

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 9 NOVEMBER 2020



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 Kristie Johnston

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (23) - 79-89 ALLUNGA ROAD CHIGWELL.....	4
6.	PROPOSED USE AND DEVELOPMENT - EXTENSION TO SINGLE DWELLING AND CARPORT - 15 BOSCO DRIVE GLENORCHY.....	55

7.	PROPOSED USE AND DEVELOPMENT - DWELLING EXTENSIONS - 11 BURGESS AVENUE MOONAH	93
8.	PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (1 EXISTING, 1 NEW) - 71 BOWEN ROAD LUTANA	118
9.	PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLING (TWO PROPOSED AND ONE EXISTING) - 66 BRENT STREET GLENORCHY	142

1. PLANNING AUTHORITY DECLARATION
--

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 5 October 2020 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(23) - 79-89 ALLUNGA ROAD CHIGWELL**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5296832

REPORT SUMMARY

Application No.:	PLN-20-326
Applicant:	ERA Planning & Environment
Owner:	Housing Tasmania
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.1 Residential density for multiple dwellings; 10.4.3 Site coverage and private open space for all dwellings; 10.4.4 Sunlight and overshadowing of all dwellings; 10.4.6 Privacy for all dwellings; 10.4.8 Waste Storage for multiple dwellings; and E6.6.1 Number of car parking spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	10 November 2020
Existing Land Use:	Vacant (previously multiple dwellings)
Representations:	8
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes the construction of 23 dwellings for social housing at 79-89 Allunga Road, Chigwell. The proposal would involve a total of 19 x 2 bedroom dwellings and 4 x 1 bedroom dwellings.

The development would be split across three (3) levels. Level 0 would contain the undercover car park at the rear of the site which would contain 32 car parking spaces. Adjacent the car parking area would be the 42sqm bin storage area and lockers for the residents. Four (4) dwellings are proposed on this level including 1 x 2 bedroom dwelling and 3 x 1 bedroom dwellings.

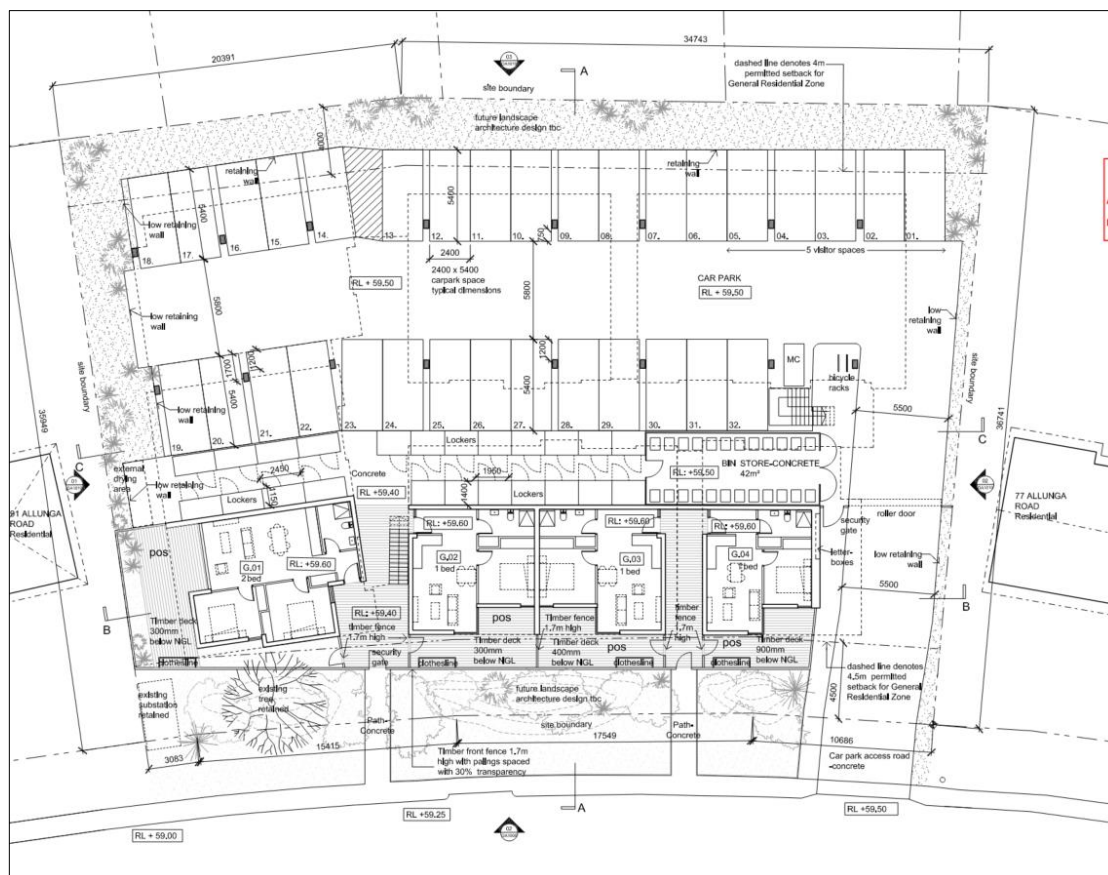


Figure 1: *Level 0 site plan*

Level 1 would contain 19 dwellings, all of which would contain two (2) bedrooms except for dwelling 1.06 which has one bedroom. Each dwelling would be provided with private open space in the form of a balcony. A raised concreted external walkway would provide access to these dwellings.

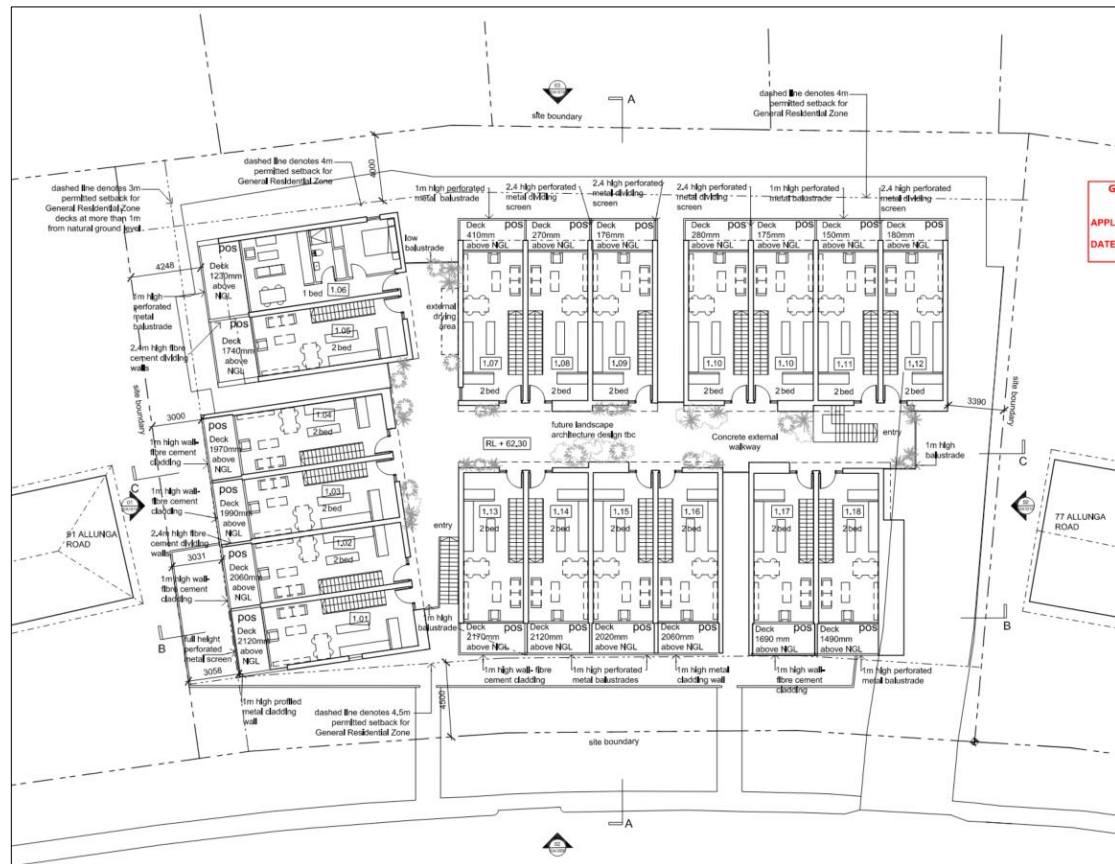


Figure 2: Level 1 site plan

Level 2 would contain the upper floor levels of 18 of the dwellings which are located on level 1. Each of the dwellings would contain two (2) bedrooms and a bathroom on level 2 (figure 3).

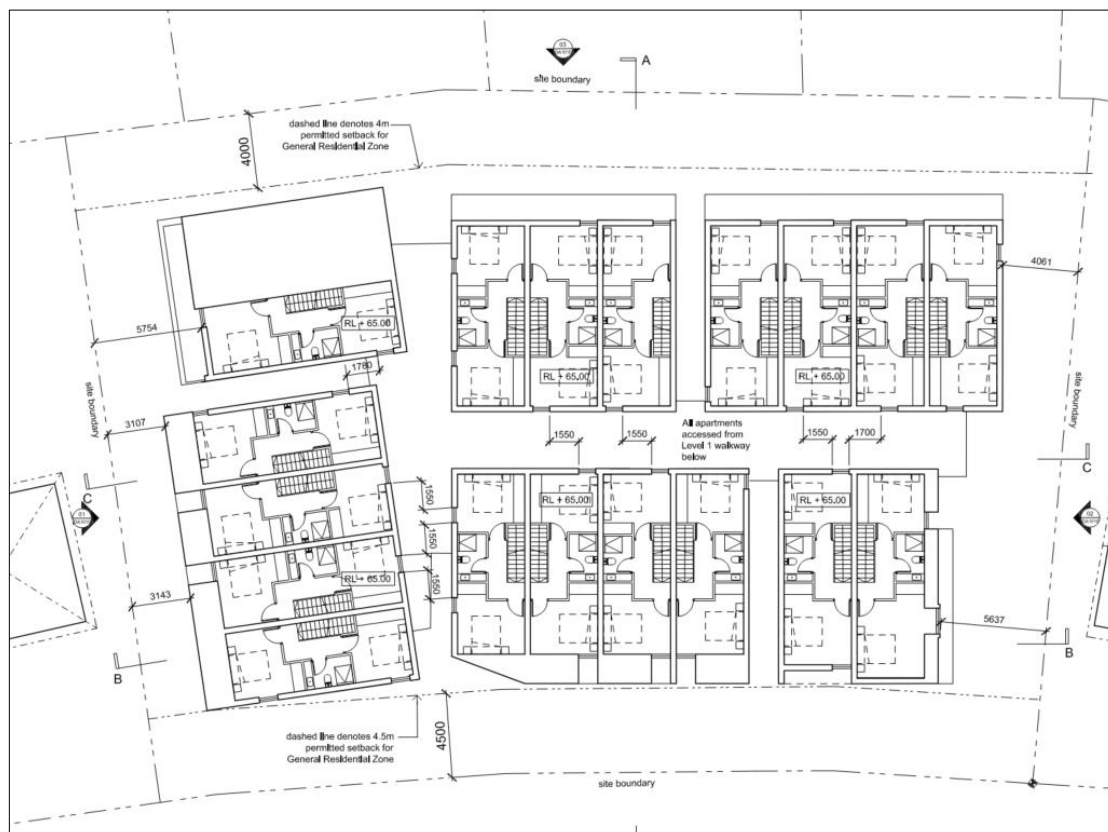


Figure 3: Level 2 site plan

The dwellings would be constructed in six (6) unit blocks which would be joined through the raised concrete walkways. The dwellings would be constructed with a variety of materials including fibre cement cladding in 'woodland grey', concrete wall panels, feature concrete bricks and concrete blockwork.

The dwellings would be provided with areas of private open space which range between 7sqm for the upper level dwellings and 27sqm for the lower level dwellings. The remainder of the site would be landscaped.

Access to and from the site would be via one entry and exit located on the southern side of the lot.

The dwellings would be wholly contained within the building envelope with a setback of 4.8m from the rear boundary, 3.39m from the southern boundary, 4.5m from the frontage and 3m from the northern boundary. This is achieved through a large site cut.



Figure 4: *Concept drawing of the proposal when viewed from Allunga Road*

SITE and LOCALITY

The site is located on the eastern side of Allunga Road and is made up of three separate certificates of title (figure 5). The three titles together total an area of 1765.2sqm and result in a lot with a frontage of 46.7m onto Allunga Road and a depth of 36.74m. The applicant has advised the titles will be adhered into the one certificate of title. The site is currently vacant following the demolition of multiple dwellings on the property. The property was used for social housing before the demolition occurred.

The site is located within an established residential area with most lots developed for single dwellings. There are some examples of multiple dwelling developments including 26 Allunga Road and 1 Danina Street.

The site is located 100m from the nearest bus stop which is located on Allunga Road. Brooker highway is 270m away and the Chigwell local shopping area is located 390m to the south.



Figure 5: Aerial image of the subject site and surrounds

ZONE

The site is located in the General Residential Zone. The land further to the south is within the Community Purpose Zone (figure 6).

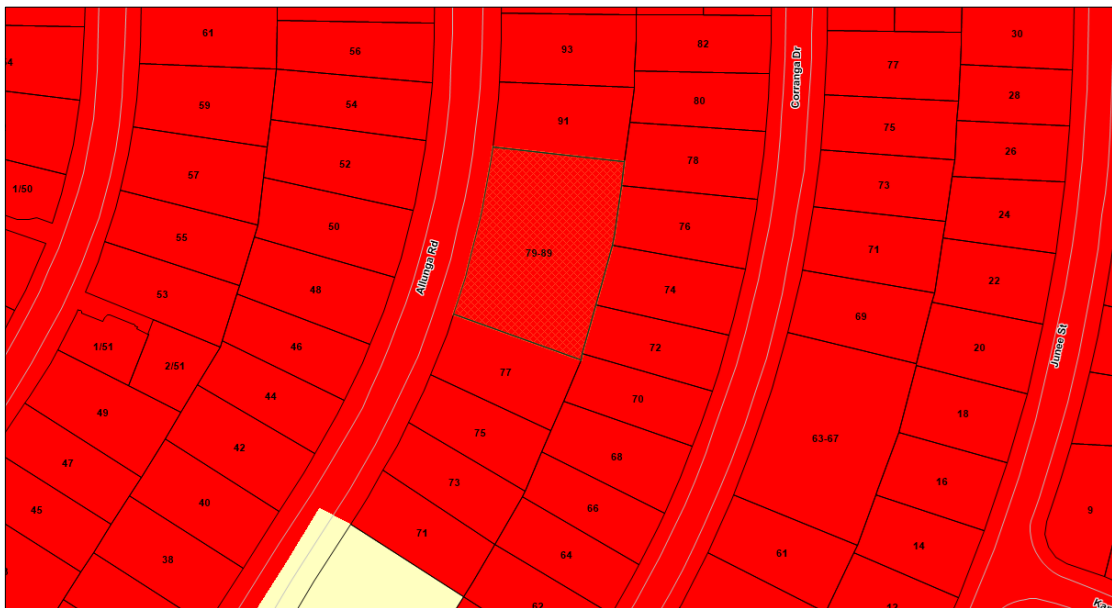


Figure 6: Zoning map of the subject site and surrounds

BACKGROUND

- PLN-19-316 Demolition was approved on 12/12/19
- PLN-17-270 Partial demolition of multiple dwellings (residential) relying on performance criteria was approved on 22/11/17

The applicant agreed to an extension to the 42 day assessment timeframe to allow the application to be determined at a Glenorchy Planning Authority Meeting.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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.

Building envelope means the three-dimensional space within which buildings are to occur.

Building height means the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point, excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents.

Development area means the area of land occupied by development including its yard, outbuildings, car parking, driveways, storage areas, landscaping and wastewater disposal areas.

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.

Habitable room means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

Multiple dwellings mean 2 or more dwellings on a site.

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

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

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

Part C: Special Provisions

No special provisions of the Scheme apply to the 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 application is considered to be in keeping with the purpose statements of the General Residential Zone as it would add to the range of dwelling types in an area where full infrastructure services are available and would make efficient use of an existing parcel of residential land.

Use Table

Residential (Multiple dwellings) are a permitted use in the General Residential Zone. The application however 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

10.4.1 Residential density for multiple dwellings (P1)

The acceptable solution for this standard requires multiple dwellings to have a site area per dwelling of at least 325sqm. The proposal is for 23 dwelling on a site with a site area of 1765.2sqm. This results in each dwelling having a site area of 76.75sqm. The proposal must therefore be assessed against the performance criteria which states:

Multiple dwellings must only have a site area per dwelling that is less than 325 m2, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:

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

Comment:

The proposed dwellings would not exceed the capacity of infrastructure services with TasWater and Council Engineers satisfied the site is capable of accommodating a proposal at this density in terms of infrastructure services. TasWater have no objection to the proposal subject to conditions.

The proposal must then either comply with point (a) or (b) of the performance criteria. The applicant is seeking to comply with point (b) with the proposal providing a significant social housing benefit. The applicant has advised that as of May 2020, there were 3,346 active applicants on the Housing Register. Of these, 2,441 are considered 'priority applicants', defined as those experiencing critical housing affordability crisis, homelessness, safety issues and/or health and mobility issues. Of the 3,346 active applicants, 464 are located within the Glenorchy local government area and 37 live in Chigwell. The applicant has advised that 870 of the active applicants have a preference to live in Chigwell.

The proposal to provide 23 dwellings for social housing in Chigwell would provide a significant social housing benefit on a site that is located within only 100m walking distance of a public transport stop which has frequent bus services. The dwellings would deliver new supply, improve access to affordable homes and deliver more responsive services to Tasmanians seeking housing assistance.

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

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

The acceptable solution for this standard requires multiple dwellings which do not have a finished floor level more than 1.8m above natural ground level to be provided with 60sqm of private open space. The dwellings on the ground level do not comply with this and the proposal must therefore be assessed against the performance criteria which states dwellings must have:

- (a) *private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:*
 - i. *outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and*
 - ii. *operational needs, such as clothes drying and storage; and*
- (b) *reasonable space for the planting of gardens and landscaping.*

Comment:

The private open space for the ground floor units would range between 18sqm and 27sqm. These dwellings are all single bedroom dwellings except for one. The applicant has advised that the ground floor units have been designed to be compliant with the *Disability Discrimination Act 1992* in response to the requirements of the future occupants. The private open space has been designed to be level and directly accessible from the units to ensure it is a usable space. The private open space would provide an area that could be used for an outdoor recreational space whilst also meeting the operational needs of clothes drying and storage as is demonstrated on the plans. 18sqm is sufficient in size to easily accommodate clothes drying and storage, and a garden space. The occupants are also provided with a communal storage locker area which would provide an additional storage space for the occupants.

Point (a)(i) is addressed through the layout of each dwelling with the private open space being directly accessible from the open plan living/kitchen/dining area through glazed double doors.

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

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

The acceptable solution for this standard requires the dwellings to be provided with an area of private open space which has a minimum 4m dimension and 24sqm for the ground floor dwellings, and a minimum dimension of 2m and 12sqm for the upper level dwellings. The dwellings do not comply with this and therefore the proposal must be assessed against the performance criteria which states a dwelling must have private open space that:

- (a) *includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:*
 - i. *conveniently located in relation to a living area of the dwelling; and*
 - ii. *orientated to take advantage of sunlight.*

Comment:

It is considered that all of the units are provided with an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. The upper level dwellings which do not meet the required 12sqm are provided with balconies with a minimum 7sqm area. The balconies would have a minimum dimension which would allow for a small BBQ and table and chairs, or could be used for a small herb garden with two occasional outdoor chairs with direct sunlight.

Regarding children's play, the concrete external walkway is intended for gardens and flexible outdoor use by the residents with the design providing an additional communal space to be used by the residents. This space has mainly a north-south orientation which utilises the northern solar access, is elevated 2.7m from the ground floor thus allowing more light into the area, and benefits from the gaps between the buildings allowing light to enter at different times of the day. As identified on the plans this walkway will be detailed by a landscape architect.

The ground level dwellings are provided with a minimum area of private open space of 18sqm. These areas would be level and directly accessible from the living areas. They are sufficient to accommodate an outdoor dining table and chairs and could be used for children's play.

Each dwelling is provided with an area which directly adjoins the open plan living, kitchen and dining of the dwelling and is orientated to either the north, east or west. It is considered that private open space complies with the requirement of being conveniently located and orientated to take advantage of sunlight.

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

10.4.4 Sunlight and overshadowing of all dwellings (P1)

The acceptable solution for this standard requires a dwelling to be provided with a habitable room window that faces between 30 degrees west of north and 30 degrees east of north. Whilst some of the dwellings comply with this (G.01 and 1.01-1.06), not all the dwellings comply so therefore the proposal must be assessed against the performance criteria which states:

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

Comment:

The proposal has been designed to ensure that each dwelling on the site would receive direct sunlight to a habitable room window (other than a bedroom) in either the morning or afternoon. None of the units have a southern orientation and the dwellings have been designed to have floor to ceiling double sliding doors in the open plan living, kitchen and dining to allow sunlight to enter the area.

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

10.4.4 Sunlight and overshadowing of all dwellings (P3)

The acceptable solution for this standard relates to the height and setback of multiple dwellings which are located to the north of the private open space of another dwelling on the same site. The proposal does not comply with these requirements and therefore must be assessed against the performance criteria which states:

A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.

Comment:

The private open space for the majority of the units would receive over 3 hours of direct sunlight, however, the eastern facing units would be impacted the greatest in terms of overshadowing for another dwelling on the site.

The original design submitted with the proposal included solid 2.4m high walls between the private open spaces of the dwellings. The applicant made changes to the plans to ensure the eastern facing private open space would not be unreasonably overshadowed by another dwelling on the site by changing from solid dividing walls between the balconies to perforated metal screens. This would allow sunlight to penetrate through the screen to the private open space whilst also maintaining privacy for the residents in accordance with Clause 10.4.6 Privacy for all dwellings.

The applicant also submitted additional aerial sun diagrams which show the access to sunlight that will occur from these design changes to the screens and balustrade. The diagrams demonstrate the private open space for the eastern facing units will receive a minimum of 2 hours to 50% of private open space between 9 am and 3 pm except for unit 1.07 which will receive two hours to over 50% of the area between 8.30 am – 10.30 am. This is considered acceptable as direct sunlight is achieved prior to 9 am on June 21, all eastern facing units receive direct sunlight into the private open space at other times of the year as shown in the equinox and summer solstice sunlight and shadow diagrams provided by the applicant. It is also noted that the shared open space/access area would receive direct sunlight on 21 June at 11 am directly outside the apartment.

The proposal is considered to meet the performance criteria which requires 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.

10.4.6 Privacy for all dwellings (P3)

The acceptable solution for this standard requires a habitable room window of a dwelling to be setback 2.5m horizontally from a shared driveway. Due to the location of the car parking spaces under the dwellings, the proposal does not comply with this and 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 detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Comment:

The proposal has been designed to minimise detrimental impacts of vehicle noise and light intrusion to habitable rooms of the dwellings. The dwellings on the ground level would not have any habitable room windows facing the shared driveway and parking spaces and the upper level rear dwellings (1.06 – 1.12) have a minimum vertical separation of 2.7m from the car park. The vertical distance from the shared car park will ensure that vehicle noise and light intrusion to the units is minimised to an acceptable level.

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

10.4.8 Waste storage for multiple dwellings

The acceptable solution for this standard requires a shared waste storage area to be located at least 5.5m from a dwelling. The shared waste storage area would not comply with this and therefore must be assessed against the performance criteria which states a multiple dwelling development must provide storage, for waste and recycling bins, that is:

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

Comment:

The application was referred to Council's Waste Services Coordinator who is satisfied the proposed storage area is capable of storing the number of bins required for the site. The waste services would be provided through communal bins. The storage area would be located in the middle of the lot, adjacent the parking area. This would be screened from the frontage and separated from all units with a solid wall - the nearest window being 7m away. The communal storage area is fully enclosed and only accessible from the locker area or the driveway. This separation ensures that all noise and odour impacts will be minimised.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

Council's Traffic Engineer and Development Technical Officer have assessed the proposal against the applicable standards of the Road and Rail Asset Code and is satisfied the proposal complies with the applicable standards. More detailed comments are included in the Internal referrals section of this report.

Parking and Access Code*E6.6.1 Number of car parking spaces*

Under the Parking and Access Code, a total of 48 car parking spaces are required to meet the acceptable solution. The application proposes to provide 32 car parking spaces, resulting a shortfall of 16 spaces. The proposal must therefore be assessed against the performance criteria which states:

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

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

Comment:

The applicant submitted a Traffic Impact Assessment Report with the application as supporting documentation. The report was reviewed by Council's Traffic Engineer and Development Technical Officer, who are satisfied the proposed number of car parking spaces would be acceptable and complies with the requirements of the performance criteria. Detailed comments are included in the Internal referrals section of this report.

Stormwater Management Code

Council's Development Technical Officer has assessed the proposal against the applicable standards of the Stormwater Management Code and is satisfied the

proposal complies with the applicable standards. More detailed comments are included in the Internal referrals section of this report and the attached Appendix.

PART F: Specific Area Plans

The site is not located within a specific area plan.

INTERNAL REFERRALS

Development Engineer

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The Traffic Impact Assessment (TIA) has concluded the surrounding road network is able to adequately absorb the relatively low amount of traffic generated by the proposed development and does not indicate that there are any current road safety deficiencies that might be exacerbated by the proposed development.

More detailed comments are included in the Traffic Engineer referral section of this report and the attached Appendix.

E6.0 Parking and Access Code

This code applies to all use and development.

Thirty Two (32) car parking spaces are proposed to be provided. The acceptable solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015 (GIPS) requires 48 car parking spaces (18x2+4x1+6 visitor). The applicant has submitted a Traffic Impact Assessment (TIA) to address the performance criteria of this clause. It is considered the TIA has adequately address and justified this performance criteria through the availability of on-street carparking and public transport and that the development is encouraging residents to cycle by providing facilities to store bicycles. This proposed reduction in parking is supported Councils Traffic Engineer and it is considered the performance criteria is satisfied.

The application proposes 19 two bedroom and 4 one-bedroom units. GIPS Table E6.1 Number of Car Parking Spaces rate is one carparking space for one-bedroom unit and two for a two-bedroom unit plus one visitor space for every four units (23/4=5.75).

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

The proposed parking shortfall of 32 carparking spaces less the visitor carparking, is 26 spaces ($32-6=26$). It is recommended to increase the visitor parking number to nine car parking spaces and the remaining carparking spaces be dedicated to each of the proposed 23 dwelling units.

A representor raised concerns with the amount of visitor car parking spaces proposed. It is considered the recommendation to provide additional visitor parking in excess of the planning scheme requirements will address these concerns.

Another representor raised concerns relating to no parking spaces being proposed for delivery/commercial vehicles, emergency service vehicles and/or disability service vehicles. The provision of these vehicles is not a requirement of the Glenorchy Interim Planning Scheme and/or the National Construction Code for this development and therefore there is no requirement for the applicant to address this.

A representation also raised concerns about the application discriminating against independent disabled people with a vehicle. The Glenorchy Interim Planning Scheme 2015 refers to the National Construction Code of Australia (NCC) on the provision of carparking spaces for people with a disability depending on the class of the building. The NCC requires no spaces for this class of building.

Concerns were also raised that the passing bay is not in accordance with the requirements of the Glenorchy Interim Planning Scheme 2015 and that the driveway tapers to less than 5.5m wide towards the entrance. The provision of this passing bay to satisfy the acceptable solution of this clause is recommended as a condition of the planning permit.

The lack of on-site turning to enable vehicles to exit in a forward direction was also raised in a representation. Clause E6.7.4 On-Site Turning of the Glenorchy Interim Planning Scheme is not applicable to this application due Allunga Road carrying less than 6000 vehicles per day. However, the application appears to meet the requirement for on-site turning under the Australian Standard AS2890.1 Off street car parking to enable vehicles to adequately manoeuvre on-site and exit the site in a forward direction.

The design does not meet the required height of 2200mm between the ground and any overhead obstruction has been raised in representation. The proposal plans are not clear if this is satisfied, and it is considered reasonable this is addressed as part of detailed design. A condition is recommended in the planning permit that the height between the ground and any overhead obstruction achieves a minimum clearance of 2200mm.

One on-site motorcycle parking space is proposed. This satisfies the acceptable solution of clause E6.6.3 Number of Motorcycle Parking Spaces and is recommended to be a condition of the planning permit.

Lighting must be provided for vehicle parking, circulation and pedestrian areas in accordance with Australian Standard AS 1158.3.1. to satisfy the acceptable solution of clause E6.7.7 Lighting of Parking Areas. It is recommended this be a condition of approval that the lighting must be completed and operational prior to occupancy of any of the dwelling units and the running and maintenance costs of the lighting must be managed by an active body corporate.

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

No other clauses of the parking and access code are applicable to this application.

E7.0 Stormwater Management Code

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

The applicant has submitted a concept servicing report demonstrating how stormwater will be connected by gravity to public underground stormwater infrastructure (via a new underground stormwater main extension from the intersection of Allunga Road and Kilpa Street) to satisfy Clause E7.7.1 A1. A condition is recommended to be included in the planning permit that requires detailed engineering drawings to be provided to Council for approval by Council's Development Engineer prior to Building Approval.

A stormwater connection is required to service the development and a condition is recommended to be included in the planning permit that requires the applicant to submit a stormwater connection request form to connect to the public stormwater system. This would enable the acceptable solution A1 to be achieved.

The applicant has addressed Water sensitive urban design principles (stormwater treatment) and is considered to satisfy Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2. A condition that this must be installed and completed to the satisfaction of Council's Development Engineer prior to a Certificate of Occupancy being issued for any of the dwelling units is recommended in addition to the water sensitive design elements being managed and maintained by an active body corporate.

The applicant has addressed A3 and A4 of this code in the concept services report submitted with the application and it is considered this will satisfy the acceptable solution. A condition is recommended to address this in association with future plumbing approval.

No other clauses of the Stormwater Management code are applicable to this application.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Traffic Engineer

Introduction

The developer proposes to construct 23 apartments, 19 of which are two-bedroom and 4 one-bedroom. There is proposed to be a total of 32 car parking spaces and secure storage lockers for each apartment to facilitate storage of bikes.

The development is located on Allunga Road which is a collector road that can carry large volumes of traffic between major roads such Berriedale Road and the Brooker Highway and distributes traffic to local roads.

The traffic assessment below is based on the Traffic Impact Assessment (TIA) undertaken by GHD, dated September 2020.

Traffic Generation

The traffic generated by the development is expected to be 115 daily vehicle trips with an hourly peak of 12 vehicle movements based on 5 daily trips per dwelling and 0.5 weekday peak hour vehicle trips. This number is sourced from the RTA (Road and Traffic Authority NSW) Guide to Traffic Generation Development.

The traffic on Allunga Road near the development is estimated to be 1,420 vehicles per day from traffic counts undertaken in 2012. Based on this, a 20% increase in traffic would be 284 vehicles per day. This development is generating 115 vehicles per day which is less than a 20% increase in traffic at the junctions at either end of the development.

The acceptable solution of Clause E5.5.1 A3 of the planning scheme is met, as the increase in traffic is no more than 40 vehicles per day or 20% of the existing average annual daily traffic, whichever is the greatest, at an existing access or junction.

As a new driveway access is being constructed the acceptable solution is met as Clause E5.5.1 A3 applies to existing accesses. Even if the new driveway access was accessed under the performance criteria it would comply.

The TIA is accepted and the acceptable solution for E5.5.1 A3 is met.

Crash Data

The crash data for the past 10 years along Allunga Road was reviewed in the TIA. Two crashes occurred in the midblock immediately adjacent to the development, both occurring in 2019. One was a minor injury crash involving a vehicle colliding with a parked vehicle in dark conditions and the other was a property damage crash involving vehicles travelling in the same direction.

There were no crash trends observed along Allunga Road and the crash data does not suggest that there are any current safety issues associated with Allunga Road with respect to road safety.

Parking Supply

The development is proposing 32 car parking spaces. Under the planning scheme 48 car parking spaces are required. An assessment of the parking requirements was undertaken in the TIA, which concluded that 32 car parking spaces are required based on the RTA Guide to Traffic Generation Developments.

As the parking numbers do not meet the acceptable solution under Clause 6.6.1 A1, the performance criteria were addressed in the TIA. The TIA notes that there is a good supply of on-street parking in the area, and that people may be more inclined to park in the side streets. While Allunga Road is wide enough for parking on both sides, this will reduce the travel lane to one on a collector road.

The development is encouraging residents to cycle by providing facilities to store bikes and there are good footpath links from the development. There is also a metro bus service along Allunga Road.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for E6.6.1 is met.

Representations

There were six representations made regarding parking and traffic management. However, it should be noted that Clause E5.5.1 A3 of the planning scheme which addresses traffic issues met the acceptable solution. Clause E6.6.1 of the planning scheme which addresses number of parking spaces did not meet the acceptable solution but was deemed to meet the performance criteria of the planning scheme.

The main concerns raised related to Allunga Road being able to cater for the increase in traffic and parking, along with vehicles turning into and out of the driveway to the development site. There were also concerns raised that the development would make it more difficult and dangerous to enter and exit their driveway.

Insufficient parking provided within the development was raised, both for residents and visitors. Concerns were raised that minimal parking was being provided and residents and their visitors would catch public transport unrealistic. Issues of parking for delivery, emergency or accessible spaces was also raised.

Increase in parking on-street was a major concern due to width and traffic on Allunga Road including buses. It was noted cars currently park on the nature strip on Allunga Road and that there is no parking available within the side streets.

Response to Representations

Allunga Road is a collector road. Collector road typically carry between 3,000 to 10,000 vehicles per day. The traffic volume on Allunga Road is well below this, being 1,420 vehicles per day in 2012. Indexing this by the standard 2% per year would increase the traffic volume to 1,647 vehicles per day and as such the increase in traffic from this development can be accommodated on Allunga Road.

The development will generate 115 vehicles per day with 12 vehicles trips in peak hour, based on a medium density residential dwelling use from the RTA guide (the RTA technical update is only for certain uses and does not include medium density residential dwellings). The number of vehicles turning in and out of the development driveway does not require a dedicated turn lane on Allunga Road and can be undertaken safely within the existing road environment.

Driveways opposite the development will have traffic entering and leaving the development driveway along with possible increase in parking on-street. This will add some more complexity to residents using their driveways but sight lines and traffic

volumes along Allunga Road and at driveways, is not considered unreasonable and meets Australian Standards and Austroads guidelines.

Parking provided within the development site, being 32 parks of which 9 are for visitors, is based on a medium density residential dwelling use from the RTA guide. The parking numbers are below that required in the planning scheme being 48 car parking spaces. The parking numbers proposed are based on the most recent data available and is considered acceptable.

There are also bike storage areas being provided to encourage residents to cycle and a bus stop in close proximity for those who wish to catch public transport.

Parking for delivery, emergency or accessible spaces is not required for residential dwellings under the planning scheme. Each parking space within the development has been designed so that vehicles will be able to enter and leave the site in a forward direction.

On-street parking may increase due to the development. The TIA suggest that this is likely to occur within the side street off Allunga Road which has enough spare capacity to cater for this. It is suggested in the TIA that parking might not occur on Allunga Road as if there are cars parked on-street it reduces Allunga Road to one travel lane in which vehicles will need to give way to each other. This is not uncommon however as Allunga Road is a collector road is not ideal.

If on-street parking on Allunga Road becomes a concern, then parking can be restricted.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, Council's Traffic Engineer indicated no objection to the development on traffic engineering or road safety grounds.

Waste Management Officer

Waste services to the proposed multiple dwelling development at 79-89 Allunga Road Chigwell would be Council's shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection.

Twenty three (23) multiple dwellings would be eligible for a maximum of 8 x 240L waste wheelie bins, 8 x 240L recycling bins and 8 x 240L FOGO bins, collected weekly to be shared by all the twenty three (23) multiple dwellings. Collection of bins would be from the kerbside.

The bins would be stored in a bin enclosure. The bin enclosure should be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site.

It is recommended that no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater, which has nominated a number of conditions should the application be approved. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater, if a permit is granted.

TasNetworks

No response received.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with eight (8) representations received. The issues raised are as follows:

Construction impacts

The representor states that they are concerned with the unreasonable imposition of construction noise on neighbours as this will certainly be larger and more sustained than a smaller development.

The representor states that building works are likely to be ongoing for an extended period of time which would impact on the enjoyment of nearby residents and create significant issues with traffic flow.

The noise would be excessive by the use of heavy equipment and would go on for a considerable period of time, no doubt in excess of 12 months. This would affect residents for a very lengthy period of time.

The representor states that that noise will impact night shift workers. The significant amount of noise involve in extensive ongoing building works would severely impact on his ability to sleep during daylight hours and impact on his alertness levels whilst working. The representor states they work from their residence and are often disturbed by noise in the area, including the demolition of the previous dwellings on the site. Whilst this could be managed short term, there would be considerable difficulty in continuing to work during the increased noise levels for a significant period of time.

The representor states the excavation will require a rock breaker and together with excavator and truck movements to and from the site will cause vibration damage to the direct neighbouring properties.

Planner's Comment:

Noise during construction is not a planning issue that can be considered as part of this application. Work hours and noise is controlled under the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

Excavation and works during construction would be required to be appropriately engineered prior to commencement of the works and would be managed through the building approval.

Neighbourhood character

The representor states that the suburb has been essentially open, light filled spaces comprising of single family residences interspaced with a few single level pensioner units and some double storey row townhouses. These are provided with backyards that are well defined. The representor states that the proposal would promise to become a ghetto of disadvantage, similar end to Windsor Court in North Hobart. The design is brutalist in form and is not in keeping with the streetscape of tidy single storey multi coloured home each in their own garden. The design may be more appropriate for the inner suburbs such as north Hobart, Glenorchy or Moonah, where amenities abound and densities approach that of this development.

The dwelling is a significant change from the previous dwellings on the site, is inappropriate to the area and out of character. The current dwelling in the majority of the entire suburb are low density, single storey and of weatherboard and/or brick construction. The proposal development is out of character in terms of density, size, design and materials.

The representor states the proposed building would not blend into the surrounding area and would appear to be better suited to a central business/suburban district area, not a suburban residential area. The buildings will be extremely out of place in this area.

Planner's Comment:

The General Residential Zone ensures that new development does not adversely impact on the residential character and amenity of the area by regulating lot sizes, density, building height and setbacks. However, there are no other specific Local Area Objectives or a Desired Future Character Statements within the General Residential Zone that would apply to this area. This means there are no specific neighbourhood character controls on the site which enable assessment of the design. The proposal has been assessed as complying with density, height and setback requirements of the General Residential Zone.

Property values

The representor states that the property values in the area are extremely likely to decrease with the addition of such high density accommodation in the area which would impact on the representor directly and many of their neighbours.

The representor has asked whether there have been any reports on the expected effect of this development on existing property prices and whether any compensation would be provided to homeowners in the area whose properties suffer a reduction in value as a result of the development.

Planner's Comment:

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

Waste services

The representor states that there is insufficient rubbish and recycling bins space provided. Only space for 24 bins in total provided. The representor states that there is not sufficient room for a waste truck to enter the site.

Planner's Comment:

Council's Waste Services Coordinator has no objection to the proposal and has requested a condition be included on the permit regarding the construction of the shared waste storage area. The waste services for the dwellings would be provided through shared bin service. Council's garage truck will not access the site with the occupants required to take the bins to the kerb.

Density and scale

The representor states that they believe that units should not just be dropped between two houses and surround by other houses. They believe it would be better to build maybe only 6 units again.

The representors states that the scale, form, construction materials and colour of the proposed structure is manifestly out of scale for the site.

The representor states that the bulk of the building will be such that is it overbearing to neighbours and adjacent properties; casting shadows over gardens, focusing increased wind into backyards and removing privacy by overlooking.

The representor states the size of the buildings would almost entirely monopolise the view from the front of their property so that all they essentially would view is a big black box.

The proposal development appears to utilise in excess of 50% of the property including buildings, decks and parking spaces.

The representor states the dwelling does not comply with the height and size requirements of Council planning requirements and how can six massive buildings taking up the whole of the land area fit in with the surrounding single storey buildings.

The representor states that the building will be the only three storey buildings within about one kilometre or so and every other building is single storey dwellings.

Planner's Comment:

The application has been assessed against the applicable standards of the General Residential Zone and has been assessed as complying. This includes Clause 10.4.1 Residential density for multiple dwellings which relates to dwelling density. The dwellings meet the performance criteria as they provide a significant social housing benefit.

It is noted that there are no desired future character statements for the General Residential Zone and there are no planning requirements applicable to this site that control colours and materials.

In terms of the size of the building, the proposal is located within the building envelope outlined in Clause 10.4.2 Setbacks and building envelope for all dwellings. Figure 7

below shows the dwellings do not exceed the building envelope due to the site cut proposed.

It is noted one representor raised that there are decks proposed within 4.5m of the frontage setback. These decks are located below natural ground level and not applicable to Clause 10.4.2 Setbacks and building envelope for all dwellings.

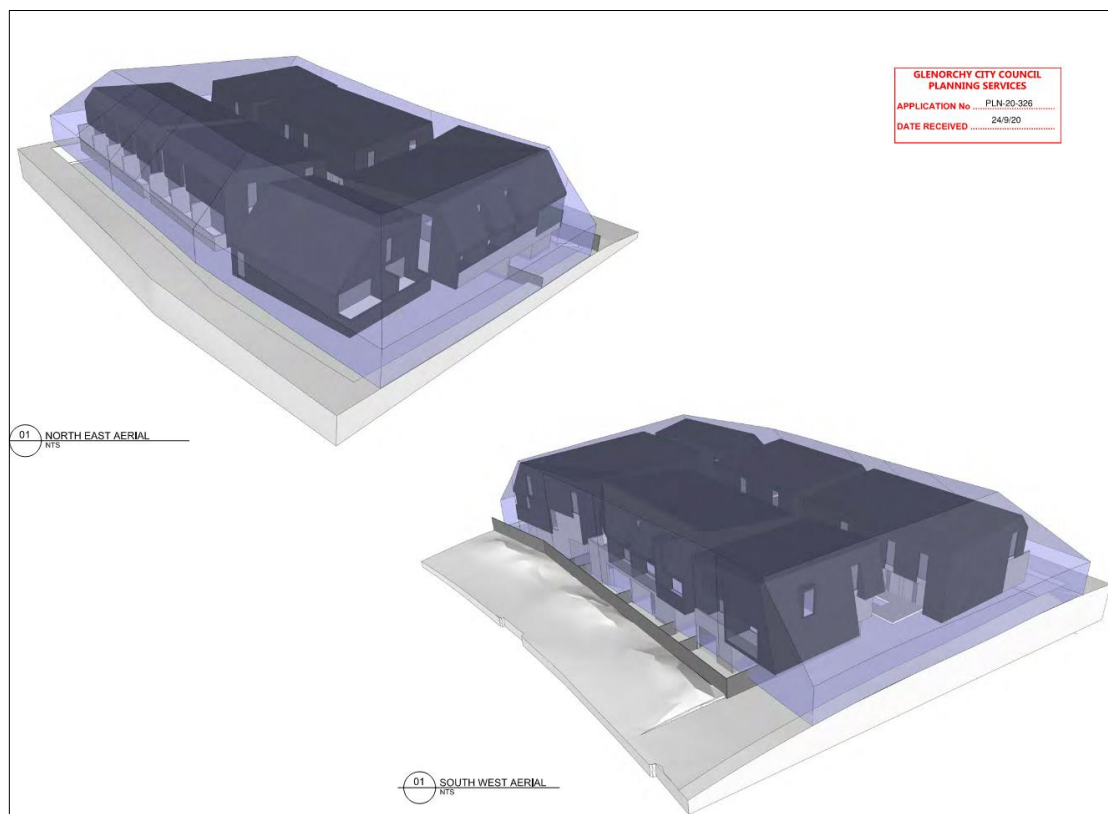


Figure 7: Blue shading show the extent of the building envelope required by GIPS 2015

Potentially contaminated land

The representor would like to know whether there has been any soil testing done for the property. They believe the previous structures were built in the 1950s and would like to know whether there has been any testing with respect to the presence of asbestos, lead or any other contaminants in the soil. They are aware asbestos was discovered in the structure whilst being demolished.

Planner's Comment:

The site is not identified as being contaminated or potentially contaminated land therefore this issue is not a planning issue that can be considered as part of this application.

Noise

The representor states there will be:

- Noise from heat pumps, air conditioners and general sounds from when you jam 50 + people into an 1800m2 site.

- Increased noise from not only an increase of 50+ people but directly from the 13+ people in the residences on the 91 & 89 Allunga Road boundary.
- Increased noise, lights, vibrations and pollution from the 32 cars of the complex and directly from the 9 car parks on the 91 & 89 Allunga Road boundary.
- Noise from multiple pets (animals)

Planner's Comment:

There are no applicable standards of the Glenorchy Interim Planning Scheme 2015 relating to noise from residential development in a residential area.

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

Personal impacts

The representor states that they suffer from social anxiety, agoraphobia and anxiety attacks and with people being able to see into their front yard, backyard, bathroom and bedroom windows 24/7 will greatly affect their mental health and wellbeing with the high probability that they will need further medical attention and solutions. The representor states the proposal would result in a general reduction in the quality of their life.

Planner's Comment:

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

External lighting

The representor questions whether there would be any security lighting at the property that would glare directly into the windows at the front of their property and make it necessary for them to obtain additional light screening window coverings. The representor questions whether they would be compensated for this expense.

Planner's Comment:

A condition is recommended to be included on the permit requiring external lighting to the parking and pedestrian areas. This is required to comply with Clause E6.7.7 Lighting of Parking Areas.

In terms of compensation, this is not a planning issue that can be considered as part of this application.

Setback

The representor notes that decks are proposed in front of the dwelling that appear to encroach into the 4.5m frontage setback.

Planner's Comment:

This issue has been previously addressed under the heading "Density and scale".

Overshadowing

The representor states the proposed development is too high and will create significant overshadowing issues.

The representor states that the sheer bulk of the proposed building would overshadow their property and impact greatly on the level of sunlight which the front of their property

receives. This would cause significant condensation and possible mould growth in the dwelling.

Planner's Comment:

The dwelling is located wholly within the building envelope required by Clause 10.4.2 Setbacks and building envelope for all dwellings. Overshadowing of adjoining properties is only a consideration when the proposal exceeds the building envelope and a proposal is required to be assessed against the performance criteria for this standard.

Private open space

The representor states that they are concerned with the amount of private open space provided with the proposal.

Planner's Comment:

This issue has been previously addressed under the heading "Development standards for residential buildings and works". The private open space for the dwellings has been assessed as complying with the applicable performance criteria's and is considered acceptable.

Notification of the application and community consultation

The representor states they would like to express their disappointment with not being personally notified of the development. They state they have lived and been a ratepayer in the Glenorchy area for some time and would have expected to be treated with more common courtesy in regard to this matter

The representor states that the application was incorrectly advertised as the Traffic Impact Assessment was not advertised on Council's website.

The representor states they would have preferred for some community consultation to take place prior to entertaining an application for a development of this size. The representor states they have spoken to a number of residents in the surrounding area who were unaware of the proposed development and therefore a large number of residents who will likely be affected by this development have not been afforded the opportunity to lodge any relevant objections. The representor believes a mass mail out should have been undertaken to ensure that all residents in the area were made aware of the proposed development and advised of the options available to them for lodging an objection. Council would have received a much higher number of objections to this development had all resident in the area been made aware.

The representor states some community members/residents aren't confident to send in representations denying them the opportunity to voice their objections. The representor states they are unable to attend or present a personal deputation to Council at the approval meeting, however, the proponents have been in discussions with council staff for over 18 months. They had only two weeks.

Planner's Comment:

The application was advertised in accordance with Section 57(3) of the *Land Use Planning and Approvals Act 1993*. A sign was placed on each of the existing lots (three notices across the site frontage), a notification was placed in the Mercury newspaper

and notices were sent to all adjoining landowners in accordance with the statutory requirements of the Act.

The application was correctly advertised with the plans and all other supporting documentation available for viewing at the Council offices. Information available on the website is to provide a more convenient way for the community to view plans and is not a statutory requirement.

Council must consider every application which is submitted under the Act and cannot require an applicant to undertake community consultation prior to submitting an application. Any pre-application discussions are confidential, and Council is not at liberty to undertake community consultation regarding potential future proposals.

COVID-19

The representor states that a high density development of this nature in the current climate poses a hazard in the spread of contagious diseases such as COVID-19.

Planner's Comment:

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

Traffic generation and parking

The representor states that the proposal would contribute negatively to the already problematic parking and traffic issues in the area. There is insufficient off street parking accounted for in the development and the proposal does not comply with the GCC Planning Scheme for parking rates. The representor believes the development would contribute significantly to on-street parking which there is currently no provision for in Allunga road. This section of the road is extremely busy being a main route for travel through Chigwell but is also extremely narrow with no provision for a vehicle to park safely. Vehicles parked on this section of the road would create a significant traffic hazard. Due to the narrowness of the road, parking on footpaths and nature strips is common and the development would contribute greatly to this issue. Having a single driveway for 23 dwellings exiting on to Allunga road is not appropriate. Entering and exiting of driveways adjacent the property would be more difficult due to the dangerous stretch of road.

Allunga road is a very busy street and the additional vehicles associated with the development will create an excessive amount of additional traffic on the road. This would impact on the ability of residents to move freely to and from their properties and also cause wear and tear on the existing roadways.

The representor states that it would be highly likely that many of the two bedroom residences would be occupied by couples. Families/housemates would require a minimum of two parking spaces. Vehicles parking on street would affect traffic flow and obstruct nearby residents from moving to and from their properties.

The representor states the proposal would result in discrimination against independent disabled people - Parking for People with a Disability.

The representor makes a number of comments regarding the Traffic Impact Assessment and that the data and standards used in the assessment are outdated and incorrect.

The representor states there is insufficient access for garbage and recycling trucks, no space provided for delivery/commercial vehicles, no space provided for emergency service vehicles and no space provided for disability service vehicles.

Planner's Comment:

This issue has been previously addressed by Council's Traffic Engineer and Council Development Engineer under the heading "Internal referrals".

Privacy

The representor states that the proposed development will create a significant reduction in privacy due to the numerous decks, large glass sliding doors and windows above the fence line facing towards the neighbouring properties. The proposal would have uninterrupted sight lines into the surrounding yards and windows of surrounding properties.

The representor states the exterior decks on the upper levels would afford little privacy to neighbouring residents as they would offer a view into the external and some internal living areas of neighbouring properties.

The representor states there is no provision to extend the existing boundary fence height to enable the existing resident privacy to be continued.

Planner's Comment:

The proposed development complies with Clause 10.4.6 Privacy for all dwellings, with the private open space and habitable room windows which have a floor level more than 1m above natural ground level setback over 4m from the rear boundary and 3m from the side boundaries.

Infrastructure

The representor states that the infrastructure in the area is dated and there have already been recent problems with water supply cause by damaged, dated pipework in the area.

The representor states they have concerns about the sewerage and waterworks due to the ongoing problems. The representor states they have dug up their place to put a patch on the water supply and that this has happened on several places up and down Allunga Road where they have only patched things without doing a full revamp of the waterworks.

Planner's Comment:

Water and sewerage infrastructure is the responsibility of TasWater. TasWater have no objection to the proposed development and have raised no concerns in regard to servicing of the development.

Tenants

The representations state that the previous 6 dwelling on the property had no end of trouble due to the tenants who resided there. The representors have stated they were constantly calling the police regarding the behaviour.

The proposal would result in an increase in antisocial behaviour at the nearby bus stop. There has previously been attempts to vandalise the shelter, consumption of alcohol,

littering, using front yards as makeshift public toilets. They believe these issues will increase as a result of the proposal.

The representations state there is a high probability of conflict between new residents and the existing ones, as well as between all the new tenants.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Irrespective, the applicant has provided a response stating "For many years the previous tenants were housed through an accommodation program for out-of-area students attending Claremont College. The program was managed by a non-government organisation. We acknowledge the inconvenience and disruption experienced in the neighbourhood during this time and advise that Communities Tasmania is exploring options for contemporary social housing management for the development. Communities Tasmania has also advised that regular communication with neighbours and tenants will be the priority as the development progresses".

CONCLUSION

The application proposes twenty three 'multiple dwellings' at 79-89 Allunga Road, Chigwell, which relies on performance criteria for compliance with standards of the General Residential Zone and Parking and Access Code. The proposal is assessed as satisfying the performance criteria and complies with the relevant 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, Parking and Access Code and the Stormwater Management Code.

The application was publicly advertised for the statutory 14-day period and eight representations received. These representations have been addressed earlier in this report.

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

RECOMMENDATION:

That a permit be granted for the proposed use and development of Multiple Dwellings (23) at 79-89 Allunga Road Chigwell subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-326 and Plans submitted on 24 September 2020 (10 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01208-GCC, dated 17/08/2020, form part of this permit.

3. Titles for the land subject to this use and development must be adhered prior to the issuing of the first Certificate of Occupancy.

Engineering

4. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and the stormwater connection to existing infrastructure, surface drainage collection and pavement composition showing finished levels, must be submitted with the Building Application for approval by Council's Development Engineer.
7. The stormwater main/connection to Council's underground public stormwater system must be installed in accordance with the approved plans. The stormwater connection must be constructed by a suitably qualified person to the satisfaction of Council. To ensure the connection is constructed to Council's satisfaction, the applicant must contact Council, by completing the Stormwater Connection Request Form. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website <https://www.gcc.tas.gov.au/planning-and-development/plumbing/plumbing-forms.aspx>, which outlines the process and conditions for the stormwater connection.
8. Thirty Two (32) clearly marked car parking spaces must be provided and kept available for these purposes at all times and installed prior to occupancy of any of the dwelling units. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and sealed with an approved impervious surface treatment. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
9. Of the required number of car parking spaces, nine (9) car parking spaces shall be provided and designated for the use of visitors.
10. One (1) dedicated motorcycle parking spaces must be provided and be clearly marked (delineated) in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking Clause 2.4.7.
11. Lighting must be provided for the visitor car parking and common ground/s in accordance with Australian Standard AS 1158.3.1. The lighting must be completed and operational prior to occupancy of any of the dwelling. The

operation costs of the lighting must be managed by an active body corporate or equivalent.

12. Landscaping must be provided within common ground at no less than 5% of the area of the carpark area and managed and maintained by an active body corporate or equivalent. The landscaping must be approved by Council's Development Engineer prior to a certificate of occupancy being issued.
13. A 5.5m wide vehicle crossing and passing bay must be provided and constructed in accordance with standard drawing TSD-R09-v2 between the kerb and the property boundary and the redundant access and associated crossover must be reinstated to the approval of Council's Development Engineer. Work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. An inspection must be undertaken by a Council Inspector, prior to the placement of any concrete for the vehicular accesses.

Please phone 62 166 800 to arrange a suitable time for the inspection to occur with adequate prior notice. Appropriate traffic control and safety fencing must be provided to ensure public safety is not compromised during the works. The works must not take longer than 48 hours to complete and be made available for safe pedestrian use.

14. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice: Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.

Waste

15. The design for the bin enclosure must comply with the following:
 - (a) must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
 - (b) must have concrete at the entrance to the bin enclosure;
 - (c) must suit 24 x 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner; and
 - (f) there must be no lip on the concrete slab of the bin enclosure.

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

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.

Engineering

The designer should ensure that the needs of all providers including TasWater, 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 GPA Attachments - 79-89 Allunga Road, Chigwell



APPENDIX**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies ?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.		N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAmx) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		N/A
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		N/A
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be		N/A

	limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.		
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m².		N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m².		N/A
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: (a) 325m²; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The density would be 76.74sqm per dwelling.	No
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m,	The dwellings would be setback 4.5m from the frontage in accordance with (a). It is noted the plans also show a timber fence within the front setback however this standard does not apply to fencing. The deck shown on the plans within 4,5m of the frontage is located below natural ground level.	Yes

	not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	No garages or carports proposed within 5.5m of the frontage. The car parking for the proposal is located at the rear of the site.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:	The dwellings are wholly contained within the building envelope referred to in Diagram 10.4.2A. The applicant has provided 3D drawings which illustrate this.	Yes

	(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings (P2)	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	(a) Site coverage of 48.5% which complies with the acceptable solution (b) The dwellings would not be provided with 60sqm of private open space on the ground floor level and therefore the proposal does not comply with the acceptable solution. (c) Less than 25% of the site would be free from impervious surfaces.	No
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or	The private open space would be provided on decks and balconies which do not meet the required size and dimensions of the acceptable solution.	No

	(ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Dwellings G.01 and 1.01-1.06 comply however the remaining dwellings do not have a window that faces between 30 degrees west of north and 30 degrees east of north.	No
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west	The dwellings have been designed so none of the dwellings are located to the north of a window of a habitable room (other than a bedroom) of another dwelling on the site.	Yes

	of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.		No

	(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garages or carports are proposed within 12m of the frontage.	N/A
10.4.6 Privacy for all dwellings (P3)	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:	The decks and parking spaces on level 0 are not located more than 1m above natural ground level. The balconies on level 1 are located more than 1m above natural ground level however they are setback at least 3m from the side boundaries and over 4m from the rear boundaries. The balconies are also separated from the private open space of the other dwellings on the site with a 2.4m high perforated metal screen with a 25% uniform transparency. No balconies are proposed on level 2.	Yes

	(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 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of	All habitable room windows and glazed doors with a floor level more than 1m above natural ground level are located at 3m from the side boundaries and 4m from the rear boundaries. The habitable room windows have been offset at least 1.5m in the horizontal plane from the edge of a window to a habitable room of another dwelling on the site. The habitable room windows are separated from the private open space of the other dwellings on the site by a permanently fixed screen which complies with (b).	Yes

	at least 1.7 m 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 at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		No
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	A 1.7m high timber fence is proposed within 4.5m of the frontage. The fence would have 30% uniform transparency.	Yes
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or	The communal storage area is located within 5.5m of the dwellings.	No

	(b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		
--	---	--	--

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.	Not an applicable standard.	
	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.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not an applicable standard.	
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.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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	Not an applicable standard.	
	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.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 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.		Yes

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.		No – Traffic Impact Assessment
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.	Not an applicable standard.	
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.		Yes
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.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
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 Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		Yes - conditioned
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	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.	Not an applicable standard.	
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 - conditioned
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.		Yes - conditioned
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.		Yes - conditioned
E6.7.9	A1		Yes

Standard	Acceptable Solution	Proposed	Complies?
Design of Motorcycle Parking Areas	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.		
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.	Not an applicable standard.	
	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.	Not an applicable standard.	
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.	Not an applicable standard.	
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.	Not an applicable standard.	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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
	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;	.	Yes

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

6. PROPOSED USE AND DEVELOPMENT - EXTENSION TO SINGLE DWELLING AND CARPORT - 15 BOSCO DRIVE GLENORCHY

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 7443429

REPORT SUMMARY

Application No.:	PLN-20-201
Applicant:	S S Young
Owner:	S S Young
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 Setbacks and building envelopes for all dwellings; 10.4.3 Site coverage and private open space for all dwellings; and E6.6.1 Number of car parking spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	10 November 2020
Existing Land Use:	Residential (single dwelling)
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes an extension to the existing dwelling and construction of a carport at 15 Bosco Drive, Glenorchy.

The extension would be located at the rear of the dwelling, setback 2.8m from the rear boundary and 2.6m from the south western boundary. The extension would have an area of 24sqm and would contain an additional living area and a 12.12sqm deck. The extension would have a maximum height above natural ground level of 6.45m (figure 1).

The carport would be located at the front of the dwelling, setback 2.9m from Bosco Drive and 2.6m from the south western boundary. The carport would have a maximum height of 5.1m (figure 2).

The application is discretionary as it relies on performance criteria to comply with Clause 10.4.2 Setbacks and building envelopes for all dwellings, Clause 10.4.3 Site coverage and private open space for all dwellings and Clause E6.6.6.1 Number of car parking spaces.

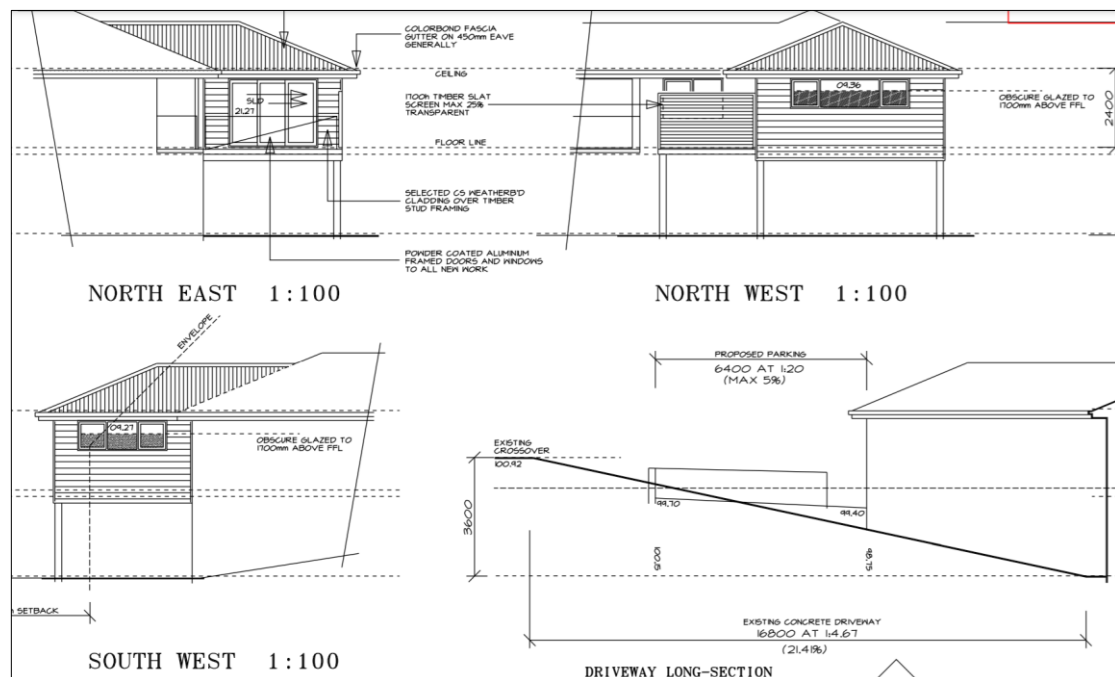


Figure 1: Proposed extension elevation plans

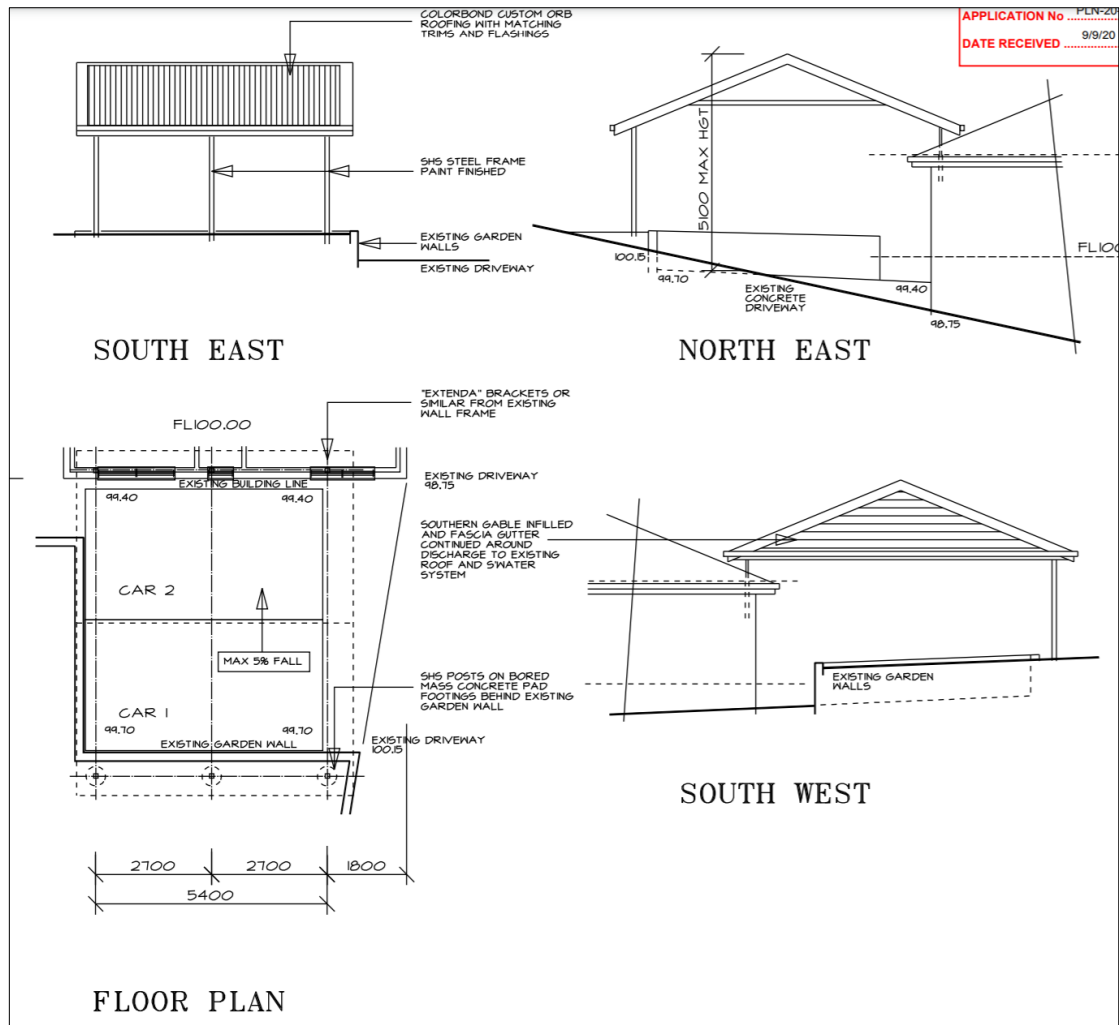


Figure 2: Proposed carport plans

SITE and LOCALITY

The site is located on the north western side of Bosco Drive and is irregular in shape with an overall area of 588sqm. The site has a frontage of 13.19m onto Bosco Drive and a depth of 34.7m. The site contains a single dwelling. The site falls 7m from the southern corner to the northern corner. The site is adjoined by single dwellings on all sides (figure 3). There are some examples of multiple dwelling developments in the street including No. 10-12 Bosco Drive, No. 5 Bosco Drive and No. 3 Bosco Drive.



Figure 3: Aerial image of the subject site and surrounds

ZONE

The site is located in the General Residential Zone. The land to the east is in the Utilities Zone (figure 4).

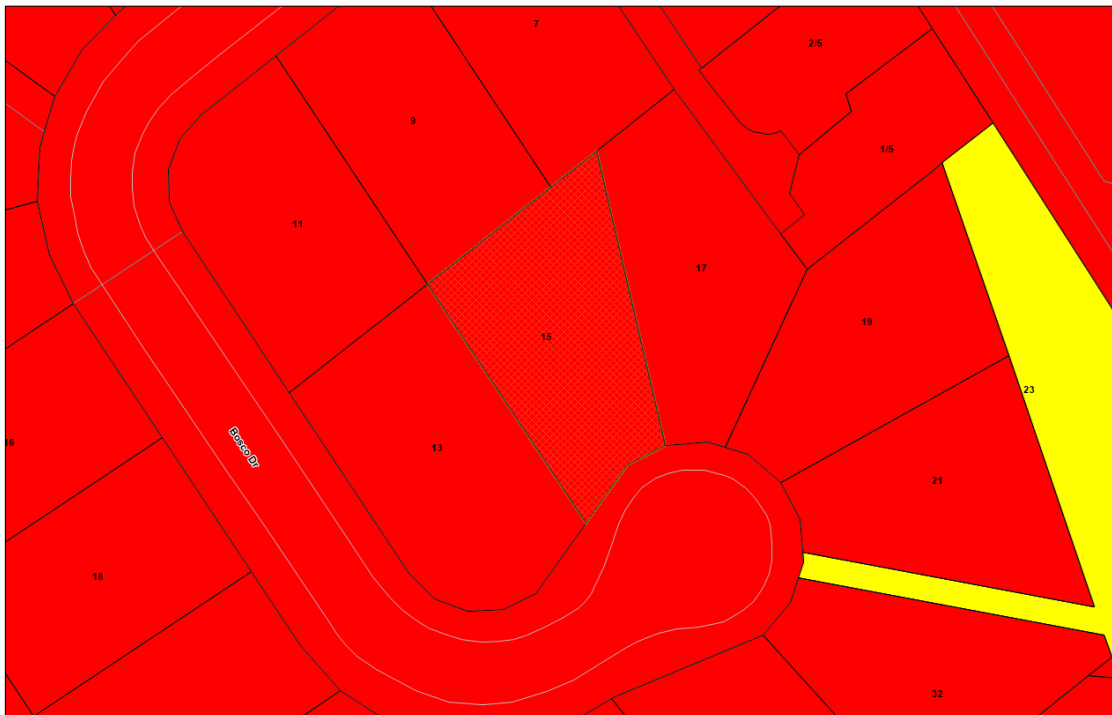


Figure 4: Zoning map of the subject site and surrounds – General Residential Zone is shown in red and Utilities Zone is shown in yellow

BACKGROUND

An extension of time request to extend the 42 day assessment timeframe until 10 November was approved to enable the application to be determined at a Glenorchy Planning Authority Meeting.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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.

Building envelope means the three-dimensional space within which buildings are to occur.

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

Single Dwelling means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

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

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 in keeping with the purpose statements of the General Residential Zone being associated with an existing residential land use which makes use of a site where full infrastructure services are available.

Use Table

Residential for a single dwelling is a 'no permit required' use in the General Residential Zone. However, the application is discretionary due to relying 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

10.4.2 Setbacks and building envelopes for all dwellings (P2)

The acceptable solution for this standard requires a carport to have a setback of 5.5m from the frontage. The proposal includes a carport setback 2.9m from the frontage and therefore does not comply with the acceptable solution. The proposal must be assessed against the performance criteria which states:

A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

Comment:

The site is located in a cul-de-sac which results in the lots having an irregular lot shape. The site is also already developed with a single dwelling which occupies the middle portion of the lot. Due to the shape of the lot and slope, the area to possibly construct a carport is limited. The location of the existing dwelling on the site further restricts this.

In terms of existing garages and carports within Bosco Drive, the garages within Bosco Drive are typically located in front of the dwellings and are a prominent feature in the streetscape. Whilst a setback of 2.9m is less than most of the garages in Bosco Drive, the proposal is for an open carport which would reduce the visual dominance of the structure and ensure that it is compatible with the streetscape character.

There are examples of garages being located closer to the street than the required 5.5m, for example the dwelling located at 13 Bosco Drive includes a garage with a setback of 3.5m.

The carport setback of 2.9m is considered to be compatible with the existing garages and carports in the street, considering the topographical constraints of the subject site.

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

10.4.2 Setbacks and building envelopes for all dwellings (P3)

The acceptable solution for this standard requires a dwelling to be located within a building envelope. The proposal exceeds the building envelope outlined in the acceptable solution and therefore must be assessed against the performance criteria which states the siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

- i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- ii. overshadowing the private open space of a dwelling on an adjoining lot; or*
- iii. overshadowing of an adjoining vacant lot; or*
- iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Comment:

The applicant submitted shadow diagrams as supporting information with the application. The shadow diagrams show the extent of shadow that would be cast on the 21 June if the proposal was approved.

As can be seen in figure 5 and 6 below, the proposal would result in some overshadowing of the property to the south. However, the proposal would not result in an unreasonable loss of amenity through the reduction of sunlight to a habitable room or private open space.

Due to the slope of the land, the habitable room windows on the north eastern side of the dwelling at No .13 Bosco would not be overshadowed with the shadow being cast

approximately half way up the dwelling wall at 9am on 21 June (figure 5) and approximately a quarter of the way up the dwelling wall at 12pm on 21 June (figure 6).

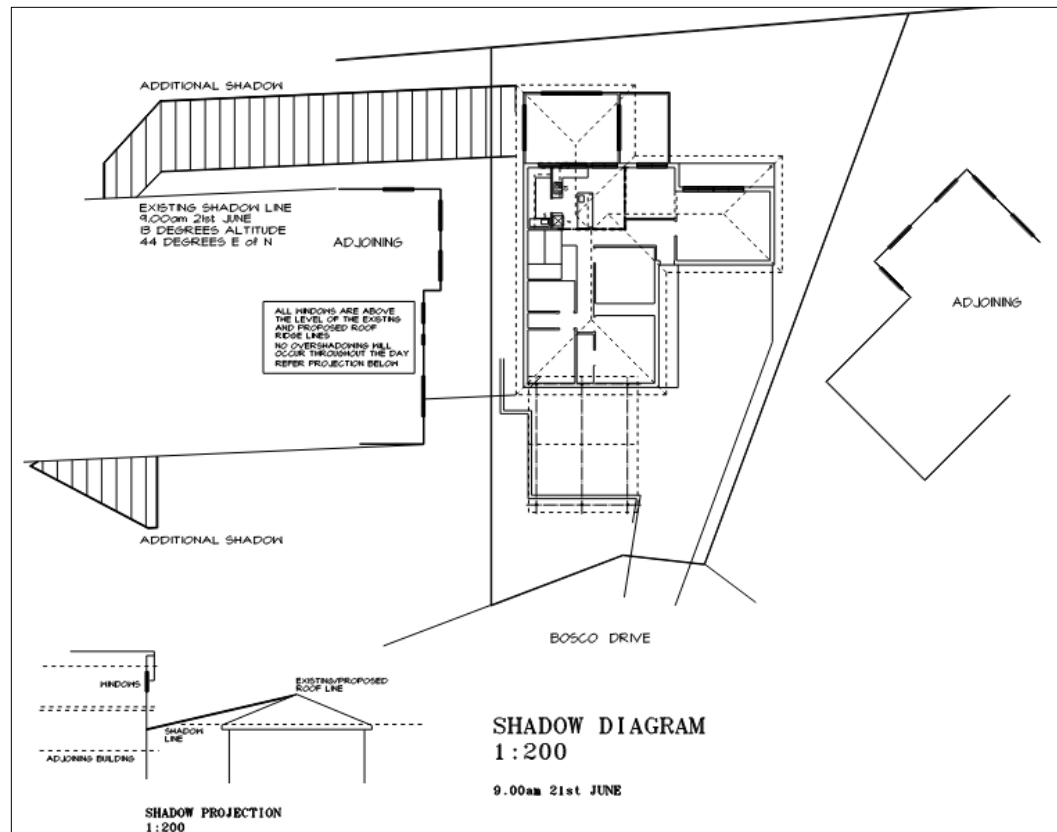


Figure 5: Shadow diagrams showing the extent of shading at 9am on 21 June

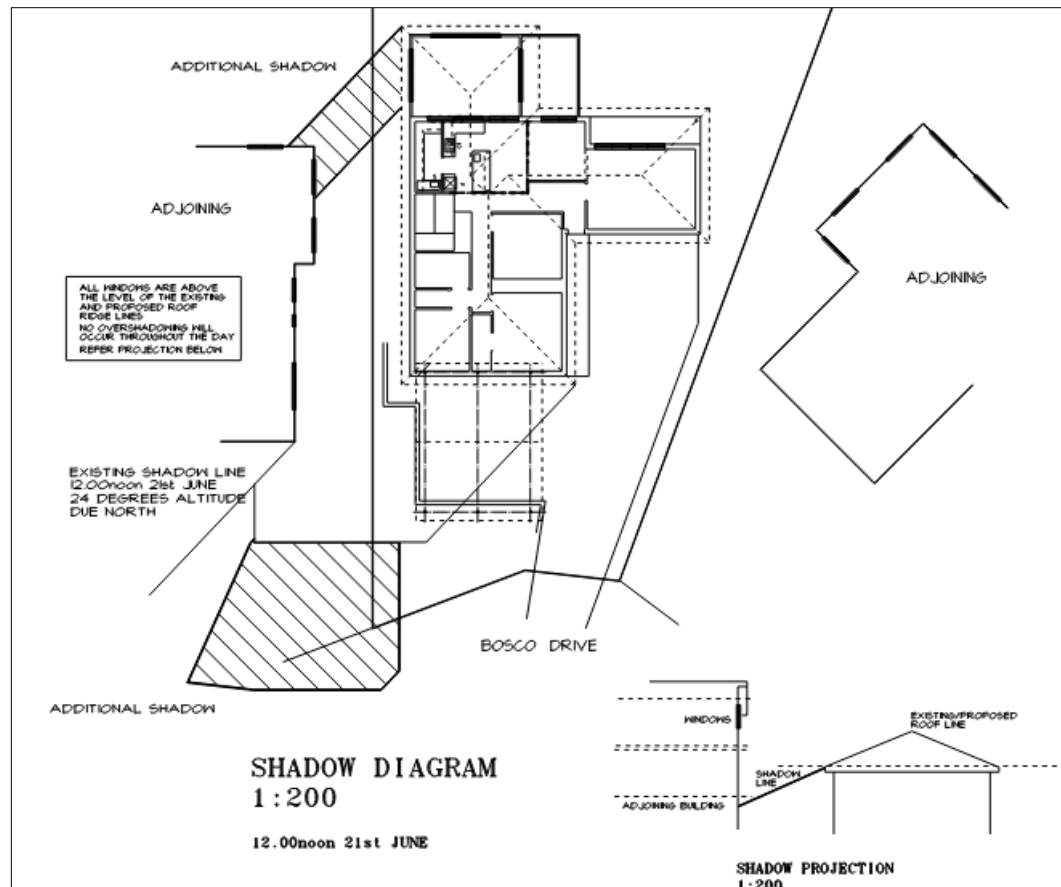


Figure 6: Shadow diagrams showing the extent of shading at 12pm on 21 June

The shadow cast from the development at 3pm on 21 June would not impact any adjoining properties as shown in figure 7 below.

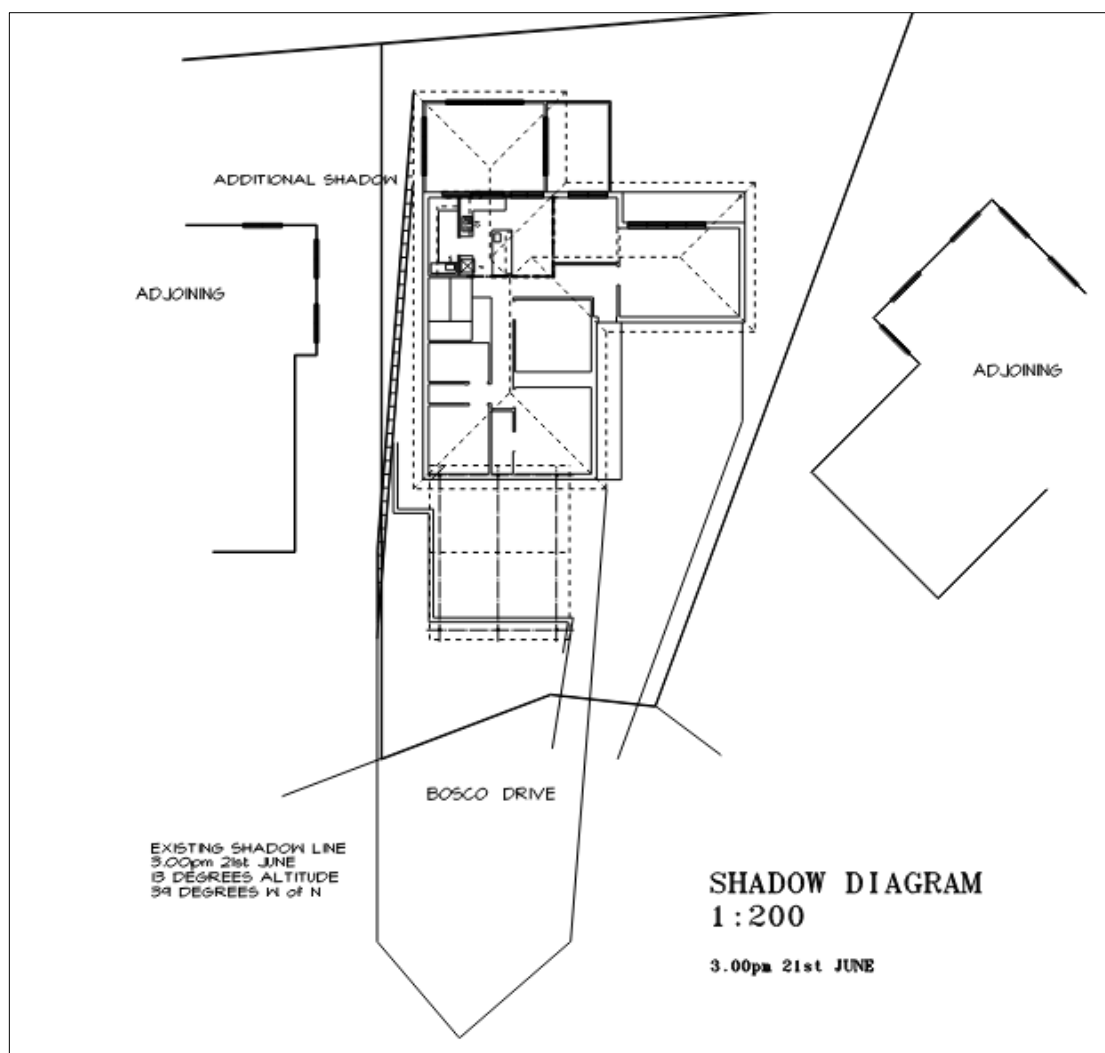


Figure 6: Shadow diagrams showing the extent of shading at 3pm on 21 June

The shadow diagrams show that the proposal would not result in an unreasonable loss of amenity through overshadowing the private open space of the adjoining dwelling with the private open space of the adjoining dwelling receiving sunlight to at least 50% of the private open space at the rear of the dwelling at No. 13 Bosco Drive between 12pm and 3pm on 21 June (figures 6 and 7).

The site is not adjoined by any vacant lots therefore point (a)(iii) is not applicable to this assessment.

In terms of visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, the proposed extension would not result in unreasonable amenity impacts through the appearance of the building considering the overall size of the extension is only 36sqm, including the deck. The extension is also proposed to match the height of the existing dwelling and would be setback a minimum of 2.6m from the boundaries. The separation and footprint of the extension would ensure the proposal is in keeping with the scale of the existing dwelling on the site and not unreasonably impact the amenity of adjoining dwellings.

The proposal would not impact on the separation between dwellings on adjoining lots as it would be in line with the setback of the existing dwelling on the site.

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

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

The acceptable solution for this standard requires a dwelling to be provided with 24sqm of private open space with a minimum horizontal dimension of 4m. The proposed deck is only 12.12sqm and does not meet the required 4m dimension. The proposal must be assessed against the performance criteria which states a dwelling must have private open space that:

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

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

Comment:

The dwelling would be provided with a 12.12sqm deck, which although does not meet the required 24sqm and 4m dimension, is still considered to be an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. The deck would be sufficient in size to easily accommodate an outdoor dining table or lounge and being flat would be capable of being used for entertaining and children's play.

The deck would be located directly adjacent the living areas of the dwelling and would be located to the north of the dwelling, therefore orientated to take advantage of sunlight.

The proposed would result in a more convenient area of private open space being provided to the occupants of the dwelling, with the current private open space not being directly accessible from a living area due to the slope of the land.

In addition to the deck, the dwelling would feature a backyard space which is currently being used as private open space and would continue to serve as an additional area for outdoor relaxation and children's play.

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

Parking and Access Code

The existing dwelling is currently provided with a double garage. The proposal includes a carport which includes an additional two (2) car parking spaces. This would result in

the dwelling being provided with (4) car parking spaces, which is a surplus of car parking under Clause E6.6.1 Number of car parking spaces.

As the proposal results in a surplus of car parking it must be assessed against the performance criteria for Clause E6.6.1 which states the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

Comment:

The applicant has advised that the dwelling is currently occupied by four adults who all have vehicles. The residents are currently utilising the area where the car parking is proposed as informal parking and are seeking to formalise this through the application. The additional car parking spaces would meet the demand of the residents.

Due to the location of the site in a cul-de-sac, on-street parking is limited therefore the proposal will ensure that the needs of the residents can be met on site without causing an unreasonable impact on-street. There is no public car parking nearby.

The nearest public transport stop is 800m from the subject site and it is unlikely other forms of transport would be utilised based on the applicant's submission.

Points (f) to (m) are not applicable to this assessment.

The proposal is considered to meet the performance criteria and comply with the standard.

Council's Development Engineer has assessed the proposal against the other applicable standards of the Parking and Access Code and is satisfied the proposal complies. More details 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. The proposed development would be connected into the existing stormwater connection for the site which would enable the stormwater to be disposed of via gravity to the public stormwater system. The proposal has been assessed as complying with the applicable acceptable solutions. More detailed comments are included in the Internal referrals section of this report and the attached Appendix.

PART F: Specific Area Plans

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

INTERNAL REFERRALS

Development Engineer

E5.0 Road and Railway Assets Code

The development complies with the Code.

The development does not involve any new junction or access, does not intensify the use of an existing access, does not involve a 'sensitive use' within 50m of a Utilities zone that involves a rail network or a category 1 or 2 road.

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 is not affected by the proposal.

E6.0 Parking and Access Code

The additional of two car parking spaces is proposed located in the new carport. The total number of car parking spaces is four (4) spaces which considered to be able to meet the performance criteria. The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. These comply with the acceptable solutions. There are no requirements for passing

bay, on-site turning, landscaping and lighting applicable to the development application.

The development complies with the Code and it 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

There are no GCC stormwater mains affected by this application; and the stormwater connection is existing, and the location shown on the plan. There is no new connection proposed. All additional runoff is proposed to go to the existing system and onto the connection accordingly. 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 more than 5 car parking spaces proposed and the application is not for a subdivision. A3 and A4 also satisfactory given the size and scope of the development. 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.

EXTERNAL REFERRALS

TasWater

TasWater have no objection to the application subject to conditions.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one (1) representation received. The issues raised are as follows:

1. Overshadowing

The representor states that the proposal would impede sunlight into their master bedroom and entertainment area.

Planner's Comment:

This issue has been previously addressed under the heading 'Development standards for residential buildings and works'. The proposal has been assessed as complying with Clause 10.4.2 Setbacks and building envelope for all dwellings which considers overshadowing.

2. Privacy

The representor states that the proposed extension would directly look onto their entertainment and downstairs living area, having a direct impact on their personal lives and space. The proposal would also have an impact on the representor's current views and aesthetic outlook with their bedroom and living area looking directly into the proposed extensions. The representor states the extensions would be looking directly down on them, impeding their privacy.

Planner's Comment:

The proposal complies with Clause 10.4.6 Privacy for all dwellings with the habitable room windows within 3m of the side boundary screened to a height of 1.7m above the floor level. Conditions have been recommended to be included on the permit to ensure that these screens remain in place for the duration of the use.

In regard to views, this issue is not a planning issue that can be considered as part of this application because there are no development controls that regulate views.

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, Parking and Access code and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and one representation was received which 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 Extension to single dwelling and carport at 15 Bosco Drive Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-201 and Plans submitted on 9 September 2020 (3 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 2020/00983-GCC, dated 20/07/2020, form part of this permit.
3. A privacy screen to a height of at least 1.7m above the finished floor level of the deck must be constructed as shown on the approved plans. The privacy screen must have a uniform transparency of no more than 25% and must remain in place (as constructed) for the duration of the use. The screen must be shown on the plans submitted as part of Building Approval to the satisfaction of Council's Senior Statutory Planner.

4. Obscure glazing to a height of at least 1.7m above the finished floor level of the south west and north west windows must be installed as shown on the approved plans. The obscure glazing must remain in place (as constructed) for the duration of the use. The obscure glazing must be shown on the plans submitted as part of Building Approval to the satisfaction of Council's Senior Statutory Planner.

Engineering

5. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. 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.

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.

Engineering

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 GPA Attachment - 15 Bosco Drive, Glenorchy



APPENDIX**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies ?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.		N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		N/A
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		N/A
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays;		N/A

	(c) nil on Sundays and Public Holidays.		
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .		N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .		N/A
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: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The application is associated with a single dwelling.	N/A
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or	The extension is located at the rear of the dwelling.	Yes

	(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	The carport would be located 2.9m from the frontage.	No
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The extension is located closer than 4m from the rear boundary and exceeds the building envelope.	No
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 0.6 m); and	(a) The proposal would result in a site coverage of 36.3%. (b) Not applicable. (c) Over 25% of the site would be free from impervious surfaces.	Yes

	(b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	The proposed deck does not comply with the area and dimension requirements of the acceptable solution.	No
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	The proposed living area would have a window facing between 30 degrees west of north and 30 degrees east of north.	Yes
	A2	The application is associated with a single dwelling.	N/A

	A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural 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 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or	The application is associated with a single dwelling.	N/A

	(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The carport opening would not face the primary frontage.	Yes
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (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.	The proposed deck would be located within 4m of the rear boundary but would be screened with a 1.7m high privacy screen.	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and	The windows on the south western and rear elevations would be screened with opaque glazing up to 1.7m above the finished floor level.	Yes

	(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	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 at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		N/A
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m	No fences proposed.	N/A

	which provide a uniform transparency of not less than 30% (excluding any posts or uprights).		
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	The application is associated with a single dwelling.	N/A

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

Standard	Acceptable Solution	Proposed	Complies?
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
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

Standard	Acceptable Solution	Proposed	Complies?
	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

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 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.		NA

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.		No – the surplus however considered satisfy the performance criteria.
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
E6.6.3	A1		N/A

Standard	Acceptable Solution	Proposed	Complies?
Number of Motorcycle Parking Spaces	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.		
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		N/A

Standard	Acceptable Solution	Proposed	Complies?
	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 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.		N/A
E6.7.4 On-Site Turning	A1		N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.		NA
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		N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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
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		

Standard	Acceptable Solution	Proposed	Complies?
	The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 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
E6.7.1.13 Facilities for Commercial Vehicles	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

Standard	Acceptable Solution	Proposed	Complies?
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		Yes

Standard	Acceptable Solution	Proposed	Complies?
	accommodated within existing or upgraded public stormwater infrastructure.		
	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 - DWELLING EXTENSIONS
- 11 BURGESS AVENUE MOONAH**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5412928

REPORT SUMMARY

Application No.:	PLN-20-338
Applicant:	John Weston Architectural Design
Owner:	A L Wright and J L Wright
Zone:	Inner Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	11.4.2 Setbacks and building envelope 11.4.3 Site coverage and private open space (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	10 November 2020
Existing Land Use:	Single dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes an extension to the existing dwelling at 11 Burgess Avenue, Moonah.

The extension would be located at the rear of the existing dwelling with a floor area of 55.45sqm. The extension would be located 1.26m from southern boundary and 7.07m from the rear boundary (figure 1). The extension would be single storey with a maximum height above natural ground level of 5.1m (figure 2) and would contain two (2) bedrooms, an ensuite and a rumpus room. As part of the extension, an existing deck at the rear of the dwelling would also be extended by 6.65sqm.

No changes are proposed to the existing on-site car parking and access to the site.

The proposal is discretionary as it relies on performance criteria to comply with Clause 11.4.2 Setbacks and building envelope and Clause 11.4.3 Site coverage and private open space.

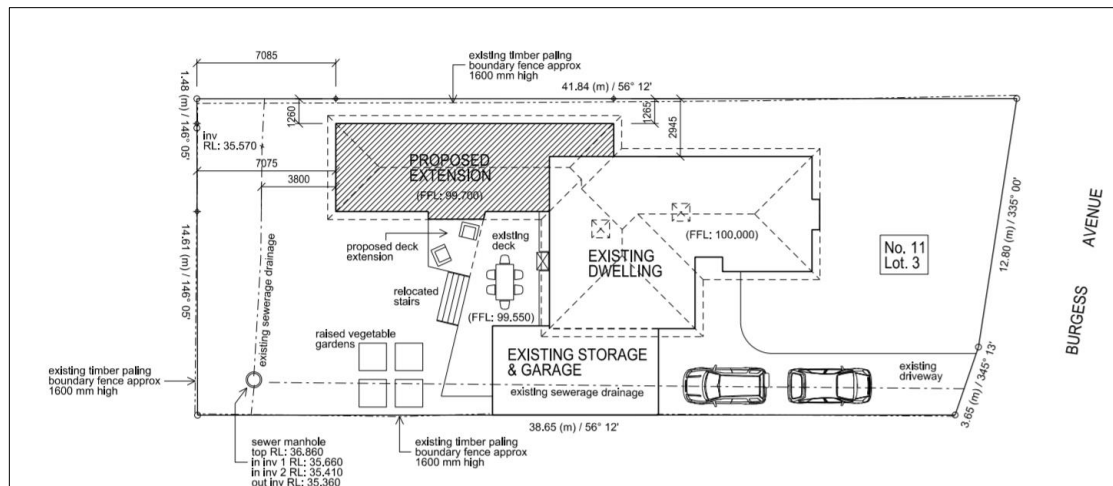


Figure 1: Proposed site plan

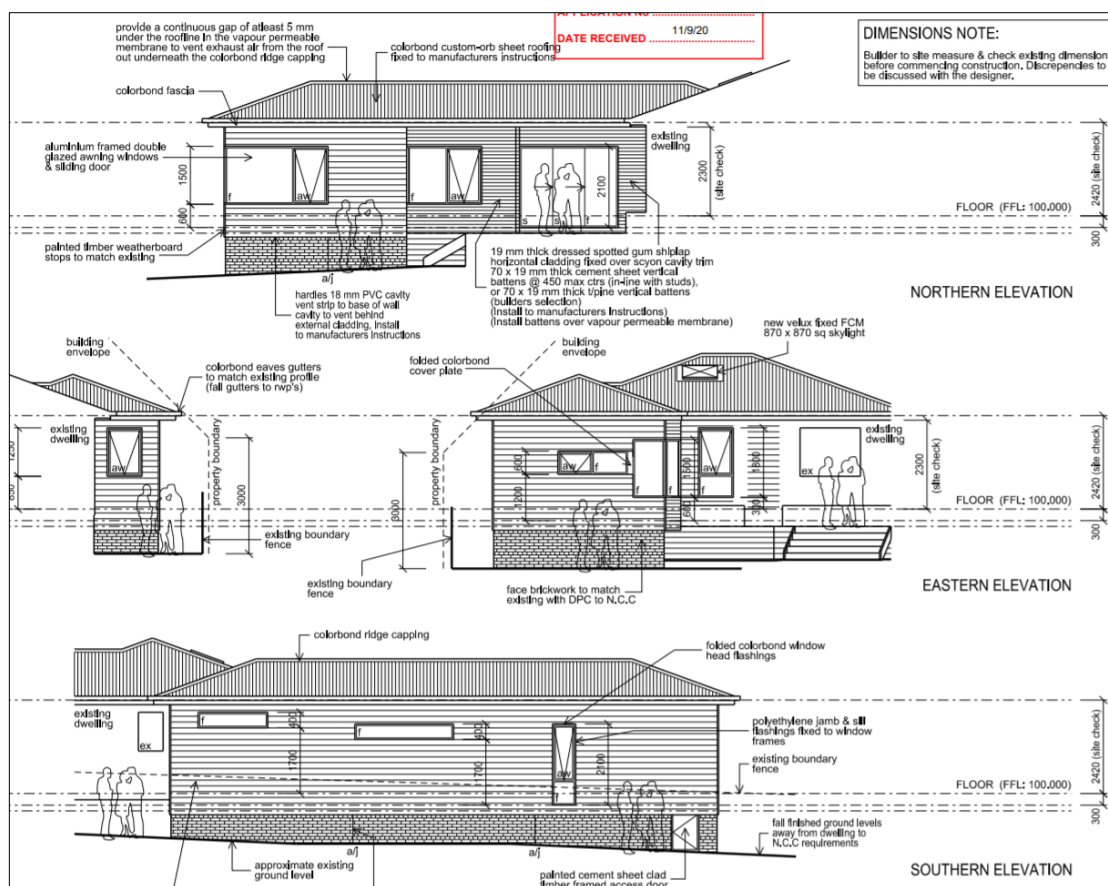


Figure 2: Proposed elevation plans

SITE and LOCALITY

The site is located on the north eastern side of Burgess Avenue, is generally rectangular in shape and has an overall area of 670sqm. The site has a frontage of 16.45m onto Burgess Avenue and a depth of 41.84m. The site falls 2m from the front to the rear. The site contains a single storey dwelling located central to the site with a garage located on the northern side of the dwelling (figure 3).

The site is adjoined to the north and south by single storey dwellings. To the rear the site is adjoined by a site developed for multiple dwellings.

The site is located within an established residential area being within the Inner Residential Zone (figure 4). The site is located approximately 400m from Main Road.



Figure 3: Aerial image of the subject site and surrounds

ZONE

The site and surrounding area is located in the Inner Residential Zone (figure 4).

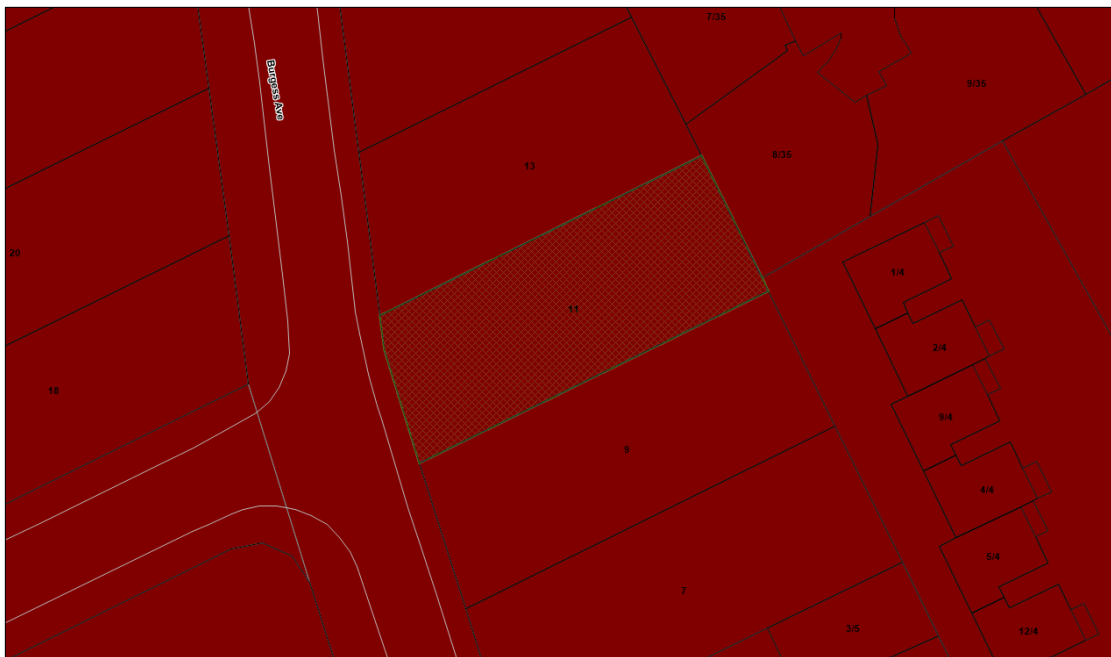


Figure 4: Zoning map of the subject site and surrounds

BACKGROUND

An extension of time request was approved to extend the 42 day assessment timeframe until 10 November 2020 to enable the application to be determined at a Glenorchy Planning Authority Meeting.

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.

GLENNORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited 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.

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

Single Dwelling means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

- 11.1.1.1 *To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.*
- 11.1.1.2 *To provide for compatible non-residential uses that primarily serve the local community.*
- 11.1.1.3 *To encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.*
- 11.1.1.4 *To provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.*

Comment:

The proposal is in keeping with the purpose statements of the Inner Residential Zone as the proposed dwelling extension is associated with an established residential use of the site. The site is located a 400m walk from Main Road which provides a range of services, facilities and high frequent public transport stops.

Use Table

Residential for a single dwelling is a 'no permit required' use in the Inner Residential Zone. However, the application is discretionary due to relying 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

11.4.2 Setbacks and building envelope (P3)

The acceptable solution for this standard requires a dwelling to be setback 1.5m from a side boundary if the total length of wall within 1.5m of the side boundary exceeds 9m. The dwelling extension would be located 1.26m from the southern boundary and would have a total length of 14.18m. The proposal must therefore be assessed against the performance criteria which states the siting and scale of a dwelling must:

(a) *not cause unreasonable loss of amenity by:*

- i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- ii. overshadowing the private open space of a dwelling on an adjoining lot; or*
- iii. overshadowing of an adjoining vacant lot; or*
- iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

(b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

Comment:

The applicant submitted shadow diagrams with the application as supporting documentation. The shadow diagrams demonstrate that the dwelling to the south which is located at No. 9 Burgess Avenue would be impacted by shadowing from the proposed extension. The shadow diagrams show the extent of shading cast currently and the extent of shading that would occur on 21 June if the proposed extension was approved.

As shown in figure 5 below, the proposed extension would not cause an unreasonable loss of amenity by reducing sunlight to a habitable room of a dwelling on an adjoining lot. The diagrams show that one window at the rear of the dwelling would be impacted in the corner of the window at 9am and 12pm on 21 June and then overshadowed at 3pm. However, the shadow cast by the existing dwelling already overshadows this window at 3pm on 21 June. The additional shadow cast onto the window is considered to be minor in nature and would not result in an unreasonable impact on the amenity of the residents given the small area to be overshadowed.

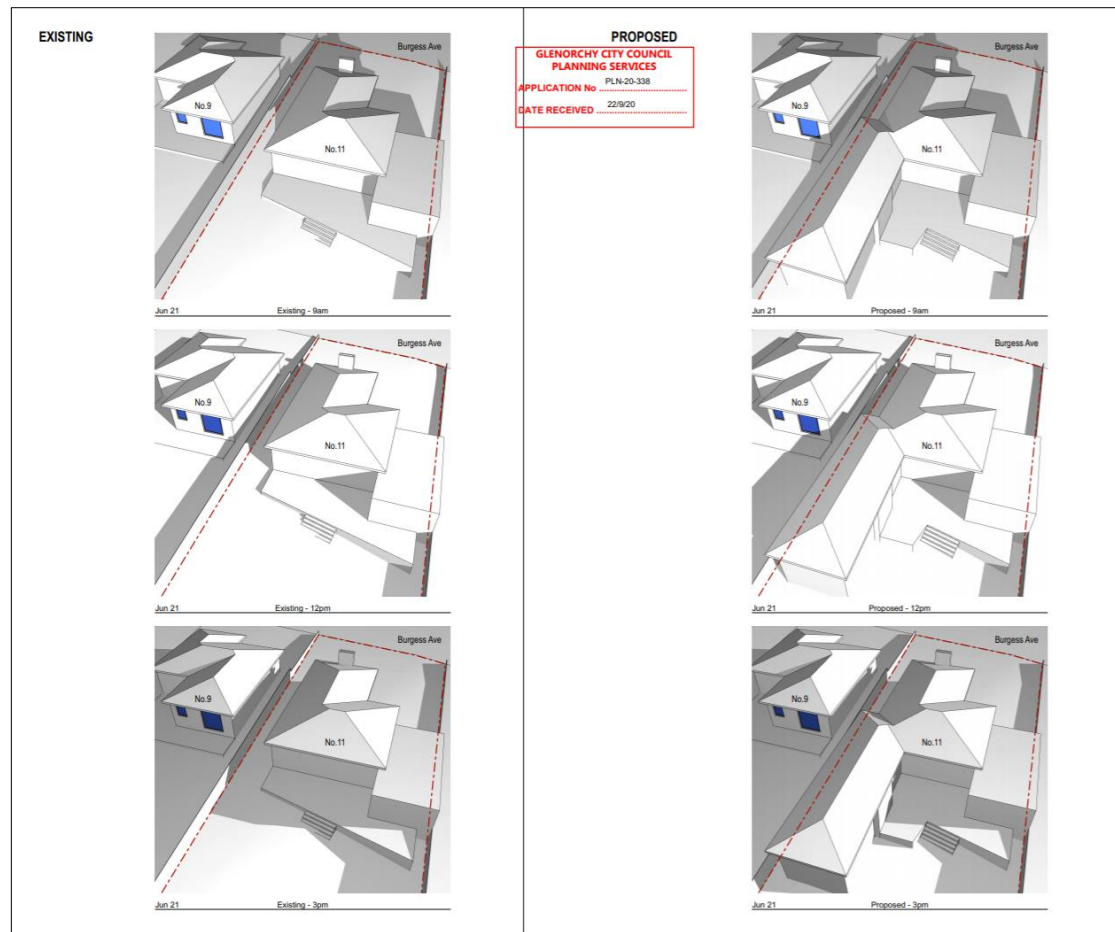


Figure 5: Shadow diagrams showing the extent of shading on 21 June existing and proposed

Figure 6 below shows the overshadowing of the private open space on 21 June. The proposed extension would result in some overshadowing of the site at No. 9 Burgess Avenue; however, the private open space would still receive sunlight between 9am and 12pm on 21 June to at least 50% of the private open space. It is considered that the adjoining property at No. 9 would not be unreasonably affected in terms of overshadowing.

A representation was received regarding overshadowing of the adjoining deck. The shadow diagrams show that at least 50% of the deck area would receive sunlight between 12pm and 3pm on 21 June and the deck is already overshadowed by the existing dwelling at 3pm on 21 June.

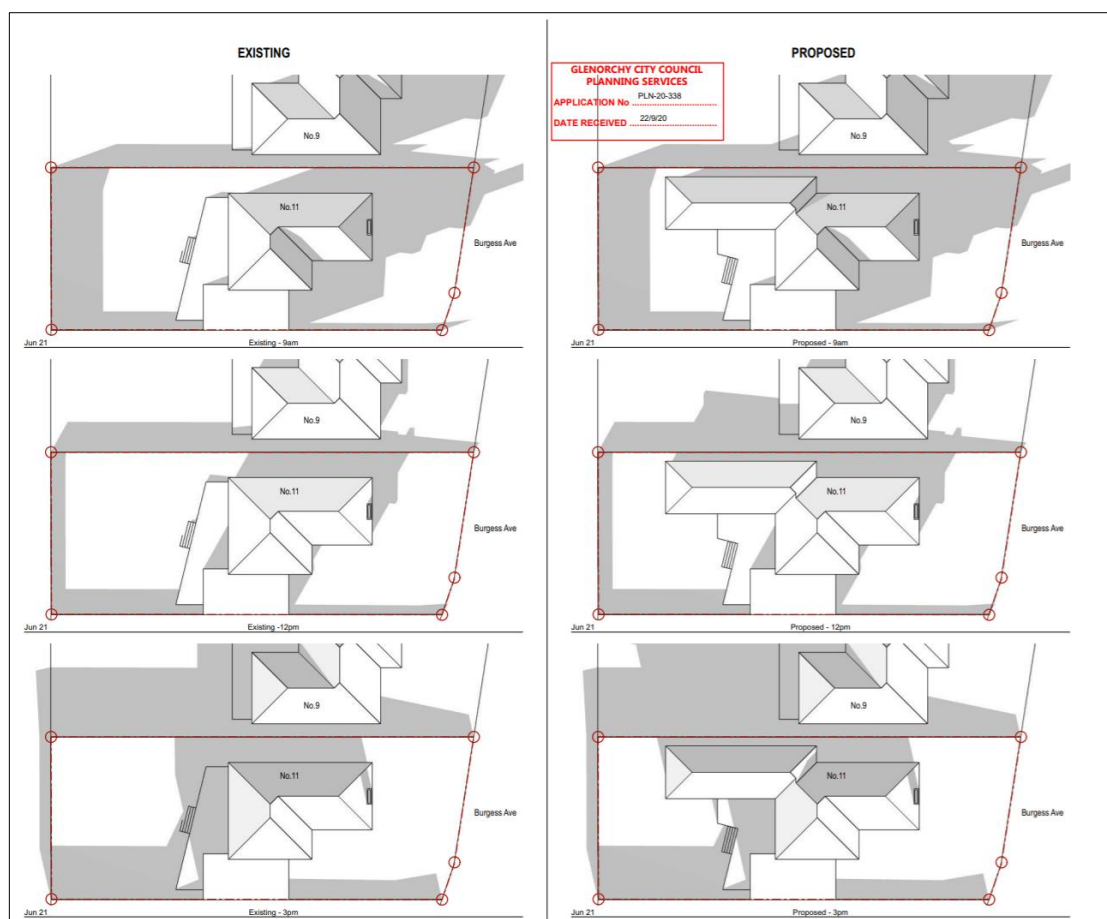


Figure 6: Shadow diagrams showing the extent of shading on 21 June existing and proposed

The site is not adjoined by a vacant lot therefore point (a)(iii) is not applicable.

In regard to visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, the proposed extension would be single storey with a maximum height above natural ground level of 5.1m and a height of 4.06m adjacent the boundary. This is in keeping with the height of the existing dwelling on the site, as well as the dwellings within Burgess Avenue. The wall closest to the boundary would also feature three windows to break up the bulk of the 14.18m long wall.

The proposed setback would be compatible with the prevailing separation between dwellings in the surrounding area with a minimum setback of 1.26m. The extension would be to the rear of the existing dwelling so as to not impact on the streetscape character.

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

11.4.3 Site coverage and private open space (P2)

The acceptable solution for this standard requires a dwelling to be provided with an area of private open space which is 24sqm with a minimum horizontal dimension of 3m. The deck does not comply with these requirements due to the shape. The proposal must be assessed against the performance criteria which states a dwelling must have private open space that:

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

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

unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.

Comment:

The application involves the extension of an existing deck which would result in the total area of private open space on the deck being 37.56sqm. However, due to the shape of the deck, the private open space would not meet the required 3m minimum horizontal dimension for the required 24sqm of the deck. The deck is still considered to be an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. The deck would be sufficient in size to easily accommodate an outdoor dining table or lounge and being flat would be capable of being used for entertaining and children's play.

The deck would be located directly adjacent the living areas of the dwelling and would be located to the north of the dwelling to take advantage of sunlight.

In addition to the deck, the dwelling would feature a backyard space of over 160sqm which would serve as an additional area for outdoor relaxation and children's play.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

The application involves no changes to access to the site. The proposal would not increase vehicle movements more than 20% or 40 vehicle movements per day. The proposal is assessed as complying with applicable standards of the Road and Rail Asset Code as demonstrated in the attached Appendix.

Parking and Access Code

The application proposes no changes to the existing car parking spaces on the site. The dwelling is currently provided with two car parking spaces which meets the requirements of the Parking and Access Code. The proposed extension does not generate any additional car parking requirement. There are therefore no applicable standards of the Parking and Access Code.

Stormwater Management Code

The proposed extension would be connected into the public stormwater infrastructure through the existing stormwater connection on site. The proposal complies with all applicable standards of the Stormwater Management Code as detailed in the attached Appendix.

PART F: Specific Area Plans

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

INTERNAL REFERRALS

No internal referrals were deemed necessary.

EXTERNAL REFERRALS

TasWater

TasWater have no concerns with the proposal and did not make a submission.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one (1) representation being received. The issues raised are as follows:

1. Loss of view

The representor states that the proposed extension would reduce the 180 degree view from their property to less than 10%. This would takeaway 90% of the view. The representor states they already have buildings built on other boundaries which have taken away the view and this proposal would result in a full boxing in of the property.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application because there are no development controls that directly regulate view.

2. Loss of access to sunlight and overshadowing

The representor states that by breaching the 1.5m setback, the proposal would impact on their exposure to direct sunlight. The representor states they have concerns over the proposal overshadowing their deck at the rear of their dwelling.

Planner's Comment:

This issue has been previously addressed under the heading 'Development standards for residential buildings and works'. The proposal complies with Clause 11.4.2 Setbacks and building envelope, which considers the reduced setback and overshadowing. The assessment found that the potential overshadowing would be minimal and not expected to cause an unreasonable amenity impact.

3. Privacy

The representor states that the rumpus and bathroom window on the southern elevation would result in privacy impacts. The representor requested the bathroom window be frosted and the sill height of the rumpus room be further increased to stop line of sight into their master bedroom.

Planner's Comment:

The proposal complies with acceptable solution A2 of Clause 11.4.6 Privacy for all dwellings. The bathroom window is not required to be frosted as it is not a habitable room window although bathroom windows are generally frosted, and the rumpus window complies with a sill height of 1.7m above the floor level.

The applicant was advised of the representor's requests; however, no changes were made to the plans. As the proposal complies with the acceptable solution regarding privacy, it is not considered appropriate to require the applicant to make changes to the windows through a condition.

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 Inner Residential Zone, as well as the applicable standards of the Road and Railway Assets 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 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 Dwelling extensions at 11 Burgess Avenue Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-338 and Plans submitted on 13 August 2020 (1 page) and Plans submitted on 11 September 2020 (2 pages), except as otherwise required by this permit.
2. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council and be installed prior to the removal of and/or disturbance of any soil or vegetation.

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.

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.

Attachments/Annexures

- 1 GPA Attachment - 11 Burgess Avenue, Moonah



APPENDIX

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.3 Use Standards			
11.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.		N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAmix) at any time. 65dB(A) (LAmix) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		N/A
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting;		N/A

Standard	Acceptable Solution	Proposed	Complies?
	be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) be turned off between 6:00 pm and 8:00 am, except for security lighting; security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays. nil on Sundays and Public Holidays.		N/A
11.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the parking and Access Code on-site; provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m² has a floor area of no more than 160m².		N/A
11.3.3 Local Shop	A1 A local shop must comply with both of the following: (a) have a gross floor area no more than 200m²; (b) not displace an existing residential use.		N/A

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	The application is associated with a single dwelling.	N/A
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	The proposed extension would be located at the rear of the existing dwelling.	Yes
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	No garages or carports proposed.	N/A
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of	The extension would be located 1.26m from the side boundary for a length exceeding 9m.	No

Standard	Acceptable Solution	Proposed	Complies?
	3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m² 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); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	(a) The site would have a site coverage of approximately 24% (b) not applicable (c) over 25% of the site would be free from impervious surfaces	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than	The proposed deck does not comply with the acceptable solution as the deck cannot contain an area of 24sqm with a minimum horizontal dimension of 3m.	No

Standard	Acceptable Solution	Proposed	Complies?
	1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	The windows to the living areas of the extension would face between 30 degrees west and 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or	The application is associated with a single dwelling.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural 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 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The application is associated with a single dwelling.	N/A
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	A garage or carport is not proposed.	N/A
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:	The deck extension would not be located within 3m of the side boundary or 3m of the rear boundary.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (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 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	Three windows are proposed along the southern elevation which is 1.26m from the side boundary. One window is to the ensuite and therefore is not a habitable room window. The remaining two are habitable room windows however would have a sill height at least 1.7m above the floor level in accordance with (b)(ii).	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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 at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	The application is associated with a single dwelling.	N/A
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No front fences proposes.	N/A
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	The application is associated with a single dwelling.	N/A

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.		N/A
	A2 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 more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		N/A
	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.		N/A

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.		N/A
	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.		N/A
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		N/A
	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.		N/A
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 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.		N/A

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.		N/A
	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.		N/A
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		N/A

**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(1 EXISTING, 1 NEW) - 71 BOWEN ROAD LUTANA**

Author: Senior Statutory Planner (Vanessa Tomlin) and Planning
Consultant (Frances Beasley)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5411212

REPORT SUMMARY

Application No.:	PLN-20-323
Applicant:	Wilson Homes Tasmania Pty Ltd
Owner:	E Vailas
Zone:	General Residential zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	Clause 10.4.3 A2 (Site Coverage and Private Open Space) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	10 November 2020
Existing Land Use:	Single dwelling (Residential)
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposed development involves the construction of multiple dwelling units (1 existing and 1 new dwelling). The proposed dwelling is located to the rear of the existing dwelling over a single level and includes three bedrooms, an open plan living room, dining and kitchen, a laundry, bathroom and ensuite bathroom off the master bedroom.

The proposed dwelling is setback a minimum of 2 m from the front boundary, 1.5m from the side (northern) boundary, 2.8m from the side (southern) boundary and 4.3m from the rear (eastern) boundary. The proposed dwelling has a maximum height of 4.4m above natural ground.

Both dwellings have a minimum of 24m² of private open space (POS). A proposed 1.8m paling fence will separate the two areas of POS. Minor earthworks, including a 1.2m retaining wall are also proposed.

The existing crossover onto Bowen Road will be widened and the driveway extended towards the rear, eastern boundary in order to provide access to four onsite parking spaces.

SITE and LOCALITY

The subject site is located on the eastern side of Bowen Road and approximately 14m from the Brooker Highway road corridor (*Figure 1*). The site is regular in shape with an overall area of approximately 735m² and contains an existing single storey dwelling with a single car garage located on the side (southern) boundary, which will be demolished to accommodate the extended driveway.

The site is predominantly flat and is fully serviced with reticulated water and sewer. The land adjoining the site to the north, east and south is zoned General Residential with the Brooker Highway to the west zoned Utilities.



Figure 1 - Aerial photograph of the site (highlighted) and surrounds. Listmap 2020

ZONE

The subject site is located in the General Residential zone (*Figure 2*).

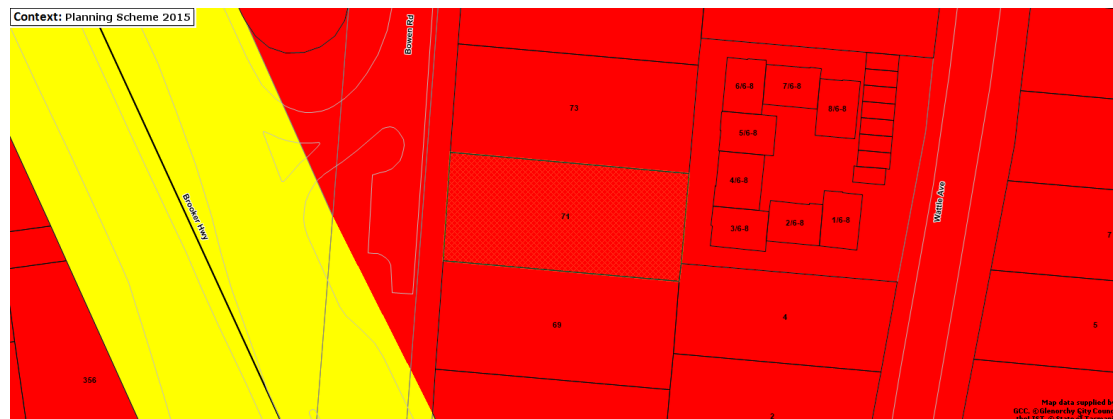


Figure 2 - The site is in the General Residential zone – Glenorchy Interim Planning Scheme 2015. Listmap 2020

BACKGROUND

No background on file relevant to this assessment.

An extension of time was requested to enable the application to be determined at the Glenorchy Planning Authority meeting, owing to the receipt of a representation.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

6.4 Fences

Clause 6.4.2 (c) allows for the construction of retaining walls, set back more than 1.5m from a boundary, and which retain a difference in ground level of less than 1m. A 1.2m high retaining wall is proposed along the northern boundary adjacent to the additional dwelling and a 0.6m retaining wall is proposed along the southern boundary adjacent to the proposed parking space for the additional dwelling. Considering both proposed retaining walls are not setback more than 1.5m from the boundary, this exemption does not apply.

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

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

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

Nil

Part C: Special Provisions

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

9.4 Demolition**9.4.1**

Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;*
- (b) any relevant local area objective or desired future character statement of the applicable zone;*
- (c) the purpose of any applicable code; and*
- (d) the purpose of any applicable specific area plan.*

The proposal involves demolition of an existing garage located on the side (southern) boundary and outbuildings at the rear (eastern) boundary. Demolition of the garage and outbuildings is required in order to extend the driveway access to the proposed additional dwelling at the rear of the site.

The proposed demolition works are considered to be in accordance with the requirements of Clause 9.4.1. It is recommended that a condition be imposed on the permit ensuring that the proposed demolition works are undertaken in a manner which minimises dust and sediment transfer, and that waste is disposed of at an appropriate waste disposal facility.

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.

The proposal accords with the zone purpose statement as it provides for a variety of residential use and dwelling types close to services and facilities and, it encourages residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.

Use Table

Multiple dwellings are a permitted use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying 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

The proposed development does not meet the requirements of Clause 10.4.3 A2. As such, the proposed development has been assessed against the corresponding performance criteria.

10.4.3 Site coverage and private open space for all dwellings P2

The POS of the existing dwelling would not be directly accessible from and adjacent to a habitable room.

A dwelling must have private open space that:

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

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

(ii) *orientated to take advantage of sunlight;*

unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.

The existing dwelling will have an area of approximately 30m² of POS that is located towards the northeast of the existing dwelling. It is considered that the POS would be capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play as it will be conveniently located relative to the kitchen. The northeast orientation means that the POS will receive good year-round solar access, particularly during the morning and early afternoon periods.

The proposal is assessed as meeting the performance criteria and complies with 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 this code and found that the proposal complies with the acceptable solutions of those standards.

Council's Environmental Health Officer has provided comments regarding the assessment of the proposal against E5.6.1 Development adjacent to roads and railways. The proposal is assessed as complying with the acceptable solution of this standard, given that the additional dwelling is to be located to the rear of the existing and is to be no closer to the Brooker Highway than the existing dwelling.

Parking and Access Code

The proposed development provides a minimum of two spaces per dwelling and complies with all development standards applicable under the Code, as detailed in the Development Engineer referral.

Stormwater Management Code

The Stormwater Management Code applies to development requiring the management of stormwater. New impervious surfaces are proposed as part of this application and therefore the provisions of the Code apply. The proposal meets the acceptable solutions for all the applicable standards of the Code, as detailed in the Development Engineer referral.

PART F: Specific Area Plans

No Specific Area Plan applies to the land.

INTERNAL REFERRALS

Council's Development Engineer

The proposal is to construct an additional dwelling at the rear of No. 71 Bowen Road.

The lot is fully serviced and accessed off a short service road with a capacity to service the additional traffic generated from the site.

A stormwater detention strategy is proposed to achieve compliance with the Stormwater Management Code.

E5.0 Road and Railway Assets Code

The development complies with Code E5 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 A3 of E5.5.1. The new dwelling will be accessed off the Bowen Road frontage; this complies with A1 and A2 of the E5.6.2.

E6.0 Parking and Access Code

The submitted plans indicate a total of four (4) parking spaces. The development complies with Code E6 Parking and Access Code.

The proposal is to utilise the existing approved access with a proposal to widen the crossover to achieve compliance with the Acceptable Solution A1 of E6.7.2 Clause (a).

It 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 development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to the existing kerb connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1. The development also is considered to comply with the acceptable solution A2, and the stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600m².

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Environmental Health Officer

This application was assessed against E5.0 Road and Railway Assets Code due to its proximity to the Brooker Highway. As the dwelling is to be set back behind an existing row of buildings and no closer than the immediately adjacent buildings, it is deemed to comply with E5.6.1 acceptable solution A1.2. No conditions are recommended.

EXTERNAL REFERRALS

TasWater

The application was not referred to TasWater because the proposal is not expected to increase demand for water; or increase the amount of sewerage or toxins released into the regulated entity's sewerage infrastructure; or damage or interfere with the relevant regulated entity's works; or adversely affect the relevant regulated entity's operations, in accordance with S56O(1) of *Water and Sewerage Industry Act 2008*.

REPRESENTATIONS

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

Shared boundary wall

The representor expresses concern about structural integrity of the shared boundary wall for the garages/carports on the lots once the garage on the subject site is demolished. Also, ground level changes on the subject site from the construction of the proposed driveway extension may cause greater strain on the shared wall.

Planner's Comment:

The structural integrity of the wall will be assessed and regulated via the building approvals process. However, since the representation was made and the applicant was made aware of the representors concerns, the two parties have been in discussions about how to best deal with the shared boundary wall.

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, Parking and Access code and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and one representation being received. Regard has been given to the concerns raised by the representor and an amicable outcome is being negotiated between the parties involved.

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 dwelling (1 existing, 1 new) at 71 Bowen Road Lutana subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-323 and Drawing No. P1 submitted on 16 September 2020, except as otherwise required by this permit.
2. Demolition works are undertaken in a manner which minimises dust and sediment transfer, and that waste is disposed of at an appropriate waste disposal facility.

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. The design and construction of the 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 design of the driveway, parking, access and turning areas 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) Four (4) clearly marked car parking spaces (two spaces per dwelling) 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) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
 - f) The gradient of any parking areas must not exceed 5%; and
 - g) Minimum carriageway width is to be no less than 3.0 metres.

The approved design of the driveway, parking, access and turning areas must be installed prior to the occupancy of the additional dwelling.

6. The proposed widening of the existing driveway crossing is to be constructed to the Municipal Standard Drawing TSD-R09-v1.
7. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the additional dwelling.

8. 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.
9. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

Waste Management Services

Waste Services for the site 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.

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.

Attachments/Annexures

- 1 GPA Attachments - 71 Bowen Road Lutana



APPENDIX A

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: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The site is 733m ² . The site area per dwelling is to be 366.5m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The additional dwelling is to the rear of the existing dwelling. The existing dwelling is setback 4.5m from the frontage.	Yes
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or	No garage or carport proposed within 5.5m of the frontage.	NA

	(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The proposal fits within diagram 10.4.2A.	Yes
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 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	a) Site coverage is to be 29.82%; b) Each dwelling to have 60m² of POS; c) More than 25% of the site is free from impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or	a) Both dwellings are to have 24m² of POS in one location; b) With a minimum horizontal width of 4m;	No

	(ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	c) The additional dwelling is to be directly accessible to the POS. The existing dwelling is not directly accessible to POS; d) POS is to be to the east of each dwelling; e) Not between the dwelling and the frontage; f) gradient not steeper than 1 in 10; and g) is not used for vehicle access or parking.	
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	The additional dwelling has living room windows between 30 degrees west of north and 30 degrees east of north. Dining room window of the existing dwelling faces between 30 degrees west of north and 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.	The two dwellings are to be separated by 9.7m. The additional dwelling is to the east of the existing dwelling.	Yes

	(c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural 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 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The two dwellings are to be separated by 9.7m. The additional dwelling is to the east of the existing dwelling and its POS.	Yes
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garage or carport within 12 m of a primary frontage is proposed.	NA
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:	No balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level is proposed.	NA

	(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (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 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	No window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level is proposed.	NA
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a	The shared driveway is separated from the existing dwelling by 1.2m. The glazing of the habitable room windows of the existing dwelling are to be replaced with obscured glass where adjacent to the shared driveway.	Yes

	window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	The low existing frontage fence (brick) is to be retained, with a portion removed to allow for the widening of the driveway.	Yes
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	Individual storage areas are proposed . These spaces are not in front of the dwellings.	Yes

APPENDIX**E5 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.	Estimated AADT = 14.80	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

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.	Existing access to be utilised	YES
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 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.		YES

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;	Four (4) spaces proposed	YES

Standard	Acceptable Solution	Proposed	Complies?
	(ii) this provision was not used in this planning scheme.		
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.	No Requirement	NA
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.	No Requirement	NA
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.	No Requirement	NA
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.	Existing access to be utilised	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		YES

Standard	Acceptable Solution	Proposed	Complies?
	an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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.	Proposed driveway does not exceed 30m.	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.	No requirement	YES
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
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

Standard	Acceptable Solution	Proposed	Complies?
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.		NA
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.		NA
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.	No Requirement	NA
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.	No Requirement	NA
	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.	No Requirement	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.	No Requirement	NA
E6.7.12	A1		NA

Standard	Acceptable Solution	Proposed	Complies?
Siting of Car Parking	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.		
E6.7.1.13 Facilities for Commercial Vehicles	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.		
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.	New impervious area does not exceed 600m ²	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following:	600 litre storage tank proposed.	YES

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

**9. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLING
(TWO PROPOSED AND ONE EXISTING) - 66 BRENT STREET
GLENORCHY**

Author: Senior Statutory Planner (Vanessa Tomlin) and Planning
Consultant (Frances Beasley)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5357375

REPORT SUMMARY

Application No.:	PLN-20-336
Applicant:	Wilson Homes Tasmania Pty Ltd
Owner:	M A Luciani
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Clause 10.4.2 A3; Clause 10.4.3 A2; Clause 10.4.4 A1; Clause 10.4.6 A1; Clause 10.4.8 A1. (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	05 November 2020
Existing Land Use:	Single Dwelling (Residential)
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposed development involves the construction of multiple dwelling units (one existing and two additional dwellings). The existing dwelling is located towards the front of the site and contains three bedrooms, a living room, an eat-in-kitchen and a laundry with parking for two vehicles provided between the dwelling and the site frontage.

The two additional dwellings are proposed to be located to the rear of the existing dwelling. These dwellings are to be two storeys in height, and both include an open plan living and dining room, kitchen and powder room at ground floor level with three bedrooms, a bathroom and ensuite off bedroom 1 on the first-floor level. An attached single garage is provided for the additional dwellings (units 2 and 3) and also contains the laundry for each dwelling.

The additional/proposed dwellings are setback a minimum of 4.4 m from the side (northwest) boundary, 4.7 m from the rear (southwest) boundary and the existing dwelling is setback a minimum of 9.2 m from the front boundary. The maximum overall height of the proposed development is approximately 7.2 m above natural ground level.

All dwellings have a minimum of 24m² of private open space (POS). A proposed 1.2m fence will separate the three dwellings. Sections of cut and fill are proposed to respond to topographical constraints on the site. A retaining wall is proposed along the site's southeast boundary and around the rear of the northwest side of proposed unit 3 to accommodate level changes. The proposed retaining wall varies in height from 765mm at the southeast side boundary up to a maximum height of 1.05 m at the northwest side boundary. Landscaping is proposed.

The existing crossover is proposed to be utilised, with the existing driveway being extended along the southeast boundary towards the rear of the site. A total of seven onsite parking spaces are provided, including two single car garages attached to units 2 and 3 and one visitor space.

SITE and LOCALITY

The subject site is located on the southwest side of Brent Street (**Figure 1**). The site is regular in shape with an overall area of approximately 1072 m² and contains an existing single storey dwelling with concrete driveway along the southeast boundary and sheds towards the middle of the site which will be demolished to accommodate the proposed development. The site gains access from Brent Street over a service road, that serve three lots.

The site slopes up towards the rear southwest corner and is fully serviced with reticulated water and sewer. The surrounding land is zoned General Residential and has been full developed for residential use (Fig. 1).



Figure 1 - Aerial photograph of the site (highlighted) and surrounds. Listmap 2020

ZONE

The subject site is located in the General Residential zone (**Figure 2**).

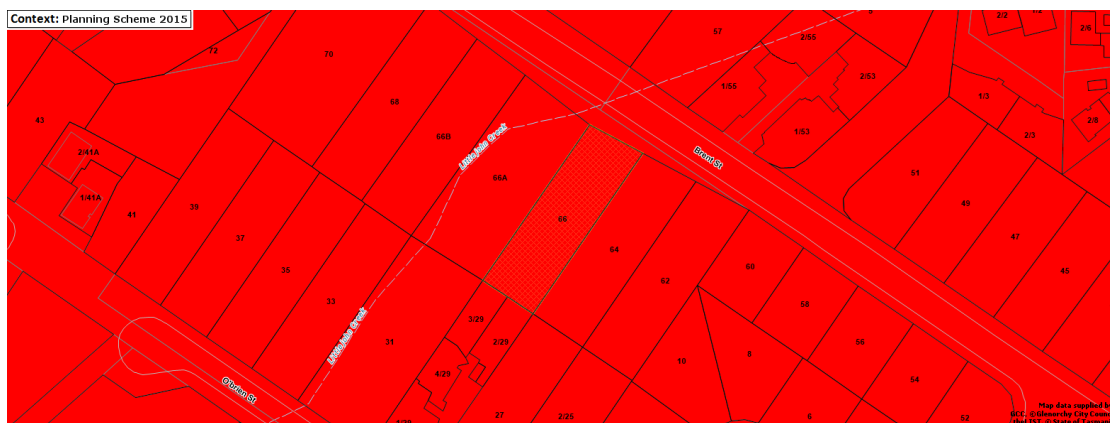


Figure 2 - The site is in the General Residential zone – Glenorchy Interim Planning Scheme 2015. Listmap 2020

BACKGROUND

No background information on file that is relevant to the assessment.

An extension of time was requested to enable the application to be determined at the Glenorchy Planning Authority meeting, owing to the receipt of a representation.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

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

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

Part C: Special Provisions

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

9.4 Demolition

9.4.1

Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;*
- (b) any relevant local area objective or desired future character statement of the applicable zone;*
- (c) the purpose of any applicable code; and*
- (d) the purpose of any applicable specific area plan.*

The proposal involves demolition of an existing shed, which is located towards the middle of the site adjacent to the existing dwelling. The shed is required to be removed in order to make space for the proposed shared driveway.

The proposed demolition works are considered to be in accordance with the requirements of Clause 9.4.1.

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.

The proposal accords with the zone purpose statement as it provides for a variety of residential use and dwelling types, close to services and facilities.

Use Table

Multiple dwellings are a permitted use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying 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

The proposed development does not meet the requirements of Clauses 10.4.2 A3, 10.4.3 A2, 10.4.4 A1, 10.4.6 A1 and 10.4.8 A1. As such, the proposed development has been assessed against the corresponding performance criteria.

10.4.2 Setbacks and building envelopes for all dwellings P3

Proposed dwelling 3 (south east elevation) is outside of the vertical building envelope of diagram 10.4.2A when measured from the rear boundary.

The siting and scale of a dwelling must:

- (a) *not cause unreasonable loss of amenity by:*
 - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*
 - (iii) *overshadowing of an adjoining vacant lot; or*

- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*
- (b) Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

The proposed encroachment into the rear setback is limited to the eave of the roof of proposed dwelling 3, which extends approximately 850mm beyond the building envelope at the southwest (rear) elevation.

Shadow diagrams were provided with the application and demonstrate that the extent of overshadowing to adjoining dwellings and areas of private open space is limited to the afternoon period (from 3 pm), where shadow will fall across 64 Brent Street located to the southeast of the site. However, all adjoining properties will maintain a minimum of three hours solar access during midwinter between the morning and midday periods.

The proposed development maintains minimum setbacks of 4.4m from the side boundaries and 4.7 m from the rear boundary, which effectively positions the majority of the building bulk centrally within the site and away from shared boundaries. In addition, contrasting external materials have been employed, including face brick, easy lap cladding and dressed oak vertical battens, which will assist in providing articulation to the elevations and reduce the appearance of visual bulk when viewed from adjoining sites.

Whilst single dwellings are the typical building type in the surrounding area, the zoning envisages a variety of dwelling types including multiple dwellings. The proposal maintains a similar scale to the multi-dwelling development adjoining to the rear at 29 O'Brien Street, Glenorchy, and maintains separation between adjoining dwellings that is compatible with the established pattern of development in the area.

The proposal meets the requirements of P3 and complies with the standard.

10.4.3 Site coverage and private open space for all dwellings P2

The POS of the existing dwelling will not be directly accessible from and adjacent to a habitable room and will be located between the street frontage and the dwelling.

A dwelling must have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that is:*
 - (i) conveniently located in relation to a living area of the dwelling; and*
 - (ii) orientated to take advantage of sunlight;*

The existing dwelling will have a minimum area of approximately 103m² of POS that is located to the northeast of the existing dwelling, predominantly at the site's frontage. The POS comprises an existing covered deck as well as a landscaped area directly adjoining the dwelling.

Whilst not directly accessible from the internal living area, the POS will be accessible via a corridor from the kitchen, dining and living room, providing an outdoor dining area that is conveniently located to the kitchen and bathroom amenities. Due to the northeast orientation of the POS, it will receive good solar access year-round.

The proposed development is consistent with the requirements of P2 and complies with the standard.

10.4.4 Sunlight and overshadowing for all dwellings P1

All three dwellings will not contain a window to a habitable room which faces between 30 degrees west of north and 30 degrees east of north.

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

The living room of the existing dwelling has a window which faces southeast, which will receive morning sunlight. Proposed dwellings 2 and 3 contain living rooms with northwest facing windows, which will receive good solar access from midday onwards.

The proposed development is consistent with the requirements of P1 and complies with the standard.

10.4.6 Privacy for all dwellings P3

The applicant has confirmed that the habitable room (bedroom) window located north-eastern elevation of the existing dwelling is to be provided with translucent glazing to a height of 1.7 m above floor level. However, the window adjoins the shared driveway and is separated by less than 1m from the driveway (Fig. 3).



Figure 3. A view of the existing habitable room window on the north-eastern elevation of the existing dwelling that is to be fitted with translucent glazing to a height of 1.7 m above ground level and is within 1m of the proposed shared driveway.

The proposal relies on performance criteria, which 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 detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Whilst 1 m separation is not achieved, the window is proposed to be provided with translucent glazing to a height of 1.7 m above floor level, which will assist in minimising light intrusion into the habitable room.

The proposal meets the requirements of P3 and complies with the standard.

10.4.8 Waste Storage for multiple dwellings P1

The proposed waste storage area for unit 1 is located in front of the dwelling which is inconsistent with A1.

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

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

Each unit is provided with a separate bin storage area, with the proposed bin storage area for unit 1 is located between the dwelling and the site frontage. The area provided for bin storage per dwelling is sufficient to accommodate a general waste bin and a recycling bin. The bin storage area is proposed to be positioned behind a 1.2 m high fence which will screen it from view. No communal storage areas are proposed.

The proposal meets the requirements of P1 and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Railway Asset Code

Council's Development Engineer has assessed the proposal against the applicable standards of this code and found that the proposal complies with the acceptable solutions of those standards.

Parking and Access Code

The proposal provides a minimum of two spaces per dwelling, with the plans showing a visitor parking space between the existing dwelling and the frontage. To comply with E6.6.1 Number of Car Parking Spaces each multiple dwelling must have two parking spaces per dwelling and one visitor parking space for every four dwellings. Considering that only three dwellings are proposed, the threshold for the visitor parking space has not been reached and is not required as a result.

Given that the jockey parking arrangement proposed for unit 1 and shown on the plans is not a preferred option in terms of functionality, the applicant has agreed to not provide the visitor park and design the parking area for unit 1 to be side by side.

Council's Development Engineer has assessed the proposal against the remaining applicable standards of this code and found that the proposal complies with the acceptable solutions of those standards.

Stormwater Management Code

Council's Development Engineer has assessed the proposal against the applicable standards of this code and found that the proposal complies with the acceptable solutions of those standards.

Waterway and Coastal Protection Code

The site is located within a Waterway and Coastal Protection area and is within proximity to Littlejohn Creek located to the northwest of the site. However, the proposed development is exempt from the provisions of the code pursuant to Clause E11.4(c)(ii) as the proposed development is located within an existing private garden.

PART F: Specific Area Plans

No Specific Area Plan applies to the land.

INTERNAL REFERRALS

Development Engineer

The proposal is to construct two (2) additional dwellings at 66 Brent Street utilising the existing access off an existing service road that is of sufficient dimensions to adequately service the proposal.

At the completion of the statutory advertising period one (1) representation was received recommending Council reject the application on the grounds of noise and traffic pollution, restrictive parking and the potential traffic conflict caused by the limitation of the existing service road and sight distance.

The allotment is fully serviced, and a stormwater detention strategy is proposed.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code.

The design adopted by the applicant ensures that the all traffic exiting the site is able to enter Brent Street in forward direction and therefore is compliant with A1 of E6.7.4.

It is accepted that the existing service road is limited to a single lane. This is considered acceptable for a domestic driveway with less than 30 movements in peak hour (AS/NZS 2890.1:2004), also with on-site turning proposed and a vehicle passing bay at the entrance to the property 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 A3 of E5.5.1.

The design, layout and location of the access, junction provides adequate sight distances to ensure the safe movement of vehicles to and from the site.

E6.0 Parking and Access Code

The submitted plans indicate a total of seven (7) parking spaces. To comply with the Parking and Access Code the applicant has agreed to reduce the available parking spaces to six (6) by eliminating parking space P3 adjacent to Unit 1.

The proposal is to utilise the existing approved access for the existing dwelling which is compliant with the Acceptable Solution A1 of E6.7.2 Clause (b).

It 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 development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to the existing connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1. The development also is considered to 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 600m².

*Other**E3.0 Landslide Code*

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

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

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

E15.0 Inundation Prone Areas Code

The allotment has been identified as being within a flood prone area. The areas affected are the northern area in front of the existing dwelling and a small area, the site proposed for unit number 2.

The northern area does not encroach on any proposed habitable area, and the floor level proposed for the habitable area of unit 2 is 600mm. above identified flood level.

EXTERNAL REFERRALS**TasWater**

TasWater is in support of the proposal and have recommended conditions of approval.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 1 (one) representation being received. The issues raised are as follows:

1. Impacts resulting from noise and traffic pollution

The representor states that the proposed development will result in a loss of amenity due to an increase in noise and traffic impacts generated by additional vehicle movements.

Planner's Comment:

The planning scheme requires consideration of impacts on visual amenity, privacy and overshadowing. Clause 10.4.6 specifically requires consideration of a shared driveway or parking space to ensure that detrimental impacts of vehicle noise or vehicle light intrusion is minimised to a habitable room of another dwelling on site. However, the planning scheme does not take into consideration noise impacts to adjoining properties resulting from traffic movements or use of private driveways or parking spaces.

It is considered that enough separation is provided between the proposed dwellings and dwellings on adjoining sites to reasonably mitigate any potential amenity impacts. Boundary fences can also assist in minimising potential noise and light spill from vehicles.

The Parking and Access code and Road and Railway Assets code considers the provision of adequate onsite parking and the design of driveways and vehicle crossovers to ensure the safety of pedestrians and drivers. Traffic impacts are considered under issues 2 and 3 below.

2. Loss of on street carparking

The representor states that the development provides limited onsite car parking which will effectively result in additional cars parking on the street and causing a dangerous traffic scenario for Brent Street.

Planner's Comment:

The proposed development incorporates a minimum of two onsite parking spaces per dwelling, which meets the requirements of the Parking and Access Code. The application was referred to Council's Development Engineer who is in support of the application in terms of parking.

3. Narrow vehicle crossover and lack of passing bays generating unsafe traffic conditions

The representor states that the proposed development will generate unsafe traffic conditions due to the increased volume of cars exiting and entering the site using a narrow driveway with no passing bays, potentially requiring vehicles to reverse down the driveway to allow an existing car to pass.

Planner's Comment:

The proposed development provides onsite turning areas, which enables vehicles to exit the site in a forward direction and reduces the need to reverse onto the service road, when exiting the site. Council's Development Engineer has confirmed that a passing bay is not required on the service road, given the volume of traffic it is able to safely carry.

In summary, the proposed development meets the applicable standards and condition of approval ensure these requirements will be met on the ground post construction.

4. Insufficient sight distances and design standard of vehicle access

The representor states that the proposal conflicts with vehicular access standards in the planning scheme and that there is insufficient sight distance from the driveway.

Planner's Comment:

Council's Development Engineer has assessed the proposed development against the applicable standard for sight distances at accesses and junctions and found the proposal to be compliant.

5. Number of multiple dwelling developments on Brent Street

The representor states that there are already too many units on Brent Street.

Planner's Comment:

Multiple dwellings are a permitted use in the General Residential zone and the zone provisions include a minimum density of dwellings per site (which the proposed development satisfies). However, there is no development standard in the planning scheme which restricts the number of multiple dwelling developments allowable within a street or area.

6. Inconsistency between plans regarding the proposed location of onsite parking spaces for unit 1.

The representor states that the parking layout shown on page 3 of the proposal plans differs from that shown on page 5.

Planner's Comment:

The proposal plans have been reviewed and it is acknowledged that the parking spaces arrangement shown on site plan, site drainage plan and site landscaping plan differ from the arrangement shown on the shadow diagrams.

Whilst there is a discrepancy between plans, the overall number of parking spaces shown on both plans is the same and the difference between the two arrangements is considered to be minor. Notwithstanding this, recommended conditions may override what is shown on the plans and would resolve minor inconsistencies such as this. In this instance the applicant has agreed to provide two parking spaces for unit 1 that are to be positioned side by side.

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, Parking and Access code and Stormwater Management code.

The application was publicly advertised for the statutory 14-day period and 1 (one) representation was received which has been addressed above. 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 dwelling (two proposed and one existing) at 66 Brent Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-336 and Drawing (17 pages) submitted on 9 October 2020, 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 2020/01265-GCC, dated 27/08/2020, form part of this permit.
3. Demolition works are undertaken in a manner which minimises dust and sediment transfer, and that waste is disposed of at an appropriate waste disposal facility.

Engineering

4. 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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. The design and construction of the 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 design of the driveway, parking, access and turning areas 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) Six (6) clearly marked car parking spaces (two spaces per dwelling) as mutually agreed 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) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
- f) The gradient of any parking areas must not exceed 5%; and
- g) Minimum carriageway width is to be no less than 3.0 metres.

The approved design of the driveway, parking, access and turning areas must be installed prior to the occupancy of the additional dwelling.

- 7. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the additional dwelling.
- 8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
- 9. The landscaping within the parking and circulation areas must be provided. A landscape design is to be submitted for approval of the Senior Statutory Planner prior to the commencement of any works on-site. These works are to be completed prior to the occupancy of the additional dwelling.
- 10. 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 for approval by Council's Development Engineer.
- 11. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the 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.

The car parking arrangement for unit 1 is to be two parking spaces arranged side by side and located between the dwelling and the frontage.

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.

Waste Management Services

Waste Services to 66 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 nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) 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.

Other

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 GPA Attachment - 66 Brent Street, Glenorchy



APPENDIX A

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: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Site area per dwelling is to be 357m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	Dwelling is setback more than 4.5m.	Yes
	A2 A garage or carport must have a setback from a primary frontage of at least:	No garage or carport proposed within 5.5m of the frontage.	Yes

	(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	Proposed dwelling 3 (south eastern elevation) outside the verticle building envelope (rear boundary) of diagram 10.4.2A.	No
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 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and	a) Site coverage is 34%; b) Minimum of 60m²; c) 32% free from impervious.	Yes

	(c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	a) POS is to be in one location and is to be 24m² for all dwellings; b) POS for all dwellings is to be a minimum horizontal width of 4m; c) POS not directly accessible and adjacent to a habitable room for the existing dwelling; d) Not located to the south of any dwelling; e) Is to be between the dwelling and the frontage for existing dwelling; f) has a gradient not steeper than 1 in 10; and g) is not used for vehicle access or parking.	No
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	No window for each dwelling that faces between 30 degrees west of north and 30 degrees east of north	No
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):	No dwelling is immediately north of another dwelling on the same site that has a window faces between 30 degrees west of north and 30 degrees east of north.	NA

	(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural 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 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	No dwelling is immediately north of another dwelling on the same site.	NA
10.4.5	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling)	No garage or carport within 12 m of a primary frontage proposed.	NA

Width of openings for garages and carports for all dwellings	must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).		
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (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.	No balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level is proposed.	NA
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.	All windows or glazed doors, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level are to be setback 3 m from the side boundary and 4 m from the rear boundary.	Yes

	(b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	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 at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	Translucent glazing is to be fitted to bedroom 2 window (of existing dwelling) to a height of 1.7m above ground level. However, there is not a 1m separation between the dwelling and the shared access.	No
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No frontage fencing proposed, see landscape plan.	NA
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:	Each dwelling is to have a 1.5 m ² storage area. However, the existing dwelling is to have it in front of the dwelling.	No

	(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		
--	---	--	--

APPENDIX**E5 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.	Estimated AADT = 22.20	YES

Standard	Acceptable Solution	Proposed	Complies?
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
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

Standard	Acceptable Solution	Proposed	Complies?
	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.	Existing access to be utilised	YES
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 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.		YES

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.	To comply with Table E6.1 an agreement was negotiated with the applicant (19/10/2020) to eliminate one (1) parking space from the submitted plan	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;	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) be located as close as practicable to the building entrance.		
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.	No requirement	NA
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.	No requirement	NA
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.	Existing approved access to be utilised	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 Driveways and Circulation	Conditioned	YES

Standard	Acceptable Solution	Proposed	Complies?
	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.	Passing bays provided	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.	Provision made for on-site turning	YES
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
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,	Concrete pavement proposed	YES

Standard	Acceptable Solution	Proposed	Complies?
	unless the road from which access is provided to the property is unsealed.		
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.		YES
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.		YES
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.	No requirement	NA
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.	No requirement	NA
	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.	No requirement	NA
E6.7.11	A1	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
Bicycle End of Trip Facilities	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.		
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.		NA
E6.7.1.13 Facilities for Commercial Vehicles	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.		
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	New impervious area does not exceed 600m2	YES

Standard	Acceptable Solution	Proposed	Complies?
	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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		
	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.	In-line detention system proposed.	YES
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA