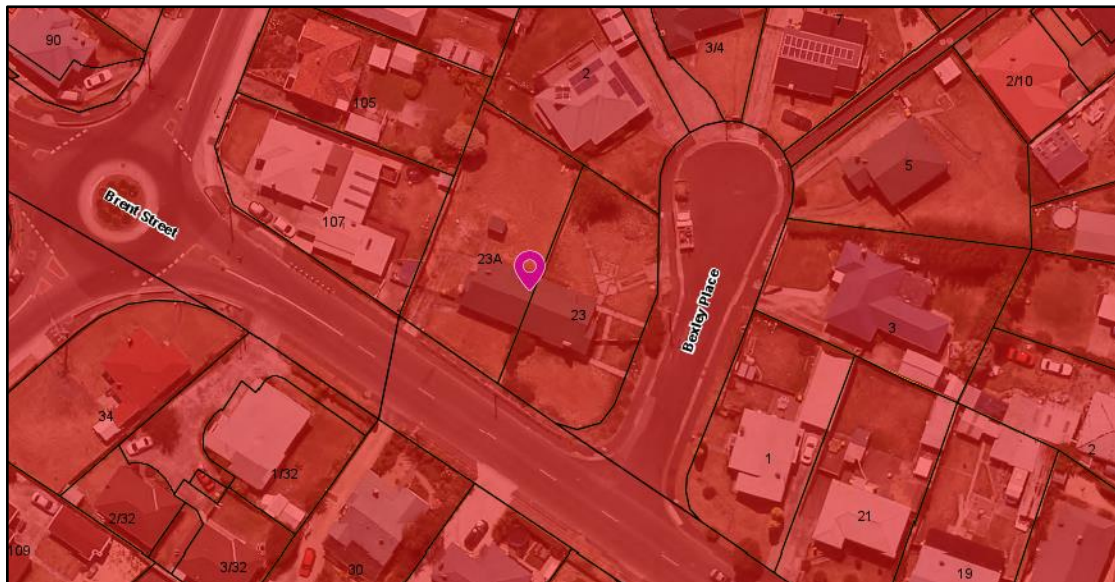


Figure 3: Zoning Map - TheList

BACKGROUND

The following permit was granted for the site:

PLN-19-312 – Demolition – Approved 11/12/2019

The above permit approved the demolition of the dwellings on the site.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

The application includes two frontage fences, which are exempt under the following exemption:

4.6.3 fences within 4.5m of a frontage

Fences (including free-standing walls) within 4.5m of a frontage, if located in:

(a) the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone or any particular purpose zone, and if not more than a height of:

- (i) 1.2m above existing ground level if the fence is solid; or*
- (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights);*

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

No general provisions or SAP applies. The following specific area plan and codes apply and prevail over the relevant Zone provisions if there is any conflict.

Codes

- ☐ C2.0 Parking and Sustainable Transport Code
- ☐ C3.0 Road and Railway Assets Code

Use Class Description (Table 6.2):

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

Residential

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

Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are applicable:

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.

primary frontage

means:

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

building line

means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

- 8.4.2 P1 Setbacks and building envelopes for all dwellings
- 8.4.2 P2 Setbacks and building envelopes for all dwellings
- 8.4.2 P3 Setbacks and building envelopes for all dwellings
- 8.4.3 P2 Site coverage and private open space for all dwellings
- 8.4.6 P3 Privacy for all dwellings

General Provisions

No general provisions apply.

Zones

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

Zone Purpose Statements

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 To provide for non-residential use that:*
 - (a) primarily serves the local community; and*
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

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

Comment

The proposal accords with the above purpose, as it is for residential development utilising serviced land. The development would provide an alternative dwelling type to the predominant single dwellings in the area.

Use Table

The use class Residential (Multiple Dwellings) permitted within the General Residential Zone in 6.2 Use Table.

Use Standards

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

Development Standards for dwellings

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

8.4.2 A1 Setbacks and building envelopes for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.2 A1 with respect to the frontage setback. Therefore, the proposal relies on the related performance criteria as follows:

8.4.2 P1 Setbacks and building envelopes for all dwellings

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

Comment

The acceptable solution requires a 4.5m setback from a primary frontage and a 3m frontage from a secondary frontage. Whilst the new access will be from Bexley Place, the primary frontage is Brent Street, as it is the shorter frontage. The proposal has a frontage setback from Bexley Street between 4.5m and 5.25m, which complies.

The front setback from Brent Street is between 3m and 5.489m, as the dwellings would be at an angle to the street. A section of approximately 6m wide of proposed Unit 2 is within the front setback margin. Nevertheless, it is not considered that the proposed setback would be incompatible with existing setback in the street.

The corner of Unit 2 would not protrude much beyond the general front building line on the northern side of the street, where there are varying front setbacks. Buildings to the east have generally a larger setback than 4.5m, whilst buildings to the west have generally a lesser setback as shown in Figure 4.



Figure 4: Frontage Setbacks

As such, it is considered that the proposal provides a reasonably consistent separation between the dwellings and the frontage within the street.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.2 A2 Setbacks and building envelopes for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.2 A2 with respect to the carport setback. Therefore, the proposal relies on the related performance criteria as follows:

8.4.2 P2 Setbacks and building envelopes for all dwellings

A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.

Comment

The acceptable solution requires a frontage setback for garages and carports of 5.5m. The proposal generally complies, except for Unit 2 that has the rear wall of a carport within 5.489m of the primary frontage in Brent Street. It is considered that the shortfall is so minor as not to adversely affect consistency of setback in the street.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.2 A3 Setbacks and building envelopes for all dwellings

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

8.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

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

Comment

The building envelope in the acceptable solution requires a 4.5m frontage setback for a primary frontage; a 3m setback for a secondary frontage; and a 1.5m setback for side setbacks if the wall is no higher than 4.5m. The proposal is within the building envelope, except for Unit 2 that has a section within the front setback margin. The front setback from Brent Street, which is the primary frontage, is between 3m and 5.489m, as the dwellings would be at an angle to the street. There would be no overshadowing issues or visual impact issues, given that the dwellings are low in scale and comply with side setback. The frontage setback is considered consistent with other buildings in the street, as the relevant section would not significantly protrude over the general building line.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.3 A2 Site coverage and private open space for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.3 P2 with respect to private outdoor space within a frontage and a dwelling. Therefore, the proposal relies on the related performance criteria as follows:

8.4.3 P2 Site coverage and private open space for all dwellings

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

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

Comment

The acceptable solution requires private outdoor space of 24m², with a minimum width of 4m, a grade of not more than 1:10 that is not located between a frontage and dwelling, unless oriented within 30 degrees of true north. The proposal generally complies, except that Unit 1 has private outdoor space that extends to approximately 2.2m from the Brent Street frontage. The private outdoor space would be conveniently located as it would be directly accessible from the living area and would have a usable area of approximately 45m². In terms of orientation, the area would be oriented to the west, so as to receive afternoon sun. There would be a fence to provide for privacy.

Therefore, the proposal complies with the standard through the performance criteria.

8.4.6 A3 Privacy for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.6 A3 with respect to driveway separation from windows. Therefore, the proposal relies on the related performance criteria as follows:

8.4.6 P3 Privacy for all dwellings

A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Comment

The acceptable solution requires separation between a driveway or shared parking space of 2.5m, unless there is a 1.7m high screen, in which case separation is to be 1m. The proposal generally complies, except for a turning area between Units 2 and 3, which would be primarily used by these dwellings. There would be a setback of between 1.669m and 2m from a bedroom window of each dwelling, which would be located on either side of the turning area. It is considered that the proposal is designed to prevent unreasonable impact of vehicle noise or vehicle light intrusion for the following reasons:

- ☐ The windows of the dwellings have a reasonable separation

- ② The turning area would have minimal traffic during the night, as it would be only used by one other dwelling.
- ② The windows would be on the side of the turning area, rather than the rear, so as not to receive direct light intrusion.

Therefore, the proposal complies with the standard through the performance criteria.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C3.0 Road and Railway Assets Code

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix. For further comments, please refer to engineering assessment under the Referrals section later in this report.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The proposal is to construct four (4) multiple dwellings on a fully serviced allotment at 23 and 23A Brent Street Glenorchy.

A representation was received within the statutory period expressing concerns in relation to community safety because of an inadequate stormwater flow path.

This was investigated and the volume of additional stormwater discharging into the Humphreys Rivulet from the development is negligible relative to the total flow in a major rainfall event. The management of community safety resulting from the potential for flooding in Humphreys Rivulet is best achieved through catchment-wide measures such as detention basins and not by imposing restrictions on small-scale development within existing urban areas.

Stormwater detention is proposed as part of this development.

C5.0 Road and Railway Assets Code

The development complies with Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development complies with Code C5.0 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution C5.5.1 A1.4 Traffic generation at vehicular crossing, level crossing or new junction. A3 of E5.5.1. The site will be accessed off a relocated vehicle crossing, and no additional access is proposed.

C2.0 Parking and Sustainable Transport Code

The submitted plans indicate a total of eight parking spaces. The development complies with Code C2.5.1 Car Parking numbers. It is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

There is no new stormwater point of discharge into a watercourse. Therefore, the development application complies with the A4 of E11.7.1

C12.0 Flood-Prone Areas Hazard Code

There are no Inundation issues 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, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of twelve (12) bins, four (4) Waste bins and four (4) Recycling Bins, and four (4) FOGO 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**

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 one representation being received. The issues raised are as follows:

1. Stormwater

The representor states that the development will be discharging more stormwater into a catchment that does not have an adequate major storm flow path. This will place community safety at risk and is considered to be extremely poor planning.

Planner's Comment:

The Major Stormwater Drainage System for the site is Humphreys Rivulet. The volume of additional stormwater discharging into the rivulet from the development is negligible relative to the total flow in a major rainfall event. The management of community safety resulting from the potential for flooding in Humphreys Rivulet is best achieved through catchment-wide measures such as detention basins and not by imposing restrictions on small-scale development within existing urban areas. In any event, stormwater is managed under the *Urban Drainage Act 2013* and is not assessed under the planning scheme. Under the Act, separate consent with conditions must be

given under delegation from the General Manager for stormwater management, as per recommended condition 7.

CONCLUSION

The application is for three two-bedroom and one one-bedroom units at a corner site. The application is discretionary for the frontage setback, carport setback, building envelope, private outdoor space within the frontage and driveway separation. The discretions are all relatively minor and accord with the relevant performance criteria, as outlined within the report.

There was one representation received during the statutory advertising period. The representation raised concerns about stormwater. The Development Technical Officer is satisfied that provisions in regard to stormwater drainage are adequate.

The application does not raise any other issues.

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

RECOMMENDATION

That a permit be granted for the proposed use and development of 23 and 23A Brent Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-410 and Drawings submitted on 13/08/2021 (30 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01696-GCC, dated 06/10/2021, form part of this permit.
3. The landing on the northeast elevation of Unit 3 must have a permanently fixed screen to a height of not less than 1.7m above the finished surface level, with a uniform transparency of not more than 25%, as shown on the approved plans. The screen must remain in place for the duration of the use/development approved herewith.
4. The grade of all private outdoor space must be no more than 1:10 as shown on the approved plans.
5. The front fences must be no higher than 1.8m and have openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights), as shown on the approved plans.

6. Titles for the land subject to the use and development approved herewith must be adhered prior to the lodgement of a Building Permit application, or at a later date if agreed to by the Coordinator of Building Services, and prior to a Certificate of Occupancy.

Engineering

7. Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. 21-410, dated 28/10/2021, form part of this permit.
8. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

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

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au.

9. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
10. 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.

Drawings showing the driveway details must be in accordance with the Australian Standard 2890.1 and must be submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

- (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%
- (b) All runoff from paved areas must be discharged into Council's stormwater system;
- (c) The gradient of any parking areas must not exceed 5%; and
- (d) Minimum carriageway width is to be no less than 3.00 metres.

All works required to service each dwelling must be installed prior to the occupancy of the dwelling

- 11. 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 must be undertaken by Council at the developer's cost.
- 12. The proposed relocation of the driveway crossing is to be constructed to accord with Municipal Standard Drawing TSD-R09.

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 Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

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

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 for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site

Waste Management

Waste Services to the proposed multiple dwelling development will be Council's standard bin service collected fortnightly.

- a) The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- b) Please note that this property would have a total of twelve (12) bins, four (4) Waste bins and four (4) Recycling Bins, and four (4) FOGO bins.
- c) This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- d) All bins are to be placed on the kerbside for collection.
- e) Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Attachments/Annexures

- 1 PLN-21-410 - GPA attachment - 23 & 23A Brent Street Glenorchy



APPENDIX

8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm		NA
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		NA
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		NA
	A4		

Standard	Acceptable Solution	Proposed	Complies?
	No acceptable solution.		NA
8.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.		NA
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA
8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	Site area: 1313m ² /4=328.25m ²	No-Discretion
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;	<i>Brent St (primary frontage)</i> Front setback: 3m to 4.5m <i>Bexley Pl</i> Front setback: 4.5m to 5.25m	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Garage setback: Unit 2 has 5.489m (Brent St). All other garages comply.	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	Front setback (primary): 3m Front setback(secondary): 4.199m Side setback NW:4.5m Side setback NE:1.55m Wall heights are less than 4.5m so that required side setbacks are 1.5m.	No- Discretion
8.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	Site coverage 28.5% Total POS: More than 60m²	Yes
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or	Level private outdoor space of 4m x 6m is provided for each dwelling and accessible from a living area. Unit 1 has private outdoor	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	space between the dwelling and the frontage, which does not accord with the acceptable solution. For further comments see report.	
8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	None of the of the dwellings are to the north of another dwelling's private outdoor space.	Yes
8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width		Yes

Standard	Acceptable Solution	Proposed	Complies?
	of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	None of the garages/carports are facing frontages and openings are less than 6m in any event.	
8.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	Only Unit 4 has a landing with a finished floor level of more than 1m within 3m of the side boundary (NW). The landing has a privacy screed of at least 1.7m and complies.	Yes
	A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): (a) the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and	All Units are more than 3m from a side boundary, except for Unit 3 that is between 1.5m and 3.545m from the side boundary. The northeast elevation has a sliding door to a landing that has privacy screen of at least 1.7m, which complies. No windows are within 6m of another dwelling's private outdoor space.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	The shared driveway is more than 2.5m from a dwelling except for the turning area which is within 1.669m from a window of Unit 1 and Unit 2. The plan does not show screening so that there is a discretion. Parking spaces are generally for the dwelling to which it is adjacent to or next to a carport, which complies.	No – Discretionary
8.4.7 Frontage Fences for all dwellings	A1 No Acceptable Solution¹.		NA

Standard	Acceptable Solution	Proposed	Complies?
	<i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i>		
8.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m ² per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	Each dwelling would have individual bins. There is sufficient space for bin storage.	NA

APPENDIX

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.	Relocated access to be utilised	Yes
	A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.		NA
	A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.		NA

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

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

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the	8 spaces proposed	Yes

Standard	Acceptable Solution	Proposed	Complies?
	number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		

**8. PROPOSED USE AND DEVELOPMENT - DEMOLITION,
ALTERATIONS AND ADDITIONS TO SECONDARY SCHOOL
(EDUCATIONAL AND OCCASIONAL CARE) - ST VIRGILS
COLLEGE 195-229 MAIN ROAD AUSTINS FERRY**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5327694

REPORT SUMMARY

Application No.:	PLN-21-476
Applicant:	Tim Penny Architecture & Interiors Pty Ltd
Owner:	St Virgils Christian Brothers College
Zone:	Community Purpose Zone
Use Class	Educational and Occasional Care
Application Status:	Discretionary
Discretions:	27.3.1 Non-residential use (P2), 27.4.1 Building Height (P1), C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1), C2.5.1 Car parking numbers (P1) and C2.5.2 Bicycle parking numbers (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	09 Nov 2021
Existing Land Use:	Education and Occasional Care (St Virgils College)

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes partial demolition and additions to St Virgils College to enable the College to cater for Year 11 and 12 Students.

The proposal involves the creation of new learning areas, recreation spaces and a student lounge. This involves a new building, alterations to existing structures and proposed landscaping on the site.

Demolition works include:

- ❑ Building located on the site of proposed Building A
- ❑ Existing landscaping (predominately grass)
- ❑ Covered walkway (from building to be demolished)
- ❑ Concrete stairs

Alterations/modifications include:

- ❑ Remove doors to Hamilton building
- ❑ Existing partitions, fixtures and select windows and wall glazing (Building B)
- ❑ Removal of existing gangnail truss, roof and ceiling (Building B)
- ❑ Excavation works to allow for Building A

New works include:

- ❑ Construction of Building A. Building A would have a maximum height of 13.2m.
- ❑ New roof for Building B
- ❑ New air bridge (connect Building A and B)
- ❑ Landscaping and earthworks

The external cladding is proposed to be a combination of painted fibre cement sheet, Colorbond corrugated sheeting, face blockwork, and Colorbond roofing. The works would be setback 166m from the frontage, 210m from the northern boundary, 265m from the eastern (rear) boundary and 293m from the south boundary.

The addition of Year 11 and 12 students is expected to increase the number of students by 250-300 (total 906) and increase staff numbers by 34 approximately (118 staff in total).

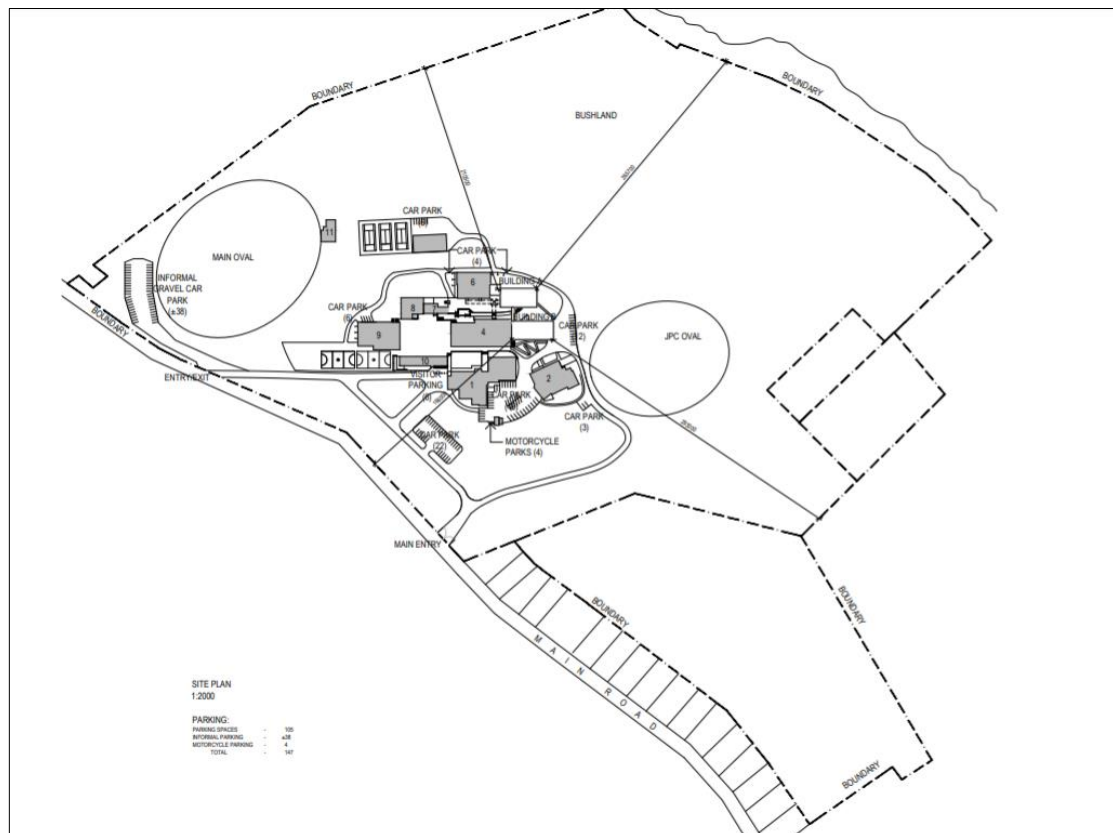


Figure 1: Proposed site plan

SITE and LOCALITY

The subject site is known as 195-229 Main Road Austins Ferry and contains St. Virgils College and is described in title reference CT 197087/1. The property is located between Main Road and the River Derwent in Austins Ferry and has an area of approximately 23ha. The site contains a cluster of school buildings with adjacent parking area, two school sports ovals, a basketball court and tennis courts. There is remanent native vegetation to the east and south of the school buildings. The school property is surrounded by residential development at some distance from the school buildings (figure 2).



Figure 2: Aerial view of subject property

ZONE

The site is located in the Community Purpose Zone, Environmental Management and General Residential Zone. The proposed works are located in the portion of the site zoned Community Purpose (figure 3).

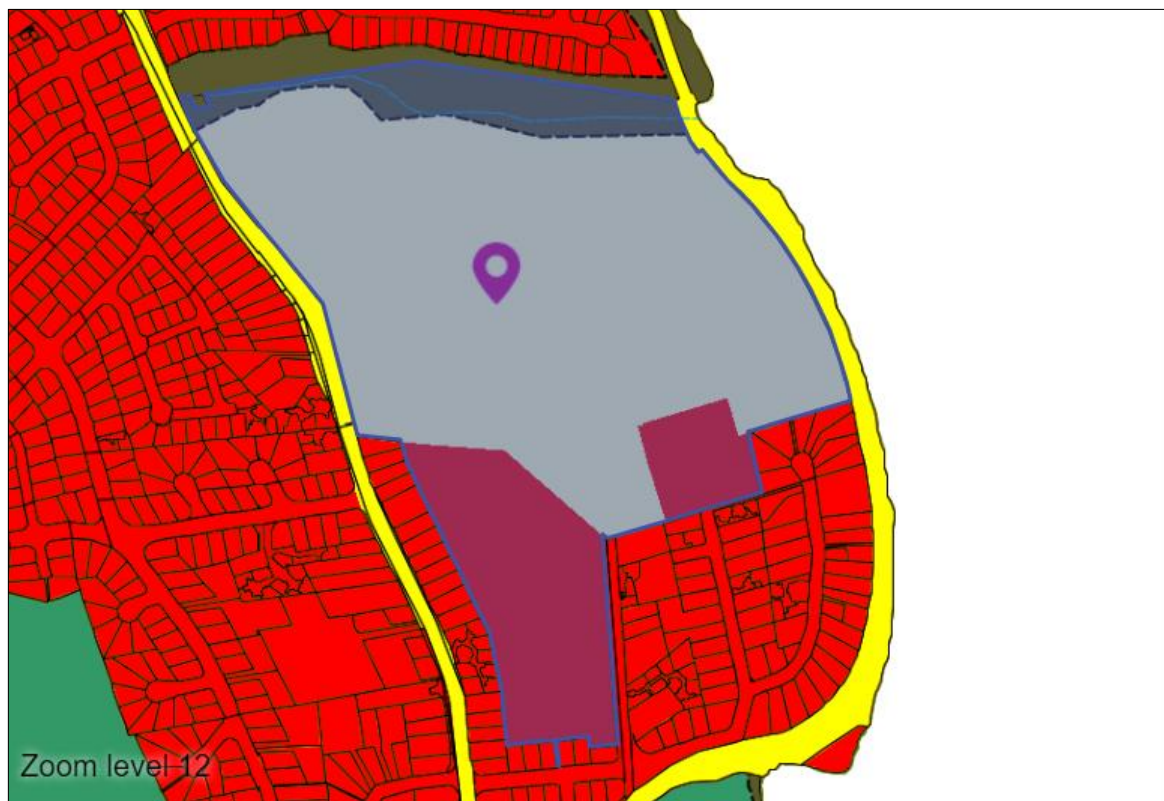


Figure 3: Zoning map of the subject site and surrounds

BACKGROUND

The St. Virgil's College site has a record of numerous development applications over several years. Recent permits granted are:

- ☐ PLN-21-228 approved 09/08/2021 – Library extension and deck
- ☐ PLN-20-564 approved 21/01/2021 – Fit-out and extension of an existing maintenance building for new music and drama facilities.
- ☐ PLN-20-564 approved 21/01/2021 – Maintenance Facilities Relocation
- ☐ PLN-16-187 approved 22/09/2016 – Additions and alterations to secondary school
- ☐ PLN-15-126 approved 29/06/2015 – Additions and Alterations to Educational Establishment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

A general provision, SAP or Code does not override Zone provisions in this assessment.

Use Class Description (Table 6.2):

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

Other relevant definitions (Clause 3.0):

Applicable standard means as defined in subclause 5.5.2, 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.

General Provisions

There are no applicable general provisions.

Zones

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

Zone Purpose Statements

The purpose of the Community Purpose Zone is:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

Comment:

The proposal is in keeping with the purpose statements of the Community Purpose Zone as the works are associated with an educational facility.

Use Table

Educational and Occasional Care is a 'permitted' use in the Community Purpose Zone. However, the application is discretionary as the proposal relies on performance criteria to comply with applicable standards.

Use Standards*27.3.1 Non-residential use (A2)*

As the applicant has not provided details of the hours external lighting would operate, the proposal has been taken as relying on the performance criteria for this standard. The performance criteria states:

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, within 50m of a General Residential Zone, Inner Residential Zone, and Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) the level of illumination and duration of lighting; and*
- (b) distance to habitable rooms of an adjacent dwelling.*

Comment:

As the Educational and Occasional Care use of the land applies to the entire site and the site is adjoined by land in the General Residential Zone, this standard is applicable. It is noted that the buildings are setback well over 50m from all boundaries including a 293m setback from the adjoining land located in the General Residential Zone. It is considered that this setback would ensure that any external lighting would not cause an unreasonable loss of amenity to the residential zones.

The proposal is assessed as complying with the performance criteria and meeting the standard.

Development Standards for Buildings or Works*27.4.1 Building Height*

The height of the proposed building exceeds the 10m height allowed under the acceptable solution. The proposal must be assessed against the performance criteria which states building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:

- a) the topography of the site;*
- b) the height, bulk and form of existing buildings on the site and adjacent properties;*
- c) the bulk and form of proposed buildings;*
- d) the apparent height when viewed from the road and public places;*
- e) any overshadowing of adjoining properties or public places; and*
- f) the need to locate the building on the site.*

Comment:

The proposed buildings would be compatible with the streetscape and character of existing development with the building alterations designed to continue with the roofline of the existing buildings on the site and the new building designed to be in keeping with the scale of existing buildings. Building B will continue the roofline of the Hamilton Building and Building A mirrors the height, bulk and form of existing building on the site.

The works are on the river side of the site and would only have limited visibility from Main Road. The works would be visible from the Blackstone Point/Old Beach foreshore reserve but only at a distance of over 980m. None of the proposed buildings on site overshadow buildings on adjoining properties. The location of the buildings are on the high part of the site; however, this has been chosen to ensure the buildings are located in proximity to the existing buildings on the site and are also outside of the areas affected by overlays.

The proposal is assessed as meeting the performance criteria and complying with the standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code*C2.5.1 Car parking numbers*

The proposal does not comply with the number of parking spaces required under the acceptable solution with a shortfall of 13 car parking spaces proposed. The performance criteria states the number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- a) *the availability of off-street public car parking spaces within reasonable walking distance of the site;*
- b) *the ability of multiple users to share spaces because of:*
 - i) *variations in car parking demand over time; or*
 - ii) *efficiencies gained by consolidation of car parking spaces;*
- c) *the availability and frequency of public transport within reasonable walking distance of the site;*
- d) *the availability and frequency of other transport alternatives;*
- e) *any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;*
- f) *the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;*
- g) *the effect on streetscape; and*

- h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.*

Comment:

Council's Development Engineer has assessed the proposal and is satisfied the proposal complies with the performance criteria for this standard. A detailed assessment against the standard is included in the Internal referrals section of this report.

An assessment shows that the number of on-site car parking spaces is sufficient to meet the reasonable needs of users. Multiple users may be able to share spaces due to variations in demand due to role sharing. There is easy access to public transport to and from the site during the School drop-off and pick times. There is a small number of staff who regularly commute by bicycle and the nature of the use which requires staff parking on site is not impacted by other uses in the vicinity.

The proposal is assessed as meeting the performance criteria and complying with the standard.

C2.5.2 Bicycle parking numbers

The proposal involves a shortfall of 7 bicycle parking spaces. The performance criteria for this standard states bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and*
- b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area*

Comment:

The use currently has 17 bicycle parking spaces available. The applicant has advised that there are planned expansions of the bicycle parking area in the future as part of an infill project relating to the library. This would involve a secure bike parking cage.

It is also noted that the development is part of an established school with an existing transport system. It is also noted that staff are able to store their bicycle gear within their own secure office spaces. With the 17 bicycle parking spaces, other transport options, and ability for staff to leave their bicycles within their own offices, the shortfall of 7 spaces is considered acceptable in this instance.

The proposal is assessed as meeting the performance criteria and complying with the standard.

Council's Development Engineer has assessed the proposal against the applicable standards of the Parking and Sustainable Transport Code and is satisfied the proposal complies with applicable standards.

C3.0 Road and Railway Assets Code

Council's Development Engineer has assessed the proposal against the applicable standards of the Road and Railway Assets Code and is satisfied the proposal complies with the applicable standards. An assessment against the standards is included in the Internal referrals section of this report.

C7.0 Natural Assets Code

The site is partially affected by a Waterway and Coastal Protection Area and Priority Vegetation Area as shown in figure 4 below. The proposed works are located completely outside of these areas therefore this Code is not applicable.



Figure 4: Map showing areas of Waterway and Coastal Protection and Priority Vegetation

C13.0 Bushfire-Prone Areas Code

This code applies to:

- a) *subdivision of land that is located within, or partially within, a bushfire-prone area; and*
- b) *a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.*

The definition of vulnerable use includes Education and Occasional Care; therefore, this Code is applicable.

C13.5.1 Vulnerable uses

There is no acceptable solution for this standard. The performance criteria states a vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:

- (a) the location, characteristics, nature and scale of the use;*
- (b) whether there is an overriding benefit to the community;*
- (c) whether there is no suitable alternative lower-risk site;*
- (d) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and*
- (e) other advice, if any, from the TFS.*

Comment:

The applicant provided a response by an accredited bushfire practitioner to confirm that the proposal will comply with the above performance criteria.

The information submitted by the applicant included an emergency plan and bushfire hazard management plan. These supplied plans were referred to the Tasmania Fire Service who advised there is no objection to the issuing of permits relating to these works from Tas Fire's perspective.

The proposal is assessed as complying with the performance criteria and meeting this standard.

C15.0 Landslip Hazard Code

The site is partially affected by an area of Landslip Hazard as shown in figure 5. The proposed works are completely located outside of this area therefore this Code is not applicable.

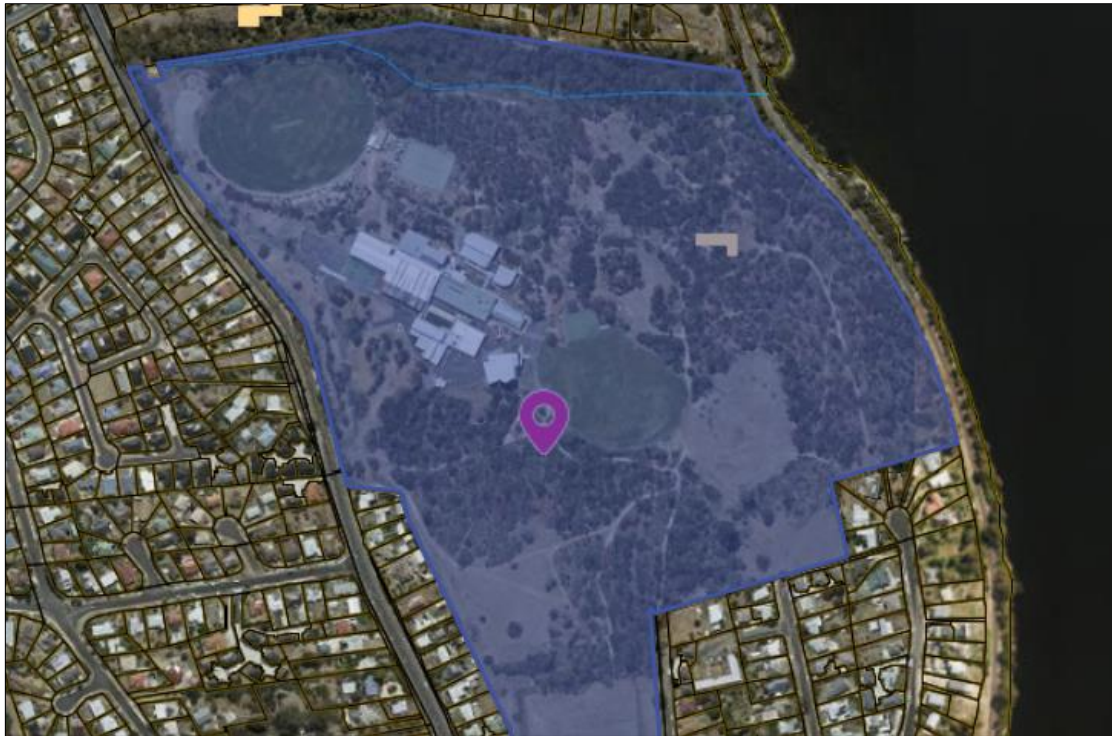


Figure 5: Map showing area of Landslip Hazard

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No applicable Local Area Objectives.

Particular Purpose Zones

The site is not located in a Particular Purpose Zone.

Specific Area Plans

The site is not located in an area affected by a Specific Area Plan.

GLE-Site Specific Qualifications

No site specific qualification applies to this site.

GLE-Code lists

None applicable.

INTERNAL REFERRALS

Development Engineer

This proposal seeks approval for demolition works, building alterations and the construction of a new facility to accommodate new students created by extending teaching to years 11 & 12 on the site.

C2.0 Parking and Sustainable Transport Code

Parking areas are existing and compliant. Car parking spaces are spread throughout the site with visitor parking provided at the entrance to the school. There are additional 'informal' gravel car parking spaces in close proximity to sporting infrastructure. The proposal does not involve the construction of parking areas.

There are 105 parking spaces located around the education facility with an additional (approx.) 38 informal parking spaces within the gravel car park to the northwest of the site adjacent to the main oval. Table C2.1 specifies that the total number of vehicle parking spaces required is 1 space per staff member. Not including the informal car parking, there will be a shortfall of 13 car parking spaces. An assessment shows that the number of on-site car parking spaces is sufficient to meet the reasonable needs of users as there are 38 off-street parking spaces on the site accessible from the northern gate. Multiple users may be able to share spaces due to variations in demand due to role sharing, there is easy access to public transport to and from the site during the School drop-off and pick times, there is a small number of staff who regularly commute by bicycle and the nature of the use which requires staff parking on site is not impacted by other uses in the vicinity. The proposal is therefore able to meet the performance criteria (P1.1).

There are four existing designated motorcycle parking spaces on the site. Table C2.4 specifies that the total number of motorcycle parking spaces required for 41 or more car parking spaces is 1 for every additional 20 car parking spaces over 41. The school is required to provide four motorbike parking spaces. The proposal is therefore deemed to comply with the acceptable solution (A1).

There are no existing outdoor bicycle parking spaces on the site. Bicycles are currently securely stored in the Outdoor Education Gear storage facility. There are 7-20 regular commuters, and the storage facility can accommodate 15-17 bikes (and their associated riding gear). Table C2.1 specifies that the total number of bicycle parking spaces required is 1 space per 5 staff members. The school will have a maximum of 118 staff onsite during operating hours and as such 24 spaces are required. 17 spaces are currently available on the site. The shortfall of 7 spaces is considered to comply with the performance criteria with further bicycle parking spaces proposed to be created as part of an infill project relating to the library on the site which will result in the creation of a secure bike parking cage.

C3.0 Road and Railway Assets Code

Vehicular traffic is able to enter and leave the road in a forward direction complying with (A1.5). Traffic generated (to and from the site) will increase due to the increased number of teachers (34 approximately). Over time this will increase traffic movements between 68-102 vehicle movements per day exceeding the 40vmpd amount in Table C3.1.

The increase in traffic will be a result of an increase in student numbers (250-300) and an increase in staff numbers by approximately 34. Most of the increase in traffic will follow the established pattern of behaviour whereby a majority of the traffic generated from the existing use is a result of students arriving in the morning and leaving in the afternoon either by bus or the existing dropoff/pick-up protocol for the site. Main Road is a collector road with a speed limit of 50 km/hr there are no alternative access to the road and the use is an essential education facility. Given that most of the vehicular traffic generated from the site is pre-existing, a system to minimise impact of traffic to and from the site is in place and the nature of the road the proposal is not likely to have an adverse effect on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road network therefore the proposal is able to meet the performance criteria (P1).

Other

C7.0 Natural Assets Code

Not applicable.

C12.0 Flood-Prone Areas Hazard Code

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

C15.0 Landslide Code

This Code applies to the Use or Development of land within a landslip hazard area (C15.2.1). The overlay shows an area of land that is a classed as 'landslip hazard area' on the site however the works proposed do not occur within or close to this area therefore an assessment against the relevant provisions is not required.

EXTERNAL REFERRALS

TasWater

TasWater have no objections to the application subject to conditions being included in the permit, if issued.

Tasmanian Fire Service

The Tasmania Fire service has no objection to the issuing of permits relating to these works.

REPRESENTATIONS

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

As part of the public advertising period, TasRail made the following comments:

TasRail has reviewed the available documentation and has no objection to this proposal. We ask that the attached TasRail Standard Notes be included with any permit issued by Council so as to inform the applicant of matters relative to developing land adjoining the rail corridor land.

The standard notes have been recommended to be included on the permit, if issued.

CONCLUSION

The proposal relies on performance criteria for compliance with Clauses 27.3.1 Non-residential use (P2), 27.4.1 Building Height (P1), C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1), C2.5.1 Car parking numbers (P1) and C2.5.2 Bicycle parking numbers (P1). The proposal is assessed as complying with all other use and development standards in the Community Purpose Zone, as well as the applicable standards of the Bushfire-Prone Areas Code, Parking and Sustainable Transport Code and Road and Railway Assets Code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

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

RECOMMENDATION

That a permit be granted for the proposed use and development of Demolition, alterations and additions to Secondary School (Educational and Occasional Care) at St Virgils College 195-229 Main Road Austins Ferry subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-476 and Plans submitted on 16 September 2021 (9 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01635-GCC, dated 08/10/2021, form part of this permit.
3. The submitted Bushfire Hazard Management Plan for St. Virgil's College, dated 10/09/2021, forms part of this permit. The approved use is to be carried out in accordance with this plan.
4. The submitted Bushfire Emergency Plan for St. Virgil's College, dated April 2021, forms part of this permit. The approved use is to be carried out in accordance with this plan.

5. Commercial vehicle movements and the unloading and loading of commercial vehicles, must be within the hours of:
 - (a) 7.00am to 6.00pm Monday to Friday; and
 - (b) 9.00am to 5.00pm Saturday, Sunday and public holidays.

Engineering

6. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

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

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
9. To demonstrate that the proposed works will not impinge of the current parking availability a construction management plan must be submitted showing all proposed storage and parking areas for construction employees. This must be submitted with the building application for approval, prior to commencement of works on the site.

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 6216 6800.

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 for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

TasRail

- ❑ Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au
- ❑ Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from property@tasrail.com.au in accordance with s41 of the Rail Infrastructure Act 2009. A minimum of seven (7) business days notice is required, but earlier engagement is recommended.
- ❑ Although the railway line through this area is currently non-operational, it is reserved for future transport use. For this reason TasRail recommends any person building, developing or purchasing property near rail corridor land take into account potential exposure to train and/or transport noise and vibration particularly in relation to building design, material specifications and lifestyle. It should also be noted that TasRail is required to ensure that planning and development proposals do not impede or preclude future transport use of the rail corridor.

- ❓ No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. All access enquiries should be directed to property@tasrail.com.au
- ❓ If the proposed development interfaces with a rail crossing and/or rail corridor land it is recommended you contact property@tasrail.com.au to discuss the proposed interface ahead of the planning process. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.
- ❓ As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- ❓ Using or creating an unauthorised railway crossing is unsafe and strictly prohibited. All access enquiries should be directed to property@tasrail.com.au
- ❓ As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.
- ❓ Access to the railway corridor or rail land for any purpose is strictly prohibited without a Permit issued by TasRail.

Attachments/Annexures

- 1 PLN-21-476 - GPA Attachment - St Virgils College



APPENDIX

27.0 Community Purpose Zone

Standard	Acceptable Solution	Proposed	Complies?
27.3 Use Standards			
27.3.1 Non-residential use	A1 Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 8.00am to 8.00pm Monday to Friday; (b) 9.00am to 6.00pm Saturday; and (c) 10.00am to 5.00pm Sunday and public holidays.	The hours of operation are 8am – 4pm Monday to Friday.	Yes
	A2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must: (a) not operate between 9:00pm and 6:00am, excluding any security lighting; and (b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.	The applicant has not provided the hours of operation for external lighting therefore the proposal is taken to not comply with the acceptable solution.	No
	A3 Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not operate between 9.00pm and 6.00am.		N/A
	A4	The applicant has advised the hours for commercial vehicle movements falls within the hours outlined in the acceptable	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 7.00am to 6.00pm Monday to Friday; and (b) 9.00am to 5.00pm Saturday, Sunday and public holidays.	solution. A condition has been recommended on the permit to ensure this occurs.	
27.4 Development Standards for Buildings and Works			
27.4.1 Building Height	A1 Building height must be not more than 10m.	Proposed height of 13.2m	No
27.4.2 Setback	A1 Buildings must have a setback from a frontage of: (a) not less than 5m; or (b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.	The proposal is setback a minimum of 166m from the frontage.	Yes
	A2 Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: (a) 3m; or (b) half the wall height of the building, whichever is the greater.	The buildings are setback over 3m from the side and rear boundaries.	Yes
	A3	All would be setback of 10m from the side and rear boundaries.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.		
27.4.3 Fencing	No Acceptable Solution	No fences proposed.	N/A
27.4.4 Outdoor storage areas	A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	No outdoor storage areas proposed.	N/A
27.5 Development Standards for Subdivision Not applicable.			

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:	The proposal was assessed against the Performance Criteria and found to comply.	NO

Standard	Acceptable Solution	Proposed	Complies?
	$N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.		NO
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i>	A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.		YES

Standard	Acceptable Solution	Proposed	Complies?
<i>Pleasure Boat Facility; Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>			
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.		NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to: Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.		NA

Standard	Acceptable Solution	Proposed	Complies?
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	No new parking spaces proposed	NA
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;		NA

Standard	Acceptable Solution	Proposed	Complies?
	(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>. A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .		NA
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		NA

Standard	Acceptable Solution	Proposed	Complies?
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		NA
	A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Off-street commercial vehicle facilities</i> .		YES
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i> .		NA

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

Footnotes

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

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA
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APPENDIX

C3.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4	The increase in traffic will be a result of an increase in student numbers (250-300) and an increase in staff numbers by approximately 34 most of the increase in traffic will follow the established pattern of behaviour whereby a majority of the traffic generated from the existing use is a result of students arriving in the morning and leaving in the afternoon either by bus or the existing dropoff/pick-up protocol for the site. Main Road is a collector road with a speed limit of 50 km/hr there are no alternative access to the road and the use is an essential education facility. Given that most of the vehicular traffic generated from the site is pre-existing, a system to minimise impact of traffic to and from the site is in place and the nature of the road the proposal is not likely to have an adverse effect on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road network therefore the proposal is able to meet the performance criteria (P1).	No

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

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

APPENDIX**C13.0 Bushfire-Prone Areas Code**

Standard	Acceptable Solution	Proposed	Complies?
13.5 Use Standards			
C13.5.1 Vulnerable uses	A1 No Acceptable Solution		No - Discretion
	A2 An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	Tasmania Fire Service has confirmed its support for the emergency plan provided.	Yes
	A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	Tasmania Fire Service has confirmed its support for the bushfire hazard management plan provided.	Yes
13.6 Development Standards			
Only applies to subdivisions			